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THE INDEPENDENT SERVANT: A SOCIO-CULTURAL EXAMINATION OF THE
POST-WAR TORONTO TAXI DRIVER

by

Kimberly M. Berry

Thesis submitted to
the School of Graduate Studies and Research
in partial fulfillment of the requirements for the
Ph.D. degree in History

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ABSTRACT**THE INDEPENDENT SERVANT: A SOCIO-CULTURAL EXAMINATION OF
THE POST-WAR TORONTO TAXI DRIVER**

Kimberly M. Berry
University of Ottawa, 2006

Supervisor:
Professor Donald F. Davis

The thesis explores the significance of occupational identity of, and for, Toronto taxicab drivers during the regulatory regime of the Metropolitan Licensing Commission, 1956-1998. The study uses municipal records, union papers, and local newspapers to identify four critical spheres of contention between the state and the drivers over their occupational identity. The struggle between the regulators and the workers revealed that cultural values such as obedience, honesty, and respectability were inextricably linked to economic values, such as the price of taxi licenses and lease fees. Efforts by the state to control the cultural values linked to the image and identity of taxi drivers profoundly affected material conditions within the industry including the form and structure of taxi companies, the employment relationship between the companies and the workers, and the working conditions of the drivers. Similarly, changes to industry structure, such as the demise of traditional cab companies and the shift to owner-operated vehicles profoundly affected the identity of taxi drivers by altering their status as employees and restricting their ability to access state-legislated protections and benefits including employment standards and collective bargaining.

The thesis documents the active resistance of drivers to controls that dictated their attire and the use of meters, their efforts to gain collective bargaining rights as dependent contractors, and their tactics for coping with three decades of unprecedented crime rates. The study examines four critical battlegrounds in the dialectic of taxi driver identity: industry corruption, employment class, rising crime, and continuing education. In doing so, it finds that during the forty-two-year tenure of the Metropolitan Licensing Commission, the link between the identity of taxi drivers and the coveted image of Toronto repeatedly dictated regulatory policy at the expense of the drivers. Toronto taxi drivers were alternately punished for damaging the reputation of “Toronto the Good”, saddled with responsibility for creating a “world-class city”, and ignored on issues, vital to them, that were not seen as relevant to the municipality’s quest for respectability and growth.

PREFACE

Since the introduction of the automobile in the early twentieth century, the freedom and escape associated with the automobile have been apparent even to people who did not drive. Although author Lucy Maud Montgomery never learned to drive, she appreciated the freedom and exhilaration that an automobile could provide. In her fiction and private journals Montgomery explored the social significance and symbolism of the new technology. In her novel *The Blue Castle* Montgomery used an automobile to facilitate and symbolize the emancipation of her protagonist Valancy Stirling from a restrictive life as a “respectable” single woman.¹ Among the well-known women who embraced the freedom of the automobile in the early decades of the twentieth century was Margery Durant, daughter of one of Canada’s premier automen, William Durant. A woman who enjoyed adventure, Margery Durant led by example to prove that women “could drive, drive alone, by themselves, wherever they wanted to go”.²

I too was keenly aware of the freedom and excitement that a driver’s license would afford me, well before I reached the legal driving age in Nova Scotia. I could not wait to be behind the wheel. It was my grandfather who encouraged me to study diligently for the drivers' exam. He also gave up many

¹ For an informative analysis of Montgomery's thoughts on automobiles see Sasha Mullally “‘Daisy,’ ‘Dodgie,’ and ‘Lady Jane Grey Dort’: L.M. Montgomery and the Automobile” in Elizabeth R. Epperly and Irene Gammel eds. *L.M. Montgomery and Canadian Culture* University of Toronto Press, 1999 120-130.

² Heather Robertson *Driving Force: The McLaughlin Family and the Age of the Car* p 119; Ed Wallace “A True Democratic Society” *Star-Telegram* 15 June 2005. Margery Durant also enjoyed flying. Pilot Charles A. LaJotte has recorded an account of his flights in Europe and Africa with Margery Durant. See Charles A. LaJotte “LaJotte Flies in Africa!” <http://www.charleslajotte.com/africa1.html>

hours on Sunday afternoons to teach me how to drive in the parking lot of a local shopping centre. In the spring of 1983, I passed both the written and the practical driving exam with ease. Once armed with my license, it was next to impossible to keep me off the road. After friends had gone home, I would often drive around Halifax just listening to the radio and enjoying the ride. It was my habit to return home so late (or early the next morning) that I would joke that, by then, there were only three drivers on the road: cops, cabbies, and Kimberly.

By 1986, I had dropped out of high school, was working three jobs, and had purchased my first vehicle, a five-speed Chevy hatchback. I had even become acquainted with some of the taxicab drivers whom I had watched darting around the streets in the middle of the night. I was often among the regular late night crowd at one of Halifax's quintessential taxi driver hangouts, a Tim Horton's, making friends.³

These were the days when Tim Horton's was as much a place to enjoy a cigarette as a cup of coffee, and the counter at the Young Street location was still lined with stools making it easy to talk to strangers seated nearby. Even before I had my taxi license, the drivers that I met in Tim Horton's were introducing me to the "taxi community" in Halifax. From where I sat, the men and women who regularly gathered at "Tim's" were definitely members of a distinct *community*. The regular crowd was made up mostly of taxi drivers and a couple of women who sold flowers in the bars and restaurants; sometimes there were others, a

³ For a discussion of the donut shop as an extension of post-war mass automobility see: Steven Penfold, "The Social Life of Donuts: Commodity and Community in Postwar Canada" (Ph.D. diss., York University, 2002).

police officer, a girl friend, or a wife of a driver (many had both), a dispatcher, a truck driver, and assorted night workers and insomniacs. Yet the night-drivers were the majority and the core of the community, a distinctive subculture, an association of individuals, which bordered on a secret society -- and I wanted to belong.

By February 1987, one month before my twentieth birthday, I had completed the requirements to obtain my taxi license and was renting a taxi. It was one vehicle in a small fleet operated by two men who were both full-time taxi drivers. I, as the only driver on the car, had access to it twenty-four hours a day, seven days a week and could work whatever hours I chose. Unlike a shift driver, who shared a car with another driver, I was in complete control of my own work schedule. I paid a flat rate for car rent: \$40.00 per day, six days a week (there being no charge for Sundays) and \$64.00 per week in "office rent" to the brokerage for the radio and dispatch service. I also paid for gas, oil, washes, and other items associated with daily operation. I worked under this arrangement for three months, at which time I had my first collision. I had not noticed a stop sign and hit another vehicle. In retrospect, fatigue was probably a contributing factor to my inattentive driving. Although the taxi was totalled, the force of the collision was not sufficient to do significant damage to the other vehicle. As a rookie taxi driver, with already one wreck under my belt, no one was willing to rent me another cab. However, with the help of my grandparents who co-signed a bank loan, I purchased a used Chevy Caprice and became an "owner-operator".

The thrill of driving was now combined with the independence of being “self-employed” – an entrepreneur even – and I was elated. Giddy with the excitement of driving a cab and learning the ropes, I drove with a permanent smile on my face. By 1990, I no longer found the job amusing. Disillusioned and defeated, by long hours and low pay, I took my car out of the business, convinced that I had seen enough. Now, I wish I had seen more.

My friendships, rivalries, and romances with cab drivers during the late 1980s came years before it occurred to me to make a scholarly study of the industry. However, hindsight suggests that my decision to get my taxi license and to slide behind the wheel every night was a study in its own right – a study of human nature and experience, a course in navigating every element of the city, and a lesson in survival in a dangerous, thankless, and unforgiving business. I had also learned an important lesson in paradox: for me, the experience of being a taxi driver had been one of simultaneous autonomy and subjugation.

In 1994, I made my first attempt at a scholarly analysis of Halifax taxi drivers. Though still an undergraduate, I examined the role of class identity and explored the extent to which the drivers shared a working-class consciousness through their occupational culture.⁴ It was my contention that despite operating within an intensely competitive industry consisting of an increasingly diverse group of workers, taxi drivers in Halifax had found numerous and meaningful ways to express their sense of community and collectivity.

⁴ Kimberly Berry, “The Last Cowboy: The Community and Culture of Halifax Taxi Drivers” (Honours Essay, Department of History, Dalhousie University, 1995) <http://www.taxi-l.org/cowboy.htm> (accessed November 30, 2005).

My second foray into taxi research explored one of the most significant divides among drivers - gender. In another example of paradox, I examined how women⁵ drivers in Halifax navigated gender identity in an industry long associated with a rough-and-ready, streetwise masculinity.⁶ I contended that although stereotypes of femininity and respectability had permeated their work experience, women drivers had often adapted to, and adopted the values and behaviours that gain them entry and acceptance within a masculine taxi culture.

Both during the time that I worked as a taxi driver and in my academic examination of the history of taxi drivers, I have continued to grapple with questions of identity. This quest for understanding originated when, as a rookie driver, I was intrigued by a popular aphorism in the industry. I often heard veteran drivers remark, "There is a difference between a taxi driver and someone who drives a taxi." This riddle has held my attention for some time, and the following thesis will demonstrate why the aphorism deserves careful consideration – because identity matters, and it takes time to become a taxi driver in spirit as well as in body.

I would like to thank my supervisor, Dr. Donald F. Davis for his sage counsel, superb instruction, and enduring patients. I would also like to

⁵ For the purpose of this dissertation the terms woman and female will not be used interchangeably. As much as we can distinguish between biology and social constructs, the term "woman" is to be read as a reference to an adult human female without connoting gender. The term "female" however, may be used to emphasize gender rather than sex.

⁶ Kimberly Berry, "She's No Lady: the experience and expression of gender among women taxi drivers" (Master's thesis, Saint Mary's University, 1997); Kimberly Berry, "She's No Lady: The Expression of Gender Among Halifax Women Taxi Drivers Since World War II" *Urban History Review* 27, no.1 (October 1998): 23-35.

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Finally, I want to say that, although neither survived to see the completion of this thesis, the undying support and encouragement that I have received from my grandparents, Gertrude and Walter Wilson, made this project possible and will last for my lifetime.

TABLE OF CONTENTS

ABSTRACT.....		ii
PREFACE.....		iv
LIST OF TABLES.....		xii
LIST OF IMAGES.....		xii
INTRODUCTION.....		1
CHAPTER 1	TORONTO TAXI DRIVERS AND THE STATE BEFORE WORLD WAR II	33
CHAPTER 2	CAPLESS ROGUES: CORRUPTION AND CONFLICT IN THE 1950s	77
CHAPTER 3	INDEPENDENT SERVANTS: EMPLOYMENT RELATIONS AND TAXI DRIVERS, 1960-1975	123
CHAPTER 4	DISPOSABLE WORKERS: NAVAGATING DANGER IN THE WORKPLACE AND AT METRO HALL, 1975-1998	159
CHAPTER 5	“WORLD-CLASS DRIVERS”: BY-LAW REFORM AND THE CREATION OF AMBASSADOR TAXIS, 1974-1998	209
CONCLUSION.....		243
APPENDIX 1	PERCENTAGE OF TAXI DRIVERS, ONTARIO AND QUEBEC, 1951-2001	256
APPENDIX 2	PERCENTAGE OF TAXI DRIVERS MONTREAL AND TORONTO, 1951-2001	257
APPENDIX 3	CERTIFICATION AND INTERVIEW GUIDE	258
APPENDIX 4	GEOGRAPHIC TRENDS IN TOTAL NUMBER OF HOMICIDES, 1961-2003	266
APPENDIX 5	TRENDS IN TOTAL NUMBER OF HOMICIDES, 1960s- 1990s	268
APPENDIX 6	VIOLENT CRIME AND HOMICIDE RATES IN THE NINE LARGEST CANADIAN CITIES, 1993-2002	269
BIBLIOGRAPHY.....		270

LIST OF TABLES

TABLE 1:	Hours and earnings of Toronto taxicab drivers, 1932	48
TABLE 2:	Hours and earnings negotiated during Toronto taxicab drivers' strike, April 1938	73
TABLE 3:	Murder incidents occurring during robberies by type of establishment or person robbed, Canada, 1961-1974	165
TABLE 4:	Comparison of murder rate per 100,000 of prostitutes, taxi drivers, and police officers, 1991-2001	168
TABLE 5:	Number of Toronto taxicab drivers murdered by decade, 1940s-1990s	169
TABLE 6:	Percentage of taxi drivers in Ontario and Quebec, 1951-2001	256
TABLE 7:	Percentage of taxi drivers in Montreal and Toronto, 1951-2001	257
TABLE 8:	Number of homicides by province/territory, 1961-2003	266
TABLE 9:	Number of taxicab driver homicides by province/territory 1961-2003	267
TABLE 10:	Comparison of Toronto taxi driver homicides with national homicides by decade 1960s-1990s	268
TABLE 11:	Comparison of homicide and violent crime rates per 100,000 of population and of the number of homicides and violent crimes of major Canadian cities, 1993-2002.	269

LIST OF IMAGES

FIGURE 1:	De Luxe Cab drivers with their vehicles, c. 1926	69
FIGURE 2:	The regalia of the Diamond Taxicab Association	88

INTRODUCTION

Identities ... are neither hermetically sealed nor easily defined. Their edges are always fuzzy and shifting. They are not clear categories to be applied, but concepts to be tested by the evidence. Nor are they value free. In short, identities are not essential but contingent, constructed, and deconstructed by changing historical circumstances. They are relational, not autonomous. (Ramsay Cook, 2000¹)

Since the rise of social history during the 1960s “identity” has become a central theme in Canadian historiography generally, and in labour history specifically. In 1967, Ramsay Cook coined the term “limited identities” and urged historians to stop the “contemplation of the Canadian navel,” cease agonizing over “the great Canadian problem – our lack of unity and identity” and seek to “understand and explain the regional, ethnic, and class identities that [Canadians] do have.”² The phrase “limited identities” was next popularised by J.M.S. Careless in his often-cited 1969 article “‘Limited Identities’ in Canada.” Careless argued that to the “Canadian experience” could only be determined and discussed through the “limited identities of region, culture, and class referred to by Professor Cook.”³ Since then, many social historians have followed the

¹ Ramsay Cook, “Identities Are Not Like Hats,” *Canadian Historical Review* 81, no. 2 (June 2000): 264.

² Ramsay Cook, “Canadian Centennial Cerebrations,” *International Journal* XXII (Autumn 1967): 659-63; J.M.S. Careless, “‘Limited Identities’ in Canada,” *Canadian Historical Review* 50, no. 1 (March 1969): 1-10.

³ Careless, “Limited Identities,” 3.

cultural turn to examine the innumerable and diverse identities experienced by all Canadians.⁴

Canadian labour historians⁵, consider identity to be a contested terrain. They have demonstrated that issues of cultural identity were critical to the struggle between labour and capital, workers and the state, resistance and control. This interest in the so-called “cultural turn” can be traced back to the New Labour History of the 1960s, a neo-Marxist approach pioneered by E. P. Thompson of Great Britain and Hebert Gutman of the United States, that demanded more attention be given to the lives of the working class, at work, at home, and within their community.⁶ Bryan Palmer and Gregory Kealey, their leading disciples in Canada, in the 1970s wrote celebrated monographs on nineteenth-century, male, skilled workers in Hamilton and Toronto respectively, that demonstrated the existence of a distinct working-class culture, whose essence they found distilled in the shared values, language, ritual, and

⁴ For a more in-depth examination of the cultural turn see Peter N. Stearns, “Social History Present and Future” *Journal of Social History* 37, no. 1 (Fall 2003): 9-19; Paula S. Fass, “Cultural History/Social History,” *Journal of Social History* 37, no. 1 (2003): 39-46; Ronald Grigor Suny, “Back and Beyond: Reversing the Cultural Turn?” *American Historical Review* 17, no. 5 (2001): 1476-1499.

⁵ This thesis uses the term labour history in the broadest sense to encompass both the traditional institutional history and working-class history.

⁶ E.P. Thompson, *The Making of the English Working Class* (Harmondsworth, Middlesex: Penguin, 1963); Herbert Gutman, *Work, Culture and Society in Industrializing America: Essays in Working-Class and Social History* (New York: Knopf, distributed by Random House, 1976).

experience.⁷ Responding to Palmer and Kealey's groundbreaking work were critics who questioned the relevance and usefulness of the cultural approach. The most notable challenge came from David Bercuson who questioned not only the relevance, but also the very existence of a uniform or homogeneous working-class culture. Bercuson suggested that the existence of other identities, such as ethnicity, religion, and gender, have divided workers more than class has united them; therefore, "...a cultural analysis [is] confusing and essentially meaningless."⁸ Others have argued that without the exploration of these and other complex identities Canadian history would remain too limited and exclusionary to be meaningful. Analysis of identity must move, they have said, beyond the purported class-consciousness of nineteenth-century, skilled, Anglo-Celtic, male workers.⁹ Since the late 1970s, the perimeters of Canadian labour history have expanded to explore a host of identities.

Although, gender was not included among Cook's list of limited identities, the increased visibility of women, among both 19th and 20th century historians was one of the most profound developments of the new social history. Rather than 'region, class and ethnicity,' the three identities that came to dominate social

⁷ Bryan D. Palmer, *A Culture in Conflict: Skilled Workers and Industrial Capitalism in Hamilton, Ontario, 1860-1914* (Montreal: McGill-Queen's University Press, 1979); Gregory S. Kealey, *Toronto Workers Respond to Industrial Capitalism, 1867-1892* (Toronto: University of Toronto Press, 1980).

⁸ David Bercuson, "Through the Looking Glass of Culture: An Essay on the New Labour History and Working Class Culture in Recent Canadian Historical Writing," *Labour/Le Travailleur* 7 (Spring 1981): 98.

⁹ For a critique of early Canadian working-class history see Ruth A. Frager, "Labour History and the Interlocking Hierarchies of Class, Ethnicity, and Gender: A Canadian Perspective," *International Review of Social History* 44 (1999): 217-247.

history analysis were 'class, race, and gender.' Among the pioneers of women's history and gender analysis was Ruth Roach Pierson, recognized for her groundbreaking exploration of women and work during World War II.¹⁰ Other seminal works by Joy Parr and Bettina Bradbury analyzed gender inequalities at both work and home.¹¹ Since then, the analysis of identities has spread far beyond gender. Cultural historians increasingly have recognized that race, class, and gender are but three of the innumerable identities experienced by individual actors. American historian Nicole Eustace has described how cultural historians have conceptualized the complex interaction of identities:

Many have begun to adopt a social model that assumes that any and every social actor is embedded in a matrix of relationships based on myriad categories of identity and power, of which the three most commonly cited – race, class, and gender – are but the beginning.¹²

The practitioners of the "newest" labour history have pushed the parameters of the field beyond the skilled workers who first organized labour, to encompass the full spectrum of labour from unionized to unorganized, and from the well paid to the unpaid. These scholars have uncovered the stories of ordinary Canadian workers including coal miners, loggers, fishers, railway

¹⁰ Ruth Roach Pierson, *"They're Still Women After All": The Second World War and Canadian Womanhood* (Toronto: McClelland and Stewart, 1986).

¹¹ Joy Parr, *The Gender of Breadwinners: Women, Men and Change in Two Industrial Towns, 1880-1950* (Toronto: University of Toronto Press, 1990); Bettina Bradbury, *Gender and Daily Survival in Industrializing Montreal* (Toronto: McClelland and Stewart, 1993). For an influential analysis of gender perspectives in Canadian historiography see Bettina Bradbury, "Women's History and Working-Class History," *Labour/Le Travail* 19 (1987): 23-43.

¹² Nicole Eustace, "When Fish Walk On Land: Social History in a Postmodern World" *Journal of Social History* 37, no. 1 (Fall 2003): 88.

porters, white-collar clerks, domestic servants, fast-food employees, sex-trade workers, and those whose labour in the home and the community was unpaid.¹³

In some cases, these studies have brought into focus the stereotypes, images, and identities associated with particular occupations. For example, Graham Lowe's study of white-collar office workers addressed how cleaner jobs, more fashionable work attire, and scope for making work-related decisions, imbued workers with a higher social status.¹⁴ The literature on coal miners, including Steven Penfold's study of Cape Breton coal towns during the 1920s, has considered the centrality of masculinity and manliness to the self-image of the workers plying this dangerous trade.¹⁵ Similarly, Thomas Dunk has recently offered a sociological analysis of white, working-class males in Thunder Bay. Dunk observes the importance of leisure pursuits, gender and ethnic stereotypes, and the role of regionalism among "the boys."¹⁶ Pamela Sugiman has uncovered how notions of femininity affected the working life and union activity of women

¹³ The articles collected in Craig Heron and Robert Storey, eds., *On the Job: Confronting the Labour Process in Canada* (Kingston and Montreal: McGill-Queen's University Press, 1986) offer an excellent example of the breadth of occupations examined.

¹⁴ The major thrust of Lowe's work concerned the gendered nature and feminization of office work. Graham S. Lowe *Women in the Administrative Revolution: The Feminization of Clerical Work* (Toronto: University of Toronto Press, 1987); "Class, Job, and Gender in the Canadian Office," *Labour / Le Travailleur* 10 (1982): 11-37; "Mechanization, Feminization, Managerial Control in the Early Twentieth-Century Canadian Office" in *On the Job* 177-209.

¹⁵ Steven Penfold, "'Have You No Manhood in You?' Gender and Class in the Cape Breton Coal Towns, 1920-1926," *Acadiensis* 23, no. 2 (Spring, 1994): 21-44.

¹⁶ Thomas Dunk, *It's A Working Man's Town: Male Working-Class Culture* (Montreal & Kingston: McGill-Queen's University Press, 1991).

autoworkers between 1937 and 1979.¹⁷ In the United States, Susan Porter Benson has illustrated how the gendered nature of consumerism played out for women on both sides of sales counter in department stores during the first half of the twentieth century.

Taxi drivers recognizable workers

This thesis seeks to amplify our historical understanding of working-class identity by analyzing the occupational identity of a group of workers who have captured the imagination of the public and the interest of the state yet, paradoxically, have received scant attention from historians. The images and identities associated with taxicab drivers have interested many observers, making them, as a group, among the most recognizable of all workers. Taxis and taxicab drivers have held a peculiar place in the public's psyche as a type of novelty or public curiosity, and have often been portrayed in popular culture.¹⁸ The three most recognizable examples have been Robert De Niro's performance in the feature film *Taxi Driver*¹⁹, Harry Chapin's hit song, "Taxi,"²⁰ and the NBC

¹⁷ Susan Porter Benson, *Counter Cultures: Saleswomen, Managers and Customers in American Department Stores 1890 – 1940* (Chicago: University of Illinois Press, 1988); Pamela Sugiman, *Labour's Dilemma: The Gender Politics of Auto Workers in Canada, 1937 – 1979* (Toronto: University of Toronto Press, 1994).

¹⁸ The Internet can be used as a tool to measure the degree to which the occupation has permeated popular culture. In September 2005, a Google search of "taxi driver" produced more than 3 million hits. Almost fourteen times more than "steelworker," more than six times the number of hits for "mail carrier" and "telephone operator," and almost three times more than "coal miner." In terms of Internet references, taxi drivers were approaching the ranks of "waiter" and "bartender," and even closer to "prostitute."

¹⁹ *Taxi Driver* Columbia 1976.

²⁰ Harry Chapin, "Taxi" *Heads & Tales* Electra March 1972.

television series *Taxi*.²¹ These three, still the most recognized popular culture images of taxicab drivers, represent the trilogy of American popular culture: cinema, song, and sitcom. More recently, the inaugural episode of the HBO Documentary Series "Taxicab Confessions" (aired in 1995) won an Emmy Award for Outstanding Informational Special.²²

Canadian examples of taxi drivers portrayed in popular culture have been far less celebrated. Although the National Film Board of Canada has produced two short documentaries, they could hardly be compared to Martin Scorsese's Hollywood classic. Similarly, no scholar has cited Joni Mitchell's "Big Yellow Taxi"²³ as a relevant comment on what taxis symbolize. Nor has the more recent CBC television series *Gullage's*²⁴ (a 13-part series revolving around a St. John's taxi stand) left the impression on the North American audience that NBC programming did. Regardless of audience size, popular culture portrayals of taxicab drivers and the taxi experience have offered useful insight into the common stereotypes and archetypes associated with taxicab drivers.

In the case of literary fiction, the symbolic use of taxis has illustrated popular public perceptions of taxicab drivers. Themes such as transience, escape, anonymity, and disappointment have commonly been associated with taxicab drivers in Canadian novels. Acclaimed Canadian authors, such as Mordecai Richler, have used taxi drivers to symbolize character flaws and

²¹ *Taxi* NBC TV Series aired from 1978 to 1982.

²² The series included ten episodes that aired between 1995 and 2003. "HBO Cinemax Documentary Films, Taxicab Confessions" <http://www.hbo.com/docs/programs/taxicab10/archive.html> (accessed 14 September 2005).

²³ Joni Mitchell, "Big Yellow Taxi," *Ladies of the Canyon* Reprise 1970.

²⁴ *Gullage's* CBC TV Series aired in 1996 and 1997.

personal failure. For example, in his novel, *The Apprenticeship of Duddy Kravitz*,²⁵ Richler juxtaposed success and failure in the occupations and reputations of two generations of brothers. In the first generation, one brother was a successful and respectable businessman, the other a taxi driver and part-time pimp. The two sons of the taxi driver were similarly contrasted. One was studying to become a medical doctor, the quintessential symbol of upward mobility, while the other moved through various jobs, including driving a taxi, as he tried to amass his fortune. Richler employed the stereotypes of taxicab drivers as vulgar, socially inept losers to exemplify the flaws in his characters and to illustrate conflict, both personal and social.

There have also been examples of fictional works created by taxicab drivers themselves. Helen Potrebenko let her experience as a taxicab driver inform the story of Shannon, the protagonist in her novel *TAXI!*²⁶ While issues of class struggle, and economic marginalization also played a large role in Potrebenko's fiction, Shannon was an infinitely more sympathetic character than Richler's Max the Hack. For example, in the juxtaposition between the "vulgar" working-class taxi driver and the "respectable" middle-class passenger Shannon appeared as the moral victor. Potrebenko described the reaction of the woman passenger to the suggestion that she might want to become a taxi driver:

²⁵ Mordecai Richler, *The Apprenticeship of Duddy Kravitz* (Toronto: Washington Square Press, 1959).

²⁶ Helen Potrebenko, *TAXI!* (Vancouver: New Star Books, 1989). Similarly, Peter Stinson applied his knowledge of the Calgary taxi industry in his short fiction. See Peter Stinson, "Taxi," in *Concrete Forest: The New Fiction of Urban Canada* ed. Hal Niedzviecki, 29-32 (Toronto: McClelland and Stewart, 1998).

The lady looked shocked. God no, she'd never be pushing hack, covered with sweat and wrinkled clothing on a hot afternoon. Shannon told her there weren't many problems, certainly fewer than in other women's jobs like, for example, nursing, where doctors and senile old men were allowed to pat nurses' bottoms and slaver over them, and the nurses were not allowed to mash guys in the chops and tell them to fuck off. The lady crouched warily in her corner as if she had inadvertently found herself in a cage with a lion. [When the taxi reached its destination] a perfectly manicured and perfumed gentlemen paid the fare and the lady rushed to him, even more determined to please than before, lest he cast her out and cause her to plummet to Shannon's level.²⁷

In a similar vein, there have also been non-fiction accounts documenting life as a taxi driver including three Canadian examples by Germain Archmbault, Marcel Lefebvre, John Johnson, and Peter McSherry.²⁸

Scholarly studies of the taxi industry include research in a wide range of disciplines including folklore, history, sociology, and economics. Generally, in terms of theme and focus, these investigations have fallen into two broad categories of study: socio-cultural and regulatory-economic. In the first category the studies have often used participant-observation methods or interviews with drivers, or both. In many cases the researcher worked as a taxi driver for some

²⁷ *Ibid.*, 75.

²⁸ Germain Archambault, *Le Taxi: Metier de creve-fair* (Montreal: Les Editors Parti-Pris, 1964); Marcel Lefebvre, *While the Meter was Running* (Ottawa: Providence Road Press, 1995); John Johnson, *Taxi!: True Stories from Behind the Wheel* (Toronto: Macmillan, 1973); Peter McSherry, *Confessions of a Nighttime Taxi Driver*, (Toronto: Dundern Press, 2002). In November 2005, a search of Abebooks (an online book catalogue that includes 13,000 independent booksellers dealing in new, used, and rare books) produced approximately 500 titles related to taxis including a large number of children's books.

period of time.²⁹ Studies in the second category have focused on industry structure and regulation, and have more often attempted to evaluate and recommend regulatory policy. Additionally, there have been numerous unpublished studies, including reports commissioned by local governments and business.

Academic literature

This thesis has been strongly influenced by sociological studies that have combined participant observation and scholarly analysis to appreciate critical issues of identity among taxi drivers. Among the earliest American studies to employ this methodology was a 1951 thesis by Charles Morris, who interviewed seventy-two taxi drivers in New York City regarding their occupational choice. Morris observed that while the age of the drivers affected the weight given to different factors in their occupational choice, the perception of their work was otherwise consistent among all of them regardless of age. Most drivers agreed that the job was “interesting,” and provided a fair income and a degree of independence. The drivers also agreed that their work was physically and psychologically harmful, that they lacked status and prestige, and enjoyed little if

²⁹ For example, see James M. Henslin, “The Cab Driver: An Interactional Analysis of An Occupational Subculture,” (Ph.D. diss., Washington University, St. Louis Missouri, 1967); Charles Morris, “Some Characteristics of Occupational Choice and Adjustment in A Sample of New York City Taxi Drivers,” (Ph.D. diss., Columbia University, 1951); Edmund W. Vaz, “The Metropolitan Taxi-Driver: His Work and Self-Conception,” (Master’s thesis, McGill University, 1955).

any opportunity for advancement. And finally, because of their low pay and long hours, taxi-driving did not allow for a "satisfying life" outside of work.³⁰

In Chicago, Fred Davis's article on "The Cabdriver and His Fare: Facets of a Fleeting Relationship" (1959) drew largely from the notes and observations made while driving a cab for six months. It analyzed interactions between fleet drivers and potential passengers. Drivers, he reported, put passengers into categories, such as "live ones," "business man," "blow-hard," and "ladyshopper." In part, these categories spoke to the size and likelihood of tips; therefore, they dictated the frequency and quality of service that drivers were willing to deliver.³¹ Similarly, in the late 1960s, James Henslin employed a hidden tape recorder to gather data in St. Louis, Missouri.³² While his research largely focused on the role of gambling in the culture of taxi drivers, he also observed how drivers tried to minimize the danger of being robbed and maximize the likelihood of receiving a tip by assessing potential passengers according to such variables as sex, age, race, and time of day. Writing in 1962, David Trojan offered a contrast to the observations of Davis and Henslin in his article "Comment on the Personal

³⁰ Charles Morris, "Some Characteristics of Occupational Choice and Adjustment in A Sample of New York City Taxi Drivers," (Ph.D. diss., Columbia University, 1951).

³¹ Fred Davis, "The Cabdriver and His Fare: Facets of a Fleeting Relationship," *American Journal of Sociology* 55 (1959): 158-165.

³² James M. Henslin, "The Cab Driver: An Interactional Analysis of An Occupational Subculture," (Ph.D. diss., Washington University, St. Louis Missouri, 1967); For published material by Henslin see: James M. Henslin, "Trust and the Cab Driver," in *Sociology and Everyday Life*, ed. Marcello Truzzi, 138-158 (Englewood Cliffs NJ: Prentice-Hall Inc., 1968); "Craps and Magic" *American Journal of Sociology* 73, no. 3 (1967): 316-330; George Psathas and James Henslin, "Dispatched Orders and the Cab Driver: A Study of Locating Activities," *Social Problems* 14 (1967): 424-443.

Aspects of a Small City Taxi Service.”³³ After driving taxi in a small American city for a summer, Trojan contrasted the tipping patterns and driver/passenger relationships of his customers with those of Davis and Henslin in larger cities.³⁴ With respect to occupational identity, Trojan observed that both passengers and drivers made assumptions about the social class of taxi drivers. Trojan found that his status as a university professor created friction with fellow drivers and confusion for passengers.³⁵

Although it is unclear whether or not Charles Vidich, the next sociologist to write about taxis, ever drove one, he did receive a Masters of City Planning from Harvard in 1974. In the introduction to his 1976 book, *The New York Cab Driver and His Fare*, Vidich devoted considerable attention to the image of New York City taxi drivers. Vidich suggested that contemporary negative images of cab drivers were a function of the history of the industry. Vidich went on to explore “types” of drivers including “night hawks”, “dock rats”, and “super hustlers” as he contended that the exploitive behaviour of taxi drivers in past decades had given them a bad name, despite improved behaviour in recent times.³⁶

In a more class-sensitive analysis, Richard Schlosberg criticized Vidich for his failure to take into account the structural conditions surrounding the behaviour

³³ David Trojan, “Comment on the Personal Aspects of a Small City Taxi Service,” *Wisconsin Sociologist* 13 (Fall 1976): 132-138.

³⁴ A decade earlier, Robert Karen spent a summer driving taxi in a suburb of San Diego, California and analysed the tipping behaviour of his patrons. Robert Karen, “Some Factors Affecting Tipping Behaviour,” *Sociology and Social Research* 47 (October 1962): 68-74.

³⁵ Trojan, “Personal Aspects,” 134.

³⁶ Charles Vidich, *The New York Cab Driver and His Fare* (Cambridge Massachusetts: Schenkman Publishing Company, 1976); also see Charles Vidich “Union Taxis and Gypsy Cabbies” *Society* 10, no. 5 (1973): 43-49.

of taxi drivers. Schlosberg similarly faulted Davis and Henslin for their portrayal of drivers as “manipulative,” “deviant,” and “predatory”. During his time as a New York City taxi driver, in the mid-1970s, Schlosberg gathered observational data and conducted interviews with several drivers. His study focused on behaviours employed by taxi drivers to adapt to their industry and revealed that identities such as age, ethnicity, and level of education affected their adaptive behaviour. Schlosberg concluded that older Jewish and Italian veteran drivers employed “primary adjustments” such as “sports talk” and socializing at the Belaire Cafeteria, while the “new breed” of young black, Puerto Rican, and middle-class white drivers³⁷ employed “secondary adjustments” including drugs and sexual encounters with passengers. Rather than view the lifestyle of the older drivers as evidence of greater contentment, Schlosberg contended that the primary adjustments were “programmed” behaviours. He argued that older drivers betrayed their dissatisfaction through constant referral to the job in negative terms (most commonly as “pushing hack”), through abrasive banter, such as “jokingly” calling the morning dispatcher a “fuckin’ prick”, and most notably, by seeking satisfaction through the achievements of their children.³⁸ Discounting the trope of worsening conditions in the industry, Schlosberg concluded both generations of drivers struggled with the same occupational dissatisfaction, but

³⁷ Schlosberg does not identify the ethnicity of the young white drivers, but contrasts them with older Jewish and Italian drivers, suggesting they were neither Jewish nor Italian. Richard Schlosberg, “A Descriptive Analysis of the New York City Taxi Industry” (Master’s thesis, Hunter College, New York City, 1975); “Taxi Driving: A Study of Occupational Tension” (Ph.D. diss., City University of New York, 1980).

³⁸ Schlosberg, “A Study of Occupational Tension,” 76-78; Schlosberg, “Descriptive Analysis,” 23-25.

employed different coping strategies. Contrary to Vidich, Schlosberg, contending that drivers' behaviour was a function of the industry's labour system, concluded that the negative image of cab drivers had its roots in the history of class relations.³⁹

A decade later, sociologist Raymond Russell resumed the study of taxi-driver identities such as class and ethnicity. His first article, on Boston taxi drivers, added the role of remuneration in class formation. He found that, while there was little variation in terms of the drivers' control and autonomy in the workplace, there were important differences in the ways they were remunerated. In consequence, drivers created and joined different types of collective organizations in accordance with the mode of remuneration. Drivers paid on a commission basis tended to unionize, owner-operators preferred to create cooperatives, and drivers who leased their taxi owner's license remained totally unorganized.⁴⁰ Russell's second study pertained to taxi drivers in Boston as well as Los Angeles; it documented the effect of ethnic and cultural ties on the life history of cooperatives and worker-owned firms.⁴¹ Russell demonstrated that ethnic and cultural ties acted as double-edged swords. Initially, they served as a powerful catalyst to the formation and early success of many taxi co-ops and driver-owned firms. Later, when the ethnic identity of drivers entering the industry

³⁹ Schlosberg, "A Study of Occupational Tension," 9.

⁴⁰ Russell, "Class Formation," 364-65.

⁴¹ Raymond Russell, "Class Formation in the Workplace: the Role of Source of Income," *Work and Occupation* 10, no. 3 (1983): 349-72.

changed, the dynamics of ethnicity and culture contributed to the rapid degeneration of these very same firms.⁴²

Gorman Gilbert and Robert E. Samuels, authors of the most notable monograph on American taxicabs, contended in 1982 that the negative image of taxicab drivers had its origins in the Great Depression, which came early to the taxi trade. Gilbert and Samuels showed that John D. Hertz (in Chicago) and other early operators had done a good job by 1920 of promoting the image of taxi drivers as respectable professionals. Gilbert and Samuels described the taxicab industry as “seemingly stable” into the 1920s, but the “isolated taxicab wars [that] broke out in several cities during [that decade] were a harbinger of the chaos that was to come during the Depression.”⁴³ Others have shown that the negative public image of taxicab drivers can be traced back to the era of horse-drawn cabs.⁴⁴

Norman Beattie’s pioneering article, “The Cab Trade in Winnipeg, 1871-1910”, offered a rare insight into the horse-cab trade prior to World War I.⁴⁵ Beattie described the horse-drawn cab industry in Winnipeg as “unpredictable”,

⁴² Raymond Russell, “The Role of Culture and Ethnicity in the Degeneration of Democratic Firms,” *Economic and Industrial Democracy* 5, no. 1 (1984): 73-96.

⁴³ Gorman Gilbert and Robert E. Samuels, *The Taxicab: An Urban Transportation Survivor* (Chapel Hill & London: The University of North Carolina Press, 1982), 65 and 73.

⁴⁴ G. N. Georgano, *A History of the London Taxicab* (New York, Drake Publishers, 1973); Philip Warren, *The History of the London Cab Trade* (London: Taxi Trade Promotions, Ltd., 1995); Nicholas Papayanis, “The Development of the Paris Cab Trade, 1855-1914,” *Journal of Transport History* [Great Britain] 1987 8(1): 52-65; Nicholas Papayanis, “The Coachmen of Paris: A Statistical Profile,” *Journal of Contemporary History* 20 (1985): 305-321.

⁴⁵ Norman Beattie, “The Cab Trade in Winnipeg, 1871-1910,” *Urban History Review* 27, no. 1 (October 1998): 36-52.

characterized by low revenues, high operating costs, and a small and fragmented local market. While speed and volume have always been critical problems for cab operators, horse-drawn vehicles were slow and there was not a sufficient number of potential customers for drivers to make a good living. Although expensive, automobiles offered a distinct improvement in the number of trips that could be done in a day, and therefore a better prospect to make a decent income. In fact, early taxicab operators could even justify the expense of company cabs and uniformed drivers. However, the democratization of the automobile through the efforts of Ford and Essex – especially the low-cost, enclosed cars of the 1920s – soon restored the trade to the poverty and sharp practices of the horse-cab era. Furthermore, Beattie notes the “association in the public mind ...[of] ... prostitution, bootlegging and other unsavoury activities” with horse-drawn street cabs during the 19th and early 20th century.⁴⁶

In his 2001 dissertation, “Constructing ‘The Poor Man’s Automobile,’” Joshua Lupkin delved into the social history of taxicabs in Chicago and New York, from the turn of the century until the landmark regulations that limited their numbers in 1937. Lupkin identified five distinct stakeholders in the taxi industry, namely business leaders and civic groups, city planners and transportation economists, operators of large taxicab fleets, small-scale owners and drivers, and consumers of taxi services. He then explained how each group had different

⁴⁶ Beattie, “Cab Trade in Winnipeg,” 50 n. 14.

priorities for the use of public space and city streets, producing a spatial conflict that informed their perception of taxicab roles.⁴⁷

The arrival of automobiles also offered the cab trade a new opportunity to compete with public transit technologies. Motor vehicles could be overloaded with multiple passengers at low fares and move faster than the street railway service. Donald Davis has published two studies (1989 and 1990) on the jitney⁴⁸ phenomenon in Canada and illustrated how it posed not only an economic threat (to street railways and to municipal revenues) but also a challenge to social mores.⁴⁹ Davis has revealed that, in part, the anti-jitney lobby argued on moral grounds against the vehicles whose “novelty and speed” attracted youth and exposed them to “seedy characters, including prostitutes, pimps, pickpockets, bootleggers, and muggers”.⁵⁰ Furthermore, Davis illustrated that jitneys were a

⁴⁷ Joshua Mark Lupkin, “Constructing ‘The Poor Man’s Automobile’: Public Space and the Response to the Taxicab in New York and Chicago” (Ph.D. diss., Columbia University, 2001).

⁴⁸ Davis explains that transportation specialists use the term to describe a large automobile or small van that operates without either fixed stops or fixed schedules, but on more or less fixed routes and is hailed from the street by potential passengers. However, only about half of the jitneys that operated in Canada and the US during their heyday (1914-1930) fit the modern definition. The rest “operated either like shared-ride taxis with flexible routes determined by passenger destinations or like modern-day transit buses with fixed schedules, routes, and stops.” Donald F. Davis, “The North American Response to the Jitney Bus,” *Canadian Review of American Studies* [Canada] 21, no. 3 (1990): 335-336. Donald F. Davis “Competition’s Moment: The Jitney-Bus and Corporate Capitalism in the Canadian City, 1914-29,” *Urban History Review* 18, no. 2 (1989): 104 and 107.

⁴⁹ Davis “Competition’s Moment” and “Response to the Jitney Bus”.

⁵⁰ Davis, “Competition’s Moment,” 112 and Davis, “Response to the Jitney Bus,” 339-340.

particularly attractive mode of transport for women passengers.⁵¹ However, the moral arbiters also sent up alarms about “undue familiarity” between members of the opposite sex riding in jitneys.⁵² In the end, the success of anti-jitney regulations was dubious protection for women riders who lost the convenience of such affordable automobile travel. In two later publications, Davis turned his attention to the rate wars among taxi companies between 1925 and 1950. His analysis of this critical era in Canadian taxi history documented how regulations such as uniform fares, taximeters, and limitation on entry sacrificed industry flexibility and hindered its effectiveness as a transit option for growing urban populations.⁵³ Moreover, his analysis implicitly demonstrated that moral issues, such as the living wage and child prostitution, were key determinants in the regulatory process.

Edward Sutton looked at issues of moral order in the Halifax taxi industry during World War II. Sutton described how wartime shortages of gasoline, tires, and car parts hindered taxi service yet the public outcry against taxis focused on issues of vice associated with the business. When wartime rationing compromised service, drivers were accused of devoting their efforts to the illegal,

⁵¹ Davis, “Response to the Jitney Bus,” 340-341 and “Competition’s Moment,” 112.

⁵² Davis, “Competition’s Moment,” 112 and “Response to the Jitney Bus,” 339-340.

⁵³ Donald F. Davis, “The Canadian Taxi Wars 1925-1950” *Urban History Review* 27, no. 1 (1998): 7-22. See also Davis, “The Origins of Modern Taxicab Regulation in Canada,” *Proceedings of Annual Conference of the Administrative Sciences Association of Canada*, Business History Division, 18, no. 24 (1997), 1-11.

but lucrative, trades in liquor and sex.⁵⁴ Neither Sutton nor Davis focused on drivers or sought to see the world through the drivers' eyes, their primary interest being the origins of regulation in the era before this study commences.

For taxi regulation in the post-war era, the key – indeed, virtually the sole study – was done by Benoit-Mario Papillon for the Economic Council of Canada in 1982: *The Taxi Industry and its Regulation in Canada*. Papillon had more to say about Toronto, as he examined, in detail, forty-seven Canadian regulatory regimes. His study included the largest city in each province or territory, the province-wide regimes in Quebec and Manitoba, and almost all of the remaining Canadian cities with a population greater than 50,000. Papillon's study remains among the most extensive compilations of Canadian taxi regulation.⁵⁵ Papillon established that taxi drivers were largely low-skilled and low-paid workers, often immigrants, students, and the unemployed.⁵⁶ Although issues of identity were peripheral to his study, Papillon recognized (as Donald Davis has demonstrated) that economic regulations designed to affect market conditions were often justified on the basis of cultural values. For example, Papillon noted that the reasons given for both the abolition of the jitney and the limitation of taxis twenty years later included criminal activities.⁵⁷

⁵⁴ Edward Sutton, "Halifax Cabdrivers, 1939-1945," *Nova Scotia Historical Review* 12, no. 2 (1992): 66-73.

⁵⁵ Benoit-Mario Papillon, *The Taxi Industry and Its Regulation In Canada Working Paper No. 30* (Ottawa: Economic Council of Canada, 1982). Davis, "Origins of Modern Taxi Regulation", "Competition's Moment", "Taxi Wars".

⁵⁶ *Ibid.*, 36.

⁵⁷ *Ibid.*, 18-19.

Studies of regulatory regimes have necessarily helped shape this study, but they tell us little about the post-1982 era, and they give us only transitory insights into the primary focus of this study, the complex nature of occupational identity in the taxi-driving trade. Of more utility for studying Canadian drivers have been three sociological studies. First came Edmund Vaz's study of Montreal taxi drivers in the 1950s. Through participant observation and interviews, Vaz identified three types of taxi drivers, specifically the service-oriented driver; the business-oriented driver; and the hustler. The characteristics associated with the service-oriented drivers and the hustlers were not dissimilar to the behaviours observed by Schlosberg in his New York study. While acknowledging that taxi drivers were not a homogenous group, Vaz argued that common occupational experiences shaped an occupational identity shared by most of the drivers he interviewed. The majority of them believed that by virtue (or vice) of their occupation, the public saw them as low-status, lazy, deviant crooks.⁵⁸

Two decades later, a second Canadian study, this time by Jane Burns, alluded to one of the benefits of participant observation when she commented on the importance of identity in the research process. In her study of the occupational folklore of taxi drivers in St. John's, Burns expressed that she had encountered difficulty when establishing contact with potential informants and suggested this was because she was a woman intruding upon a male domain.⁵⁹

⁵⁸ Vaz, "The Metropolitan Taxi-Driver".

⁵⁹ Jane Burns, "Every One Has Good': A Study of the Occupational Folklife of a St. John's Cab Driver," *Culture and Tradition* 4 (1979): 79-87.

Two decades later, Cynthia Boyd focused on the issue of gender in her study of female taxi drivers in St. John's, Newfoundland and the tactics they used to deal with unwanted sexual advances from male passengers. Boyd contended that gender identity created a need for additional cautions among women drivers because of gender-specific occupational risks, even though drivers of both sexes otherwise shared the "canon of work technique".⁶⁰

Toronto taxi drivers

A review of the literature on taxi drivers reveals that any history of them must start with an appreciation of the inextricable connection between culture and economy in the regulatory process. Cultural values such as courtesy, honesty, and respectability were inextricably linked to economic values such as the market price of taxi plates and lease fees. Therefore, regulations designed to shape the moral behaviour and public image of taxi drivers had a profound effect on both the work experience and the workplace of drivers.

Beyond the regulatory process, the literature on identity has provided us with two key insights for constructing an historical narrative for taxi-driving in Toronto: first, the limits of identity; and second, the dialectic through which identity is shaped.

⁶⁰ Cynthia Boyd, "Just like one of the Boys': Tactics of women taxi drivers" in *Undisciplined Women: Tradition and Culture in Canada*, eds. Pauline Greenhill and Diane Tye, 213-222 (Toronto: McGill-Queen's Press, 1997). It is worth noting that few of the authors discuss the role of sexuality among men taxi drivers as frankly as James Henslin, who contended that philandering provided an important fringe benefits for those drivers who took advantage of serendipitous sexual opportunities or made money from directing customers to sex workers or took advantage of discounts from prostitutes for services rendered. See Henslin, "An Interactional Analysis," 149-151.

As for limited identities, the findings of sociologists such as Morris, Schlosberg, Russell, of pioneering historians such as Cook and Careless, and culturalist labour historians such as Kealey and Palmer have taught us that the identity markers brought by taxi drivers to their work – such as age, education, ethnicity, and gender, have played a critical role in shaping their attitudes toward, behaviour at, and experience of their work. These authors have reminded me, as well as the reader, that the primary goal of this thesis – to discuss the identities that workers develop after they have assumed the role of “taxi driver” – can, at best, give us only a partial perspective on the totality of their lives. It is not possible to pin “Genus taxi driver” to a piece of felt like a gypsy moth and assert, “That’s him. There is no other.” Indeed, there is at least one other – a her.

The literature has, in fact, made us mindful that drivers navigated a “myriad categories of identity” while at work (Black driver, Muslim driver, and married driver); and that there have been, as well, a myriad of “sub” - identities (rookie driver, night driver, shift driver). Therefore, “taxi driver” has not, by any means, represented a uniform, standardized group. Even so, neither was the identity immaterial to the people who bore it. Indeed, as we shall see, it has played a crucial role in shaping their work experience.

Identity is not only limited, it is also in constant flux. Edmund Vaz has shown that identity in Montreal during the 1950s was formed through the interaction between taxi drivers and their passengers. Was it true of Toronto as well, and over a much longer period? This thesis will examine the discourse

among passengers, regulators, and drivers *at work* on the identity of Toronto's taxi-men and -women *while at work* between 1956 and 1998.

These years mark the reign of a single regulatory regime, the Metropolitan Licensing Commission (MLC). Created in 1956, after the creation of Metro Toronto, the MLC held its inaugural meeting in 1957 and its final meeting in 1997. During its forty-year tenure the commission had full legislative, judicial, and executive power over the taxi industry. It wrote, adjudicated, and enforced the laws of the trade, while operating without any meaningful system of checks and balances from the courts or the municipal government.⁶¹ In 1998, following the establishment of the new City of Toronto, a creation of provincial legislation which amalgamated seven municipal governments into one, the Metropolitan Licensing Commission was disbanded and replaced by the Toronto Licensing Commission (TLC). During the early years of the new TLC, in due recognition that the licensing commission had been too powerful and unaccountable, the city undertook to separate its adjudicative function from its policy and administration duties.

Although the initial research for this study included a number of Canadian centres, Toronto was chosen as the focus. It was during the post-World War II period of rapid growth that Toronto became Canada's "taxi capital", surpassing

⁶¹ "When the MLC acted as a tribunal, the only recourse to a negative decision was an appeal to the courts, "a lengthy and costly procedure for all concerned" wrote Marion Joppe, "Obstacles and Opportunities of Introducing an Enhanced Training Program," commissioned report submitted to Board of Trade of Metropolitan Toronto Tourism Committee February 11, 1997. <http://taxi-reg.home.att.net/toronto.htm> (accessed 5 December 2005) n.p.

Montreal, to have the largest number of taxi drivers.⁶² In this sense, Toronto fits neatly within the international literature, which has focused mainly on taxis in the great centres. Its size and structure make the Toronto taxi industry the closest Canadian equivalent to the best-studied taxi cities – New York, Paris, Chicago, and London.⁶³ Although no single centre is fully representative of the diversity within the industry, Toronto accounts for a significant portion of Canada's taxi drivers. According to Census data, in 2001, Toronto taxi drivers represented twenty-one percent of Canadian taxi drivers.⁶⁴ Moreover, as one of the most culturally diverse cities in the world, the Toronto taxi industry has employed a markedly diverse group of drivers, particularly after 1970.⁶⁵ It was, in other words, the logical place to look for the influence of race, ethnicity and nationality in structuring driver identity.

Limiting the research to one centre afforded me the opportunity to get to know Toronto's taxi community. I regularly attended meetings of the Taxicab Advisory Committee (2001-2002) and, on occasions when the agenda focused on issues concerning the taxi industry, I also attended meetings of the Metropolitan Toronto Planning and Transportation Committee and the Toronto

⁶² See APPENDIX 2 for a comparison of the percentage of Canadian taxi drivers in Ontario and Quebec, and Toronto and Montreal, 1951-2001.

⁶³ Despite the almost exclusive emphasis on large urban centres, readers should be cautioned not to think of taxis as an exclusively urban phenomenon. The importance of place, and the role of taxis in smaller centres, rural areas, northern communities, and areas that require water taxis and/or snow taxis are among the areas in need of further study.

⁶⁴ Census 2001 - Occupation - 2001 National Occupational Classification for Statistics (720), Class of Worker and Sex for Labour Force 15 Years and Over, for Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomerations, 2001 Census - 20% Sample Data. Also see APPENDIX 2.

⁶⁵ See Chapter Five.

City Council. I visited approximately six taxi brokerages, attended two annual "Taxi Roadeo" events, conducted formal oral history interviews with two retired drivers, and gathered a tremendous amount of information and insight through informal contact with shift drivers, independent operators, plate owners, brokerage managers, regulatory officials, enforcement officers, and city staff. These activities allowed me to loosely approximate elements of the observer-participant approach of the sociologists; however, in keeping with the habit of more traditional histories, I have mainly relied on written sources.

As for archival material, by focusing on one city, I have been able to conduct a thorough investigation of a variety of sources, including a complete review of taxi-related items in the Metropolitan Licensing Commission Minute books (1957 – 1997) and a systematic review of indexed items relating to the taxis in both the Toronto City Council Minute books and the Metro Toronto Council Minute books. These sources offered insight into the size and scope of the regulatory regime, highlighted key issues concerning the industry, identified the predominant actors, and revealed the nature of interactions between regulators and taxi drivers.

The voices and experience of Toronto taxi drivers were found in a variety of written sources. The holdings of the Toronto Public Library, particularly the Urban Affairs Branch, contained a wide variety of taxi related documents including several staff reports, commissioned studies, and documents generated through a number of municipal special committees and task forces created to examine the taxi industry. The reports of these groups often included additional

documents including correspondence from taxi drivers, owners, and brokers in the form of letters, briefs, and petitions. Union papers also contained correspondence, reports, and news clippings relevant to the Toronto taxi industry. Two excellent sources for union documents were the Canadian Labour Congress papers at the National Archives in Ottawa and the Toronto Union of Taxi Employees papers at the Ontario Federation of Labour in Toronto. Additionally, the Ontario Government Collective Agreements Library and the Department of Labour papers at the National Archives and Ontario Archives provided decisions of the Labour Relations Board, arbitration and mediation awards, and collective agreements. These sources documented the working conditions and grievances of drivers, and provided an analysis of industry structure and regulatory policy.

Unfortunately, police documents concerning the taxi industry could not be pried open. Over a four-year period I made repeated attempts to gain access to the records of the Board of Commissioners of Police (the regulatory body responsible for the taxi industry prior to 1957). However, I was never able to secure access to more than one document. Fortunately, some police records are housed at the City of Toronto Archives, where I was able to gain access to reports concerning by-law offences by taxi drivers during the late nineteenth and early-twentieth century.

With the co-operation of Diamond Taxicab Association, I examined several boxes of scrapbooks dating from the 1940s, which contained an assortment of documents including photos, newspaper clippings, and poetry.

Although no financial records were included, the business correspondence, meeting agendas, internal memos, and notices to drivers provided useful insight into the daily operation of one of Toronto's largest taxi brokers and highlighted many of the business and industry concerns that required the attention of taxi owners, drivers and brokers.

