**Public Works:
State Formation, Class Composition, and the Making of Ontario's Public Sector**

by

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Abstract

This dissertation examines the role of labour in the formation of a modern public sector in Ontario. Specifically, I explore how the public sector has been rendered intelligible and administrable through strategies of 'government at a distance,' which have aimed to disentangle labour from its strategic location in vital infrastructural networks, enabling its regulation through increasingly centralized administrative structures. I draw from three historical case studies in developing my argument. First, I examine how civic employees' unions contributed to the reconfiguration of sanitation work in early twentieth century Toronto. Second, I explore how the federation of public sector unions on a provincial and national scale in part provoked the emergence of regional governance structures across the province in the 1940s and 1950s. Finally, I explore how interest arbitration was taken up as a means of depoliticizing the bargaining process in Ontario's hospital sector through the 1960s and 1970s, galvanizing new understandings of the public sector as a distinctive domain. In each of these cases, I explore how new forms of expertise were developed which aimed to impartially calculate the value of public work and render it comparable across disparate sites. In this sense, I draw from Foucault in viewing the formation of a public sector as a process of 'governmentalization' -- setting up an economy at the level of the entire state. While a great deal of literature in governmentality studies has tended to focus on the role of state officials in this process, I emphasize how workers, at various times, have been able to build leverage through their critical position in the provision of services, and change the scale at which their labour is framed through establishing new levels of organization. In this sense, I argue that the formation of the public sector a uniform and coherent domain has in many ways been the outcome of struggles from below. In other words, workers have played a very active role in the *production* of the public sector.

Acknowledgments

The first problem in organizing academics is to demonstrate collectively that we are workers and not just intellectuals.

At times, writing the dissertation has felt like a very solitary intellectual exercise. Like everyone else, I've experienced the tendency to internalize an image of myself as a rugged individual aggressively carving out a place within the cold, asbestos-riddled walls of the Loeb Building. Cordoned off, frantically typing away, seeking to live up to distant performance evaluations and fantasies of elusive tenure track jobs.

Of course, that's far from the truth. Writing, teaching, and doing research are all profoundly social experiences. You need a support-base from where you can get the requisite nutrients, exercise, sleep, feedback, love, respect and understanding. In this sense, the dissertation is an amalgam – the outcome of years of togetherness in formal and informal networks.

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On paper, the current period often seems bleak. We are living in an era of austerity in which everything appears scarce. There is not enough time or money; there are not enough jobs or natural resources. We need to always be cutting back, tightening the belt. But I feel very fortunate to be part of this moment in time. Far from scarcity, I know that there is a great abundance, because I've experienced it with all of the fantastic people that I've met. They've helped me to think and act with a feeling of fullness – to understand that there's always more than we're told. Ultimately, that gives me hope and energy.

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Chapter One

Introduction: Putting the Public Sector in Context

“On the one hand, when it comes to the matter of wages or benefits, public workers are considered utterly non-essential. They’re stereotyped as leeches on the public purse or leeches on the private sector. On the other hand, let these ‘public workers’ even *breathe* the word ‘strike’ ... and they can go to jail or pay a fine. Suddenly, these ‘leeches on the public purse’ are essential!”¹

--Robert E. Clarke, Research Director, National Union of Provincial Employees, 1979

Introduction

The public sector tends to be seen today as a discrete domain. Drawing on topographical metaphors, it is often conceptualized as a *realm* of redistribution, a decommodified *zone*, or a *space* of entitlements. It is described as a monolithic *sphere*, with its own distinctive features – its own rate of growth, mode of organization and class of workers. However, while the existence of the public sector as a clearly delineated domain is taken as a given, there are very different attitudes and opinions about its value. As Clarke notes, work in the public sector often tends to be viewed as both necessary and superfluous; it is both defended as a vital service and attacked as an object of waste and excess.

On the one hand, some argue that the public sector is bloated, inefficient, and alienating. It is conflated with ‘big government.’ It is a market that has been usurped by the state. It is an unfortunate political interjection into the economy, removing services from the realm of competition and rendering them susceptible to manipulation by special interest groups. From this perspective, a favourite target of right wing pundits has been

¹ Robert E. Clarke, “Commentary,” in *The Problem of ‘Essential Services’: Inconvenience, Importance, or Emergency*, ed. Alexander C. Pathy (Montreal: McGill University Industrial Relations Centre, 1980), 30.

public sector workers who, it is argued, maintain an inordinate degree of control over this domain, unfairly inflating the cost of services. It is for this reason that the former media baron and convicted white-collar criminal Conrad Black recently penned a vitriolic editorial in the *National Post* in which he described public sector unions as a “blight on our society”.² He argues that the outcome of public sector unionization has been to “standardize, regiment, stifle initiative, discourage enterprise, and concentrate power to intimidate and influence political decision-making in the hands of unrepresentative and self-serving cabals”. His views are not uncommon; in fact, it is frequently argued these days that public sector workers receive wages and benefits that are unfairly extorted from taxpayers through their monopoly over the provision of vital services. The trope of ‘hostage-taking’ is all too commonly invoked whenever contracts come up for negotiation.³

On the other hand, the public sector has been treated as a sphere to be *defended* from encroachment under neoliberal strategies of privatization, deregulation and marketization. From this perspective, it is argued that the public sector exists as a realm of *decommodification*, providing a means by which “a person can maintain a

² Conrad Black, “Public sector unions are a blight on our society,” *National Post*, April 5, 2013, <http://fullcomment.nationalpost.com/2013/05/04/conrad-black-4/>

³ This language was recently taken up by right wing politicians in justifying restrictions on the right to strike for a range of public sector workers – including bus drivers, postal workers, flight attendants, railway workers and teachers. For instance, the language of ‘hostage-taking’ was deployed at municipal level in justifying the designation of the Toronto Transit Commission as an essential service in 2011. In referring to transit workers, one city councilor was reported as saying, “They shouldn’t have the right or the ability to hold an entire city hostage” (cited in *Toronto Sun*, 16 Dec 2010). Such language was also apparent at the federal level in the 2011 job actions of the Canadian Union of Postal Workers and Air Canada, and at the provincial level in the 2013 actions of high school and elementary school teachers (*Toronto Star*, 3 Jan 2013). Even in withdrawing their voluntary labour in the provision of extracurricular activities, teachers were condemned in the press for extorting higher wages from the public. Hence, the provincial Conservative leader, Tim Hudak, argued, “There should be no such thing as work-to-rule when it comes to our children’s education. Yet sports and clubs are being held hostage — and students with them” (*Toronto Star*, 22 January 2013).

livelihood without reliance on the market”.⁴ In this sense, the public sector is a structure for the provision of vital services as citizenship entitlements rather than employment benefits.⁵ It is a universal space provided by the state for the benefit of the public, to be carefully guarded from the profiteering of private interests. Moreover, those workers who are part of the public sector are deemed to provide invaluable services. They are at the forefront of struggles to mitigate social inequality and contribute, through their decent paying jobs, to the generation of aggregate demand in a faltering economy. In short, they provide the last bastion of strength for a fading middle class.⁶

These views are so prevalent today that people often tend to forget that the ‘public sector’ is actually a relatively recent way of viewing the state and its relationship to its workers and the wider population. In fact, it was only in the wake of the Second World War that the notion of the ‘public sector’ came into prominence in Canada, building on Keynesian economic policies and an emergent liberal developmental state. Prior to this time, as Valverde (1995) notes, the provision of services in the Canadian context could be more accurately described as a ‘mixed social economy’ in which the boundaries between the public and the private were porous and frequently renegotiated. Beyond a pure realm of public services, she notes that, in the late nineteenth and early twentieth century, religious and charitable organizations spearheaded by middle-class philanthropists and professional gentlemen tended to provide services at arm’s length

⁴ Gøsta Esping-Andersen, *The Three Worlds of Welfare Capitalism* (Princeton: Princeton University Press, 1990), 22.

⁵ For the classic statement of this perspective, see T.H. Marshall, *Citizenship and Social Class* (London: Pluto Press, 1992 [1952]). Marshall laid the groundwork for Esping-Andersen and others who came to view the welfare state as a realm of social rights.

⁶ For example, see: Thomas Walkom, “The teacher’s dispute and the war on wages,” *Toronto Star*, December 19, 2012 http://www.thestar.com/news/canada/2012/12/19/walkom_the_teachers_dispute_and_the_war_on_wages.html. Also, Paul Moist, “Public Sector Workers are Part of the 99%,” *Huffington Post*, April 6, 2013, http://www.huffingtonpost.ca/paul-moist/public-sector-wages_b_3220163.html

from the state. These services were largely organized through voluntary labour, and undertaken by civil society groups under the watchful eye of state officials. Moreover, work that was directly coordinated by state agencies was often considered to exist outside of the formal labour market as a form of direct relief for the unemployed or patronage-based network building.⁷ So, how did the notion of a clearly delineated public sector arise and what role did workers play in this process?

In this dissertation, I challenge the fixity of the ‘public sector’ as an ontological category. Rather than beginning from the assumption that the public sector exists as an object or thing outside history, I trace the conditions of possibility for its formation. How did the public sector come to be imaginable? How has it come to be thought of as a singular domain? There is a tendency here to define the public sector by the function that it serves in a broader social formation – viewing it as a mechanism for the reproduction of capitalist relations of production. This tends to focus on the public sector as a realm of consumption. Against this view, I highlight how the public sector has come to be intelligible as a site of production. Rather than naturalizing the ‘public sector’ as an actually-existing space that somehow stands removed from the taint of market relations, I examine how it has been constituted as a relational object, bound up in the struggles to define and shape an economy of services. Specifically, I argue that the ‘public sector’ is reflective of the emergence of modern liberal modes of governance that aim to ‘govern at a distance.’ By this, I mean that responsibility for the provision of certain

⁷ There is a rich literature in labour history and urban studies that explores the thick patronage networks that were rife in Canadian cities through this time. In looking at Toronto specifically, see Warren Magnusson, “Toronto,” in *City Politics in Canada*, eds. Warren Magnusson and Andrew Sancton (Toronto: University of Toronto Press, 1983). In the nineteenth century city, Magnusson argues that “every form of political organization depended on patron-client relations” (10). He describes an extensive networks of lodges and church organizations through which city services were configured. See also Gregory S. Kealey, “Orangemen and the Corporation,” in *Forging a Consensus: Historical Essays on Toronto* (Toronto: University of Toronto Press, 1984) and Kealey’s earlier manuscript *Toronto Worker’s Respond to Industrial Capitalism* (Toronto: University of Toronto Press, 1980).

services has been removed from the realm of politics and private interest and come to be objects of expert administration in its own right. Moreover, I argue that state officials have played a central role in reconceptualising the value of services through the creation of norms and standards that can be applied across jurisdictions, facilitating the growing reach of more centralized forms of administration. Through my case studies, I highlight four key points in rethinking the public sector as an object of analysis.

First, I reject the binary distinction between the state and the market as a useful way of conceptualizing things. Very often, from both left and right wing political perspectives, the public sector is viewed as a realm removed from the economic domain. It is taken to stand apart from the market as a space of citizenship rights and entitlements. In contrast, I argue that the formation of a modern public sector is, in part, the outcome of efforts by state agencies to render certain services secure, efficient and cost-effective. In this sense, the formation of the public sector domain has been fundamentally wrapped up in what Foucault describes as the ‘governmentalization’ of the state, based on efforts to “set up an economy at the level of the entire state”.⁸ Building from liberal rationalities of government, I argue that the public sector has been the outcome of regulatory projects that have sought to reconfigure the state as if it were an economy.

Second, I highlight all of the administrative work that has gone into rendering the public sector intelligible as an object of regulation. How is it that different services –such as electricity, transit, health care and education – have come to be thought of as interchangeable and equivalent across social space? How have these services come to

⁸ Michel Foucault, “Governmentality,” in *The Foucault Effect*, eds. Graham Burchell, Colin Gordon and Peter Miller (Chicago: University of Chicago Press, 1991), 91.

be formatted as economic systems? All too often the administrative work that goes into constituting the public sector gets ignored in the academic scholarship, which tends to exaggerate the unity of the state system as an already existing object – the state is often viewed as an actor in its own right. As critical geographers have recently noted, there has been a tendency towards methodological territorialism, which assumes that the state is synonymous with a national territory that it encompasses, standing over and above as a sovereign ruler.⁹ It is assumed that the state exercises a monopoly over territory – that its services blanket a uniform and integrated national economic space. Drawing from the critical geographies literature, I advance a more spatially sensitive view of the public sector, exploring how this domain has been knotted together through micro-struggles occurring at a number of different sites and scales. Through the growing capacities of state agencies to investigate, enumerate and compare the provision of services deemed necessary to public health and security, I argue that a distinctive ‘public sector’ domain comes to be imaginable as an object of regulation, a concrete abstraction, which is taken up, deployed and actively contested in reconfiguring the provision of services.

Third, the public sector is not solely the product of politicians and senior civil servants. It is not simply an instrument to be used in furthering the interests of political elites or a relatively autonomous structure that facilitates the long-term reproduction of capitalism as a social formation. In fact, workers have also been critically invested in the

⁹ For a critique of this view, see John Agnew, “The Territorial Trap: The Geographical Assumptions of International Relations Theory,” *Review of International Political Economy* 1, no. 1 (1994): 53-80; Neil Brenner, *New State Spaces: Urban Governance and the Rescaling of Statehood*, (Oxford: Oxford University Press, 2004), 38. More recently, see Joe Painter, “Prosaic geographies of stateness,” *Political Geography*, 25 (2006): 752-774. Painter challenges the notion of the state as a unitary object, instead highlighting “the openness, porosity, heterogeneity, fallibility, unevenness and creativity of state practices” (770). In this sense, he argues that ‘stateness’ is the outcome of specific spatial practices.

production of ‘public sector’ landscapes. This is especially apparent in considering the high unionization rates of public sector workers and the central impact of their actions on state policies over the past forty years. Since the mid-1970s, the public sector has been the most densely unionized segment of the Canadian workforce, with 74 percent of public sector workers currently unionized (compared with 16 percent in the private sector).¹⁰ The Canadian Union of Public Employees (CUPE) and the Public Service Alliance of Canada (PSAC) are currently the two largest unions in the country based on membership. Challenging wage restraint in the 1970s and 1980s, government cutbacks in the 1990s, and the current penchant for austerity in the wake of the 2008 global economic recession, public sector workers have spearheaded some of the highest profile resistance to neoliberal policies and programs.

However, it is not enough to simply view these workers as *defending* the public sector. Beyond simply bolstering an already existing domain, I highlight the role of these workers in actively *producing* the public sector. Through the embeddedness of their labour in the urban landscape, workers have often gained leverage in shaping the contours of the public sector to serve their interests. In fact, the vital location of workers in the production and reproduction of everyday life has often led them to be reclassified as part of the ‘public’ in the first place. For instance, we can highlight how the interjection of state regulation in sanitation, transit, health, and security services has been justified on the basis that such services are of vital significance to public health, well-being and security. Through the entanglement of labour in critical infrastructural

¹⁰ Statistics Canada, “Union membership and coverage by selected characteristics,” <http://www.statcan.gc.ca/pub/75-001-x/2011004/article/11579-eng.htm>

landscapes, workers have, at times, been able to generate leverage in advancing their struggles.

Moreover, workers have been able to draw from their positions in advancing new forms of organization and new understandings of the field in which they operate. Hence, I highlight the institutional capacities of unions in actively reframing public services, skilfully reshaping the way in which labour is assigned value. I highlight the role of organic intellectuals here in developing new ‘modes of valuation,’ new ways of defining and understanding the value of public sector labour. In fact, it was largely through the development of such institutional capacities – in which labour organizations skilfully articulated equivalences between different lines of work and across various worksites – that a public sector came to be rendered intelligible in the first place. This subversive history becomes apparent as we trace the emergence of the public sector in Ontario from the 1920s until the 1970s.

Knotting Together a Public Sector in Ontario

The cases studies discussed in this dissertation are mainly focused on Ontario, especially the heavily urbanized south-central portion of the province. Certainly, this was a central milieu within which modern conceptions of the public sector took shape in Canada. Canadian political economists have often noted the centrality of reformers in this region in spearheading the formation of large-scale public utilities – such as railways, hydro-electricity, roads and highways, and transit services – from the early- to mid-twentieth century.¹¹ Through this time, state officials experimented with novel forms

¹¹ There is a great deal of literature that seeks to explain the prominence of public utilities for the Canadian state, beginning with the writings of Harold Innis, especially his monumental work *The Fur Trade in Canada* (Toronto:

of public administration that would be quite influential in shaping like-minded reforms in cities and towns across Canada. Moreover, in the wake of the Second World War, the rapidly expanding metropolitan region in southcentral Ontario served as a central locus for the construction of new public infrastructure and the establishment of increasingly centralized administrative structures facilitating coordination between different levels of government.¹²

However, while my case studies are undertaken in Ontario, it should not be assumed that this is the *scale* at which I undertake my analysis. Rather than beginning from the assumption that Ontario exists as a discrete territory across which services are squarely blanketed, I highlight how services are unevenly bundled together – heterogeneous, partial, and often poorly connected across different sites. I highlight the uneven geographies of the public sector, recognizing the ways in which infrastructural networks are more densely woven in some areas than in others. From the early- to mid-twentieth century, a central problem for state agencies was in binding together such infrastructural networks across territory. How could such services be brought within the

University of Toronto Press, 1930) in which he explores nation-building as largely motivated by the infrastructural demands of a growing staples economy. In order to facilitate the extraction of resources, the state had to finance the construction of an immense communications and transportation network. In the 1970s, a more Marxist-inspired approach emerged, highlighting how the state, under the hegemony of the finance capital, served to facilitate a deepening process of accumulation. From this perspective, the emergence of large-scale public utilities was by no means advanced on the principles of socialism; rather, it was seen as primarily benefitting business interests. For example, see Leo Panitch's work in this area, especially his article "The role and nature of the Canadian state," in *The Canadian State*, ed Leo Panitch (Toronto: University of Toronto Press, 1977). More recently, scholars like H.V. Nelles and Christopher Armstrong have attempted to explore the rise of public utilities through adopting a theoretical lens that is more inspired by technology studies and institutional economics. This is most apparent in their monumental work, *Monopoly's Moment* (Toronto: University of Toronto Press, 1986). The focus here is on how the regulation of certain services – such as gas, electricity, transition and sanitation – came to be problematized by state agencies through the early- to mid-twentieth century.

¹² The central role played by reformers in Ontario becomes apparent, for instance, in considering their role in spearheading publicly owned electricity through the Ontario Hydroelectric Commission, which was a novel and largely unprecedented experiment in public ownership in North America. Armstrong and Nelles document the history of this project in *Monopoly's Moment* as well as in Nelles' earlier work, *The Politics of Development* (Toronto: Macmillan, 1974).

field of centralized administration? How could they be rendered knowable from a distance? In fact, a provincial public sector only came to be rendered intelligible through a long struggle to establish such administrative capacities across the province.

It is especially important to consider the positionality of cities through this time as nodal points through which critical infrastructure came to be concentrated and administered. Very often this role has been neglected in the literature, as the emphasis has been more on the role of the national state and, in Canada, on the provincial level of government in shaping the contours of public services. For many years, cities were dismissed as mere ‘creatures of the province,’ simple appendages to be manipulated by central governments.¹³ However, a growing body of literature has increasingly demonstrated how cities, and especially Toronto and its surrounding region, have played a pivotal role in shaping modern social policy.¹⁴ As Canada’s largest city, Toronto is often considered to be the “financial, industrial, services and cultural capital of Canada”.¹⁵ For many years, it stood at the hub for manufacturing and came to be the financial centre for the country. A great deal of infrastructure is concentrated in the region, including an extensive network of highways, rails, hospitals, schools, libraries, and hydroelectric facilities. This has made Toronto and its surrounding region especially important in shaping social and economic policies more broadly.

¹³ This state-centred approach, which highlights federal-provincial relations, has recently been critiqued by a number of scholars who have come to highlight the central position of cities in policy development. For a review of this literature, see Neil Bradford’s policy paper, “Why Cities Matter: Policy Research Perspectives for Canada,” Canadian Policy Research Networks Discussion Paper No F/23, (2002).

¹⁴ See Bradford. “Why Cities Matter.” Magnusson highlights the central role played by Toronto early on in his article, “Metropolitan Reform in the Capitalist City,” *Canadian Journal of Political Science*, 1981. This has been later taken up by a range of scholars that have become increasingly concerned with how different scales of government intersect in the city. For instance, this point is raised by Rianne Mahon and Laura Macdonald in their article “Anti-poverty Politics in Toronto and Mexico City,” *Geoforum*, 41 (2010): 209-217.

¹⁵ Thomas Courchene, “Ontario as a North American region-state, Toronto as a global city-region: responding to the NAFTA challenge,” in *Global City-Regions: Trends Theory Policy*, ed. A.J. Scott (Oxford: Oxford University Press, 2001).

Moreover, it is important to consider how the uneven and disparate sociospatial organization of public services has both enabled and constrained different kinds of collective action on the part of workers. As I show, it is no surprise that the first civic employees unions would blossom in the heavily industrialized south-central region. It was here that services were first brought under increasingly bureaucratized governance structures, separated from civic patronage machines through the development of new methods of measuring and appraising city work. With the rapid expansion of infrastructural networks across a sprawling metropolitan region through the 1950s and 1960s, civic, municipal, school and hospital workers were centrally positioned in advancing their claims as an integrated ‘public sector’ workforce. Through this time, these workers confronted the efforts of state officials to establish more centralized administrative structures by creating the first federated public sector unions. In this sense, they were able to change the scale at which labour was regulated and conceptualized as an object of administration.

However, while Ontario is where I situate my study, it is only one part of the story. I should highlight that there are many other potential starting points. In fact, the administrative reforms that were adopted in Ontario were often inspired by struggles taking place in other parts of the world. For instance, in considering how civic work was organized in the early twentieth century, we should consider how professional expertise was drawn from other metropolitan centres – such as London, New York, or Chicago. In this sense, Toronto should be viewed as a node in a much larger policy network. Likewise, in considering the formation of public sector unions in the mid-twentieth century, it is not enough to simply focus on events that were occurring within the

province, as more expansive networks were being established, tying together hospital workers in British Columbia, hydro-electrical workers in Quebec, municipal workers in Halifax, Nanaimo, and Winnipeg. These connections, which often confounded established jurisdictions, are also essential in understanding the story; it is through learning from workers in these other areas, that new modes of organization could be established and experimented with. Nevertheless, I highlight how public services have been knotted together in very distinctive ways across Ontario, and while actions in other regions are certainly significant, they are not a focus of this study.

Overview of Chapters

The dissertation aims to build an alternative understanding of the public sector through a series of three critical case studies. I begin with my theoretical framework, reconceptualising the public sector as an object of analysis. Rather than viewing the public sector as a realm of consumption, I am more interested in the governmental rationalities that have been taken up in rendering the public sector intelligible as a space of production. This is facilitated by modern liberal modes of governance that aim to 'govern at a distance'.¹⁶ On the one hand, this entails governing through non-political modes of authority. Hence, we can view how a public sector has come to be viewed as an object of expert administration exercised at arm's length from the official political process. Further, the process of governing at a distance highlights efforts to render services at disparate sites intelligible from an administrative centre. In this way, I argue hospitals, schools, hydro dams and garbage dumps come to be recognized as

¹⁶ I take up from Foucaultian scholars here, who have identified the notion of "government at a distance" as a central rationality of government under modern liberalism. This term was formulated by Rose and Miller in "Political Power beyond the State: Problematics of Government," *British Journal of Sociology* 43, no. 2 (1992).

equivalent within a wider economy of services. However, as I will show, the capacity of state agencies to know and administer different services as equivalents has often been quite limited, demanding ongoing efforts to maintain disparate connections across jurisdictions. In this context, I argue that workers embedded in vital infrastructural networks have been able to effectively deploy spatial strategies through which to make demands, build leverage and establish organizational capacity.

In Chapter Two, I discuss the methodological considerations underpinning my research. My case studies are primarily based on archival research, which is supplemented by media analysis and interviews (in my research on the 1960s and 1970s). My main focus is on the administrative texts and documents through which public work was organized and assigned value. I draw from organizational studies and critical discourse analysis in understanding my archival material.¹⁷ From this perspective, I highlight how civic officials and administrators assemble texts in selective

¹⁷ For historical approaches to Critical Discourse Analysis, see especially Ruth Wodak, “The discourse-historical approach,” in *Methods of Discourse Analysis*, eds. Ruth Wodak and Michael Meyer (London: Sage, 2001). In my research, I have largely drawn from a genealogical interpretation of the CDA literature, drawing from the work of Michel Foucault. See, for example, the classic methodological essay, “Nietzsche, Genealogy, History,” in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon, 1984). In developing the methodological implications of Foucault’s work for CDA, see Seantel Anais, “Genealogy and critical discourse analysis in conversation: texts, discourse, critique,” *Critical Discourse Studies* 10, no. 2 (2013): 123-135. See also William Walters, *Governmentality: Critical Encounters* (New York: Routledge, 2012). For organizational studies, I have drawn from the work of scholars like JoAnne Yates, *Control through Communication: The Rise of System in American Management* (Baltimore: John Hopkins University Press, 1989). There are also neo-institutionalist accounts that highlight the importance of social investigation for the state, such as Michael J. Lacey and Mary O. Furner. “Social investigation, social knowledge, and the state: an introduction” in *The State and Social Investigation in Britain and the United States*, eds. Michael J. Lacey and Mary O. Furner (Cambridge: Cambridge University Press, 1993); Mary O. Furner and Barry Supple. “Ideas, institutions, and state in the United States and Britain: an introduction,” In *The State and Economic Knowledge*, eds. Mary O. Furner and Barry Supple (Cambridge: Cambridge University Press, 1990); Oz Frankel. *States of Inquiry: Social Investigations and Print Culture in Nineteenth-Century Britain and the United States* (Baltimore: John Hopkins, 2006). More recently, scholars inspired by science and technology studies have also begun to highlight the concrete ways in which institutions are put together through the production and circulation of texts. For instance, see Patrick Joyce, *The State of Freedom: A Social History of the British State since 1800* (Cambridge: Cambridge University Press, 2013); Bruno Latour, *The Making of Law* (Cambridge, UK: Polity Press, 2010).

ways. Far from advancing a mirror image of reality, these texts draw on specific discursive frames – specific ways of seeing the world – in making truth-claims. Moreover, I highlight the relative position of the speaker in a wider ‘field,’ mapping out the ways in which texts circulate among different sites. On this basis, I explore how these texts reveal the institutional capacities to know and administer labour at a distance, based on their vertical and horizontal connections.

After outlining my theoretical and methodological framework, I undertake critical case studies that examine the different ways in which public labour has been conceptualized and administered over the past century; these include: 1) the formation of the Toronto civic employees’ union in the early-twentieth century; 2) the emergence of federated public sector unions in the 1940s and 1950s; and, 3) the rapid unionization of the hospital sector in the 1960s and 1970s. In each case study, I highlight the variable ways in which state agencies have attempted to govern from a distance, drawing on different forms of expertise in establishing an impartial economy of services. I explore the changing capacities of state agencies to know and administer these services across space. Moreover, I examine how workers have, at times, played an active role in reshaping the public sector as a domain through their embeddedness in vital infrastructural networks and through their establishment of new scales of organization.

In Chapter Three, I undertake my first case study, examining how civic reformers struggled to render services secure and economic in the midst of the urban boom that took place in the early twentieth century. Through this time I highlight the central role played by ‘professional gentlemen’ in seeking to reconstitute certain services that were

deemed vital to the public interest as self-regulating systems. This is especially apparent in the realm of sanitation work, which was perhaps one of the most significant areas of civic reform through this period. I explore how reformers worked to restructure sanitation work – shifting from a loose network of local dumps serviced by a dispersed labour force under the command of local foremen to an integrated city-wide machine whose efficiency was measured on the basis of the cost per mile of the average haul. Around the time of the First World War, I argue that sanitation work had become subsumed under a wider economy of service, rendered intelligible through the growing enumeration and comparison of sanitation work *across* different municipalities. It was in this context that we see the formation of the first civic employees' unions, which occupied an ambivalent position between the progressive reformers, who imposed new methods of scientific management in civic administration, and a residual patronage-based politics, which was based on the cultivation of political loyalties between workers and city officials.

In Chapter Four, I explore the emergence of 'public sector' unions, in the midst of a second urban boom that took place from the 1940s until the 1970s. Building from Keynesian economic policies, there was an effort through this time to establish uniform standards and centralized administrative structures that bound together metropolitan regions in a wider national economy. In the political economy literature, this is often assumed to be a state strategy that emanated from the federal and provincial governments downwards as a system of 'permeable fordism'; however, as I show, this was by no means a top-down process.¹⁸ In fact, I argue that the consolidation of

¹⁸ The notion of 'permeable fordism' was introduced by Jane Jenson in her article "'Different' but not 'exceptional': Canada's permeable fordism," *Canadian Review of Sociology and Anthropology* 26, no 1 (1989): 69. In this article,

centralized administrative structures was in part a response to the growing coordination of civic, utility and electrical workers *from below*. Through the 1940s and 1950s, 'public sector' unions were assembled that would quickly overshadow the parochial administrative structures of many municipalities. The emergence of these federated public sector unions on a provincial and national scale contributed to a 'crisis' of governance during the economic recession of the late 1950s, as city officials struggled to adapt the mechanisms of industrial legality at the municipal level. The constitution of a public sector economy was facilitated through the professionalization of personnel management, as collective bargaining was increasingly removed from the realm of council meetings and came to be a duty of expert administrators, and through the growing coordination and consolidation of centralized administrative structures between municipalities at a provincial and federal level.

By the early 1960s, a definitive public sector landscape was beginning to take shape. Increasingly, municipalities, utilities, schools, and hospitals were becoming coordinated; their information was consolidated under standard modes of classification and shared in seeking to establish a rational economy through which the value of public work could be impartially determined. However, as service provision was knotted together under centralized fiscal and administrative structures in areas such as health, education and social welfare, the capacity of the provincial government to stand apart from the bargaining process became increasingly tenuous. In this context, new statutory mechanisms were established in seeking to regulate the bargaining process in certain vital areas.

Jenson argues that Fordism took a different shape in Canada as it was more oriented towards nation-building, binding together disparate territories, than establishing class compromise, which had been a prominent strategy in Western Europe and the United States.

In Chapter Five, I examine how Ontario's hospital sector came to be a key site of struggle in the late 1960s and early 1970s as workers were denied the right to strike under the *Hospital Labour Disputes Arbitration Act* (1965) and pushed into interest arbitration in the event that they could not reach a negotiated settlement. I focus here on how the struggle played out through the arbitration process, exploring the way in which knowledge claims were made and judgments were arrived at. As I show, a crisis of valuation would become increasingly pronounced by the late 1960s as the determination of wages under forms of expert arbitration came to be delegitimized. Appeals to an impartial economic field broke down, as increasingly militant public sector unions effectively made the case that value should be assigned on the basis of justice.

Each of these cases, I argue, highlights a different conception of public services and how their value should be calculated. While the field, in the early twentieth century, tended to be defined by engineers and physicians, by the mid-twentieth century industrial relations specialists and labour economists were at the forefront. These experts, each in their own way, attempted to establish programs through which public services could be governed at a distance, developing administrative technologies that extended the reach of state agencies and facilitated the development of impartial and objective modes of enumeration. Moreover, these cases highlight how the achievement of distance in the enumeration of services was always tenuous and actively contested, reflecting the shaky capacities of state agencies to know and administer the field. From this perspective, I argue that there was never a fully integrated 'public sector' in Ontario; rather the field of comparison was always open to contestation; it was always open to interjections from below.

I conclude by discussing the implications in rethinking how we understand public sector struggles today. If civic employees unions came to the fore in the early twentieth century, and public sector unions came into prominence in the 1950s and 1960s, then what kind of workers' organizations might we consider today? Over the past forty years, I argue that there has been a shift away from state strategies that aim to incorporate vital services under a closed system through which they can be enumerated and subjected to common norms. The pursuit of uniform and equivalent services across a wider territory has increasingly given way to compartmentalization. As Graham and Marvin note, "the physical fabric of many cities across the world is starting to fragment into giant cellular clusters – packaged landscapes made up of customised and carefully protected corporate, consumption, research, transit, exchange, domestic and even health-care spaces".¹⁹ As urban infrastructure is increasingly compartmentalized and spatially differentiated, what are the implications for understanding the public sector today? And how are public workers strategically positioned to respond to such changes?

Ultimately, I argue that it is not enough to simply 'defend' the public sector as an already existing space or domain; rather, it is necessary to understand how public sectors are *actively produced*. How are workers embedded in the production of services today, and how does this enable or constrain different lines of collective organization and struggle?

¹⁹ Stephen Graham and Simon Marvin, *Splintering Urbanism: Networked Infrastructures, Technological Mobilities and the Urban Condition* (London, Routledge, 2001), 5.

Chapter Two

Assembling a Public Sector: New Theoretical Perspectives

Introduction

Somehow a tangled bundle of infrastructure has come to be viewed as a singular object; roads, libraries, electrical wires, garbage dumps, schools, water mains and hospitals have all come to stand as part of the same overarching domain. They are taken up as uniform and equivalent, binding together territory, establishing a sense of civic, provincial and national identity. They are associated for better or worse with administrative uniformity, centralized structures and standardized jurisdictions. How did this come about?

In this chapter, I seek to rethink the public sector as an object of analysis. I challenge prevailing views of the public sector as a realm of social citizenship that stands in contradistinction to the capitalist marketplace. In fact, in establishing a modern public sector domain, I argue that state agencies have been centrally concerned with ‘formatting’ services as part of a wider economy.²⁰ Drawing on the governmentality literature, I highlight how this domain has taken shape through modern liberal modes of governance that aim to ‘govern at a distance’.²¹ Here, I highlight the central role played

²⁰ Timothy Mitchell introduces the notion of ‘formatting’ economies in his book, *Rule of Experts: Egypt, Techno-Politics, Modernity* (Berkeley: University of California Press, 2002). Here, he highlights “the formatting of social processes as an economy” – through the expansion of exchange relations and the circulation of paper currency (96). Paper currency specifically entailed the reframing of certain aspects of life as part of a national economy.

²¹ I take up from Foucaultian scholars here, who have identified the notion of “government at a distance” as a central rationality of government under modern liberalism. This term was formulated by Rose and Miller in “Political Power beyond the State: Problematics of Government,” *British Journal of Sociology* 43, no. 2 (1992). See also, Nikolas Rose, *Powers of Freedom* (Cambridge: Cambridge University Press, 2004). In *Governing the Present* (Cambridge: Polity, 2008), Miller and Rose argue, contemporary governmentality “accords a crucial role to ‘action at a distance’, to mechanisms that promise to shape the conduct of diverse actors without shattering their formally autonomous character” (39).

by various kinds of expertise in *depoliticizing* the administration of services and establishing impartial authority in the assignment of value. Moreover, drawing from different kinds of modes of calculation and inscription devices, experts located at disparate sites have been able to collect and circulate information through which various services can be classified, measured, and rendered comparable across space. However, it should be noted that the capacities of various state agencies to know and govern the field have often been quite limited, demanding the successful *translation* of a heterogeneous array of people, things, and information into equivalents, making everything “the measure of everything else”.²² At times, workers have been able to challenge the reduction of public services to such a closed system. Hence, I draw from the labour geographies literature in examining how workers embedded in vital infrastructural networks have been able to make certain claims and develop alternative ways of knowing the field upon which they operate.²³ In the process, I argue that these workers are not simply involved in ‘defending’ the public sector; in fact, they have also been centrally involved in its *production*.

Beyond the Public-Private Divide

Much of the literature on the formation of the Canadian welfare state has focused on the manner in which public services are *consumed* by the citizenry, and tends to neglect the role of workers in *producing* them. From this perspective, the public sector is

²² Bruno Latour, *The Pasteurization of France* (Cambridge, MA: Harvard University Press, 1988), 154.

²³ Andrew Herod, *Labour Geographies: Workers and the Landscapes of Capitalism* (New York: Guilford Press, 2001). See also, Andrew Herod, “Workers, Space, and Labour Geography,” *International Labour and Working Class History*, 64 (2003): 112-138; Ray Hudson, *Producing Places* (New York: Guilford Press, 2001); Noel Castree, “Labour Geography: A Work in Progress,” *International Journal of Urban and Regional Research* 31 (2007).

taken to stand apart from the private marketplace, providing a space in which people can access services as basic social rights or entitlements rather as things to be bought and sold in the marketplace.²⁴ Certainly, these ideas help to frame our understanding of the public sector as a realm of consumption; however, I argue that the picture looks much different in looking at the configuration of public sector from the perspective of production. The public sector as a space of labour has often been neglected in the literature. Indeed, the study of public sector workers, in Canada and in the United States, remains a largely nascent field of study.²⁵

From the standpoint of consumption, the public sector has been framed as a realm of social rights, in which individuals have access to certain services based on

²⁴ A great deal of literature on the structure of the welfare state in Canada begins from this 'social rights' oriented approach. Much of the literature draws from the famous article by T.H. Marshall, *Citizenship and Social Class* (London: Pluto Press, 1992 [1950]). This view provided inspiration for the work of Gøsta Esping-Andersen, especially *The Three Worlds of Welfare Capitalism* (Princeton: Princeton University Press, 1990) and Ramesh Mishra, *The Welfare State in Capitalist Society* (New York: Harvester Wheatsheaf, 1990). In a Canadian context, we can see this approach becoming increasingly prominent in the 1990s. For instance, see John Myles, "Understanding Canada: comparative political economy perspectives", *The Canadian Review of Sociology and Anthropology*, 26 (1989): 1–9. More recently, this approach has been taken up in the growing literature in citizenship studies. For instance, see the work of Jane Jenson, "Fated to live in interesting times: Canada's changing citizenship regimes," *Canadian Journal of Political Science* 30 (1997): 627-44. Also, see Jane Jenson and S.D. Phillips, "Redesigning the Canadian citizenship regime: remaking institutions of representation," in *Citizenship, Markets and the State*, eds. C. Crouch, K. Eder and D. Tambini (Oxford: Oxford University Press, 2001); Janine Brodie, "Meso-discourses, state forms and the gendering of liberal-democratic citizenship," *Citizenship Studies* 1 (1997): 223-242.

²⁵ Through the 1970s, there were several studies that focused on the role of 'state workers'. In the Canadian context, see Hugh Armstrong, "The labour force and state workers in Canada," in *The Canadian State: Political Economy and Political Power*, ed. Leo Panitch (Toronto: University of Toronto Press, 1977). In the British context, see London Edinburgh Weekend Return Group, *In and Against the State* (London: Pluto Press, 1979). There was also Martin Lipsky's classic book, *Street-level Bureaucracy* (New York: Russell Sage Foundation, 1980). More recently there have been several excellent doctoral dissertations written on the subject. For instance, see Stephanie Ross, *The Making of CUPE: Structure, Democracy, and Class Formation*, Unpublished PhD Dissertation (Toronto: York University, 2005); Rosemary Warskett, *Learning to be 'Uncivil': Class Formation and Feminisation in the Public Service Alliance of Canada, 1966-1996*. Unpublished Dissertation (Ottawa: Carleton University, 1997). However, beyond this, there has been very little discussion of public sector workers or their role in the wider labour movement. This has recently been problematized by social scientists in a number of different disciplines. For instance, in the American context, see Joseph A. McCartin "Bringing the State's Workers in: Time to Rectify an Imbalanced US Labor Historiography," *Labor History* 47, no. 1 (2006): 73-94. McCartin argues that historians have neglected public workers in part because their story challenges many preconceptions of recent US labour history. Specifically, public sector labour history runs counter to the "general narrative of union decline". The trick here is to account for the tremendous upsurge of public sector unions in the 1960s and 1970s. In the Canadian context, see David Camfield, "Renewing the Study of Public Sector Unions in Canada," *Socialist Studies* 1, no 2 (2005): 55-73.

their status as citizens rather than workers. Going back to the writings of T.H. Marshall (1950), it is argued that the public sector provides services as citizenship entitlements rather than marketable commodities. As Marshall famously asserted, the state has increasingly assumed responsibility for the provision of social rights – “from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and live the life of a civilized being according to the standards prevailing in society”.²⁶ On this basis, the public sector has been conceptualized in terms of consumption; it is a question of how people gain access to services. How is citizenship *instituted* in the provision of services?

More recently, this consumption-oriented approach has been taken up by welfare state theorists such as Esping-Andersen, who have examined the public sector as a realm of ‘decommodification’, in which services are provided as “as a matter of right,” granting people the ability to “maintain a livelihood without reliance on the market”.²⁷ From this perspective, the public sector is celebrated as a sphere where people can gain access to vital services as citizens rather than consumers. Much of the comparative welfare state literature has been concerned with comparing the various ways in which these services are accessed across different nation-states. In what capacity is eligibility defined and enforced?

Certainly, these are important questions; however, in my dissertation, I am less concerned with the public sector as a realm of consumption – in which citizens gain access to services outside of the market -- than with how it has been constituted as an economy in its own right. Here, I seek to trouble the distinction between ‘the state’ and

²⁶ T.H. Marshall, *Citizenship and Social Class* (London: Pluto Press, 1992 [1950]), 8.

²⁷ Gøsta Esping-Andersen, especially *The Three Worlds of Welfare Capitalism* (Princeton: Princeton University Press, 1990), 21-22.

‘the market’ as fixed ontological levels, as if they are two discrete structures in a larger social formation. From the standpoint of production, it is not simply a matter of *removing* services from the market and *re-embedding* them at the level of the state. The emphasis on citizenship rights tends to neglect how the public sector has also been established as a realm of employment. As Siltanen notes, conflating the extension of social citizenship rights with the broader process of state formation tends to overstate the “clarity, coherence and comprehensiveness of the historical development of Canadian social policy”.²⁸ Instead, I seek to advance a more *nominalistic* understanding of the public sector, one that “rejects the metahistorical deployment of ideal significations and indefinite teleologies”.²⁹ The aim is to identify and challenge any claims to a universal structure that underlies history.

Rather than viewing the public sector as a transhistorical structure defined in contradistinction to the market economy, I am more concerned with exploring the historically specific ways in which public sector labour has come to be rendered intelligible and administrable as an object of governance in Canada. How has it come to be *accounted for*? Rather than focusing on the ideological underpinnings of the welfare state in a discourse of rights and entitlements, I am more concerned with the forms of expertise through which public sector labour has come to be measured and appraised. From this perspective, I argue that the formation of a modern public sector has been contingent on the growing capacities of state agencies to classify and

²⁸ Janet Siltanen, “Paradise Paved? Reflections on the Fate of Social Citizenship in Canada,” *Citizenship Studies* 6, no 4 (2002), 399.

