



Conditional Love and Canada's Care Regime

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Cover art: *Wasserträgerin*. Heinrich Zille, Crayon on thin paper. 20 x 13.3 cm 1929.

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Abstract

Following a shift in gendered norms during the latter half of the 20th century, domestic work, and the Canadian Care Regime more generally, has become a sector dominated by migrant women. As migrants, these women lack basic protections by either state involved, making them one of the most vulnerable populations even in developed countries, such as Canada. This paper addresses this precarious reality by undertaking a critical discussion of Canadian public policy. Through a historical lens, it will show how laws and social practices enforced by the state have institutionalized gendered and racial discourses that assign statuses of inferiority to particular groups, specifically that of migrant women. In examining government documents, newspapers, and immigrant novels to outline the evolution of care work in Canada, the paper will demonstrate how the Canadian state, through its political, social and economic practices, continues to reproduce the subservient and exclusionary position of migrant domestic workers for its own benefit.

Introduction

Lady Tremaine: ...Now let me see... There's the large carpet in the main hall; clean it! And the windows, upstairs and down; wash them! Oh yes, and the tapestries and the draperies—

Cinderella: But I just finished—

Lady Tremaine: Do them again! And don't forget the garden. Then scrub the terrace, sweep the halls and the stairs, clean the chimneys. And of course there's the mending and the sewing and the laundry... Oh yes, and one more thing. See that Lucifer gets his bath. (*Cinderella*, 1950).

Always working, that Cinderella. Many are familiar with the classic story of the unjustly oppressed woman, forcibly subordinated to a life of house work, yet few recognize her struggle as anything more than a distant fairy tale. For countless contemporary migrant women who toil in domestic work, however, *Cinderella* serves as a cruel reminder of their everyday reality.

Since the late nineteenth century, local demand for care work in the Canadian labour market has consistently surpassed its supply due a lack of domestic interest (Bakan & Stasiulis 1997; Barber 1986, 55-75; Frances, Kealey, & Sangster 1996, 54-89; Lenskyj 1981, 3-11; Sager 2007, 509-37; Scheinberg 2001, 336-42; Ursel 1992). Few Canadian-born women entered into this traditionally feminine market for the same reasons that women today avoid it: low pay, long hours,

isolation, and vulnerability to exploitation and abuse (Lenskyj 1981, 3-11). Unlike the paid public domain, which is governed by rules and practices subject to state legislation, the unpaid private or “domestic” sphere has always been, in both law and custom, sacred ground that the state could not touch (Brodie 2000, 29). The liberalizing effects of neoliberal policies at the global level have only exacerbated these conditions.

This issue has taken on considerable notoriety in recent years, as the traditional male breadwinner model diminishes in developed states. Consequently, the onus of care work has been shifted onto women from the Global South seeking better opportunities away from home (Trappe, Pollmann-Schult, & Schmitt 2015, 230). While many perceive this as a simple exchange within the economics of global migration, this narrow perspective overlooks the implicit and institutionalized racial ideologies and gendered discourses upon which this system depends. Within the global care regime, these migrant women occupy a precarious position where their labour is simultaneously perceived as necessary yet trivial. Such a position ultimately leaves these already vulnerable women exposed to prejudicial policies and programs, primarily in the form of immigration laws and employment regulations, that perpetuate their marginalized status. The most notable consequence of these policies is the imbalanced relationship between employer and caregiver, which often mirrors that of the traditional master-slave relationship. While immigration laws and employment regulations are not responsible for this dynamic alone, these policies institutionalize and thus reproduce the subservient and exclusionary standing of migrant domestic workers in Canada and the rest of the world.

This review aims to investigate this reality and the broader relationship between racial discourse, gender, power, and institutional practice through the examination of government documents, newspapers, and immigrant novels in Canada from confederation up to the late twentieth century. These varied mediums display how a state and its population may preserve the problematic framework of the international care work regime to the detriment of hopeful migrants from the Global South. In examining the changing rights and privileges of migrant domestic workers in Canada's care regime, the development of domestic work in public policy and human rights is understood as an expression of the cultural abstractions of those who control the power to categorically classify populations by ethno-racial and gendered boundaries. In creating these restrictive policies, states contribute to the cognitive and social realities faced by migrant workers. Statutes that constitute contemporary care work highlight the global economy's reliance on a division of reproductive labour, wherein global care chains in states like Canada exploit the care of intersectional women. The transnational process of domestic work reveals various axes of inequality, such as ethnicity, class, and nationality on a global scale.

