

Linking Violence and Poverty in the CASAC Report

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CASAC Links est un projet qui a demandé à dix centres contre les agressions sexuelles de participer à un projet de recherche et de développement sur cinq ans. En examinant l'application des concepts légaux et féministes d'égalité dans les cas des femmes qui ont été violentées, ces centres contre les agressions sexuelles ont dû faire face non seulement à la loi mais à des changements régressifs à l'intérieur du filet de sécurité sociale du Canada et des relations au niveau de l'économie mondiale. Vous pourrez lire ici plusieurs petites sections de ce rapport: Promesses que le Canada doit tenir: la Charte et la violence faite aux femmes.

CASAC (Canadian Association of Sexual Assault Centres) Links is a project in which ten anti-rape centers each allocated one staff and gathered ten callers to participate in a five-year research and development project. In examining the application of legal and feminist concepts of equality to the legal cases of women complaining of violence, we found ourselves up against not only the law but also the regressive changes to our country's social safety net and to global economic relations. We have tried here to connect our crisis calls to those other grave considerations. What follows is several small parts of our national CASAC Links report: *Canada's Promises to Keep: The Charter and Violence Against Women*.

Some Effects of Restructuring Canada on the Nature, Severity and Incidence of Violence Against Women

"The poor will always be with us," "prostitution is the oldest profession," and "men are just naturally that way." These stereotypical assumptions and essentialist positions or attitudes are not promoted in CASAC centres.¹ Rather, we see that each corporate move, social policy, and interaction of the state with its subjects moves us toward or away from the desired future. Class, race, and gender division and domination are social and economic con-

structions always in the making, as is equality.²

The end of the welfare state and the social welfare it sometimes provided is part of the globalization process in which Canada has played a role and that has engulfed women living in Canada. We have rarely had the opportunity to express, in our own way, the connections we live daily between those international economic forces, federal laws and policies, and what is happening in anti-rape centres. Rare indeed is our opportunity to express the *link* between global/federal forces and our advocacy supporting women, especially those violated women trying to engage the power of the state against the power of their male abusers.

The CASAC Links project offered possibilities for renewing our alliances with other anti-rape centres and for speaking out together about the lives of women; but in any case we were compelled to do so by the changes in our daily work brought by the changes in Canadian society.

We are not the best ones to articulate, and there isn't space in this report to fully express, the devastating impact on Canadian women of the loss of public sector jobs and services.³ But from our point of view, it is clear that there are few women who have not been made more vulnerable to criminal sexual assault. Every form of criminal violence against women in Canada has been aggravated. There is no liberatory and/or ameliorative process affecting violated women that has not been damaged and undermined.

CASAC's goal of a social economy that values women's labour and fairly shares wealth with women has been drastically set back. The trajectory of reforms toward those ends that had been won by our grandmothers, mothers, and ourselves—from the vote to unemployment insurance, from pensions to childcare, from self-determination to settling land claims, from welfare to more humane immigration policies, from criminalizing sexist violence to the inclusion of women in a living Charter of Rights and Freedoms—has been reversed in the service of grotesque

individualism and corporate wealth.

CASAC wishes to express our understanding of those effects which we have encountered *most often* in our crisis work during this five-year research and development period (1998-2003), and which affect anti-violence work most profoundly: the loss of women's welfare, the promotion of prostitution and the use of the *Divorce Act* in such a way as to uphold the permanence of the patriarchal family, and the restructuring of Canada (from the shape of the justice system to the structure of civil society). These effects appear to CASAC to amount to a refusal by our

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national government to apply the Charter of Rights and Freedoms. To apply the Charter would require a diligent application of the current knowledge of women's oppression and an appropriate commitment to women's advancement.⁴

There are those who see it differently.⁵ We have had to defend our positions rather rigorously in the last few years. The government has applied only formal equality when attending to equality at all. It has sometimes ignored both the Supreme Court rulings against formal equality and the reverse impact of the application of these policies. Huge economic and political forces have been mounted to oppose any government role beyond armies and prisons. Sometimes we have found ourselves reeling from many simultaneous blows.

