THE MAKING OF PROTECTIVE LABOUR LEGISLATION
IN BRITISH COLUMBIA:
THE 1912 ROYAL COMMISSION ON LABOUR AND ITS AFTERMATH

by

Kenneth A. Venables
B.A., University of Alberta, 1981

THESIS SUBMITTED IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS
in the Department
of
HISTORY

© Kenneth A. Venables 1996
SIMON FRASER UNIVERSITY
March 1996

All rights reserved. This work may not be
reproduced in whole or in part, by photocopy or other means
without permission of the author.
The author has granted an irrevocable non-exclusive licence allowing the National Library of Canada to reproduce, loan, distribute or sell copies of his/her thesis by any means and in any form or format, making this thesis available to interested persons.

The author retains ownership of the copyright in his/her thesis. Neither the thesis nor substantial extracts from it may be printed or otherwise reproduced without his/her permission.

L'auteur a accordé une licence irrévocable et non exclusive permettant à la Bibliothèque nationale du Canada de reproduire, prêter, distribuer ou vendre des copies de sa thèse de quelque manière et sous quelque forme que ce soit pour mettre des exemplaires de cette thèse à la disposition des personnes intéressées.

L'auteur conserve la propriété du droit d'auteur qui protège sa thèse. Ni la thèse ni des extraits substantiels de celle-ci ne doivent être imprimés ou autrement reproduits sans son autorisation.

ISBN 0-612-17156-6
PARTIAL COPYRIGHT LICENSE

I hereby grant to Simon Fraser University the right to lend my thesis, project or extended essay (the title of which is shown below) to users of the Simon Fraser University Library, and to make partial or single copies only for such users or in response to a request from the library of any other university, or other educational institution, on its own behalf or for one of its users. I further agree that permission for multiple copying of this work for scholarly purposes may be granted by me or the Dean of Graduate Studies. It is understood that copying or publication of this work for financial gain shall not be allowed without my written permission.

Title of Thesis/Project/Extended Essay

THE MAKING OF PROTECTIVE LABOUR

LEGISLATION IN BRITISH COLUMBIA:

THE 1912 ROYAL COMMISSION ON LABOUR

AND ITS AFTERMATH.

Author:

KENNETH A. VENABLES

(name)

MARCH 27, 1996

(date)
NAME: Kenneth A. Venables

DEGREE: Master of Arts (History)


EXAMINING COMMITTEE:

Chair: J.I. Little, Professor
Graduate Chair

Allen Seager, Associate Professor
Department of History

Tina Loo, Associate Professor
Department of History

Stephen Havlovic, Professor
Department of Business Administration
(External Examiner)

Date: March 15, 1996
ABSTRACT

Between 1912 and 1914, the British Columbia Royal Commission on Labour was conducted in various locations around the province. By the end of the decade following the conclusion of the hearings, a number of important pieces of protective labour legislation were enacted that very much reflected important aspects of the Labour Commission. This was a time of social change in the province as elsewhere and this change was reflected in this, the provincial government's first serious foray into the legislating of protection for the province's citizens. During this period, women were granted the vote and minimum wage legislation was passed, ostensibly to provide women workers with a means by which to earn wages necessary for them to achieve a minimum standard of living. They were supposedly further protected by legislation which prohibited their hiring by employers of Asian origin. Workers in general were granted the protection of a state-controlled, employer-funded workers' compensation scheme. These concerns were very much reflected in the testimony which is contained in the Commission records.

The central purpose of this thesis is to examine the various discourses which were created, strengthened, or weakened at the Labour Commission hearings. In a general sense, it is an attempt to analyze how groups of British Columbians viewed themselves and their society during this period of social change. Chief amongst the players at the hearings were labour groups, employers and their representatives, women's organizations, and especially the state. A central argument here is that the state used devices such as commissions of inquiry to legitimate their power through the creation of the illusion of participatory government. Moreover, this legitimation would be used in the future to allow the government to pass the legislation described above. They were not completely successful in controlling all discourse, however, and it is therefore, equally important to look at the contribution of others who testified.

This thesis is an attempt to analyze a snapshot of the province of British Columbia at a particular time in its history. What was of importance to the people of the province, or at least those permitted to testify at the hearings, is reflected in these records. Not
only were the expected labour issues important, but so were issues involving women’s rights, and the presence of Asians within the province’s population. The discourses which were created or reinforced at the hearings established what was or became ‘true’ about workers, women, and Asians, and this truth was later reflected in protective labour legislation. This thesis examines these processes with the intent of uncovering how these constructions occurred and who had the most input in their creation.
Dedicated to my family

and to the memory of my grandmother:

ACKNOWLEDGEMENTS

I wish to thank my supervisor, Professor Allen Seager, and committee member, Professor Tina Loo for their indispensable suggestions and support throughout this process. Also, thanks to Professor Mark Leier who, despite not being a member of my committee, still gave of his time to provide helpful insight into how this project could be improved. Thanks also go to my classmates without whose support this thesis would likely never have been finished. And finally, a special thanks to Gayle, just for being there.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval</td>
<td>p.ii</td>
</tr>
<tr>
<td>Abstract</td>
<td>p.iii</td>
</tr>
<tr>
<td>Dedication</td>
<td>p.v</td>
</tr>
<tr>
<td>Acknowledgments</td>
<td>p.vi</td>
</tr>
<tr>
<td>Table of Contents</td>
<td>p.vii</td>
</tr>
<tr>
<td>Chapter I: Introduction:</td>
<td></td>
</tr>
<tr>
<td>Theory and the Labour Commission</td>
<td>p.1</td>
</tr>
<tr>
<td>Chapter II: The 1912 Royal Commission on Labour</td>
<td>p.31</td>
</tr>
<tr>
<td>Chapter III: Protective Labour Legislation</td>
<td>p.70</td>
</tr>
<tr>
<td>Chapter IV: Conclusion</td>
<td>p.90</td>
</tr>
<tr>
<td>Bibliography</td>
<td>p.96</td>
</tr>
</tbody>
</table>
CHAPTER I
INTRODUCTION: THEORY AND THE LABOUR COMMISSION

This study began as an investigation of the origins of protective labour legislation in British Columbia but soon expanded or, perhaps more accurately, refocussed on the 1912 Royal Commission on Labour. Records from the Commission have certainly been widely used to support an eclectic array of subject matter; from race relations to gender, as well as the more obvious class-based studies.¹ This is perhaps illustrative of how historians, sociologists, and the like have displayed a tendency to not consider primary material on its own merits but rather for how selected ‘facts’ can be used to support pre-conceived arguments. This study is an attempt at a unique approach to this problem in that it begins with the Labour Commission records as the main focus of the thesis from which conclusions are extracted from the analysis. As much as possible, the intent here has been to study the hearing records with a clean slate, that is with no pre-conceived idea of what these pages would reveal. The advantage to such an approach is, hopefully, a fresh look at some previously accepted notions about class, race, and gender in British Columbia during this period of time. Additionally, and more central to the main argument of the thesis, these records are illustrative of how the state manages power in democratic societies and whose interests they may or may not represent. Hopefully, this attempt to analyze these records will shed some light on what was a very complex period of the province’s early history.

Why examine any state sponsored commission of inquiry and this one in particular? In the most general sense, commissions of inquiry can be viewed as windows on a specific aspect or aspects of a given society, a means by which the various interactions between groups and individuals participating in the process can be studied.

To put it another way, these participants are like actors on a stage in which they are charged with presenting their point of view or that of their particular social group in front of an audience which consists of representatives of the state. By looking at the records of such an activity, it becomes possible to create a snapshot of sorts of what was of importance to a specific society at a precise time, as well as the manner in which these issues were expressed.

This thesis is an examination of a labour commission which was created in 1912 British Columbia. One would, therefore, expect the testimony and the questions to relate only to issues regarding the relationship between capital and labour, but this is far from the case. These records are of interest specifically because so much of what is expressed in these pages transcends a simple consideration of the nature of ‘work’ in the province. Opinions and observations regarding issues of class, race, and gender and the manner in which these categories intertwine to form complex relationships were evident throughout the hearings. It becomes possible to examine how this society viewed itself and how its individual segments viewed their relationship with the rest of the whole. The intent of this thesis, then, is to identify what was important to those involved in the Labour Commission hearings, how these concerns were expressed, and what this may or may not tell us about the province during this period of time.

It is not the intention of this thesis to espouse a single theory in order to reach any one conclusion; in fact, one of its central contentions is that the nature of an activity such as the Labour Commission is far too complex to be explained through a single theory, as is the society represented at the hearings. Consequently, a number of theories will be examined in order to determine a variety of ways in which this analysis can be conducted. With this in mind, it would be prudent to begin by looking at the various explanations as to why commissions of inquiry exist in the first place. Adam Ashforth has dealt with a number of reasons for the existence of these commissions and these are worth discussing in some detail. They can, for example, be viewed as not just fact-finding exercises but a means to educate the public. The discourse that is established between those testifying and the commissioners is one of “intellectual collusion” in
which the intelligentsia of society “transmit forms of knowledge into political practice.” The inquiry thereby becomes a means by which official arguments are replenished and, in essence, become ‘the truth.’ One problem with such a theory becomes immediately apparent when the Labour Commission records are examined; one could hardly call most of the witnesses at these hearings the ‘intelligentsia’ of society, thus making any argument for collusion somewhat suspect. Moreover, in the case of this particular commission, there was a great deal of variety in the issues discussed and the kinds of people who participated. Although this was likely an exercise in creating an official, accepted discourse that would allow the state to act in a certain way, the discourse was not completely pre-ordained.

It has also been suggested that commissions of inquiry are not as important as a means to formulate policy as they are to legitimate state actions and create social harmony through the participatory nature of the commission. There could undoubtedly be some truth to this but only if the commission succeeds in uniting many differing opinions, as they were able to do in the case of the Labour Commission with regard to worker’s compensation. They were less successful, however, in convincing employers of the need for minimum wage legislation for women, thus indicating that the nature of democratic forms of government resulted in the state not achieving everything it may have wanted to before the hearings began. It was necessary for the state to also compromise in this exercise.

Commissions of inquiry can also act as a vehicle for hammering out compromise between contending interests, in this case, capital and labour. In this way, the state can alleviate perceived threats to state power from powerful segments of society. This


3 Ibid., p.3.

4 Ibid., p.4.
would not appear to have been the case to any great extent at the Labour Commission. Although the Commission certainly heard testimony from labour and capital over contentious issues (such as the Vancouver Island coal miner’s strike), they clearly had no interest in intervening to achieve a compromise and thereby end the dispute. It is clear that they were more interested in obtaining a consensus for specific pieces of legislation that they would later recommend.

