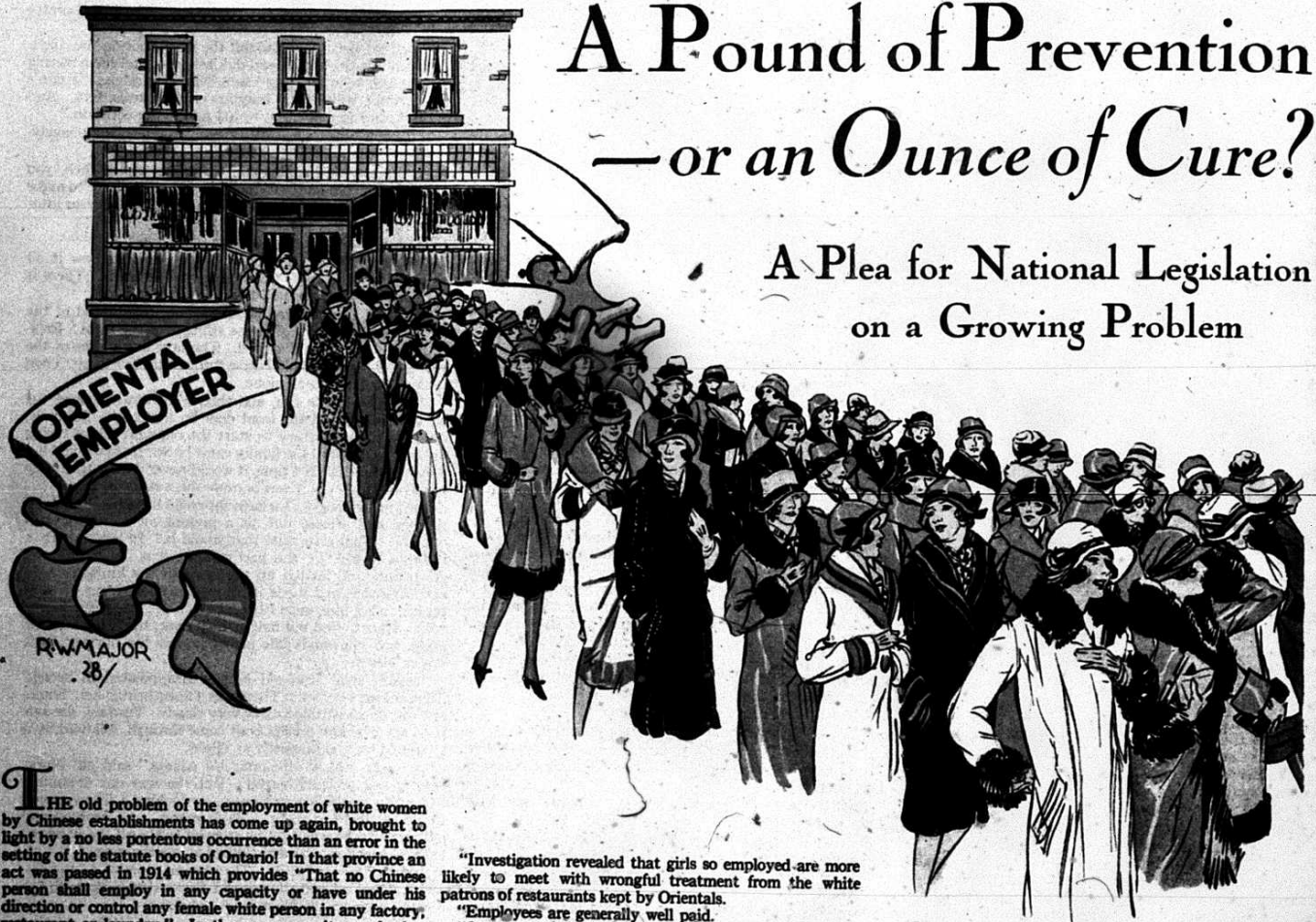


A Pound of Prevention —or an Ounce of Cure?

A Plea for National Legislation on a Growing Problem



THE old problem of the employment of white women by Chinese establishments has come up again, brought to light by a no less portentous occurrence than an error in the setting of the statute books of Ontario! In that province an act was passed in 1914 which provides "That no Chinese person shall employ in any capacity or have under his direction or control any female white person in any factory, restaurant or laundry." In the same year it was further enacted, however, that this provision should not come into effect until "a date to be fixed by proclamation of the Lieutenant-Governor in Council." This second subsection, one supposes, announced the belief of the legislature that there was no necessity of bringing the law into effect unless in the opinion of the government conditions should require it.

So much for the meaning of the act. Yet in the year 1927, the printing of the Revised Statutes omitted subsection 2—and the law, sans proclamation and sans provocation, automatically came into force. So much for the "letter of the law!" There had been no authority for the omission; it seems; the type had simply dropped from the page unnoticed. Enforcement was in order, and Chinese employers and white employees organized to fight it.

The matter of Ontario and her statutes, of course, is entirely a provincial affair, and the type will probably be reset in the statutes and the old proclamation clause reinstated. The question itself, however, since it has come up, concerns the country; a concern on which women may well keep their attention focussed with an eye to underlying conditions and future legislation of a national character.