At the same time, there was a big push, supported by government, to promote the rights of victims, even a possible new national victim's association. (The government was referring here to the rights to information about upcoming hearings, the rights to be notified if an offender is released from jail, etc.; what might in general be considered politeness and consideration.) The government promotion of the notion of "victim" as a legal policy category plus the changes to community policing, sentencing changes, to confinement in the home rather than jails, and the promotion of prostitution, opened up a number of key questions within criminal justice: for instance, who defines community and how? And who is considered part of the community? What is the relationship between the state and the community? What is the relationship between women's antiviolence groups, social change, and the state?⁶

We were interested in those conversations that might affect our understanding of our options as the nature of the Canadian state changed.

The Bottom Line: The Loss of the Women's Welfare

Most members of the community realize that we are contending with mean-spirited welfare reductions and restrictions that make life more difficult for the poor. Although it is difficult to keep track of the specifics, some changes have been publicized. In B.C., for instance, we know that "women with children will lose one hundred dollars a month from their already inadequate cheques by April 1, 2004" (Duncan).

No government declared honestly to its citizens before election either the nature of welfare cuts it intended or the further feminization of poverty that would be imposed by those cuts. It is simply not true that Canadians voted for those attacks on the poor.

And no government within Canada has been given a mandate to end welfare. Any such mandate would be legally questionable in any case, given the Charter and human rights law and conventions. This is perhaps why no government makes public those whom it is refusing subsistence. But CASAC women are witness to the fact that women across the country have no guaranteed, or even likely, access to a promised minimum standard of living. No matter how poor, women have no guarantee of welfare in any form. As women consider their options for improving their lives they certainly learn this, and so do we.

We have lost a small but significant recognition and amelioration of the historically disadvantaged economic condition of women's lives. But as predicted in feminist accounts of the end of Canada Assistance Plan (CAP) funding and as recorded in our alternate reports to the oversight committee of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), women in Canada have also lost what application we had of this encoded economic human right (Brodsky and Day). CASAC is most concerned that we are losing this benchmarked recognition of the economic oppression and redistribution of income toward equality.

In each province and community the attacks and erosion have been different, ranging from workfare to "man in the house" rules, age limitations, rate decreases, time limited access, lifetime bans, immigration and settlement restrictions, punishment bans after and through criminalization, to bans based on health requirements.

Not only has the formal policy been degraded, but the positive discretionary power in applying procedures and enforcing regulations has also been curtailed. Management and sometimes the remaining staff too often interpret rules with the same anti-entitlement attitudes.

The abdication of the federal role in assuring women and others who need a guaranteed dignified income is plain and it is Canada-wide. This includes the downward pressure of shrinking transfer payments and block funding without national standards (Brodsky and Day). That

abdication encourages provinces to set social welfare, education, and health needs of the community against the needs of business for roads and bridges, to ship goods, and transport tourists. We don't win.

Transition houses too were funded under the same mechanisms of the CAP program. They were one of the permissible ways that social welfare dollars could be spent by the provinces.

Transition houses in Canada emerged partly to deal with the limits that existed in the welfare policy of the 1970s. Welfare departments would refuse to grant women welfare cheques when they came to the state for assistance in dealing with abusing husbands. Welfare workers were directed to tell women that the state could not be responsible "for the break-up of families" (Lakeman). If a woman left and established residency on her own, then welfare might be granted since it was an assumed economic right of Canadians to not starve or be homeless. Since they usually had no money, women moved to transition houses, where they didn't need rent or deposits, not only for immediate safety, but to establish a separate residence to prove to the state that they had left the marriage/family/couple. During their stay with us, they qualified for welfare.⁷

Women still come. Transition houses are full. Shelters for the homeless and other emergency facilities are also full. But now these women "qualify" for welfare less and less often, and they do not ordinarily receive benefits without aggressive advocacy from someone independent of government. They are told constantly that it is not a right and cannot be relied on. Welfare, they are told, can be reduced, withdrawn, and denied temporarily. A woman could be banned for life.⁸

While we are focused here particularly on social welfare payments to single and single-parent women, the colloquial understanding of the women who call us and the women who work in our centers is of a human right to a dignified minimum income that might be delivered as unemployment insurance, minimum wage, old age or disability pension or welfare but was in their minds entitlement by law to every resident to an economic share that could ensure survival and dignity.

Women, especially poor women, have always had to make extra-legal deals with the men in their lives. When ex-husbands or lovers are taking a kind of responsibility by sliding women money under the table for childcare, we are all glad. But in women's position of extra dependence created by the state withdrawal, sometimes those deals are dangerous underground contracts, which the women cannot enforce, and which subjugate them to the very men they are trying to leave for the sake of themselves and their children.

