

A stylized world map composed of a grid of dots in various shades of gray, with several dots highlighted in red. The map is centered behind the title text.

# Regress trumps progress: Canadian women, feminism and the Harper government

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- Canadian women and organized feminism achieved measurable gains under a series of Liberal federal governments from the late 1960s to the mid-1980s.
- Women's groups, particularly in English Canada, pushed back against core policies championed by Progressive Conservative majorities in the years 1984–1993.
- Conservative minority governments since 2006 have moved crucial equality markers backward, but in a deliberately under-the-radar manner.
- This erosion is likely to continue, even with a social democratic Official Opposition for the first time in Canadian history.





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## Background to women's status in Canada

Second-wave feminism emerged in English Canada and Quebec during the late 1960s, when power at the federal level rested in the hands of Prime Minister Lester Pearson's Liberal minority government. Pearson's willingness to appoint a Royal Commission on the Status of Women (RCSW) helped put demands for equality in education, employment, reproductive health and public life on the political agenda, in large part because of extensive interest generated by the commission's open hearings in communities across Canada. Published in 1970, the RCSW report presented 167 recommendations that guided the early work of an umbrella feminist organization created in 1972, known as the National Action Committee on the Status of Women (NAC). In response to those recommendations, Pearson's successor as prime minister, Pierre Elliott Trudeau, established in 1971 the cabinet position known as minister responsible for the status of women, and in 1976 the bureaucratic unit known as Status of Women Canada with a mandate »to coordinate policy with respect to the status of women and administer related programs.«

Women's progress in this period was not simply reflected in alterations to the federal machinery of government. Since Canada is arguably the world's most decentralized federation, with major responsibilities for social policy resting at provincial and, in some cases, municipal levels, it is significant that grass-roots mobilization demanding equal pay, child care provisions, abortion rights and more women in public office vastly expanded at sub-national levels. Crucial accomplishments in the early 1980s included the constitutional entrenchment of equality rights in the Canadian Charter of Rights and Freedoms, a hard-won struggle that unfolded during the same period as the Equal Rights Amendment was blocked in the United States.

A crucial source of support for feminist efforts was government funding of pro-equality litigation, as well as women's group conferences, research and organizational infrastructure. Working in a sparsely populated country that stretches over a very large landmass, activists used public monies to meet, plan activities and lobby parliamentarians in provincial and federal capitals. Estimates show about two-thirds of the annual NAC budget in 1984 came from federal government sources.

Over time, growing numbers of Canadian women attained university-level education, entered the paid labor force and won elective office. Yet this seeming progress was tempered by the fact that the ratio of female-to-male annual earnings for full-time, full-year workers remained plateaued at the 70 percent range. Moreover, a single member plurality electoral system, overlaid with highly decentralized constituency nomination practices, combined to produce comparatively low proportions of women parliamentarians, rarely reaching above the one-quarter range. Canada stood out internationally for numbers of women party leaders, including the brief term of Kim Campbell as prime minister in 1993, but this pattern masked their significant clustering at the top of weak organizations which were not politically competitive.

## Defensive mobilization in the Mulroney years

The election of two consecutive Progressive Conservative majority governments in 1984 and 1988 created considerable tension between organized feminism – notably in English Canada – and federal political leaders. Although Prime Minister Brian Mulroney was more pragmatic than ideological, especially when compared with his more neo-conservative counterparts Ronald Reagan and Margaret Thatcher, his parliamentary caucus and party grass-roots contained many social traditionalists who wanted to turn back the clock on women's rights. Moreover, Mulroney's firm commitment to a stronger market and a weaker government presence in the lives of Canadians underpinned his decisions to pursue a free trade agreement with the United States, alongside childcare and fiscal policies that brought him into direct conflict with NAC.

Progressive Conservative governments implemented free trade, but lost two parliamentary votes on abortion that would have re-criminalized the procedure following a 1988 Supreme Court decision which struck down the existing law. Mulroney also withdrew a childcare bill in the face of sustained opposition from both feminist and anti-feminist interests; the latter included a group known as R.E.A.L. Women, standing for Realistic, Equal, Active, for Life, whose allies in the governing caucus helped ensure that the organization won its first federal government subsidy in 1989. Unlike the largely constructive working



ties that evolved between NAC and a series of Liberal federal governments after 1972, relations with the Progressive Conservatives became increasingly strained and, ultimately, quite adversarial by the time the Liberals returned to power in 1993.