Some time ago, the Committee on Trades and Professions for Women of the National Council of Women, made a survey of conditions existing in Chinese establishments employing women. Their findings were, if anything, rather more favorable than otherwise to the Oriental employer. It reads as follows:—

"British Columbia reports that in their Province white girls may work for Orientals. A Bill prohibiting white girls working for Orientals was brought before the last Legislature but was thrown out as being *ultra vires*. In consulting some of the officials who came in touch with the employers and employees we find that they are not willing to say that the employment of white girls by Orientals is harmful either through the conduct of their employer or by patrons.

"Ontario. Revised Statutes of Ontario, Cap. 275, Sec. 30 (1927). No Chinese person shall employ in any capacity or have under his direction or control any female white person in any factory, restaurant or laundry." This Act was not proclaimed by the Lieutenant-Governor-in-Council but was included in the Revised Statutes, thus making it a legal enactment.

"In this province no white girls are employed in laundries. Investigation revealed no evidence of girls receiving harmful treatment from employers.

"Investigation revealed that girls so employed are more likely to meet with wrongful treatment from the white patrons of restaurants kept by Orientals.

"Employees are generally well paid.

"Ottawa reports girls are employed to a considerable extent in restaurants under Oriental management." The employment bureau discourages girls from entering upon this life. The pay is the same as that offered by white employers for the same class of work. Social service workers are emphatic in desiring the bar raised against such employment.

"Saskatchewan. No person may employ a woman or girl in any capacity requiring her to lodge, reside or work in such an establishment without first obtaining a special license from the municipality in which the establishment is situated. The license, for which the fee may not exceed one dollar, must be renewed annually. The first legislation of this character in the Province of Saskatchewan was enacted in 1912 and forbade the employment of white women or girls in businesses owned or managed by a Japanese, Chinaman or other Oriental. The constitutionality of this Act was challenged in the courts and was upheld by the Supreme Court of Saskatchewan in a judgment rendered in the case of Rex vs. Quong Wing.

"Other parts of the Dominion report there is little or no employment of this kind in their cities or towns.

"The answer to the last question (Do we discriminate against an Oriental race if we raise the bar against any such employment?) may be summed up as follows:

"The bar raised by the statute is not for the purpose of discriminating against an Oriental race, but inasmuch as Orientals have not Oriental women in this country and as naturally an employee is more or less under the control of her or his employer, this Act protects the white girls and is passed for their protection only."

This report brings up several questions. In the Ontario statutes, you will note, there is no mention of the employment of white women in hotels, an omission which renders the other prohibitions of the act, if justified, wholly inadequate. If it is improper for the Chinese owner of a laundry or a restaurant having shifts of waitresses through the day or night, to employ white women, how much more undesirable the situation when employees must sleep on the premises.

There is absolutely no evidence that any Chinese employer has behaved improperly toward any white woman in his employ, though it has been found that women so employed have sometimes suffered disrespect from white customers of the Chinese establishments. Which brings up a further question of great importance—the ability of the Chinese employer to surround female employees with securit and

good influences. It is believed by persons who have made a survey of the subject that no white man intent on mischief would respect the authority of a Chinaman.

The Rev. W. D. Noyes, pastor of the Eastern Canada Chinese Mission in Toronto, who has been active in combatting the enforcement of the Ontario legislation, believes Chinamen rather more watchful against untoward situations on their premises than other proprietors of the same class. Dr. Noyes has lived in South China for twenty-seven years, speaks Cantonese, learned it before he did English in his infant days. He was a missionary in China seventeen years, most of the time in educational work. He was for six years the principal of a Mission High School in the city of Canton. While there, he came in touch with some of the leaders of the New China. He has been Superintendent of Chinese Missions in Eastern Canada and has travelled from coast to coast. Because he speaks and can understand the Chinese in their native dialect he has been able to keep in close touch with matters among the Chinese, not only in Canada, but with the march of affairs in China. Because of his close study of the situation, he feels to a certain extent competent to speak on the statutes which forbid Chinese from employing white women. He appeared some time since before the Minimum Wage Board of Ontario, which, at that time seemed to feel satisfied with the wages and treatment of white women by Chinese employers. In discussing the subject with *The Chatelaine* recently, he has written:

"A Chinese café man told me that Chinese are more than careful to prevent scandal in their places of business, because they know well that every move of theirs is watched by their opponents. Does this not indicate that such places are safer to work in than many others?"

"In Toronto we are told by representative women who work in Chinese cafés, that the hours are short, the work is light, the pay is good and their employers are courteous and kind. They feel no need of protection and resent interference with their liberty of action.

"Because Chinese are of a different race, civilization, culture, it does not make them more criminally inclined, in fact, Confucian ethics have been so instilled into the minds of these people that their respect for law and order is often superior to that of other nations. The record the Chinese have throughout Canada, any people living in the Dominion might envy. For law abiding lives few can surpass them."

Certainly, if one hesitates to drape the Chinese employer with garlands of extraordinary virtue, one must admit: