

**GUILTY UNTIL PROVEN ELIGIBLE: WELFARE SURVEILLANCE
OF SINGLE MOTHERS IN ONTARIO**

by

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A thesis submitted to the Department of Sociology

In conformity with the requirements for

the degree of Master of Arts

Queen's University

Kingston, Ontario, Canada

(May, 2009)

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Abstract

Since the commencement of welfare state restructuring in the mid 1990's under the Harris government in Ontario, significant cuts to social assistance, or what symbolically became 'Ontario Works', have fundamentally altered how assistance is managed and delivered. Accompanying these financial reforms was the increased surveillance of individuals and families receiving social assistance in the province of Ontario. The central focus of this project examines the technological, task force-oriented and community surveillance practices administered by Ontario Works. Based on primary research of policy documents, legislation, regulations and directives, the thesis argues that through the multitude of surveillance technologies, Ontario Works has made living on social assistance increasingly more demoralizing, in addition to the added difficulty of obtaining welfare benefits. Finally, since an overwhelming majority of recipients are single mothers, the thesis addresses the substantial gender and class dimensions attached to Ontario Works' surveillance practices and further questions the neoliberal policies such as the 'war on fraud' which justified the increased surveillance of poor mothers.

Acknowledgements

Throughout the course of my MA, I have been privileged to work with Laureen Snider who has guided and supported me with this project. Laureen helped me find a much needed balance between my activism and my academic endeavours, allowing me to explore a fusion of the two. She has been an amazing mentor and supervisor throughout the entire process. I would also like to thank Vincent Mosco and Margaret Little for their continued support, guidance and friendship during my MA, this would not have been possible without such incredible people. Lastly, I would like to thank the surveillance project which has been a great resource for my research.

Thank you to Michelle E, Wendy S, Anne H and Joan W for their administrative support. The department is lucky to have such a great team that maintains the daily functions and operations. Thanks to Michelle who has gotten me out of some interesting situations, and for your continued support regarding my future PhD work.

Most of all, I would like to thank all of the friends, fellow activists and family who continued to support me throughout this process. My parents and brother have amazed me with their ongoing encouragement and support throughout my MA, I appreciate that they were always there for me. I would also like to thank TAFA and everyone that was involved with the union drive, I will not forget the awesome individuals I met throughout my experience as an organizer, nor will I forget the passion and relentless drive to make Queens a better place. Finally, I would like to thank my friends for being such great supporters, both academically and personally-I am continuously inspired by their generosity and friendships: Gabrielle, Kirby, Jen C, Amanda W, Alex, David, Anne Marie, Julie James, Drew C, Mellissa, Breanne, Andrew, Jennifer R, Hollie, Julie G, Nadine, Dave M (aka McD), Dana and of course Pickle.

I hereby certify that all of the work described within this thesis is the original work of the author.
Any published (or unpublished) ideas and/or techniques from the work of others are fully
acknowledged in accordance with the standard referencing practices.

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Chapter 1

Introduction

Surveillance studies have expanded in recent years, researching everything from consumer trends and workplace surveillance to biometrics and national identity cards (Lyon 2007). However, surveillance studies have largely ignored the intensification of surveillance caused by the adoption of new technologies in social services, as well as the reconfiguration of social programs, or examined how it has affected society's most marginalized groups (Eubanks 2006, Gilliom 2001, Henman and Marston 2008, Kohler-Hausmann 2007). This largely undeveloped, unexplored relationship between welfare and surveillance is the subject of my Masters thesis, and as such this project will make a significant contribution to surveillance studies by addressing the existing limitations in current research and literature.

Surveillance studies have been critiqued for not engaging with issues that affect society's most marginalized groups such as welfare clients. To address this issue, studies of welfare surveillance must document and analyze the welfare bureaucracies which are increasingly monitoring and tracking their recipients. This project is concerned with welfare surveillance in Ontario Works (OW), what justifications permitted the increase in surveillance technologies and finally the implications of these technologies for recipients. First, a brief overview of welfare reform is provided to contextualize the mandate for a more surveillant welfare model in Ontario.

Since the commencement of welfare state restructuring in the mid 1990's under the conservative Harris government in Ontario, significant cuts to social assistance, or what symbolically became 'Ontario Works' (OW), were implemented (Fudge and Cossman 2002, FAFIA 2001, NCW 2003, Brodie 1996, Mosher and Hermer 2005, Little 2001, Mirchandani and Chan 2007). There were rate cuts of 21.6%, the Canadian Assistance Plan (CAP) was abolished, Workfare was introduced, tighter and more stringent eligibility criteria was implemented, and a significant shift in the prevention and cessation of welfare fraud were made, the most significant changes to Canadian social policy in decades (Brodie 1996). These policy changes were resisted and challenged by activists, academics, welfare recipients, lawyers and the general public nevertheless, welfare surveillance became the foundation of Ontario Works.

Accompanying these detrimental financial cuts was the increased surveillance of individuals and families receiving social assistance in the province of Ontario, this was largely encouraged by policy makers due to assumptions of widespread welfare fraud. New surveillance technologies introduced included the Consolidated Verification Process (CVP), the Service Delivery Model Technology (SDMT) and the Maintenance Enforcement with Computerized Assistance (MECA). OW institutionalized these databases with the help of the corporation *Accenture* which was outsourced to develop surveillance technologies to deter welfare fraud (2004 Annual Report of the Office of the Provincial Auditor of Ontario: 356).

Since an overwhelming majority of welfare recipients are single mothers, there is a significant gender and class dimension to this form of surveillance (Chunn and Gavigan

2004, Little 2003, Power 2005, Brodie1995). Feminist research has documented a concomitant increase in the surveillance of single mothers receiving OW in Ontario (Little 2003, Mosher and Hermer 2005, Chunn and Gavigan 2006). As well, feminist research has specifically addressed the underlying neoliberal sources of the financial cuts and the shift to a more punitive surveillant welfare system (Balfour and Comack 2006, Snider 1999, Mosher and Hermer 2005, Mirchandani and Chan 2007).

The thesis addresses three questions: 1) what are the current surveillance practices in OW? 2) What were the justifications that permitted the increase in surveillance of single mothers on welfare? 3) What are the implications of welfare surveillance on recipients? Feminist scholars who have linked ‘welfare fraud to welfare as fraud’ provide one explanation for the increase in welfare surveillance (Comack and Balfour 2006, Snider 1999, Mosher and Hermer 2005, Chunn and Gavigan 2004, Mirchandani and Chan 2007). Based on fraud policies and legislation, this translates that welfare recipients are inherently criminal because being poor is deviant in and of itself. Moreover, welfare’s zero tolerance policies for fraud, and the new punitive surveillance technologies that were established during welfare reform of the 1990s¹ have had significant effects on single mothers, specifically because of tighter eligibility criteria, increased reporting issued by databases, spouse in the house rules and Workfare. Most significant though, was policy makers ‘unprecedented’ obsession with welfare fraud, which has criminalized welfare recipients particularly single mothers (Chunn and Gavigan 2004, 2006:217, Balfour and

¹ The ‘crackdown’ on welfare fraud began in the 1970s and 1980s in Canada which “lead to the review and total restructuring of welfare policies in Canada and other Western countries through the 1990s” (Chunn and Gavigan 2006:222).

Comack 2006). For instance, Chunn and Gavigan (2006:217) argue, “welfare ‘fraud’ occupies a central place in this attack on the poor” which has a “disproportionate impact on poor women”.

This thesis is segmented into four chapters. Chapter 1 consists of a literature review, focusing on the main claims of feminist political economy and surveillance studies. The chapter concludes with a fusion of both perspectives creating a new model for the analysis of welfare surveillance. Chapter 2 provides an overview of the methods employed in this study. As well, it highlights the initial findings extracted from the legislation. Chapter 3 is the analysis component of the thesis. It expands on some of the initial findings discussed in chapter 2 because aspects of the legislation required more interpretation. This section also uses discourse analysis to situate neoliberalism in the new welfare surveillance policies. Chapter 4 discusses the implications and conclusions of the research project, such as the internalization of welfare surveillance and the gendered impacts of welfare reform on single mothers. This project concludes with final thoughts on the research findings as well as directions for future research on welfare surveillance.

Chapter 2

Literature Review

Introduction: Why Welfare Surveillance?

This chapter explores how neoliberal discourses stigmatized and demonized poor women and how social services increased control over women through new(er) technologies of surveillance. To accomplish this task, this chapter will outline the current literatures surrounding Ontario Works (OW), surveillance, as well as, bridging surveillance studies and political economy frameworks by showing examples of work underway in the area of welfare surveillance². Additionally, this literature review will examine how the claw backs on social services such as welfare, have paralleled an increase in the surveillance of those living in poverty, particularly those receiving welfare. Why is the increase of the surveillance of poverty, administered by OW so problematic? Why should we care? As we shall see, by categorizing recipients of OW and utilizing the neoliberal discourse of ‘risk’, OW has legitimized the use of invasive surveillance technologies as a means to deter fraud and increase the efficiency of job placement (SANE 2004).

Surveillance scholars such as Ericson and Haggerty (1997) have put forth the claim that ‘risk’ is a concept inherent to neoliberalism³ because of the concept’s emphasis on the *individual* with a strong focus on responsabilization, entrepreneurship and the

² The term ‘welfare surveillance’ is utilized in John Gilliom’s (2001: 17-40) study *Overseers of the Poor: Surveillance, Resistance, and the Limits of Privacy*, I am utilizing the term here in a way to fuse political economy with surveillance studies.

withdrawal of the state, all discourses evident in welfare policy and legislation (Condon 2002:128, Chunn and Gavigan 2006). As we shall see in this chapter, 'risk rationalities' have been the 'scientific' justification behind the introduction of heightened surveillance technologies. Thus, it is important to acknowledge the implications of risk discourses and practices because they have had such a pervasive impact on how various organizations conduct day-to-day activities. 'Risk' has also been linked to the categorization of various forms of "deviance" through the professional discourses of authorities (doctors, police, criminologists, caseworkers, prison guards, counsellors, teachers etc) (Comack and Balfour 2004, Little 1998). This has contributed to negative stigmatization by shaping how certain populations are perceived by the public. Additionally, the neoliberal focus on the 'individual' and 'independence' has affected marginalized individuals because it contributes to the stigmatization and demonization of poverty, specifically, of those on social assistance. This is a result of the assumption that they cannot be independent if they are 'dependant' on welfare (Swanson 2001, Mosher and Hermer 2005, Evans and Wekerle 1997:12).

The stigma, that the poor must lack the ability to make 'good' choices and therefore must be monitored, has been around since Elizabethan Poor Laws (Piven and Cloward 1971:26), where the poor were forced to labour in 'workhouses' in order to have food and shelter. Responsibilization and the need for 'overseers' of the poor has intensified under neoliberal welfare reform and therefore has had significant long-term

impacts on OW legislation⁴. Consequently, these two dominant discourses (risk rationalization and neoliberal individualism) have critically framed welfare reforms of the 1990s (particularly the increase in invasive surveillance technologies) by drawing on the issue of welfare fraud and the assumption that those on social assistance must be actual or potential criminals (Mosher and Hermer 2005:26). Essentially risk technologies decided whether there was potential for fraudulent behaviour, while the focus on the individual erased consideration of social factors such as inequality, racism, poverty etc, with the result of blaming individuals for their ‘choices’. This was the beginning of the public and political assumptions, which framed social assistance as a criminal act.

The transition from discourses surrounding citizenship of the Keynesian model⁵ that emphasized the need for the state’s involvement with the market and mandated the funding of social services such as welfare, to a different model where an emphasis on the management of risk on an individual level (‘neoliberal risk management’) marked welfare reform of the 1980s and 1990s in Canada. The new neoliberal model of citizenship assumes that individuals are responsible for their life situations based on the

⁴ However, at the same time the meaning behind the term ‘dependency’ shifts throughout various historical periods. For instance ‘dependency’ was not always associated with deviance, whereas today “‘welfare dependency’ is a stigmatized and pathologized status that is conferred on all, including single mothers, who were once regarded as ‘deserving’ in the hierarchy of the poor” (Fraser and Gordon in Evans and Wekerle 1997:12).

⁵ Foucault has critiqued the Keynesian model, feminist Nancy Fraser notes that “he frames social services as disciplinary apparatuses, humanist reforms as panoptical surveillance regimes, public health measures as deployments of biopower, and therapeutic practices as vehicles of subjection” (Fraser and Bedford 2008: 239). It is important to stress that there were still underlying problems even in the Keynesian welfare state which was premised on universal rights based principles of deservedness.

‘choices’ that they make and ignores structural barriers found in capitalist societies⁶. Furthermore, independence is measured by employment status and those that are unemployed are viewed as ‘dependent’, dependency became a marker to categorize marginalized populations as ‘risky’ because they made bad choices (Condon 2002:129, Fudge and Cossman 2002, Pleace 2007, Chunn and Gavigan 2006:229).⁷ Risk is central to understanding the complexity of the increased surveillance and categorization in social service agencies such as OW and provides a link to OW legislation and new technologies of surveillance. In order to understand this recent transformation, one can utilize a ‘feminist counter discourse’ to address how and why the state has rolled back social services and simultaneously invested resources into expanding prisons and crime control (Fudge and Cossman 2002).

This paper argues that the shift to categorization, individualization, self-responsibilization and risk rationalization of citizens is problematic. Although we are all under some form of surveillance on a day to day basis due to the nature of our modern society or what Lyon would label the ‘surveillance society’ (Lyon 2004:14), the way in which the poor are surveilled, regulated and monitored is a very different experience than

⁶ Chunn and Gavigan frame this as “a profound attack on the ‘social’—indeed, the erosion of social responsibility—and the ‘authoritarian’ neoliberal state is a key player in this attack” (Chunn and Gavigan 2006:227).

⁷Scholars Mosco and Lavin explain this neoliberal focus on individualism from a political economic perspective noting “although political economy addresses agents as social rather than individual actors, it recognizes the significance of the hegemonic process of individuation which refers to the practice of redefining social actors, such as business executives and workers, as individual subjects whose value is connected to individual rights, individual expression, the individual exercise of political responsibility in voting, and individual freedom of consumption” (Mosco and Lavin 2007: 31). This statement demonstrates the shifting notions of the individual and citizenship in neoliberal governments.

most of the employed encounter (Gilliom 2001). According to David Lyon, “From the point of view of policy, this [surveillance] is a telling development because at present the level of unquestioning acceptance of information and communication technologies is far higher than of ethical and political critique and assessment” (Lyon 2007:139). This project aims to address the issue that Lyon highlights, showing how surveillance is becoming more and more a part of our everyday lives, and that challenges to this transformation for society’s most marginalized (such as those on welfare) have been limited/lacking/absent. Additionally, the project shows why and how new surveillance technologies differ from surveillance methods utilized in the past, in order to argue that surveillance technologies have created a new way of thinking and doing welfare in Ontario.

Feminist Political Economy: Contestations, Tensions and Negotiations - making room for social change

The following will explore feminist political economy’s primary claims. In doing so, I hope to demonstrate how feminist political economy can enhance studies of surveillance of women receiving social assistance, as well as provide context for how feminists have responded to welfare state restructuring and to the introduction of new welfare surveillance technologies. To begin, feminist political economy explains the base of the ‘common sense’ understanding which became the dominant mode of understanding within which welfare was re-thought and surveillance became ‘thinkable’ as a viable solution to address issues of ‘dependency’ (i.e. poverty). There are a variety of feminist scholars who study poverty, welfare state restructuring, women’s paid and unpaid labour, the public/private divide, social reproduction and other ways women are

constituted in the material conditions of society (Little 2003, Chunn & Gavin 2004, Brodie 1996, Mutari, Fraher and Boushey 1997, Davis 1997, Porter 2003, Fudge and Cossman 2002, Power 2005, McKeen 2004, Bezanson and Luxton 2006, Snider 1999, Holmstrom 2002, Abell 2001, Mosher and Hermer 2002, Armstrong and Andrew 2003, Swanson 2001, Fraser and Bedford 2008). As well, these scholars have suggested different ways to tackle these issues theoretically and pragmatically.

As a whole, political economy is “interdisciplinary, historical, and comparative... ‘the study of society as an integrated whole’ that identifies and analyzes ‘social relations as they relate to the economic system of production’” (Drache cited in Bezanson and Luxton 2006:12). According to political economy literatures, Canadian political economy took on a ‘new’ direction in the 1970s⁸, inspired by Marxist traditions, it diverted from mainstream political economic theory by refocusing on “issues of the welfare state and globalization” (Clement 2001:405). According to scholar Wallace Clement (2001) political economy explains society from a materialist perspective, that being how society ‘sustains’ and reproduces itself (Clement 2001: 405). As a broad perspective,⁹ it takes into account how the social, political, economic, cultural and ideological dimensions all shape social relations and, like feminist research, it employs interdisciplinary techniques. Based on this, Clement claims that feminism and political economy are complementary

⁸ Clement notes, “Canadian political economy was born in its “new” phase out of a combination of class and nationalism in the 1970s. It has been refined by its dialogue with feminism, environmentalism and cultural studies during the 1980s. These exchanges have caused the political economy tradition to develop more nuance and richness to its analysis” (Clement 2001:410).

⁹ For instance, Clement (2001) identifies at least six different strands of political economy in Canada: neoconservative political economy, liberal political economy, social-democratic political economy, socialist political economy, feminist political economy and ecological political economy.

theoretically and each can be used to enhance and expand the other (Clement 2001). Moreover, Clement emphasizes another critical aspect of political economy, that of social change. He states, “Tensions and contradictions embodied in society produce struggles and resistance to established relations and practices. As such, material relations are basic to the unfolding of social and technical changes in the labour force, households and institutions of the state and economy” (Clement 2001:405). It is in these tensions and contradictions that explain how societal transformation is possible which is at the core of political economic theory. Feminist political economy appropriates this commitment to praxis and social change. Another primary concern of this perspective is that context is important to political economy methodologies, in other words, the intersections of culture, politics, spatial, ideological, and economic spheres are relevant (Clement 2001).

Building upon these central claims, feminist political economy makes “efforts to theorize the mutual interdependence of economics, politics, racialization, sexuality, and gender...” (Bezanson and Luxton 2006: 13, Mutari and Boushey 1997:4, Cook and Roberts 2000:3)¹⁰. As second wave feminism developed during the 1970s and 1980s, some feminist scholars sought to “correct” mainstream political economy by adding feminist theoretical and methodological insights to address its “gender blind analyses” (Mutari and Boushey 1997:4). Aside from the general critique of androcentric and male oriented research in political economy studies at that time, they pointed out the relationship between “women’s work, both paid and unpaid, of the relationship between

¹⁰ Feminist political economy “is in many ways an act of synthesis—the creative combustion of insights drawn from diverse intellectual standpoints in the hopes of generating new illumination. Because feminist political economists take inspiration from so many sources, their work reflects a range of interests, principles, and methodologies” (Mutari and Boushey 1997:4).

the two, and of the ways in which the sex/gender divisions of labour are central to women's subordination" (Bezanson and Luxton 2006:20). This critical analysis has driven studies of feminist political economy ever since and has been crucial to understanding welfare state restructuring in Canada. Most importantly, the fusion of political economy and feminism is invaluable as both theoretical models bring essential perspectives to sociological research. As Mosco and Mckercher (2008) note, "Feminist research makes gender, including the gendered division of labour, its starting point, while political economy concentrates on the power relations that mutually constitute the production, distribution and exchange of resources, including information resources" (Mosco and McKercher 2008: 89).

Later feminist scholars observed that one of the most significant contributions of feminist insight to political economy, aside from creating analytical frameworks that incorporates patriarchy and gender, is the concept of the *social reproduction* of families and workers (Mosco and McKercher 2008: 23, Mutari 2000:29). Social reproduction refers to "the process involved in maintaining and reproducing people, specifically the labouring population, and their labour power on a daily and generational basis" (Mutari 2000: 3)¹¹. In effect, the concept of social reproduction has positioned women's unpaid domestic labour as a central issue as the private sphere is central to understanding the "contradictory nature of women's class relations" (Armstrong and Connelly 1999:2). In other words, feminist political economy as a model emphasizes the dialectical nature of

¹¹ More specifically, social reproduction can include "childbearing, parenting, nutrition, and nurturance; youth education and mentoring; maintenance of family and community relationships and nurturance; preserving and conserving social affinities and mutual support networks and community structures; reciprocal relationships of care for the ill and the elderly" (Inter Pares 2004).

production and reproduction, an insight that is critical to examining gendered welfare state restructuring¹². To illustrate this point Ann Davis notes the “integration of class and gender that is symbolized in culture helps to mediate what seemingly separate spheres in dynamic interplay with the ‘economic’” (1997: 110).

Paralleling mainstream political economy studies, feminist scholars highlighted these contradictions and tensions with the hopes of effecting social change. For instance, they frame women’s experiences as ‘contradictory’ due to gender and class tensions. They recognize that “states could simultaneously benefit and undermine women’s efforts to end subordination and inequality, and that they could benefit some women while reinforcing the subordination of others” (Armstrong and Connelly 1997: 110). Intersections of race, gender and class create different experiences with the state. As such, when doing theory to implement change, the reality is that “many feminists have placed themselves simultaneously in and against the state” (Armstrong and Connelly 1997:110). Feminist political economists are cognisant of the tensions that feminist engagement with and against the state produces and therefore “the state is understood both as an instrument of class rule and as contested terrain where struggle can make a difference” (Armstrong and Connelly 1997: 110). Clearly, feminist political economy is critical of the state however, it does not abandon the potential for creating change through this avenue. Most importantly, by positioning the analysis (of women’s experiences) as contestations and negotiations with the state, it also makes room for the discussion of

¹² Socialist feminist Zillah Eisenstein has also emphasized this point, “The synthesis must formulate the problem of women as both mother and worker, reproducer and producer” (Eisenstein 1979:1).

resistance, autonomy and presents how marginalized groups are all actively implicated in reproducing social relations that sustain inequality (Clement 2001).

This preoccupation with social action and praxis has produced many analyses of neo-liberalism and the allied welfare state restructuring which has occurred in Canada and other, developed countries since the early 1990s; I review these studies below. Heather Boushey (1997), examines the failures of poverty policy in the US and argues that welfare “is designed to reinforce the poor’s participation in paid labour while ensuring that mass upheaval does not erupt during economic downturns” (176). Similar arguments are made about neoliberalism and privatization. Feminist scholars have documented the impact of these two forces on many aspects of Canadians’ lives, from welfare and immigration to criminal law and health care (Phillipps 2002, Fudge 2002, Condon 2002, Cossman 2002, Macklin 2002, Gilmore 2002, Mykitiuk 2002, Martin 2002). Feminists such as Fudge and Cossman argue that privatization “has come to signify a tectonic shift in public policy” (Fudge and Cossman 2002:3), one that ‘captures’ the shift from a Keynesian welfare state to a neoliberal state and signifies the state’s dominant “mode of governance” (4). With respect to welfare reform, privatization assumes that “private provision for profit was inevitably more efficient than public service” (Fudge and Cossman 2002:4). This ‘common sense’ understanding that public services were ‘inefficiently’ run, were costing taxpayers and contributing to the deficit fuelled neoliberal justifications for cut backs in welfare.

