

Feminism's Fight

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1

From the Status of Women to Gender Justice for Women

Barbara Cameron and Meg Luxton

The COVID-19 pandemic that swept the globe in 2020 exposed and exacerbated deep inequalities in Canadian society (Scott 2021). Women were more affected than men, although the extent of the impact varied depending on their differing social locations and privileges. Working-class, poor, and racialized women, particularly Indigenous, Asian, and Black women, as well as immigrants, trans, women with disabilities, and rural women, all dealt with increased challenges as the pandemic progressed (Alook, Block, and Galabuzi 2021; Xia et al. 2022). Scores of women were hit with job losses, small-business failures, and reduced hours of paid employment, with the resulting depletion of income. Mothers were required to cope when childcare centres and schools closed, sending their children home. More people at home meant increased housework for lots of women. Rates of domestic violence rose at a time when access to support services was limited. The pandemic further highlighted the extent to which essential workers, many of whom are women, in the care sectors (health, childcare, elder care), food supply, product delivery, and other services were racialized, poorly paid, and precariously employed. As front-line workers, they put themselves and their households at risk every day. The majority of residents who died in long-term-care homes were female, as were most workers in those homes who contracted COVID-19. On June 30, 2021, the Prime Minister's Office noted,

Women and girls have been disproportionately affected by the global COVID-19 pandemic, which threatens to roll back the hard-fought social and economic progress that they've made. The Government of Canada

is committed to ensuring this doesn't happen, both here at home and around the world, and recognizes that in order to truly build back better, we must create a Canada that works for everyone. (Prime Minister of Canada 2021)

This “gender equity crisis” (Smith et al. 2021) confirmed what feminists had been arguing for decades – if women were to achieve equality, public policy that dealt specifically with issues of gender, race, class, colonialism, and other systemic schisms required significant revision. Sarah Kaplan and Maya Roy (2020, vi) note that the health crisis, and the resulting economic crisis, “revealed who is truly essential and the degree to which the caring economy, both paid and unpaid, underpins our entire economic system.” They remark that “it took a pandemic for the country to see what was already broken.” In response, the authors insist, “A paradigm shift is afoot.”

This paradigm shift started from the recognition that the pre-pandemic “normal” was problematic: “As Canada grapples with the COVID-19 pandemic, many want to return to ‘normal’ as quickly as possible. But ‘normal’ is deeply flawed, especially for women, girls, and Two Spirit, trans, and non-binary people” (Canadian Women’s Foundation et al. 2021). Feminists argued that a feminist approach to public policy – that takes into account both women’s inequality and the inequalities among women based on class, racism, colonialism, and other systemic oppressions – is essential for gender justice in a post-pandemic economy and society (see, for example, Canadian Women’s Foundation et al. 2021; Dessanti 2020; Sultana and Ravanera 2020).

This book shares that perspective and is intended to contribute to debates about how to develop feminist gender justice based public policies. It starts from the recognition that the 1970 report of the Royal Commission on the Status of Women in Canada (RCSW) was the first policy review to focus on women. It was also the last systematic effort to develop an equality agenda. The chapters in this collection explore the frameworks of ideas that feminists have employed to advance their claims on governments, first in their demands that a royal commission be established, then in response to its report and its liberal feminist recommendations, and ultimately to the subsequent changing social, economic, and political context during the fifty years that have elapsed between 1970 and 2020.

The chapters also trace the shifting frameworks that governments have used to respond to demands for gender equality. They evaluate the changing government orientations through the 1990s and the 2000s, showing their largely negative impacts on most women's lives and the challenges these posed for feminists. The book tells a crucial part of the story about the transformation of feminism from being recognized as an activist social movement to being seen as a marginalized interest group or sector by the 2010s. It asks whether the change in government policies following 2015, when Justin Trudeau's Liberals swept Stephen Harper's Conservatives out of office, offered new opportunities for feminist activism. As the COVID-19 pandemic confirmed and aggravated the sexism, misogyny, and related systemic inequalities such as colonialism, racism, class exploitation, ableism, and homo- and transphobia, the authors ask how a feminist movement can be mobilized in the current period and what kinds of policy demands are possible to promote an inclusive gender equality framework.

Royal Commissions and Shifting Policy Frameworks

The Royal Commission on the Status of Women (RCSW) was appointed by Liberal prime minister Lester B. Pearson in 1967 in response to pressure from women's organizations. Its report, presented in 1970, galvanized a significant shift in the assumptions about women and gender relations in government policy. Before the 1970s, Canadian governments formulated their policies on the assumption that most adult women would be (and ideally should be) wives and mothers, economically dependent on an income-earning male. After 1970, politicians began to justify – and public officials sometimes to design – policies with the goal of equal opportunity for women in paid employment and a number of other areas. Women's equality took a central place in public discourse during the 1970s and 1980s. Pushed by women's groups and the growing grassroots women's movement, governments amended laws and policies to remove barriers to the employment of married women, improved their divorce rights, and promoted more educational opportunities for women. They facilitated women's access to government by funding feminist organizations and creating representative structures within the state, such as women's directorates and advisory councils on the status of women. They

removed most of the legal barriers to formal equality, with the shameful exception of those facing First Nations women in the Indian Act. They even developed some policies that advanced substantive equality based on the principle that policies and programs be designed in ways that take women's social and economic disadvantage into account and that provide equality for them in their material conditions (Brodie 2008; "Montréal Principles" 2004).