Ashforth argues that the aforementioned theories are lacking in their attempts to explain the nature of commissions of inquiry. In their place, he posits the following argument:

...commissions are not just modes of scientific investigation but are also performances which serve to authorize a form of social discourse. They are in this sense institutions which draw upon the authority of science to present the state of Truth and the majesty of judgement to represent the truth of the State.⁵

In addition, they can be viewed as ‘theatres of power’ in which the commission acts as an intermediary between the state and the public, the final published report representing an audit of this relationship. The inquiry is, therefore, seen as a search for truth but in order to achieve this, the commissioners themselves must be viewed as being impartial and independent of both the state and civil society.⁶ This would not appear to have been the case in 1912 British Columbia where some labour interests were clearly not pleased following the naming of the Commission members. The B.C. Federationist described the Board as having “not a single solitary representative of the Federation... nor is there any one of the bunch that might not be considered as having been handed the job as a sort of consolation prize to has-been and want-to-be Conservative henchmen.” The paper went on to describe chairman H.G. Parsons as a defeated “Conservative machine candidate,”

⁵ Ibid., p.7.

⁶ Ibid., p.9.
A.M. Harper as a Vancouver lawyer with no knowledge of labour issues and J.A. Mackelvie as a supporter of the Conservative Party and editor of a conservative Vernon newspaper. There is little doubt that these descriptions are essentially accurate, but there was some controversy over the allegiance of the last two members of the Commission. John Jardine was described in the same article as "the greatest political contortionist known to Victoria." This was a reference to his early political career as a labour representative, his subsequent switch to the Liberal Party, and his eventual crossing of the floor to join the Conservatives where he was defeated in the 1912 election. Jardine's employment history was no less eclectic; he was a housepainter until 1907 and sometime later, a member of the Victoria Board of Trade. The final member of the Commission, R.A. Stoney, was both a member of the Conservative Party and the Typographical Union and, therefore, the only Commission member who was a bona fide labour representative. The fact that Stoney was chosen was indicative of the fact that organized labour was being accepted as part of society's elite in that they were to be permitted to participate in the hearings to such a degree. It would appear from the information available that regardless of their other affiliations, all five members of the Commission fully supported and were members of the ruling political party and were

---

7 B.C. Federationist, December 13, 1912, p.1. It should be noted that this newspaper represented socialist interests in the province as much or more than it did organized labour.

8 Ibid.

9 Premier's Clipping Book. Reports on the Legislative Assembly. GR 441, Volume 422, from the Victoria Colonist, January 19, 1911. This article documents a speech given in the Legislative Assembly by Jardine, then still a Liberal, in which he praises the government's railway policies. The paper suggests that he was "even more enthusiastic than most of the government supporters themselves." See also the same source, Volume 442, Victoria Times, February 1, 1911, in which Jardine is accused of accepting graft and deserting the Liberals.

10 E.O.S. Scholefield, British Columbia: From the Earliest Times to the Present, (Vancouver: S.J. Clarke, 1914), Volume IV, p.44.

11 Vancouver Trade and Labor Council (hereafter VTLC) Minute Books, Convention Report dated January 13, 1913. Leading VTLC and Socialist Party member, Parm Pettipiece, attacked Stoney for being the president of the Royal City Conservative Association and, therefore, not a representative of labour in the province. The Council's secretary, however, defended Stoney as a labour man and member of a trades union. This is a reflection of political differences between socialist Pettipiece and Conservative Party member, Stoney.
recognized as such by a major group of participants at the hearings; that the Labour
Commission records reflect this allegiance is not surprising.

As the above information clearly shows, the Commissioners were not perceived as
being impartial whether they were or not.12 This does not, however, negate the central
argument in Ashforth's thesis. The hearings were a stage on which was enacted a
performance designed to create essential truths about British Columbia society on which
future recommendations for political action could be based. They were, more than
anything else, a means by which the state could legitimize future actions. It is also
important to note that the state should not simply be viewed as some monolithic
organization but rather as one of a number of social systems or "complex of
institutions" which include the legal system and the family structure.13 It is more
useful to think of the state as one of many interactive social systems within society and,
as with any other social system, it is composed of individuals whose interests are not
just influenced by their membership in a single group. Groups interact with each other
in myriad numbers of ways and individuals are members of many groups who cannot be
made invisible within a single collective.

The concept of legitimation as a major state activity is important enough to
warrant further comment. Legitimation of the state and by extension the dominant social
and economic groups, can be accomplished in a wide variety of ways. For example, the
state directly involves itself in the economy in this country through such measures as
tariffs, trade agreements, direct investment, and intervention in strikes. If the economy

12 Paul Litt, *The Muses, the Masses, and the Massey Commission*, (Toronto: University of
Toronto Press, 1992), p.35. This would appear to be a common theme in studies of royal
commissions. Here, Litt describes members of the 1949 Massey Commission as "friends of
government insiders" who clearly represented society's elite.

13 Peter Burke, *History and Social Theory*, (Ithaca, N.Y.: Cornell University Press, 1992),
p.109.
is seen as being in a healthy state, the social and economic system is thus legitimized.\textsuperscript{14} The most obvious example of this during the period under study in British Columbia were the massive loans made to railway companies throughout the period that Richard McBride’s Conservative government was in power; this despite claims that they were committed to maintaining a laissez-faire style relationship between the state and the rest of society.\textsuperscript{15} The state usually finds it necessary to attempt more conspicuous methods of legitimation, especially if large segments of society do not benefit materially from a healthy economy. Equilibrium is the key here as the state attempts to maintain the allegiance of all sectors of the general population. Creating the Labour Commission can, therefore, be viewed as a potentially painless way to please organized labour in the province without upsetting capitalist interests. As Ashforth believes, the hearings would be seen in this light as existing to create ‘social harmony.” The evidence to be examined in Chapter II will show that the great majority of employers in the province who appeared before the Commission were in favour of state regulated workers’ compensation because of the high costs of litigation and private insurance.\textsuperscript{16} Although employers strenuously denounced all minimum wage proposals at the hearings, the act for women that was eventually passed in 1917 was certainly not a great burden on them because women still constituted only a small percentage of the workforce at that time. Moreover, the decisions reached by the ruling board were conservative to say the least.\textsuperscript{17} Finally, the blatantly racist Act for the Protection of Women and Girls was

\textsuperscript{14} Paul Craven, \textit{An Impartial Umpire: Industrial Relations and the Canadian State, 1900-1911,} (Toronto: University of Toronto Press, 1980), p.160.

\textsuperscript{15} An excellent description of McBride’s railway policies and the accompanying corruption, is contained in chapters 4 & 5 of Martin Robin, \textit{The Rush for Spoils: The Company Province, 1871-1933,} (Toronto: McClelland & Stewart, 1972). Robin states that the main support of the Conservatives election platform in both the 1908 and 1912 elections was the railway policy.

\textsuperscript{16} There were in fact, numerous employer-generated suggestions for such a system long before the 1912 Commission. Litigation was seen as the main villain of the old system because of its “depressing effect upon capital and business.” John J. Nickson to Premier Dunsmuir, April 24, 1902. Premier’s Collection, British Columbia Archives and Records Service (hereafter BCARS), Volume 19, File 1, No. 13.

\textsuperscript{17} A detailed perusal of the Minimum Wage Act for Women is contained in Chapter III. However, evidence used here on the operation of the Minimum Wage Board can be found in Gillian Creese, “Sexual Equality and the Minimum Wage in British Columbia,” in \textit{Journal of Canadian Studies,}
meant to apply to Asian employers whom the government certainly had no interest in protecting. In any event, as Kay Anderson points out, it was rarely ever enforced. At this particular time and place, it would appear safe to conclude that the provincial government's actions in creating the Labour Commission and eventually passing protective labour legislation did nothing that would disrupt the capitalist system and, in fact, may have helped ensure its continuing position of strength by legitimating the state as the representative of all society.

A equally useful explanation of how dominant sectors of society retain their positions of power is Antonio Gramsci's concept of 'hegemony'. Although he usually used this term to refer to civil society outside of the state, governments in western society were engaged in creating hegemony as well. This theory describes the ability of society's elite to maintain its privileged position by making the majority of the population believe that maintenance of the status quo is in everyone's best interest. This could also be described as the imposition of a dominant ideology on the general population. Although, in some respects, this is another form of legitimation, it involves a far wider segment of the population than the state alone. It really involves control of a society's culture through such mechanisms as the church, the media, the family, education, and a wide variety of other institutions. The key to hegemony is the ability to make everyone believe that the system is for the benefit of all and that control of that system does not reside in any one elite group. An obvious example of this in western societies is the right to vote and thus the perceived ability to enact change. However, if the choices in an election are simply between different varieties of the same ruling elite, composed to a

---


20 Ibid., pp.113-114.
large extent of people with business interests, this power becomes somewhat illusory. The state in British Columbia was undoubtedly composed of a ruling elite whose representatives at the Labour Commission hearings clearly tried to create a far-ranging hegemony on those they were questioning. This is evident in their attempts to convince all employers of the benefits of a state-controlled workers' compensation system as well as their repeated admonitions to employers who did not readily admit to the undesirability of Asian workers. It should also be noted, however, that elite groups are not just composed of business interests as represented by the state, but other groups as well. Organized labour, for example, was an elite group among the province's workers and they consistently strove to retain their status by often refusing to organize unskilled workers, women, and Asian workers. They were essentially feeding into a dominant hegemony that posited such workers as somehow less important within the general population. This too is evident in the hearing records to be examined in the next chapter.

