
Ruth Buchanan
rbuchanan@osgoode.yorku.ca

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

Citation Information
http://digitalcommons.osgoode.yorku.ca/ohlj/vol39/iss4/5
I. INTRODUCTION

Over the past several decades, shifts in the structure and organization of the international economy and polity have taken place in conjunction with changes in the ways we explain and understand these arrangements. The working lives of men and women in Canada, as elsewhere, have been transformed as a consequence of these developments. Many scholars describe these changes in terms of a shift from Fordism to post-Fordism. Fordism encapsulates the relationship between a certain way of organizing production (large-scale Taylorist assembly lines being archetypal) and a type of economic regulation (Keynesian demand-side management). In developed countries like the United States and Canada, mass production and mass consumption balanced each other off as long as the Fordist compromise held. The "wage/gender bargain" of Fordism required that men worked full time for a "family wage," while women worked at home for no pay, and were considered peripheral workers in the paid labour market. Feminist scholars have frequently made the point that the "bargain" struck by Fordism never fully extended the security or benefits of the Fordist compromise to women. These days, however, the desirability of the Fordist compromise appears a somewhat moot question. The wage/gender bargain of Fordism clearly seems to have broken down in

---

1 [hereinafter Temporary Work].

2 [hereinafter The Global Construction of Gender].
most sectors of advanced economies, while the issue of what will replace it is still unclear. Each of the books considered in this review helps us begin to address this issue by examining the evolution of the wage/gender bargain throughout the twentieth century from the perspective of different aspects of "women's work."

The important contribution of both books is to relocate gender at the heart of the discussions around current labour market restructuring. Too many accounts of the shift from Fordism to post-Fordism have minimized or overlooked the gendered underpinnings of the Fordist compromise, and the corresponding existence of highly segmented labour markets throughout the twentieth century. Accounts that leave out the historical precedents for current processes of feminization of labour markets provide inadequately historicized accounts of current processes of feminization of labour markets but fail to provide explanations of their persistence and expansion. Both of the books reviewed below identify the gender/work intersection as a key site for understanding current shifts in political economy at an international level. They also take significant steps towards addressing the limitations of mainstream understandings of labour market transformations. Each book has also identified the debates over shifting norms of employment regulation as international in scope. Finally, each examines, in varying degrees of detail, the political struggles around the International Labour Organization (ILO) conventions passed in the mid-1990s concerning private employment agencies and homework as a way of teasing out the international (or global) elements of these shifts.

Both books are broadly interdisciplinary in the best sense of the term. They recognize that in order to provide useful insights about the current state of the labour markets, it is necessary to engage seriously with scholarship on gender, restructuring and globalization, national labour regulation, international institutions, and social movements. Like the terrain covered, the methods deployed are multifaceted: historical, empirical, and discursive. The authors skillfully interweave archival research, interviews with workers, policymakers and activists, and analysis of public and scholarly debates, legal and policy documents, and the text of international conventions. Each book makes an important contribution to our understanding of the extent to which gender has played an evolving, but always vital, role in the ongoing construction and regulation of labour markets. They also reveal the ways in which the current expansion of temping and homework are products of the historical processes through which workers have come to defined and regulated in terms of gender.
Read together, the books establish that debates over labour market regulation can no longer take place in the absence of a serious consideration of gender. While it might have been possible, even a decade ago, to marginalize discussions of women’s work by arguing that they belonged in the less representative “periphery” of labour markets, in the face of recent feminist scholarship on labour market regulation such arguments are less and less persuasive. The books continue in this scholarly tradition by carefully detailing complex shifts in the gendered practices and discourses of labour regulation over the past century.

Although the overlap in their aims and objects at a general level is substantial, there are significant differences between the theoretical frameworks and methods of these two books. For this reason, I will discuss each book separately before concluding with a comparison of their conceptual approaches and a consideration of their potential utility for labour relations scholars, lawyers, organizers, and activists.