Governments in Canada frequently turn to royal commissions when they encounter problems that are serious enough to threaten their electoral prospects and that do not have an obvious solution in current policy frameworks. Jane Jenson (1994, 39–40) suggests that royal commissions are "locales for some of the major shifts in the ways that Canadians debate representations of themselves, their present and their futures." Neil Bradford (1999, 48–49) describes them as "decisive institutional arenas where idea generators and social interests converge to redraw the road maps for the Canadian state and policy." Liora Salter (2007, 292) emphasizes the influence of commissions and inquiries on shifting policy frameworks, arguing that they "have an impact on both the climate of opinion and the conceptual frameworks that are used for policy analysis. Changes in policy often come from new ways of speaking about policy issues, as much as they do from specific recommendations."

Although royal commissions often reflect and produce significant alterations in policy orientations, they have typically reinforced prevailing colonial and racial orders. Commenting on Eve Haque's (2014) study of the role of the Royal Commission on Bilingualism and Biculturalism, Malinda Smith (2014, 141) states that Haque's analysis revealed "the central role that royal commissions play in narrating a racial order and settler colonialism at pivotal times in Canadian history and politics." As several chapters in this book indicate, the RCSW left unchallenged the colonial assimilation approach to Indigenous women. It had little to say about overturning systemic racism in Canada and nothing at all to say about contesting class exploitation. However, Annis May Timpson's (1999) analysis of the engagement of women with the royal commission concluded that such inquiries may also operate as sites of resistance.

In the case of the RCSW, the same ingredients were present as in other policy paradigm shifts. There was a conflict between changing social

realities and dominant policy frameworks, organizations outside government were challenging the assumptions of existing policies, and a new constellation of ideas and values had emerged that groups could use to advance their claims. In the late 1960s, overt legal discrimination against women, especially married women, was widespread in employment, married property laws, education, and rates of pay. Although excluded from the “male” jobs that they filled during the war, women, including married women, were returning to paid employment in large numbers, often working part-time in sex-segregated occupations and industries. In 1941, 20 percent of women participated in the labour force, a figure that reached a wartime high of 33 percent in 1943, dropped to 25 percent in 1946, and rose again to just under 30 percent in 1961 and 40 percent in 1971. For married women, the increase was particularly dramatic: from 5 percent in 1941 to 21 percent in 1961 and 41 percent by 1975 (Sangster 2010). As economist Sylvia Ostry notes in *The Female Worker in Canada* (1968), labour market participation for most women involved a pattern of discontinuity: they worked for wages as long as they were single, withdrew upon marriage and while their children were young, and then rejoined the labour force, often in part-time jobs. By the time of the RCSW, their relationship to paid employment was rapidly altering. In response to changing conditions, the number of women in unions increased by 144 percent between 1965 and 1975 (Akyeampong 1998), the membership of existing women’s organizations grew, and new organizations were formed, including Indigenous and racialized women’s groups, producing a groundswell of support for equality issues (Coulthard 2014, 84; Luxton 2001; Nickel 2017; Sangster 2021).

The RCSW report entered Canadian public policy discussions at the height of government commitment to Keynesian welfare state policies. A year before the commission was appointed in 1967, Parliament enacted the Canada Assistance Plan, the Canada Pension Plan, and the Medical Care Act (medicare). The Keynesian paradigm of economic management and its attendant social liberal values of improved social and economic equality provided an umbrella under which the feminist movement could advance equality claims on the state.¹ The commissioners produced their recommendations in the context of an active and continuing role for the federal government in social programs. This was a period of other public

policy debates and changes. Explicit racist discrimination was removed from immigration policy. The Quebec nationalist challenge to Canadian federalism resulted in the Royal Commission on Bilingualism and Biculturalism (1963–69). The Parti Québécois, formed in 1968, called for national sovereignty for Quebec. In 1969, the federal White Paper on Indian Policy provoked both its immediate rejection by First Nations leaders and a wave of activism by Indigenous people and their allies. It was a period of widespread activism, public policy innovation, and openness to change.

The Royal Commission and Feminist Organizing

The initiative for a royal commission on the status of women came from civil society groups, specifically the Committee for the Equality of Women in Canada (CEWC), a coalition formed in May 1966 by more than thirty representatives from national English-language organizations. The CEWC forged links with the *Fédération des femmes du Québec*, a coalition of thirty-eight groups established in 1965–66 (Bégin 1997). The women who pressed for a royal commission, and the commissioners themselves, could draw on the social liberal values of formal equality for everyone and a commitment to social and economic rights that prevailed both domestically and internationally in the decades following the Second World War.

This Canadian initiative was closely linked to international feminist organizing efforts. Since the late nineteenth century, women's groups in many countries had focused on ways to influence government policies for the advancement of women. By the mid-twentieth century, they had created well-established international networks that intervened at local, national, and international levels to ensure women's participation in decision making (Pietilä 1999). With the 1946 founding of the United Nations, they demanded that women be appointed to UN positions, fought to have “the equal rights of men and women,” not just “human rights,” cited in the Preamble to the UN charter (United Nations 1948), and campaigned for the creation of a Commission on the Status of Women (Pietilä 1999, 13–14).

As one of its first projects, the UN Commission on the Status of Women conducted a global survey of women's rights, which identified four areas of concern: the political rights of women and the possibility of exercising them; legal rights of women, as individuals and family members; access of girls and women to education and training; and working life (Pietilä

1999, 19; United Nations 1996). The commission urged member countries to survey the status of women in their jurisdictions. In 1963, the UN General Assembly asked the commission to draft a declaration on the elimination of discrimination against women.² Drawing on information provided by governments, NGOs, and various other agencies, the commission produced a detailed report on the political and legal status of women globally. CEWC members were involved with the commission, and their demand for a royal commission on the status of women in Canada was in line with international efforts. The experiences, practices, and orientations of the UN commission provided a background and inspiration for Canada's royal commission.