Much of this tension followed from a view among feminists in English Canada that continental free trade, together with the decentralist directions of two Mulroney-era constitutional proposals (both of which failed, known as the Meech Lake and Charlottetown initiatives), would constrain the federal government's ability to set national standards in areas that mattered to women – notably labour market and social policy. From their perspective, bargaining away these levers meant that future campaigning would be dispersed not just across unaccountable international trade bodies but also across the multiple and, in some cases, less than sympathetic leaders of provincial and local government within Canada.

In Quebec, by contrast, feminist mobilization had long been directed at the National Assembly and provincial cabinet. Furthermore, the strong influence of Quebec nationalism among interests that evolved in the new left period made it logical for women's groups to train their sights on progress that could be achieved in Quebec City. The strategic wisdom of this approach was confirmed in Quebec's announcement in 1997 of a \$5 per day universal child care program which eclipsed in affordability, comprehensiveness and access any initiative on offer elsewhere in Canada.

In fiscal terms, federal Progressive Conservatives eliminated the Court Challenges Program that subsidized pro-equality litigation, and severely cut subsidies to NAC. The impact of hard times was reflected in NAC's decline from a peak of about 586 member groups with 5 million affiliated women in 1988, to fewer than 300 member groups by 2005.

## Developments in the Harper minority years

The initial Harper minority government, elected in 2006, came on the heels of a series of Liberal majority and minority regimes that restored Court Challenges funding but also reduced, time-limited and loosened control over federal social transfers to the provinces. The latter changes introduced during the first term of Prime

Minister Jean Chrétien – justified as a crucial means of controlling federal spending in the face of high deficits – further decentralized Canadian health, education and welfare policy. Large provinces – including Ontario – proceeded in the mid-1990s to offload responsibility for social assistance, childcare, public housing, urban transportation and other portfolios to local governments, which in turn commanded few revenue sources other than property taxes.

Harper-era policies continued down many of the same avenues, but with a socially traditional twist. This element was carefully couched in nuance and detail that supporters understood but which largely escaped public attention, in part because the Prime Minister framed himself as a prudent moderate who wanted to lower taxes and foster economic growth. For instance, the May 2006 budget ended a nascent national child care program initiated by Paul Martin's Liberal government, replacing it with a \$1,200 annual tax allowance payable to parents for each preschool child. Although the move was presented as a way to reduce costs and broaden choices for parents, it reinforced traditional family values by rewarding single-earner couples at the expense of mothers working outside the home. Conservatives also attempted to roll back Canada's same-sex marriage legislation, successfully sponsored in 2005 by the Martin government. Less than a year into the first Harper minority, MPs defeated a Conservative government motion to revisit the matter.

In fall 2006, the Conservatives cut \$5 million from the \$13-million budget of Status of Women Canada, explaining this decision with reference to fiscal responsibility and «efficiency savings,» as well as an argument that the unit's mission had been fulfilled. As Status of Women Minister Beverley Joan Oda stated at the time, «Canada's new Government fundamentally believes that women are equal.» Funding guidelines were altered so that organizations engaged in advocacy, lobbying or research work became ineligible for support. Language dating from 1993 had offered monies for groups seeking to «advance equality for women by addressing women's economic, social, political and legal situation.» Status of Women Canada expunged the word «equality» in 2006 and instead set out to «facilitate women's participation in Canadian society by addressing their economic, social and cultural situation.»



Harper assured voters before becoming prime minister that his government would not re-open the abortion issue, but party backbenchers continued to do just that. Conservative MPs introduced private member's bills aimed at eroding freedom of choice: the 2008 Unborn Victims of Crime Act (Bill C-484, supported by Harper on second reading) criminalized harm to a foetus while committing a violent offence. It was followed closely by legislation »to protect the conscience rights of Canada's health care workers,« so they »will never be forced to participate against their will in procedures such as abortions.« While neither bill passed into legislation, both moves demonstrated the extent to which social conservatives sought to recriminalize abortion by chipping away at reproductive health rights.