The state not only exercises power through the achievement of consent, but also through direct coercion. The legal arm of the state has the power to enfranchise or disenfranchise citizens on the basis of gender and race as was done in British Columbia.\(^{21}\) They also have the right to declare strikes illegal, to ban public speeches, and to impose such edicts through the use of the military, police, and court systems. These too were frequent occurrences in British Columbia during and just prior to the period under study. Just a few examples include the free speech fights which occurred between 1909 and 1912, which included the use of police violence, arrests, imprisonment, and deportations. The similar use of the police and the military to protect strikebreakers and arrest strikers occurred in the IWW led Canadian Northern dispute of 1911 in Prince Rupert and the violent Canadian Collieries strike which began in 1912.\(^{22}\) These are all examples of the state using its powers of coercion ostensibly to


aid capitalist interests in their pursuit of profit. Theorists sometimes separate coercion
from legitimation or hegemony but in western society, this is not really the case. In
order to avoid disequilibrium while pursuing such coercive measures, the state must
ensure that it has the support of the majority of the population. This is done through the
creation of a discourse that posits the objects of such state repression as the enemies of
everyone in a given society. Thus, various dominant segments of society helped to justify
the actions of the police, state, and courts during the aforementioned disputes by
portraying strike and free speech leaders as foreigners and revolutionaries intent on the
destruction of 'our way of life.'\textsuperscript{23} This can also be accomplished by making the general
population believe that the disruption to the economic system caused by strikes or
lockouts is equally harmful to everyone within a society. Peace and prosperity were both
apparently being threatened and most people would likely support state repression when
faced with such a calamity. Legitimation, hegemony, and coercion are thus seen as
completely interchangeable and, in fact, reliant on each other in a western style
democracy.

The role of the state in capitalist society is the major theme of this thesis. Through
a careful examination of the Labour Commission hearings and the subsequent protective
labour legislation, it should be possible to determine why the state was willing and, in
some cases, determined to pass legislation that might appear to be for the benefit of the
working class and to the detriment of capital. As has been mentioned, however,
appearances can be deceiving. In attempting to ascertain why the state acted as it did in
British Columbia during the period under study, it is necessary to examine theories
involving the actual makeup of state apparatus and the manner in which this may or may
not inevitably lead to often predictable actions. If the state indeed always acts for the

\textsuperscript{23} Premier's Collection, Clipping Books, BCARS, GR 441, Volume 452, 1913. The first 100
pages in this volume are devoted solely to newspaper clippings covering the Vancouver Island
coal miners strike. Despite the wide variety of newspapers included (although obviously none
which could be termed labour publications), most describe the strikers as being led by the
foreign dominated IWW which was inaccurate as well as irrelevant. Such rhetoric was
established long in advance of these particular strikes, however. The 1903 Royal Commission
on Industrial Disputes in the Province of British Columbia suggested in their official report that
strike leaders often wanted to overthrow the capitalist system and were possibly in the employ
of foreign capitalists who were interested in destroying Canadian industry. This taken from
Sessional Papers, 1903, Volume 13, (Ottawa: King's Printer, 1903), p.75.
benefit of the dominant capitalist class, why is this the case? Conversely, is legitimation the only reason they sometimes take actions which, on the surface at least, do not appear to be strictly in the interests of capitalism? Alvin Finkel argues that capitalists in western society directly intervene in the state apparatus to further their own economic goals and this is evidenced by the fact that many business leaders become active in the political arena. Capitalists control the economy and the labour force and, therefore, wield tremendous political power simply because they control so much of what makes society operate.

Thus a social-democratic government, whose members are not capitalists but who accept the capitalist mode of production, is forced by the logic of the structure of capitalist relations of production to act largely in the interests of the capitalist class.

In a similar vein, Ralph Miliband takes the hypothesis one step further by suggesting that middle-class professionals, small business owners, and managers come from the same social backgrounds and, consequently, share a “community of interests” with the ruling class. The state is also directly linked to this ruling class, not only because many of its members are themselves businessmen, but others, for example members of the legal profession, share similar class backgrounds and economic interests. They are more class conscious than anyone else in society because they have much to gain by maintaining these social cleavages. Visualizing the state as a group of individuals from varied backgrounds but with a community of interests is a useful tool in analyzing why the state usually acts to further capitalist accumulation. This is, however, a


25 Ibid., p.25.


27 Ibid., p.47.
structuralist approach to the problem and does not easily explain exceptions to the rule or, for that matter, change. For example, prohibition was primarily a middle-class based movement and yet its implementation by provincial legislatures obviously hurt manufacturers and distributors of alcoholic beverages. Thus, although reform movements were grounded in a middle- or upper-class rhetoric, they sometimes transcended the interests of capitalists. This was also evident at the Labour Commission hearings where Commissioners became upset on several occasions when testimony revealed that certain employers were mistreating their female workers. Although this was likely a response which resulted from patriarchal concern, it nevertheless shows that other systems of belief were at work here. Furthermore, it would be a mistake to assume that the economic interests of all capitalists are always the same under all circumstances. Although it is presumably the intent of all business owners to maximize profit, this is not always accomplished in the same manner; different modes of production and diverse levels of competition result in disagreements among capitalists as well. One clear example of this in British Columbia was the debate between different levels of business in the province and the state over the question of Asian immigration and the use of Asian labour. During the railway boom which so characterized the McBride regime, the premier constantly received complaints from high ranking railway officials about legislation prohibiting the use of Asian labour on railway construction. These restrictions were allegedly hampering the ability of these companies to complete the contracts.28 Complaints of this nature were certainly not as prevalent as those calling for the total exclusion of Asians and legislation to prevent them from competing with non-Asian businesses.29 This is an example of divergent interests based on the different

28 Premier’s Collection, BCARS, GR 441, Volume 35, No.397. This is a letter from the president of the Grand Trunk Pacific Railway to McBride dated September 16, 1909. McBride’s response was to the effect that, as his government represented the “united feeling of the people of British Columbia”, the regulations regarding the employment of Asians would not be altered. Volume 38, No. 251 contains a similar complaint from the Esquimalt and Nanaimo Railway Company dated May 11, 1910. McBride’s response, dated May 30, 1910, is that the company would have no trouble obtaining white labour if they were willing to pay reasonable wages.

29 Ibid., Volume 55, File 3, No. 65. This is a resolution from the Okanagan Valley Associated Board of Trade dated December 17, 1913 calling for legislation to prohibit Chinese and Japanese ownership of land. A resolution from the B.C. Fruit Growers Association, dated March 4, 1914 called for “the total exclusion, in future, of Orientals of the labouring class...” because they
businesses involved and, in some cases, the class of the Asians themselves. Those that
could be considered petty bourgeois and were in direct competition with their white
counterparts in the agriculture industry, were to be excluded from having the
opportunity to compete. On the other hand, railway owners and their representatives
were purely concerned with securing a source of cheap and reliable labour. The state’s
reaction here is also of interest. McBride consistently characterised his government as
being the champion of white interests in British Columbia. This was partially the result
of a need to legitimate his government on an issue that was usually very important to the
white population of the province, but also an expression of a racial discourse that
transcended class boundaries.30 Again this is indicative of the State’s need to deal not
only with conflicting class interests but intra-class rivalries as well.

For much of its history British Columbia has had a reputation of being a province
where racism flourished and the most virulent and long-standing strain of racism was
reserved for people of Asian descent, specifically from China, Japan, and India. Because
of this and the less-than-startling obsession with people of Asian descent displayed at
the Labour Commission hearings, this thesis will concentrate on this area of race
relations. As has previously been discussed, examining the concept of race on its own is
an admittedly artificial division because class would often play an important part in
determining the nature of the different discourses regarding people of Asian descent in
the province. However, it is also significant that the dominant discourse in this regard
often transcended class considerations and was a matter on which most British
Columbians often agreed, regardless of economic status. One of the main functions of this
paper is to determine why this was the case in a province supposedly famous for its

“have a tendency to lower our social, economic, and moral conditions.”

30 There are numerous instances where McBride unequivocally states his position on the
question of the Asian ‘problem’ in B.C. For example, in a speech delivered to the annual meeting
of the Vancouver Trades and Labor Congress in 1913, he promoted his government’s unending
push for “a white British Columbia” as well as outlined the difficulties in convincing the federal
government of the existence of a “yellow peril.” VTLCM, File 1, Address Book. In replying to a
complaint from the Grandview Ratepayers’ Association about the influx of “Hindus” into the
province, McBride wrote on December 9, 1913, that he would “do what he [could] at all times
to assist in keeping British Columbia a white man’s country.”
social cleavages based on class divisions. It would appear evident, not only from the Labour Commission records themselves, but also from other primary sources pre-dating 1912, that organized and unorganized labour, the state, and the majority of business interests favoured the total exclusion of Asians from the province. This was at least partially based on class interests in that, for example, organized labour viewed Asians as a threat to its job security, a threat perpetrated by and for the benefit of capitalist interests. This does not explain the part that white labour groups played in constructing this social reality, nor does it explain why many business owners, who were allegedly taking advantage of this cheap form of labour, would also call for the exclusion of Asians from the province. The following perusal of some prominent theories and arguments will hopefully shed some light on what was a rather complex matter.

In many sociological studies race is considered as a cultural construct in which a dominant racial group assigns characteristics to another group which is not only ‘different’ but usually numerically and economically inferior. These ‘differences’ become fact and in this way the concept of race is reified. As with class, or gender for that matter, the concept of race is a ‘fixed opposition’; that is, the existence of one racial group automatically presupposes the existence of another.31 This was certainly the case in British Columbia where Asians were considered a ‘race’ with inherent cultural and physical differences that made them poor candidates for citizenship. Various cultural traits were assigned to people of Chinese origin for example and these traits allegedly made them unassimilable. However, this so-called culture was not as much ‘Chinese’ as it was the result of the Chinese community’s contact with another culture that was politically, economically, and demographically dominant. Thus, Chinese labourers may have been willing to work for lower wages than their white counterparts because they had no choice but to do so; they were mostly a male population because the head tax prevented them from bringing their families over; they lived in geographic enclaves like Chinatown because they were not welcome anywhere else. ‘Chinese culture’ was not

something they brought with them from China but rather resulted from "the exigencies of survival and the structure of opportunity in this country."  

On its own, the previous paragraph has little to do with any kind of class analysis and in fact, historians of race relations in British Columbia often downplay class as being of any great importance in such studies. Two proponents of such thinking are Peter Ward and, perhaps less emphatically, Patricia Roy. The latter historian has written that the majority of white residents of the province were afraid of Asian superiority and this was what fuelled anti-Asian sentiment. This fear was further exacerbated by the physical and psychological distance from the rest of the country and the small population. Therefore, racist beliefs among much of the province’s white population were a matter of self preservation. She downplays the role of working-class grievance as a cause of racism in British Columbia by pointing out that the petty-bourgeoisie (specifically grocers and retail merchants) called for Asian exclusion as vociferously as organized labour. Moreover, groups such as the middle-class Vancouver Local Council of Women were also anti-Asian despite having no reason to be concerned with economic competition. While there is little doubt that racism often transcended class boundaries, this theory does not attempt to explain differences among white British Columbians, for economic considerations did influence how this racism was expressed. For labour groups, job competition was a primary consideration while, as will be discussed in Chapter II, many capitalists grudgingly admitted to employing Asians despite subscribing to the dominant discourse which called for their exclusion.