²⁹ Michel Foucault, “Nietzsche, Genealogy, History,” in *The Foucault Reader*, ed. Paul Rabinow (New York: Pantheon, 1984), 77.

enumerate services, making them comparable according to common standards and rendering them uniform and equivalent across time and space.

Far from constituting a realm outside the marketplace, I highlight how modern liberal rationalities in Canada through the early- to mid-twentieth century were very much informed by a commitment to ensure security and economy in the provision of services that were associated with the ‘public interest’. There was the sense that certain services, such as sanitation, coal, electricity, water, and transit, were too much wrapped up in the metabolism of the body politic – too crucial to the health, security and well-being of the people – to justify their ownership and control by private individuals. The problem was to interject state administrative capacities in order to facilitate the smooth flow of people, energy, and resources across an increasingly interconnected infrastructural landscape.

This was evident, for instance, in the writings of Mackenzie King – the chief architect of modern labour legislation in Canada – who argued that it was insufficient to leave disputes in industries considered vital to public health and safety to the private discretion of capital or labour. Beyond these interests, “[i]ndustry must be made to serve and save Humanity through a recognition of common interests between men of all classes and of all countries”.³⁰ As Craven notes, the notion of a common ‘public interest’ provided the ideological foundation for the federal government’s early labour reforms in Canada, which targeted the regulation of disputes in ‘public utilities’ to the extent that their disruption would put at risk the health and well-being of the wider

³⁰ W.L. Mackenzie King, *Industry and Humanity* (Toronto: Thomas Allen, 1918), xviii.

population. On this basis, it was argued that such services should be set apart from the wider economy and targeted for special regulation.³¹

In reforming these industries, the aim was to ensure that they were run in a “businesslike manner”.³² The emphasis was on efficiency, exposing the administration of services such as electricity, gas, transit, sanitation and water to the full transparency of public accounting, ensuring that all waste and inefficiency were weeded out. In this sense, the establishment of a modern ‘public sector’ has been, in part, the outcome of liberal strategies of governance that aim to shift the administration of vital services away from the discretion of private individuals, who were viewed as extorting unfair prices from the public, and towards a more transparent and impartial form of administration through which the ‘true’ value of service could be arrived at. From this perspective, ‘the economy’ should not be viewed as a pre-existing object or domain that stands apart from ‘the state’; rather, an ‘economy’ is something that must actively be configured as “a level of reality, a field of intervention”.³³ It is something that must be actively produced as a governable domain rather than a starting point or pre-existing reality, and the state has played a very central role in its fabrication.

³¹ Paul Craven, *‘An Impartial Umpire’: Industrial Relations and the Canadian State, 1900-1911* (Toronto: University of Toronto Press, 1980).

³² For instance, H.V. Nelles highlights the emphasis on efficiency, in his study of public ownership in the Ontario context. See *The Politics of Development* (Toronto: Macmillan, 1974). He argues that the movement for public power was a businessmen’s movement ‘... run by businessmen, for businessmen, in what was always referred to as a ‘businesslike’ manner’ (490). See also, Leo Panitch, “The Role and Nature of the Canadian State,” in *The Canadian State* (Toronto: University of Toronto Press, 1977); Christopher Armstrong and H.V. Nelles, *Monopoly’s Moment* (Toronto: University of Toronto Press, 1986).

³³ Michel Foucault, “Governmentality,” in *The Foucault Effect*, eds. Graham Burchell, Colin Gordon and Peter Miller (Chicago: University of Chicago Press, 1991), 91.

Governing at a Distance

Rather than defining the public sector by its respective function in a larger social formation, I am interested in how it has come to be rendered intelligible as an object of governance in its own right. How has it come to be *accounted for*? The fabrication of the public sector has required work; it has required specific kinds of expertise, specific modes of classification and calculation. In fact, the very notion that the public sector *can* be rendered knowable through expert forms of administration is itself the product of very specific understandings of government that would emerge through the early- to mid-twentieth century. As Rose and Miller note, under these modern liberal governmentalities, state officials have aspired to ‘govern at a distance,’ minimizing direct political intervention in social life to the greatest extent possible.³⁴

There are two senses in which distance has been established under modern liberal modes of governance.³⁵ First, government has been distanced *constitutionally*, in that it operates through the rationalities and practices of *non-political modes of authority*. I thus highlight the important role played by experts – such as engineers, social workers, physicians, and economists – who deploy their professional knowledge in seeking technical solutions to problems of governance. Second, government has been distanced *spatially*, linking a multitude of experts at distant sites to the calculations of those at an administrative centre “opening lines of force across a territory spanning

³⁴ Nikolas Rose and Peter Miller, “Political Power beyond the State: Problematics of Government,” *British Journal of Sociology* 43, no. 2 (1992).

³⁵ Nikolas Rose, *Powers of Freedom* (Cambridge: Cambridge University Press, 2004).

space and time”.³⁶ As I will show, the achievement of distance – both constitutionally and spatially – has been crucial in the formation of a modern public sector in Ontario.

First, modern liberal government is based on the cultivation of *non-political modes of authority*. Rather than directly imposing sovereign rule from above, in a manner that appears arbitrary and coercive, the aim under modern liberal modes of government is to create a *milieu* within which governed elements appear capable of regulating themselves, of their own accord. The aim is to actively constitute ‘the social’ as a self-regulating domain. From this perspective, it is important to understand how state officials skilfully work to achieve distance, drawing boundaries that demarcate the social realm from the realm of political intervention. As Mitchell notes, this line must be drawn “internally within the network of institutional mechanisms through which the social and political order is maintained”.³⁷ In other words, the very separation of the state from society is itself the product of specific institutional practices.

Governing at a distance entails the designation of certain agents who are capable of ensuring the smooth operation of society as a self-regulating domain. As Miller and Rose note, the aim is to establish “mechanisms that promise to shape the conduct of diverse actors without shattering their formally autonomous character”.³⁸ Thus, governance tends to be offloaded onto citizens, civil society organizations, and professional groups, who are increasingly rendered responsible, in various ways, for their own conduct. They are taught to take care of themselves, rendering formal political intervention unnecessary.

³⁶ *Ibid*, 50.

³⁷ Timothy Mitchell, “The Limits of the State: Beyond Statist Approaches and their critics,” *American Political Science Review* 85, no 1 (1991), 78.

³⁸ Peter Miller and Nikolas Rose, *Governing the Present* (Cambridge: Polity, 2008), 39.

It is especially important to note the centrality of *expertise* for modern liberal modes of governance. Through the emergence of certain authoritative ways of knowing social and economic life, norms and standards come to be established that appear outside the realm of official political discourse. For instance, from the mid-nineteenth century onwards, we see how experts trained in a growing range of human sciences – such as public health, civil engineering and political economy – increasingly transformed government from an object of political discretion to a technical matter to be carried out through scientific inquiry.³⁹ In this sense, Joyce describes the emergence in the mid-nineteenth century of a *techno-state*, which entailed “the deepening reach of the technical and techniques of power into all of life”.⁴⁰ Rather than an outright political decision, the emergence of the human sciences facilitated the idea that decisions were made in an objective manner through careful studies by impartial experts and through the deployment of a technological apparatus built from neutral and impartial modes of calculation.

Drawing from the human sciences – which sought to identify ‘natural’ patterns of human growth and development – there was the sense that policy decisions were immanent to the field under investigation. Rather than imposing sovereign dictates from the outside, the aim was to recognize the natural laws of growth or motion in modern

³⁹ The British civil servant Edwin Chadwick (1859) captures the sentiment well. He describes the “development of statesmanship as a science by the investigation of State necessities.” The aim is to remedy social problems through the “well-examined and complete collections of facts as to past experience on which to found safe practical rules for future guidance”. There is a great deal of literature on the reformers of this period and their role in reconceptualising the proper object of state administration. For instance, see Philip Corrigan and Derek Sayer. *The Great Arch: English State Formation as Cultural Revolution* (Oxford: Basil Blackwell, 1985); Thomas Osborne, “Security and vitality: drains, liberalism and power in the nineteenth century,” in *Foucault and Political Reason*, eds. Andrew Barry, Thomas Osborne and Nikolas Rose (Chicago: University of Chicago Press, 1996). More recently, see Patrick Joyce, *The State of Freedom* (Cambridge: Cambridge University Press, 2013).

⁴⁰ Patrick Joyce, *The State of Freedom*, 10.

society and to apply these laws in the development of state policies. In this sense, Rose argues that strategies of liberal governance were “enmeshed with regimes of truth concerning the objects, processes and persons governed”.⁴¹ The capacity to govern was wrapped up in the capacity to objectively diagnose specific social problems, rendering these problems intelligible in such a way that they could be acted upon.

Through such ‘regimes of truth,’ codes of order could be established, averages could be gauged, and comparisons could be made that enabled social life to be subjected to impartial norms and standards. For instance, in looking to the civic reform movement of the late nineteenth century, we can highlight how the city itself came to be viewed as a system with its own laws of growth and development. Rates of birth, mortality, disease and criminality could be broken down across the urban environment, compared across municipalities, neighbourhoods and streets. In this context, securing the governance of the city involved establishing it as a self-regulating domain, realizing the city as “a place of free circulation”.⁴² The expert stands here as a ‘modest witness,’ a simple observer to the laws of nature that are already transpiring, and thus simply facilitates the production of the city into the *milieu* that it was meant to be.⁴³

The establishment of such an impartial standpoint was crucial to the formation of a modern public sector in two ways. First, it is important to highlight how such impartial expertise was taken up *across* the state system itself. Hence, rather than an institution reflecting the partial interests of the political elite, the state, from the mid-nineteenth

⁴¹ *Powers of Freedom*, 29.

⁴² Patrick Joyce, *The Rule of Freedom: Liberalism and the Modern City* (London: Verso, 2003), 14.

⁴³ I take up the notion of the ‘modest witness’ from Donna Haraway, *Modest_Witness@Second_Millennium* (New York: Routledge, 1997). Haraway argues that scientists attain an authoritative voice through their modest statements of fact. Through their disembodied claims to truth, scientists effectively create a space for the technical “nicely cordoned off from the venereal infections of politics” (25).

century onwards, came to be viewed as “a neutral, natural, obvious set of institutionalized routine practices”.⁴⁴ The aim of reformers through this period was to transform the state into a mere mechanism for the impartial administration of the public interest. It was to function like a machine, performing vital functions that were too important to be left to the discretion of private individuals.

Moreover, state agencies came to play a crucial role in naturalizing certain understandings of economy, establishing the sense that services could be impartially administered by outside experts, that the ‘true’ value of such services could be determined by expert administrators in a manner that departed from individual allegiances or biases, and that such services could be rendered homogeneous and equivalent across social space. This can be seen, for instance, in the reform efforts of the late nineteenth century and early twentieth century, which sought to remove the distribution of jobs from the discretion of politicians and patronage machines, placing this process in the realm of expert administration.⁴⁵ Increasingly, there were efforts to administer state workers at a distance through the interjection of forms of administration that appeared neutral or impartial.

Beyond simply transforming the state into a ‘technical instrument,’ we can also highlight how state agencies and arm’s-length commissions came to assume responsibility over the provision of certain services that were endowed with the

⁴⁴ Philip Corrigan and Derek Sayer, *The Great Arch: English State Formation as Cultural Revolution* (Oxford: Basil Blackwell, 1985), 123.

⁴⁵ The efforts of civil service reformers have been documented in J.E. Hodgetts, William McCloskey, Reginald Whitaker and V. Seymour Wilson, *The Biography of an Institution: The Civil Service Commission of Canada, 1908-1967* (Montreal: McGill-Queen’s Press, 1972). See also Doug Owsam, *The Government Generation: Canadian Intellectuals and the State, 1900-1945* (Toronto: University of Toronto Press, 1986).

functions of a governmental infrastructure.⁴⁶ Hence, through the late-nineteenth and early twentieth century, the movement for 'public ownership' came to challenge the discretion of private individuals in determining the cost of services that were considered vital to the public interest – things like electricity, gas, water, sanitation, and street-cars.⁴⁷ In confronting the exorbitant costs charged by the reviled monopolists, state agencies played a central role in subjecting such services to rational planning, ensuring the 'secure' and 'economic' provision of services. In this way, state agencies would come to play a crucial role in 'formatting' troublesome industries, entangled in crucial ways in the urban landscape, as part of a wider economy.⁴⁸

Through the interjection of such impartial expertise, a modern public sector came to be rendered intelligible. No longer an object of outright political decisions, the public sector became a technical instrument. Moreover, it served to frame the administration of an emergent economy of services. This was not the same *laissez faire* economy that had been postulated by Adam Smith or David Ricardo. Rather, it was an economy that was envisioned under an emergent philosophy of 'system-building,' privileging rational and impersonal forms of management over personal and idiosyncratic leadership in the efficient administration of services.⁴⁹ Such understandings of economy as a system

⁴⁶ Colin Gordon, "Governmental Rationality: An Introduction," in *The Foucault Effect*, eds. Graham Burchell, Colin Gordon and Peter Miller (Chicago, University of Chicago Press, 1991), 26.

⁴⁷ This history is well-documented in Armstrong and Nelles, *Monopoly's Moment*. See also Christopher Armstrong and H.V. Nelles, "The Rise of Civic Populism in Toronto 1870-1920," in *Forging a Consensus*, ed. Victor L. Russell (Toronto: University of Toronto Press, 1984); H.V. Nelles and Christopher Armstrong, "The Great Fight for Clean Government," *Urban History Review* 5, no 2 (1976), 50; Roger E. Riendeau, "Servicing the Modern City, 1900-1930." In *Forging a Consensus*, ed. Victor L. Russell (Toronto: University of Toronto Press, 1984); J.M.S. Careless, *Toronto to 1918* (Toronto: Lorimer, 1984); Paul Rutherford, "Tomorrow's Metropolis: The Urban Reform Movement in Canada, 1880-1920," in *The Canadian City*, eds. Gilbert A. Stelter and Alan F.J. Artibise (Ottawa: Carleton University Press, 1991).

⁴⁸ Mitchell. "Fixing the Economy".

⁴⁹ This emphasis on 'system-building' was most notably highlighted by Alfred D. Chandler Jr. in his classic text, *The Visible Hand* (Cambridge, MA: Harvard University Press, 1977). More recently, it has been taken up in

were popularized, in part, through the sweeping technological changes of period – with railroads, hydroelectricity, telegraphs, telephones, and trunk sewers fundamentally reshaping the experience of urban life. By virtue of their sheer size and complexity, Armstrong and Nelles note that these technologies were “inherently collective, giving concrete expression to the notion of a distinct public interest that transcended individual interest”.⁵⁰ Increasingly, the sense emerged that certain vital services should be administered at a citywide scale, rather than remaining entangled in messy interpersonal networks. Conceiving of economy as an achievement of systems building fundamentally transformed popular understandings of the state, which shifted from the privileged domain of local notables to become an “industrial instrument” fundamental to establishing impartial economies of service.⁵¹

In addition to an emphasis on non-political forms of authority, it is also important to consider how governing at a distance has entailed a *spatial* dimension. Here, we can highlight how various ‘inscription devices’ have made disparate sites knowable from an administrative centre.⁵² The problem of coordinating and connecting governance structures together across space tends to be ignored in the social sciences, which often begin from the standpoint of methodological territorialism. From this perspective, it is assumed that “all social relations are organized within self-enclosed, discretely bounded

histories of communications, such as JoAnne Yates, *Control through Communication* (Baltimore: John Hopkins University Press, 1989). Additionally, it has been applied in the history of sociotechnical systems by Leo Marx, “Technology: the Emergence of a Hazardous Concept,” *Technology and Culture* 51, no 3 (2010). Patrick Joyce highlights the significance of system-building for reconceptualising the state in *The State of Freedom*.

⁵⁰ Armstrong and Nelles, *Monopoly’s Moment*, 11.

⁵¹ For instance, this mechanistic view of the state was apparent in the writings of Harold J. Laski, *Authority in the Modern State* (New Haven: Yale University Press, 1919). O’wram highlights how these attitudes were prevalent amongst reformers in the early twentieth century in *The Government Generation*.

⁵² See Rose, *Powers of Freedom*. Rose borrows the idea of inscription devices from science and technology studies, specifically, Bruno Latour, *Science in Action* (Cambridge, MA: Harvard University Press, 1987).

territorial containers”.⁵³ The state is viewed as *encompassing* society, exercising a transparent knowledge of social relations from above.⁵⁴

In fact, I argue that the capacity of state agencies to know and act in everyday life has often been quite limited. For instance, as I show in my first case study, until 1926 city officials in Toronto lacked a comprehensive survey of civic workers. Prior to this time, there was no central archive that could be referred to in determining the conditions of employment in the city. Thus, the capacity of city officials to intervene in or even understand the work that was taking place under the jurisdiction of the municipality was quite limited. Ultimately, sanitation work remained ensconced in difficult to decipher local networks, a complex web of familial, religious, and patronage-based relationships.

Moreover, the degree of coordination *between* different state agencies has often been quite limited. For instance, I highlight how, even into the 1950s and 1960s, different state agencies remained largely in the dark about each other’s employment practices. Knowledge remained fractured between jurisdictions, dispersed among different departments, each of which was responsible for administering its own distinct workforce. Rather than a singular ‘public sector’ workforce, we see through this time a multitude of workers fractured across jurisdictions – municipalities, utilities, hospitals, schools. It was only through a long and concerted struggle that the state agencies came to develop the capacity to know the ‘public sector’ as a more or less unified

⁵³ Neil Brenner, *New State Spaces: Urban Governance and the Rescaling of Statehood*, (Oxford: Oxford University Press, 2004), 38.

⁵⁴ James Ferguson and Akhil Gupta highlight the myth of ‘vertical encompassment’ in their article, “Spatializing States: Toward an Ethnography of Neoliberal Governmentality,” *American Ethnologist* 29, no 4 (2002), 981-1002; see also John Agnew. “The Territorial Trap: The Geographical Assumptions of International Relations Theory,” *Review of International Political Economy* 1, no. 1 (1994); Joe Painter, “Prosaic geographies of stateness,” *Political Geography*, 25 (2006): 752-774.

domain. Only by the 1970s, do we see some semblance of coordination across different levels of government.

Through the early- to mid-twentieth century, there was a long struggle to centralize government records and coordinate different state agencies in their management of a rapidly growing workforce. Increasingly, there were efforts to establish standard methods for the classification and measurement of workers across different worksites, and between different kinds of services – between municipalities, utilities, hospitals, schools, and hydro dams. The growing coordination of workers in these different areas was facilitated through the creation of administrative technologies that extended the *reach* of state agencies across space.⁵⁵ Through various inscription devices, state officials were able to compile information at a range of different sites and render services intelligible and comparable between regions.

For instance, beginning in the early twentieth century, I show how the nature of sanitation work was reconceptualised by gridding urban space using increasingly sophisticated cadastral mapping techniques, collecting statistics on the cost per mile of the average haul, and introducing time-motion studies that began to break down the labour process for individual workers. Through such administrative technologies, governments could increasingly abstract from the local context in establishing standard units with which to measure sanitation work across space. This information could be compiled in central archives and shared by city governments in determining the

⁵⁵ For the conceptualization of state power as a matter of ‘reach,’ see the recent article by John Allen and Allan Cochrane, “Assemblages of State Power: Topological Shifts in the Organization of Government and Politics,” *Antipode* 42, no 5 (2010): 1071-1089. Allen and Cochrane challenge ‘topographical’ views of the state, which view power as exercised from above. What states possess, they argue, is reach, not height. “Elements of the central and local state are ‘lodged’ within the region, not acting ‘above’, ‘below’ or ‘alongside’ it” (1073).

efficiency of their services. In this way, sanitation work came to enter a wider economy of services – rendered comparable between regions. Administrators could increasingly determine which cities, neighbourhoods, and streets were outliers in the removal of waste; they could identify the anomalies, the exceptions to the rule, and consequently set limits and build policies with the aim of optimizing waste collection practices.

However, it should not be presumed that this is simply a top-down process through which state administrators have increasingly been able to code, structure, or ‘colonize’ social life. Rendering services intelligible and governable from a distance has been a difficult endeavour, demanding the successful *translation* of a heterogeneous array of human, physical, and discursive elements into a common network. The process of translation, Callon and Latour note, involves “all the negotiations, intrigues, calculations, acts of persuasion and violence, thanks to which an actor or force takes, or causes to be conferred on itself, authority to speak or act on behalf of another actor or force”.⁵⁶ The aim is to establish equivalents, allowing all elements to speak together as part of a common language. In order to do this, everything must be “made to be the measure of everything else”.⁵⁷ Hence, in order to establish a public sector domain, various services must be rendered equivalent; they must be enumerated through specific methods of accounting that effectively abstract from the local context, rendering various kinds of work interchangeable in order to adequately determine the ‘true’ cost of services.

⁵⁶ Michel Callon and Bruno Latour, “Unscrewing the big Leviathan: how actors macro-structure reality and how sociologists help them to do so,” in *Advances in Social Theory and Methodology*, eds. K. Knorr-Cetina and A.V. Cicourel (Boston: Routledge, 1981), 279.

⁵⁷ Latour, *The Pasteurization of France*, 154.

While a network-based approach has been quite popular in science and technology studies and cultural anthropology, it has only recently been taken up in political economy. Thanks to the contributions of scholars like Michel Callon and Timothy Mitchell, there has been turn away from structuralist approaches that examine how values are embedded in different social formations or 'regimes of accumulation' towards a more *performative* approach, focusing on the specific techniques through which different regulatory actors struggle to assign value to things.⁵⁸ This means rethinking the economy, as a process rather than as a domain. As Caliskan and Callon note, "the economy is an achievement rather than a starting point or a pre-existing reality that can simply be revealed and acted upon".⁵⁹ In achieving an economy of services, calculations must be performed and completed through which various elements can be disentangled and adequately framed as equivalent.

The emphasis here is on the role played by different actors in skilfully *framing* different things as objects of value. The act of assigning to value to things, then, requires that objects be identified and rendered measurable. A clear and precise boundary must be drawn between the relations that will be taken into account and those that will be thrown out. What gets included in the assignment of value and on what basis? From this perspective, values do not reflect some objective measure that exists out there in the world. In fact, the process of rendering various services legible and comparable across space has often demanded a 'narrowing of vision,' in which the

⁵⁸ For instance, see Michel Callon, "Introduction: The Embeddedness of Economic Markets in Economics," in *The Laws of the Markets*, ed. Michel Callon (Oxford: Blackwell, 1998). See also, Mitchell. "Fixing the Economy". These texts have recently been taken up in informing a budding field of 'cultural political economy'. Bob Jessop reviews much of this literature in "Cultural Political Economy: On making the cultural turn without falling into soft economic sociology," *Geoforum* 39 (2009): 1155-1169.

⁵⁹ Koray Caliskan and Michel Callon, "Economization, part 1: shifting attention from the economy towards processes of economization," *Economy and Society* 38, no 3 (2009): 370.

complexity of social life comes to be reduced to a simplified schema, restricted to those criteria that are of interest to the state agencies involved.⁶⁰

Beyond assigning value to things, framing is also an operation used to distinguish and dissociate different agents in the production process. In the process of assigning value to work, these agents must be assigned responsibility for different aspects of the labour process. Of course, it has often been difficult to determine the value of labour to the extent that work is socialized, undertaken through networks in which the boundaries between different tasks are often unclear. As Polanyi has noted, labour as a ‘fictitious commodity’ has always been entangled in a wide array of social relationships that confound the efforts to cordon off the market as a self-regulating domain.⁶¹ Moreover, it has also often been difficult to establish a clear definition of the ‘employer’ in the provision of public services, as there is often considerable overlap between different state jurisdictions. For instance, in my case study of collective bargaining in the hospital sector through the 1960s, I highlight the ambiguous connections between hospital boards and the provincial government, which often remained a ‘ghost’ at the bargaining table, holding the purse strings but refusing to assume responsibility over the negotiations.

The work of framing things as equivalents is never over; it is always precarious and subject to innumerable pressures and distortions. As Rose notes, it is “a matter of

⁶⁰ This ‘narrowing of vision’ is highlighted, for instance, by James C. Scott in his book, *Seeing Like a State* (New Haven: Yale University Press, 1998).

⁶¹ Karl Polanyi, *The Great Transformation* (Boston: Beacon Hill, 1944). Polanyi has provoked the emergence of a whole theoretical approach that troubles the capacity to establish clear boundaries around the labour market. Jamie Peck has most notably taken this up in the economic geography literature. See *Work-place: the social regulation of labour markets* (New York: Guilford Press, 1996).

fragile relays, contested locales and fissiparous affiliations”.⁶² There are always relations that defy framing, that stubbornly resist being integrated as equivalent. The process of disentanglement is always open to contestation as those absorbed into networks are often capable of advancing alternative ways of understanding the field. Hence, in order to examine how rationalities are deployed on the ground, it is necessary to attend to “the conditions of complexity and mobility in the relations between things, people and their context”.⁶³ We must examine how different modes of valuation are taken up by various actors at specific sites and in response to particular problems.

Labour Geographies

By focusing on the various ‘truth regimes’ through which governance is carried out, studies of governmentality have often tended to exaggerate the agency of experts and their role in setting the parameters of the public sector. There is a great love for the stuffy civil servants of the mid-nineteenth century – the Jeremy Bentham, John Stuart Mills and Edwin Chadwicks of the world; however, this often goes along with a tendency to neglect how other, less glamorous actors have been capable of achieving leverage. In this section, I would like to highlight the notion of *embeddedness* as a way of recognizing how workers have been able to achieve a degree of power in negotiating public sector landscapes.

I draw from a labour geographies approach, which emerged in the late 1990s as a critique of the determinism that was evident in much of the economic geography

⁶² Rose, *Powers of Freedom*, 51.

⁶³ Caliskan and Callon, “Economization, part 1”, 384.

scholarship. While many studies by this time had taken the 'spatial turn' and consequently displayed greater sensitivity to the sociospatial dimensions of state power, a functionalist tendency remained pervasive, to the extent that it was assumed that the state produced territory in the interests of capital accumulation. For instance, following David Harvey, it was often argued that the state provided a 'spatial fix' that helped to tie down the accumulation process.⁶⁴ More recently, this insight has been taken up in studying the variable ways in which state spaces have taken shape over the past forty years.⁶⁵ For instance, Brenner notes that "states have ... operated as crucial geographical infrastructures through which the circulation of capital has been continually territorialised, deterritorialised and reterritorialised".⁶⁶

While this literature offers insights into how state power has been mobilized in the production of new spaces for capital accumulation and regional economic development, the role of labour in this process has been largely neglected. This is in part because the emphasis has been placed on the role of the state as *regulator*, providing a stable environment for capital accumulation from above, while the more immediate role of the state as *employer* has largely been neglected.⁶⁷ By disarticulating

⁶⁴ Harvey advances this position in his book, *The Limits to Capital* (Chicago: University of Chicago Press, 1982). Here, he argues, "geographical expansion and uneven geographical development hold out the possibility for a contradiction-prone capitalism to right itself" (17). On this basis, recent scholars have taken up the notion of the 'spatial fix' in examining how the state secures an ongoing accumulation process.

⁶⁵ Neil Smith most notably expands on Harvey's position in *Uneven Development: Nature, Capital and the Production of Space* (Oxford: Basil Blackwell, 1984). Here he argues, "spatial fixity also becomes an increasingly vital underpinning to social development" (84). He takes up the conceptual framework of 'scales' in understanding the changing spatial arrangements through which capital accumulation is stabilized. More recently, we can see how the notion of a 'spatial fix' has been taken up in exploring the state's role in facilitating a deepening process of accumulation. This approach came into prominence especially with the publication of *State/Space: A Reader*, eds. Neil Brenner, Bob Jessop, Martin Jones and Gordon MacLeod (Oxford: Blackwell, 2003).

⁶⁶ Neil Brenner, "Globalization as Reterritorialization: The Rescaling of Governance in the European Union," *Urban Studies* 36 no 3 (1999), 434.

⁶⁷ This has been taken up, for instance, by the so-called 'Open Marxists' who have criticized Jessop for: 1) Reducing labour to a passive object, only externally related to the dominant social formations; 2) treating the contradictions of

class and spatial identities, accounts tend to be overly functionalist, emphasizing the role of 'the state' in the production of spaces for capital while neglecting the role of workers as active agents in shaping their own geographies *in and against* the state. Hence, Herod argues, "workers are not theorized as being present at the making of the economic geography of capitalism but, instead, are seen to struggle and live within the contours of an economic and social geography created by and for capital".⁶⁸ It is assumed that workers are *contained* within existing state jurisdictions and their identity is defined in relation to these jurisdictions. For instance, it is often assumed that city workers are encompassed under municipal jurisdictions. They are defined, first and foremost, by their relationship to the municipality. They are not viewed as capable of actually *changing* the scale at which they operate.

In fact, I argue that viewing the state as an instrument for fixing accumulation ascribes too much agency to 'the state' as monolithic actor and neglects the way in which various state agencies are caught up in *immanent* and *material* struggles with workers who are responsible for the production of public services. As I show, state planners and technocrats were not the only actors in the political dramas of the twentieth century. As Herod notes, economic landscapes are not simply created in capital's image; working-class people have both "a vested interest in trying to ensure

capital as external to the state, which resides over and above crisis in prescribing solutions; and 3) treating regulation as a positive activity, while failing to consider how such activities are inherently limited through the structural contradictions inherent in its social form. For a review of this literature and an insightful application in theorizing new state spaces, see Greig Charnock, "Challenging New State Spatialities: The Open Marxism of Henri Lefebvre," *Antipode* 42, no 5 (2010): 1279-1303. An Open Marxist perspective has been taken up in the study of 'state workers' in London Edinburgh Weekend Return Group, *In and Against the State* (London: Pluto Press, 1979). More recently David Camfield brings up this critique in "Renewing the Study of Public Sector Unions in Canada".

⁶⁸ Andrew Herod, "From a Geography of Labor to a Labor Geography: Labor's Spatial Fix and the Geography of Capitalism," *Antipode* 29, no 1 (1997), 14.

that the geography of capitalism is produced in certain ways and not in others, and ... that they play active parts in seeking to bring this about”.⁶⁹ Workers play a role both in the production of space *and* the production of spatial scales through which their work can be renegotiated and re-imagined in ways that do not always correspond to the interests of capital accumulation.

Hence, while scholars often look to the role of ‘professional gentlemen’ – the middle class reformers, planners, and state officials – in moulding the contours of the early twentieth century metropolis, we also need to highlight the central role played by sanitation workers who defied the schematic plans of city officials and actively worked to transform the urban landscape in ways that served their own interests. Moreover, we can recognize how the drive for administrative uniformity in the wake of the Second World War was, in part, an *ad hoc* response to the emerging mobilization capacities of civic, electrical and public utilities workers, who came to coordinate their activities, engaging in pattern bargaining and establishing national federations that linked together ‘public sector’ unions across disparate sites. In this sense, they were actively able to change the terrain on which they were negotiating, or, as Smith argues, they were able to ‘jump’ scales, organizing the production and reproduction of daily life and resisting oppression and exploitation “at a higher scale – over a wider geographical field”.⁷⁰ These actions would often *provoke* state agencies to build more centralized administrative capacities, establishing professionalized personnel relations paradigms through which the bargaining process could be governed at a distance.

⁶⁹ *Labour Geographies*, 2.

⁷⁰ Neil Smith, “Contours of a Spatialized Politics: Homeless Vehicles and the Production of Geographical Scale,” *Social Text* 33 (1992), 60.

Workers have often been able to gain leverage in making demands and building organization through the *embeddedness* of their labour in vulnerable infrastructural networks. Along these lines, it is important to consider the specific *location* of workers in uneven geographies of public service. As Herod *et al.* note:

[B]ecause people, institutions, and things come together in unique ... ways in different locations, social relationships, regulations and institutions have a high degree of local ‘stickiness’ and actors are necessarily geographically embedded to greater or lesser degrees in the long-standing structures and relationships of place, an embeddedness which shapes their social praxis.⁷¹

Through being entangled in specific familial, social, political, and infrastructural networks, workers are often able to gain leverage in advancing demands and building organizations that confound the high-minded plans of expert administrators. For instance, we can look at how the first civic employees’ unions took shape in the dense infrastructural networks that traversed the industrializing metropolis in the early twentieth century. Certain workers were centrally located in facilitating the flows of energy, waste and people across the urban landscape and consequently could often achieve a degree of leverage in advancing their demands. Even as their labour was disentangled from local patronage networks and increasingly administered through scientific management techniques at a citywide level, these workers were able to critically intervene in the operation of services in new and unforeseen ways, forging alliances through social, economic and political networks in establishing a base of strength.

Moreover, we can highlight how workers have often been able to build from such networks in order to change the frame in important ways. Hence, beyond highlighting

⁷¹ Andrew Herod, Susan McGrath-Champ and Al Rainnie, “Foundations,” in *Handbook of Employment and Society: Working Space*, eds. Susan McGrath-Champ, Andrew Herod and Al Rainnie (Northampton: Edward Elgar, 2010), 10.

the *embeddedness* of labour, we can also highlight the role of workers and their organizations in the production of 'spatial scales' through which their work could be renegotiated and re-imagined. As Delaney and Leitner note, scale is "not simply an external fact awaiting discovery but a way of framing conceptions of reality".⁷² Hence, I highlight how, in the midst of the early twentieth century urban boom, workers were increasingly capable of imagining themselves under a common 'civic' identity, rather than being partitioned between different neighbourhoods and specific municipal departments. Moreover, they were capable of changing the scale at which their work was organized. Rather than setting wages and working conditions at a departmental scale, workers would increasingly negotiate these things at a civic scale, through the growing coordination of workers in different departments. Likewise, through the 1950s and 1960s, as services spread across wider metropolitan regions, we can highlight how workers in the metropolitan core would play a central role in 'jumping scales' to establish the first 'national' public sector unions.

It is important to recognize the role of expertise, not only on the part of state agencies but also through labour organizations, in framing the scales at which action is undertaken. Hence, it should not be assumed that the formation of dense urban infrastructural systems would *necessarily* galvanize the formation of civic employees' unions or that the emergence of wider metropolitan systems would inevitably lead to the formation of national and provincial 'public sector' unions. It is important to consider here the capacity of labour organizers to reframe the field of negotiation – to confound

⁷² David Delaney and Helga Leitner, "The political construction of scale," *Political Geography* 16, no 2 (1997), 94-95.

established understandings of equivalence and introduce new criteria in the determination of value.

For instance, through the 1950s and 1960s, labour organizers were often able to outmanoeuvre fractured and disorganized state agencies in defining the space in which negotiations were carried out. Through the growing administrative capacities of unions, they were, at times, able to establish leverage in their negotiations through the production of norms that did not correspond to those envisioned by state officials. Even as state officials sought to foreclose on the possibility of 'unfair' settlements through professionalizing the bargaining process and disembedding it from the realm of political alliances, unions were effectively able to operationalize alternative understandings of value that were built around conceptions of 'justice'. For instance, I demonstrate how attempts to establish the hospital sector as a closed system through interest arbitration were confounded by the expertise of labour bureaucrats, who skilfully drew from a wide array of criteria in effectively breaking the frame and establishing new norms through which value was to be determined.

Conclusion

Challenging the reification of the public sector as a pre-existing object or structure, and exploring the historically specific conditions for its formation, helps to expose how things could have been otherwise. The 'public sector' did not *necessarily* have to take the shape that it did. It was neither destined to fulfil a specific reproductive function, nor was it the instrumental outcome of state strategies to reinforce existing relations of production under capitalism. In fact, the emergence of the public sector as

an object of governance is the outcome of very specific struggles. It is a relational object that can be pulled in very different directions. By undertaking a historical survey of these struggles, we can begin to highlight the contingency of the public sector as it currently exists, and open the doors to other ways of imagining things.

This means recognizing that the public sector is not just a level of reality. It is not a pre-existing structure or fixed ontological object. In the following chapters, I will examine how the public sector comes to be rendered intelligible through specific rationalities and practices that facilitate government at a distance. It is through the work of establishing distance – removing services from political discretion and placing them under impartial administration through complex networks of inscription and calculation – that a public sector comes to appear as discrete entity, removed from the discretion of private actors.

Moreover, the constitution of a modern public sector has also entailed changing the scale at which services are governed – rendering services intelligible at disparate sites from an administrative centre. Only gradually did state agencies develop the capacity to know and intervene in the provision of public services. Hence, we can see how city-wide administrative structures emerged in the early twentieth century, which were gradually supplemented through the emergence of more sophisticated and closely networked structures between different levels of government through the 1960s and 1970s. In many ways, this history of the public sector presages contemporary neoliberal rationalities, which have drawn from an extensive array of calculations in determining the efficiency of public services. As I will show, it was only through a longer-term

process of administrative centralization that state agencies are now capable of identifying redundancies and imposing cutbacks.

However, I also note that the reach of state agencies has often been quite tenuous, relying on specific technologies to *translate* local realities into a schematic system of comparisons. In fact, the heterogeneous and spatially dispersed provision of services has often posed problems for state officials who seek to reduce their complexity to a single normative field. By highlighting the problems in translation, I seek to rethink the public sector as relationally constituted through various modes of calculation and comparison that are actively deployed on the ground.

In this sense, the public sector should not be simply viewed as an instrumental expression of state power. In fact, workers and their organizations have also played a significant role in reshaping how this domain is understood. By virtue of their *embeddedness* in the provision of services across uneven landscapes, workers have been able to make certain claims and develop alternative ways of knowing the field upon which they operate. Through their organizations, they have been capable of challenging the manner in which services are enumerated, refusing to accept established norms, and interjecting other criteria through which their work can be attributed value.

By questioning the integrity and coherence of the public sector as a closed domain, I hope to open up new lines of vision in framing public sector struggles today. This is a useful exercise precisely insofar as it shows that different ways of assigning value can be taken up. Different forms of knowledge can be drawn from in thinking it through as an object of regulation. Moreover, this can be accomplished from below by

workers themselves who are critically positioned in thinking through the way in which their labour is carried out.

Chapter Three

State Formation, Critical Discourse Analysis and the Constitution of the Archives

“Information is the best instrument of control, even in the case of government operations: in private endeavour it is the sine qua non of effectiveness”.⁷³

--*Toronto Bureau of Municipal Research*, 1917

Introduction

This dissertation is primarily based on the analysis of archival data. I spent time at a number of different research sites, including the Library and Archives of Canada in Ottawa, the Archives of Ontario at York University, and the City of Toronto Archives. At these locations, I examined a wide array of collections, including the day-to-day records of Toronto's Street Cleaning Department, the regular bulletins of the National Organization of Civic, Utility and Electrical Workers (NOCUEW), and the written reports and correspondence of arbitration boards in Ontario's hospital sector. Indeed, it has been a central aim of my research to understand how a public sector domain has been rendered intelligible and governable through the production and circulation of such texts.

In this chapter, I will outline my methodological approach, which draws from Critical Discourse Analysis (CDA), organizational theory, and the recent 'archival turn' in social theory. I take as my starting point the constitutive role of texts in the production of social life. Rather than assuming that problems exist *out there* in the world to be discovered, I highlight the crucial work that is done *in and through* texts in framing issues, setting boundaries, and ordering the mess of everyday life into neat, legible

⁷³ City of Toronto archives. Fonds 1003, Series 973, Subseries 9. Toronto Bureau of Municipal Research. 28 February 1917. "Third Annual Report of the Toronto Bureau of Municipal Research".

categories. Drawing from CDA, I highlight the regularities, consistencies and contradictions through which texts are ordered, exploring how they are a part of a larger discursive formation.⁷⁴ I seek to understand the *conditions of possibility* for the production of these texts, exploring the social, institutional, and material relationships in which they are embedded. As I show, the format of the text illuminates how certain actors are granted the authority to speak and to define the truth of things, while others are rendered voiceless. Moreover, I examine how the organization of the archives reflects the changing *reach* of various institutional actors. I highlight here the *materiality* of texts as they are taken up and circulate across different sites. I ask, how are these texts physically produced and how do they come to be transportable across different locations? Finally, I seek to read these texts ‘against the archival grain,’ highlighting their silences and exclusions.⁷⁵ What voices are missing or marginalized in these documents? And how have these texts come to be ‘misappropriated’ and ‘misread’ by various actors in changing the terms of struggle? In exploring the textual production of the public sector, I show how such documents do not simply reflect state power, but rather provide the means through which the state system itself has come to be rendered intelligible and governable as a singular object.

⁷⁴ In conceptualizing a ‘discursive formation,’ see Michel Foucault, *The Archaeology of Knowledge* (New York: Vintage, 1972). This has also been taken up by Stuart Hall, who explains the ‘discursive formation’ best in “The West and the Rest,” in *Modernity: An Introduction to Modern Societies*, eds. Hall, Held, Hubert and Thompson (Oxford: Blackwell, 1996): 185-225.

⁷⁵ I take up the idea of ‘reading against the archival grain’ from Ann Laura Stoler, “Colonial Archives and the Arts of Governance,” *Archival Science*, 2 (2002): 87-109.

Textual Analysis

I have taken as my chief source of data written documents or ‘texts’ contained within various files that are themselves part of larger collections located at different research sites. These texts include a range of sources – letter books, meeting minutes, bulletins, graphs, tables, charts, maps and punch cards. Following Wodak, I understand these texts as “materially durable products of linguistic actions”.⁷⁶

Texts are materially durable in that they have a degree of solidity as objects that can be physically collected and stored at different locations. Drawing on Latour, we could describe them as ‘immutable mobiles’.⁷⁷ On the one hand, a text is immutable to the extent that it inscribes things in fixed and tangible ways. The markings on the page do not change. On the other hand, the text is ‘mobile’; it can be taken up and circulated in facilitating the coordination of activity between different sites. It can be physically handled and passed around. In this sense, the text provides a relatively stable referent to which differently positioned actors are able to speak.

Moreover, texts are the products of linguistic action. From this perspective, I do not view texts as mere descriptors of social life. They do not offer a transparent view of the world and they should not be taken to be simple reflections of an outside reality. They play a *constitutive* role in the production of social life. In other words, I see texts as the products of ‘linguistic acts’ that seek to render social life meaningful in various

⁷⁶ Ruth Wodak, “The discourse-historical approach,” in *Methods of discourse analysis*, eds. Ruth Wodak and Michael Meyer (London: Sage, 2001), 66.

