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Keynote Address: “Mummy, are we there yet?”

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Ladies and gentlemen, it is a pleasure to be here to discuss a topic that is very dear to me and, I imagine, to you as well. It is even more of a pleasure to be at the University of Ottawa, where I did my legal studies, to tell you about a subject closely tied to the laws of our country, but that we don’t discuss often enough “in public”. I want to talk to you about the long road towards women’s equality, a journey during which we all end up asking the same question that our children so often ask us: “Mummy are we there yet?”

When I began my time in law school in the late 80s I had the naïveté of many 20-somethings, thinking that, although I was going to law school to see if I could learn the tools to make the world a better place, for women most of the tough fights had been fought by my sisters before me and, if not won, at least victory was close at hand. It did not take long to realize how wrong I was when, in second year, I discovered the case of *Bliss*: you know, the one from 1979 that found that discrimination against pregnant persons was not discrimination on the basis of sex since the law treated pregnant women differently only because they are pregnant, not because they are women. And even more shocking to me, in 1988 the Manitoba Court of Appeal still followed that logic. In 1989, just as I was finishing law school, the Supreme Court of Canada fixed that in *Brooks*. The Court said that it was common sense that discriminating against a pregnant woman would be sex discrimination and that “those who bear children and benefit society as a whole thereby should not be economically or socially disadvantaged”. I repeat, economically or socially disadvantaged! It is, they said “unfair to impose all of the costs of pregnancy on one half of the population”. I was pretty sure then that we really had arrived.

So I started my graduate legal studies thinking that all I needed to do was to document the successes of the feminist movement in achieving women’s equality. Maybe I’m exaggerating a bit but I really had not understood the dynamics of masculine domination. It was during my empirical research that I was able to identify the various daily life mechanisms put in place to keep women in a subordinate position. The birth of my three children within the space of four years hastened my understanding (as in Marni Jackson’s book, I experienced “Mother Zone”). My kids are now 14, 12 and almost 10, and



although politics and laws related to the daily life of mothers have changed in many ways, I find that philosophies and theories describing their position and role in society have not much evolved.

Permit me to tell you a few stories to illustrate, I hope, the ways in which the underlying discourses and theoretical conceptualizations of women and the work of mothering remain essentially untouched. I am going to tell you a few family stories. In January of this year my Grandmother, Jenny Thorburn died at the age of 96. At her funeral the following passage from the bible was read (I assure you that it is a huge departure for me to be quoting from the bible in an address like this and so the quote I am about to share is vastly abridged!):

¹⁰ Who can find a virtuous woman?

for her price *is* far above rubies...

²⁸ Her children arise up, and call her blessed;

her husband *also*, and he praiseth her.

(Proverbs 31:10&28, AV)

As the minister at the funeral went on to say, “In our glamour and celebrity-obsessed world, where womanhood is all too readily measured by shallow external standards, the qualities emphasised by the writer of Proverbs might seem quaint and old-fashioned at best, alarmingly patriarchal at worst in our modern ears”. But it seems that in so many ways they did describe my Gran who was not a poor, oppressed wife, forced into submissive servitude in her own home, but rather a woman of the very best qualities of strength, integrity, ability and skill, within the context of the social norms that pertained in her day. She was born in the Vale of Leven in Scotland in 1910, the middle child of seven children. Typically of girls of her generation, however, when her primary and secondary schooling were finished, she went into service in a house called Kenmuir. It was during this time that she met my grandfather, Bob Thorburn. They settled in Rosneath, as my grandfather was by now working at Silver’s boat yard and, in the course of the following years their three daughters including Kate (my mother), were born. Gran devoted herself to running her home, caring for her husband and raising her three daughters. Her family were always well-fed, well-mannered and well presented, her home well-run and well-ordered despite wars and depression.

Gran’s role and place in life was clear and uncontested and in many ways her work was much more visible than the same work is today. Much of the caring for children and educating them, the cooking and baking, the cleaning, the thrift and money management that she did in her day (without aid of many of the devices and services we have nowadays) are still required and accomplished today, most often by women who are also engaged in paid employment. Mothers who are employed fulltime still spend at least 30 hours a week caring for children (and one quarter of them manage to spend more than 60 hours!). By contrast, fathers who are employed fulltime spend fewer than 14 hours a week caring for their children. My Gran also accomplished all this work in a community of women who were all working at the same tasks and who supported each other in their efforts. But she did not have the freedom to imagine her own path apart from the family



and the community, and she certainly did not have the means to follow such a path. She was completely economically dependent on my grandfather.

My mother's position was much less clear. She was stuck between her mother's model and the model of independence that we expect from women of my generation. My mother received midwifery and nursing training in Scotland and her parents even encouraged her to become a doctor. When she immigrated to Canada, she began working for two obstetricians. My father did not want her to keep this job because he was afraid that people would think that he was not making enough money. When I was born, my mother left her job (there was no maternity leave or benefits in 1963). I was already 12 when she took a job again, as an obstetric sonography technician, at the very beginning of this new technology. She loved her work but four years later, my father announced that we were moving to Geneva, Switzerland, so that he could take a position at the UN. My mother left her job. Once in Switzerland, she did not speak French and she did not have the right to work outside the home according to Swiss law.