The RCSW was the first commission in which female commissioners outnumbered their male counterparts (five out of seven) and the first to be chaired by a woman, Florence Bird. Its general mandate was to "inquire into and report upon the status of women in Canada, and to recommend what steps might be taken by the Federal Government to ensure for women equal opportunities with men in all aspects of Canadian society," including with respect to their political rights, their present and potential role in the labour force, skills and education, labour laws, employment and promotion in the federal public service, taxation, marriage and divorce, criminal law, and immigration and citizenship (RCSW 1970, vii–viii). The commission adopted four principles to guide its work: women should be free to choose whether to work outside the home; responsibility for childcare is to be shared by the mother, father, and society; society has a responsibility for women because of pregnancy and childbirth, and special treatment related to maternity will always be necessary; in certain areas and for an interim period, women will require special treatment to overcome the adverse effects of discriminatory practices (RCSW 1970, xii).

The methods used by the commission combined a remarkably democratic consultation process with the first large program of thorough research on the economic, social, and political status of women in Canada. The seven commissioners conducted public hearings in sixteen cities in the ten provinces and two territories, and two commissioners held group meetings and interviews in four northern communities. Inviting participation by individuals, community groups, organizations, professionals, and experts, the RCSW commissioned forty studies. It made deliberate

efforts to engage women by circulating a brochure titled *What Do You Have to Say about the Status of Women?* across the country in supermarkets and libraries and through associations and the mass media (RCSW 1970, ix). Over six months, approximately nine hundred people appeared before the RCSW, and it received 468 briefs and more than a thousand letters. Most of the public hearings were broadcast by CBC, allowing Canadians everywhere to follow the presentations. One immediate result was a dramatic increase in attention to women's issues and a public debate about proposed policy changes.

The RCSW final report assumed that equality between women and men was possible, desirable, and socially beneficial. Its framework was an example of liberal feminist political theory, the idea that women's inequality is rooted in discriminatory attitudes and that laws can be reformed to give them the same opportunities as men (Bryson 1999; Tong 1989). It recommended that public policy be used to eliminate those obstacles to gender equality. The commission's position, however, went beyond a formal equality framework to recognize the need for childcare services for all parents who wished to use them (not just employed mothers), equal pay for work of equal value (not just for the same work), and special interim measures to overcome adverse effects (affirmative action). It recommended the development of an infrastructure at all levels of government to promote and monitor public policy to ensure greater equality for women. In keeping with the RCSW mandate, a central focus of the report was on eliminating barriers to women's participation in the paid labour force on the same basis as men.

The commission was ahead of its time in critiquing the gender division of labour in the household and the sex segregation of occupations. It did not, however, recognize the extent to which paid employment, organized as it was around the model of a male employee supported at home by a wife who cared for him, their children, and the household, would need to be restructured. From that perspective, the commission accepted an adult worker model, with childcare and other supports to allow women to join the labour force on equal terms with men. The report was clear that differing groups of women had specific concerns that required particular policies to address their circumstances but only to the extent that they fit within its equal-opportunity-with-choice framework. It identified constituencies with specific issues, including Native women of the North, female

immigrants, rural and poor women, women as criminal offenders, housewives, and employed women. But it failed to acknowledge the colonial assimilation policies imposed on all Indigenous women. It never addressed the reality that a call for women's equality with men left unexamined and unchallenged the inequalities among women and men. Its focus on "women" and how "to ensure for women equal opportunities with men" (RCSW 1970, xi) reproduced the white, settler elite and middle-class heterosexual social norms of the time. The narrow focus of liberal feminism on the elimination of barriers to women's equality with men meant that it had limited relevance for many people, such as Indigenous and racialized women, and members of the 2SLGBTQ+ community. As Indigenous scholar Alex Wilson (2015, 258) points out, "When the concerns of Indigenous women are collapsed into generic 'women's issues,' the real issues they are talking about (the ongoing violence of colonization and the denial of Indigenous nationhood) are potentially silenced." The reliance on legal reforms and the assumption of a singular women's voice erased the objective realities of the lives of racialized women (Williams 1990, 725).

The RCSW coincided with a dramatic reanimation of the women's movement globally and in Canada. The report itself noted that in 1970 "there were local units of the Women's Liberation Movement in 16 cities from Vancouver to Halifax," and it recognized the distinction between reformist and revolutionary feminist politics (RCSW 1970, 2). In combination with this feminist mobilization, the commission's public consultation process and its report enlarged the public space for feminist organization and women's claims on the state. From 1970 to the mid-1980s, activism intensified throughout the country, taking up the issues identified by the report and advancing other issues not addressed by it, including sexual harassment and male violence against women, 2SLGBTQ+ issues and homophobia, Indigenous women's rights and anti-colonial struggles, systemic racism against people of colour, immigrant and refugee issues, and disability issues. The efforts of grassroots feminist groups were reinforced by the unionization of the public sector in the late 1960s and feminist organizing within unions that brought mainstream labour organizations into an alliance with the women's movement.

The activists of the Committee for the Equality of Women in Canada took up the challenge to pressure Ottawa to respond to the RCSW report.

Perceiving the importance of collaboration and the strength of joint action, the CEWC member groups and those of the *Fédération des femmes du Québec* pursued their alliance under the umbrella of the National Ad Hoc Action Committee on the Status of Women (NAC), with the specific goal of ensuring the implementation of the RCSW recommendations. They organized a “Strategy for Change” conference in 1972 to develop plans for getting action on the recommendations. About eight hundred women attended, and NAC became the most politically influential feminist organization at the federal level.³

NAC was from the outset a coalition of women’s groups, which came together to work collectively on lobbying the federal government. Not all feminist groups were members, and many activists contributed in other ways. Some groups concentrated their efforts at local or provincial/territorial levels and were less interested in federal politics. Especially in its early years, some activists associated NAC with its liberal feminist origins and preferred to involve themselves in more left-wing associations and campaigns. Developing agreement on political positions is always difficult for any coalition, and NAC struggled with several ongoing challenges. It was formally committed to working in both French and English, and francophones and organizations from Quebec played important roles. However, the strong commitment of many Québécoises to the struggle for Quebec sovereignty often meant that they focused more on directing their demands to the Quebec government than on lobbying Ottawa. These varying political orientations were complicated by language differences, as most anglophones could not work in French.