⁷⁷ Latour, *Science in Action*.

ways. Texts have been central in rendering situations, objects of knowledge and social identities intelligible, coding social life in such a manner that it can be acted on.⁷⁸

Critical Discourse Analysis begins from the premise that there are underlying rules governing the formation of a text and that these rules can be discovered through empirical analysis. The system of rules through which a text is constructed is understood as a 'discourse'. The aim is to identify how texts draw from specific discourses and discursive formations in rendering the world meaningful. Of course, there is considerable debate in the literature over how 'discourse' is defined as a concept. As Fairclough *et al.* note, this concept can be used as an abstract noun to refer to the semiotic, as "one element or moment of the social," or it can be used more concretely to refer to a particular discourse or to particular instances of spoken interaction.⁷⁹ In other words, the discursive can be viewed as a distinctive ontological *level*, or it can be viewed more empirically as simply a set of written and spoken statements. There are different theoretical traditions that take this concept in different directions, with some tending to emphasize the cohesiveness of the discursive realm more than others. Moreover, there are diverse views as to how the discursive operates in relation to an extra-discursive realm – an outside social and historical context within which a discursive formation is situated.

In my research, I draw inspiration from the writings of Michel Foucault and his genealogical approach in studying the historical emergence of specific discursive formations. Foucault was concerned with the ways in which the discursive is linked to

⁷⁸ Norman Fairclough and Ruth Wodak, "Critical Discourse Analysis," in *Introduction to Discourse Analysis*, ed. T.A. van Dijk (London: Sage, 1997): 258-284.

⁷⁹ Norman Fairclough, Phil Graham, Jay Lemke and Ruth Wodak, "Introduction," *Critical Discourse Studies* 1, no 1 (2004), 4.

the production of particular kinds of truths about the world. He looks at discursive formations as “systems of thoughts composed of ideas, attitudes, courses of action, beliefs and practices that systematically construct the subjects and the worlds of which they speak”.⁸⁰ Discursive formations provide a set of rules that are taken up by various actors in rendering the world intelligible as an object of intervention. They provide a means of speaking to the truth of the world in certain ways. This is wrapped up in specific power relations as the production of certain truths often forecloses other ways through which the world can be presented and acted upon.

For Foucault, the emphasis is not on the statements of individuals; rather, it is on the underlying system of rules from which they draw in rendering the world intelligible. As Said notes, “what enables a doctor to practice medicine or a historian to write history is not mainly a set of individual gifts, but an ability to follow rules that are taken for granted as an unconscious *a priori* by all professionals”.⁸¹ Indeed, in the analysis of administrative texts, I highlight the significance of expertise, examining the taken for granted set of rules that has been adopted in rendering certain areas of life intelligible. The aim is to recognize the historically specific system of rules through which it becomes possible to speak certain ‘truths’ about the world. In identifying the epistemological foundations of such texts, I explore the regularities, the densities and distributions – the way in which specific words come to be intelligible as they are defined as a part of a larger system. On this basis, I seek to explore how the text

⁸⁰ *The Archaeology of Knowledge*, 49.

⁸¹ Edward Said, “Michel Foucault, 1927-1984,” in *Reflections on Exile and Other Essays* (Cambridge, MA: Harvard University Press, 2000), 196.

reflects specific discursive rules – specific conventions according to which ‘truth claims’ can be made.

As I show, the specific set of rules through which ‘truths’ are articulated about the world – the discursive formation – is historically variable. A Foucaultian analysis aims to undertake a ‘history of the present,’ exploring how forms of knowledge that have come to be taken as self-evident in contemporary society are actually the outcome of contingent historical events. From this perspective, the aim is to expose the roots of the self-evident by locating the emergence of truths historically in the ruptures produced by events. Foucault defines the event as a “breach of self-evidence” which cannot be driven by any single cause or actor, but is rather the product of an “unstable assemblage of faults, fissures and heterogeneous layers”.⁸² In other words, rather than viewing a discourse as the product of a single actor, it is necessary to highlight how it is produced through a ‘polymorphism’ of elements, relations and domains of reference. A discursive formation is the product of a wide array of different actors, technologies, and discourses that intersect with an outcome that cannot be anticipated. Hence, in studying the historical emergence of specific discursive formations, Foucault argues that it is necessary to rediscover the “connections, encounters, supports, blockages, plays of force, strategies, and so on, that at a given moment establish what subsequently counts as being self-evident, universal, and necessary”.⁸³ From this perspective, texts should not simply be located within a closed social context. Rather than beginning from the assumption of a closed and coherent social field, I argue that it is important to recognize

⁸² Michel Foucault, “Questions of Method,” in *The Foucault Effect*, eds. Graham Burchell, Colin Gordon and Peter Miller (Chicago: University of Chicago Press, 1991), 82.

⁸³ *Ibid.*, 76.

how texts themselves play an important role in solidifying ‘the social’ as a discrete domain.⁸⁴

Institutional Conditions

However, it is not enough to explore the underlying discursive structure of these texts; it is also important to understand the *conditions of possibility* for their production. In other words, what social, institutional, and material circumstances were necessary in order for these texts to be produced? Beyond simply identifying the underlying themes or narratives that are contained within these texts, I am also concerned with how they imply specific *institutional practices*. Texts are the outcome of specific conventions and practices in the administration of social life. In this sense, Stoler looks to archives “not as sites of knowledge retrieval but of knowledge production, as monuments of states as well as sites of state ethnography”.⁸⁵ The archive serves as a physical site where state agencies have been able to collect and store information. It provides a site from which state agencies could set out to know the world. This reframes archival research, which is not so much a matter of ferretting out the truth from available sources as it is of “track[ing] the production and consumption of those ‘facts’ themselves”.⁸⁶

⁸⁴ See Mary Poovey, *Making a Social Body* (Chicago: University of Chicago Press, 1995). Poovey notes a revolution in government beginning in the eighteenth century, which would lead to the emergence of ‘the social’ as a discrete domain distinct from ‘the economic’ and ‘the political’. This transformation involves “the drawing of boundaries and the codification of rules in such a way as to create from what once seemed to be an undifferentiated continuum of practices and ideas new and more specialized conceptual – or imaginary – entities” (5). Gradually, through a process of specialization and disaggregation, ‘the social’ came to be intelligible as a singular domain. From this perspective, ‘the social’ is not the ground upon which discourses are articulated. Rather, the very conception of a distinctive social domain is itself the historical product of a specific discursive formation.

⁸⁵ “Colonial Archives and the Arts of Governance,” 90.

⁸⁶ *Ibid.*, 91.

In my research, I focus primarily on the production of administrative documents taken from a number of different state and non-state agencies. I draw from a wide range of sources, including meeting minutes, the letter-books of state officials, government reports, annual budgets, collective agreements and technical surveys. It is important to recognize the distinctive social, institutional and material contexts within which these texts are constructed. In appraising how they are framed and formatted, I seek to uncover the specific *relations of force*, the specific power relations through which such texts are produced. How does the production of texts reflect specific institutional conventions? How do they reflect specific rules or procedures that must be followed in the day-to-day administration of public services?

Texts always provide traces of authorship, of who is granted the authority to speak. Who is signing off on them? To whom are they accountable? It is important to recognize here how social actors are differentially positioned in social, professional and political networks through which they become capable of making certain claims about the world. In this sense, Bourdieu notes the different resources that actors embedded in the state system are able to draw from in advancing their interests. As he argues, the state is “the *culmination of a process of concentration of different species of capital*”.⁸⁷ Through the capacity to command different kinds of capital – including the instruments of coercion, economic capital, cultural or informational capital, and symbolic capital – differently positioned officials are able to achieve a degree of leverage in shaping the administration of services. In this sense, it is not only the composition of knowledge but

⁸⁷ Pierre Bourdieu, “Rethinking the State: Genesis and Structure of the Bureaucratic Field,” *Sociological Theory* 12, no 1 (1994), 4.

also who is mobilizing it and for what purposes that makes a difference in shaping the terms of the debate.

For instance, in Chapter Five, I highlight the role of arbitrators in determining the value of hospital work. While these arbitrators were initially recruited from the ranks of the judiciary, by the 1960s and 1970s academics trained in the field of industrial relations would play an increasingly central role as officials responsible for the impartial and objective determination of value. It is important to note how these officials were differentially situated within a professional field, and how their changing position in this field granted them a degree of legitimacy in passing down judgments. Their authority is reflected, in part, through the text of the arbitration reports as they seek to draw from various kinds of data in establishing an objective framework for the settlement of labour disputes.

Beyond examining the words on the page, it is also important to consider the way in which the text is formatted. Hence, I look at the way in which information is inscribed in the text. How are data recorded? How are they presented on the page? Here it is important to attend to how texts are materially produced. Are they handwritten or typewritten? Are maps, tables or photographs used as evidence in advancing certain claims? For instance, in the early files of the Medical Officer of Health, I found that texts were often handwritten and enclosed in envelopes with a wax seal. The seal provided a degree of authority and legitimacy to the text, demonstrating how it was the singular product of a notable professional. There was a significant degree of variation in these early texts, as a wide array of data was often haphazardly included in government reports. For instance, in recording the kinds of refuse collected, municipal governments

would apply a varying range of classifications – a changing list that could include everything from old mattresses, ash and compost to dead dogs and cats or human hair. The inconstancy of these lists is notable. However, by the end of the First World War, I observed a shift to typewritten and standardized forms, through which information was continuously broken down into the same categories. The shift to more standard textual forms speaks to how an increasingly standardized public sector domain came to be solidified not only in text but also in practice. There was a growing uniformity of institutional practices, as governments increasingly applied the same standards to work across different jurisdictions.

Moreover, standardization of texts and procedures grants those in power a degree of legitimacy. Standardized forms in the administration of labour provide a sense that such knowledge is objective; it fosters a naturalized view of the world. Hence, it is important to highlight how texts – such as photographs, maps, and tables – can be presented with an air of impartiality as the ‘facts,’ independent of any personal bias or individual discretion. Through examining how texts are formatted we can begin to recognize how they come to be abstracted from their specific origins, with all traces of discretion removed in rendering a neutral view of the world.

Situating Texts Spatially

It is also important to understand the specific ways in which texts are spatially situated and how they come to circulate across different sites. From this perspective, the archives are not simply a product of state power. There is no monolithic state

agency that stands over and above society collecting all of its information and systematizing it. Ultimately, the collections that I looked at were not structured according to some overarching *logos*; rather, they were a mess of fractured correspondence, unanswered letters, and loose transcriptions often void of context.⁸⁸

In confronting the mess of the archives, I examine texts as partial and situated objects that aim to fix institutional practices and facilitate the coordination of activity *between* different officials. They provide a means by which state officials can come to know and intervene in the governance of services at different sites. Through the circulation of texts, different sites come to be interlinked, subjected to similar standards and governable at a distance. In this sense, it is the documents themselves – all the systems of written accountability, weekly reports and complexly coded files – that work to bind together the state, creating the sense that it exists as a singular entity.⁸⁹

It is important here to highlight how the materiality of the text reflects changing capacities for production and distribution of information by state officials. As Yates notes, there was a fundamental shift in the administrative practices of both governments and corporations between 1850 and 1920, as technological development facilitated the

⁸⁸ Carolyn Steedman makes this point in her insightful book, *Dust: The Archives and Cultural History* (New Brunswick, NJ: Rutgers, 2002). She notes “nothings starts in the Archive, nothing, ever at all, though things certainly end up there. You find nothing in the Archive but stories caught half way through: the middle of things; discontinuities” (45). From this perspective, she is critical of Derrida and others for overemphasizing the unity of archives, treating them too much as a space of power, without accounting for how they include other subaltern ways of speaking.

⁸⁹ Ferguson and Gupta make this point in “Spatializing States: Towards an Ethnography of Neoliberal Governmentality”. Through specific sets of metaphors and practices,” they show how “states represent themselves as reified entities with particular spatial properties” (982). See also Joe Painter, “Prosaic geographies of stateness,” *Political Geography*, 25 (2006): 752-774. Painter challenges the notion of the state as a unitary object, instead highlighting “the openness, porosity, heterogeneity, fallibility, unevenness and creativity of state practices” (770). In this sense, he argues that ‘stateness’ is the outcome of specific spatial practices.

collection and storage of information in new ways.⁹⁰ “The informal and primarily oral mode of interaction gave way to a complex and extensive formal communication system depending heavily on written documents of various sorts. Quill pens and bound volumes gave way to type-writers, stencil duplicators, and vertical files that aided in creating, copying, storing and retrieving documents”. New technologies facilitated the reproduction and circulation of information in various ways, interlinking different sites, enabling new ways of controlling and managing the workforce.

Yates speaks to the ways such technologies facilitated the diffusion of information. On the one hand, she notes the growing *vertical* organization of information as it became increasingly possible both to appraise the work that was being done from a central office and to send down orders from ‘above’. Moreover, there was also an increasing *horizontal* flow of information, which was circulated *across* departments. This contributed to the emergence of new genres of communication – with the development of new kinds of orders, reports and memoranda that were adapted to suit emergent managerial and technological contexts. Increasingly, information came to be rendered intelligible within a wider *system*. The emergence of such information sharing techniques helped to extend the reach of state agencies in various ways, facilitating the capacity to know and intervene in the provision of services at a distance. Through the vertical flow of information state agencies were able to establish centralized administrative structures capable of governing work in disparate locations. Through the horizontal flow of information, standardized conceptions of services could be established between sites.

⁹⁰ *Control through Communication*, xv.

The spatial distribution of information can be recognized, to some extent, through archival analysis, in tracing how texts are taken up at different sites by state and non-state actors. For instance, I highlight the tenuous connections between the central office of the Department of Street Cleaning and the various work yards in my analysis of early twentieth century sanitation work. Through this time, very little information flowed *upwards* from the various sites through which sanitation work was organized to a central office. At the time, the Street Commissioner had very little knowledge of how this work was configured. The day-to-day operations of the Street Cleaning Department were largely left within the hands of local foremen, who organized this work through less formal methods of command. Moreover, there was very little capacity at the administrative centre to send ‘down’ orders to the disparate locations through which work was organized. It was only around 1910 that the city government moved towards the comprehensive configuration of sanitation work facilitated through the production of standard texts. These texts would enable the local realities of sanitation work to become visible from an administrative centre and would facilitate the diffusion of commands from above to various worksites.

Moreover, it is also important to recognize how texts have facilitated the establishment of ‘horizontal’ connections *between* different state agencies. Hence, I examine how the street-cleaning departments in different municipalities across North America increasingly came to share their information with one another in seeking to develop a more efficient service. Standardized sets of classifications were disseminated to different sites, facilitating the growing coordination of city services by a central administrative body. In my later case studies, I explore how different kinds of state

agencies – municipalities, utilities, schools, and hospitals – came to share information with one another in seeking to achieve a wider ‘public sector’ economy of services. Increasingly, the work of housekeepers in the hospital sector came to be rendered comparable with the work of janitors at the city zoo. Through this process, the diffusion of new information systems, facilitated by the use of computers, enabled a wider ‘public sector’ to be rendered intelligible in new ways.

However, in establishing such horizontal linkages, disparate texts should not be taken at face value. It is important to recognize how texts from different sources – taken up at different sites and drawing on from different kinds of expertise – required translation; specific kinds of work were necessary in ensuring that these texts spoke the same language. Hence, we should not just highlight the work of those who *produce* texts, but also the work of state officials in *deciphering* texts, rendering them intelligible in various departments for different ends. It is important to recognize here how texts came to be standardized, transformed into equivalents that facilitated their growing circulation across different sites. For instance, I highlight how sanitation work gradually came to be rendered intelligible in a wider economy through the standardization of texts under the oversight of the Refuse Committee of the American Public Health Association in 1913. In this sense, the economy of sanitation work was increasingly gauged across different North American cities.

Moreover, the circulation of texts facilitated the production of new ‘public sector’ imaginaries. The routine collection and distribution of texts through vertical and horizontal linkages helped to cultivate the understanding of vital services as part of an overarching public sector. As Ferguson and Gupta note, the use of texts as a means of

facilitating the coordination of various state agencies, cultivated imaginaries of the state as 'vertically encompassing' society.⁹¹ On the one hand, the circulation of texts from an administrative centre to disparate local sites helped to create the sense that the state somehow stands 'above' civil society, community, and family. On the other hand, the flow of texts horizontally between sites created the sense that the state is located within an ever-widening series of circles that begins with family and local community and ends with the system of nation-states.

Reading for Silences

In each of the collections that I examined, the information was invariably spotty. In each case, and regardless of the time period that I was examining, I saw the same complaints written in the records: there was just not enough information. State officials persistently note that their efforts to achieve a secure and efficient public service were hampered by their lack of knowledge. Hence, in undertaking archival analysis, I am not just interested in noting the presence of data on public services. I am not just interested in the words that were spoken and the facts that were presented. I am also interested in the absences and ambiguities. I am interested in the voices that were kept silent – unaccounted for in the prevailing system of classifications. Moreover, I am interested in how the fuzzy classification of social life created openings for the misunderstanding and misappropriation of texts.

⁹¹ "Spatializing States: Towards an Ethnography of Neoliberal Governmentality".

The process of establishing equivalence, generating standard information about the provision of services often comes at the cost of rendering complex local realities invisible. As Scott notes, it has required a 'narrowing of vision' in which texts have bracketed those issues that are of interest to state officials, and excluded all other information that might cloud the field of judgment. In this sense, the texts that can be found in the archives "did not successfully represent the actual activity of the society they depicted, nor were they intended to; they represented only that slice of it that interested the official observer".⁹² The specific way in which social life is simplified in these texts reflects certain interests; it reflects certain strategic decisions made by officials in the administration of state programs. As Scott notes, very often the field of vision was framed by a concern to achieve economy and security in the provision of services. Hence, information was collected with the aim of keeping down costs and facilitating the administration of the labour process from a distance.

However, the capacity of state agencies to know has been necessarily limited through the kinds of texts that are deployed and how they are formatted. For instance, in the administration of early sanitation work, I found that certain statistics, such as the cost of the average haul and the kinds of material to be collected, were often transcribed by hand and highly variable. At different times, different kinds of material were recorded in the collection of the city's waste. Much of this information remained confined to handwritten documents and would only eventually be included as typewritten attachments in the meeting minutes if circumstances called for it. Only certain narrow facts could be recorded in gauging the efficiency of sanitation work;

⁹² Scott, *Seeing Like a State*, 3.

certain kinds of information were necessarily left out of the equation. In the early twentieth century, central administrators did not even have a clear sense of who worked for the Department of Street Cleaning, let alone the kind of work that they did. Hence, in reading the archives, I seek to identify “information out of place”, the failure of some kinds of practices, perceptions, and populations to fit into a state’s ready-made system of classification. Specifically, what kinds of aspects of social life are omitted in the production of texts?

In this sense, I draw from Foucault in viewing my project as a retrieval of forgotten struggles and subjugated memories.⁹³ This goes beyond studying the changing meanings that are attributed to the ‘public sector’ by state agencies and expert administrators. It goes beyond the analytical assumptions of labour boards and government commissions. This means identifying the unofficial knowledge that is taken up and deployed in struggles. It is a matter of recognizing how the notion of the ‘public sector’ has been taken up and responded to in unforeseen ways by workers and their organizations.

The aim here is to undermine the pretensions to continuity and progress that have been assumed in the sciences through rediscovering the “ruptural effects of conflict and struggle”.⁹⁴ Rather than presuming that such knowledge has followed a logical trajectory, naturally progressing towards more ‘rational’ ways of understanding, it

⁹³ Foucault’s concern with resistance and subjugated memories becomes especially apparent in his “Two Lectures,” in *Power/Knowledge* (New York: Pantheon, 1980): 78-109. See also, William Walters, *Governmentality: Critical Encounters* (New York: Routledge, 2012). Walters highlights the ‘retrieval of subjugated memories’ as a central though often neglected dimension of a genealogical approach to social knowledge.

⁹⁴ Foucault, “Two Lectures,” 82.

is a matter of recognizing how ‘established’ knowledge is periodically interrupted, through the ‘misuse’ or ‘misunderstanding’ of such knowledge from below.

I draw from Foucault in seeking to understand “the unity of local memory and erudite knowledge which allows us to establish a historical knowledge of struggles and make use of them tactically today”.⁹⁵ This means reconnecting the stodgy official transcripts of the labour arbitration hearings with the traces of struggle that can be found in the workplace. It is a matter of bringing together the ‘erudite knowledge’ of the experts and policy-makers with the ‘local memory’ of resistance that is often left out of the textbooks on industrial relations. It is a matter of digging through the archives and recognizing all the ways in which words were used in ways other than that which was intended. Through the identification of such moments of insurrection, one can understand the aleatory manner in which meanings take shape, in the space *between* different forces.

Of course, it can quite difficult to discover traces of such struggles; very often only fragments are available in the archives. There are a few grumblings noted here and there in meeting minutes, local news stories, the reports of arbitration cases, and commission transcripts. Consequently, it is necessary to draw from wide range of sources in parsing things out. The aim here is not so much to recognize a monolithic and overarching opposition. It is more a matter of recognizing the small ways in which things fall apart. It is realizing that a concept that was taken for granted at the beginning of an arbitration hearing has come to mean something radically different by the end.

⁹⁵ *Ibid.*, 83.

However, while it is important to expose the often hidden struggles through which certain understandings of the world come to be taken as self-evident, we should avoid an uncritical celebration of resistance. Advancing a genealogical approach means rejecting the labour movement's heroic self-narrative of rise, fall and renewal. This means, in many ways, moving beyond a populist history, which highlights the open conflicts of 'rank-and-file' workers in struggle against the factory owners. Certainly, it is important to highlight the significance of class relationships in the production of the modern public sector; however, beyond the explicit struggles – what Gramsci would call the out-and-out 'war of manoeuvre' – we also need to account for the subtle and multi-directional use and appropriation of knowledge in the everyday administration of public sector labour.⁹⁶ Hence, I seek to expose the negative space between the lines of government transcripts. This means recognizing both the role of rank-and-file workers actively engaging in job action at the workplace, but also recognizing the significant role of the bureaucrats in tending to the meaning of these actions in the 'public' realm. At times, I have argued elsewhere, a line is too rigidly drawn in the labour history literature between the 'union bureaucracy' and the 'rank-and-file'.⁹⁷ However, we should recognize how there are moments when militancy is not just demonstrated by wildcat

⁹⁶ See Antonio Gramsci, *Selections from the Prison Notebooks* (New York: International Publishers, 1971). Gramsci draws the distinction between a 'war of manoeuvre' and a 'war of position'. A 'war of manoeuvre' is based on seizing state power as the Bolsheviks did during the Russian Revolution. For Gramsci, these kind of tactics would only work in those countries without a well-established civil society. Hence, he notes, "In Russia the state was everything, civil society was primordial and gelatinous; in the West, there was a proper relation between state and civil society, and when the state trembled a sturdy structure of civil society was at once revealed" (238). In Western Europe he notes, "The State was only an outer ditch, behind which there stood a powerful system of fortresses and earthworks: more or less numerous from one State to the next" (238). In this context, it is important to examine the "molecular changes which in fact progressively modify the pre-existing composition of forces, and hence become the matrix of new changes" (109). This kind of multidirectional view of the state is reflected, for instance, in Rianne Mahon, "Canadian public policy: The unequal structure of representation," in *The Canadian State*, ed. Leo Panitch (Toronto: University of Toronto Press, 1977).

⁹⁷ Chris Hurl, "The Structure of Betrayal: Trade Union Bureaucracy and Public Sector Struggles in British Columbia," *Studies in Political Economy* 83 (2009): 131-161.

strikes, but also in the mundane testimony of experts; it is reflected in the central role played by officials in knotting together different kinds of knowledge in framing and coordinating collective action. As I will show, it is notable that CUPE's research department was, for a long time, the facilitator and even the instigator of direct action in the workplace, and, in many ways, we can see how its practices reflect an effort to expand the field of militancy to the administrative realm.

Conclusion

My case studies highlight three different periods in the formation of a public sector in Ontario: the rise of civic employees unions (1890s-1920s), the emergence of federated public sector labour organizations (1940s-1950s), and the emergence of hospital workers' unions (1960s-1970s). I draw mainly from collections located at three different archives in examining these periods: the City of Toronto archives, the Archives of Ontario, and the Library and Archives of Canada. Consequently, the kinds of texts that I have examined have been very differently constructed and distributed. As I show, their juxtaposition highlights just how much conceptions of public services have changed over the years. This becomes apparent in examining 1) the discursive formations that were taken up in the administration of public services; 2) the conditions of possibility for the production of texts; 3) the spatial distribution of documents; and 4) the kinds of information that are omitted or left ambiguous.

First, the differences become apparent in examining the discourses that are taken up in the texts. For instance, in examining the emergence of public services in

the early twentieth century, there is a reliance on the language of the natural sciences. In sanitation, there is a heavy emphasis on discourses of public health and civil engineering. There is a sense here that physicians and engineers are capable of applying their scientific knowledge in establishing an objective and impartial means of assigning value to the public services. This stands in sharp contrast to the administration of public services in the mid- to late-twentieth century, when authority is increasingly granted to specialists trained in the areas of economics, industrial relations, and labour law. Increasingly, we see a shift from conceiving of public services as natural systems to a view of public services as abstract economies, in which values are defined through their comparison with similar services located at disparate sites across the province.

Differences are also apparent in the way in which such texts were produced. Texts drafted in the early twentieth century expose a very paternalistic authority granted to professional administrators on the basis of their expertise and business connections. Hence, authorship is often unambiguous. For instance, as the Medical Officer of Health assumed control over sanitation and street cleaning, his records appear to be largely based on personal reflections and moral judgments. There is a certain sense of propriety here in making decisions on behalf of the municipality. In contrast, the authorship of texts in the 1950s and 1960s becomes increasingly anonymous. Typewritten reports are left unsigned and are written in a technical and impersonal style. Consequently, it is not as clear where they come from or how the information is collected.

Moreover, there are differences in the manner in which such texts were distributed. For my first case study on sanitation workers, the lines of communication between city officials appear to be fairly loose. Much of the information remains handwritten, with brief typewritten reports included in meeting minutes, and a few cryptic telegrams regularly circulated between departments. There is not very much evidence of regular correspondence with other cities, even on a regional basis. Comparisons with other jurisdictions tend to be occasionally pursued through the enlistment of outside consultants or through the annual conventions of professional associations. It should be noted that the age of these documents and their status as handwritten originals, also suggests that some of these texts may have been lost over the years.

In contrast, the documents from the Second World War onwards appear to be more abundant and more carefully filed. A steady flow of information increasingly accumulates through the 1940s and 1950s. These texts are more frequently reproduced and circulated across a variety of disparate sites. By the late 1960s, there is evidence of a growing reliance on computer databases in storing and accessing data on public services across the province. Moreover, state agencies were not the only ones accumulating this information, as becomes evident in delving into the archives of public sector unions. While the early civic employees unions have no collections of their own, by the time that the Canadian Union of Public Employees (CUPE) was formed in 1963, there are fairly extensive and systematic collections. However, gaining access to such documents could be difficult at times because they are so recent. Hence, in several cases, I had to file requests under the *Freedom of Information and Protection of Privacy Act*, in order to obtain documents through this period. In addition, I had to request

special permission to access the files stored by CUPE at the Library and Archives of Canada.

Finally, we can highlight the silences and ambiguities of these texts. For instance, while there is an abundance of correspondence available in the Department of Street Cleaning fonds between the Medical Officer of Health and local residents, there is very little information available on the day-to-day work of sanitation. There are very few texts that explain what sanitation workers did or how they were supervised. It appears that foremen and inspectors were granted some discretion in administering much of this work themselves. However, from the evidence that does exist (for instance, in looking at the minutes of the Board of Control and the Subcommittee on Street Cleaning) it appears that things like marital status, religion, and place of residence were factors in the enlistment of city workers. In the post-war years, these criteria tend to gradually disappear from the records as there is increasingly an emphasis on implementing the 'merit system,' in which workers are enlisted on the basis of their apparent skills and qualifications.

My dissertation highlights the textual production of the public sector. In other words, rather than examining these texts as transparent representatives of an underlying reality, I am interested in how a distinctive public sector came to be rendered intelligible and governable, in part, through the production and circulation of texts. As I will show, the kinds of discourses that are drawn from, the manner in which texts are produced and distributed, and their ambiguities and silences are very significant in shaping the contours of the public sector, how it is imagined, and how it is struggled over.

Chapter Four

Public Waste, Sanitation Work and the Fight for Clean Government, 1890-1920

Introduction

A public sector – understood as an economy of services organized at the level of the entire state – did not exist prior to the Second World War. Certainly, there were services that were organized by state agencies and commissions in the *public interest*. ‘Public utilities’ were established with the aim of ensuring economy and security in the provision of vital services such as gas, electricity, water and sanitation.⁹⁸ However, the extent to which such services constituted a distinctive ‘sector’ should not be overstated. As Valverde notes, it is probably more accurate to describe the provision of services through the late-nineteenth and early-twentieth century as a ‘mixed social economy,’ in which programs were administered at arm’s length by religious and philanthropic organizations.⁹⁹ Certainly, the public provision of services was evident; however, there was no singular domain within which these services were organized; they were not imagined to be part of a single ‘sector’.

⁹⁸ In *Monopoly’s Moment*, Armstrong and Nelles explore the pervasiveness of the ‘public utilities’ discourse in a Canadian context. They highlight how, beginning in the late nineteenth century, clean water, gas and electricity were increasingly viewed as both social ‘necessities’ and powerful metaphors for social progress. “Clean water, protection against fire, the safety of well-lit streets: those were the vaulting ambitions and subsequently the hallmarks of bourgeois civilization” (11). As these services came to be viewed as vital necessities in a civilized society, they came to demand new forms of organization. In *Impartial Umpire*, Craven also highlights the significance of ‘public utilities’ for Canadian labour legislation. He argues that there were two central elements that set ‘public utilities’ apart from other industries – “their uninterrupted operation was essential to the community, and they had certain monopoly-like characteristics” (288). It was on this basis, it was argued, that they should be granted special status as objects of governance.

⁹⁹ See, Mariana Valverde, “The Mixed Social Economy as a Canadian Tradition,” *Studies in Political Economy* 47 (1995), 34. Valverde challenges the perception that there was a clear distinction between the public and private realms in early twentieth century Canada. Drawing on the provision of social services by philanthropic organizations, she highlights “not so much the autonomy of the non-government sector but rather the complex web of relationships linking the two supposedly separate realms; in other words the sites and processes organized as a mixed economy”.

Yet while there was no singular public sector at this time, it is important to note how different 'public' services came to be consolidated, brought under the expertise of state officials with the aim of meeting the needs of the population in a secure and economic fashion. Hence, I begin my analysis by looking at the civic reform movement that would build momentum during the 1880s and play a formative role in reshaping civic politics in Toronto until the end of the First World War. At this time, reformers in the city problematized the determination of wages and working conditions by local notables under patronage-based networks. It was insufficient simply to view labour as a private transaction between politicians and workers in which contracts were granted in exchange for political loyalties. It was increasingly deemed necessary to move beyond the allocation of work on such an informal interpersonal basis through the cultivation of professional expertise in the administration of social life. Indeed, this was a period of *system-building* in which reformers sought to reframe services through impartial understandings of transparency, efficiency and security.

Numerous studies have noted how sanitation services were a central area of reform in European and North American cities from the 1850s until the 1920s.¹⁰⁰ With the rise of public health epidemics, such as cholera, typhoid, and yellow fever, it was argued that such vital services could not be left to the discretion of private individuals.

¹⁰⁰ The focus on public health reforms has tended to be a central focus of the governmentality literature. For instance, see Thomas Osborne, "Security and vitality: drains, liberalism and power in the nineteenth century," in *Foucault and Political Reason*, eds. Andrew Barry, Thomas Osborne and Nikolas Rose (Chicago: University of Chicago Press, 1996). More recently, see Patrick Joyce, *The Rule of Freedom* (London: Verso, 2003). The emphasis here is on how government became increasingly technical through the nineteenth century, providing security through infrastructural networks. This is reflected in much of the historical literature on public health. For instance, see Martin V. Melosi, including *The Sanitary City* (Baltimore: John Hopkins University Press, 2000) and *Garbage in the Cities* (Pittsburgh: University of Pittsburgh Press, 2005). There are also a series of more in-depth studies emerging such as, Daniel Eli Burnstein, *Next to Godliness: Confronting Dirt and Despair in Progress Era New York City* (Urbana: University of Illinois Press, 2006). For a focus on Toronto, see Heather MacDougall, *Activists and Advocates: Toronto's Health Department, 1883-1983* (Toronto: Dundurn Press, 1990).

Moreover, clean streets came to be viewed as a measure of judicious government – a sign that the necessary infrastructure was in place to facilitate the safe and secure flow of people, capital and commodities across the urban environment.¹⁰¹ Thus, through the mid- to late-nineteenth century, the administration of public health was increasingly delegated by city council to expert boards and commissions who would play a significant role in rethinking the provision of vital services.

However, while a great deal of scholarship has been dedicated to the civic reformers and their ideas, not much attention has been given to the actual administration of sanitation workers themselves. In this chapter, I examine the reconfiguration of sanitation work in early twentieth century Toronto. During this period, I argue that there was a shift in civic government away from the conceptualization of sanitation work as a public health problem wrapped up in the singularity of the urban landscape and demanding inventive solutions by professional gentlemen, to the formation of a wider economy of service in which sanitation work would be increasingly enumerated and rendered equivalent both *within* and *across* cities. Through the development of such measures as the cost per mile of the average haul, city officials were increasingly capable of making sanitation work intelligible and governable on a wider scale. In fact, I argue that these efforts to disentangle sanitation work – removing it from local networks and place-based particularities – are reflective of a broader early twentieth century state project that aimed to reconstruct the city as a homogeneous and

¹⁰¹ For instance, well-known Canadian engineer and public intellectual, R.O. Wynne Roberts (1914), argued that “Well paved and clean streets ... because they are seen by all ... constitute a measure of successful administration, foresight, and judicious expenditure of ratepayers’ money. The converse is equally true, for unsightly, dirty streets are powerful factors in the demoralization of the people” (cited in Riendeau, 1984: 159)

uniform environment, an interchangeable space that could be rendered intelligible and comparable within a wider economy of service.

The Fight for Clean Government, 1880-1910

“It is exceedingly refreshing to find [in Toronto] inventive genius constantly brought to bear to produce appliances, not for sale in the general market, and hence of that crude adjustment which can be used anywhere, but appliances precisely adapted to the particular needs of [the city], with its own climate, soil, street mileage, and pavements”.¹⁰²

George E. Hooker, *Review of Reviews*, 1897

The notion of a distinctive public realm found expression in the public health movements of the late nineteenth and early twentieth centuries. The late-nineteenth century metropolis was a mess – both literally and figuratively. Throughout this period, many burgeoning cities across Europe and North America experienced a ‘crisis of filth,’ as tremendous amounts of waste that came with rapid urbanization and industrialization flooded the streets, overflowing the neighbourhood dumps and threatening to poison the water supply.¹⁰³ Faced with the endemic pollution and chronic health problems associated with urban crowding, it became clear that leaving the sanitation of the city to the discretion of private interests was no longer adequate. Many city governments

¹⁰² Hooker, George E. “Cleaning Streets by Contract – A Sidelight from Chicago,” in *Review of Reviews*, ed. Albert Shaw, 15 (1897), 437.

¹⁰³ D.S. Barnes, “Confronting Sensory Crisis in the Great Stinks of London and Paris,” in *Filth: Dirt, Disgust and Modern Life*, eds. W.A. Cohen and R. Johnson (Minneapolis: University of Minnesota Press, 2005).

would assume direct control over garbage collection and other services considered essential to the public health as early as the mid-nineteenth century.¹⁰⁴

The disposal of waste was considered to be a very public problem from very early on; in fact, it was one of the first duties undertaken by the City of Toronto following its incorporation in 1834. One of the first bills passed by city council was the *Nuisance Bill* which made it unlawful to throw dung, manure, or ‘filth of any description’ on the road, beach or in the water under a penalty of five shillings. This was followed up by the establishment of a Board of Health, made up of the Mayor and four members of council, who were given the task of making “diligent enquiry with respect to all nuisances which may exist in the city” and were given “full power to order removal of the same at their discretion”.¹⁰⁵ A central task of civic government was to designate places “to which Offal and other Rubbish may be properly removed,” identifying local dumpsites and authorizing certain practices, such as using rubbish as fill for new lots. In addition, the city was given the power to “employ one or more Cartmen with their Carts, as Scavengers, to remove the filth and other Nuisances from the Streets to the Public Receptacles pointed out by the said Board of Health”.¹⁰⁶

By the 1850s and 1860s, a makeshift system for the disposal of refuse had increasingly come together under the supervision of the Board of Health, which remained somewhat manageable to the extent that the city’s population remained small

¹⁰⁴ Melosi, *The Sanitary City*, 183-190.

¹⁰⁵ City of Toronto Archives. Fonds 200, Series 365, File 46. Department of Public Health reports. Wilson, Robert. 1934. *A Retrospect, a short review of the steps taken in sanitation to transform the town of Muddy York into the Queen City of the West*. Toronto: Department of Public Health, p. 11.

¹⁰⁶ *Ibid.*, p. 16.

and compact.¹⁰⁷ Typically, waste was disposed of in neighbourhood dumps, used as fill for new properties, or dumped into the lake at Ashbridge's Bay at the outskirts of the city. However, by the 1870s and 1880s, as the population continued to rise and the city rapidly expanded to encompass new areas, the traditional methods of waste disposal would increasingly be called into question.

"Approaching the last decade of the Nineteenth Century," Middleton notes, "Toronto found itself no longer a compact little city, but a straggling big one, outgrowing its civic services as rapidly as a small boy outgrows his pantaloons".¹⁰⁸ Between 1883 and 1921, Toronto's population expanded from 86,000 to 521,000, and the city boundaries more than doubled as civic officials pursued a series of annexations with the hopes of increasing the city's revenue.¹⁰⁹ In this context, the old solutions to waste disposal were no longer considered to be viable by many local notables. For instance, the practice of using garbage as fill for new lots became discredited as dangerous to the health and safety of the community. At times, the city would even be taken to court over its failure to contain the spread of refuse, which was causing local residents to become ill.¹¹⁰ Increasingly, residents would complain about the stench from the overflowing neighbourhood dumps and disposing of garbage in the lake was seen as contributing to the contamination of the city's water and ice supply. Despite efforts to curtail such

¹⁰⁷ The population was only 45,000 in 1861, and the city would not experience significant growth until the 1880s and 1890s (Armstrong and Nelles, 1985).

¹⁰⁸ Jesse Edgar Middleton, *The Municipality of Toronto: A History*, Volume 1 (Toronto: Dominion Publishing, 1923), 337.

¹⁰⁹ Magnusson. "Toronto".

¹¹⁰ For instance the *Toronto Daily Mail* (13 October 1892) reported case in which the City of Toronto was taken to court by a labourer "for the alleged wrongful acts of the defendants in dumping garbage at the eastern end of Amelia street, near the premises of the plaintiff, causing diphtheria in the plaintiff's family". The jury found that the City had been negligent in this case and the labourer was awarded \$500 in damages.

practices, the sense of a growing crisis is evident by the mid-1880s. The 1889 Annual Report of Dr. William Canniff, the Medical Officer of Health for the city, stated:

Contrary to recognized health laws, garbage is still deposited to level up low-lying lots, or to help in making land; strenuous efforts have been made during the past summer to put a stop to this grave evil with only limited success. But these efforts are like cutting off the branches of a tree when the tree itself should be uprooted. It is impossible to remedy the evil until provision is made to destroy by fire all garbage, refuse from slaughter-houses, etc: in a word, all refuse organic matter which, in the process of decomposition is likely to form a breeding place for the germs of disease.¹¹¹

Through the late nineteenth century, heavy emphasis was placed on the impartial expertise of 'professional gentlemen' such as Dr. Canniff who exercised a great deal of discretion in the administration of city services (MacDougall, 1990). It was thought that through the ingenuity of these skilled professionals solutions to the crisis of filth could be found. The emphasis on finding men of good moral character was especially notable in Toronto. As Weaver notes, a central concern through this time, something distinctive to Toronto, was with "the quality of men in public office".¹¹² While the Yankees experimented with different modes of urban governance, new structures and methods of administration, civic officials in Toronto tended to follow their British counterparts in promoting "independence and responsibility on the part of department heads," with the aim of making their tenure "secure from temporary local influences".¹¹³

These gentlemen garnered their credibility through membership in professional networks that crisscrossed the North Atlantic, connecting London, Manchester, Boston, Montreal, New York, Chicago, Buffalo and Cleveland. Through the late nineteenth

¹¹¹ City of Toronto Archives. Fonds 200, Series 365, File 5. *Annual Report of the Local Board of Health*. 1889, p. 27.

¹¹² John C. Weaver, "Order and Efficiency: Samuel Morley Wickett and the Urban Progressive Movement in Toronto, 1900-1915," *Ontario History* 69 (1977), 222.

¹¹³ *Ibid.*, 222.

century, local notables actively worked to make Toronto a hub for civic reform. For instance, under the brief tenure of Mayor William Holmes Howland in 1886, Toronto hosted the annual convention of the American Public Health Association (APHA) – the first time the organization met outside the United States.¹¹⁴ At this meeting, waste disposal and sanitation were central areas of discussion as public health officials from cities across North America sought to share their innovative solutions.

In these meetings, reformers placed a strong emphasis on technological solutions to problems of urban governance. The emphasis was on the inventiveness of local notables in establishing infrastructural networks that were carefully adapted to the particularities of the urban environment. Hence, we see an emergent infrastructural edifice of trunk sewers, water mains, gas and electrical lighting, street cars and paved roads, all of which were assumed to contribute to the cultivation of the good moral character of the citizenry. The aim here was to establish self-regulating systems that would facilitate the flow of energy, waste and people through the city. Following from a miasmatic theory of disease prominent at the time, everything that was considered to stagnate or stultify was seen as contributing to the ill health of the body politic. For instance, the neighbourhood dump was especially reviled as an ‘unmitigated evil’. In seeking to establish a modern waste disposal system, reformers increasingly looked to incineration as the only means through which refuse could be permanently expunged from the urban environment. Hence, under Howland’s brief tenure, the civic government would secure contracts for two crematories to help abate the dump nuisance.

¹¹⁴ Howland’s contributions to civic reform with a focus on ‘cleaning up’ the city are discussed by Desmond Morton in *Mayor Howland: The Citizen’s Candidate* (Toronto: Heckert, 1973).

The ultimate fantasy of many reformers was to establish perfectly self-regulating systems through which waste could be swiftly and silently expunged from the city. Perhaps the best example of this was reflected at the Toronto meeting of the British Association in 1897, where Lord Kelvin would present the perfect diagram for waste disposal in the modern city. The first garbage incinerator that could generate electrical energy was opened by Kelvin in Hackney, an industrial district on the outskirts of London, just before the meeting of the renowned commonwealth scientists. In order to truly appreciate this discovery, Kelvin argued, “consider that Shoreditch paid formerly two shillings and three pence a ton to street cleaners for gathering the garbage of the town and throwing it into the sea. Now, instead of making appropriations for wasting garbage, the town saves it”.¹¹⁵ An entire occupation based on the disposal of waste could now be turned to more useful purposes; instead of disposing of waste, they were *producing* energy.