II. TEMPORARY WORK AS AN EMERGING EMPLOYMENT NORM

Leah Vosko’s *Temporary Work* details both the historical antecedents and contemporary contours of the temporary help industry in Canada. It is of particular interest to lawyers and legal scholars because it goes beyond the story of the rise of labour market intermediaries in the Canadian context to locate these developments within a context of evolving forms of labour market regulation. The vehicle by which she does this is a generalized notion of employment “norms”: models that may not perfectly correspond to particular employment relationships, but that nonetheless have become exemplary. She contrasts the longstanding norm of the Standard Employment Relationship (SER) with what she argues is an emerging norm of the Temporary Employment Relationship (TER).  

*Temporary Work* represents a significant contribution to existing scholarship on labour market regulation. It refocuses the analysis in a number of important ways.

---

3 In a footnote, Vosko, *supra* note 1 at 288, explains the following:

Given that norms are “conventions of behaviour and standards of value which exist independently of individuals and which exercise a coercive influence,” they encompass descriptive and prescriptive dimensions. They both mirror and construct reality. Thus, this book does not engage the concept of the SER to represent a singular material employment relationship, or even the most common employment relationship in the postwar period, but as an ideal-type model upon which policies and practices pertaining to employment were based in the post-war period.
First, in contrast to those who have more dramatically marked a shift towards something new in labour markets described generically as a turn to "flexibility," Vosko's historical analysis redirects our attention to the precursors to flexibility in Canadian labour markets. Current processes of labour market segmentation are revealed as deeply embedded in Canadian labour history. Further, she shows how these historical roots of segmentation are integrally linked with social divisions of race, gender, and immigrant status. This archaeological work, revealing that non-standard and flexible work arrangements are by no means new, is unfortunately still a very necessary (if not entirely original) contribution to current debates.

Second, Vosko puts gender at the empirical and theoretical heart of her analysis. This is evident in her focus on the concept of the "global feminization of employment." Vosko identifies four central features of the process of the "global feminization of employment." First, Vosko points to the well publicized fact that women's (formal) labour force participation rates are rising globally. However, she hastens to add, in recognition of the extent to which women's productive and reproductive lives are intertwined, that this statistic reflects extra shifts added on to women's existing workload of unpaid or informal work. With this understanding (and I think that Vosko would agree), we can see how it is that rising labour market participation rates of women have not served to dramatically transform the existing gendered division of reproductive labour. Second, Vosko discusses the increasing casualization of employment (of which the TER is a prime example) that impacts, albeit differentially, both women and men, reflecting men's continuing superior position in labour markets. Hence, there is a simultaneous harmonizing down for some men and increasing economic pressure on many women. This dual process occurs through the expansion of precarious and flexible employment, still mostly the enclave of women, but also performed by some men. Men are now competing with women for the shrinking number of more desirable jobs, even within the devalued periphery of the labour market. Third, Vosko points to evidence that reveals persistent sex segregation in labour markets, again exemplified by the temporary help industry in Canada. The final element of her definition of the "global feminization of employment" is increased income and occupational polarization both between genders, as well as among women and men.
I recently conducted a study on call centre employment in Canada that reflects almost all of the elements of Vosko’s revised feminization of employment thesis, and illustrates the extent to which each of these developments is intertwined with others. Along with the temporary help industry, the rapid expansion of the call centre industry in Canada illustrates the importance of continuing to develop and refine our understandings of the feminization of work. In the rush to embrace policy initiatives that appear to be effective in creating jobs, governments can easily overlook the gendered effects of their policies. They end up devising strategies, as in the example of call centre jobs creation in New Brunswick in the 1990s, that serve both to reinforce gendered polarization and segmentation of labour markets while devaluing “women’s work.”

Recently, the renewed expansion of homework in countries like Canada, following its contraction in the 1980s as described by Elisabeth Prugl, reveals yet another facet of the feminization thesis.