The “British” Domestic and the “Non-Preferred”

Due to persistent shortages of local domestic workers, Canadian housewives in the early twentieth century increasingly turned to immigration (Barber 1986, 55). Upper-middle class women, who have generally demonstrated the greatest demand for domestic workers, long desired “respectable” British women from rural areas to take up jobs as child care workers, cooks, housekeepers, launderers, maids, and cleaning women (Sager 2007, 510). In the early twentieth century, the term “British” was used in Canada to encompass immigrants from Scotland, England, Northern Ireland, and Wales (Barber 1986, 55). The strong preference for young, white British women stemmed from an affinity for bringing “familiar strangers” — employees who shared the same ethnonreligious identity of their employers — into the household (Sager 2007, 527).

While classic economic push-and-pull factors from both states served as one of the primary motives of this migration, British emigrants also received institutional assistance in the form of agency support, passage loans, and guaranteed employment placements. This support aided in emigration efforts even if a migrant knew no one in Canada (Barber 1986, 56). Unsurprisingly, a major prerequisite for this assistance was a contractual obligation to domestic service for a period of six to twelve months and a repayment of any transport loans (Macklin 1992, 688). Still, many chose to immigrate as domestics, assuming that they could better themselves in Canada, whether they planned on settling permanently or hoped to return to Britain after accumulating sufficient savings (Barber 1986, 58-59). Upon arrival, however, most found the conditions too difficult. British domestics had little-to-no time off, lacked the social connections or financial capability to leave their employer’s home, and struggled to adapt to the difference between ‘Canadian ways’ and the British character (Barber 1986, 60). Over time, the supply of British migrants willing to labour in care work diminished.

The diminishing supply of British care workers occurred in conjunction with the exigent nature of the First and the Second World Wars, as women were mobilized in high numbers to fill the demand for wartime labour on the home front (Morin 1945, 7-10). These developments permanently reshaped the domestic market’s ability to meet the demands of care work. The expansion of their roles during both world wars provided some women with a growing presence in the public sphere. Following this period, women’s labour-force participation in service and white-collar labour remained a permanent fixture, despite state efforts to encourage women to leave the workforce (Morin 1945, 7-10; Sangster 2010, 254; see Appendix A). In this same period, the supply of care workers declined sharply due to the changing economic and social structures of post-war reconstruction that allowed women more mobility and choice within the labour force (Brodie 2000, 10; Sager 2007, 510). The majority of women who

entered into domestic service did so out of necessity; those who could preferred to work in offices, factories or shops so long as wages were comparable (Morin 1945, 15-16; Sager 2007, 510). This shift compelled the state to assume a more aggressive role in the recruitment of domestic workers. With a shrinking pool of ‘respectable’ British women, the government extended its recruitment efforts to a pool of ‘non-preferred’ persons, such as Eastern Europeans from Poland, Romania, the Soviet Union, and Hungary (Macklin 1992, 688; Sager 2007, 510). Despite notions of preferability, recruitment was not limited to these countries, as domestics possessed an unconditional right to reside in Canada under the legal status of landed immigrants. Facing similar conditions as their Western European counterparts, migration from these groups inevitably waned.

Prior to 1914, the blame for this decline in white, preferred workers was partly placed on male Chinese labourers, as the Royal Commission on Chinese and Japanese Immigration concluded that “as long as you have Chinese for unskilled labour you cannot expect to have white girls for domestics (Clute 1902, 267).” The Commission argued that if Chinese immigrants had not directly displaced unskilled, white labourers, the Canadian working class would marry and produce white daughters who would take up domestic work to assist in their family’s income. This Royal Commission suggested providing avenues of work to white labourers by prohibiting Chinese labourers from working in factories and mills. Despite this, the commissioners also recognized that Chinese ‘domestic servants’ were indispensable in providing domestic services to carry on “the industry of living,” allowing a larger number of white people to enter better paid classes of work in British Columbia. (Clute 1902, 303). All this serves to display that hiring non-white domestics to address labour deficits was a last-ditch endeavour that simultaneously exhibited discriminatory discourses by placing blame on working immigrants for local economic issues all while acknowledging the importance of working immigrants. If given the choice, Canadian families would gladly hire white women from the working class to perform care work over any other group. The lack of willing white domestic workers is caused not by the industry’s underappreciated value in the labour market but rather because of the mythical job-stealing immigrant, whose presence makes it difficult for lower-class white labourers to have daughters who could potentially take up care work. Nonetheless, the progression of women’s rights and the dwindling local supply of domestics pressured Canada to broaden its recruitment horizons.