The public ownership of a waste disposal system was often viewed as an important prerequisite to be able to undertake such inventive initiatives and, in the wake of the British Association meeting, the system-building initiatives of the Toronto city government were celebrated in the international press. Thanks to the pioneering work of the Street Commissioner, John Jones, it was noted in the progressive monthly *Review of Reviews* (1897) that the Toronto street cleaning department had “revolutionized the care of the streets of the city”.¹¹⁶ In fact, the city even rivalled New York as one of the two cleanest cities in North America. The secret, according to the journal, was ‘direct

¹¹⁵ *The Evening Star*. 16 August 1897. “Scientists Gathering,” p. 1.

¹¹⁶ The *Review of Reviews*’s designation of Toronto as one of the two cleanest cities on the continent was widely circulated in the press. For instance, see *New York Times*. 4 April 1897. “Two clean cities,” p. 22.

labour.’ Through the vertical integration of all work related to street cleaning – including the construction of sprinklers, rotary sweepers, automatic loading carts, and snow scrapers, not to mention the making of harnesses and shoeing of horses – the Street Cleaning Department was capable of economies of scale and experimentation in methods that could take into account the specificities of city’s landscape. It is in this context that the *Review of Reviews* celebrated the “inventive genius” of Jones in producing appliances “not for sale in the general market, and hence of that crude adjustment which can be used anywhere, but appliances precisely adapted to the particular needs of Toronto, with its own climate, soil, street mileage, and pavements”.¹¹⁷

The dreams of constituting a self-regulating system, through which waste would swiftly and steadily be expunged from the city, led to the problematization of everything that stagnated and stultified, all that did not circulate cleanly and efficiently. Reformers problematized the stagnation of waste in the city’s reviled local dumps, the dumping of raw sewage into Lake Ontario and the use of an antiquated system of horse-and-wagon as a means of transportation. This concern is reflected in the minutes of the Sub-committee on Garbage Disposal throughout the late nineteenth and early twentieth century. In March 1905 the Chairman of the Sub-committee appraised the problem:

The trouble with our system today is, the hauls are so long, namely to Ashbridge’s Bay in the east, and the Crematory in the west, that it costs a great deal of money to do the work. After careful consideration, I think we could construct our carts for the collection of garbage with moveable iron boxes (interchangeable) made tight, so that they would prevent any nuisance or smell of any kind while thus loaded. The idea is to take these interchangeable boxes to some centre, and there transfer them to wagons, and haul a

¹¹⁷ Hooker, George E. “Cleaning Streets by Contract – A Sidelight from Chicago,” In Albert Shaw (Ed.), *Review of Reviews*, 15: 437-441. p. 437.

sufficient number of them in one load by traction engine to Ashbridge's Bay, or other destination. The chief advantage of this arrangement would be that there need not necessarily be any specified loading places to which objection could be raised, as these large wagons could be placed at any point desired, and the iron boxes transferred to them without any nuisance whatever, and could be changed from place to place as the requirements of the service demands.¹¹⁸

In confronting the problem of rising costs and long hauls, it was deemed necessary to establish an integrated system through which waste was enclosed and in transit, always on the move, on its way out of the city. It became necessary to enclose waste, cordoning it off from the outside environment in tightly sealed and interchangeable receptacles that were put into constant circulation to the extent that there would not even be a regular site within the city for the transfer of waste. In the absence of 'specified loading places,' waste would not coagulate anywhere; it would never be a nuisance. Through the use of incinerators, it could be expunged from the city for good.

A great number of files are devoted in the city archives to these kinds of experiments; however, accounting for how scavengers worked in the early 20th century is a daunting task as there is very little documentary record of their existence. In fact, the first general survey of city workers in Toronto was only organized in 1926, in order to rationalize the city's pension scheme and following a great deal of pressure from the Toronto Bureau of Municipal Research, an independent civic reform organization that placed heavy emphasis on fiscal accountability and efficiency. Until around 1910, the administration of solid waste removal remained in the hands of professional gentlemen who were less concerned with the day-to-day management of sanitation workers than with such technological fantasies.

¹¹⁸ City of Toronto archives. Fonds 200, Series 582, file 2. Reports of the Subcommittees of the Committee on Works. "Sub-committee re Garbage Disposal," March 28, 1905, p. 71.

Except for a few references in the council minutes, the scavengers only began to enter the records in the 1890s as the problem of street cleaning was increasingly taken up as a health issue under the jurisdiction of the Medical Health Officer. This was only after responsibility for the department was removed from the Street Commissioner in 1905. While John Jones had attracted the attention of the newspapers for his inventiveness, it became increasingly evident to city officials that he lacked the skills necessary to administer the system efficiently. It was thought that Jones had spread himself too thin; he had failed to deal effectively with growing sanitation problems, which had been exacerbated through “neglect of citizens to obey the rules that have been laid down concerning the disposal of refuse, through incompetence of some of the employees he considers it necessary to retain, and through such obstacles as the expense of a long haulage of light loads of waste material”.¹¹⁹ While these issues were certainly prominent in the minds of civic officials, they also spoke to a larger problem. Increasingly, the management of street cleaning and sanitation came to be viewed as a matter of system building.

Over the course of the early twentieth century, the city had grown enormously. As the Engineering Department was increasingly consumed by the rapid expansion of construction and mechanical work, it was thought that the Medical Health Officer, Dr. Charles Sheard, would be able to devote more time and attention to these services. The son of a former mayor, a teacher at Trinity Medical School, the former editor and co-owner of the *Canadian Lancet*, and the president of the Canadian Medical Association in 1892, Sheard had all of the credentials and the connections that were considered

¹¹⁹ City of Toronto Archives. Fonds 200, Series 779, File 11, Board of Control Minute Book. 4 May 1905.

necessary for this work. An independently wealthy real estate tycoon, it was thought that he could bring both a scientific and business-like approach to sanitation problems in the city.¹²⁰ The concern with public health only appears as an afterthought in the meeting minutes. In fact, the decision to transfer these services to the MOH was ultimately justified by the aim of “securing ... more economy and efficiency”.¹²¹ It was more a matter of enlisting a skilled professional, “a man who is not only possessed of executive ability and skill in directing large bodies of workers, but who brings to it scientific training and experience”.¹²²

At the time, it was thought that the Medical Officer of Health would rein in the street cleaning department, getting tough on filthy residents, cracking down on the sanitation workers, and ensuring that every haul was a full one. However, while Sheard was appointed with the aim of cutting back wages and imposing an economy of service, in carrying out his work he tended to be more concerned with finding technological solutions to the problem of sanitation. For instance, a great deal of time and attention was devoted in the letterbooks to his dream of establishing a method of street cleaning through the use of street cars, which would spray oil directly on the ground in order to ensure that the dust would not rise up from the city streets. Sheard hoped that this could be undertaken at a low cost to the city through the attachment of sprinklers to the street cars.

At the same time, the lack of systematic regulation of labour is reflected in the letterbooks of the Medical Officer of Health. While pages and pages of the letterbooks

¹²⁰ For a biography of Sheard, see MacDougall, *Activists and Advocates*, 22-24.

¹²¹ *Ibid.*

¹²² *Ibid.*

are devoted to correspondence with city residents about public nuisances, Sheard largely left the process of administering the men to his inspectors and foremen. After his appointment in 1905, he broke the city down into three different zones – Eastern, Western and Northern. An inspector was assigned to each zone; and each inspector was responsible for the appointment of foremen. In a letter, Sheard gave each inspector “absolute power regarding the control and ordering of the men”.¹²³ His only condition was that the inspectors did not increase expenditures or hire new staff without his permission and that they kept interference of the current process to a minimum.

Of course, Sheard was ostensibly put in charge of Street Cleaning because of his expertise as a medical doctor and reputation for order and efficiency. Expectations of a crackdown were reported in the newspapers, which has led some historians to conclude that Sheard aggressively undertook to restructure the department.¹²⁴ However, while he shut down one yard (oriented more towards the activities of the Works Department) and fired several clerical staff, Sheard left the street cleaning department largely intact. He refused to fire the old men who had been working in the employ of the City Engineer and, much to the chagrin of the local newspapers, even granted wage increases to the drivers on the basis that they were unpaid for tending and caring for the horses at the end of the day. Sheard would also resist the push in some quarters of city government

¹²³ City of Toronto archives. Fonds 200, Series 518, File 5. Medical Officer of Health letter book. 3 August 1905, p. 791.

¹²⁴ For instance, MacDougall (1990: 24) highlights one newspaper which lyrically warns of the effects of “Sheardofritis”: “Each garbage worker hustles now/ He’s working you may bet / He has no time to loaf in lanes / Or smoke a cigarette, / He knows he must earn his pay /Without a single doubt / For Dr. Sheard will get him IF / He Don’t Watch Out”

to contract out sanitation work, maintaining the importance of 'direct labour' in keeping the city clean.¹²⁵

However, Sheard had very little capacity to administer the day-to-day operations of the Department of Street Cleaning. He had very little capacity to know what work was being done or intervene in its administration. As a professional gentleman, Sheard assumed a paternalistic role in the administration of the department, taking care of individual complaints, visiting and diagnosing injured workers in his capacity as a physician:

I may say that I examined Mr. James Jackman some ten days ago. He has a very severely inflamed knee, which he states received injury whilst unloading a scavenger cart in Rosedale. He is certainly unfit to work in his present condition. I allowed him one month's pay, as he states, and informed him that any further extension would have to receive the sanction of the Board of Control. I think it would be fair and right, as he has, as far as I know, received his injury in discharge of his duties to allow him an extra month's pay, at the end of which time, I will examine him again, and if necessary report. He has been upon the service for a number of years, and has always been a faithfully and conscientious worker.¹²⁶

The care and attention that the city's Medical Officer of Health devoted to this single case speaks to a lack of scientific administration of city work at this time. It appears that there was no formal process for dealing with workers' injuries. In the rare cases when workers' injuries were considered by the doctor on a formal basis, special motions were brought to the Board of Control for individual cases of compensation. The testimony of

¹²⁵ Sheard weighs in on this issue in the *Toronto Daily Star* (26 July 1905), where he says: "It is quite clear to me that when the scavenging and street cleaning is done by contract, the contractor is more concerned about his profits than he is about the cleanliness of the city, and consequently the welfare of the citizens is a secondary consideration. With proper management the profits that a contractor would receive can be saved for the city, and a much superior service can be given. I am prepared to continue the present system and give it a good trial, and I am convinced that it can be made a complete success, and highly satisfactory to the citizens"

¹²⁶ City of Toronto archives. Fonds 200, Series 518, File 6. Medical Officer of Health Letter Book, 1909, p. 484.

the doctor, as a professional gentleman, is important here in determining what kind of care is afforded to injured workers.

However, administering the workforce through such close and paternalistic methods would become increasingly untenable as the city grew and the demands on the department increased. By 1910, Sheard was blamed for overextending himself, taking on responsibilities for which he was not prepared, and consequently compromising the city's health and sanitation. As Medical Officer of Health he was responsible for such a wide range of activities that he could not possibly give street cleaning the attention that it deserved. Increasingly, he was associated with an old guard, who retreated from the reform initiatives initiated by Howland and others in the 1890s, reverting from modern incinerators back to the much-hated local dumps. "Strange as it may appear," *The Mail* noted, "it was while the street-cleaning and garbage collecting service was under the direct control of the Medical Health Officer that the practice of dumping refuse became general".¹²⁷ However, there was increasing outcry against these practices from prominent sections of the community, as dumping failed to conform to acceptable standards. "Dead horses, dead dogs, dead cats, and animal refuse of all kinds, along with kitchen waste, are being tilted out on the water from there to putrefy and further poison the sources of our drinking water".¹²⁸ This issue was not insignificant as Sheard would be thrown out of office in 1910 in the midst of a typhoid scare attributed to the poor system of water filtration.

¹²⁷ City of Toronto archives, Fonds 200, Series 1234, File 1. "Garbage Problem must be Solved," cited as *Mail*, 20 October 1910.

¹²⁸ *Ibid.*

The period from 1890 to 1910 saw a concern with waste management as a public health nuisance that prominent city officials contended could only be sufficiently mitigated through the employment of 'direct labour' by the city. However, the administration of public health remained largely in the hands of 'professional gentlemen' who were more concerned with technological innovation than with establishing a uniform and disciplined workforce. The distribution of jobs within the Street Cleaning Department remained largely in the hands of inspectors and foremen, who exercised a great deal of discretion in determining the distribution of city jobs.

Even when street cleaning passed into the jurisdiction of the city's Health Department, the Medical Officer of Health would only get involved in the management of sanitation workers through informal personal interventions, and only if exceptional circumstances demanded it. It appears that the specific rationalities that were deployed by state officials remained limited to the extent that they lacked the capacity to know or interject in the work that was being done. Still, the paternalistic authority of Sheard was enduring. When he was dismissed in 1910 the employees of the street cleaning department would pass a resolution "expressing their appreciation of Dr. Sheard as head of the department, particularly his efforts to improve the conditions of the men".¹²⁹ With the removal of the Medical Officer of Health, however, the doors were opened for a comprehensive restructuring of street cleaning and sanitation, now under the jurisdiction of the Public Works Department. Through this period, we see a shift from relying on the inventiveness of professional gentlemen in developing solutions that were tailored to the singularity of the urban environment to the establishment of a more comprehensive

¹²⁹ *Daily Star*. 30 April 1910. 'Liked their Chief,' p. 14.

system of investigation through which the work of sanitation could be rendered knowable and comparable *across* cities.

The Industrialization of Street Cleaning, 1910-1917

It was only beginning in 1910, following the dismissal of the Medical Officer of Health, that a systematic reconfiguration of sanitation work was undertaken in Toronto. The impetus for reform paralleled developments that were occurring in other major cities across Canada and the United States. Around this time, Melosi notes that there was “an internal bureaucratic shift in municipal government from health department/health board supervision to management by an engineering or public works department”.¹³⁰ Increasingly, bureaucratic networks ossified as more and more cities took street cleaning and sanitation directly under municipal control. The rationalization of street cleaning was facilitated by the proliferation of statistics shared by an increasingly networked and professionalized group of city officials, civil engineers and public health officers. Information was collected not only on the quantities of garbage collected but on the labour process itself. Rather than simply leaving administration of workers to the foremen, there were efforts to establish more centralized administrative mechanisms through which the work of street cleaning and waste disposal could be monitored.

The drive for reform was in part a response to the growing pressures on Toronto's city government. By 1910, in confronting rapid growth in population and a wave of annexations that had effectively doubled the city's area, and in the midst of an

¹³⁰ Melosi, *The Sanitary City*, 190.

economic downturn, the disposal of waste through local dumps and horse-and-wagon teams was increasingly deemed to be costly and ineffective. In confronting rapidly increasing costs and a growing deficit, which rose from \$34,338 to \$573,078 in the span of four years, the city government began to investigate more cost-effective methods of eliminating waste.

The city's antiquated system of waste disposal was not only expensive to run but also an outright menace to public health and safety. In a letter to the Mayor dated 5 October 1910, the new Commissioner of Property and Street Cleaning, R.C. Harris wrote, "our present method of garbage disposal is absolutely unjustifiable and if the citizens were seized of the matter deposited, there would be an insurrection". The disposal of waste at city dumps was deemed to be 'primitive' and inviting infection.

To my mind, there is no doubt that much infection comes from the various dumps throughout the City. This afternoon, at the Exhibition dump, the place was almost black with flies consuming decomposed matter, and you will thoroughly realize the seriousness of this when I inform you that a swarm followed the vehicle of one of my Inspectors almost to King Street on Dufferin. These will undoubtedly distribute among the houses in the locality, with the possibility of breeding infection. This is general throughout the City.¹³¹

The time was ripe for the industrialization of refuse disposal, turning away from antiquated local dumps to more sophisticated methods of incineration and reduction.¹³²

The Toronto Board of Trade helped to sponsor plans to construct an industrialized waste-processing facility at Ashbridge's Bay that would receive hauls from a fully-integrated city-wide system. Moreover, there were plans to build a new generation of incinerators, vastly superior to the tiny crematories that had been built in the 1890s.

¹³¹ City of Toronto archives. Fonds 200, Series 1234, File 1. Letter to Mayor G.R. Geary. October 5, 1910. From Commissioner Harris.

¹³² The process of 'reduction' entailed the extraction of grease and oil from organic waste through a process of 'fermentation'

The efforts to establish an efficient sanitation system had been facilitated by the accumulation of statistics on the refuse problem in American and Canadian cities. During this time, Melosi notes, that public health, civic reform, and engineering organizations created a 'reservoir of information', which led to the convergence of opinion about many important aspects of the refuse problem.¹³³ Statistics from cities across North America would be increasingly compiled by organizations such as the American Public Health Association (APHA), whose refuse committee would devise the "Standard Form for Statistics of Municipal Refuse" in 1913.¹³⁴ These standardized forms would be taken up by city governments in adopting uniform methods for the collection of information on waste disposal and sanitation.

Moreover, city government increasingly consulted outside professionals in developing waste disposal policies. While Toronto's city government had relied on the inventive techniques of local notables in the late nineteenth century, by 1910 it was contracting out research on a prospective incineration system to a reputable engineering firm in New York City. There was heated debate in city council at the time over whether these consultants were worth the expense, as it was thought that such studies could be conducted in-house through the city engineer. In addition, some city officials were concerned that the ratepayers would not tolerate incineration as an acceptable method of disposing of refuse; there were already complaints about the odours coming from the two crematories in operation. In challenging this view the Works Commissioner and the Mayor argued that Toronto could not afford to lag behind. There

¹³³ *The Sanitary City*, 195.

¹³⁴ Greeley, Samuel A. 1912. "A Standard Form for Statistics of Municipal Refuse," *American Journal of Public Health*, 2(6): 403-408.

was considerable information exchanged between the New York engineers and the city's engineers, who sent the New York agency information on the city's garbage collection practices and gauged the validity of their report relative to the specific circumstances of the city.

Under Sheard, only a very limited amount of information on street cleaning was collected, covering aggregate costs for scavenging, street cleaning, watering, asphalt, plant, stables, snow removal and the crematories. Such information made it difficult to gauge the efficiency of sanitation and street cleaning services. Through the investigations of the eminent New York City engineering consulting firm of Rudolph Hering and John H. Gregory, in conjunction with the Works Department and various civic reform organizations, the labour process was increasingly rendered visible and comparable in novel ways. For each crematory and dump, the number of loads of garbage per day deposited at each dumpsite and for each district was carefully measured by inspectors. The contents were broken down according to district, into ashes from stoves and furnaces, organic garbage, and rubbish including tins and boxes. Moreover, inspectors examined the contents of sample loads. Though they did not use the same lists in appraising the contents, potential material to be accounted for included garbage, fish, cases of eggs, mattresses, dogs, cats, chickens, glass and metal, paper and cardboard, tins, rags, bones, straw, vegetable matter, bread, human hair, wood, feathers, leather, and rubber.

The labour process of sanitation workers was broken down through these studies, which drew on the budding methods of scientific management. The numbers of horses and workers were enumerated for each division, which was no easy task as

every yard relied on a reserve army of labour that was contracted to private wagon-owners. Investigators accounted for the cost of the driver and the horse, the wear and tear of the sanitation cart and associated equipment and the mortality rate of the horses was calculated. The costs of gas, oil and tires were accounted for in examining the small number of trucks that were used by the Department. Based on this information the cost of waste collection was rendered calculable by the ton, per truck mile and per ton-mile haul. This served as a basis for measuring the overall efficiency of waste disposal and setting targets. The city government stored this information in a central archive, which could then be shared with other cities. The growing collection and dissemination of uniform data on waste disposal practices fuelled a whole process of rationalization through the 1910s and 1920s. Increasingly, city governments developed a common language in job classification and began to establish wage guidelines in comparison with other cities.

Reformers played a central role in spearheading this process. For instance, the City of Toronto commissioned the New York Bureau of Municipal Research to undertake a survey evaluating the structure of city departments in 1913. The survey facilitated the fundamental restructuring of the labour process, finding that 'personal influence' had tainted the administration of city services. Moreover, the complete disarray of city records had contributed to *ad hoc* hiring practices, facilitating rampant patronage. Indeed, the city had not "maintained any records showing the number and class of employees, other than a list of the employees of the head office and various

informal lists maintained in the section offices”.¹³⁵ They did not keep lists of “eligibles for appointment to temporary or permanent position”.¹³⁶ In fact, there was no standard procedure for hiring and firing whatsoever.

In seeking to alleviate these problems, a central recommendation was civil service reform. The report recommended, “[t]he examination of candidates for municipal positions along practical lines, and the determination of eligibility of such candidates examined” through the creation of lists of eligible employees, and the establishment of proper service and efficiency records. This entailed the “classification of positions of service into class, rank and grade, as a basis for the standardization of work and salaries”.¹³⁷ In order to keep track of existing employees, the report recommended the establishment of a personnel record in card-form, which was to include such information as the name of employee, their address, the date of their appointment, their position, their salary, their age, and their record of promotions and demotions. Finally, it recommended the formation of a municipal civil service commission that could provide oversight for hiring and firing practices. This would be taken up with the creation of staff forms which included the name, address, telephone number, birth date, religion, marital status of city workers, a list of positions assumed and amounts paid.

The New York Bureau of Municipal Research would serve as inspiration for reformers in Toronto who would quickly establish their own Bureau of Municipal Research (BMR) , which would provide a basis for continuous pressure to reform city government over the course of the following decade. Drawing support from notable

¹³⁵ City of Toronto archives. Fonds 1002, File 2. Civic Survey Committee Fonds. November-December 1913. *Report on the Survey of the Treasury, Assessment, Works, Fire, and Property Departments*, Part 1, p. 76.

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*

figures such as Samuel Morley Wickett, who was connected to the Toronto Board of Trade and the Canadian Manufacturers Association and trained in political economy in Germany and Austria, the BMR would be quite active in advancing demands for 'clean government' which functioned according to a business model and adopted modern accounting practices in the provision of city services. The Street Cleaning Department was an important early area of reform and the BMR would continue to carry out studies on the efficiency of the Department as well as advocating for new technologies that would end the city's dependency on the much-hated local dumps.

As part of the reform efforts, a new kind of civic official would be appointed to head the Street Cleaning Department in 1913. George B. Wilson was a bureaucrat *par excellence*. As the former secretary to Mayor Tommy Church, he appears to have had no experience in the grimy professions of civil engineering or public health, but he had a reputation for personal hygiene. At the time of his appointment, the papers poked fun at him as the "best dressed man in City Hall". "I'll bet he makes 'em all dress in tennis costumes," one city official was reported saying, "and fines every man a dollar who doesn't keep his shoes clean".¹³⁸ This was a commentary, in part, on the shift in city administration – departing from the intimate paternalism of Jones and Sheard to a more distant form of scientific administration under Wilson. Rather than inspecting the inflamed knees of his workers; Wilson would seek to develop standardized pay sheets certified by accountants.

Wilson sought to enclose the street cleaning service, separating it from the taint of 'outside' relationships. He targeted patronage, prohibiting sanitation workers from

¹³⁸ *Daily Star*, 19 April 1913. "Best Dressed Man in City Hall".

campaigning for civic elections, or working for extra money on the side. Workers were not allowed to use departmental property for purposes other than those prescribed by the department. They were penalized for sorting through rubbish, or allowing other people to go through rubbish, in search of salvageable material. Increasingly, he attempted to enforce the principle that rubbish was the property of the city and should not be tampered with by private individuals. Workers were expected to behave in a 'civil' way with citizens. This meant respecting private property, refusing to trespass, to go into people's homes to collect their waste. Sanitation workers were only authorized to remove certain kinds and quantities of material specified in city by-laws. Moreover, they were charged with the task of maintaining a pure 'public' realm, ensuring that all waste was contained, expunged from the city streets. Workers were penalized for failing to keep their hauls covered, and for permitting contents to blow about or spill on to the streets.

Wilson also targeted the pace of work, placing heavy emphasis on eliminating loitering. Workers were to be penalized if they were caught gossiping, drinking booze or smoking cigarettes. They were not allowed to hang around the dumps after they delivered their haul. Nor were they permitted to take their wagons back to the dump in a parade or 'procession,' as had been common practice in the past. They were not permitted to impede traffic or 'monopolize the roadway' in any way; they were required to obey the 'rules of the road'. Workers were expected to carry an adequate load that could only be dumped at designated locations, and they were deemed responsible for the cleanliness of their routes or 'beats'.

In 1915, Wilson enacted General Order, No. 1, which established a Code of Discipline for the Street Cleaning Department. The code aimed to “to secure increased efficiency” and “to encourage and reward faithful and intelligent service on the part of employees”.¹³⁹ It established an elaborate system of rewards and punishments for workers, to be administered through a formally established ‘court’. Officers were designated who would be responsible for explaining the schedule and penalties to subordinates. “The fitness of officers will be judged to some extent by the correct interpretation of these orders, and by their intelligent enforcement”.¹⁴⁰ However, decisions on rewards and penalties would be the responsibility of the Commissioner and Division Superintendents.¹⁴¹ Wilson’s penalties ranged from 10 demerit points to outright dismissal. Penalties targeted insubordination, refusal to obey orders and failure of foremen to submit reports on insubordinate workers. In order to facilitate reporting, workers were required to show their cart or badge numbers at all times.

The significant reforms to city government through these years, undertaken on the basis of integration, efficiency and transparency, led to the substantial reconfiguration of city work. Control was centralized and rationalized through comparisons with other cities. Claims to neutrality and administration of city services under scientific expertise entrenched authority in new ways, but they also rendered imaginable new forms of resistance. While city administrators pushed to render city workers invisible, as mere appendages in a self-regulating system that facilitated the silent flow of waste through the city, the attempt to break down patronage-based

¹³⁹ City of Toronto archives. Fonds 200, Series 1234, File 312. Department of Street Cleaning, City of Toronto. General Order No. 1. Code of Discipline. Issued by G.B. Wilson, Street Commissioner. 1 September 1915.

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

solidarities through the imposition of scientific management techniques, the concentration of waste in the incinerators, the rationalization of their routes, also provided an opportunity for city-workers to draw connections and re-imagine their identity in new and provocative ways.

In his history of public sector workers in North America, Ziskind notes that throughout the twentieth century, “[t]he removers of refuse, the pariahs of the municipal personnel, ... manifested a group consciousness and a maturity of strike techniques that have surpassed by far the protective efforts of the higher paid municipal employees”.¹⁴² It is no surprise that sanitation workers would play such a central role in the formation of the first civic employees unions. In many ways, they stood as the central targets in the rationalization of city services. In seeking to reduce the cost per ton-mile, reformers would develop new methods of enclosure, circulation and expulsion, and new administrative technologies through which sanitation workers were increasingly transformed from a relatively disparate workforce, organized at the discretion of local foremen and inspectors, into a uniform, integrated and properly ‘public’ service that operated on a citywide level.

Waste, Patriotism, and Scientific Management

While reformers attempted to disentangle street cleaning from the material flows of waste and corruption, establishing a frictionless circuit, a system in which nothing would stagnate or stultify, by the end of the First World War they found themselves

¹⁴² David Ziskind, *One Thousand Strikes of Government Employees* (New York: Columbia, 1940), 95.

entangled in the urban environment in new ways. Through a series of protests, city residents challenged expert administrators and their claims that incineration provided a 'clean' way of disposing the city's waste. Faced with exorbitant rates charged by the much-reviled monopolist, William Mackenzie, city officials were unable to secure the use of the privately owned streetcars or the railway for the purposes of more efficiently transporting waste across the city.¹⁴³ Costs also prohibited them from the widespread use of motorized vehicles. In a context of rampant wartime inflation, they were confronted with diminishing returns in the use of horse-and-wagon technology carrying a steadily growing amount of waste over ever-increasing distances. On top of all this, they faced a revolt from the scavengers and street cleaners, who defied attempts to 'rationalize' the labour process, demanding wage increases to compensate for the rising cost of living.

From the autumn of 1917 to the autumn of 1919, the scavengers took the lead in organizing the city's workers, drawing together workers from various departments in making demands on the city government. While they would initially represent themselves through the language of civic pride, building alliances through enduring patronage-based networks, in two short years they fundamentally changed their orientation, becoming chartered as the Toronto Civic Employees' Union, claiming the status of a 'responsible' union. The ambivalent position of the city workers in the struggles of this period is notable, reflecting the tensions of a liberal progressive program that had been predicated on removing services from the discretion of private

¹⁴³ The exorbitant rates charged by the streetcars would be an especially contentious issue that fuelled the movement for public ownership. See Armstrong and Nelles, *Monopoly's Moment*. Also, Eric Tucker, "Who's Running the Road? Street Railway Strikes and the Problem of Constructing a Liberal Capitalist Order in Canada, 1886-1914," *Law & Social Inquiry* 35, no 2 (2010): 451-485.

interests. In this context, the struggles of city workers against the rationalization and growing intensification of their work could easily be associated with the extortionist practices of the city's ward heelers and condemned as reactionary.

Tensions exploded when the Street Commissioner George B. Wilson ripped the British flag off a manure wagon, apparently exclaiming that "he did not want any darned rubbish like that around here".¹⁴⁴ The workers were outraged because the wagon-driver had put up the flag in memory of his son who had just been killed in the war. The scavengers and street cleaners walked off the job *en masse*, taking a 'holiday' until the Street Commissioner was removed from his position. Of course, this single act of insensitivity on Wilson's part needs to be viewed in a wider context. Scavengers would readily admit that this was not simply the matter of a single flag; it was because their work had been substantially reconfigured under the much-reviled Street Commissioner. "We are striking," one scavenger noted, because the commissioner "has made our lives a misery and our work slavery".¹⁴⁵

The street cleaners found some support for their cause in the Orange Order and other civil society groups and associations, which had approached the progressive agenda for civic reform with trepidation, seeing it as a threat to their paternalistic control over the neighbourhoods. Under the old Tory machine, sanitation workers achieved a degree of recognition, though they were often stigmatized as 'unemployables' and 'old men'. For instance, the scavengers would participate in annual parades in which they would march their proudly painted wagons down the streets of the city. They had often

¹⁴⁴ City of Toronto archives. Fonds 200, Series 779. Board of Control Minutes. Board of Control Minute Book, No. 2. July-Dec. 1917. September 26, 1917, p. 713.

¹⁴⁵ *Evening Telegram*. 29 September 1917. "Outbreak of Boss Rule". P. 1

decorated their wagons with windmills, flags, and other ornaments as a point of personal dignity and civic pride. In this context, the act of ripping off the Union Jack was not simply an unpatriotic act; it was an attack on a long tradition of autonomy in the organization of city work. Moreover, it was considered an act of disrespect – as if these workers were too dirty and defiled to display their patriotism. One of the men who spoke at a large meeting of sanitation workers exclaimed in outrage: “Whether the flag is on a manure wagon or on a mansion in Rosedale it means the same”.¹⁴⁶ The treatment of street cleaning as a service best kept invisible, not properly the purview for the display of civic pride, was seen as an attack on the dignity of the workers. In the midst of the war, a longstanding tradition of civic patronage – built from the Protestantism, monarchism, and imperialism of the Orange Order – was contrasted to the cold, calculating rationalism of the civic reformers. In his efforts to expunge civic pride from the public service, the workers argued the Street Commissioner was no better than the Kaiser.

The actions of the scavengers were for the most part condemned by the conservative, liberal, and progressive press, who had each in their own way come to support the movement for civic reform. Against the claims of scavengers to uphold a long tradition of patriotism and civic pride in the provision city services, some condemned the actions of the garbage workers as ‘un-British’. For instance, it was argued in the liberal *Globe*: “The striking scavengers and street cleaners profess a great love for the Union Jack, but they are un-British in their demand that the Street

¹⁴⁶ *Evening Telegram*. 26 Sept 1917. “The Flag on the Dumpcart,” p. 9.

Commissioner be suspended or take a holiday while an Arbitration Board is conducting an investigation, and while they themselves are allowed to return to work and to receive pay for the time they have spent in idleness".¹⁴⁷ They were seen as 'irresponsible,' simply seeking to get time off of work and get paid for it, perpetuating the very same wasteful practices that reformers were seeking to expunge from city government.

Criticism was not just mounted by the bourgeois press; labour newspapers such as the *Industrial Banner* were also highly critical of the garbage workers' strike. "The flag is no longer an emblem of loyalty and patriotism to a large section of Canadians. To them it is the sign of peanut politics, and a means of prosecuting men who would show some independent spirit, and intention to speak and do for themselves".¹⁴⁸ For the *Industrial Banner*, the garbage strike reflected the enduring power of patronage politics, as the reformist politics of Street Commissioner George B. Wilson were targeted by 'the boys'. It is notable here how the paper's editors came to the defense of Wilson, viewing him as the victim in all this, targeted for his efforts to establish a transparent and efficient civic service.

The position taken by the *Industrial Banner* reflected a deeper dilemma faced by the labour movement. Since the Toronto and District Labour Council (TDLC) largely supported the progressive reformers who dedicated themselves to weeding out 'the bosses', the scavenger's strike posed a sticky problem. If the TDLC supported the striking workers, it was thought that the labour movement would be defending the old corruption that it sought to root out of municipal politics. As the *Banner* critically notes,

¹⁴⁷ *The Globe*. 10 October 1917. "Stand by Wilson."

¹⁴⁸ *Industrial Banner*. 5 October 1917. "Street Cleaners strike is cause for Regret."

“Wilson is to be fired at all cost, to show the people in the City Hall that the bosses rule the roost. That is the dictum of the politicians, who are nominally employed by the people, draw big sums from the public purse, which are disguised as salaries, and spend their time spreading revolt and disruption in the interest of the party machine”.¹⁴⁹ The workers were seen as a part of a corrupt machine that was extorting excess wages from the public; they were seen as symptomatic of the rot of modern city government. Hence, the paper rejected the view that poor working conditions and despotic management practices were the “real cause” of the strike. In reality, the *Industrial Banner* viewed the strike as orchestrated by an Orange neighbourhood boss, “Cap” Crawford. The paper argued that Crawford and his henchmen were “out to show what the bosses can do, and the street cleaners, etc, have been misguided into losing several days’ pay to show what Crawford can accomplish”.¹⁵⁰ They were tricked into undertaking job action for the selfish ends of a residual network of local bosses. Ultimately, then, it was argued that labour could not support such irresponsible actions, which would undermine support for a progressive liberal program in city politics. “If organized labor was to participate in this strike, it would be placing force in the hands of the men who set out to defeat their own candidates during the election”.¹⁵¹ In fact, the *Industrial Banner* went so far as to advocate that organized labour send a delegation to Queen’s Park in order to denounce the workers as part of a machine that was “destroying efficient administration, costing large sums by seeing that inefficient men

¹⁴⁹ *Industrial Banner*, 5 October 1917. “Street Cleaners strike is cause for Regret.”

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

are placed in Government positions, because they have been 'good workers', but are too hopelessly inefficient to cope with the competition of ordinary working life".¹⁵²

Of course, it was acknowledged that the scavengers might have legitimate grievances, but these should be dealt with through the proper channels and procedures; they had to conduct themselves responsibly. It was not enough simply to take a 'holiday,' workers had to go through the process of chartering a legitimate union and work through the procedures that had been set out by the federal government. The organization of street cleaners was unaffiliated, not linked to the district councils of national and international labour organizations. "It did not comply with a single requirement that regularly constituted trades unions insist upon before a strike can be legally declared".¹⁵³ Ultimately, their grievances should have been submitted to the proper authorities and redress sought before any drastic action had been taken. It is interesting here how the language taken up by labour parallels the ideas of the civic reform movement. There is an emphasis on depoliticizing the process, establishing expert modes of conciliation that are held at arm's length from the discretion of the ward heelers. From this perspective, it was argued that "the politicians must be kept out of the game, and their interference should be resented". There is an emphasis on establishing proper procedures – a "fair" investigation based on "sane" and "transparent" methods.

In fact, such attitudes reflect a progressive hegemony that was coming apart at the seams as the limits of pure transparency and communication were exhausted. As the wages of city workers rapidly diminished with wartime inflation, the urban growth

¹⁵² *Ibid.*

¹⁵³ *Industrial Banner*. 5 October 1917. "The Garbage Strike," p. 4.

machine broke down and fell into growing deficits, and the antiquated horse-and-wagon system of waste disposal was increasingly stretched to the limits in the face of rapid urban growth, the city workers were increasingly pushed to the limit. While they were denounced for acquiescing to the city bosses and ward heelers, ultimately the scavengers were part of a larger battle, challenging attempts by city administrators to subsume their labour under a wider system, disentangling the status of their work from its roots in neighbourhood networks and rendering it uniform and equivalent across the urban environment – a steady flow, in which hauls were undertaken with maximum efficiency.

From Holiday to General Strike: The Formation of the Toronto Civic Employees' Union

At the end of the First World War, progressive dreams of a fully integrated and balanced city fell into crisis, but that did not mean a return to the patronage networks of the past. While the scavengers would initially appeal to notions of civic pride and patriotism that had previously been pervasive in structuring city work, they would also begin experimenting with new forms of organization, quickly coming to develop an industrial union that would cross departments and lay the foundations for a city-wide strike the following year. While they were seen as enemies of progressive government in 1917, they would increasingly frame their arguments in the language of 'responsible' unionism, seeking to stretch the jurisdiction of federal labour legislation by challenging the accepted criteria in classifying 'public utilities'. In their grievances, they challenged

their irregular employment, demanding security at a time when their labour was becoming increasingly precarious.

The period from 1917 to 1922 was one of unprecedented labour revolt in Canada in which civic and public utilities workers would play a leading role.¹⁵⁴ Though this is often associated with labour militancy in the west, Naylor notes how a 'powerful left wing' came into prominence in Toronto, significantly displacing the traditionally conservative craft unionism that had dominated the Labour Council over the previous three decades.¹⁵⁵ Alongside many newly organized, less-skilled workers, the civic workers played a central role in shifting the political culture in central bodies of the Toronto labour movement. In the face of the rising cost of living and attacks on their control over the labour process, these workers threatened the first strikes on a city-wide scale, with their organizing infectiously extending to include not only workers in other city departments, but also expanding to include the possibility of a city-wide general strike.

While these actions were deemed to be 'irresponsible' in the fall of 1917, only six months later the Toronto Civic Employees' Union had become chartered under the Trades and Labour Congress (TLC) in March of 1918, providing a powerful impetus toward a more sustained confrontation with the city fathers in the summer of 1918. The Civic Employees' Union had grown steadily, expanding from the street-cleaning department to include other city departments, reaching 1,100 by February 1918, and

¹⁵⁴ This is noted, for instance, by Craig Heron in his comprehensive history of Canadian labour: *The Canadian Labour Movement*, Second Edition (Toronto: Lorimer, 1996). See also, Craven, *Impartial Umpire* and Armstrong and Nelles, *Monopoly's Moment*. For the legal regulation of public utilities workers, see Judy Fudge and Eric Tucker, *Labour Before the Law: The Regulation of Workers' Collective Action in Canada, 1900-1948* (Don Mills: Oxford University Press, 2001).

¹⁵⁵ James Naylor, "Toronto 1919," *Historical Papers* 21, no 2 (1986): 33-55.

upwards of 1,500 by the summer. Demands had increasingly shifted from calls to fire the Street Commissioner to formal grievances and calls for wage increases in the face of rampant inflation.

This time, rather than simply going on holiday, union representatives would demand a conciliation board under the federal *Industrial Disputes Investigation Act* (IDIA). Adopted in the wake of the coal strikes in 1906, the IDIA was designed to mitigate disruptions in those industries associated with the 'public interest' through imposing a mandatory 'cooling off' period in which workers and employers were compelled to engage in a process of 'conciliation'. Mackenzie King, the chief architect for the legislation and the future Prime Minister of Canada, explained the rationale for this legislation in his 1918 book, *Industry and Humanity*:

Private rights must cease when they become public wrongs. Is not this the principle underlying law and order in all civilized communities? Is it a principle from which communities can depart without inviting anarchy? It cannot be contended that what is a matter of grave concern to the public is a matter of exclusive concern to private parties. There is no right superior to that of the community as a whole.¹⁵⁶

Thus, in those industries deemed to be 'public utilities,' the state had a duty to step in on behalf of the public in order to ensure the continuation of services. The public's health and safety could not be left to the discretion of private interests. While the labour reforms entailed a requirement that workers and employers engage in conciliation before undertaking a strike or lock-out, the new legislation did not guarantee any outcome in the process, nor did it require that employers recognize unions as legitimate bargaining agents. In this sense, Fudge and Tucker (2001) refer to this as a regime of 'industrial voluntarism'.

¹⁵⁶ Cited in Craven, *Impartial Umpire*, 87.

Even as the labour reforms were restricted to ‘public utilities,’ it is interesting to note how ambiguous and malleable this category was. While IDIA was ostensibly restricted to mines, public utilities and ‘war work,’ it had also been applied, at various times, to municipal workers. For several years, the workers on Toronto’s streetcars and those working for Toronto Hydro had effectively made use of this legislation in pressing for wage gains. Toronto’s civic workers attempted to stretch the jurisdiction of IDIA further, demanding conciliation by the federal Department of Labour. They were effectively seeking to ‘jump scales,’ shifting the jurisdiction under which their labour was effectively administered – opening up a gap through which the authority of the city fathers could be questioned. The ‘public’ here entailed the sense that municipal governments should be held accountable to a higher power. Rather than treating the city as a personal fiefdom, it should be run through clear and transparent managerial practices.

Confronted with these demands, and with no set precedent in the settlement of municipal labour disputes, different levels of government debated the appropriate level of jurisdiction at which this strike should be addressed. While the federal government urged Toronto’s city government to consent to a board of conciliation, the city council was opposed this, arguing that the federal government should have no right to intervene in the affairs of the municipalities. If the federal government could assume the responsibility for administering labour relations at a municipal level, Mayor Tommy Church argued, it would be “impossible for us to have any municipal ownership”.¹⁵⁷

¹⁵⁷ *Toronto Daily Star*, July 9, 1918. “Mayor has plan to settle Civic Strike”

Moreover, as municipalities were ‘creatures of the province,’ it was argued that such matters would be better dealt with at a provincial level.

While the proper jurisdiction for the settlement of disputes was debated between the federal, provincial and municipal government, city administration was also fractured internally.