Finally, Vosko closely ties her analysis of feminization to the theoretical frame of shifting employment norms described above. Her use of “normative models” is quite helpful. Instead of trying to extrapolate explanations of current shifts from statistical indicia, Vosko turns to the idea of “normative models” to give her analysis its explanatory force. In doing so, she has moved away from a more traditional political economy approach to a discursive or constitutive analysis. This shift enables the book to engage in a more fundamental and potentially broader approach than is traditional, although I am not certain that Vosko has fully embraced the implications of this shift.

The idea of “normative models” allows one to look across both formal and informal methods of structuring work and regulating workers; in law and society jargon, one would call this a legal pluralist approach. However, the examination of both formal and informal regulatory practices is not explicitly a part of Vosko’s analytical framework and the absence of explicit attention to informal regulation may be why it is not prominent when the book turns to strategies. In the final chapter, the discussion of

---


5 Many call centres that I studied relied heavily on temporary help agencies to help with their staffing needs, from the recruitment and screening of employees, to laying them off. This type of whole-sale delivery of human resources is described in some detail as the move towards “staffing services” in chapter four of Temporary Work, supra note 1.

models for organizing temporary help workers does not share the richness of many earlier chapters of the book because it does not account for the myriad of informal structures by which workers are regulated and through which they enact tactics of resistance.

Although I found chapter five, "Promising Flexibility and Delivering Precariousness: The Shape of the Contemporary Temporary Employment Relationship," both interesting and thoughtful (particularly the discussion of the qualitative data on temping), I was also frustrated by its limited nature. The study would have been enriched by a more detailed discussion of the ethnographic material. Although temporary workers should have been the animating core of the study, I came away from the chapter tantalized rather than educated about the nature of this work and the people who do it. I wanted to understand better how temping might work well for some people in some circumstances and badly for others. Although it makes a start, the book could do a better job of revealing the intertwined strands of consent and coercion in the experiences of these workers. In particular, it could more fully explore existing strategies of resistance. This additional material would have allowed for a more integrated discussion of tactics in the concluding chapter.

Chapter seven, "No Jobs, Lots of Work: The Rise of the Temporary Employment Relationship and the Emergence of Workfare Driven Social Policy," was also provocative. It incorporates a rich ethnographic description of a program called Workfirst, one of the first programs to fall under the employment placement stream of the Ontario Works Act. Using this material, the chapter explores the relationship between changes in the welfare state and current processes of labour market restructuring, which, in my view, is a crucial site of policy convergence. Both the structure of welfare regimes and the structure of labour markets share a socially productive role: they each contribute to a process that has been described as "making up people."7 The structures contribute to producing certain kinds of subjects who "fit" within the prevailing model of social regulation. There is good evidence provided in this chapter about the relationship between the rise of the temporary employment relationship and workfare, particularly in the parts where Workfirst is described as operating in a way that "conditions" people into accepting precariousness. Although this description is intriguing, not much is made of it within the wider theoretical

---

project of the book. It is not clear whether Vosko is saying that the workfare regimes are simply coercive (pushing people into bad jobs), or whether they do something more insidious, such as produce the kinds of people who learn to not only accept bad jobs but to embrace them. Vosko might profitably have linked this discussion to an expanded use of the notion of “norms” of employment as part of the production of hegemony. Although Vosko suggests that the TER might be supplanting the SER as a “normative model” of employment, the analysis does not explicitly locate this shift in a wider regulatory or theoretical context. Might the TER represent a key part of an emerging hegemonic model of neoliberal governance? It might. However, Vosko veers away from making this claim in the book, even though the discussion of Workfirst in chapter seven seems to implicitly suggest it. In my view, the book provides the foundations for stronger claims than it ultimately makes about the broad contours of the emerging regulatory framework and how it produces the subjects that it governs.

III. THE GLOBAL CONSTRUCTION OF GENDER: CONFOUNDING THE HOME/WORK DIVIDE

The Global Construction of Gender by Elisabeth Prugl is much shorter than Temporary Work, but it is equally, if not more, ambitious. Prugl attempts to cover significantly more territory, both geographically and scholarly, than Vosko does, and almost inevitably is less successful. Still, for the most part, Prugl fails in an engagingly thought-provoking way, so her book is no less worthy as a consequence, even though it only manages to dip a toe into a series of rather dense scholarly debates.