Legally & Socially Invisible

As previously noted, the exponentially rising participation of Canadian women in the public sphere during the post-war period stoked the growing demand for caregivers in a way that warranted greater recruitment efforts. However, the declining share of white European immigration in Canada meant

that, to meet this demand, Canada would need to import labour from other (i.e., non-white) regions. This was the antithesis of what most Canadians desired, as all levels of society generally expressed a keen unwillingness to integrate “non-white” groups into the predominantly white Canada (Tienhaara 1974, 59). The issue of population growth, cultural diversity, and government polity was a national obsession that characterized Canada’s state of affairs. Race and ethnicity in particular were important factors regarding an immigrant’s acceptance into the state, along with domestic service trending the direction of women who hail from countries away from Western Europe, the question Canada needed to address was how it could respond to its supply-side deficits without integrating undesirable, non-European groups into its fabric.

With European immigrants unwilling to take on the substandard conditions of domestic work, Canada looked to women of colour from the developing world to pick up the slack. Up until the mid-1950s, Caribbean migrants were largely barred from settling in Canada based on assumptions that they could not adapt to the cold climate and that they were too “sexually promiscuous” (Bakan & Stasiulis 1997, 33). Concerns regarding the maintenance of Canada’s preferential trade position in the British Caribbean (where Canada held significant economic links) following complaints of racist immigration policies from several West Indian governments led the state to provide admission to black domestics in 1955 (Bakan & Stasiulis 1997, 33). This, however, came with a few caveats: the Canadian government agreed to admitting a set number of single women, aged eighteen to forty, so long as they were live-in domestic workers for at least a year (Bakan & Stasiulis 1997, 33). In return, West Indian governments promised to bear the expenses of returning domestics back to their country of origin if they were found to be unsuitable for work (i.e., pregnant), adding yet another layer of precarity (Bakan & Stasiulis 1997, 33). Racially charged assumptions of black licentiousness motivated the Canadian government to administer highly invasive gynaecological examinations upon arrival (Bakan & Stasiulis 1997, 34). These harsh conditions would go essentially unchallenged by West Indian governments, as they championed emigration to alleviate the meager employment conditions for their populations (Bakan & Stasiulis 1997, 34). Generally speaking, the introduction of this agreement fostered the association between domestic work and women of colour from developing countries.

In the Caribbean, government officials gave priority to women with more educational experience for new work opportunities in Canada, hoping to exhibit the positive qualities of their citizens overseas (Macklin 1992, 690). Many migrants were in fact teachers, nurses, or civil servants seeking better economic opportunities in the developed world where they could receive higher wages (Macklin 1992, 690). For the most part, employers were generally content with Caribbean domestic workers, claiming that they were more obliging, better

educated, and notably cheaper since employers could pay Caribbean domestic workers up to 150\$ less per month than if they were to hire a white domestic worker (Macklin 1992, 690; Appendix B). This agreement helped alleviate some of the demands for care work, bringing 2,940 domestics into Canada from 1955 to 1966 (Macklin 1992, 690). Nevertheless, the West Indian Domestic Scheme revealed the intersectional prejudice placed on this new set of migrants. Prerequisites based on age and marital status as well as the threat of deportation if found to be pregnant reflect the institutionalized production of the economic and social value of women in the workforce. Migrant care workers are serviceable only when their dual shift as a spouse or parent is unrealized, and thus their ‘value’ as individuals is determined by the use of their bodies in relation to men and children. Furthermore, examining the female body of the West Indian women through invasive testing is in and of itself a rite of passage: the alienated care worker from the Global South must participate in a humiliating ritual that reinforces their subordination and their marginal position in Canadian society. Perceptions of hypersexuality perpetuate sexual abuse rooted in the uneven master-slave dynamics found in their line of work. While needed to meet deficits in care, these domestic workers are reminded that they are otherwise unwelcome and undesired.