Newspaper clippings were another key source. Hundreds of news clippings were located in vertical files and within archived material. Additionally, I employed the research services at the *Toronto Star*, to systematically search for articles concerning Toronto taxi drivers between 1945 and 1998, and through this means gathered approximately two thousand clippings.⁶⁶

Not surprisingly, the written records of the Toronto taxi industry revealed the voices of innumerable actors divided by a multitude of interests and identities. However, most parties could be loosely associated with one of three broad categories. Most characters in the story were either members, or representatives, of (1) the general public, (2) the taxi industry, or (3) the state. Within each of these broad categories there were narrower groups, often with divergent interests. For example, groups in the "state" sector included the municipal regulators, city officials, metro police, the provincial government, the labour relations board, and the courts. The individuals and organizations associated

⁶⁶ Because of the large number of references to "taxi" in the newspaper a series of words were used to limit the results of the search, including violence, regulation, Metropolitan Licensing Commission, licensing, etc. *The Toronto Star* was also able to provide numerous clippings from the *Telegram*, the *Toronto Sun*, and the *Globe and Mail*; however, they could not have the complete series for these newspapers. Because I did not read every issue of any of the newspapers, and word combinations guided the computer search, the bibliography indicates *passim* for all daily papers and magazines.

with the taxi industry were widely diverse, and at times, wildly opposed. They included taxi drivers, owner-drivers, fleet operators, taxi brokers, drivers' unions, drivers' associations, and others. Although the voices of individual members of the general public were not well represented within the documents, the reports and editorials in the local newspapers were used as a barometer to measure the extent to which taxi issues raised or lowered public interest. Additionally, the voice of the public revealed itself through business interests such as the Toronto Board of Trade which, at times, sought to represent their customers in relationship to the taxi industry.

The sources were reviewed with an eye for discourse surrounding identity. More specifically, I wanted to know when, and over what sorts of issues, did the three major groups express the most interest in shaping the image of Toronto taxi drivers. I sought out the issues over which the most ink was spilt in the continual struggle to construct the identity of Toronto taxi drivers. An inspection of the records during the forty-year tenure of the Metropolitan Licensing Commission revealed four major debates concerning the identity of taxi drivers: industry corruption (the driver as petty criminal), employment class (the driver as lord and serf), rising crime (the driver as victim), and training courses (the driver as professional). Therefore the following chapters will focus on these as four crucial battlegrounds upon which the identity of taxi drivers was contested.

Each chapter will serve a dual function. Not only will it carry the story forward chronologically by focusing on roughly discrete segments of time, but each will also delve into one of the four most-contested identities. This structure

is not to suggest that an issue like driver honesty or safety was the exclusive concern of a particular decade. Rather, the structure of the thesis reflects when the discourse surrounding each issue reached a critical level where it attracted – or demanded – the attention of the industry, the state, and the public. Although mindful of the innumerable interests that participated in the dialectic of identity, this thesis does not seek to measure the precise role or the relative power among the countless actors involved. Rather this study is primarily concerned with the relationship between the two groups poised at the opposite ends of the spectrum of power – the drivers and the state.

As for the narrative, Chapter One explores the pre-1945 origins of the Toronto taxi industry. It is a necessary introduction to the post-war era, for as we shall discover, the identity of the cab drivers was already contested. The foundations of the modern taxi industry regulations originated during the 19th century horse-drawn cab trade, as did the conflict surrounding issues of driver conduct, appearance, and decorum. Moreover, the occupational characteristics of low status, long hours, and poor pay can be traced to this era, as can the traditions of driver resistance, collective action, and labour unrest. In order to appreciate the changes that occurred during the last forty years of the twentieth century taxi industry, it is necessary to know the industry structure before World War II. Moreover, the regulatory decisions made during the 1930s set the stage for the events that unfolded during the post-war period.

Chapter Two deals with the first fifteen years after the war, a period marked by the births of the big taxi brokers, of Metropolitan Toronto, and of the

Metropolitan Licensing Commission (MLC). The crucial issue of identity in this chapter is corruption. During the 1950s, concerns over eliminating (or at least controlling) corruption in the taxi industry dominated the MLC agenda and captured the attention of local media. Well-publicized scandals concerning speculation in taxi licenses and illicit “taxi deals” were compounded when drivers openly defied efforts by authorities to impose an image of order and respectability through strict enforcement of unwelcome dress codes. By 1960, the discord over issues of corruption, propriety, and respectability had quieted and although not completely resolved, the struggle between drivers and the state concerning identity had shifted to another battlefield.

Chapter Three probes one of the most ambiguous identities that taxi drivers faced – that of class identity. The debate surrounding identity that dominated the 1960s and early 1970s concerned the employment status of taxi drivers. Paradoxically, taxi drivers could, and can, be simultaneously both employer and employee – a proud independent entrepreneur and a lowly servant of the brokerage. During a time when government legislation was strengthening the position of unionized labour and enshrining broader protections for non-union workers, changes in industry structure had stripped drivers of their status as employees. Though most independent owner-drivers were not interested in compromising their identity as entrepreneurs, many other drivers contested their status as independent contractors and actively sought the protections and benefits now being afforded to employees. Changes to provincial legislation in

1975 marked a critical achievement for the drivers and although it did not end debate over class identity, the focus shifted to matters of life and death.

Chapter Four deals with the relationship between violence and the struggle to create (and control) issues of identity. Again, although an enduring issue in the industry, the discord surrounding issues of crime and violence against drivers reached an apex during the late 1980s and the early 1990s. Beginning in 1960 and continuing into the early 1990s Canada experienced a rising trend in violent crime that prompted drivers to demand the adoption of safety standards. During the 1980s, the rising crime rate coupled with an economic recession put pressure on the municipality to find affordable methods to enhance policing. Paradoxically, while taxi drivers attempted to secure better protection for themselves, they were also encouraged to become a more visible support for police and emergency services. By the mid-1990s, with a decrease in the national crime rate and signs that the city would implement regulations governing driver safety, the debate over driver identity shifted to a new issue.

Chapter Five focuses on the 1990s as the Toronto taxi industry prepared for major restructuring. In the context of the post-industrial economy there was an increased emphasis on tourism dollars. Consequently, customer complaints about poor service, dilapidated vehicles, and unknowledgeable drivers worried government and business alike. Following an exposé on the taxi industry in the *Toronto Star*, and with pressure from the Toronto Board of Trade and Tourism, the municipality developed a plan to address the negative image of taxi drivers through education and the economic crisis in the industry through deregulation.

These regulatory initiatives generated impassioned debate within the industry, setting the stage for the next battle between the workers and the state - over the professional identity, if any, of the taxi driver.

In the Toronto taxi industry during the later half of the twentieth century, workers and the state repeatedly faced off in a struggle to define what it meant to be a Toronto taxi driver. At the heart of the conflict were two inextricably linked value systems – of culture and economics – both heavily regulated by the state, both critical to shaping every aspect of the driver's work experience. As we shall, for the Toronto taxi driver during the forty-year tenure of the Metropolitan Licensing Commission, the battles fought with cultural and economic values over the contested terrain of their occupational identity were both bloody – Taxi drivers were killed – and costly – Taxi drivers stayed poor. But mostly, the battles over their identity denied them the respect that every worker craves ... and deserves.

CHAPTER I

TORONTO TAXI DRIVERS AND THE STATE BEFORE WORLD WAR II

In 1998, the *Toronto Star* published a series of investigative reports, including a brief overview of the Toronto taxi industry that concluded that its drivers had long been over-worked and underpaid. To emphasize their present and past exploitation, drivers, conjured the most dramatic metaphor of identity possible and repeatedly described the taxi industry as a system of “urban slavery”.¹ Given that taxi drivers were not literally the chattels of taxi owners, the metaphor of slavery was most certainly an exaggeration. Critics who characterized the Toronto taxi driver as a modern “serf” used a more accurate analogy. Bound to the wheel rather than the soil, drivers were not only subject to the will of the plate owner, but also obliged to pay for the right to work. Driver Steve Anemi had it right when he stood up at Metro Hall and spoke out against the “feudal system that forced him to work 16 hours a day, yet never let him get

¹ Peter Cheney, “Insults fly at taxi talks,” *Toronto Star*, March 25, 1998. Particularly in the context of restrictive entry and the resulting taxi deals and plate licensing that will be discussed in Chapter Two and Chapter Five, the slavery metaphor was common. During the 1950s, Metropolitan Chairman Frederick Gardiner had accused plate owners of making “another man his slave for life.” When the city initiated its plan to control the exploitative taxi deals, Gardiner proclaimed, “The money changers are running down the steps of the temple and the slaves are coming out of their bondage.” However, the metaphor was still relevant in the 1970s, when a reporter for the *Telegram* described the life of the taxi driver, “He is a slave to the whims of commerce. The licensing commission has provided him with a handbook of Metro bylaws, inspectors follow him around ready to tick him off for any infractions.” The image of slavery was just as relevant in the 1990s when drivers like Louis Racz and Jerzy Garnecki told the *Toronto Star* that the plate holders had made them into “slaves”. See *Toronto Star*, “‘Leave Us Alone,’ Cabmen Oppose License Inquiry,” December 13, 1956; William Bragg, “Cab ‘Crisis’ Call Impudence - - Mayor,” *Telegram* December 21, 1956, p. 1; *Telegram*, “The pits and perils of driving cab in Toronto,” October 13, 1970; Peter Cheney, “Fare Play?” *Toronto Star* March 15, 1998.

ahead.”² As if to prove the allusion, the owner of the taxi plate that Anemi used to license his taxi removed the plate, effectively kicking the peon off of the land.³

In his seminal study of taxi regulation in Canada to 1982, Benoit-Mario Papillon noted that the motorized taxicab was rapidly integrated into, and subjected to the same regulations as existing, vehicles-for-hire. As a consequence, a large part of modern taxi regulation was, he argued, in essence “old regulation”, dating back to horse-drawn conveyances of the nineteenth century. Similarly, in the case of Winnipeg, Norman Beattie demonstrated the critical concerns of taxi driver identity – moral values and economic viability – have remained basically the same since the beginning of the vehicle-for-hire industry. In this sense, the story of the post-World War II Toronto taxicab industry also begins in the nineteenth century and the era of horse-drawn cabs.

Thornton Blackburn and Toronto’s first cab service

Fittingly, it was an ex-slave who established the first cab service in Toronto. Enslaved in Kentucky in the early nineteenth century, Thornton Blackburn and his wife Lucie escaped in 1831, and moved north to freedom. In the summer of 1833, after a brief period as a free man in Detroit, where Thornton worked as a stonemason, a slave-catcher was sent to retrieve him and return him to his ‘master’. The Detroit sheriff placed both Thornton and Lucie in jail to await the arrival of the slave-catcher. However, two women helped free Lucie from the Detroit jail, and an angry crowd gathered at the jail to demand

² Peter Cheney, “Cabbies’ plates pulled,” *Toronto Star* April 21, 1998.

³ *Ibid.* Anemi was not alone in either his criticisms or his punishment. Driver Mohammed Hoque, was also left without work after he made similar complaints to the *Toronto Star* in the same series of investigative reports.

Thornton's release, and later to aid him to escape. Once out of the Detroit jail, Thornton and Lucie made their way to Upper Canada where they relied on the Lieutenant-Governor, Sir John Colborne, to uphold the recently passed Fugitive Slave Law allowing them to remain in Upper Canada despite demands from the Michigan Governor to return them to the United States.⁴

Eventually settling in Toronto, Thornton worked as a waiter at Osgoode Hall before establishing what has been recorded as the first cab service in Toronto. His cab (constructed from a design of a Montreal cab; itself a pattern copied from popular London, England cabs) was operating in Toronto in 1837. In addition to operating Toronto's first cab, Blackburn also served as vice-president of a company that provided jobs for other Blacks escaping slavery in the United States, and represented the Ontario Black community at the Convention for Coloured Freemen in 1851. Thornton retired from his cab business in 1862 and at the time of his death, in 1890, his estate was valued at over \$17,000, a significant amount of money for the time.⁵

The story of Thornton Blackburn would have likely remained buried if not for a special initiative in the 1980s when archaeologists undertook a dig at the

⁴ Sesquicentennial Museum and Archives Toronto District School Board (SMA), Vertical File: (TBE)-Schools-ELEM-Sackville St., Ratana Hemniti Wong and Marion Voysey, "Bringing Freedom to Light: The Story of a Toronto Immigrant Couple," The Board of Education of the City of Toronto, Continuing Education Department, 1993.

⁵ Wong and Voysey estimate that in 1993 dollars Blackburn's estate would be worth approximately a quarter of a million dollars. SMA "Bringing Freedom to Light." Using the Consumer Price Index as a comparison, Blackburn's estate would have been worth nearly \$350,000 in 2003. Given that he had lived in retirement for almost thirty years before his death, the value of his estate represented a healthy sum of money.

site of the Blackburn home near Regent Park. The archaeologists who selected the site and the members of the local media who reported on the dig were likely influenced by images of twentieth century taxi drivers when they described Blackburn as a “common” man living on a “low income.”⁶ The story of Blackburn’s success in the horse-cab business and his role in Toronto’s Black community reveal that he was neither “poor” nor “common.” In fact, Blackburn was a successful entrepreneur, a respected community leader, a benefactor to numerous refugees from American slavery, and a man of means.⁷

Given that his initial operation was a monopoly and that he worked for some time without any regulatory restrictions, it is questionable how well Blackburn represents other cab operators in the city of Toronto during the nineteenth century. While it seems that the trade treated Blackburn well, there is evidence that other Toronto drivers had less success. In his groundbreaking article on the cab trade in Winnipeg, Norman Beattie explained that some experienced Toronto cab drivers were moving to Winnipeg in the early 1880s, only a decade after the introduction of Winnipeg’s first livery stables. This

⁶ SMA, Toronto Board of Education, Vertical Files, TBE – Schools – Elem, Sackville Street, “Archeologists [sic] examine home of Toronto’s first Black cabbie,” (Canadian Press) n.d.; *The Ottawa Citizen*, “Dig stakes out poor man’s past,” n.d.; Noreen Rasback, “Public invited to help in archeological [sic] dig,” *Globe and Mail*, July 15, 1985; Peter Scott, “Black settler’s home to be excavated,” *Share*, June 4, 1985; Linda A. Fox, “You can ‘dig’ this!” *Sun*, July 7, 1985; Claire Bickley, “They dig for the facts,” *The Sunday Sun*, July 14, 1985; Peter Scott, “Digging for history,” *Share*, July 9, 1985; Renana Glassman, “Public invited to help with excavation of 150-year-old site,” *Real Estate News*, 7, no. 29, July 19, 1985; Chris Welner, “Dig reveals life of oldest taxi driver,” *The Toronto Star*, July 18, 1985; Rhondda Saary, “Excavation of home a double first,” *Topical*, July 12, 1985.

⁷ Peter Scott, “House project funded,” *Share*, July 18, 1985; *The Toronto Star*, “Playground perspective on history,” July 31, 1985.

migration was likely an example of the entrepreneurial spirit common among cab drivers. It also suggests that the industry in Toronto may have been overcrowded, and at least some operators were struggling to make a living. Beattie noted that among the Toronto cab drivers who arrived in Winnipeg, some were connected with Toronto's Irish community.⁸ It is unclear whether or not the Toronto cab industry was predominantly Black or Irish. Similarly, it is unclear what role race may have played in Blackburn's experience as a cab driver. Although Blackburn continues to be celebrated as Toronto's first cab driver, he worked in an industry and lived in an era markedly different from Toronto's post-World War II taxi drivers.

Early regulation

Internationally, the origins of modern taxicab regulations have been dated as early as the twelfth century, with the establishment of the British Parliament in 1189. Although the exact date remains impossible to determine, it has been said that England was regulating "common carriers [and] hackmen [since] time immemorial".⁹ Efforts by Charles I to "restrain the multitude and promiscuous use of [hackney] coaches" in the seventeenth century were both more extensive and

⁸ Norman Beattie, "The Cab Trade in Winnipeg, 1871-1910," *Urban History Review* 27, no. 1 (October 1998): 44.

⁹ *Munn v. State of Illinois*, 94 US 113 (1876) <http://www.hemplinglaw.com/cases/94US113.htm> (accessed September 19, 2005).

enduring than the earlier controls, and therefore has become the most commonly cited example of early cab industry regulation.¹⁰

In Toronto, taxi regulations were first encoded in 1843, approximately six years after Blackburn established his cab service.¹¹ These early regulations were introduced during an era of nineteenth-century industrialization, urbanization, and moral reform.¹² Like other Canadian cities, the origins of Toronto's modern taxi regulations predated the introduction of motorized taxis. Regulatory items including cab description, rules of ownership, regulation of fees, and conduct of drivers all originated during the horse-drawn cab era.¹³

In Winnipeg, the first cab by-law was passed in 1881, and like Toronto's by-law, it set the regulatory tone for succeeding decades. It set license fees, fare

¹⁰ Gorman Gilbert and Robert E. Samuels, *The Taxicab: An Urban Transportation Survivor*, (London: The University of North Carolina Press, 1982), 11-14. Also see G. N. Georgano, *A History of the London Taxicab* (Newton Abbot: David & Charles, 1972). It should also be noted that the 1920s and 1930s represented a critical era in the regulation of the North American taxi industry. A first wave of regulation was aimed at outlawing the operation of jitneys. See Donald F. Davis, "The North American Response to the Jitney Bus," *Canadian Review of American Studies* [Canada] 21, no. 3 (1990): 333-357. Donald F. Davis "Competition's Moment: The Jitney-Bus and Corporate Capitalism in the Canadian City, 1914-29," *Urban History Review* 18, no. 2 (1989): 102-120. The second wave was designed to put an end to taxi rate ward. See Donald F. Davis, "The Origins of Modern Taxi Regulation in Canada," (paper presented at the ASAC Conference, St. John's Newfoundland, 1997) and "The Canadian Taxi Wars 1925-1950" *Urban History Review* 27, no. 1 (1998): 7-22.

¹¹ Walter Gray, "The Hack Business Is Minding Its Manners," *The Globe Magazine*, July 20, 1957.

¹² The seminal work on nineteenth-century moral reform in Canada is Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925*, (Toronto: McClelland & Stewart, 1991); also see Carolyn Strange and Tina Loo, *Making Good: Law and Moral Regulation in Canada, 1867-1939*, (Toronto: University of Toronto Press, 1997).

¹³ Benoit-Mario Papillon, *Working Papers Series, Regulation Reference: Working Paper No. 30 The Taxi Industry and Its Regulation in Canada*, Economic Council of Canada, 1982, 18.

schedules, duties and responsibilities of drivers and owners. A separate by-law passed in 1880 controlled the designation and location of cabstands. Norman Beattie's study of Winnipeg's cab by-laws has revealed that cab regulations were "remarkably ineffectual." Beattie noted that provisions governing cabstands were blatantly disregarded, while fare schedules were superseded by a simpler system of written and unwritten rules devised by the cab owners themselves.¹⁴ In addition to regulating fares, stands, and licensing fees there were also provisions to regulate the conduct of drivers. These regulations dictated how drivers should dress, how they should handle parcels and packages entrusted to them, and directed them to act punctually. Drivers were forbidden to stand in groups of three or more, to make unnecessary noise, to annoy householders, to get drunk, or to act in an insolent or abusive manner.¹⁵

By inference, cab drivers must have been an unruly lot. Their offences included: being absent from the cab, overcharging passengers, driving in an "immoderate" or "furious" manner, using insulting or abusive language, and being drunk or disorderly while at work.¹⁶ Like the regulations in Winnipeg, many of the Toronto cab regulations were either redundant or beyond the appropriate scope of the regulators.¹⁷ For example, as public drunkenness and disorderly behaviour were not limited to cab drivers, making additional reference to these offences in the cab by-laws seemed redundant. However, the inclusion of items such as

¹⁴ Beattie, "Cab Trade in Winnipeg," 39-40.

¹⁵ *Ibid.*, 41-42.

¹⁶ City of Toronto Archives (hereafter TA), Police Department Fond RG 9 "Taxicab Drivers Offences 1888-1916" sub series A6.5; Gray, "Minding Its Manners."

¹⁷ Beattie, "Cab Trade in Winnipeg," 42.

disorderly, noisy, or drunken behaviour in the regulations might have provided additional options to officials when dealing with cab drivers. If a drunken cab driver could be charged under either the cab regulations or the criminal code the consequences could vary. If punishment under the cab by-law was less harsh than being charged under the criminal code, it could be an advantage for the driver. Whether or not the offending drivers avoided harsher punishment or criminal records, the taxi regulators were duplicating existing codes. Similarly, the regulation of parcel delivery, and issues such as punctuality and courteous service also seemed out of place as municipal regulations. As Beattie pointed out, it was more appropriate for taxi companies to address such items. Some might suggest that the duplication of regulations speaks to the extreme unruly behaviour of the drivers. However, it was just as likely a sign of hyper-vigilance on the part of the regulators to control taxi drivers.

Badges

Among the regulations that were unique to the taxi industry was the requirement for drivers to wear numbered badges. In municipalities including Toronto, Montreal, and Winnipeg badges allowed for easy identification of drivers by passengers and police. In Winnipeg the drivers of street cabs were required to wear badges beginning in 1897 after a series of incidents involving drivers including one night when four drivers were arrested for “furious driving,” disorderly conduct and assault.¹⁸ The wearing of a badge was required at least

¹⁸ *Ibid.*, 50-51 n. 14 and 42.

nine years earlier in Toronto, where, in 1888, police records indicate that five drivers were fined for “refusing to show” their badges.¹⁹

Clearly, the mandating of badges was a response by regulators to the offending behaviour of some drivers. However, because all drivers were required to wear the badge, it became a signifier of occupational identity. The badge could be seen as a symbol of order and status, akin to a badge worn by police officers. It could also be seen as a sign that all cab drivers were suspect and liable to commit offences. In sum, the badge was a material symbol of identity that represented paradoxical images for cab drivers.

Taxi, Cab, or Hack

Another artefact that played a significant part in building the identity of the cab industry was the taximeter, a device for measuring both time and distance invented by Wilhelm Bruhn of Germany in 1891.²⁰ In fact, the term “taxi” came into use as an abbreviation of taximeter.²¹ Similarly, the terms “cab” and “hack” were abbreviations of words indicating a vehicle for hire. “Cab” became the

¹⁹ TA, Police Department Fond RG 9 “Taxicab Drivers Offences 1888-1916,” sub series A6.5. In 1889, when the fine for the same offence doubled to \$2.00, only three drivers were charged. By 1913 the fine ranged between \$2.00 and \$10.00. The size of the fine indicates the degree to which the offence was considered serious. The crackdown in 1888 suggests that the badge was a new requirement.

²⁰ Gilbert and Samuels, *Urban Transportation Survivor*, 35. Taximeters were first tried on a few of Berlin’s cabs, drivers and owners were resistant, but passengers were said to be enthusiastic.

²¹ Charles Vidich, *The New York Cab Driver and His Fare*, (Cambridge Mass.: Schenkman Publishing Company, 1976), 59; According to one etymological source the term “taxi” is a “shortening of *taximeter cab* (introduced in London in March 1907), from *taximeter* ‘automatic meter to record the distance and fare’ (1898), from Fr. *taximètre*, from Ger. *Taxameter* (1890), coined from M.L. *taxa* ‘tax, charge.’” *Online Etymology Dictionary* <http://www.etymonline.com> (accessed 14 September 2005).

abbreviation for cabriolet, a light two-wheeled horse-drawn carriage used as a vehicle for hire in Europe,²² and "hack" was an abbreviation of hackney, also a horse-drawn vehicle for hire. Although, "hackney" originally referred to the horse, it became used as a general term designating a vehicle-for-hire.²³ While terms like "cab," "hack," and "taxi" originated during the pre-motorized taxi era; they have all become commonly used to describe modern motorized taxis. It should be noted that these terms continue to have a hierarchy and "hack" tends to be used to make a derogatory or disparaging reference. The degrading tone associated with the term "hack" has been derived from some of its other meanings that included a horse that has been worn out in service, or a horse of inferior quality. "Hack" has also been used to refer to a person, often a writer, who works solely for mercenary reasons.²⁴ A less pejorative term was "cab;" however, "cab" and especially "cabbie" have continued to carry an uncomplimentary tone. As G. N. Georgano explained in his history of the London

²² Gilbert and Samuels, *Urban Transportation Survivor*, 17; Georgano, *London Taxicab*, 26-28. In 1800 the "cabriolet" appeared in Paris. It was light and fast, but also uncomfortable and dangerous. Just after 1800 the cabriolet appeared in London and its name was shortened to cab.

²³ The term "hackney" probably originated from a place name *Hackney* (Middlesex), from O.E. *Hacan ieg* "Haca's Isle" (or possibly "Hook Island"). A once pastoral location in London, England. It seems that during the early Middle Ages, nags were raised on the pastureland there and taken to Smithfield horse market (cf. Fr. *haquenée* "ambling nag," an Eng. loan-word). The extended sense of the term, meaning "horse for hire" (1393) led naturally to "broken-down nag," and also "prostitute" (1579) and "drudge" (1546) and was used in the sense of "carriage for hire" (1704) which led to modern slang for "taxicab." See *Online Etymology Dictionary* <http://www.etymonline.com> (accessed September 14, 2005).

²⁴ "Merriam-Webster OnLine" <http://www.m-w.com/company/dictionary.htm> (accessed 14 September 2005); "Oxford Dictionaries Ask Oxford" <http://www.askoxford.com> (accessed 14 September 14, 2005).

taxicab, although it has grown less so, originally, the term “cab” was considered to be “very vulgar.”²⁵ “Taxi” and “taxi driver” have emerged as the most respectable terms; however, at the time that taximeters were introduced in Toronto, they were not popular among discerning passengers.

Meters

Beginning in the late 1920s, motor cab companies in Toronto began to invest in taximeters and some industry officials were pushed for their mandatory use. In 1927, some 200 taximeters were installed in Toronto taxis, and by 1929 members of the Board of Commission of Police debated the benefit of meters as standard taxi equipment. An order was passed requiring that all street auto taxis be equipped with meters effective July 1, 1930.²⁶ However, by 1932 only about 50 taxis were operating with meters.²⁷ By the early 1930s there were more than 400 motorized taxis operating in Toronto, offering three different categories of service according to the type of vehicle and the method of calculating the fare. There were taxis that charged the fare according to the distance measured on the odometer; these vehicles operated from cabstands provided by the city. The rate was generally 50¢ for the first mile and 30¢ for every mile thereafter. However, many of drivers would take a good deal less than that rate if

²⁵ Georgano, *London Taxicab*, 26.

²⁶ *Evening Telegram*, “Police Bd. Minutes Show No Opposition By McBride to Tax [sic] Meters, Finger Prints,” November 17, 1930; *Renfrew Mercury*, [untitled] November 13, 1930 p 2; *Evening Telegram*, “Committee Will Consider Wages for Taxi Drivers,” November 18, 1930; *Evening Telegram*, “Cab Drivers Not Backward In Own Case,” November 14, 1930.

²⁷ Toronto Board of Commissioners of Police, Advisory Committee on Taxicabs, “Report of the Advisory Committee on Taxicabs to the Board of Commissioners of Police of the City of Toronto” (Toronto: The Committee, 1932), 45.

passengers negotiated a deal. There were also drivers who operated using the zone system. Their cabs were known as the "Fifty-cent, Seventy-five cent and One-dollar Taxis." In these taxis, a flat rate would apply within a designated area and the fare would increase whenever a zone boundary was crossed. Finally, there were taxis with meters; their fares were calculated according to the city tariff. Because the metered taxis did not negotiate deals they were generally considered the most expensive. However, for the uninformed user, the zone system could prove to be far from the cheap. Passengers could pay as much as four times the cost of a metered fare if the route crossed several zonal boundary streets. Depending on designated boundary lines, a passenger might pay one dollar for a ride of less than a half-mile.²⁸

At the time, one Toronto alderman was quoted as saying that he believed 90 percent of people were against the use of taximeters.²⁹ Even the mayor of the city seemed to oppose the change. A reporter for the *Evening Telegram* praised Mayor Bert Wemp for delaying the enforcement of mandatory taximeters:

Had it not been for the opposition which Mayor Wemp voiced in the Police Commission last spring to meters on the taxicabs every taxicab operating on the streets would now have a meter and the public of Toronto would be paying taxi bills twice as high as now.³⁰

²⁸ According to the City Tariff used by metered taxis a passenger could travel up to one and one half miles for 50¢ cents. "Submission of United Taxicab Owners, to Advisory Committee on Taxicab Industry to the Board of Commissioners of Police" June 1, 1931, in "Report of the Advisory Committee," 47.

²⁹ *Evening Telegram*, "Committee Will Consider Wages for Taxi Drivers," November 18, 1930.

³⁰ *Evening Telegram*, "Police Bd. Minutes Show No Opposition By McBride to Tax [sic] Meters, Finger Printing," November 17, 1930.

Like the *Evening Telegram*, the *Renfrew Mercury* openly criticized the mandatory use of taximeters bemoaning the increased cost to visitors, and challenging public transit to appeal to overcharged taxi passengers with better service:

Toronto has put new taxi regulations into force. There will be no dollar taxis now. All will be on meter. It will mean that visitors to Toronto who use taxis will have to pay 100 per cent more than formerly. Last week ... a visitor from Auburn, NY ... paid \$2.50 in a meter cab from downtown to the beach ... these trips are dollar runs under the city limit to city limit rate. This would be a good time for the streetcar system to improve the service.³¹

Many passengers were concerned over the high cost of metered taxis, and drivers worried that the rigid fare structure and higher rates would lead to lower earnings. One driver of a small "dollar taxi" voiced his fears over losing his livelihood because of the requirement to operate with a meter:

I make about \$12 a week without tips [and] my tips don't average 5 cents a day. If this thing is passed, it means this type of taxi will be forced out of business. How could we compete with the big meter cabs if we are forced to run on a meter?³²

Even the drivers of metered taxis were concerned about over-competition within the industry and specifically for the survival of the zone cabs. One De Luxe driver was quoted as saying:

It might not worry us particularly ... but it will certainly mean good-day to those 50-cent and dollar cabs. They haven't got the cars, and there isn't enough business. Why here at [the corner of] Dundas and Bay there are enough cabs to supply a city.³³

³¹ *Renfrew Mercury*, [untitled] November 13, 1930 p 2.

³² *Evening Telegram*, "No Opposition By McBride".

³³ *Ibid.*

However, the evidence indicates that it was precisely the absence of mandatory meters and similar regulatory measures that suppressed taxi fares and drivers' incomes.

Work Hours and Earnings

The most extensive examination of the pre-World War II taxi industry in Toronto was produced by an advisory committee to the Board of Commissioners of Police created in 1931. Its "Report of the Advisory Committee on Taxicabs to the Board of Commissioners of Police of the City of Toronto" was completed in 1932, and documented wages, earnings, and working conditions among the different groups of taxi drivers operating at the time.³⁴

According to the testimony reported to the advisory committee, the drivers operating seven-passenger livery vehicles³⁵ enjoyed the shortest workdays and highest earnings. The drivers with the next most desirable working conditions were those who operated metered taxis. By 1931, De Luxe was the only company operating metered cabs and although their drivers worked longer days and earned less than the seven-passenger livery drivers, they registered no complaints against their employer. Drivers employed by De Luxe were paid a 30-35 percent commission based on their gross earnings with a deduction of 12¢

³⁴ "Report of the Advisory Committee." The Advisory Committee gathered information concerning hours of work and drivers' earnings based on testimony from a large number of individual drivers as well as written briefs, proposals, and depositions from representatives of the Livery Owners' Association, United Cab Owners, DeLuxe Cab Limited, Cab owners operating on the Flat Rate or Zone System, the Independent Cab Owners, Drive-Self Cab Owners, The Funeral Directors and Ambulance Association, and The Board of Trade.

³⁵ Although categorized as taxis, these vehicles would most resemble limousine service.

per gallon for gasoline. The drivers who operated five-passenger zone cabs worked the longest hours, received the lowest pay, and had the highest labour-turnover rate. The average length of employment for the zone drivers, who appeared before the Advisory Committee on Taxicabs in 1931, was less than eighteen months.³⁶ Drivers operating meter cabs and liveries with seven-passenger cars enjoyed longer employment records that averaged almost four years and eight years respectively.³⁷

Not surprisingly, the evidence gathered by the advisory committee revealed that the drivers with the highest rate of labour-turnover also registered more complaints against their employers. Although several of the drivers of seven-passenger liveries and the metered taxis expressed a desire for shorter hours, better wages, and one day per week off with pay, they had no complaints regarding treatment by their employers.³⁸ It was the drivers of the five-passenger zone cabs who voiced the greatest number of complaints concerning working conditions, and earnings. They had grievances with all but one or two of the owners in the field.³⁹

The information in TABLE 1: "Hours and Earnings of Toronto Taxicab Drivers in 1932", represents averages calculated for those drivers studied by the advisory committee.

³⁶ "The average length of employment of the men in [the five-passenger or zone group] which appeared before the sub-committee [was] 1 2/5 years." "Report of the Advisory Committee," 19.

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*, 20

TABLE 1: Hours and earnings of Toronto taxicab drivers, 1932			
Type of taxi service	Seven-passenger livery	Metered cabs (De Luxe Cab)	Five-passenger or zone vehicles
Methods of remuneration for drivers	Wages or 20% commission ⁴⁰	30-35% commission only ⁴¹	20% commission only
Average hours per week	78.75	75.73	79.80
Estimated average gross receipts in dollars per week	68.50	35.60	48.00
Average earnings in dollars per week before tips	13.70	11.57	9.70
Average earnings in dollars per week including tips	20.59	16.97	13.44
Source: Data based on the findings reported by the Advisory Committee on Taxicabs, 1932.			

According to the drivers examined by the advisory committee, the average earnings for drivers of seven-passenger livery vehicles was \$13.70 per week, with tips estimated at \$6.89, giving these drivers an average total of \$20.59 per week. De Luxe drivers averaged \$11.57 in commission, and \$5.40 in tips for a take-home total of \$16.97 per week. Zone drivers averaged only \$9.70 per week; combined with tips averaging \$3.75 these drivers earned only \$13.44 per week. The majority of drivers worked twelve hours per day, seven days per week, with the option of one day off without pay. Among the drivers of De Luxe metered cabs, there were several who worked thirteen to fifteen hours per day. It was these drivers who particularly requested shorter hours. The drivers with the lowest wages were zone drivers. In one case, a married man, with a wife and

⁴⁰ Commission payments are based on gross receipts for the week.

⁴¹ In the case of De Luxe Taxi, drivers were charged 12¢ per gallon for gasoline.

child of nine, who had been employed for five months, working thirteen hours per day, six days per week, had earned an average of \$4.50 and tips of \$3.75 for a miserable \$8.25 per week. Another, employed for one year, worked fourteen hours per day, six days per week to earn only \$7.75 – \$6.00 in commission and \$1.75 in tips.⁴² Not only did the advisory committee comment on the drivers' long hours and low pay, but it also made note of the fact that a number of the drivers were husbands and fathers, who deserved, as breadwinners, a decent wage on moral grounds.

If the drivers of all categories were combined, the average weekly earnings (including tips) for Toronto taxi drivers were about \$17.00. According to the 1931 census, the only men in Toronto averaging lower weekly earnings were longshoremen (\$16.39), waiters (\$15.91), and messengers (\$10.91). Furthermore, if the census record for waiters did not include tips, taxi drivers were earning, on average, \$4.00 a week less than men serving tables. Among the Toronto workers who averaged between \$18.00 and \$20.00 per week were general labourers and unskilled workers, janitors and sextons, sawyers, seamen, sailors, deckhands, and weavers.⁴³ Of the sixty-five occupations identified for working men in the 1931 census, thirty-three averaged weekly earnings between \$20.00 and \$29.00, thirteen occupations averaged between \$30.00 and \$39.00, eight between \$40.00 and \$49.00 and only three averaged above \$50.00 per

⁴² "Report of the Advisory Committee," 20.

⁴³ Dominion Bureau of Statistics Canada, *Seventh Census of Canada, 1931 Volume V Earnings of Wage-Earners, Dwellings, Households, Families, Blind and Deaf-Mutes* (Ottawa: J. O. Patenaude, 1935), 67.

week.⁴⁴ Taxi drivers were clearly positioned at the low end of the earnings scale, operating in a low-status job characterized by long hours and low wages.

Among the drivers surveyed by the advisory committee, the individual reporting the highest income had driven for eleven years, and was married with four children. He operated a seven-passenger livery twelve hours a day, seven days a week for \$18.00 in wages and an average of \$10.00 in tips, or a weekly pay of \$28.00. Surprisingly, a driver of a zone cab reported the second highest earnings. A relatively new driver with only one and one half years in the business, he was married with three children, worked thirteen-and-one-half hours per day, six days per week to earn \$17.00 based on a 25 percent commission plus \$10.00 in tips for a total of \$27.00 per week. His employer was one of only two owners in the field against whom there were no complaints.⁴⁵

In addition to their long hours and low pay many drivers were further exploited by owners who took advantage of their financial plight by charging excessive interest rates on short-term loans. The Advisory Committee was informed of a number of instances where drivers had found it necessary to request advances to pay for meals and other necessities. They were charged 20¢ on the dollar for a loan period of one week or less, an interest rate of over

⁴⁴ A woman taxi driver receiving the industry's average weekly earnings would have fared better than most of her wage-earning sisters. Only eight "female" occupations reported earning more than \$17.00 per week: bookkeepers, cashiers, office clerks, stenographers, typists, nursing graduates, schoolteachers and telegraph operators. However, according to the 1931 Census, there were no women taxi drivers operating in Toronto. See Statistics Canada, *Census of Canada, 1931 VII Occupation and Industry*, (Ottawa: J. O. Patenaude, 1935) 69 and 198-232.

⁴⁵ "Report of the Advisory Committee," 20.

1,000 percent per annum.⁴⁶ This usury highlighted the high price of poverty. It is no wonder that the 1932 Report of The Advisory Committee on Taxicabs concluded that the Toronto taxi business was in a “deplorable condition” and cited low earnings as a primary cause of the “demoralization” found within the industry.⁴⁷

Upping and knocking down

During their investigation, members of the Advisory Committee uncovered another industry practice that aggravated the economic challenges faced by zone drivers: “upping”. When drivers were sent on a call it was customary for dispatchers to time the drivers. If the dispatcher determined that the driver took a long time, it was assumed that the driver had carried the passenger over a zone boundary and he would be expected to hand in an additional 25¢ or 50¢ for the trip even though the passenger had not actually paid any additional fare. This system was known as “upping” the driver. To compensate for “upping”, many drivers would withhold money from the employer through a practice known as “knocking down”. This involved withholding the additional fare collected from passengers crossing zone boundaries whenever the trip was completed within a period of time that the employer would not suspect that the driver had left the original zone.⁴⁸

The practice of “upping” also encouraged drivers to exceed the speed limit. Drivers hoped that by speeding they reduced the risk of upping; however,

⁴⁶ *Ibid.*, 21.

⁴⁷ *Ibid.*, 2.

⁴⁸ *Ibid.*, 23 and 41.

finer for speeding came directly out of their earnings. Thus drivers were at risk of losing income both from being too slow to deliver a fare, and also by travelling too fast. However, as proof of where its own class loyalties lay, the committee was less concerned with the causes of "knocking down" than with the risk of drivers' overcharging passengers to compensate for "upping".⁴⁹ The committee's solution to these problems was to limit competition among drivers.

Limitation

It was the view of many observers that excessive competition among taxi operators was the cause of many shortcomings in the industry, including congestion, low incomes, and immoral and criminal behaviour among drivers.⁵⁰

Members of the Advisory Committee wrote,

[T]he business is so crowded that the greater number of those engaged in it can hardly, by honest effort, secure the means of subsistence for themselves and their families. [Many drivers find] the temptation to disregard ordinary moral scruples ... too great to be resisted under such circumstances, when opportunities present themselves for elicit [sic] gain.⁵¹

⁴⁹ *Ibid.*, 21.

⁵⁰ Davis has demonstrated, that during this era of stiff competition, "old line" companies employed the rhetoric of the "moral economy" to spur restrictive regulations designed to curb competition. See Davis, "Origins of Modern Taxi Regulation" and "Canadian Taxi Wars". For a discussion of the theory of over-competition see Papillon, *Taxi Industry and Its Regulation in Canada*, 20 ff.; The connection between over-competition and illegal activities was not limited to the taxicab industry. Competition was also blamed for illegal activities among American saloon and bar owners at the turn of twentieth century. See Hathaway, Jim. "A History of the American Drinking Place" *Landscape* 29, no. 1 (1986): 1-9.

⁵¹ "Report of the Advisory Committee" 53. In addition to concern for the moral conduct of taxi drivers and the victimization of passengers, regulators were also concerned about the ability of drivers to assume financial responsibility for damages caused by their vehicle. Concerns about over competition and meagre earnings fed into the idea that drivers were unable to pay for either property or personal damages suffered during collisions. See Papillon, *Taxi Industry and Its Regulation in Canada*, 21.

In an effort to curb the ill effects of over-competition the Committee recommended that no further taxi-owner or taxi-driver licenses be issued until after August 1, 1931.⁵² By mid-July, it was evident that the report would not be ready by the August deadline and committee members further suggested that cab driver licenses be issued only when the applicant could furnish a letter from a taxi company ensuring his employment as a driver.⁵³ As a result of these recommendations there was a decrease in the number of both owners and drivers licensed in 1931.⁵⁴ Although it was believed that these measures improved conditions over what would have otherwise existed, the troubles of the Toronto taxi industry were far from solved. The Advisory Committee had already observed a problem with the sale and transfer of taxi owner's licenses, and their policy of limitation would worsen the situation.

Examining the Toronto taxi industry prior to the implementation of any limit on the number of taxis, the Advisory Committee found that vehicle owners who had been refused taxi-owner licenses would endeavour to circumvent the regulations. They would contact an individual or company that had a taxi permit and make arrangements to transfer the taxi license into their own name. In some cases, these transfers involved considerable sums of money. The Advisory Committee concluded that the regulations must allow for Board approval of

⁵² "Report of the Advisory Committee" 3.

⁵³ *Ibid.*

⁵⁴ The number of licensed taxicab owners decreased 25 percent from 1,342 in 1930, to 997 in 1931. Similarly, the number of licensed taxicab drivers decreased 35 percent from 1,884 in 1930, to 1,246 in 1931. See "Report of the Advisory Committee" 4 ff.

license transfers. Their recommendation proposed, “Any owner’s license issued ... may be transferred to any other person, but not until the full details of the proposed transfer have been made known to and approved by the Board.”⁵⁵ Despite this recommendation for transferable licenses, it seemed that neither regulators nor city officials wanted to permit individuals to profit from the sale of a licensing privilege granted to them by the city.⁵⁶ Thus, a license issued by the Board of Commissioners of Police to a taxi owner was considered exclusive to that individual and could not be transferred. Furthermore, if a licensee sold a taxicab, the license was not to be included with the vehicle. The purchaser was to receive a license from the Board in his or her own name before using the vehicle as a taxicab.⁵⁷ Ironically, the policy of limiting the number of taxi licenses created a greater incentive for owners to sell their licenses because of the significant increase in the value of the limited taxi license.

In their final report, the members of the Advisory Committee maintained that the industry was in an economic crisis that was causing any number of “evils” perpetrated by drivers including the over-charging of passengers, bootlegging, and acting as agents for houses of ill repute.⁵⁸ Popular theories that associated over-competition with immoral and criminal behaviour of drivers led

⁵⁵ “Report of the Advisory Committee” 31.

⁵⁶ *Globe & Mail*, “Bootleg licenses: Under-the-table commissions paid for Hard-to-get taxi permits,” June 19, 1952; Toronto Public Library (hereafter TPL) Urban Affairs Branch (hereafter URB) Metropolitan Licensing Commission (hereafter MLC) Minute Book 1959 Minute no. 3, January 21, 1959.

⁵⁷ TA Series 361, Subsection 1, File 005, Taxicabs, Licensing 1953 Box 140520-9 “Report of the Committee” on Taxicabs to the Board of Commissioners of Police for the City of Toronto” n.d. 13.

⁵⁸ “Report of the Advisory Committee” 23.

Toronto, and other Canadian cities, to introduce limitations on the number of taxis in the 1930s. Papillon was able to trace the origin of regulations limiting the number of taxis in two provinces, Manitoba and Quebec. Manitoba passed the Taxicab Act of 1935 limiting the number of taxicabs in Winnipeg. Montreal introduced regulations for limitation for the first time in 1937. Limitation was abandoned in Montreal in the 1940s, but reintroduced in 1952.⁵⁹

For Toronto regulators, limitation led to new problems in the post World War II period when it became common practice to buy and sell non-transferable owner's licenses in an underground market of high priced taxi deals. The problem of unsanctioned sales of taxi plates will be discussed further in the following chapter.

Moral Problem

In addition to economic theories of over-competition, regulators themselves were also blamed for the poor condition of the Toronto taxicab industry. Members of the Advisory Committee admonished the Board of Commission of Police for granting cab licenses on compassionate grounds, stating that it was "clearly evident that a number of drivers [were] much below the mental, physical and moral standards to be desired." The Committee recommended that there be an extensive investigation of the character and qualifications of each taxicab driver applicant.⁶⁰ In addition, concerns were voiced

⁵⁹ The trend toward limitation was also taking place in American cities. By 1934 approximately 43 of 93 US cities with populations exceeding 100,000 had restricted entry into the taxi industry. Papillon, *Taxi Industry and Its Regulation in Canada*, 20.

⁶⁰ "Report of the Advisory Committee," 25-28.

over men “of foreign birth” holding taxi licenses in Toronto. The Advisory Committee’s final report stated,

Having in view the fact that many owners are also drivers, and that the drivers are entrusted with the safety of their passengers, in many cases women and children travelling unaccompanied both by day and night, it has been thought desirable to make more stringent the qualifications for both owners and drivers. [Therefore we recommend] No license shall be granted except to such persons as are British subjects, who have reached the age of twenty-one years, who are of good character, who can read and write the English language, who possess an intimate knowledge of the City and of its traffic regulations and of this By-law, and who have not been convicted of any criminal offence...⁶¹

This policy, driven by the nativist belief that British subjects were morally superior to “foreign born” citizens, clearly sought to prevent this low-status, low-paying job from becoming an occupational enclave for immigrant workers.⁶²

Brokers

While the Advisory Committee attempted to bar the door against the “threat” of foreign-born workers, some members of the industry were warning against an enemy from within. A number of taxicab companies complained that a new type of taxi firm, the brokerage, was going to be the bane of the industry.

⁶¹ *Ibid.*, 26.

⁶² According to Census Canada, the proportion of “foreign born” Toronto taxi drivers remained on a par with the national population until the 1970s. By 1981, individuals born outside of Canada had become over-represented in the Toronto taxi industry as changes in immigration policy softened the systemic racism and opened the border to migrant populations that traditionally had been labelled “undesirable” and were thus underrepresented. However, more inclusive immigration practices did not translate into more inclusive hiring practices. Many immigrants identified as “visible minorities” experienced employment discrimination and were forced to accept whatever jobs were made available. A traditional haven for last-hired-first-fired workers, the taxi industry became the source of income for a growing number of new-Canadians. For further discussion of this phenomenon see Chapter Five.

The Toronto Automobile Livery Owners' Association 5-passenger Group claimed that it was the combination of the economic depression and the arrival of taxicab brokers that had savaged drivers' wages:

Until two years ago there was no trouble whatsoever with regard to the much discussed present problem of drivers' wages, but that with the advent of what is known as the taxicab broker, who has practically no invested capital whatever ... [and] the serious business depression that we are going through, it is making it very hard for most of the legitimate companies to pay the high standard of wages that they did pay until 1929.⁶³

Brokerage-type organizations began with independent and small-scale cab owners organizing into co-operatives. However, some brokerages were organized by neither owners nor drivers, and held no licenses of any kind. These brokerages collected from each owner a flat fee, either monthly or weekly, and in return dispatched taxis to calls received by telephone. By the early 1930s, there were approximately forty brokers operating in the city of Toronto and it was reported "in a great many cases cab brokers ... conducted their business in an irresponsible manner ... largely at the expense of the cab owners."⁶⁴ Being unlicensed, brokerage operators were not directly subject to any regulation or control by the Board of Commissioners of Police. To remedy the situation, the Advisory Committee recommended "the elimination of the unscrupulous type of cab broker from the cab business" and the "proper control and regulation" of

⁶³ TPL URB 388.41321 T59 "Submission of Toronto Automobile Livery Owners' Association 5-passenger Group To Advisory Committee on the Taxicab Industry To the Board of Commissioners of Police Dated: 26 May 1931 Submitted: 1 June 1931"; TPL URB 388.41321 T59 "The Submission of Meter Cab Operator: Brief of De Luxe Cab, Limited, for Advisory Committee on Taxicabs" dated Toronto May 27, 1931.

⁶⁴ "Report of the Advisory Committee," 28-29.

those who remained.⁶⁵ Despite this proposal, and the objections of the owners' association, the brokers continued to operate, and even to flourish. Soon after World War II, taxi brokers became the standard operation while the traditional cab companies with company cars disappeared. Therefore, despite the concerns expressed to the Advisory Committee, neither the issue of the drivers' earnings, nor the problems related to the establishment of taxi brokers was resolved during this era.

Rate wars

Another destabilizing factor common during this era of stiff competition were rate wars among different taxi operators. In his article, "The Canadian Taxi Wars", historian Donald F. Davis, explained that between 1925 and 1950 most Canadian cities experienced taxi wars that reduced both fares and drivers' incomes. These rate wars were a result of the relatively easy entry into the industry. By the late 1920s, entry into the taxi industry swelled as taxi operators took advantage of affordable five-passenger cars, dispatch brokers, free stands on public streets, and zone fares. Examining the cases of Winnipeg and Vancouver, Davis demonstrated how older cab companies, which had invested in taximeters, special-built cabs, telephone switchboards, and private concessions, lobbied their municipalities for stricter regulations. Because capital costs were no longer forbiddingly high, entry would have to be curbed through the regulation of items such as tariff schedules, the use of taximeters, minimum wages, mandatory liability insurance, and the imposition of limits on licenses. Davis

⁶⁵ "Report of the Advisory Committee,"28-29.

contended, that it was the introduction of these barriers to entry that ended the taxi wars, but at a price. The new regulatory regime created a taxi industry that was both less flexible and less helpful in moving the urban masses.⁶⁶

In Toronto, the mandatory use of meters and a regulated tariff schedule promised the public regulated and predictable fares and protected operators from rate wars. In 1931, the United Taxicab Owners of the City of Toronto, a group of 268 owners operating more than 400 of Toronto's taxicabs, put their support behind the mandatory use of meters and warned of the misleading price of fares associated with the zone operators.⁶⁷ Although the Advisory Committee recommended the mandatory installation of taximeters, many operators chose to hide them in the glove box allowing the vehicle to maintain the same appearance as the zone cars.⁶⁸ In fact, many who resisted the use of the taximeter were as concerned with the issue of image and appearance as with the cost of the taxi fares. The combination of obedient, uniformed drivers and the absence of the taximeter, rooflight, and other identifying insignia allowed passengers to enjoy the appearance of riding in a privately chauffeured vehicle. The relevance of this image was not lost on the operators of Moore's Taxi in Winnipeg. In 1930,

⁶⁶ Davis, "Taxi Wars."

⁶⁷ "Submission of United Taxicab Owners, 1931 To Advisory Committee on Taxicab Industry To the Board of Commissioners of Police 1 June 1931," Appendix to "Report of the Advisory Committee". Another group lobbying for mandatory meters were the operators of seven-Passenger Taxis. See "Submission of Operators of seven-Passenger Automobiles for Hire," Appendix to "Report of the Advisory Committee".

⁶⁸ *Globe and Mail*, "Taxi!" May 1985, p 10; For a somewhat related discussion of the importance of maintaining the image of the private coachman in the automobile era see Kevin Borg, "The "Chauffeur Problem" in the Early Auto Era: Structuration Theory and the Users of Technology," *Technology and Culture* 40, no. 4 (1999): 797-832.

Winnipeg's largest taxicab company was still operating without meters and one company spokesperson explained, "the meter is not popular with passengers [because] it advertises the car as a public conveyance."⁶⁹

By 1934, even De Luxe had removed the remaining meters from its vehicles due to popular demand for zone fares. Customers booking a taxi by telephone preferred to get the exact cost of the fare in advance, which was only possible with the zone system.⁷⁰ During the late 1930s, the call for the mandatory use of meters resurfaced and proponents appealed for the zone system to be abolished. Members of the Individual Taxicab Owners' Association, commonly referred to as independents, operated from downtown stands frequented by out-of-town visitors, and favoured the meter system. The independents explained that "transients" (non-resident taxi users) preferred, and even expected metered taxis when they arrived in Toronto.⁷¹ According to newspaper reports covering the debate, it seemed independent drivers were alone in their preference for meters. Philip Argles, of Deer Park Livery Company, stated, "I don't know of one company in Toronto in favour of meters," and added that even independents who did not serve station "transients" did not want them. H. T. Ross, of Townsends Livery Ltd., concurred, and stated that his customers preferred vehicles that had the appearance of privately owned automobiles. City counsellor Greer agreed, "Citizens of Toronto ... do not want what is obviously a taxicab at the funeral or a

⁶⁹ Davis "Taxi Wars" 8.

⁷⁰ *Telegram*, "Taxi Owners and Drivers Oppose Meters For Cabs Public Doesn't Like Them," n.d. (c. 1937).

⁷¹ *Globe and Mail*, "Taxi Meter Decision Delayed," December 17, 1937; *Telegram*, "Taxi Owners and Drivers Oppose Meters"; Diamond Taxicab Association Scrapbooks, "Police Fail to Take Action on Taxi Meter Proposal" n.d.

wedding.”⁷² Though Davis has demonstrated that “old line” taxi companies in several locations pushed for obligatory taximeters,⁷³ it seemed the Toronto experience was exceptional. Even the management at De Luxe Cab, an “old line” company that had invested in the hallmark equipment of authentic taxicabs, was prepared to oppose meters because of passenger preference. Although once “wedded firmly to the idea of meter cabs,” De Luxe had scrapped the technology because their patrons demanded zone taxis. A company manager explained that passengers wanted to know the cost of the fare before they engaged the taxi, “They used to call up for a car and then say if you have nothing but meter cabs, don’t send one.” Only the zone system could guarantee the price. “I don’t care how well you know the city, you cannot tell what the fare is going to be on a meter until the end of the trip.”⁷⁴ So confident that complaints from unhappy residents would force the city to reverse the rule for compulsory meters, some

⁷² Diamond Taxicab Association Scrapbook, “Police Fail to Take Action on Taxi Meter Proposal,” n.d.; *Evening Telegram*, “...was 50 cents,” n.d. According to newspaper reports it seems that the by-law mandating the use of meters became effective December 1, 1938; however, the amendment was not indexed in the City Council Minutes.

⁷³ Davis, “Origins of Modern Taxi Regulation” and “Taxi Wars”.

⁷⁴ According to the managers, both Bowes Taxi and De Luxe Cab were content to cut their losses in terms of offering metered taxis. “Bowes said they lost \$60,000 when they tried meters before. De Luxe has \$30,000 worth of obsolete meters in their garage they will sell cheap.” Diamond Taxicab Association Scrapbooks, *Telegram*, “Taxi Owners and Drivers Oppose Meters For cabs Public Doesn’t Like Them,” n.d. Also see Diamond Taxicab Association Scrapbooks, “Police Fail to Take Action on Taxi Meter Proposal” n.d., p 2.

operators had not even ordered meters months after the by-law took effect.⁷⁵ However, proponents for the meter had their victory, and the ominously ticking machines were soon an accepted standard in the industry.