---

8 The process of “making up people” does not occur without conflict, however. Vosko responded to my question about the extent to which the changes brought about by Workfirst managed to generate cooperation as opposed to being coercive at an Author Meets Readers panel at the Law and Society Association meetings in June 2001. She did so by elaborating on the coercive nature of the program and the extent to which the Workfirst initiative met with active resistance from “clients” when first implemented. As I mentioned earlier, accounts of the nature and tactics of resistance are instructive as they show us the actual mechanisms of regulation and the power struggles they invoke in the myriad locations in which they are taking shape. For this reason, I would have been very interested to see more of this material woven into the ethnographic chapters of the book.

Prugl has written a book that seeks to go beyond earlier feminist scholarship in political science that sought to reveal the role of gender in international politics. She seeks to affirm "that gender politics pervades world politics" and to show that "gender is a global construct." She takes a constructivist approach, shifting away from frameworks that have taken as a given agents and institutions, and looks instead at the processes by which agents and institutions are produced.

At the centre of the book is an historical examination of the international development of the debates throughout the twentieth century around homework, defined as paid and unpaid labour performed by women in their homes. Debates over homework are instructive because they map the evolving discourses of gender roles in different parts of the world. Early in the century, discussions of women's work in the home were shaped by discourses that favoured the separation between work and home spaces and between the labour of women and men. Women were thought to need protection from employers who would pay them piece rates to work at home because their energies had to be preserved for their child rearing and housework duties. In mid-century, debates over homework in developing countries became tied up with the nation-building efforts of post-colonial states. Women's subsistence work as producers of handicrafts was valorized as they became elevated to symbolize the "nationhood" of newly independent states. Prugl points out the contradictions in these discourses, where "traditional" handicrafts were encouraged as a way of helping indigenous peoples in particular adjust themselves to "modern methods of production and marketing." These discourses also invoked contradictory definitions of homework: "Gender and the boundary between home and work became important sub-themes of the debates, employing contradictory instruction-rules that defined women workers in the informal sector as marginal survivors on the one hand, and as motherly and nurturant entrepreneurs on the other."

The book also considers the place of homework in the context of the gender-wage bargain of Fordism and its aftermath. Prugl details the legal and definitional issues that surrounded the debates over the Homework Convention at the ILO in the 1980s and 1990s. Put simply, homework subverts the conceptual dichotomies of employment law.

10 Supra note 2 at 3.
11 Ibid. at 4.
12 Ibid. at 70.
13 Ibid. at 81.
between employers and employees. This section of the book is discussed below.

The book is global in its focus and catholic in its scholarly reach. As a consequence, a considerable amount of scholarly, as well as geographic, territory gets traveled in a relatively few pages. Unwieldy bodies of literature, such as the Women in Development scholarship and the debates over Fordism and post-Fordism are (of necessity) dealt with quickly. Those scholars who have spent a great deal of time engaged in particular debates that are touched upon by Prugl will no doubt consider that their turf has been given short shrift. Prugl provides a clear justification for the scope of her approach. She is seeking to make a contribution to feminist literature on the global construction of gender that transcends the limitations of previous studies. The ILO is a target for study because “ILO policies are elements of a complex process that constructs notions of the feminine and the masculine while organizing the international.” She highlights the role of social movements in the production of these global discourses of gender by focusing on the work of a small group of feminist non-governmental organizations (NGOs) who lobbied for the passage of the ILO Homework Convention in the mid-1990s. Although the story of the struggles over the Homework Convention might appear to provide Prugl with a relatively well-defined terrain for the book, her theoretical ambitions are revealed to be much more expansive: “I want to describe construction processes in a global space that entail conversations between a diverse set of agents including those speaking for states, international organizations, non-governmental organizations, private companies, and unions.”