It is to be noted that a municipal corporation is somewhat handicapped as an employer, there being as a rule no single controlling power. There are various authorities, the Mayor, the Board of Control, the Council, and the department commissioner or head, and these, acting more or less as a check upon each other, do not always look at the matter in question from the same point of view.¹⁵⁸

There was no sense, then, that the city operated as a singular ‘employer’; rather, the proper scale at which the employment contract was established was unclear. Moreover, as a democratically elected body, it was not apparent that city council had jurisdiction over wage increases after having already adopted an annual budget. Under such circumstances, who was responsible for bargaining with city workers, and what power did they have?

An estimated 1,200 workers in three departments – Street Cleaning, Works, and Parks – walked off the job while workers in the Property Department remained at work. However, the number of striking workers was disputed in the papers and by the city government, and city officials accused the union of coercing many workers into walking off the job. Under such circumstances, the perceived risks that such a strike posed to city residents were unclear. Certainly, the strikes of sanitation workers could be considered a risk to public health. For instance, it was on this basis that the City of New York had declared a state of emergency and criminalized the actions of sanitation

¹⁵⁸ *Toronto Daily Star*, July 9, 1918. “Civic Employes are Organizing All Over”

workers when they walked off the job in 1911. However, by 1918, the problem of disposing waste in the absence of city services was considered to be more an “inconvenience” than a public health issue. This is evidenced in the attitudes of Charles Hastings, who replaced Sheard as Medical Officer of Health in 1910. Adopting a bacteriological perspective, he tended to be less concerned with the environment and more concerned with individual conduct. Consequently, he did not view rotting garbage as a health issue. “It is more of an aesthetic problem,” he exclaimed, “a matter of offensive odors, chiefly”.¹⁵⁹ Hastings advised that people drain their garbage well and wrap it up in paper, get larger receptacles, and burn or bury their garbage. As long as the centralized water filtration system was uninterrupted and the horses continued to be fed, the city could continue to function.

Moreover, as a ‘responsible’ union, the city workers adopted a discourse of ‘public interest’ – acknowledging their duty to maintain the operation of ‘essential services’. As the president of the Civic Employees Union, exclaimed: “We believe we have the moral and active support of the citizens and we will not antagonize them, by inconveniencing them any more than is absolutely necessary”.¹⁶⁰ Ultimately, he argued, any disruptions to vital services should be pinned on City Council. While the *Industrial Banner* had condemned the ‘holiday’ taken by sanitation workers in 1917, just six months later the ‘responsible’ unionism of the city workers galvanized a wider show of labour solidarity. The civic workers garnered the endorsement of the Toronto and District Labour Council in the push for a general sympathy strike. The linemen and telegraphers, plumbers and pipe-layers, and most prominently machinists, who were also involved in a series of

¹⁵⁹ *Toronto Daily Star*, July 5, 1918. “1,200 Strikers ask \$4 a week increase”.

¹⁶⁰ *Toronto Daily Star*, July 6, 1918. “2,300 Men Out, So Say Strikers”

strikes in the region, had all offered their support. Moreover, the street railway workers, who had come to achieve representation by two members on city council, also offered to lend a hand. In this context, the delegates representing 30,000 workers at the TDLC were instructed to go as far as necessary in order to obtain justice for the city workers.

The city council balked at the idea of a general strike. As Controller McBride argued, this would be “the beginning of the end”.¹⁶¹ If the workers were to go on strike in sympathy of the civic employees “it would mean that the agreement that is made between an employe [*sic*] and his employer is only to be treated as a scrap of paper”.¹⁶² However, faced with the threat of a general strike, the Toronto city government caved in and agreed to arbitration under the jurisdiction of the provincial government. Rather than advancing a Board of Conciliation under the federal IDIA, a ‘Crown Commission’ was established by the provincial government under the *Public Inquiries Act* to arbitrate the dispute, although there was considerable debate among the council as to whether this was binding. Some councillors, under the leadership of Controller McBride, argued that granting such power to an *ad hoc* board would be an unauthorized delegation of powers by the Council. It was argued that wages could not be increased after council adopted the official budget for the year. Nevertheless, a growing number of councillors, led by Mayor Tommy Church, a conservative populist, argued that any Board of Conciliation must be binding.

After a contentious and inconclusive series of meetings and in the face of a mounting campaign for a city-wide general strike, city council ultimately voted to take the strike to a Board of Conciliation under the chairmanship of former city councillor and

¹⁶¹ *Toronto Daily Star*, July 9, 1918. “Mayor has plan to settle Civic Strike”

¹⁶² *Toronto Daily Star*. 9 July 1918. “Mayor has plan to settle Civic Strike”.

county court judge Emerson Coatsworth, with representatives from both the union and the board of control. The conciliation report speaks to the nature of city work and how it came to be contested at this time.¹⁶³ The Board of Control was organized like a courtroom with ‘evidence’ presented and ‘exhibits’ considered in a number of sessions. The major grievance was based on wages, “owing to the recently greatly increased cost of living”.¹⁶⁴ On this basis, a comprehensive wage scale was set which covered a wide array of job classifications in the different departments. In most cases, it was ultimately recommended that workers receive substantial increases in order to meet growing inflation, although the union was unsuccessful in its push to receive an additional “war bonus”. They also demanded an eight-hour day, seniority, and clear criteria designating ‘permanent employees’ who were eligible for holidays and sick pay. They demanded clear definitions about what constituted ‘skilled’ work and they made claims for increased pay when working in bad weather.

In addition, thirty-one grievances were presented to the Board – sixteen from the Department of Works and Parks, eleven from Water Works, and four from Street Cleaning. Grievances were often presented in a brief and matter-of-fact way, with a single individual or group of workers presenting the details of their case in a written submission of three or four sentences stating what their problem was and what they felt that they were entitled to. At times they would draw on a moralistic language in speaking to the “injustice” of their case, but in most cases they would let the “facts” speak for themselves. Moreover, workers would note inconsistencies and ambiguities

¹⁶³ Archives of Ontario. RG 8-5. Correspondence of the Provincial Secretary. Coatsworth, Judge Emerson. 10 August 1918. “Re Royal Commission Investigation of Disputes between City of Toronto and Civic Employees”.

¹⁶⁴ *Ibid.*

in the city's administration of labour. For instance, one grievance submitted by workers in the Sewer section asserted:

We, the undersigned, have been in the employ of the City from 1 to 10 years receiving no holidays, Saturday afternoon or two weeks, sick pay or any other perquisites pertaining to a regular man. Now we would like to know what constitutes a regular man?¹⁶⁵

Indeed, a central aim of the union through these years was to pressure the city to solidify clear categories in classifying and assigning value to city work. The skilful use of such classifications by workers reflects their capacity of workers to draw on the language of expert administration in making their case. They challenged the civic government to provide uniform wages across the city, to establish clear definitions of “regular” work, and to provide workers with the tools and materials necessary to undertake their work. Moreover, they demanded the clear and transparent procedures be put in place for the ongoing administration of workers grievances at a city level:

To avoid undue strife and maintain satisfactory conditions, all grievances shall first be referred to the heads of the departments by a Committee representing the employees, and no discrimination shall be shown against any employee or committee of employees who shall be elected from time to time to represent the men.¹⁶⁶

The emphasis here was on establishing a impartial process that was clearly separated from the political discretion of the city fathers, establishing an ‘outside’ space through which workers could advance their grievances without fear of discrimination. In this sense, the workers themselves sought to achieve a degree of ‘government at a distance,’ skilfully appropriating the civic reformers’ language of impartiality and transparency in pushing for more democratic mechanisms of settlement.

¹⁶⁵ *Ibid.*

¹⁶⁶ *Ibid.*

Ultimately, the Board's chairman, Emerson Coatsworth, would support many of the claims made by unions; the wages of civic workers would be increased and all but one of the grievances would be settled through direct discussions between the union and different city department heads. At the same time, the city's commitment to continue resolving disputes through such third-party mechanisms was dubious. This is evidenced in the refusal of city officials to discuss grievances at the Board-level. For instance, when the city's chief engineer was asked if he would like to question a worker in the Waterworks Department on a specific grievance, he responded:

R.C. Harris: "No. Your honor. I take the position that the proceedings are entirely irregular"

Chairman: "Irregular. What are we here for?"

Harris: "On Friday last it was a question of whether the award would be released on Sunday or not"

Chairman: "I am astonished to learn that anybody heard that outside of this Commission"

Harris: "It was discussed here on Friday last. Mr. Stevenson read a telegram from Mr. Bancroft asking him to hold over until Sunday"

Stevenson: "No, he didn't. I read a letter to the effect that if everything was satisfactory to consent to releasing the award"

Chairman: "We have re-opened the matter and we have taken the evidence of this man. Do you wish to ask him any questions?"

Mr. Harris: "No, your honor. I keep right out of it".¹⁶⁷

There is a sense here that city officials did not recognize the legitimacy of the Board as a means for resolving disputes. Rather than consenting to the decisions of a third-party, many city officials obstinately sought to resolve disputes through in-house methods and procedures.

Ultimately, the conciliation process remained carefully held at arm's length from the raucous politics of city council. It operated at a different scale and remained largely disembedded from the day-to-day politics of the city. Those in city council, such as

¹⁶⁷ *Ibid.*

Controller McBride who remained sceptical and dismissive of the whole process, would pass motions requesting copies of the evidence taken by the Crown Commission; however, this evidence was not disclosed, having been ostensibly destroyed by the provincial government.¹⁶⁸ Moreover, while city council had initially consented to compensate the union representatives for their time in conciliation, when the meetings had concluded it refused to pay, stating that this had never been consented to by the City Solicitor. This reflects the tenuous position of the civic employees' union at the time. Nevertheless, it also appears that by the early 1920s a more professionalized system of labour relations had been established in the city, as the union came to be a more-or-less permanent fixture in city government. This is evidenced, for instance, in the first survey of civic employees in 1926, in which the union appears to have been consulted in setting job classifications and developing a civic pension program.

Conclusion

The struggles to reconfigure sanitation work in many ways highlight deeper tensions and contradictions that would shape a nascent realm of public services through this period. While there was no sense, at this time, of a singular or discrete 'public sector' domain, we can certainly see tendencies towards administrative uniformity and standardization both within and between cities. There were efforts here to govern at a distance, cordoning off the administration of sanitation work from partial interests, establishing self-enclosed system that would operate effortlessly, without friction. As

¹⁶⁸ *Toronto Daily Star*. (21 August 1918). "Asking for Evidence".

Armstrong and Nelles note, this same penchant for system-building was evident in administration of the city's water, gas, electricity and street car systems.¹⁶⁹

The aim was to establish economy through direct labour, integrating all aspects of the labour process within a wider infrastructural network. Increasingly, the flow of waste was conceptualized at a city-wide scale, shifting from parochial methods of waste management, such as local dumps, to more industrial modes of organization. The dream was to fully expunge waste from the city as a whole, to incinerate it out of existence. Consolidating such a comprehensive system of waste disposal would have important implications in reconceptualising the nature of city work. Beyond the neighbourhood networks, familial alliances and religious and ethnic connections, the emphasis was increasingly on the production of a neutral, impartial and uniform service. Hence, we can see efforts to strip the Street Cleaning Department of its community associations, to cordon it off from private interests – to label trash as public property, not to be looted by scavengers or outside interests.

However, beyond the technological fantasies of professional gentlemen, it was necessary to establish modes of calculation that rendered the work of sanitation intelligible and, hence, governable from a distance. Hence, it is also important to highlight the growing efforts to establish standardized statistics by the 1910s. There is a tendency here to break down the singularity of industries that were previously considered to be too closely connected to the needs of the population, through the employing methods of calculation and enumeration that allowed these kinds of work to be compared across territory. Through the early twentieth century, we see how this

¹⁶⁹ *Monopoly's Moment*, 55-65.

impulse to standardization fundamentally changed the nature of city work. It facilitated the management of city work in new ways from administrative centres as increasingly standardized structures came to be consolidated across space.

The translation of sanitation and street cleaning work into a univocal system – silent and efficient – did not go uncontested. The realm of ‘public interest’ remained contradictory and highly malleable. In this context, civic workers tended to occupy an ambiguous place. Again, this reflects deeper tensions and contradictions. In her survey of municipal struggles through the period, Ross notes how city workers often stood in uneasy relationships relative to the civic reform movements of the early twentieth century.¹⁷⁰ While city workers could draw from the language of reform in advancing their cause, they could just as easily be demonized by progressives looking for ‘inefficiencies’. Thus, in confronting the emergence of an agenda for civic reform that sought to bring workers under a silent and efficient system, the Toronto Civic Employees’ Union initially drew support from the Orange Order, thus leaving themselves open to the claim that they were shielding themselves with Old Boys networks and undermining the transparent and efficient administration of the city. Yet the workers were also able to take up the language of reform themselves in advancing their demands. This capacity speaks to a wider tension, highlighting the way efforts to transform public utilities into closed systems to be expertly administered by civic officials were confounded as the language of transparency and impartiality was taken up by the workers themselves. Hence, the workers were able to expose how certain workers were

¹⁷⁰ Stephanie Ross, *The Making of CUPE: Structure, Democracy and Class Formation*. Unpublished PhD dissertation. (Toronto: York University, 2005).

not considered to be 'regular' despite the fact that they had been working for years. They were able to point to unequal pay for equivalent work in different departments. They were able to call into question the criteria through which questions of value were decided. In this sense, civic workers contributed to the reconfiguration of city work, rendering it intelligible at the scale of the city as a whole.

As we will see, these efforts to normalize civic labour at a municipal level were later taken up across wider territories, as civic employees came to establish federated labour organizations that stretched from the dense infrastructural networks of southcentral Ontario, to include smaller cities, towns, and suburbs across the province. Through such struggles, an integrated public sector came to become increasingly imaginable as a uniform and equivocal structure that traversed the province.

Chapter Five

Spatial Keynesianism, Industrial Pluralism, and the Making of a Provincial Public Sector, 1945-1963

Since the unions are already acting in concert, the municipalities cannot afford to do otherwise if they are to avoid being played off one against the other, as has happened since municipal employees became organized on a national basis. Close co-operation by the municipalities will do much in presenting a united front to the municipal unions and will help to preserve those few management rights which have not as yet been frittered away.¹⁷¹

--George W. Noble, Personnel Officer, Municipality of Metropolitan Toronto, 1961

Introduction

The 1961 convention of the Canadian Federation of Mayors and Municipalities (CFMM) highlighted municipal labour relations as a growing problem faced by many city governments. In the midst of an economic slump,¹⁷² city officials were concerned with keeping wages down. However, the rapid expansion of municipal unions across the country had made this difficult, especially in smaller cities, which lacked the experience or administrative capacities to effectively challenge the workers' demands. George W. Noble, the Personnel Officer for the Municipality of Metropolitan Toronto, was especially concerned, warning of the increasing coordination of municipal employees who were now meeting on an annual basis, drafting common demands and establishing bargaining patterns on a regional, provincial, and national scale. In this context, the municipalities could not afford to go it alone.

¹⁷¹ Noble, George W. 1961. "Municipal Personnel Problems in the Larger Canadian Municipalities," In Conference Proceedings. May 31, 1961. *Canadian Federation of Mayors and Municipalities*. Halifax, Nova Scotia.

¹⁷² Municipalities in Canada were negatively affected by a global economic downturn, which began in 1958 and would last until around 1962. Rising unemployment and growing demand for services in a context of rapid urbanization meant that municipal governments were increasingly strapped for cash. Curtailing the growing power of the unions became a central part of cost-cutting strategies that was undertaken nationally through the CFMM.

Through the 1940s and 1950s, civic, electrical and public utility workers in Ontario and across Canada formed unions and developed shared capacities for bargaining, research, and mobilization which quickly eclipsed the discretionary power of city officials in smaller municipalities. However, the active role played by these workers in rescaling urban governance has often been overlooked as the scholarship on economic development and regional governance has emphasized the role of the state in producing new territories to facilitate a deepening process of capital accumulation. From this perspective, the post-war period is characterized as ‘spatial Keynesianism,’ which includes state projects aimed at establishing uniform and integrated administrative systems, and state strategies through which resources could be redistributed from the urban core in facilitating the ongoing expansion of physical infrastructure to the economic hinterland.¹⁷³ The emergence of large scale and extensive infrastructural networks, it is argued, demanded the expansion of regional planning capacities and the consolidation of governance structures through which essential services – such as roads, sewers, water supply and parklands – could be coordinated between jurisdictions.

In this chapter, I aim to complicate the state-centred narrative, exploring how the consolidation of uniform administrative structures in cities and towns across Ontario was, in part, an *ad hoc* response to the emerging mobilization capacities of civic, electrical and public utilities workers through the 1940s and 1950s. Drawing on the meeting minutes, bulletins and reports of nascent public sector unions, as well as

¹⁷³ Ron Martin, “The New Economics and Politics of Regional Restructuring: The British Experience,” in *Regional Policy at the Crossroads: European Perspectives*, ed. L. Albrechts (London: Jessica Kingsley, 1989); Neil Brenner, *New State Spaces* (Oxford: Oxford University Press, 1999). For the Canadian context, see Neil Bradford, “Why Cities Matter: Policy Research Perspectives for Canada,” Canadian Policy Research Networks Discussion Paper No. F23 (2002).

reports presented to the Canadian Federation of Mayors and Municipalities (CFMM), I examine how public sector unions effectively coordinated their actions on a local, regional and national scale, provoking city governments to develop new standards and practices of personnel management, and to work together in establishing new structures of regional governance that, in many ways, anticipated the emergence of Keynesian state projects in the late 1960s and early 1970s. Drawing on a labour geographies perspective, I examine how these workers came to occupy a strategic position in the political and economic landscape with the rapid expansion of social and physical infrastructure – including roads and highways, the hydro-electrical system, trunk sewers, water mains and landfills. I explore how these workers cultivated forms of ‘spatial praxis’ through which they constituted new scales of organization.

As I will show, the unionization of civic, electrical, public utilities workers, and later hospital and school board workers contributed to the sense that such services formed part of a broader ‘public sector’. Through the coordination of collective bargaining – building from the metropolitan centres and extending to smaller cities, towns, and suburbs – the unions were able to identify disparities in working conditions and advance standard contracts which sought to elevate the conditions of these workers as a unified bloc. On this basis, I argue that the contours of the ‘spatial Keynesian’ project – through which services were standardized and uniformly extended across territory – must also be understood as the outcome of class struggle by municipal workers positioned *in* and *against* the state apparatus.

From Metro Toronto to Design for Development: Spatial Keynesianism in Ontario

Recent scholarship in economic geography has drawn attention to the uneven development of the Keynesian welfare state during the 1960s and 1970s.¹⁷⁴ Approaching the state system from a spatially sensitive perspective, these theorists have shown how national territories were actively produced through uneven administrative structures and economic development strategies. Under a framework of 'spatial Keynesianism', Brenner argues, states sought to establish "relatively uniform, standardized administrative structures throughout their territories and mobilized redistributive spatial policies designed to alleviate intra-national territorial inequalities by extending urban industrial growth into underdeveloped, peripheral regions".¹⁷⁵

As numerous scholars have pointed out, such spatial projects were instrumental in furthering the nation-building project in Canada, building administrative linkages between jurisdictions and cultivating a sense of shared collective identity through the post-war period.¹⁷⁶ For instance, Jenson argues that postwar Canadian economic development took the form of 'permeable fordism,' which "ordered collective identities around a discourse of nation-building, rather than any discourse of class".¹⁷⁷ In contrast to the budding social democracies of Western Europe, whose social and physical infrastructures were explicitly designed as a way of alleviating class inequality,

¹⁷⁴ Martin, "The New Economics and Politics of Regional Restructuring"; Brenner, *New State Spaces*.

¹⁷⁵ *New State Spaces*, 2.

¹⁷⁶ Jane Jenson, "'Different' but not 'exceptional': Canada's permeable fordism," *Canadian Review of Sociology and Anthropology* 26, no 1 (1989), 81. Likewise, Janine Brodie has highlighted how the construction of political and economic territories in Canada is far from a natural or inevitable process; it has been the outcome of institutional struggles. For instance, see "The Political Economy of Regionalism," in *The New Canadian Political Economy*, eds. Wallace Clement and Glen Williams (Kingston: McGill-Queen's, 1989); and "The New Political Economy of Regions," in *Understanding Canada: Building on the New Canadian Political Economy*, ed. Wallace Clement (Kingston: McGill-Queen's, 1997). Neil Bradford's work has highlighted the central role of experts in consolidating this structure. See Neil Bradford, "The Policy Influence of Economic Ideas: Interest, Institutions and Innovation in Canada," *Studies in Political Economy* 59 (2002): 17.

¹⁷⁷ Jenson, "Different but not Exceptional," 81.

government programs in Canada were more concerned with longstanding problems of jurisdictional fragmentation and regional disparity which were seen as hindering national and provincial economic development. Transcending the ideological positions of different political parties, a consensus existed on the need for a strong state to provide guidance in a large, dispersed and fragmented country. In other words, in aspiring to produce an integrated national territory through the 1950s and 1960s, the project of Canadian federalism was first and foremost concerned with the negotiation of *spatial* identities, rather than class identities. While the Fordist mode of regulation in Western Europe built from a strong national state, in Canada the emphasis was on establishing multi-scalar linkages based on brokerage relationships established among federal, provincial and municipal officials. In this context, much greater power was attributed to the provinces, which were prominent actors in establishing economic development strategies through the post-war period. While a great deal of attention has thus been given to federal-provincial dynamics in the process of nation-building, the place of cities as sites of interjurisdictional struggle has only recently come to the attention of scholars.¹⁷⁸

The drive towards strategies of spatial Keynesianism was especially evident in the heavily urbanized and industrialized heartland of south-central Ontario.¹⁷⁹ The spread of infrastructure during the 1940s and 1950s – including expressways, hydro-electrical dams, and trunk sewers – provided a sense of coherence to the region as a

¹⁷⁸ See Bradford, “Why Cities Matter”; also, Warren Magnusson, “Are Municipalities Creatures of the Provinces?” *Journal of Canadian Studies* 39, no 2 (2005); Rianne Mahon and Laura Macdonald, “Anti-poverty politics in Toronto and Mexico City,” *Geoforum*, 41 (2010): 209-217.

¹⁷⁹ Jacob Spelt. *Urban Development in South-Central Ontario*. (Toronto: McClelland and Stewart, 1972).

distinctive territory, a space in which narrow and parochial interests were no longer sufficient for the systematic administration of public services. In the thickly populated and heavily industrialized region, infrastructural networks spilled over traditional local boundary-lines leading to jurisdictional disputes and calls to rationalize the structure of local government as early as the 1920s and 1930s.¹⁸⁰

Much of the literature in Canadian urban studies has been dedicated to appraising the post-war experiments in urban and regional government that took place in south-central Ontario.¹⁸¹ For instance, Donald has examined how the formation of Metropolitan Toronto in 1954 – amalgamating the City of Toronto with twelve surrounding communities in a two-tiered governance structure – provided a ‘mode of regulation’ that successfully facilitated the process of capital accumulation and urban expansion after the Second World War, at a time when many American cities were facing a growing inner-city crisis. She argues that Metro Toronto served as a ‘state fix’ that resolved the increasingly disjointed provision of services across a rapidly expanding metropolitan region, and would largely anticipate the provincial government’s later strategies of economic development and regional governance.

While this literature contributes to a multi-faceted and spatially sensitive analysis of urban governance, I argue that it falls back on a functionalist logic to the extent that it

¹⁸⁰ There are many documents that highlight the changing dynamics of the region. Perhaps the best sources are the government commissions that were periodically undertaken under the jurisdiction of the provincial government, including *Report on the Government of the Metropolitan Area* (1935) and the *Report of the Royal Commission on Metropolitan Toronto* (1965).

¹⁸¹ For instance, see Albert Rose, *Governing Metropolitan Toronto: A Social and Political Analysis, 1953-1971* (Berkeley: University of California Press, 1972); Warren Magnusson, “Metropolitan Reform in the Capitalist City,” *Canadian Journal of Political Science* (1981); Engin Isin and Joanne Wolfson, *The Making of the Toronto Megacity: An Introduction* (Toronto: York University, 1998); Betsy Donald, “Spinning Toronto’s golden age: the making of a ‘city that worked,’” *Environment and Planning A* 34 (2002): 2127-2154; Frances Frisken, *The Public Metropolis: The Political Dynamics of Urban Expansion in the Toronto Region, 1924-2007* (Toronto: Canadian Scholars’ Press, 2007).

assumes that these administrative structures were established to facilitate capital accumulation. As I will show, the impetus to standardized and uniform structures of governance under spatial Keynesianism was also a response to the growing coordination of civic, utility, school, and hospital workers who would rapidly organize themselves in national and provincial unions through this period and come increasingly to understand themselves as part of a single sector. These ‘public sector’ workers were entangled in the production of social and physical infrastructure and, through their organizing efforts, played an instrumental role in the constitution of new geographic scales that contributed to our understanding of the ‘public sector’ as a distinctive domain.

I begin by exploring the spatial embeddedness of these workers in growing infrastructural networks. In a period of tremendous growth – with the rapid expansion of roads, highways, hospitals, schools and hydro-electrical networks – these workers were centrally positioned to reimagine geographies of public work and articulate demands for ‘industrial citizenship’. Rapid urbanization, which quickly overwhelmed established municipal jurisdictions throughout the post-war period, entailed troublesome questions in managing the city’s labour force. However, struggles did not simply take place over the control of work *within* the workplace; workers and their unions also struggled to rethink the wider field upon which municipal labour relations were understood, contributing to the emergence of new conceptions of urban governance through this period. Rather than examining the role of state officials in pursuing such projects in order to promote capital accumulation, I argue that workers and their organizations also

played a vital role in provoking the formation of uniform and standardized practices of governance and administration.

Four factors were significant in shaping public sector struggles through this period. First is the changing shape of the city as a milieu within which labour was organized. Through this period, civic, utility and electrical workers were centrally positioned in a process of rapid urbanization that led to the emergence of increasingly networked metropolitan regions across south-central Ontario. Second, in a context in which city workers were deliberately excluded from the collective bargaining provisions of the *Ontario Labour Relations Act* (1948), municipal workers, with a strong base in the emerging metropolitan regions, were able to 'jump scales', challenging their treatment as 'second class citizens' through political struggles mounted at a regional and provincial level.

Third, rather than simply presenting themselves as workers in specific industries, through the establishment of general unions these workers stood as representatives of a broader 'public sector'. Through organization and administration that was increasingly coordinated on a regional, provincial and national scale, unions were capable of defining a wider 'field' on which collective bargaining took place. As I will show, this galvanized a crisis in municipal government by the early 1960s, as public sector unions increasingly outmanoeuvred parochial and largely uncoordinated municipalities, utilities, schools and hospitals. In fact, throughout this period, the rapid unionization of public sector workers contributed to the rescaling of public administration, culminating in the diffusion of a professionalized personnel relations paradigm between increasingly networked municipalities. Henceforth, collective bargaining was not to take place in the

politicized milieu of council meeting, but would be administered 'at a distance' by professional administrators and bureaucrats who sought to constitute a depoliticized and objective domain for the determination of wage rates and labour standards.

Finally, I show how competing visions of union organization through the 1960s reflected disparate conceptions of the public sector. Hence, rather than presenting a monolithic view of public sector unions, I argue that it makes more sense to explore how the public sector has been knotted together through divergent spatial strategies. While workers in larger municipalities called for greater autonomy, cultivating decentralized funding and staffing schemes, and workers in public utilities advanced sector integration, the national executive sought to develop a strong centralized service unionism. Ultimately, divergent understandings of public sector organizing were articulated in the interstices of widely uneven and highly contested state projects that could never fully achieve the integration and uniformity to which they aspired.

Breaking State Bondage: The Struggle for Industrial Pluralism in Ontario's Municipal Sector

Far from a uniform and integrated public sector, in the 1940s and 1950s a tangled web of public services proliferated across unclear and highly contested state and municipal jurisdictions. In confronting rapid urbanization and the emergence of sprawling metropolitan regions, existing structures of urban governance were stretched to the limit. With a rapidly expanding labour force responsible for the provision of a wide range of services across an expansive urban and suburban landscape, administrative

structures inherited from early twentieth century civic reformers were breaking down.¹⁸² The impetus towards administrative uniformity and spatial integration was, in part, an outcome of the struggles of civic, electrical and public utilities workers who established general unions through this time, building from the embeddedness of the labour in dense infrastructural networks and establishing scales of organization that challenged the discretionary power of municipal governments and advanced new understandings of 'industrial citizenship'. Thus, urban governance was being transformed in a piecemeal fashion through the vagaries of class struggle *from below*.

From the end of the Second World War until the 1970s, Canada underwent a second wave of urbanization. This was especially apparent in Ontario, where, by the early 1970s, nearly 60 percent of the population came to live in cities of over 50,000 and those living in cities over 10,000 accounted for nearly three quarters of the population.¹⁸³ Population growth was largely concentrated in the heavily industrialized south-central region of the province, which had come to be recognized as the manufacturing hub for the national economy. With a rapidly rising birth rate and an influx of new immigrants following the Second World War, Toronto's metropolitan region rapidly expanded from a population of 942,762 to 1,172,556 between 1945 and 1953.

The growing population did not simply reflect a demographic shift; it was also indicative of new ways of living that confounded established structures of urban governance. The urban revolution taking place through the 1950s and 1960s "was not

¹⁸² There are very few manuscripts that focus explicitly on the restructuring of city work in a Canadian context through this period. However, in her unpublished dissertation, Stephanie Ross does a good job of sifting through the urban history literature and identifying those parts that are relevant for understanding the emergence of public sector unions. See Stephanie Ross, *The Making of CUPE: Structure, Democracy and Class Formation*, Unpublished PhD dissertation (Toronto: York University, 2005).

¹⁸³ Lionel D. Feldman, *Ontario 1945-1973: The Municipal Dynamic*, (Toronto: Ontario Economic Council, 1974).

merely a matter of new infrastructures,” Harvey notes, “it entailed a radical transformation in lifestyles”.¹⁸⁴ Suburbanization brought settlement on the outskirts based on the construction of low-density, detached, single family dwellings. Middle class suburbanites would increasingly commute long distances by automobile to work five days a week in order to satisfy their growing cravings for fridges, air conditioners and other home appliances.

In seeking to maintain the pace of urban growth, in the late 1940s and early 1950s municipal governments often undertook massive public expenditures to meet increased demand for services (sewers, water mains, roads, schools, etc) connecting the downtown core to the growing suburban satellites. They also engaged in efforts to establish a degree of uniformity in the provision of services across metropolitan regions.¹⁸⁵ Through this period, we see the rapid expansion of municipal services, including hospitals, libraries, recreational facilities, police and fire services, urban planning, and clerical and administrative staff. However, municipal governments lacked the capacity to manage the growing labour force, which was dispersed through a largely uncoordinated series of departments and arms-length commissions.¹⁸⁶

Municipal services also became increasingly entangled with ‘higher’ levels of government, as they were taken under federal and provincial jurisdiction either directly

¹⁸⁴ David Harvey, *Rebel Cities*, (London: Verso, 2012), 9.

¹⁸⁵ The demand to establish uniform services across the region becomes especially apparent in the 1965 *Report of the Royal Commission on Metropolitan Ontario*. The Royal Commission, established by the Ontario provincial government under the chairmanship of H. Carl Goldenberg, compared the degree to which services were evenly spread across the region, looking at everything from roads and highways, to sewage and garbage disposal, school and hospitals.

¹⁸⁶ As Ross highlights in *The Making of CUPE*, “the ongoing growth in state functions and hence employees attenuated direct contact between the employer and employees. In other words, supervisors could no longer rely on interpersonal relations to ensure discipline, and new managerial methods were required. The response at all levels of the state was the standardization and ‘objective application’ of work rules, and the bureaucratization of labour relations” (161).

or through arm's length commissions. This led to the fragmentation of public service work, which was taken under the wing of a wide array of different state agencies, each responsible for determining wages and working conditions for a specific set of workers – inside and outside employees, public utility and public transportation workers, police officers and firefighters, librarians and school janitors. A distinctive public sector had not yet coalesced as a field of intervention in determining patterns and defining a normative set of labour relations.

The rapid expansion of public services contributed to the growing distance between municipal governments and their employees. By the 1960s, Metro Toronto's Personnel Officer, George B. Noble would note, "our employees are scattered over an area of some 240 square miles and we find it extremely difficult to maintain the standard of communication between the employer and employees which is desired".¹⁸⁷ Noble goes on to argue that simply holding supervisors meetings, providing in-service training for specific jobs and distributing personnel bulletins on the bulletin boards were no longer adequate. As municipal work could no longer be 'centrally housed', the standard of communication had 'notably deteriorated'.

In the context of rapidly expanding services, civic, transit, education, hospital and public utility workers would increasingly seek union recognition, drawing on the collective bargaining provisions that had been conceded by the federal and provincial governments during the war. The adoption of the *Collective Bargaining Act* by the Province of Ontario (1943), and PC 1003 by the federal government (1944) would finally shift away from the model of industrial voluntarism established by the *Industrial*

¹⁸⁷ Noble, George W. "Municipal Personnel Problems in the Larger Canadian Municipalities," 4.

Disputes Investigation Act, 1907. In the midst of a growing wave of labour unrest, the federal and provincial governments would be pressured to extend mandatory collective bargaining rights to unions. Fudge and Tucker describe this as a model of 'industrial pluralism,' comprised of "collective bargaining legislation administered by independent labour boards and a system of grievance arbitration to enforce collective agreements".¹⁸⁸ Through this period, unions would be increasingly viewed as mandatory machinery in the administration of the workplace. As long as they conducted themselves 'responsibly,' they would be granted recognition as 'junior partners' in key sectors of the economy.

However, as Fudge and Tucker note, the extension of this regime of industrial legality to different industries was uneven and relied upon certain normative assumptions regarding labour. The legislation was framed around a 'primary' labour market made up of industrial workers in the manufacturing sector. In this context, the extension of such rights to workers employed in municipalities, public utility commissions, and hospital boards raised dilemmas for industrial relations specialists and policy makers. On the one hand, workers struggled to establish standards in the 'public sector' that were congruent with the notions of 'industrial citizenship' that had emerged in blue-collar industries. It was argued that the extension of such rights should not be restricted to workers in specific industries. For instance, the inaugural bulletin of the National Organization of Civic, Utility and Electrical Workers (NOCUEW) reads: "We are workers, selling our labour, no different than those employed by large companies or individuals, therefore, we should have the same rights under the Laws of our

¹⁸⁸ Judy Fudge and Eric Tucker, *Labour Before the Law: The Regulation of Workers' Collective Action in Canada, 1900-1948* (Don Mills: Oxford University Press, 2001), 3.

Country”.¹⁸⁹ Anything less, they argued, would relegate these workers to the status of ‘slaves’ under state ‘bondage’. On the other hand, civic officials challenged such claims by asserting that municipal labour was not commodified but rather an object of political administration that constituted an essential service to the community.

In Ontario, under the leadership of Leslie Frost, the Conservative provincial government had appeased the concerns of some of the smaller municipalities by excluding city workers from the provisions of collective bargaining under the *Ontario Labour Relations Act* (1948). Throughout the 1950s and early 1960s, municipal governments were required to pass city by-laws in order to have their workers covered by the Act. In this context, union recognition in the ‘public sector’ advanced unevenly across fragmented and largely uncoordinated municipal jurisdictions. As industrial relations experts of the time noted, the capacity of a municipality to refuse to recognize or relate to municipal unions was “a function of its strength relative to that of its employees”.¹⁹⁰ This speaks to the absence of a coherent ‘public sector’ workforce at this time in that it highlights how civic, electrical and public utility workers were embedded in specific political and economic geographies, building local and extra-local alliances with other organized workers, industrial relations specialists, and political leaders in making claims to recognition.

¹⁸⁹ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-4. NOCUEW Bulletins, 1946-48. Bulletin #1. December 9, 1946, p. 4.

¹⁹⁰ S.J. Frankel and R.C. Pratt, *Municipal Labour Relations in Canada* (Montreal: Canadian Federation of Mayors and Municipalities, and McGill University Industrial Relations Centre, 1954).

From Civic, Utility and Electric Workers to 'Public Workers'

The movement to unionize the entire municipal and utility sector in Ontario built upon long established unions in the larger cities. While these unions had been individually affiliated to labour federations and remained largely independent and uncoordinated, only precariously connected by a small cadre of local officials through the 1920s and 1930s, they increasingly came together during the Second World War in aspiring toward new scales of union organization.¹⁹¹ These workers would be knotted together in the rapidly expanding metropolitan regions, such as Vancouver, Winnipeg and Toronto, where public services were increasingly coordinated across different municipal governments and infrastructural networks were rapidly extended through processes of suburbanization and industrial development. It was here that labour leaders would cultivate ambitions to bring together workers providing different kinds of public services into larger national federations.¹⁹²

Through this period, increasingly coordinated unions in metropolitan areas sought to 'jump' scales,¹⁹³ shifting from organizing on a municipal level to the establishment of 'general' federations of public sector workers on a regional and national level. This is reflected, for instance, in the decision of the Canadian Electrical Union (CEU) to expand its mandate in 1944, changing its name to the National Organization of Civic, Utility, and Electrical Workers (NOCUEW). While NOCUEW had national ambitions, it was initially restricted to south-central Ontario and clustered

¹⁹¹ H.A. Logan, *Trade Unions in Canada* (Toronto: MacMillan, 1948), 294.

¹⁹² In Vancouver, a federation of federal, provincial and municipal workers was formed.

¹⁹³ To 'jump scales,' Smith (1992: 60) argues, is to "organize the production and reproduction of daily life and to resist oppression and exploitation at a higher scale-over a wider geographical field". It allows political activists to "dissolve spatial boundaries that are largely imposed from above and that contain rather than facilitate their production and reproduction of every day life".

around civic hydro-electrical workers affiliated with the Canadian Congress of Labour (CCL). A haven for public utilities workers, the CCL tended towards an industrial unionism that sought to organize workers in more centralized, sectoral administrative structures. It is notable that an emerging public sector sensibility would initially take shape here rather than with the older municipal unions (such as the Toronto Civic Employees Union) affiliated with the Trades and Labour Congress (TLC). The TLC tended towards a craft unionism, granting unions a greater degree of local autonomy. As we will see, this tension would later go on to raise important organizational dilemmas as the CCL and the TLC merged to form the Canadian Labour Congress (CLC) in 1956.

Following the industrial unionism of the CCL, NOCUEW sought to consolidate sectoral level structures, building networks with other municipal services, first through gas workers and electricians involved in other municipal services and then through organizing civic workers more broadly. Unionization proceeded quickly with the formation of eleven 'branches' in south-central Ontario.¹⁹⁴ Within each branch, workers struggled to extend their organization to include workers in other municipal services and in surrounding communities. This was most effective in and around the Toronto area, from which the bulk of the national union's executive would be recruited. Even if the inside and outside workers at the City of Toronto remained fiercely independent, as is suggested in correspondence from the period, the electrical workers managed to quickly make in-roads with other electrical workers working for different municipal agencies such as the Toronto Transit Commission (TTC). Moreover, connections were made

¹⁹⁴ Toronto, Sault Ste Marie, London, Hamilton, Sudbury, Guelph, New Toronto and Mimico, Etobicoke, North York

with workers from surrounding municipalities and townships, including York and the wealthy Village of Forest Hill.

However, the capacities of unions to coordinate across regions remained quite limited. This is reflected, for instance, in the NOCUEW bulletins that were intermittently drafted and distributed throughout the 1940s, reporting on the status of each branch using “limited information from some Branches at hand”.¹⁹⁵ Reading the bulletins provides some insight into the progress of the unions at the time, though not all branches reported on a regular basis and the information that was provided was quite spotty and inconsistent. Through this period, the lack of uniformity in union organization was exacerbated by the limited numbers of union staff. Connections were largely maintained by a small cadre of long-established union leaders who struggled to establish an enduring basis for coordination through interpersonal networks. The Secretary-Treasurer of NOCUEW, T.F. Stevenson, was a central figure in this process. His regular reports speak to the limited reach of unions at the time, as he complains about his long drives across the province, visiting local after local, struggling to ensure that there was some semblance of consistency and coherence in the organization. “In my visits to Branches during the last couple of years,” he wrote, “I have noticed a decided lack of decorum in the proceedings ... The agenda is noted in the Constitution, and it should be easy to follow. I only wish it were possible for me to attend more of the Branch meetings in order to convey to the officers the manner in which the proceedings before the meeting should be carried on”.¹⁹⁶ For Stevenson, the establishment of a

¹⁹⁵ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-4. NOCUEW Bulletins, 1946-48. Bulletin #1. 9 December 1946, p. 4.

¹⁹⁶ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-5. NOCUEW Bulletins, 1949. Bulletin #12. 7 April 1949.

uniform and professional union structure demanded personal oversight from above, and, as the national organization grew, he would express growing frustration at the inability of different union locals to adhere to his strict sense of discipline.

The organization of city workers proceeded unevenly, and while unions were established in many large- and medium-sized cities across south-central Ontario by the end of the 1940s, it was much more difficult to make inroads in smaller towns, rural areas and the budding suburbs in the less industrialized parts of the province, which often remained bastions for the city fathers, made up of local notables and business leaders who avariciously protected their coveted positions from encroachment by union upstarts. For instance, at Branch 15 in Brockville, the city council refused to meet with the union altogether. “It appeared that the Chairman of the Works Committee, a local Construction Contractor, did not favour dealing with trade unionists, and he seemed to be boss of the Municipality, and would not agree to meet our committee”.¹⁹⁷ In responding to the obstinacy of city officials, the labour activists undertook a public relations campaign, issuing press releases and drawing support from labour-friendly aldermen in effectively pressuring the city council to recognize the union.

The extension of ‘industrial citizenship’ to the municipal sector was regarded by some city officials as a *political* act, rather than as neutral machinery designed to ensure the smooth functioning of labour relations at a municipal level (a claim often made by the unions and their allies). At Branch 13 in Belleville, it was reported that “some members of the City Council or City officials got peculiar ideas about our Organization

¹⁹⁷Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-5. NOCUEW Bulletins, 1949. Bulletin #12. 7 April 1949.

and hindered negotiations from progressing”.¹⁹⁸ Given their affiliation with the Canadian Congress of Labour (cousin to the American CIO), it was thought that NOCUEW had a ‘red tinge’ and supported the left-progressive Canadian Commonwealth Federation (CCF). As in several other municipalities, the city fathers attempted to get around the union by establishing their own employees’ association. Recounting his confrontation with the leader of the employee’s association, Stevenson describes the layers of local organization that insulated local elites from union struggles:

It was he I tangled with on April 12th and came out of it with a broken hip. I have finally made arrangements with the Police Magistrate of Belleville for a hearing of my charge of assault against this individual on Friday, May 20th. There has been all kinds of opposition put in my way of having this charge heard throughout the Courts and by the City Fathers of Belleville, but nevertheless, the charge is being carried through, in order to prove to the City Fathers that our policy of cleaning up the situations where civic employees are in slavery will continue.¹⁹⁹

Throughout the 1940s and 1950s, unions remained entangled in a complex web of personal and political loyalties through which they sought to establish union recognition and advance collective bargaining. This is demonstrated in the political dramas of the day, as municipal leaders would recruit personnel officers from the ranks of the union officialdom. For instance, Albert Barnetson, president of Toronto Hydro local 1 since 1923 and the first president of NOCUEW, was recruited to be Assistant to the Personal Director of Toronto Hydro in 1949, while at the same time remaining active in union politics. Stevenson bitterly notes that Barnetson used his position “to make

¹⁹⁸ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-5. NOCUEW Bulletins, 1949. Bulletin #12. 7 April 1949.