These arguments are interesting in light of the direction that welfare state restructuring has taken through Ontario Works (OW). In OW, workfare is based on the

premise that the poor should, while collecting welfare, learn job related skills, ‘give back’ (instead of taking) and gain experience in the workforce thereby reducing ‘dependency’ and creating self-sufficiency (OW Act 1997). Although wholesale privatization has not been instituted, OW has outsourced their database technology through the corporation *Accenture*. This corporation boasts that it “has the broadest outsourcing services offering in the market-unmatched in scope, scale and depth-to help companies respond to today’s extraordinary market conditions. *Accenture* helps companies achieve high performance...” (<http://www.accenture.com/Global/Outsourcing/>)¹³.

For decades, feminists have discussed issues of moral regulation of poor women, outside of the framework of ‘surveillance’. This research has focused primarily on the moral regulation of single mother’s sexuality by the state during WWII and post war eras, which created a ‘hierarchy of deservedness’ (Little 1998:125-136, 1994, 2001, 2003, Chunn and Gavigan 2006). For instance, anti poverty activist and feminist scholar Margaret Little (1994, 1998) has extensively documented how Ontario Mother’s Alliance (OMA) during the post war era widened the definition of eligibility for social assistance to single mothers, previous to this change only widows were permitted access to OMA (Little 1998). Following this expansion of eligibility, however, came new regulations influenced by popular psychological discourses that focused on the moral regulation of single mothers (Little 1998:125). Caseworkers at this time were pivotal to surveilling

¹³ Outsourcing is also problematic because “Unprotected by the data privacy regimes of the originating country, personal information may be vulnerable to forms of fraud or other misuse among employees who handle the data” (Lyon 2007:119). Even worse, as documented in Chapter 2 Methods and Initial Findings, *Accenture* has not made OW more efficient and in fact according to the Auditor General reports is costing far more than it is saving.

marginalized single mothers through house visits, whereas today, more and more of the surveillance is done through database technologies, which some scholars such as Eubanks (2006) argues is just as invasive. Based on these regulation changes, from home visits by caseworkers to technology that regulates at a distance, feminist political economist Ann Davis has claimed “contemporary welfare reform has justified an enormous expansion of state surveillance power into the lives of private (low-income) individuals...ironically by those adhering to laissez-faire ideology” (Davis 1997:106)¹⁴. Today a combination of old (home visits) and new (databases) forms of regulation and surveillance structure the basis of OW.

The above review of feminist literatures shows that feminist political economy frameworks have been leaders in grasping welfare state restructuring, specifically by showing the classed and gendered effects of restructuring. They have been crucial in documenting the neoliberal changes to Canadian social policy and understanding how women relate to the transient, precarious and unstable nature of work in the global market of today. Feminist political economy literatures are at the “forefront of theoretical developments relating to women’s work, particularly in analyzing women’s domestic labour and its relationship to the production of goods and services in capitalist economies” (Bezanson and Luxton 2006:20), emphasizing the dialectical relationship between production and reproduction. And although feminist political economy positions

¹⁴ Scholars such as Lauren Snider (2000) have traced this neoliberal contradiction, showing that while the poor see an increase in the levels of surveillance, regulation and monitoring- businesses, corporations and other elites actually experience deregulation and decriminalization in areas such as corporate crime (Snider 2000:172). This is important to stress as different groups experience neoliberal policy changes.

gender as central to the analysis of welfare state restructuring, the experiences and intersections of race, gender, class, sexuality and disability are also incorporated to understand how material conditions are experienced. For these reasons, this perspective is pertinent to understanding the government's expanding use of surveillance technologies aimed at single mothers on welfare. Next, I will trace the history of welfare state restructuring in Canada.

Canadian Welfare State Restructuring: The 'Common Sense Revolution'?

This section traces welfare state restructuring in Canada and how it influenced new surveillance practices in OW. Notably, this section shows that neoliberal ideology was a driving force behind the Ontario Harris Government platform circa 1995 and explains how it justified cuts to social assistance, privatization, deregulation and subsequent criminalization/monitoring of society's most marginalized groups. First a general outline of what neoliberalism is and its impact is considered; second the legal legitimization of OW is discussed; third the gendered impact of these changes is reviewed; and fourth I summarize the impacts of OW on reshaping 'work'.

Neoliberalism is a concept used to describe a dominant ideology that has had a profound impact on how the state interacts with the economy. It is based on 'economic rationalism' that values the market over the state, it is the "political economic governance premised on the extension of market relations" (Larner 2000:5). In other words, in a neoliberal government there is preference for a minimalist state (where the economy is given primacy), deregulation (social spending cuts and tax breaks for big business) and

privatization (Larner 2000, Fudge and Cossman 2002, Evans and Wekerle 1997). As Wendy Larner (2001) asserts, we cannot simply understand neoliberalism as a single whole, we need to conceptualize it in terms of the different effects it has depending on ideology, policy or governmentality¹⁵. Larner's statement suggests that neoliberalism is multifaceted and has different applications depending on what area of inquiry is under consideration.

Neoliberal policies were first adopted as alternative methods of organizing the political landscape in the late 1970s when Canadian corporations started to lobby the government to reduce restrictions on businesses so that they could "compete" with the US and the larger 'global economy' (1997:5, Swanson 2001:60-61, Snider 2000, Evans and Wekerle 1997). During this period of change (1970s and 1980s) right wing think tanks primarily in the US, and most prominently the 'Chicago School',¹⁶ began conducting research that 'scientifically' determined how and why it was feasible to cut social spending in order to compete with the global market (Swanson 2001: 65, Snider 2006: 333, Snider 2000:182). Snider (2000) for instance, who has researched the decriminalization of corporate crime, notes that the 'sciences' utilized by right leaning 'experts' "are not based in the natural sciences but they do speak the language of statistics: seminal articles all grounded their claims in complex mathematical models and

¹⁵ Elaine Power (2005:644) also provides insight as how to conceptualize neoliberalism. She argues that: "Liberal rule as a sovereignty-discipline-government triangle", meaning old models are not replaced but built upon.

¹⁶ Right think tanks in Canada also produced 'scientific' research that justifies market relativism. The most prominent in Canada are the CD Howe Institute and the Simon Fraser Institute (Swanson 2001: 65).

formulae” (Snider 2000:182). Essentially, the use of scientific discourse legitimated their claims, which helped propel their arguments for neoliberal economics even further.

One result of the pressures from dominant business elites (corporations) and the newfound ‘research’ was the *Free Trade Agreement* passed in January 1994 under the Federal Liberal government, which continues to be one of the largest victories for neoliberalism in Canada (Baker 1997: 5, Snider 2006:323). Many feminists have examined neoliberal restructuring in the Canadian welfare state; Snider (2006) claims that the dramatic shift to market based ideology focused on the needs of businesses rather than those of Canadian citizens (Snider 2006:323). For instance, “Priorities such as fighting unemployment, inflation, and poverty disappeared. Cutting government deficits, freeing business from the ‘yoke’ of governments, tax cuts, and privatization became the new priorities” (Snider 2006:331, Fudge and Cossman 2002). Additionally, Patricia Evans and Gerda Wekerle point out the dramatic changes in the 1990s when Canadian governments (re)focused on “decentralizing, deregulating, and privatizing”, issues which were affecting many countries due to the globalization of capital (Evans and Wekerle 1997:7). They claim that “dominant discourse in Canada in the 1990s reframes societal problems in terms of market forces, global competitiveness, and individualism” (Evans and Wekerle 1997:13), emphasising the neoliberal push for welfare reform¹⁷. Due to this change in both discourse and policy, it became even more difficult for those in need to apply for social assistance, unemployment insurance as well as childcare (Snider

¹⁷ Wekerle stresses that basic ‘rights’ have been replaced “by notions of individual choice and efficiency” (Evans and Wekerle 1997:20). This point is reinforced by Fudge and Cossman (2002) who argue that ‘individualization’ treats issues such as poverty as “individual shortcomings, products of poor individual choices, to be remedied by emphasizing individual responsibility” (Fudge and Cossman 2002:21).

2006:330). This new state model has an obvious business interest and concerns that determines where and how funds are allocated.

In the 1990s under the federal Liberal government, dramatic changes targeted at cutting social spending were marked by the dismantling of the Canadian Assistance Plan (CAP), a universal, needs based policy which provided a social safety net for Canadians in need of financial assistance during tough times (Torjman 1996:2, Fudge and Cossman 2002)¹⁸. The old CAP policy, which specified that those on welfare should not be forced to work for welfare benefits, was replaced by the Canadian Health and Social Transfer (CHST), which reorganized all social services (Fudge and Cossman 2002:16). Under its auspices, unemployment insurance, welfare, social services and post secondary education were reorganized and cut back through downsizing (Fudge and Cossman 2002:15).

To legitimate and solidify this transformation of the Canadian Welfare State, it was necessary to introduce new laws and regulations to institutionalize the new welfare model. Neoliberal policies translated into a profusion of new laws, typically legitimated as “welfare reform”, including the implementation of new surveillance technologies solidified in the Ontario Works Act 1997. OW was different from the past welfare model because it introduced more stringent eligibility criteria, as well as the enforcement of Workfare (OW Act 1997). Workfare is a program that requires employment or participation in employment related activities in order for recipients to receive their welfare cheque. Again, the old Keynesian welfare model banned this policy. This

¹⁸ CAP was established in 1966 during the Keynesian period in Canada. It was created for the purposes of a social safety net for Canadian’s who fell into poverty. This policy was a universal based model that focused on financial needs alone, mandatory work for benefits was banned by CAP policy (Torjman 1996:2, Fudge and Cossman 2002).

reinvention/reassertion of Elizabethan Poor Laws is therefore not a new design in the state's regulation of poverty¹⁹. Consequently, welfare state restructuring, increased surveillance and the introduction of workfare, paved the way for the introduction of new laws and policies that targeted the poor for their 'poor choices' and 'dependence' thereby justifying state claw backs of welfare as well as the establishment of new surveillance technologies (Swanson 2001, Hermer & Mosher 2002, Mirchandani and Chan 2007)²⁰.

As previously mentioned welfare fraud became a driving force justifying new surveillance technologies. Over the last few decades, a wealth of feminist criminologists and activists have theorized and documented the correlation between the roll back of welfare state and the increased surveillance and criminalization of marginalized groups as non-coincidental, but rather a strategy to increase control over certain groups (Johansen 2005, Little 2003, Pat & Kilroy 2005, Chunn & Gavigan 2004, Swanson 2001, FAFIA 2001, Balfour and Comack 2004, 2006, Boritch 1997, McCorkel 2004, Balfour 2006, Hannah Moffat 2000, Mirchandani and Chan 2007, Mosher and Hermer 2005). A pertinent example of the importance of law in framing welfare as 'criminal' is found in Chunn and Gavigan's (2004) article "Welfare Law, Welfare Fraud, and the Moral

¹⁹ Piven and Cloward (1971) stress the states use of the poor in creating a cheap pool of labour. The dehumanizing and horrid living and working conditions demonstrate how the state "terrorized the impoverished masses" (Piven and Cloward 1971:34). Moreover, the workhouse (like workfare today) "was designed to spur man to contrive ways of supporting themselves by their own industry, *to offer themselves to any employer on any terms*" (emphasis original Piven and Cloward 1971:34). This shows that neoliberal notions of workfare is not a new phenomenon but one built on past assumptions of poverty and the 'principle of less eligibility'. However, the real difference is the technology and workfare that monitors the poor in a more invasive way than in the workhouses-because data is stored for future access.

²⁰ Swanson (2001) traces the changing conceptions of poverty under the Ontario Harris Government, she notes, "After he was elected, Harris continued to bash people on welfare. In 1998 he abolished a \$37-a-month allowance for pregnant mothers on welfare, saying 'What we're making sure is that those dollars don't go to beer, don't go to something else,' according to Robert Viapond's report in *The Globe and Mail*" (103).

Regulation of the ‘Never Deserving’ Poor”, which highlights the tensions within Canadian policy as shifting discourses “from welfare fraud to welfare as fraud, thereby linking poverty, welfare and crime” (219, Kohler-Hausman 2007:331, Mosher and Hermer 2005, Mirchandani and Chan 2007). Additionally, Chunn and Gavigan (2004) stress that as the welfare state provisions rolled back, an increase in the criminalization and surveillance of poverty occurred. This resulted in a ‘blurring’ of law and welfare which the “shift in direction of increased surveillance and criminalization of welfare recipients, notably women on welfare, illustrates that the (coercive form of) criminal law and (the regulatory form of) welfare law are inseparable” (Chunn and Gavigan 2004: 230). It is evident, then, that during restructuring, criminal law and welfare law acted in similar ways, both contributing to the increased surveillance and subsequent criminalization of the poor and showing how it became increasingly acceptable in Canada to monitor and track the poor, distinctively those in OW.

Although fraud was the driving force justifying welfare surveillance, research indicates that there was not widespread fraud in welfare despite politicians and media allegations. Research suggests that through the demonization of poverty justifications for new technologies were born, not necessarily any increase in welfare fraud (Mosher and Hermer 2005:40). Additionally, ‘overpayments’ and errors with the new database technology created by *Accenture* were lumped into the ‘fraud’ category, even though the errors were not the fault of the welfare recipient (Mirchandani and Chan 2007: 16-17). As a result, provincial welfare fraud statistics are to some extent unreliable due to the generalization of what constitutes welfare fraud. Socio-legal scholars Mosher and Hermer

(2005:5) locate welfare fraud in a “wider shift” of welfare state restructuring where the poor became labelled as ‘non-deserving’ in order to defend the “moral condemnation and intensive policing and punishment”. Statistics gathered for their report for the *Law Commission of Canada* show that in 2001-2002 there was only a 0.1% of fraud convictions out of 38,000 investigations (Mosher and Hermer 2005:6).

The recurrent focus on welfare fraud fuelled a slew of media poor bashing (Swanson 2001), as well as neoconservative discourses, which emphasized the need to reduce dependency and increase self-responsibilization of Canadian citizens with the goal of protecting taxpayer’s money and reducing the deficit. Kohler-Hausmann (2007) sees this as an issue of rights to citizenship, stating the “dichotomy between ‘taxpayers’ which served as a proxy for full citizen, and welfare recipients, who were inaccurately presented as not contributing to the polity and therefore, having no claim to the benefits of citizenship” (Kohler-Hausmann 2007:340). In other words in the context of welfare reform in the US welfare recipients were not viewed as full citizens due to the moral stigmatization and demonization of their lifestyle ‘choices’ and apparent criminality. Mosher and Hermer (2005:9) maintain, “the receipt of social assistance itself has become criminalized through the category of welfare fraud”. Arguably, this stigmatization is pivotal in the justification for new more invasive surveillance technologies.

This linkage is amply suggested by research in other countries. Julilly Kohler-Hausmann (2007) has also studied how welfare and fraud became interconnected, focusing on Illinois, and how the linkages of welfare with fraud led to welfare related to criminality. Like Swanson (2001), Chunn and Gavigan (2004) and Mosher and Hermer

(2005), Kohler-Hausmann traces the 'common sense' justifications for Workfare, reduced benefits, fraud control and other welfare reforms. She claims that the stereotypes surrounding welfare recipients, is that recipients are "lazy, sexually promiscuous, African American women who spawned the criminal 'culture of poverty'" or what symbolically came to be known as the 'welfare queen' (Kohler-Hausmann 2007: 329, Mirchandani and Chan 2007). This stereotype was "integral in rationalizing the elimination of the federal welfare program" (Kohler-Hausmann 2007: 329). This gendered, racialized and classist assumption about welfare recipients had an impact on Canadian welfare policies as well (Mirchandani and Chan 2007). Assumptions about motherhood, poverty, morality and fraud work together to frame welfare recipients as deviant. Here too we see poor bashing and racism as a central factor in legitimating Canadian welfare reform in the mid 1990s and at the same time "the emphasis on fraud criminalized, in the public's mind, the act of legally claiming welfare when you are in need" (Swanson 2001:79, Mirchandani and Chan 2007). Welfare reform in the 1990s occurred in Canada and the US, which influenced policy decisions such as Workfare, later introduced as 'Ontario Works' in municipalities' across Ontario (see Fitzgerald 2004). Lastly, Kohler-Hausmann contextualizes the stigmatization of welfare recipients as a class, gender and racialized phenomenon in which "welfare programs have always been intertwined with the politics of maintaining racial, class, and gender hierarchies" (Kohler-Hausmann 2007:330, Mirchandani and Chan 2007).

In addition to documenting the legal transformations of the Canadian welfare state, feminists have also critiqued the gendered impact of welfare reform, emphasizing

the changing definitions of those ‘deserving’ of financial assistance. For instance, Margaret Little notes, “welfare programs have experienced enormous pressure to reduce costs as a result of the federal government cuts in Canadian Assistance Plan funding, the push towards global economic competitiveness and the popular demand for a reduced and privatized state” (Little 1994: 239, Evans and Wekerle 1997). Workfare was perceived as a solution to cut back on social service costs “which includes increased scrutiny of recipients and differential payments based on retraining and employment” (Little 1994:239). As such, Workfare would permit more monitoring, control and scrutiny of welfare recipients, which would in effect reduce caseloads, (I will discuss this in Chapter 2). Likewise, as Little predicted in 1994 (before Workfare was introduced), “this plan will exacerbate a growing distinction between the deserving and undeserving, blaming the victims of this devastating recession” (Little 1994:240)²¹.

Many feminists claim that more than any other group poor single mothers, were disproportionately affected by CHST and the welfare “reforms” it mandated (Little 2001, 2003, Herd et al 2005, Lightman, Mitchell and Shillington 2002, NAPO 2004, Mayson 1999, Michard 2004, Abell FAIFA 2001, McCorkal 2004, Chunn and Gavigan 2004, Comack and Balfour 2004, Fudge and Cossman 2002, Mosher and Hermer 2005, Evans and Wekerle 1997). These authors argue that there is a gendered, and class component inherent in neoliberal welfare state restructuring such that rate cuts, anti-fraud measures, ‘spouse in the house’ rules, new broader definitions of spouse, increased documentation

²¹ Currently Canada is once again entering a recession. What social assistance policies will change? How will Canadians fare with fewer entitlements to Unemployment Insurance and declined strength of Unions? What about the poor, will OW shift? Will there be an infusion of even more invasive technology to make welfare more ‘efficient’ and ‘accountable’?

during the eligibility process and Workfare affected poor mothers particularly hard. These policy changes highlight the shifting conceptions of poverty as Welfare was renamed 'Ontario Works'. Most importantly, neoliberal rhetoric, with its focus on "self-reliance, commodification, and market dependence", is "harder to achieve if you are poor, uneducated, disabled, or marginalized by race or ethnicity" (Snider 2006:323, Fraser and Bedford 2008)²². Neoliberal ideology focuses on individuality, erasing social factors that place people in precarious situations.

One of the most notable effects of neoliberal restructuring was the devaluing of women's unpaid domestic labour. Workfare (Ontario Works) was the most obvious policy change. It forces welfare recipients to engage in employment or employment seeking activities in order to receive benefits. This undervalues women's work in the home and makes it unacceptable for women on welfare to remain at home and care for their children and the household (Mosher and Hermer 2005:20-22). The neoliberal discourse of welfare reform assumes that only paid wage labour is 'real' work (Mosher and Hermer 2005). As Mosher and Hermer (2005) note, politicians and the media framed welfare recipients as 'lazy' and merely 'getting paid to stay home' and claimed that welfare was impeding on their 'self sufficiency' by creating 'dependency'²³. During this

²² Nancy Fraser conceptualizes the gendered welfare state where rights based claims such as EI benefits contrast the feminised and charity claims such as food stamps (Fraser and Bedford 2008:228). This, she argues it is framed as a "new, apparently neutral ideology of privatization" which divides the population into 2 categories 1) those responsible and self-sufficient and 2) those that are 'passive' and in need of public protection (or regulation) (Fraser and Bedford 2008:228).

²³ Mosher and Hermer's (2005) report was funded by The Law Commission of Canada (LCC) which was another social justice initiative that was scrapped in 2006 by the conservative government (www.infosource.gc.ca/inst/cld/fed01-eng.asp). The LCC was known for its commitment to "principles include inclusiveness, a multidisciplinary approach, innovative practices, partnerships and networks" (www.infosource.gc.ca/inst/cld/fed01-eng.asp). Based on the *Law Commission of Canada Act* (1997), the

period, policy makers, politicians and the media neglected to recognize that a majority of recipients of welfare were single mothers who were ‘choosing’ to stay at home in order to care for their young children (Mosher and Hermer 2005). When this was pointed out, instead of seeing recipients as “deserving” stay at home mothers (as seen in past policies such as the OMA), welfare mothers were demonized through negative labels such as the ‘welfare queen’²⁴ and perceived as abusing the ‘system’. Building upon these stereotypes policy makers “redefine[d] most single mothers as workers”, as such their unpaid work in the home which was already undervalued, was completely cast aside (Mosher and Hermer 2005:22)²⁵. These reforms highlight the gendered impact of welfare reform as well as the stigmatization and moral scrutiny of single mothers through the media.

Feminist scholar Ann Davis explains that neoliberal shifts in the Canadian welfare state intertwine with gender and class, “This coupling of free market ideology and ‘family values’ is not accidental, but related to the ideological male/female poles of the class relations of the commodity ‘labour power’” (Davis 1997:104). The stigmatization of poverty has gone hand-in-hand with welfare state restructuring (see Jean Swanson’s *Poor*

mission of the LCC was “to study and keep under systematic review, in a manner that reflects the concepts and institutions of the common and civil law systems, the law of Canada and its effects” (Law Commission of Canada Act 1997). The LCC provided a space to critically engage with the law and provide feedback for changes to improve the law.

²⁴ During his presidential campaign, Ronald Ragan described the ‘welfare queen’ as, “She has fifteen names, thirty addresses, twelve Social Security cards and is collecting veteran’s benefits on four non-existing deceased husbands. And she is collecting [Social Security](#) on her cards. She’s got [Medicaid](#), getting [food stamps](#), and she is collecting welfare under each of her names.” (“Welfare Queen’ Becomes Issue in Reagan Campaign. [New York Times](#). 1976-02-15. pp. 51).

²⁵ Additional problems with the new policy include single mothers having to rely on expensive daycare and babysitters, where before their benefits focused primarily on the household expenses such as food, shelter and bills. This makes it even more difficult for single mothers, having to stretch the benefits even thinner to get through the month. Moreover, it is harder today than ever to maintain these benefits once obtained due to the pressure of continuous eligibility reviews that can be as frequent every six weeks.

Bashing) in that so called ‘family values’ have a contradictory effect on women across class lines. For example middle class women are criticized for working too much and not spending enough time with their families, despite the real need for dual income earners. But at the same time poor mothers on welfare are criticized for not working outside the home and are therefore seen as ‘lazy’ (Davis 1997: 105). Regardless of the different ways women are materially constituted by the state, it is crucial to recognize that “welfare mothers live in dependence on a system which threatens them with sanction while cloaking itself in complex and poorly explained regulations” (Gilliom 2001:71).

In summary, this section has traced the changes which occurred with the introduction of the CHST showing how law legitimated neoliberal policies in welfare, the gendered, classed and racialized impact of these changes and finally how OW redefined ‘work’ for women. Understanding welfare state restructuring and its gendered impact is critical for my project because these transformations set the stage for the introduction of new(er) surveillance technologies. Without providing the context of these reforms, it would not be possible to explain the dramatic increase of surveillance technologies we see today. The next section will focus on the main claims of surveillance studies. As we shall see, the main literatures in surveillance studies show a striking absence of political economy perspectives and fail to consider the impact of surveillance on marginalized groups such as single mothers on welfare.

Surveillance and Governmentality: (re)responsibilizing the ‘risky’ individual

The preceding section used information from political economy literatures to show how ‘common sense’ assumptions about poverty led to the justification of more rigorous

invasive surveillance technologies in OW. However, the lens of governmentality, not feminism or political economy, has been the dominant theoretical perspective explaining surveillance. As such, this section shows that discourses of risk and theories of governmentality aligned with neoliberal ways of thinking and doing are the primary framework utilized in surveillance studies. The neoliberal discourses of risk and governmentality provided additional rationales for “thinking” welfare reform through the adoption of new surveillance technologies. Finally, I examine alternate modes of thought that have shaped surveillance studies focusing on the critiques of governmentality.

Conceptually, surveillance is the “focused, systematic and routine attention to personal details for purposes of influence, management, protection or direction” (Lyon 2007:14)²⁶. Surveillance, like all technologies, is constantly evolving and changing which creates ambiguity in the field, as some technologies are perceived as benign, whereas, others are labelled as dangerous. This instability is a challenge in surveillance studies. According to David Lyon, a leading scholar in the field, surveillance “has to do with the rationalized control of information within modern organizations, and involves in particular processing personal data for the purposes of influence, management, or control” (Lyon 2004: 1). However, Lyon (2004) also claims that surveillance is not ‘inherently evil’ nor is it designed to perpetuate inequality²⁷. At the same time, it is noted

²⁶ Substantive areas of research in surveillance includes, how ordinary life is recorded in banking and travelling (privacy, the body, geography), the media of surveillance (film, TV, novels), the surveillance society (nation state shifting from welfare to safety), police and national security (panopticon, prisons), state surveillance (citizenship and globalization), workplace surveillance (computer tracking, efficiency) and consumer surveillance (smart cards, loyalty cards, junk mail) (Lyon 2004, 2007).

²⁷ David Lyon (2007) claims, “Surveillance is seen here as a response to the ‘disappearing body’ from integrative social relationships, enabled by modern means of communication and information-handling”, according to Lyon, surveillance has mundane not evil origins (Lyon 2007:136).

by several surveillance scholars that even in modern society, where everyone is subject to surveillance “not everyone is monitored in the same way or for the same purposes” (Lyon 2004:14, 2003, Gilliom 2001, Norris and Wilson 2006, Henman 2004, Haggerty and Ericson 2005)²⁸.

As previously mentioned governmentality has been the dominant theoretical perspective used to explain surveillance. Governmentality is grounded in post-structuralist theory which emphasizes the role of language in shaping subjectivity and social institutions with a ‘deconstructive’ goal, one that “is about the politics of language and knowledge” which does not seek out its own ‘truth’ (Seidman 2004: 167-168, Fitzpatrick 2005:160). A significant amount of surveillance and governmentality scholars draw on the work of Michel Foucault, using his theory to draw connections between discipline, surveillance and governance (see Rose and Miller (2008), Dean (1999)). Foucault developed governmentality as a conceptual framework to explain how those under surveillance internalize discipline and therefore become ‘docile bodies’. For instance, Paul Henman (2004) notes, “Subjects govern themselves...As Foucault’s examination of discipline suggests, surveillance is a practice of governing...Surveillance is best understood not simply as watching and monitoring, but as *a calculated practice for managing and manipulating human behaviour* [my emphasis]” (Henman 2004:175-176).

²⁸ Scholars looking at inequality demonstrate that everyone is affected by surveillance however “some people live with surveillance as a *totalizing and encompassing* [my emphasis] force which can critically affect their well being” (Gilliom 2001:42-43). These individuals include criminals and welfare recipients.

This form of discipline suggests a new form of governance, one that individuals are “constituted as surveillable, as subjects that are governed through their freedom and are free only in so far as they are governed” (Fitzpatrick 2005: 39, Fudge and Cossman 2002:16). This implies that new forms of governance operate through individual notions of freedom, in that people govern themselves by internalizing discipline. Governmentality, specifically neoliberal governance, illustrates changes in the way the state governs individuals, using knowledge to influence self-discipline. Fitzpatrick (2005:159) notes the transformation of the state becoming “a steerer rather than a rower, a facilitator and regulator rather than controller...”, this model is consistent with a free market economy rather than one controlled by the state. Surveillance scholars utilize the concept of governance to explain changes in the mode of governance in certain societies. This new model moves away from state coercion to ‘governing at a distance’, which is achieved through knowledge construction which gives way to individuals governing themselves²⁹.

David Lyon (2007) has also commented on the significance of Foucault’s theory of governance and surveillance, he suggests “surveillance has become a means of governance...it serves to organize social relationships and contributes to patterns of social ordering. It does so through what Michel Foucault called ‘biopower’, making people up by classifying them according to categories” (Lyon 2007:141). Additionally, he argues,

²⁹ At some point however, the surveillance of the poor is so encompassing and immobilizing that it is difficult to pass it off as only self-regulation, some coercion is happening. For instance, in OW and welfare in the UK clients are expected to give ‘free and informed consent’ (Pleace 2007:953, OW ACT 1997) however, if one does not sign the form of consent then they are not eligible for their benefits. How ‘free’ is this choice, and is this not a form of economic violence?

“surveillance today sorts people into categories, assigning worth or risk, in ways that have real effects on their life chances” (Lyon cited in Henman 2004:174)³⁰. As we shall see in Chapter 2, classifying individuals into categories and ranking them is a technique used by OW to determine eligibility of welfare recipients (OW ACT 1997). The data is recorded in the Service Delivery Model Technology (SDMT), the main database of OW where the software can then classify the level of ‘risk’ a client may impose, here risk refers to the potential of a recipient to commit welfare fraud.

Feminist Nancy Fraser (2008) has directly linked governmentality literatures to welfare reform, pointing out that governmentality has allowed an examination of how individuals have become ‘responsibilized’ (Rose 1999) and most importantly how a depoliticization of welfare is “transforming political actors into clients, consumers and technologists of themselves” (Fraser and Bedford 2008:238). For these reasons, governmentality frameworks are important to the discussion of welfare surveillance because they speak to how the individual internalizes neoliberal discourse from ‘governmentalized initiatives’. Governmentality “clarifies the neoliberal repositioning of the social citizen as the manager of ‘his’ own personal human capital” (Fraser and Bedford 2008:238).

Where do gender, race, class, social structures and social change fit into the governmentality lens? Current surveillance literatures draw primarily on Foucault, who claims that ‘power is everywhere’, consequently this perspective lacks class and gender

³⁰ Henman stresses, “The activity of classifying things into groups and the location of where divisions are put are highly political exercise” (Henman 2004:187). Without a doubt, classifying individuals into distinct categories is not always a harmless endeavour it has real life consequences.

analysis or the social structures that sustain inequality. Moreover, it neglects “contestation, counter discourses, forms of self-organization by the populations who are subject to governmentalized initiatives. It doesn’t foreground struggles of hegemony” (Fraser and Bedford 2008:239). Unfortunately, regardless of the ways that surveillance and governmentality studies should address single mothers’ on social assistance, there is only a small body of research that examines welfare surveillance (Gilliom 2001, Eubanks 2006, Henman 2004, 2008, Kohler- Hausmann, Pleace 2007)³¹. For these reasons, my research will place a feminist political economy of surveillance that positions women and their material conditions at the centre of the analysis.

Considering Lyon’s comments on the surveillance society, such that surveillance is not ‘inherently evil’ nor is it designed to perpetuate inequality, some questions should be asked about the relationship between surveillance and social inequality. Does surveillance contribute to maintaining and perpetuating inequality in our society? Do biometrics, drug testing, Welfare Fraud Hotlines, anti-fraud measures and CCTV affect everyone equally in the ‘information society’? What about the boom in Information Communication Technologies (ICTs) seen in the US and other developed nations? ICTs such as Electronic Benefit Transfer (EBT), Department of Social Service Surveys (DSS) and Job Seeker Classification Instrument (JSCI) are directed towards the poor and unemployed; how do surveillance scholars conceptualize this increase in technology directed towards monitoring the activities of the poor? According to David Lyon, data surveillance “trails and traces, however justified, are not innocent. Taken together, they

are located within a network of relationships that service us and help to organize and order our social lives. *Surveillance contributes increasingly to the reproduction and reinforcing of social divisions* [my emphasis]” (Lyon 2007: 136). Evidently, scholars should be cautious of surveillance because it affects the categorization of groups in discriminatory ways. Nicolas Pleace (2007) studied how social service agencies used data sharing technologies to monitor homeless populations in the UK. His research found that surveillance technologies could contribute to ‘socioeconomic’ exclusion of certain groups (the poor). Moreover, no one can tell the extent of the power of ICTs, which also makes data gathering uncertain. The following addresses some critiques waged against surveillance studies, as well as highlighting the studies that do articulate a more political economic examination of surveillance.

Because surveillance studies draw primarily on post-structuralist frameworks such as governmentality, some criticisms of the field have been the lack of articulation of the state or social structure in reproducing inequality, as internalization and self regulation are the key to understanding how discipline and therefore governance operates (Fitzpatrick 2005:177). Governmentality has also been critiqued for ignoring social change and resistance (Fitzpatrick 2005:177). For instance, many feminist scholars found flaws in Foucault’s theory of governmentality (Deveaux 1994), cautioning against the use of Foucault as the sole framework to understand power (Hartstock 1990, Fraser 1989, Deveaux 1994). They claim that “feminists cannot find adequate normative grounding in Foucault’s work” and that “his theory undermines attempts at social change, because his conception of power obscures the systemic nature of gender oppression” (Deveaux 1994:

223). Although few feminists today would dismiss Foucault's theory altogether, many advise scholars to be cautious and critical of how his theory is used. Because Foucault is a primary theorist used in surveillance studies, it is important to keep in mind, the incompleteness of his theory, specifically with reference to women's experiences of inequality (as seen in OW), and the potential for empowerment and social change³².

There appear to be a variety of perspectives in surveillance studies regarding the 'power' of surveillance. Moreover, Norris and Wilson's (2006) research *Surveillance, Crime and Social Control* provides an alternate view of surveillance that takes into account the ways it can contribute to marginalization and inequality. For instance, they argue that 'bureaucratic surveillance' (the collection of personal data for social service agencies) is more than simply filing information, it is also about locating and subsequently restraining individuals through what some scholars call the "electronic panopticon" (Gordon 1987), as criminal records are searchable through third party databases and networked through different agencies (Norris and Wilson 2006). This type of database sharing and 'bureaucratic surveillance' applies to individuals on social assistance, implying that they are "no better than the average criminal" (Henman 2004, 2008, Kohler-Hausman 2007, Ontario Works Act 1997).

Some surveillance scholars increasingly problematize the collection of personal data using sophisticated computer technology because it is normalized particularly in social

³² Deveaux further delves into the feminist critique of Foucault, noting that structural inequality is a *real* experience for women, "...she [Hartstock] states that for Foucault, "power is everywhere and ultimately nowhere" and that "domination, viewed from above, is more likely to appear as equality." As an antidote to this distortion, she suggests that feminists need to "develop an account of the world which treats our perspectives not as subjugated or disruptive knowledges, but as primary and constitutive of the real world" (Hartstock cited in Deveaux 1994: 232).

service agencies such as welfare (Gilliom 2001, Eubanks 2006, Henman 2004, Kohler-Hausman 2007, Lyon 1994, Pleace 2007). Scholars are therefore cautioning against the use of these technologies on marginalized populations because classifying people into categories by socioeconomic status can be exclusionary as ‘risky’ attributes can be flagged³³. Haggerty and Ericson, note the problematic feature of surveillance technologies, as it “involves the collection and analysis of information about populations in order to govern their activities” (Haggerty and Ericson 2005:1, Parenti 2003). They argue that new surveillance technologies are different from other tools used by welfare in the past because they have invasive consequences, intruding into the lives of recipients in ways that were not possible in the past. For instance, the ability for databases to store extensive personal information regarding recipients, which can be accessed and cross-referenced with third party databases, has essentially ‘marked’ marginalized populations. In the United Kingdom surveillance ‘mashups’³⁴ or a ‘surveillance assemblage’ are commonplace, meaning that surveillance data from several sources is aggregated using multiple surveillance tools (Pleace 2007:949). As such, it is possible for a homeless person to be recorded by CCTV cameras and at the same time to have their drug history stored in welfare databases (bureaucratic surveillance); additionally each agency has

³³ The issue of flagging and ‘tagging’ is increasingly problematic in the UK (Pleace 2007) and Australia (Henman 2004), where data mining of socioeconomic status is more and more normalized.

³⁴ According to Nicolas Pleace (2007: 949) who has researched the surveillance of the homeless in the UK, “the capacity to ‘mashup’ is the capacity to run multiple, flexibly defined shared queries across many databases at once”. Data sharing makes the poor even more vulnerable as they are essentially ‘marked’ this follows them from job placement agencies to other social services, almost never being able to escape their ‘mistakes’.

access to a wide range of personal information, from welfare benefits, to drug addiction services and even tax offices (Pleace 2007: 949-952)³⁵.

Using computers to track welfare recipients has been termed by Roger Clarke (1994) as “dataveillance”. This concept refers to the reality that surveillance does not necessarily mean that individuals are being watched by people, but rather that their personal data is constantly tracked and stored, shared and flagged (Henman and Marston 2008:188, Parenti 2003, Lyon 2004). Moreover, “computerized ‘dataveillance’ facilitates integration of surveillance capabilities across institutions and technologies” (Haggerty and Ericson 2005:4). This potentially dangerous aspect of the new technology was evident in the discussion of the UK surveillance ‘mashups’. Some scholars, particularly those who research surveillance and crime, have claimed that surveillance technologies “exacerbate social division, rather than ‘provide security’...affluent citizens attain heightened advantage and mobility while marginalized groups experience intensified stigmatization and exclusion” (Norris and Wilson 2006: xxiii). If this is the case, why is there not more research to address the political economy of surveillance?

Bridging Feminist Political Economy and Surveillance: Welfare Surveillance

Finally, I will examine how to merge prominent surveillance claims and those of feminist political economy. Specifically, how has neoliberalism changed the way that the poor negotiate and interact with welfare and other social services? What socio-historical and political forces have permitted the increased surveillance of single mothers on

³⁵ We shall see in chapter 2 that this is also the case in OW, where third party database sharing is built into the OW policy.

welfare? How have new(er) surveillance technologies categorized socioeconomic status and what effect has this had on those most marginalized? In *Feminism political Economy and the State: Contested Terrain*, Pat Armstrong and Patricia Connelly (1999) argue “...the new [neoliberal] state involves more regulation of individuals and groups, as well as more intervention, to ensure rights for corporations making profit and for individuals defined as the fittest” (Armstrong and Connelly 1999:5)³⁶. As considered below there has been a notable shift in constituting the ‘market citizen’, one that makes ‘good choices’ and is an active member in the market through their consumption. Those outside this ideal citizen are perceived as ‘dependent’, ‘criminal’, ‘mad’, ‘lazy’, ‘irresponsible’, ‘dangerous’, ‘undeserving’ and therefore ‘risky’ (Garland 2002:132). The construction of a new subject is highlighted by Lauren Snider who claims:

Neoliberal governance has required the constitution of a new subject, the responsabilized individual. The goal of governments became not to deliver social justice or full employment, or guarantee minimum standards of living to those on the bottom, but to enable citizens to become consumers who can fend for themselves (Snider 2006:336).

One way that government officials (in both the US and Canada) have justified the increased surveillance and subsequent criminalization of marginal groups is by constructing the discourse of ‘risk’ and ‘effective risk management’. These were catch phrases constructed by neoliberal discourse during President Reagan’s ‘War on Drugs’³⁷ in the 1980s (Garland 2002:113) which were later reiterated in Ontario Premier Mike Harris’s 1995 ‘common sense revolution’. Other scholars have noted that the scientific

³⁶ Balfour and Comack study the criminalization of women and argue, “Under neoliberalism, the ideals of social citizenship are replaced by the market-based, self reliant, and privatizing ideals of the new order” (Balfour and Comack 2006:45).

³⁷ Garland refers to President Reagan’s ‘war on drugs’ as really “a war against minorities” (Garland 2002:132).

discourses embedded in “[r]isk rationalities provide a scientific basis for understanding the differences of individuals and population segments” which in turn justifies unequal policy implications such as the bureaucratic surveillance of welfare recipients (Henman 2004: 175)³⁸. Furthermore, building on notions of ‘risk’, Janine Fitzgerald (2004) combines the theoretical insights of Foucault with the real experiences of single mothers on social assistance, asserting that “Welfare reform acts as the Panopticon of the poor, a disciplinary apparatus that places them under intense scrutiny and compels them to become docile workers (Fitzgerald 2004: 59)³⁹. These literatures suggest that neoliberal discourses of risk and responsabilization, have categorized welfare recipients as ‘risky populations’, and legitimated an expansion of surveillance technologies to track and monitor the poor. These discourses, allied with ‘common sense’ notions about poverty, stigmatization and demonization, explain how and why this attack on the poor was acceptable.

As mentioned earlier there has been a notable shift in what constitutes citizenship in Canada in the last two decades, which created a ‘new subject’ under neoliberal governance. The development of the ‘market citizen’ has, as Fudge and Cossman argue, been constructed out of the discourse of ‘self reliance’ *versus* dependence (2002:16).

Neoliberal discourses were then utilized by politicians and policy makers to construct

³⁸ Utilizing knowledge claims of ‘science’ was also as mentioned earlier in this paper, scholars claim that governments decriminalized corporate crime due to (neoliberal) ‘science’ that ‘proved’ that governments should support free markets in order to ‘flourish’ and ‘compete’ on a global scale (Snider 2000). Because Science is perceived as a ‘truthful’ or ‘accurate’ knowledge claim, may be appropriated more easily into public consciousness (Snider 2000:182). Snider also demonstrates that Law operates in the same way, as it is legitimated through itself.

³⁹ This is a very interesting analysis, which I was not able to find in any other literatures. I would like to expand on this in future research.

‘dependency’ as a negative personal attribute and therefore undesirable. Therefore applying for social assistance denotes ‘dependency’ and an inability to self regulate, which increases the stigma surrounding welfare recipients (Swanson 2001, Fudge and Cossman 2002, Caragata 2003, Pleace 2007). Brodie (2002) explains the market citizen, unlike the ‘dependent’ welfare recipient, as one ““who recognizes the limits and liabilities of state provisions and embraces her obligation to...become more self-reliant”” (Brodie cited in Fudge and Cossman 2002:16). Moreover, individuals are made responsible for their ‘choices’ and if they are ‘bad’ choices, the state sees fit to classify them as ‘risky’ populations, such as welfare mothers, youth, drug addicts and criminals (Garland in Balfour and Comack 2006:45, Fitzgerald 2004:59). This (re)framing of the market citizen by social service agencies and other public officials has constituted welfare mothers as poor (or damaged/flawed) market citizens, because they are ‘dependent’ on state supports and cannot participate in the market economy. As well, collecting welfare is perceived as a deterrent to becoming self-sufficient and a proper market citizen (Mosher and Hermer 2005:20).

In addition to reconstituting welfare mothers (and other marginalized groups) as ‘dependent’ subjects, there is also the assumption inherent in neoliberal ideology/reform that individuals can only be ‘responsible’ and proper ‘market citizens’ if they secure paid work and are active in the economy as consumers (Pleace 2007: 947, Snider 2006). In order to correct welfare mothers’ inability to be ‘full’ citizens (i.e. consumers), Workfare policies were introduced, ostensibly to instil independence and self-sufficiency.

According to Caragata, the consequences of not fulfilling full market citizen status can

result in an exclusion from the ‘public’ sphere, as “labour force ties in determining access to/ and or engagement with the public” (Caragata 2003:574). In other words, Caragata asserts that one’s relationship to paid labour has become the key to accessing the public realm in terms of engaging with politics and having a ‘say’ or getting one’s voice ‘heard’.

Clearly, there has been a shift in governance of individuals in neoliberal states which has pushed them to self-regulate and monitor their own riskiness and self-sufficiency in order to function properly as consumers. This has in effect put the state in a ‘hands off’ position where it can claim less responsibility for its citizens, as citizens should fend for themselves if they fall into poverty, whereas in the past universal rights based entitlements to welfare and other social safety net provisions held the state accountable to its citizens⁴⁰. However, what stands out regarding the self responsabilization model of neoliberalism is that some populations are expected to self regulate with little state coercion, while others, such as those impoverished, drug addicted, young, racialized or criminalized, are targeted for *increased* surveillance (Mosher and Hermer 2005: 17). This contradiction or ‘reregulation’ as some call it demonstrates how the discourse of ‘risk’ has affected different populations in a variety of ways⁴¹.

Reregulation has resulted in intense monitoring of welfare mothers due to the constant reporting, eligibility reviews and scrutiny from caseworkers and community members. At the same time that surveillance has increased, older methods of monitoring

⁴⁰ Universal rights based entitlements was an ideal which was never fully realized however, during the Keynesian period it helped to shape a more inclusive and supportive social safety net for impoverished Canadians.

⁴¹ Surveillance scholars Norris and Wilson (2006) in *Surveillance, Crime and Social Control* frame this shift as a ‘new peneology’ one that is based on the categorization of risk (xvii).

such as home visits from caseworkers are still practiced. These carry assumptions that welfare mothers are incapable of making ‘good’ decisions, Margaret Little’s research (1994) traces the impact of monitoring of welfare mothers by caseworkers. One example that stands out are the welfare caseworker’s assumptions of middle class notions of cleanliness; one of the participants interviewed by Little shared that there were cleanliness lessons and if “residents do not take these lessons or do not pass the class they can be denied subsidized housing” (Little 1994:243). These lessons can include a 12-step process in toilet cleaning with picture diagrams (Little 1994:244). Of course this intense form of scrutiny would lead to single mothers on welfare feeling demoralized and would therefore subject them to intensive self regulation as caseworkers can drop in at any time for an inspection of the home.

However, this monitoring by caseworker and welfare recipient is now accompanied by intense technological surveillance. As chapter 3 will show, there have been new(er) more rigorous, precise and complex surveillance technologies put in place which can monitor welfare clients in ways that were simply not possible with older models. ‘Fraud’ has been the primary legitimating rationale for this proliferation of surveillance in OW. For instance, in OW the new technologies utilize categorizations of risk in order to determine if a recipient is at risk for fraud. Rhetorics of risk have (re)constituted welfare recipients and shaped them into different ‘subjects’. Subsequently, the type of surveillance imposed on those on social assistance is premised on ‘risk’ rationalities, which in turn make it easier to implement more stringent monitoring and tracking tools. As Henman (2004) claims, technology is pertinent to this classification/categorization

system because “computers are central to the maintenance of the risk-based reviews by identifying ‘risky’ clients, scheduling review and data-matching client files within and *beyond* [my emphasis] the social security organization” (Henman 2004:180). In efforts to ‘rationalize’ and make ‘efficient’ the bureaucracy of social services, governments have installed “a complex regime of surveillance practices and disciplinary measures in order to maintain eligibility for benefit” (Henman 2004:182)⁴². Suppositions of risk are inherent to the construction of new surveillance technologies and for the most part inseparable from the overarching regime of control utilized by OW. Pleace (2007:944) who researches the surveillance of the homeless by service agencies in the UK stresses that “Many academics’ concerns with surveillance powered by ICTs centre on the unprecedented power ICTs give the state to classify on a massive scale [...and] to socially sort the population using that classification”. Risk, classification and social sorting are so imperative to the operation of welfare surveillance that without these classification systems and data programs the welfare surveillance we see today could not exist.

Virginia Eubank’s (2006) research in the United States shows how technology via ‘smart cards’ or, as Welfare labels it, ‘electronic benefits transfer’ (EBT) cards, track welfare recipients. EBT cards act like an ATM card, are administered by welfare in place of cheques and track each purchase the recipient makes (Eubanks 2006:6). This technology is obviously extremely intrusive and removes the autonomy of the recipient. Although anyone with an ATM card is essentially ‘tracked’ electronically through their

⁴² Several other scholars such as Kelly Hannah Moffat (2000) and Judy Fudge and Brenda Cossman (2002) have echoed Henman’s claim that positioning poverty as ‘risky’ has justified more monitoring and controlling of the poor.

purchases, they are given the *choice* to use it or not, whereas the EBT removes any ‘choice’ from welfare recipients. Not only does this technology assume suspicion but it also assumes that the recipients are ‘risky’ and must therefore be ‘managed’.

Aside from the limitations of surveillance studies that do not incorporate the voices of the most marginalized individuals in society, there are small bodies of research that do focus in on social class and the experiences of inequality (Gilliom 2001, Kohler-Hausmann 2007, Eubanks 2006, Henman and Marston 2008, Pleace 2007). For example, John Gilliom’s research, one of the most comprehensive empirical research projects of its kind, addresses how race, gender and class are affected by surveillance on welfare mothers⁴³(Henman and Marston 2008:188). Additionally, researchers Paul Henman (2004) and Virginia Eubanks (2006) address poverty, welfare and surveillance. I review each in detail below.

Gilliom’s (2001) study titled *Overseers of the Poor: Surveillance Resistance, and the limits of Privacy*, discusses the consequences of the “information age” and what this has meant to those already under the moral scrutiny of society. Starting in the mid 1990s his research team interviewed 50 welfare mothers in Appalachian Ohio. What is unique about Gilliom’s work is that he positions the research participants at the centre of the analysis, allowing their voices to come through. He argues for this positioning, “Not just because they deserve to be heard but because of what their account can teach about the

⁴³ According to Henman and Marston (2008:188), social policy has “taken a limited interest in recent developments in surveillance practices. Some exceptions include John Gilliom’s (2001) study of the surveillance of American welfare mothers. Gilliom’s study reminds us that surveillance is an expression of power, domination and conflict, where surveillance technologies are applied more heavily to the most marginal members of ‘mainstream’ society”.

new forms of power that we all confront” (xiv). Like standpoint feminist methodologies, Gilliom’s research attempts to reposition the ‘expert’. His research developed out of a critique of mainstream surveillance literature. He found that scholars were not discussing the everyday experiences of surveillance, they were using their own discourses and agendas (4). Gilliom’s work is pertinent to my research because it is addressing gaps in surveillance studies by incorporating standpoint feminist methodologies. He claims that by doing so impoverished women “build a critique of surveillance that is based in the realities and demands of everyday life” (6).

Unlike mainstream surveillance studies, Gilliom repositions the manner in which researchers view surveillance. In particular he critiques the surveillance discourse of ‘privacy’ rights because that perspective leaves women ‘voiceless’ as it removes the context of inequality and social structure (7). The discourse surrounding ‘rights to privacy’ is the most problematic feature of contemporary surveillance studies for him because it is an ‘abstract claim’ that ignores the real issues of power and domination (9). By bringing welfare mother’s voices to the centre of the discussion through standpoint feminist methodologies, issues of power and domination can be brought to the forefront. Gilliom calls this a ‘refocusing’ to shift the mainstream surveillance discourse from ‘privacy’ rights to issues of regulation, the main focus of his work. He is critical of ‘rights based’ discourses as emancipatory tools for marginalized women because the state and law are often perceived as the ‘enemy’ by marginalized women, because these

institutions sustain and perpetuate the inequality that they experience on a daily basis (12)⁴⁴.

Paul Henman's (2004, Henman and Marston 2008) research in Australia also addresses how and why the poor are 'targeted' by surveillance technologies. He claims that "[f]inancial constraints in the welfare state have meant that precious resources have been targeted to those most in need or at risk so as to enhance the efficiency and effectiveness of state funds" (Henman 2004:175, Fudge and Cossman 2002). There are many overlapping commonalities between his findings in Australia and what is occurring in Canada. His research describes data matching programs⁴⁵ in Australia and other developed countries which were launched in the 1990s as a response to so-called 'rampant' welfare fraud (Henman 2004, Swanson 2001, Chunn and Gavigan 2004, Eubanks 2006, Mosher and Hermer 2005). One state response was to implement new policies and laws including "data-matching, risk assessments, tip offs, regular reviews, self-compliance and panoptic gaze" (Henman 2004:178). Generally speaking, welfare models in developed countries (Canada, United States, Australia, United Kingdom) which have all adapted neoliberal surveillance methods, create conditions where being flagged can result in invasive investigations. These investigations examine all aspects of a recipient's life, leaving them vulnerable to reduced benefits and even termination of benefits if found guilty of fraud. In cases of 'fraud', recipients can be fined, given a

⁴⁴ What is groundbreaking about his research is the 'politics of everyday resistance' because mainstream surveillance studies ignores resistance. Again this parallels feminist standpoint methodologies as empowerment and resistance are seen as goals of the research.

⁴⁵ Data matching programs are not necessarily reliable and in some cases have produced false negatives (Henman 2004:178).

period of welfare probation and if they cannot pay the fine-because their benefits are terminated, they get jail time. Obviously, there may be life-altering consequences if ‘targeted’ for investigations.

These data programs, according to Henman, have a clear class component; the changes in monitoring or ‘tracking’, did not occur in other areas of everyday life but they have become the norm in social services and the criminal justice system. Henman’s research, reflects the stigma of poverty in that the “implicit rationality is that those of greatest disadvantage need greater monitoring and coercion in order to achieve employment outcomes (or at least provide moral justification for paying them a benefit)” (Henman 2004:183). What makes this form of risk-based surveillance so troubling is that it “targets people on the basis of predicted-not-actual-behaviour...”, this essentially translates that the poor are not trustworthy and assumed to be ‘using’ the system (Henman and Marston 2008:200)⁴⁶. Additionally, Henman (2004) and others such as Graham and Wood (2005) argue that surveillance is a political action that is “likely to be strongly biased by the political, economic and social conditions that shape the principles embedded in their design and implementation” (Graham and Wood 2005:219, Parenti 2003).

It is important to stress (as many scholars have), that the regulation of poverty is *not* new, however “the techniques have changed” which have lead to the intensification of

⁴⁶ Unfortunately, what policy makers have neglected to take into account, is that it is essentially impossible to live on welfare without ‘cheating’ or committing fraud. To paraphrase a single mother on welfare in Gilliom’s study, “some call it fraud or crime, others call it common sense” (Gilliom 2001:96). Without a doubt, this reflects the reality that welfare is not enough to live on and that everyone then is implicated in committing fraud as they are forced to find other means to survive.

surveillance in welfare (Eubanks 2006:2, Boushey 1997:182, Little 1998). Virginia Eubank's research reflects this reality. Based on four years of qualitative research that examined how women are negotiating the increased surveillance in welfare, Eubanks (2006) found that social service agencies were *sharing* database information without informing the clients that this was occurring. This demonstrates that sharing of information occurs despite social services claims that privacy protections are in place thereby permitting the exposure of personal data (Eubanks 2006:8)⁴⁷. Additionally, Eubank's (2006) research found that the collection of personal information through new information technologies (IT) "is one thread that binds together with the local departments of social services (DSS) and broader socioeconomic strands of injustice to create a net of constraint they commonly refer to as 'the system'" (5). Eubank's findings suggest that surveillance of welfare recipients is part of larger social control⁴⁸. In summary, the three surveillance scholars reviewed are leading the way in making visible the detrimental effects of welfare state restructuring and the consequences of new surveillance technologies for the poor.

Echoing the surveillance studies conducted by Henman (2004), Gilliom (2001) and Eubanks (2006), Canadian political economy literatures such as Lightman et al (2005) have documented how OW recipients feel and how they internalize or resist new forms of surveillance. They found that the excessive need for documentation from recipients

⁴⁷ Eubanks found several issues with the Department of Social Services (DSS) sharing client information which she stresses has "len[t] credence to clients' fears that they are trapped in a system where every detail of their lives is known and freely shared among powerful players..." (Eubanks 2006:2).

⁴⁸ With reference to surveillance of welfare recipients, Eubanks "argue[s] that their concerns are less about privacy, and more about power, oppression, and autonomy" (Eubanks 2006:3).

(‘bureaucratic disempowerment’) made recipients feel like ‘criminals’, as one OW client states: “It felt like I was being interrogated for fraud and they were working on the assumption that anyone applying was trying to commit fraud...” (Lightman et al 2004:6, Herd et al 2005:65). This statement illustrates that OW recipients feel like they are ‘unworthy’ of social assistance due to the stigma of ‘dependency’ and the need for constant documentation/proof that they are who they say they are. All of this information (from banks statements, birth certificates, divorce papers, school report cards etc)⁴⁹ is inputted into the Service Delivery Management Technology (SDMT), the new case management tool implemented in 1996 under the OW Act (OW Policy Officer December 5 2008). Recipients in these cases have internalized surveillance, forced to self-regulate/surveil themselves to ensure that they are not mistakenly accused of fraud.

Conclusion:

The literature review suggests that feminist scholars have always been concerned with issues of ‘surveillance’ whether this was called ‘moral regulation’, ‘regulation’, ‘tracking’, ‘watching’ or ‘monitoring’. Feminist political economy of surveillance has already established the intellectual framework to pursue a feminist political economy of surveillance (welfare surveillance). The surveillance literatures outlined in the last section of the literature review demonstrated what a political economic surveillance study would look like. These studies took into account how race, gender and class are implicated in

⁴⁹ The sheer amount of information required to ‘prove’ eligibility is astounding enough, however even more upsetting is the fact that recipients are expected to show this ‘proof’ at each case review interview. For instance, one recipient asks “[w]hat is the real need for this repetitive information? How many times do they need to see the same divorce paper? How many times do they need to see the same birth certificate? They already have this on file and this information hasn’t changed. Why do they need to see it all again (R1#53)?” (SANE 2004:6).

surveillance and how social structures mediate and perpetuate inequalities. Some of these projects deployed similar methodologies to standpoint feminism thus demonstrating that a bridge can be made to address the interconnections of poverty, surveillance and moral regulation.

The review has also shown that there are common threads running through feminist political economy and some surveillance literatures. These include situating neoliberal discourse an influential factor in shaping the creation of new(er) surveillance technologies. The explosion of new surveillance technologies which commenced in the 1990s during Harris's 'common sense revolution' such as the Consolidated Verification Process (CVP), Service Delivery Model Technology (SDMT), Maintenance Enforcement Computerized Assistance (MECA), drug testing, Welfare Hotlines (Ontario Works Act 1997) were implemented into OW due to 'common sense' assumptions about poverty, mainly that those receiving social assistance are irresponsible and incapable of making good choices. Hence, the poor must be monitored and surveilled to ensure that they are working towards becoming self-sufficient (i.e. entering into paid work).

The link between feminist political economy and surveillance literatures is in the understanding of neoliberal governance. Both fields stress the impact of neoliberalism on welfare state restructuring such as the emphasis on business interests, as well as new surveillance technologies. New surveillance technologies in OW are repeatedly premised on making the tools more 'efficient' in order to save money and make profit (see the

Business Transfer Act)⁵⁰. OW's turn to *Accenture* highlights this shift, as a private corporation was outsourced to develop the database technologies such as the CVP and the SMDT.

A contradiction arises with welfare surveillance because as the state removes its responsibility for citizens (Fudge and Cossman 2002) by cutting back on welfare rates, eliminating CAP and creating tighter eligibility criteria, while at the same time, *increasing* in the surveillance of certain segments of the population, namely those on welfare, drug addicted and young (SANE 2004, Mosher and Hermer 2005). How do we explain this? How can the government reduce welfare assistance and increase surveillance? Does the reduction in caseloads even save OW or rather taxpayer's money?

The literature review also suggested that the new technologies in OW were made possible because the neoliberal discourse of 'responsibilization' or 'self sufficiency' already existed to change the welfare model to one which 'responsibilized' recipients. It was the demonization of poverty which constructed 'common sense' understandings of the poor (see Jean Swanson *Poor Bashing*), which called for tighter eligibility, reduction in caseloads, more stringent monitoring and Workfare. This literature review has provided context of Canadian welfare state restructuring through feminist political economic framework; then an overview of surveillance literatures was provided; lastly, a bridging of feminist political economy work on moral regulation and surveillance

⁵⁰ In chapter 2 I discuss the extent to which provinces receive monetary incentives when caseloads are cut, this can range into hundreds of thousands of dollars.

research that employs feminist methodologies were outlined to demonstrate how rich welfare surveillance research could be.

In the next chapter, I will outline the methodology of this project and then discuss some of the initial findings of the primary research I conducted. The chapter breaks down each surveillance technology that OW uses and explains what it is, how it works, and what the results of that technology are. Following chapter 2, in chapter 3 I go even further to analyse my research findings in congruence with the literature review, and the main claims of the researchers, demonstrating some central themes in both the primary research and the literatures reviewed in this chapter.

Chapter 3

Methods and Initial Findings: New neoliberal techno-tools disciplining and responsabilizing the welfare subject

This chapter outlines the methods and initial findings of the thesis *Guilty Until Proven Eligible: Welfare Surveillance of Single Mothers in Ontario*. The purpose of this study was to document the surveillance practices currently utilized in Ontario Works (OW). It asks 1) What types of surveillance are being used on single mothers on welfare? 2) How are surveillance practices legitimated by OW and the Ontario Provincial government? I addressed these questions by employing two methods: primary research of documents and discourse analysis. More specifically, government documents, legislation and procedures related to the increasing, and intrusive surveillance measures deployed against women on welfare were located. These primary documents were the Ontario Works Act (1997), 10 OW Directives, 8 reports on welfare, and various other municipal and social services reports. Starting from the policy Directives was the most logical course for this study considering that the Directives explain how each surveillance tool is used by OW today.

Scholarly articles and reports (SANE 2002, 2003, 2004, 2005, ISAC 2008, Mosher and Hermer 2005, Little 1994, 1998, 2001, 2003, Chunn and Gavigan 2004, Mirchandani and Chan 2007) provided initial exposure to several OW policies and legislation implemented during welfare reform in the 1990s. Additionally, correspondence with an OW policy officer was necessary to locate relevant Directives. From there, I located the OW Act 1997 (134/98) and the Directives and regulations,

specifically the Overview of OW (1.1), Addiction Service Initiative (8.4), Eligibility Review Officers (65 and 9.1), Controlling Fraud (9.7), Information Sharing (11.5), Family Support (23), Home Visits (2.8), Participation Requirements (2.5) and the Application Process (2.1). Each directive was carefully and critically assessed for its relevance, then reread for themes and keywords, which were recorded in a set of notes. As well, relevant documents were re-examined in regards to the neoliberal discourses they project. Themes extracted included: how the client is positioned, the role of the caseworkers, surveillance tools, justifications for surveillance, neoliberal language and fraud. The reliability of the Directives as primary sources is reinforced by the fact that 1) The OW Act 1997 has 92 Directives⁵¹, the ones I chose to analyze were those identified by a senior OW policy officer as most related to surveillance practices; 2) these Directives were those consistently noted in other scholarly reports and studies such as SANE (2002, 2003, 2004, 2005), ISAC (2008) and Mosher and Hermer (2005).

Many Directives that did not seem relevant to surveillance were also reviewed to uncover comprehensive information. For instance, I had to examine ODSP policy to find out more information about how fraud is investigated (12.1) because the OW policy Directive (9.7) contained no detailed information regarding the process of investigation. Moreover, I explored the Family Support Directive (23) in order to find out how the Maintenance Enforcement with Computer Assistance (MECA, a surveillance database) was used for third party information sharing. These examples demonstrate how difficult it

⁵¹ See the Ministry of Community and Social Services website for more information: (www.mcscs.gov.on.ca/mcss/english/pillars/social/directives/ow_policy_directives.htm).

is to find comprehensive information regarding OW, which highlights the access barriers and lack of transparency surrounding OW (see Chapter 3).

Once the relevant government documents were located, discourse analysis was applied to examine how this policy shift was legitimated, and to link it to neoliberal welfare state restructuring and broader surveillance literatures (see Chapter 3). Speeches, articles, commentaries and selected legislative statutes were analyzed to uncover the assumptions behind the words, the dominant mentalities and sensibilities. I would argue that it is not possible to discuss welfare reform without contextualizing it in relation to neoliberal ideology dominating that period of Canadian history. Scholars (Swanson 2001, Little 1994, Brodie 1996, Fudge and Cossman 2002) have previously demonstrated the magnitude of neoliberalism in shaping welfare reform, suggesting the importance of paying attention to discovering what discourses influenced the shift to OW a more punitive and surveillance oriented system. This was evident in terms such as: ‘individual’, ‘employability’, ‘skills’, ‘entitlement’, ‘verification’, ‘effective’, ‘responsible’, ‘responsibilities’, ‘compliance’, ‘risk criteria’, ‘independent’, ‘management’ and of course ‘eligibility’ (OW Directives)⁵².

As noted in chapter 1 and 2, theoretically, this research project deploys a feminist political economic examination of surveillance, as this perspective considers the social, political and economic consequences of neoliberal reforms, such as cuts to social assistance, enforcement of Workfare, tighter OW eligibility requirements, privatization, and the social stigma of being a recipient of social assistance. In addition, feminist

political economy asks how changes in the economy, particularly neoliberal policies and discourses, affect women in relation to social reproduction, namely women's unpaid labour in the home, and the role this plays in the reproduction of labour and labour power (Bezanson and Luxton 2006, Armstrong and Connelly 1999, Porter 2003, Fudge and Cossman 2002). As described in chapter 1, the concept 'social reproduction' refers to "the process involved in maintaining and reproducing people, specifically the labouring population, and their labour power on a daily and generational basis" (Bezanson and Luxton 2006: 3). In effect, the concept of social reproduction has positioned women's unpaid domestic labour as a central issue as the private sphere is critical to understand the women's class relations. Understanding women's experiences in relation to social reproduction and the dismantling of the Canadian welfare state, is pivotal to uncovering punitive welfare reform such as the increased surveillance of single mothers via drug testing, community surveillance, Fraud units and technological bureaucracy.

Initial Findings:

Intensive investigative research was required to unearth the wide array of surveillance and surveillance-related practices presently deployed to discipline and surveil the clients of OW. Some of the policies described below require little interpretation-their meaning and intent are boldly stated in the accompanying rationale of each, while others, particularly neoliberal individualism, responsabilization and the focus on becoming self-sufficient, require a deeper analysis (see Chapter 3). For these policies,

an investigation into welfare reform and the prevalent neoliberal discourses is necessary to understand the underlying meanings and implications.

The research started with a thorough investigation of OW legislation, Directives and regulations and a literature review assessing the main debates and claims in regards to surveillance and welfare, which helped to establish the socio-historical context. Based on this research I identified eight surveillance practices occurring in OW today (Ontario Works Act 1997). It shows that “the surveillance of those in receipt of assistance is extensive; and subsequently more extensive and intrusive than a decade ago” (Hermer and Mosher 2005:38). These surveillance practices are the Consolidated Verification Procedure (CVP); Maintenance Enforcement with Computer Assistance (MECA); Service Delivery Model Technology (SDMT); Ontario Works Eligibility Criteria; Eligibility Review Officers (EROs); Audit of Recipients; Drug Testing and Welfare Fraud Hotlines. In addition, several surveillance practices presently under consideration, with working groups now discussing their implementation and validation, were also discovered. These are Biometrics (finger and iris scanning, facial recognition) and Smart Cards, which are reviewed at the end of this section.

The Consolidated Verification Process (CVP), introduced in ODSP and OW in 1997, is one of the first technological surveillance changes implemented in Ontario by the Harris government during its *Common Sense Revolution*. Premised on the assumption of widespread welfare fraud, CVP introduced significant changes in the ways in which welfare was administered. These are the ‘risk criteria’ introduced to flag potential fraudulent clients and consequently reduce welfare caseloads. At the same time, policy

officials framed the CVP as a program to *help* clients negotiate the system. For instance, according to a pamphlet ‘Consolidated Verification Process’ created by the Northumberland *Employment and Support Services Division*, depicts the CVP as “a standardized way to review the files of all Ontario Works participants to ensure that they are receiving the right amount of financial assistance”⁵³. As we shall see, this is not necessarily the case.

‘Financial eligibility review’ and ‘risk criteria’ were introduced in 1994 and shortly after in 1997 the CVP was implemented in both ODSP and OW (OW Directive 9.1-4, Mosher and Hermer 2005:43)⁵⁴. The CVP works with the SDMT to ‘verify’ a client’s ongoing eligibility. Applicants are required to submit their social insurance number, health number, proof of all family members identity and date of birth, verification of income, verification of assets, verification of shelter costs, school verification, participation agreement for dependent adult, verification of person’s status in Canada and information regarding debts (ODSP Directive 3.1-6 *Consolidating Verification Information Requirements*)⁵⁵. As early as 1994 new common sense understandings of welfare recipients and eligibility with a focus on ‘riskiness’ guided welfare state restructuring goals, which would later become a reality during the Harris government in 1995. Consequently, CVP has had a significant impact on shaping future

⁵³ www.northumberlandcounty.ca/departments/communitysocialservices/resources/CVP_Aug2005.pdf

⁵⁴ This was the only source that I could find extensive information on the CVP process such as when and under what conditions it was implemented into OW and ODSP policy. Furthermore, I contacted the Kingston OW branch, in which case my call was redirected 3 times, finally finding a supervisor of CVP I was directed to her voicemail and my call was never returned (January 7 2009).

⁵⁵ This information was gathered from an ODSP directive because OW does not outline specifically how the CVP is used in their legislation it is only alluded to, therefore the ODSP directive provided more information.

welfare surveillance, as we shall see later in this section. The CVP was implemented as one of the first technologies to combat welfare fraud, therefore laying the foundations for a more punitive, invasive and intrusive welfare model.

Generally, CVPs are province wide standards intended to standardize case reviews by OW (Community Services and Housing Committee, York Region 2004:1). It provides for more frequent file reviews to ensure that there are no overpayments and more importantly to uncover cases of fraud. Cases are flagged based on risk factors that are assumed to be linked to a tendency to commit fraud, thus applicants must submit everything from ‘verification of shelter costs’ to ‘proof of all member’s identity and date of birth’ (ODSP Directive 3.1-6 *Consolidated Verification Information Requirements*). Moreover, CVP utilizes third party databases (MECA) to check the documents submitted. It requests information from the “Ministry of Transportation... Equifax (credit check)...Employment Insurance (EI)...” (ODSP Directive 3.1-5 *Consolidated Verification Information Requirements*)⁵⁶. This technology alone allows OW to widen the scope of monitoring of clients in a manner that was simply not possible with the older methods that relied on caseworkers to flag suspected cases, not large databases that are cross-referenced with third parties. It is important to stress how dramatically the CVP altered the manner in which OW operates. According to OW Directive 9.1 *Reviewing Eligibility* the CVP is:

...[T]he standard process for the annual financial eligibility review. CVP also allows for the review of a subset of cases more frequently, based upon specific risk criteria. Priority ranking factors are used to identify cases

⁵⁶ Using multiple welfare surveillance technologies creates a surveillant ‘mashup’ (Pleace 2007).

with characteristics that indicate a higher potential for inaccuracy. Every month, cases are ranked against the current approved priority ranking factors. These factors are subject to change periodically (OW Directive 9.1-4).

As seen in this excerpt, the issue of ‘risk’ is present in the choice of words such as ‘characteristics’, ‘ranked’, ‘criteria’ etc. This language of ‘risk’ justifies the frequent repetition of eligibility reviews in order to deter fraud and cut caseloads⁵⁷. Moreover, as discussed in the literature review, governmentality scholars point out that utilizing ‘risk’ allows authorities to categorize welfare recipients as marginal, which can result in further regulating and monitoring their activities (see Pleace 2007). As Mosher and Hermer’s research report, flagged individuals are then classified and categorized which “suggests that the risk factors for fraud used within the C.V.P. system can then be used to identify ‘groups’ to be targeted for home visits...”(Mosher and Hermer 2005: 45).

Reducing the number of people on welfare (i.e. caseloads) is another primary concern of the new welfare model. For instance, monetary incentives are awarded to municipalities (hundreds of thousands of dollars) if they effectively reduce caseloads by meeting particular quotas (or ‘targets’) which vary from municipality to municipality depending on the size of caseloads (Priel 2006). The CVP database was introduced “to increase the accuracy of eligibility assessments” (Herd and Mitchell 2002:34), to deter welfare fraud and finally to “ensure that a recipient provides information required to determine ongoing eligibility for income support” (ODSP Directive 3.1-2 *Consolidated*

⁵⁷ “Introduced as part of the larger reform of government called the “business transformation project” this mechanism flags files for fraud investigation based on pre-determined risk factors (such as how long one has been in receipt of social assistance) that assume widespread fraud is present” (Mosher and Hermer 2005:12). This statement further demonstrates the ways in which ‘risk’ is inherent to the neoliberal project of welfare reform with the goals of responsabilizing individuals for their ‘poor’ choices which have led to their condition of poverty.

Verification Information Requirements). It stipulates annual (sometimes more frequent, but at a minimum annual) reviews of recipients, should any abnormality⁵⁸ be discovered, the database flags the file and a letter is sent to the client for an interview (Policy Officer December 5 2008 ,OW Directive 5.5:7).

In the OW legislation and OW reports from various municipalities (Hamilton, Toronto, Peel Region), there is no mention of what happens to clients who are rejected, case reviews are purely framed as a way to efficiently manage case loads (i.e. reduce them)-here we can really see the humanity taken out of Ontario works (SANE 2004, Priel 2006). The more restrictions and denial of social assistance, the lower the caseloads and the higher the ‘bonuses’ from the provincial governments. According to the SANE project, the CVP “requires rigorous and ongoing review of every aspect of a recipient’s case history” (2005:70). This form of technology has also been referred to as “bureaucratic disempowerment” (Herd et al SANE 2005: 66), stressing how the bureaucratic process of OW is designed to deter applicants from applying and then cut them off as quickly as possible. This finding highlights the lack of accessibility and transparency in social services. The ‘case reviews’ required by the CVP are problematic because “the criteria are so broad that almost everyone on assistance faces constant investigation” (Lightman et al SANE 2003 a:16). As a whole, it is unclear how often reviews occur as

⁵⁸ It is important to stress here that these abnormalities can also include errors on the part of the database technology. As such, errors by the OW database such as overpayments (Mirchandani and Chan 2007:16-17), are positioned as ‘fraud’ and in such cases clients are still called in for an investigative review even though they are not responsible for the database error.

they appear to be random, based on client circumstances, the judgement of the caseworker and the information contained in the database itself.

The fact that the CVP database allows information sharing amongst third parties to ‘verify’ a client’s eligibility also demonstrates that, although there are stringent measures to protect the privacy of the clients (as indicated in the *Consent to Disclose and Verify Information* form used by the Ministry of Community and Social Services), significant sharing of personal information amongst authorities occurs (OW Act 1997). Why is information sharing permitted? Is it because OW does not trust its clients? What is happening with the information shared? Is it sold? There is no information available regarding what happens to the information shared with other social service agencies. As Herd and Mitchell (2002) note:

The database that has been created can cut across departmental and jurisdictional boundaries, meaning specific standards can be embedded in the technological supports. Caseworkers access third party data to verify information as well as to monitor potential sources of income such as EI and assets such as cars through the Ministry of Transportation (Herd and Mitchell 2002: 34).

Maintenance Enforcement with Computer Assistance (MECA) or ‘Third Party Databases’, is an information sharing database used to validate client’s identity. It is not clear when it was actually implemented. MECA authorizes welfare officials to share information with other databases and social service agencies such as Citizenship and Immigration Canada, Canada Revenue Agency, Ministry of Transportation, Service Canada, credit bureau services and the Workers’ Safety and Insurance Board (OW Act 1997, Family Support Directive 5.5.9, OW Directive 11.5 *Information Sharing*,

MacVicar 2006:2). Furthermore, MECA in congruence with SMDT permits ‘data sharing agreements with government and regulatory agencies’ including, Insurance Crime Prevention, Ministry of Training, Colleges and Universities and Ministry of Community Safety and Correctional Services (MacVicar 2006:2). OW Legislation claims:

MECA is a database used by FRO [Family Review Officers] to collect and monitor data in the enforcement of support payments. OW delivery agents can also access information in MECA such as case information, enforcement updates and financial information on both assigned and unassigned cases, in order to determine eligibility of applicants for social assistance where eligible (OW Directive 5.5: 14).

Essentially, MECA is a powerful technology, ostensibly implemented to deter fraud, that authorizes information sharing with other social service agencies as well as wider social control networks. The assumption of widespread welfare fraud, as seen with the CVP, justifies the technology as well as revealing its purposes. MECA is used to verify that clients are telling the truth about their identity by gathering data from a range of sources. Based on the information gathered from Directives, it is still unclear when MECA was integrated into the OW system, and how extensively it is used.

Service Delivery Model Technology (SMDT) is used for case management and is essentially the electronic version of a client's case file. It determines eligibility throughout the clients’ time on OW- from the beginning to the end, all information is inputted by the caseworker into the SDMT (OW Policy Officer December 5 2008, OW Directive 2.1-5 *Application Process*). According to an OW Policy Officer:

For Ontario Works, the client's participation agreement is also kept on the SDMT. As this information changes, the caseworker updates the client's SDMT file. Some communication with clients is also generated by the SDMT. For example, if a caseworker updates the income

information of the client (say the client gets a job) and it is determined that they are no longer eligible for assistance, SDMT automatically generates a letter that is sent to the client informing them of this, as well as informing them of their right to appeal the decision, etc (Email correspondence OW Policy Officer December 5 2008).

Additionally, in a report “Social Services’ Fraud Prevention Safeguards” by General Manager of Social Services Division Heather MacVicar (2006), it is emphasized that SDMT technology was Toronto’s (and other cities in Ontario) primary ‘defence’ against welfare fraud or what some call ‘double dipping’ (MacVicar 2006:2)⁵⁹. The program was introduced in 2001 and has:

[R]eal time application that allows TSS staff to immediately detect if an applicant is receiving, or has received, OW benefits or Ontario Disability Support Program benefits anywhere in Toronto...anywhere else in Ontario (the technology can also immediately identify when an invalid social insurance or health card number is entered). Thus, SDMT provides significant protection against duplicate assistance where an individual attempts to apply for and receive benefits through more than one social assistance office, or in more than one municipality (MacVicar 2006:2).

This excerpt reflects a significant change in the ways in which fraud is managed in OW.

An underlying assumption of fraud and untrustworthiness is inherent in the new technology. The SDMT technology raises many questions such as, is technology always right? Are there cases where individuals are unjustly convicted of fraud because of glitch in the database? Do the costs to deter fraud actually save money in the end?

⁵⁹ The report (2006) indicates that Toronto has seven defences against welfare fraud: 1) training case workers; 2) a comprehensive guide for caseworkers; 3) third party verification; 4) data sharing agreements with various government and regulatory agencies; 5) Managing Eligibility and Integrated Tracking System; 6) the Special Review Committee (Police, Crown Attorney, Legal Division etc) and 7) Fraud telephone hotline (MacVicar 2006:3). This is quite an extensive list of means to deter fraud when the report indicates that out of 8303 investigations for Fraud only 26 were referred for criminal charges, it begs the question, do the costs of these seven fraud deterrents outweigh the fraudulent cases?

Ontario Works Eligibility Criteria or ‘bureaucratic disentitlement’ as some scholars have labelled the process, refers to the ongoing reviews of OW clients by caseworkers and the Director of OW (OW Directive 1.1-7 *Overview of Ontario Works*). There are varieties of labels for ‘eligibility reviews’ that determine the frequency of reviews including, audits, interviews, case reviews, and the Annual Update Report (see OW Directive 9.1 *Reviewing Eligibility*). The range of labels are vague, and the reports appear random from annually to as frequent as every 3 months. Reviews are initiated by reported or suspected changes in a client’s circumstances, the SMDT sends out letters to clients informing them of an upcoming review (ODSP Directive 3.1-4 *Consolidated Verification Information Requirements*). Reviews are therefore initiated by both the design of the SDMT and/or the discretion of the caseworker.

Eligibility criteria permeate the life of OW clients. To gain eligibility for OW benefits there is a two-step process (ODSP Directive 3.1-3 *Consolidated Verification Information Requirements*, OW Directive 2.1 *Application Process*, www.mcass.gov.on.ca)⁶⁰. The first would be that the client contact an Intake Screening Units (ISUs, or call centres)⁶¹ for a verbal assessment, and then undergo the in person verification interview, which reviews all the information supplied over the phone as well

⁶⁰ Currently on the MCSS website, there is an ‘eligibility estimator’ that is an online questionnaire that determines ones eligibility for OW (<http://www.mcass.gov.on.ca/mcass/owapp/Estimator/Preamble.aspx?lang=en>). This form of technology was not mentioned in any of the research on welfare. What is troubling about this estimator is that computers are quiet expensive and if one is living in poverty and having to go on welfare, they may not have the same access to computers as other people do.

⁶¹ According to the directive, which may be somewhat outdated due to the reliance on call centre technology today (as indicated in SANE’s research) applicants may bypass the telephone process if they have specific issues such as if they are in an emergency situation, the applicant qualifies for ODSP, the applicant in unable to communicate in English etc (OW Directive 2.1-1 *Application Process*).

as any additional information OW deem necessary (OW Directive 2.1-4 *Application Process*, SANE 2004:5). When the recipient finally obtains a face-to-face interview after they ‘pass’ the telephone interview sessions, they may endure hours of questioning regarding many personal aspects of their lives⁶². During this stage of attempting to gain eligibility, recipients have no choice but to provide all the information to their caseworkers, or they are automatically determined ‘ineligible’ as they have not met the necessary criteria (OW Directive 2.1 *Application Process*, Lightman et al SANE 2003 a:14). In a report “Rethinking the role of Social Assistance within a Poverty Reduction Strategy: A submission to the Cabinet Committee for Poverty Reduction”, the Income Security Advocacy Centre (ISAC) (2008) claims that eligibility interviews and audits can consist of up to 800 questions demonstrating that OW “operates on a presumption of ineligibility” (ISAC 2008:3)⁶³. Moreover, the SANE project argues that the intention “was for fewer ineligible applications to reach verification interviews, reducing costs and improving the efficiency and quality of services to those eligible” (SANE 2004:5). Again, it is evident that the eligibility process was assumed to make OW more ‘efficient’ and save money due to the new technologies which cut out ‘ineligible’ recipients.

‘Case Reviews’ (participation and financial monitoring) are a form of surveillance that have transformed the application process from a one time measure (usually annually) to one based on ‘risk assessments’ which can happen anytime something is flagged by the CVP and SMDT. ‘Risk assessments’ focus on how likely the

⁶² This process has been described by recipients as more like an interrogation than an interview (Lightman et al SANE 2003 a:13).

⁶³ Also see SANE (2004), Chunn and Gavigan (2004: 221) whose research supports this finding.

recipient is to commit fraud, based on how ‘risky’ a recipient is assumed to be, these reviews occur whenever client circumstances change (ODSP Directive 3.1-6 *Consolidated Verification Information Requirements*). The criteria for flagging risk are arbitrary, for instance if a recipient has moved in the last month they are presumed to be more at risk of committing fraud and are therefore called in for a ‘case review’ (Lightman et al SANE 2003 a: 13). Case reviews differ from eligibility intake interviews because they come after eligibility is obtained. They are premised on the notion that clients must constantly prove that they are eligible, one way or another they are always under surveillance. This change shows that neoliberal discourses of risk have changed the ways which welfare operates, treating recipients like criminals.

‘Participation Agreements’ (PA) are another ‘tool’ used by OW caseworkers to monitor ‘participation requirements’ in employment related activities and subsequently the eligibility of recipients (OW Directive 9.1-5). In other words, PAs ensure that clients are engaging in employment related activities, which is a mandate of OW. The directive states, “The PA is an evolving document and it will change as recipients engage in and complete employment assistance activities...” (OW Directive 9.1-5). These reviews occur at least once every three months for OW recipients (OW Directive 9.1-4). OW has made the case to justify even more reviews that are random for clients based on various eligibility requirements (such as participation) that are ongoing. From participatory reviews, to case reviews as well as audits (see below), there are numerous ways that OW can question, review and collect data on their clients. This broad invasive collection of personal data was not possible in the past; it is only with the database technologies that

this amount of review and collection is possible. As mentioned, something as benign as moving is flagged all because it is assumed ‘risky’ and therefore potentially fraudulent.

Eligibility Review Officers (EROs) are a special unit designed with the sole purpose of investigating suspected cases of welfare fraud⁶⁴. According to the Income Security Advocacy Centre (ISAC) in Toronto, “Ontario Works and ODSP have a large resource in the caseworkers working around the province, whose primary responsibility is monitoring the eligibility of recipients” (ISAC 2008:6). Based on the OW Act (1997) the Director or an administrator of OW designates caseworkers to the ERO position (OW 1997:58.1). Although they are ‘just’ caseworkers, they have investigating power to review eligibility of clients; they even have the power to apply for search warrants to search client’s dwellings (OWA 1997: 58.2). Some claim that EROs have more power than police because they do not need to give notice for home visits, they do not need to obtain search warrants for non dwelling units and they can get information from neighbours in a intimidating manner (Mosher and Hermer 2005:13).

It is important to stress that EROs are deployed on the grounds of suspicion, no actual evidence or “proof” is needed to empower them to search homes or seize documents⁶⁵. Family and friends are expected to fully cooperate with EROs or they may face penalties themselves, including prison time (Section 1 Social Assistance Reform Act: New Rules 2008). Furthermore, the ERO office has to meet quotas - that is, disallow a certain percentage of clients by finding them no longer eligible, in order for

⁶⁴ At a poverty conference held at Queen’s University an OW recipient referred to EROs as the ‘welfare police’ (Poverty Conference Queen’s University April 7 2005).

⁶⁵ See Section 1 Social Assistance Reform Act: New Rules (2008) http://www.cdhalton.ca/publications/sara/section_1.htm for more information.

municipalities to receive funding, according to a report by Joe-Anne Priel (2006). Priel, the general manager of Community Services Department in Hamilton Ontario, writes that the city of Hamilton ‘benefits’ from the “termination of some recipients as they are no longer deemed to be eligible” (Priel 2006:1). If recipients are suspected to have been overpaid, a “more detailed review” is conducted by the EROs, which “could result in increased revenues for the municipality” (Priel 2006:1).

Here we can see the overlap in the use of EROs and the Consolidated Verification Process (CVP) (Herd et al SANE 2005:68, Priel 2006), showing the various forms of surveillance that can affect OW recipients. These technologies were introduced with the Business Transfer Project (BTP) in 1997. The BTP was an agreement between the provincial government and the corporation *Accenture* whereby the company supplied new surveillance technologies for OW (Herd et al SANE 2005:68)⁶⁶. The purpose of the BTP was “to comprehensively redesign social assistance programmes, focusing especially upon the introduction of new business practices and the technologies to support them” (Herd et al SANE 2005:68) thus highlighting once again the neoliberal shift to business oriented approaches in governmental organizations⁶⁷.

⁶⁶ ⁶⁶ Based on a fact sheet compiled by CUPE they claim, “Other key areas of Accenture's consulting practice are promoting the privatization of government services through Government Outsourcing Consulting and the introduction of business language and processes into government” (<http://cupe.ca/PrivatizationSocialServices/accenturefactsheet>). Outsourcing to OW reflects the shift to a more neoliberal business model for social services.

⁶⁷ It has been found that the use of Accenture’s technology has cost the government far more than was anticipated, in the original contract (1997-1998) the costs were set at \$180 million since then “The new service-delivery system, including both the new information technology system and the revised business processes, was developed at a cost of approximately \$400 million, as of March 2002, by the Ministry and Accenture” (Office of the Auditor General 2004: 356).

EROs are used primarily to reduce welfare caseloads in order for municipalities to receive revenues/incentives from the provincial government. In Hamilton alone in 2006, 916 welfare recipients or ‘cases’ were deemed ‘ineligible’ (i.e. ‘terminated’) due to the use of CVP and EROs surveillance which consequently denied recipients social assistance from OW; according to the report the ‘funding earned’ was a staggering \$534,673 (Priel 2006:2). The consequences for the ‘terminated’ cases (the actual clients themselves) however, is not alluded to, as it is clearly a matter of profit making and ‘business as usual’. On a provincial scale, in 2002 “the Province reports that 283,000 cases have been reviewed, and of these, 72 percent had no change in their benefits; 9 percent had their benefits cut; and only 3 percent had an increase in their benefits. The remaining 16 percent of cases (over 45,000 cases) either withdrew from assistance or were terminated completely” (Herd and Mitchell 2002: 35). These statistics show that the new surveillance technologies implemented with the OW Act in 1997 have had very real consequences on those seeking or on social assistance, thousands of people are denied benefits due to the heightened invasive nature of surveillance in OW.

Audits of Recipients, like CVPs, audits can occur randomly and go by several different terms (‘case reviews’, ‘risk assessments’ etc.). Audits, like eligibility criteria, underline the necessity for welfare clients to constantly prove their eligibility. Audits occur under jurisdiction of different social assistance departments, the Family Support and FROs⁶⁸, and OW eligibility reviews and EROs (OW Directive *Family Support* 23.0-14, ISAC 2008, SANE 2004). Audits are conducted under MECA a “database used by

⁶⁸ FROs (Family Review Officers) act like Eligibility Review Officers in OW.

FRO to collect and *monitor* [my emphasis] data in the enforcement of support payments” (OW Directive *Family Support 23.0-14*). It is also mentioned that the OW ‘delivery agents’ or caseworkers can also access this information, demonstrating that information sharing is occurring amongst social service agencies.

Audits are heavily reliant on information sharing provisions provided by the MECA technology (Directive 9.1 *Reviewing Eligibility*). According to Directive 9.1, ‘Participation Monitoring’ is accompanied with information sharing “with participating organizations [to] allow delivery agents to access information about the participant...which helps in the completion of appropriate participation plans and reduction in the potential number of disputes or occurrences of non-compliance” (OW Directive 9.1:3). OW justifies information sharing as a means to ensure ‘consent’ as well as an additional means to monitor their clients⁶⁹. Page four of the Directive specifically outlines when and why ‘Random file reviews are completed’, the Directive provides a page of reasons why the random file reviews are necessary, however there is no indication of the frequency (aside from ‘random’) of the reviews, for more information see OW Directive 5.5.

The bulk of information regarding Audits is found in the Directive *Family Support 23.0*, which states the ‘intent of the policy’ is “To ensure that participants continue to be eligible as long as they are making reasonable efforts to obtain support for themselves or their children to which they are/may be entitled. To ensure that arrears

⁶⁹ Further investigation, with consolation of caseworkers (future PhD dissertation) could uncover more details about audits; the legislation alone does not provide the answers.

owing to the delivery agent and the Ministry are protected” (0-2)⁷⁰. Based on the historical context of neoliberal restructuring, this statement translates as policy put in place to reduce caseloads by restricting benefits to those who are no longer deemed eligible *in order to protect the Ministry*. What is troubling about the intention behind this policy is that the recipients are not the primary concern, case reduction and efficiency are. As a whole, there is limited information in the legislation concerning Audits.

(Mandatory) Drug Testing, (Ontario Works Act 1997, Directive 8.4 *Addiction Services Initiative*). The most recent Consolidated OW Act ‘General’ (date)⁷¹ briefly mentions ‘substance addiction’, however as indicated below how the policy operates is found in Directive 8.4. The OW Act 1997 states:

(A) program for the assessment of substance addiction may include chemical testing and other evaluative measures; and (b) a program for the treatment of substance addiction may include individual, group and family counselling, motivational interviewing, psychotherapy, chemical testing, peer support, social skills training, relapse prevention, crisis intervention and management services, and other therapeutic and preventive measures. O. Reg. 479/01, s. 1 (OW Act 1997 General s. 2-5 *Interpretations*).

⁷⁰ Audits do not appear in the OW Act 1997, to find information on Audits it requires reading through the Family Support Directives, Once again demonstrating the difficulties in finding information regarding the administration of OW.

⁷¹ This new consolidated version of the OW Act as of March 27th 2009 was not widely publicized. Moreover, unlike the previous consolidated version, this one actually mentions drug testing under the label ‘substance addition’. Why was this information omitted from the last version in January 1 2009 (Last amendment: 2008, c. 19, Sched. V, s. 9)? Why is it provided now? As a welfare researcher who stays up to date on the welfare legislation, I did not know about this new version and only stumbled upon it. Are welfare recipients alerted when there are changes in the legislation regarding their rights such as drug testing? This issue once again reflects the lack of transparency in OW.

Aside from the vague mention of drug testing in the OW Act 1997, the OW Addiction Service Initiative (ASI) is a program that was put into action in 2001 to enforce drug testing of OW recipients (OW Directive 8.4 *Addiction Services Initiative*, The Canadian Association of Drug Treatment Courts <http://www.cadtc.org/conference-program.asp> 2008). ASI “is a targeted employment assistance activity designed to help participants whose substance abuse is a barrier to participation in Ontario Works and employment” (OW Directive 8.4:1). Based on information in the Directive, ASI has three components 1) a screening test for substance abuse; 2) participation in an assessment of substance abuse; 3) participation in a program for the treatment of substance abuse (OW Directive 8.4-1).

Like the EROs, referrals to the ASI program are based on suspicion, although administrators of OW state that it is ‘voluntary’ and up to clients to come forward (Priel 2005). If a recipient refuses “screening, assessment or treatment for substance addiction that is a barrier to participation or employment” (OW Directive 9.1-7), they are deemed ‘ineligible’ and cut off their benefits. This hardly appears to be ‘voluntary’ as benefits are used as a scare tactic to ensure ‘compliance’. Additionally, the Directive states: “Any subsequent unexplained absence from a treatment program will result in a formal case conference to review the treatment and next steps, including the determination of ineligibility or reduced assistance due to non-compliance” (OW Directive 8.4-5). Failure to comply with these standards, therefore, has consequences for recipients, which could drive them further into poverty and even homelessness. Not only is drug testing invasive enough but recipients are scared into forcible testing or face the consequence of

ineligibility . This criterion, illustrates the coercive, punitive and intimidating nature of OW surveillance tools.

In public discourse, welfare recipients are fair game for drug testing so long as they are in job placements. However, as we know, OW is all about job placements - it is the overarching goal of the program. An example of this rationality is found in a CBC article “Ontario scaling back mandatory drug-test plan” (2001) where Human Rights Commissioner Keith Norton cautioned against the use of drug testing those on welfare as it is a violation of human rights. Then again, in the same interview he also said, “there's one area where testing might be justified: where a person is unable to complete a training course or a job placement because of their habit” (www.cbcnews.ca). In this case, the ‘common sense’ rationality for drug testing is premised on the efficiency of job performance, and the assumption that the recipient is incapable of making ‘good choices’.

Dr Berger the Medical Director for the Inner City Health Program in Toronto Ontario has discussed the use of the intake screening mechanism, stating that mandatory addiction screening stereotypes welfare recipients (Berger 2001:443). Moreover, he stresses that “No other provincial government has similar legislation targeting an entire sector”, as such he criticizes Ontario’s move towards mandatory drug testing. The reason his position on drug testing is significant is because he critiques the use of the ‘CAGE test’⁷² as the preferred screening tool for OW because “the sensitivity and specificity of these tests varies considerably...” and that the focus on addiction ignores other

⁷² The CAGE test includes four questions that hardly seems thorough enough to determine one’s level of addiction or substance abuse (<http://counsellingresource.com/quizzes/alcohol-cage/index.html>).

“legitimate barriers to employment” such as child care responsibilities (Berger 201:443). Lastly he notes, “The Ontario government’s use of the CAGE test is an example of the state’s misapplication of science for the purpose of achieving ideologically motivated social change” (Berger 2001:444). The CAGE test appears to rank and file according to risk factors associated with addiction, therefore, creating yet another form of welfare surveillance. Aside from the information regarding CAGE by Dr Berger, ASI does not reveal the screening mechanisms it uses or provide any substantive information on how it operates, therefore demonstrating the opaque reality of OW legislation.

Welfare Fraud Hotlines were introduced over 10 years ago with the Ontario Works Act 1997. It provides an anonymous 1-800 number that relatives, friends, employers and neighbours can call if they suspect that an OW recipient is committing fraud. The purpose of these hotlines is to provide access to reporting suspected welfare fraud. Furthermore, Welfare Fraud Hotlines have been reinforced/strengthened by modern, ever-evolving surveillance such as the SDMT and EROs which are called upon to investigate each call⁷³. This reflects how surveillance has permeated communities and intensified notions of suspicion and criminality of welfare recipients. Because calls are anonymous, there is no way to verify the authenticity of the complainant. The fact that there is a 1-800 number indicates that there is rampant welfare fraud occurring when in actuality this is not the case (Mosher and Hermer 2005:6, Mirchandani and Chan 2007). Moreover, who answers these inquiries, and is it saving any ‘tax payers’ money?

⁷³ Welfare Fraud Hotlines are anonymous, and some scholars have found, through interviews with OW recipients, that people who have ‘grudges’ with recipients may be inclined to call the hotline (Mosher and Hermer 2005:13).

Other Surveillance Technologies: Future implications for OW

As noted earlier, a number of even more intrusive surveillance technologies are under active consideration by OW authorities, particularly Biometrics and Smart Cards. **Biometrics** refers to facial recognition, DNA, finger imaging and iris scanning for the purposes of verifying identity. According to Irma Van der Ploeg (1999) a researcher in the area of biometrics and governance, eye scanning of welfare recipients in Illinois started in 1996 and “clients were told that compliance was conditional for receiving further benefits...people who refused...we disqualified or subjected to other forms of administration sanction” (Van der Ploeg 1999:460). Her research also uncovered some of the rationalities behind such technological endeavours. She traces the increase of surveillance technologies such as biometrics to the commodification of technology, where big businesses in the private sector are the primary promoters and social services are important customers (buying technologies to deter fraud) (Van der Ploeg 1999:462). In Canada, we currently do not use biometrics in welfare, however, there are working groups in the Federal Government (see 2007 report “Biometric Encryption: The Privacy-Enhancing Biometric of Choice” produced for the ‘Biometrics Working Group’), that debate the issue. There has been caution against the use of biometrics by some authorities because “biometrics are very powerful personal identifiers, capable of functioning as the ultimate tool of surveillance” (Cavaoukian 2001:2).

There were specific standards set out in the OW Act allowing certain surveillance technologies but according to the Privacy Commissioner of Ontario, “To date, I have not seen a commercially available biometric technology that meets these minimum

conditions” (Cavaoukian 2001:2). Moreover, in a statement to the House of Commons regarding biometric technology Cavaoukian states “biometrics pose a separate and unique set of challenges and could have potentially lasting and corrosive effect on our society” (Cavaoukian 2001:1). These excerpts reflect the tensions regarding biometrics because they are perceived as the most invasive surveillance a society could have. At the same time, OW is pushing for biometrics. In a report by the Toronto Social Services (TSS) (2006) biometrics are seen as a solution to the issue of welfare fraud, showing that regardless of cautions against the use of such invasive technologies, it still appears in the ‘common sense’ discourse of welfare and governmental authorities (MacVicar 2006). MacVicar’s address also points out the business interests inherent in biometrics stating, “biometric identification technology continues to gain acceptance and popularity within the private sector, the business case for its exclusive use in the delivery of social assistance in Toronto is no longer applicable given the steps taken to reduce the potential for identification fraud” (MacVicar 2006:5). In Chapter 3, an in depth discussion regarding the ease in which social services may yet implement these invasive technologies of control is provided.

Smart cards are often used to verify citizenship. Countries such as Malaysia and Hong Kong use the cards and other countries such as France and Italy are in the process of developing them (Lyon 2007:126). Smart cards are usually government identity cards that store the holders personal information, as such they authenticate, store data and identify individuals (Covoukian 2001). Some social service agencies in the US utilize Smart cards, termed ‘Electronic Benefits Transfer’ cards (EBT). These cards allow “more

precise tracking and monitoring of [welfare] client behaviour” (Eubanks 2006:6). Again, this technology used in social services, like the eight outlined in this section, is premised on the assumption of fraud, or that the client is not responsible enough to spend the money wisely. In document’s addressed to the House of Commons, it is stressed that smart cards are potentially dangerous and therefore have not been institutionalized (Covoukian 2001). For instance in a letter regarding the status of smart cards by Covoukian (2001), she states “The location and time stamp information of each smart card transaction, coupled with the cardholder’s personal information, creates the potential for a powerful surveillance tool” (Covoukian 2001:1). Yet again, in another statement to the House of Commons Covoukian cautions against the use of smart cards because “with the huge databases and inevitable demand for access by various departments, creates significant privacy and security vulnerabilities” (Covoukian 2003:2). Evidently, there are debates occurring regarding the potential of these surveillance technologies. Biometrics and smartcards are at the forefront of controversial surveillance technologies for social services in Canada although both policies have thus far been rejected (Covoukian 2001, 2003).

Conclusion:

This section has outlined the eight findings that my research uncovered based on primary documents such as legislation, reports, regulations and Directives. As such, the research indicates that the current surveillance practices utilized by OW are the Consolidated Verification Procedure (CVP); Maintenance Enforcement with Computer

Assistance (MECA); Service Delivery Model Technology (SDMT); Ontario Works Eligibility Criteria; Eligibility Review Officers (EROs); Audit of Recipients; Drug Testing and Welfare Fraud Hotlines. This section has primarily focused on documenting that which was uncovered, without much engagement with the repercussions or impact that these technologies have on the poor. Findings were presented using direct quotes from House of Commons addresses, news articles, Ontario Works Act, Directives and regulations, letters from the privacy commissioner of Canada, as well as, research conducted by SANE, ISAC and criminologists such as Mosher and Hermer (2005). With this extensive array of documents, I aimed to show what surveillance is occurring in OW today. Next, I will focus on the analysis of the findings, what challenges the research posed as well as what all of this means for the welfare clients.

Chapter four

Findings and Implications of Welfare Surveillance in Ontario Works

What did the research uncover and what does it tell us about welfare surveillance? How do we explain the significant spike in surveillance enforced by OW? The purpose of this chapter is to discuss several themes that emerged throughout the research process. One of the main challenges in doing this research was the total lack of transparency that pervades welfare bureaucracies regarding OW in general and surveillance in particular. The methodological problems encountered are described first, followed by an analysis of their theoretical and practical significance. Specifically, four themes became clear through this research: 1) the lack of transparency regarding information about surveillance technologies; 2) the impact on the client/case worker relationship; 3) the architecture of control; 4) and the power of neoliberal discourse in shaping common sense rhetoric.

Ontario Works: How it 'works'

Ontario Works (OW) is the legislation that sets out the welfare model used in social services in municipalities across Ontario to deliver 'benefits' to those in need. Specifically, it applies to 37 Consolidated Municipal Service Managers, 10 District Social Service Administration Boards and 100 First Nations across Ontario (OW Policy Officer December 5 2008). It was formally established through the passage of the Ontario Works Act in 1997 (OW Act 1997 Regulation 134/98). As discussed in the literature review, this model differs greatly from Keynesian models that existed before Premier

Mike Harris' welfare reforms in the 1990s. Today the welfare model emphasises the need for clients to acquire skills and work towards becoming employable, whether this be through employment-seeking activities (job search, resume writing, workshops etc) or through an actual job placements. Directive 1.1 *Overview of Ontario Works* states, "The intent of the Ontario Works program is to help people in temporary financial need find sustainable employment and achieve self-reliance through the provision of effective, integrated employment services and financial assistance". This statement blatantly indicates that 1) the OW's mandate is to create 'self reliance' in the labour force, a theme that is present throughout this case study 2) that social assistance is meant to be temporary.

The following provides an outline of what OW does and how it works- focusing on how the client is tracked by surveillance throughout the OW process. As mentioned in the initial findings section (Chapter 2), OW has a two-step intake process where personal information on applicants is gathered either by phone or in person (for special circumstances) and then entered into the Service Model Database Technology (SMDT) (OW Directive 2.1 *Application Process*). The SMDT becomes the client's electronic file and is updated and reviewed throughout the client's duration with OW, it is the mechanism that determines ongoing eligibility.

After the initial questioning, usually by telephone, the clients are asked to come in for an in-person interview or an 'Intake Appointment' where they are again asked many of the same questions and then their documents are verified using the 'SDMT Verification Checklist', which is then added to their 'Master File'. At this time, they are

also required to sign several mandatory forms. These include: Form 0983-Application for Assistance, Form 2845-Participation Agreement, Form 0985-Consent to Disclose and Verify Information, Form 1107-Rights and Responsibilities, and finally Form 2999-Canada Revenue Agency Consent (OW Directive 2.1-5 *Application Process*). The interviews are quite long (at least a few hours) and interrogate every aspect of the client's life. In fact, the Income Security and Advocacy centre (ISAC) claims that up to 800 questions can be asked during these interrogations (ISAC 2008: 3).

The information gathered by the intake screening process (by phone and then in person) is then verified by the Maintenance Enforcement with Computer Assistance (MECA) system, which uses third party information (Canada Tax Revenue, Ministry of Transportation, Employment Insurance etc) to verify (by cross referencing) the client's identity and income etc (OW Directive 5.5.9 *Family Support*). This is also done to ensure that clients are not already receiving financial assistance from an alternate municipality (i.e. committing fraud). The Directive states, "Information sharing agreements with third parties help to protect the personal information of applicants and recipients and ensure that applicants and recipients do not receive assistance for which they are not eligible" (OW Directive 11.5 *Information Sharing*). In other words, third party verification ensures that the client is not committing fraud by 'double dipping'.

Once a client gains initial approval for OW benefits, various eligibility criteria are reviewed randomly by the Consolidated Verification Process (CVP), audits, case reviews and Participation Assessments (PA) in order "to determine ongoing eligibility". All of these tools basically serve the same function (gathering data) although they do have

slightly different criteria depending on the department. If a client's file is flagged by the CVP as 'risky' based on 'risk criteria' then the Director of OW appoints an Eligibility Review Officer (ERO) to investigate possible fraud (OW Directive 9.7 *Controlling Fraud*). The utilization of EROs is a last resort and is an extremely invasive procedure, where the client must repeatedly document, and 'prove' that they are not committing fraud. Their dwelling units may be entered (granted a warrant is issued) and their neighbours, friends and family are questioned.

In addition to these various eligibility verification procedures, there is one other tool that can surveil clients in OW, that is drug testing. Under the title 'Addiction Services Initiative' (ASI), clients can be asked to 'volunteer' to be screened for drugs if a caseworker or employer suspects that drug use is affecting the client's ability to become *self-reliant and employed*. Directive 8.4 *Addiction Services Initiative* states, "The ASI is a targeted employment assistance activity designed to help participants whose substance abuse is a barrier to participation in Ontario Works and employment". However, if a client outright refuses the screening it may result in a termination of benefits. The screening mechanism is a CAGE-AID tool, apparently a computerized screening protocol. It is not fully described in the legislation, which never clarifies what the CAGE-AID tool does or how it works⁷⁴. This is yet another illustration of the lack of

1.1 ⁷⁴ Dr Berger warned against the use of the CAGE test which he argues is arbitrary and stereotypes welfare recipients (Berger 2001). Dr Berger also emphasizes, "The proposal [for drug testing] is the most radical application of mandatory testing and treatment in Canada. No other provincial government has similar legislation targeting an entire sector" (Berger 2001). The CAGE test includes four questions which

transparency in OW. Lastly, if a recipient has not graduated high school, the caseworker may issue a 'Literacy Screening Questionnaire', which is touted in OW as "part of the application process" (OW Directive 2.1-9 *Application Process*).

As we can see, OW collects a wide range of data on their clients, from general finances, employment history and education to client's drug use and all around 'riskiness', all of this information is stored in the SDMT, the electronic case file for each applicant. This is the basic operating model of OW, note the surveillance aspects present at every stage of OW participation. Clients are continually forced to demonstrate their eligibility and their compliance with various bureaucratic requirements. The significance and implications of these surveillance practices are discussed in more detail in the next section.

Lack of Transparency in OW legislation and policy

One of the most challenging aspects of conducting research on OW to uncover the surveillance practices used today is the constant roadblocks and secrecy surrounding the everyday practices of OW. The technological terms used for the tools employed by OW are complicated because there are different names for the same processes. For instance, audits, case reviews, ongoing eligibility, Participation Assessments (PA) etc all serve the same function (to check up on recipients) however the multitude of different terms and policies makes it seem even more convoluted than it is. To negotiate the hundreds of

determine one's level of addiction or substance abuse (<http://counselingresource.com/quizzes/alcohol-cage/index.html>). It is unknown how closely OW follows this format.

distinct regulations and Directives on the E laws of OW⁷⁵ required hours of relentless digging to uncover where specific rules were located, as well as, dozens of informal contacts and ‘sources’. These ranged from OW Policy Officers and caseworkers, as well as, some of my own work experiences as a ‘job coach’ for ODSP and OW clients, activists, personal narratives of OW recipients⁷⁶ and other gatekeepers⁷⁷. It was difficult to determine whether or not contacts were providing me with valid guidance and support. The task of negotiating OW legislation, regulations and directives was difficult and required cross referencing with other municipal reports in order to determine how the policies were actually used by OW.

An example that clearly illustrates this lack of transparency and confusion about what OW policies are actually in place (at this time) is the issue of biometrics. Throughout the research project, biometrics was much discussed among policy elites and politicians because it seems to be the most invasive form of surveillance today

⁷⁵ See the Ministry of Community Social Services website for a link to the OW policy directives http://www.mcsc.gov.on.ca/mcss/english/pillars/social/directives/ow_policy_directives.htm. Also see the direct link to the Ontario Works Act 1997 <http://www.search.e-laws.gov.on.ca/en/isysquery/f06b4416-77dc-49cf-84ef-806b94cc1b05/6/frame/?search=browseStatutes&context>.

⁷⁶ Personal narratives were extracted from case studies, such as those done by the SANE (2003) project, Gilliom’s (2001), research on single mothers on welfare in the United States Kohler-Hausmann’s (2007) research on Fraud and community surveillance, Little’s (1994) interviews with single mothers on welfare in Ontario and finally Mosher and Hermer’s (2005) research for the *Law Commission of Canada*. Some of these studies conducted in-depth semi structured interviews with welfare recipients, their work was a huge influence for this research. At the same time, however my experiences working in a not for profit which provided some job training for recipients of OW and ODSP gave me the opportunity to listen to many of the same experiences reflected in the interviews in the research. Moreover, growing up with a single mother who utilized welfare in times of need, and witnessing her experiences and struggles have also had a profound impact on some of the insight that I have gained for this study.

⁷⁷ The informal contacts I refer to were individuals (ODSP and OW caseworkers, lawyers, anti-poverty activists, women’s shelter staff, Elizabeth Fry Society volunteers and board members, NDP candidates and professors) that I met through my work at COIN (community opportunity and innovation network) in Peterborough Ontario. The conversations that I shared with these individuals were informal and occurred before my MA research began. These discussions provided a long lasting impact on influencing research on welfare.

(Covoukian 2003). Biometrics is defined as the collection of iris, finger and facial recognition data for use as a form of surveillance. It is used to both verify and authenticate a person's identity. Traditionally, biometric technologies are used in high traffic areas such as airports and train stations, but since it is commonly assumed that "the efficacy of the new technologies [can] solve social and political problems, especially in North America" (Lyon 2007:118), this tool is gaining credibility. It has recently been introduced in welfare models in the US, Canada is now debating the use of biometrics to deter supposed welfare fraud⁷⁸.

My initial research of OW legislation did not confirm whether biometrics were actively used in OW today or not. In the OW Act legislation (O.Reg. Part V: 75-76) there is information regarding biometrics which specifies how and under what circumstances such data can be collected. Because it appears in the main body of the OW legislation (134/98) one would *assume* that it is being practiced, particularly since some information gathered from the Information Privacy Commissioner (IPC) says that the biometrics working group has met as recently as the summer of 2007 (Covoukian 2007)⁷⁹.

Evidently, biometrics are a popular topic of debate in the Canadian government today.

⁷⁸ According to Harry Murray's (2002) research, "Finger-imaging of home relief recipients was initiated in New York State in the early 1990s. Applicants and recipients were required to have their fingerprint taken electronically, ostensibly to weed out 'double-dipping'--- a form of 'welfare fraud' in which a person applies twice under different names and social security numbers" (Murray 2002: 46). In this case, as alluded to in the Canadian discourse, 'fraud' was the primary justification for the implementation of biometrics in welfare.

⁷⁹ This report (2007) "Biometric Encryption: The Privacy-Enhancing Biometric of Choice" for the government of Canada was specifically produced for the 'Biometrics Working Group', however, searching both the Canada Government and the Information Privacy Commissioner (ICP) online publications and departments for the biometrics working group came up with nothing. There is very limited information available regarding this working group except that as of 2007, the Biometrics working group meets monthly and even produces a bi-monthly biometrics newsletter to its members (Barry 2007).

However after contacting an OW policy officer (December 5 2008) I was told this is not the case. According to this policy officer, legislation must have a Directive or regulation accompanying it in order for it to be in effect. Specifically, these Directives outline the rules regarding the policy as well as specifying how the policy is to be used in daily operations. If there is no Directive or regulation (as with biometrics), the policy is not used; as such biometrics are *not* used by OW at this time even though they appear in the OW Act (OW Act 1997, OW Policy Officer December 5 2008). This example demonstrates that even if an aspect of legislation is not currently in operation, there is still room for it to become a reality. The unsettling component is that at any time these provisions can be easily activated because they already exists in the official OW legislation and therefore have already been ‘passed’. This must certainly reduce the possibility for debate or resistance. As indicated, many jurisdictions in the US already use biometrics, and Australia has funded pilot projects to determine the feasibility of biometrics in welfare bureaucracies, when will Ontario follow in their footsteps?

Discovering whether welfare recipients were subjected to mandatory drug testing was equally difficult. For one, the E-Laws which contain all OW Directives and regulations provide several different versions of the OW Act 1997 due to various amendments. While there is evidence that drug testing is occurring (such as in the Statement to the legislature by the Honourable John Baird (2001), Minister of Community and Social Services (www.gov.on.ca/CSS/page/speech/may0301.html)),

there is no indication in the OW Act that it is occurring (OW Act 1997)⁸⁰. Instead, information regarding drug testing is hidden in the OW policy as a separate Directive. Drug testing for welfare recipients in OW, mandated under the Addiction Service Initiative (ASI), was introduced in 2001. This surveillance tool is not found in the main Ontario Works Act (1997), rather it shows up in a Directive (OW Directive 8.4 *Addiction Service Initiative*)⁸¹.

In addition to roadblocks such as this, information regarding the responsibilities of Eligibility Review Officers (ERO) was also difficult to locate; they are non-existent in the legislation aside from a brief mention (Ontario Regulation 134/98 amended O. Reg. 424/08). Aside from the scholarly literatures and this one regulation, which outlines some of the duties of EROs, there was minimal explanation of who they are, who they work for or how they are paid, all basic questions considering their job is to investigate recipients with the intent to kick them off welfare. Furthermore, when and how EROs are appointed and who makes the decision to use their services? These questions are important to understanding how surveillance operates in OW. Eventually and only after extensive time consuming digging did I find information about EROs, but even then it was incomplete (see below under ‘Initial Findings’). Again, why is it so difficult to obtain this

⁸⁰ This aspect of OW has recently been addressed in a new consolidated version of the OW ACT General as of March 27th 2009. In the new version however, it does not say ‘drug testing’ rather ‘substance abuse’. The OW Act version from January 2009 did not have this information!

⁸¹ It is unclear why the ASI is not in the main OW Act 1997. ‘Addiction’ is merely alluded to but the department and the policy is not present.

information? OW is a public service, paid by tax dollars, yet how they allocate resources to new(er) surveillance technologies/tools is largely unknown.

Finally, the daily operations of OW were equally difficult to find information about, specifically how new technologies such as the databases are used. Apart from the legislation that mentions an overarching database (the SDMT) which sustains the operation of OW, there is little evidence explaining what this technology does (ODSP Directive 3.1 Consolidation Verification Information). I contacted the OW policy officer (December 5 2008), who suggested that the only way that I could obtain this information was to speak to caseworkers directly at a local branch. However, what are the chances that a caseworker would have the time to talk to me (due to their heavy caseloads) and also, how much information can they give out to the general public? Do they have to sign confidentiality agreements (aside from protecting the rights of the clients)? Moreover, I feel that that would be a thesis/research study in and of itself. Again, why is it so difficult to obtain information that is administered by the provincial government which should be public knowledge? If the technologies are put in place to help individuals find paid employment, why does it matter how OW achieves these goals? In other words, if they have nothing to hide then why are they hiding it?

This lack of accessibility and transparency in the legislation is particularly problematic for activists and recipients trying to negotiate and decipher their basic rights, how they may be treated and what surveillance measures can be used. Why the secrecy? If policy paints recipients as lazy and demonizes them as flawed market citizens, then why is the government of Ontario not publicizing the fact that they use drug testing on

welfare recipients? Are policy makers afraid of the backlash? What purpose is served by having legislation that is not being used-but exists? What is the secrecy protecting or hiding? Why is the invasive surveillance authorized in OW not open to public scrutiny?

This lack of transparency in OW also obscures what surveillance practices are actually occurring, how frequent they are and how intense the monitoring actually is. At the same time, however, it is easy to find information regarding how to spot and report fraud. Thus why are some aspects of OW concealed (drug testing, EROs and biometrics) while others are transparent (fraud control and employment initiatives)⁸²? With that said, how is this increasingly inhumane welfare model affecting recipients, is it making them more self-sufficient and moving them into paid employment? On the other hand, is it demoralizing them and making them feel more like criminals?

Exploring the Changes in Client/Caseworker relationship: New workplace culture

A second important finding is that OW has transformed the worker-client relationship through the implementation of new surveillance technologies such as the SDMT database and automated telephone directories. This relationship has changed in three ways; first there is a strong focus on the SDMT checklist to ensure an efficient database system. Second, the lack of face-to-face contact between clients and caseworkers is exacerbated by new technologies that redirect clients to automated telephone services rather than their personal caseworker. Lastly, the focus on

⁸² Discussing the difficulties in obtaining information about OW shows to some extent how overwhelming the whole system can be, and if I had been a welfare recipient I would have become increasingly frustrated and hopeless.

technologies has deskilled the labour of the welfare worker because the increase in paperwork and data entry for the SDMT has minimized and undermined time spent one-on-one with clients. The following reviews these interrelated transformations. Through these new technologies that limit one-on-one interaction, caseworkers have been forced to adapt to a new workplace culture. In effect, social assistance has been redefined through neoliberal discourse and new technologies as a 'business', one that strives for efficiency, not a social safety net put in place to ensure a standard welfare of all Canadian citizens.

These research findings are supported by the SANE project a SSHRC funded study, based out of Toronto that has documented the shift in how clients and caseworkers interact. Their research which includes in-depth interviews with both clients and caseworkers confirms the impact of the influence of the private sector, which has created a 'social distance' between 'customers' and welfare recipients due to this drive towards business oriented workplaces (Herd et al 2005:73). This social distance has been described by clients as having created a climate of 'suspicion', 'control' that is 'cold, remote and inaccessible' (Lightman et al 2003 a: 8, 12, 18).

OW has striven to become more efficient through using the SDMT in its daily operations. The SDMT has dramatically altered the client-caseworker relationship because it has created a new division of labour, one in which autonomy has been removed from both the worker and the client, and it has significantly limited the use of discretion by caseworkers. For instance, in the past workers could often manoeuvre around the 'system' if their client was in an emergency situation, however with the

SDMT there is no (or very limited) room for ‘unique’ circumstances and often, workers are unable to help the clients (Lightman et al 2003 a)⁸³. Secondly, caseworkers stress that the increase in data input and reports produced by the SDMT has reduced their one-on-one time with their clients because they get ‘bogged down’ with the data entry and paperwork (Lightman et al 2003 a: 8). From case management and working one-on-one with clients, to data entry and endless paperwork, there has been an obvious change in the workplace division of labour (deskilling) in OW because of new computer database technologies like the SDMT.

Caseworkers are also being transformed by OW surveillance since they are increasingly surveilled under this new welfare model. Because there is so much focus on data input (OW Policy Officer December 5 2008, OW Directive 2.1-5 *Application Process*), every key stroke can be tracked and monitored. This finding is reinforced by John Gilliom’s case study in the US which points out that, not only are single mothers on welfare being tracked and monitored by the new database technologies but caseworkers (who are also predominantly women) are also under the scrutiny of this new technology. Again, this relates back to ideologies of neoliberalism and the push for ‘efficiency’ in this case monitoring every key stroke in order to ensure that workers are being ‘effective’ and ‘efficient’ in managing their time. As Gilliom’s research suggests, “the welfare

⁸³ According to a Senior Official in Ottawa, interviewed by the SANE project: “The tracking is all about the activities. It’s not about results. The computer system doesn’t allow you to add things on. It isn’t focused on employment, but we want our workers to be...” (Lightman et al 2003 a:8). Therefore not only are the databases tracking OW recipients, but that the system is flawed creating more work in the end for the workers. Similarly, Pleace (2007) found that caseworkers were uneasy with the extensive collection of data and flagging of clients and felt as though they were unable to ‘resist’ data collection (951-952). What does it mean when both the workers and the clients are uncomfortable with such extensive data collection?

surveillance system is as much an effort to watch and control the caseworkers as it is to control the clients...” (Gilliom 2001:97).

A second feature of OW which has altered the relationship between caseworkers and clients is the automated telephone directory. The social distance described above is enhanced by the general unwelcoming atmosphere at OW since clients are strongly encouraged *not* to show up at the OW office for face to face meetings (unless a case review is arranged by the caseworker), but to have their ‘issues’ answered by the automated telephone directory (Lightman et al 2003 a: 21). The automated telephone service speaks to the inhumanity of OW because the unique needs of recipients cannot be addressed in full, consequently, this technology removes the context from clients’ lives, reducing their experiences to 12 digits. According SANE’s interviews, clients find the automated system confusing and would prefer a face to face meeting. I would argue that encouraging the automated system removes the human element from OW, further cementing a ‘social distance’ between workers and clients. It also assumes that OW clients have easy access to phones, which is not always the case as some are homeless and or living in precarious dwellings. Worst of all, “Embedded in the call centre technology, this marginalization is also personified in the attitudes and demeanours of workers who frequently appear distant and disinterested in their client’s circumstances” (Lightman et al SANE a:25). As a whole, the automated telephone technology illustrates a lack of compassion towards clients as they are transformed from people with needs into numbers via data entry.

In summary, the SDMT and automated telephone directories have affected the discretion and autonomy of both workers and clients, thus demonstrating how technologies can transform interactions in social service such as welfare. Making OW more 'efficient' by reducing the one-on-one time with clients, and increasing the time spent on data input shows where OW priorities lie: being an 'efficient' business accountable to the taxpayers who are privileged above clients in need. Both workers and clients must (re)negotiate the changes in how work is performed due to new needs of the technology of the SDMT. "Filling in blanks or ticking boxes on a form, the transformation of welfare offices to call centres" (Lightman et al 2005:11)⁸⁴ is problematic because it adds to the dehumanization of the OW workplace.

Welfare Surveillance: The Architecture of Control

A third significant finding is that the introduction of new(er) surveillance technologies in OW has resulted in an unforeseen expansion of surveillance. The research found that the surveillance of welfare recipients is widespread and occurs on many different levels, which has "subject[ed] welfare recipients to heightened levels of surveillance and discipline" (Fitzgerald 2004: 58). Welfare reform in Ontario was accomplished during a period when discourses of neoliberal responsabilization and efficiency as well as stereotypes about poverty (lazy, drug addicted etc) were widespread in the Canadian public consciousness. These factors set the stage for the introduction of

⁸⁴ The future work of my PhD dissertation will involve interviewing caseworkers and clients to discover how this has impacted women on social assistance.

more invasive surveillance technologies of control for welfare recipients. However, it is not only caseworkers or technology that constitutes OW as a surveillant bureaucracy, it is the proliferation of surveillance appendages that have resulted at a technological level, a task force level (EROs) and the community level. I discuss these three distinct but interconnected surveillance aspects below to show how all-encompassing and normalized surveillance has become in welfare bureaucracies. As Mosher and Hermer poignantly state “Those who are in receipt of welfare benefits live within the web of surveillance created by these various measures to detect and deter fraud” (Mosher and Hermer 2005:6).

Technological surveillance:

In Chapter two ‘Initial Findings’ I documented the surveillance technologies currently employed by OW. Here I will interrogate some of the main technological tools of control. Because these technologies are the bulk of the primary research findings of this project, it is crucial to explore how these technologies are directed at recipients. The surveillance practices that the research uncovered are the Consolidated Verification Procedure (CVP); Maintenance Enforcement with Computer Assistance (MECA); Service Delivery Model Technology (SDMT); Ontario Works Eligibility Criteria; Eligibility Review Officers (EROs); Audit of Recipients; Welfare Fraud Hotlines; and Drug Testing. Some of these tools such as the CVP date back as early as 1994, suggesting that the CVP had a substantial impact on shaping succeeding technologies- which were to be designed on the same assumptions as the CVP. In other words, new(er) more

perceptive tools were perceived to be necessary to combat welfare fraud which the media and politicians were claiming was ‘widespread’⁸⁵.

The research also reveals the existence of a surveillance ‘mashup’ (Pleace 2007:949). The ‘mashup’ or a ‘surveillant assemblage’ (Haggerty and Ericson 2000) refers to the sharing of data by multiple surveillance sources, meaning that there are multiple surveillance tools utilized by multiple agencies at any given time! As such, recipients in countries such as the UK, Australia and increasingly Canada, can experience a ‘totalizing’ surveillance experience.

In this surveillance ‘mashup’ OW can surveil clients using a variety of methods simultaneously because of the nature of the database technologies. Recipient’s data is inputted into the SDMT during intake screening, then it is cross referenced by MECA, finally if there are changes in the client’s circumstances it is flagged by the CVP in which case the client is expected to come in for a face to face meeting (read investigation). At any given time, a client may experience three surveillance technologies all at once, not including the scrutiny they experience from caseworkers, the cameras and locks in the OW offices, or the informal surveillance in their communities. CVP, MECA, SDMT and Audits are all database technologies used in OW to flag case files for eligibility reviews. The ‘SDMT Verification Checklist’ is filled out by the caseworker to determine the level of ‘risk’ a client may pose based on various criteria (see OW Directive 2.1 *Application Process* pp5-7)⁸⁶. Following this, letters are sent to clients who have been flagged by the

⁸⁵ Also see Mosher and Hermer (2005:12) and Murray (2002).

⁸⁶ The SANE project found that “Risk factors include high accommodation costs in relation to income, receipt of social assistance for 36 months or more, another person residing at the participant’s address and

tools to inform them that they are required to attend an eligibility review/audit (OW Policy Officer December 5 2008). As the SANE project (2003 a) and Mosher and Hermer's (2005) also found, the technologies can be used alone, but are most often used simultaneously, putting recipients under constant surveillance.

Alternatively, surveillance tools such as EROs, Welfare Fraud Hotlines and Drug Testing may be utilized in different ways and for different purposes. For instance Eligibility Review Officers (EROs) are permitted direct access to client's homes, communities and workplaces (and any other avenue that they see fit) to investigate. At the same time, EROs use the power of the SDMT to gain a comprehensive understanding of the client's entire history on OW. EROs also draw on the capacities of the CVP 'risk criteria' to determine how 'risky' the client is for committing fraud. Therefore, although EROs are not a technology per se, they are people through whom the surveillance capabilities are put into practice. EROs also represent how multiple surveillance can come together during investigations, showing the scope of the technology.

Welfare Fraud Hotlines are an older surveillance mechanism that is still used today by community members, bosses, friends, family and anyone to report suspected welfare fraud. This is not necessarily a surveillance technology, nor is it new, however, 'tips' are always reviewed and followed up by EROs which in some cases can result in a full out investigation (OW Directive 9.7 *Controlling Fraud*). The fraud hotline is advertized on the MCSS website states, "If you want to report welfare fraud, we will take you very seriously. Every case will be investigated and, where appropriate, action will be

the Social Insurance number beginning with a '9', indicating permanent resident status" (Lightman et al SANE 2003 a:14). These supposed risk factors appear arbitrary and random.

taken”⁸⁷. Welfare Fraud Hotlines are also implicated in community surveillance (discussed below).

Finally, OW uses Drug Testing to ensure that clients are performing to their best ability in their job placements. This is a different tool, one that has invasive consequences on the corporeality (actual bodies) of welfare clients. Drug testing is not concerned with fraud but rather with monitoring substance abuse to ensure that the client is employed at the end of the program. This assumes that those with substance abuse problems are incapable of holding a full time job. The legislation repeatedly notes that drug testing occurs only for employment reasons. Evidently, there are wide arrays of tools that perform different tasks. Most are geared at locating fraudulent welfare recipients with the goal of reducing caseloads and cutting the costs of welfare. Drug tests, then, are justified by OW as tools to discover those who might be engaging in ‘criminal activities’, fraud being one of them. This then becomes a rationale to deny welfare.

Specialized Division of Labour and Surveillance:

As outlined in chapter 2, Eligibility Review Officers (EROs) and Family Review Officers (FROs) operate as ‘Fraud Control Units’ (OW Directive 9.7 *Controlling Fraud*). EROs and FROs are basically a fraud ‘team’ designed for the sole purpose of investigating suspicions of fraud by OW recipients. They are caseworkers appointed by the Director of OW, as stated in the Directive 9.7, “The Administrator may establish a local fraud control unit and may designate staff as Eligibility Review Officers (EROs) to

⁸⁷ <http://www.mcsc.gov.on.ca/mcsc/english/pillars/social/fraud.htm>.

assess and investigate an applicant or recipients eligibility for assistance” (OW Directive 9.7-1 *Controlling Fraud*)⁸⁸.

The implications of EROs and FROs are profound because this form of surveillance extends the invasive nature of OW because it represents the internal policing mechanisms of OW. This means that not only are caseworkers appointed to oversee each recipient, but there is also the potential of being investigated by EROs if one is flagged by the CVP database or a Fraud snitch line tip. At any given time, then, recipients are monitored by the database, the caseworker, by EROs (if case file is flagged), and by community members (discussed below). On top of having access to clients’ personal space (see Chapter 2), EROs can demand an endless list of documents from recipients for the fraud investigation. This includes “all financial transactions, records and other matters that are relevant to the investigation” (O. Reg. 134/98, s. 65(1))⁸⁹. Most importantly however, technology has changed the manner in which this investigative work is conducted. Where in the past clients were flagged based primarily on suspicion by caseworkers who spent much more one-on-one time with clients before the SDMT and automated phone directives were introduced. Today, EROs have access to a wealth of personal data on the client which is easily accessed by the SDMT and which can then just as easily be ‘verified’ by the MECA third party database. This has increased the investigative ‘power’ because of knowledge produced by the new databases. Therefore,

⁸⁸ Others have also discussed the power of EROs. Mosher and Hermer argue that in some ways EROs have more power than the police because they can enter ‘non dwelling’ units without a warrant as well as question neighbours, friends and families based solely on *suspicion* (2005:13).

⁸⁹ I am unable to list all of the potential documents because the regulation that dictates how EROs conduct investigations (O. Reg. 227/98, s. 35.) cannot be found in the e-laws database.

today caseworkers/EROs have more knowledge of clients' lives which gives them sources of power that they never had before.

This form of surveillance differs from that accomplished through the database technology because it occurs on a very personal level, ones home, friends, family and neighbours are not safe from the gaze of OW. Most problematic, I would argue, is the fact that the mere categorization and new division of labour-evident in the job title of the ERO -presumes that fraud is such a widespread issue in OW that a private police-like force must be employed in order to combat it. In conclusion, EROs and FROs represent yet another apparatus which OW can use to penetrate the lives of welfare recipients, further demonstrating the heightened surveillance gaze of OW practices today.

Old Regulation meets new Technology: Community Surveillance and Welfare Fraud

Hotlines:

Here I will re-examine the use of Welfare Fraud Hotlines to show how communities use them to regulate single mothers on welfare⁹⁰. Community surveillance coupled with Fraud hotlines represent an extension of old modes of oversight, but now technologically enabled and strengthened. Community surveillance relates to the moral regulation (Little 1998) aspect of welfare surveillance because it is not a technology,

⁹⁰ Research has discovered that single mothers are the most often reported on fraud hotlines and usually it regards the suspicion of 'spouse-in-the-house' violations (Little 2001:26). Anti-poverty activists interviewed in Margaret Little's study (2001) claimed that "ex-partners are amongst the most likely people to call the welfare fraud line...", which shows how anonymity of the fraud Welfare Fraud Hotlines are problematic because it can be used to harm women (26).

however it has been strengthened by new(er) surveillance tools. For instance, according to the legislation “Complaints may include fraud allegations from the public (the public may contact 1-800-394-7876 for any allegations of fraud) or cases that have been referred by staff when apparent discrepancies have been discovered through activities such as *data matching or file reviews* [my emphasis]” (OW Directive 9.7-1 *Controlling Fraud*). As such, there appears to be more ways to ‘catch’ fraud as various monitoring factors can come into play.

Normally spying on neighbours is not behaviour that is encouraged or accepted in our society, however, it appears that this is encouraged of welfare recipients through 1-800 Welfare Fraud Hotlines/welfare fraud hotlines and the investigating power of EROs to interrogate neighbours, family and friends (Section 1 Social Assistance Reform Act: New Rules 2008, OW Directive 9.7-1 *Controlling Fraud*). Under the discourse of ‘welfare fraud’ developed during the Harris ‘common sense revolution’ in the 1990s, it became increasingly acceptable for neighbours to go to great lengths to gather information regarding suspected welfare fraud which included looking (spying) through windows. The ‘common sense revolution’ framed recipients as a lesser status, non-deserving, criminalized and flawed-citizen therefore legitimizing the invasive surveillance and monitoring of welfare recipients on a community level.

Several researchers have echoed this contradiction. Kolher-Hausmann for instance notes “The press and law enforcement usually would have condemned spying on people as a violation of privacy but in this discourse, welfare recipients had entered a semi-criminal category where surveillance was encouraged” (Kolher-Hausmann

2007:341). Overall, OW recipients face surveillance in the bureaucracy of welfare databases, in the welfare buildings themselves and additionally they meet scrutiny (or the fear of) in their own communities because of the encouragement for the public to monitor OW recipients therefore consistently facing surveillance and moral regulation⁹¹.

Illustrating the detrimental effects of community surveillance, Kolher-Hausmann argues that in “helping find ‘cheaters’, citizens were able to harness the state’s power to address concerns in their personal lives. Their participation, however, further legitimized the state’s campaign and added another technique by which poor families were monitored” (Kolher-Hausmann 2007:342). Similarly, Gilliom describes community surveillance as “perpetual potential blackmail” (Gilliom 2001:89), most troubling is that communities are encouraged to engage in watching and monitoring the poor. Although community surveillance is not a large part of the research findings of this project it is significant in that new technology have expanded and extended the surveillance gaze over welfare recipients.

This section has offered insight into the various levels and apparatuses of welfare surveillance effectively demonstrating the all-encompassing nature of welfare surveillance. Using information gathered from the Directives and policy, as well as information extracted from case studies, the section showed that welfare surveillance occurs at the technological level through both old and new technologies; through the creation of a specialized division of labour level with Eligibility Review Officers and

⁹¹ Mosher and Hermer have reiterated this point, of surveillance in the community, they claim “[r]espondents also described how intensely scrutinized their clients’ lives are by nonstate agents: present or current abusive boyfriends or spouses, landlords and neighbours appear to have all taken up the government’s invitation to participate in the surveillance project” (Mosher and Hermer 2005:51).

Family Review Officers; and lastly through the community encouraged by tools such as welfare fraud hotlines. Next, I will examine the discourses that justified the introduction of surveillance technologies targeting OW recipients, specifically poor single mothers.

Surveillance and Welfare State Restructuring: Explaining the ‘common sense’ reasoning behind the introduction of technologies of control in OW

The following analysis of the OWs surveillance technologies shows how it comes out of neoliberal tendencies cited in the literature review. The impact of neoliberalism in shaping welfare surveillance is significant in understanding the reasoning/legitimization behind these policies and their acceptance by the Canadian public at large. In Chapter 1, the literature review outlined key research findings regarding neoliberalism and welfare state restructuring. Here I will draw connections with the current surveillance technologies and show how dominant discourses permitted the creation and operation of new(er) tools. Welfare reform, the focus on welfare fraud and finally the surveillance which resulted from neoliberal welfare reform will be discussed in turn.

As evident in my research findings, surveillance is positioned as a tool to ensure that welfare recipients are not committing fraud, that they are working towards securing employment, and that they are not ‘getting something for nothing’. Literacy and drug screening for instance, were put in place to surveil the recipients to ensure that they comply with the goals of the program which are to become self sufficient and employable (see OW Directive 2.1 *Application Process OW Act 1997 General*). This focus on monitoring and surveilling clients to ensure that they become employable is blatantly evident in the OW Directive 2.5 *Participation Requirements*, which must be “reviewed and completed 30 days from the initial signing and every three months thereafter (or

earlier as appropriate)". Additionally, welfare recipients "are required to participate in approved employment assistance activities as a condition of eligibility for assistance" (OW Directive 2.5 *Application Process*), this Directive clearly repositions the welfare recipient as a worker.

The OW policy Directives show how neoliberal discourse was (and still is) inherent to the justification for welfare reform. The 'common sense' of downsizing, privatization and tighter eligibility criteria was informed by neoliberal assumptions, which were inherent to the Harris welfare reforms of the 1990s. They were rationalized on the rhetoric that welfare created 'dependency', that there was widespread welfare fraud and that Workfare was a legitimate solution to creating 'self sufficiency'. The Ontario government proposed that surveillance of those on social assistance was a completely rational and necessary solution to ensure that taxpayers money was not wasted on 'cheaters'. Consequently, 'Ontario Works' became preoccupied with monitoring recipients to guarantee that they would become good, independent and efficient 'workers'.

The rapid development of surveillance technologies during the 1990s welfare reform and the emphasis on privatization and deregulation influenced the Ontario government's decision to monitor and track the activities of the poor by implementing new surveillance technologies. Moreover the use of digital surveillance "is likely to be geared overwhelmingly towards supporting the process of individualization, commodification and consumerization that are necessary to support broader political-economic shifts towards markets, quasi markets and prioritized public services and

spaces” (Henman and Marston 2008: 219). My research findings show that to combat welfare fraud five new technologies were introduced over the span of nine years. All of them focused on providing constant surveillance and scrutiny of those receiving social assistance (also see Mosher and Hermer 2005:41). This is a significant shift in the manner in the conceptualization of social assistance, resulting in a further demonization of poverty.

As my findings demonstrate, fraud was a justification to cutting the number of welfare caseloads and one of the first policies introduced under the OW Act 1997 (Little 2003, 2001)⁹². Welfare reform could not have succeeded without the framing of welfare fraud as a significant social problem that was contributing to the overall deficit. Because of this, “reducing caseload numbers and the costs for those remaining on the rolls was of central importance” (Mosher and Hermer 2005: 20). However, in order to cut welfare caseloads there needed to be strong justification for such drastic measures and ‘welfare fraud’ became the driving force behind the implementation of new surveillance technologies.

Consequently, neoliberal discourse affected the ways that the public perceived welfare as it permeated all forms of media and speeches from government officials⁹³.

⁹² Welfare reform in the US influenced welfare reform of the 1990s in Canada. The same moral scrutiny was used to justify cutbacks and increase monitoring control. Fitzgerald who examines the effects of welfare reform in the US stresses, “the attack on welfare was justified by the perceived immoral activity of welfare recipients” (Fitzgerald 2004:55).

⁹³ For instance, Swanson (2001) notes, “*Toronto Star* columnist Tom Walkom noticed that Harris began rising in the polls when he switched from promising tax cuts to promising tax cuts plus welfare cuts and workfare” (102) as well Harris was also reported saying “ ‘What we’re making sure is that those dollars don’t go to beer, don’t go to something else...’ ” (103).