A real gem in this relatively short book is the concluding chapter, “Studying Global Politics.” I found myself wishing it was much longer. In this chapter, rather than summing up what she has attempted to undertake in her discussion of homework, she returns to the theoretical framework of the first chapter and frankly assesses the successes and shortcomings of her book in light of its expansive theoretical ambitions. Prugl self-reflexively addresses some of the issues raised below. Although she does not give a complete or satisfactory answer to any of them (the chapter is too brief for that), it is a refreshingly candid self-examination of the limitations imposed by necessary choices made at the outset of a study. By detailing the shortcomings of her own approach, Prugl gives us insights into the research process, and provides a useful road map for feminist scholars who want to build upon her not entirely successful, but very ambitious, efforts.

---

14 Ibid. at 18.
15 Ibid. at 19.
In setting out on this difficult terrain, there were a number of decisions that Elizabeth Prugl made in the design of her study that I would have made differently. Some of these decisions are determined by disciplinary location and audience. As a legal pluralist who has for some time been interested in unpacking discourses about globalization, I am located differently than Prugl. She seems to be addressing primarily an audience of international relations scholars who, although they may be sympathetic to feminist approaches, are used to thinking about states in terms of the “billiard ball” theory, and require a detailed explanation of social constructivism. These differences may have explained the way she framed and presented her questions. However, a greater exposure to the interdisciplinary scholarship on globalization would have helped to further refine the argument in the book.

In particular, I was uncomfortable with Prugl’s identification of the “global” as a site for the production of norms about gender and work. I take issue with her construction of the “global” as a “political space of a network of agents (including agents of states) enabled by new communications and transportation technologies and responding to transnational practices that endanger the natural environment, people’s economic well-being, and physical security.” This definition assumes too much. It heavily relies on the technological determinism that we find threaded through hegemonic discourses of globalization. It takes as unproblematic the presumption, again embedded in mainstream discourses of globalization, that what is represented by that term is a unified and unitary process of integration. It is not possible to identify, as Prugl does, a singular “global space,” discursive or otherwise, as a site of study. The effort to do so replicates in research all the contradictions and assumptions contained within hegemonic globalization discourses.

I have another problem with the focus on the global that goes beyond the intrinsic problems of definition mentioned above. An isolated focus on a “global” politics is as limited in its own way as the nostalgic turn to the local. The negotiations between sites are important to take into consideration, whether they are supranational, subnational or transnational, in which rules, discourses, and norms are emerging. What we need to understand better is the productive effect of discourses and practices from particular sites and different scales coming in new contexts. If the questions are reframed in this way, however, the focus on the international politics around the ILO appears to have important limitations as it seems to pare down what can be studied. If we are really talking about

16 Ibid. at 14.
the struggles over the emergence and transformations of norms in the international arenas, then even a "global" politics is not broad enough to capture it. Here, Prugl's background as a political scientist is revealed. In my view, governance, even in the international realm, is formulated in a space that includes but goes well beyond the formal rules of international institutions such as the ILO.

I have a similar problem with the identification of international social movements as the subjects of her study. My concern here is not with the subject, as I do think that NGOs are interesting and instructive actors in a number of international arenas. However, I cannot make sense of Prugl's claim that "social movements [are] the most significant political agents in global space." Again, it is the implied set of assumptions about the nature and existence of a unitary "global politics" that I find problematic.