¹⁹⁹ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-5. NOCUEW Bulletins, 1949. Bulletin #14. 10 May 1949.

everything as difficult as possible for myself in attempting to get justice for the Toronto Membership employed by the Hydro”.²⁰⁰

However, by this time, Stevenson’s fiery rhetoric and penchant for enforcing proper decorum in union meetings was increasingly considered to be a liability and he would ultimately be forced out of his position after drawing the ire of leaders from numerous union locals. His resignation letter reflects the frustration of a labour bureaucrat who could not fully expunge personal relationships from the union’s day-to-day work. He complains of the betrayals of union locals and their inability to follow orders. “It appears that we have in our midst,” he noted bitterly, “both National and Local, Officers who think more of their individual standing or advancement than they do of formulating a policy which will give the best results to the membership”.²⁰¹

In recounting the history of NOCUEW, Ross describes Stevenson as an older style of union leader.²⁰² She argues that these kinds of leaders “were there from the beginning, had risen up through the ranks and had endured struggles for union survival. They had developed a sense of indispensability, accustomed to being decision-makers and to the status that accompanied their long tenure in the movement”. However, with the growing reach of union organization, such a paternalistic style came to be viewed as old-fashioned and overly restrictive. Increasingly, union leaders were beginning to advocate what Ross describes as “a ‘new’ and more professional kind of leadership armed with knowledge and a facility for persuasion, based on what was emerging in the

²⁰⁰ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. I-7. NOCUEW Bulletins, 1951. Bulletin #25. 8 May 1951.

²⁰¹ *Ibid.*

²⁰² *The Making of CUPE*, 186.

rest of the labour movement and especially in the CIO/CCL unions”.²⁰³ Certainly, this shifting understanding of union leadership can be attributed, in part, to the tremendous expansion of NOCUEW over the course of seven years, which raised fundamental questions in terms of the coordination and administration of the locals across the province. Beyond the paternalistic leadership of self-proclaimed leaders, new modes of organization were demanded that could contribute to the entrenchment of a more enduring institutionalized relationship between union locals across the province.

The Making of Ontario's Public Sector

By the early 1950s, a ‘public employee’ identity was increasingly cultivated and operationalized through the development of a more uniform, centralized and bureaucratic style of organization. The bulletins were printed more regularly, though they lacked Stevenson’s more personal flair; the language of ‘slavery’ and ‘state bondage’ gave way to a more professional language of ‘service’ and professional commitment. By the end of the 1940s, a Director of Organization was appointed which Ross sees as evidence that NOCUEW had “clearly stepped on the road of professionalization and bureaucratization of leadership”.²⁰⁴ The new Secretary-Treasurer, Stan Little, led the push to expand the union’s self-definition, renaming the organization as the National Union of Public Service Employees (NUPSE) in 1952. Little shifted from the model of industrial unionism, organized into distinct sectors, to a form of general unionism, which aimed to organize all workers in the public services.

²⁰³ *Ibid.*

²⁰⁴ *Ibid.*

The cultivation of a 'public' identity was crafted in part through increasing administrative capacities at a provincial and national level. Through the cultivation of more centralized methods of coordination, these largely disconnected areas of work came to be recognized under an integrated and cohesive 'public service sector'.

Through the growing administrative capacities of provincial and national federations, collective bargaining was transformed from a parochial affair between local notables and local union leaders. In consolidating national organizations, workers could draw on increasingly professionalized networks in coordinating their demands in collective bargaining between different municipalities. As early as 1947 (seven years prior to the amalgamation of Metro Toronto), joint meetings were held between union representatives from Mimico, New Toronto, Etobicoke, York, Forest Hill, North York and Toronto to discuss establishing a uniform wage rate schedule for the Toronto district:

It was the unanimous opinion of those present that, we were on sound ground with our contentions for uniformity of wage and comparable working conditions (giving due consideration for particular situations in the respective municipalities in respect to working conditions), therefore we should not falter in our attempt to bring about this desired situation.²⁰⁵

By the end of 1952, there were 32,867 unionized municipal workers in Canada, whose actions were increasingly coordinated through the Canadian Congress of Labour (CCL) and the Trades and Labour Congress (TLC).²⁰⁶ Sophisticated coordinated bargaining strategies were taken up in the larger cities, which would then provide the benchmark for union recognition and collective bargaining in the smaller municipalities,

²⁰⁵ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-4. NOCUEW Bulletins, 1946-48. Bulletin #2. 31 March 1947.

²⁰⁶ Frankel and Pratt, *Municipal Labour Relations in Canada*.

townships and suburbs, where unions faced municipalities which had no 'specialized personnel men' in dealing with negotiations. A NUPE (1960) report describes the bargaining situation in many municipalities through the 1940s and 1950s:

Labour relations were in most cases handled by management people who had other full time duties and more or less attended to negotiations and personnel matters in their spare time. In contrast with this, the local unions had a distinct advantage in being affiliated on the provincial and national levels. They had information on the rates of pay and conditions of work in other municipalities, hospitals and school boards. They were well prepared for negotiations and they were well organized. They had the co-operation and assistance of other unions in the district while the management side was without any effective form of organization. Management was divided and the staff was organized so that they could play one employer against the other. In addition they were helped by the general trend towards progressive wage increases being obtained by other types of workers.²⁰⁷

However, many municipal governments (especially in the larger cities) would recognize their growing vulnerability and, as early as 1949, there is evidence of their growing coordination. At the time, Stevenson reported, "we have found a situation which leads us to believe that there has been a conference either called by the Department of Municipal Affairs, or it has been done at some of the Mayors' and Reeves' conventions".²⁰⁸ Through these associations, Stevenson argued, the municipalities were undertaking a concerted campaign to "oppose the proposals of legitimate trade unions for improving working conditions and wages for municipal employees". He suspected that the larger municipalities, in collusion with the local business leaders, had increasingly recognized that civic employees' unions were gaining leverage through coordination at a provincial level, and in response they had approached the smaller cities and larger towns with the aim of developing a common

²⁰⁷ Library and Archives of Canada. MG 28 I234, Vol. 3. CUPE National Fonds. National Union of Public Employees. NUPE. *Highlights*, May 1957-Oct 1960. July 1960.

²⁰⁸ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-5. NOCUEW Bulletins, 1949. Bulletin #14. 10 May 10 1949.

front. This became apparent, for instance, in recognizing the common language shared by municipalities in bargaining. As Stevenson notes, “we have had the very same arguments put up in making the initial proposal for Agreement and also in renewal of old Agreements”.²⁰⁹ In this context, the establishment of a sectoral level structure in the municipal sector was of paramount importance. It was not enough to simply focus on organizing at a local level; it was necessary to get all municipal and utility unions on board in collective bargaining across the province. This was only reinforced by suspicions that municipal unions unaffiliated with the CCL, such as the older municipal unions affiliated with the craft unionism of the TLC, were secretly making deals with the municipalities that undercut the bargaining power of NUPSE.

Increasingly, the fragmented and *ad hoc* approach of municipalities to collective bargaining and labour relations was becoming problematic. As unions in the municipal sector had become well-established by the 1950s, city officials were coming to recognize the need to coordinate with one another and build a cadre of personnel relations professionals that could undertake negotiations on a local level.²¹⁰ In this context, they began to explore ways in which to confront and curtail union bargaining strategies, which they thought had led to unjustifiably generous agreements. While an ‘old guard’ would seek to maintain its discretionary power as representatives of civic order, city officials and administrators increasingly came to consensus that collective bargaining was here to stay, and, rather than simply seeking to fight union certification campaigns, they should put their efforts into somehow adapting the bargaining process

²⁰⁹ Library and Archives of Canada. MG 28 I234, Vol. 1. CUPE National Fonds. National Organization of Civic, Utility and Electrical Workers. 1-5. NOCUEW Bulletins, 1949. Bulletin #14. 10 May 10 1949.

²¹⁰ Frankel and Pratt, *Municipal Labour Relations in Canada*.

to the municipal sector. Rather than outright rejection of trade unionism, the problem for city officials and industrial relations specialists was to subsume trade unions under a wider economy of service that ensured that workers would not ‘take advantage’ of their strategic location.

The push to counter increasing union coordination took place in the larger metropolitan areas, most notably in Toronto. Immediately following amalgamation in 1954, the Metro Toronto Chairman, Fred Gardiner, called for increased co-operation between the personnel officers of the thirteen Metro municipalities and called for Metro itself to strive toward collective bargaining on a united front. The aim here was, in part, to depoliticize the process, seeking to delink bargaining from municipal elections and to develop a “uniform policy and a master plan for negotiations prepared and implemented by experts in statistics and negotiations”.²¹¹ However, city officials recognized that it was not enough to simply coordinate on a metropolitan scale. In order to normalize the field of municipal collective bargaining, it was necessary to develop a centralized hub for the collection of information and to establish a system of comparisons that would draw from municipalities across the province, and ultimately across the country.

In the spring of 1953, the Canadian Federation of Mayors and Municipalities (CFMM) approached the Industrial Relations Centre at McGill University with the idea of undertaking a study on labour relations in Canadian municipalities. While the researchers accepted the general principles of industrial pluralism, admitting that

²¹¹ Library and Archives of Canada. MG 28 I234, Vol. 3. CUPE National Fonds. National Union of Public Employees. NUPE. *Highlights*, May 1957-Oct 1960. October 1960.

collective bargaining in the municipal sector was 'inevitable,' they argued that these principles should be carefully modulated, adapted to the specific context of the 'public service'. Municipal workers were distinctive, it was argued, because their wages were not tied to the sale of commodities; rather, their wages were paid for with tax money. Moreover, they provided essential services that could not be easily discontinued, which rendered municipal governments vulnerable in the event of a strike. Nevertheless, it was argued that "pressures towards economy exist which will serve, in bargaining, to check, and force into compromise, the demands of labour".²¹². It was the task of industrial relations specialists through the 1950s and 1960s to establish a model aimed at achieving such economy in the municipal and utilities sector (now taken as a singular domain), establishing practices that facilitated the normalization of the collective bargaining process.

In order to stabilize labour relations and render them more predictable, industrial relations experts sought to develop management techniques that would effectively insulate the collective bargaining process from political forces within the municipality. This meant shifting bargaining from city council, where allies of business and labour would often line up against one another in proclaiming their political loyalties. This, it was argued, was especially problematic in areas where city council was dominated by those affiliated with the labour movement, which would lead to collective agreements that were marred by concessions based on personal affiliations. In order to insulate the process, it was argued that a smaller committee composed of councillors and staff with expertise in personnel relations should carry out bargaining. Collective bargaining

²¹² Frankel and Pratt, *Municipal Labour Relations in Canada*, 11.

became the proper purview of industrial relations experts who sought to develop measured and objective criteria for making decisions.

The report challenged the 'imbalance' that had been created through the growing national organization of labour unions. It was argued that unions had effectively outmanoeuvred the municipalities in the conciliation process as they developed increasingly sophisticated analyses of labour market conditions that had biased board reports in their favour. In response, the industrial relations specialists argued that it was necessary to develop research capacities in establishing a more objective basis for comparison in determining value. In this context, regional governments such as Metro Toronto were seen as essential in the normalization of labour relations in larger metropolitan areas, which would, in turn, set the pattern for smaller municipalities.

Metro Toronto became a central site for the recruitment and training of personnel relations experts who would play a prominent role in diffusing expert methods of administration through professional networks and associations such as the CFMM. It was at the 1961 convention that George W. Noble, the Personnel Officer for Metropolitan Toronto, warned of the increasing coordination of municipal employees, who met on a regular basis, establishing bargaining patterns on a national scale. It was no longer sufficient to leave negotiations to city council, as unions were increasingly drawing on lawyers, labour economists and paid union officials widely experienced in the negotiation of collective agreements.

Their requests are well supported by statistics on wages and working conditions covering, not only comparable municipalities, but also wages and working conditions in industry in the area. The municipal official representing the Corporation, or acting as the chief advisor to the Committee doing the negotiating, frequently does not possess, nor can he

readily obtain current information on comparable wages and working conditions in the various municipalities cited by the union.²¹³

In seeking to match the bargaining capacities of the unions, municipal governments, especially in the larger cities, pushed to centralize administrative capacities by the early 1960s. It was largely for this purpose that the Canadian Federation of Mayors and Municipalities adopted a motion at their 1960 convention to substantially increase the dues for the organization, which more than doubled. A heavy emphasis was placed on developing a centralized hub for the collection of information on labour relations between municipalities. This kind of database was viewed as essential in gaining leverage over the bargaining process. As Noble points out: “Without up-to-date information and wages and working conditions a municipality negotiating is unable to refute the claims made by the union or to propose acceptable alternatives”.²¹⁴ By 1962, the CFMM had appointed a Research Director, responsible for overseeing the collection of this information, and would open an office in Ottawa where such information would be centrally stored and made available to city governments.

Uneven Development and the Identity Crisis of the Public Sector

So far, I have highlighted the central role played by civic, utility and electrical unions in cultivating notions of an integrated ‘public sector’ during the 1950s and early 1960s. I have shown how the increasing coordination of personnel relations by municipal governments was largely a *response* to the growing institutional capacities of

²¹³ Noble, George W. 1961. “Municipal Personnel Problems in the Larger Canadian Municipalities,” In Conference Proceedings. May 31, 1961. *Canadian Federation of Mayors and Municipalities*. Halifax, Nova Scotia.

²¹⁴ *Ibid.*

public sector unions. This process unfolded unevenly as workers could often draw leverage from strong unions in the larger metropolitan regions in order to make inroads in smaller communities. Moreover, the growing *reach* of public sector unions was reflected in the centralization of administrative practices through which information could be shared and taken up in making demands at a local level. However, I have not yet discussed what effect this had on the internal structure of the unions. In this section, I explore how divergent spatial strategies were taken up by national public sector unions in the lead-up to the formation of the Canadian Union of Public Employees (CUPE) in 1963. As I show, the merger process was as much an expression of common identity by public sector workers as it was a reflection of uneven development and underlying tensions.

In the mid-1950s, organized public sector workers across Canada were primarily divided between two organizations: the National Union of Public Service Employees (NUPSE) and the National Union of Public Employees (NUPE). As I have shown, utility and electrical workers centred in Ontario had spearheaded the formation of NUPSE in 1952. The union was affiliated with the Canadian Congress of Labour (CCL) and tended towards an industrial-style unionism that aimed to establish coordinated bargaining strategies under a more professionalized administration under the leadership of Stan Little.

The National Union of Public Employees (NUPE) was formed in 1955. Chartered by the Trades and Labour Council of Canada (TLC), this organization favoured a craft unionism that was rooted in the older municipal unions –such as the Toronto Civic Employees' Union – which prided itself on its independence and fiercely defended a

decentralized model of federation. NUPE was larger and more spatially dispersed than NUPSE; initially based in the four western provinces, it would quickly extend its reach into Ontario and rapidly expand in numbers, achieving a membership three times the size of NUPSE by the late 1950s. As with other TLC unions, NUPE also favoured a Gompersist approach that emphasized strict adherence to collective bargaining and non-partisanship. It would expel locals – such as the Vancouver Civic Employees Federal Union – known for their communist leanings. Nevertheless, it retained individual radicals in its ranks. For instance, Patrick Lenihan, the national president in 1956-57, had been affiliated with the Industrial Workers of the World (IWW) and was a supporter of the One Big Union (OBU), and later a member of the Communist Party in the 1930s.²¹⁵ Gil Levine, NUPE's (and later CUPE's) National Director of Research had been associated with the Communist Party during his student days, for which he would be derided during the merger process.²¹⁶

Union officials in each organization maintained very different views on how unions should be organized nationally and provincially. NUPSE officials, such as Stan Little, advanced a vision of industrial unionism in which coordinated bargaining was pursued under a strong centralized leadership. NUPE, informed by a strong tradition of craft unionism by the old civic employees unions, tended towards a more decentralized approach, emphasizing a respect for the autonomy of locals. However, despite their

²¹⁵ The Research Director for CUPE, Gil Levine, is to credit for the records and oral histories in the Library and Archives of Canada. His book on the labour activist and leader of NUPE, Patrick Lenihan, is primarily drawn from transcribed interviews. See *Patrick Lenihan: From Irish Rebel to Founder of Canadian Public Sector Unionism* (St John's L Canadian Committee on Labour History, 1998).

²¹⁶ Jane Stinson, a long-time organizer for CUPE, recently wrote a biographical article of Gil Levine following his death. See Jane Stinson, "A tribute to Gilbert Levine: His Pioneering Role in Labour Research," *Labour / Le Travail*, 67 (2011): 173-187.

divergent organizing strategies, they were brought together in 1956 to discuss the possibility of a merger.

There are a number of reasons why these organizations considered a merger at this time. As I mentioned in the previous section, union officials were concerned about the increasing coordination of municipal governments in collective bargaining and personnel relations. In this context, union officials questioned the efficiency of two organizations operating in the same jurisdiction. “It was a ridiculous way to operate,” Grace Hartman, CUPE’s national president from 1975 to 1983, notes, “The staff representatives from the two unions were like ships passing in the night”.²¹⁷ Moreover, the two unions would be increasingly pitted against each other in unionization drives, especially in the hospital sector. Finally, as the TLC and the CCL came together to form the Canadian Labour Congress (CLC) in 1956, there was increasing pressure brought from senior labour officials to bring about a merger.

However, the merger talks, which went on from 1956 until 1963, were highly contentious, as union officials in the two organizations maintained very different views on how the national structure should be organized and the direction that it should take. As Ross notes in her detailed history of the merger process: “A central barrier was the intractability of disputes over how democracy would be understood and institutionalized in any new structure”.²¹⁸ While some union officials, most prominently from NUPSE, favoured a form of organization built on notions of ‘redistributive justice,’ in which more powerful locals assisted weaker ones, others tended to advance a more ‘proceduralist’

²¹⁷ Grace Hartman engages in a very candid interview about the organization in *We Stood Together: First Hand Accounts of Dramatic Events in Canada’s Labour Past*, ed. G. Montero (Toronto: James Lorimer and Co, 1979), 183-203.

²¹⁸ *The Making of CUPE*, 275.

notion of democracy rooted in protecting the power of union locals to represent themselves and act on their own accord.

In highlighting the distinctive notions of 'union democracy' at work, Ross advances important insights into the *internal* dynamics of union bureaucracy; however, her analysis remains limited to the extent that she neglects to account for the spatial dimensions of this process. In fact, the merger process was contentious not only due to the varied institutional and ideological roots of public sector unions, but also because of the different ways in which workers were *embedded* in uneven and fractured public sector landscapes. In part, because of their distinctive locations in the production of a public sector, these workers tended to favour different *spatial strategies* in linking together union locals across space.

Just as state agencies wrestled with the problem of 'governing at a distance,' so too did the unions. The consolidation of national and provincial union structures reflected the problem of establishing more centralized administrative practices and procedures that, at the same time, effectively recognized and responded to the realities of struggle at a local level. This is often glossed over in the historical surveys of this period that tend to celebrate the emergence of public sector workers as a singular identity.²¹⁹ However, in examining the records of the merger process, it becomes evident that such an identity could not be assumed but had to be actively negotiated.

²¹⁹ In the general histories of the Canadian labour movement, there is a tendency to focus on the federal level, associating the birth of public sector unionism with the wildcat strike launched by postal workers in 1965. There is also a great deal of discussion of the struggles by public sector workers in Quebec through the 1960s. For instance, see Desmond Morton, *Working People* (Toronto: Deneau Publishers, 1984), 255-265; Bryan Palmer, *Working-Class Experience* (Toronto: Butterworth and Co, 1983) 264-269; Craig Heron, *The Canadian Labour Movement* (Toronto: Lorimer, 94-98). The focus here is on federal and provincial workers. The role of municipal and utilities workers in galvanizing the formation of a public sector in Canada through the 1940s and 1950s has been generally neglected.

Hence, I argue that it makes sense to explore how the public sector was knotted together by union officials through divergent spatial strategies.

Problems of spatial strategy manifested themselves in countless ways in the merger talks. There were disputes over the dues structure that focused on how much union locals should give to the national office. This division reflected different understandings of servicing, in particular the extent to which a centralized staff should provide support for locals. While the issue was often discussed as a matter of union democracy, pitting those who believed in local autonomy against those who supported a more professionalized approach, it also highlighted the different distribution of resources across space and contested understandings of how unions could optimally organize those resources. In debating such questions, the national organization factionalized into three distinct groups who were at war through the merger process and maintained an uneasy alliance for much of the decade following the formation of CUPE.

Civic employees' unions in the larger municipalities, such as Toronto, generally favoured what Ross describes as an 'autonomist' strategy in which resources were concentrated at a local level. This led to demands that union locals should have their own business agents, that national dues should be minimized and union locals should not be obliged to join sectoral or district-level structures. Support for the autonomist strategy on the part of unions in the larger municipalities reflected the large concentration of workers entangled in the production of infrastructure in metropolitan centres, which served as key nodes in a broader network of service provision. Unions in these urban areas had often maintained long traditions of independence, and were well established even prior to the formation of wider federations.

It is also important to highlight the role played by workers clustered around provincial utilities and commissions, such as the hospital workers in British Columbia (Local 180) who were organized at the provincial scale by the late 1940s, and those employed under the Ontario Hydro-electrical Commission, who would join with NUPSE in the 1950s (Local 1000). These workers also demanded autonomy from the national structure. However, the emphasis here (in contrast to the autonomists) was on cultivating a kind of 'industrial unionism,' in which union resources would be concentrated around core sectors. Ross describes these workers as 'regionalists'.

Against these two approaches, we can see the emergence of a national leadership in the early 1960s that would aim to establish a more centralized structure for research and administration that was carried out from the national and provincial offices. For instance, the president of NUPSE and later CUPE, Stan Little, sought to concentrate authority in the hands of a national executive, pursuing a more centralized approach in which servicing was coordinated in a central office. However, even at the national level, there would be enduring debates between those who had been involved in NUPE and NUPSE on the degree of control that should be held by the union executive and concentrated in the hands of the president.

There were no easy solutions to the problem of unity and the outcome of the merger process was ultimately unclear. At best, it was a compromise between the different factions, with consensus only achieved on a national structure as a result of *ad hoc* arrangements and exceptions. Hence, even with the growing capacity of different unions to represent them as part of a wider 'public sector', the capacity to build and maintain connections remained tenuous and always incomplete. Far from reflecting the

consolidation of a singular and all-encompassing vision of the public sector, the debate on union organization through the 1950s and 1960s reflected the varied and uneven application of spatial strategies. The difficulty here was in developing ways of connecting together the densely organized workers in the metropolitan centres with the more sparsely populated suburbs and smaller communities. It was also a problem of negotiating the line between an industrial unionism organized on a sectoral level and a general unionism on a national level. Finally, it was a question of the manner in which coordination could be achieved from a central office while at the same time recognizing and respecting the distinctive struggles that were faced at a local level.

Conclusion

From the 1940s through to the 1960s, a distinctive 'public sector' came to be consolidated in Ontario, knotting together various municipal services and public utilities in an increasingly integrated and uniform system. This was not simply the outcome of increasing administrative centralization or brokerage relationships established between government officials from above. Rather, workers themselves played an important part in establishing this domain, provoking state agencies to format an economy through which labour at these disparate sites could be rendered intelligible, comparable, and assigned value.

Through the 1940s and 1950s, I argue, the growing *reach* of labour unions, through the centralization of research capacities and the development of standard contracts played a significant role in the reconceptualization of the public sector. This is especially apparent in looking at the rapid growth of public sector unions in southcentral

Ontario. With the tremendous expansion of social and physical infrastructure, different levels of government found it increasingly difficult to supervise a large and fragmented workforce. A growing distance between employers and workers, fed by the industrialization of labour in the emerging metropolitan regions, created the potential for the establishment of new forms of worker organization in the 1940s and 1950s. In confronting the tangled, uneven and fractured political and economy landscape through this period, civic, utility, and electrical workers were able to increasingly coordinate their actions, jumping scales to establish general unions between sectors and rapidly expanding their organizations to smaller communities across Ontario.

In this sense, ‘spatial Keynesianism’ – as a way of reconceptualizing urban government on the basis of centralization, standardization, and redistribution – was not simply advanced from above. In fact, the impetus to uniform and integrated administration was, in part, a response to the consolidation of public sector unions that could better marshal resources and coordinate activity in comparison with many municipalities at the time. Labour activists built bargaining power from the concentration of public services in the growing metropolitan centres. The public sector was knotted together at these nodal points, where standard language came to be taken up in contract negotiations. Increasingly, these workers were able to demand that their labour be classified in new and subversive ways, skilfully building coordinating capacities and establishing a knowledge base through which they could frame the field of negotiation.

It was largely in response to surge in unionization that municipal governments, utilities commissions, hospital and school boards sought out the expertise of industrial

relations specialists, with the aim of formatting these services under a closed system through which wage rates and benefits could be rationalized and kept under control. Increasingly professionalized structures of personnel management were developed with the aim of depoliticizing collective bargaining, separating it from the electoral process, rooting the determination of value in objective industrial relations structures. Increasingly, professionals in growing personnel relations departments headed up collective bargaining.

I have highlighted the spatial dimensions of this struggle. This was not a process that would unfold all at once. In fact, it would begin in larger municipal and regional governance structures, such as Metropolitan Toronto, and from there expand to the smaller cities and towns. It is also important here to recognize the problems of coordinating strategies, sharing information and distributing resources across territories. Along these lines, I draw from Ferguson's argument in thinking through the state as "a relay or point of coordination and multiplication of power relations".²²⁰ In this sense, a singular public sector comes to be rendered intelligible through recognizing the differential capacities of state agencies to know and coordinate labour relations across territory.

It is through this process that, by the early 1960s, we see the consolidation of the 'public sector' as an intelligible domain in the administration of labour relations. Through the contingent struggles between workers and state agencies at a variety of sites, this domain increasingly came to appear intelligible. However, the achievement of absolute

²²⁰ James Ferguson, *The Anti-Politics Machine: 'Development,' Depoliticization and Bureaucratic Power in Lesotho* (Minneapolis: University of Minnesota Press, 1994), 202.

or total integration was never possible. The lines connecting different communities together were always tenuous, uneven and actively contested. These tensions were only exacerbated with the rapidly expanding horizon of urban development through the 1960s. These tensions were evident, for instance, in the conflicts that played out in CUPE's merger process, which was pulled apart by autonomists, regionalists, and centralists who each pursued divergent spatial strategies in the consolidation of union power.

The tensions confronted by the Canadian Union of Public Employees through the 1960s and 1970s remained productive to the extent that the coordinated power of unions in the metropolitan centres could be harnessed in building a foundation for standard contracts and working conditions in the smaller cities and towns across the Ontario. Hence, through this period we see the rapid expansion of CUPE to include a growing range of workers in schools, hospitals, libraries, and universities. Between 1963 and 1969, the membership of CUPE would grow from approximately 80,000 members to 130,000 members, and by 1975, it would become the largest union in the country.

At the same time, however, the growing *reach* of both labour organizations and state agencies through this period would raise fundamental questions regarding the nature of collective bargaining by the early 1960s. As many public services were increasingly coordinated and administered at a distance by provincial agencies and commissions who held the purse-strings and set benchmarks with the aim of rationalizing the provision of services across a wider territory, the jurisdictional responsibility for deciding on wages and working conditions became increasingly unclear. At what scale was the value of services to be determined and by whom?

By the mid-1960s, policy-makers were attempting to think through new ways of mitigating the disruptive effects of the strike weapon and enforcing an economy of service in which the true value of services could be achieved. Hence, through this period, we see an increasing emphasis on essential services legislation, which was justified on the basis that public sector workers should not have the right to hold the public hostage through their control over vital services. In this context, some state officials went so far as to argue that the strike weapon was a barbaric relic of the past, and that more rational forms of dispute resolution were now available. For instance, some state officials came to consider interest arbitration as a more civilized method for settling disputes, through which employers and workers could make their case in a pseudo-judicial court, presenting evidence that could be considered by an emerging cadre of industrial relations specialists in deciding on the value of services.

The efforts to constitute an economy of services were most pronounced in Ontario's hospital sector, which I explore in the next chapter. In the wake of the establishment of public hospital insurance in 1959, the Ontario Hospital Services Commission (OHSC) had played an increasingly central role in the pursuit of an economy of services on a provincial level. Increasingly, the determination of value was delegated to expert arbitrators who would seek to develop impartial criteria in decisions on wage rates and working conditions. The question facing arbitrators was how to expertly determine the 'true' value of services.

Chapter Six

A Militancy of Invidious Comparisons: The Contested Frames of Hospital Work in Ontario, 1959-1974

Introduction: A Crisis of Value

By the late 1960s, the question of how much non-professional service workers in Ontario's hospital sector should be paid was an open question. The provincial government's attempts to rationalize wage structures under a system of compulsory arbitration were widely regarded as an unmitigated failure. With the growing centralization of fiscal control under the Ministry of Health, the ability of arbitrators to decide on an 'objective' unit of measure in settling disputes had become increasingly discredited. This was noted not only by the unions representing hospital workers, but also by the Ontario Hospital Association (OHA), the Ontario Medical Association (OMA) and senior civil servants. It was pointed out in the major newspapers, such as the *Toronto Star*, which observed that caretakers at the Riverdale Zoo were paid more than orderlies looking after patients in Toronto's hospitals, which raised the question: "Is looking after animals more important than looking after people?"²²¹ Moreover, prominent civil society organizations, including the Social Planning Council of Metropolitan Toronto and the Canadian Council on Social Development, stepped in to expose the depressed wages of hospital workers, who would earn more if they quit their jobs and went on welfare.

In fact, the framework for collective bargaining had been unclear since the provincial government first implemented public hospital insurance in 1959. Previously

²²¹ "More Money for Hospital Workers," *Toronto Star*, April 24, 1974.

poverty-level wages were justified by the charitable status of hospitals and their chronic financial problems, which left them barely able to pay for day-to-day operations.²²² Throughout the 1930s and 1940s, hospitals had largely operated at arm's length from the state. While hospitals were certainly regulated and funded by state agencies, they were not considered to be part of a singular 'public' sphere. In fact, they could better be described as operating under a 'mixed social economy,' bound together in a complex web of relationships connecting state and non-state agencies.²²³ Prior to the 1940s, there was no real sense of uniformity in terms of the kinds of services that were provided. Very little data was collected on how labour in this sector was organized, which continued to be administered under the paternalistic gaze of notables on the local boards.

However, in the wake of the Second World War, the chronic fiscal crisis in the hospital sector could no longer be ignored. With rapidly growing costs, demands to keep up with the latest technological advances, and the highly uneven and unpredictable provision of services, it was not enough to leave hospitals to their own devices.

²²² There is a growing literature that has examined the tenuous position of hospitals in Canada through the 1930s and 1940s. Most notably, see David Gagan and Rosemary Gagan, *For Patients of Moderate Means: A Social History of the Voluntary Public General Hospital in Canada, 1890-1950* (Montreal: McGill-Queen's, 2002). For a detailed case study of Toronto General Hospital, see J.T.H. Connor, *Doing Good: The Life of Toronto's General Hospital* (Toronto: University of Toronto Press, 2000). Research on union organizing in the hospital sector through this period is limited. Here, I have found the histories compiled by unions themselves to be useful. For instance see, Patricia G. Webb, *The Heart of Health Care: The Story of the Hospital Employees' Union* (Vancouver: The Hospital Employees' Union, 1994). For a recent history of the struggles of non-professional workers in the hospital sector, see Jerry P. White, *Hospital Strike: Women, Unions and Public Sector Conflict* (Toronto: Thompson, 1990). For a more in-depth discussion of early union organizing with a focus on the United States, see Leon Fink and Brian Greenberg, *Upheaval in the Quiet Zone: A History of Hospital Workers' Union, Local 1199* (Urbana: University of Illinois Press, 1989). George M. Torrance also provides a more theoretically-driven analysis of the changing place of hospitals in Canada in his article, "Hospitals as Health Factories," in *Health and Canadian Society*, Third Edition, eds. David Coburn, Carl D'Arcy and George M. Torrance (Toronto: University of Toronto Press, 1998). Torrance's dissertation has also been useful in understanding the place of non-professional workers in this whole process. See, *The Underside of the Hospital: Recruitment and the Meaning of Work among Non-Professional Hospital Workers*. Unpublished PhD thesis (Toronto: University of Toronto, 1978).

²²³ Valverde. "The Mixed Social Economy as a Canadian Tradition".

Following the lead of other governments at a federal and provincial level, the government of Ontario sought to bring hospitals under an “integrated and balanced system” through which they could be administered under the auspices of public insurance. The aim was to rationalize the provision of health care in the province – to render it economical and efficient – but while, at the same time, retaining some level of autonomy in the management at a local level.

Still, as hospital work leaked beyond the sheltered and parochial jurisdictions of charitable or voluntary agencies and came to be recognized as part of a wider system, the subsidization of public health and welfare through the meagre wages of janitors, orderlies, housekeepers and kitchen staff became open to contestation. Through their growing unionization following the Second World War, hospital workers increasingly represented themselves under a wider ‘public sector’ system of comparisons from which they had previously been sheltered. They entered into a field in which their wages and working conditions were considered by many to be abnormal and unjust, warranting some form of correction; but exactly how the wages of hospital workers were to be ‘corrected’ remained to be determined.

This chapter will examine the *crisis of valuation* that emerged with the development of public hospital insurance in Ontario from 1959 to 1974. In confronting the incapacity of various institutions to measure the value of care work convincingly, I examine the shift in *modalities of valuation* – the ways in which questions of value were formulated.²²⁴ With the adoption of public hospital insurance, the rapid expansion of an

²²⁴ I draw here from the performative approach to political economy that has been taken up by Michel Callon. See, Michel Callon, “Introduction: The embeddedness of economic markets in economics,” in *The Laws of the Markets*

apparently 'integrated and balanced' hospital system across the province, the professionalization of nurses, physiotherapists and laboratory technicians, and the growing unionization of non-professional service workers, the nascent provincial social security apparatus remained highly contested throughout this period. Without clear and accepted criteria for negotiating wage rates, the growing militancy of workers in the hospital sector was met by experimentation in labour policy. Special measures were established in designating essential services where the right to strike would not apply and decisions in the last instance were passed on to growing cadre of industrial relations specialists in implementing a more rational and stable system of compulsory interest arbitration.

The aim of this case study is to explore the complex social, political, and cultural relationships through which the calculations of value were embedded. Rather than assuming that industrial relations experts somehow discovered *a priori* labour market realities, I argue that they skilfully assumed the position of the 'modest witness' seeking to assemble a hegemonic field of valuation through the infusion of juridical decisions with economic 'facts'.²²⁵ By pulling apart the manner in which 'objectivity' was performed by arbitrators, I seek to expose how questions of value were overdetermined

(Oxford: Blackwell, 1998); Koray Caliskan and Michel Callon, "Economization, part 1: shifting attention from the economy toward processes of economization," *Economy and Society* 38, no. 3 (2009): 369-398.

²²⁵ I take up the notion of the 'modest witness' from Donna Haraway, *Modest_Witness@Second_Millennium* (New York: Routledge, 1997). Haraway argues that scientists attain an authoritative voice through their modest statements of fact. Through their disembodied claims to truth, scientists effectively create a space for the technical "nicely cordoned off from the venereal infections of politics" (25). The role of experts in assembling 'economies' has also been highlighted by Timothy Mitchell, "Rethinking economy," *Geoforum*, 39 (2008): 1116-1121; "Fixing the Economy," *Cultural Studies* 12, no. 1 (1998): 82-101. See also, Caliskan and Callon, "Economization, part 1: shifting attention from the economy toward processes of economization".

by social, cultural, and political relationships.²²⁶ As I will show, beyond government efforts to restrict the right to strike through statutory legislation, a hegemonic position was also established through the skilful deployment of technologies that enabled government at a distance, establishing an arm's-length and apparently impartial framework for allocating value.²²⁷ In the process, legal knowledges were reconfigured, relying on the field of economics to determine the proper disposition of forces. Yet the apparent distance achieved through technologies of comparison could be actively challenged through the radical recontextualization of value, directly linking wages to the conditions of living and working. In this sense, value was no longer simply an object to be discovered; it was something to be militantly *realized*.

²²⁶ Recently, there has been a growing literature that has moved away from a transhistorical labour theory of value, to explore the role of culture in shaping how values are constituted. There is an especially fascinating discussion of value as culturally defined in Richard Biernacki, *The Fabrication of Labor: Germany and Britain, 1640-1914* (Berkeley: University of California Press, 1995). Biernacki examines how cultural understandings influenced the constitution of labour in the transition from the feudal and corporate organization of work to a liberal commercial order in Europe. As factory systems took shape in nineteenth century Europe, contrasting techniques of manufacture emerged in similar economic settings as a result of the cultural premises structuring the producers' conduct. "Labor did not serve only as a tool of production; in each economy its symbolic calibration organized in a distinct fashion the experience of industrial work and the use of time and space in the production process"(2). More recently, this has been taken up in the postcolonial literature by Vinay Gidwani, *Capital Interrupted: Agrarian Development and the Politics of Work in India* (Minneapolis: University of Minnesota Press, 2008). Gidwani seeks to advance a genealogy of capitalism. Against a Hegelian view of capitalism as a self-enclosed totality, he seeks to show how it is contingently assembled through spatiotemporal encounters with labour. Development plays a central role here, to the extent that is not simply oriented towards the constitution of the necessary conditions for economic exploitation, but also seeks to transform moral conduct, channelling the errant matter of native subjects and their physical environments in desired ways.

²²⁷ Again, see the governmentality literature here. In particular, Rose and Miller, "Political Power beyond the state"; Rose, *Powers of Freedom*; Miller and Rose, *Governing the Present*.

The Pathologies of a Golden Era

By the mid-1960s, the state's role in setting and regulating the limits of the employment contract was being celebrated by a new generation of industrial relations specialists. This was reflected, for instance, in an ambitious article published in the *Canadian Bar Review* by prominent young law professor Harry Arthurs, who inaugurated a 'new era' of industrial citizenship. In the tradition of Henry Sumner Maine (1883), Arthurs characterized Canada's first century (from 1867 until 1967), as a turn from status to contract, as the labour force came to be administered through the impersonal machinery of the employment contract.²²⁸ In the second century, Arthurs argued, there would be a reverse movement from contract back to status. "Today," Arthurs notes, "the Canadian worker lives increasingly in a world of rights and duties created not by his individual contractual act, but by a process of public and private legislation".²²⁹ The regulation of employment was no longer left to the discretion of the individual contract; instead, it would be governed by a rational public policy which recognized how employees occupied a vulnerable status, caught up in relations of economic dependence and faced with exploitative working conditions that were beyond their power to negotiate or control. Indeed, the aim of labour legislation for Arthurs was to recognize and to alleviate the power imbalance between workers and employers, establishing a level playing field within which industrial disputes could productively play themselves out with minimal state interference.

²²⁸ H.W. Arthurs, "Developing Industrial Citizenship: A Challenge for Canada's Second Century," *Canadian Bar Review*. Arthurs would borrow implicitly here from the ideas of T.H. Marshall on social citizenship.

²²⁹ *Ibid.*, 786.

The 1960s are often portrayed as a high point in the emergence of a new regime of industrial legality in Canada.²³⁰ It was a period of state interventionism, in which labour was ‘decommodified,’ removed from the anarchic realm of the market and increasingly protected under the purview of impartial government boards and commissions. Recent studies have described this as a period of industrial pluralism in which collective bargaining freedoms were extended to the industrial working class, a system of minimum employment standards was adopted, and the discourse of human rights was increasingly taken up in seeking to alleviate discrimination and arbitrary dismissals targeting minority groups. According to Fudge and Tucker, industrial citizenship – comprised of freedom of association, the right to representation, and the rule of law –was the “crowning achievement” of this new legal order. Under a skilled cadre of judges, academics, labour lawyers, and industrial relations specialists standing as impartial experts on independent boards and commissions, this regime became so hegemonic that “everything before it came to be treated as prehistory”, relegated to the barbaric policies of a bygone period when the tyrannical power of the employer went unquestioned.²³¹

Certainly, this sense of finality is apparent in Arthurs’ inauguration of a ‘new century’. These kind of proclamations, demarcating a sharp break from the despotism of past practices, proudly marching into a new era, subordinating the sovereign dictates

²³⁰ The literature tends to portray this as a period of ‘industrial pluralism’. See especially Judy Fudge and Eric Tucker, *Labour Before the Law: The Regulation of Workers’ Collective Action in Canada, 1900-1948* (Don Mills: Oxford University Press). A similar perspective is taken up in: Bob Russell, *Back to Work? Labour, State and Industrial Relations in Canada* (Scarborough: Nelson, 1990); Peter S. McNis, *Harnessing Labour Confrontation: Shaping the Postwar Settlement in Canada, 1943-1950* (Toronto: University of Toronto Press, 2002); Bryan D. Palmer, “What’s Law Got to do with it? Historical Considerations on Class Struggle, Boundaries of Constraint and Capitalist Authority,” *Osgoode Hall Law Journal* (2003). It is also apparent in more general histories, such as Craig Heron, *The Canadian Labour Movement*.

²³¹ Fudge and Tucker, *Labour before the Law*, 305; 301-302.

of the law to the empirical facts of the budding social sciences in advancing a more civilized industrial democracy, reflect a self-congratulatory sensibility that became widespread in the early 1960s.²³² It was the high-water mark of high modernism – a period in which traditional power structures, built on parochialism and charismatic authority were challenged and ways of seeing were cultivated that privileged abstract, flat, and homogeneous administrative systems.²³³ The understanding was that the provision of social security, ensuring the health and safety of the social body, could be undertaken through the constitution of an ‘integrated and balanced system’ administered from above by impartial experts.

There is a temptation to take these pronouncements at face value in looking back to this time as a ‘golden era’ in which new rights and entitlements were rolled out that have now been usurped by a neoliberal state project. However, I think this is to misunderstand the institutional dynamics that were at work. Beyond simply highlighting how the workplace came to be *contained* under the jurisdiction of expert boards and commissions, it is also important to recognize the *proliferation* of new methods of accounting and enumeration through this time that facilitated standardization,

²³² T.H. Marshall’s inauguration of an era of social citizenship is perhaps the most notable example of this. However, there are indications that this reflected a broader sentiment that was popular at the time. In his biography of Supreme Court Justice Bora Laskin, Girard explains how these sentiments were taken up in a legal context. See Philip Girard, *Bora Laskin: Bringing Law to Life* (Toronto: University of Toronto Press, 2005). Murray and Giles highlight how this logic was taken up in the discipline of industrial relations, which adopted the view that the regulation of labour was entering a period of ‘maturity’. See Gregor Murray and Anthony Giles, “Toward a Historical Understanding of Industrial Relations Theory in Canada,” *Relations Industrielles / Industrial Relations* 43, no 4 (1988): 780-811.

²³³ The implications of high modernism have most notably been explored by David Harvey in *The Condition of Postmodernity* (Cambridge, MA: Blackwell, 1990). Harvey describes how, after 1945, a high modernist perspective became hegemonic. This entailed “a belief ‘in linear progress, absolute truths, and rational planning of ideal social orders’ under standardized conditions of knowledge production” (35). More recently, James C. Scott has described high modernism in *Seeing like a State* as “self-confidence about scientific and technological progress in order to satisfy human needs, the expansion of production, the growing satisfaction of human needs, mastery of nature, and the rational design of social order commensurate with the scientific understanding of natural laws” (4).

coordination and growing administrative centralization. As I showed in the last chapter, the emergence and rapid expansion of public sector unions across the province in the late 1950s and early 1960s fundamentally transformed the political and economic landscape, advancing bargaining methods that were increasingly coordinated between different sectors (municipalities, utilities, schools, hospitals) and between different regions, expanding from metropolitan centres to smaller communities. This, in part, provoked the establishment of increasingly coordinated and professionalized personnel relations strategies by the early 1960s, which aimed to achieve economy through integrated and balanced systems. Just as experts were seeking to enclose labour disputes within an objective framework through which the true value of services could be discovered, so also do we see the proliferation of information that fundamentally called into question the possibility that such objective standards could be achieved.

Now, in order to understand the limits of industrial pluralism through this period, I argue that it is necessary to move beyond identifying the key components of this regime of industrial legality – as a closed and coherent structure – to study the everyday practices through which arbitrators, politicians, bureaucrats, physicians, academics and rank-and-file workers struggled to assign value to care work. I explore what Curtis refers to as the concrete historical practices of “knowledge production and administration – the techniques, routines, rituals, and instruments – that sustain political claims to know something and that underpin capacities for practical intervention”.²³⁴ This involves going beyond the more structural dimensions of state regulation, to investigate a fractured multitude of regulatory practices that do not always cohere and

²³⁴ Bruce Curtis, “Surveying the Social: techniques, Practices, Power,” *Histoire Sociale / Social History*, 35, no 69 (2002): 83-108.

often clash as they are taken up for different purposes by a wide array of different actors.

In thinking through how value is assigned to work in the hospital sector, I draw from recent developments in economic sociology which turn away from structuralist approaches that aim to uncover regimes of value, and instead advance a more *performative* approach, seeking to shift attention to modalities of valuation, the specific techniques through which different regulatory actors assign value to things. This means rethinking the economy as a process rather than as a domain. As Caliskan and Callon note, “the economy is an achievement rather than a starting point or a pre-existing reality that can simply be revealed and acted upon”.²³⁵ In other words, rather than presuming that value resides as an *a priori* reality to be discovered, it is important to understand how values are skilfully assembled and applied in specific circumstances and in response to specific problems.

Drawing on governmentality studies, I look to the formation of particular rationalities that render value calculable and consequently actionable. As Rose argues, strategies of liberal governance are “enmeshed with regimes of truth concerning the objects, processes and persons governed,” which aim to impose codes of order and normalcy. This has been recently taken up in examining how different modes of calculation enable the ordering of economic life in different ways. For instance, Miller and Rose examine how the emergence of the national economy as an object of knowledge in the 1950s and 1960s was predicated on the creation of specific accounting practices. Through the development of systems of national accounting, they

²³⁵ “Economization, part 1,” 370.

argue, “a new relationship between thinking and doing was called for as a way of operationalizing the vocabulary of economic growth”.²³⁶ Through this time, we can also recognize how new methods of accounting and enumeration rendered the public sector intelligible as a distinctive domain. I highlight the centrality of interest arbitration here as a practice through which experts struggled to achieve an economy of service in the public sector.

I ground my analysis on an examination of four dimensions of the arbitration process. First, I examine the manner in which disputes are generated and brought under the purview of arbitration boards, which are tasked with the responsibility of assembling and evaluating evidence from both the union and the hospital board. Second, I examine how files are generated, bringing together heterogeneous materials, including government data, scientific research, and everyday anecdotes, in seeking to render value intelligible, facilitating specific kinds of intervention by political agencies. Third, I examine the movement of officials, employers and rank-and-file workers within and beyond these political agencies. Finally, I examine the legal reasoning that is adopted in discussions between union and government officials, employers, and rank-and-file workers.

The Generation of the Essential Services Dispute

By the mid-1960s, labour militancy in the public sector had become a central area of concern for different levels of government across Canada. Workers were

²³⁶ *Governing the Present*, 41.

threatening to walk out along critical nodes in an increasingly vulnerable infrastructural network. In seeking to ensure the continuation of services deemed essential for the public's health and safety, federal and provincial governments were experimenting with more restrictive labour legislation drawing from a growing cadre of industrial relations specialists in developing statutory language that could establish legitimate restrictions for those whose labour was considered necessary for the public's health and safety.²³⁷ The Ontario *Hospital Labour Disputes Arbitration Act* (HLDAA), adopted in 1965, would stand as an influential early model, prohibiting the right to strike for hospital workers across the province and submitting their disputes to *ad hoc* tripartite arbitration boards.

When the government's Labour Minister, Leslie Rowntree, justified the adoption of the HLDAA in the provincial legislature on the premise that "a strike in a hospital is unthinkable by its very nature," he was referring to the apparent hazards that such an action would pose to public health and safety. However, it was not simply a question of health and safety that drove the provincial government to restrict the right to strike. In fact, there was no clear evidence linking hospital strikes to a single illness or fatality in the province. The government commission that was struck in order to investigate the possibility of compulsory interest arbitration in the hospital sector had praised hospital workers for refraining from disruptive actions and taking measures to ensure that adequate care was provided in the event of a job action. In reflecting on the relative absence of strikes in the hospital sector over a twenty-year period, the Bennett

²³⁷ The emphasis on 'essential services' is evident, for instance, in the federal *Task Force on Labour Relations*, which was headed up by H.D. Woods in the late 1960s. It is especially apparent in Harry Arthurs' contribution, "Labour Disputes in Essential Industries," (Ottawa: Crown Copyrights, 1970). A central area of Arthurs' study was the 1965 Ontario *Hospital Labour Disputes Arbitration Act*. For a detailed survey of 'essential service' laws in Canada, see Bernard Adell, Michael Grant and Allen Ponak, *Strikes in Essential Services* (Queen's: Industrial Relations Centre, 2001).

Commission ultimately concluded that the right to strike should only be restricted in the event that there is clear evidence that patient care was being detrimentally affected.²³⁸

The deliberate decision by the provincial government to implement compulsory arbitration against the guidance of labour unions, employer organizations, and its own government commission shows that this was not just a matter of protecting public health and safety; it reflected the inherently problematic task of *assigning value* to the public's health and safety in the first place.²³⁹ Since 1943, the province of Ontario had entrenched Wagner-style laws that mandated compulsory collective bargaining, and established the right to strike for workers negotiating new contracts. Under this system, there was a tendency to frame unions as machinery in rationalizing the administration of the workplace. As I showed in the previous chapter, this contributed to the rapid expansion of unions across an increasingly networked infrastructural edifice connecting workers in city services, hydro, gas, roads, and school boards in establishing a broader public sector identity. Hospitals were not exempt from these organizing efforts. Failing to make their case that hospitals should be exempt from the new labour legislation, they faced a wave of unionization that built momentum through the late 1950s. By the early 1960s, unions were established in the hospitals of most major cities across the province, under the affiliation of the Canadian Union of Public Employees (CUPE), the

²³⁸ Province of Ontario. *Royal Commission Report on Compulsory Arbitration in Disputes Affecting Hospitals and their Employees* (1964).

²³⁹ For instance, the difficulties faced by modern governments in assigning value to health have been explored by Thomas Osborne in "Of health and statecraft," in *Foucault, Health and Medicine*, eds. Alan Petersen and Robin Bunton (London: Routledge, 1997). Osborne argues that modern health policy has been "dogged by indeterminacy." He argues that it has been impossible to institute a determinate "right" to health. This is because "health" is itself a moving target. Hence, each time government takes steps towards the target of 'health' the thing itself escapes over the horizon, leaving behind only technical problems and arguments over resources; the problem of the relationship between an infinite demand and a finite system.

Building and Service Employees International Union (BSEIU), and the International Union of Operating Engineers. As unionization drives spread across the hospital sector, collective bargaining and the strike weapon were increasingly advanced as methods for determining wage rates and working conditions for non-professional care workers, including dietary and housekeeping employees, orderlies, porters, aides, and unlicensed nursing assistants.

However, the process of collective bargaining was muddled by the provincial government's assumption of responsibility for funding hospitals. In 1959, the Ontario Hospital Service Commission (OHSC) was established with the aim of creating an 'integrated and balanced system' of health care and administering public hospital insurance across the province. Still, while the OHSC provided over 90 percent of the funding for hospitals, the commissioners refused to take a formal position in collective bargaining, preferring instead to reside as a 'ghost' at the bargaining table.²⁴⁰ This would lead to problems as unionization moved from the metropolitan centres to smaller cities, suburbs and towns. Just as smaller municipal corporations tended towards paternalism under the leadership of local notables and business leaders, so also were school and hospital boards in smaller communities often havens for local privilege. Consequently, they tended to be more obstinate in granting wage concessions or even recognizing unions under the provisions of the *Ontario Labour Relations Act*.

²⁴⁰ This is highlighted by Harry Arthurs in his precedent-setting arbitration report where he highlights "the ghostly presence at the bargaining table" of the Ontario Hospital Services Commission (OHSC). See *Re Building Service Employees, Local 204, and Welland County General Hospital*. in 16 LAC 1 (Toronto: Canada Law Book Company, 1966). For a more in-depth discussion of this term and its application in Ontario's hospital sector, see Allan Ian MacDonald, *Hospital Collective Bargaining in Ontario: The Political Function of Interest Arbitration*, Unpublished Masters Thesis (Ottawa: Carleton University, 1987).

However, as the provincial government provided the bulk of funding for such hospitals, it was implicated indirectly in the bargaining process. Thus, when hospital boards refused to accede to union demands, they would go to the provincial government for funds that would ensure the continued operations of the hospital during the strike. This put the provincial government in an awkward position in which they could either fund strike-breakers in order to keep the hospital operational, or cut off funding, compelling the board to accede to the union's demands. Hence, the provincial government faced the dilemma of governing at a distance, having failed to develop structures that kept it insulated from the bargaining process. In seeking to establish an objective basis for determining wage rates, it was necessary to develop mechanisms that "shape[d] the conduct of diverse actors without shattering their formally autonomous character" (Miller and Rose, 2008). This became a major problem as local hospital boards were subsumed under an increasingly integrated and balanced system that was administered and funded by an ostensibly independent government commission.

In this context, the pseudo-judicial model of compulsory interest arbitration provided a means of insulating the provincial government from the responsibility of assigning value to hospital workers. Under the *Hospital Labour Disputes Arbitration Act* (HLDAA), if the parties to the dispute were unable to reach a negotiated settlement, then the dispute would be referred to compulsory arbitration. In a typical case, notice would first be served by one of the parties to commence collective bargaining, which was followed by a series of meetings over several months in which the union and the hospital board would attempt to reach an agreement. If bargaining reached an impasse,

one of the parties would apply for conciliation, with a conciliation officer working to mediate the dispute (though the conciliation requirement could be withdrawn by the Minister of Labour). If there was still no agreement, a request could be filed by the union or the employer for arbitration, either by a single arbitrator or by an *ad hoc* tripartite arbitration board. Under a tripartite board, both the union and the employer would nominate a representative to serve as both advocate and judge. Unions generally brought someone in from the national office or made use of a labour consulting firm. Hospital boards drew on law firms and a growing cadre of experts taken from the Ontario Hospital Association (OHA). The nominees would select a chairman, often an academic trained in industrial relations or labour law, and, if there was no consensus on a chairman, then the Minister of Labour would select one.

The arbitration board would meet for several days, usually in a nearby hotel conference room. The union and the employer would appoint a representative to present evidence on their behalf, and both representatives would decide on a chair, who would serve as a judge in determining the proper allocation of value. Under the HLDAA, arbitrators were empowered to “examine into and decide on matters that are in dispute and any other matters that appear to the board necessary to be decided in order to conclude a collective agreement between the two parties”. The arbitration board was organized as a sort of court-of-law in which both parties would present briefs making their case, at which point an impartial chairman (in the 1960s, they were always men) and the two representatives would be responsible for making a decision. As I will show, the process of arbitration was substantially transformed through the growing research and organizing capacities of unions and hospital boards that were increasingly effective

at collecting evidence in building their cases. The character of arbitration was also reshaped by the shift from mediation by judges to adjudication by a new generation of academics who sought to establish a more stable and scientific grounds for arbitration by drawing on the principles of labour economics.

An Avalanche of Numbers

The determination of value by arbitration boards was based on the consideration of documentary, oral and 'real' (i.e. objects, exhibits) evidence. Both the union and the employer typically submitted typewritten briefs, drawing from a range of different sources, which framed their claims to value. While this work would be initially carried out directly by the parties themselves, by the mid- to late-1960s it would be increasingly contracted-out to law firms or industrial relations consultants, who drew from a growing range of sources in making their case. Over the years, the arbitration files tended to get thicker and more carefully indexed, often drawing on information from a variety of sources, including scientific journals, newspaper clippings, government documents, census reports, and the rulings of earlier arbitration boards.

Collecting information was initially problematic for both unions and hospital boards. As I showed in the last chapter, the *reach* of state and non-state agencies in accumulating, processing, and disseminating information was quite limited in the wake of the Second World War. Until the Ontario Labour Management Arbitration Commission was established in 1970, there was no central state institution that was charged with the collection of arbitration reports, so there was no clear archive that

could be drawn from in establishing precedent. With the exception of a small selection of key decisions compiled by a private publishing company (*Labour Arbitration Cases*), the arbitration board was largely dependent on data collected by the hospital boards and the unions themselves in rendering their decisions.

Throughout the 1960s, there would be a struggle to develop more centralized research and organizing capacities on the part of unions and hospital boards in buttressing their arguments. With its centralized sectoral structure, the Building Service Employees International Union (BSEIU) facilitated the close coordination of collective bargaining activities between unions, and the hospital boards complained through the mid- to late-1960s of their whipsawing tactics, which targeted the weakest employers first in setting strong bargaining patterns across the province. Likewise, under the direction of Gil Levine, the Canadian Union of Public Employees (CUPE) spearheaded innovative approaches to labour research that would later be emulated by other unions.²⁴¹ Bargaining demands would be consolidated under model agreements, developed in the early 1960s, and later the Standard Agreement, which provided a benchmark against which collective agreements could be measured for each provision in a particular industry in a region. This would be later augmented by the computerization of data in the early 1970s, with the development of the System for the Analysis of Labour Agreement Data (SALAD system), which coded and produced reports that compared wages and key contract rights. In addition, the organization of regular conferences between unions on both a regional and sectoral level provided a

²⁴¹ Jane Stinson discusses Levine's innovative research methods in "A Tribute to Gilbert Levine: His Pioneering Role in Labour Research," *Labour / Le Travail*, 67 (2011): 173-187.

basis for information sharing. For instance, beginning in the late-1960s hospital locals in the Metro Toronto area would meet on a regular basis in coordinating their activities.

While the unions had moved towards the formation of standard bargaining language by the mid- to late-1960s, there was considerable resistance to the development of common forms of measurement and calculation on the side of the employer. Since the boards only consented to the creation of a system of public insurance on the condition that they be given autonomy in administration, any direct involvement by the Ontario Hospital Services Commission in the process of collective bargaining was seen as political interference. As late as 1968, the OHSC's Finance Commissioner articulated the dilemma that the OHSC faced: "Hospitals cannot be pushed by an authority into doing things," he argued, "The Commission cannot act like a Treasury Board. It must have more information".²⁴² In the meeting minutes of the Ontario Hospital Services Commission, the problem of a lack of information is persistently raised as a factor that inhibited control of costs. Throughout the 1960s there was a lack of standard budgetary protocol for hospital boards, leaving the Commission to decide on funding through a painstaking line-by-line assessment of each hospital's budget.

This was only partially rectified with the creation of the Hospital Personnel Relations Bureau, established in 1965 in order to compile data and assist hospital boards in collective bargaining. However, membership in the Bureau was voluntary, and, in many hospitals, local autonomy was jealously guarded. As late as 1973, Peter

²⁴² RG10-222-0-188. Archives of Ontario. Ontario Ministry of Health fonds. July 25, 1968; Abstract of an interview with E.P. McGavin, Commissioner of Finance.

Grady noted in his regular column in the trade journal *Hospital Administration in Canada* that there is little cooperation between the Ontario Hospital Association, the Hospital Personnel Relations Bureau and individual hospitals. He noted, “This lack of cohesion has led to a situation whereby some hospitals seem to operate in a vacuum with respect to what the rest of the province is doing in labour relations settlements and decisions.”²⁴³ While other provinces had moved toward regional or province-wide bargaining, Ontario did not even have a set of standard classifications for employees in the hospital field.

In the absence of a standardized system of classifications, the work of arbitrating disputes in the hospital sector proved to be quite difficult. Arbitrators could not simply rely on information collected by the two parties. In fact, they often described the material provided by parties as biased and in need of qualification. In rendering their decisions, they would seek to cobble together the ‘true’ value of services through appealing to a wide range of data, including information provided by expert witnesses, civil society organizations, and the Dominion Census Bureau. Nevertheless, in spite of efforts to establish an undistorted conception of value, the arbitrated settlements often remained quite contentious with no clear rationale for why specific decisions were made.

²⁴³ P.E. Grady, “The Labour Relations Quagmire in Ontario,” *Hospital Administration in Canada* 15 (1973): 73-74.

Consolidating a Discipline, Creating Officials

With the rapidly growing number of collective agreements in the wake of the Second World War, the capacity to adjudicate labour disputes, which had previously been undertaken by Supreme, County and District Court judges, was increasingly stretched to the limit. As the volume of cases continued to increase, the ranks of suitable chairmen were augmented by the appointment of professors from law schools and industrial relations departments of local universities. By the mid-1960s, there was a shift to a new generation of young arbitrators, often drawing their expertise from the academy rather than the courts. This changing-of-the-guard was formally recognized in 1967, when county court judges were officially barred from hearing arbitration cases by the provincial government (under the *Judges Act*). Increasingly throughout the 1950s and 1960s the arbitration process was undertaken under the guidance of academics and industrial relations experts. As McConnell (1970) observed, “the ivory tower has become the control tower of navigation in this area”.²⁴⁴ The shifting composition of the pool of arbitrators, Winkler notes, “changed the tenor of both the hearings and the decisions to a more academic discourse”.²⁴⁵

Until the establishment of the Ontario Labour Management Arbitration Commission in 1970, there were no established guidelines to which arbitrators were required to adhere. The selection of an arbitrator was determined by mutual acceptability, and arbitrators were usually selected who were known and trusted to some degree by both parties. But there were complaints that the limited numbers could

²⁴⁴ M. McConnell, “Wage standards used in Hospital Disputes under the Hospital Labour Disputes Act (1965),” *Western Ontario Law Review* 9 (1970), 137.

²⁴⁵ Winkler, Warren. 2011. “Arbitration as a Cornerstone of Industrial Justice,” <http://www.ontariocourts.ca/coa/en/ps/speeches/2011-arbitration-cornerstone-industrial-justice.htm>

not handle the amount of work satisfactorily. By the mid-1960s, “[c]apable chairmen, mostly working on a part time basis, were in such demand that all their available time was booked for three or four months ahead”.²⁴⁶ As such, there was a perceived need to train ‘scholars, leaders and technicians of labour relations’ in the new framework.

In this context, academic institutions played a leading role in training a growing cadre of arbitrators who would be recruited from the emerging disciplines of industrial relations, economics, and labour law. Through the 1950s and 1960s, these disciplines became hegemonic in framing an impartial and objective field of value through which labour disputes were presumed to take place. Of course, this was not a foregone conclusion; rather it was the result of a long process of network building through which these disciplines came to be solidified during the 1940s and 1950s.

While a distinctive tradition of Canadian political economy had modulated its acceptance in academic circles, the rise of industrial pluralism was closely connected to the institutional economics and legal realism that had emerged in the United States in the early part of the twentieth century. Many industrial relations specialists would be trained in American schools, including the University of Wisconsin and Cornell. And a close relationship had been established between the University of Toronto and Harvard University, going back to the days of Mackenzie King. Early progenitors of industrial pluralism, including Bora Laskin and Jacob Finkelman, had attended Harvard Law School, taking up the tradition of legal realism and sociological positivism that had been preached by Roscoe Pound. Against a rigid adherence to the letter of the law, this approach sought to infuse adjudication “with a spirit of social understanding,” making

²⁴⁶ *Ibid.*

decisions in line with “the current mores of the community”.²⁴⁷ These ideas would find fertile ground at the University of Toronto and Osgoode Hall throughout the 1950s and 1960s, where a younger generation of scholars would combine sociological jurisprudence with the systems thinking of industrial relations theorists like John Dunlop and Clark Kerr.²⁴⁸ In effect, the aim was to create a master science through which industrial disputes could be reinterpreted and productively processed.

Through this time, industrial relations would rapidly grow as a core discipline promoted by universities across the country. While it had become visible as a distinctive field as early as 1937, when Queen’s University would create the first industrial relations program, the discipline would only really gain traction in the 1940s, when there was an explosion of industrial relations research and industrial relations courses became a regular feature in curricula in many universities across Canada. Increasingly, industrial relations experts networked together. Coming from Laval University, where an industrial relations department was established in 1943, the first Canadian industrial relations journal was established and a series of industrial relations conferences were organized beginning in 1946.

²⁴⁷ See Bora Laskin, “The Labour Injunction in Canada: A Caveat,” *Canadian Bar Review* 15, no 4 (1937), 283; Bora Laskin, “Case and Comment,” *Canadian Bar Review* 15, no 5 (1937), 817. For a fuller discussion of Laskin’s contributions to Canadian labour law, see David Beatty and Brian Langille, “Bora Laskin and Labour Law: From Vision to Legacy,” *University of Toronto Law Journal* 35, no 4 (1985): 672-727. See also Philip Girard, *Bora Laskin: Bringing Law to Life* (Toronto: University of Toronto Press, 2005).

²⁴⁸ Most notably, it is important to consider the influence of John Dunlop, *Industrial Relations Systems* (New York: Henry Holt, 1958). Additionally, it is important to consider Clark Kerr, *Industrialism and Industrial Man* (London: Heinemann, 1960). The influence of these texts in shaping a broader systems-building approach in industrial relations is discussed in Paul J. McNulty, *The Origins and Development of Labour Economics* (Cambridge, MA: MIT Press, 1980); Bruce E. Kaufman, *The Origins and Evolution of the Field of Industrial Relations in the United States* (Ithaca: ILR Press, 1993). Very little has been written on the influence of these ideas in a Canadian context since the publication of the short article by Murray and Giles, “Toward an Historical Understanding of Industrial Relations Theory in Canada”.

As a part of its discipline-building ambitions, there was a concerted effort through this period to reorient industrial relations from problem-solving, based on developing *ad hoc* solutions to historically specific problems, to system-building in which labour disputes could be subjected to the standardized methods of a universal science. The attempt to establish an objective field for adjudicating disputes was disseminated through the growing discipline, which adopted more scientific pretensions in the 1940s and 1950s. While many scholars continued to identify with the careful historical research of the institutional school, there was a real disdain for the partial, low modernist approach to problem-solving.²⁴⁹ Throughout this period we see the growing influence of a new generation of labour economists who would criticize neoclassical economics for its abstractness and lack of grounding, but increasingly drew on standard techniques of neoclassical economic theory in order to explain labour issues.²⁵⁰

During the 1950s and 1960s, functionalist sociology and neoclassical methods were imported into industrial relations by American academics such as Dunlop, Kerr, Reynolds and Lester. Dunlop's (1958) *Industrial Relations Systems* attempted to provide a general theory of industrial relations. This systematic approach would be taken up in Canada by industrial relations specialists like H.D. "Buzz" Woods (1962), who attempted to tie a general systems approach to labour policy through formulating an institutional framework through which unequal power relations could be assuaged in impartially determining the value of labour.²⁵¹ As Murray and Giles note, throughout this period "the concept of 'class' relations gradually disappeared from the lexicon of

²⁴⁹ This can be contrasted to earlier approaches to industrial relations. See Jessica Wang, "Local Knowledge, State Power, and the Science of Industrial Labour Relations: William Leiserson, David Saposs, and American Labor Economics in the Interwar Years," *Journal of the History of the Behavioural Sciences* 46, no 4 (2010): 371-393.

²⁵⁰ This is highlighted by David A. Spencer in *The Political Economy of Work* (New York: Routledge, 2009).

²⁵¹ *Labour Policy and Labour Economics in Canada* (Toronto: MacMillan, 1962).

industrial relations, and was replaced by the notion of competing groups”.²⁵² The notion of social hierarchy rooted in production relations was excised from industrial relations, opening the door for a liberal pluralist vision of industrial relations as a three-cornered process of competitive accommodation among unions, management and government.

As I mentioned in the last chapter, in the 1950s and 1960s different levels of government increasingly appealed to such experts in conceptualizing a system through which an economy of services could be established in the public sector. The problem was in establishing a method of governing at a distance, ensuring that the bargaining process would not be marred by partial political alliances and an ‘undistorted’ value could be arrived at. In this context, the rise of interest arbitration in the mid-1960s was a central object of debate. What was the role of the arbitrator in deciding on the value of service? By what method could disputes be impartially settled? During this time, it was not enough to leave the process to the discretion of a local notable or county judge. It was necessary to establish an industrial jurisprudence that could account for the growing complexity of society and the increasing significance of public interest disputes. However, exactly how such a new science of arbitration could be developed remained unclear.

In a central contribution to the debate, Weiler noted in 1969 that there were two distinctive ways of viewing the arbitrator’s role.²⁵³ On the one hand, there is the lawyer-judge, who “brings ‘legalist’ tools to bear on the interpretation of the collective agreement”. The lawyer-judge seeks to base his decision on a close reading of the

²⁵² “Towards a Historical Understanding of Industrial Relations Theory in Canada,” 793.

²⁵³ Paul Weiler, “The Role of the Labour Arbitrator: Alternative Visions,” *University of Toronto Law Journal* 19, no 1 (1969), 16.

collective agreement. On the other hand, there is the labour relations physician who bases his decision on non-legal criteria in the interests of maintaining peaceful, uninterrupted and fair industrial enterprise. The prevailing view at the time was that of the physician. Under the *Polymer* decision in 1958, Bora Laskin spearheaded the view that the arbitrator “should be an innovator or creator of labour relations law and in making decisions”.²⁵⁴ The problem was that such an approach raised fundamental questions about the limits of the arbitrator’s power. The question became particularly pronounced as the decisions of arbitrators moved beyond the purview of private parties and the arbitrator came to serve as a representative of the public interest. In this context, Weiler claimed that it was necessary to carefully delimit the role of the arbitrator, arguing that his role should be restricted to adjudication. He should seek to keep as close as possible to the bounded language of the collective agreement, and refrain from serving as a policy-maker. However, with the rise of interest arbitration in the mid- to late-1960s, there could be no agreement to which the process could be referred. In this context, there was a real struggle to subsume arbitrated decisions under an objective field of comparisons that could provide some economic foundation that could ground decisions.

While the field of industrial relations was increasingly professionalized under the aegis of systems building, it is important to recognize how its reach was limited through

²⁵⁴ Archives of Ontario. RG 7-37-3. Ontario Ministry of Labour. D.W. Rose, Counsel and Registrar of Ontario Labour-Management Arbitration Commission. Address to the Labour Relations Workshop, 1970, of the Association of Municipal electrical Utilities, October 18, 1970.

this period, especially in the context of arbitration which continued to be a domain for experienced amateurs. Through this period, there was no single criterion that was appealed to uniformly in arbitrated settlements, nor was there a central archive through which objective data could be generated and compared. Attempts to establish the hospital sector as a closed system within which values could be determined were undermined by their fractured administrative structure, which remained tainted by the *ad hoc* interventions of the provincial government.

Towards a Hegemonic Conception of Value

Under the *Hospital Labour Disputes Arbitration Act* (HLDAA), arbitrators were given no criteria with which to decide cases; “they were free, and forced, to develop their own”.²⁵⁵ Influenced by the systems-building ideas that prevailed in industrial relations and the growing quantity of data that facilitated detailed comparisons within and between economic sectors, there was a real effort during this time to establish an industrial jurisprudence which would enable a solid foundation for making consistent and uniform decisions in assigning value. Increasingly, labour disputes were not settled through simple adjustment, seeking to find an agreement that was acceptable to both parties; rather, there was a concerted effort by arbitrators trained in industrial relations to develop a systematic and scientific approach in adjudicating disputes. The aim was to develop a formula that could be uniformly applied in reaching a decision in different disputes. This is reflected in the Welland County Hospital (1965) decision, for instance,

²⁵⁵ Macdonald, *Hospital Collective Bargaining in Ontario*, 15.

in which law professor Harry Arthurs attempted to set down universal guidelines in determining value in the hospital sector, establishing a precedent that would be widely taken up in arbitration decisions throughout the mid- to late-1960s.²⁵⁶

In this decision, Arthurs turned away from approaches to arbitration that were based on adjustment, favouring a principled approach that was based on adjudication. Hence, he attempted to provide an industrial jurisprudence, defining objective' criteria for settlement of wages that could be applied across the sector. For Arthurs, the aim was to establish a basis for deciding on value that was separated from the ideological obfuscations of justice and rooted in the material realities of the laws of supply and demand. Essentially, the practice of arbitration was fixed to a hegemonic conception of the economy and how it functions. The aim of arbitration, as Arthurs noted, was to derive legal conclusions based on economic facts. In seeking to establish standards of compulsory arbitration in the hospital sector, Arthurs argued, "One scans the Hospital Labour Disputes Arbitration Act in vain for any indication that 'justice' is to replace the law of supply and demand as the pricing mechanism for hospital wages".²⁵⁷ It should be noted that the Act makes no mention of the law of supply and demand. In fact, it provides no criteria whatsoever by which arbitrators should make their decisions. The 'economy' is simply taken for granted as a determinant object by Arthurs, while justice remains an ephemeral concern, a superstructure that obfuscates the real value of things. Rather than basing arbitration on moral concepts, Arthurs argues that modern collective bargaining is undertaken through the sheer force of economic power. He

²⁵⁶ *Re Building Service Employees, Local 204, and Welland County General Hospital*. 1966. 16 LAC (1st). (OLRB).

²⁵⁷ *Ibid.*, 139.

argued, “arbitration is made to substitute for the strike and should therefore likewise be considered an exercise in discovering labour market realities”. From this perspective, the task of the arbitrator is to simulate this economic landscape, virtually re-enacting the strike in order to determine the probable outcome and distributing wages accordingly.

Value is determined through abstracting from the local context, departing from the conditions of specific hospitals, in order to recognize the position of the hospital in a wider system. It is assigned as a relational object defined through comparisons with other hospitals. The source of value is not derived from the substance of labour itself. Arbitrators did not attribute value to hospital work based on the number of meals prepared or the number of linen sheets that were cleaned. There isn’t even any reference to the gold standard of hospital measurement, the costs of wages per patient day, in most arbitration reports. While the briefs presented by both unions and employers emphasize more substantive issues, Arthurs and other arbitrators attempted to abstract from substantive issues in seeking to locate value in a wider field of comparisons. To some extent, it appears as irrelevant what the workers are doing. All that matters is that they can enter into a closed system with other workers in comparable institutions.

In aiming to establish grounds for determining value, Arthurs established a whole hierarchy of criteria, ranging from cost-of-living to difficulties in retaining staff and abstract appeals to justice. However, the most significant measure was in looking at wages in comparable hospitals whose contracts were not settled by arbitration. From 1965 to 1968, it appears that many arbitration boards adopted this framework as the

basis for their decisions.²⁵⁸ Consequently, arbitration decisions largely hinged on the struggle to define what was a comparable hospital. In determining a comparable hospital, arbitrators would look to the size of the hospital and the kind of community in which it was situated, with those working for large hospitals in urban centres typically earning more. The lower earnings of workers in smaller communities were often justified on the assumption that there was a lower cost of living and higher quality of life. Pastoral visions contributed to a romanticized sense of the rural hospital. For instance, one arbitrator justified his decision to dole out lower wages to rural hospital workers by arguing “a segment of our population apparently prefers to live in a smaller place rather than the busy city and are willing to accept somewhat smaller wages in exchange for what they believe is a more relaxed and pleasant life”.²⁵⁹

The benchmark set by Arthurs in 1965 would be a central reference point to which both unions and hospitals would appeal in drafting their reports over the following three years. Hence, many hospital boards would take up the language of closed systems in their reports, justifying their claims to keep down costs through appealing to the low wages paid out to workers in comparable hospitals. They rejected any claims to comparison that went outside the hospital sector, arguing that the hospital possessed norms that depart from those of general industry. It was the nature of the hospital that necessitated certain patterns of work. Value, it was argued, should not be determined by looking at the work itself. It was not a matter of analysing how many bed-sheets were being folded or meals prepared in the cafeteria; value was derived from the

²⁵⁸ The extent to which any comprehensive rationale was adopted is unclear as the criteria informing decisions often remained implicit. However, a government commission would later conclude that Arthurs’ criteria were taken up in many cases as the model (Ontario, 1974).

²⁵⁹ Cited in McConnell, “Wage Standards used in Hospital Disputes under the Hospital Labour Disputes Act (1965),” 143.

position of labour in a wider system. Value was derived through comparisons between 'similar' hospitals.

On this basis, the primary source of information that the hospital boards drew from was data taken from the Hospital Personnel Relations Bureau, which simplistically depicted the sector through flat tables demarcating the size and location of the hospital. Their briefs are often quite short, including a series of rebuffs to union demands based on the argument that such concessions have not been granted by other employers in the sector. In general, the information provided by hospital boards was quite limited. As I mentioned above, the HPRB was based on information voluntarily conceded by hospital boards. This information remained spotty, uneven and self-selective even in the early 1970s. In fact, it was later speculated that many hospital personnel officers were reluctant to contribute information from their hospitals, to the extent that it would undercut their power, rendering them redundant in hospital negotiations.²⁶⁰

The hospital boards were first and foremost concerned with avoiding comparisons with other industries. Standards of employment taken from industry – such as a five-day, forty-hour week, advance scheduling of shifts, and fringe benefits – were rejected. The hospital sector was distinctive, the boards argued, to the extent that it *normally* operates twenty-four hours a day, seven days a week. The language of the briefs refers to the “inherent needs of a hospital operation”. It is “essential to have adequate staff”. Given its emergency function, certain circumstances may necessitate changes, meaning that there can be no rigid rules surrounding working conditions. There can be no advance scheduling. While the manufacturing sector, as a distinctive

²⁶⁰ P.E. Grady, “The Labour Relations Quagmire in Ontario,” *Hospital Administration in Canada* 15 (1973): 73-74.

section of the economy, is rendered productive and functional through the forty hour week, this is not necessarily the case in hospitals which have distinctive needs and that can only be rendered productive through different kinds of criteria. Moreover, it is argued that hospitals had a right to demand special duties from their workers; it was understood to be a condition of employment when workers chose to enter this field.

Bringing Justice Back In

Despite efforts to expunge questions of justice as much as possible from arbitration decisions, by the late 1960s it had become evident that it was not so easy to close off the hospital sector from a wider system of comparisons. In fact, union delegates refused to accept the notion that an objective conception of value could be arrived at simply through comparing the wages at different hospitals. Drawing data from a wide array of sources – including academic journals, government reports and social planning documents – they pursued a strategy of rupture, exposing the self-referential categories that were deployed in rendering decisions, challenging the apparent distance that had been established between local boards and the OHSC, and making a case for value based on health, well-being and the cost of living.

While the rise of wildcat strikes in public hospitals in the early 1970s certainly created the impetus for a reconsideration of the value of hospital work, there were also epistemological dilemmas that arbitrators would be compelled to confront that were internal to the system that they had devised. In fact, the inherent limits of a systems approach to valuation were noted from the very beginning. In his decision at the

Welland County Hospital, Arthurs noted that there is a danger that basing arbitration awards on settlements negotiated at other hospitals would become “increasingly artificial after all hospital wages have been determined one or more times by compulsory arbitration”. Weiler would later note in a 1969 decision: “after a time the arbitration decisions themselves becomes a major factor determining the kinds of settlements which be agreed to... The level of private agreement will tend to reflect the trends in the awards. If this is the case, one completes the vicious circle if the awards are themselves justified by patterns of wages arrived at by settlement”.²⁶¹ In other words, the inherent limits of valuating the hospital sector as a closed system created epistemological obstacles that were internal to the structure of the discourse itself. In the absence of an impartial outside to which value could be referred, arbitrators increasingly confronted the problem of achieving neutrality in the settlement process.

By the late 1960s, unions were often able to challenge the established jurisprudence through skilfully appealing to moral criteria and drawing comparisons with a wide array of different industries. Rather than drawing from an emergent industrial relations discourse that focused on systems-building, they would often draw expertise from long-time labour activists who were unapologetically partial in their briefs. For instance, Bill Walsh, a former Communist and United Electrical (UE) staffer, who had become a popular choice in representing unions in arbitration through the 1960s and 1970s was unabashedly partial: “A lot of union nominees held to the view that they were there in a judicial role and therefore should be neutral. They took a hands-off approach. For Bill, there could be no neutrality for a union nominee. He was there to represent the

²⁶¹ *Re Building Service Employees, Local 204 and Peel Memorial Hospital*. 1970. 20 LAC (1st). (OLRB), 11.

union. Neutrality was a sham”.²⁶² In fact, the briefs presented by unions were often unapologetically moral in tone, troubling established boundaries of comparison that were used by arbitration boards to frame the value of hospital work.

The skilful use of research by unions was reflected in the changing tone of arbitrated settlements. For instance, in a landmark 1969 decision, which was upheld following an appeal at the Ontario Superior Court, the arbitrator came to accept union appeals to justice in advancing his award:

While in 1965, a levelling up of wages of hospital employees appeared ‘unfounded upon any data measurable in adjudication’. Today, before arbitrators, hospital units of the public service union manifest their involvement in trade union militancy by strong invidious comparisons of hospital wages and other benefits with those received by non-hospital employees (and particularly persons employed directly by government), as the top of the range, and with poverty levels established by the Economic Council of Canada and levels of municipal welfare payments, at the bottom of the range. With these examples before them, the unions now urge that their pleas for labour ‘justice’ are not ‘abstract’ but are concretely founded on measureable data.²⁶³

By 1969, the pretensions of arbitrators to objectivity were collapsing, as unions had effectively operationalized their appeals to justice, consolidating vehicles for research that could effectively outmanoeuvre the local level administrators. Consequently, justice became a concrete, rather than abstract, unit of measure that could be taken up in rendering impartial decisions.

It should not be presumed that such identities pre-existed the process of arbitration, as if the experiences of hospital workers were transparently expressed

²⁶² Cited in Cy Gonick, *A Very Red Life: The Story of Bill Walsh* (St. John’s, Nfld: Canadian Committee on Labour History, 2001), 255.

²⁶³ *Re Canadian Union of Public Employees, Local 576, and Trustees of Ottawa Civic Hospital*. 1969. (OLRB), 149.

before the arbitration boards. The law does not exist as part of an 'expressive totality,' a simple expression of underlying class relations; rather the manner in which economy was taken up and defined in arbitrated settlements demonstrates how class relations are actively constructed through the legal process itself. In fact, it was through connecting and disconnecting "different areas, regions, identities, functions and capacities existing in the configuration of a given experience" that union nominees were capable of advancing hospital workers as impoverished even by the minimal standards of social security on the one hand, and as part of a broader 'public sector' identity on the other.²⁶⁴

In their reports, union nominees actively exposed the self-referentiality of closed systems as a means of assigning value, and consequently challenged the underlying premises of industrial pluralism, which regarded unions and employers as independent and equivalent actors functioning in a broader decontextualized field of comparisons. There was no Archimedean standpoint from which labour relations in the hospital sector could be viewed. There could be no speculative standpoint that would predict the outcome of collective bargaining as *if* there was a right to strike. There was no outside or impartial space of evaluation. There was only the cramped physical space of the hospital within which the bodies of hospital workers were exposed to intensifying discipline, and subjected to 'abnormal' and profoundly 'unhealthy' hours of work. The wide array of sources that unions drew from is notable. Through their growing research departments they were able to collect and compile information from news clippings, government reports, academic journals, and various social planning agencies. Drawing

²⁶⁴ Jacques Ranciere, *Disagreement* (Minneapolis: University of Minnesota Press, 1999), 40.

from industrial psychology, it was argued that working abnormal hours in the hospital contributed to poor diet, irregular sleeping, and disconnection from family and friends. From this perspective, union delegates advanced a substantive view of value. This argument was unabashedly moral in tone, advancing an argument that justice must be done. Rather than presuming that there were different norms that should apply to different industries, it was argued that the proper basis for comparisons was the general economy. Moreover, it was argued that the norms for employment should be determined based on what is healthy for the worker. If hospital work departs from these norms, then hospital workers should be compensated.