NAC took up the RCSW recommendation that sexist discrimination be removed from the Indian Act, with legendary Quebec feminist, labour leader, and founding NAC member Madeleine Parent playing an especially active role as chair of its committee on Native women’s rights in the late 1980s. Whereas some Indigenous women were active in NAC and at times took leadership positions, others worked in the Native Women’s Association of Canada, founded in 1974. Many prioritized anti-colonialism and decolonization, linking Indigenous women’s rights to struggles over the Indian Act and other federal interventions in Aboriginal and Inuit life, land claims, self-government, violence against Indigenous women and children,

residential schools, and sexism in their own communities. As Indigenous feminist scholar Joyce Green (2003, 4, emphasis in original) notes,

Aboriginal women have obtained a theoretical benefit, along with white and other women, from the equality guarantees in the Charter and from the emerging convention that constitutional change requires democratic participation of even marginalized groups for its democratic legitimacy. Yet, this has not translated into equitable treatment or representation as *Aboriginal women* in either Aboriginal or settler political institutions or policies.

NAC's history shows the political strength and possibilities of coalition organizing. For over thirty years until its demise as a political force in 2001, NAC served as an umbrella association, bringing together at its height over seven hundred women's groups, focused on monitoring and lobbying the federal government. This collaboration strengthened individual member groups, as they learned from each other, shared resources, and developed more sophisticated analyses and more effective political strategies. They were also able to keep women's issues on the public policy agenda, constantly pressuring governments to take them into account.

NAC's annual lobby, which followed its annual general meeting each year beginning in 1976, is evidence of the political influence of the organization (Marsden 2005). A strong contingent of federal Cabinet ministers, whether Liberal or Conservative, assembled in the Railway Room in Centre Block on Parliament Hill. Sitting at a long table facing delegates from the NAC AGM, they responded to questions from feminists representing local and national groups. The annual lobby was chaired by the NAC president, who kept the ministers to a strict time limit. NAC's political legitimacy was also on display during the 1984 federal election, when the leaders of the three main parties engaged in a televised debate specifically on women's issues. At that moment, there was widespread agreement about the importance of women's equality. After his party won the 1984 election, Conservative prime minister Brian Mulroney affirmed that "women's issues don't only concern women but are of concern to us all" (Kingston 2015).

Collectively, the feminist movement was instrumental in shifting public attitudes and effecting reforms that eliminated or weakened many of the structures that sustained women's inequality. These included, among many

others, a strong equality clause in the Constitution Act, 1982, and changes in laws on pensions, married women's property rights, workplace pay and benefits, violence against women, and the rights of Aboriginal women (Marsden 2005; Rebeck 2005; Vickers, Rankin, and Appelle 1993).

The calls of feminists for public investment in social services and the regulation of the labour market to pursue equality objectives through measures such as pay equity and employment equity were in keeping with the social liberal values of the time. When the RCSW released its final report, federal leadership in creating a country-wide system of childcare services appeared to many to be the next logical step in the creation of a modern welfare state. Yet, even as the feminist movement reached the peak of its political influence in the 1980s, an alternative policy framework, neoliberalism, was ascending. The neoliberal project and the neoclassical macroeconomic paradigm that was central to it were openly hostile to furthering the feminist agenda (Braedley and Luxton 2010).

From Keynesian to Neoliberal Policies: The Impact on Women

Recognizing the threat posed by neoliberalism, the National Action Committee produced one of the first critiques of the 1985 neoliberal report of the Royal Commission on the Economic Union and Development Prospects for Canada (Cohen 1985). NAC also critiqued the 1988 Canada-US Free Trade Agreement, highlighting its probable impact on women's employment and social welfare programs. The alliance between NAC and the Canadian Labour Congress was at the core of the ultimately unsuccessful popular mobilization to defeat the federal Conservatives and thereby prevent ratification of that agreement in the 1988 "free trade election" (Cameron and Gonäs 1999). Although NAC itself stayed out of the 1987–90 debate on the Meech Lake Accord, prominent feminists in English-speaking Canada did oppose the proposed constitutional amendment (Dobrowolsky 2000). NAC actively campaigned against the next attempt at a comprehensive constitutional reform in the period leading up to and during the 1992 referendum on the Charlottetown Accord. NAC and the feminist movement, especially women's organizations in Canada outside of Quebec oriented to the federal level, suffered the consequences of having three times stepped beyond the boundaries of what were considered "women's issues" by encouraging public opposition to major elite initiatives.

By 1995, when the Liberals joined the Conservatives as fully committed advocates of neoliberalism, most of the RCSW recommendations that dealt with the formal legal equality of women had been implemented. However, those focusing more directly on women's economic well-being, including the proposal for a Canada-wide childcare system and equal pay for work of equal value, had not been fulfilled. Liberal and Conservative governments between the mid-1990s and the election of the Trudeau Liberals in 2015 downplayed any discussion of women's equality. The avowedly anti-feminist Conservative government of Stephen Harper (2006–15) launched explicit attacks on the equality gains women had made (Brodie and Bakker 2008, 113–20). Neoliberal policies had a disproportionately negative impact on women (LeBaron 2010), and governments refused to recognize most feminist organizations as legitimate actors in the policy process. For example, during the 2015 election campaign, Prime Minister Harper refused to participate in debates on “women's issues.”

Increasingly, through the 1990s, the politics informed by a neoliberal paradigm reduced the public space available for feminist policy engagement. Yet, in an unsympathetic and sometimes hostile environment, women's groups and activists still mobilized around most of the issues identified by the RCSW: paid and unpaid work, education and training, family law, birth control and childbearing, parenting, taxation, poverty, participation in public life, immigration and citizenship, and criminal law (RCSW 1970, v–vi). They also organized in new ways concerning old issues and in response to new challenges. Indigenous women and their allies sustained their ongoing struggle for an end to sexist discrimination in the Indian Act, for recognition and fulfillment of treaties, for equal resources for their children, for an end to racist colonial violence, for redress for the devastating numbers of missing and murdered Indigenous women, and for land claims and sovereignty. Other activists challenged Black racism, Islamophobia, and hostilities to immigrants and refugees, as well as the economic and social barriers encountered by women with disabilities. Activists in the 2SLGBTQ+ community resisted homophobia and transphobia; some successfully campaigned for legal recognition of same-sex marriage. Issues of sexual harassment and assault were increasingly treated more seriously. The majority of women continued to cope with the competing demands of paid employment and domestic responsibilities while

activists in unions, childcare, and other sectors worked for policies to support them. Yet, too often, these efforts remained local or issue-specific. And too often, the issues and potential solutions were ignored.

In the face of these challenges, feminists issued calls for a new comprehensive gender equality plan to complete the unfinished agenda of the 1970 RCSW, address the issues it had ignored or inadequately covered, and reverse growing social inequality. In their critique of the 1995 Liberal budget, feminist legal experts Shelagh Day and Gwen Brodsky (1998) proposed a Post Beijing Commission on Women's Equality. In 2002, the Coalition of Provincial and Territorial Advisory Councils on the Status of Women called for a new royal commission on the status of women because "women's lives are different. Political circumstances are different. Our entire society is different" (Coalition of Provincial and Territorial Advisory Councils on the Status of Women 2003). These demands reflected ongoing feminist organizing but were ignored by governments.

New Possibilities? The 2015 Election, COVID-19, and Beyond

By the 2000s, as inequality worsened, neoliberal policies had come under new scrutiny. The global financial crisis of 2007–08 and the austerity that followed undermined the legitimacy of neoliberal approaches even among some of their previous promoters. Key international institutions began to consider addressing poverty and gender inequality as integral to re-establishing support for capitalism and maintaining political stability (Coburn 2019). Elisabeth Prügl (2017) traces the embrace by the World Bank of "neoliberalism with a feminist face," a strategy that positively links gender equality to economic growth in a way that preserves capitalist markets. Despite the limitations of this revised approach, she maintains that it provides openings for feminist claims making. The trajectory from "rollback" to "rollout" neoliberalism (Peck and Tickell 2002) is reflected in the contrast between the 1995 federal Liberal budget, which made major cuts in social programs (Day and Brodsky 1998), and the "sunny ways" of the successful 2015 Liberal election campaign.⁴

A major dynamic in that election and the one that followed in 2019 was competition between the Liberals and the New Democratic Party for the support of the centre and the left. In this contest, women were a key constituency. Although essential elements of the neoliberal program remained

in place – advocacy of free trade agreements, support for the Trans Mountain Pipeline, agribusiness, public-private partnerships, and project rather than core funding for feminist organizations, to name a few – the Trudeau government’s positions shifted the political opportunity structure for groups that advance claims for gender justice.⁵ Under the Trudeau Liberals, Cabinet was relatively ethnically diverse, and for the first time, it included as many women as men. As part of the annual budget plan, the government required a gender and diversity statement. It responded to Indigenous feminist mobilization by setting up an Inquiry into Missing and Murdered Indigenous Women and Girls, promising to develop a National Action Plan on Gender Violence, and by eliminating most elements of formal discrimination against First Nations women in the Indian Act (Scott 2019).

In 2016, during the review of Canada by the United Nations Committee on the Elimination of Discrimination against Women, the Feminist Alliance for International Action (consisting of about sixty equality-seeking organizations) pressed its demand for a comprehensive gender equality plan (FAFIA 2016). It argued that “the inequality of women in Canada will not be adequately addressed, and the requirements of the Convention will not be fulfilled, by piecemeal, partial and siloed improvements to some programs and services and not to others” (FAFIA 2016). In its “Concluding Observations,” the UN committee took up this suggestion, urging Canada to “develop a comprehensive national gender strategy, policy and action plan addressing the structural factors that cause persistent inequalities, including intersecting forms of discrimination, against women and girls, with a special focus on disadvantaged groups of women and girls, including First Nations, Inuit, Métis, Afro-Canadian, disabled, migrant, refugee, asylum-seeking, single parent, lesbian, bisexual, transsexual and intersex women and girls” (United Nations Committee on the Elimination of Discrimination against Women 2016). In 2017, the Liberal government did make some attempt to respond, setting up a three-year managed process of public engagement that regrettably lacked sufficient credibility with feminist groups.⁶

Thus, in March 2020 when the global pandemic hit, the neoliberal economic paradigm that had deepened social inequalities was already being questioned, and the federal government had committed itself to at least some support for gender equality. The collective experience of the COVID-19 pandemic

expanded the public space for feminist claims by demonstrating the crucial importance of public policy and by highlighting women's economic contribution in both the labour market and the household. It revealed the centrality to the economy, public health, and human dignity of care work and care institutions, such as childcare and elder care (Bezanson, Bevan, and Lysack 2020).

As governments tried to steer the economy back to "normalcy," it became clear that, though the economy relies on female participation in the paid labour force, many women could not return to their jobs, because schools had closed down and childcare was unavailable. As women make up almost half of the labour force, and working mothers on average contribute about 40 percent of their household's income, the lack of safe, affordable childcare put the economic recovery at risk (Canadian Women's Foundation et al. 2021). In recognition of the economic significance of the care economy, the 2021 federal budget committed \$30 billion over five years to the development of a system of affordable childcare. These public pronouncements, studies, and advisory councils inspired new proposals that suggested the possibility of a future comprehensive gender equality plan.

Though the conditions for gender justice were more promising by 2021, a transformative outcome was by no means guaranteed. The success of feminism in eliminating legal barriers to women's equality combined with the growing class inequality typical of neoliberalism created a social basis for a "neoliberalism with a feminist face." One result of neoliberal policies was an emerging gender order in which the ability of some women to flourish in the labour market was made possible by other women and sometimes men, who are low paid, precariously employed, and often racialized, replacing the labour of more privileged women in the household or through commercial services. Situating post-COVID challenges in the context of the legacy of the RCSW, the feminist movement after 1970, and the neoliberal era that followed may enable us to go beyond this impoverished vision of women's equality to develop the kind of inclusive gender justice agenda that feminists have been promoting.

Outline of the Book

In light of calls for a new gender equality agenda and the changed social and political context, the fiftieth anniversary of the 1970 RCSW report

provided an opportune time for an assessment of the feminist engagement with the Canadian state that led to, and was then inspired by, this influential inquiry. Reflecting the richness of some recent feminist scholarship and advocacy, the chapters in this volume build on and extend previous evaluations of the commission and the feminist movement in its ongoing negotiations with the federal government.⁷

[Chapter 2](#), by Shelagh Day and Pamela Palmater, appears at the beginning of the collection in recognition that the struggles of Indigenous women for equality and justice take place within the colonialism that was foundational to the Canadian state and is ongoing. The colonial paradigm involves the continuing theft of Indigenous lands, violation of treaties, elimination of their culture, and denial of economic and social rights.

As Joyce Green (2021, 11) observes, “To the extent that feminism is a theoretically informed, action-oriented social movement, I am convinced that feminism in all its manifestations must take into account Indigenous liberation in the conditions in which we have been oppressed, and in which we struggle now.” Shari Huhndorf and Cheryl Suzack (2010, 1) note, “For Indigenous women, colonization has involved their removal from positions of power, the replacement of traditional gender roles with Western patriarchal practices, the exertion of colonial control over Indigenous communities through the management of women’s bodies and sexual violence.” Indigenous feminism has developed in that context (Nickel 2020), and the struggles of Indigenous women for equality depend on their specific circumstances – as First Nations, Inuit, or Metis, as treaty people or as those living on unceded lands (Green 2003).

The RCSW and the feminist movement of the 1970s and 1980s succeeded in forcing governments to introduce policies that would eliminate most formal legal barriers to women’s inequality with men. Yet, as Day and Palmater document in their chapter, First Nations women waged an ongoing battle against sexist discrimination in the Indian Act that denied status to Indian women who married non-status men. In contrast, Indian men who married non-status women not only retained their status but their non-status wives were legally recognized as Indian, as were their children. Although, on the surface, this campaign appears as a simple claim for formal legal equality, Day and Palmater show the links between the continuing resistance of government to the equality claims of First

Nations women and the ongoing colonial project of Indigenous assimilation.

The remaining chapters are organized into four parts: Reclaiming the Economy, Reimagining Policy, Reframing Representation, and Reforming Institutions. Each chapter focuses on a specific issue to explore three main themes: the significance of the RCSW for subsequent feminist engagement with the state and policy development; how the shift from Keynesianism to neoliberalism affected the women's movement and efforts to implement gender equity policies; and the constraints and possibilities facing feminists who seek to develop and promote a new gender justice agenda for women.

The chapters in [Part 2](#) explore the implications of dominant economic policy frameworks for gender equality and feminist organizing. In [Chapter 3](#), Barbara Cameron outlines the gender policy paradigm that underpinned the RCSW report, compares it to those that preceded and followed it, and shows the links between gender and macroeconomic policy paradigms. She maintains that feminists can learn from the RCSW success in setting out a coherent alternative to the dominant gender policy paradigm of the period and argues that the priority given by the commission to the economic autonomy of women remains relevant today. Achieving it, however, will require a more ambitious and radical agenda that includes the reorganization of all work, both waged and non-waged, as well as of time, and that places social reproduction at its core.

In [Chapter 4](#), Meg Luxton contends that, whereas the RCSW acknowledged the economic contribution of domestic labour, it failed to understand how it was linked to the process of capital accumulation. She contrasts the liberal feminist approach of the commission, which accepted the heteronormative nuclear family, with socialist feminist alternatives. She insists that problematizing family and household forms is essential to resolving the conflict between unpaid labour in the home and income-generating work, and to addressing the global care crisis.

In [Chapter 5](#), Amber Fletcher credits the RCSW with acknowledging the needs and concerns of farm women but notes its failure to provide a gender analysis of macro-level policies. To address this, she traces the gendered, racial, and colonial origins of Canadian agriculture and compares the implications for women of Keynesian and neoliberal agricultural policy. She argues that a gender lens must be applied to alternatives to corporate

farming, such as organics and community-supported agriculture, as well as to agribusiness, and calls for limitations on the ever-expanding power of large corporations.

The chapters in [Part 3](#) assess the contributions and limitations of the RCSW in key policy areas in light of subsequent developments and draw lessons for a new gender justice agenda. In [Chapter 6](#), Lise Gotell traces the construction and deconstruction of sexual violence as a policy issue since 1970. She shows how the RCSW gender-neutral framing of sexual violence set the terms for feminist engagement with the state, with the exception of a brief period in the 1990s during which the issue was a focus of legal reform. She notes the potential of the gender-based-violence strategy of the Trudeau Liberals, but she stresses the need to recognize the specificity of violence against women and the entrenched power disparities, material inequalities, relational dynamics, and socio-sexual norms that underlie it.