In 1973, the federal government authorized the creation of the *Temporary Foreign Worker Program* (TFWP), which issued transitory visas to domestic workers while stripping them of landed immigrant rights (Macklin 1992, 693). Canada’s new visa system dramatically reconstructed domestic labour into disposable work. During the 70s, anti-immigration discourse was centered on the concern that immigrants negatively affected the labour market for domestic workers (Sharma 2012, 36-37). With the passage of the TFWP, foreign care workers encountered severe restrictions in the freedoms they once enjoyed as landed immigrants. Their subordinated and temporary status as ‘foreigners’ increased the economic viability and power of their employers as well as the state at the expense of these migrant caregivers and their country of origin, as they could essentially be shipped back home once their labour power has been exhausted. By calling them temporary foreign workers, the state casted and institutionalized migrants as perpetual others within Canadian society. Unlike European domestics of the early twentieth century who had the mobility to switch into other industries once they landed in Canada, non-white caregivers of the mid-to-late twentieth century could only stay in Canada so long as they were domestic workers (Bakan & Stasiulis 1997, 34; Sharma 2012, 36-37).

The inherently exploitative nature of the TFWP, which arose out of cultural fears and perceptions of non-white immigrants, intensified the likelihood of economic, psychological, and sexual abuse of against these predominantly colored domestic workers, which has been documented through various

mediums by both Canadians and domestic workers alike. Cecil Foster, a male academic, journalist and immigrant, penned the fictional tale *Sleep on Beloved* to provide a poignant portrayal of the struggles of a domestic caregiver from the Global South in building a new life in Canada. Foster follows seventeen-year-old Ona Nedd who arrives in Toronto from Jamaica in the 1970s (Foster 1995). Upon arrival, Nedd discovers that she cannot bring her daughter, Suzanne, into Canada under her temporary status. Furthermore, upon her arrival in Toronto, she is expected to work round-the-clock, every day of the week for the family. Following deductions for room and board, she is left with a paltry 65\$ a month (around 400\$ in 2018 dollars). It is only, however, after suffering sexual abuse and an unexpected pregnancy caused by her employer does Nedd decide to quit.

As a temporary foreign worker, quitting made Nedd an illegal alien. Unbeknownst to her, a few months later she is granted landed immigrant status. Working without this information, she finds employment in a garment factory working protracted hours without overtime pay. Nedd does not file complaints to the authorities nor does she go to the police, as she fears immediate deportation. If she cannot work in Canada, she will not have enough money to feed her daughter, leaving her vulnerable to a system that is purposefully stacked against her. When she learns of her landed immigrant status, Nedd takes up a job as a teller in a credit union; however, it takes 12 years to fulfill the immigration requirements and bring Suzanne to Canada. To strengthen her case, she enters into a marriage of convenience with a shifty man, Morgan, to demonstrate her family values, as she is advised that her likelihood of acceptance into Canada would increase if she fulfilled the traditional spousal role. Once they reunite, they both realize that their relationship is irreconcilably strained from their lengthy time apart. Resentful of one another, Nedd fails to notice and protect Suzanne from Morgan's abuse, and as an adult Suzanne is pulled to a life of crime and table dancing.

As a member of the minority community he writes about, Foster allows us to explore the perspectives of a marginalized group that experience legislated prejudice in their work. One doesn't need to look far to confirm if a story like Nedd's true to life. Almost all investigations on the matter, either in research or in the media, reveal that when domestic work is done on a live-in basis, fundamental principles of the master-slave power relation persists (Bakan & Stasiulis 1997, 13; Macklin 1994, 13; Macklin 1992, 723). Much like Cinderella, these live-in workers' workday is essentially ceaseless; their right to privacy is consistently disrespected. Because her status in Canada is contingent on her employment, she is unusually susceptible to psychological and sexual abuse. Their perceived sexual promiscuousness further validates this mistreatment. Speaking out against mistreatment can lead to unemployment, and the reason many take on care work to begin with stems from a lack of economic opportunity.

Furthermore, because she performs labour that women are often obliged to do for free, the economic and social value of her work is belittled and unrealized (Brodie 2000, 20-31). Since their work is a matter of the private sphere, state intervention is scarce as their involvement is inappropriate (Brodie 2000, 20-31; Macklin 1994, 14). The practice of approaching care work as transient and expendable in legislation thus renders the caregiver invisible. It is in care work where we see the convergence of detrimental discourses that suppresses the status of people of colour, of traditionally women's work, and of the servants themselves. Caregivers exist as a projection of their employer's needs and are only visible when their employer asserts their claim to the domestics' labour.

