

Book Reviews

Double Jeopardy: Mother-Work and the Law.

Lorna Turnbull. Toronto: Sumach Press, 2001; 229 pages; ISBN 1-894549-11-2; \$22.95 (paper).

This highly readable survey of the treatment of "motherwork" in Canadian law offers a strong introduction to feminist scholars unfamiliar with legal theory and to legal theorists new to feminist scholarship. Turnbull considers the everyday experiences of mothers, problematizes mainstream conceptualizations of mothers and motherwork, and lays out the complex socio-economic, medical and taxation parameters of women's experience of Canadian legal discourses. *Double Jeopardy* serves a multidisciplinary audience, and will be of use to scholars in women's studies, law, social policy and to wider interested audiences outside academia.

Turnbull asserts that women's choices with respect to mothering are limited (15). Women who are mothers are overrepresented among the poor. Career options for most men are not circumscribed by the presence of children, whereas for women the reverse is often true. In economic theory and in law, women are subject to the logic of liberal individualism, which fails to take account of the work involved in, and the need for investment in, caring for others. Turnbull lays out the ways in which the labour market, social policy and the taxation environment in Canada frame the invisibility, and often gross misunderstanding of, motherwork in legal discourse.

The core of Turnbull's book is her examination of pregnancy and the law, the legal characterization of motherwork and income tax rules and motherwork. Detailing key rulings and dissenting opinions, she weaves a trenchant critique of elements of the law's portrayal of mothers and points to avenues for resistance and change. She navigates the messy and fraught terrain of legal conflicts over a pregnant woman's rights versus her foetus' rights, and examines the law's masculinist and often medicalized treatment of pregnancy. She highlights controversial cases, such as *Tremblay v. Daigle*, where an abusive ex-partner attempted to bar Daigle from accessing abortion services, and *Re Baby R*, where a mother declining a caesarean

section prompted her doctor to have the Family and Child Services agency intervene based on the woman's "past record." The latter case was overturned on appeal as Family and Child Services cannot apprehend a child before it is born. These cases, Turnbull argues, demonstrate the extent to which mothers and motherwork are made invisible and misconceived in law.

Turnbull considers a range of cases in her treatment of motherwork and law. From breastfeeding in public, to recognizing the unpaid work of caregiving in support payments allocations, to child protection and child custody, she finds that women's unpaid caregiving is undervalued in legal discourse and an abstract and ideal-typical model of middle class motherhood is held up as normative and appropriate.

Taxation rules serve as an important vehicle for decision making about employment and child care choices. Turnbull argues that taxation is a form of invisible social spending (122). She is careful to note that taxation law, like law more generally, is not a panacea and cannot correct for structural inequalities within families or in paid employment. Further, she suggests that taxation policy cannot supplant good social policy, as some low-income families do not pay income taxes. Turnbull's assessment of taxation rules in Canada and the US offers insights into how motherwork is undervalued, and in particular, how economic liberal individualism sees children as consumer goods.

Double Jeopardy devotes attention to strategies for remedying the marginalized position of motherwork within Canadian law and provides analysis of the structural barriers to law reform. While realistic about the limitations of legal remedies, Turnbull is nonetheless optimistic that the "public and political character of the legal arena provides an important opportunity to reshape people's understanding of the existing social order and their place in it" (165). Despite these potentialities, law's liberal individualism ensures that mothers' needs are not addressed as liberalism cannot confront the relations of dependence inherent in mothering.

Kate Bezanson

Brock University

Plus Que Parfaites. Les aides familiales à Montréal, 1850-2000. Raphaël de Groot and Elizabeth Ouellet. Montréal: Éditions du remue-ménage, 2001; illustrations + 177 pages; ISBN 2-89091-185-3; \$19.95 (paper).

"At the beginning my employers often told me I was part of their family. Yes, in a way, because I work in the family, but, I am not part of *their* family. I have to say that to make my work visible, to show that I have a profession. I am not their aunt visiting their home to help. No. I work, but, despite that, I live their difficulties with them" (Evidence of Eline Ayetola, 111). These words capture the themes of this book, and the strengths of the women who work as family helpers, its main subject. The book has three main chapters: the first offers an historical overview of work in private homes in the Canadian city of Montreal between 1850 and 2000, based largely on secondary literature; the second presents women's experiences as family helpers and others who had nannies through material drawn from interviews; the third summarizes the history of the organization of home helpers and outlines the ongoing challenges they face.

Plus Que Parfaites began as an exhibition, organized as part of the ongoing fight by organized domestic workers in Montreal to raise both public consciousness and that of home helpers about their work conditions and the problems of immigration law and of their employment contracts. The book thus continues that struggle, one which is ongoing for the Association of Family Helps of Quebec (L'Association des aides familiales du Québec). It makes an important contribution in showing how family helpers, as women performing tasks seen as part of women's work as mothers and wives in the home, continue to have problems securing official recognition of the skills involved, and hence in establishing their right to be covered by labour laws. It chronicles the original work of the Association, and it shows the injustices the special status accorded domestics in immigration law has caused.

The major contribution, and most moving part of the book, is the second chapter. Here we hear women's own stories. The first are five women who began working as family helpers between 1915 and 1950. Through the words of these "rare pearls" -

Gracia, Noella, Cecile, Lucille, Ginette - readers learn of women who had a range of experiences, positive and negative, but loved their work. In contrast to the arguments of many historians, these women preferred work as domestics and home helpers to factory or office labour. In the second section, Raphaël de Groot reproduces interviews with five women raised in part by nannies. Through their memories of Angelina, Carmen, Tante Fifine, Nen and Tante Cecile emerge images of family life that tear apart the picture of "traditional" families where children were raised by two parents, to show the significant role of unmarried and childless nannies who stepped in to provide love, care and education for children as well as significant companionship to some of their mothers. The final section presents the reflections of five women currently working as family helpers. The testimonies of Aline, Rolande, Naina, Shirani and May reveal not only the pride they take in their work and the challenges some of them face as immigrants, but also the ways they insist on their skills and rights as skilled workers.

Appropriately, this is a popular rather than academic history, accessible to the women whose lives it documents, as it will be to undergraduate Women's Studies students. It could be used in the classroom to raise issues about domestic labour and its ongoing lack of adequate recognition in today's society. The illustrations are as rich as the testimonies - especially the series of six twinned photos showing past and present home helpers in parallel situations. It is a pity that the reproductions of some of the visual images are not of higher quality.

Bettina Bradbury
York University

Of Property and Propriety: The Role of Gender and Class in Imperialism and Nationalism. Himani Bannerji, Sharzad Mojab, and Judith Whitehead, eds. Toronto, Ontario: University of Toronto Press, 2001; xii + 244 pages; ISBN 0-8020-4380-1; \$60.00 (cloth).

Of Property and Propriety is an ambitious study of the troubled intersections between nationalism and feminism. Bringing three pieces on modern India together with articles on Irish, Finnish