Peter Ward is far more exuberant in his dismissal of a class based explanation for racism in British Columbia. Although he acknowledges that class boundaries can be influenced by economic and social reality, class is more a state of mind and in British Columbia, this way of thinking yielded to others. Evidence of this can be found in the fact that at any one time, only about ten percent of the workforce was organized, regardless of admittedly strenuous opposition to unionization from employers and the state. The majority of workers in the province believed more in individualism than in collectivism, “equality of opportunity” over “equality of condition...personal gain [over] working-class goals.” There is certainly some truth to this argument and, as will be seen in the analysis of the Labour Commission records, many workers did express more of an interest in individualism than in collective action. Some workers, for example, expressed disapproval at the suggestion of a minimum wage because this would mean that they might get paid the same as someone who didn’t produce as much. This argument does not explain where this belief in individualism originated, however. It could very well be that this was a discourse created and maintained by capitalist interests with the assistance of the state. The fact is that very few workers were ever going to profit to any great extent within the capitalist system, but the fact that many believed they would was very useful to capital and the state; it permitted the state to avoid getting too involved in the social welfare of the general population and it meant less organized resistance to capitalist labour practices. Furthermore, class is not simply a state of mind but a lived experience as well and class consciousness is expressed in more ways than membership in a labour organization.

---


36 Ibid., p.262.

37 Royal Commission on Labour (hereafter RCL), Box 1, Volume 1, File 1, p.40. This is one example of workers testifying to the fact that they had no interest in a minimum wage despite the fact that, in this case, a representative of the Stationary Engineers had just finished complaining about their wages being only $3.50 for a 13 hour night shift.
Similar problems exist with Ward’s examination of the roots of racism, although here too his argument is certainly not completely without merit. He believes that social cleavages in British Columbia were based much more on race than on class, partially, of course, because of the unimportance of class in general. Racial stereotypes developed on the west coast as a result of direct contact between Asians and whites and the desire of the white community for a homogeneous society.\textsuperscript{38} These beliefs transcended class boundaries although they were often expressed by the working class as fear of Asian competition for jobs. This, according to Ward, was largely a myth, however, as Asians were usually in jobs that white workers did not want and where there were severe labour shortages.\textsuperscript{39} Again, this argument disregards the possibility that the state had a hand in maintaining or perhaps even helping to create the discourse which posited Asians as second-class citizens. It also ignores the benefits to capitalists in creating and maintaining a dual labour market in order to maintain a cheap and readily available supply of labour. Moreover, if there was little actual job competition, this was likely because organized labour had fought long and hard to avoid such an occurrence. Even though the majority of white residents in British Columbia may have held racist beliefs against Asians regardless of economic status, the manner in which these beliefs were expressed was often based on class background. It is also interesting to note that attempts by the state to limit Asian immigration were also expressed in terms of class; for example, the 1902 Royal Commission on Chinese and Japanese Immigration recommended in its official report the total exclusion of Chinese labourers.\textsuperscript{40} Ward himself mentions the new immigration act passed by the federal government in 1923. Under its provisions, only merchants with a certain amount of capital to invest and Chinese children born in Canada could permanently immigrate to this country.\textsuperscript{41} The


\textsuperscript{39} Ibid., p.19.


\textsuperscript{41} Ward, \textit{White Canada Forever}, p.133. Students and government officials could enter the country on a temporary basis only.
importance of both the above examples is that a specific class of Chinese nationals were being totally excluded from entry into the province. Although class boundaries are not the only consideration in assessing the roots of racism in British Columbia, they certainly cannot be completely discounted either.

Ward's theories on class and racism in British Columbia have been repeatedly challenged by historians and sociologists alike, although for different reasons. Those on the left have, not surprisingly, challenged his claim that class was not a primary consideration in the development of racism in the province, while others have criticized him for failing to investigate the roots of racist beliefs predating the clash of the two cultures during the latter half of the nineteenth century. Marxists usually view race as a mask that conceals class identity and as an analytical construct as opposed to the 'reality' of class. They would explain racial conflict as being the result of capitalism's desire to create a split-labour market in order to prevent worker solidarity and provide a pool of cheap labour. White workers in British Columbia were often legitimately afraid that their jobs were being threatened and their market value undermined and they reacted accordingly. The state also had a hand in creating or bolstering much of the discourse on Asians and this was usually done in such a way as to have the least amount of impact on capitalist interests. For example, Chinese and Japanese workers would not have had the same power as say, British-born workers who were allowed to vote in state elections. The first head tax was passed in 1885, not coincidently after the Chinese were no longer needed as a cheap source of labour following the completion of the CPR. This tax was increased to $500 in 1903 after employers had expressed the opinion that there was now more than enough Asian labour in the province. Despite this evidence, theories which tend to focus on the control of ideology by the dominant class over the working class, tend to ignore the agency of the latter group and perhaps even make them sound

42 McAll, pp.68-70.

43 Information on specific laws and the dates of passage of these acts was taken from Peter Li, pp. 28-29. Also, see The Royal Commission on Chinese and Japanese Labour, Sessional Papers, No. 54, Volume 36, No. 13, 1902, p.97. Following testimony from witnesses described as large employers, the Commission concluded that "if there was no further immigration of this class of labour, it would not retard the development of the industry."
somewhat gullible. Such theories, for example, tend to ignore the contribution to the
dominant discourse that groups such as organized labour may have made. Not only did
they unceasingly push for much of the restrictive legislation eventually enacted by the
state, but they usually showed no interest in defeating capitalist hegemony in another
fashion, namely through the organizing of Asian workers. While it is evident that
members of the working class clearly believed in the dominant discourse on Asians, they
also played a large part in forming and maintaining this discourse when it was not
necessary for them to do so. In some sense then, Peter Ward may be correct in stating
that racist beliefs at times overrode considerations of class.

Another paradigm that is useful in examining race relations and indeed issues of
gender and class as well is Foucault's theory of power and knowledge. Edward Said has
used this model in examining the development of western ideology toward Asians as has
Kay Anderson in her study of Vancouver's Chinatown. The basic premise is that the
accumulation of knowledge leads to the development and maintenance of power and this
power, in turn, leads to the ability to exert control. Thus the Labour Commission
hearings, with its emphasis on the "Oriental problem," could be viewed as an attempt by
the state to gain more knowledge of Asians and, therefore, more control; control over
their numbers, their culture, and the amount of contact they would be permitted with
the allegedly superior society. More than this though, the way we know an object
determines how we relate to it and, therefore, an understanding of how the Commission
came to acquire knowledge of Asians sheds light on how and perhaps why power was
exercised over them.44

Said discusses the nature of the discourse about Asians which originated in the
nineteenth and twentieth centuries, as describing them as lazy, cunning, and prone to
intrigue.45 That this discourse was in operation in British Columbia is evidenced in a

44 For a discussion of the objectification of subjects and the power/knowledge model, see
Michel Foucault, The Foucault Reader, edited by Paul Rabinow, (New York: Pantheon Books,
1984), pp.174-175.

1910 newspaper report covering a government inquiry into illegal Chinese immigration. Witnesses constantly referred to these people as "wiley" [sic] and "cunning" and at one point in the report, the following apparently famous quote was used: "For ways that are dark and tricks that are vain, the Heathen Chinee is peculiar." It is important to note that the usual fixed oppositions common to discourses of this nature, would stipulate that westerners would possess the opposite characteristics to those attributed to Asians. Since these opposite characteristics were seen as desirable traits, Asian influence over white British Columbians had to be minimized. Hence their social segregation, both geographically (Chinatown) and in such laws as the Act for the Protection of Women and Girls to be discussed in Chapter III. The key here is the creation of the us/them dichotomy and the resultant need to keep ‘them’, with their undesirable traits, at bay. China was the land of the barbarians where men were polygamous and morals lax. The difficulty was, in allowing Asians into the province in the first place and then not being able to remove them, they had been allowed to overstep their natural boundaries and at least partially infiltrate white society.

The question still largely remains as to how such a discourse is created. Ward’s psychological phobia theory states that this was simply a popular belief resulting from the clash of two cultures; popular pressure forced the state to enact racist legislation. The Marxist explanation is that the state, in enacting this legislation, was acting on behalf of capitalists to aid in accumulation. Kay Anderson argues that the state “did not simply react to popular or economic pressures but...actively sponsored and enforced the we/they distinctions.” The state did not invent these distinctions, which were based on beliefs about biological differences developed during the mid-nineteenth century in response to the imperialist need for subject races. The state, therefore, as a collection


47 *Said*, p.49. Although he is not discussing B.C. in particular.


49 Ibid., p.35.
of systems of power, was able to produce and maintain what became ‘true’ about Asians. However, as Foucault argues, power exists in all relationships; thus, organized labour had power and perhaps a hand in creating or supporting this discourse of difference. Even if the state in British Columbia was maintaining or perhaps recreating a system of difference in the province based on race, there would seem to be little doubt that this was done at least partially to aid capitalist accumulation through the creation of a cheap source of labour and intra-class rivalry. In doing so, however, they were merely taking advantage of a discourse they and most everyone else already believed in.

The concept of power relationships is also important in the study of gender as an important component of the Labour Commission hearings. For the purposes of this thesis, this discussion will include an examination of what constituted both the masculine and feminine gender. The discourse on masculinity at the hearings was far less obvious than that on women who were generally treated not as a part of ‘labour’ but as something quite distinct. Men were without a doubt the main objects and subjects of discussion at the hearings and their concerns were often expressed in terms that were very much masculine in nature. These included concerns over the ability to earn a family wage, maintain a sense of individualism within the workplace, and, in terms of women, the need to protect them from the ravages of capitalism. Working women themselves were barely present at the hearings, and although this is in itself instructive, it nevertheless leaves an unfortunate gap which makes it impossible to determine what their interests would have been in terms of their paid labour. They were generally represented by middle-class women’s organizations, sometimes in combination with organized labour. Although an analysis of their testimony is not without interest, it seems at times that this tells us as much about class as it does about gender constructions during this period of time.