Ineffectual Government Response

Outside the literary realm, similarly horrifying stories regarding the exploitation of domestic workers garnered widespread media attention reaching its tipping point with the highly publicized "Seven Jamaican Women" case (Appendix C). The 1978 case featured women who arrived in Canada through the West Indian Domestic Scheme. The seven lied about having children — a violation of their agreement for working in Canada — and thus faced deportation. Extended protests highlighting the abusive nature of this arrangement and campaigns on the expansion of rights of domestic workers culminated in the creation of the *Foreign Domestic Movement Program* (FDMP) in 1981 (Macklin 1992, 734; Appendix D). While women from the West Indies constituted a large of minority domestic workers in Canada from the mid-1950s to the early 1980s, the FDMP provided avenues for domestic workers from other third-world countries to migrate (Macklin 1992, 693). By 1990, migrants from the Philippines became the predominant country of origin of domestic workers, a figure that stands to this day (Immigration Database 2008 Immigration Category Profile: Live-in Caregivers; Appendix E). The FDMP allowed domestic workers to apply for landed immigrant status while working in Canada after two years, unlike the scheme that brought Caribbean domestics into Canada in the 1950s and the TFWP in the 1970s (Macklin 1992, 689-691). Even still, the exploitative features of previous policies, such as the live-in requirement, persisted in the FDMP; the FDMP was the first piece of government legislation that explicitly required foreign domestic workers to live with their employers (Hsiung & Nichol 2010, 768). Furthermore, to become landed immigrants, caregivers were required to prove their cultural adaptation, personal suitability, and financial sufficiency through volunteering in the community, further educational attainment, language fluency, and adequate savings. These requirements were not placed on foreign workers in other groups and lobbying for domestic workers rights persisted (Hsiung & Nichol 2010, 768).

In April 1992, Bernard Valcourt, the Minister of Employment and

Immigration, called for the replacement of the FDMP and introduced the *Live-in Caregiver Program* (LCP) (Macklin 1992, 757). Under the new terms, the government pledged to provide counselling and support for domestics regarding their working conditions and their rights under Canadian law (Macklin 1992, 757). Moreover, care workers were no longer explicitly required to demonstrate financial sufficiency, cultural assimilation, or skills upgrading in pursuit of landed immigrant status. Nevertheless, insofar as the live-in component remains mandatory, the abusive nature of the caregiver's working conditions persists. Unequal employer dynamics perseveres, as the partition of work and personal time remain vague and the right of the domestic worker to work and live in Canada is controlled by the employer.

In the eyes of most Canadian families, however, the LCP more or less satisfied the desire of hiring domestic workers without the conscious exploitation. Below the border, many saw the Live-in Caregiver Program as a model for the United States to follow (Walsh 1993, E5). In an article from the Los Angeles Times in 1993, foreign correspondent Mary Williams Walsh succinctly displayed the perceptions of the Live-in Caregiver Program from Canadian and American families:

Not to sound holier-than-thou, but I am a working mother who has actually found a legal caregiver for my son, and I even pay the required taxes on the woman's salary.

How did I pull off this extraordinary feat?

It wasn't cheap, but it was easy – because I happen to live in Canada, not the United States. (Appendix F)

Walsh goes on to explain that while the LCP is not as cheap as “hiring an illegal immigrant and letting her work as much as 100 hours a week for less than the minimum wage,” it is also not as demeaning or exploitative. After all, while domestic workers wait for two years to get the Canadian equivalent of the “green card,” Walsh states that “they get the same generous Canadian social benefits that all of Canada's legal residents get.” And while cheating (i.e., “eager domestics [who] try to beat the requirement that they live with their employers for two years”) does occur, she assures the reader that the government catches these “cheaters” and sends them packing (Walsh 1993, E5).

Conclusion

As this work has demonstrated, the historical development of domestic work is dominated by ethno-racial and gendered abstractions from those who command power as superordinate classifiers. Institutions play an integral role in manipulating gender discourse and racial ideology to support and affirm social and spatial categories for their own benefit. Efforts to separate the private and

the public sphere in Canada's early history worked to both minimize the value of women's work and constrain the role of women to the confines of the home. As the burden of care work transferred into the hands of labourers from the Global South, government policies informed and institutionalized this classification process accordingly. Regulations on domestic work simultaneously embody the Canadian man's sense of pre-eminence between women and themselves as well as the difference between white Canada and the “non-preferred”. The characterization of care work is constructed and distributed by those in power specifically for those in power, who, in conferring inferior status to women and “foreign” caregivers, maintain their privilege. The deteriorating protections and immigrant status of domestic workers discloses the racialized and gendered dogmas of the people who comprise and control Canada's public policy and consciousness within its society.

