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Women and mining—an analysis on women in subordinate position

Miao Siu Mei Mignon

Mining is one of the rare global enterprises that is generally perceived as a ‘masculine’ industry—a dirty, risky job in which women seem to play an insignificant role. This general view misleads the fact that women actually are and have been played a very important part of the mining industry. Women have worked as miners for a very long period of time before the mining business is seen as one of the masculine jobs in current world. Yet, women are concentrated in low paid, unsafe and risky mining jobs that use low or no technology as they take up jobs that the male workers refuse to do or simply dirty jobs are the only available ones the women are given to. Besides getting the rough jobs at the minefield, women are constantly being harassed on regular basis, from being told upon sexual jokes, gender comments, harassment to sexual assault, given the general view of women aren’t supposed to work in the minefields if they are not tough enough. I was interested in the particular topic after watching an American movie called “North Country”, a movie based on the first sexual harassment case in American history about a female coal miner filed a class action status against her employer, Eveleth Mines, in the 1980’s and thought this particular movie would be a good topic for my paper. It had everything I was interested to explore—gender discrimination and tough female characters. The movie wasn’t as good as expected but it got me interested in the area of women working in mining industry. It is simply because I couldn’t imagine the kind of sexual harassment being projected in the movie could actually happen in the real mining industry, so I looked it up on the internet and see if the gender discrimination in the working environment of mining industry is as serious as it seems to be. In this paper, I will provide a brief background story of women being in the mining industry, an industry emphasizing masculinity along with the case study of Jenson v. Eveleth Taconite Co., the first class act
sexual harassment case reported in the American history, with a discussion on the issue of women seen as subordinate group under the field of gender equality.

**Summary of the real event which inspired the birth of the movie “North Country”**

The movie “North Country” is about a story on a female miner suing her company for sexual harassment after experiencing and witnessing numbers of harassment and assaults resulted in gender discrimination in 1991. The movie itself is a dramatization of a true event of Jenson vs. Eveleth Taconite Company, the very first class action sexual harassment lawsuit to reach federal court in American history. Lois E. Jenson, an employee at Eveleth Taconite Co. filed a class action lawsuit, along with other fourteen female colleagues against her employer on sexual harassment by violating both Civil Rights and Minnesota Human Right Act and seek for prevention on sexual harassment from the future. Ms. Jenson claimed that her female colleagues and herself experienced numbers of inappropriate behaviors, such as unwelcome touching (including kissing, pinching, and/or grabbing) and using offensive language directly at the women as well as frequent comments that women didn’t belong in the mines as they kept the jobs away from the men. One of the most significant evidence being presented in court during the trial was from Ms. Angel Alaspa, one of the claimants. Her testimony documented some of the physical and verbal harassments she experienced as an employee at Eveleth. She claimed that during her six month period of pregnancy while working at the Eveleth, a male colleague frequently approached her and made sexual suggestions, tried to hug her, followed her around, and invited her to go fishing in bikini. These acts were offensive, unwelcome and demeaning to Ms. Alaspa. Furthermore, one day she was lining up to submit her time slip with other employees, a male colleague came up behind her and pushed himself, in a state of erection, against her buttocks. She felt shocked and angry but didn’t make any further reaction until now because she believed that no one would believe her and she didn’t want to lose her job.
As the court case records showed that there were sexually explicit graffiti, posters and notes found on the walls of various areas such as offices, tools rooms, lockers in the female resting room, both work and personal vehicles and even in inter office mails. They would write offensive words on the wall with paint, and at one time, the words were painted on walls with feces. They also claimed that Eveleth Taconite discriminated female for not hiring or promoting them because of their gender. The claimants submitted statistical evidence showing that there were 159 people hired into non-temporary hourly jobs between the years of 1981-1990. Two of them were women. There was only one woman hired out of 47 people as laborers. The claimant also submitted evidence that women were not selected to serve as temporary "step-up" foremen. The positions were not posted and no application procedures existed. According to the evidence, no woman was being selected for such higher position during the years of 1981 and 1990. The female miners also testified that they didn't receive any training to qualify for the next job in line of progression. Superior and foremen decided who received training and there was evidence indicating that one woman was told the next job in her progression was unsafe to her and she was passed on such training and promotion. The trial ended with all fifteen women who filed for the class action case rewarded with settlement with Eveleth Taconite with over 3.5 million due to Eveleth Taconite engaged in a pattern of maintaining an environment sexually hostile to women. According to the court record I found on website, the whole purpose for Ms. Jenson and her fellow female colleagues for filing such case was they wanted to know whether individual women were treated differently because of their gender and subjected to hostile work environment. To them, Eveleth Taconite discriminated them for being women.

Brief history on women and mining

Why would women want to get into the coal mining field, I thought to myself after knowing more about the case of Jenson v. Eveleth. The women working in the minefields are constantly all covered in dirt from head to toe and being in the high temperature working environment. Their male colleagues don’t respect them and some of them even harass and threaten them for taking the jobs away from other men. The spouses of their male colleagues don’t respect the women who hold jobs there too, as the wives believe they are there to steal their husbands. “The money pays well,” as the main female character claimed when her father strongly objected her to apply a job in the same mine which he has been working for the past 30 years in the movie. If this is the case for women in Minnesota to earn good money back then, have women working in the mining always in for good money? And why women would still head in for jobs in mining industries when it is well known as a male-centric industry? The issues of gender exclusions emerged at particular historical periods and were hardly uniform across different continents in the world. For instance, women in precolonial Africa minded below and above the ground; as in Andes during the precolonial period, women working underground considered bad luck although they were central to mining work. Global historical forces of colonialism or capitalism often changed gender roles in mining industries, limiting women’s traditional rights to earn a living. Attitudes towards women and mining were unfair in the industrial societies as well. For example, the parliament of United Kingdom passed an act famously known as the Mine Act of 1842 which prohibited women and the boys under age of ten to work from underground mining, and yet, some women continued to work as underground miners illegally after the act was enforced. As in North American context, women worked in the minefield for the dirty jobs with low pay which the male miner refused to do so. The demand of female miners was suddenly increased as most men were recruited for the war during World War II. The women miner were there to fill up large numbers of positions in mining industries as the mine companies preferred women miner over black and Mexican miners at that time.
when racial discrimination was a serious issue. Their work would be about “operating ore distributors, repairing cell flotation equipment, piloting ore trains and working in the machine shop”. The tasks were certainly not too important that the women didn’t need to spend extra time on training and could be easily replaced immediately by male miners once they returned from the war. Nonetheless, women in mining communities were often fundamentally changed by their wartime experiences, as represented by married women’s increasing participation in the labor force. The women who lost their job at the minefield realized that they could get independency outside their home. They began to fight their way to earn their rights to work in mines as a regular miner, just like other men miners in work. In both United Stated and Canada, women won the legal right to enter male mining workplaces just as the mining industry began to mechanize and moved the operations out of the countries in the 1970’s. The women experienced their first time to be treated and seen as proper miners with good wages despite the continuity of sexual harassment and resistance from their male colleagues who would still believe that mine works is all about masculinity and being tough. If the women couldn’t take up the sexual jokes, they ain’t tough enough to work here.

By the year of 1980 in the United States, many women had formed an alliance with their male colleagues in mines trying to protect themselves as female in a male centric industry. Unfortunately, many women were laid off due to the exhaustion of mines and declining in the business because they were not seen as better choice of employees if compared to other male colleagues. In the recent years, women seem to be treated a lot better in term of gender equality compared to the 20th century due to various laws and human rights, such as Convention of Elimination of Discrimination Against Women (CEDAW), adopted by United Nations in 1979, enact to protect women from gender discrimination. It

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2 Kuntala Lahiri-Dutt, 2011, *Introduction: Gendering the Masculine Field of Mining for Sustainable Community Livelihoods*, http://epress.anu.edu.au/apps/bookworm/view/Gendering+the+Field%3A+Towards+Sustainable+Livelihoods+for+Mining+Communities/5521/ch01.xhtml#toc-anchor (last access on May 20, 2012)
did help to open doors for women to free themselves from cultural traditions, social practices or stereotypes, but do all these really protect women from experiencing gender discrimination in all times?