Such appraisals of hospital work on the basis of justice were fed by an increasing militancy on the part of the rank-and-file through the late 1960s and early 1970s. The illegal strikes of this period are often portrayed as wildcats – spontaneous and deeply anti-bureaucratic, challenging the complacency of the union leadership – but the struggles of workers in the hospital sector are notable to the extent that they fused together a commitment to illegal action with the development of coordinated bargaining and research capacities. For instance, the advancement of a Toronto catch-up campaign in 1973 explicitly linked together a commitment to illegal strikes across 12 Toronto-area hospitals with appeals for justice in the arbitration process and a concerted public relations campaign that sought to expose the substandard conditions of hospital workers. The union gave notice of its intent to strike well in advance and, even though it threatened illegal action, it would gain widespread support from the major newspapers, Toronto city councillors, and civil society organizations. For instance, the *Globe and Mail* excused the militancy of the Toronto hospital workers, claiming that this

was not so much an illegal strike as “an effort to get the provincial Government and the hospitals to pay some serious attention to the very real frustrations and inequities the hospital workers face”. The Toronto hospital workers would effectively double their wages through this struggle; and through the arbitration process, these wages would be rolled out to hospital workers and workers in other sectors all across the province. In this context, the provincial government’s apparent distance from the case very quickly broke down.

Inflated Identities

The economic crisis of the early 1970s is often attributed, in part, to rapidly growing inflation, with the Consumer Price Index for Canada jumping by between 10 to 12 percent annually from 1974 to 1976. However, this inflationary crisis did not just express the volatility of the world market. It reflected the breakdown of the arbitration system as an accepted method of enforcing an economy of service and presaged the decline of industrial relations as a hegemonic discourse in addressing labour disputes more broadly. In the face of the rapidly rising cost of living, the appeal to the laws of supply and demand in providing a stable basis for the determination of value increasingly rang hollow. As negotiated settlements became less likely in the face of rigid wage guidelines imposed from above and as power was increasingly concentrated under the Ministry of Health, there was a growing strain on the limited pool of qualified arbitrators. In the absence of established criteria for determining value, there was a sort of inflation of the arbitration process as more and more time and energy was put into it.

This is reflected in the generation of disputes, the composition of reports, the movement of officials, and in the changing rationale for decisions rendered by arbitrators.

A 1970 report of the Hospital Personnel Relations Bureau notes that “[m]any recent Awards of Arbitration Boards have created an ever-increasing spiral in wages and benefits”.²⁶⁵ This made it more difficult to arrive at negotiated settlements and led labour cases to a growing reliance on arbitration “both because of recent Union successes through the avenues of arbitration and the difficulty in obtaining ratification by the membership of negotiated settlements”.²⁶⁶ The increasing demand for arbitration was further exacerbated by a severe shortage of experienced chairmen, necessitating greater use of inexperienced persons from varying disciplines. “Consequently, such chairmen with a wide range of philosophical and social approaches to salary and fringe benefit determination have reached decisions setting a wide range of salary rates based on contradictory and inconsistent principles”.²⁶⁷ In confronting the intransigence of the provincial government, the rapidly growing demand for arbitration services, and the growing expertise of the workers and hospitals, the arbitration process was pulled apart at the seams, increasingly losing coherence, failing to provide an ‘impartial’ method through which value could be assigned.

Through the growing expertise of unions and hospital boards the amount of evidence collected for the arbitration process increased significantly through the late 1960s and early 1970s. As the proliferation of data had destabilized the criteria for

²⁶⁵ Archives of Ontario. RG 10-222-0-297. Ontario Personnel Relations Bureau fonds. 21 May 1970. “Critique as to Major Considerations in Current Bargaining Procedures under the Hospital Labour Arbitration Act and Outline of Alternate Remedies”.

²⁶⁶ *Ibid.*

²⁶⁷ *Ibid.*

reaching decisions, it became more difficult to apply a comparative formula in assigning value. We see the proliferation of different lines of measurement. The expertise of arbitrators was called into question. Moreover, the quality of data available was raised as a concern. By the late 1960s, both employers and workers were complaining about the significant amount of time that it took to reach an arbitrated settlement – upwards of nine months on average.

In confronting the rapidly rising costs of health care throughout the late 1960s and early 1970s, the provincial government would increasingly intervene, doing away with the OHSC and putting authority directly in the hands of the Ministry of Health, which would impose increasingly sophisticated budget guidelines with the aim of controlling costs. This would lead to the breakdown of bargaining relationships, as labour disputes were increasingly taken to the arbitration process. With growing demand for the services of a limited supply of skilled arbitrators, the process would be increasingly delayed through the early 1970s, taking an average of nine months to come to a decision. This became especially significant in a context of rising inflation, as a decision that appeared to be relatively generous in early 1974 would appear to be quite conservative nine months later. Hence, even greater pressure was placed on the arbitration system, as the unions would push for frequent collective bargaining with the aim of keeping up.

In fact, the inflation of the process was not only notable at the level of arbitration, but in the day-to-day management of the workforce. For instance, an article penned by an anonymous personnel relations officer in *Hospital Administration in Canada* warned of the growing time consumed by hospital management in handling grievances on the

shop floor. “As unions become more active, to protect their membership, the personnel department’s job becomes bigger, more demanding. Department supervision is under more strain and life becomes increasingly more frustrating”.²⁶⁸ Far from the pursuit of a transparent and functional managerial environment, this is described as a deliberate tactic of escalation utilized by the union with the aim of increasing its control over the workplace. The personnel officer warns that any grievances should be nipped at the bud before they grow to consume more and more of the Personnel Departments time.

By the mid-1970s, industrial relations specialists increasingly complained about the haphazard practices of state officials who ignored the established channels in order to advance expedient solutions. The concern was that political leaders had come to privilege the *public mood* over *public interests*, it was argued, as governments impulsively acquiesced to public outrage, ignoring the more sensible advice of industrial relation experts.²⁶⁹ With the fear of drawing a backlash from the public, it was a dangerous temptation for politicians to take the easy way out and deny the right to strike to public sector workers altogether.

In fact, such sentiments reflect the declining hegemony of industrial relations as a science that was deemed to be capable of providing a technical solution to the problem of determining value in the public sector. As political leaders targeted arbitrators for contributing to a vicious cycle of wage inflation, assigning wage increases to workers on the basis of dignity and justice, rather than on the basis of economy, they would be

²⁶⁸ Anonymous. 1973. “Living with a Militant Union,” *Hospital Administration in Canada*, 15: 58.

²⁶⁹ Robert E. Clarke, “Commentary,” in *The Problem of ‘Essential Services’: Inconvenience, Importance, or Emergency*, ed. Alexander C. Pathy (Montreal: McGill University Industrial Relations Centre, 1980), 30.

increasingly cut out of the process as governments move to directly legislate wage restraint by the mid-1970s.

Conclusion

In this chapter, I challenge the prevailing narrative which views the 1950s and 1960s as an era of industrial citizenship -- a time when freedom of association, the right of representation, and the rule of law were taken up in the regulation of employment. Beyond highlighting the emergence of a juridical regime centred on the rights of workers, I argue that industrial relations specialists were equally concerned during this time with questions of economy – developing methods through which the true value of labour could be determined without resorting to direct state intervention. This problem was especially pronounced in the public sector, as workers in municipalities, utilities, schools and hospitals increasingly coordinated together in effectively making demands for improved wages and working conditions. In this context, I have highlighted the rise of interest arbitration through the mid-1960s as a method through which such matters could be impartially settled.

Rather than viewing interest arbitration as part of a closed regime, I explore how it was part of a complex institutional dynamic that was constantly opening onto new problems and contradictions. This led to the proliferation of lines of comparison as unions and hospital boards were provoked to develop increasingly sophisticated practices in the classification and enumeration of care work. In seeking to achieve some modicum of stability, I highlight the role of a budding cadre of industrial relations

specialists who attempted to establish overarching criteria that could be taken up and uniformly applied in the adjudication of disputes. In this way, arbitrators attempted to frame the hospital sector as a closed system, within which the value of labour was established in comparisons between hospitals based on size and region. However, as I show, this approach began to break down by the late 1960s. Building from an increasingly militant rank-and-file movement and a growing body of data that revealed the extent of their exploitation, labour officials through this period were able to effectively reframe the arbitration process around questions of justice.

The reterritorialization of non-professional care work, removing valuation from the confines of the charitable enclosure and putting it in circulation through a wider system of social insurance, created an opening for hospital workers to make demands for a decent wage as part of a wider economy. However, the power of hospital workers to rescale collective bargaining in this way fed into growing concerns about distorted wages, not just by state officials, but also by policy-makers all the way up the chain of hospital administration and feeding into provincial government policy as a whole. Under an integrated and balanced system of health care the massive wage gains granted to Toronto hospital workers in 1973 rippled across the province and across the country, giving unions in other hospitals bargaining leverage. These wage gains leaked into other jurisdictions, as janitors in public schools and government buildings could appeal to rates of pay in the hospital sector, moreover these guidelines could be taken up by workers in the private sector in advancing their own demands.

Increasingly, the process of arbitration became inflated, bloated with irreconcilable economic facts that substantially increased the amount of time required to

make decisions. In this context, the successful struggle of Toronto hospital workers was taken up by policy-makers as evidence of a wage-price spiral that was fuelling rampant inflation into the 1970s. In the wake of the strike, the Ontario Hospital Association engaged in a massive PR campaign, and established a Hospital Employee Relations Services, which would increasingly step directly into negotiations between hospital boards and the unions through the 1970s. This was paralleled by the abandonment of industrial jurisprudence as a realistic goal and the subsequent decline of industrial relations as an impartial academic discipline, giving way to *ad hoc* intervention by elected officials who drew increasingly on the rhetoric of crisis in justifying emergency interventions. In fact, state officials would identify the wage gains in the hospital sector as a justification for the imposition of Wage and Price Controls in 1975, anticipating the shift to directly coercive methods that were taken up by state agencies in the resolution of labour disputes through the 1980s and 1990s.

Chapter Seven

Conclusion: On Producing Publics

At the 2011 convention of the Canadian Labour Congress (CLC), a panel discussion was organized entitled, “What Derailed the Post-War Social Contract?” The panel, featuring prominent left and liberal political economists, painted a picture of the 1950s and 1960s as a golden age of capitalism. Through this time, it was argued, relatively progressive labour laws were adopted and workers were reluctantly recognized as “partners in economic production”. Through their collective strength they were able to put pressure on employers, receiving a greater share of the GDP and enjoying a higher standard of living. However, over the last forty years, workers have “lost ground ... to the point where they no longer receive a fair share of the economic gains they produce for their companies”.²⁷⁰

Such narratives have become firmly entrenched in the collective memory of the Canadian labour movement, repeated on countless occasions by union leaders in reminiscing about the past victories of the working class and decrying the draconian policies of current neoliberal governments. While the Keynesian era was a period of social contract – a time of relative labour peace in which unions could freely negotiate with their employers unfettered by state interference – it is argued that government’s today no longer respect free collective bargaining. They are no longer willing to give labour its fair share. They are seeking to undermine labour solidarity and break the

²⁷⁰ “What derailed the Post-War Social Contract?” presented at the 26th Annual Convention of the Canadian Labour Congress, May 10, 2011, <http://www.canadianlabour.ca/convention/2011-convention/agenda/what-derailed-social-contract>.

power of unions in whatever way they can, at times through a blatant disregard of existing labour laws and constitutional rights.

The story of a fall from grace has been qualified in many important ways in the labour history scholarship. There is a tendency, here, to look more critically at the Keynesian period as not simply a golden era, but a time when a recalcitrant working class faced significant restraints that limited their capacity for collective action.²⁷¹ Through this time, Heron argues, the working class was tamed through highly bureaucratic mechanisms of regulation.²⁷² Far from a period of abundance, there were other forces at work. The collapse of the post-war compromise has been attributed, in part, to the contradictory tendencies inherent within this mode of regulation. Many texts have cogently recognized how the labour militancy of the late 1960s, fed growing inflation and unemployment, which led to demands for new forms of labour regulation. In this sense, Panitch and Swartz describe the passing of an era, as free collective bargaining gave way to state coercion.²⁷³

Still, there is a tendency to overemphasize the break, drawing too firm a line between the Keynesian and neoliberal eras. My aim in this dissertation has been to raise critical questions that seek to complicate the story of transition. I do this by seeking to rethink the public sector and its role in the regulation of labour throughout this period. Specifically, I highlight four different implications of my research. First,

²⁷¹ This is reflected, for instance, in the how Heron characterizes the period in his chapter, “The Giant Tamed.” See *The Canadian Labour Movement: A Short History*. This view has also been taken up by Panitch and Swartz in *From Coercion to Consent*, where they characterize the 1950s and 1960s as a period. More recently, in *Labour before the Law*, Fudge and Tucker have described this as a period of ‘industrial pluralism,’ in which unions were granted a degree of recognition, in exchange for careful restrictions that limited their right to strike.

²⁷² Heron, *The Canadian Labour Movement*, 82.

²⁷³ *From Coercion to Consent*, 6.

rather than focusing on the public sector as a site of consumption – a decommodified space – I have traced how it has been taken up as a realm of production. From this perspective, I explore how it has been a central aim of state officials to achieve the secure and economic provision of services. State agencies throughout the twentieth century were concerned with cutting costs and eliminating waste. However, they often lacked the institutional capacities necessary to know and administer the labour force in the provision of public services. Second, I challenge the methodological nationalism that is pervasive in much of the social science literature. From this perspective, the nation state is often presumed to be the scale at which economies are organized. In fact, I have highlighted how state agencies have faced the enduring problem of linking together services at disparate sites to an administrative centre and governing them from a distance. Third, I have challenged the presumed scale at which public sector workers are organized. While their struggles are often defined in relationship to specific state jurisdictions, I have sought to expose the uneven landscapes in which their labour is embedded. From this perspective, it is very important to understand how public sector struggles are shaped by changing patterns of settlement and urbanization. Finally, I have challenged prevailing scholarly views on the formation of a labour bureaucracy. Very often, it is assumed that labour officials through this period came to be contained within an increasingly routinized set of legal and political structures and removed from the struggles of the rank-and-file. In fact, I highlight how the institutional dynamics of the period were more complex, as the growing institutional capacities of unions in part provoked the development of more centralized administrative structures on the part of various state agencies.

In rethinking the history of Ontario's public sector in this way, I question the degree of discontinuity that is presumed to exist between the periods of Keynesianism and neoliberalism. In fact, Keynesian state strategies that aimed to govern at a distance – rationalizing the provision of services across territory and rendering them equivalent under a wider economy – have in many ways contributed to the establishment of institutional capacities that were requisite for the current neoliberal assault on public services. It was only through establishing knowledge of the public sector as an integrated system that state officials could then speak to redundancies, inefficiencies and waste. It was only then that anomalies could be discovered and smoothed over using the weight of coercive comparisons. After discussing the empirical and theoretical contributions of my research in greater detail, I conclude by discussing the implications in rethinking public sector struggles in the neoliberal era.

Rethinking the Public Sector

Drawing from Polanyi, It is often argued that the Keynesian welfare state emerged in the post-war period as a means of re-embedding the market in society.²⁷⁴ In confronting the chaos caused by *laissez-faire* policies in the 1930s and 1940s, there was a push to establish a space for vital services beyond the reach of the market. Hence, there were efforts to grant access to services as citizenship entitlements rather than commodities. From this perspective, the public sector is viewed as a locus for consumption, and the analysis here hinges on how access to services is differently

²⁷⁴ *The Great Transformation.*

brokered. The public sector is portrayed as a realm of decommodification or social reproduction that serves to balance the chaotic tendencies of the capitalist marketplace, ensuring that some semblance of social solidarity is maintained. In the wake of the economic crisis of the mid-1970s, powerful economic groups came to conclude that the welfare state had grown bloated, wasteful and inefficient; consequently, there was an ideological push to shift the balance back in favour of 'the market'.

Challenging this perspective, I have highlighted how, through the early- to mid-twentieth century state agencies played a significant role in restructuring certain services in the interests of economy and security. Rather than withdrawing services from the market, the aim here has been to format economies through specific governmental interventions, establishing the economy as "a level of reality, a field of intervention".²⁷⁵ On the one hand, this entailed an effort to "reduce governmental functions to a set of economically regulated structures and institutions".²⁷⁶ Rather than advancing specific political interests, state agencies came to harness specific kinds of expertise and administrative technologies in rendering services efficient and productive. Hence, I highlight how the state itself came to be transformed into a technical instrument that drew from various kinds of expertise in establishing an impartial economy of service.

On the other hand, this entailed efforts to "endow existing economic structures and institutions ... with certain of the functions of a governmental infrastructure".²⁷⁷ From this perspective, I have examined how the early twentieth-century civic reform

²⁷⁵ Foucault, "Governmentality," 93.

²⁷⁶ Gordon, "Governmental Rationality: An Introduction," 26.

²⁷⁷ *Ibid.*

movement aimed to render vital services equivalent, homogenous and comparable across social space. Beyond simply ameliorating the excesses of unregulated capitalism, I argue that it was actually a central aim of civic reformers to introduce economy into the administration of such services. Economy, here, was understood as constituting services as self-regulating systems through which waste and inefficiencies could be identified and eliminated. This meant removing the discretionary power of private individuals to make decisions in determining the value of services.

Hence, from the 1880s until the 1920s, the city was taken up as a milieu through which services – such as electricity, gas, transit, water and sanitation – were disentangled from the landscape, coordinated and increasingly rendered equivalent across a homogeneous territory.²⁷⁸ For instance, the work of scavenging and street cleaning was drastically reconfigured, shifting from a loosely organized workforce managed by foremen at a neighbourhood level to an integrated network connecting together households, horse-and-wagons, and incinerators in systematically expunging decomposing matter from the urban environment. The value of sanitation work was increasingly determined through the subsumption of workers under a larger socio-technological system. Through the constitution of integrated citywide networks for the disposal of waste, the work of sanitation was rendered legible and comparable through more centralized administrative structures. Moreover, by around 1910, I argue, that a sanitary economy would become increasingly visible *between* cities. State agencies

²⁷⁸ Graham and Marvin note in *Splintering Urbanism* (London: Routledge, 2001) that between 1850 and 1960, we see a movement from the piecemeal provision of networked infrastructure to centralised and standardised systems. “From the initial, general, picture of heterogeneous, partial networks, of poorly interconnected ‘islands’ of infrastructure and of extreme uneven development in the infrastructural capacities of different urban spaces emerged, over the period 1850-1960, single, integrated and standardised road, water, waste, energy and communications grids covering municipalities, cities, regions and even nations” (41). Armstrong and Nelles explore how this plays out in a Canadian context in *Monopoly’s Moment*.

played a central role here in establishing the framework through which such work could be rendered equivalent and homogenous across social space, reconstituted under a closed system and subjected to outside and apparently impartial norms and standards of conduct.

While an economy of service was achieved directly through the organization of self-regulating systems as public utilities in the early twentieth century, in the wake of the Second World War, the public sector was increasingly taken up as a domain that existed over and above specific services – tying together roads, hospitals, schools, parks, and hydroelectrical dams. I highlight here the problems of state agencies in seeking to rationalize services and render them equivalent *across* jurisdictions. In confronting the growing organization of workers in national public sector unions through this period, there were increasingly efforts on the part of officials in different state agencies to coordinate together in administering labour, depoliticizing the bargaining process and subjecting workers to a uniform and standard system of personnel administration.

In this way, we can see how a modern public sector gradually came to coalesce between 1920 and 1970. Beyond simply a decommodified realm that aimed to provide services to citizens as social rights, I highlight here how expert administrators – doctors, engineers and industrial relations specialized – played an important role in formatting various vital services as part of a wider economy. From this perspective, the public sector should not be viewed as something that is simply chipped away at by private forces from the outside; rather the public sector has been rendered intelligible as a singular system in part as a result of government efforts to achieve economy and

security in the provision of vital services. Thus, we can highlight how certain methods of classifying and measuring public services that were established in the 1950s and 1960s would later provide the foundation through which cutbacks could be imposed in the 1970s and 1980s. There were tendencies towards austerity and restraint that were immanent to the public sector as framed by state officials.

Challenging Methodological Nationalism

A second problem with the literature on the transition to neoliberalism has been a tendency towards methodological nationalism, presuming that “the boundaries of social relations are spatially congruent with those of the national state”.²⁷⁹ It is often assumed that the state *encompasses* a national territory – standing over and above society as a sovereign power. From this perspective, history is often periodized as a transition from one kind of national state to another. From the Keynesian Welfare State to the Neoliberal Workfare State it is simply a matter of changing the *software* – the distinctive programs through which social life is regulated by sovereign political authorities. As I demonstrate, the state’s *hardware* – the administrative infrastructure through which social life becomes knowable and governable – is equally important. It is not merely a matter of the rationalities through which governance is undertaken, it is also important to recognize the capacity of state agencies to know and intervene in the administration of services.

²⁷⁹ Brenner, *New State Spaces*, 38.

Against a view of the state as a territorial container, I have attempted to explore how territories are knotted together through specific sociospatial practices. This means changing the mode of analysis, moving from a topographical lens – which outlines the contours of the system from above – to one that is more topological, highlighting how spaces are organized and bound together relationally. The emphasis here is on the changing *reach* of state agencies. From this perspective, I highlight the significance of administrative technologies that allow services at disparate sites to be governed from an administrative centre.

Developing the *capacity to know* and *act* in the realm of vital services is a central aspect of state formation. As my research demonstrates, municipalities, hospitals, schools, utility commissions initially lacked the capacity to know the public sector as a singular domain. Rather than a singular state vehicle, we see a plurality of agencies all operating in relative ignorance of one another. As late as the 1970s, establishing equivalence between different kinds of services – drawing stable comparisons between municipalities, utilities, schools and hospitals – was considered to be a major problem by state officials. The incapacity of state agencies to keep wages down was attributed in part to a lack of reliable information. The state system simply did not have the capacity to establish equivalents in confronting an increasingly organized public sector workforce.

From this perspective, I highlight the central role of expertise in facilitating government at a distance. Expert administrators have played a vital role in rendering the public sector intelligible and governable as an objective field or domain. This has entailed developing methods of classifying and enumerating services that facilitate their

administration at arm's length, through modes of governance that are apparently removed from the discretion of private individuals. There are efforts here to naturalize notions of economy in the public sector, creating the sense that services are objectively inefficient or wasteful if they do not correspond to certain pre-existing norms and standards. Of course, the kinds of expertise that have been drawn on in representing public sector economies have varied.

For instance, in my study of sanitation work in early twentieth century Toronto, I examined the central role played by engineers, doctors and professional gentlemen in seeking to achieve economy in the provision of services. The emphasis on economy here was immanent to the sociotechnical systems that were being created. On this basis, sanitation work was reconceptualised, shifting from a dispersed and relatively loosely organized workforce to an integrated citywide system. However, into the early twentieth century, civic governments had very little capacity to know or act in administering the actual work of sanitation. It was only around 1910 that we see the consolidation of a wider 'sanitary economy' as uniformity was increasingly established through the development of scientific management techniques that gauged the speed and efficiency of service. We can see here how the emergence of time-flow charts and the measurement of the average cost of a haul per square mile provided a means through which sanitation work could be increasingly subjected to outside norms and modes of organization. Through such technologies, I argue that the work of sanitizing the city came to be viewed as equivalent across a wider territory. This information was increasingly shared between cities and the work of restructuring was contracted out to international consulting firms.

In the second half of the twentieth century, the field of administration shifted beyond the naturalistic views of engineers, doctors and professional gentlemen to a growing cadre of industrial relations specialists. In seeking to move beyond *ad hoc* adjustments in the settlement of labour disputes, these specialists were concerned with defining uniform criteria through which a rational economy could be established between services in the public sector. The aim here was to detach the bargaining process from the political context of council meetings, making it the purview of personnel officers who would determine wages and working conditions through reference to an increasingly centralized and coordinated structure of administration and information-sharing.

However, while I highlight the importance of expertise in rendering different conceptions of 'economy' thinkable and operative in the provision of services, I should also note that experts were not mere handmaidens for capital or the state. Beyond simply reducing the administration of public services to the vision of the state, it is important to recognize how experts have operated in a relatively autonomous 'field,' through which differently and relatively positioned agents have struggled to define the stakes of the game.²⁸⁰ State agents do not hold a monopoly over expertise here; rather, there is very often a blurry line between the state and civil society, as relations of ruling are mediated by an array of different actors with access to official and non-official forms of knowledge. Such varied forms of expertise facilitate the production of different kinds

²⁸⁰ I find that Pierre Bourdieu is useful in framing the state in this way. See "Rethinking the State: Genesis and Structure of the Bureaucratic Field," *Sociological Theory*, 12, no 1 (1994): 1-18. In this article, Bourdieu seeks to develop a theory of the state based on his notion of the 'field' He highlights how the production of the field is contingent on the *concentration of different species of capital*: capital of physical force or instruments of coercion (army, police), economic capital, cultural or (better) informational capital, and symbolic capital.

of public sector imaginaries that can be skilfully deployed both by state agencies and workers themselves in reframing the field to advance their interests.

The ambiguous role of expertise in the administration of the public sector becomes apparent, for instance, in examining the central role played by industrial relations specialists in administering wages through such practices as interest arbitration. Interest arbitration was intended to provide a means of impartially and objectively determining the value of labour in the public sector, rendering certain services stable, uniform and predictable. It was the role of industrial relations specialists, who operated at a distance from the state, to head up the process, establishing objective criteria through which values would be determined.

The credibility of these experts was bound up with the hegemony of industrial relations as a science and its perceived objectivity in defining what an 'economy' is and how it *should* be organized. Through the early 1960s, the aim here was to render the value of services intelligible within a 'closed system' – drawing comparisons between hospitals based on their size and location. However, the ability to achieve closure in setting the boundaries of arbitration was always open to contestation. Hence, it is important to highlight the role played by labour officials and industrial relations specialists in effectively challenging the way in which the settlement of disputes was framed, problematizing attempts to achieve closure through interjecting with new modes of comparison.

The Spatial Embeddedness of Labour

From the standpoint of methodological nationalism, in which the state is presumed to vertically encompass territory, the public sector is often decontextualized, defined only by its relationship to established state jurisdictions. For instance, transit workers are defined by their relationship to municipal level governments, while postal workers function at a federal level and teachers operate at a provincial level. The employment relationship is defined by the specific jurisdiction in which workers find themselves. However, in considering the capacity of public workers to organize collective action, it is also important to recognize how they are unevenly embedded in the political and economic landscape. In my dissertation, I highlight how the strategic opportunities for workers were enabled or constrained depending on how they were spatially situated.

For instance, during the urban boom of the early twentieth century, workers in certain services – such as sanitation, electricity, and transit – were centrally situated in increasingly vulnerable infrastructural networks. Their labour was considered to be necessary in ensuring the smooth circulation of waste, energy, and people throughout the urban environment. As cities grew and the demands for services were stretched across wider and wider territories, civic officials problematized the entrapment of these workers in an antiquated infrastructural edifice. I have examined how sanitation work was restructured between 1910 and 1920, as civic officials struggled to cordon off waste from the urban environment, putting it in constant circulation with the aim of fully expunging it from the urban environment. In the process, they would fundamentally reorganize the work of waste disposal and street cleaning, seeking to subsume workers

under a wider citywide system. However, through the organization of sanitation work through such dense urban networks, civic employment increasingly became detached from paternalistic administrative structures and workers were increasingly capable of imagining themselves as operating under wider civic employees unions. It was through their situatedness in the infrastructural networks that they became capable of making demands.

Likewise, I highlight how wider public sector unions came to be imaginable with in the wake of a second boom that occurred from the 1940s until 1970s. Through this time, I highlight how public services spread across a sprawling metropolitan region, leaking beyond established jurisdictions and troubling traditional forms of civic governance. Through this time, it became a challenge for city officials to coordinate the administration of services across a wider territory. In this context, workers were able to build from dense infrastructural networks in the metropolitan core, coordinating their action between disparate sites – municipalities, utilities, schools and hospital. They were able to establish models in the metropolitan core that could then be extended to workers in the smaller municipalities, townships and suburbs, effectively changing the scale at which demands were made, building up national public sector unions.

Labour Bureaucracy

Finally, I challenge scholarly views on labour bureaucracy. Very often, the 1950s and 1960s are portrayed as a period of bureaucratization in which the union officialdom became increasingly wrapped up in highly routinized and professionalized processes of

collective bargaining and grievance arbitration, and consequently lost sight of its responsibility for mobilizing the rank-and-file. In facing a rigid state-sanctioned industrial relations system, Heron argues, that the union leaders of the post-war period tended to eschew militant action and “were probably more comfortable with the new state mechanisms for controlling rank-and-file activism and for channelling labour relations into the hands of full-time officials and experts”.²⁸¹ Likewise, Panitch and Swartz describe the “practice and consciousness” of Canadian trade unionism through the post-war years as “highly legalistic and bureaucratic,” which ultimately limited its collective strength.²⁸² Shifting focus away from mobilizing and towards the juridical arena “tended to foster a legalistic practice and consciousness in which union rights appeared as privileges bestowed by the state, rather than democratic freedoms won, and to be defended by, collective struggle”.

Certainly, there is some truth to these claims. Through the post-war period, we see the increasing professionalization of labour organizations, a growing emphasis on responsible unionism, and a crackdown on communist agitators. However, by simplistically counter-posing “juridical consciousness” and “collective struggle,” this argument tends to overlook the complex institutional dynamics that were taking place through this period. Rather than viewing union bureaucratization as a process of co-optation in which unions were increasingly integrated into legal and administrative machinery designed to limit their capacities for mobilization, it is important to recognize how bureaucratization followed a dialectical movement in which the growing administrative capacities of unions, in turn, *provoked* increasing coordination between

²⁸¹ *The Canadian Labour Movement*, 82.

²⁸² *From Coercion to Consent*, 20.

state agencies and galvanized the formation of more centralized structures of administration. It was through this fractured struggle *between* an array of state agencies and labour organizations, mediated by a contested and shifting field of expertise, that an 'economy' of public services took shape and was ultimately rendered intelligible. Again, the economy should not be viewed as an *a priori* structure within which different actors struggle, I argue that it had to be created through the skilful expertise of organic intellectuals. This was a central legacy of Keynesianism as a state spatial project that, in rendering public services intelligible and comparable at a distance, would *establish the institutional foundations* for the imposition of neoliberal austerity through the 1980s and the 1990s.

In the 1950s and 1960s, state agencies largely lacked the capacity to know or act on the 'public sector' in a coordinated fashion. They lacked both the expertise to subject the field to impartial administration and the reach to effectively share information between jurisdictions. In this context, I highlight how labour organizations were able to exercise a degree of agency in framing the field of negotiations. As I show, through their growing capacity to coordinate together between worksites and across regions, labour officials were able to play an important role in defining the scale at which bargaining took place through this time. Adopting strategies of normalization, were able to actively produce "standards for measurement and comparison, and rules of judgment" in advancing their own interests.²⁸³ Through their growing coordination and increasingly centralized administrative capacities, unions were often able to play an

²⁸³ Francois Ewald, "Norms, Discipline, and the Law," *Representations*, 30 (1990): 130-161. See also, Francois Ewald, "A Concept of Social Law," in *Dilemmas of Law in the Welfare State*, ed. G. Teubner (Berlin: Walter de Gruyter, 1986).

important role in framing the field of values through which different kinds of work came to be viewed as equivalent.

The growing capacities of unions to organize and define the field of struggle can be seen in how civic, utility and electrical unions increasingly coordinated their activity through the 1940s and 1950s. Unions were often able to outmanoeuvre civic employers, especially those in smaller municipalities who remained committed to parochial and paternalistic forms of administration. City councillors were often ill-equipped to confront the barrage of information that unions brought to the table. It was only in response to the growing coordination of public sector unions at a provincial and national scale, that municipalities would come to develop mechanisms through which an economy of service could be established in the municipal sector. In this context, elements of industrial legality – such as collective bargaining – could not simply be mechanically applied to the municipal sector; rather, these principles had to be skilfully *adapted* to this sector. This demanded the development of specific forms of expertise through which the collective bargaining process could be depoliticized and subjected to a wider economy.

Through the 1950s and 1960s, public sector unions were able to deploy their knowledge of the labour process skilfully in making certain claims on employers, as increasingly the boundaries separating different lines of work were stripped away. Why should a hospital orderly earn less than a caretaker at the Riverdale Zoo? Is the care of animals more important than the care of people? The consolidation of the public sector as a system of comparisons rendered knowable by labour officials helped to set down an anchor in establishing certain norms and standards, creating a sense of what a ‘normal’ public sector job is and what it *should* be.

In highlighting the spatially and institutionally fractured field of struggle that unfolded, we can gain new insights on the growing crisis of the public sector through the late 1960s and early 1970s. Through this time, the effort to achieve distance in the administration of public services was increasingly tested by the *proliferation* of new sources of knowledge, new methods of accounting and enumeration. Far from containing labour struggles under expert administration, we see a growing avalanche of information that arbitrators were expected to process and interpret. Increasingly, the boundaries between different lines of work were growing fuzzy and unclear.

The labour bureaucracy would play a central role here in *destabilizing* established criteria in the arbitration process. Labour representatives would call into question the capacity of arbitrators to determine the value of hospital work through a closed system that simply considered the size and location of the hospital. It was not enough to compartmentalize hospitals by virtue of their 24-7 emergency operations and exceptional service to the public, as the hospital boards maintained; for the unions, the hospital sector was to be seen as a depressed industry in which workers were subjected to practices that put at risk their physical, mental and emotional health. It was through the capacity of labour officials to build a case, compiling data from a wide array of sources, that the problems of assigning value to hospital work were reframed.

From this perspective, it is not enough to dismiss the bureaucratization of the labour movement as a symptom of its co-optation. In fact, unions were able to achieve a degree of leverage in their struggles with state employers through their growing coordination, interconnecting work in municipalities, utilities, and hospitals, rendering them subject to a common norm. By knotting together workers at various sites as part

of a wider public sector, workers were able to make claims, draw comparisons and build capacity. Rather than highlighting the containment of the labour movement under a regime of industrial legality through this period, I think it is better to highlight how the administration of these conflicts tended to spiral out of control, raising the problem of containment in an increasingly integrated state apparatus.

Rather than viewing the 1950s and 1960s as a period of social contract, in which workers metaphorically shook hands with capital, I argue that we can see the emergence of an increasing complex and contested system of industrial legality unfold. State agencies came to develop capacity to administer the public sector as a wider domain through the development of sophisticated administrative technologies that facilitated their growing reach. Far from a time of placid abundance, I argue that this was a period of fervent system-building that fundamentally reconceptualized the scale at which certain core services were delivered. Consequently, many services were subsumed under a wider economy of inspection, surveillance, and supervision. This has important implications in thinking through how the public sector has been reconfigured under neoliberalism.

Rethinking the Transition

While I have focused on the emergence of a public sector in Ontario from the early- to the mid-twentieth century, my study does raise some critical questions in terms of how we think about public sector struggles today. As I have argued, there is a tendency on the left to reify the public sector – to treat it as a monolithic object, to

naturalize it as a popular domain. In confronting the threat of ‘privatization’, there is a tendency to advocate *defending* the public sector. From this perspective, the public sector is often portrayed through topographical metaphors as a space that needs to be protected from *retrenchment*, as if it stands behind fortress walls that are constantly being chipped away at by outside forces. On the contrary, it has been my aim to raise the question of how the public sector is actively *produced* through specific sociospatial practices. I have highlighted here how public services are unevenly embedded in the political and economic landscape and how they only come to be viewed as uniform and equivalent through specific kinds of *work*.

In appraising the transition from Keynesianism to neoliberalism, then, we need to recognize how the public sector has come to be *re-territorialized*. How are public services differently embedded in the political and economic landscape today? Clearly the changing shape of the urban environment is very important to consider. In my studies, I have highlighted how civic employees’ unions emerged in the cramped and filthy streets of the early-twentieth century metropolis, and how public sector unions formed across sprawling metropolitan regions in the mid-twentieth century. How has the urban environment changed over the course of the last forty years and what opportunities does it offer for workers in the pursuit of new strategies and modes of organization? Of course, it is beyond the scope of this study to provide a comprehensive answer to this question; however, I would like to raise a few issues for future research.

In the current context, scholars have noted the emergence of new kinds of state spaces. As Brenner (2004: 4) notes, we are witnessing “a wide-ranging recalibration of

scalar hierarchies and interscalar relations throughout the state apparatus as a whole, at once on supranational, national, regional, and urban scales". This has been described as a kind of splintered urbanism in which infrastructural networks are increasingly broken apart and parcelled out, separated from a surrounding national or provincial territory. Through increasingly sophisticated methods of contracting out, many aspects of service provision have become modular, transportable to different spaces and applied in a piecemeal and project-by-project basis. As Graham and Marvin note, "single, monopolistic infrastructure grids" have started to give way to "multiple, separate circuits of infrastructure which are customised to the needs of different (usually powerful) users and spaces".²⁸⁴ The proliferation of flexible and networked governance structures tends to exacerbate the uneven development of the urban landscape as networks supporting more marginal areas in the city generally tend to be neglected, in favour of those spaces that can attract investment.

Increasingly, then, we can recognize how the administrative uniformity of the Keynesian Welfare State has been carefully pulled apart. As Harvey notes, under neoliberalism there has been a shift away from managerial strategies that aimed towards the improvement of living conditions within a specific territory, to urban entrepreneurial strategies seeking to mobilize key actors outside the state and involve them in developing strategies for renewal and regeneration of specific places that are considered worthy of investment. Rather than relying on national institutions, there is a concern to find creative post-national solutions to economic, political, social and

²⁸⁴ *Splintering Urbanism*, 100.

environmental problems.²⁸⁵ In the context of budget shortfalls and fiscal austerity there is a growing reliance on forms of reflexive self-organization in developing short-term project-specific solutions to social service provision.

Moreover, it is important to consider the new forms of expertise that have been rolled out in the administration of services. Beyond criticizing the labour bureaucrats for their legal consciousness and unwillingness to organize more militant action, a more nuanced analysis is called for. Hence, it is important to recognize how, depending on the way in which the field is framed, expertise can both enable and constrain action in significant ways. It is important both to recognize how certain forms of expertise have become hegemonic, and also to identify moments when workers been able to skilfully advance alternative understandings of the field.

Certainly, the hegemony of neoliberal economic policy and new public management initiatives cannot be ignored. Under the auspice that competition breeds efficiency, public services have been problematized for their monopoly status. This is reflected, for instance, in a recent study by the C.D. Howe Institute on trash collection in Canadian cities. "Private collection is often, but not always, best," it is argued, "it's monopoly that needs trashing".²⁸⁶ This is a considerable departure from the systems-building logic of the early- to mid-twentieth century, in which it was thought that only city

²⁸⁵ See David Harvey. "From managerialism to entrepreneurialism: The transformation in urban governance in late capitalism," *Geografiska Annaler*. 71, no 1 (1989): 3-17. Harvey's prescient analysis has been very influential in shaping the recent literature on 'new state spaces'. See, for instance, Brenner, *New State Spaces*. See also, Bob Jessop, "Liberalism, Neoliberalism, and Urban Governance: A State-Theoretical Perspective," *Antipode* (2002). In the Canadian context, see Stefan Kipfer and Roger Keil. "Toronto Inc? Planning the Competitive City in the New Toronto," *Antipode* (2002). This kind of analysis, focusing on short-term project-centred employment has also recently been applied to the study of federal public sector workers in Canada. See Suzan M. Ilcan, Daniel M. O'Connor and Marcia L. Oliver. 2003. "Contract Governance and the Canadian Public Sector," *Relations Industrielles / Industrial Relations*, 58, no 4 (2003): 620-643.

²⁸⁶ Ben Dachis, "Free the Garbage Hostages," *Globe and Mail*, July 17, 2009.

governments would be capable of the expansive and impartial administration necessary in order to adequately provide services. These days, there is a proliferation of performance reviews, audits and other accounting practices that enable information to be shared on a scale that was not previously possible.

However, it is also notable how governments have often been unable to rely on the established structures of industrial legality in implementing their agenda and have instead had to work through *ad hoc* statutory initiatives in imposing cutbacks on public sector workers. Panitch and Swartz describe this as ‘permanent exceptionalism,’ to the extent that industrial legality is periodically suspended in the interests of ensuring economic viability.²⁸⁷ In the midst of economic crisis, they argue, the onus has been increasingly placed on labour “to maintain capitalism as a viable economic system by acquiescing to capital’s demands for restriction of previously recognized rights and freedoms”. Since the industrial relations machinery broke down in the early 1970s, state officials have increasingly appealed to moral sentiments in imposing an austerity-based agenda. An explicitly moral language has been taken up, targeting public sector workers as not playing fair, as not abiding by the rules of the game, of holding the public hostage.

However, there are countervailing tendencies that have made the public sector an explosive area of conflict over the past forty years. For instance, it is important to consider the role of the so-called new social movements in changing the normative terrain of struggle. My case studies end with the 1973 catch-up campaign in which hospital workers threatened to strike illegally in the absence of significant wage

²⁸⁷ *From Consent to Coercion.*

concessions. In this period, it is notable how issues of race, gender and sexuality were often not visible in establishing criteria through which to assign value to services. Union officials, who were overwhelmingly men, tended to adopt a myopic view of the industrial relations scene through which it was often assumed that the male breadwinner was the normative worker. Until the early 1970s, there is very little evidence that union officials even considered gender in the bargaining process.

But from the late 1970s onwards, we can see how a growing feminist movement would increasingly put gender front-and-centre on the agenda in public sector unions. It is interesting to note how gender begins to enter the picture through strategies of normalization. In the struggles of hospital workers in the 1970s, labour activists would increasingly call into question job classification schemes that dubiously differentiated between workers based on gender. The differential pay of orderlies and housekeepers was viewed as a means of dividing workers. Increasingly, it was argued that these workers should be paid the same; they should be entitled to the same benefits. It could be argued that this helped pave the way for the pay equity struggles of the 1980s, for instance, as women and other marginalized groups were able to draw from an increasingly sophisticated database compiled by unions and civil society organizations in *making claims* about the status of women's work.

Moreover, the increasingly blurry line between the public and private should not necessarily be taken as a point of strength for neoliberal governments. The fuzzy line has also been taken advantage of by public sector unions in extending a normative conception of labour across a wide range of different worksites. I have already shown how public sector unions in the 1950s and 1960s were able to break the boundaries

between workers in municipalities, utilities, hospital and schools. Likewise, we can see how there are strategic opportunities to extend normative conceptions of 'public work' today. For instance, the campaign to unionize the province's home care workers has been an especially explosive area of struggle. This is, in part, because labour activists have been able to draw from the norms that have been established for care work in hospitals and community centres in making a case for how care workers should be treated in private homes. This provides a great example of how the public sector can be actively *extended* through the skilful organization of unions.

However, all of these strategic possibilities tend to be clouded over if we reify the public sector as a space, and lament its erosion over the past forty years. It is not enough to defend an object that does not exist. Rather, it is necessary to understand the specific manner in which workers and their organizations *produce* the public sector everyday. What kinds of strategies do they take up in drawing connections between worksites, and with different communities? Through recognizing the active role played by workers in this process, we can begin to think creatively.

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