Moreover, the role that the government ‘should have’ in areas such as social assistance shifted, and governments were perceived as “no longer responsible for the social welfare of their citizens but only for helping those citizens to help themselves” (Fudge and Cossman 2002:16). Again, this shows the neoliberal discourse of self-sufficiency, language that was reiterated in the OW Policy Directives and Regulations reviewed in this project (Ontario Works Act 1997: Ontario Regulation 134/98, OW Directive 1.1 *Overview of Ontario Works*, OW Directive 11.5 *Information Sharing*, OW Directive 5.5 *Family Support*, OW Directive 9.1 *Reviewing Eligibility*, OW Directive 8.4 *Addiction Service Initiative (ASI)*, OW Directive 9.7 *Controlling Fraud*, ODSP Directive 12.1 *Controlling Fraud*, ODSP Directive 3.1 *Consolidated Verification Information Requirements*).

Finally, with the passage of the Ontario Works Act in 1997, a hyper-surveillance of the poor began, as shown in the increased requirements for reporting/case reviews, drug testing, documentation, which all became mandatory for applicants (OW Act 1997). This increased surveillance of those on welfare produced large OW database technologies (MECA, SDMT, CVP) which permitted the sharing of ‘clients’ information across various social service agencies (OW Act 1997). These tools made it easy to ‘track’ social assistance recipients in a variety of ways, more so than in the past. Supporting this finding scholars Henman and Morston (2008) discuss the implications of ‘dataveillance’ on welfare recipients in Australia. They found that once “eligibility to benefits is obtained, ongoing suspicion and surveillance are maintained through an elaborate web of

intergovernmental tracking [my emphasis], frequent reviews and regular reporting” (Henman and Morston 2008:194).

As illustrated in this section, neoliberalism has used discourses of ‘efficiency’ and ‘risk management’ in congruence with poor bashing and stigmatization to portray the poor as ‘lazy’, ‘dependent’ and incapable of ‘good choices’. These assumptions have contributed to the use and justification of data-sharing surveillance because they were perceived as a ‘common sense’ solution to ‘rampant’ welfare fraud, and a manner allowing taxpayers to hold social services accountable because the database also monitors every key stroke of the caseworkers. This has dramatically altered the welfare model from the application process to disqualification.

Conclusion

This chapter has discussed several prominent themes that emerged from the primary research and discourse analysis. The first finding was the lack of transparency the Ontario government deploys concerning OW and the use of surveillance technologies. Had I not received training in sociology through courses such as Methods it would have been impossible to navigate the complexity of the policies, legislation, regulations and directives.

Second, I looked at the impact of surveillance technologies on the client/case worker relationship. This section highlighted the ‘cold’ and ‘remote’ atmosphere enabled by OW legislation, particularly its emphasis on clients using the automated telephone services instead of coming in for face to face meetings. It also emphasized that the

caseworkers are increasingly monitored by the same technologies as the recipients because the databases trace each keystroke they make. This section showed how technology has dramatically changed the daily operations of the welfare bureaucracy in Ontario. These findings were reinforced by similar research conducted by SANE (2003a) and Gilliom (2001).

A third and probably most significant theme was the creation of an overarching architecture of control. This section showed how the various apparatuses of welfare surveillance, from the technology and division of labour to community surveillance operate. It also demonstrated how surveillance ‘mashups’ occur in social services, meaning several surveillance tools can be utilized simultaneously and by multiple organizations in order to track and verify recipients’ identities. This theme emphasized the way in which recipients can experience welfare surveillance as a *totalizing* force.

Fourth, I revisited the role of neoliberal roots which facilitated and enabled welfare reform and the adoption of new(er) surveillance technologies. Neoliberal discourse made surveillance ‘doable’. Neoliberalism played a significant role in helping to establish arguments for new(er) surveillance technologies primarily through the demonization of poverty which suggested that the poor were incapable of making the right decisions towards self sufficiency (i.e. paid employment). Additionally this section connected discourse used in the OW policy Directives (‘self-responsibilization’, ‘self sufficiency’, ‘independence’ etc) to wider neoliberal discourses in media and politics. Neoliberalism was the source of the push to surveillance technology in OW and is a significant aspect of the research findings.

Canadian feminists such as Judy Fudge and Brenda Cossman (2002) have emphasized that to create change, we must first recognize what changes are occurring in our society, politically, economically and culturally (Fudge and Cossman 2002: 415). They also emphasize that in the current political context of neoliberal policy making in Canada, the neoliberal discourse of ‘self reliance’ is not an alternative to social responsibility (Fudge and Cossman 2002: 419). In other words, blaming the individual (such as the welfare recipient) takes away from the social responsibility of the state. As outlined in the literature review scholars have acknowledged the “deeply interconnected and mutually constituting” relationship between welfare reform and criminal law (Fudge and Cossman 2002:415). As such, drawing upon theoretical frameworks such as feminist political economy, with goals to create social and economic change for justice (Bezanson and Luxton 2006:12), is central to critiquing neoliberal policies which have criminalized welfare recipients (Chunn and Gavigan 2004). Part of the reasoning behind this research in the first place was to create awareness of the unnecessary and intrusive regulation of single mothers on welfare, with hopes of influencing policy changes in the future to ensure that technologies such as biometrics and smartcards are not implemented.

Chapter 5

Implications of Welfare Reform: The Recipient

My research focused on documenting the surveillance practices that are currently used by OW, however because it focused on documents, legislation and policy analysis, it could not delve into the implications of welfare surveillance on the micro level, that is how it impacts the recipients. The materiality of recipients' experiences on OW is important and a necessary component of how welfare surveillance has affected their daily lives. How surveillance is internalized, how it 'feels' and also the negotiation and resistance that comes with unequal power relations are important. This section first examines internalization of welfare surveillance, then discusses the gendered impacts of welfare reform on single mothers.

Internalized welfare surveillance:

The lived experiences of surveillance and the negotiation of power relations is an area that could not be fully explored in this project, (because interviews were not conducted), however it warrants future research and investigation. Using the research of others, it is possible to draw tentative conclusions on the probable impact of the surveillant assemblage that comprises OW today. The following draws on studies conducted by SANE (2003,2005), Gilliom (2001) and Little (2001) which all conducted interviews with welfare recipients, the majority of them being single mothers.

The research conducted by the Social Assistance New Economy (SANE) (2003 a, 2005) projects is critical to documenting the effects of welfare reform on recipients in Ontario. Their reports are filled with direct quotes (transcriptions) from recipients, highlighting the importance of having the people who are most affected by OW mandates heard because no one knows the effects more than those who must negotiate the welfare system.

In an unpublished report issued by SANE “Suspicion and Surveillance: Navigating Welfare’s Bureaucratic Maze” Lightman et al (2003 a) extensively quote experiences from OW recipients that they have interviewed as part of their longitudinal study involving 90 participants in Toronto (Lightman et al SANE 2003 a:2). They claim to use a “bottom up perspective” which allows the welfare recipients to tell their story. The following is a quote from one of the participants; it explains the frustration with the automated voice recognition system (first step of applying) and then the ‘Face-to-Face Verification Interview’ with a caseworker (second step), Bruce states:

...I was asked the same questions at the face-to-face interview as on the telephone but it was much more invasive and made me feel like a criminal for applying for benefits [...]It felt like I was being interrogated for fraud and that they were working on the assumption that anyone applying was trying to commit fraud... (Lightman et al SANE 2003 a: 3).

Although this excerpt does not speak directly to the surveillance technologies aside from the telephone voice recognition⁹⁴, it does illustrate the intense feeling of suspicion that

⁹⁴ I am not trying to downplay that the automated telephone service is part of the overarching surveillance in OW because it has had dramatic impacts on changing the division of labour in the OW workplace; machines have replaced workers and most importantly it is another mechanism to gather data in a manner that is very distant and automated. This technology is also the first experience that clients have with OW, and based on what other researchers have found, clients have not been receptive because it feels so automated and unfeeling/inhuman.

many recipients feel when attempting to receive benefits, thus demonstrating the atmosphere of suspicion and control of OW bureaucracies. Bruce is aware that he is under surveillance and suspected of fraud before he even walks into OW, Bruce internalizes this as he negotiates the welfare system based on his awareness of surveillance. Moreover, based on their findings, Lightman et al conclude, “The most frequently voiced complaint [...] concerned the climate of suspicion and surveillance surrounding Ontario Works” (Lightman et al SANE 2003 a:8).

Bernard, another recipient, has a history of welfare use and is frustrated and upset with OW because “What gets me is no matter what documents you provide, no matter what you tell them, you go in there and *you’re guilty until proven innocent* [my emphasis]. It’s like they are looking at you and ‘she’s scheming,’ or ‘he’s doing this’” (Lightman et al SANE 2003 a:9). As well, Carol who has a medical condition which limits her from working, is still pressured from caseworkers to find employment (Lightman et al SANE 2003 a:10), this lack of flexibility and compassion in the OW system demonstrates the manner in which the humanity has been removed from welfare.

Carol says:

The workers are cold and controlling and it just generates this fear and anxiety because at any turn they can cut me off [...]It makes me feel very small, very humiliated[...]I felt controlled like I hadn’t been given any freedom to do what I wanted to do. I had to be accountable for every penny that I spend and tell them everything I was doing...It’s not support, not at all. It’s control [...] (Lightman et al SANE 2003 a:10).

Carol’s frustration with a system that she argues is in place to control recipients, is a theme that resonates in other research (Mosher and Hermer 2005, Gilliom 2001, Kohler-Hausmann 2007, Little 2001, Chunn and Gavigan 2006, Eubanks 2006, Swanson 2001).

Her experiences reflect what surveillance scholars would argue is governmentality at work because the climate of control is internalized by the recipients (Henman 2004:175-176). It obviously affects the ways that she manoeuvres through OW, as she can predict the all-encompassing nature of it.

John Gilliom's (2001) research *Overseers of the Poor: Surveillance, Resistance, And the Limits of Privacy* on single mothers and welfare surveillance in Appalachian Ohio also allows the participants' voices to come through the research. In one interview Shawna, a welfare recipient, suggests that welfare surveillance is a compromise for benefits: " 'Well, you know, it's...the penalty you have to pay for getting benefits'" (Gilliom 2001: 55). Shawna's quote demonstrates how recipients believe that it is natural for them to be under constant scrutiny and surveillance by welfare because of their marginalized status as a poor person who deserves punishment because of their inability to be self-sufficient.

Gilliom found that a common experience for the 48 mothers interviewed in his study was that degradation and the constant scrutiny has made it more difficult for them to care for their families because surveillance is an impediment to quality of life (Gilliom 2001: 67). Mothers interviewed reported a wide array of feelings under welfare surveillance, particularly because some recipients must commit 'fraud' in order to *survive* because of the low welfare benefits (Gilliom 2001: 88). This leaves women in a constant state of feeling guilty for lying and 'cheating' the system, when the reality is that it is impossible to survive on benefits alone. The interviews also indicated that mothers feel isolated (even from other single mothers on welfare), lonely, hopeless, fearful and all

around extremely vulnerable (Gilliom 2001:90). Gilliom's study shows that single mothers living under welfare surveillance internalize fear, guilt and shame, which are perpetuated by the welfare model. Mostly because welfare surveillance is based on the suspicion of fraud which takes over their lives in an all-encompassing way, making them feel "stuck in a cycle of powerlessness" (Gilliom 2001:90).

Studies such as Gilliom (2001), Little (2001) and Lightman et al's (2003) demonstrate that welfare surveillance is about power and social control, it is not a harmless technology put in place to make the welfare system more efficient, but rather to monitor, regulate and control the lives of poor, mostly single mothers.

Resistance and Agency

As a final point, I would like to comment on resistance towards welfare surveillance. Welfare surveillance is a negotiation process for recipients. Gilliom's research was the only one that discussed welfare resistance. Gilliom uses Foucault's theory of power where new forms of power and regulation call for new forms of resistance to frame welfare resistance (Gilliom 2001:107)⁹⁵. The individual or micro ways that single mothers resist welfare surveillance is evident in their creative ways of managing to live on such small benefits. 'Cheating' and 'fraud' are means in which recipients must engage with in order to survive. Gilliom calls these 'everyday acts of

⁹⁵ Because I have not yet had the opportunity to conduct interviews with women on social assistance, I cannot report on any of my own findings of resistance. In some ways, the all encompassing surveillance in Ontario Works appears to not leave much room for 'resistance', however, as Gilliom (2001) frames it the resistance is in the women's ability to 'survive'. This aspect of welfare surveillance will be further explored in my dissertation research.

resistance' as "Activities that produced extra income or support for their children were necessary and the surveillance mechanisms of the welfare department were criticized for making it more difficult to survive" (Gilliom 2001:96). At the same time however, Gilliom observes that these mechanisms for survival (or resistance) were in the past permitted, are now construed as 'fraud' (100).

He is also critical of the effectiveness of welfare resistance. He claims this form of resistance is about 'economic survival' not necessarily to 'thwart welfare surveillance'; subverting welfare surveillance appears to be an unintended consequence of various modes of survival (Gilliom 2001:100). Moreover, because these are individual rather than collective forms of resistance, it is difficult to say what kind of impact it has on the system, or if it creates any substantive change in the surveillance mechanisms used by welfare. With the information gathered from interviews he claims, "Everyday tactics of evasion, subterfuge, and concealment then, may very well become a defining form of politics in the surveillance society" (Gilliom 2001:101). Some of the ways single mothers engage in everyday acts of resistance are babysitting, cutting hair and other methods of under the table income (93-94), hiding and not claiming monetary gifts from family or friends (95), and even selling their own possessions to make ends meet for their families. Even with the obvious power imbalances in welfare surveillance, these findings suggest that welfare mothers navigate the surveillance imposed upon them, demonstrating a process of negotiation and a degree of resistance.

Gendered impacts of Welfare Surveillance on Single Mothers

The literature review discussed the gendered outcomes of welfare reform, specifically showing how new policies affected single mothers (Little 1994, 2001, 2003 Fudge and Cossman 2002, Chunn and Gavigan 2004, Brodie 1996, Porter 2003, Mosher and Hermer 2005), here I discuss these in detail with reference to the research. According to Mosher and Hermer (2005), Little (1994) and Chunn and Gavigan (2004) the following three welfare reforms had particular gendered impacts on single mothers: Workfare, the redefinition of spouse and spouse in the house rules. Some argue that anti-fraud measures as a whole affected single mothers on welfare more than others. For instance, in 2003 single parents on social assistance accounted for 59% of OW recipients and women made up 94% of single parents on OW (Mosher and Hermer 2005:22)⁹⁶. These statistics show that the introduction of OW and its surveillant assemblages will have affected single mothers more than any other group. For this reason it is important to assess the implications of welfare reform on single mothers. Keeping with the lens of feminist political economy, this section examines how ‘work’ has been redefined under the new OW policies and how this has even furthered the surveillance gaze due to the increased reporting under Participation Assessments (PAs) (OW Directive 2.5

Participation Requirements).

⁹⁶ The following excerpt from Mosher and Hermer’s research indicates the impact of poor bashing in constituting the welfare recipient as a ‘worker’: “The *O.W.A.* redefines most single mothers as workers; women are only exempted from Workfare until their children reach school age (age three or four).³¹ The very substantial numbers of single parents rearing children on social assistance[...]are in the words of the former Premier of Ontario, "doing nothing". The message is very clear; a job, any job, is a more important contribution than rearing children and raising children with an income substantially below the poverty line is a cakewalk” (2005: 22).

A consequence of neoliberal welfare reform on marginalized women is how labour has been reorganized due to globalization which has increased the need for workers who are flexible and who will work part-time, precarious labour (Fitzpatrick 2005:96). This has created the need for a certain kind of flexible worker described as the “ ‘flexible woman’ who is equipped with the ability to retrain herself, balance unpaid domestic work with paid work and adapt to new tasks, processes and sources of information” (Fitzpatrick 2005:96). I would argue that Workfare links to wider global changes in the type of worker in demand by providing employers with cheap, non-unionized precarious labour. Additionally, Workfare programs allow stringent monitoring of the ‘employees’ through OW technologies, showing how totalizing welfare surveillance can be.

Workfare policies have life-altering consequences for single mothers on welfare. One reason is because Workfare reinforces the bottom line of business while ignoring the needs (and rights) of the workers, “ ‘Workfarism’ represents a reorientation of social policy to make it more ‘in tune’ with neo-liberal growth, for example the facilitation of flexible labour markets, through social policy in the pursuit of a competitive edge in global markets” (Grover cited in Fitzgerald 2004:57). As mentioned, global “...capital has responded by seeking cheaper sources of labour with less security and power. Women have been a major part of the more flexible, docile labour force both nationally and internationally” (Fitzgerald 2004: 56). Poor single mothers in Workfare placements are used to create more competition for low skilled work by acting like or displacing a reserve army of labour (Fitzgerald 2004:56) which creates more competition for low

skilled labour. This is possible due to neoliberal roots that treat all ‘market citizens’ as “gender-neutral workers” (Little 2001:11).

Most troubling of all according to both Little (1994) and Fitzgerald (2004:57) Workfare has made the ‘poor even poorer’. For instance, when single mothers re-enter the labour market after receiving welfare benefits, there is the possibility that they may lose access to crucial benefits (which prevent them from homelessness) such as social housing, drug plans, subsidized day care and even unemployment insurance (Fitzgerald 2004: 57, Little 1994: 240). Clearly, Workfare is less conducive to creating the ‘independence’ and ‘responsibilization’ that the policies claim to support, in fact Workfare makes single mothers even worse off than when they were on regular welfare. The nature of the program also perpetuates welfare surveillance by keeping detailed records of clients job placements, which are all entered into the SDMT, or ‘master file’.

Finally, Workfare undermines women’s work in the home, or the ‘social reproduction’ they produce. This is due to the lack of ‘choice’ that single mothers are given, as they are forced through OW policies to seek low skilled employment, while at the same time having to pay for childcare costs. Before Workfare was introduced, Little (1994) interviewed single mothers in Ontario to find out how welfare reform was affecting them. She found that the mothers simply could not afford the daycare or babysitter fees in order to engage in pre-Workfare programs (240). This illustrates that OW policies ignore the unique challenges of single parents and because women make up the majority of single parents on welfare, they are the families most affected by this ignorance.

At the same time that single mothers on welfare are redefined as ‘gender neutral workers’ there are *gender specific* welfare policies that morally regulate women such as the redefinition of spouse and spouse in the house rules (Little 2001:12). A direct link to welfare surveillance would be the fraud hotlines that were implemented under OW, in which a majority of the calls regard spouse in the house violations (Little 2001:26). A gendered contradiction emerges between the global economy and state services, as well as old and new welfare models. Fitzgerald (2004:53) researches the historical transformation of welfare programs and explains the gendered consequences the first social policies because of ‘patriarchal discipline’ where women were constituted in terms of “their roles as mothers and sexual partners”. Fitzgerald takes this argument into the contemporary setting by situating gendered stereotypes as ‘transferrable’ into the growing globalized workforce, particularly low skilled employment where women on Workfare are streamlined (2004:53). She also claims that some of the first social policies in the US that were geared towards the poor were gendered which “encouraged men to be paid labourers and women to be homemakers” (Fitzgerald 2004:54).

However, regardless of gendered policies in the past, other scholars such as Little (1994) maintained that welfare benefits as far back as Ontario Mothers Allowance (OMA) in the 1920s have *never* been enough to survive on alone which lead women to seek other means of income. Highlighting this contradiction of gender and labour, she argues that the tension between paid work and motherhood has “always interfered with their other prescribed role as mothers dedicating their lives to domestic duties. Thus poor single mothers have had to juggle two incompatible responsibilities...” (Little 1994:237).

As such, in the past women had the ‘choice’⁹⁷ to work in order to survive on inadequate benefits, where today Workfare which reinforces flexible (or ‘feminized’) labour has removed women’s choice and at the same time has completely erased the social reproduction done in the home. As such, single mothers on welfare have become the new ‘flexible worker’ in the labour force.

To sum up, the reality is welfare benefits are not enough for single mothers to meet their basic needs (food, shelter, clothing) and because they are forced into Workfare to ‘work’ for their benefits⁹⁸ tremendous pressures are placed on their families. These gendered outcomes of welfare bureaucracies arguably undermine women’s social reproduction in the home, while pushing them to find childcare. Prior to neoliberal ‘welfare reform’ in the 1980s and 1990s, the Keynesian model “recognize[d] women’s unpaid domestic duties and dependency upon the family [...] it was women’s care-giving role as mothers which was the basis upon which women made claims upon the welfare state. The maternal claim to citizenship rights has been dismantled by the Harris government” (Little 2001:11). This example demonstrates the contradictory nature of gender, welfare and the state because although maternal claims are based on stereotypical notions of femininity and motherhood, they at least acknowledged the social reproduction in the home, which as discussed, is no longer acknowledged by conservative governments in Ontario today. Mosher and Hermer have also critiqued the complete lack

⁹⁷ I put choice in quotations because how much choice does a single parent have when they are faced with benefits that are not enough to live off of? ‘Choices’ become survival options.

⁹⁸ In Ontario, Workfare does not allow recipients to exceed what they would receive in their monthly welfare check, if they do it is thought of as fraud.

of acknowledgement of women's work in the home, which "redefines most single mothers as workers" (Mosher and Hermer 2005:22).

This section has discussed implications on welfare reform which introduced more stringent surveillance measures for single mothers on welfare. Focusing on how welfare surveillance is internalized by recipients and the contradictory gendered impacts of OW this section has highlighted that policy changes have real consequences on those that rely on welfare to survive. Workfare was discussed in detail to highlight how single mothers are undermined and surveilled by OW. Additionally, as mentioned in Chapter 3, Workfare is an area that has greatly increased surveillance and is mandatory for all recipients. Workfare has created more ways to track single mothers by issuing mandatory reporting through Participation Assessments (OW Directive 2.5 *Participation Requirements*).

Chapter 6

Conclusion

The goal of this project was to document the current surveillance technologies used by Ontario Works on welfare recipients. Political economy literatures in Ontario have to some extent neglected to document the full scope of surveillance in OW, while at the same time, surveillance scholars have largely neglected political economic elements of surveillance in welfare. As such, this thesis attempted to bridge the gap in literature by providing a synthesis of feminist political economy and surveillance studies with the intention of building a new model to understand how surveillance affects societies most marginalized. This was the most challenging and original aspect of the research project.

The thesis asked three questions: 1) what are the current surveillance practices in OW? 2) What were the justifications that permitted the increase in surveillance of single mothers on welfare? 3) What are the implications of welfare surveillance on recipients? The research found that there are eight surveillance practices used by OW today, some are new technologies introduced with the OW Act 1997, while others such as Welfare Fraud Hotlines reflect older technologies premised on moral regulation. Drawing on documents and legislation my project analyzed the policy in order to uncover what influences or motivations pushed for such a drastic transformation of the welfare model. It became evident that neoliberal ideologies which were prevalent during the 1990s welfare reform had a huge impact on the development of a new welfare model, one which 'worked' and was more efficient than the Keynesian one which merely created dependency on the state.

More research is needed to document the plight of single mothers on OW, their experiences are most telling of the consequences of welfare surveillance as they live with it in a totalizing way. Other areas that need further investigation are, what are the consequences (intended and not intended) of these welfare surveillance measures? What are the outcomes of such a totalizing surveillance tool on societies most marginalized populations? What are the unforeseen complications and problems that will arise from the use of large databases and the collection of personal data? Lastly, what does the resistance of welfare women to institutionalization of these technologies look like? This aspect could examine how individuals as well as organizations and activists resist and challenge welfare surveillance in their communities.

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