Any welfare granted currently is so inadequate and insecure as to force the women into subsidizing it with an informal economy: house work for others, childcare for others, personal health care for others, food preparation

and production for others, drug sales, and/or prostitution.⁹ Subsidizing legally is either clawed back through mechanisms that "allow" recipients to keep only pittance earnings above the welfare check or the subsidizing activity itself is illegal. To be poor is to be criminalized.

In our CASAC report we are most concerned with what happens to women under these conditions trying to report sexual violence. Women who complain to the state of rape, sexual harassment, incest, sexual exploitation, and trafficking face the denial of security: no exercisable right to welfare. If by some cleverness, accident, or kindness a

Transition houses are full. But now these women "qualify" for welfare less and less often, and do not receive benefits without advocacy from someone independent of government.

woman gets welfare and is subsidizing it to get by, she is vulnerable to blackmail by her attacker. If she reports criminal sexual abuse, she will quickly be threatened (directly and indirectly) by the defence bar. Exposure can cause either a loss of informal income or the loss of her credibility as a complainant. She can and will be painted as a liar, thief, con, drug dealer, prostitute, unworthy of the protection of the law.

The 14- or 18-year-old incest victim leaving home, the worker on minimum wage or making her way in the informal economy, the dislocated woman pulled from her small town or reserve into the city for work or education, the immigrant woman struggling to survive or trying to transition into lawful citizenship and a reasonable life—all are frustrated. If the normalcy of male violence against women were not known, one might think this was something other than state collusion with violence against women.¹⁰ Access to the rule of law and equal protection under the law become meaningless.

In anti-rape centres we now face daily many women who judge that they simply cannot leave or escape men who criminally abuse them: husbands, fathers, bosses, pimps, johns, landlords, and sometimes social or welfare workers.¹¹ Since they cannot afford to actually leave, they cannot afford to effectively stand up to their abusers either. Those that do leave those economic positions are on their own with their children, and they know it.

A Global Economy: The Promotion of Prostitution

Can anyone still believe that there is no connection between the economic redistributive functions of the state, including within the social safety net, and the staggering increase in the informal economy? The economic division of the peoples of the world is staggering.

The economic division among Canadians is growing exponentially.

Child and street-level prostitution and the so-called “adult entertainment” industry are booming. This is globalization being brought to Canada. Drug trafficking and prostitution are replacing welfare, health care, and education as the hope of the destitute.

Professor Dara Culhane at Simon Fraser University describes “a process that moves women farther and farther out from under whatever small protections working people and women have been able to construct within the

To ignore women’s equality aspirations and the current unequal status of women in Canada and in the world will undermine any progressive efforts to protect prostituted women from criminalization. Naive good intentions to protect the individual women should not be used to tolerate the development of this grotesque industry. In our efforts to address the needs of women trafficked into and throughout Canada, CASAC has come to the conclusion that we can only serve them by protecting their gender rights, their status as women, and the status of all women. No one is disposable or worthy of any lesser rights.

Predictable access to welfare was a power in the hands of all women: the knowledge that we could (in a very modest amount) pay for food and shelter for ourselves and our kids by right. It was a power used to fend off attackers and to take advantage of opportunities. It was a basis on which to build one’s self respect.

state.”¹² While they have been for many years prey to the law-and-order agenda and remain so, some are now moving out past the reach of law to the no-woman’s land of the urban and suburban informal economies.

Aboriginal women have been talking about this for years as a factor in violence against women on and off reserve. We remember Teresa Nahanee at an Ottawa Legal and Education Access Fund (LEAF) conference in the early 1990s describing the condition of Aboriginal women in many parts of Canada as having to live without any basic rule of law. Now these are the conditions for many women in every major Canadian settlement.

Many women are being driven into the hands of global traders in labour, flesh, and drugs. They are trafficked into and throughout Canada by those global traders on the one hand and, on the other, within Canada by Canadian gangs, particularly the motorcycle gangs.¹³ As protection we are offered racist immigration practices that jail the people trafficked and legalization of the prostitution industry. Of course, we don’t want the criminalization of the victims, including all those at the bottom of these rigid hierarchies.¹⁴ But surely we are all aware now that this multi-billion dollar prostitution industry is actively involved not only in the trade itself, but also in the promotion of the legalization of the trade in women and drugs.¹⁵

As with our struggles against the rest of the inhumane multinational trade agenda, we must expose, confront, and interfere with the managers, owners, profiteers, and consumers. The leadership of Sweden in this matter of human rights and women’s rights is impressive and hopeful.¹⁶ Sweden has criminalized the seller and begun to protect the victimized.¹⁷ It regards prostitution as violence against women. It is no accident that Sweden is not building an economy on tourism or the sex tourism that goes with it.

