Book Notes: Legal Tender of Gender: Law Welfare, and the Regulation of Women's Poverty, by Shelley A. M. Gavigan and Dorothy E. Chunn

Marissa Daniels

Follow this and additional works at: http://digitalcommons.osgoode.yorku.ca/ohlj

Book Note

Citation Information
http://digitalcommons.osgoode.yorku.ca/ohlj/vol49/iss3/8

This Book Note is brought to you for free and open access by the Journals at Osgoode Digital Commons. It has been accepted for inclusion in Osgoode Hall Law Journal by an authorized editor of Osgoode Digital Commons.
THE LEGAL TENDER OF GENDER: LAW, WELFARE, AND THE REGULATION OF WOMEN'S POVERTY, by Shelley A.M. Gavigan and Dorothy E. Chunn

MARISSA DANIELS

THE REGULATION OF WOMEN'S POVERTY remains a complex and contested issue, both locally and globally. As an area characterized by constant change and fluctuation, it presents a site at which law and policy intersect to govern the lived experiences of women. The Legal Tender of Gender: Law, Welfare and the Regulation of Women's Poverty, compiled by editors Shelley A.M. Gavigan and Dorothy E. Chunn, provides a thorough and multi-dimensional analysis of the governance of women's poverty from a socio-legal, feminist perspective. This interdisciplinary collection of works originated in a 2007 workshop that brought together feminist scholars from Canada, the United States, and Israel to examine the welfare state, as well as the policy changes accompanying the development of Keynesian states and the emergence of neo-liberalism during the twentieth century. Collectively, the chapters of this book trace the historical roots of women's poverty and illuminate the discursive and material ways in which gender, race, and class intertwine to situate women in positions of economic disadvantage.

Part I provides a historical analysis of the development of welfare states in liberal democracies in the twentieth century. In chapter one, Mimi Abramovitz focuses on the feminist concept of social reproduction to address the US responses to twentieth century economic crises and the impact of these responses on women's lives. She demonstrates that while women were viewed as essential to the social reproduction of families, the welfare state's policies favoured women who complied with patriarchal norms but penalized single mothers, employed wives, and childless women. Chapter two, written by Gavigan and Chunn

themselves, provides a similar analysis within the Canadian context. The authors
compellingly illustrate the recent reforms of the Keynesian state in Canada that
have reframed mothers as undeserving of any assistance unrelated to their own
paid employment.

Part II examines several ways in which women have used activism to
influence and reform welfare law. In chapter three, Felice Batlan looks at the
gendered dimensions of tenement regulation in New York City in the late
nineteenth and early twentieth century. Premilla Nadasen foregrounds the role
of race in chapter four. She traces the development of the 1960s welfare rights
movement, in which African-American women worked to challenge discriminative
welfare policies and the racialized stereotypes embedded in such policies.

Part III discusses the role of citizenship in the legal construction of women
in poverty. It begins with chapter five, a study of women in the workforce in
Israel. Mimi Ajzenstadt examines the changes to the labour market enacted by the
neo-liberal state and provides a fascinating analysis of Israeli labour laws that were
expressly intended to promote gender equality but have been weakly enforced. In
chapter six, Karen Swift discusses the construction of single mothers as ‘risky’ and
the harmful material implications of the state’s increasing focus on risk as an
evaluative tool in its exercise of child protection measures. The section continues with
Janet Mosher’s study of Ontario’s welfare system and its use of intrusive measures
to regulate and discipline women’s personal lives (chapter seven). Chapter eight
brings the issue of disability into the equation; Joan M Gilmour examines the
lives and citizenship rights of women with disabilities, as well as the heightened
vulnerability of these women under the current welfare regime.

Part IV reflects upon the issues explored in the previous chapters and
proposes strategies through which women can influence state legislation and
policy relating to welfare. In chapter nine, Hester Lessard critiques the language
of universality as it is currently employed and calls for an approach of substantive
universality that acknowledges difference, rather than presuming sameness, in
the provision of social assistance. In the final chapter of the book, Margot Young
proposes a guaranteed income regime as a means to address the concerns raised
in previous chapters.

Together, these chapters illuminate the complex space between agency
and oppression that is occupied by women in poverty in neo-liberal Keynesian
states. Furthermore, they effectively critique the flawed neo-liberal focus on
individual responsibility and demonstrate how this preoccupation only serves to
exacerbate the position of poor women.