In [Chapter 7](#), Alana Cattapan explores the shifts in the gendered governance of biological reproduction from strict regulation prior to the RCSW, to the commissioners' optimistic expectation that the liberalization of laws on abortion, birth control, and sterilization would lead to reproductive freedom, to the recent intensification of responsibility (responsibilization) of individual mothers and potential mothers for the health of their offspring. She points to the limitations of an individual-choice framing of reproduction and calls instead for a reproductive justice approach that recognizes collective responsibility for creating the social conditions that make reproductive autonomy and reproductive choice a reality for all women.

In [Chapter 8](#), Christina Gabriel employs the concept of gender knowledge to assess the assumptions undergirding the RCSW report's treatment of immigration and citizenship and finds that its contradictory account reflects some of the gendered and racialized tensions and fissures that persist in immigration policy today. She argues that, though the report did challenge the assumption that female immigrants were economically dependent on their husbands and recommended that government references to "head of the household" be eliminated, it did not question the masculine conception of skill in the recently introduced points system and tended to attribute the difficulties facing immigrant women to patriarchal cultures and beliefs rather than immigration policy frameworks and broader structural issues.

In [Chapter 9](#), Ann Porter situates the RCSW treatment of women's income security in the context of evolving state approaches from the early days of Canadian social policy through to the neoliberal era. She notes that, though security is fragile for most women, there is an unevenness in the insecurity experienced by women related to factors such as indigeneity, race, disability, and immigration status embedded in state policies. She advocates rethinking the goals and conceptions of income security grounded in the perspectives of marginalized women and communities, and going beyond wage replacement to incorporate a recognition of unwaged labour, multiple forms of dispossession and their interconnections, and the diverse challenges that women face.

[Part 4](#) critically examines approaches to representation in the RCSW and current policy debates. In [Chapter 10](#), Alexandra Dobrowolsky points out that, though the primary emphasis of the commission was on descriptive (numerical) representation of women in formal political institutions, its report contains elements of a more complex approach in its recognition of alternative routes to representation in and outside the state. At the same time, the years since 1970 have seen challenges to concepts of women's representation that are based on a male-female binary and that fail to acknowledge intersectional and gender-fluid identities. She reviews the strategic and cynical use of women's representation during the "representational freefall" of the 1990s and early 2000s, and critically examines the contradictions of the initiatives of the Justin Trudeau government. She argues for a deeper and broader conception of representation than is offered by the familiar categories of descriptive and substantive representation, emphasizing that a new approach must learn from social movements and encompass intersectionality and gender fluidity.

In [Chapter 11](#), Linda Briskin critiques standard approaches to assessing progress toward gender equality and women's empowerment that focus on measuring "gaps" between men and women. Instead, she advances an alternative based on collective agency, suggesting that unionization is a better measure of empowerment than representation in legislatures. She maintains that feminist mobilization rather than increased legislative representation has been crucial to ensuring the adoption of equality policy frameworks. She challenges the RCSW criticism of separate organizing by women within larger institutions by documenting the transformation of labour unions as

a result of the mobilization of women as a separate constituency. She argues that any new paradigm for advancing feminist policy agendas must include explicit attention to collective organizing and the vehicles that support it.

Reforming institutions is the focus of the fifth and final part of the book. In [Chapter 12](#), Nicole Bernhardt uses the RCSW recommendation that human rights commissions be created as the starting point for an interrogation of the limitations of individual complaints-based mechanisms and for an exploration of the possibilities of more collective approaches. She maintains that the commissioners' strategic use of a human rights discourse produced tensions between formal and substantive conceptions of rights, citing in particular their advocacy of "special measures" to advance women's equality. She reviews the sometimes contested treatment of women's rights by human rights bodies across Canada in the period since the commission, noting that the emphasis has frequently been on individual complaints. However, she sees potential for addressing collective and systemic claims in the public policy and inquiry functions of commissions. She concludes that working within the framework of human rights with the aim of advancing women's equity on a systemic scale involves pushing against its limitations.

In [Chapter 13](#), Tammy Findlay notes that the policy framework advanced by the royal commission rested on a specific relationship between the federal and provincial governments – cooperative federalism – without problematizing federal institutions and the role that citizens and communities could play in fostering and ensuring accountability between governments. Nonetheless, the commission went beyond its mandate of matters in federal jurisdiction and addressed recommendations to federal, provincial, and municipal governments, revealing an early appreciation of the importance to women's equality of what is now called "multilevel governance." Findlay demonstrates that gender policy paradigms have corresponding federalism paradigms and advances a feminist model of multilevel governance that takes into account complex state and societal relationships.

Conclusion

The experiences of the feminist movement with the Royal Commission on the Status of Women and in the decades from 1970 to 2020 offer valuable lessons for those who seek a new gender justice agenda for Canada. In addition to critiquing the assumptions about gender relations that guided

government policy during the post-1945 era, the commission advanced an alternative gender paradigm that linked the specific demands of a wide range of feminist organizations to a larger vision of social transformation. This made it difficult for politicians to focus only on those demands that could most easily be incorporated into their governing agenda and provided a way to gauge the distance yet to be travelled to achieve equality. The commission's critique and its alternative gender paradigm altered the terrain of public debate, thereby enlarging the space for feminist mobilization.