It seemed that in both Winnipeg and Toronto, the preference of some passengers for taxis that had the appearance of privately chauffeured cars encouraged cab companies and regulators to insist on uniformed drivers and delayed the introduction of metered taxis. Similarly, it seemed that the preference of the out-of-town user for a mileage-based fare was the driving force in determining the final commitment to meters in the Toronto industry. In this sense, users played an active part in creating industry standards in accordance with their own values and preferences. They were, in other words, agents in the process of creating and re-creating the identity within the taxi industry.⁷⁶

Vehicles

Like the taximeter, the taxi vehicle itself was also a symbol of image and identity for both drivers and passengers. Prior to the introduction of the motor

⁷⁵ Diamond taxicab Association Scrapbook, "City Taxi Drivers Approve Meters" n.d.; "... was 50 cents" n.d. As Papillon has observed the implementation of a meter fare structure requires resources and incurs costs. Taximeter fare structures require operators to purchase or rent a meter, inspectors conduct regular or spot checks, public servants to grant increases and operators time and money to adjust his meter to new rates. Papillon, "The Taxi Industry," 55.

⁷⁶ Ronald Kline and Trevor Pinch have illustrated the social construction of technology in the case of the automobile in rural America. See Ronald Kline, and Trevor Pinch. "Users as Agents of Technological Change: the Social Construction of the Automobile in the Rural United States," *Technology & Culture* 37, 4 (October 1996): 763-795.

taxi⁷⁷ there were numerous types and styles of cabs. It was not likely a coincidence that Blackburn's first cab was modeled on a design popular in London. Long before the arrival of its trademark black cabs, London England served as the quintessential (yet paradoxically atypical) example of the urban cab industry. In his study of the New York and Chicago taxi industry, Joshua Lupkin also examined the London cab industry. In his dissertation, "The Poor Man's Automobile" Lupkin observed that cab passengers in mid-19th century London selected vehicles that displayed a particular image in order to reflect certain identities including class and gender.⁷⁸ The London cab market of the 1840s offered both a two-wheeled Hansom cab suitable for two passengers, and a four-wheeled Clarence or Brougham carriage, which could hold four adults. The Hansom could be opened, offering the occupant fresh air, and could navigate the streets at higher speeds than the fully enclosed four-wheelers.⁷⁹

Lupkin observed that "men preferred Hansom cabs because they were perceived as flashy and virile. ... Known by his flamboyant and self-conscious dress and rakishness, the "gent" could flaunt his often counterfeit status" in the

⁷⁷ Toronto's first motorized taxis were French-built Darraq automobiles put into service in the spring of 1909 by Berna Motors and Taxicabs Ltd. see Mike Filey and Victor Russell, *From Horse Power to Horsepower Toronto 1890-1930* (Toronto: Dundurn Press, 1993), 43.

⁷⁸ Joshua Mark Lupkin, "Constructing 'The Poor Man's Automobile': Public Space and the Response to the Taxicab in New York and Chicago (Ph.D. diss., Columbia University, 2001).

⁷⁹ *Ibid.*, 18-19. Georgano also discusses the association between the gender and class identity of passengers and the cab vehicles they used. For example see Georgano, *London Taxicab*, 28 and 32.

open Hansom.⁸⁰ Confirming the importance of display for many cab riders, Vance Thompson, writing in *The Outing Magazine* in 1906, declared:

Taking a cab when no one sees you is as ridiculous as wearing an orchid in the buttonhole of your bath-gown. The only real satisfaction to be got out of being alone is to have other people stand, timid and afar, saying thoughtfully, "Ah, he is alone."⁸¹

Lupkin contends that the association between passenger identity and their choice of taxi vehicles was also important to the American rider. In the early 20th century, automobile manufactures in the United States attempted to capitalize on the desire of passengers to be seen in the right cab. To this end, Ford and other manufactures released new models of taxis every few months. The reaction of middle-class New Yorkers, for example, was to make every effort to be seen riding in the most recent model of taxi.⁸² Like the Londoners of the Victorian era, American taxi users in the early decades of the twentieth century were not only aware of various images that taxis might represent, they also engaged specific taxis according to the images and identities they wished to display.

In Toronto, beyond the apparent preference of zone taxis for residents and metered taxis for visitors, the correlation between passenger identity and taxi vehicles was not clear. However, municipal regulators clearly expressed their desire for particular features of taxi design.

⁸⁰ Lupkin, "Constructing 'The Poor Man's Automobile,'" 20-21.

⁸¹ Vance Thompson, "The New York Cab Driver and His Cab," *Outing: The Outdoor Magazine of Human Interest* 49, no. 2 (November 1906): 131.

⁸² Lupkin, "Constructing 'The Poor Man's Automobile'", 116-117. See also Vance Thompson, "The London Cab," *Outing: The Outdoor Magazine of Human Interest* 45 (October 1904 – March 1905): 151- 160.

Social distance between driver and passenger

In 1932, Toronto's municipal leaders and industry officials favoured design features that characterized build-for-purpose taxis. To this end, they recommended the mandatory installation of partitioned bucket-seat compartments for drivers. These features were meant to enhance the image of the Toronto taxi by having it resemble more closely the built-for-use vehicles used in European cities, particularly London. Having the reputation for setting the highest standards in the industry, London was the city to emulate. At the time, Toronto taxi drivers operated using a wide variety of vehicles, many of which were considered unsuitable by authorities. Members of the Advisory Committee expressed concern that drivers operated both old dilapidated cars and light low-priced cars including passenger cars built for personal use. They argued that passenger cars were never intended for public use and service. According to their report, these first low-priced, enclosed automobiles had arrived on the scene in the late 1920s and represented a serious threat to the image of an orderly and well-regulated industry. Clearly, members of the committee considered industry-specific vehicle design was a requirement of an orderly and well-regulated taxi trade. They claimed that the passenger car was to the taxi industry what the jitney had been to mass public transit and recommended that the ordinary passenger car be eliminated from the taxi industry through regulations that specified vehicle standards, as in Europe.⁸³

⁸³ "Report of the Advisory Committee," 8.

Although the goal was to rid the taxi industry of passenger vehicles and license only built-for-purpose vehicles, it was difficult and expensive for operators to acquire these vehicles, in part, because none were manufactured in Canada. One option available to operators was to alter a seven-passenger vehicle to resemble a built-for-purpose vehicle. The alterations included adding a partition between the passenger compartment and the driver, and provided only one seat in the driver's compartment. The Committee described the advantages of these features:

The glass partition between the driver and passenger compartments is a protection to both drivers and passengers, is a deterrent to the driver being assaulted by passengers and vice-versa, provides privacy to the passenger compartment, and materially reduces the possibility of the passenger distracting the driver's attention from safe driving etc. The single seat in the driver's compartment prevents a passenger from sitting beside the driver and distracting his attention, eliminates the possibility of the passenger interfering with the actual driving of the car and provides a space beside the driver for baggage.⁸⁴

Although the safety of the driver was mentioned among the reasons for partitioning the vehicles, the image that the committee was hoping to promote was one of an orderly, well-regulated industry, one that emulated the European cities using built-for-purpose vehicles. In 1930s Toronto, partitioned vehicles were seen as more authentic taxis. In addition to emulating the built-for-purpose taxis, the partitioned vehicles also offered a visual representation of the social and spatial distance between driver and passenger in keeping with the tradition of private chauffeurs. Indeed, the earliest cabs had been vehicles for the

⁸⁴ *Ibid.*, 9.

wealthy,⁸⁵ and the relationship between passenger and driver continued to carry overtones of the master-servant relationship.

Coachmen to chauffeurs

It was somewhat ironic that taxi regulators tried to shape the industry to reflect the identities and behaviours associated with private chauffeurs, an occupational group that chafed under the yoke of service and challenged the tradition of obedience. Although private chauffeurs were often seen as the epitome of order and obedience historian Kevin Borg has observed that the era of private chauffeurs was marked by increased labour unrest. This was something regulators would certainly not want to encourage. Borg has illustrated that the arrival of the early automobile played a critical role in the changing relationship between the wealthy and their private drivers. The arrival of the motor vehicle meant that a new breed of private chauffeurs filled the role once occupied by traditional coachman. However, the adoption of new technologies also brought profound changes to the self-conception of these workers. Previously accepted practices of service and deference began to be challenged by workers who now had specialized knowledge. Borg contended that the mechanical knowledge and skills required of chauffeurs empowered them to successfully challenge the master-servant relationship that had been accepted by their predecessors. Many private chauffeurs refused to wear the livery uniform that had been “a clear outward sign of [the coachman’s] servile status” and

⁸⁵ Gilbert and Samuels, *Urban Transportation Survivor*, 8.

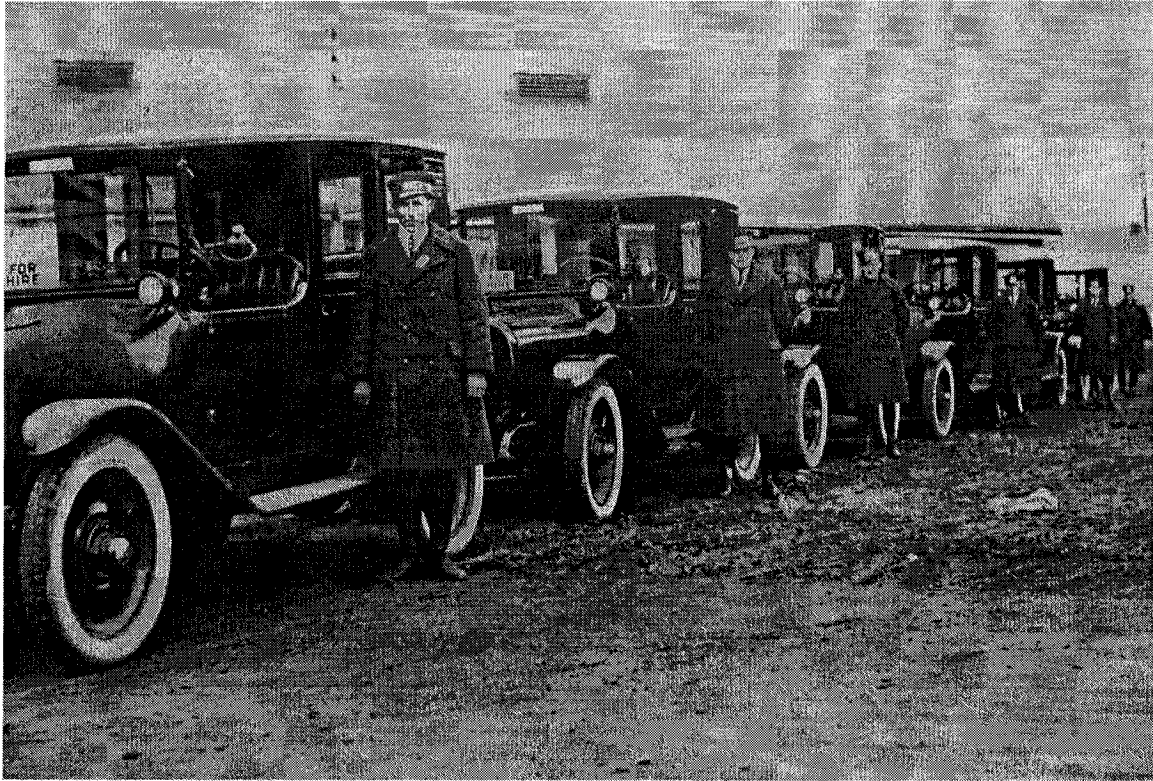
demanded better treatment than traditionally afforded to the coachmen who had served before them.⁸⁶

Livery and uniforms

At the same time that private chauffeurs were refusing to wear livery, municipal regulations in many cities were requiring taxi drivers to don uniforms. The mandating of uniforms for taxicab drivers ensured that even an independent driver who owned and operated his own cab would be outfitted with the trappings of an obedient servant. Whether worn by Toronto's cabmen or private chauffeurs, the livery uniform conveyed the same message. A photograph taken by William James in the 1920s illustrated the image of order and uniformity that was common during the early years of the motor taxi era in Toronto.

⁸⁶ Borg, "The Chauffeur Problem".

IMAGE 1:
De Luxe Cab taxi drivers with their vehicles c. 1926



Source: City of Toronto Archives, Fonds 1244, Item 1569.

The drivers, standing alongside their vehicles, were sporting high boots, long coats, shirts, ties, and hats. Worthy of note, only one man wore the taxi drivers' badge. Although the five other drivers were flouting the rules requiring badges, their uniforms otherwise helped to project an image of obedient chauffeurs. In addition to the effort of regulators to enforce order and obedience among taxi drivers, cab companies also promoted the image of servile drivers in their attempts to woo customers. For example, De Luxe Cab in Toronto appealed directly to passengers who desired the image of a privately chauffeured vehicle

by advertising that their cars were "void of exterior advertising or glaring insignia ...[and] driven by uniformed chauffeurs."⁸⁷

Like all automobiles, the first motorized taxis were luxury vehicles accessible to the wealthy but not the working class. Until 1925, the taxi clientele in Canadian cities had mainly consisted of business travellers, the socio-economic elite, and government officials. This was in part because prices were too high for the general public, and Canadians living in urban centres other than Toronto, Vancouver and Montreal could still walk to most of their usual destinations.⁸⁸ However, after the invention of the Ford Model T, the gap between those with wheels and those without was narrowed. In addition to more people owning a private vehicle, more affordable passenger vehicles also allowed more individuals to gain access to the taxi industry. Although common passenger vehicles did not offer the same "authentic" European-taxi appearance they did allow operators to enter the business with minimum capital. Affordable passenger vehicles also permitted operators to offer more affordable service, thus making taxis available to a wider public. Yet even as taxi service was becoming affordable for passengers with less money, the industry continued to promote the image of privately chauffeured vehicles. This was an opportunity for more people to play the role of the wealthy car owner and enjoy the service of

⁸⁷ "De Luxe cabs and drivers, c 1926. Wm. James, SC 244-1569" Filey and Russell, *From Horse to Horsepower*, 43.

⁸⁸ Davis, "Taxi Wars," 8.

the well-trained, obedient private driver.⁸⁹ However, the image of the deferential servant was not an identity that many drivers took to willingly. Both municipal regulators and company owners found themselves in a struggle to enforce compliance through city by-laws, ordinances, and company rules.

Labour unrest

It was likely that the economic hardships for taxi drivers observed during the early 1930s only worsened through the Great Depression, and by 1938, the veneer of order and obedience that authorities had worked to maintain was cracking under the pressure for better wages and reduced working hours. In the spring of 1938, nearly ninety-five percent of the 720 licensed taxicab drivers in the city were members of the Toronto Taxi Cab Drivers' Association led by Edward McGregor.⁹⁰ These drivers were pitted against more than two-dozen taxi companies, including those represented by the Toronto Zone and Livery Owners Association, in a struggle for union recognition, guaranteed minimum wages, and overtime pay. A strike was looming. According to some newspaper accounts, the union had set the deadline for a walkout in March, but had extended the date hoping that the issue of earnings could be settled without a strike. However, McGregor and union organizer M.H. Nicols reported that the Owners' Association had consistently refused to meet for negotiations. On April 7, 1938, when the

⁸⁹ Not unlike the aristocratic hackney coaches that operated after the Great Fire of 1666 in London. Georgano described how, following the fire, London's streets were rebuilt wider and cabmen purchased coaches sold off by nobility and gentry, left the family coat of arms on the vehicle and offered socially ambitious passengers an opportunity to "ape their betters." See Georgano, *London Taxicab*, 20.

⁹⁰ *Globe and Mail*, "600 Taxi Drivers Will Strike Today, States Union Head," April 7, 1938.

owners again failed to come to the table for a meeting scheduled with the Industry and Labour Board, the strike was on. In an effort to avert the strike, R.S. Barrett, the proprietor of Star Taxi, and president of the Owners' Association, wrote directly to the Ontario Minister of Labour, M. M. MacBride. Barrett explained that he had moved the meeting with the Board into the following week and would greatly appreciate any assistance the Department of Labour could offer to prevent the "general strike" by the taxicab drivers that was set to begin at five o'clock that evening.⁹¹

When five o'clock arrived, more than 600 of Toronto's taxi drivers went on strike. The city's streets essentially became a taxi-free zone and the public had only the TTC and limousines as transportation for hire. However, even two days into the strike the *Evening Telegram* reported that public sympathy was "very strongly with the men." The paper cited the meagre earnings of the drivers and asserted that no employee should be dependent upon gratuitous tips in order to make a decent living.⁹² Therefore, it was with public support that the drivers' committee negotiated with the owners' representatives, and by April 9, 1938, the two groups had reached a tentative agreement, which provided for continued negotiations on the issue of wages with the assistance of Chief Conciliations Officer, Louis Fine.⁹³

⁹¹ *Ibid.*; Archives of Ontario (AO), Department of Labour Papers, RG 7-4-0-14, Strike Toronto Taxis April 1938, R.S. Barrett, President Toronto Zone Livery Owners Association to Hon. M.M. MacBride, Ontario Minister of Labour April 7, 1938.

⁹² *Evening Telegram*, "Taxicab Situation No Credit to the City," April 9, 1938.

⁹³ AO, Department of Labour Papers, RG 7-4-0-14 Strike Toronto Taxis April 1938, untitled memorandum, April 9, 1938.

In a memo to the Minister of Labour about the wage dispute, Fine cited hours and earnings as the main issues. The drivers were looking for a reduced workweek, a guaranteed minimum wage, plus a percentage of the total receipts.

TABLE 2: Hours and earnings negotiated during Toronto taxicab drivers' strike, April 1938 ⁹⁴			
Proposals	Initial proposal made by drivers	Initial proposal made by owners	Final Agreement
Method of remuneration	12.50 wage plus 10% commission	10.00 or 25% commission	12.50 wage or 25% commission
Average hours per week	66	72	66
Average gross receipts per week based on findings of the Advisory Committee Report 1932	50.70 (10% = 5.07)	50.70 (25% = 12.67)	50.70 (25% = 12.67)
Estimated average earnings dollars per week before tips	12.50 + 5.07 = 17.57	10.00 or 12.67	12.50 or 12.67
Source: Data based on the findings reported by the Advisory Committee on Taxicabs, 1932.			

The drivers initially proposed a sixty-six-hour workweek with a base wage of \$12.50, plus 10 percent of the gross receipts. For example, if gross receipts amounted to \$50.70, the drivers would earn a total of \$17.57 per week before tips. The owners initially offered a seventy-two-hour workweek with either a wage of \$10.00 or twenty-five percent of gross receipts. Under this pay scale, gross receipts totalling \$50.70 would only give drivers \$12.67 before tips. The owners later increased their minimum wage offer to \$11.00 per week. The drivers also

⁹⁴ The information in Table 2 uses the combined average gross receipts for the industry as determined in the 1932 report of the advisory committee to estimate the probable earnings initially proposed by both the drivers and owners, and the final agreement offered in the collective agreement.

moved to narrow the gap, reducing their base wage to \$10.00, plus ten percent of the total receipts.⁹⁵

In his analysis of the wage schedules, Fine calculated that according to the employees' schedule, a driver could receive \$14.00 for a sixty-six-hour week provided he averaged \$40.00 gross receipts for the week; however, under the employers' proposal a driver would have to generate \$45.00 before he could take home more than \$11.00 for a seventy-two-hour week. In a memo to MacBride, Fine wrote, "I felt that the employers' offer was insufficient and found it impossible to urge the men to accept same."⁹⁶ In addition to his comments regarding the inadequacy of the employers' wage offer, Fine also expressed concern that the Department of Labour had been premature in offering his conciliation services:

It would appear to me that we entered the strike picture too early, with the result that the employers have felt that things would be settled quickly. I have today advised both parties that I am not prepared to proceed with any further meetings until I am advised of some change in the present offers made by the parties.⁹⁷

⁹⁵ AO, Department of Labour Papers, RG 7-4-0-14 Strike Toronto Taxis April 1938, Louis Fine, Chief Conciliations Officer to Hon. M.M. MacBride, Minister of Labour, April 12, 1938.

⁹⁶ AO Department of Labour Papers RG 7-4-0-14 Strike Toronto Taxis April 1938, Louis Fine, Chief Conciliations Officer to Hon. M.M. MacBride, Minister of Labour 12 April 1938. It is not surprising that Fine determined \$11.00 a week to be an insufficient wage. Eight years earlier in the fall of 1930 concerns over taxicab drivers receiving pay envelopes as low as \$7 to \$13 per week drove some city officials to seek legislation creating a minimum wage for taxicab drivers. It should be noted however, that the justification for seeking "a living wage" for the drivers was to protect the public against drivers overcharging as a result of their desperation and temptation. See *Telegram*, "Committee Will Consider Wages for Taxi Drivers," November 18, 1930.

⁹⁷ AO RG 7-4-0-14 Strike Toronto Taxis April 1938. Louis Fine, Chief Conciliations Officer to Hon. M.M. MacBride, Minister of Labour April 12, 1938.

De Luxe Taxicab Company was the first company to settle with their striking drivers. On Saturday April 23, 1938, at the home of Louis Fine, De Luxe signed the collective agreement to become effective April 25th. In a letter to the Minister of Labour, Fine reported that by accepting the agreement, De Luxe Taxi had assisted in bringing matters to a head. After De Luxe signed, Barrette, on behalf of the Owners' Association, requested a conference for Monday April 25th, when some twenty-five companies also signed the collective agreement that ended the strike.⁹⁸ The final agreement provided a guaranteed minimum wage of \$12.50 per week or twenty-five percent of all receipts. Drivers also received 35¢ an hour overtime pay, a sixty-six-hour workweek, union recognition, and no discrimination for union activities during the strike.⁹⁹

The 1938 taxi strike highlighted two enduring sources of conflict in the taxi industry: long hours and low earnings. Additionally, industry observers, the press, and even the general public, all sympathized with the taxicab drivers. The general consensus was that drivers deserved better conditions and fairer wages; however, these issues would continue to plague the industry. The Toronto taxi industry would continue to be characterized by low-status, low-paid workers. However, during the post-war era, the state would become increasingly concerned with the occupational identity of these lowly workers. The rapid

⁹⁸ AO RG 7-4-0-14 Strike Toronto Taxis April 1938. Louis Fine, Chief Conciliations Officer to Hon. M.M. MacBride, Minister of Labour April 26, 1938. This was not be the last time De Luxe Taxi was instrumental in settling a labour dispute. It also took the lead in reaching a settlement with drivers during a strike by drivers at the Diamond Taxicab Association in the 1950s.

⁹⁹ *The Canada Labour Gazette* (Ottawa: Labour Canada, 1938) 575; AO RG 7-4-0-14, Strike Toronto Taxis April 1938, Louis Fine, Chief Conciliations Officer to Hon. M.M. MacBride, Minister of Labour April 26, 1938.

expansion of Metropolitan Toronto was about to elevate the importance of the taxi industry and municipal authorities would devote even more time and attention to “cleaning up” the taxi industry and the taxi drivers.

CHAPTER 2

CAPLESS ROGUES: CORRUPTION AND CONFLICT IN THE 1950s

Chapter One illustrated that the Toronto taxi drivers indeed had a long, established tradition of being low-status, low-paid, and heavily regulated workers. Furthermore, even this cursory examination of the industry prior to World War II has demonstrated an enduring struggle among drivers, owners, and regulators over such issues of identity as the citizenship, dress, and decorum of drivers. Issues of image and identity were also reflected in the preferences of both passengers and regulators for specially-built, posh vehicles as well as in elements of industry structure such as fares determined by meter technology versus zone systems. Most important was the role of cultural values surrounding the propriety and honesty of drivers. Concern over the propensity of taxi drivers for vice and immoral behaviour underlay the decision to restrict entry by placing a limit on the number of taxis licenses. Municipal authorities, used regulations to affect market conditions in the hope of influencing the behaviour of drivers. Thus, an economic solution was applied to address concerns rooted in cultural and moral values. By the 1950s, the significance of restricted entry had become apparent, and once again, the perceived relationship between economic conditions and moral conduct was driving decisions of regulators. Accordingly, this chapter will focus on the contested identity that dominated the first fifteen years of the post-war period – the dispute over the extent and source of corruption in the taxi industry.

As explained in chapter one, during the 1930s an Advisory Committee to the Board of Commissioners of Police had undertaken an in-depth study of the industry and diagnosed it as “deplorable” and “demoralizing”.¹ Key among their recommendations was the limitation of taxi owner’s licenses. Excessive competition was seen as a leading cause of cheating, corruption, and criminal behaviour among taxi drivers. By the 1950s, the regulatory solutions of the 1930s had proven to be not only ineffectual but also problematic. During the 1950s, the entire Toronto taxi industry was tainted by allegations of corruption. Despite the creation of a new licensing commission and strict enforcement of industry regulations, the Toronto taxi industry of the 1950s was marred by the scandal surrounding the speculation in licenses by investors, a black market trade in licenses, and the resolute resistance by drivers to regulations requiring them to wear chauffeurs caps and to use taxi meters. Regulators were heavy-handed in their efforts to ensure order and obedience, but their efforts only drew attention to the industry’s shortcomings. The campaign against “corruption” simply reinforced the existing images the media and public already had of disobedient and disorderly drivers. This chapter will illustrate the regulatory paradox of the 1950s: that regulatory zeal exacerbated the image of a corrupt and unruly industry.

War veterans enter taxi industry

At the close of World War II, it was not evident that the next decade would be characterized by corruption. During the late 1940s, the Toronto taxi industry

¹ Toronto Board of Commissioners of Police. Advisory Committee on Taxicabs, “Report of the Advisory Committee on Taxicabs to the Board of Commissioners of Police of the City of Toronto” (Toronto: The Committee, 1932), 2.

became a refuge for returning veterans. Consequently, observers of the industry hoped that it might escape its troubled past, with its ranks now swelling with men imbued with the military culture of order and obedience, whose status must surely be elevated by their military service to the state. The future of the taxi trade belonged to men like Leonard Katz, who after volunteering for the army in 1940 had served overseas as a tank commander. When Katz returned to Toronto without a trade, but with a sound knowledge of the city, driving a taxi seemed like a good opportunity for employment. As he explained:

I had just got out of the war and I didn't have any trade of any sort. So ... the easiest thing was driving. I was a driver during the [war] – I was a commander of a tank, ... I could drive [it and] ... command it. [As] a wireless operator I knew all the functions of it. I said Yeah, you know that's pretty similar and besides that I knew the city pretty well.²

Though many war veterans received owners' licenses immediately upon returning from service, Katz did not begin driving for Bowes Taxi until 1946, at a wage of \$12 a week. As he honed his skills, and became more valuable to the company, he was able to increase his earnings by adding a commission to his weekly wage.³ After several years on the waiting list, Katz received his own taxi license from the city of Toronto in the early 1950s and joined the ranks of independent owner-operators who plied their trade without the aid of radio-dispatched calls. These drivers "played" the downtown stands that had been designated for their exclusive. Katz recalled that,

² Interview with Leonard Katz Tuesday, April 3, 2001 at the home of Leonard and Lee Katz, Toronto, ON. For certification of ethics approval and interview guide see APPENDIX 3.

³ "We worked for \$12 dollars a week and then ... [we] got a little bit of a commission as [we] took in more money." Interview with Leonard Katz.

... Union Station, and the Royal York and the King Edward Hotels – those were the three places that a [veteran could wait for fares] – and the companies weren't allowed.⁴

In Toronto, war veterans were able to enter the taxi industry as independent owner-operators and were given exclusive access to these lucrative stands but, unlike owners operating out of a cab company, they were not permitted to put additional drivers on their cars. Yet Katz was content to comply with these regulations, as he felt that additional drivers could cost an owner more than they brought in. He explained:

One man on the car, now that's an independent. ...If I went into the company I could let another guy drive it. But I didn't want to ... at the end of the week I wouldn't be any further ahead. He'd be taking in more money than I did. ...Why should you let somebody drive and then wind up with the money. All he's gonna do is give you mechanics' bills. That's all he gonna give ya.⁵

Other owners agreed with Katz's assessment. Despite complaints by drivers over low earnings, some owners believed that the drivers were doing better than them. In response to a 1945 ruling by the Ontario War Labour Board compelling owners to pay drivers the same wage for an eight-hour day as they had for a ten-and-one-half-hour day, Harry Graham, the owner of Bloor Taxi, argued that it was the owners, not the drivers, who needed a pay increase. Graham protested, "With tips, some of the boys are getting more than the bosses."⁶

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Telegram*, "Owners Appeal Taxi Drivers' Wage Award," March 2, 1945.

Reclaiming the manly occupation

In addition to swelling the ranks of independent owner-operators, the influx of war veterans into the taxicab industry also reaffirmed the traditional gender identity of taxicab drivers.⁷ In Toronto, the participation of women in the taxi industry had, quite typically, remained aberrant. According to one newspaper, even the labour shortage created by World War I had only resulted in one woman becoming a taxi driver, and not until 1919. When Clara Fennell received her taxi drivers' license the *Toronto Star* announced:

Toronto women have taken many forms of patriotic work in the past in their effort to relieve men for service, but few women have entered this line of activity. Although there are many women engaged in driving their own private cars, the sight of a woman driver on a public taxi cab or serving as a general chauffeur is a new one in Toronto.⁸

Although World War II brought more women into the taxi industry, they were few in number and portrayed as a novelty. In October 1943, the Toronto papers heralded, "first taxi drivers' licenses to women" as five women, Ella Murray, Phyllis Webb, Esther Burns, Emma Gorrie and Dorothy Buchanan, passed the requirements to receive taxi drivers' licenses. Already Clara Fennell had been forgotten.⁹

⁷ Kimberly Berry, "She's No Lady: The Expression and Experience of Gender among Halifax Women Taxi Drivers since World War II" *Urban History Review* 27, no. 1 (October 1998): 23-35.

⁸ *Toronto Star*, "Toronto Now Has Female Taxi Driver," April 26, 1919, p 19.

⁹ According to one local newspaper, the only women drivers at the time, carried workers for war plants *Toronto Daily Star*, "7 am to 7pm, Not 7 pm to 7 am Women to Drive Toronto's Taxis," September 17, 1943, p 17; *Globe and Mail*, "Taxi By-Law Ups Fares, Permits Women Drivers," September 17, 1943, p 4 and *Toronto Daily Star*, "Motor Matrons Run Trams Others Behind Taxi Wheels," October 22, 1943, p 2.

The news of women entering the industry focused on several key issues surrounding the identity of taxi drivers including appearance, deportment, and training. (The attitudes toward training women taxi drivers will be detailed in Chapter Five.) In terms of appearance and conduct, women drivers were required to wear the regulation badge, a uniform consisting of navy blue tunic and skirt, blue shirt, black tie, and a cap of “a design approved by the Chief Constable.”¹⁰ Save for the skirt, they looked much like the men. The local press also reported that the women would be expected to “clean and polish their cars just like men drivers ... and if they get a flat tire while they’re out on a trip, they’ll change the tire.”¹¹ Another example of gender parity that was of particular significance to women drivers was equal pay. Although the wages of taxi drivers remained low for men, few women workers without professional training could earn more than taxi drivers.¹² Despite the celebration in the media surrounding the arrival of these women, they too like Fennell, were soon to be forgotten. Women who had been welcomed into the industry during the war years were expected to leave the industry to make room for returning servicemen.¹³ For

¹⁰ *Globe and Mail*, “Taxi By-Law Ups Fares” and *Toronto Daily Star*, “Motor Matrons Run Trams”.

¹¹ *Toronto Daily Star*, “Motor Matrons Run Trams”. Gender parity, however, did not apply to all aspects of the business, for example regulations concerning minimum age requirements and restricting hours of operations were both gender specific. For further discussion of these items see Chapter Four.

¹² For a comparison of earnings with other occupations see Chapter One footnote 40.

¹³ For example, as noted in one study of Alberta women during World War II, “returned veterans deemed physically unfit for further service, were given first opportunity at any opening” in the taxi industry. See Donna Alexander Zwicker, “Alberta Women and World War II,” (Masters Thesis, University of Calgary, 1985), 120-121.

example, in 1947, Ottawa City Council proposed banning women from driving taxis to open up more jobs for men. This prompted a female taxi driver to publicly protest; Mrs. W. Baske wrote to the editor of *The Ottawa Citizen* about her experience as a wartime taxi driver:

... [W]hen the war began I had to learn to drive a car in order to keep our family taxicab business together. During the six years I have driven over 150,000 miles without an accident and without a fine of any kind. I have had many requests, both from young and old, especially mothers of young children...who ask for us daily for all kinds of appointments. I have driven long hours ... both day and night ... when men were not available or did not show up for work, also in all kinds of weather. The work is made rough and tough often by the taxi-drivers themselves. Many become careless and rude and not dependable and are apt to indulge in too much liquor. But women drivers have never given the police commission, our insurance company, or our many customers any trouble.¹⁴

She might as well have been hailing a cab on a suburban street. Everyone else saw the presence of women taxi drivers during World War II as a temporary solution to the wartime labour shortage. In Toronto, more than a decade after the end of the war, industry officials were still hesitant to license women taxi drivers, and did so only to remedy another labour shortage. According to a local newspaper, several cab companies, experiencing seasonal labour shortages in 1957, had requested that the regulators issue licenses to women drivers. Although the authorities agreed in principle to license women, the Chairman of

¹⁴ The letter was reprinted in *The Ottawa Citizen*, "Women Taxicab Drivers," November 7, 1999 A17. At the same time, Halifax City Council proposed an amendment to the city ordinance that would have effectively eliminated women taxi drivers: "...No such [taxi drivers'] license shall be issued to any person under twenty-one years of age or to any female person or to any person in the judgement of the Board not a fit and proper person to be a driver." See Halifax City Regional Library, Halifax City Council Minutes, April 17, 1947, 273; Berry, "She's No Lady," 26.

the licensing commission, Magistrate Fred Hall, said that female applicants would have to wait until special provisions were made for their protection:

...The ladies will have to wait until a plan to protect them is worked out ... Passengers will have to sit in the rear of a cab driven by a woman cab driver unless the rear is full. ...The women will be allowed to drive only cabs equipped with two-way radios, and they will be required to check in every half-hour as a safety measure.¹⁵

Thus, more than a decade after the close of the Second World War, women taxi drivers were still considered the exception that proved the rule, and required special attention from both industry regulators and the local press. Eventually a small place was furnished for women in the industry, for by 1957 newspapers were, as in the 1940s, reporting detailed descriptions of the appearance of women taxi drivers who had been asked to appear before the Metropolitan Licensing Commission in 1957 to model the uniforms they would be wearing.¹⁶

Arrival of taxicab associations

In spite of the addition of some women to the ranks, the job of taxi driver remained an almost exclusively male bastion. The Canadian Census indicated that in 1931 women represented only 0.08 percent of Canada's "chauffeurs and bus drivers". By 1941 the occupational category had changed to "chauffeurs and taxi drivers" of whom women represented just 0.44 percent. In 1951, the

¹⁵ *Toronto Star*, "Taxi Wolf Delays Her License," May 16, 1957.

¹⁶ Four women taxicab drivers, employed by the Dufferin Taxicab Company, appeared before the licensing commission, at the request of the chairman, to show the type of uniform that would be worn by women. Mr Gardiner complimented the "ladies" on their smart appearance and requested them to live up to the regulations as laid down by this commission. Toronto Public Library (hereafter TPL) Urban Affairs Branch (hereafter URB), Metropolitan Licensing Commission (MLC) Minute Book 1957.

proportion of women chauffeurs and taxi drivers had almost tripled, but still remained negligible at 1.29 percent.¹⁷ Although the balance of the sexes remained static, the post-war period brought profound changes to other aspects of the industry.

During the post-World War II years, the taxi industry was marked by the arrival of ever-larger taxi associations. In spite of consolidation into fewer, larger companies, the industry, in fact, became more complex. In 1945, the Toronto City Directory listed 101 taxicab companies; in 1967, the Yellow Pages advertised fifty-three companies; and in 1975, just four (Metro, Diamond, Co-op, and Yellow Cab).¹⁸ However, the absence of advertising did not necessarily translate into the absence of numerous taxicab companies. The introduction of radio dispatch, telephone call centres, cab brokers, and co-operatives allowed several taxi companies to group together under one name to offer centralized services, which created the illusion of a simplified industry. In 1946, a number of cab companies pooled their resources to form the Metro Cab Association, Toronto's first large-scale radio-dispatch service.¹⁹ Metro's principal rival, the Diamond Taxicab Association, was formed in May 1949, when owners of ten

¹⁷ Statistics Canada, Census 1931, 1941, and 1951.

¹⁸ *Toronto City Directory* (Toronto: Might Directories Limited, 1944), 157; *Toronto City Directory* (Toronto: Might Directories Limited, 1945), 158; *Toronto City Directory* (Toronto: Might Directories Limited, 1950), 172-173; *Toronto City Directory* (Toronto: Might Directories Limited, 1955), 95; *Toronto City Directory* (Toronto: Might Directories Limited, 1960), 97; *Toronto City Directory* (Toronto: Might Directories Limited, 1965), 99; *Toronto City Directory* (Toronto: Might Directories Limited, 1975), 1336-1340.

¹⁹ Walter Gray, "The Hack Business Is Minding Its Manners" *The Globe Magazine* July 20, 1957.

firms gathered their cabs around a single dispatching service.²⁰ Diamond advertised, "You will be able to get a taxi-cab more promptly than ever before ... whatever part of the city or suburbs you may be in – at any time of the day or night." The association boasted 200 cabs (of which sixty-five were radio-equipped), 100 telephone lines, 50 stands in the city and suburbs, and a central dispatch office to assure customers "better, safer and more prompt service to all parts of the city."²¹ During its first eight years, the Diamond Taxicab Association grew to 410 cabs and filled an average of 150,000 telephone orders a month, surpassing Metro, which in 1957 operated 265 cars, and averaged 120,000 orders a month.²²

Pursuant to the development of these large taxi brokers, the relationship between drivers and owners underwent a significant change. In 1951, under pressure from the drivers' union for higher wages, owners of the larger fleets, most notably De Luxe Cabs (a member of the Diamond Taxicab Association), decided to sell its cars and licenses to its drivers. More than seventy cabs and licenses were sold by De Luxe to drivers. The owner, James Wallace, was said to have been "very fair," and prices varied from \$3,000 to \$4,000 depending on

²⁰ The ten taxi companies that united to form Diamond were: Christie Taxi, Circle Cab Co. Limited, De Luxe Cab Limited, Dominion Taxi, Fleetway Taxi, Lawrence Park Taxi, Queen and Beaches Taxi, Star Taxi Limited, U-Needa Taxi Limited, and Vicross Taxi.

²¹ Diamond Taxicab Association Scrapbooks, "Ten Become One..." n.d.

²² Gray, "Minding Its Manners".

the condition of the unit.²³ Drivers, who were once employees of De Luxe and other cab companies, began to work as owner-operators. By 1957, sixty-eight percent of Toronto taxicabs were owner-driven; however, the vast majority remained affiliated with brokers and associations.²⁴

Whether owner-driven or fleet vehicles, taxis became more conspicuous in the streets of the post-war period. In addition to sharing a common dispatch system and advertising under one name, owners who were affiliated with a specific broker or association made their vehicles part of a branded fleet. Taxis were painted with prominent colours, displayed decals, and had rooflights that advertised broker names such as Diamond, Metro, and Co-op. Diamond selected black and orange for its colours – a flashy combination that both made their vehicles easily recognizable as taxis and also encouraged brand loyalty among patrons. As a member of Diamond, De Luxe Cab, a company that had once advertised unmarked taxis that passed for privately owned vehicles, now adorned its cars with the recognizable black and orange combination, the Diamond logo, and the accoutrements of the modern taxi including: two-way radios, meters, and rooflights.

²³ NAC MG 28 Canadian Labour Congress Papers (hereafter CLC papers) I 103 Reel H-666, "A Recent History of the Toronto Taxi Industry" Rheel Bastien CLC Assistant Director of Organization to M.K. Carson, Canadian Brotherhood of Railway, Transport and General Workers c.1971 1.

²⁴ By the early 1970s, owner-drivers would again be in the minority. In 1973, Toronto Union of Taxi Employees complained that owner-drivers were operating only forty-four per cent of Toronto's taxis. Toronto Union of Taxi Employees, "Brief Submitted by The Toronto Union of Taxi Employees Local 1666, Canadian Labour Congress In Re: Report of the Special Committee to Report on the Taxicab Industry Dated: November 20, 1973," February 1, 1974, 5.

IMAGE 2:

The regalia of the Diamond Taxicab Association representative of the 1950s



Source: Diamond Taxicab Association Scrapbooks.

Creation of metropolitan licensing

At the same time that the taxi industry moved toward large brokers and centralized service, the city of Toronto also underwent enormous change. Within a decade of the close of World War II, the smaller communities surrounding Toronto experienced rapid growth that out paced the supply of municipal services. In 1952, the metropolitan area was divided into thirteen separate municipalities, some so small and under-financed that they were unable to adequately supply public services such as potable water, sewage disposal, paved roads, neighbourhood sidewalks and streetlights, and public schools. In this context of post war expansion, the Board of Commissioners of Police appointed an advisory committee to investigate the taxi industry. The Committee,

appointed in April 1952 and chaired by Ford Brand, a prominent labour leader of the time, made its final report in 1954.²⁵ The Brand Report, though less exhaustive than its 1932 predecessor, dramatically reshaped the industry to fit the context of rapid urban expansion 1950s. In fact, the report sounded the death knell of the Board of Commissioners of Police by recommending that a new metropolitan licensing system be established. The report stated,

It is essential that City and adjoining municipalities standardize and regulate their licensing in a manner that will forestall difficulties, which are bound to arise in the event of a broader system being adopted.²⁶

The *Municipality of Metropolitan Toronto Act*, 1953, had already created a system that united Toronto with the neighbouring three villages, four towns and five urbanized townships. Though each municipality in Metro had retained its individual identity, mayor and council, an additional level of government was created: the Metropolitan Toronto Council. Under the direction of Chairman, Frederick Gardiner, it was responsible for the most costly municipal services:

²⁵ During the 1940s, Ford Brand was chair of the Toronto Joint Labour Committee to Combat Racial Intolerance, Secretary-Treasurer of the TLC-affiliated Toronto District Labour Council, and a member of the Orange Lodge. See Ross Lambertson, "'The Dresden Story': Racism, Human Rights, and the Jewish Labour Committee of Canada," *Labour/Le Travail* 47 (2001) 52 n. 29. Brand was also instrumental in drafting the original taxi industry by-laws for the MLC, which had included employee benefits for drivers that were later removed when it was found that the licensing authorities could not impose an employer-employee relationship. See NAC MG 28 CLC papers I 103 Reel H-666 Rheel Bastien CLC Assistant Director of Organization to M.K. Carson, Canadian Brotherhood of Railway, Transport and General Workers. A Recent History of the Toronto Taxi Industry c.1971 2. The relevance of the employee-employer relationship will be discussed in the Chapter Three.

²⁶ City of Toronto Archives (hereafter TA), Series 361, Subsection 1, File 005, "Taxicabs, Licensing, 1953" Box 140520-9, "Report of the Committee on Taxicabs to the Board of Commissioners of Police for the City of Toronto," n.d. p 27.

water, housing, education, sewage disposal, and public transportation.²⁷ Gardiner immediately exhibited a special interest in transportation issues and interposed himself into the decision-making process concerning both public transit and taxis. In 1954, the Toronto Transportation Commission was renamed the Toronto Transit Commission (TTC) and became the sole provider of public transit in the new Metropolitan Toronto.²⁸ At the time, Gardiner blocked council discussion of demands by suburban representatives for restructured public transit routes and a uniform fare structure. Instead, he chaired a special committee of council, to “listen to and cool out” the grievances behind closed doors and relay them to the TTC.²⁹ In 1956, when Metro’s authority was extended to policing and licensing, Gardiner insisted on being appointed to the Metropolitan Licensing Commission (MLC), the new body responsible for the licensing and regulation of the taxi industry.³⁰ Gardiner likened the resolution of

²⁷ For a description of the process surrounding the creation of Metropolitan Toronto see: “Metropolitan Toronto,” an Address by Frederick G. Gardiner, Q.C. Chairman of the Municipality of Metropolitan Toronto, Thursday, November 5th, 1953, published in *The Empire Club of Canada Speeches 1953-1954* (Toronto: The Empire Club Foundation, 1954) 52-65.

²⁸ For an analysis of the Toronto public transit system leading up to the creation of Metropolitan Toronto see: Frances Frisken, “A triumph for public ownership: the Toronto Transportation Commission 1921-53,” in *Forging a Consensus: Historical Essays on Toronto* ed. Victor L. Russell, 238-271 (Toronto: University of Toronto Press, 1984).

²⁹ Timothy Colton, *Big Daddy: Frederick G. Gardiner and the Building of Metropolitan Toronto* (Toronto: University of Toronto Press, 1980) 114.

³⁰ The Metropolitan Licensing Commission (MLC) held its inaugural meeting on September 6, 1956. The three-man commission consisted of Magistrate Fred W. Hall, Chairman, Magistrate O. M. Martin, and Frederick G. Gardiner. TPL URB MLC Minute Book 1956-57. On December 31, 1956, the Board of Commissioners of Police was dissolved and a new board of police commissioners for the Metropolitan area was established. AO RG 4-2-106.2 Taxicab Licensing – Toronto 1956.

licensing disputes to “running a three-legged race tied to a telephone pole,” and drew frequent fire from regulated groups, particularly from taxi operators, whom he criticized for providing “slovenly service” and trafficking in licenses.³¹

Allegations of license trafficking were reaching a critical peak as the MLC assumed responsibility for the long troubled taxi industry in 1957. In fact, the creation of Metropolitan Toronto had prompted some investors to speculate in taxi licenses because they realized that centralized licensing regulation was inevitable. In that case, the plentiful and affordable taxi licenses from the boroughs and townships would soon be amalgamated with the scarce and coveted Toronto taxi licenses and everyone would have the right to prowl the crowded, lucrative streets of downtown Toronto for fares. Anyone with a cheaply-bought suburban license stood to make a killing.

Before the creation of Metropolitan Toronto, taxi regulations had protected the lucrative, high-demand, core of Toronto from taxis with suburban or “county” licenses. Without the right to operate in downtown Toronto, county taxi licenses were less in demand, hence less valuable, and so more affordable and obtainable.³² Conversely, there was a long waiting period for operators to acquire a Toronto taxi license from the city, and to purchase one from another owner was prohibitively expensive. Thus, on the eve of amalgamation, some fleet owners took the opportunity to purchase large numbers of county licenses in anticipation

³¹ Colton, *Big Daddy*, 88.

³² The possible exception would be a Mississauga taxicab license, because of the business generated by the Pearson International Airport that was located within the boundaries of Mississauga. However, Mississauga was not included in the Metropolitan Toronto Act of 1953 and continues to license its taxicabs separately from Toronto.

of their being converted, once Metro Toronto had become a single regulatory zone, into more valuable city plates. When city officials became aware that Toronto taxi interests were buying licenses in the suburbs, the officials asked their suburban counterparts to halt issuing taxi licenses. Even though the suburbs complied in September 1956, many speculators had already purchased suburban licenses, sometimes several at a time.³³ The problem was further aggravated when the Board of Commissioners of Police increased the limit on Toronto taxi licenses from 850 to 1000, just before it transferred control to the Metropolitan Licensing Commission. The increase in city licenses combined with the rush on various county licenses significantly increased the number of taxicabs licensed to operate in Toronto. When the MLC issued the new Metro taxi owner's plates, for all existing Toronto and county licenses, the total reached nearly 1,400.³⁴ In addition to complaints from drivers over the hardship of increased competition, there were also allegations of corruption in the distribution of licenses.

³³ *Globe and Mail*, "Premier Turns Down Taxi Inquiry Request; Report License Deals," December 29, 1956, p 1. For a description of the problem of speculation in taxi licenses and later attempts by regulators to curb it, see Wayne D. Taylor, "The Economic Effect of the Direct Regulation of the Taxicab Industry in Metropolitan Toronto," *Logistics and Transportation Review* 25, no. 2 (June 1989): 169-82; Metropolitan Licensing Commission By-law Review Sub-Committee, "Discussion Paper on Taxicab Leasing and Related Issues" July 8, 1996. <http://taxi-reg.home.att.net/leasing.htm> (accessed October 6, 2005).

³⁴ NAC MG 28 CLC papers I 103 Reel H-666, Report to the Canadian Brotherhood of Railway, Transport and General Workers from Rheel Bastien, Assistant Director of Organization, for the Canadian Labour Congress dated 1971; Frank Drea, "Metro Blamed for Taxi Slump," *Telegram*, December 27, 1957; *Globe and Mail*, "Mayor Denies Secrecy Issuing Taxi Licenses," January 1, 1957; *Globe and Mail*, "Premier Turns Down Taxi Inquiry Request; Report License Deals," December 29, 1956; William Bragg, "Cab 'Crisis' Call Impudence - - Mayor," *Telegram*, December 21, 1956.

The Board of Commissioners of Police was accused of having forced deserving applicants to wait years for a taxi license, while their slippery competitors had either bought county licenses or scooped up one or more of the 150 newly-minted licenses, which they then leased illegally to exploited drivers. It also did not help the reputation of the Police Commissioners that the stymied and neglected included a large number of war veterans. A local newspaper reported that some “deserving war veterans” had waited, in vain, for as long as ten years for taxi owner’s licenses while a block of thirty licenses issued to Cadillac Livery, a member company of Metro Cab Company, in January 1954 had still not been put into use in February 1956.³⁵ During those two years World War II veterans, who had been on the waiting list since 1946, had been denied licenses. Several applicants on the waiting list for taxi owner’s licenses believed that they had been purposely bypassed, and some critics demanded that the waiting list, kept confidential by the licensing board, be made public. Magistrate T.S. Elmore, of the Board of Commission of Police, responded to these accusations by challenging critics to bring their information concerning licensing irregularities before the Board.³⁶

³⁵ *Telegram*, “Phillips Won’t Quit Nassau For Urgent Council Meet,” December 21, 1956. The issue of insufficient taxi supply and veterans in need of taxi licenses were making headlines in 1946. *Globe and Mail*, “Permit More Taxicabs, Give Jobs to Veterans,” Feb 16, 1946; *Globe and Mail*, “Depression Fixed City’s Taxi Policy,” March 14, 1946. On February 6, 1956, the Board of Commissioners of Police increased the total number of licensed taxicabs from 850 to 880. “Phillips Won’t Quit Nassau”

³⁶ “Phillips Won’t Quit Nassau”.

Illicit taxi deals

One of the few taxi drivers to speak to municipal authorities was Philip Ely. In September 1956, Ely, a licensed taxicab driver in the city of Toronto, set out to become a licensed taxicab owner by leasing a taxi owner's license from the Spade Taxi Company. Ely transferred his automobile to Spade, which provided the taxi plate for \$52.50 a week for five years. Ely also paid \$65.00 per month for dispatching services and \$28.65 per month for insurance. If, for any reason, Ely had broken this arrangement during the first year, it was understood that he would lose everything he had paid in; however, if he had withdrawn from the deal after the first year he would have been eligible to receive 25 percent of what he had paid in.³⁷

This sort of arrangement was commonly referred to as a "taxi deal" and was not sanctioned by industry regulators.³⁸ During the 1950s, Ely was only one of hundreds of Toronto taxicab drivers who operated under illegal "taxi deals" whereby an owner who had paid only \$15 to acquire a taxi license (and only \$50 per year to renew it) leased the plate to a driver for more than \$50 per week.³⁹ Some companies, Cadillac Livery Ltd. among them, leased out numerous plates through such deals. At the clear expense of the drivers, plate owners could make as much \$1,300.00 per year in profit on each leased plate. While it was perfectly

³⁷ TA William Dennison Papers Fonds 1302, Box 145608-4 "Toronto Police Commission (Mayor in Bahamas) Meet ... Dec 24 1956";

³⁸ As discussed in chapter one, the Board of Commissioners of Police, contrary to the recommendation of the 1932 report by its Advisory Committee, had deemed taxi owner licenses non-transferrable. Thus, any deal to sell or transfer an owner's license was a contravention of taxi regulations.

³⁹ AO RG 4-2-106.2 Taxicab Licensing – Toronto 1956, "Ask Attorney General Investigate Policy of Licensing Taxis," n.d.

permissible to “rent” a licensed taxicab to a driver for a lease fee on a short-term basis (by the shift, the day, or the week), contracts that involved the eventual transfer of the license to the driver were strictly forbidden. Although these transfer contracts or “taxi deals” were common practice, Ely was exceptional among the drivers because he dared to speak out publicly against the arrangements, thereby exposing to city officials the system of illegal leasing. Moreover, he named names.

By speaking out, Ely found himself at the heart of Metropolitan Toronto’s taxi scandal. At a meeting of the Toronto Police Commission, Ely testified that Louis Browner, a public accountant, was a holder of a taxi owner’s license but that the driver, Carl Kellen, was “on some kind of deal.” Ely also wrote down the name of another individual involved in this practice and presented it to Judge Ian MacDonnell but refused to say the name aloud for fear of “retaliation.” Ely further testified that Cadillac Livery Ltd. was selling dozens of licenses very, very slowly on similar deals.⁴⁰

As a result of his efforts to expose the illegal taxi deals, Ely’s name was bandied about in the local press, praised by some, condemned by others. Judge MacDonnell, however, lauded Ely for providing the first help to investigators.⁴¹ Regulatory officials and the press had been aware of the trade in taxi licenses as early as 1952 when the *Globe & Mail* reported on “bootleg licenses.”⁴² According to the newspaper report, regulators had been taking measures to eliminate the

⁴⁰ *Telegram*, “Cabby Says License Owner Never Drove,” December 26, 1956.

⁴¹ *Telegram*, “Owner Never Drove.”

⁴² *Globe and Mail*, “Bootleg licenses: Under-the-table commissions paid for Hard-to-get taxi permits,” June 19, 1952.

problem, but “as fast as they [were] taken, new ways to beat commission policy [were] found.”⁴³ Alderman William Dennison also praised Ely for his courage, and acknowledged that other drivers were reluctant to testify because they would become “sitting ducks” for reprisals.⁴⁴ Joseph Moscoe, then director of public relations for Metro Cab Company, called Ely a liar, alleging: “He lied to give the cab industry a black eye.”⁴⁵ Perhaps Moscoe feared that accusations of corruption would further damage the status of the taxi industry in the eyes of the public. However, there were more probable reasons. As a director for Metro Cab, and a taxi owner, Moscoe would have appreciated the lucrative nature of the taxi deals and it was unlikely that any owner wanted to see regulators interfere with such an excellent source of revenue.

But, with the scandal now breaking, additional drivers came forward. William (Don) Shantz told authorities and press about his taxi deal with Star Taxi, whereby he paid \$2,000 cash up front and \$14.40 per week for 4 years for his taxi license. Shantz reported that he paid off his license in one year, but had to wait the full four years before the license was transferred. Aware that his testimony could bring reprisals, he commented to the press, “I’ll probably get shot when I get out of here.”⁴⁶

⁴³ *Ibid.*“

⁴⁴ An owner could cancel a taxi deal at any time; without the taxi license the driver could not operate and would have had no recourse because neither the MLC nor the courts would enforce an illegal deal. *Telegram*, “Taximen Fear to Testify”.

⁴⁵ *Telegram*, “Taximen Fear to Testify”

⁴⁶ *Telegram*, “Taxi,” December 24, 1956; TA William Dennison Papers Fonds 1302, Box 145608-4, “Toronto Police Commission (Mayor in Bahamas) Meet ... Dec 24 1956.”

Gilbert Brooker was another taxicab driver now willing to discuss the circumstances surrounding a taxi deal that he had made. Brooker reported that he had tried for ten years to get a license, and had even hired solicitors to argue his case, but to no avail. Brooker said he felt forced to enter a deal in order to acquire a license. He also claimed that the deal he had made to buy a taxi license from Bowes Taxi in 1954 had made him "the laughing stock of the industry." Presumably, the deal with Bowes had very poor terms.⁴⁷ However, Judge Macdonell criticized Brooker for complaining about his plight when he had not reported the arrangement to the authorities earlier: "You didn't tell us, yet you complain nothing was done."⁴⁸

In light of the information provided by these and other drivers, Alderman William Dennison demanded a judicial inquiry into the licensing practices of the Board of Commissioners of Police. However, his efforts were repeatedly rejected by the province, which claimed that there was "no evidence of malfeasance" on the part of Board members. Determined to force an investigation, City Council had twice voted a motion to that effect, and sent a deputation to the province to plead for an inquiry.⁴⁹ Dennison and two other Council members met with Premier Leslie Frost to request that a special committee of the Ontario Legislature be created to probe the licensing practices of the taxicab industry. However, rather than having the province investigate, Frost asked the new

⁴⁷ *Telegram*, "Owner Never Drove"; TA, Dennison Papers, "Toronto Police Commission".

⁴⁸ *Telegram*, "Owner Never Drove".

⁴⁹ William Bragg, "Cab 'Crisis' Call Impudence – Mayor," *Telegram* December 21, 1956.

Metropolitan Licensing Commission to review the matter.⁵⁰ In a press release on December 28, 1956, the Premier announced his recommendation that the new Metropolitan Licensing Commission “should thoroughly review the whole matter of policy and administration” of the issue, transfer and sale of taxicab licenses.⁵¹ However, given that Fred Hall, the chair of the new licensing commission, was also being hounded by allegations of accepting bribes and mishandling licenses,⁵² it is unlikely that any meaningful investigation was ever conducted.

The cure was the trouble

Ironically, the controversy surrounding the taxi owners for speculating in county licenses and for making illicit and exploitive taxi deals, and surrounding the authorities for the misappropriation of licenses both stemmed from the earlier attempt by regulators to address corruption in the industry. As discussed in Chapter One, observers in the 1930s had determined that over-competition was a grave threat to the moral integrity of taxicab drivers. Officials believed that an excess of taxicabs was preventing drivers from making adequate earnings, with the result that they tried to augment their wages through illicit activities, including bootlegging liquor, pimping women, overcharging customers, and cheating

⁵⁰ According to one newspaper report the delegation left the meeting believing they had achieved their goal. *Toronto Daily Star*, “Frost’s Taxi Sidestep confused the Delegates,” December 29, 1956.

⁵¹ AO, RG 4-2-106.2, Taxicab Licensing - Toronto 1956, “Toronto Taxicab Licensing Press Release Press Release 1956 issued by Hon. Leslie M. Frost QC,” December 28, 1956.

⁵² Peter Cheney documented accusations of Hall’s corruption in one of a series of investigative articles on the condition of the taxi industry printed in the *Toronto Star* in 1998. See Peter Cheney, “Fare Play?” *Toronto Star*, March 15, 1998, F1 and F4. This series of articles also prompted the appointment of an Advisory Committee to report on the taxicab industry in 1998, which will be discussed in Chapter Five.

owners. Their solution was to limit the number of taxi licenses issued. The limitation on licenses created a market value for taxi licenses that sparked the unsanctioned trade of plates.⁵³ Therefore, the regulatory solution designed to reduce the temptation of drivers to cheat owners and overcharge passengers had resulted in a new problem. Now, it was the owners and regulators who were tempted to cheat the drivers and risk them overcharging passengers. Not surprisingly, the working conditions for drivers had not been improved by limitation. Though drivers who had become owners were no longer forced to work long hours merely to subsist, they still had to drive deep into the night to cover the artificially inflated price of a taxi license.

In a further irony, the furore surrounding the taxi deals reinforced the stereotype of corruption associated with taxi drivers. The entire industry, even its regulators, was now tainted with corruption. In an effort to give a more balanced view of the industry one paper profiled Kathleen O'Brien, the seventy-three-year-old widow who owned and operated Cross Town Taxi. O'Brien's company was one of the few independent cab firms that remained in the era of the big brokers and she was not involved in any taxi deals. Claiming that she had refused offers to sell one of her eight taxi licenses, she had lost money because she was unwilling to enter into deals. She also talked about her efforts to respect and

⁵³ By limiting the number of taxi licenses, authorities gave those operators already holding taxi owner's licenses a monopoly over the production of taxi services. A limited number of licenses combined with any increase in demand would create an earnings disparity between those who owned permits and those who did not. This disparity was expressed in the inflated prices that became attached to the owner's license and the fees charged in the illicit taxi deals. See Papillon, "The Taxi Industry," 59. Also see Taylor, "The Economic Effect of Direct Regulation," 169-82.

promote the well-being of her drivers: "I call my drivers gentlemen ... and I send them home to their wives and family [*sic*] after an eight-hour work day."⁵⁴ O'Brien contended that, contrary to the image of taxi drivers as victims, most drivers were eager to enter into deals and willing to work long hours to pay the inflated prices for the owners' licenses. "...They want deals," she said. "They want to work 18 hours a day to pay for their cabs...."⁵⁵

O'Brien's observations were accurate. Drivers were not the unwitting dupes of wily speculators, but were willing participants in the taxi deals. Rather than linger indefinitely on the official waiting list, drivers had paid inflated prices in order to acquire a license sooner. For them, the deals made economic sense. Furthermore, given the mysterious nature of the list, and concerns that the applicants on the list might be arbitrarily passed over, some drivers, like Gilbert Brooker, believed a taxi deal was the only way they personally could acquire a license. Yet these drivers, in attempting to avoid languishing on the waiting list, assumed other risks. Those unable to make their payments could lose the plate, and possibly their entire investment. Even the drivers who were able to maintain their payments took the risk that the vendor would not fulfill his promise to transfer the license; because the regulators did not sanction these deals, there was no legal recourse for drivers whose deals were not honoured.

The willingness of both owners and drivers to enter into illicit lease arrangements made it difficult, if not impossible, for regulators to eliminate the

⁵⁴ TA William Dennison Papers Fonds 1302, Box 145608-23, "Spry Widow, 73, Operates 8 Cabs, Shuns Taxi Wars," December 18, 1956.

⁵⁵ *Ibid.*

practice. When the MLC assumed jurisdiction over licensing in January 1957, it was clear that a great number of drivers and owners were entangled in a maze of deals. The sheer number of taxi deals and the countless variety of their terms overwhelmed the MLC; it therefore decided to abandon the ban on license transfers. Instead, it would attempt to regulate them. Chairman Hall described the change in policy thusly:

When it became obvious to the Commission that such a complicated and confused situation existed [it] approached the matter not in a legalistic and arbitrary fashion with edicts that licenses were not transferable but with a common sense approach calculated to rationalize the situation and put the industry on a sound basis.⁵⁶

The Commission set out to revise and regulate the multitude of lease contracts, and to ensure that the terms were reasonable and equitable for both vendor and purchaser.⁵⁷ Among the drivers who benefited from the Commission's new approach was Yoshi Tomi Horiuchi. According to a newspaper report, Horiuchi, a twenty-eight year-old, had entered into a deal whereby he supplied his own cab and paid \$25 per week to National Taxi Service Ltd. for its taxi license. When National Taxi unilaterally cancelled the deal, Horiuchi filed an application with the MLC; it concluded that he had paid a sufficient amount of money to National

⁵⁶ TA William Dennison Papers Fonds 1302, Box 145608-4, Magistrate Hall to W.W. Gardhouse, January 13, 1959.

⁵⁷ In 1974, the Metropolitan Licensing Commission further decided to officially sanction the leasing of taxicab plates in light of the "insurmountable obstacles" it faced in attempting to enforce the by-law. See By-law Review Sub-Committee, "Discussion Paper on Taxicab Leasing and Related Issues".

Taxi, and so transferred the license to him.⁵⁸ A large number of the existing taxis deals were resolved in this fashion. A list of licensed taxi owners compiled by the commission in March 1957 indicated that already more than eighty licenses had been transferred under the headings of either “sufficient monies paid” or “original contract complete.”⁵⁹

At the time, both Metropolitan Council and the MLC considered increasing the number of taxi plates. A special committee of the Metropolitan Council suggested a ratio of one taxi for every 800 persons, as the Brand Committee had recommended. With such a ratio, the number of taxis could be increased to 1,630. However, the MLC rebutted this and argued that the average ratio for US cities at the time was significantly higher – one taxi for every 1,356 persons – and suggested that Toronto should have no more than 1001 taxis. In a compromise, the Licensing Commission set the limit at 1,358 taxis (one taxi for every 1000 people). However, the commission did not enforce this limit. In 1956, there had been 1,579 taxi licenses, and by January 1959, the number had reduced only slightly to 1,486.⁶⁰

Regulating the drivers

The Metropolitan Licensing Commission was more determined to strictly enforce its regulations concerning the conduct of drivers. In 1957, it initiated an

⁵⁸ TA William Dennison Papers Fonds 1302, Box 145608-23, “Metro Cracks First Cab Deal \$50 Annual Fee,” n.d.; TPL URB MLC Minute Book 1956/57 minute no. 079 n.d.; TPL URB MLC Minute Book 1956/57 minute no. 245, March 21, 1957.

⁵⁹ TPL URB MLC Minute Book 1956/57, minute no. 245, March 21, 1957.

⁶⁰ TA William Dennison Papers Fonds 1302, Box 145608-23, Licensing 1956-1958, SC 302, Box 2, File 4, Magistrate Hall to W. W. Gardhouse, January 13, 1959.

immediate “crack down” on offences in the hope of improving the public image of the industry. Of the MLC minutes dealing with a disciplinary action, approximately half identified the nature of the offence. Among these, the offences included charging unauthorized rates, picking up passengers from unauthorized stands, and violating the regulations concerning insurance.⁶¹ According to its minutes, approximately one third of the dealings with the taxi industry, during its first year, concerned disciplining drivers on issues of appearance and deportment.⁶² These offences included smoking and fighting, failing to shave (a constant concern), losing their temper, and displaying a poor attitude. Drivers were reprimanded for the use of foul language and many were cautioned on their drinking habits.⁶³ Among the litany of possible transgressions, two items stood out as particularly common offences and prompted regulators to issue increasingly harsh penalties. Either taxi drivers were seen without their official cap or had not used the meter to calculate their fare. The regulators pushed and the drivers resisted.

⁶¹ TPL URB MLC Minute Book 1957, minute no. 90, 107, 367, 369, 380, and 452.

⁶² A review of the Metropolitan Licensing Commission Minute Book of 1957 revealed that of the 209 items related to the taxi industry almost sixty-eight or just over thirty-two percent concerned disciplinary action against drivers. These items do not include the refusal of taxi-driver license applications.

⁶³ Among the applicants for licenses, one recipient was cautioned on his “apparent quick temper” and another placed on probation and cautioned concerning his “abusive attitude” toward the public. TPL URB MLC Minute Book 1957, minute no. 16 and 177; for references to issues concerning the personal hygiene and physical appearance of drivers see minute no. 178, and 198(a); drivers charging unauthorized rates and picking up passengers from unauthorized stands were dealt with in minute no. 90, 107, and 452; references to foul language, smoking, fighting, and assault can be found in minute no. 397, 399, 403, 424, 433, and 447; Among the offences identified in the minutes of MLC, those related to drinking were mentioned most frequently. See TPL URB MLC Minute Book 1957, minute no. 180, 181, 224, 267, 359, 383, and 453.

At the same time that the vehicles, hitherto unmarked, acquired new signs and symbols that clearly identified them as taxis, the drivers were defiantly shedding their badges and chauffeur uniforms. During the late 1950s taxicab drivers in Toronto were openly rejecting the chauffeurs' cap, a holdover from the era of unmarked vehicles and uniformed drivers. Although regulations requiring all taxi drivers to wear hats remained on the books until 1960, most of the drivers had abandoned their caps long before. In 1957, the new MLC, hoping to reinforce the image of order and obedience in the industry, launched a campaign to strictly enforce dress-code regulations. The forage cap was to be worn. Although some drivers complied (John Willis was quoted in one newspaper saying, "I'd sooner leave my pants off than my cap"⁶⁴), many resisted. Despite the by-law regulation, the risk of fines, and even the possibility of license suspensions many taxi drivers in Toronto refused to sport this traditional and demeaning marker of servitude.

Seeking exemptions from the regulation, some drivers cited medical reasons that prevented them from wearing the caps. One driver seemed to be suffering from an anxiety disorder, or post-traumatic stress, after serving in the Royal Canadian Air Force (RCAF). Ed Comeau, explained that since his discharge from the RCAF he was unable to wear any hat. "The moment I put a

⁶⁴ *Telegram*, "Don't Scare Gals 'Nerts' Say Cabbies Gardiner Not Fare," July 10, 1958.

hat on, my head seems to ache and I get pains all over.”⁶⁵ Another driver complained that he could not wear the cap because he suffered from a balding condition, but he was ordered to wear a special ventilated cap, in lieu of the regulation hat.⁶⁶ Others claimed that a hat would interfere with their driving. One driver answered Gardiner’s demands for drivers to wear the caps, by snarling,

How would Gardiner know [what it is like]? He sits in the back of a Cadillac all the time. Let him get behind the driver’s seat in a taxi and see how much room there is when you have a hat on.⁶⁷

The driver further challenged Gardiner to “Try it on a hot day. With the heat of the sun and the heat of your motor - you’re cooking in a cab.”⁶⁸ Maybe drivers rejected the cap simply because it was uncomfortable to wear, but it is more likely that in the egalitarian, postwar era, that they would have found any vestige of a uniform psychologically “uncomfortable”. As one driver explained to a local newspaper reporter, “It is a loss to my dignity to wear a hat.”⁶⁹

Despite their consistent refusal to wear the caps, drivers who appeared before the MLC concerning the offence generally assumed a conciliatory tone.

⁶⁵ *Toronto Star*, “City Cabbies Are Angry At Arrest,” May 3, 1957; Another driver reported receiving a \$10 fine for not wearing a cap despite a doctor’s note stating that he had suffered a skull fracture. Ron Haggart, “Cabbie Court: It Holds Power of Economic Death” *Toronto Daily Star* April 17, 1959, p 7. Also see *Telegram*, “Cab License Raid Foiled By Tipoff,” March 7, 1957; *Globe and Mail*, “Next time, You’re Out,” July 10, 1958; Diamond Taxicab Association Scrapbook, “Taxi Driver Reprimanded for Girl’s Pictures in Cab,” n.d.

⁶⁶ *Toronto Star*, “Must Wear Headgear: Air-Cooled Cap For Balding Cabby,” July 10, 1958.

⁶⁷ “Don’t Scare Gals”. Also see, *Globe and Mail*, “Taxi Drivers’ Appearance Frightens Women: Gardiner,” July 10, 1958.

⁶⁸ “Don’t Scare Gals”.

⁶⁹ *Globe and Mail*, “Cabbie’s Dignity Slighted By Order to Wear Hat,” July 24, 1958.

Walter Horbulyk, upon appearing before the commission for his fifth offence, thus pleaded that he had not intentionally violated the by-law; he had been merely careless, and “promised faithfully” not to do it again.⁷⁰ Herbert Nelson had also violated the regulation on several occasions, but when he appeared before the commission in 1958, to show cause why his license should not be revoked, he said that he had purchased a hat and would wear it at all times. It would seem that at the time of his previous offences Nelson had not even owned the prescribed hat.⁷¹

In addition to the thousands of fines levied, members of the commission’s inspection staff, responsible for enforcing the by-law regulations, commented on the difficulties faced when trying to apprehend drivers without hats. Staff explained that in many instances they were unable to issue fines because when taxi drivers discovered inspectors were following, they would “violate traffic laws to escape being stopped.”⁷² Recognizing that warning notices and fines had not done anything to curb the resistance of drivers to wear the caps, the commission began to suspend taxi driver licenses.⁷³ However, it seemed that even the threat of suspension did not weaken the drivers’ resolve. By 1960, after regulators had levied fines on 5,000 drivers, it had become clear that, regardless of the penalty, the majority of drivers would never obey the regulation. Gardiner conceded that “nine out of 10 drivers refused to wear them [the caps],” and so the MLC

⁷⁰ TPL URB MLC Minute Book 1958, minute no. 136 June 2, 1958.

⁷¹ *Ibid.*, minute no. 363 December 10, 1958.

⁷² TPL URB MLC Minute Book 1958, minute no. 323, November 12, 1958.

⁷³ *Ibid.*

rescinded their rule.⁷⁴ Thus, by 1960 the forage cap, a quintessential symbol of the uniformed chauffeur, was removed from the taxi by-law. Still on the books, however, were rules dictating the use of meters and trip sheets and the battle surrounding these tools of the trade still raged.

Of even greater concern to regulators than drivers without caps were drivers who tried to “cheat”. The introduction of the taximeter had brought with it a new offence that worried owners and troubled regulators. Two decades after the 1932 advisory report that recommended the mandatory use of taximeters, the Brand report, in 1954, noted that it was the general practice to place the meter inside the glove compartment (A location reminiscent of the era when unmarked taxis could pass as privately chauffeured vehicles).⁷⁵ The report suggested that for reasons of enforcement, both passengers and police should have a clear view of the meter. It recommended that meters be installed in a position clear of the dashboard, and that all meters be equipped with a metal flag. This flag was to be upright and visible when the meter was off and lowered when the meter was engaged. The location of the meter and the position of the flag were designed to make it easy for police to observe whether or not the meter in a passing taxi was

⁷⁴ *Toronto Sun*, “And A Tip Of The Hat To Cabbies,” March 17, 1960. Drivers’ resistance to the regulatory requirement concerning chauffeurs’ caps was regularly documented in local newspapers between 1957 and 1960. For example, see *Toronto Star*, “51 Drivers Get Warning,” October 3, 1957; “23 Cabbies Fined \$240 In ‘Dressup,’” paper unknown, May 17, 1957; *Toronto Star*, “23 Cabdrivers Pay \$240 Fines” May 18, 1957; *Globe and Mail*, “Hatless Cabbies Ignore Fine, Face 14-Day suspension,” November 13, 1958. Also see TPL URB MLC Minute Book 1969, minute no. 54, March 16, 1960.

⁷⁵ TA, Series 361, Subsection 1, File 005, Taxicabs, Licensing 1953, Box 140520-9 “Report of the Committee on Taxicabs to the Board of Commissioners of Police for the City of Toronto” n.d. 16.

turned on.⁷⁶ The practice of transporting a passenger without the meter engaged became known as “highflagging”. By 1957, highflagging was the most commonly identified offence in the MLC records.⁷⁷

The ruse usually worked this way: drivers were compelled to record each fare of their shift on a trip sheet. The total on the trip sheet should equal the total on the meter and the same was submitted to the owner at the end of the shift. If a driver wanted to withhold money from the owner he or she would not record it on the trip sheet, and to ensure the figures matched, that fare would be taken without engaging the meter. Instead, the driver charged passengers a flat rate and pocketed the full proceeds from the fare. Some passengers – especially those on a low budget – were enthusiastic accomplices in the scheme, since a flat fare guaranteed they could afford the ride.

Some cheating was quite brazen. Some drivers simply turned in less money than was collected, despite the amount tallied by the meter during the shift. Although owners could check meters and mileage against the monies submitted by the driver, the report noted that some employers were hesitant to do so. Not surprisingly, drivers resented the suggestion that they were stealing

⁷⁶ *Ibid.*, 16-17 and 23. The local press also covered the recommendations of the Brand report, see: Grey Hamilton, “Passengers Protected: Taxi Bylaw Insists on Direct Route and Strict Use of Meter,” *Globe and Mail*, June 18, 1952; *Toronto Star*, “Don’t Fence Us In, Is Cry of Toronto Taxi Drivers,” 1953; *Toronto Star*, “Robber-Proof Cabs Ordered In Toronto,” July 16, 1954; *Toronto Star*, “New Look’ Taxis Here,” July 17, 1954.

⁷⁷ TPL URB MLC Minute Book 1957, minute no. 90, 107, 182, 198(a), 203, 223, 229, 250, 266, 318, 345, and 451. Efforts to crack down on highflagging and other offences were frequently featured in the local press, for example: *Globe and Mail*, “5 Cab Drivers ARE Suspended for Idle Meters,” October 2, 1958; *Toronto Daily Star*, “Crack Down on High-Flag Taxi Drivers,” February 21, 1957; *Toronto Daily Star*, “City Cabbies Are Angry at Arrest,” May 3, 1957.

and many refused to drive for owners who checked. As one owner put it, "checking meters only resulted in the loss of drivers."⁷⁸ The proposed meter system was meant to afford maximum protection against such practices.

There was not much the regulators could do about owners too pusillanimous to confront their employees. After all, taxicab meters could be set in such a manner that they could not be tampered with, and if the owners of the taxicabs complied with the Commission's By-law concerning reading meters the only method left to the taxicab driver by which to steal from his employer would be high-flagging.⁷⁹ Yet, highflagging, the MLC supposed, was its own responsibility to eradicate. The Commission employed enforcement officers to patrol the streets, peering at the flags of passing cabs, and drivers caught transporting passengers without the meter engaged were assumed to be stealing from the taxi owner and charged with highflagging.

This policy was rigorously enforced. Drivers were expected to engage the meter even when transporting friends and family members. Driver Cliff Burdeyney told one newspaper that he had been issued a ticket for highflagging while rushing his pregnant wife to hospital, stating, "At a time like this who thinks of starting the meter?" Another driver, fined for highflagging, expressed that he was normally so anxious to obey the rules that he put the flag down even when driving his wife around. However, other drivers objected to the rigid policy, Sam Davidson complained to the press that the regulation was "ridiculous" saying,

⁷⁸ TPL URB MLC Minute Book 1957, minute no. 203 n.d.; TA "Report of the Committee on Taxicabs," 20.

⁷⁹ TPL URB MLC Minute Book 1956-57, minute no. 130, February 20, 1957.

“Why should I have to charge my wife for a cab ride? A grocer doesn’t have to charge his wife for groceries.”⁸⁰

In some cases, drivers who attempted to assist passengers were also charged with highflagging. For example, Wasyl Wacyk was charged with highflagging after he agreed to transport an elderly gentleman at a discounted, flat rate. When defending himself to the Licensing Commission, Wacyk explained that the man had only two dollars for which Wacyk as a “humanitarian” had agreed to take the man home. Further pleading his case, he pointed out that he had even entered the trip and amount on his run sheet – a clear indication that he had not intended to deceive anyone.⁸¹ Similarly, driver Nicholas Ewanusiw explained that he had left his meter off because he did not want to charge his passenger the full amount for waiting time, because the woman had had difficulty locating a piece of baggage after engaging the taxi.⁸²

A cynic might have argued that drivers, once caught, were bound to construct “Good Samaritan” scenarios in order to escape punishment. However, local newspapers have recorded many examples of taxi drivers performing good deeds, which suggested that the occasional discounted fare or free ride was not at all unlikely. Of course, the examples in the media included only the most dramatic acts of altruism. For example, during the wee hours of Saturday morning in September 1949, while standing in the harbour, the *S.S. Noronic*, then the largest passenger ship on the Great Lakes, was destroyed in a blaze

⁸⁰ Ron Haggart, “Cabbie Court: It Holds Power of Economic Death” *Toronto Daily Star* April 17, 1959 7; TPL URB MLC Minute Book 1956-57, minute no. 182.

⁸¹ TPL URB MLC Minute Book 1958, minute no. 269, October 1, 1958.

⁸² TPL URB MLC Minute Book 1958, minute no. 153, June 11, 1958.

that killed 119 passengers. During the rescue efforts several dozen taxi drivers from Diamond Taxi and other companies aided the Red Cross by carrying survivors to hospital and shelter. Among the first on the scene was Ross Leitch, operator of a water taxi, who assisted people who had jumped or fallen from the ship into the water.⁸³

On a smaller scale, Diamond driver, Elwood Crosier was celebrated in the local press when he drove three-year-old Susan Lindsay to hospital after a hit-and-run driver had crushed her leg.⁸⁴ Driver Murray Thomson was similarly lauded in local newspapers when he pulled six people from an overturned vehicle on Front Street.⁸⁵ Although not reported in the news, there were doubtlessly drivers who quietly offered free transport or cut rates to people they felt were in need of assistance.

Despite the alibis of compassion, Metro Chairman Gardiner was frequently quoted in the press emphasizing the city's commitment to the strict enforcement of the policy against highflagging. Gardiner promised that any driver caught would be "very severely dealt with," and threatened, "Unless the practice [was]

⁸³ *Toronto Daily Star*, "64 Cabs Served Free When Disaster Hit," September 1949; "The Noronic Fire" in *Disaster Canada*, Janet Looker, 137-142 (Toronto: Lynx Images, 2000). This event marked a significant moment in the history of emergency services in Toronto. At the time, the city had only five ambulances, and the inadequacy of service was highlighted by the fact that the majority of victims had to be transported to hospital by taxis and private vehicles. See "Toronto EMS' history," <http://www.toronto.ca/ems/overview/history.htm> (accessed 18 December 2005).

⁸⁴ *Toronto Star*, "'Break Your Heart Where Some Kids Play,' Cabby Refuses Fare to Hospital," n.d.; Diamond Taxicab Association Scrapbook, Vivian C. Merrick, "Letter to Editor," c. 1950;

⁸⁵ *Globe and Mail*, "Cabby Kicks in Car Window to Rescue Six After Crash," n.d.; *Telegram*, "Auto Upset 'Gas' Threat Cabby Saves 6," n.d.

discontinued immediately [drivers could expect] longer terms of suspension.” Another member of the licensing commission commented that the offending drivers “should lose their licenses.” Many drivers felt the pain from strict enforcement. One of them protested, “Some of us are getting four and five tags [tickets] a week.”⁸⁶ By 1958, the Metropolitan Licensing Commission had established a firm policy of a thirty-day suspension for all persons convicted of highflagging.⁸⁷

However, officials continued to bemoan their lack of progress in the fight. Expressing his frustration, Gardiner told the press, “We have indicated time and again that highflagging has to stop and we are making very little progress.” In another interview he complained that, “[The] attempt by the commission to educate members of the taxi industry to use fare meters at all times has been completely ineffective.”⁸⁸ As when they attempted to regulate headwear, officials faced considerable obstacles in their war on highflagging. This time, however, the regulators did not concede to drivers’ resistance.

The battle over highflagging continued for decades. Drivers continually developed new ways to “beat the meter,” and regulators were likewise forced to diversify their tactics. In the mid-1970s the Metropolitan Licensing Commission undertook a massive education campaign designed to enlist the help of

⁸⁶ *Toronto Daily Star*, “Crack Down On ‘High-Flag,’” February 21, 1957; *Telegram*, [untitled], April 26, 1957; *Toronto Daily Star*, “5 Cab Drivers Are Suspended For Idle Meters,” October 2, 1958.

⁸⁷ TPL URB MLC Minute Book 1958, minute no. 265, October 1, 1958.

⁸⁸ *Toronto Daily Star*, “5 Cab Drivers Are Suspended For Idle Meters,” October 2, 1958; *Toronto Daily Star*, “Five Cabbies Learn: Santa Claus’ Initials Are FG,” November 27, 1958.

passengers in their enforcement efforts. Every taxi prominently displayed a card that advised riders, "if the meter isn't running, the ride is free."⁸⁹ Even this campaign proved ineffectual, for many passengers were happy to travel without the meter running. Furthermore, there were risks for passengers who attempted to enforce taxi regulations. In one case, a passenger argued for a free ride after she observed the meter had not been turned on. In response, the driver drove her several blocks beyond her destination. The ride was free, but the passenger was not allowed to choose her destination.⁹⁰

Paradoxically, the efforts by the MLC to "clean up" the industry, through vigilant policing and strict enforcement, reinforced negative stereotypes of taxi drivers. Moreover, as in the 1930s, licensing officials were blamed for the cheating they uncovered. After all, had they not admitted undesirable characters into the industry? Chairman of the Metropolitan Licensing Commission, F. W. Hall had to agree. In a 1958 memo, he wrote that,

...The large percentage of persons convicted [of regulatory offences] in relation to the total number employed in the cab industry is indisputable evidence of the necessity of raising the standard of personnel.⁹¹

Hall reminded authorities of the criticisms contained in the 1932 Special Committee report concerning the tendency to view the taxi business as a haven

⁸⁹ *Toronto Star*, "New cab rule aimed at high-flagging," May 29, 1974; Anne Parsons, "New Licensing board taxi rules aimed at high flaggers, cheats," *Globe and Mail*, May 29, 1974; *Globe and Mail*, "If they can't steal they won't work for you' Cab drivers 'have to cheat owners to live," n.d.

⁹⁰ *Toronto Star*, "Cabby fined \$125 for wild ride," October 7, 1981.

⁹¹ TA William Dennison Papers Fonds 1302, Box 145608-4, memo from F. W. Hall, "The Case for Limitation of Taxicab Owners' Licenses in Metropolitan Toronto" December 30, 1958.

for the unemployed. He also admonished licensing officials “who apparently consider[ed] that the chief requisites of applicants for licenses [were] that [the applicants] be without visible means of support and have large families.”⁹² Hall further cautioned that the taxi industry was “the last and most dangerous” of services in which to place an individual based on “sentimental and compassionate grounds. ...[Such considerations] should be completely divorced from the administration of the taxicab business.”⁹³

In an effort to ensure higher standards for entry into the industry, the MLC introduced a twenty-five-question test to examine each applicant’s knowledge of the Metropolitan area. Applicants were given a list of one hundred questions and answers to study; afterward they were tested on twenty-five questions taken from the list randomly. Successful applicants were required to answer fifteen of the twenty-five questions correctly. According to the *Globe and Mail*, many older drivers supported the new testing because they were critical of the ability of younger drivers to find their way around the city.⁹⁴ However, the Chair of Metro Council was more hesitant. Gardiner was quoted as saying, “It’s getting so you can’t step out of the front door without a permit.”⁹⁵ In addition to expressing his concerns over the growing bureaucracy and excessive government intervention,

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ *Globe and Mail*, “25 Questions to Test Metro Taxi Drivers,” n.d. It was not surprising that older drivers were critical of inexperienced or incompetent drivers. Both Richard Schlosberg and Edmund Vaz observed cultural values and behaviours among older taxi drivers that included an emphasis on quality service, professionalism, and conformity to industry rules. Schlosberg, “Descriptive Analysis,” 21-25, 71-79, 93; Vaz, “The Metropolitan Taxi-Driver,” 66, 158, 199-200.

⁹⁵ “25 Questions”

Gardiner also voiced his concern for the workers who might be affected by the new regulations when he quipped, “You don’t need to be a Harvard graduate to drive a cab.”⁹⁶

Although the *Globe and Mail* may have captured more of his condescension than concern, Gardiner’s point was an important one. By creating more rigid and rigorous testing, regulators were systematically closing the industry to certain workers. While this type of indirect licensing restriction could reduce the number of successful applicants, it would not necessarily guarantee that the “best” applicants entered the industry. It was possible for an individual to perform well in the testing process yet be ill suited to work in the industry. As Gardiner knew, of the many qualities possessed by a stellar taxi driver, performing well on written exams was not one of them.⁹⁷

Despite Hall’s concerns over entry standards and the enhancement of the written test, MLC records for 1959 suggest that those appearing before the commission still believed that “sentimental and compassionate grounds” could help their application. Along with their petition for the license, a number of would-be drivers shared their stories of unemployment and financial hardship. For example, both Abraham Mandelker and Robert O’Brien had previously held taxi licenses when they applied to return to the industry in 1959. Although the commission had ordered that Mandelker’s license not to be renewed, he requested that the license be returned because he was unable to obtain

⁹⁶ *Ibid.*

⁹⁷ The emphasis on more rigorous testing and better driver training continued through the next four decades and reached unprecedented heights in the late 1990s. The arrival of the “era of education” will be discussed in Chapter Five.

employment in any other field.⁹⁸ Similarly, after O'Brien's license had been revoked in 1958, he had been unable to secure employment, had been admitted to hospital on two occasions, and was in desperate need of work.⁹⁹ R.L.P. told the Committee that he had not been convicted of any criminal offence since 1938, and requested the opportunity to earn a living as a taxicab driver.¹⁰⁰ Similarly, referring to unknown offences, C.R.L. stated that he fully realized the error of his ways, and that he was a married man with three children, and unable to obtain other employment.¹⁰¹ R.W.D. also apologized for his previous criminal records, saying that he had learned his lesson, while explaining that, married with two children, he required a taxi drivers' license in order to secure employment.¹⁰² All five applicants were either renewed or granted new licenses, although Mandelker, O'Brien, and C.R.L. were placed on strict probation.¹⁰³ Thus marginalized workers, who otherwise might have been unemployable, continued in the late 1950s to turn to the taxi industry as a source of income. Did some of them highflag or otherwise cheat in order to survive? It would be surprising, given the industry's structure, if none of them did.

Must cheat to eat

The research of Edmond Vaz conducted in Montreal during that same decade has offered a unique window into the issue of "cheating" from the perspective of the taxi drivers. Vaz argued that stealing was a normative

⁹⁸ TPL URB MLC Minute Book 1959, minute no. 289.

⁹⁹ *Ibid.*, minute no. 290.

¹⁰⁰ *Ibid.*, minute no. 288.

¹⁰¹ *Ibid.*, minute no. 334.

¹⁰² *Ibid.*, minute no. 352.

¹⁰³ *Ibid.*, minute no. 289, 290, and 334.

behaviour among taxicab drivers, not simply part of their occupational culture, but also accepted as a necessity.¹⁰⁴ He contended that stealing was a learned behaviour, a “result of the driver’s work experience.”¹⁰⁵ Furthermore, stealing was part of the taxi driver’s self-concept, in other words, part of the driver’s identity. According to his observations, part of what defined a “good” taxi driver was the knowledge of the accepted limits of stealing, and staying within those parameters. Vaz explored the process by which newcomers were trained in the standards of acceptable stealing. He found that the behaviour of new drivers was controlled through “regulatory measures” enforced by experienced drivers that ranged from friendly advice to violence.

For the group, stealing is a norm of such importance that its members employ and exercise regulatory measures in order to ensure conformity to their standards. Both verbal and physical sanctions are used to secure adherence to the norm.¹⁰⁶

Thus, according to Vaz, driver offences such as highflagging and improper recording of trip sheets were not, as Hall suggested, a result of lenient entry standards. Rather, they were learned practices that drivers accepted and expected as a normal part of the job and of the taxi drivers’ identity. Therefore, while municipal and regulatory authorities used entry standards and industry by-laws to shape the identity of the “qualified” taxi drivers, the veteran drivers of

¹⁰⁴ Vaz, Edmund W. “The Metropolitan Taxi-Driver: His Work and Self-Conception” (Masters Thesis McGill University, 1955).

¹⁰⁵ *Ibid.*, 129.

¹⁰⁶ *Ibid.*, 156.

Montreal also employed their own training and enforcement regime to mould rookies into “good” taxi drivers.

Similarly, in Toronto, many industry observers have commented on the semi-obligatory nature of stealing. In a retrospective on the taxi industry, Peter Cheney, a reporter for the *Toronto Star* interviewed a number of operators who had worked during the 1940s and 1950s. Cheney explained how one owner, intending to fully exploit his drivers, would ask new recruits, “Kid, do you know how to steal?”¹⁰⁷ Implicit in his question was the understanding that “owners took the drivers for every nickel they could – and the drivers did the same to the passengers.” In an interview with Cheney, Al Sadoff (a long-time owner himself), explained the predatory relationship that existed when he started out as a driver. The owner he worked for expected drivers to make 50¢ every fifteen minutes for him. On one occasion when Sadoff was stuck in traffic, his boss still demanded his usual take. That day, Sadoff said, “I paid *him* to [let me] work.” He later recalled an industry where “it was every man for himself and you made a buck any way you could.”¹⁰⁸

The tension between drivers and owners – owners exploiting drivers, and drivers cheating owners – has a long history. As discussed in chapter one, during the 1930s drivers testified they were compelled to cheat in order to protect

¹⁰⁷ Peter Cheney, “Fare play?” *Toronto Star*, March 15, 1998.

¹⁰⁸ *Ibid.* Al Sadoff stayed in the business for decades, acquired his own taxi plates and later became General Director of Greater Toronto Taxicab Conference. For other examples of the necessity to cheat, see *Telegram*, “Committee Will Consider Wages for Taxi Drivers” November 18, 1930; *Telegram*, Cabbies “Must Rob,” September 1, 1965; *Globe and Mail*, “‘If they can’t steal, they won’t work for you’ Cab drivers ‘have to cheat owners to live’” n.d.;

themselves from the owner's practice of "upping". That most drivers exercised limits on the amount they would withhold from the owners has also been observed. Jerome Whyte, an erstwhile Toronto taxi driver, who eventually joined the ranks of the regulators, thus contended that some owners recognized that drivers, left to their own discretion, would set reasonable limits to the amount they stole. Whyte wrote, "An owner who relaxes formal rules and depends on cooperation with drivers, with the minimum of formality, will benefit more than one with a strict regulation pattern."¹⁰⁹

Conclusion

During the 1950s, the MLC did not apply Whyte's approach. It definitely tried to impose a "strict regulation pattern." Officials were preoccupied with establishing tighter regulatory control in the industry. As a result, it was the era during which the unintended consequences, or paradox, of rigid regulation were first revealed. Regulations designed to curb corruption, to enforce order and obedience, and to promote a positive image for the industry did the exact opposite. In an effort to curb the "evils" of over-competition, regulators had limited the number of taxi licenses and created a situation where licenses acquired significant market value, thereby fostering an underground trade in taxi licenses. The arrival of a metropolitan licensing system had further stimulated speculation in licenses.

When the MLC assumed responsibility for regulating the taxi industry it attempted to stamp out corruption and "clean up" the industry through strict

¹⁰⁹ Whyte, "Interactions in the Taxi Industry," 23.

enforcement of by-laws directed at driver appearance and conduct. The three key policy issues of the time were drivers' chauffeur caps, illicit taxi deals, and the practice of highflagging. The regulatory effort to force drivers to wear forage caps was a spectacular failure. Rather than promoting the image of orderly obedient drivers, the policy made by-law offenders of almost the entire fleet of drivers. Between 1957 and 1960, the MLC waged a campaign to enforce compliance, and although drivers paid fines and suffered suspensions, they defiantly refused to wear the regulation caps. Finally, recognizing that it could not win the battle over hats, the MLC acquiesced.

It seems that regulators were also defeated by the proliferation of illicit taxi deals. Mandated to investigate and solve a regulatory crisis, the MLC was again forced to accept the status quo. Unable to eradicate taxi deals, the commission undertook to supervise lease transactions even though they contravened the controlling by-law.

The third regulatory priority in the 1950s was the issue of highflagging. Again, regulators encountered remarkable resistance from defiant drivers. Yet, under the guise of consumer protection the MLC continued to devote considerable energy and resources to enforce regulations whose chief benefactors were fleet owners, who, if highflagging could be eradicated, would be guaranteed higher revenues. As the practice had, at most, a benign effect on passengers, the crackdown mainly redistributed money from taxi drivers to plate owners. Together, the efforts by authorities to enforce strict standards, the

resistance by drivers to obey, and the attention from the local media combined to highlight the image of the taxi industry as corrupt and taxi drivers as deviant.

Concerns over the speculation in licenses quickly passed, and by 1960, drivers had succeeded in defeating the requirement for forage caps. However, concerns over taxi deals and highflagging endured. In the coming decades there would be a growing discord surrounding “leasing” – the successor of the illegal taxi deals. Although the term “highflagging” would become antiquated with new meter technology, the struggle between drivers on the one hand, and owners and regulators on the other, to overcome cheating would endure. At the heart of both issues was the enduring conflict between labour and capital. In the taxi industry, as elsewhere in the postwar era, the role of the state was becoming more crucial in determining not only the rules of engagement, but also its outcome. The next chapter focuses on the role of the state in determining the employment status of taxi drivers, the issue of identity that became critical during the middle decades of the post-war period.

CHAPTER 3

DEPENDENT CONTRACTORS: EMPLOYMENT RELATIONS AND TORONTO TAXI DRIVERS, 1960-1975

The previous chapter examined how the Toronto taxicab industry struggled with the stereotype of corruption in the 1950s as regulations designed to curb corruption in the industry led to unsanctioned taxi deals and the creation of Metropolitan Toronto prompted speculation in licenses. These well-publicized scandals tainted the entire industry including its regulatory regime. Similarly, efforts by regulators to control the conduct of drivers, particularly regulations concerning chauffeurs' caps and highflagging provided fodder for the local press who publicized a resistant and disobedient work force. Although regulators finally abandoned the requirement of caps for drivers and acquiesced to the illicit leasing of taxi licenses, they remained firm in their resolve to eradicate highflagging. Seen as a moral rather than an economic issue, regulators hoped to cleanse the industry of this visible symptom of corruption – an identity the industry had long struggled with. This chapter will examine another identity that drivers, owners, and regulators struggled with - that of the employee. To be labeled an “employee” entitled workers to an increasing number of benefits and protections, particularly after World War II. Hence, many taxi drivers suddenly wanted to carry a label that had earlier been seen as either irrelevant or insulting.

World War II had ushered in an era of increased government involvement in the economy, as well as policies and legislation that strengthened unions and changed labour relations. The Federal Government's Privy Council Order 1003,

in 1944, guaranteed employees the right to form trade unions and required management to bargain collectively with them. This state-sanctioned right to collective bargaining was a critical landmark in the history of Canadian labour relations. In addition, new legislation and regulations governing employment standards gave workers improved health and safety standards, workers' compensation, unemployment insurance, and the Canadian Pension Plan. To gain access to these benefits and protections the worker had to be recognized by the state, either through legislation or the courts, as an employee.

Workers who did not have the benefit of unionization were protected by minimum standards legislation that dated back to the late nineteenth and early twentieth century and was initially aimed at protecting child labour and women. By the mid-1960s, the Ontario provincial government was under growing pressure from the labour movement, to increase these legislative protections, which by then included several separate statutes that created minimal standards for hours of work, vacation pay, and wages. In 1968, the Ontario *Employment Standards Act* unified existing legislation and added standards for several items, including an overtime premium.¹ However, like the federal guarantee for collective bargaining, the *Employment Standards Act* only applied to workers recognized as employees.

¹ For a recent examination of Ontario employment standards legislation of this era, its limited capacity to protect exploited workers, and its tendency to support and reproduce patterns of gendered and racialized segmentation within the labour market see Mark Thomas, "Setting the Minimum: Ontario's Employment Standards in the Postwar Years, 1944-1968," *Labour/Le Travail* 54, (Fall 2004): 49-82.

Although the postwar era of industrial pluralism was characterized by legislation that recognized and supported workers' collective institutions and the growth of direct state regulation of employment relations, there were limits on who could benefit from this new regulatory regime.² These benefits and protections were meant only for those workers who were identified as employees. It was within this context that taxi drivers, owners, regulators, and the state struggled to define labour relations in the Toronto taxi industry.

Definition

While the distinction between “worker,” “employee,” “servant,” and “contractor” may have seemed moot to a driver spending long hours behind the wheel, hustling to make a living and pay the office rent, these terms became significant when the same driver sought benefits such as vacation pay, sick leave, or the right to collective bargaining. The relatively new term “employee” came into use in the United States in the mid-nineteenth century.³ According to *Black's Law Dictionary* [1990] (published in the United States) “employee” has come to be synonymous with “servant”. And indeed, it has been suggested that the terms “employer” and “employee” have become the acceptable replacements

² For a broader analysis of the limitations of post-World War II industrial pluralism see Judy Fudge and Eric Tucker, “Pluralism or Fragmentation?: The Twentieth Century Employment Law Regime in Canada,” *Labour/Le Travail* 46, (Fall 2000): 251-306.

³ According to the *Oxford English Dictionary* [1933] “employee” was first used in 1854. See Michael Bendel, “The Dependent Contractor: An Unnecessary and Flawed Development in Canadian Labour Law,” *University of Toronto Law Journal* 32, (1982): 384.

for the objectionable and demeaning terms “master” and “servant”.⁴ It has also been suggested that the terms “employer” and “employee” have come into use in the courts simply as a result of their common usage in the public discourse.

Former law professor Michael Bendel contended that the term “servant” was well known to the common law, that “employee” was a newcomer, and a “creature of statute,” with no independent common law existence. Similarly, the courts in both the U.S. and Canada have been reticent to treat the words as coterminous.⁵ Although not definitive, Canadian courts have always looked to U.S. jurisprudence for guidance when deciding legal issues. Bendel used the famous case of *N.L.R.B. v Hearst Publications Inc* in 1944 to illustrate the US Supreme Court’s refusal to automatically equate employee and servant. The Supreme Court determined that a class of worker, though not a servant under common law, could still be found to be an employee according to statute. In the Hearst case, the Supreme Court rejected the contention of the employer that because the newsboys working for four Los Angeles newspapers were not servants under common law, they must also be denied employee status. The Supreme Court further found that the term “employee” did not have a definite

⁴ In the case of *R v Mac’s Milk Ltd* [1973] 6 W.W.R. 598, 40 D.L.R. (3d) 714 (Alta. S.C., App. Div.) the Appeal Court Justice suggested that “employer and employee” were simply less objectionable synonyms for “master and servant”.

⁵ Coterminous refers to the terms having the same boundaries or scope. *NLRB v. Hearst Publications*, 322 US 111 (1944); Although *Black’s Law Dictionary* [1990] (published in the United States) defines employee as synonymous with servant, former law professor Michael Bendel contends that American tribunals have “balked at finding the word ‘employee’ in a statute as necessarily having the same meaning as ‘servant.’” Bendel, “The Dependent Contractor,” 384ff.

meaning; therefore, its meaning must be taken from the context of the statute in which it appears.

Vicarious liability

By 1944, the employment status of a myriad of workers had been debated in numerous court cases. Yet this first generation of cases did not concern labour relations, for it had been tort cases that first generated concern over employee status. Civil courts sought to establish if workers were “employees” in order to determine vicarious liability.⁶ If an “employee” caused damage to a person or property while performing his or her duties, the “employer” would be vicariously liable. That is to say, the employer would be legally responsible to pay for the damages caused by the employee. In order to deal with these cases, various tests were applied to determine the existence of an employment relationship.

One of the best-known methods of evaluating employee status was the control test. Dating back to mid-nineteenth century British common law, the control test was set out by Baron Bramwell, in his judgement in the *Regina v.*

⁶ At the most elementary level, a tort is “a breach of duty (other than under contract) leading to liability for damages” See *Oxford English Dictionary*, 2nd ed., s.v. “tort.” There are numerous types of torts including the *quasi tort* under which the concept of vicarious liability arises. Vicarious liability is the imposition of liability on one person for the actionable conduct of another, based solely on the employment relationship between the two persons. If a worker damages another person (or property) while performing his or her duties, the person that he or she is working for is liable for the worker’s wrongs provided that their relationship is determined to be that of employer-employee or master-servant. See *Black’s Law Dictionary*, 6th ed., s.v. “vicarious liability.”

Walker case in 1858.⁷ If the employer controlled the work and how it was performed, Bramwell ruled, the individual doing the work was considered an employee. Despite its long history, the control test was not consistent, conclusive, nor accurate in distinguishing between employees and independent contractors.

A more complex “fourfold test” was developed by Lord Wright and applied in the 1947 tax case, *Montreal v Montreal Locomotive Works Ltd.*⁸ The fourfold test evaluated a combination of elements to assess employee status including: control; ownership of tools; chance for profit; and risk of loss.⁹ Shortly after the introduction of the fourfold test, the “organization test” of Lord Denning caught the attention of the courts. The organization test held that the status of a worker as a servant depended upon whether or not the work performed was an “integral part of the employer’s business.”¹⁰ These tests did not seem, however, to capture the growing complexity of the twentieth-century labour market. Hence more

⁷ *Regina v Walker* (1858) 27. For references to the origin of the control test see Major J. 671122 *Ontario Ltd. v Sagaz Industries* [2001] SCC 59; also see MacGuigan J.A. in *Wiebe Door Services Ltd. v MNR*, [1986] 3 FC 553. Although the case of *Yewens v Noakes* (1880) is frequently cited as the origin of the control test, the much later case of *Hopital Nortre-Dame de l’Espérance v Laurent*, in 1978, is generally used as the Canadian example of the control test. See *Hopital Nortre-Dame de l’Espérance v Laurent*, [1978] 1 SCR 605.

⁸ *Montreal v Montreal Locomotive Works Ltd.*, [1947] 1 D.L.R. 161; [1946] 3 W.W.R. 748 (P.C.).

⁹ Judy Fudge, Eric Tucker, and Leah Vosko, “The Legal Concept of Employment: Marginalizing Workers,” (paper prepared for the Law Commission of Canada, October 25, 2002), 52.

¹⁰ *Ibid.*, 53; According to Bendel, the organization test arrived on the Canadian legal scene in 1964 via the case of *Cooperators Insurance Association v Kearney*; however, he offers a nod to the earlier case of *Montreal v Montreal Locomotive Works Ltd* in 1946 as a precursor. Bendel “The Dependent Contractor,” 381.

elaborate and multifaceted tests had to be devised to determine whether or not an employment relationship existed. However, as these tort-oriented tests had developed outside the context of labour law, they largely overlooked the most fundamental feature of the employment relationship: economic dependence.

Collective bargaining

Until the 1950s, taxi drivers in Toronto were generally considered to be employees, and as such, had access to collective bargaining through union membership. In fact, as noted in Chapter One, there had been unions in the Toronto taxicab industry before World War II. Taxi Union Local 488 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers had been active since 1937.¹¹ During the immediate post war years, this union sought to improve wages and reduce hours of work for its drivers. The discord between taxi owners and union drivers led to three strikes between 1947 and 1949.

In August 1947, drivers at Cadillac Livery were attempting to unionize for higher wages and a shorter workweek. On the night of August 12th, several drivers joined the Amalgamated Union of Street, Railway & Motor Coach Employees, and against union advice, almost immediately went on strike, the first in Toronto's taxi industry since 1938.¹² As the walkout was prompted by the dismissal of five drivers involved in union activity, it ended the following day when

¹¹ National Archives of Canada (hereafter NAC) MG 28 I 103, Papers of the Canadian Labour Congress (hereafter CLC papers) Reel H-666 File 15, Rhea Bastien, CLC Assistant Director of Organization, to M.K. Carson, Canadian Brotherhood of Railway, Transport and General Workers "A Recent History of the Toronto Taxi Industry" c.1971 1.

¹² The 1938 strike of Toronto taxi drivers is discussed in Chapter One.

four of the five drivers were reinstated. The drivers returned to work at the same pay, pending union certification and negotiations; however, no collective agreement was ever signed.¹³

Local 488 had better success raising drivers' wages. In 1948, it represented approximately 800 drivers from about forty different cab companies that were members of the Federal Association of Taxi Cab Operators (FATCO). The collective agreement between Local 488 and FATCO had expired in July and the parties appeared before a conciliation board in September. While the matter was before the board, drivers at Deer Park Livery went on strike. More than thirty drivers walked off work to protest the dismissal of three drivers for having made an insufficient number of paid trips.¹⁴ The strike ended after only eight hours when Judge Samuel Factor, the chair of the conciliation board, intervened. The striking drivers were willing to return to work when two of the three men were reinstated with assurances that the case of the third man would

¹³ The *Canada Labour Gazette* has no record of a collective agreement between these parties. NAC, RG 27, Labour Canada, vol. 456, T-4088 File 153, "Department of Labour Part II Employer," August 23, 1947; *Ottawa Evening Journal*, "Toronto Cab Drivers Strike In Sympathy," August 13, 1947.

¹⁴ NAC RG 27 vol. 466 7-4096 122 *Labour Gazette* November 1948 p 1339; NAC RG 27 vol. 466 7-4096 122 "Department of Labour Part 1: Workers" n.d.; NAC RG 27 vol. 466 T-4096 N.R. Millen Manager Deer Park Livery Limited to Research and Statistics Branch Department of Labour, January 19, 1949; NAC RG 27 vol. 466 7-4096 122, *Sarnia Observer*, "Strike Called By Drivers of Taxi Firm in Toronto," September 14, 1948; NAC RG 27 vol. 466 7-4096 122, *Windsor Star*, "Judge Ends Strike of Taxi Drivers," September 14, 1948; *Toronto Star*, "Taxi Drivers Go On Strike When Two Men Dismissed," September 14, 1948. According to Department of Labour documents, three drivers had been fired from Deer Park, however, newspaper reports of the strike contradicted this information saying that only two drivers had been fired.

be dealt with at conciliation. However, the board upheld the dismissal of the third driver.¹⁵

Local 488 was still representing Toronto taxicab drivers in November 1949 when 300 taxi drivers staged a two-day wildcat strike at Diamond Taxicab Association. Four months earlier a long-time employee of De Luxe Cab, a member of the Diamond Taxicab Association, had been dismissed, but reinstated five days later, but not without punishment. When the company posted a seniority list on November 12th, he had been placed on the bottom. Against union advice, the drivers stopped working on November 15th in protest. The strike ended on the second day when it was agreed the matter would go to arbitration. However, the company reinstated the driver's seniority and no application for arbitration was made.¹⁶

In all three strikes, drivers had been protesting the treatment of fellow drivers by the employer. The rank and file drivers, against the advice of union executives, initiated both the strike at Cadillac Livery in 1947, and the strike at

¹⁵ NAC RG 27 vol. 466 7-4096 122, "Department of Labour Part II: Workers" n.d.; *Windsor Star*, "Judge Ends Strike of Taxi Drivers," September 14, 1948; NAC RG 27 vol. 466 T-4096 File 29, Statement of Mr. C. Hudson, Business Agent for Union to Research and Statistics Branch Department of Labour, n.d., N.R. Millen Manager Deer Park Livery Limited to Research and Statistics Branch Department of Labour, January 19, 1949.

¹⁶ NAC RG 27 vol. 475 T-4103 file 128, C. McCurdy Union Liaison Officer to Mr. Geo V. Haythorne, January 23, 1950; NAC RG 27 vol. 475 T-4103 128, *Labour Gazette*, January 1950; NAC RG 27 vol. 475 T-4103 file 128, "Report Economics and Research Branch, Department of Labour Report on Termination," November 17, 1949; NAC RG 27 vol. 475 T-4103 file 128, "Report on Commencement: Workers," November 17, 1949.

Diamond Taxicab in 1949.¹⁷ Although the strikes were not undertaken in order to secure higher earnings, the demonstration of the drivers' willingness to strike may have given the union some leverage at the bargaining table.¹⁸

Between 1938 and 1950, unionized drivers secured wage gains and reduced their work hours. The collective agreement that ended the driver's strike in 1938 dictated a sixty-six-hour week, based on eleven hours per day, six days a week. By 1946, the union had negotiated an eight-hour day and a fifty-eight-hour week. Additionally, between 1938 and 1947, union drivers had almost doubled their guaranteed minimum earnings, from \$12.50 to \$24.00 a week; however, they had lost the right to an additional twenty-five percent commission.¹⁹ By 1949, drivers had again negotiated for bonus earnings based on commission. The guaranteed minimum wage was now \$32.00 per week, and drivers could receive a bonus of 33.33 percent of any proceeds beyond \$96.00 per week.²⁰

In 1950, union drivers were again threatening to strike as they pressed owners for increased commission, more paid holidays, and further reductions to

¹⁷ NAC RG 27 vol 456 Reel T-4088 file 153, F.J. Ainsborough Industrial Relations Officer, to L. Fine Chief Conciliation officer, Ontario Department of Labour, August 14, 1947; NAC RG 27 vol. 475 T-4103 file 128, Wallace Smith, Secretary Treasurer, Local 488, "Report on Commencement," November 17, 1949.

¹⁸ Local newspapers reported threats of a taxi strike over wages in both 1939 and 1947. See Diamond taxicab association scrapbook, "Vote to Strike if Necessary," c. 1939; Sun Media Corporation (hereafter SMC) [paper unknown] "Ask \$7.20 More Weekly," June 26, 1947.

¹⁹ In 1938, union drivers received a guaranteed minimum of \$12.50 and 25 percent commission on their weekly receipts. *The Canada Labour Gazette* (Ottawa: Labour Canada, 1938) 575; AO RG 7-4-0-14 Strike Toronto Taxis April 1938. Louis Fine, Chief Conciliations Officer to Hon. M.M. MacBride, Minister of Labour, April 26, 1938.

²⁰ *The Canada Labour Gazette* (Ottawa: Labour Canada, 1949) 1561.

their workweek.²¹ Their demands pushed struggling fleets to the brink of insolvency. During negotiations, an announcement came that De Luxe Cab Company would have to close. Kenneth Wallace, owner of De Luxe, explained that it was not solely because of drivers' demands, as "They're just part of the squeeze."²² The company was also struggling, he said, to cope with increased operating costs and government restrictions.²³ Within days of this announcement, De Luxe reached an agreement with the union that enabled the company to operate for another year.

However, the days of company fleets were numbered. Pressure for higher wages led many owners to sell off their fleets.²⁴ Drivers who had been waged employees of cab companies, such as for De Luxe, became owner-operators. Former driver and taxi regulator Jerome Whyte attributed the demise of the waged (or salaried) drivers to two key factors. Generally, he said, owners believed that waged drivers needed to be well supervised to ensure that they worked hard, and supervision was an added expense. Additionally, companies were increasingly unable after the Depression to offer wages high enough to attract drivers.²⁵

²¹ *Telegram*, "Costs, Wages Will Close 82-Cab Fleet," March 24, 1950; *Toronto Star*, "Strike Threat Still Facing 20 Taxi Firms," March 27, 1950; Diamond Taxicab Association Scrapbooks, "Seek to avert Taxi Shutdown," March 1950.

²² *Telegram*, "Costs, Wages Will Close 82-Cab Fleet," March 24, 1950.

²³ *Telegram*, "Costs, Wages Will Close 82-Cab Fleet," March 24, 1950; Diamond Taxicab Association Scrapbooks, "Seek to avert Taxi Shutdown," March 1950.

²⁴ For example, in 1951, De Luxe Cab sold more than 70 cabs and licenses to the drivers. See NAC CLC papers, Reel H-666 File 15, Bastien "A Recent History of the Toronto Taxi Industry".

²⁵ See Whyte, "Interactions in the Taxi Industry," 50.

By selling their taxi plates, by paying drivers solely by commission, or by renting taxis to drivers at flat rates, owners distanced themselves from their traditional role as employers. Because their remuneration was no longer wage-based it became more difficult to identify taxi drivers as employees. And yet, no matter how they earned their income needed protection from exploitation, as Ford Brand had long recognized. In addition to heading the 1952 review of the industry, Brand was instrumental in drafting the MLC taxi by-law, whose original draft had required employee benefits and protections for all drivers. However, this provision was dropped when legal staff determined that the licensing commission lacked the authority to “enforce an employer-employee relationship.”²⁶

Union “closes shop”

Shortly after the fleets had unloaded their cabs, the Taxi Driver Union Local 488 folded,²⁷ which suggests that there was no longer a sufficient number of waged drivers to maintain the union. The last evidence of the union’s existence by the *Canada Labour Gazette* was a record of an agreement in effect between March 1950 and March 1951.²⁸ Other efforts for unionization would follow, but it would be almost two decades before organizers successfully re-established a union, and a further two decades before new collective agreements were signed.

²⁶ NAC MG 28 I 103 Reel H-666 “ A Recent History of the Toronto Taxi Industry” Rheel Bastien CLC Assistant Director of Organization to M.K. Carson, Canadian Brotherhood of Railway, Transport and General Workers c.1971 2.

²⁷ *Ibid.* The demise of Local 488 was also described in the local press. *Telegram*, “9 cabbies form union in secret,” September 11, 1970.

²⁸ *Canadian Labour Gazette* 1950 1049.

The demise of the original Taxi Driver Union did not mean a cessation to labour conflict and collective action within the industry. By the mid-1950s, the Independent Cab Owner's Association (IOCA) that had been created in the 1930s represented approximately 250 owner-operators.²⁹ In 1957, it helped to organize the drivers' resistance to the crackdown by the new Metropolitan Licensing Commission. Faced with mounting fines and other disciplinary measures, members of the IOCA united with the shift-drivers against a common enemy, the MLC. Although not the employer of either group of drivers, the Commission was imposing rules and disciplining both owner-operators and shift-drivers in a manner that resembled an employer-employee relationship.

At a meeting in May, attended by representatives of the Teamsters' Union, more than 250 shift drivers and owner-operators voted unanimously to organize a permanent committee to negotiate on their behalf with the MLC and to settle any outstanding differences with the outgoing Board of Commissioners of Police. Although many shift-drivers favoured union representation (presumably by the Teamsters), members of the IOCA balked at the idea, generating a "rousing argument" concerning what form the organization should take.³⁰ Though drivers were united in their concern over heavy-handed enforcement by the new MLC, they were clearly divided into distinct groups, according to whether or not they owned the license for the taxi they operated. Raymond Russell noted a similar

²⁹ City of Toronto Archives (hereafter TA) Series 361, Subsection 1, File 005, Taxicabs, Licensing 1953 Box 140520-9 Report of the Committee on Taxicabs to the Board of Commissioners of Police for the City of Toronto n.d. 2; Gray, "Minding Its Manners," *The Globe Magazine* July 20, 1957.

³⁰ *Toronto Star*, "Cabbies Split On Union," May 15, 1957; Walter Gray, "The Hack Business Is Minding Its Manners," *The Globe Magazine*, July 20, 1957.

division in Boston, even though its drivers differed little in terms of workplace control whether or not drivers owned their own taxi plate, rented a vehicle, or drove on a commission basis, they, nonetheless, wanted to form their own, separate organization, depending on how they were remunerated. Thus, while drivers paid on a commission basis in Boston tended to unionize, owner-operators preferred to create cooperatives, and drivers who leased their taxi license remained totally unorganized.³¹ The same pattern prevailed in Toronto, where drivers paid by commission struggled to unionize, and owner-operators gathered in associations and guilds.

In 1959, the Teamsters' Union attempted to organize Diamond Taxicab Association. This time they applied a new tactic and signed twenty-eight of the twenty-nine dispatch employees. Canadian Labour Congress (CLC) officials assumed that the Teamsters' strategy was to use the dispatchers as a wedge to organize the entire business. Though the union won certification, the Association still refused to negotiate, resulting in a month-long strike in July 1959.³² During the strike, the Diamond cab owners were able to replace the striking dispatchers and telephone operators, this being a difficult year for the economy, and the dispute ended with a "hands down" victory for the company.³³

³¹ Russell, "Class Formation," 364-65.

³² *Telegram*, "First Taxi Strike Since World War II," July 9, 1959; NAC CLC papers, Reel H-666 File 15, Bastien "A Recent History of the Toronto Taxi Industry," 3-4. Although this was the first strike of dispatch employees following World War II, the *Telegram* erroneously implied that it was the first "taxi" strike. Toronto taxi drivers struck Cadillac Livery in 1947, Deer Park Livery in 1948, and Diamond Taxicab Association in 1949.

³³ *Ibid.*, 4.

The Teamsters were on the scene again in the 1960s when members of the ICOA recruited the union to assist them in negotiations with regulators. During the early 1960s, when the MLC proposed to increase the license renewal fee and to issue additional owners' licenses, ICOA members joined with the Teamsters' Union Local 625 to oppose the proposal, but the marriage was short-lived.³⁴ The Teamsters' presentation to the Commission in the spring of 1963 failed to influence any change in policy and the ICOA and the union parted company.

Shortly thereafter, some independent cab owners formed the Independent Cab Owners' Guild in June 1963; by the following February it had signed up more than 400 members.³⁵ The Guild wanted a moratorium to be placed on the issuing of licenses, a reduction in the total number of taxi licenses in operation, a prohibition on part-time drivers, and a rollback in license renewal fees.

Despite their flirtations with unionization, independent owner-operators were not concerned with employee status. It was difficult enough for them to find common ground, for the independents were a disparate group. There were about 1100 of them in 1964 (slightly more than a fourth of Toronto's 4,000 licensed taxicab drivers in Toronto). Of these 250 were truly independent. They operated without a two-way radio so that they could free themselves from the brokers. They operated out of public cabstands and depended on street pick-ups and their

³⁴ *Toronto Star*, "Taximen Go To Teamsters," March 28, 1963; TPL URB MTC Minute Book 1964, Appendix D, "Brief Presented to the Metropolitan Licensing Commission on Behalf of the Independent Cab Owners' Guild," February 17, 1964.

³⁵ *Ibid.*

regulars. The remaining 850 independent owner-operators were not truly independent, for they were affiliated with brokers, who provided them with fares via the radio. The 850 represented 60 percent of the radio-taxis in Toronto. Radio cabs were still surprisingly rare, and so the independents with a brokerage affiliation represented less than 25 percent of the licensed taxicab drivers.

The majority of Toronto's cab drivers were independent in just one respect – they were independent of a guaranteed salary, for they operated strictly on a commission basis, earning 35-50 percent of the total receipts. Numbering in the thousands, these drivers found themselves in an ambiguous position vis-à-vis their “employers”. Despite their low-pay, low-status occupation, drivers paid by commission were categorized as “independent contractors” since their boss paid them no wages, giving them no access to the legislated protections and benefits designated for employees.

Dependent contractors

In 1965, professor H. W. Arthurs, who later became president of York University, was particularly concerned with the plight of workers who, although economically dependent, did not have access to collective bargaining because of their legal status as contractors rather than as employees. In his article, “The Dependent Contractor: A Study of the Legal Problems of Countervailing Power,” Arthurs cited several workers caught in this paradox.³⁶ According to Arthurs, workers vulnerable to economic dependence who were at the same time

³⁶ H. W. Arthurs “The Dependent Contractor: A Study of the Legal Problems of Countervailing Power” *The University of Toronto Law Journal*, 16 (1965-66): 89-117.

considered self-employed included truck drivers, peddlers, farmers, fishers, and taxicab drivers. To draw attention to their economic plight, and to create a legal and moral basis for helping them, Arthurs devised the term “dependent contractor” to identify workers who were not considered “employees” yet were economically dependent and might find survival difficult without the right to collective bargaining.³⁷ Following the publication of Arthurs’ article, and as a result of a case involving Marlie Taxi Services of Brampton Ontario, the Unemployment Insurance Commission (UIC) amended its regulations in 1966 to include taxi drivers.³⁸ Two years later, a Federal Royal Commission on labour relations also highlighted the plight of workers subsisting in the no man’s land between “employee” and “independent contractor”:

We are concerned about accessibility to collective action by groups of self-employed persons who are economically dependent for the sale of their product or services on a very limited market or who for other reasons may have economic characteristics of employees. We have in mind such groups as fishermen, owner-drivers of taxis, and independent owner-drivers of trucks and delivery vans.³⁹

Although the federal government, by amending its UIC regulations, had recognized the taxi drivers as having a legal status equivalent to that of an employee, the province of Ontario had yet to undertake similar amendments of

³⁷ *Ibid.*, 89.

³⁸ NAC RG 50 vol. 33 File 1-2-5 1966, “Extract from the minutes of the Commission: 66-19 Unemployment Insurance Regulations” January 12, 1966; “Extract from the minutes of the Commission 66-14 Amendment to UI Regulations” March 2, 1966; “Explanatory notes for proposed amendment to unemployment insurance regulations” n.d.

³⁹ Canada Task Force on Labour Relations, *Canadian Industrial Relations: The Report of Task Force on Labour Relations*, (Ottawa: Queen’s Printer, 1969) 139-140.

its relevant legislation, including the *Labour Relations Act*, the *Hours of Work and Vacations with Pay Act*, and the *Minimum Wage Act*. The Ontario government was, however, being pressured by the labour movement to improve protections for non-unionized workers, and had undertaken a thorough review of its minimum standards regime. However, when it consolidated and expanded its laws on employment standards (the *Employment Standards Act* of 1968) the government of Ontario made the definition of an “employee” so narrow as to exclude the dependent contractors of the taxi trade. Thus commissioned drivers remained without employee benefits.

Yet the legal significance and economic benefits of employee status was not lost on the many drivers who now contested their identity as independent contractors. Some of them turned to organized labour to aid in their struggle to gain the benefits and protections afforded to employees. During the 1960s, the Teamsters had attracted about 500 drivers to an organizational meeting but were never able to sign enough members to gain bargaining rights. Similarly, a number of drivers gathered to form a group called Taxicab Drivers for a Union. However, the proposed Toronto Taxi Drivers Union was abandoned when only four drivers attended the founding meeting in May 1968.⁴⁰

Finally, in 1970, the union movement among Toronto taxi drivers took hold, though not without opposition. The Toronto Union of Taxi Employees (TUTE) was born of the efforts of the Taxi Workers Committee for Organized Representation, whose members had been meeting regularly since January

⁴⁰ *Telegram*, “Cabbies getting new city voice,” April 23, 1968; *Toronto Star*, “Bid to set up cabbies’ union fails,” May 14, 1968.

1970.⁴¹ Fearing reprisals from cab company owners, nine drivers met clandestinely in September 1970 to create the Toronto Union of Taxi Employees. They had reason to worry. By June 1971, most of the union executive had been forced to work “off-duty hours” after having been “put out of work” and blacklisted from some companies.⁴² Yet they persisted. In September, the TUTE executive met with the National Director of CLC to discuss union affiliation and in December 1971 the CLC chartered the Toronto Union of Taxi Employees as direct Local 1666 with a membership of about one hundred.⁴³ A concerted organizing campaign during the winter of 1972 increased union membership five-fold.⁴⁴

The union’s first priority was to secure *employee* status for Toronto taxicab drivers, without which it could not, under law, qualify as their bargaining agent. While anyone could form a so-called union, only “employees” had access to the services and benefits of the Ontario Labour Relations Board. Toronto’s taxi brokers vigorously denied that the drivers could possibly be employees for they had been compelled to sign a contract that specified that they were not employees and so had no right to collective bargaining. Commonly called

⁴¹ *Toronto Star*, “9 cabbies form union in secret,” September 11, 1970; NAC CLC papers, Reel H-666 File 15, “Minutes of a founding meeting of the Toronto Union of Taxi Employees held on September 10th 1970” and “Toronto Union of Taxi Employees Taxi Organizing Activities Continuous Since January 1970,” June 22, 1971.

⁴² NAC CLC papers, Reel H-666 File 15, “Toronto Union of Taxi Employees Taxi Organizing Activities”.

⁴³ *Toronto Star*, “Metro sign-up campaign,” February 8, 1972.

⁴⁴ *Toronto Star*, “Metro sees a cure for our ‘sick’ taxi industry,” March 6, 1972.

“taxicab agreements”, these were “yellow dog contracts”⁴⁵ in the eyes of organized labour, which held invalid any agreement that stripped workers of their basic rights as citizens. Although, union officials doubted that either the Labour Relations Board or the Courts would consider the taxi agreements, once challenged, as valid, there were other concerns. Could the drivers claim to be employees given the absence of wages and the degree of control they exercised in selecting their fares? It was questionable, therefore, whether the drivers would meet the criteria necessary to achieve employee status in the eyes of the law.

By September 1970, a case bearing on the issue of employee status for Toronto taxicab drivers was in the provincial court. The case involved Dufferin Taxi, a member of the Diamond Taxicab Association, and five of its drivers who were seeking vacation pay under the provincial *Employment Standards Act*. The company contended that the drivers had signed “taxicab agreements” and were paid on a commission basis and, therefore, were neither employees nor eligible for vacation pay. In his decision, announced in February 1971, Judge S. G. Tinker ruled that according to the provisions of the *Employment Standards Act* the drivers could not be considered employees; he dismissed the claim against Dufferin Taxi. Tinker, recognizing the fundamental justice of the drivers’ claim, noted in his decision that taxi drivers could be included under the provisions of the *Act* without necessitating an amendment to the legislation. He advised that

⁴⁵ A yellow-dog contract refers to an agreement by workers not to unionize or participate in collective labour action. NAC CLC papers Reel H-666 File 15, T.M. Eberlee Deputy Minister Ontario Department of Labour to Norman Treuer, Taxi Workers Committee July 24, 1970; “Toronto Union of Taxi Employees Taxi Organizing Activities”; and, Harry Simon, CLC to Joe MacKenzie, Director of Organization CLC November 5, 1971.

the Director of Employment Standards could simply issue a declaration stating that taxi owners and drivers had an employer – employee relationship.⁴⁶

Shortly after Judge Tinker's decision, the Ontario Minister of Labour, Gordon Carton, announced in the spring of 1971, that he supported changes to the *Employment Standards Act* to protect taxi drivers.⁴⁷ According to the *Globe and Mail*, Carton said that his department would simply ask for an amendment to the *Act* declaring that taxi drivers were employees.⁴⁸ However, in 1972 Fernand Guindon replaced Carton, and the promised amendment was delayed for three more years.⁴⁹

The Employment Standards Branch of the Ontario Ministry of Labour had finally recognized the problem, not only for taxi drivers but also for a number of workers. Writing to the Deputy Minister of Labour, the Director of the Employment Standards Branch noted the unfair advantages to businesses that denied employee status to their workers:

⁴⁶ NAC CLC papers Reel H-666 File 15, "Toronto Union of Taxi Employees Taxi Organizing Activities"; AO RG 7-14-0-181.1 "Provincial Court Reporters, Criminal Division, County of York. Dufferin Taxi, 18 February 1971, Judge S.G. Tinker. Reasons for Judgement," February 18, 1971; *Toronto Star*, "Taxi executive denies blacklist on drivers," January 5, 1971.

⁴⁷ NAC CLC papers, Reel H-666 File 15, Bastien "A Recent History of the Toronto Taxi Industry," 4.

⁴⁸ NAC CLC papers, Reel H-666 File 15, "Do we need a union in the taxi industry?" c.1971 and "Ontario Labor Minister's stand on issues should be reassuring to businessmen," January 8, 1972; *Globe and Mail*, "Weak laws for cab drivers," February 7, 1972; *Globe and Mail*, "Call them employees," February 13, 1973; *Globe and Mail*, "Council ignores need for taxi driver, customer," April 11, 1972.

⁴⁹ NAC CLC papers, Reel H-666 File 15, "Toronto Union of Taxi Employees," November 1971; *Globe and Mail*, "Weak laws for cab drivers," February 7, 1972;. AO RG 7-14-0-181.1, LEG 01-2, Employee – Taxi Cab Drivers, 1972. *Globe and Mail*, "Call them employees," February 1973.

These arrangements are not solely to circumvent the *Employment Standards Act*. There are benefits that accrue with respect to the avoidance of the *Labour Relations Act*, unemployment insurance and Canada Pension Plan. The arrangement is of further benefit, in that, [sic] the worker is invariably paid on an incentive basis with no statutory controls.⁵⁰

The Director of the Employment Standards Branch suggested two possible remedies for the situation. The first option was for the Ministry of Labour to “prove” that there was an employer-employee relationship either through Section 10 of the *Employment Standards Act* or by getting a ruling of the courts through the prosecution of an employer. The second alternative was to change the legislation, either by re-writing the definitions of employer and employee in the *Act*, or by writing specific regulations for the occupations or industries in which it wished to establish an employer-employee relationship.⁵¹ The Ministry was clearly moving toward changes that would give taxi drivers the employee status most sought; however, progress was slow.

While taxi drivers waited for legislative action, the brokers and owners did their utmost to avoid the “employee” word, even when their drivers went on strike. Consider what happened at Arrow Taxi, an Etobicoke firm.⁵² Its owner-operators had formed an association in order to promote health and accident plans, to create a benevolent fund, and to lobby for lower insurance rates. The association operated with the cooperation of Arrow Taxi until March 1972 when

⁵⁰ AO RG 7-14-0-181.1, LEG 01-2, Employee - Taxi Cab Drivers, 1972, M. E. Howard, Director, Employment Standards Branch, Memorandum to Mr. Robert D. Johnston, Deputy Minister of Labour, 6 June 1972.

⁵¹ *Ibid.*

⁵² The city of Etobicoke was absorbed by Toronto on January 1, 1998.

the company suddenly dismissed an association executive and four other drivers. Jim Bond, president of the association, delivered an ultimatum to Arrow owner, Gordon Horrocks, demanding recognition of the association. When the company refused, approximately sixty owner-operators went on strike.⁵³ Arrow's manager Sid Barratt, denied that the situation hurt business and added that the action of the drivers was not really a strike because the protesters were independent contractors, not employees. Barratt said,

It's not as though they're employed by us. They're independent owners. If they want to work, they can work. If they don't, they can go somewhere else.⁵⁴

It was clear that Barratt understood as well as the drivers the critical distinction between an "employee" and "independent contractor". And so, the owners resisted categorization as employers.

But the owners were fighting a losing battle, for the ambiguous nature of taxi drivers' employment status was being blamed for the poor public image of taxicab drivers. In 1972, when the Metropolitan Licensing Commission announced plans for a poster campaign to "clean up" the taxi industry, some critics of the campaign argued that the precarious employment status of taxi

⁵³ *Toronto Sun*, "Cab owners' strike threat," March 6, 1972; *Toronto Sun*, "Strike by drivers not harming us says cab company," March 12, 1972.

⁵⁴ *Toronto Sun*, "Strike by drivers not harming us says cab company," May 12, 1972.

drivers was at the root of industry troubles.⁵⁵ Commentary in one newspaper read:

At the moment [the taxi industry] is one of those twilight industries, which operates outside most of the social and labour legislation of the senior governments and has sticking plaster put on its open wounds by the Metropolitan Licensing Commission.⁵⁶

There followed the first break in the solidarity of the “non-employers”. In February 1972, the Metro Cab Company proposed to create a fleet of drivers replete with the trademarks of employee status, including driver uniforms. A three-month pilot project was proposed that would pay drivers by wages rather than commission, and make employer contributions to the Canada Pension Plan, Unemployment Insurance, and Workmen's Compensation. Under Metro's proposal, drivers would work fifty hours a week for \$125, which would be substantially more than most Toronto drivers earned. The Toronto Union of Taxi Employees had conducted a survey of drivers' earnings the previous year and found that the average income, including tips was \$1.60 per hour,⁵⁷ which meant that the average driver was earning less than \$100 for a fifty-hour week.

Yet Metro Cab's offer was not available for drivers already working in the business. Abe Bresver, its owner, explained that the offer was only open to new applicants because “drivers in the taxi industry [were] already indoctrinated with

⁵⁵ TPL North York Central Library (hereafter CL), TRANS T39 C.1, J.H. Neville, “Report on the Taxicab Industry,” April 6, 1972; *Globe and Mail*, “Weak laws for cab drivers,” February 7, 1972.

⁵⁶ “Weak laws”.

⁵⁷ Ontario Federation of Labour (hereafter OFL), Toronto Union of Taxi Employees Local 1666 file (hereafter TUTE), “Let's call the taxi men to account” February 24, 1972.

the theory of theft.”⁵⁸ After a month of advertising Bresver had received more than 100 phone calls, but only two applicants.⁵⁹ A new generation of waged and uniformed drivers was not to be.

In 1973, the Metropolitan Toronto Council appointed a special committee to study the condition the taxicab industry. The employment status of drivers was among the items investigated, and was deemed critical by the committee. In its final report in April 1974 the committee became the first in Toronto’s history to conclude upon investigation that the industry was healthy:

...[T]he taxicabs and drivers of Metropolitan Toronto are generally held in high esteem and this is reflected in the report of the Metropolitan Toronto Transportation Plan Review, Part 6, Relating to Taxicabs. The Committee further found that many internal problems do exist within the taxicab industry and particularly as between taxicab driver and owner.⁶⁰

In other words, they thought something should be done about the drivers’ employment status. It said that it was desirable for the provincial government to recognize, as employees, those drivers who were paid on a commission basis. The report ventured to suggest the incorporation of certain provisions in the Metro by-law, which would encourage the finding of employee status for taxicab drivers within the meaning of the *Employment Standards Act*. The committee recommended that,

The Administrator of the Metropolitan Licensing Commission, in conjunction with the Metropolitan Solicitor, confer with officials of the Provincial Department of Labour with a view to determining whether there

⁵⁸ AO RG 7-14-0-181.1, LEG 01-2, Employee – Taxi Cab Drivers, 1972. “50 hours for \$125 attracts few takers”.

⁵⁹ *Ibid.*

⁶⁰ TPL URB MTC Minute Book 1974, vol. 1 Appendix A, “Report No. 16 of The Metro Toronto Executive Committee,” April 9, 1974, 974-975.

are any provisions which might be incorporated in the By-law which would require drivers working under a commission arrangement to be employees, and that the Administrator prepare a report on this for the Legislation and Planning Committee.⁶¹

In January 1975, the chair of the Special Committee, Mel Lastman, then Mayor of North York, drafted a second report, which complained that the issue of the employment status of taxicab drivers had still not been addressed. Lastman wrote:

No action has been taken with regard to granting employee status to drivers by amending our bylaw ... I have been urging employee status for taxi drivers so that they too may receive fringe [employee] benefits which are available in other industries.⁶²

Lastman advised the Metropolitan Licensing Commission that the taxi industry was about to request a fare increase because of the fast-rising inflation of the 1970s. He recommended that it be denied unless a formula were devised to ensure that the drivers, rather than the owners, reaped the benefits of the fare increase because, as he informed the Commission, the drivers generally were responsible for purchasing the fuel they used. Because the price of gasoline had suffered the greatest inflation in recent years, it was the drivers, he said, who were in greatest need of a rate increase.

As predicted, the taxi industry sought a rate increase. In September 1975, as taxi drivers and owner-operators united in their efforts to secure a fare increase from the MLC. The Director for the Taxi Owners' Guild, Ralph Cassibo,

⁶¹ *Ibid.*, Recommendation 15, April 9, 1974 1005.

⁶² TPL URB Toronto 352.91841 L13.2 DESK 1-TO Mel Lastman, Mayor, Borough of North York, "Report on the Metro Toronto Taxi Cab Industry to Metropolitan Licensing Commission," January 22, 1975 1.

threatened a Metro-wide strike involving 2,400 cabs if a rate increase were not granted.⁶³ In the context of the OPEC oil crisis, even fleet owners joined the drivers' organizations in the cry for relief, and The Toronto Taxi Fleet Owners' & Operators' Association also applied to the Commission for an increase in taxicab fares. Bruce Bell, Secretary-Treasurer of the Association, explained that fleet owners were "suffering financially, and any time lost securing an increase in fares would be working a considerable hardship on the industry."⁶⁴

Since as Lastman had pointed out, the increase in gasoline prices was mainly borne by the drivers, the fleet drivers pleaded not only for a fare increase but also for a guarantee that it would benefit them rather than the owners. In an address to the Commission on the subject, Lastman criticized owners for not making the job of taxicab driver more attractive and admonished them for not providing benefits for drivers. Lastman said he was irrevocably opposed to an increase that would serve only the interests of the owners with no benefit to the drivers. He suggested that one solution was to have fleet owners henceforth pay for gasoline.⁶⁵

In accordance with Lastman's recommendations, the Commission agreed to support the rate increase but instructed Metropolitan Council that if a fare increase were granted, additional financial protection should be offered to the drivers. The Commission suggested that shift rentals and lease payments collected by owners should not increase by more than \$2.00 per shift. For

⁶³ *Toronto Sun*, "Metro faces taxi chaos," September 8, 1975.

⁶⁴ URB MLC Minute Book 1975, minute no. 258, June 26, 1975.

⁶⁵ *Ibid.*, minute no. 300, July 31, 1975.

owners with drivers working on commission, it was suggested that owners either pay for half of the cost of gasoline for the cab or increase the drivers' commission by three per cent.⁶⁶ Metro Council agreed. However, the owners refused to cooperate. In a later application to the Metropolitan Licensing Commission for another fare increase the Toronto Taxi Fleet Owners & Operators Association explained their obduracy thus:

As a condition of the last fare adjustment, Metro Council limited the amount an owner can charge a driver for the use of this cab – a direct intervention in the way a person operates his business. But it wasn't the infringement of rights that caused the owners to ignore this condition, it was the knowledge that if they were to accept this limitation, it would force them out of business.⁶⁷

Thus the effort by the MLC and Metro Council to influence the treatment of drivers and the employment relationship between owners and drivers went nowhere. Since employment relations were the jurisdiction of the provincial government, meaningful change in the workers' employment status, incomes, and rights would have to come from provincial legislation. And they did.

In 1975, almost a decade after Arthurs coined the term "dependent contractor," the Ontario Legislature amended the *Labour Relations Act* to include a definition of dependent contractors. The legislation came into force on the first of January 1976. The first test of the amended Act was the case of *Ontario Taxi Association v. Seven-Eleven Taxi Ltd* before the Ontario Labour Relations

⁶⁶ *Ibid.*, minute no. 339, August 21, 1975.

⁶⁷ TPL URB 388.41321 G671 DESK1-TO, "Application for Taxicab Fare Increase Submitted by The Toronto Taxi Fleet Owners & Operators Association to the Metropolitan Licensing Commission," March 1977, 6.

Board.⁶⁸ A group of four drivers and thirty-nine owner-drivers sought union recognition from Seven-Eleven Taxi in Mississauga. The decision hinged on the Board's interpretation of Section 1 (ga) of new *The Labour Relations Act*, which specified that,

“Dependent contractor” means a person, whether or not employed under a contract of employment, and whether or not furnishing his own tools, vehicles, equipment, machinery, material, or any other thing, who performs work or services for another person for compensation or reward on such terms and conditions that he is in a position of economic dependence upon, and under an obligation to perform duties for, that person more closely resembling the relationship of an employee than that of an independent contractor.⁶⁹

The *Act* further defined dependent contractors as “employees”, thus granting them the right to join trade unions and to engage in collective bargaining. In the Seven-Eleven Taxi case, The Board heard the testimony of Adam Scinocco, a driver who represented the thirty-nine owner-operators. When asked to describe his duties and responsibilities as an owner-driver, Scinocco testified that he was solely responsible for payment of insurance, licenses, and repairs associated with his vehicle. Although he owned his vehicle and taximeter, he had to pay the broker for rent of the radio for dispatch service, as well as a deposit for the Seven-Eleven rooftop sign (refundable upon return of the sign). Was he, consequently, an employee of Seven-Eleven Taxi? In its decision, the Board noted that the hours that Scinocco worked were entirely at his discretion and although he might be suspended from radio dispatch for three days for refusing to take a “proper legal fare,” he would still be able to work the streets without a

⁶⁸ *Ontario Taxi Association v. Seven-Eleven Taxi Ltd.* [1976] O.L.R.B. Rep 134.

⁶⁹ As quoted in *Ontario Taxi Association v Seven-Eleven Taxi Ltd.*

radio. Although the Board found that Scinocco secured the majority of his fares through the broker, it decided that his “duties ... resemble[d] more closely those of an independent contractor rather than those of an employee,” and further, it could not conclude that he had any “obligation” to perform any duties for the broker.⁷⁰ Therefore, the Board ruled that Scinocco and the owner-drivers at Seven-Eleven Taxi were not “dependent contractors” under the law, and were therefore denied the right to negotiate as a bargaining unit with the taxi company.⁷¹ Thus, the long-awaited legislation had in its first trial utterly failed to deliver collective bargaining rights. But taxi drivers were no more willing to give up their quest for employee status than they were to stop at a yellow light.

Over the next twenty years *more than a hundred* cases interpreted the *Act* as it applied to taxi companies in Ontario with varying results.⁷² In Toronto, the Retail Wholesale and Department Store Division of the United Steel Workers of America (or RWDSU) began organizing the drivers and owner-operators at the biggest taxi brokers in 1991. The union encountered strenuous opposition from the brokers; however, after fourteen days of testimony before the Labour Relations Board, the Board decided, in November 1992, that the drivers,

⁷⁰ *Ibid.*, 136.

⁷¹ *Ibid.*, 134 and 137.

⁷² Cases concerning union organization in Ontario involved taxi companies including: Niagra Veteran Taxi in Windsor, U-Need-A Cab in London, Call-a-Cab in Peterborough, Blue Line and Beacon Vanier Cab companies in Ottawa. See Collective Agreement Library (hereafter CAL) File No. 512 0031 4581, MacDowell, “Mediation – Arbitration and Award In the Matter of Mediation – Arbitration between Retail Wholesale and Department Store Division of the USWA and Diamond Taxicab Association (Toronto) Ltd., The Metro Group of Companies, and Associated Toronto Taxi-Cab Ltd (Co-Op),” (hereafter MacDowell Award), 17-18.

organized by the RWDSU, were indeed “dependent contractors” and entitled to engage in collective bargaining. The representation vote was delayed by several months because of disputes concerning the right of certain individuals to cast a ballot. Although the drivers at some brokers opposed unionization, those at three of the largest brokers were certified in the summer of 1993.⁷³ There followed a year of bargaining sessions without a collective agreement being reached.

Consequently, in August 1994, the drivers at Diamond Taxicab Association, the Metro Group, and Co-op went on strike. Among those opposed to the strike were fleet owners and owner-drivers who belonged to a group called the Metro Toronto Taxi Cab Operators Alliance. Members of the Alliance staged their own protests during the strike and appealed to the provincial government to legislate the drivers back to work.⁷⁴ The discord surrounding unionization and collective bargaining was taken to the streets as pro- and anti-union groups vied for public support and political action.⁷⁵ After three weeks of demonstrations and confrontations, the parties invited R. O. MacDowell to mediate discussions and arbitrate an agreement. With his help, the union’s first collective agreement was signed, effective December 9, 1994.⁷⁶

⁷³ For a description of the organizing process and the negotiations for the collective agreement see CAL MacDowell Award.

⁷⁴ Steve Payne, “NDP Steers Clear: Province Won’t Intervene in Taxi Strike,” *Toronto Sun*, September 1, 1994.

⁷⁵ Steve Payne, “Mayhem: Union-hating cab drivers clash with strikers in Toronto,” *Toronto Sun* August 26, 1994; Moira MacDonald “Cab Fury: Strikers Target Metro’s Licensing,” *Toronto Sun* August 29, 1994; Steve Payne, “Convoys End: Cabbies Change Tactics,” *Toronto Sun* August 30, 1994.

⁷⁶ CAL MacDowell Award”.

It had been almost twenty years since the Ontario government had created the category of dependent contractor before Toronto had its first collective agreement for those owner-operators and drivers who were paid on commission. Had Toronto's taxi drivers been the only workers demanding recognition as dependent contractors, they would have likely never achieved it, for the drivers seemed to matter only when they hurt the city's image. They almost always took the brunt of the blame when things went wrong. After all, their primary identity was that of an untrustworthy servant. But fortunately for taxi drivers, more sympathetic characters – people with white collars, university degrees, and middle-class manners – had begun to share their problems and fate. During the closing decades of the twentieth century a growing number of workers in all fields were becoming self-employed as freelancers, consultants, and contract workers. In the tradition of Harold Arthurs, sympathetic scholars were once again calling attention to workers, much like themselves, who did not fit within the 'standard employment model' that emphasized employer control, meaning full-time continuous employment with a single employer at a worksite located separate from the workers' household, under the direct supervision of a 'boss'.⁷⁷ Like taxicab drivers, the self-employed workers of the late-twentieth century were markedly different from their historical predecessors. No longer farmers or small business people operating "Mom and Pop" stores, the self-

⁷⁷ For an excellent discussion of workers in the late twentieth century who do not fit the "standard employment" model see Graham Lowe, Grant Schellenberg and Katie Davidman, "Re-Thinking Employment Relationships," discussion paper for the Canadian Policy Research Networks, October 1999, <http://www.cprn.org> (accessed January 29, 2004); Fudge and Tucker, "Pluralism or Fragmentation".

employed workers of the late-twentieth century were concentrated in the 'knowledge economy' where they worked as freelancers and consultants. Understandably, academics cared about their fate. Among others, Graham Lowe, Grant Schellenberg and Katie Davidman called for the careful examination of the laws and governmental policies that assumed that everyone who struggled to make ends meet had a standard employment contract.⁷⁸ This trend toward "self-employment" had moved a growing number of white-collar workers into the ambiguous territory occupied by peddlers, farmers, fishers, and taxicab drivers. It was within this context of increasing awareness of the plight of dependent contractors, that Toronto taxi drivers were able to join the ranks of union workers.

In his award, MacDowell suggested that the Toronto taxi industry, once unionized, could look forward to improvements experienced by unionized drivers elsewhere. He wrote that trade unionism and collective bargaining had taken root in Ottawa, its taxi drivers having already signed a number of collective agreements over several years. According to McDowell, the Ottawa experience had been a success, improving the lot of drivers, introducing a degree of fairness, and even strengthening the hand of both brokers and drivers in their dealings with the local regulators.⁷⁹

That it took longer for Toronto drivers to achieve collective bargaining was likely a reflection of the size and complexity of the industry. The structure of the Ottawa taxi industry was vastly different, because there were only two major taxi brokers. Blue Line, the larger of the two, operated approximately 500 taxis,

⁷⁸ Lowe, Schellenberg, and Davidman, "Re-Thinking Employment Relationships".

⁷⁹ *Ibid.*, 17-18.

compared to Capital with just fifty. Both brokers directly owned a large number of taxi plates, and although no new taxi plates had been issued for almost twenty years, drivers were hard to find. Understandably, by the early 1990s, the Ottawa taxi industry was “almost totally unionized”⁸⁰ even though the only organizing activity had been at the two brokerages.

Conclusion

In summary, one of the identities that Toronto taxicab drivers have long struggled with has been employment status. The debate has centred on whether taxi drivers could be considered economically dependent once they had lost the critical signifiers of employee status, most notably their wages. The significance of employment status was heightened after World War II by increased government involvement in labour relations, the introduction of the guaranteed right to collective bargaining, and the enactment of fiscal benefits, including unemployment insurance, workmen’s compensation, and the Canada Pension Plan.

While some taxicab drivers sought employee status and access to the benefits associated with it, others resisted any infringement on their identity as independent, self-employed entrepreneurs. They wanted nothing to do with labour unions. Between the 1950s and the 1970s, numerous attempts were made to organize the industry. Among the challenges were disagreements among drivers regarding the form their collective organization should take, for unionization was not attractive to owner-drivers. In addition, owners, regulators,

⁸⁰ *Ibid.*, 17-18 and 81.

academics, and tribunals also wrestled with the ambiguity of the employment status of taxi drivers. The key turning point came in the 1970s, starting with the formation of the Toronto Union of Taxi Employees. Next came the surprising unity, given their past record, of the diverse groups of drivers. It took the worst inflation of gasoline prices in peacetime to unite them around a demand for a rate increase. The inability of municipal regulators to protect the interests of the drivers then pointed unambiguously to the need for provincial action to change the drivers' employment relationship with the owners. Consequently, in 1975 the province amended *The Labour Relations Act* to include dependent contractors. It looked like a great victory. Yet it took twenty years for the courts to interpret the 1975 legislation as a definitive victory for Toronto's taxi drivers.

The regulatory response to the income concerns of Toronto taxi drivers could have been worse, but it turned out, they were able to elicit more help from government authorities for boosting their incomes than protecting their lives. Like the issue of employment status, the issue of driver safety received a great deal of attention in the decades following World War II as drivers were assaulted, robbed, and murdered at an alarming rate. In Chapter Four we shall see that in addition to struggling (often literally) with violent assailants, drivers also had to struggle with regulations that made it more difficult for them to protect themselves. The discord surrounding issues of driver safety peaked during the 1980s a decade when – despite the rising crime rate, increased violence, and repeated entreaties from drivers – authorities appeared loath to implement effective safety measures. The coming chapter will examine the discourse

surrounding the contested identity of taxicab drivers as victims and explore the role that violence played in shaping the identities of Toronto taxicab drivers, not only in the 1980s but also during the entire forty-year regime of the MLC.

CHAPTER 4

DISPOSABLE WORKERS: NAVAGATING DANGER IN THE WORKPLACE AND AT METRO HALL, 1975-1998

Chapter Three showed that during the post-war era of industrial pluralism one of the most critical issues of identity for Toronto taxi drivers was that of employment status. Another phenomenon of the post-war period that directly affected taxicab drivers was the marked rise in crime and violence. Beginning in the 1960s, increasingly during the mid-1970s, and most profoundly during the 1980s drivers struggled with the issues of violence and official scepticism. Despite rising crime and violence, it was hotly contested whether or not taxi drivers should have an identity as *workers at risk*, possibly at even greater risk of harm than police officers.

The era of crime and violence

Since 1961, Statistics Canada has recorded two major trends in crime and violence. First, following a period of stability between 1961 and 1966, the homicide rate more than doubled over the next decade, with a peak in 1975. Second, though gradually declining after 1975, the national homicide rate generally remained above average between 1970 and 1993, and only returned to 1960s levels in 1997.¹ As for crime more generally, the trend-line for most

¹ Homicide rates were first collected in 1961 and were at their lowest in 1967 (1.27 per 100,000). The average homicide rate from 1961 to 2003 was 2.18 per 100,000, between 1970 and 1993; the national homicide rate was below that average only twice (1971 and 1988), and in 1986, the homicide rate was at the national average. Mia Dauvergne, "Homicide In Canada, 2003" *Juristat* Canadian Centre for *Justice* 24, no. 8 (2004): 2 and 22; Orest Fedorowycz "Homicide In Canada – 1997" *Juristat* 18, no. 12 (1998): 2.

categories increased sharply and steadily into the 1980s and 1990s. Not until 1991 did the overall crime rate peak. Beginning in 1992, most categories of crimes in Canada declined significantly.² A similar evolution in crime trends (at least, for homicides) was experienced in the United States.³ Therefore, as criminologist Marc Ouimet has argued, any quest for a general explanation of both the trend upward and downward should focus on changes that affected both countries rather than, say, a change in the treatment of delinquency in Canada.⁴

Many statisticians and criminologists have traced the source of the continental crime wave to another remarkable post-war phenomenon – the baby boom, in apparent confirmation of David Foot's oft-quoted contention that demographics explain "two-thirds of everything."⁵ In implicating the baby boom, the experts have demonstrated that the propensity of individuals to either commit or be victimized by crime is a function of age. The two most crime-prone age groups are fifteen to twenty-four and twenty-five to thirty-four.⁶ After age twenty-four, the propensity to commit property crime falls off dramatically; however, a similar reduction in violent-crime activity does not occur until after age fifty. Using statistics from 1997, the John Howard Society calculates that 15-24- year-olds

² Marnie Wallace, "Crime Statistics In Canada, 2002" Statistics Canada Catalogue No. 85-002-XIE, 23, no. 5 (2002): 5 and Marc Ouimet, "Explaining the American and Canadian crime 'drop' in the 1990s," *Canadian Journal of Criminology* 44, no 1 (2002): 34-40.

³ Ouimet, "Explaining the crime 'drop'," 36.

⁴ *Ibid.*, 40. Also See Steven D Levitt, "The Limited Role of Changing Age Structure in Explaining Aggregate Crime Rates," *Criminology*, 37, no. 3 (1999): 581-597.

⁵ David K. Foot, *Boom Bust and Echo 2000: Profiting from the Demographic Shift in the New Millennium* (Toronto: Stoddart, 2000), 8.

⁶ Wallace, "Crime Statistics," 3.

account for 31 percent of those accused of violent crime; 25-34-year-olds for 27 percent; 35-49-year-olds for another 27 percent; but the fifty-plus account for a feeble 7 percent.⁷ Given that Canadian baby boomers were born, per historian Doug Owsram's definition, between 1946 and 1962,⁸ it follows that the first of them turned fifteen in 1961 and thus entered their most crime-prone years. The first of the baby boomers did not even turn thirty until 1976. Between 1962 and 1978, the overall crime rate continued upward, as did the number of youth between the ages of fifteen and twenty-four.⁹ As the baby boomers passed the fifty-year threshold in 1996, the crime rate – especially violent crimes – eased. By 2012, the last of the baby boomers will be shopping for orthopaedic shoes and fewer people will probably need to run for their lives. In any case, a good case has been made for blaming the large proportion of youth created by the baby boom for the steady increase in crime and violence during the 1960s, 1970s, and 1980s.

⁷ The John Howard Society of Ontario, "Population trends and Crime: What should we be planning for?" *Fact Sheet* 13 (July 1999): 2 <http://www.johnhoward.on.ca/Library/Fctsheets/fctsh-13.pdf> (accessed November 9, 2005).

⁸ Doug Owsram, *Born at the Right Time: A History of the Baby-Boom Generation*, (Toronto: University of Toronto Press, 1996), 4. David Foot argued slightly different parameters for measuring Canada's boom generation, and suggested it began with babies born in 1947 and ended in 1966. Foot, *Boom Bust and Echo*, 24.

⁹ Sylvain Tremblay, "Crime Statistics In Canada, 1999," *Juristat: Canadian Centre for Justice Statistics* 20, no. 5 (1999): 5; Wallace, "Crime Statistics," 3-4; John Howard Society, "Population trends and Crime," 1-2; Roger Boe, "Population aging and the federal inmate profile of 2010," Research Branch, Correctional Service of Canada, http://www.csc-scc.gc.ca/text/pblct/forum/e123/e123h_e.shtml (accessed November 8, 2005).

In addition to the increased size of the population entering the crime-prone years, the baby boom also created social and economic conditions that contributed to shifts in the national crime rate. For example, proponents of the Easterlin thesis (in demographic studies) have argued that large birth cohorts strain social institutions, such as family and schools. As a result, children and adolescents of the baby-boom generation were less restricted by social controls that would have reduced criminal behaviour.¹⁰ Similarly, criminologist Marc Ouimet has argued that as members of a large cohort, baby boomers met more serious difficulties integrating into the job market, a crisis that the recession of the early 1980s exacerbated, leading to higher levels of criminal activity.¹¹ In 1980, every person born between 1946 and 1964 fell between the ages of fifteen and thirty-four. The large number of people within this crime-prone demographic and the economic recession of the 1980s combined to create a decade of unprecedented crime rates and violence. This was not, therefore, a good decade

¹⁰ For a description of the Easterlin thesis see Wallace, "Crime Statistics," 3; Scott J. South and Steven F. Messner, "Crime and Demography: Multiple Linkages, Reciprocal Relations," *Annual Review of Sociology* 26 (August 2000): 83-106. Although not discussing crime, O'ram has demonstrated that during this time, the social trend in relation to child rearing moved, on the continuum, away from harsh controls toward permissive parenting. Thus adding support to Easterlin's thesis of reduced social control. O'ram, *Born at the Right Time*, 33-35 and 44-45.

¹¹ Ouimet, "Explaining the crime 'drop'," 37; Wallace, "Crime Statistics," 3. Still others have argued that significant factors in the natural environment may have also contributed to the increased crime rate between the 1960s and the 1990s. For example, Kelly O'Grady, president of Lead Environmental Awareness and Detection, has argued that emissions from automobiles fuelled by leaded gasoline, especially during the 1970s and 1980s may have been critical to high school drop-out rates and delinquency. Kelly O'Grady, "The Baby Boom Experiment and the Decline of Society: The Social Impact of Leaded Gasoline on Canada's Post WWII Generations," <http://www.nrtco.net/~lead/bbhead.htm> (accessed 21 November 2005).

to be driving alone through the darkness, with cash ready at hand, trying to pick up strangers. Inevitably, during 1980s violence became for many taxi drivers the most crucial issue of their lives. Their very life seemed to depend on persuading the authorities of a new identity – of that of potential victims who deserved – yes, deserved – to be given priority over the city's image, at long last.

Defining the danger

First, the drivers had to convince Torontonians that they were at special risk. It should not have been all that difficult. As well as common sense – it just has to be dangerous to make change at curbside and to drive strangers into desolate neighbourhoods – there is considerable statistical evidence to demonstrate that taxicab drivers occupy one of the most dangerous jobs in Canada. In 1996, criminologist Philip Stenning prepared a study for the Department of Justice, concerning the relationship among taxi drivers, crime, and policing. Stenning asserted that taxicab drivers were twenty times more likely than the general population to be victims of a criminal act.¹² Stenning's study determined that the most common criminal act against a taxicab driver was "fare-jumping" (a passenger's attempting to flee the cab without paying the fare). This offence received scant attention from the news media because it generally involved little physical danger and usually an insignificant amount of lost income. Obviously, the most serious and dramatic crime associated with driving a taxi has

¹² Philip C. Stenning, "Fare Game, Fare Cop: Victimization of, and Policing by, Taxi Drivers in Three Canadian Cities," Technical Report to the Department of Justice Canada, 1996. For a recent study of violence suffered by taxi drivers in the US see Elizabeth Austin Gilbert, "Understanding Violence Against Taxi Drivers," (PhD diss., University of Washington, 2005).

been homicide. Traditionally, incidents of taxi driver murders have received considerable attention from local newspapers but Statistics Canada did not begin tracking incidents of taxi-driver homicides until 1991. It has been necessary, therefore, to find alternate routes to the full truth. By using newspapers, Internet, and government sources, Charles Rathbone, Terry Smythe, and Norman Beattie together have constructed a list containing more than 140 taxicab drivers murdered in Canada since the end of the First World War.¹³ In 1976, a report produced by Statistics Canada provided some insight into the number of drivers murdered between 1961 and 1974. The report documented the number of homicides that had occurred during robberies, and identified victims according to the type of establishment or person that was robbed.¹⁴ The commercial establishment that witnessed the highest number of murders – twenty-three or 12 percent of all the victims – was the taxicab. It ranked second only to the victim's home as a murderous locale. (See TABLE 3.)

¹³ Norman Beattie, a college librarian and taxi researcher, is a former taxicab driver; Charles Rathbone, a taxi researcher; and Terry Smythe, a former General Manager of the Manitoba Taxicab Board and founder of the worldwide industry discussion group Taxi-L which maintains a memorial page in remembrance of murdered taxicab drivers. The memorial list records more than 1000 drivers' deaths internationally. The researchers report that they are aware of hundreds of additional taxicab driver homicides in the United States, but because identifying information is not available, the drivers' names do not appear on the list. Similarly, the deaths of more than 900 as-yet nameless drivers are described, among them at least six unidentified Canadians. For large areas of the world, almost no information is available, including Central and South America, most of Asia and Africa, and the former Soviet States. Research for the memorial list is ongoing, revisions made regularly as cases are discovered and/or victims identified See: <http://www.taxi-l.org/murdrate.htm>

¹⁴ *Homicide in Canada: A Statistical Synopsis* (Ottawa: The Minister of Industry, Trade and Commerce, June 1976), 52-53.

TABLE 3: Murder incidents occurring during robberies by type of establishment or person robbed, Canada, 1961-1974		
Type of Establishment or Person Robbed	Number	Percentage
Victim's Home	52	27.4
Taxis	23	12.1
Small Stores	17	8.9
Grocery Stores	15	7.9
Banks and Trust Companies/Armoured Trucks	13	6.8
Business Firms	12	6.3
Gas Station and/or Garages	10	5.3
Drivers by Hitch-Hikers	9	4.7
Restaurants and Hotels	9	4.7
Taverns and Nightclubs	7	3.7
Hitch-Hikers by Drivers	2	1.1
Other	21	11.1
Total	190	100

Source: *Homicide in Canada: A Statistical Synopsis* (Ottawa: The Minister of Industry, Trade and Commerce, June 1976), 53.

In his 1996 report, Stenning approximated the murder rate among taxi drivers in order to compare it to police officers, a group known to have a high-risk occupation. The statistics indicated that ten police officers and twenty-four taxi drivers had been murdered while on duty between 1991 and 1995.¹⁵ The 1991 Census indicated that there were 32,000 "taxi drivers and chauffeurs" and, in 1994, there were just under 56,000 serving police officers. Based on these figures, Stenning estimated that the rate of occupational homicide for taxi drivers was four or five times higher than that of police officers.¹⁶ Data collected since Stenning completed his study has supported his contention that the homicide rate among taxi drivers was higher than that of police officers and has provided

¹⁵ Current statistics indicate nine police officers and twenty-three taxi drivers were murdered from 1991-1995 (inclusive). Statistics Canada, Canadian Centre for Justice Statistics, Homicide Survey.

¹⁶ Stenning, "Fare Game, Fare Cop," 3.

the opportunity for an additional comparison with prostitutes¹⁷ - the occupational group with the highest risk of being murdered while at work. However, in order to compare homicide rates among these three occupational groups, it was necessary to estimate the population of prostitutes in Canada.

In their 1990 article, published in the *Journal of Quantitative Criminology*, D. K. Rossmo and R. Routledge suggested a methodology for estimating the total population of street prostitutes. They used the number of incidents of prostitution documented by police to estimate the population of street prostitutes in Vancouver.¹⁸ Extrapolating from their method, a crude estimate of the population of street prostitutes in Canada can be created (by using a straight linear interpolation) based on the number of incidents related to prostitution (not including bawdy houses) as documented by police between 1994 and 2004.¹⁹ Using this approximation and the number of murdered prostitutes between 1991 and 2001, it is possible to establish an average murder rate for prostitutes over that eleven-year period. Similarly, using Census data for "taxi drivers and

¹⁷ Although I prefer the less pejorative term "sex worker", I consciously use the term "prostitute" to refer to only one group of workers in the sex trade, namely street prostitutes, and to reflect the category of workers referred to in the data collected by police and Statistics Canada. The pejorative term also captures the public sentiment that puts sex workers at such dire risk (for example, by reducing pressure on the police to investigate and solve crimes against them).

¹⁸ D. K. Rossmo and R. Routledge, "Estimating the size of criminal populations," *Journal of Quantitative Criminology*, 6 (1990): 293-314. Also see John Lowman and Laura Fraser, "Violence Against Persons Who Prostitute: The Experience in British Columbia," Technical Report for the Department of Justice Canada, 1995 <http://mypage.uniserve.ca/~lowman/violence/title.htm> (accessed November 1, 2005).

¹⁹ CANSIM Table 252-0013, Crime Statistics.

chauffeurs” and “police officers”, comparable murder rates can be calculated per 100,000 workers.

As Stenning found in 1996, these data indicate that the average murder rate among police officers was lower than that of taxi drivers between 1991 and 2001. Prostitutes showed the highest murder rate of 51 per 100,000 workers per year for the decade, a rate five times higher than that of taxi drivers (10 per 100,000), and almost seventeen times higher than that of police officers (3 per 100,000).²⁰ To place these figures within a broader context, the general murder rate for the population of Canada between 1993 and 2002 was 1.94 per 100,000.²¹ Thus, taxi drivers were more than five times more likely to be murdered than the general populace. After 1960, and particularly during the mid-1970s and 1980s, the significance of this statistical variance was translated, with stunning clarity, into reality for the family and friends of several Toronto taxicab drivers.²²

²⁰ See TABLE 4: Comparison of murder rate per 100,000 of prostitutes, taxi drivers, and police officers, 1991-2001

²¹ Dauvergne, “Homicide in Canada, 2003,” 13.

²² For additional comparisons between the total number of taxi driver homicides and national homicide see APPENDIX 4: Geographic Trends in Total Number of Homicides, 1961-2003, and APPENDIX 5: Trends in Total Number of Homicides, 1960s-1990s.

TABLE 4:

Comparison of Murder Rate per 100,000 of Prostitutes, Taxi Drivers, and Police Office from 1991-2001

Year	Prostitutes			Taxi Drivers			Police Officers		
	Total Number	Number Murdered	Murder Rate	Total Number	Number Murdered	Murder Rate	Total Number	Number Murdered	Murder Rate
1991	13,070	12	92	32,125	6	17	56,768	3	6
1992	13,070	3	23	32,745	3	9	56,992	1	2
1993	13,070	8	61	33,365	7	21	56,901	2	4
1994	12,584	15	119	33,985	3	9	55,859	1	2
1995	16,251	8	49	34,605	4	12	55,008	2	4
1996	14,663	10	68	35,225	3	9	54,323	2	4
1997	13,154	5	38	35,845	0	0	54,719	1	2
1998	13,370	7	52	36,465	2	5	54,763	1	2
1999	11,693	3	26	37,085	3	8	55,321	1	2
2000	11,384	1	9	37,705	2	5	55,954	1	2
2001	11,456	1	9	38,325	4	10	57,076	2	3
Total	143,765	73	50.8	387,475	37	9.54	613,684	17	2.77
Average	11,980	6.08	50.8	32,290	3.08	9.53	51,140	1.42	2.77

Source: Statistics Canada Data based on 1991 Census; 2001 Census; D. Rossmo, Kim Routledge, and Rick Routledge, "Estimating the Size of Criminal Populations," *Journal of Quantitative Criminology* 6, no. 3 (1990): 293; Philip Stenning, "Fare Game, Fare Cop: Victimization of, and Policing by, Taxi Drivers in Three Canadian Cities," Report of a Preliminary Study, Department of Justice Canada, 1996, 3.

Notes: Population of prostitutes from 1994-2001 is estimated based on the approximation developed by Rossmo (1990), this estimate is calculated from the number of prostitution incidences as reported by Statistics Canada²³. The population of prostitutes from 1991-1993 is based on the average number from 1994-2001. The population of Taxi Drivers in 1991 and 2001 is from Census data, the population of taxi drivers from 1992-2000 is estimated based on a linear function between the population in 1991 and 2001. Population of Police is from Statistics Canada data, CANSIM Table 254-0002: Trends in Police Personnel and Expenditures for Canada, Provinces and Territories, Annual (Number), Police Administration Survey - 3301.

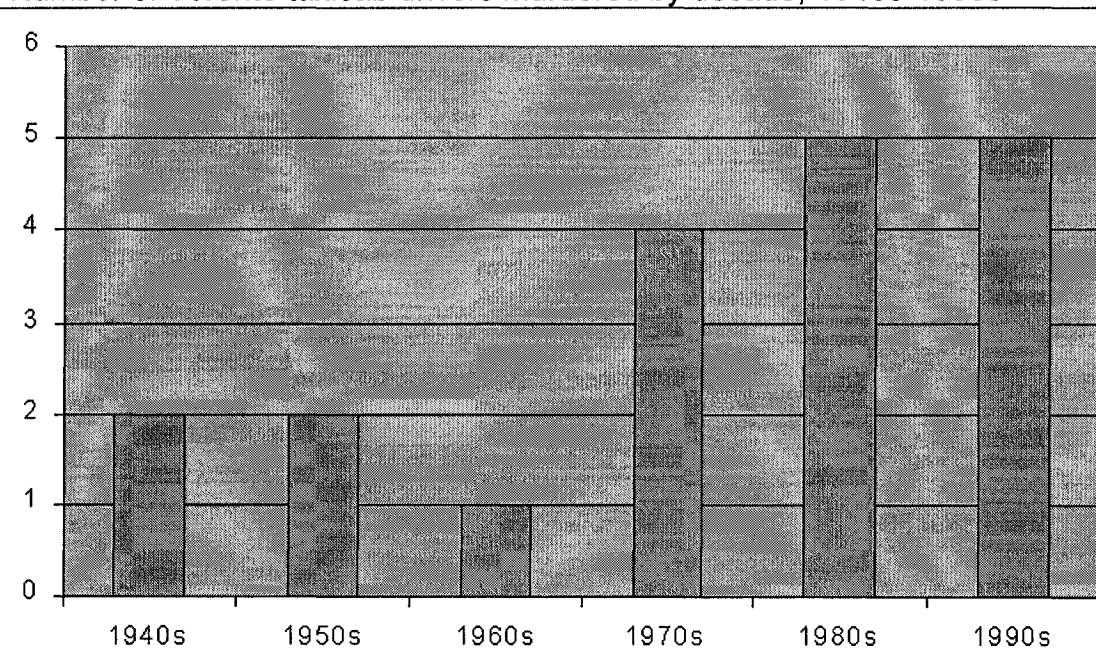
²³ Statistics Canada, CANSIM Table 252-0013 "Crime Statistics, by Detailed Offences, Annual (Number)."

Toronto taxi driver murders

Between 1945 and 2000, nineteen Toronto taxicab drivers were murdered while on duty. Approximately three quarters of those homicides happened after 1970, as Table 5 shows.

TABLE 5:

Number of Toronto taxicab drivers murdered by decade, 1940s-1990s²⁴



Source: Data based on Taxi-L website see: <http://www.taxi-l.org/murdrate.htm>.

Between the end of World War II and 1970, five taxicab drivers were murdered in Toronto.²⁵ Nearly as many were murdered during the 1970s.²⁶ Similarly, five

²⁴Data based on research by Charles Rathbone, Terry Smythe, and Norman Beattie. Number of Toronto taxicab drivers murdered by decade, 1940s-1990s, are based on the names listed on the TAXI-L memorial page in August 2004 and my own search of Toronto newspapers. The "In Memoriam" list recorded 142 Canadian taxicab drivers murdered since 1919. Broken down by province Ontario has the highest number with 50 murders, Quebec has the next largest number 31 recorded homicides, followed by Alberta and British Columbia with 19 and 18 respectively. The list does not yet include the 1968 murder of Larry Botrie in Toronto.

drivers were murdered during the 1980s.²⁷ Another five were murdered between 1990 and 1999.²⁸ Incidents of homicide were the most dramatic and disturbing examples of violence against taxi drivers, but they were also the most infrequent. However, they were accompanied by a dramatic rise in other crimes against drivers, including “fare-jumping”, car thefts, physical assaults, armed robberies, sexual assaults, and (in the case of drivers locked in the trunks of stolen taxis) unlawful confinement. Thus, Toronto taxicab drivers were plagued by increased incidents of robbery and assault tainting the last quarter of the century, with the 1980s being a particularly dangerous decade.

The Toronto press was chockfull of reports of robberies and assaults against taxicab drivers, with each incident being extended over several editions. When a taxi driver was murdered, there would be several stories covering the tragedy, often revisiting the deaths of other drivers. In cases of violent robbery or assault, reporters would sometimes follow taxicab drivers into their hospital rooms to record vivid descriptions of the assault and photographs of the trauma. It was impossible, consequently, for other drivers to bury their head in their trip book. They could not ignore the dangers of their trade.

²⁵ Alfred Reddish in 1946, Ralph Cecil Margeson in 1947, Keith Hunter in 1950, Sebastian Giardetti in 1957, and Larry Botrie in 1968.

²⁶ Jack Green in 1971, Gordon Stoddart in 1975, Richard Turkiewicz in 1976, and Robert Pearson in 1978.

²⁷ Peter Gamoulakos in 1981; Philip Davidson in 1983; and, Wolsey Frazer, Michael March and Baljeet Singh in 1988.

²⁸ Leo Henningham in 1990; Norman Washington Ennis and Anthony Ekunah in 1991; Robert Nancoo in 1993; and, Mohammadullah Saighani in 1999.

Early debate over safety shields

Increasingly, as the auspices worsened, the discourse surrounding driver safety took on a sense of urgency. Drivers held public protests to demand better protection, and city staff were instructed to study the problem, while municipal officials and industry regulators wrestled with the controversial solutions on offer. The long-standing debate over standardized safety measures for the industry heated up. It had started in 1932 when the Advisory Committee's report on the taxi industry recommended that all taxicabs have a partition between the passenger and the driver. A glass partition between the driver and the passenger would act, it held, as a "deterrent to the driver being assaulted by passengers and vice-versa".²⁹ Of course, the Advisory Committee also considered a partition desirable because it offered privacy for the passenger, and was regarded by Europeans as part of authentic taxicab design.³⁰

In 1954, the Brand Report also recommended specialized vehicles. The specifications included, a bucket seat for the driver, a collapsible seat to the right facing the rear of the cab and a ¼" thick partition surrounding the driver.³¹ As in 1932, the design specifications were characterized both as a safety measure and as an attractive feature for discerning customers: "This special seat with its

²⁹ Toronto Public Library (hereafter TPL) Urban Affairs Branch (hereafter URB) 388.41321 T59, "Report of the Advisory Committee on Taxicabs," 1932 10.

³⁰ *Ibid.*, 8-9.

³¹ City of Toronto Archives (hereafter TA) Series 361, Subsection 1, File 005, Taxicabs, Licensing 1953 Box 140520-9 "Report of the Committee on Taxicabs to the Board of Commissioners of Police for the City of Toronto," n.d., 12.

partition will provide a measure of privacy for the passengers and would deter assaults upon the driver,” opined Ford Brand.³²

Although violence against taxicab drivers was relatively rare in the 1930s, by the time of the Brand Report, three drivers had been murdered in the previous seven years.³³ Unlike in 1932, when propriety was the main issue, the local press framed the recommendations of the Brand Report within the context of violence and hailed the proposed changes in vehicle design as a protection against robbery. One newspaper announced, “Robber-Proof Cabs Ordered in Toronto,” and reported the rear-facing seat next to the driver was “to protect the driver from hold-ups.”³⁴

Both drivers and owners reacted with scepticism. Few in the industry believed that the bucket seat and Plexiglas partition would prevent hold-ups or stop a bullet. Opponents argued that the changes would reduce the resale value of the vehicle, and at a cost \$125 per taxi, retrofitting a fleet could force small operators out of business. One company spokesman explained that it was “too big an investment for the small fellows to take.”³⁵ Others, including the Independent Cab Owners Association, feared an increase in insurance costs, and warned that the partition would create a hazard as it posed a risk of injury for passengers, reduced visibility for the driver, and threatened to trap the driver in

³² *Ibid.*

³³ Alfred Reddish in 1946, Ralph Cecil Margeson in 1947, and Keith Hunter in 1950. <http://www.taxi-l.org/murdrate.htm> (accessed on November 2, 2005).

³⁴ Sun Media Corporation (hereafter SMC) [paper unknown] “Robber-Proof Cabs Ordered In Toronto,” July 16, 1954.

³⁵ SMC [paper unknown] “New Look Taxis Here,” July 17, 1954; *Toronto Star*, “Don’t Fence Us In, Is Cry of Toronto Taxi Drivers,” n.d.

the vehicle if his door became jammed. Still others claimed it would increase the risk of assault. One driver described how during late-night shifts, he encouraged lone passengers to sit in the front seat where he could keep an eye on them. With the bucket seat, the passenger “could take his time about pulling his gun ... and [the driver] wouldn’t have a clue.”³⁶ The driver also wanted to be able to reach over the back seat, open the door, and order the passenger out, if he objected to a passenger’s behaviour. With the Plexiglas partition the driver would be “done up like a pickle in a jam-jar” and forced to exit the vehicle in order to eject a passenger.³⁷ Opponents also cited conditions in US cities as evidence that partitions did not work. Although New York City had previously mandated partitions, but its Traffic Commission was intent on lifting the requirement at the same time as Toronto regulators were proposing to mandate the bucket seat design.³⁸

Botrie murder triggers demands for protection

Although the Commissioners of Police abandoned the recommendations, the debate over safety devices was just getting underway. The shooting death of Larry Botrie, in April 1968, triggered demands for more protection for taxi drivers. A local paper interviewed thirty-one taxicab drivers who all agreed that safety devices could make the job safer. Some of them were in favour of a partition or

³⁶ *Toronto Star*, “Taxi Bucket Seats ‘A Hazard’ – Owners,” July 20, 1954; *Telegram*, “Bucking the Bucket Seat,” July 30, 1954.

³⁷ “Bucking the Bucket Seat”

³⁸ *Ibid*; *Telegram*, “To Reconsider Bucket Seats,” November 5, 1954; “Bucking The Bucket Seat”; “Taxi Bucket Seats ‘A Hazard’”

shield between the front and back seat, while others suggested flashing emergency lights triggered by a foot switch.³⁹

Already the debate was fuelled by a sense that violence against taxi drivers was on the rise. The papers reported that the killing of Botrie was the second shooting incident that year and that all of the drivers interviewed had been victims of violence during their careers. Botrie's murder had indeed ushered in a new era of violence in the Toronto taxi. Over the next two years, the Metro Toronto Police Department documented twenty assaults and forty robberies of taxicab drivers.⁴⁰ As in the discussion of safety measures after Botrie's death, taxi drivers could not agree on what steps to take to protect themselves. Nor could municipal officials and regulators, some of whom resisted any and all safety improvements, even as the violence mounted and crimes became more heinous.

Drivers tactics to cope with violence

Without any co-ordinated effort by regulators or owners to provide protection, drivers devised their own methods. Among the tactics employed by drivers were carrying weapons, refusing to serve neighbourhoods associated with crime, only working day shifts, or not driving at all.⁴¹

For some drivers, the most effective safety strategy was to exit the business. As the taxi industry has long been renowned for its high rate of labour-

³⁹ SMC [paper unknown] "Save us from punks, city cabbies demand," April 29, 1968.

⁴⁰ TPL URB Metropolitan Licensing Commission (hereafter MLC) Minute Book 1972, minute no. 24 January 19, 1972.

⁴¹ Cathy Wilson, "How can cabs cope?" *Toronto Sun* April 24, 1975.

turnover, it was impossible to know what percentage of drivers opted to leave because of the dangers associated with the job. However, as local newspapers reported incidences of robberies and assaults, references to victimized drivers getting out of the business were not uncommon. Particularly in the immediate aftermath of violent assaults and murders the local papers would issue warnings such as “many cabbies will leave their jobs in fear and frustration.”⁴² Interviews with taxi drivers like John Maros, following the murder of Peter Gamoulakos, produced comments like “... I’m getting out of this rotten business.”⁴³ Several drivers who survived violent robberies decided to give up driving. Such was the case with Carmen Priolo who had been “terrified he would be shot” by the robber who had forced him into a ravine at gunpoint.⁴⁴ Although Ralph Brunswick was never robbed, he also quit driving because of violence. Brunswick had been threatened with a loaded rifle after refusing to take a passenger’s cheque and finally quit driving after another passenger physically assaulted him.⁴⁵

Drivers who stayed in the business were forced to choose between the safety benefits associated with the daytime shift and the higher earnings of the

⁴² *Toronto Sun*, “They’d hoped violence was left behind,” January 12, 1976.

⁴³ *Toronto Sun*, “Fear and anger in the ranks,” November 16, 1981.

⁴⁴ *Toronto Sun*, “Guilty pleas in 3 holdups,” August 31, 1982.

⁴⁵ *Toronto Sun*, “Passenger gave cash on the barrel,” March 13, 1978; *Toronto Sun*, “Nerves shot, cabby quits,” May 8, 1978; *Toronto Sun*, “We’ll take up arms,” May 9, 1978. By the time the two suspects went to trial for terrorizing another driver, John Gallagher, at knifepoint, the court was told that he was so traumatized by the crime he had changed jobs and moved to another city. *Toronto Sun*, “2 Jailed in taxi terror,” January 15, 1986. Other headlines revealed similar decisions by other drivers. Tom Godfrey, “Cabby quits after attack,” *Toronto Sun*, October 28, 1988; Licia Corbella, “Metro Cabby Knifed: Vow’s He’ll Never Drive Again,” *Toronto Sun* November 20, 1989; “Jonathan Kingston, “Stabbed Cabby Quitting,” *Toronto Sun*, November 10, 1999.

night shift. Although the night shift generally offered drivers a chance to make more money, it was also considered more dangerous. Reports of drivers abandoning the night shift often followed particularly violent robberies, assaults, or homicides. After the murder of Gordon Stoddart in March 1975, Sol Fox, secretary-treasurer of the Independent Cab Owner Association representing 200 owner-operators, said he and others would no longer be driving nights.⁴⁶ Similarly, immediately after the shooting incident in 1976 that put Al Fagan in the hospital and killed Richard Turkiewicz, management at Diamond Taxicab Association complained that night drivers were becoming scarce and Lou Fiedman, general manager of Co-op Cabs, announced that only fifteen percent of his night drivers had reported for their shifts.⁴⁷

Although the shortage of night drivers was insufficient to cripple the industry, there were efforts to create danger pay for night drivers in order to combat the shortage of drivers. Paul Gleitman, president of the Metro Taxi Drivers' Association, proposed that drivers needed a surcharge on fares taken after nine o'clock at night, but the Chair of Metropolitan Toronto Council, Paul Godfrey, flatly rejected the idea. Godfrey argued that "danger pay" for taxi drivers would suggest to tourists that Toronto was a dangerous place. According to one

⁴⁶ Wilson, "How can cabs cope?"

⁴⁷ *Toronto Sun*, "Cabbies boycott night shift," January 15, 1976; *Toronto Sun*, "Despite recent attacks cabbies resist shields," January 18, 1976.

local newspaper, he said, "I won't acknowledge that the city is a high-risk city."⁴⁸ Toronto mayor Art Eggleton and former mayor John Sewell also opposed the proposal. When the idea was revisited in 1990, it was a Metro Councillor and member of the Metropolitan Licensing Commission, Howard Moscoe, who recommended danger pay, once again in response to a shortage of drivers willing to work at night.⁴⁹

Although danger pay did not offer any protection for drivers, it effectively illustrated the paradox of driver safety during this era of economic recession. As Ouimet had pointed out, the economic crisis of the 1980s fed the rising crime rate, thus making taxi drivers more vulnerable. Yet, paradoxically, the recession also made many drivers willing to take larger risks in order to earn their living. While danger pay was never implemented, many drivers had to work at night, accepting the risk of violence and robbery in hope of earning enough money to make ends meet.⁵⁰ A daytime shift simply did not hack it.

Another tactic that offered scant protection, but served to protect the drivers' earnings was to reduce the amount of money they carried. Drivers were encouraged by the Metropolitan Taxi Drivers Association to make frequent stops,

⁴⁸ Rick Haliechuk, "Danger pay for night cabbies would scare tourists: Godfrey," *Toronto Star* May 1, 1982; According to a report in the *Toronto Sun*, Paul Gleitman also raised this issue at the MLC annual meeting to review the taxi industry. The minutes from the meeting show that Gleitman was among those who gave depositions, but there is no record of what he said. See Lorrie Goldstein, "'Raise our fares'," *Toronto Sun*, April 30, 1982 and TPL URB MLC Minute Book 1982, minute no. 187 April 29, 1982.

⁴⁹ Peter Howell, "Danger pay proposed for night cabs," *Toronto Star* May 1, 1990;

⁵⁰ In 1988, when safety concerns reached an unprecedented high, sixty percent of Toronto taxis operated at night. See Zohair Kashmeri, "Woored to be watchdogs, cabbies suspicious of COP," *Globe and Mail*, February 16, 1983.

for example at bank machines, to deposit their earnings.⁵¹ This tactic might, in the long run, reduce robberies if potential offenders believed that taxi drivers no longer carried enough cash to make worthwhile targets for robbery. Moreover, carrying less money would at least mitigate the drivers' losses from a robbery. If this tactic had the potential to dissuade some robbers, at least one was willing to go through the extra steps necessary to access a driver's money. Veteran taxi driver Kanwaljit Atwal stopped working after being forced at gunpoint to stand in a frigid creek while his assailant's accomplice made four withdrawals from bank machines by using Atwal's bankcard and access code.⁵² Clearly, no safety tactic was foolproof; therefore, drivers made further adjustments in their work habits to avoid difficult and dangerous passengers.

Many drivers increased their commitment to dispatched calls, thus reducing or eliminating the number of street pickups. It was generally accepted that radio-dispatched calls were safer than fares picked up on the street, as dispatchers normally recorded the name and address of the passengers who ordered a taxi by telephone. Therefore, individuals who intended to run without paying their fare or planned to rob the taxi driver were more likely to hail the taxi from the street, and so leave fewer leads for police to investigate. As driver Darshan Singh explained to a reporter, "When the dispatcher gives you a fare,

⁵¹ *Toronto Sun*, "Cops stared at death," September 19, 1982.

⁵² Ian Robertson, "Cabby: I Need My Job," *Toronto Sun*, March 17, 1998.

you know the office will have a name and an address. With a flag fare you don't know anything about them – no flag fares go with me.”⁵³

News of drivers boycotting customers who tried to hail taxis on the street often surfaced in the local media after reports of violence and robberies. After Stewart MacDougall was assaulted, a newspaper reported that angry co-workers had vowed not to pick up street fares after midnight, but would “only take house calls through the dispatcher.”⁵⁴ Similarly, after a rash of robberies in Scarborough, police issued a warning to taxi drivers not to stop for passengers who tried to hail them in “rough areas”.⁵⁵ Some drivers refused do any business in areas that were considered dangerous.

Among the areas that drivers avoided were Broadview and Gerrard, Gerrard and Parliament, and some sections of Parkdale.⁵⁶ Like many of their colleagues in large US cities, Toronto taxi drivers began to avoid public housing districts, thus limiting service to poor residents who were often Black or

⁵³ Stuart McCarthy, “Edgy cabbies may refuse flag pickups,” September 21, 1986.

⁵⁴ John Screnk, “Bandit’s blade mauls cabby,” *Toronto Sun*, January 8, 1978.

⁵⁵ *Toronto Star*, “Avoid pickups in tough areas police warn taxi drivers,” October 30, 1990.

⁵⁶ *Toronto Star*, “Gang suspected after armed men rob five cabbies,” October 15, 1985; *Toronto Star*, “Cabbies demand bulletproof partitions after rash of robberies and assaults,” September 22, 1986; *Toronto Sun*, “Fear and The Five,” November 7, 1986.

immigrant.⁵⁷ As a large part of the post-war taxi clientele consisted of people who could not afford to own a car, the tactic of avoiding the residents of poor neighbourhoods was costly to both the drivers and the customers.

One neighbourhood that became particularly associated with violence against taxi drivers was the Jane and Finch area. Many drivers simply refused to service the district they referred to as the “Corridor”, “The Five”, and “Jungleland”.⁵⁸ Working the Corridor was described in one newspaper as “playing Russian roulette.”⁵⁹ Similarly, headlines such as “Hacking the Corridor” and “Fear and the Five” captured for the public the sentiment of many drivers that the district was Toronto’s worst for crime and violence. Indeed, the reputation of the neighbourhood became so bad that many drivers were reluctant even to pick up radio-dispatched house calls in the area.⁶⁰

In addition to drivers’ choosing not to serve particular passengers, taxi companies also created “blacklists” of addresses to which they refused to dispatch taxis. Al Turner, owner of Able-Atlantic explained, “We won’t serve

⁵⁷ For a description of the stereotypes associated with neighbourhoods like the Jane and Finch area see Cecil Foster, *A Place Called Heaven: the Meaning of Being Black in Canada* (Toronto: Harper Collins, 1996). The unwillingness of traditional taxis to service many Black and Hispanic neighbourhoods in large American cities has led to the development of entire fleets of unlicensed or “gypsy” taxis to cater to them. See Amanda Hanson, “Toronto’s Taxis,” *Business Journal* (December 1981): 35; Walter Williams, *The State Against Blacks* (New York: New Press, 1982): 75-88; Charles Vidich *The New York Cab Driver and His Fare* (Cambridge Mass.: Schenkman Publishing Company, 1976), 133-34; Daniel John Sobieski, “Cab Scam” *Reason* (March 1985) 41.

⁵⁸ *Toronto Sun*, “Cabby’s night of terror,” September 19, 1982; *Toronto Sun*, “Cabs shun Corridor,” September 20, 1982; *Toronto Sun*, “Hacking The Corridor,” October 10, 1982; “Fear and the Five”.

⁵⁹ “Fear and The Five”.

⁶⁰ “Cabs shun Corridor”.

[these] homes because of the violence that comes out of them. Some are worse than the violence off the street.”⁶¹ When drivers did pick up passengers on the street, it was common for them to assess the relative threat of danger (even the likelihood of payment and tip), according to ineluctable characteristics, including race and sex. For example, in terms of violence, female passengers and couples of opposite sex were often considered less dangerous than groups of men. Similarly, Black men, whether in a group or alone, were commonly stereotyped as dangerous.⁶² In a post-robbery interview, one driver blamed himself for being robbed. Frank Baumann explained that he had been “careless” and broke his own rule against picking up groups of men. He said, “I broke my own rule. I got careless and paid for it.”⁶³ By picking and choosing their passengers, drivers relied on experience and intuition as well as common archetypes and stereotypes to help them judge whether passengers posed a risk.

The gendered nature of violence

The issue of violence against taxi drivers was also gendered and racialized in other ways. Women taxi drivers were at greater risk of being the victims of sexual harassment and assault. During this era of rising crime, a number of women drivers suffered violent sexual assaults. One dramatic incident

⁶¹ Cathy Wilson, “260 cabs to get silent panic button,” *Toronto Sun*, January 15, 1976; *Toronto Star*, “If you harass a cabby you may be blacklisted,” January 23, 1976.

⁶² Joshua Lupkin makes a case for the further study of racial discrimination in taxi service and refers to the 1999 campaign by an African American actor who dramatically illustrated the difficulty for Black men in North America to hail a taxi on a downtown street. See Joshua Lupkin, “Constructing ‘The Poor Man’s Automobile’: Public Space and the Response to the Taxicab in New York and Chicago” (Ph.D. diss., Columbia University 2001), 279.

⁶³ *Toronto Sun*, “Lucky I had \$300,” February 6, 1984.

involved a woman driver who was sexually assaulted. Police reported that she managed to radio for help, but was wrestled to the ground where she fought “viciously” against her attacker, biting and punching him until he finally drove off with the cab.⁶⁴ Another woman was sexually assaulted, robbed, and left tied to a tree in a park while the perpetrator made his escape.⁶⁵ A third driver, after being sexually assaulted by a passenger, was able to radio a description of her attacker to her dispatcher, thereby enabling another driver to identify the suspect when he attempted to hire a second taxi.⁶⁶

In other cases, gender seemed less relevant as women drivers were beaten, slashed, and robbed in the same manner as their male colleagues. For example, Diane Reisman survived an attack where two male passengers assaulted her. One held her in a headlock and the other repeatedly punched her face.⁶⁷ Sheri Hogarth was left with a slashed throat, arm and hand after she refused to surrender her money to a knife-wielding passenger.⁶⁸ As if to prove that cooperation was no assurance against violence, another woman driver suffered a brutal beating after handing over her money when two passengers robbed her. The local press reported that after the driver surrendered her money she was kicked and punched for ten minutes and left in a pool of blood with two of her teeth knocked out. Following this incident, other drivers took up a collection to replace the stolen money and the company owner thought about

⁶⁴ *Toronto Sun*, “Female cabby attacked,” January 7, 1991.

⁶⁵ *Toronto Sun*, “Woman cabbie tied to tree and assaulted,” September 25, 1985.

⁶⁶ Ian Harvey, “Screens urged for cabs,” *Toronto Sun*, September 20, 1986; *Toronto Sun*, “Cabby helps nab suspect in rape,” September 19, 1986.

⁶⁷ *Toronto Star*, “Cab drivers wary after male riders mugged her,” May 27, 1987.

⁶⁸ *Toronto Star*, “Cabbie cut in attack,” July 27, 1987.

taking the seventeen women drivers at his firm off of night shifts.⁶⁹ Similarly, one woman, who had driven nights for four years, said she would switch to days after she was beaten with a hammer.⁷⁰

In fact, the threat of violence has often been used to explain the consistently small percentage of women in the taxi industry.⁷¹ The degree to which men's propensity to engage in risk-taking behaviour and the threat of sexual assault have kept women from entering the industry has yet to be determined; however, the issue of violence within the taxi industry has often been discussed in terms of gender.

During this era of rising crime rates, fear of violence and sexual assault also became an issue for female passengers. Following a series of rapes in Scarborough, the East End Taxi Company offered discounted fares to women who took a taxi after working a night shift. Eileen Halket, president of East End, found several drivers to volunteer for the door-to-door service for women from the Rouge Hill Go station (the final stop for most routes in the area) for \$2.00.

⁶⁹ *Toronto Star*, "Thugs beat cabbie after brutal ride," January 6, 1991. When drivers were murdered, injured, or suffered serious illness it was common practice to collect money to assist their families. Gord Walsh, "Cabby knifed for \$100," *Toronto Sun*, June 11, 1982; also see Kimberly Berry, "The Last Cowboy: The Community and Culture of Halifax Taxi Drivers," (Honours Thesis, Dalhousie University, 1995), 94-95

⁷⁰ *Toronto Star*, "Cabbie's screams stop attack," March 1, 1990.

⁷¹ According to Philip Stenning, the smaller number of women taxi drivers in urban centres compared to cities with smaller populations and rural areas, was indicative of the fear of violence. Stenning, "Fare Game, Fare Cop," 38. However, in addition to the issue of violence, there have been numerous barriers restricting entry of women including industry regulations and gender stereotyping. Thus, the gendered nature of the occupation, and the relative absence of women taxi drivers, is an area that begs further study. See Kimberly Berry, "'She's No Lady': The Experience and Expression of Gender among Halifax Women Taxi Drivers since World War II," *Urban History Review* 27, no. 1 (October 1998): 23-35.

Although the discounted fare would only cover the cost of gas, the company promised to reimburse the driver the full amount on the meter.⁷² In this instance, taxi drivers, whether male or female, offered women passengers protection from violence on the street.

In other cases, male taxi drivers were themselves the source of violence for female passengers. In one case, a Toronto woman was sexually assaulted by a taxi driver at gunpoint and then thrown from his taxi in an underground garage.⁷³ Incidents such as this were a strong incentive for women passengers to feel safer with women taxi drivers. Although “women-only” companies did not develop in Toronto, other cities did witness the development of taxi fleets driven by women for women. In 1982, the Labyris cab company in London England began operating with twenty minicabs driven by women. The company offered slightly lower rates and a safer alternative for passengers who felt threatened in other taxis and its clientele consisted largely of women and children, as well as elderly people and people with disabilities.⁷⁴

The racialized nature of violence

Beyond avoiding passengers and neighbourhoods, the issue of violence in the Toronto taxi industry was further racialized in terms of the identity of the driver-victim. While all drivers were at risk of assault, some industry observers

⁷² *Globe and Mail*, “Women working late shift can get discount taxi rides,” May 30, 1987

⁷³ *Toronto Sun*, “Woman assaulted by cabby,” November 20, 1985; *Toronto Sun*, “Taxi biz battered?” January 21, 1985.

⁷⁴ Linda Hossie, “Labyris makes women’s safety its business,” *Kinesis*, (February 1982): 7; *Wall Street Journal*, “British Ladycabs in Demand,” February 21, 1992, p A6; F. J. Ford, “England: Hailing Women’s Cabs,” *Ms.* 3, no. 2 (1992): 15.

argued that drivers of colour were particularly at risk. In response to the rising violence, the National Taxi Alliance (NTA) conducted a survey of Toronto drivers who had been victimized and found members of visible minorities formed the bulk of the victims.⁷⁵ Although the statistical accuracy of the Alliance survey was unknown, a later study in Winnipeg supported the thesis that racism played an important role in violence against taxi drivers.⁷⁶ The Taxi Commission there reported that although the investigation had not given sufficient examination to all of the reasons for crimes against taxi drivers, it had concluded that racism played an important role in most cases of victimization.⁷⁷

In Australia, industry observers suggested that the work patterns of immigrant drivers might have contributed to the violence. For example, drivers whose first language was not English seemed more likely to pick up fares on the street (perhaps as a reflection of the challenges of operating with a two-way radio in their second language). Immigrant drivers from the Middle East and southern Asia (two groups that suffered frequent violent incidents) also tended to work in suburban areas where street pick-ups were considered high-risk.⁷⁸

⁷⁵ *Globe and Mail*, "Danger to cabbies overblown, officer says," December 3, 1988.

⁷⁶ Bidhu Jha "Report on the Study of Taxicab Safety Issues" Manitoba 2001.

⁷⁷ *Ibid.*, 16.

⁷⁸ Claire Mayhew, "Violent Assaults on Taxi Drivers: Incidence Patterns and Risk Factors," *Trends and Issues in Crime and Criminal Justice* no. 178 (November 2000): 1-2 <http://www.aic.gov.au/publications/tandi/tandi178.html> (accessed November 24, 2005).

Although there has not been any reliable data on the correlation between whiteness and violence levels among its drivers,⁷⁹ the Toronto taxi industry did become more racially diverse during the era that violence increased. Particularly after 1960, the taxi industry became an occupational haven for immigrants. At the same time, Canada's immigrant population expanded to include a wider selection of the world's migrants. In 1966, eighty percent of Canada's immigrants had been of European origin. By 1970, fifty percent came from areas such as the West Indies, Guyana, Haiti, Hong Kong, India, the Philippines, and Indochina. Similarly, throughout the 1970s and 1980s, a large proportion of immigrants came from Africa, Asia, the Caribbean, and Latin America.⁸⁰

By extension, the Toronto taxi industry became more racially diverse. In 1971, the immigrant population in Canada was 15.3 percent and only slightly lower than the percentage of taxi drivers and chauffeurs born outside of Canada, at 15.5 percent.⁸¹ By 1981, the immigrant population in Canada had risen slightly to 16 percent, while the percentage of taxi drivers and chauffeurs born outside of

⁷⁹ The most comprehensive study of criminal victimization among Canadian taxi drivers cautioned, "'non-White' drivers, born outside of Canada, whose first language was not English were almost certainly under-represented in the study." The research only sampled three cities, and did not include either of the two largest metropolitan areas. Stenning, "Fare Game, Fare Cop," 39 and 65.

⁸⁰ Citizenship and Immigration Canada, "Forging our Legacy," <http://www.cic.gc.ca/english/department/legacy/chap-6.html#chap6-10> (accessed 24 November 2005).

⁸¹ Canada Census 1971, vol. 3 Table 4: Labour Force 15 years and over by detailed occupation and sex, showing birthplace, period of immigration and ethnicity group for Canada, 4-19 – 4-38.

Canada passed 23 percent.⁸² Thus, over-represented in the taxi industry, many new Canadians were the victims of often-brutal robberies, assaults, and murders with little support from taxi regulators or city officials to protect them.

In addition to the passive tactics used to avoid crime and violence such as carrying less money, working day shifts, avoiding crime-prone areas, and becoming suspicious of pickups, drivers also responded forcefully to the crime and violence they faced.

Fighting back

Many drivers answered violence with violence. Stewart MacDougall was still in a hospital bed when he described for a reporter how he had wrestled with a knife-wielding passenger, whom he described as “chicken”:

He had no moxie. He was chicken. He wanted to come in close but every time he did, I hit him with my hands or kicked him...I figured [he] was going to kill me if he could, but he couldn't figure out how to do it I don't have a high opinion of that monkey⁸³

Although openly critical of his attacker, MacDougall was more reserved when asked to comment on the lack of assistance from householders on the street where the assault took place. He said only, “I have my own thoughts about that.”⁸⁴ MacDougall's ability to survive the assault, along with his comments from the hospital bed projected an image of a competent fighter, a tough man who

⁸² Census Canada 1981, Population: Labour force – industry by cultural characteristics, Table 1: Labour force - 15 years and over by detailed occupation and sex, showing place of birth, ethnic origin, period of immigration and mother tongue for Canada 1981.

⁸³ Peter Young, “Stabbed cabby relives bloody duel on street,” *Toronto Sun*, January 12, 1978.

⁸⁴ *Ibid.*

took care of himself. Similar images were conjured by the story of Manjit Singh. Local newspapers reported how he had heard his attacker screaming, "I'll kill you! I'll kill you!" as he sliced into Singh's throat, but Singh grabbed the knife with his hand and pulled it away even as it cut through his fingers. Yet three years later, Singh said that he would not work after nine o'clock at night. However, he continued to accept fares that hailed him on the street, worked in locations that other drivers avoided, and resisted installing a screen in his car because a barrier would make it easier for passengers to leave without paying.⁸⁵

The willingness and ability of drivers to fight back helped to construct an image of taxi drivers as dangerously tough – an image that, itself, provided some protection. Driver Jim McGowan explained to one reporter that "being big and ugly" was a driver's "best defence." McGowan said he had driven cab for seven years and survived "close calls and several punch-ups." He had only lost one fight, when he was hit from behind, and recounted an incident that illustrated the value of a threatening image:

I followed this fare into an apartment building to get my money and as I came around a corner, there was another guy standing against the wall with a butcher's knife raised over his head. I stared at him long and hard and he decided to take his business elsewhere.⁸⁶

Many drivers were also prepared to back-up their rough-and-ready image with weapons. Although illegal, it became common knowledge through newspaper reports that drivers were carrying weapons such as bats, pipes and

⁸⁵ "Fear and The Five"; *Toronto Sun*, "cabby's throat cut in robbery," January 21, 1983; *Toronto Star*, "I won't quit, vows slashed co-op cabby," January 23, 1983.

⁸⁶ "Fear and The Five".

crowbars.⁸⁷ One driver, quoted in the local press, implied that he carried more than one illegal weapon, and said he did not care whether or not the police charged him: “[I would] rather be in jail than murdered.”⁸⁸ In October 1986, the near-fatal stabbing of driver Gerhard Schuetzek prompted Police Chief Jack Marks to warn drivers not to arm themselves. However, many drivers continued the illegal practice of carrying concealed weapons.⁸⁹ After the attack, Schuetzek advocated both protective screens and weapons training for taxi drivers⁹⁰ According to one paper, the tire iron was the weapon of choice among taxi drivers, although some carried knives and flare guns.⁹¹

Policing themselves

In addition to fending off attackers many drivers also assumed the role of quasi police officers by capturing assailants and delivering them for arrest. For example, despite his age, fifty-six-year-old Wilfred Vanderstay purposely drove his cab into a telephone pole when a robber threatened to kill him. Vanderstay struggled with his nineteen-year-old attacker to keep him at the scene until police arrived.⁹² Another driver decided to conduct his own investigation and

⁸⁷ Wilson, “How can cabs cope?”; *Toronto Sun*, “talk of guns scares me,” November 4, 1975; *Toronto Sun*, “We’ll take up arms,” May 9, 1978; *Toronto Sun*, “Fear and anger in the ranks,” November 16, 1981; B. J. Del Conte, “After vicious assaults,” *Toronto Sun* October 27, 1986; Jamie Westcostt, “To Arms,” *Toronto Sun*, October 28, 1986; Susan Reid, “Cabbies resorting to weapons,” *Toronto Star*, October 10, 1988.

⁸⁸ Susan Reid, “Cabbies resorting to weapons for safety,” *Toronto Star*, October 10, 1988.

⁸⁹ *Toronto Sun*, “Call to arms,” October 28, 1986; *Toronto Sun*, “Knifed cabby clings to life,” October 5, 1986.

⁹⁰ *Toronto Sun*, “Knifed driver needed screen,” October 27, 1986.

⁹¹ *Toronto Sun*, “after vicious assaults,” October 27, 1986.

⁹² *Toronto Sun*, “‘I’ll blow head off,’ attacker told cabby,” June 8, 1976;

surveillance to ensure his robbers were charged. After police were unable to locate the men who robbed Mutaz Homsy, he staked out the neighbourhood where he had been assaulted, spotted one of the suspects, and helped police to make an arrest.⁹³

Drivers were also keen to help one another. When Bill Gionis was being beaten and robbed by four youths, he managed to radio for help. Within minutes, several other drivers were on the scene to detain one of the assailants until police arrived.⁹⁴ In another well-publicized incident, both police and taxi drivers responded when a group of people assaulted a driver and one attacker was fatally injured in the ensuing street brawl.⁹⁵ With this record, it likely did not surprise many drivers when the city proposed a more formal system of cooperation between the taxi industry and the police department.

Cabs on Patrol

During this era of economic constraint and increased crime, it was fitting that city officials and the police department sought a cost-effective method of improving police services and decreasing response times. Paradoxically, taxi drivers, an occupational group particularly vulnerable to crime and violence, were not targeted to receive improved policing, rather they were perceived as a new

⁹³ *Toronto Star*, "Cabby's stake-out nets theft suspects," July 20, 1976. For similar examples see: *Toronto Star*, "Cabbie is robbed of \$80 and his taxi," February 24, 1977; *Toronto Star*, "Cabby steers police to suspects," October 3, 1980.

⁹⁴ *Toronto Star*, "Cabby being beaten gets fast rescue," Sept 17, 1983.

⁹⁵ David Somerville, "Street brawl victim dies from injuries," *Toronto Sun* November 12, 1975; *Toronto Sun*, "Licensing Commission: Bulletproof screens won't help cabbies," November 25, 1975.

arm of police services. Alderwoman Betty Sutherland championed the idea of Cabs On Patrol (COP) after observing a similar program in Phoenix, Arizona.

Drivers who wished to participate in the COP program were asked to report suspicious vehicles, were given guidelines on providing descriptions, were instructed on the civilian arrest procedure, and received a COP decal to display on their vehicle.⁹⁶ Authorities hoped for a fleet of 2,000 COP taxicabs to operate as an officially recognized, but unpaid, auxiliary police service.⁹⁷ Sutherland heralded the obvious cost-saving benefit to the municipality when she told the press that the “program would save Metro money by giving the police a new volunteer arm.”⁹⁸

With the cooperation of the police department, COP was officially launched in March 1983; however, it did not generate the desired response among taxi drivers. According to one newspaper report, COP taxis at five Toronto taxi brokers, including the three largest, only numbered a few hundred cars; a far cry from the 2000-car target.⁹⁹ In part, poor relations between taxi drivers and police were blamed for the lack of interest. Some drivers complained that, particularly on slow days, police would go out of their way to ticket taxi

⁹⁶ Kashmeri, “Wooed to be watchdogs”.

⁹⁷ Michael Tenszen, “Cabby program credited with helping police,” *Globe and Mail*, December 31, 1983

⁹⁸ Lorrie Goldstein, “Cab patrol proposed for Metro,” *Toronto Sun*, April 15, 1982.

⁹⁹ Phil Johnson, “Cabs on Patrol drivers leery of ‘fink’ label, officials says,” *Toronto Star*, May 24, 1983

drivers, even for brief stops during parcel pickups.¹⁰⁰ Sutherland argued that taxi drivers had a vested interest in joining the program because it would help improve their public image.¹⁰¹

Ironically, it was concern for “public image” that deterred many drivers from joining the program. One driver told reporters, “So far, we have the police after us. Now ... we’ll [also] have the underworld after us.”¹⁰² Drivers were apprehensive about being identified as “finks.” Sydney Barratt, manager of Arrow Taxi, explained that because taxi drivers “deal with some pretty rough people,” they were hesitant to display COP decals for fear that “the rounders might take offence.”¹⁰³ Although both Barratt and a spokesman for the police department agreed that the COP decal might sometimes deter “rowdy” or difficult passengers from causing trouble for drivers, most drivers seemed unconvinced that COP stickers were a useful safety tactic.¹⁰⁴

¹⁰⁰ Kashmeri, “Woored to be watchdogs,”; Johnson, “drivers leery of ‘fink’ label”. Philip Stenning’s survey of taxi drivers in Vancouver, Winnipeg, and Halifax-Dartmouth found similar complaints. 60 percent of respondents described the relationship between taxi drivers and police officers as “mediocre”, “bad”, or “very bad”. Twenty-three percent categorized it as either “bad” or “very bad” and complained of over-zealous, insensitive traffic enforcement and a lack of interest in their criminal victimization. Stenning, “Fare Game, Fare Cop,” 63-64.

¹⁰¹ Goldstein, “Cab patrol”.

¹⁰² Kashmeri, “Woored to be watchdogs,”; Johnson, “drivers leery of ‘fink’ label”.

¹⁰³ Tenszen, “credited with helping police”. Stenning also found that similar programs in other jurisdictions were not “universally supported by participants in the taxi industry.” Drivers objected to the implication that they were “squealers” or “police informers”, and in some cases, they mounted active resistance to the establishment of these programs by arguing that the stickers would both discourage business and expose drivers to increased risks from criminals. Stenning, “Fare Game, Fare Cop,” 7.

¹⁰⁴ Tenszen, “credited with helping police”; Kashmeri, “Woored to be watchdogs”; Johnson, “drivers leery of ‘fink’ label”; Janice Turner, “Cabs On Patrol plan a failure cabbies say,” *Toronto Star*, May 7, 1984

Taxi drivers did not need an official program to induce them to report building fires, traffic accidents, medical emergencies, criminal activities, and, even, road conditions to authorities. They had always done it. Police spokesman Staff-Sergeant McDonald acknowledged that police did not expect an increase in the number of calls from taxi drivers because of the COP program. Instead, police sought to give taxi drivers "more recognition for what they were already doing."¹⁰⁵ The COP program did offer other some advantages to taxi drivers. COP participants would no longer have to wait on the scene after reporting an incident, and each year the program gave recognition to the participants and a cash award to the "top" COP drivers.¹⁰⁶ For example, in 1984, James Organ received \$500 for his efforts to rescue a woman from a burning rooming-house, while Merdi Gafni, Nicola Vechiarelli and James Neilson received \$100 each for their actions in other incidents.¹⁰⁷

The push for protection

In 1988, relations between taxi drivers and police officers were making news again. The violence against taxi drivers had reached a new high-water mark and drivers were demanding better protection from police. The murder of Baljeet Singh in October 1988 had ignited protests among the ranks of Toronto taxi drivers. On the night that he was murdered, Singh was able to communicate with his dispatcher in Punjabi, his first language. When he said that he was afraid

¹⁰⁵ Johnson, "drivers leery of 'fink' label".

¹⁰⁶ *Ibid.*

¹⁰⁷ *Toronto Star*, "Cabby wins award for fire rescue bid," June 17, 1984. The following year, the top award went to Jon Wein, whose actions prevented a robbery suspect from boarding a plane to Sudbury. "William Clark, "Cabbie gets top award for his role in capture," *Toronto Star*, June 12, 1985.

of his passenger, the dispatcher first called police, then radioed his locale to the other drivers, who rushed to the scene. Despite the quick response of both drivers and police, Singh's throat had already been slashed "from ear to ear" and he had been stabbed in the back between his shoulder blades. It had only been eleven weeks since the murder of Wolsey Frazer,¹⁰⁸ and only eleven days since the slaying of Michael March.¹⁰⁹

The loss of three drivers in less than three months brought many cabs in the Toronto taxi industry, and service to the Jane and Finch area, to a near standstill. Approximately 200 drivers formed the Self-Protection Alliance and many vowed to stage a "work-slowdown" until their safety concerns were addressed. Drivers' demands included the right to refuse fares, and for some, the right to carry weapons. Surrounded by sixty other drivers at the Jane and Finch mall, Panju Sethi said, "We will tolerate no more. We are not working today, and

¹⁰⁸ The shooting death of Wolsey Frazer (spelt Fraser in several sources) generated an immediate response among drivers: approximately fifty drivers met with police and politicians to demand better protection. Timothy Appleby, "Shot to head killed driver, police say," *Globe and Mail* (Metro Ed) Thursday July 21, 1988 p A18; *Toronto Star*, "Slain cabbie too gentle to resist robbery," Friday July 22, 1988 p A19; *Globe and Mail*, "Robbery suspected in cabby's slaying," (Metro Ed.) Tuesday July 26, 1988 p A15; Timothy Appleby, "2000 gather to mourn pastor," *Globe and Mail* (Metro Ed.) Thursday July 28, 1988 p A1-A2; *Toronto Star*, "Slain cabbie, 48, mourned as gentle servant of God," Thursday July 28, 1988 p A6; *Globe and Mail*, "Refugee claimant charged in slaying of Toronto cabbie," (Metro Ed.) Monday October 3, 1988 p A14; *Globe and Mail*, "Taxi driver's widow upset by accused man's acquittal," (Metro Ed.) Monday December 10, 1990 p A7; *Toronto Sun*, "Few cabbies toting weapons," July 23, 1988.

¹⁰⁹ *Globe and Mail*, "Two caught in slain man's cab," (Metro Edition) Thursday September 29, 1988 p A19; John Duncanson, "Chase leads to 2 arrests in murder of taxi driver," *Toronto Star*, Thursday September 29, 1988 p A7; *Toronto Star*, "Man 22 pleads guilty to killing Etobicoke cabbie," Wednesday September 6, 1989 p A8; *Toronto Star*, "Man, 22, is jailed for life in cabbie's shooting death," *Toronto Star* Friday September 15, 1989 p A29; *Toronto Sun*, "Convicted killers on the lam," Friday September 22, 2000 p 4.

we will not work tomorrow. We are not working until we get some answers.”¹¹⁰

Although the police had responded quickly to the incident involving Singh, drivers told reporters that police did not always come as quickly. Kirbal Bhattie, assaulted six months earlier with a broken beer bottle, showed reporters the three-inch scar on his neck, saying, “You call the police and they come after an hour, one goddamn hour.”¹¹¹

The price of safety

Ironically, the safety device believed by many to be the most effective was also the most controversial. Most members of the taxi industry believed that partitions or shields to separate drivers from passengers offered the best protection. However they also had distinct disadvantages. Protective shields were expensive for owners to install, they alienated drivers from passengers, and they unnerved municipal officials and business interests who were concerned about the reputation of “Toronto the Good”. Some drivers opposed the installation of shields on the basis that the partition would further confine them in an already small workspace and make communication with their passengers difficult. Additionally, many drivers and owners worried that a shield would make their vehicle unattractive to passengers and result in the loss of business as

¹¹⁰ Jamie Westcott and Tony Poland, “Slain after telling dispatcher he ‘was scared’ of passenger,” *Toronto Sun*, October 7, 1988; Bruce DeMara, “Police took minute to reach slain cabbie: Angry drivers stage protest despite rapid police response,” *Toronto Star*, October 7, 1988.

¹¹¹ DeMara, “Police took minute to reach slain cabbie”. Drivers surveyed in Vancouver, Winnipeg and Metro Halifax, expressed similar complaints: “Many respondents expressed the view that police are too slow in responding to calls for assistance by taxi drivers, and/or do not take their victimizations (especially “fare-jumping”) seriously enough.” Stenning, “Fare Game, Fare Cop,” 64.

passengers selected or demanded vehicles without one. Given these attitudes, many agreed that the only way to ensure maximum protection from both the threat of violence and the loss of business was to make the shields mandatory.

As early as 1971, the Toronto Union of Taxi Employees (TUTE) adopted a clear position on the issue of safety shields. In early February, after driver Joseph Nishimura was stabbed twelve times, members voted to ask the Metropolitan Licensing Commission to require all owners to install mesh screens.¹¹² At that time, the Commission adjourned the matter in order to allow time for all interested parties to present briefs.

Later that same year, when Jack Green was stabbed to death, city officials joined the call for improved driver protection. In a presentation to the Metropolitan Licensing Commission, Alderman Tony O'Donohue called attention to the "increasing problem of taxicab drivers being attacked and robbed."¹¹³ O'Donohue, echoing the Brand Committee, said that partitions would offer improved safety and a degree of privacy.¹¹⁴ It had been ten months since the union had submitted its request for regulations mandating protective shields. A municipal staff member explained that the issue had been dropped because only one taxi driver had written a letter in favour of the devices, none of the insurance companies queried had offered any comment, and both the Greater Toronto

¹¹² SMC [paper unknown] "Cabbies urge wire screens," February 3, 1971; SMC [paper unknown] "Cab firm ponders safety grilles," February 17, 1971; Warren Gerard, "From the back seat: the taxi cab industry," *Globe & Mail* April 21, 1971; TPL URB MLC Minute Book 1971, minute no. 105, March 17, 1971.

¹¹³ SMC [paper unknown] Jim Cowan, "Fund best protection not shields says cabbie," December 30, 1971; TPL URB MLC Minute Book 1972, minute no. 24, January 19, 1972.

¹¹⁴ *Ibid.*

Taxicab Conference (GTTC) and the Independent Cab Owners' Association (ICOA) had opposed the idea.¹¹⁵

Both the ICOA and the GTTC spoke for taxicab owners. The GTTC represented owners and owner-drivers affiliated with several brokerages; in 1977, its membership owned approximately 1200 cabs, or nearly 50 percent of Metropolitan Toronto's entire fleet.¹¹⁶ While these owners resisted the expense of installing shields, they also objected to them on other grounds. For example, Al Sadoff, director of the GTTC, and general manager of the Diamond Taxicab Association, warned that partitions would generate more violence. As Sadoff said, "If you start to think violence, you're going to get violence."¹¹⁷

Even so, in the fall of 1973, the union renewed its calls for safety devices to protect drivers. Union president, John Humenick, claimed that robberies had increased from one or two a month to one or two per week, and that during a Sunday nightshift, three drivers had been robbed within one half-hour of one another.¹¹⁸ However, that same year, in an interim report on the Toronto taxicab industry Mel Lastman contended that safety shields were a nuisance to both

¹¹⁵ TPL URB MLC Minute Book 1971, minute no. 105, March 17, 1971; Minute Book 1972, minute no. 24, January 19, 1972.

¹¹⁶ TPL URB 388.41321 G671 DESK1-TO, The Greater Toronto Taxicab Conference, "Request for Taxicab Tariff Increase," (February 1977) 1.

¹¹⁷ *Toronto Star*, "Taxi drivers cool to idea of screens," January 20, 1972.

¹¹⁸ SMC [paper unknown] "Cab holdups prompt call for safety factors," November 20, 1973.

driver and passengers and offered only limited protection. He recommended further study of alarm systems instead.¹¹⁹

In March 1975, Gordon Stoddart was fatally shot as many more drivers were becoming victims as robberies mounted.¹²⁰ One paper announced there had been as many robberies in the first three months of 1975 as in all of 1974.¹²¹ The Licensing Commission was again forced to consider the issue of driver safety. The MLC decided against shields, noting that most jurisdictions opposed them. Furthermore, there would be a real cost to the city from their installation, even if the taxi owners were obligated to pay for the shields. An editorial in the *Toronto Star* captured what many considered to be the high price of driver safety in Toronto. It read in part,

Life in Metro for the most part is free and easy and is seen to be free and easy – that's what makes it a joy to live here. The very defensive, fortification-type living that is symbolized by bullet-proof shields simply admits defeat to the lawless and severely damages our sense of public security.¹²²

The commission also rejected the installation of strong boxes on the basis that these would likely lead to the theft of the entire vehicle. Flashing emergency lights (to signal distress) it opposed on the grounds that these might panic assailants into assaulting or shooting the driver.¹²³ Although the commission

¹¹⁹ TPL North York Central Library (hereafter CL) TRANS T39 L37 1973 Mel Lastman, "Interim Report to the Special Review Committee on the Toronto Taxicab Industry," 1973 10.

¹²⁰ *Toronto Star*, "Jumping the gun," March 18, 1975; *Toronto Star*, "Cabs will line up to morn slain driver," March 18, 1975 p A1 and A4.

¹²¹ Wilson, "How can cabs cope?"

¹²² *Toronto Star*, "Taxis don't need to be made fortresses," November 26, 1975.

¹²³ TPL URB MLC Minute Book 1975, minute no. 317, August 7, 1975.

expressed aversion to every available option, it did ask for the legal authority to compel owners to install safety devices and said it would further examine the advisability of flashing emergency lights.¹²⁴ In the meantime, decisions on driver safety was in the hands of the owners, who could choose individually to install shields at their own expense if they so wished.

Ironically, one of the first taxis to operate with a shield did so because it was too costly to remove it. In January 1976, Bernie Gottlieb, the owner of Eastend Taxi, purchased a Checker cab and left its bullet-resistant shield intact when he discovered it would cost more money to have it removed. While local newspapers reported that many Toronto drivers were reluctant to work with shields, driver Harry Maroukian chose to operate with a partition after surviving a violent assault the previous year.¹²⁵ Also in 1976, proponents of safety shields were supported by a Coroner's Jury that recommended protective partitions be installed in all Toronto taxicabs. The jury had investigated the police shooting of the gunman who had shot drivers Al Fagan and Richard Turkiewicz.¹²⁶

¹²⁴ During the debate over safety devices, the Metropolitan Solicitor had informed commission members that the MLC did not have the authority to compel owners to install any of them. TPL URB MLC Minute Book 1976, minute no. 352, 435, and 512; TPL URB Metropolitan Toronto Council (hereafter MTC) Minutes 1977, "Report No. 1 of the Legislation and Licensing Committee," February 22, 1977 362-363. In 1977, Metro Council showed interest in a device used for rooftop advertising that included a distress signal; however, opponents objected to the advertising component of the device. See *Toronto Star*, "Help signs hit snag because they also advertise," April 21, 1977.

¹²⁵ *Toronto Sun*, "Despite recent attacks cabbies resist shields," January 18, 1976; *Toronto Star*, "Bullet-proof shield on driver's cab first in city," January 19, 1976.

¹²⁶ TPL URB MLC Minute Book 1976 minute no. 208, May 20, 1976.

However, only a small number of drivers had the opportunity to work with shields, and among those who did, some found the experience objectionable. Art Taylor, a Checker Cab driver and member of the neighbouring Mississauga Taxi Authority, had tried working with a screen but told one reporter it made him feel like a “caged animal” and that it created mistrust on the part of the passengers.¹²⁷ Others in the industry agreed: one owner commented to the press that shields only made drivers, and passengers, prisoners in the taxi; and even Bernie Gottlieb concurred with city boosters by saying, “It’s certainly not the kind of impression of Toronto we’d like to give to tourists.”¹²⁸ Even so, by the mid-1980s more owners had invested in shields, Kim Loh among them. The thirteen-year veteran installed his after being robbed twice in 1984.¹²⁹

In March 1985, it was reported that approximately ten Toronto taxis were operating with shields, even though both the chair of the Metropolitan Licensing Commission and the chair of the taxicab advisory committee criticized the practice. Carol Ruddell-Foster, general manager of the MLC, explained the commission’s opposition to a reporter from the *Globe and Mail*:

We’re sympathetic to the issue [of driver safety]. But it [the shield] won’t provide the protection that people at first blush thought it might. What happens if the passenger sits in the front? It’s of no use then.¹³⁰

¹²⁷ *Toronto Star*, “Cabbies demand better protection,” January 10, 1978.

¹²⁸ *Toronto Star*, “Wrong remedy,” January 21, 1978; *Toronto Sun*, “Despite recent attacks cabbies resist shields,” January 18, 1976.

¹²⁹ Dorothy Lipovenko, “Driver shields unnecessary, cab body says,” *Globe and Mail*, March 29, 1985.

¹³⁰ *Ibid.*

Similarly, Bruce Bell, chair of the taxicab advisory committee and director of Diamond Taxicab Association, said, "We feel it's a danger to public safety and an infringement on civil liberties." Whose it was not said. It seemed that the advisory committee also believed that, "the incidence of assaults on drivers does not require bullet-proof protection."¹³¹ While the regulatory commission doubted the usefulness of the shields, the police department, siding with the union drivers, contended that the device would make the job safer. Metro Staff Sergeant and Crime Prevention specialist Bob McDonald told reporters there was "no question the protective screens can save a cabby's life."¹³²

One manufacturer of safety shields tried to meet the resistance head-on by establishing a pilot project to distribute shields and test public response. The Vice-President of WS Group Inc., a Markham-based firm that produced safety screens, believed that resistance to them stemmed primarily from concerns for the image of the city: "Everyone is so concerned about tarnishing the image of Toronto the Good."¹³³ Dead drivers damned the city less.

There was, however, another critical factor for many taxi owners. As noted earlier, concerns for safety were paralleled by economic concerns (inflationary times being very hard for regulated industries) and the cost of purchase and installation prevented even those owners who wanted the device from equipping their taxis with shields. Some turned to the city for assistance. The United Taxi

¹³¹ Lipovenko, "Drivers shields unnecessary".

¹³² *Toronto Sun*, "Screens urged for cabs," September 20, 1986.

¹³³ *Ibid.*; "Call to arms"; *Toronto Sun*, "after vicious assaults," October 27, 1986; *Toronto Sun*, "Cab to meter safety barrier," October 29, 1986; Jamie Westcott, "Cabby starring in screen test," *Toronto Sun* November 7, 1986.

Alliance asked the Metropolitan Licensing Commission to waive the \$420 annual licensing-renewal fee in order to defray the purchase and installation costs of the shields. Gary Walsh, interim president of the Alliance, told reporters, "We are asking the commission, this one time only, to assist us to protect ourselves."¹³⁴ It seemed their pleas fell on deaf ears until the drivers threatened to strike. Even then, industry representatives on the taxi advisory committee revealed their antipathy to shields with a call for a time-consuming public inquiry into driver safety – not the rousing endorsement that shield-enthusiasts had hoped for.¹³⁵

Advocates for safety shields used media coverage to garner public support, and in one dramatic broadcast a driver whom had survived having his throat slashed made an "impassioned plea" in front of television cameras for the MLC to make safety shields mandatory.¹³⁶ Attempting to make their voice heard, more than eighty drivers attended a special meeting held by the MLC on driver safety. The depositions from several drivers on the issue of safety shields revealed a deep divide on the subject.¹³⁷ The president of Independent Cab Owners' Co-operative told the commission that almost all of its 600 members

¹³⁴ *Toronto Sun*, "Cabbies demand safety devices," November 16, 1988.

¹³⁵ *Toronto Sun*, "Cabbies talk strike," October 9, 1988; *Toronto Star*, "Cabbies promise to get 'aggressive' on safety demand," October 9, 1988; *Globe and Mail*, "Slayings of cab drivers fail to spur safeguards," October 10, 1988; *Toronto Star*, "Cabbies resorting to weapons for safety," October 10, 1988; *Globe and Mail*, "Cab committee urges task force on safety," October 12, 1988.

¹³⁶ *Toronto Star*, "Slashed cabbie pleads for shields in all taxis," November 16, 1988.

¹³⁷ TPL URB MLC Minute Book 1988, Special Meeting on Driver Safety, November 17, 1988; *Toronto Sun*, "Cab shields hot issue for drivers," November 18, 1988; *Toronto Star*, "Board can't make shields mandatory, cabbies told," November 18, 1988.

were against having shields.¹³⁸ There was, however, a litany of other options that were discussed, including better training for drivers (presumably in self-defence); the right to refuse fares; flashing headlights to signal danger; harsher penalties for crimes against taxi drivers; panic buttons connected to police headquarters; installation of recording devices; locking devices on passenger doors; a special radio channel for emergencies; a kill switch for the vehicles; and mesh collars to protect drivers' necks.¹³⁹ In his closing remarks at the meeting, the Chair of the MLC promised only that the commission would continue its research into safety devices. Drivers were sent back to work while the authorities considered what action to take.¹⁴⁰

Following the special meeting, the MLC asked municipal staff to examine the issue of driver safety and to recommend policy options. In the fall of 1989, staff recommended that shields should be made mandatory. Though still not convinced, Ruddell-Foster conceded to their findings saying, "I don't like it, and it's with great reluctance and great regret that I concur with the recommendations." While covering the story one reporter explained, "... Politicians have resisted [shields] because it presents an image of a crime ridden city."¹⁴¹

Following the recommendation of the staff report, the MLC voted to ask Metro Council to change the municipal by-law to make it mandatory for all fleet-

¹³⁸ TPL URB MLC Minute Book 1988, November 17, 1988; *Toronto Star*, "Board can't make shield mandatory, cabbies told," November 18, 1988.

¹³⁹ TPL URB MLC Minute Book 1988, Special Meeting, November 17, 1988.

¹⁴⁰ *Ibid.*

¹⁴¹ *Toronto Star*, "Bullet-proof shields urged for Metro cabs," October 17, 1989.

owned taxis to have protective shields. This amendment represented a compromise. By installing shields in all fleet-owned taxis, their drivers would be protected, but owner-operators, such as the members of the Independent Cab Owners' Association, who had objected to the shields in the 1970s (and whose clientele was largely out-of-town business people and tourists), would not be obligated to have shields. Opponents reiterated their concern that passengers could be injured by the shields in collisions and said the installation of shields "sends out the message that Toronto is no longer a safe place to live."¹⁴² In 1990, despite these protests, the MLC voted unanimously in favour of mandatory shields for all fleet-owned taxis. However, Metro Council never approved the shields, and it was ten years later before authorities settled on regulations concerning driver safety.

Before the city finally implemented a policy on taxi driver safety in 2000, another study was conducted. During the late 1990s, Toronto surveyed 12,000 industry participants including drivers, owners, and brokers on driver safety. It was reported that taxi drivers "made up the bulk of the survey's respondents" and that the first choice for protection among 60 percent of all respondents was the protective shield.¹⁴³ However, the safety regulations that took effect in April 2000

¹⁴² *Toronto Star*, "Licensing body votes for shields in cabs," October 20, 1989; *Toronto Sun*, "Call to shield cabbies," October 20, 1989 p 51. It should be noted, that despite the rising crime rate, it seemed that Toronto did remain a "safe" city proportional to its population; however, this was little consolation for those drivers who suffered disproportionate abuse. See APPENDIX 6: Comparison of homicide and violent crime rates per 100,000 of population and of the number of homicides and violent crimes of major Canadian cities, 1993-2002.

¹⁴³ Scot Magnish, "City Cabs Get Cameras, Locators," *Toronto Sun*, Thursday, December 7, 2000 p 4.

required all taxis to be equipped with emergency lights located on the trunk, and either a security camera or an automatic vehicle-location device.¹⁴⁴ Regulators lauded these measures for reducing violence against taxicab drivers; however, it is questionable whether the measures made any difference in the crime rate.

A 2004 municipal report on taxicab driver safety demonstrated that crimes against Toronto taxi drivers have been steadily declining since 1997, three years before the safety devices were introduced.¹⁴⁵ Furthermore, given the strong correlation between national trends and the experience of crime in the Toronto taxicab industry, it is likely the declining violence in the Queen City simply reflected the general decline in crime in Canada since the early 1990s.¹⁴⁶

The new safety devices were, however, undoubtedly of assistance to police. Newspapers, hailing the cameras as “high-tech heroes” in the fight against crime, reported that the cameras had assisted police in identifying suspects, while the location devices were helping police to trace missing or carjacked cabs.¹⁴⁷ One news story on the high-tech solutions to driver safety reported that during the previous month, the cameras had assisted police in four different cases. Including one incident in which four passengers threatened a

¹⁴⁴ For a description of the requirements see Consolidated Clause in Planning and Transportation Committee Report 6 (2004), which was considered by City Council on February 1, 2, and 3, 2005. “Clause 4c: Taxicab Driver Safety” <http://www.toronto.ca/legdocs/2005/agendas/council/cc050201/pltcl004c.pdf> (accessed November 30, 2005).

¹⁴⁵ *Ibid.*, 3.

¹⁴⁶ Wallace “Crime Statistics” 4 and 5.

¹⁴⁷ Tom Godfrey, “Police ponder use of cab pix,” *Toronto Sun*, Thursday, February 8, 2001 p 28; Scot Magnish, “Safety devices for cabs a must survey says,” *Toronto Sun*, Thursday, May 4, 2000 p 41; Jackie Burns, “Cab Safety ‘A Disgrace’,” *Toronto Sun*, Saturday, January 1, 2000 p 48; Steve Payne, “Smile: You’re on Cabby Camera,” *Toronto Sun*, Friday, February 20, 1998 p 22.

driver at gunpoint, and another in which the driver was stabbed in the head and stomach.¹⁴⁸

Conclusion

For the purposes of this study, the question of the relative success of safety measures is less important than the discourse surrounding the issue of safety itself. The increase in violence against taxicab drivers between the mid-1970s and the early 1990s occupied the attention of local media, municipal officials, industry regulators, taxi owners, and vulnerable drivers. The considerable attention paid to the issues of violence and driver safety affords an opportunity to examine both how the threat of danger shaped the images and identities of taxi drivers and how concerns for image and identity affected the response of municipal authorities. Furthermore the issue of violence was gendered. The possibility of sexual assault created an additional risk for women, both as taxi drivers and passengers. Furthermore, the threat of violence against taxi drivers reinforced the manly, rough-and-ready image of taxi drivers and has

¹⁴⁸ George Chris Topoulos, "Cab Cam Hailed as Crime Fighter," *Toronto Sun*, Tuesday, March 20, 2001 p 18. At least two Toronto taxi drivers have been murdered *since* these safety measures were implemented. In 2003, Mohamed Nakib-Arbaji was shot and killed when, having entered a convenience store during an armed robbery, he attempted to disarm the culprit. During the struggle he was fatally shot in the neck and later died in hospital. Clearly, a protective shield would not have saved his life. However, what was telling about this incident was that Nakib-Arbaji was wearing a bullet-resistant vest. That he had purchased a bullet-resistant vest to wear at work was a profound statement on the degree of confidence he placed in the regulation safety devices. "Canadian Taxi driver Homicides" <http://taxi-library.home.att.net/canada/1-N05.htm> (accessed November 6, 2005). In 2005, Morteza Khorassani, was driving a leased vehicle equipped with a wide-angle digital camera when he was fatally stabbed in the neck. <http://taxi-library.home.att.net/canada/1-K04.htm> (accessed November 6, 2005).

been used to explain the relative absence of women from the business and made women passengers, normally spurned for their poor tipping (the result presumably of wage inequities), actually sought-after by drivers hoping to reduce the risk of violence. Similarly, some vulnerable passengers sought the general security of taxi services, and taxis driven by women were regarded as the safest.

The over-representation of immigrants in the Toronto taxi industry meant that the dangers during these decades were also racialized as drivers of visible minorities suffered more than their share of violence. Favouritism towards “whiteness” also dictated taxi service to passengers, while stigmatizing non-white passengers and neighbourhoods as crime-ridden.

Despite the well-publicized dangers of the industry, the demands of the union, the pleas and protests of the drivers, and the recommendations of the 1989 staff report and the later industry survey on safety, municipal authorities refused to let the image of “Toronto the Good” fall victim to the rising crime rate. When Toronto had been a less violent place in the 1930s and 1940s, municipal authorities had viewed partitions between the driver and passengers as a symbol of the “authentic” taxi that was alone worthy of a world-class city, Paris and London being the exemplars. The authorities then pressed for glass partitions; the drivers resisted. As violence rose between the mid-1970s and the 1990s, shields became identified with the taxis guardedly prowling the lawless streets of New York City; no longer swank, they had become a symbol of crime. Many municipal politicians and industry regulators now objected to the mandatory installation of shields, in part, because of how these would affect the image of

Toronto. The close connection between the city's identity and the appearance of its taxi fleet played a key role in regulatory decisions on safety standards for drivers. While the reputation of the municipality was precious, the city's taxi drivers were disposable. The following chapter will examine another regulatory decision designed to boost the image of Toronto at the expense of its taxi drivers, as the 1990s marked the apex of Toronto's efforts to create world-class, "professional" taxi drivers through an enhanced training program.

CHAPTER 5

“WORLD-CLASS DRIVERS”: BY-LAW REFORM AND THE CREATION OF AMBASSADOR TAXIS, 1974 - 1998

Chapter four examined how some industry regulators and municipal officials resisted mandating the use of safety shields out of fear that these would have a negative affect on the image of Toronto. This chapter explores how, during the same period, city officials, business interests, and taxi regulators attempted to enhance the image of Toronto, as a “world-class” city, through improvements to the taxi industry. As Toronto’s – and the continent’s – economy became post-industrial, increasing emphasis was being placed on the economic importance of tourism because of a potential for growth. It was hoped that the public image of both the taxi industry and the city could be improved by establishing special training courses and more rigorous testing for would-be taxi drivers.

During the 1990s, the Metropolitan Toronto Board of Trade joined forces with city officials and regulators to shape the image of the Toronto taxi industry and to influence the identity of the Toronto taxi driver. Like their vehicles, taxi drivers were seen as an integral part of a larger product to be marketed to visitors, businesses, and residents alike. Both municipal authorities and business interests stood to benefit from service-oriented drivers trained to provide additional services to visitors (such as historic tours), who would thereby boost the city’s image. Reform started in the mid-1970s with the introduction of training programs for taxi drivers that constituted a significant shift from previous

entrance exams. By 1998, driver training had become a central component in a comprehensive plan designed to address a multitude of problems. Once again, Toronto sought to cure its ailing taxi industry by doctoring the identity of its drivers.

The gendered nature of skill

Popular attitudes toward identities including gender, class, race and ethnicity were revealed in the history of taxi driver training and testing. During the first half of the twentieth century concern over training and testing of taxicab drivers often focused on women and their driving ability. An article on women taxi drivers published in 1912 illustrated the popular notion that special attention to training was necessary in the case of women drivers. An unnamed advocate of women taxi drivers wrote, "If women [passengers] have any common sense, they will trust themselves to women drivers whenever it is possible to do so. I am decidedly for women taxi-drivers."¹ However, this rousing endorsement was tempered with a caveat: "Of course, they must get their license only after they have been thoroughly well tested. No very young girls should be licensed as

¹*Family Herald and Weekly Star*, "Women Taxi Drivers," October 12, 1912. There are numerous examples from the early twentieth century to illustrate that although present in the business, women cab drivers were considered exceptional. For example see: *New York Times*, "Women Cabbies A Big Hit: So Popular in Paris That the Cabmen Masquerade as Women," March 23, 1907 p 5; *New York Times*, "London's Woman Chauffeur: Former Army Nurse Also Carries Medical Outfit in Her Taxicab," December 27, 1908 p 2; *New York Times*, "Fewer Women Cabbies: Petticoated Drivers Disappearing from the Streets of Paris," January 12, 1908 p 2; *New York Times*, "Woman Drivers Paris Taxicab: Lends Enlivenment to the Present Languid Life of the Boulevards," September 17, 1909 p 2; Mrs. Andrew Cuneo, "Why there are so few women automobilists," *Country Life in America* (March 1908): 515-516.

drivers. I think taxi-driving is for middle-aged women only.”² The belief that women drivers required scrupulous testing was a common refrain. It was also commonly accepted that young women were wholly unsuited for work as drivers.

The Second World War brought more women into taxi service and, in keeping with earlier concerns about women drivers, the press paid close attention to their age and testing. When the newspapers announced the licensing of Ella Murray, Phyllis Webb, Esther Burns, Emma Gorrie and Dorothy Buchanan in October 1943, a good deal of attention was paid to their credentials. Murray, the first of the five to receive her license, had been a private driving instructor who had trained some 400 learners. It was also noted that Murray had driven both trucks and private cars with the RCAF during WWI, and had been a civilian driver at Malton airport earlier in WWII. Webb had also been a private driving instructor for five years and a Major with the women's volunteer corps, while Burns had seventeen years of driving experience. Although no mention was made of Gorrie and Buchanan's driving skills, Inspector Edward Dunn reassured the public that they too had passed “a very strict test in handling cars and the rules of the road.”³

Popular notions about men's driving prowess and mechanical aptitude continued to cast doubt on women's driving skills. Traditional values concerning the fragile sanctity of women's moral character also endured, and regulations everywhere limited the age and operating hours of women drivers. Young,

² “Women Taxi Drivers”.

³ *Toronto Daily Star*, “Motor Matrons Run Trams Others Behind Taxi Wheels,” October 22, 1943 p 2.

morally virtuous women were considered especially vulnerable to the corruption of society and male predation. Thus regulators hemmed women drivers in with additional regulations. A 1943 by-law specified that women taxi drivers had to be at least twenty-five years of age, as opposed to twenty-one for men, operate only during the daytime shift, and pass a driving test conducted by a police officer appointed by the Chief Constable.⁴ In regard to their hours of operation, the by-law read,

No female licensed as an owner or driver under this By-law shall operate any cab between the hours of 7 p.m. of any day and 7 a.m. of the next following day, and no owner licensed under this By-law shall employ any female driver between the said hours.⁵

Forbidding women from operating a taxi at night protected them from social ills and abuse. It also protected society from the misuse of taxis by women of ill repute who might work as prostitutes from their cabs. Both the age requirement and the limitation on their hours of operation reflected the hyper-vigilance surrounding the protection of women's virtue.

What was most telling about the regulations designed to protect women drivers was not the question of whether or not the occupation posed risks – of

⁴ *Globe and Mail*, "Taxi By-law Ups Fares, Permits Women Drivers," September 17, 1943; Provincial Archives of Ontario (hereafter AO) RG 4-2-106.2 Taxicab Licenses – Toronto 1956-1957, "By-law No. 1 Enacted December 19th, 1956" (hereafter By-law No.1 1956). A typical reflection of the gendered image of the taxicab driver, the same age restriction was also applied to women taxicab drivers in Halifax, where the 1947 ordinance read: "No license shall be issued to any female driver who is under twenty-five years of age." Halifax City Regional Library (HCRL) Halifax City Council Minutes, April 17, 1947 p 273; also see Kimberly Berry, "She's No Lady: The Expression of Gender Among Halifax Women Taxi Drivers Since World War II," *Urban History Review* 27, no. 1 (October 1998): 23-35.

⁵ AO RG 4-2-106.2 Taxicab Licenses – Toronto 1956-1957, By-law No.1 1956.

that there had never been any doubt – but that standards of protection designed by regulators varied according to the identity, or gender, of the driver. The emphasis on testing and training for women operators also reflected the distance between popular notions of women's competencies and the image of the skilled taxi driver. The North American driving culture had long held driving as a manly pursuit and women venturing into any manly sphere aroused concerns for moral order. After all, the regulators wondered, what sort of woman would have either the ability or desire to drive a cab? Not a normal one, they figured. So the female taxi driver bore close scrutiny in case her morals were as deviant as her abnormal driving skills.

Nativism and English language standards

Another group subjected to additional testing were non-English-speaking drivers. Recommendations from the 1932 Committee to Report on the Taxi Industry revealed the preference for native-born, English-speaking taxi drivers, as the committee proposed that entry be restricted by nationality. The report recommended that applicants for taxi drivers' licenses be twenty-one years of age, a British subject, and of "good character" with no convictions of criminal offences. The proposed regulation further stated that successful applicants must be able to read and write English.⁶

After the Second World War, the knowledge and skill of taxi drivers continued to be measured through a number of entrance requirements. During the 1950s, applicants were required to obtain a chauffeurs' license, their

⁶ Toronto Public Library (hereafter TPL) Urban Affairs Branch (hereafter URB) 388.41321 T59 "Report of the Advisory Committee on Taxicabs" 1932, 26.

knowledge of the city was scrutinized, and they were given an exam consisting of twenty questions related to the operation of motor vehicles and the traffic regulations. In keeping with the requirement of “good character,” applicants had to supply two personal references and to report on their personal and employment history. Previous employers were contacted, as were the Criminal Investigation Bureau, the Highways Department, the Missing Persons Bureau and other offices, and either a police inspector or sergeant interviewed each applicant. Finally, the individual had to appear before the Cab Committee of the Board of Commissioners of Police where the decision was made to either grant or deny a taxi driver's license.⁷ After one was granted, there was a driving exam and a “psycho-physical” test that evaluated the driver's “nerves”, eyesight, reaction time, depth perception, and peripheral vision.⁸

When the Metropolitan Licensing Commission assumed jurisdiction over the taxi industry in the mid-1950s, the restrictions on entry and the applicant-evaluation process remained much the same. The by-law still demanded fluency in English: Every owner and driver was required to “speak, read and write the

⁷ City of Toronto Achieves (hereafter TA) Series 361, subsection 1, File 005, Taxicabs, Licensing 1953 Box 140520-9 “Report of the Committee on Taxicabs to the Board of Commissioners of Police for the City of Toronto” c1953, 24-25.

⁸ *Ibid.*

English language.”⁹ Similarly, applicants were examined for their knowledge of the provisions of the taxicab by-law, traffic laws, and geography of Toronto.¹⁰ Additional tests for driving skills and “psycho-physical reactions” continued, as did the examination of the applicant’s personal history, employment record, and education.¹¹ If the results of these examinations were deemed unsatisfactory, an applicant might still be granted a license under an order of the Metropolitan Licensing Commission, usually for humanitarian reasons.

Time for training

Despite these requirements, entry into the Toronto taxi business remained relatively easy and readily accomplished. Thus, driving a taxi became a source of income for many who needed immediate employment. During the 1970s, amid renewed calls to “clean up” the taxi industry, the city of Toronto began to significantly enhance its taxi driver-training program. Once again, taxicab drivers were among those who actively contested the image of, and conditions in, their occupation. The call went out for higher entrance standards, more formal training, and more rigorous testing. In Toronto, as elsewhere in Ontario, there

⁹ AO RG 4-2-106.2 By-law No.1 1956, 38. In an industry where many immigrants find employment the issue of English-language competency has surfaced repeatedly. Cries for more strenuous testing of facility with the English language were particularly noticeable in the later decades of the twentieth century when new patterns of immigration brought greater numbers of new-Canadians from Africa and Asia. During the 1990s, for example, language testing for taxi drivers made headlines from Halifax to Vancouver. For example: *Daily News*, “Cabbies need English tests: taxi chairman,” December 15, 1991; *Daily News*, “Leading taxi firm supports drivers’ language training,” January 10, 1992; *Chronicle Herald*, “Edmonton cabbies to be tested for English,” June 14, 1999 p A6; *The Province*, “Cab Drivers Protest New Language Test,” February 18, 1997.

¹⁰ AO RG 4-2-106.2 By-law No.1 1956, 38.

¹¹ *Ibid.*

were no restriction on the number of taxi driver's licenses issued, no educational prerequisites, only minimal testing, and mainly on-the-job training for new drivers. As was typical of low-status workers with modest earnings, Toronto taxi drivers generally had limited education and few alternative skills.¹² Proponents of more rigid entry standards argued that both the quality of service and the job status of drivers would be improved by more rigorous entry standards. In a submission to a Special Sub-Committee of the Metropolitan Council the Toronto Union of Taxi Employees (TUTE) proposed to establish and operate a two-day course to train new drivers. It argued that the responsibility for training should rest with the drivers themselves. Their report read,

Since we, the drivers, are the most experienced in the actual contact with the public (the most difficult part of the job), it is our opinion that we are best qualified to operate such an instruction course.¹³

The union proposed a series of six lectures to cover such topics as the Metropolitan by-laws; civic responsibility; operation of a two-way radio; the maintenance of proper trip sheet records; meter operation; safe driving; courtesy and cleanliness; and, finally, the expectations drivers should have of their trade.¹⁴

¹² AO RG 7-14-0-181.1 "The Taxicab Industry in Ontario: Factors Related to the Employment Status of Drivers," October 1973, 37-38. The marginal status of Toronto taxicab drivers was noted in the 1973 study by the Department of Labour. Reminiscent of Zwicker's observations of wounded World War II veterans having first priority for employment in the Calgary taxi industry, the report also observed that a number of drivers had unnamed physical disabilities that prevented them from working in other occupations. See Donna Alexander Zwicker, "Alberta Women and World War II," (Masters Thesis, University of Calgary, 1985), 120-121.

¹³ AO RG 7 140 181.1 "Special Sub-Committee of the Metropolitan Toronto Council to investigate the Taxi Industry" c1971, 7.

¹⁴ *Ibid.*

The union also advocated more rigorous tests for prospective drivers while arguing that drivers with insufficient knowledge of the city hurt the image of the industry and discouraged the public from using taxis.¹⁵ Some taxicab owners also joined representatives of the tourist bureau in expressing concern over industry standards and advocating more rigorous testing of drivers. A representative for the tourist bureau suggested that all drivers be trained in the history of the municipality and its major points of interest. He declared that if drivers were made aware of the important impression they gave to visitors, there would be a general improvement in their deportment and appearance.¹⁶

In November 1973, the Special Committee to Report on the Taxicab Industry recommended that the qualifications and education of Toronto taxicab drivers be increased. It recommended several changes that included: a special test to be administered by the provincial Ministry of Transportation to ensure safety consciousness; a certificated medical exam for all applicants to be renewed every three years; the creation of a taxi school; and the preparation of an instructional booklet to assist new drivers.¹⁷

The proposal for a school for taxi drivers caught the attention of local newspapers. Of particular interest was the suggestion of Committee Chair Mel Lastman that drivers should be trained to assist expectant mothers in an emergency to deliver their babies. Although this idea seemed ludicrous to some, many pregnant women did use taxis to reach hospital at the time of delivery. In

¹⁵ *Ibid.*, 8.

¹⁶ TPL URB 352.91841 M264 C.1 "The Municipality of Metropolitan Toronto The Special Committee to Report on the Taxicab Industry," November 20, 1973, 43.

¹⁷ *Ibid.*, 44-46.

addition to many close calls, some taxi drivers had found it necessary to assist women who gave birth before they reached the hospital. According to Lastman, more babies were born in taxicabs than in ambulances.¹⁸ Veteran taxi driver and author John Johnson also testified to the frequency with which taxis were used as ambulances:

They say it takes longer to get an ambulance than it does to get a cab. I don't know about that, but I do know that a lot of trips really *should* [Johnson's italics] be ambulance runs... Maternity cases, for instance: where the hell are all the fathers hiding? If my experience means anything, about four out of five women go to the hospital alone; and just what, for Christ's sake, am I supposed to do with a woman who has very obviously waited a couple of hours too long before heading to the hospital? It's been a near thing more than once.¹⁹

Lastman responded to critiques of his proposal by saying, that he did not intend to "put our hospital maternity staff out of business"; rather he aimed to give drivers a "basic knowledge" to ensure that they would "keep a cool head in case of an emergency."²⁰ Only months after the taxi school was established Lastman's proposal seemed vindicated. Although it was not clear whether or not driver

¹⁸ *Toronto Sun*, "Shakes Mayor Lastman at school for cabbies," October 6, 1974 and *Toronto Sun*, "Lastman's school for cabbies," October 9, 1974; The Metropolitan Licensing Commission also instructed applicants to be familiar with metro area hospitals because taxis were "often called in emergencies to transport passengers to hospitals' emergency entrances." TPL URB TOR 388.41321 M26.2 DESK-1 TO "Handbook To Effective Cab Driving" Metropolitan Licensing Commission," 1978, 47. Similar examples from outside Toronto included a baby delivered in a Capital Cab in Ottawa in the winter of 1978. See *Toronto Sun*, "Woman in Labor Left Stranded," November 15, 1978. During the late 1990s cab drivers in Bangkok also began to be trained in midwifery, and it was estimated that 300 to 400 babies a year were born in Bangkok taxis and tuk-tuks. See *Mail Star*, "Traffic cops, cabbies get baby training," March 21, 1997 p A21.

¹⁹ John Johnson, *TAXI! True stories from behind the wheel*, (Toronto: Macmillan of Canada, 1978), 43.

²⁰ "Shakes Mayor Lastman".

Martin Winick had studied midwifery, he was awarded a trophy for outstanding service after he helped an expectant mother to deliver her baby in his cab on route to a hospital.²¹ With or without the training, Winick's experience showed that driver preparedness might not go to waste.

A proposal by North York Alderman, Jack Bedder, also aimed to prepare taxi drivers for emergencies. In addition to a requirement that drivers obtain training in first aid from St. John Ambulance, Alderman Bedder suggested that drivers carry first aid kits, oxygen units, and fire extinguishers in their cabs.²²

Like the Cabs On Patrol (COP) program described in Chapter Four, the municipality was happy to use Toronto taxi drivers as unpaid, front-line emergency-service personnel. From the perspective of Metro Hall the proposal had no downside; taxi drivers would pay for their own training and not be given any additional remuneration for their work as emergency-service personal. In that way the city could boast several thousand workers on the street, day and night, trained to assist in the case of an emergency, cost to the municipality – zero; value to the public – priceless.

Yet some members of the taxi industry openly objected to the absence of remuneration for the public service they were expected to deliver. Johnson was among the drivers who expressed his frustration over the lack of compensation for emergency services performed by taxi drivers. Referring to passengers in need of ambulance services Johnson noted that such calls put “a load on the

²¹ TPL URB MLC Minute Book 1975, minute no. 1, January 22, 1975.

²² Barney McKinley, “First aid cabbies? No way,” *Toronto Sun*, August 3, 1973.

cab-driver that he's neither trained *nor paid* [Johnson's italics] to handle".²³ With respect to Lastman's recommendation, he noted the absence of remuneration:

One of our louder local politicians has been pushing a scheme whereby all cab-drivers would have to take a course in midwifery. Nobody has suggested paying us a little extra, should the need for this kind of service ever arise, nor is it recorded that the same politician has ever directed his massive intellect to finding out why it takes so damned long to get an ambulance.²⁴

The union also responded negatively to Lastman's report, pointing out that while increased training was a positive move, it would be counterproductive if drivers' conditions and wages were not improved. It asked, "Who will want to take stiffer exams to work in an industry that doesn't pay a decent wage?"²⁵ Al Sadoff, then general manager for Diamond Taxicab Association, also openly criticized what he saw as the excessive demands on taxi drivers. Sadoff said,

Mr. Lastman wants [the drivers] to be midwives and judo experts and the customer wants them to shovel snow off the walkway. Now this Mr. Bedder wants them to be first aid men, resuscitators and firemen.²⁶

Although the taxi union supported improved driver training and more rigorous testing for drivers, it also objected to the public using taxis for ambulance service. In a brief submitted to Lastman's committee, the TUTE proposed that drivers be

²³ Johnson *TAXII*, 43.

²⁴ *Ibid.*

²⁵ TPL URB 352.91841 M263 T59 C.1 "Brief Submitted by the Toronto Union of Taxi Employees Local 1666, Canadian Labour Congress Re: Report of the Special Committee to Report on the Taxicab Industry dated November 20, 1973" February 1, 1974 p 8.

²⁶ McKinley "First aid cabbies?"

given the right to refuse specific fares including “drunks”, people who were threatening or argumentative, and people in need of ambulance services.²⁷

Although the recommendation to equip taxicabs with oxygen and fire extinguishers never came to fruition, the taxi school that opened in October 1974 did instruct drivers on how to deliver a baby in an emergency.²⁸ Its full program consisted of a fifteen-hour course delivered over two and one half days. Drivers were instructed on topics such as the geography of metro Toronto, cleanliness and courtesy, safe driving, self-defence, the assistance of passengers with disabilities, the handling of obnoxious passengers, and the basics of delivering a baby. The course concluded with a three-hour examination that required a pass mark of eighty-five percent.²⁹ The course and test represented a challenge to prospective drivers; the days of same-day employment were over.

Although some owners complained that the taxi school thereafter contributed to a shortage of drivers, the intent of the training program was to increase the quality, rather than reduce the quantity of taxi drivers. Even so, the list of grievances submitted by the Taxi Fleet Owners and Operators Association in 1977 included a complaint against the driver-training program. The Association claimed that the driver training school had not increased the quality of drivers, but had contributed to the labour shortage. The association observed that many

²⁷ *Toronto Star*, “Taxi union wants fines, stiff tests for drivers,” January 31, 1973; AO RG 7-14-0-181.1, LEG 01-2, Employee - Taxi Cab Drivers, 1972 “Labour Representative as a member of the Metropolitan Licensing Commission” n.d., 8.

²⁸ McKinley “First aid cabbies?”

²⁹ “Shakes Mayor Lastman at school for cabbies,” October 16, 1974; *Toronto Sun*, “Lastman's school for cabbies,” October 9, 1974; *Toronto Star*, “Manners taught at cabby college,” October 15, 1974; *Toronto Star*, “School for cabbies,” October 12, 1974.

potential drivers, who had a need for immediate employment, were unwilling to endure the delay posed by the training requirements. In the opinion of the association, the training program had “proven to be a millstone around the industry’s neck.”³⁰

The introduction of the taxi school did indeed create an indirect barrier to entry, but the driver shortage could hardly be blamed on it, for the shortage was chronic and long-standing.³¹ Although the absolute number of new drivers may have been reduced, the pass rate among the first participants in the taxi school was higher than for those applicants who were tested the year prior, an indication that the extended training and instruction better prepared applicants for the written exam. During the first six months of 1973, almost two thousand applicants wrote the exam to qualify for a Toronto taxi drivers license, of whom only 58 percent passed.³² By January 1975, twenty-two classes had been completed and 424 of the first 521 applicants, or approximately 81 percent, received taxi drivers'

³⁰ TPL URB 352.91841 A62 “Applications submitted to the Metro Toronto Licensing Commission” March 1977.

³¹ References to the shortage of taxi drivers during the early 1970s can be found in the newspapers, government documents, academic studies, and committee reports. For examples see Margaret Daly, “Metro seeks a cure for our ‘sick’ taxi industry,” *Toronto Star*, Monday March 6, 1972; AO RG 7-14-0-181.2 P. Ferlejowski and H. Stiebert, “The Taxicab Industry in Ontario: Factors Related To The Employment Status of Drivers,” (Research Branch, Ontario Ministry of Labour, October 1973): 33 and 39-40; Jerome Whyte. “A Description and An Analysis of Interactions in the Taxi Industry, and Some Suggestions for Improvement” (unpublished paper submitted to Prof. Frisken, Social Science 471, April 2, 1974), 60-63; TPL URB 352.91841 L13.2 Desk1-TO Mel Lastman Mayor, Borough of North York, “Report on the Metropolitan Toronto Taxi Cab Industry to Metro Legislation Committee,” January 22, 1975 10.

³² “During the first six months of [1973] 1,057 applicants passed the examination while 766 failed.” TPL URB 352.91841 M264 C.1 “Metropolitan Toronto Special Committee to Report on the Taxicab Industry” November 20 1973 43.

licenses.³³ The continued absence of any limit on the number of taxi drivers' licenses issued, and the high success rate among participants demonstrated that the school's mandate was honestly being followed; it was improving industry standards rather than endeavouring to create a scarcity of drivers.

Jerome Whyte, a York University community planning and sociology graduate who had spent four summers driving cab, organized the original course.³⁴ Throughout the 1970s, the course focused on four fundamental elements of the trade: knowledge of the applicable city by-laws; urban geography; driver deportment, and emergency preparedness. Each of these components could be found in a booklet produced by the Metropolitan Licensing Commission as part of the training program. The course text, *A Handbook to Effective Cab Driving*, was a useful resource for new drivers as it contained a copy of the by-laws (which accounted for more than half of the book), ten pages on geography that included lists of major streets running north-south, east-west,

³³ TPL URB 352.91841 L13.2 Desk 1-TO Lastman, "Report on the Metropolitan Toronto Taxi Cab Industry," 1.

³⁴ *Toronto Sun*, "Lastman's school for cabbies," Sunday October 9, 1974; As part of an urban studies program, Whyte submitted a research paper on the Toronto taxi industry. He spent six months researching the paper and interviewed over two-dozen drivers, five dispatchers, and various "influential" individuals from six of the largest brokerages. See Jerome Whyte. "A Description and An Analysis of Interactions in the Taxi Industry, and Some Suggestions for Improvement." Unpublished paper submitted to Prof. Frisken, Social Science 471, April 2, 1974. Although the taxi drivers union did not administer the taxi school, some drivers did attempt to share their knowledge and experience in order to educate others. One driver, A. A. Rubin, who also had experience as a photo engineer, proposed to create an instructional film for training new drivers. Rubin proposed to install film and sound equipment in his taxi for at least 250 operating hours to create footage for an instructional film that would offer a realistic and comprehensive portrayal of the trade. See *Toronto Star*, "Cabby would shoot fares – on film," December 11, 1974; TPL URB MLC Minute Book 1974, minute no. 415, December 18, 1974.

diagonally, “complicated streets”, hospitals, police headquarters, hotels, major shopping plazas, etc. There were also two smaller sections entitled “Techniques” and “General Emergency”. The “Techniques” section offered instructions on how to read a street guide, the proper way to fill in a trip sheet, an explanation of how taximeters operated, the reasons for keeping a clean car, and a reminder that civil and courteous behaviour among taxicab drivers was a requirement of the municipal by-law. Instruction on the operation of the two-way radio was included in the “General Emergency” section, along with guidelines for the proper handling of a wheelchair and tips on defensive driving.³⁵

Sean McCann, a staff writer at the *Toronto Sun*, who attended the taxicab driver school in 1978, described his experience of the four sessions in the newspaper. McCann wrote that the geography session was “by far the most painful,” and according to the instructor, Lorne Barchuk, it was “the section that separate[d] the men from the boys.”³⁶ The morning session of the second day, which covered defensive driving, and delivering babies, utilized two films. The “shocker,” as McCann described it, was the film “Emergency Childbirth”. Although the instructor, Lindsay Eaglesham, warned the class about the amount of blood and advised drivers to “try and make it to the washroom” if they were going to vomit, McCann wondered whether Lindsay took “some kind of sadistic pleasure showing the movie just before lunch.”³⁷ The second afternoon dealt with meters, run sheets, and radios, while the third day was reserved for the exam.

³⁵ TPL URB TOR 388.41321 M26.2 DESK 1- TO “A Handbook to Effective Cab Driving” by Mr. H. J. Neville, Metropolitan Toronto Licensing Commission, 1978.

³⁶ Sean McCann, “To be a cabby: It’s no free ride,” *Toronto Sun*, June 11, 1978.

³⁷ *Ibid.*

According to McCann, seventy percent of drivers passed on their first try, and those who failed could rewrite the exam once. They would have to repeat the course, however, if they did not pass the second time.³⁸ McCann and the others who successfully passed the exam received their taxi driver's license on the spot.³⁹

The training program remained virtually unchanged for the next twenty years.⁴⁰ However, the 1990s changed the focus on driver training. In October 1995, the Metropolitan Licensing Commission passed a motion to establish a subcommittee to examine the operation of the taxi school and to improve its curriculum. As a result, the Training and Development Staff of the Toronto Licensing Commission developed a new, seventeen-day "Effective Taxicab Driver Training Program".⁴¹ The revised training course, held over three weeks, opened in October 1996. Its program offered a stronger focus on elements of customer service including the service of passengers with special needs (such as the elderly and passengers with disabilities) and additional instruction to increase

³⁸ *Ibid.*

³⁹ *Ibid.* In 1978, McCann and other new drivers paid \$10 for their first license. Only three years later, in 1981, the cost of the first license had almost tripled to \$29. See Amanda Hanson, "Toronto's Taxis," *Business Journal*, (December 1981) 36.

⁴⁰ In 1980, the course was slightly lengthened to three full days. In 1985, the Metropolitan Licensing Commission decided not to pursue an offer by George Brown College to deliver a comprehensive training course that would include nine modules of approximately thirty hours each, but modestly expanded the course to five days. "The Effective Taxicab Driver Training Program" unpublished training binder. Forward by Glenn Steeves January 2001.

⁴¹ <http://taxi-library.home.att.net/tor98-01.htm> (accessed June 3, 2005) "Report to Review the Toronto Taxi Industry by the Toronto Task Force to Review the Taxi Industry," October 1998, 52; "The Effective Taxicab Driver Training Program" unpublished training binder. Forward by Glenn Steeves January 2001.

drivers' knowledge of local tourist attractions.⁴² In addition to expanding the curriculum, the Metropolitan Licensing Commission also began to use training modules as a disciplinary measure. Drivers convicted of offenses under the by-law would be required to repeat the appropriate training module.⁴³

Crisis in leasing

While authorities attempted to ensure quality control through enhanced driver training, there was mounting evidence that the source of the problems with the taxi industry was economic, not cultural, which suggested that a solution based on educational initiatives was misguided. In addition to criticizing drivers' knowledge and service skills, industry observers complained that taxi vehicles were old, dirty, and dangerous – indications that drivers were not keeping up their investment. Again, local businesses, particularly those in the hospitality industry, complained that the ailing taxi industry impacted their operations directly. For example, hoteliers said they frequently had to offer guests a free night or other complementary service as a result of poor taxi service.⁴⁴

The concern over the “quality of some of the cars and the attitudes of some of the drivers” prompted the Tourism Committee of the Metropolitan Board of Trade to commission a study of the role of the taxicab industry in Toronto's

⁴² Marion Joppe “Metro Toronto Taxicab Industry Obstacles and Opportunities of Introducing an Enhanced Training Program Final Report,” February 11, 1997, 7 <http://taxi-reg.home.att.net/toronto.htm> (accessed June 3, 2005); Dick Chapman, “Metro Takes A Stand On Taxidriviers and Owners,” *Toronto Sun*, October 14, 1996 p 12.

⁴³ Joppe, “Obstacles and Opportunities”.

⁴⁴ By-law Review Sub-Committee, “Discussion Paper on Taxicab Leasing and Related Issues,” July 8, 1996. <http://taxi-reg.home.att.net/leasing.htm> (accessed November 30, 2005).

tourism industry. Authored by Marion Joppe, later the director of the School of Hospitality & Tourism Management at the University of Guelph, the report "Obstacles and Opportunities of Introducing an Enhanced Training Program," was completed in February 1997. Joppe proposed four options for upgrading the service quality of Toronto taxi drivers, all of which focused on driver training and improved communication between the tourism and taxi industries.⁴⁵

Significantly, the report also revealed that underlying the issues of driver service and vehicle quality was a complicated system of plate leasing and an outdated regulatory by-law in need of revision. This aspect of the Report was not exactly news to Municipal authorities, for they had been considering by-law reform since 1989. But they had yet to implement a plan.⁴⁶ Joppe asserted that because the municipality had yet to finalize its reform, the Board of Trade and Tourism Committee had a "unique opportunity to argue for the inclusion of some of its priorities with respect to the quality of cabs and drivers."⁴⁷

The Report's findings came as news to almost no one. A reporter for the *Toronto Sun* quipped, "The \$10,000 commissioned study found what most taxi hailers and one spare afternoon could have told ya for free." He succinctly

⁴⁵ Joppe, "Obstacles and Opportunities"

⁴⁶ Joppe documented how the Metro Council had recognized, as early as 1989, the need to reform the by-law in order to eliminate its obsolete provisions. A report concerning the by-law was written by former Metro Solicitor George Rust d'Eye, but never made public. By 1993, the MLC had set up a By-law Review Committee and a report entitled "Taxicab Leasing and Related Matters" was forwarded to the Human Services Committee of Metro Toronto Council in 1997. The Human Services Committee made recommendations to Council, however, the MLC asked that the entire report be referred back to the Commission for further study. Joppe, "Obstacles and Opportunities".

⁴⁷ *Ibid.*

summarized his observation of the industry saying, "Too many Toronto taxis are rancid jalopies driven by cabbies who know little about this city."⁴⁸ Although most of his article was devoted to deriding the drivers and the vehicles he encountered, the reporter did interview a driver who hinted at the bigger problems in the industry. Larry Solar, who had been voted "best cabby" by *Toronto Life* and *Toronto Sun* Readers' Choice Awards, explained, "Customers want a clean car, a car that smells good and they want clean drivers, but those three are difficult if the driver has lived in his cab for several days, as many do."⁴⁹

The desperate state of the industry made headlines again when the *Toronto Star* published a series of investigative articles in March 1998. Following a "month's-long" investigation, staff reporter Peter Cheney wrote several articles that described the working conditions of Toronto taxi drivers and documented the complicated and exploitive system of plate leasing that had developed since the era of waged drivers and company cars had passed after World War II.⁵⁰ The series revealed that economics were at the root of the problems with the taxi industry. Cheney made the connection between the contemporary problems in

⁴⁸ Michele Mandel, "Raising a stink about T.O. cabs," *Toronto Sun*, March 16, 1997 p 11.

⁴⁹ *Ibid.*

⁵⁰ Peter Cheney, "A licence to print money: Tiny metal plate at heart of taxi industry woes," *Toronto Star*, March 14, 1998; Peter Cheney, "King of cabs," *Toronto Star*, March 14, 1998; Mike Slaughter, "Surprising collection of people hold plates," *Toronto Star*, March 14, 1998; Peter Cheney, "Cabby's Life is Long Days, Low Pay, No Hope," *Toronto Star*, March 15, 1998; Peter Cheney, "Fare Play?" *Toronto Star*, March 15, 1998; Peter Cheney, "Taxicab Licenses Flagged for Change," *Toronto Star*, March 17, 1998; Peter Cheney, "Cabby waits for pot of gold," *Toronto Star*, March 20, 1998; Peter Cheney, "Insults fly at taxi talks," *Toronto Star*, March 25, 1998; Peter Cheney, "Happy cabby, tidy cab," *Toronto Star*, March 29, 1998; also see Editorial, *Toronto Star*, March 18, 1998; Don Wanagas, "Cabby Industry is in for Repairs," *Toronto Sun*, March 25, 1998.

the industry and the “taxi deals” of the 1950s and quoted Metro Chairman Frederick Gardiner who described the exploitation inherent in the leasing system: “The license owner was in a position to make another man a slave for life”⁵¹

As discussed in Chapter One, during the 1930s theories of destructive competition had persuaded regulators to restrict entry into the taxi industry by limiting the number of licenses. Though conceived as a protection for driver incomes and a curb on illegal activities, the policy of restricted entry had created instead a market value for taxi licenses that led to illicit trafficking in plates. Owners had been able to generate healthy profits by leasing their taxi plates to drivers, a practice illegal under the taxi regulations of the postwar era, but impossible for the regulators to prevent. Consequently, the MLC merely attempted to supervise the agreements to ensure fairness.⁵²

Since its creation in 1957, the MLC had made three important adjustments to the by-law that, in effect, tolerated plate leasing. However, in trying to tame the monster that could not be killed, municipal authorities had allowed the problem to grow, and it now threatened to take a bite out of Toronto’s tourist economy. When the MLC was established, license transfers were frozen except with special permission of the commission. The first regulations of the Commission attempted to set a limit on the price of taxi plates of \$100 for “goodwill” for each year the vendor had held the license, plus fair appraised value of the equipment. This policy changed in 1963 when the commission loosened its controls and

⁵¹ Cheney, “Heart of taxi industry woes”

⁵² Most newspaper reports and policy studies of the Toronto taxi industry trace the problems with leasing to the 1960s and 1970s when the municipality made changes to the by-law.

allowed plates to be sold for any price, provided that the full amount was paid in cash at the time of transfer. The next major change came in 1974 as a result of the report of the special committee on the taxi industry. Drivers were now allowed to pay for the plate over time.⁵³

According to the 1996 report of the By-law Review Committee of the Metropolitan Licensing Commission, leasing had blossomed since the mid-1980s. The report documented that in 1982, leased plates had accounted for 33 percent of the Toronto taxi fleet, in 1986, 45 percent, and in 1996, about 75 percent – or more than twice as much as fourteen years earlier.⁵⁴ Additionally, the costs associated with leasing had increased with the market value of scarce taxi licenses, as none had been issued since 1990.⁵⁵ Furthermore, the creation of middlemen to administer lease arrangements had also increased the cost of leasing. Many owners had delegated the administration of their lease agreements to middle managers referred to as “designated agents.”

Designated agents worked on behalf of a variety of owners including elderly drivers (and sometimes their widows) who, having put in their years on the road, and had retired on their investment in a taxi license. Some of the

⁵³ National Archives of Canada (hereafter NAC) MG 28 I 103 Canadian Labour Congress Papers (hereafter CLC papers) Reel H-666 Rheal Bastien CLC Assistant Director of Organization to M.K. Carson, Canadian Brotherhood of Railway, Transport and General Workers, “A Recent History of the Toronto Taxi Industry” c.1971, 2; Joppe, “Obstacles and Opportunities”; Metropolitan Licensing Commission Minute Book 1963 Minute 37, March 20, 1963

⁵⁴ By-law Review Subcommittee, “Taxicab Leasing and Related Issues”.

⁵⁵ In 1998, the street value of a Toronto taxi plate was established at \$90,000 and the official government price was \$5,681. See Jason Brooks, “New Zealand’s ‘open’ taxi system shows Toronto way ahead,” *The Financial Post*, (July 25-27, 1998) 19.

investors had, however, little knowledge of the industry. They just liked the return on investment. Although taxi brokers in the post-war period did not own and lease out company cars, in many cases the executives were designated agents for numerous plates. For example, in 1992, both the president (Bruce Bell) and the vice-president (Bob Milkovich) of Diamond Taxicab Association acted as designated agents for owners of 173 taxicabs that operated under the Diamond banner.⁵⁶ The arrival of designated agents represented a new layer of costs, as described in the 1996 report of the By-law Review Committee:

In legal terms the agent stands in the shoes of the owner.... However in practical terms ... the agent is another form of lessee. The agent rents the plate from the owner and then finds a driver who in turn leases the plate.⁵⁷

The report argued that the intercession of a designated agent distanced the owner of a license from maintaining the vehicle being used or the taxi service being offered by the driver. Therefore, the use of a designated agent “by default abrogate[d] [the owner’s] responsibility to put a quality product on the market.”⁵⁸ These arrangements translated into abysmal working conditions for drivers. Lease fees were growing ever higher under the burden of paying both owners

⁵⁶ *RWDSU v. Diamond Taxicab Association (Toronto) Limited et. al.* [1992] OLRB Rep 1143, p 1154. For a description of designated agents see: TPL URB 352.91841321 C34 1994 Bruce Chapman, “Taxicab Regulation in Metropolitan Toronto: A Background Paper Prepared For The Metro Licensing Commission,” February 1994, 4 and 11; Collective Agreement Library (hereafter CAL) File No. 512 0031 4581, MacDowell, “Mediation – Arbitration and Award In the Matter of Mediation – Arbitration between Retail Wholesale and Department Store Division of the USWA and Diamond Taxicab Association (Toronto) Ltd., The Metro Group of Companies, and Associated Toronto Taxi-Cab Ltd (Co-Op),” (hereafter MacDowell Award) 38 and 43-44.

⁵⁷ By-law Review Sub-Committee, “Taxicab Leasing and Related Issues”.

⁵⁸ *Ibid.*

and their agents, which meant that drivers had to put in long hours for an income that generated little or no money for reinvestment in the vehicle. Additionally, both the financial and physical stress of leasing lowered the drivers' ability to deliver "quality" service. Pressed to make money and perpetually fatigued, drivers were not likely to perform niceties such as opening the door, helping with luggage, or making pleasant conversation. Thus much of the crisis with service and vehicle repair was rooted in the economic conditions created by plate leasing. The uneducated driver was taking an unfair rap.

These were the conditions that the *Toronto Star* exposé documented. In essence, the complaints of drivers like Philip Ely, who had toiled under exploitive taxi deals during the 1950s, had been magnified in the 1990s. In addition to poor working conditions for drivers, this festering ulcer had become a public eyesore – decrepit vehicles driven by surly, unhealthy drivers. Customer complaints and concern for the tourist economy made the taxi-lease system a priority for regulatory reform. Even a Conservative-led provincial government normally committed to a laissez-faire market, was concerned enough by the crisis of service in the Toronto taxi industry to urge some action. A local paper reported that Ontario Trade Minister Al Palladini, having described the drivers as "rude cabbies" with insufficient knowledge of the city, expressed concern that they and their "beat-up cabs" were turning off tourists. Similarly, Premier Mike Harris complained that the licensing system was "outdated" and in need of reform.⁵⁹ In keeping with the concerns of local business interests and the provincial

⁵⁹ Brooks, "New Zealand's 'open' taxi system".

government, the MLC approached the issue with a heightened sense of urgency – authorities seemed determined to finally find a lasting solution.