Masculinity, as a category of historical analysis, is a relatively new field of study and there are, therefore, relatively few theoretical works on the subject. Most seem to concentrate on the crisis of masculinity caused mainly by structural changes during various historical periods. For the period under study, the chief culprits were
industrialization, with its accompanying assault on individualism and the rise of the political democracy, best represented by the women's suffrage movement.\textsuperscript{50} Accompanying industrialization were increased mechanization and the routinization of labour and this meant a tremendous loss of individual power for working males. The suffrage movement was, of course, another attempted invasion of a traditional male sphere. Women were also invading the workplace in greater numbers, although in British Columbia, they still constituted a relatively small percentage of the working population and they were segregated in a few professions thought to be acceptable as ‘women’s work’. Despite this, there are several examples in the Labour Commission records of men testifying to the unsuitability of certain types of work for women and this often appears to be not only an expression of the dominant discourse on women’s proper sphere but an attempt to keep intact a traditional male domain. It could in fact be argued that the existence of the Labour Commission in the first place, was as much an attempt to deal with a crisis in masculinity as it was to examine the relations between capital and labour. It is important to note, however, that gender does not just refer to the relations between men and women but to the “class relations among male and among female workers and between workers and employers.”\textsuperscript{51} Thus wages, job security, skill, and workplace control were all greatly influenced by gender relations. For example, it is interesting to note the manner in which skilled, organized workers at the Labour Commission hearings often spoke on behalf of their unskilled counterparts, calling for a minimum wage when they themselves did not require one.

Most theories of masculinity focus on the primacy of work in what constitutes maleness. As with theories of race, fixed oppositions are present here as well. The connection between work and the male identity presupposes that women’s proper sphere is in the home or, at best, in low-paying, unskilled jobs. Thus women must be invisible


and weak so that men can be visible and strong.\textsuperscript{52} This is part of the knowledge/power paradigm which is useful in explaining why working-class women were virtually excluded from the Labour Commission hearings, from membership in most labour unions, and from higher-paid jobs. Appearing before the Commission would imply that they possessed knowledge and, therefore, some semblance of power. Membership in unions and access to higher-paid, higher-skilled jobs would have, in effect, challenged the male identity constructed through work. In other words, skill would have given women a kind of knowledge that was a male domain and the chief way in which men constructed their masculinity. Men, therefore, had a vested interest in keeping women unorganized, unskilled, poorly paid, and in the kitchen. Failure to do so would have adversely affected men's sense of identity and self worth.

Theories of gender relating specifically to women are inexorably tied into those which deal with men. There are a multitude of various feminist theories which deal with gender relations, but the ones of most interest for the purposes of this thesis are those which tie gender to class and discourse analysis.\textsuperscript{53} Many women's studies relating to class revolve around the concept of the dual labour market. This is a central theme in Mary Lynn Stewart's monograph on the origins of protective labour legislation in France. The dual labour market is characterized by a primary and secondary sector in which the primary sector is characterized by higher-paying, more permanent, and allegedly more skilled types of employment. There is also more opportunity for advancement and more input in the administration of work rules, as is evidenced by the nature of the workers who were allowed to testify before the Labour Commission. The secondary market is characterized by low-paying, poorly organized jobs with little chance of advancement and high rates of unemployment.\textsuperscript{54} Supporters of this theory


\textsuperscript{53} For a useful summary of different theoretical perspectives on this subject, see Roberta Hamilton, “Feminist Theories”, \textit{Left History}, Volume 1, Number 1, Spring, 1993, pp.9-33.

content that workers exhibit behaviour appropriate to the labour market in which they are employed. This is a further explanation for why the few working women who were permitted to testify before the Labour Commission had virtually nothing to say. It also explains the attitude of unions in not supporting women workers; in order to protect their relatively privileged position within society, it was necessary for primary sector workers to ensure the subordinate position of the secondary workers. It should be noted, however, that the wall between the two markets was quite nebulous in British Columbia; primary workers were also subject to regular bouts of unemployment and the fact that capitalism created this system in the first place is evidence that it served its designed purpose, which was to diffuse the possibility of a united working class through the encouragement of internal segmentation. There would also appear to be ample evidence to support the argument that the Commissioners certainly had no interest in encouraging any disruption of this segmented labour market. This would in part explain their attitudes towards working women as well as their insistence on maintaining a discourse which posited Asians and other ‘foreigners’ as separate from the ‘legitimate’ working class.

Women were relegated to this secondary market, but because of the dominant discourse that posited them as physically and psychologically weak and subject to immoral influences, it was felt that they required special protection in the form of protective labour legislation. As will be discussed in further detail in Chapter II, the push for minimum wage legislation by middle-class women’s groups and the occasional union, centred more on the fear of “moral degradation” than on women’s rights as workers to a living wage. This becomes evident in reviewing the minute books of the Vancouver and Victoria Local Councils of Women, middle-class organization; who were clearly more interested in the availability of proper domestic help than they were in the

55 Ibid., pp.42-57.

plight of women workers. Often there was a racial element in their activities as well such as, for example, in their expressed belief that Asian workers should be replaced by white women in certain instances. More than this, they were concerned with the possibility that “Orientals” were employing white women which they considered “disastrous” and sure to lead to the “moral downfall” of such women.\textsuperscript{57} This obsession with the moral reform and purity movement culminated in the “white slavery panic” of 1909-1914 in which Chinese males were accused of getting white women addicted to opium in order to induce them to enter a life of prostitution.\textsuperscript{58} That this movement was influential is evidenced by the passage of both The Minimum Wage Act and The Act for the Protection of Women and Girls to be discussed in Chapter III. These sex-specific labour laws were supposedly designed to protect women but, in fact, served instead to “preserve women’s status in the labour market without materially improving their working conditions outside or inside the home”\textsuperscript{59} Discourse is central to this argument as well in that a pre-existing notion of what constituted women’s proper sphere was necessary in order to consider such laws. Discourse, it should also be noted, does not mirror reality because it is constructed in a particular time and place and according to a particular culture.\textsuperscript{60} For example, women may have been at least partially released from the normal discourse during World War I when their labour was needed to work in industries where traditional male labour had been depleted.

These various theories on class, gender, race, and the role of the state in capitalist societies have been reviewed both as an introduction to the context in which the Labour

\textsuperscript{57} One example of the numerous references to the replacement of Asians by white women is contained in a resolution calling for the replacement of Japanese elevator men. This is of interest also because it is indicative of what types of employment were thought suitable for women. VLCW-Minute Books, Box 6, File 4, p.101. The quotes regarding the employment of white women by Asians is from the same source, p.109.


\textsuperscript{59} Stewart, p.vii.

\textsuperscript{60} Hamilton, p.23.
Commission took place and as a theoretical backdrop on which the hearings and the subsequent legislation will be interpreted. None of these theories have been accepted in their entirety and herein lies a central contention of this thesis. In his noted monograph on oral history, Paul Thornpson states that: "The fundamental problem lies in the fact that each type of theory turns its back on the other", a truism that applies as much to theories of gender and ethnicity as to those of class relations within the state.\textsuperscript{61} Because these categories are not fixed, however, and because it is possible that individuals and groups are motivated by multiple understandings of the world around them, use of a single theory is not feasible in a study such as this. Any society and specifically British Columbia, is far too complex to be examined through the use of any single category of analysis; ideas of class, gender, and ethnicity structured the Labour Commission hearings and were embedded in the three pieces of legislation to be examined in Chapter III. These categories were mutually and simultaneously constitutive of the relations of production within the province. The analysis to be conducted in the next two chapters will illustrate that this was indeed the case.

The central argument of this thesis concerns the nature of the state in capitalist societies and how it acts to legitimate itself and its actions. The Labour Commission records clearly indicate that the state in British Columbia had a specific agenda in mind prior to the beginning of the hearings.\textsuperscript{62} The Commissioners, as representatives of the state, repeatedly attempted to manipulate witnesses on questions related to labour issues, such as workers' compensation; racial issues, regarding Asians within the workforce; and gender issues, involving working women and related immorality. The reasons for creating the Labour Commission in the first place went well beyond hearing complaints and judging if there was anything to them. It was a means by which the state could both collect and impart information in a seemingly neutral and scientific way. To


\textsuperscript{62} Litt, p.207. At the Massey Commission, members of the Board held over 100 private meetings prior to and during the hearings, thus indicating that they carefully orchestrated the manner in which the hearings proceeded. Such was likely the case with the Labour Commission as well.
look at this another way, the Commission can be viewed as a 'power/knowledge form' in which knowledge is created and subsequently used as a source of power for the state to execute a particular agenda. It was a means of manufacturing consent, of ensuring that future state actions would appear to be legitimate responses to the apparent desires of important segments of the public on whose behalf the state supposedly acted. Thus, if the state wanted to recommend specific pieces of labour-related legislation, which indeed they eventually did, it could do so on the grounds that it had the public support necessary in a democratic society to so act. The Commission hearings can, therefore, properly be viewed as a theatre of hegemony in which the state attempted to create or reify a series of discourses regarding what was true about British Columbia. In other words, the province’s political leaders wanted to convince everyone that the ideology espoused at the hearings was one that was collectively agreed upon and not imposed by a single ruling elite. In reality, however, those participating at the hearings, by the very fact that they were permitted to have such input, had clearly been accepted as part of this society’s elite. Thus, even though much of the testimony involves working conditions for non-union workers, Asian workers, and women, few if any of these ‘subjects’ were actually permitted to testify. Instead they were allegedly represented by so-called legitimate trade unions and middle-class reform groups.

In terms of methodology, the main primary sources used in this study include newspapers, minute books from the Trades and Labour Council and the Vancouver Local Council of Women, and of course, the Labour Commission records themselves. Newspapers are often problematic as accurate sources of information if only because of their usually party-political bias. This was even more the case in the early decades of this century when little effort was made to achieve the more subtle prejudices that one might find in today’s media. However, this can be considered an advantage in that the slant of these sources is not difficult to detect. Furthermore, these sources were invaluable in assessing the general mood of the province during this period, or at least the manner in which this mood may have been constructed through the media. Finally, newspapers partially address the problem of government records from this time which are at times, simply lacking. There was no provincial Hansard until many decades after the Labour Commission hearings but there are detailed, often verbatim or near verbatim
records of legislative debates contained in newspapers such as the *Daily News-Advertiser* of Vancouver and Victoria's *Colonist*. Although both papers were saturated with pro-Conservative government editorial comments, they still contain daily reports of the legislative debates. These were indispensable in determining the nature of the struggle that was occurring between the state and representatives of the opposition parties and more radical elements of society.