Cinderella may be a fairy tale, but the abusive character of her story and her life in care work remains authentic in the present day. The isolated domestic worker in Canada is shuffled into a precarious live-in situation where her time, work, and body are perpetually disrespected. Their situations are similar to an extent, except for the fact that migrant domestic caregivers are short a magic wand or a prince charming to wondrously change their fortunes. “Happily ever after,” it seems, is just beyond the domestic worker's grasp.

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Appendix A

CHALOULT SAYS WORKING WOMEN REDUCE FAMILIES, 1945
The Hamilton Spectator, 15/03/1945.

CHALOULT SAYS WORKING WOMEN REDUCE FAMILIES

Quebec, March 15.—(CP)—The question of female employment in war plants as a factor in reducing the size of the Quebec family and denuding the populations of rural centres will come in for further discussion next week in the Quebec Legislature.

The matter was brought up last night after Rene Chaloult, Independent member for Quebec Centre, said employing women in war plants was "the surest way to destroy the family—Quebec's sole means of survival."

Several members agreed with Mr. Chaloult who introduced a motion calling for production of documents exchanged between provincial and federal authorities on women employed in war plants.

Prime Minister King, Defence Minister McNaughton and the Canadian Broadcasting Corporation had "launched and carried out a campaign to drive women away from rural centres and encourage them to enlist in the armed forces or work in war industries," Mr. Chaloult said.

Women, who left their villages to work in war industries, would never go back home. It is the Federal Government's duty to advise mothers of the "dangers" awaiting their daughters in urban centres.

Serious Exodus

Exodus from rural centres, where the population has steadily decreased since 1870, Mr. Chaloult added, was "a more serious problem than conscription. Conscription is a problem which will be solved when the war ends; the other will worsen when the last shot has been fired."

Opposition to women working in urban industries—"war plants or others"—was expressed by Hon. Laurent Barre, agriculture minister, speaking on the motion for the Duplessis Government. He said that woman's place in Quebec was "on the farm, with her children and husband."

Women working in urban industries was "an evil," Adelard Godbout, Liberal opposition leader, said. However, he added, if Quebec women left their rural homes "regretfully" they did so to help Canada's war effort the best way they knew how—working in war plants. Everybody should be proud of them.

No one should blame Quebec women for the present situation, Andre Laurendeau, provincial leader of the Bloc Populaire, said. It was caused by Canada's economic and social system "ineffective in protecting families."

Principle of the motion was supported by David Cote, sole C.C.F. representative and member for Rouyn-Noranda, who said women were forced to accept employment in urban industries because fathers did not have "the financial means to support large families."

Appendix B

MORE WEST INDIANS COMING AS DOMESTICS, 1956
The Globe and Mail, 20/06/1956

More West Indians Coming as Domestic

Ottawa, June 19 (CP). — The Government has doubled the number of West Indian girls who will be admitted to Canada this year as domestics under an experiment started a year ago.

The Immigration Department announced today that 200 girls from Jamaica, Barbados, Trinidad and British Guiana will start arriving in Canada late this month or early next month to take jobs as domestics across the country.

An official said the decision to double the number admitted was taken following a survey of 100 girls who came here as domestics last year. The girls and all employers except nine were interviewed to obtain some indication whether the experiment was successful.

All the girls still were working as domestics and only four said they planned to do something else

on completion of the year's service which they undertook to complete here. None suffered serious illness during the year and all said they found the winter weather bearable.

More than 85 per cent of the employers reported the girls gave eminently satisfactory service, the department said. Employers were satisfied with the girls' deportment and conduct.

Seventy-five girls came from Jamaica last year and 25 from Barbados. This year 100 will be Jamaicans, 40 from Barbados, 30 from Trinidad and 30 from British Guiana. They now are being selected.

Where last year's entrants took jobs only in Quebec and Ontario, those arriving this year will go to homes in most of the 10 provinces. They are placed through the Labor Department's National Employment Service.