As a lawyer, I am troubled by the extent to which, in chapter six, "Fordist Class Categories at Issue: Are Homeworkers Employees or Self-Employed?" Prugl appears to equate class with the question of employment status. The subject of the chapter is the important debate over whether homeworkers ought to be considered employees or self-employed. This is a legal question that has contradictory economic, political, and strategic dimensions in both the developed and developing worlds. I am content to go along with the assertion that liberal legalism played a role in regulating class relations under Fordism through maintaining the traditional opposition between employers and employees (modeled on the common law master/servant relationship). However, I am uncomfortable with the assumption implicit in the chapter that a legal definition of employee is also determinative of class. One of the most interesting things about homeworker advocacy NGOs like Self-Employed Womens' Association of India (SEWA) is that they have worked to confound both the opposition between employees and the self-employed on which common law labour regulation is based, as well as the public/private divide between home and work that Prugl identifies as underlying it. The discussion of class must extend beyond the matter of formal legal categories into the ways in which the relations of production are organized. The material in this chapter is among the most interesting in the book, detailing the complex and contradictory, regulatory and discursive practices that entrap women homeworkers and minimize the emancipatory potential of formal efforts at regulation. However, the material is marred by the larger frame within which Prugl has placed it; namely, the equation of the legal definition of employment status with the question of class construction:

17 Ibid. at 15.
Carried to its logical conclusion, the economic dependence test thus unravels the dichotomous class construction formulated as an opposition between employers/self-employed and employees. Where workers who violate the homework opposition make the control test inapplicable, the determination of employment status becomes virtually impossible. During ILO debates about the homework convention, employers used this insight to argue a neoliberal vision of labour relations in which class had vanished.\textsuperscript{13}

As a lawyer, I am hesitant to ascribe so much power to formal legal definitions. The status of workers may be obscured by a regulatory sleight of hand, but as argued above, class identities must be seen as the product of deeper and more resilient webs of social practices than mere debates over legal definitions can reveal.

Finally, Prugl needs to think more carefully about the way in which she utilizes Nicholas Onuf’s normative framing device of instruction, directive, and commitment rules. While she adopts Onuf’s framework, she does not spend any time in her text either explaining or justifying it. She describes the categories in a few pages and asserts their utility, claiming that the categories “can serve as heuristic tools that yield practical insight into the way change takes place and in that way inform feminist practice.”\textsuperscript{19} However, the utility of Onuf’s rule categories are not particularly obvious. They are a distraction that confuses rather than clarifies Prugl's otherwise fine analysis.

IV. CONCLUSION

Both of these books make important contributions in a very necessary area for interdisciplinary social science research: the state of women and work in our times. They should be read by labour lawyers, industrial relations scholars, international labour rights advocates, feminists, and anyone else interested in the dynamics of changing labour markets in Canada and internationally.

They are both excellent books and they provide an interesting contrast in terms of their methods and frameworks. While Vosko does not give enough weight to the discursive, Prugl gives too much. Vosko does include in her analysis a consideration of shifts in the ways employment relations are represented and discussed both by the workers she is talking about and policy makers such as the designers of Ontario’s Workfirst programme; however, this element drops out (or becomes much less significant) in her conclusions. When it is time to draw all the threads

\textsuperscript{18} Ibid. at 132.
\textsuperscript{19} Ibid. at 22.
together, Vosko's book ends up looking more like conventional political economy than it does through much of the analysis. Prugl has a different problem: she strays too far from traditional political economy. For most of the book she remains in the heady stratosphere of academic and policy debates, touching down only occasionally (most often when she is discussing the work of SEWAi) to give us tantalizing glimmers of the complex practices of feminist activists and organizers. Although Vosko provides us with an account of temporary work that is arguably too rich for the conceptual tools she deploys to analyze it, Prugl has put her conceptual cart before the practical horse, making her analysis almost too tidy.

One question I would pose to both authors is how might they suggest that work and employment be organized differently? Both books enhance our understanding of present dilemmas faced by working women by revealing their gendered historical origins. The books do not, however, give us concrete bases upon which to found activism. Both books leave the reader with heightened concerns that gendered segmentations in globalized labour markets are only going to deepen in future years, that a growing segment of the labour market will become increasingly commodified and feminized, and that more and more women will find themselves taking on precarious work because it is the best or the only work available to them. I would hope that these authors, and others inspired by them, will continue to build on this work in the effort to imagine and propose viable feminist alternatives to current workplace models and labour market organization.

Ruth Buchanan
Associate Professor
University of British Columbia