Because the Trades and Labor Council and Vancouver Local Council of Women played prominent roles in the Labour Commission hearings, the aforementioned minute books were instrumental in determining where the priorities of these groups lay. For example, it is well known that the Trades and Labor Council in this province consistently displayed virulent anti-Asian sentiments, but it is interesting and useful to note that this sentiment was expressed to a greater degree within the organization by such affiliates as the Tailors and Cooks and Waiters' Unions.63 One would be safe in assuming that this was due to the fact that these were two of the few industries where direct competition between white and Asian workers actually occurred. The usefulness of records such as these are beyond dispute but their accuracy is not. There was a social reason why such records were kept in the first place and then later preserved in archives. Over the years archivists pick and choose which information should be kept and which discarded, depending on their perceived usefulness in a particular time and on the prevailing political winds.64

Similar problems exist with the Commission hearings themselves in terms of the social reasons for which they were created and maintained. In addition, one must consider whether opinions being expressed on such occasions were an accurate representation of how people really felt. During most commissions of inquiry of this

63 Vancouver Trades and Labor Council Minutes (hereafter VTLCM), Minutes of Regular Meetings, 1902-1908, p.585. Here the Cooks and Waiters’ Union referred to their Asian competition as running “...disease-breeding sweat-shops.” In the 1908-1912 volume, p.39, The Tailors’ Union alleged that high unemployment in its industry was due, in large part, to the presence of “Japs, Chinks and Hindoos.”

64 Thompson, p.106.
nature, an interviewee was confronted by a rather formidable group of commissioners. Moreover, there was always the possibility of behind-the-scenes manipulation of witnesses or the intimidation inherent in testifying before one’s employer.65 There are sections in the Labour Commission records where this latter problem appears to be a distinct possibility, especially where women were concerned. Of the handful of women that did testify, none had any complaints despite other evidence of poor working conditions and low pay. Since this was an open hearing and their employers testified immediately after them, it is likely that their ‘bosses’ were present the whole time.66 However, considering that there were many more instances of workers speaking against employers who had just testified, this would not appear to have been a common occurrence. This fact would also seem to discount the possibility of any large-scale, veiled manipulation of witnesses, although such orchestration of an unhidden nature was certainly very common. It is, of course, impossible to be absolutely sure about recorded events such as this but this certainly does not render such records useless. Moreover, a witness’s reluctance to speak on a certain subject can be very illuminating in itself.

The thesis is divided into three main chapters and a short conclusion. Chapter II begins with a short introduction to the socio-economic climate of the province at the time the Labour Commission hearings took place, followed by an analysis of the hearings themselves. Chapter III commences with the final recommendations of the Commissioners and how these did or did not represent the dominant discourses expressed at the hearings. Finally, the chapter will include an analysis of the Workman’s Compensation Act (1917), the Minimum Wage Act for Women (1918), and the Act for the Protection of Women and Girls (1919). These particular acts were chosen because they were some of the most prominent pieces of protective labour legislation passed

65 Ibid., p.104.

66 RCL, Box 1, Volume 3, File 7, pp.96-98. In this specific instance, two female laundry workers testified before the Commission. For a discussion of an apparently identical problem at the 1886 federal labour commission, see Susan Trofimhenkoff, “One Hundred and Two Muffled Voices: Canada’s Industrial Women in the 1880s”, in Laurel Sefton MacDowell & Ian Radforth, eds., Canadian Working Class History: Selected Readings, (Toronto: Canadian Scholars’ Press, 1992), p.195. Here the author argues that “women muffled their own voices” unless they were permitted to testify anonymously.
during this period and because they accurately reflect the dominant discourses on class, gender, and race in the province. The final intent of this study is to present the Labour Commission hearings as a photograph of sorts, a frozen frame of a particularly complex and fascinating period in the province's history.
CHAPTER II
THE 1912 ROYAL COMMISSION ON LABOUR

[The Labour Commission] is not to address strikes but to hear complaints, judge if there is anything to them, and if appropriate, enact labour legislation to improve conditions.  

This quote from a speech given by Richard McBride to a B.C. Federation of Labor convention, was actually delivered while the Labour Commission hearings were already in progress. Whether this was a reaction to what was already happening at the hearings or an accurate reflection of what the Premier actually intended in creating the Commission is open to debate. Either way, it is an instructive statement in determining both the origins of the Commission and its mandate during and after the hearings. Although the Commissioners did not address strikes in terms of making recommendations to resolve specific disputes, they certainly spent a considerable amount of time hearing testimony from striking workers and their employers, especially in the case of the Vancouver Island coal miner’s strike. Clearly, and certainly not surprisingly, the disruption of capital accumulation, especially in one of the province’s main industries, was a major cause for concern for the government and representative entities such as the Labour Commission. If capital accumulation in the province had been totally unhindered by problems between workers and their employers, if there were indeed no “complaints” to hear, there would have been little purpose in the existence of the Commission in the first place. Strike activity was but the most visible manifestation of this conflict.

McBride’s statement is probably more important for the way in which it quite accurately describes the sweeping powers of the Labour Commission in determining the final outcome of the hearings. Because the legitimacy of such commissions of inquiry are based on a perception of impartiality, one would have to assume that the Premier’s

1 VITLC Minute Books, UBCSC, from an address by Premier McBride to the annual BC Federation of Labor Convention, January 13, 1913.
intent here was not to indicate otherwise. In this statement, the Commission was given the power to “judge if there is anything to [the complaints].” Presumably, therefore, regardless of how important specific complaints were to those testifying, how often the same complaints were repeated, or how legitimate their nature, the Commissioners alone had the power to determine the relevance and, consequently, the impact of the testimony on the final recommendations. This is a central point in commissions of inquiry in general and the 1912 Labour Commission in particular; a specific group of people were hand-picked by the state to conduct an allegedly impartial inquiry into a certain societal concern in which the public had a vested interest. By appearing to take a consultative and conciliatory stance in dealing with the problem of labour in the province, the McBride government was able to set itself up as an neutral arbiter of relations between capital and labour, with the best interests of the province their only apparent aim.

It is evident in the examination of the Commission records that is to follow, that the Commissioners clearly had a very specific agenda in mind before the hearings began. There were numerous instances where their lack of interest in certain kinds of ‘complaints’ is made abundantly apparent. Conversely, the repeated use of blatant witness manipulation in order to gain support for the state’s preconceived agenda constitutes clear evidence of the role of commissions of enquiry in democratic societies. This chapter will argue that the state in British Columbia, through the creation of the Labour Commission in 1912, manufactured a consensus on which to base the protective labour legislation which followed in the half decade following the conclusion of the hearings. They did so through the creation of power/knowledge forms. By placing emphasis on certain kinds of testimony over others and by manipulating witnesses into supporting the Commissioner’s position on chosen issues, a very specific kind of knowledge was created. This knowledge was in turn used by the McBride government to legitimate future actions. It in fact, gave them the power to act.

An important focus of this chapter then, is the manner in which the Commissioners structured the hearings in order to achieve specific goals. However,
equally important is the role played in this process by the witnesses who appeared before the Commission. Although the Commissioners may have wielded a great deal of control over the direction the hearings took, this control was by no means complete and the issues which were important to employers, workers, and reform groups are extremely instructive in assessing the general outlook of individuals and groups towards the society in which they lived. It will be argued here that considerations of race, class, and gender shaped both the kinds of questions the Commissioners asked and the answers they received. In many instances, these issues were raised without being instigated by those conducting the hearings. As will become evident, the struggle between capital and labour, the ‘problem’ of Asian immigration, and the changing role of women within west coast society were perhaps the most important issues of the day and this is most certainly reflected in the hearing records.

The fact that class would be of central importance in a labour commission is, of course, not in the least surprising, but race and gender play much more of an important role in these proceedings that one might expect. Much of the testimony regarding race and gender necessarily revolved around issues related to labour: wages paid to women and Asians, the level of ‘infiltration’ by Asians into the workforce, and sanitary conditions in places of employment employing primarily women, to name a few of the more predominant subjects. Such concerns, however, were often thinly veiled attempts to come to terms with wider and more basic social issues than those related only to labour. Thus in the case of the province’s Asian population, the wider issue was the extent to which they should be permitted to participate and even exist within this predominantly white province. Although women’s right to exist in British Columbia was obviously not questioned, like Asians, their right to participate in a largely white male society was. Much of this chapter then, will attempt to examine the manner in which these problems were expressed by those individuals and groups testifying before the Commission and the manner in which the state, through the Commissioners, chose to manipulate and interpret what they heard.
Prior to actually dealing with the Commission records, some background information will be elucidated on the state of the province during the period in which the hearings took place. In some respects 1912 British Columbia was still very much what could be termed a frontier province, characterized by an underdeveloped secondary manufacturing sector, a transient workforce, and a political system still in its infancy. The province’s economic development was concentrated in the areas of natural resource extraction and the service industry which was chiefly located in the urban centres. In Vancouver, manufacturing typically accounted for less than half the percentage of workers so occupied in Toronto or Montreal. Lacking the steadying influence of more established types of business, the economy was characterized by ‘boom and bust’ cycles. With slight exaggeration, James Conley has referred to the province during the high years of the pre-war boom as a “giant railway construction camp.” Other key centres of profit were the mining and timber industries, as well as urban real estate. It was during this interval of economic expansion that the Labour Commission was created by the McBride Conservative government, although by the time the hearings actually began, the effects of what came to be known as the pre-war depression were already beginning to be felt.

It is not the least surprising that much of the working population was transient in 1912. Employment in primary industries was often seasonal and labour markets were greatly disturbed by rapid growth resulting from high levels of migration into the province. The location of this growth, however, was severely affected by the unpredictable nature of the economy. Even metropolitan areas were not immune to continuous eddies in the population base, as, for example, between 1912 and 1914 when

---

2 Barman, p.375.


Vancouver's population apparently dropped from 122,000 to 106,000. This is inevitably reflected in testimony from labour representatives regarding immigration policies in the face of high unemployment and from certain sectors of the business community (notably farmers, railway contractors, and some lumber mill owners), who expressed concerns over a lack of available labour. An example of the former problem was expressed by a representative of the steam engineer’s union in a complaint about American companies importing their own engineers into the province. D.S. Cameron, vice president of the Trades and Labor Council, called for the “total abolition of licenses to private employment agencies” and a member of the Amalgamated Society of Carpenters and Joiners complained about wages being kept artificially low by government sponsored immigration. It is important to note that immigrants were often viewed by established labour groups as “a competitive menace to be fought off and to be kept out of that industry.” This threat to their job security led to a great deal of animosity aimed, not at the employers or the state who orchestrated the immigration, but at the immigrants themselves. A collection of fruitgrowers and dairymen in the Kamloops area repeatedly expressed concerns about the shortage of labour even to the point that they were willing to suggest, albeit reluctantly, the sponsoring of further Asian immigration. This seemingly contradictory state of affairs is easily explained through the concept of the dual labour market. Job competition was most pronounced in more desirable occupations and less evident in areas such as farm labour as well as sawmill and railway work. These were generally low-paying, difficult jobs that were not often sought after, especially by the province’s large Anglo-Canadian and American workforce.