Appendix C

LIED ABOUT HAVING CHILDREN, JAMAICANS BEING DEPORTED, 1978
The Globe and Mail, 13/02/1978

Lied about having children, Jamaicans being deported

BY KATHLEEN REX

LIZABETH LODGE and Carmen Hyde have just received their deportation notices. They have to be out of the country by Feb. 21.

When they applied for landed immigrant status in Canada, they declared they didn't have any dependent children at home in Jamaica. Actually, Mrs. Lodge had two and Mrs. Hyde, four.

The case against Mrs. Lodge and Mrs. Hyde is one of what appears to be an increasing number of cases in which Jamaican women are being deported for falsely declaring they had no children when they applied for landed status.

"Not so," says Immigration Minister J. S. G. (Bud) Cullen. "What is happening is that these cases are getting more publicity than they were before."

In a recent telephone interview, Mr. Cullen denied there had been any stepping-up of action against women who have been coming to Canada for years to work as domestics under an arrangement with the Jamaican Government. The program was discontinued in 1976.

To acquire landed immigrant status, these women had to make that they were "single, widowed, divorced, without minor children or the occurrence of common-law relationships and the issue thereof."

A friend "showed me the application and told me not to put in about the children"

This is where the trouble started. On the advice of a friend, a travel agent, in some instances Jamaican Government officials and even Canadian representatives in Jamaica, sometimes they denied having children.

In Mrs. Lodge's case, it was a friend who "showed me how to fill out the application and told me not to put in about the children."

Mrs. Lodge was trying hard not to cry when she left the immigration office at 40 University Ave., where an immigration officer had just advised her the date she must leave.

"I asked 'What have I done?' I said 'It's my kids, isn't it?' I said 'Nobody's perfect.'"

She has never kept her children a secret. In 1974, when applying to have her sister come to Canada, she told the immigration officer she had

children in Jamaica. Nothing happened then. Two years later, though, it was a different story. When she applied to have her sister come on a visit, once again she said she had children. That was when her trouble started. First a special inquiry was launched and next came an unsuccessful visit to the Immigration Appeal Board.

"My take-home pay is about \$180 a week and I've sent home \$100 a month for their food and clothes."

Mrs. Lodge came to Canada as a visitor six years ago, and applied for her landed status during her visit. She has worked ever since coming here. For the last two years she has been a housemaid in the Republic Aluminium Co. She has worked hard, regularly sending money back to her mother in Jamaica for the support of the children. "My take-home pay is about \$180 a week and I've sent about \$100 a month for their food, and I keep them in clothes." Returning to Jamaica means returning to unemployment and poverty.

Immigration Minister Cullen denies that the current high unemployment rate is the reason for deporting these women. But in his view, the children of a woman who came in under the Canada-Jamaican domestic arrangement "would by now be reaching an age where the women would want to be united with them."

"She would be feeling concern because back home the mothers, fathers, and grandmothers — who ever has been looking after them — could no longer continue to do so," Mr. Cullen added. "As a result, these women are being put into a position where they either have to go back or try to bring their children into the country. And when they do that, of course, they are indicating they made a false declaration when they came into Canada."

Mrs. Lodge said she never has had any intention of bringing her children to Canada. Her one desire has been to continue earning money to keep them in food and clothes.

Carmen Hyde, said to have Canada as the same day as Mrs. Lodge, is divorced; while she helps support her children in Jamaica, her former husband has custody of them. She does not understand why the fact of children should mean she now must give up her housekeeping job at the Chelsea Inn (where she has been employed for more than two years) to return to Jamaica and unemployment. "The main reason I came to Canada was because I wanted to help myself. I'm doing fine. I'm working. I've never tried to live off the Government."

Lola Anderson, with three children in Jamaica, also is awaiting deportation. She, like the others, was advised by a friend not to mention her children when applying for landed immigrant status. She, too, is in her thirties, and is working.

The another Jamaican mother under the gun is Charis Lawrence, who came to Canada in 1971. She has four children, was advised by a private immigration agent in Jamaica not to declare them.

In Canada, Mrs. Lawrence worked for two years as a domestic and now is on the housekeeping staff at Inn on the Park.

"What does the future hold for her? She just waits and sees."

Mrs. Lawrence was ordered deported when Immigration officials discovered she had con-

cealed the existence of her children on the application she made out five years ago when applying for landed immigrant status.

"It's something like being fired from a job because someone checked the items you made out when you applied, and discovered you'd put on a you had four years' experience when you had only three," said Toronto lawyer Claudio Reuch, who heads the local chapter of the International Committee Against Racism.