In our centres we are contending with women trafficked from abroad as indentured labour, mail order brides, domestic workers, and street-level prostitutes. Sometimes we are asked to support beaten and raped exotic dancers, as well as women working in “escort” services and “massage” parlours. Daily we are dealing with women dislocated from remote territories within Canada and trying to make their way in the cities. We are taking calls from, housing, and referring women who have been supplementing their incomes with prostitution and who want protection, both legal and political, from their pimps, johns, boyfriends, lovers, and fathers, and sometimes from the government officials to whom they try to report incidents of violence.

The public provision of exit services to women leaving prostitution is inadequate. From our centres in the early 1980s we supported the development of both The Alliance for the Safety of Prostitutes (ASP) and Prostitutes and Other Women for Equal Rights (POWER) networks.¹⁸ Both were spin-offs, in both membership and politics, of anti-rape centres that wanted to specialize in serving women prostituted. During this project we participated in Direct Action Against Refugee Exploitation (DAARE)¹⁹ and have supported financially and politically Justice for Girls²⁰ and many other initiatives across the country. But we remain convinced that to use the easier provision of services as an argument for legalization is misguided. As Cherry Kingsley states:

If we want to set up areas to protect women, to give women dignity and police protection, appropriate childcare, housing, and job training, and so on, then we should do that. Why should women have to service men sexually to be offered those things needed by all women?²¹

Certainly among the women who call us and come to us, most do not choose prostitution except as a highly available way to survive. We speculate that the few women in the world who do choose it are short-time participants with privileges that allow them to leave. The provision of services specific to women trapped in or wanting to leave prostitution is inadequate everywhere. But to think that such services alone will curtail the harm of prostitution in the midst of this economic agenda is ridiculous. And for the federal government to refuse to try to curtail the domestic and international prostitution of women is barbarous.

The recognition of the so-called “rights of prostitutes” or the new talk of decriminalization (meaning legalization) is a self-serving policy ploy.²² It legitimizes men’s right to abuse women and also legitimizes Canada’s refusal to redistribute income to women, some of whom are the most needy women, both within her borders and in the international community.

Predictable access to welfare was a power used by more than the destitute. It was a power in the hands of all women: the knowledge that we could (in a very modest amount) pay for food and shelter for ourselves and our kids by right. It was a power used to fend off attackers and to take advantage of opportunities. It was a basis on which to build one’s self respect. The organizing in the 1930s, resulting in the legislation of welfare rights, had declared that everyone in Canada was entitled to at least this minimal share in the community and in the commonwealth.

We have no romantic memories of the days when welfare was great. We learned early in our herstory, and as we discussed our lived experiences, a critique of the welfare state as social control, especially of women.²³ We needed much more income redistribution and much less regulation of women’s lives (Sidel). Still, we share with many second and third-wave feminists²⁴ a critique of the dismantling of the welfare state and the social safety net that it sometimes provided.²⁵

Canadians have been deceived and manipulated to achieve this reversal of social policy. Clearly national standards are necessary as are achievable protections for women across the country.

When we redesign “welfare,” as we surely will, we must start by acknowledging everyone’s right to an adequate income. We must revive the Guaranteed Annual Income concepts that generated welfare reforms from the 1930s to 1975. Feminists must not tolerate going back to notions of family income or of the worthy and unworthy poor, to disempowering immigrant workers, divisions of minimum wages from disability rights, disassociated child poverty, or to mothers’ allowances, Aboriginal disempowerment, forced work camps, or age restrictions even when disguised as age entitlements. We will certainly not tolerate going back to the intrusive state supervision of the private lives of women.

In this desperate time for so many women, perhaps we should take heart that most Canadians have not yet realized our loss of welfare and will surely rise to the occasion.

The CASCA Links Report, Canada’s Promises to Keep, is available at www.casac.ca and will soon be available in book form by Black Rose Books.

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¹We are saying that there is nothing intrinsically different about the women and children who end up poor or violated. And the men who violate them are not biologically compelled; they make choices to do so.