Three years later, after 23 years of marriage, my parents divorced and my mother was forced to return to Canada. As she was not married anymore, she did not have legal status in Switzerland. She was 46 years old and had very little money. She had trouble finding a similar job to the one she had before leaving for Switzerland. She therefore worked as a caregiver for old or disabled people and began making maximum contributions to the Canada Pension Plan. She even continued working during her 60s to maximize the benefits she would be entitled to in her 70s. When she lived alone, her income was modest enough for her to have the right to a GST credit and other tax deductions. But after her second marriage at 61 years old, she realized that she no longer had access to support programs for low income people because she was now part of a higher income household. She will encounter the same problem with her Old Age Pension. The new politics of the Stephen Harper government on income splitting will, of course, reduce the tax rate for the household, but it will not guarantee her access to the economic power that these supplementary funds represent. So my mother, who is now quite poor in her old age, seeks, in her second marriage, to protect her economic independence, even as precarious as it is! Unfortunately, state's politics such as those we discussed this afternoon put her in a position of dependency, not to the same degree as my grandmother, but almost.

So perhaps it is not surprising that I wanted to choose a different path. I knew that women earned less than men, that our connections to the workforce were less stable because of the ghettoization of work and precarious employment. I knew that women have smaller or no pensions and that more than 1/3 of women fall below the poverty line upon the break-up of a spousal relationship. And I did not want to end up like my mother, in dire economic dependency or later poverty. I was going to have a career and a family, the classic "superwoman." As soon as my first daughter was born things began to look different. I did want to be a full time mother but I was afraid of the vulnerability, of being dependent and powerless now, and poor in my old age. Besides, I loved my work and I had finally realized that all the battles were not won and I thought I might



have something to contribute to winning them. I have had tremendous support from my partner and the father of our children who wanted to be involved and who shared the load all along, especially since we moved to Winnipeg when he has carried much more of it. When we started our family, maternity leave and benefits existed but, because I was a student and he was self-employed, we did not receive either. By the time the 3rd kid came along I had figured out how to structure my contracts at the university to qualify for a minimal benefit. And while my economic position is much better than my grandmother and my mother, my family has also felt the impact of caring for our children. I did not have my 1st real job until I was 38 and my partner’s career has been somewhat derailed because he followed me to Winnipeg for my job.

So what can we expect for our kids? Our kids represent the future of our society. How are they going to find their place in the world? Will they want to have children if the price is so high? My 14 year old daughter dreams of pursuing careers varying from esthetician to anthropologist to investment banker. She already knows that her employment choice will have an impact on her choices as a parent. My 12 year old daughter says that she learned much from her father who was the parent at home during the last six years. She thinks that his presence at home is very important for her and she finds amusing the reactions of people who think it’s weird to have a stay-at-home dad. My son says that he wants to be a dad when he grows up: someone who listens to his children, gives them food, cleans the messes, tells stories, and takes care of bumps and bruises, someone who is there when we need them. Isn’t it what we want for all children, not only mine who live in a family where we have (more or less) the means to offer such care, but for all children, no matter what the parents’ economic conditions are and even if it’s not the parents themselves who take care of the kids at all times?

While much has changed since my gran had her 1st child 70 years ago, one thing has not changed and won’t have changed by the time my daughters may become mothers. Children still need to be cared for. And for now, those who provide that care, whether it be mothers, fathers, childcare workers or others, still find themselves *economically and socially marginalized or disadvantaged* – contrary to what we were promised in *Brooks*.

Law and social policies contribute to the inequality of mothers and carers because much of the *actual hands on work* of mothering is invisible and consequently not valued. Even now women with children have significantly lower lifetime earnings than women without children, even as much as 60% less and of course lower than men. Some studies suggest this can amount to a million dollars over a mother’s lifetime. The disadvantages experienced by all mothers are felt more deeply by mothers who experience other forms of discrimination whether on the basis of their race, physical ability, sexual orientation or social class.

Laws and social policies can also contribute to changing how we manage and share and account for the work of caring in our society. Nancy White has a song on her album “Momnipotent” called “Stroller Ladies” that contains the line “...some of us are mothers who are toiling for no wage, it is we who bear the children who will pay for your old



age”. As a society we want this toil, this work to continue and so it is clear that we must continue to work towards an understanding of what *equality that includes mothers* will look like and we must keep working because we all should be valued for all that we do, both the mother work and the other work, for the sake of ourselves and our children.

But with all that said, it is certainly easy to understand when we are on a journey as long as this one, why it is that we are sometimes tempted to whine. “Mummy, are we there yet” is the title of a book that on which I am currently working, which will trace the evolution of mother work and related laws and social policy, over the 20th Century in Canada.