David Jacobs, another member of the committee, said women have been coming from the West Indies to work as domestics since 1955, and it always has been known that those coming from places such as Jamaica would have had children.



Carmen Hyde (left) and Elizabeth Lodge plan pickets at immigration offices on University Avenue.

cluded the existence of her children on the application she made out five years ago when applying for landed immigrant status.

"The Government knew about this and never did anything about those cases in the last 23 years. It is only in the last two years they've started deporting," Mr. Jacobs said.

Mr. Cullen said he had met with the Black Coalition (the National Black Coalition of Canada, an umbrella group which represents many black organizations in the country concerning

the problem. The group particularly wanted to deal with it on an overall basis. "At one stage they were talking about an amnesty." However, that had been rejected because of the numbers of women who might be involved. "What we're trying to do is take a humanitarian approach," he said.

"We start out with the fact these mothers misrepresented their family status... and then we say each case is decided separately on the basis of its merits and circumstances, and the review takes into account the gravity of the violation, the reasons behind the violation, the length of residence in Canada, the employment record in Canada, the degree of establishment in Canada, and the family circumstances."

In at least one case, something referred to irregularly in immigration circles as the Buffalo Shuffle was performed when a Jamaican mother was allowed back into Canada on a Minister's permit minutes after she crossed the border into the United States (this constituting her deportation).

In Ontario at least nine Jamaican mothers are awaiting deportation in the immediate future. And for every one of these, members of the International Committee Against Racism believe there are hundreds in the community living in fear of discovery, prey to anyone who may know their real names and status. One woman was reported to immigrate by a neighbor when she went to refuse a document which was being taken up. There have been other stories.

"Another way they get caught is when they go to apply for citizenship," he said. "There is reason to believe there is some cross-checking going on here with Immigration."

Another situation will emerge when the new Immigration Act is proclaimed in April. Under the new act the status of domicile doesn't exist any more. In other words it doesn't matter whether you have lived in Canada five years or not, you can still be deported.

"The question is if you have domicile before the new act, the status of domicile doesn't exist any more. In other words, it doesn't matter what the new act becomes law," Mr. Kearney said.

'A lot of them in fact are living in fear that someone is going to unload on them' — Bud Cullen

Mr. Cullen agrees "a lot of them in fact are living in fear that someone is going to unload on them — 'We know you've got children back home and unless you do this and do that we're going to let the immigration people'."

Larry Kearney of the Parkdale Community Legal Services on Queen Street West believes there has been "a big step-up" in the move to deport Jamaican mothers, but at the moment Parkdale hasn't any such cases. He believes this is because his office has been advising women to stay away from Immigration and not to go down there "to appear sane of the kids they didn't register into the country."

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Appendix D

FILIPINO DOMESTICS PROTEST, 1981
The Globe and Mail, 22/05/1981



Globe and Mail, James Lewcun

FILIPINO DOMESTICS PROTEST

Filipino domestic workers rally outside the Immigration Ministry in Toronto yesterday. They want legislation changed to give landed immigrant status to the 9,000 foreign domestics who are in Canada on work permits.

Appendix E

FOREIGN DOMESTIC MOVEMENT ENTRANTS TO PROGRAM BY REGION OF ORIGIN 1982-1990

From Macklin, Audrey, *Foreign Domestic Worker: Surrogate Housewife or Mail Order Servant?* (1992). *McGill Law Journal*, Vol. 37, 1992, 693.

TABLE 1

FOREIGN DOMESTIC MOVEMENT ENTRANTS TO PROGRAM BY REGION OF ORIGIN 1982-1990 ²						
Year	Total	Phil.	U.K.	Eur.	Car.	Other
1982 ^a	11327	24.5%	27.0%	18.2%	18.3%	12.0%
1983	3511	15.0	18.8	29.2	15.6	21.4
1984	4570	16.9	12.6	28.1	20.4	21.9
1985	5479	28.0	13.6	26.3	15.7	16.4
1986	6938	37.0	12.2	24.2	11.1	15.5
1987	7889	40.7	11.7	24.3	8.0	15.3
1988	8056	46.0	9.4	23.0	6.8	14.9
1989	8842	49.6	8.3	19.0	6.2	16.9
1990	10946	60.2	6.4	13.2	5.4	14.8

^a 1982 figures include domestic workers in Canada prior to establishment of the program.