Although it was not openly addressed in the local press, there was a critical factor, present at the close of the twentieth century, that helped to rally the forces to deal with the ills of Toronto's taxi industry. Doubtlessly, both the business and government recognized that the industry had become a problem of "Olympic" proportions. By 1998, efforts aimed at winning the bid for the 2008 Olympic games for Toronto were well underway.⁶⁰ To assist the bid, the Toronto Board of Trade and Tourism had already created a "working group" consisting of local businesspeople, taxi owners, taxi drivers, labour unions, and the tourism industry to develop a proposal for reform. Executives of the Board of Trade presented their five-point proposal to the Emergency and Protective Services Committee in March of 1998 (approximately ten days after the *Toronto Star* had printed the first articles in the Cheney series). The report was prefaced with the following remarks:

A number of recent articles in the *Toronto Star* have brought to the forefront once again the state of Toronto's taxi industry. This situation has

⁶⁰ The official first step in the bid process was taken in 1996, when the mayors in the Greater Toronto Area (GTA) filed a letter of intent with the Canadian Olympic Association (COA). By February 1998, Toronto City Council's Strategic Priorities Committee had approved "in principle" the bid to host the 2008 Olympics. At that time, proponents of the bid had already been working for eighteen months on the proposal. See "City Committee Backs Olympic Bid: Many Promises, Many Questions, Few Answers!" *Bread Alert* (Internet Edition) 2, no. 3 (February 26, 1998): n.p. <http://www3.sympatico.ca/truegrowth/1olytor.htm> (accessed December 7, 2005); Glenn Cooly, "Behind the latest bid," *NOW On*, 15, no. 48 (August 1-7, 1996) <http://www.nowtoronto.com/issues/15/48/News/feature1a.html> (accessed 7 December 2005).

been of particular interest to The Toronto Board of Trade because of its impact on the business community and Toronto's tourism industry.⁶¹

The recommendations of the 1998 Task Force report included items concerning the age of taxi vehicles; the adoption of Provincial Safety Standards Certification for taxi inspections; criteria for notice of cancellation for lease agreements; the reorganization and regulation of designated agents; and, the approval of joint ownership of a taxicab by the driver and plate owner.⁶² Because the recommendation for joint ownership would further entrench the practice of licensing vehicles, it received a hostile response from the drivers and from Councillor Howard Moscoe who saw leasing as the crux of the problem with the industry. According to a newspaper account of their meeting, Moscoe told board members that they had been "conned" by plate holders and said, "You should be ashamed to present this document." Calling it "a shoddy report," Moscoe explained that it did not address the root of the problem; rather than fix plate leasing the reforms would only make it worse.⁶³

Within weeks, the Emergency and Protective Services Committee reported to City Council recommending a task force to examine the taxi

⁶¹ Emergency and Protective Services Committee. "Clause 2 'Establishment of a Task Force to Review the Taxi Industry,'" in Report No. 3 of the Emergency and Protective Services Committee, as adopted by the Council of the City of Toronto at its meeting held on April 16, 1998. Establishment of a Task Force to Review the Taxi Industry <http://www.toronto.ca/legdocs/agendas/committees/ti/ti980504/it002.htm> (accessed December 5, 2005).

⁶² Emergency and Protective Services Committee meeting March 24, 1998 "Agenda," <http://www.toronto.ca/legdocs/agendas/committees/ep/ep980324/agenda.htm> (accessed December 6, 2005).

⁶³ Peter Cheney, "Insults fly at taxi talks," *Toronto Star*, March 25, 1998.

Industry.⁶⁴ By October 1998, the task force had issued its final report and concluded that the Toronto taxi industry had “suffered a gradual decline in service quality” since the 1960s. It recommended immediate measures to address vehicle safety as well as more long-term restructuring of the industry to take place over a five-year period in order to ensure “a quality taxicab service for Toronto that will support its image as a world class city.”⁶⁵ The proposed solution was presented as an integrated package and the report made it clear that successful reform could only be achieved by implementing all of its recommendations.

The package, although it contained more than fifty recommendations, had one central element – a new “class” of driver, the “Ambassador Class” driver, who would require a new training program. The Ambassador Class driver would have an Ambassador taxi license and drive an Ambassador taxicab with its own, particular specifications. In addition to this innovation – easily the most significant since 1938 – the 1998 reform package included a “Passenger Bill of Rights” and enhanced enforcement of existing regulations.

Education was a critical component of the reform package and included both entry-level training requirements and also retraining programs, not only for

⁶⁴ Clause 2 “Establishment of a Task Force to Review the Taxi Industry,” in Report No. 3 of the Emergency and Protective Services Committee, as adopted by the Council of the City of Toronto at its meeting held on April 16, 1998. Establishment of a Task Force to Review the Taxi Industry. <http://www.toronto.ca/legdocs/agendas/committees/ti/ti980504/it002.htm> (accessed December 5, 2005).

⁶⁵ Toronto Task Force to Review the Taxi Industry, “Report to Review the Toronto Taxi Industry,” October 1998 <http://taxi-library.home.att.net/tor98-01.htm> (accessed June 4, 2005).

drivers, as in the past, but also for owners and designated agents. The report recommended an annual, five-day certification course for all taxicab owners and designated agents; a biennial, three-day training program for all taxicab drivers; and a one-time, three-month, advanced driver-training program for anyone seeking to be an Ambassador taxi driver.⁶⁶

To reverse the downward trend towards leasing and fewer owner-operated vehicles, and to create an owner-driver system based on the principle of one driver per vehicle with non-transferable plates, the reforms sought to return the taxi plate to its “rightful” place as simply a permit to do business by eliminating its value as an investment. This goal inspired the Ambassador Class taxicab license. It would be issued only to candidates who had successfully completed the advanced driver-training program, was to be operated solely by that individual, and could be neither transferred nor leased. In other words, the Ambassador plate would have no market value.⁶⁷ The existing traditional taxi plates, were protected by a grandfather clause and could still be leased and transferred from one owner to another, but would no longer be issued by the city. By offering drivers an affordable alternative to exorbitant lease fees, the regulators intended to devalue the traditional plates by effectively flooding the market with new Ambassador plates. The city proposed to issue 300 Ambassador plates each year for the first three years. This promise was welcomed by hundreds of drivers desperate to free themselves from the high cost of leasing and eager to become owner-operators. The owners of traditional

⁶⁶ *Ibid.*

⁶⁷ *Ibid.*

taxi plates and the designated agents that managed them were less enthusiastic about this regulatory scheme. The city was promising to make the traditional taxi plate – once coveted as a lucrative investment – essentially worthless.

To generate support for these reforms, proponents pointed to the deplorable condition of taxi vehicles, the lousy service delivered by overworked drivers and placed the blame firmly on the heads of traditional plate owners who were cast as exploitive absentee investors who reaped copious reward from minimal effort. For most observers, this incongruity between merit and reward was sufficiently disturbing to justify dramatic reforms.⁶⁸ For anyone in doubt of the moral imperative for the licensing regime, there was also a sound economic argument – the taxi industry was costing the city money.

The 1998 report emphasized the importance of the taxi industry to the tourism industry as well as the urgent economic need for reform:

The fact that the quality of taxicabs and taxicab services have diminished presents a negative image for the City that can affect tourism and economic development ... The Toronto Board of Trade advises that "tourism is the largest and fastest growing industry in the world and contributes almost \$5 billion annually to the Toronto economy" (The Toronto Board of Trade, Submission to City of Toronto Task Force to Review the Taxi Industry, June 1998). There is little debate that the conditions and quality of service of the taxicab industry is of substantial importance to Toronto's promotion as a world-class city. The taxicab industry's influence on the Toronto image can affect tourism and are important considerations [*sic*] in initiatives such as [the bid for] the 2008 Olympic Games.⁶⁹

⁶⁸ For a discussion of how this type of moral suasion worked to generate earlier regulatory reforms in the Canadian taxi industry see Donald F. Davis, "The Canadian Taxi Wars 1925-1950," *Urban History Review* 27, no. 1 (1998): 7-22 and "The Origins of Modern Taxi Regulation in Canada," paper presented at the ASAC Conference, St. John's Newfoundland, 1997.

⁶⁹ *Ibid.*

The report made clear the reciprocal relationship between the tourist and taxi trades. The Toronto Taxi Drivers Association took the hint: its suggestions for reform, known as Plan 2001, recommended that the reform initiatives be implemented by 2001 in preparation for the 2008 Olympic Games. Although the Association's proposals focused appropriately – and astutely – on the question of what taxi drivers could do to help the Olympic bid, the Association sought to use the Olympic bid to promote the interests of the drivers. In any case, the interests of the city and the industry overlapped when it came to the Olympics, for the organization of the games and subsequent influx of athletes, coaches, organizers, volunteers, and spectators would increase ridership significantly.

Although Toronto did not win the bid to host the Olympic games, the reform package for the taxi industry was set into motion in November 1998. Far from a victory for the exploited and exhausted lease drivers, the program represented an additional expense for them and provided fewer licenses than promised. The task force had recommended that 300 Ambassador plates should be issued each year for three years – for a total of 900 licenses, whose recipients would almost magically be freed from the yoke of leasing. However, with the aid of a professional lobbyist, the owners' association brokered a last-minute deal with the municipality that reduced the number of Ambassador plates to be issued to 100 per year.⁷⁰ Moreover, to receive one, drivers would have to pay \$997 to attend the advanced-training program and take their turn on the waiting list for an

⁷⁰ John Spears and Paul Moloney, "Taxi reforms hit the road," *Toronto Star*, November 27, 1998 p 1; John Spears and Bruce DeMara, "Taxi reforms clean up cars, train drivers," *Toronto Star*, November 27, 1998 p B1.

Ambassador plate according to seniority. The first one hundred candidates were selected from the top of the waiting list for the owners' licenses. These drivers had gone on the waiting list during the mid-1980s.⁷¹

Thus, the first drivers forced to pay almost a thousand dollars for "professional" training were veteran drivers, some with more than twenty years experience. When they completed the program, which consisted of forty half-day sessions, they received Ambassador licenses. But, to put their own taxi on the road, Ambassador drivers would then have to come up with approximately \$35,000 to purchase a vehicle and equipment to meet the higher standards set by the reform package. Martin Ceh-Seremet, a twenty-eight-year veteran who was among the first graduates of the Ambassador course, expressed his frustration to the *Toronto Star*: "I played by their rules all those years and they, just before it's my turn to get a plate, they change them."⁷²

The one clear advantage for drivers was the absence of oppressive lease fees. That said, an Ambassador license did nothing for revenues. After operating with an Ambassador plate for a year, David Frankel complained that the plate had not, in any way, increased the number of fares he could serve. Frankel expressed his frustration with the licensing reforms by saying, "The reason I stayed in the business for twenty years [was] to get one of the [traditional] plates

⁷¹ Before applicants were permitted to place their name on the waiting list, it was necessary for them to have been driving full-time for a number of years consecutively. By 1994, the requirements included: having acted as a full-time driver, in Metro, for minimum of five years, not having owned a licence in the previous five years, and must continue to drive on a full-time basis to remain on the list. See Chapman, "Taxicab Regulation in Metropolitan Toronto," 2-3.

⁷² Jim Wilkes, "First grads of cab course doubt value of permits," *Toronto Star*, November 25, 1999.

so I could use it for my retirement.”⁷³ Instead, he had an unsellable Ambassador plate. As did Marios Eracleos, a twenty-six-year veteran who suffered a stroke that left him unable to work. Since the restrictions on the Ambassador license prevented him from leasing or selling it to support his family of five, he and his family were forced onto social assistance. His wife, Eleni, explained the irony of their circumstance:

My husband was robbed three times and every time I [said] to him “You quit this job, this job is no good for us.” He [said] “Yeah, but the plate is going to be good for you even if I’m gone. You’ll have something to lean on with the kids.”⁷⁴

That “something” turned out to be government assistance.

Since the interests of the municipality always took precedence, even a reform package that had been conceived as an end to license profiteering and “urban feudalism,” taxi drivers ended up, as always, shivering in the rumble seat. Instead of the promised revolution, the opportunity to acquire the Ambassador plate had been limited to the most senior drivers on the waiting list who were, ironically, the drivers least in need of advanced-training and most opposed to the licensing reforms. At the time of the reforms there were 800 drivers on the waiting list for taxi owners’ licenses, many on it for more than a decade. During that time, they had kept going despite the violence, the poverty, and the insults, because they anticipated the time when they would be granted the coveted Toronto taxi plate, granted, in other words, what amounted to a pension. A

⁷³ Joseph Hall, “Taxi program is a mixed bag for cabbies,” *Toronto Star*, November 13, 2000, p B3.

⁷⁴ Paul Moloney, “New taxi rules hurting driver’s family,” *Toronto Star*, May 7, 2001, p B1.

transferable license was something they could sell to pay for their old age. For these drivers, the reforms had not only removed the market value from the taxi licenses on offer, but had also snuffed out the light at the end of the tunnel.

But for others – for younger drivers who before the reform were going to take another decade or more to rise high enough on the waiting list to acquire their own taxi plate – the reforms were more promising. An Ambassador plate was better than a lease, but it required considerable sacrifice. For example, drivers had to pay nearly the equivalent of a month's lease fees to take the training course. Also, as observed by the task force and the Cheney reports, these drivers were not able to make ends meet even working eighteen-hours a day. Yet, they would have to make do with less while they absorbed the opportunity cost of the eight-week training program. Upon graduation most would have to secure financing for the vehicle and equipment, and as the case of Eracleos demonstrated, avoid illness and injury. Otherwise they would have nothing but their debts.

The reforms associated with the introduction of the Ambassador cabs had produced a familiar result. First, taxi drivers had been told that they had a crucial role to play in the Toronto economy. But there was a problem, they were told, to which they would have to be part of the solution. Although no one offered to pay them more, they were supposed to cast off the dirty cars and uncivil habits that were supposedly scaring off tourist dollars. As the new program announced, the taxi driver was going to have a new identity as the city's Ambassador to the tourist trade. Indeed, with luck, the driver would be an Ambassador to the world,

as it came to the Olympic Games in Toronto. Normally, Ambassadors live the good life, their expenses paid by a grateful state, but taxi drivers were asked to be a very odd type of Ambassador indeed – a poor man, a poor woman, often an immigrant, who would have to pay for the privilege of chauffeuring everyone else around town. The word was new, but there was little else that was new. As during the debate over safety devices and the introduction of the COP program, the authorities had devised a plan that benefited the city at the expense of the taxi driver. The drivers would pay, both directly and indirectly, to become a more valuable commodity – they would pay to sell themselves.

CONCLUSION

Not surprisingly, the 1998 Ambassador reforms have created tremendous discord within the industry. The battle between the drivers and the state concerning the by-law reforms was raging as this thesis was being written. Following the introduction of the Ambassador taxi plates, approximately 200 drivers, who had been on the waiting list for a traditional plate, but received Ambassador plates, were granted approval from the Divisional Court of Ontario to pursue a \$50 million law suit against the city of Toronto for breach of contract.¹ And in October 2005, a column in *Taxi News* attested to the *ongoing frustration* among seasoned drivers who have been obliged to attend the *ongoing training programs*. The process and expense of refresher training for Toronto taxi drivers has been sufficiently burdensome that a driver, Peter McSherry, has suggested that the course should only be used as a disciplinary measure:

Make the course a punishment assignment! If there is demonstrable evidence that a driver is not doing the job properly, punish him by making him pay the \$100 fee, plus, of course, \$300- or \$400-worth of his working time, to learn what middle-class, law-abiding Toronto thinks all of us uneducated, unwashed, unkempt, unreliable cab-driving morons need to know about a job that the worst of us could do better than the best of the people who were instructing us.²

McSherry's commentary points to a constant theme in the dialectic at work between Toronto's taxi drivers and the state. During its regulatory tenure, the Metropolitan Licensing Commission had consistently favoured the interests of the

¹ Tom Godfrey, "\$50M Taxi Suit Gets OK," *Toronto Sun*, February 28, 2001; *Adefrakan, et al v City of Toronto*, "Notice of Action" Ontario Court (General Division) Court file no. 99-CV-170001 May 21, 1999.

² Peter McSherry, "Refresher course is hazardous and patronizing," *Taxi News*, October 2005, p. 5.

public over those of the drivers. While that might seem normal to those who believe that the “public interest” should always take precedence over the interests of producers, it is in fact quite abnormal for regulators to be so indifferent, even hostile, toward the producers they regulate. As historians like H. V. Nelles and Chris Armstrong have argued, as well as theorists of the regulatory process on both the Left and the Right, regulators normally serve their clientele, which is usually defined as the people they regulate.³ Hence, the regulators of electric railways and telephone companies were anxious for them to make a living profit. Far from being “captured” by the taxi industry, the MLC had, for almost a half century consistently, if not always intentionally, damaged the interests of the most vulnerable people in it, the drivers. Inevitably, they were the ones asked in the 1990s to pay the price for undoing the damage done by the botched reforms of the 1930s. Instead of asking the taxpayers to buy back the traditional licenses at full market value, the most faithful practitioners of the trade, and undoubtedly of the citizenry, had their retirements yanked away. As John

³ Christopher Armstrong, and H.V. Nelles, *Monopoly's Moment: The Organization and Regulation of Canadian Utilities, 1830-1930* (Toronto: University of Toronto Press, 1988). Similarly Davis has demonstrated how the interests of street railway companies determined regulation of the taxi industry that was designed to protect the street railways from the competition of jitney operators. Donald F. Davis “Competition’s Moment: The Jitney-Bus and Corporate Capitalism in the Canadian City, 1914-29” *Urban History Review* 18, no. 2 (1989): 103-122. For further discussion on the relationship between the economic interests of industry and the politics of regulation, see Gabriel Kolko, *The triumph of conservatism; a re-interpretation of American history, 1900-1916* (Chicago: Quadrangle Books, 1967); George J. Stigler, “The Theory of Economic Regulation,” *Bell Journal of Economics and Management Science* 2, no. 1 (Spring, 1971): 3-21; Thomas K. McGraw, *Prophets of Regulation: Charles Francis Adams, Louis D. Brandeis, James M. Landis, Alfred E. Kahn* (Cambridge, Mass: Belknap Press of Harvard University Press, 1984).

Baldwin demonstrated with the interactions between monopoly utilities and the state, “where the state controls the judicial and police apparatus, [there was a] greater potential for abrogating fairly made contracts than [in cases between] private parties.”⁴ This inclination for the state to behave in an opportunistic manner at the expense of the monopolistic utilities was borne out for Toronto taxi drivers, whose investment in the industry (even just the purchase price of a vehicle) was substantial in relation to their resources.

The state has been able to rationalize such injustices with the claim that they were regulating in the interest of the public. A chief function of the licensing commission has been to ensure passengers were protected from abuses such as illegal or excessive meter rates, dirty or unsafe vehicles, and unkempt or surly drivers. The regulation of tariffs, requirement of meters, inspection of vehicles, and testing of drivers were designed to ensure the safety and security of the riding public. The consumers had to be protected because they were (at least until scholars began to discover that the poor took an inordinate number of taxis) assumed to be important members of the polity. They had sufficient money to hire a taxicab, so they mattered. The protection of the drivers, on the other hand, has not been an imperative of the state. The regulation of taxi deals and highflagging illustrated the hierarchy of interests that regulators chose to protect. Despite complaints that taxi deals were an exploitive contravention of the by-law, authorities attempted to manage the illicit trade in licenses with minimal interference and made a series of by-law reforms during the 1960s and 1970s

⁴ John R. Baldwin, *Regulatory Failure and Renewal: The Evolution of the Natural Monopoly Contract* (Ottawa: Eco Council of Canada, 1989), 3.

that would eventually be blamed for the proliferation of unsafe vehicles and shoddy service over the next three decades.

In contrast to its permissive approach to taxi deals, which generated copious profits for taxi owners, the MLC *declared war* on highflagging. From its inception, the MLC devoted considerable energy and resources to ensure that every fare was a metered fare. Although defended as an issue of consumer protection, the evidence suggested that the real victim of highflagging was the taxi owner. Highflagging was a technological adaptation of the practice of “knocking down” and both were drivers’ solutions to the problem of insufficient earnings. Yet the widespread practice of “cheating” and “stealing” by drivers was not seen as an economic necessity, rather it was framed as a moral vice in need of stricter policing.

Although the MLC was vigorously enforcing a by-law designed to protect the interests of the owners at the expense of the drivers, it denied any authority to interfere with employment relations between the two. Municipal authorities argued that employment relations were not within their jurisdiction; therefore, they could not address, through regulation, the economic root causes of highflagging. Although the commission was unwilling to take any action on their behalf, the drivers themselves sought to organize and demanded that the province extend the protections and benefits for employees to the taxi industry.

Between 1965 and 1975, there was a pivotal shift in the legal and legislative definition of taxi drivers in Ontario. Although common practice before the 1950s, by the 1960s Toronto taxi drivers were no longer paid wages. World

War II had increased state intervention in labour relations and ushered in an era of industrial pluralism that strengthened both labour unions and broadened protections for non-unionized employees through provincial employment-standards legislation. In this new context for employment relations, it became more costly and less profitable for taxi owners to act as employers.

The traditional taxi companies, that had supplied cars and hired drivers, disappeared. Many owners sold off, or leased out, their licenses, and drivers' earnings were calculated strictly on a commission basis. Gone were the days of waged drivers, and with them, the most obvious marker of employee status. However, despite the appearance of independence, the drivers remained economically dependent on plate owners and brokers. They were still effectively employees and so they actively sought the legal protections and social benefits afforded to employees. In 1975, following a prolonged and noisy debate, court action, and attempts by drivers to organize, the *Ontario Labour Relations Act* was amended to include a category that could be applied to taxi drivers and others who operated in the paradox of the economically dependent contractors.

Although it was generally agreed that the MLC did not have the authority to confer an employee status or identity on taxi drivers, there were those who asserted that it was within the Commission's power to do more than it had been doing to protect the interests of drivers as employees. During the 1950s, the original MLC by-law had included provisions for driver benefits, and during the 1970s, the report of the special committee to review the taxi industry had recommended that the MLC and the Metro Solicitor confer with the Provincial

Department of Labour in order to determine what by-law provisions might be enacted to assist drivers to obtain at least some of the benefits and protections of employees. Despite the repeated efforts by Mel Lastman, the chair of the special committee, to initiate consultation with the province, the MLC firmly resisted taking any action to re-define the identity of taxi drivers to that of an employee. During the next highly visible battle between drivers and regulators, the characteristic inertia on the part of the commission to extend protection to drivers was even more costly.

Between the 1970s and the 1990s, in the context of a rising number of robberies, assaults, and murders, the struggle over identity focused on the victimization of drivers and the contentious issue of safety shields. Despite pleas from drivers to mandate shields and requests from owner-operators for financial help to install them, the recommendation of a Coroner's Jury, the findings of a municipal staff report, a positive industry survey, and the endorsement of the police department, city officials could not bring themselves to tarnish the image of "Toronto the Good" by installing shields to protect its taxi drivers. The politicians agreed with the business community that Toronto would look too dangerous a city, too much like New York, if it put its taxi drivers behind Plexiglas.

Yet there was a real crime problem. Toronto was nowhere near as crime-ridden as New York, but the trend-line did not look good, especially in the 1980s. And so, even as municipal authorities refused to help taxi drivers protect themselves, they sought to *use* them to make the streets safer for everyone else. The creation of the Cabs On Patrol (COP) program during the mid-1980s was,

for the city, a low-cost strategy to address public concerns over rising crime. Although it did offer some benefits to drivers, such as recognition for their contribution to community service (including monetary rewards), and more efficient methods for reporting incidents to police, the program was met with opposition from drivers who did not want to be identified as “rats”. Reminiscent of driver resistance to chauffeurs’ caps, the resistance of drivers focused on the visible label, in the form of a car decal, used to identify program participants. Drivers expressed concerns that the COP stickers could draw unwanted attention from their passengers, leaving them vulnerable to retaliation. The implementation of the COP program was one of a series of initiatives by regulators and municipal officials that sought to enhance the value of the taxi industry, to the benefit of the city, beyond its vehicle-for-hire function. This program also offered to significantly change the identity of taxi drivers. As long as the program lasted, they had the potential, at least, of being seen as municipal benefactors, rather than as the miscreants, an identity that hard times from the 1930s through the 1950s had given them.

As demonstrated in Chapter Five, the training initiatives for taxi drivers that originated during the 1970s were also designed to enhance the ability of taxi drivers to serve as front-line emergency service personnel. Like the COP program of the 1980s, driver training in the basics of emergency baby-delivery was designed to enhance the ability of drivers to perform extra-ordinary services, such as para-transit for the elderly and those with disabilities. The taxi driver now was given – or actually bought, for as usual the driver had to pay for this

enhancement in status – an identity as caregiver. Indeed, a driver could be a midwife – an odd conceit for a trade so devoted to its manly, cowboy identity.

Both the COP program and the training initiatives changed the identity of taxi drivers by seeking to improve the facility and efficiency with which drivers delivered services other than transportation. The municipality sought to capitalize on peripheral duties, such as crime prevention and offering assistance in emergency situations, that taxi drivers performed in their role as concerned citizens rather than as transportation workers.

Another example of the municipality formalizing the inclusion of extra services came during the 1990s, in the form of services offered to tourists designed to promote Toronto. Mounting complaints over shoddy service, dilapidated vehicles, and unknowledgeable drivers, combined with pressure from the Toronto Board of Trade and Tourism to create a tourist-friendly, Olympics-beckoning taxi industry had spurred municipal officials into action. A task force review of the industry seemed to confirm what an independent consultant and investigative journalist had already reported – that a complicated hierarchy of lease managers and exorbitant lease fees was siphoning capital away from reinvestment by the drivers, who fatigued by their efforts simply to pay for the lease, were delivering poor service. Discussions of industry reform emphasized the critical role taxi drivers played in representing the city. The image of Toronto as a world-class city – its appeal as a travel destination, a business market, even a host for the Olympic games – was presented in part as riding on whether or not its taxi drivers could make the grade. In 1998, the city adopted a plan that would

create a new breed of driver, a new standard of vehicle, and a new type of taxi license. The Ambassador Taxi program promised to recreate the Toronto taxi industry and redefine what it meant to be a taxi driver.

The growing importance of tourism to the municipal economy had moved Toronto from city to corporation. This further shifted the identity of taxi drivers away from workers who provided transportation for hire, toward a new role as an integral part of the hospitality industry. Items incorporated into driver training reflected this aim. McSherry described the incongruity between the work experience of Toronto taxi drivers and the content of the driver training courses. He also contended that there are obvious limits to the usefulness of Alternative Conflict Resolution and standardized customer greetings, such as "Hello, How are you? My name is Peter". In the case of a standard greeting for every customer, McSherry, contended that the instructor was convinced that what worked for Zellers should work for taxi drivers. The new emphasis on education and professionalization reflected a new taxi driver identity that authorities hoped to create. The era of the obedient private chauffeur has given way to the professional customer greeter. The relationship between driver and passenger had similarly changed from "servant" and "master" to "sales representative" and "valued customer". Furthermore, at the heart of the Ambassador taxi program was the idea that the passenger was no longer simply employing a method of transport; rather, the exchange between taxi driver and passenger had moved beyond outdated notions of mere product or service. The modern taxi passenger now purchased a brand – Toronto. The ultimate significance of the shift was that

it also represents an important change in the relationship between the municipality and the taxi driver. Taxi drivers, who were once engaged in their own business of providing transportation, were now trained as mobile salespeople whose goal was to sell Toronto. Thus the municipality had increasingly taken on the traditional role of an employer. Therefore, as the metaphors of identity have changed, the hierarchy of power and the priority of interests become further entrenched.

Although some might have argued that the Ambassador taxi plan would, in the long run, generate more business for drivers, in the short-term it generated costs. Expanded driver education has required drivers to pay for ongoing training courses and absorb the opportunity cost of spending more time behind a desk and less time behind the wheel. Additionally, the reform package included more rigid vehicle standards – a cost also borne by the Ambassador driver. Furthermore, the shift toward deregulation, heralded as the measure that would free taxi drivers from oppressive lease deals, also came with a price.

Current owners have been warned that the Ambassador plan was designed to devalue their leased plates, thus reducing their profits. Those drivers who had been owners-in-waiting lost the opportunity to own a traditional plate, what was commonly considered the equivalent of a pension plan to support them in their retirement. Additionally, even the lease drivers who were happy to get an Ambassador plate had to pay for the cost for retraining, absorb the opportunity costs of extended classroom study, raise the funds necessary to purchase higher standard vehicles, and (with no right to lease the Ambassador taxi plate) accept

the risk that illness or injury could mean the end of their income. Though many lease drivers gladly absorbed the costs and assumed the risk inherent with the non-transferrable licenses, the slow pace of change embittered them. Thus, even as the MLC was being dismantled it left a legacy of dramatic and controversial reforms.

In many respects, after forty years of regulation designed to move the industry forward, the MLC had come full-circle, and brought the industry back to its pre-World War II roots. Like the original move toward license limitation in the 1930s, Toronto followed the trend set by other jurisdictions when it made the shift to deregulation in the 1990s. When the MLC assumed responsibility for regulation during the 1950s it had attempted to manage the taxi deals that had, in the words of Frederick Gardiner, created a situation where the “The licence owner was in a position to make another man his slave for life.”⁵ During the 1960s and 1970s, additional by-law reforms were made in an attempt to better manage the chronic problems surrounding leasing. Similarly, the 1998 reforms marked another effort by the city to curb the increasing trend toward leasing. Moreover, the goal was not merely to improve the image and efficiency of the taxi industry, but to create taxi drivers whom would act as “Ambassadors” for Toronto, selling the city as a destination for tourists and business people. In addition to providing “professional” taxi service, drivers would be expected to dazzle customers with their impeccable knowledge of the city’s attractions and

⁵ Archives of Ontario (hereafter AO), RG 4-2-106.2, Taxicab Licensing - Toronto 1956; *The Telegram*, “Your Turn, Mr. Gardiner,” n.d.; Peter Cheney, “A licence to print money: Tiny metal plate at heart of taxi industry woes,” *Toronto Star*, March 14, 1998.

historic sights. During the reign of the original Metropolitan Licensing Commission (1956-1998), regulatory decisions reflected the interests of the city at the expense of the drivers. Industry regulators and city officials governed in the best interest of the state not the public and not the drivers. Taxi drivers were alternately punished for damaging the reputation of “Toronto the Good”, saddled with the responsibility of creating a “world-class city”, and ignored on issues that were not seen as relevant to the municipality.

From the perspective of the state, the new identity of Ambassador was an inspired scheme, which offered a single solution to a multitude of problems. The Ambassador reforms have promised to remake economically exploited, vulnerable drivers into the image of highly trained professionals. For both the drivers and the city this boost in status seemed a worthy improvement. However, the plan has brought drivers full circle, back to their 1950s status of independent contractors; if not necessarily in the eyes of the courts, most certainly in terms of their own self-conception. The municipality has retrenched its control over the taxi industry through more rigorous and continuous training for drivers and higher standards for vehicles. It has created an identity for drivers that will capitalize on pride of ownership and inspire service-oriented professionalism. The Ambassador identity reaffirms the class ambiguity that Toronto taxi drivers had struggled to overcome through the achievement of dependent contractors status. Thus what the province gave, the city can take away. Though cleverly disguised, as independent entrepreneurs, Toronto taxi drivers will remain economically

exploited and vulnerable servants to their master – the state – who is even more effectively camouflaged in its role of industry regulator.

Therefore, after a forty-year battle with the state to *define* and *redefine* their occupational identity, Toronto taxi drivers have morphed into a thousand shapes. They have played the role of victim and villain, hoodlum and hero, cop and cabby, midwife and miscreant; however, the essence of what it meant to be a taxi driver remained remarkably unchanged – the taxi driver continued to be an over-worked, under-paid, unprotected labourer.

APPENDIX 1
PERCENTAGE OF TAXI DRIVERS, ONTARIO AND QUEBEC, 1951-2001

Year	Canada	Quebec Total	Quebec Percentage	Ontario Total	Ontario Percentage
2001 ¹	37,995	9,525	25.07	15,400	40.53
1991 ²	32,125	8,275	25.76	12,095	37.65
1986 ³	29,955	7,890	26.34	10,895	36.37
1981 ⁴	27,870	8,750	31.40	9,485	34.03
1971	25,080 ⁵	9,725 ⁶	38.78	8,195 ⁷	32.68
1961 ⁸	22,100	10,073	45.58	6,196	28.03
1951 ⁹	21,354	10,302	48.24	5,381	25.20

¹ Census 2001 - Occupation - 2001 National Occupational Classification for Statistics (720), Class of Worker (6) and Sex (3) for Labour Force 15 Years and Over, for Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomerations, 2001 Census - 20% Sample Data

² Census 1991 – Occupation, Table 1 Labour Force 15 Years and Over by Detailed Occupation (Based on the 1980 Standard Occupational Classification) and Sex, Showing Counts and 1991 Percentage Distribution, for Canada, Provinces and Territories, 1986 and 1991 – 20% Sample Data

³ Census 1986 – Occupational trends, 1961-1986, Table 2 Labour Force 15 Years and Over by Detailed Occupation (based on the 1971 Classification) and Sex, For Canada, Provinces and Territories, 1971, 1981 and 1986 Censuses

⁴ Census 1981 – Population: Labour Force – Occupation by Demographic and Educational Characteristics. Canada, Provinces, Urban, Rural Non-Farm and Rural Farm, Table 1 Labour Force 15 Years and Over by Detailed Occupation and Sex, for Canada and Provinces, 1981, Based on 20% Sample Data

⁵ Census 1971 – Occupations, Vol III, Part 3, Table 1 Labour Force 15 Years and Over by Detailed Occupation and Sex, Showing Level of Schooling by Age Groups and School Attendance, Vocational Training, For Canada, 1971.

⁶ Census 1971 – Occupations, Vol III, Part 3, Table 2 Labour Force 15 Years and Over by Detailed Occupation and Sex, Showing Level of Schooling by Age Groups, For Provinces, 1971.

⁷ Census 1971 – Occupations, Vol III, Part 3, Table 2 Labour Force 15 Years and Over by Detailed Occupation and Sex, Showing Level of Schooling by Age Groups, For Provinces, 1971.

⁸ Census 1961 – Labour Force: Occupations by Sex, Table 6 Labour Force 15 Years of Age and Over, by Occupation and Sex, For Canada, the Provinces and Territories, 1961

⁹ Census 1951 – Labour Force: Occupations and Industries, Table 4 Labour Force, 14 Years of Age and Over, by Occupation and Sex, For Canada and the Provinces, 1951

APPENDIX 2
PERCENTAGE OF TAXI DRIVERS MONTREAL AND TORONTO, 1951-2001

TABLE 7: Percentage of taxi drivers in Montreal and Toronto, 1951-2001					
Year	Canada	Montreal Total	Montreal Percentage	Toronto Total	Toronto Percentage
2001 ¹	37,995	6,265	17.02	8,010	21.08
1961 ²	22,100	6,273	28.38	2,687	12.73
1951 ³	21,354	4,345	20.35	1,380	06.46

¹ Census 2001 - Occupation - 2001 National Occupational Classification for Statistics (720), Class of Worker (6) and Sex (3) for Labour Force 15 Years and Over, for Canada, Provinces, Territories, Census Metropolitan Areas and Census Agglomerations, 2001 Census - 20% Sample Data

² Census 1961 – Labour Force: Labour Force 15 Years of Age and Over, by Occupation and Sex, Showing Age Group, Marital Status, and the Number of Wage-Earners, for the Census Metropolitan Areas of Cities of 100,000 Population and over, 1961

³ Census 1951 – Labour Force: Occupations and Industries, Table 6 Labour Force, 14 Years of Age and Over, by Occupation and Sex, for Incorporated Cities, Towns, and Villages of 10,000 Population and Over, 1951

APPENDIX 3: CERTIFICATION AND INTERVIEW GUIDE



Université d'Ottawa • University of Ottawa

Cabinet du vice-recteur
à la recherche Office of the Vice-Rector,
Research

SOCIAL SCIENCES AND HUMANITIES RESEARCH ETHICS BOARD

CERTIFICATION OF ETHICAL APPROVAL

This is to certify that the University of Ottawa Social Sciences and Humanities Research Ethics Board has examined the application for ethical approval for the research project The Independent Servant: A Socio-Cultural Examination of Toronto's Post World War II Taxi Industry (File 04-00-02) submitted by Kimberly Margaret Berry. The Board found that this research project met appropriate ethical standards as outlined in the Tri-Council Policy Statement and in the Procedures of the University of Ottawa Research Ethics Boards, and accordingly gave the research project a Category Ia (Approval). This certification is valid for one year from the date indicated below.

Lise Frigault
Protocol Officer for Ethics in Research,
for the Chairperson of the Social Sciences and Humanities REB
Tim Aubry

MAY 18, 2000

Date

FILE 04-00-02

550, rue Cumberland C.P. 450, Succ. A 550 Cumberland St., P.O. Box 450, Stn. A
Ottawa (Ontario) K1N 6N5 Canada Ottawa, Ontario K1N 6N5 Canada
(613) 562-5270 • Téléc./Fax (613) 562-5271

INTERVIEW GUIDE

Date and location of Interview:

Name of Respondent:

Date of Birth:

Biography and Work History:

Where were your parents born? What did they do for a living? How many siblings did you have? What do you remember about your childhood? What kind of neighborhood did your family live in? How did you come to drive a taxi? Had anyone else in your family ever driven a taxi? What did your family and friend think of you becoming a taxi driver? How many years have you been in the industry? How long have you been a taxi driver? How long have you been a taxi owner? How many companies have you worked for? Have you ever operated your own taxi company? Have you become a partner in a taxi company? Do you generally drive at day or at night? Who chooses your shifts? Do you remember what tests you had to complete in order to obtain a taxi license? Did you find it difficult to obtain a taxi driver's license? Did you become a taxi owner? What did you have to do in order to acquire a taxi owner's license? Did you find it difficult to obtain the taxi owner's license?

Perception of the Industry:

What ideas did you have about the taxi industry and taxi drivers before you began driving a cab? Did you find the work to be very similar to ideas that you had before you entered the industry? Was the work more or less dangerous than you anticipated? Was the work more or less difficult than you expected? Did you make more or less money than you anticipated? What other experiences were different than what you had expected when you started driving?

Union / Associations / Co-ops:

Have any of the companies you have worked with been unionized? What was the name of the union? Were you active in the union? What were the meetings like? Did the union do a good job? How did it affect the work? Did you ever go on strike? What do you think of the union? Did you ever belong to an owner's association? Where you active in the association? How useful do you think the association was? Have you ever worked in a Co-op? How did your experience in the Co-op compare to working with other companies?

Earnings:

It has been said that in order to make a decent living driving a taxi you have to hustle the customers. Do you agree with this evaluation of the industry? How do drivers manage to improve their earnings when the price of the fare is set by the city? Has it become more difficult to make a decent living driving a cab, if so

why? Who are the people in the industry who make the most money? What changes to the taxi industry would best help to improve your earnings? Would you drive a cab for a wage rather than as an independent or on commission? What do you think is a fair income for a taxi driver?

The Industry:

Are meters the best way to determine fares? What do you think of creating a zone system in Toronto? When should flat rates apply? What percentage of your earnings come from radio calls v. street pick-ups? Should loyal customers be able to get discounted fares? Are contracts such as transporting school children profitable? Should students and seniors receive discounts? Does your brokerage recruit contracts with government or private business? Are discounts offered to these contract customers? Are grocery deliveries and beer runs profitable? Has the crack down on drinking and driving increased business? My thesis supervisor thinks that cabs could do a lot more business if fares were lowered and ride-sharing and cruising were encouraged. What do you think of this idea?

The Customers:

Does the general public have misperceptions about the taxi industry or what it is like to be a taxi driver? What are some of the questions/comments that customers make that would indicate their confusion about the industry? How are you as a driver treated by your passengers? Do passengers treat you a certain way because of your appearance or what they think a taxi driver should be like? Have you ever been made to feel like you were simply part of the car? Have you ever been made to feel that you are the passenger's servant or a second class citizen because you are a taxi driver? Has a passenger abused you on account of your race, accent, sex or immigration status? Do you have regular customers, for example, someone you drive regularly to work or to the grocery store? How did you find them? Do they become friends? Are there drivers who will not pick up non-white passengers at night? If so, is it because they are concerned about being robbed or are they concerned about travelling to certain neighborhoods? How has the change in the city's population, for example, the arrival of the postwar immigrants, affected taxi work in Toronto? Have you done any para-transit work? Should taxis be the main transit for people with disabilities? Do you accept seeing-eye dogs in your cab?

Community:

Do cab drivers socialize together? What kinds of social activities do drivers enjoy together? Have there been social events planned by the companies or the unions? Do drivers treat one another differently than they treat members of the general public? Are there smaller communities within the industry that support and aid one another, for example, do women drivers share a special bond, or do drivers from different ethnic groups come together to support one another? Is this a good business for women to work in? As a rookie driver in Halifax I was often told that there was a difference between a taxi driver and someone who drives a taxi. Have you ever heard such an expression in Toronto? Do you think that there

is a special sense of belonging that only 'taxi drivers' share? When do you think some one who drives a taxi becomes a taxi driver? What is the response to news that a driver is in trouble? Would you drive to the rescue? Another common expression in the Halifax taxi industry was that driving taxi would "get in your blood." Do you think that sentiment applies to the Toronto experience as well?

Violence:

Have you ever been robbed? Are there any areas in the city that you or your friends refuse to work in? Do you carry a weapon for self-defense? Who should be responsible for driver safety? What is your opinion of safety shields and other safety devises? How would you describe the attitude of the Toronto police toward driver safety?

Costs:

How important is the price of gasoline? Do you own your own car? Was your car new when you bought it? What maintenance and repairs are you responsible for? How long is a car useful in the taxi industry before it becomes too old? How do you extend the life of your vehicle? How do you react to criticism of your car and its upkeep?

Smoking:

Did you ever smoke? How do/did you deal with smokers in your car? How did you deal with non-smoking regulations?

Nightlife / Big City:

Is it profitable to work the bar districts at night and on the weekends? Are taxi drivers expected to be experts on vice in the city? How do you deal with passengers who are looking for prostitutes/drugs/liquor? How do you deal with passengers who want to engage in illegal behavior in the car? Did you ever work in a small city or town in the taxi business? How different is that experience from working in the Toronto taxi industry?

Naming:

When asked what you do for a living, what do you say? What other occupations do you think best compare with driving a cab and why? Do taxi drivers have their own language? What do you call the vehicle? What do you call other drivers, passengers, working without the meter on, a radio call that does not produce a customer? Do you use expressions such as stick-handling, on the fly, phony, feeding, etc.?

Do you have anything else that you would like to add before we end the interview?

CONSENT FORM

[To be read by the respondent before the beginning of the interview. One copy of this form will be left with the respondent and one copy will be signed by the respondent and kept by the researcher.]

The Researcher:

My name is Kimberly Berry. I am a Ph.D. candidate in the History Department at the University of Ottawa and I am an ex-taxi driver from Halifax Nova Scotia with more than three years experience as an owner-operator in the Halifax taxi industry. I have interviewed a number of taxi drivers in Halifax for previous research projects and I have published an article concerning women taxi drivers in post World War II Halifax.¹ I can be reached at 908-90 Dale Avenue, Toronto, ON, M1J 3N4, by phone: 416 264 3072 or by e-mail: taxiresearch@hotmail.com

The Project:

The purpose of this research is to examine the interaction of class, gender, race, and ethnicity in shaping the social and economic experience of taxicab drivers in post World War II Toronto. The final results of this project will be submitted as a written thesis (approximately 250 pages) to the School of Graduate Studies and Research in partial fulfillment of the requirements for the Ph.D. degree in History. The final research results may also be submitted for publication as an article or a book, or presented orally as a conference paper or as a public or university lecture.

¹ Kimberly Berry, "She's No Lady: The Experience and Expression of Gender among Halifax Women Taxi Drivers since World War II" *Urban History Review* XXVII (October 1998): 23-35.

As part of the research for this project I am conducting interviews with taxi drivers, owners, and managers to gain a greater understanding of the Toronto taxi industry and give the members of this industry an opportunity to share their experience, knowledge and concerns about the industry and its history. These interviews will be approximately one to two hours in length and will be recorded by video or cassette tape according to the respondent's preference, and will be reviewed and transcribed and used as a source of information and quotations for the written thesis. For the duration of this project the tape(s) will be held in the possession of the researcher and the contents of the tapes will be kept confidential in accordance with the restrictions that the respondent indicates. If the respondent agrees, the tape(s) and the transcripts will be submitted to the Metro Archives in Toronto for review and possible acquisition and may become part of the holdings of the Metro Archives and available to future researchers and members of the public. . The taxi industry has long suffered from a poor public image, and many people in the industry have lamented that the industry and its members have been misunderstood. Participants in the study will enjoy the benefit of helping to create a record of the Toronto taxi industry, bring attention to the story of those who have worked in and been affected by the industry. They will also have the benefit of recording their own personal history for themselves and future generations. Moreover, they will have an opportunity bring attention to the issues that they believe to be most important to both the history and the future of the industry.

Participation in this research project is voluntary and the respondent has the right to refuse to answer any questions or participate in the study. The respondent has the right to withdraw at any time, and have the tape(s), transcript or notes withdrawn from consideration by the researcher in this study.

This research project is funded, in part, by a grant from the Social Sciences and Humanities Research Council of Canada and will be conducted according to the policies of the Social Sciences and Humanities Research Ethics Board of the University of Ottawa. Any information requests or complaints about the ethical conduct of the project may be addressed to the Protocol Officer for Ethics in Research: Lise Frigault, Office of Vice-Rector [Research], Room 302, Tabaret Hall, University of Ottawa, Phone: (613) 562-5800 ext. 1787, e-mail: lfrigaul@uottawa.ca.

This research project is supervised by Prof. Donald F. Davis, History Department, University of Ottawa, 155 Seraphin Marion Street, Ottawa, ON, K1N 6N5, Phone: (613) 562-5800 ext. 1289 e-mail: ddavis@uottawa.ca

I have read and understood this page: _____
(initial)

I, _____, agree to participate in the research

conducted by Kimberly Berry and agree that the _____ video/tape(s)
(number of tapes)

recording(s) conducted on _____ at _____
(date) (location of the interview)

will become the property of Kimberly Berry, subject to no restrictions.

(Signature)

Or

I, _____, agree to participate in the research

conducted by Kimberly Berry and agree that the _____ video/tape(s)
(number of tapes)

recording(s) conducted on _____ at _____
(date) (location of the interview)

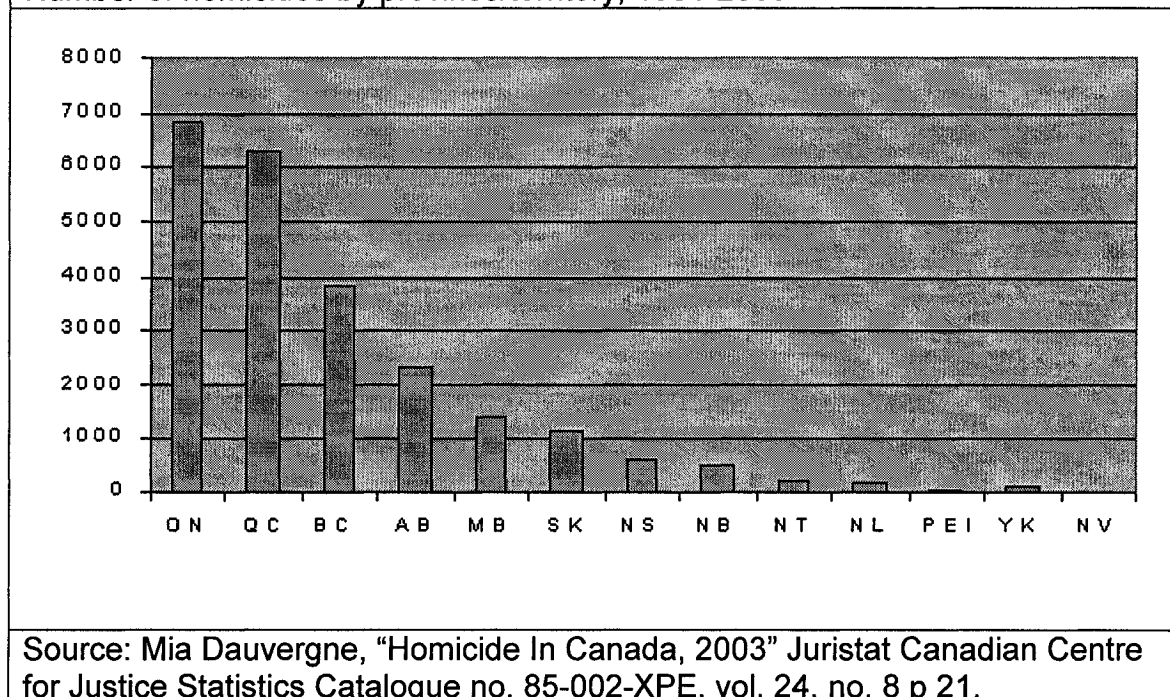
will become the property of Kimberly Berry, subject to the following restrictions:

(Signature)

APPENDIX 4 GEOGRAPHIC TRENDS IN TOTAL NUMBER OF HOMICIDES, 1961-2003

Data gathered by Statistics Canada since 1961 has helped to place incidents of taxi driver homicide within a broader context. Historically, homicide rates have been greater in the western provinces and below the national average in the Atlantic region. Yet the total number of homicides by province has not corresponded to this pattern because of the uneven population distribution between the provinces. Typically, Ontario and Quebec have vied for the highest number of homicides and British Columbia has consistently ranked third.¹

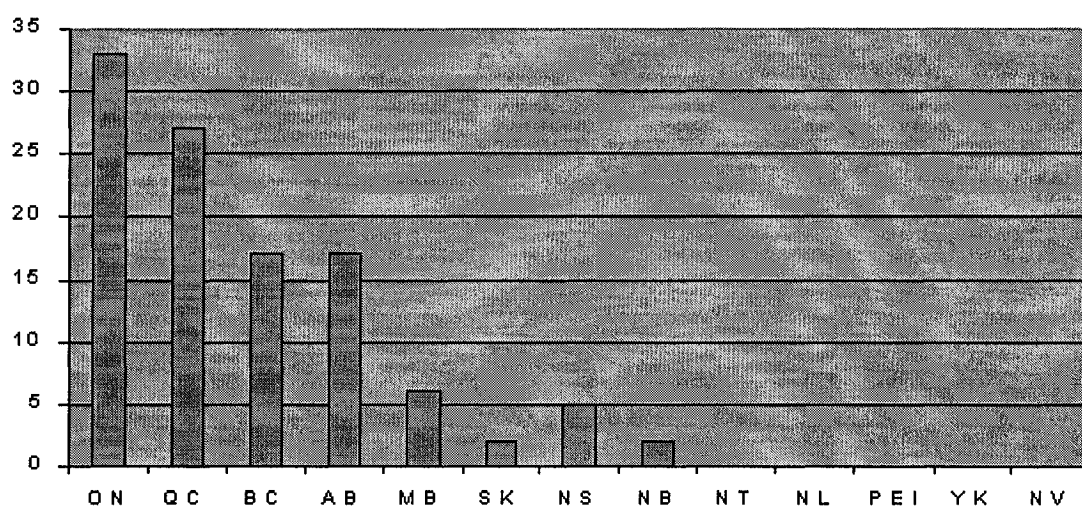
TABLE 8:
Number of homicides by province/territory, 1961-2003



¹ Between 1961 and 2003 homicides in Ontario out numbered those in Quebec during 26 years, or 63% of the time. British Columbia consistently had the third highest number of homicides. See Mia Dauvergne, "Homicide In Canada, 2003" Juristat Canadian Centre for Justice Statistics Catalogue no. 85-002-XPE, vol. 24, no. 8 p 21.

Although the number of taxi driver homicides has only been a small portion of the total number of homicides in Canada there were important correlations between the two. In terms of the actual number of homicides, a similar geographic pattern also appeared taxicab driver. Between 1961 and 2003, Ontario had the highest number with thirty-three taxicab drivers murdered, Quebec had the second highest with twenty-seven. Seventeen drivers were murdered in both British Columbia and Alberta; six were killed in Manitoba, five in Nova Scotia and two in both Saskatchewan and New Brunswick.²

TABLE 9:
Number of taxicab driver homicides by province/territory, 1961-2003



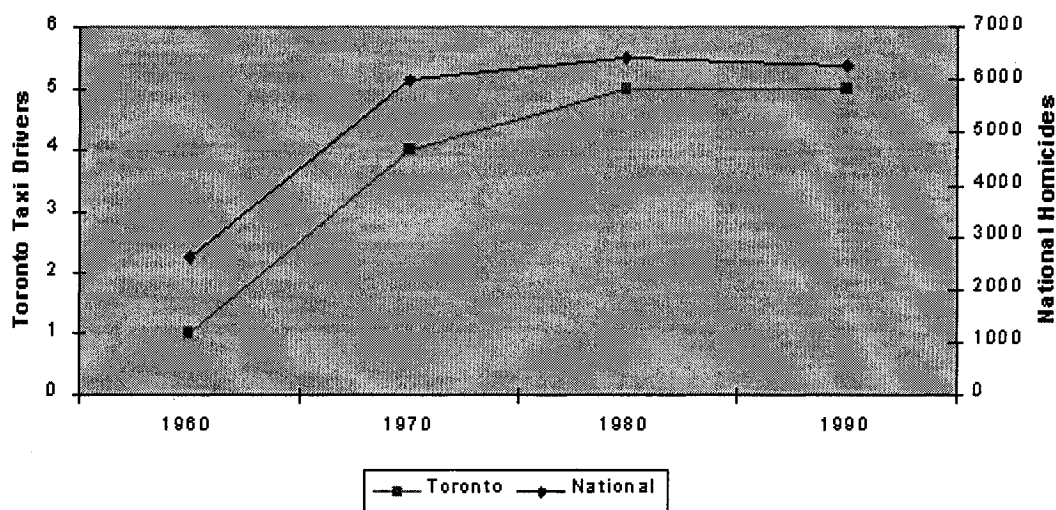
Source: Data based on numbers gathered from <http://www.taxi-l.org/murdrate.htm> September 2004.

² Based on numbers gathered from <http://www.taxi-l.org/murdrate.htm> (accessed September 1, 2004).

APPENDIX 5 TRENDS IN TOTAL NUMBER OF HOMICIDES, 1960s-1990s

The increase in the number of taxicab drivers murdered after 1970 corresponded to the elevated national homicide rate between the 1970s and the mid-1990s. Although the number of taxi driver homicides in Toronto was small compared to the number of homicides nationally, the incidence of taxicab murders in Toronto demonstrated the same increase. During the first decades following World War II murders of taxicab drivers in Toronto were few and infrequent. The 1970s marked a noticeable shift with almost as many drivers murdered as there had been during the previous three decades combined.

TABLE 10:
Comparison of Toronto taxi driver homicides with national homicides by decade, 1960s-1990s



Source: Data based on Taxi-L website see: <http://www.taxi-l.org/murdrate.htm> and Mia Dauvergne, "Homicide in Canada, 2003" Juristat Canadian Centre for Justice Statistics, Statistics Canada – Catalogue no.85-002-XPE, 24, no. 8 (2004): 21.

APPENDIX 6
VIOLENT CRIME AND HOMICIDE RATES
AMONG THE NINE LARGEST CANADIAN CITIES, 1993-2002

Although the most populace urban centre, Toronto continued to rank in the lower half of the largest Canadian cities in terms of violent crime and homicides per capita, even after three decades of rising crime.¹

TABLE 11:
 Comparison of homicide and violent crime rates per 100,000 of population and of the number of homicides and violent crimes of major Canadian cities, 1993-2002.

	Population 2002	Homicides		Violent Crimes	
		Average Number of Victims 1993 - 2002	Average Rate 1993 - 2002	Average Number of Violent Crimes	Average Rate 2002
Winnipeg	688,746	19	2.85	8,935	1,325
Vancouver	2,126,111	54	2.78	21,837	1,031
Hamilton	682,741	12	1.81	6,551	993
Edmonton	997,938	23	2.50	8,935	922
Montréal	3,586,221	76	2.24	30,030	852
Toronto	5,118,992	78	1.71	40,886	820
Calgary	1,023,666	15	1.62	8,078	817
Ottawa	866,621	10	1.28	6,191	718
Québec	709,323	10	1.40	3,489	513
Total (for above cities)	15,800,359	296	2.04	134,932	799
Total Canada	31,629,677	581	1.94	303,294	965

¹ Marnie Wallace "Crime Statistics in Canada, 2002" Juristat Canadian Centre for Justice Statistics, Statistics Canada – Catalogue no.85-002-XPE, 23, no. 5 (2003).

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