²Professor Dorothy Smith’s work has helped us to keep seeing this. Her early analysis of the United Way struggle in Vancouver from the 1970s to 1990s was followed by conversations with us about class and the women’s movement over the years.

³We have learned a lot from Penni Richmond, Madelaine Parent, Sharon Yandel, and Linda Shuto, and suggest their bodies of work as a source of that history and its importance to women.

⁴According to our Supreme Court Rulings that support both substantive equality approaches rather than merely formal equality (a notion that sometimes treating unequal groups exactly the same way causes more inequality) and support contextual understandings.

⁵The Social Union Framework Agreement has not been an improvement on the Meech Lake Accord or the lost Canada Assistance Plan and Health regimes. It has left women totally vulnerable in every way. The process has barred non-government involvement. We have no reassurance either that our particular identities will be recognized or that our collective or universal needs and entitlements will be met. While there seems to be some consensus that the framework can be adjusted to serve us as citizens and specifically as women, we should not be satisfied with less than the language that encodes those promises in enforceable national standards and oversight mechanisms.

⁶In their 1992 book, *Women, Violence and Social Change*, Dobash and Dobash present the results of a respectful examination of the ways in which anti-violence groups have analyzed and affected the state by comparing the movement in Britain, where a welfare state was in place, to the U.S, where a constitutional rights-based approach was more common.

⁷Between 1975 and 1995 it was rare for women to have trouble getting welfare after living in a transition house.

⁸In both British Columbia and Ontario, lifetime bans

have been imposed. Temporary refusals have been instituted. Time limits—for instance, of only being eligible for two years out of five—have been imposed. Health criteria have been imposed. Rate reductions have been imposed.⁹All welfare rates as well as minimum wage rates in the country are below the poverty line.

¹⁰Federal-Provincial-Territorial Ministers Responsible for The Status of Women, 2002.

¹¹Welfare workers and social workers are sometimes reported to us as abusers of their clients. They have much more power to abuse if the women know they have no enforceable right to welfare: they are dependent on the discretion in his hands.

¹²Personal communication, October 2001.

¹³In our work we have become aware of the ownership and prostitution dealings of (at least) The Hell's Angels in every province except the Maritimes, the Big Circle Boys gang, the Lotus gang, Fukianese, the Russians, the Mafia-related gangs, and the Vietnamese gangs.

¹⁴Most of the Canadian women's movement has agreed that prostitutes and low-level drug dealers should not be jailed or even criminalized. We have also agreed that those women trafficked as indentured labour or sex slaves should not be criminalized or deported. Our debates are about how to deal with the men and how to interfere with the trade.

¹⁵Gunilla Eckberg, personal communication, September 2003. She is special advisor to the government of Sweden on prostitution.

¹⁶For instance, see online www.naring.regeringin.se/fragor/jamstadlldhet/aktuellt/trafficking.htm.

¹⁷And here we mean johns and pimps. We rarely see the women as the sellers.

¹⁸See online: www.rapreliefshelter.bc.ca/herstory/rr_files/86.html.

¹⁹The extra A is because the cookie company DARE threatened women organized under that name with lawsuits if we used their trademark name, although the police have a drug abuse program with the same name.

²⁰Justice for Girls is a group focusing on feminist intervention against the exploitation of young women.

²¹Cherry Kingsley, personal communication, October 2001. Cherry Kingsley escaped prostitution and often speaks as a woman who has experienced these conditions. She works in the International Centre to Combat Exploitation of Children.

²²Decriminalization used to mean preventing charges against the women. Now it is shorthand for the legitimating of the trade. We continue to stand with the women and against the trade.

²³See CASAC newsletters (1978-1982) available at Vancouver Rape Relief library.

²⁴Such as the member groups of Feminist Alliance for International Action (FAFIA) and the British Columbia CEDAW group.

²⁵See online <http://www.fafia-afai.org/index_e.htm>

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JOAN BOND

An Apartment Dweller's Desire

Across balcony balusters
and a chartreuse lawn
edges blur wingborne;
hems float as clouds
and sweep aside billowing sleeves.
Brassieres touch pants;
pillowcases whirl around skirts.

The sun perfumes the dancers
lined-up, moved by breeze as by melody.
They tease back and forth
swell, flip, then fall limp.

My back to the dryer, I stare
wishing for cool, cotton sheets
smoothed upon my bed,
heavy with love making
heavy with the scent of clover.

Joan Bond's poetry appears earlier in this volume.