Women in subordination

My immediate reaction after watching the movie “North Country” was how dramatize the movie is on the true event of Jenson V. Eveleth Taconite Co. The movie surely blows up the proportion of the main female character’s sexual history as it never mentioned in details in the actual courtroom. Josey, the main character from the movie, is being challenged by the plaintiff’s attorney that she told her family and friends that she didn’t know who the father was of her first born whom she was pregnant with at the age of 16, and just based on that, Josey was being called a promiscuous woman in the courtroom. Toward the end of the movie, Josey’s high school teacher was being called to testify in the courtroom as to prove that he had a sexual relationship with Josey for her being promiscuous already as a high school student. Towards the end of the movie, one of the witnesses revealed that he knows Josey didn’t have a sexual relationship with her high school. In fact, she was actually raped by him and the tragedy resulted in pregnancy. I was very curious about this particular part of the story so I looked up the actual case on internet. It all turned out to be part of the fictional plot of the movie. The incident never happened to Ms. Jenson in real life. I then wonder if the message from the movie is about women experiencing gender discrimination for being women or based on their sexual history. If it is about the former reason, why would the movie emphasize so much on the sexual history of the main character? If it is for the latter reason, then what does it have to do with gender discrimination and sexual harassment at work? Why women are always being presented in the subordinated situation? I thought all humans earn equal rights as stated in The Universal Declaration of Human Rights (UDHR) written in 1948 after WWII, but then how to explain the existence of CEDAW, an international convention on
protecting women’s rights exclusively? In order words, women are not seen as the humans as mentioned in UDHR so we need separate bills of rights called CEDAW to protect women?

Women have been seen as the community of subordination and as sexual beings rather than human beings for a long period of time. The right to vote, work or divorce was never meant for women to enjoy until recent history. Women are always vulnerable in a male centric social, political and economic regime. The legal protections and rights don’t eliminate but only soften the issue of male dominance in the society. As Wendy Brown points out in her article, the more highly specified rights written for women, the more likely women are actually being casted as subordinate. 3/"To have a right as a woman is not to be free of being designated and subordinated by gender...Rather it reinscribes the designation as it protects us, and thus enables our further regulation through that designation”, as Brown suggested on her view of women’s rights. The dilemma can be seen on the right of abortion and the right to litigate sexual harassment. Women are interpellated as women when we exercise these rights. It is not only by law but also by the public as well. We have to accept ourselves as women in order to exercise such rights. On the other hand, the effect of women as a gender power is produced and reinforced by the heteronormativity of most women’s rights. These rights are being exercised under the regulative norms of gender or the norms would be challenged by the acts which are accepted by them. Women working in mining are an example of it because mining is seen as a masculine work, a job for men to do. The existence of women’s right is gender identified rights which clearly categorize women as a subordinate group. The rights which are there to protect women from suffering, sexual harassment or inequality actually enhance women being recognized as a group of second class people, a gender that is defined by the discourse of rights and norms based on male dominance norms in the patriarchal social system.

As women had been doing jobs that men refused to take at the minefield, being lack of training so they wouldn’t have a chance to get promoted, to be sexually harassed at work demonstrate the fact that women are in the subordination state in a society that emphasize on masculinity. Given that there are legal rights to protect women from experiencing any possible inequality, these rights simultaneously emphasize and reveal women’s subordination. 4“The rights are there to promise individual sovereignty by intensifying the sovereign subjects”. The subordination of women redress the suffering as women and the suffering will only continue to violate lives that are already being violated in term of gender. The unspoken idea of masculinity and heterosexuality are being understood as the norms in most societies through the human history; in the meantime, women constantly fight for gender equality by claiming they are no difference to earn the equal rights and treatments as men, as all humans are supposed to born equal. By classifying sexual harassment as a form of gender discrimination, such action already speaks out that women are projected as the victims of such harassment as sexual harassment could actually happen to anyone regardless of being a man or a woman. There was a case of Oncale V. Sundowner Offshore Services in 1997 that a male employee was harassed by another male employee and the charge was dropped almost immediately. It was because the state law didn’t include same sex harassment as a kind of sexual harassment (Sexual harassment is as a form of gender discrimination as mention above). As these two men were in same sex, it couldn’t make it into a case. By claiming rights and protection for women from gender inequality, are we actually fighting for the right treatment as women or are we building up fences to encode women as a subordinate group?

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