The 2009 federal budget bill contained provisions prohibiting civil servants from taking pay equity complaints to the Canadian Human Rights Commission, and imposing major fines on trade unions that helped individual members file complaints with the federal labor relations board. The Public Sector Equitable Compensation Act also weakened anti-discrimination language by allowing governments to establish compensation for employees on the basis of »market demand,« a criterion grounded in the same forces which lead to women's lower pay rates in the first place.

In spring 2010, Harper unveiled his G8 maternal health proposal, ostensibly designed to save »the lives of mothers and children all over the world.« When public and women's health advocates asked for details, he responded with characteristic doublespeak: »We are not closing the door to any option, and that includes contraception, but we do not want a debate, here or elsewhere, on abortion.« In the same sentence, Canada's prime minister expressed openness toward every policy option, but categorically refused to discuss the most crucial among them. This sly approach permitted Conservatives to implement significant international changes and propose restrictive domestic legislation in the area of reproductive health that eluded most voters' radar screens. But the consequences were hardly trivial. For one thing, official Canadian maternal health policy now denies funding for abortion services in the developing world.

## Future prospects

Jurisdictional decentralization in Canada limits federal control in most policy domains. With approximately 90 percent of adults working in sectors governed by provincial or territorial labour laws, and with sub-national governments largely responsible for health care delivery, retrenchment is harder to achieve in these fields than in a more centralized system. Moreover, the federal election of May 2011 brought a numerically strong New Democratic Party Official Opposition to Ottawa, one with more than 40 percent women in its ranks. Since the 1970s, the NDP has stood out from other federal parties for its willingness to enforce formal affirmative action policies that promote women candidates in winnable seats; furthermore, the party has consistently adopted pro-feminist positions on equal pay, childcare, electoral reform and other issues.

Statistics Canada data from 2009 showed more than 8 million or close to 60 percent of adult women in Canada worked for pay, twice the number employed in 1976. Over time, rates of female unionization and self-employment have risen, the latter reaching nearly 36 percent by 2009. Levels of educational attainment also increased markedly such that by 2007, women constituted more than 60 percent of Canadian university graduates, including in the life and physical sciences.

This promising background does not alter the stark reality that the 2011 federal election brought to power an anti-equality majority government, however. Harper's track record of implementing regressive changes will probably continue now that his party controls both houses of parliament, thanks in part to a loyal base of social conservatives who bolted from the Mulroney organization of the 1990s to form the Reform, Alliance and then merged Conservative parties. Moreover, the arrival of similar right-wing governments at the provincial level in Canada, widely predicted to occur in upcoming elections, combined with the presence of traditionalist mayors in major cities, including Toronto and Winnipeg, could produce parallel erosion at those levels.

Which women are likely to be most vulnerable in these specific circumstances, and under the more general shadow of insecure times? In the past, immigrant women's employment was more affected by economic downturns than that of those born in Canada. Thousands



of live-in caregivers<sup>1</sup> who arrive each year, primarily from the Philippines and Caribbean, are particularly vulnerable to such fluctuations because immigration regulations require them to live with and work for the employer named on their work permit. Harper-era changes to Status of Women Canada and other agencies eliminated federally-funded community programs which in the past helped women at risk, to the point that a mainstream press report recently questioned whether the murder of a young South Asian mother (whose husband has been charged in the case) would have occurred had neighbourhood supports remained in place.

In more general terms, efforts by successive federal governments to lower taxes, cut spending and offload social policy responsibility have created growing burdens for families. Research shows that over time, more Canadian women have had to informally care for a chronically ill

senior, often an aging parent, such that by 2007 close to one-quarter of the female population over age 45 shouldered this work. At a rhetorical level, Conservative discourse consistently condemns »judicial activism,« a code word for pro-equality jurisprudence by appointed judges. It speaks of building up Canada's military capabilities by purchasing new fighter jets and defending Arctic sovereignty, thus ignoring »soft power« international strategies that would enhance the lives of women. Policy toward Canada's Aboriginal peoples was regularly framed in terms of deadlines for concluding formal agreements with primarily male band leaders, rather than addressing violence against Aboriginal women both on- and off-reserve.

Unfortunately, none of these patterns auger well for women's equality or organized feminism in Canada.

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1. Live-in caregivers are individuals who are qualified to provide care for children, elderly persons or persons with disabilities in private homes without supervision. Live-in caregivers must live in the private home where they work in Canada.





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