But the limitations of the commission's liberal feminist approach, with its focus on women's employment, offered little support to the struggles of the various currents of the feminist movement to forge alliances and build solidarity with differing communities of women. Efforts to combat systemic racism, to decolonize relations between Indigenous and other feminists, to create cross-class alliances, to integrate the struggles and demands of trans women and gender diverse people, to bridge the political divisions between Québécoises and "English Canadians" and between different radical currents were all rendered even more difficult in the hostile climate of neoliberalism. Yet, the need to connect specific demands to a coherent, alternative vision of gender relations is as important today as it was in 1970. One challenge facing feminists in the post-COVID period is to develop a new paradigm that puts equality and gender justice at its centre. This book is intended to contribute to that discussion.

Notes

- 1 Social liberalism is a political ideology that accepts classical liberalism's support for capitalism and for political and civil liberties but departs from it in theoretically delinking those liberties from the ownership of private property and in accepting some redistribution of wealth, social rights, and democracy (for more, see especially [Chapters 6 and 8](#) in this volume).
- 2 In 1979, the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women (United Nations 1979), which entered into force after ratification by member states in September 1981.
- 3 Groups involved in the founding of NAC included the National Council of Women, the YWCA, Business and Professional Women's Clubs, the Federation of Women Teachers' Associations of Ontario, Voice of Women, the Women's Liberation Movement, the Woman's Christian Temperance Union, the Canadian Federation of University Women, New Feminists, Association for the Repeal of the Abortion

- Laws, and the Fédération des femmes du Québec, as well as “representatives of native people’s groups and poor people’s organizations from various parts of Canada” (National Action Committee on the Status of Women in Canada 1972).
- 4 In his 2015 election victory speech, Trudeau said that his new government was bringing “Sunny ways, my friends. Sunny ways!” (Liberal Party of Canada 2016).
 - 5 “Political opportunity structure” refers to the environmental factors that provide either incentives or disincentives for social movements to advance their claims on the state. These factors include the formal rules and institutions, the constellation of political actors, and informal decision-making rules. The concept has been used to explain cycles in the success (or not) of social movements (see Chappell 2002; Collier 2014).
 - 6 The Gender Equality Network Canada (GENC) was funded from 2017 to 2020 by Women and Gender Equality Canada (WAGE) and coordinated on its behalf by the Canadian Women’s Foundation (Gender Equality Network Canada 2018). The initial network was constructed through a process that was loosely modelled on public engagement exercises in which individuals are somewhat randomly selected to participate in a consultation process. As 2017 was the 150th anniversary of the founding of the Canadian state, 150 women were chosen from among the organizations that had successfully applied for grants from WAGE. They were given the task of coming up with a gender equality plan over the three-year life of the project. The unrepresentative nature of the selection process was criticized by many feminist organizations, as well as by some individuals who participated in the project. The problem was acknowledged in the GENC final report, which stated, “One outcome expected by the Department for Women and Gender Equality for this project was that GENC would produce a national action plan. This goal was intensely discussed by GENC members. Many noted the lack of representativeness of the GENC leaders, the lack of autonomy of GENC, the super tight schedule and insufficient resources” (Gender Equality Network Canada 2020, 61). In the end, GENC participants decided not to adopt a national action plan but instead to propose a “pre-consultation” document as a basis for discussion. The final report noted that “for a national action plan to be democratically developed, the following conditions must be met: ‘representation of organizations according to a decolonized and intersectional perspective; organizational independence of the network; a realistic timeline; sufficient material and financial resources.’” These conditions were then spelled out in some detail (Gender Equality Network Canada 2020, 61).
 - 7 The RCSW has been widely recognized by both its critics and supporters as a watershed in the movement for women’s equality in Canada. Studies of the period leading up to the commission report include those by Barbara Freeman (1998), Cerise Morris (1980), and Kimberly Speers (2001). Commentary on the commission appeared during the committee hearings and immediately after the publication

of the report (Arscott 2010; Freeman 2001), and within a few years by academics (Marchak 1972) and a government advisory body (Advisory Council on the Status of Women 1974). Accounts by or about commission participants include those by Florence Bird, its chair, published under her own name (1977, 1997) or as Anne Francis, her *nom de plume* as a journalist (1975), by Monique Bégin, the executive secretary of the commission and future Liberal Cabinet minister (1992, 1997, 2018), and by Crystal Sissons (2006, 2014), on Commissioner Elsie Gregory MacGill. Anniversaries of the RCSW have been the occasion for periodic reflections on the progress made toward gender equality in Canada. The tenth anniversary was marked by an assessment from the Advisory Council on the Status of Women (1979); the twentieth inspired a collection edited by Caroline Andrew and Sandra Rodgers (1997), as well as separate contributions by politicians (Bégin 1992; Black 1990); Jane Arscott (1995) provided an assessment on the twenty-fifth anniversary; Pamela Cross (2000) and Maureen O'Neil (2001) produced evaluations at the thirty-year mark; and the fortieth anniversary gave rise to further reflections by Jane Arscott (2010) and Patrizia Albanese (2011). Analyses of the commission have crossed interdisciplinary boundaries, including political science (Andrew and Rodgers 1997; Arscott 1995, 1998, 2010; Grace 2014; Timpson 2001), law (Abner, Mossman, and Pickett 1990; Turpel-Lafond 1997; Williams 1990), history (Sangster 2010), and communication studies (Freeman 1994, 1995). Some analyses have focused on particular issues, including abortion (Stettner 2012), childcare (Timpson 2001), political representation (Arscott 1998), and poverty (Abner, Mossman, and Pickett 1990). Critical analyses from the perspective of racialized, Indigenous, and working-class constituencies of women, ignored or inadequately acknowledged by the commission, include publications by Benita Bunjun (2018), Joan Sangster (2010), Mary Ellen Turpel-Lafond (1997), and Toni Williams (1990). The RCSW has also been the subject of theses and dissertations (Bragg 2011; Cummings 1991; Morris 1982; Norman 1997; Speers 1994).

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