---


6 RCL, Box 1, Volume 1, File 2, p.96.

7 Ibid., pp.152-156.


9 Ibid., File 3, pp.278-308.
That British Columbia was in an early, undeveloped phase of its existence is reflected in the census of 1911. Most notably, only 17.3% of the province’s total non-Native population (372,306) had been born in the province at the time the Labour Commission was created. Slightly under 65% were born in either other parts of Canada, Great Britain, or the United States, with Continental Europe accounting for an additional 10.8% and Asians, 7.3%.\(^\text{10}\) Perhaps even more revealing is the fact that there were 149.92 males for every 100 females in Vancouver.\(^\text{11}\) This latter statistic is indicative of typical worker migration patterns in a resource-based economy where men were often more likely than women to seek their fortune in a new area. Another obvious cause of this phenomenon was the unavailability of jobs considered ‘suitable’ for women, such as in light industries.

Since this thesis deals with a labour commission, it would be appropriate to also examine statistics regarding the makeup of British Columbia’s workforce. According to the 1911 Census of Canada report, the total workforce in the province numbered 182,482 of whom only 16,627 were women.\(^\text{12}\) However, women did make up a fairly substantial 12.7% of the total Vancouver workforce or 6,452 out of a total 50,628.\(^\text{13}\) There are no reliable statistics available on the actual number of Asian workers in specific job categories in 1911 which partially explains why the Commissioners asked practically every employer they questioned whether they employed Asian labour and to what extent, but various sources yield some likely conclusions on which types of employment or businesses they were most prevalent in. According to Allen Seager, up to 50 percent of workers in the key sectors of lumber processing during the early twentieth century were of Chinese, Japanese or Indo-Canadian (mainly Sikh) origin; but

\(^\text{10}\) Census of Canada, 1941, 4: 662.


\(^\text{13}\) McDonald, p.40.
they were not commonly found in the logging industry.\textsuperscript{14} Despite the fact that Asian workers were mostly excluded from working in underground mines, they were still found in surface jobs and on Vancouver Island in collieries.\textsuperscript{15} While with considerable exaggeration, contemporary Henry Boam contended that Asians constituted a large percentage of farm labourers and domestic servants and that they "almost entirely developed" the fishing industry.\textsuperscript{16} According to Peter Ward, Japanese fishers outnumbered any other single ethnic group by 1902 although they never actually constituted a clear majority.\textsuperscript{17} Chinese packers were prominent in the fish packing industry where their piece-work wages could amount to as much as $6 a day, a figure that far exceeded what even skilled white workers could make.\textsuperscript{18} Asian-owned businesses were concentrated in the areas of restaurants, laundries, and market gardening and these, no doubt, also employed mainly Asian workers. Again it is important to note that these businesses, as well as the canning sector, sawmilling (such as shingle manufacturing), and fishing were probably the only instances where Asians could compete with whites on a relatively level playing field. Organized labour prevented them from working in many other fields; moreover, provincial legislation precluded them from working on railway construction and more generally on 'public works' such as road construction. The fact that they were not allowed to vote also meant that they could

\textsuperscript{14} For statistics on Asians in the lumber industry, see Allen Seager, "Workers, Class, and Industrial Conflict in New Westminster, 1900-1939", in Rennie Warburton & David Coburn, eds., \textit{Workers, Capital, and the State in British Columbia: Selected Papers}, (Vancouver: University of British Columbia Press, 1988), p.120.


\textsuperscript{16} Henry J. Boam, \textit{British Columbia: Its History, People, Commerce, Industry and Resources}, (London: Sells Ltd., 1912), p.266. This was a publication written with the support of Premier McBride and designed to promote investment and tourism.

\textsuperscript{17} Ward, \textit{White Canada Forever...}, p.103.

\textsuperscript{18} According to testimony from a Steveston magistrate, white workers accounted for only 10% of the total cannery workforce in the area and this was chiefly in supervisory roles. RCL, Box 1, Volume 3, File 7, p.1. The testimony on wages paid to Chinese packers is from a cannery foreman testifying after the magistrate. Same source, p.11.
not engage in professions such as law, medicine, or pharmacology, and they could also, of course, not run for political office. The fact that Asians were so marginalized within the dominant white society is reflected in the fact that no Asian employers were called to testify before the Labour Commission and only one Japanese fisher.

Women workers in British Columbia were under many of the same constraints as were Asians and, in some cases, they were actually less well off. Their employment opportunities were often limited not only by the fact that they were also not considered citizens of the province, but also by an equally insidious morality that determined which jobs were considered suitable for women. Vancouver women accounted for 40 percent of the total female workforce of the province in 1911. The 6,452 women wage earners in the city were relegated mainly into three main categories: 2,720 domestic and personal service workers, 1,484 ‘professionals’ (stenographers, teachers, and nurses), and 1,075 trade and merchandising workers (mainly store clerks). The remainder were likely employed in mainly small-scale industries such as candy and cigar manufacturing firms or in restaurants and laundries. Although these percentages may have been different for the rest of the province, it is highly unlikely that women’s job choices were any more varied anywhere else than they were in the lower mainland.

Asian workers, and indeed workers of other ethnic origins as well, supposedly possessed certain characteristics that made them undesirable as potential citizens of British Columbia. They were supposedly willing to work for far less money than Anglo-Canadians because their lifestyles were not up to the standards of the dominant culture. They were docile and willing to work at jobs considered unsuitable for any self-respecting white, English worker. This made them desirable as workers to capitalists interested in maximizing their margin of profit and, supposedly, the bitter enemies of organized labour who saw these people as a threat to the well-being of the province’s white workers. These foreign elements were also considered untrustworthy and unclean,


20 McDonald, p.41.
making them a threat to the health and morality of the dominant elements of society. Whether these social constructions were accurate to any extent is largely the subject of the following paragraphs. Through this perusal of those portions of the Labour Commission hearings dealing specifically with ethnicity and race, it will be possible to separate what was likely true about the so-called undesirable elements of British Columbia society and what was constructed to support pre-existing notions of ethnicity.

Approximately 178 members of the working class testified before the Commission, seventy-three of whom gave no indication that they were in any way organized. The other witnesses were either clearly unionized or were official representatives of labour organizations. Thus, despite being a very large majority of workers in the province, non-union workers were very much under-represented at the hearings. Moreover, union workers obviously carried more weight with the Commissioners as was evidenced by the length of their interviews.\(^2\) It is interesting to note that there is very little mention of Asian workers among the unorganized labourers who testified, despite the fact that Asians were supposedly a source of cheap labour and, one would assume, the chief source of competition with unskilled white labour. It is evident that these workers had other concerns more pressing than ones based on racial purity and testimony in this regard is, therefore, left up to unionized workers and their representatives. Again this is somewhat puzzling because few of these workers would have been in direct competition with Asians who were generally relegated to non-union work. Furthermore, their testimony was not confined solely to issues of wages or competition but also to what are usually considered to be predominantly middle-class issues.

Although, as mentioned, there was not a great deal of testimony from labour representatives regarding actual wages paid to Asian workers, what exists is quite

\(^2\) I have used the word 'approximately' in this paragraph because it is possible that some of the workers who appear to be unorganized may have in fact, belonged to labour organizations, although this likely would not apply to a very large number. Furthermore, categorizing workers and employers during this period of time, is, in some cases, quite arbitrary because some could be considered as both workers and employers. Nevertheless, the figures used here certainly provide a fairly accurate indication of which workers were represented and to what degree.
illuminating. For example, a carpenter in a woodworking shop testified that “Japs” were paid thirty cents an hour while white men got forty cents. He went on to state that Chinese workers were not a problem because they did not do skilled work and were, therefore, not a threat to white labour. After being asked by the chairman about problems with any other “alien labor” besides Asians, this witness responded that there were Austrians, Poles, and Germans but they were not a “detriment” because after “a month or two they are just as anxious to get good wages as the rest of us.” The implication here is that Japanese workers actually preferred lower wages and did not accept them because that was the only way they could get work. It is also quite obvious from this testimony that Japanese and Chinese workers were the ‘other’ and were separate from white workers, not only based on skill, but on the amount of renumeration they demanded. This was also evident in testimony from the president of the mine worker’s union who complained about “Chinamen” getting paid $1.65 an hour for labour that white men would have received $2.86 for.

The question of whether white and Asian labour actually competed with each other to any great degree is open to debate and even union representatives tended to disagree on this issue. D.S. Cameron, representative of the VTLC, was in favour of minimum wage legislation because it would discourage employers from hiring “Chinamen.” He went on the state that Asians and white workers did compete, especially in mills where the former had “control.” Furthermore, the only white labour that would work with them were those that only stayed on the job a few days and then left “with a few dollars in their pockets.” In other words, competition was limited if white labour were of a sojourning kind. However, another representative of the same organization responded somewhat differently to a similar question:

22 RCL, Box 1, Volume 1, pp.73-75.

23 Ibid., Volume 2, File 4, p.122.

24 Ibid., File 2, p.162. Interestingly, Cameron is recalled later on and reiterates his call for minimum wage legislation “for all males” because he believes no one would hire Asian labour if they had to pay the same wages as for white workers. This, as later testimony will show, was open to debate.
Mackelvie: How do you find Oriental labor in Vancouver. Is there much in competition with white labor? Answer: No, the Orientals confine themselves to occupations in which there is no [sic] much competition from white men, except with regard to land clearing. They have competition there from what is termed foreign workmen, Italians and Greeks...25

The threat of job competition among the working class of British Columbia was very real and it was discussed often at the hearings. Furthermore, although these threats were usually always from an individual or group who could be characterized in some way as outsiders, they were certainly not always Asians. For example, a steam engineer complained that B.C. Electric was importing American labour and a New Westminster carpenter, that workers were being brought in from nearby Vancouver.26 A member of the Longshoremen's Union complained that his forty cent an hour wage was being undercut by "Russians and Italians" who were willing to work for twenty-five cents because they could live on practically nothing.27 Clearly, the beliefs that were commonly expressed regarding Asian workers also extended to those from other 'undesirable' places of origin.

Despite the ambiguous evidence showing direct competition between whites and Asians, there was significant support among union representatives for a minimum wage to do away with this perceived problem. The Commissioners also seem to accept this issue as something they must investigate as is evidenced by their repeated questioning of witnesses such as Archie Hogg, representative of the New Westminster TLC. After

25 Ibid., File 1, p.50.

26 Ibid., p.96. The steam engineer was specifically complaining about American companies bringing in American workers. The carpenter's testimony is taken from File 2, p.165.

27 Ibid., Volume 3, File 8, p.156. Another example of this is contained in Box 2, Volume 5, File 6, p.104. Responding to a question about who he considered to be white, a shingler responded that "Italians should not go under the name of white men. Neither should Japs, although Japs are cleaner than lots of white men."
recommending a minimum wage to deal with the “Asiatic problem”, there followed a series of questions from the Commission as to where “Japs and Chinamen” worked and their relative “efficiency” as compared to white workers. J.H. McVety, high-ranking member of the VTLC, was one of the most articulate witnesses heard at the hearings, and one of the few to recognized that a minimum wage would likely not do away with the Asian labour problem. Despite the fact that he was presumably in favour of high wages, he actually predicted that a minimum wage would ultimately result in higher costs of production, thus providing Asian companies with the opportunity to sell goods in British Columbia. He thus conceptualized the issue of “Asiatic competition” well beyond the mere presence of Asian workers in the province.

When an opinion was expressed about Asian workers by organized labour groups, it often did not relate to their low wages or use as strikebreakers, issues one would assume would be of paramount interest to these organizations. An executive board member of the Longshoremen’s Union, for example, called for their total exclusion because of their “habits and manners” and the fact that they were incapable of “assimilating with Occidental races.” J.W. Wilkinson, a well-known B.C. Federation of Labor representative, explained his organization’s call for separate schools for Asian children as resulting from “certain racial characteristics” which he felt resulted from “the climate and social influences to which Orientals have been exposed for many generations.” This apparently resulted in Asian children “maturing” faster than white children, likely a rather vague sexual reference of some sort. A similar sentiment was expressed by another B.C. Federation of Labor representative who wanted his daughter “removed from being contaminated by them.” A spokesperson for the waiters union

---

28 Ibid., Volume 1, File 2, pp.175-176.

29 Ibid., Volume 3, File 10, p.303.

30 Ibid., Box 2, Volume 6, File 12, p.392.

31 Ibid., Box 1, Volume 3, File 8, p.179.

described filthy conditions in Chinese restaurants and explained Chinese success in this business as having resulted from lower wages paid to employees and the fact that white cooks wouldn’t tolerate the “unsanitary conditions” that Chinese cooks would. Furthermore, “I have known instances where a Chinaman will do almost anything he can for to win a white girls affections. Buys her candy and everything like that.”  

The following exchange is also instructive:

The Chairman: Do Japs work as barbers? A. Yes, I should say so. Q. Are they patronized much by white men? A. By a great many I am sorry to say, on account of the sanitary conditions. They don’t look after sanitary conditions at all.

Mr. Jardine: I suppose they cut prices too? A. Cut prices! They shave for anything or cut for any price... These men are not competent at all and when a man gets into the chair with one of them he is taking his life in his hands.

There are numerous other references during the course of the hearings which are quite similar to these. The examples given above represent a summary of the most often repeated social constructions regarding Asians as voiced by organized labour in the province. The inability of Asians to assimilate into the dominant culture was a common theme and one in which the obvious paradox inherent in such beliefs was apparently not realized. The last thing these witnesses actually wanted was for Asians to assimilate into white society, as evidenced by complaints about them moving into working-class neighbourhoods and the refusal of unions to allow Asian workers into their

33 Ibid., pp.208-212.

34 Ibid., Volume 1, File 2, pp.101-102. This same witness went on to describe the Chinese as being as unsanitary as the Japanese, stating at one point that he would rather go “without any clothes at all before I would let a Chinaman wash them.” This sentiment was due to an alleged fear of leprosy. Ibid., p.106.
organizations.\footnote{VTLC - Minute Books- 1912-1916, p.161. In the minutes of a regular meeting dated June 18, 1914, a resolution called for the City of Vancouver to restrict Asians to certain areas of the city because they were allegedly moving into working-class areas “to the detriment of the white population and the depreciation of the districts where the workers chiefly reside...”} The veiled references to sexual perversion are couched in patriarchal terms; women and children needed protection from the unnamed horrors that awaited them should they be exposed to Asian men or their unnaturally ‘mature’ children. Finally, Asians were supposedly unclean and by extension, of course, so were their businesses. It is interesting to note that many of these latter constructions are usually associated with the middle-class social and moral reform movement of the period and these were apparently adopted by labour groups. There was obviously a practical purpose to this as, for example, with complaints about unsanitary conditions which supposedly provided an explanation for the apparent success of Asian businesses. In general, however, it would seem that the working-class accepted the dominant discourse in this regard.

Roughly 154 employers testified before the Commission, including twenty-one ranchers and farmers as well as an assortment of small and medium-sized business owners. Most of the large companies and indeed many of the medium ones, were represented by managers, superintendents, timekeepers, and foremen. Without exception, they all supported a position very favourable to the companies they worked for, thus again lending credence to Ralph Milliband’s theory regarding the similar class-based interests of management and ownership. Because of this, the total number of employers listed above includes some seventy-five who would fall into this category.

Of the total number of employers and their representatives testifying at the hearings, few escaped questioning regarding the employment of Asians. In many cases, such questioning might conclude rather quickly if an employer answered that he employed no Asians, although even this was not guaranteed. Clearly, the Commissioners were after any information they could obtain regarding Asian workers, including their wages, numbers, standard of living, skill levels, and undesirable cultural traits. It is equally clear that the Commissioners had preconceived ideas about Asians that closely
resembled those expressed by labour representatives. Asians were unclean, immoral, untrustworthy, docile, and worked for wages white men couldn't live on. Much to their consternation, the information they obtained from employers did not in many cases, support such conclusions.

Wages were again a primary area of interest for the Commissioners and it is perhaps in this area where they heard what they did not care to hear. Certainly there is evidence that Asians, as a rule, were paid lower wages than white workers but often the differences were slight and in many cases, non-existent. This was most apparent in some of the testimony where it was determined that Asian workers were paid differently than whites, although not necessarily less. For example, a general merchant testified that Chinese cooks in his area were paid $60-$75 per month plus board, which was usually valued at $25-$35 per month. White cooks were paid $3.75 per day without board which, even at 30 days per month, would not be significantly higher than for their Chinese counterparts. There is evidence of numerous other situations where similar conditions existed. It would appear that it was more important to keep Asian and white workers segmented within the labour market than it was to actually pay the former lower wages. Given white labour's attitude toward Asian workers, it was essential that steps be taken to dispel any notion of equality between the two groups and different modes of payment would accomplish this. However, given the propensity of capitalists to pay as low a wage as possible, this is also likely indicative of the fact that Asian workers were not willing to accept renumeration substantially lower than white workers received.

More surprising to the Commissioners and to anyone who is accustomed to labour-related historical literature in British Columbia, was testimony indicating that many Asian workers did not work for less money than white labourers. A mine manager in the Cariboo region testified that the minimum wage in his mine for all workers, including Chinese, was $4 per day and the Chinese cook he paid good wages to was worth the money

---

36 RCL, Box 3, Volume 7, File 14, p.190.
because "[he] never knew a white cook that could keep sober."  

A timekeeper for a lumber company stated that the minimum wage paid for general labour was also $4 per day but the Japanese lumber stackers actually made $4.25. When asked why his company employed them he replied: "Because they are good men."  

A Ladner cannery operator provided statistics indicating that, on average, Japanese fishers caught three times as many fish as white fishers and that Chinese cannery workers in his employ earned as much as $600 for a three week period, the largest average weekly salary by far, of any worker listed in these records. There were other examples of this too numerous to mention or to be an aberration. Moreover, not all of this type of testimony was of a positive nature. For example, a government agent in the Hazelton area complained that Chinese workers refused to work for less than 50 cents an hour, which was approximately $1.25 a day more than any white railway worker was making. The president of the Kamloops Board of Trade similarly complained about wages demanded by Chinese labour in the area, as well as the fact that they now refused to work longer than eight hours because of their high wages.

Despite employing Asian workers and often defending their reasons for doing so, most employers who testified before the Commission still held many of the same beliefs about Asians as did apparently most everyone else in the province. In fact, many who hailed them as superior workers still called for their exclusion or at least that certain restrictions be placed on them. The most common utterance in this regard was that employers would prefer to hire white men but were prevented from doing so because of

---

37 Ibid., p.191.

38 Ibid., p.103.

39 Ibid., Box 2, Volume 6, File 12, p.429, (on Japanese fishers) and p.439 (on Chinese cannery workers).

40 Ibid., p.351.

41 Ibid., Box 1, Volume 1, File 3, p.224.
their unreliability, related to the fact that they never stayed on the job and drank too much when they did.

Stoney: Do you think that is a fair difference between a white man and a Chinaman? Twenty-five cents a day? Answer: For the class of white men we get it is. We usually find pretty good Chinamen for that wage and can rely on them.

Jardine: Would it be an advantage to the District to employ white labor rather than Chinese? Answer: I think it would, yes. The Chinese are very secretive and keep everything to themselves.42

In another instance, a cannery manager was being questioned on his employment of Chinese workers filling cans with fish. After discussing wages, the conversation turned to why they were hired in the first place:

Question: I understand white men don't want that job much. Answer: No, I have often tried to get workmen to work there, but can't. There is a certain knack to it. They can't fill the can. Any white man that goes to fill cans would not have two dozen cans full before his hands would be all cut with the edges of the tin.43

Earlier in his testimony, the same man referred to the skill the Chinese displayed in the cannery as “peculiar.” Finally, there is testimony regarding the head tax in which a hotel owner is being asked whether he thinks an increase in the tax would do away with Asian labour:

42 Ibid., Volume 1, File 3, pp.273-275.

43 Ibid., File 2, p.193.
Answer: I think a great many Chinamen are working where there should be girls. Question: If an amendment were to become law that employers had to pay a Chinaman at least as much as a white man for unskilled labor, do you think white men would get the preference? Answer: I don’t think the Chinamen would be employed. It takes four Chinamen to make one white man at anything there is any labor at. Of course they seem to take to cooking. There is no strength in them. They can’t lift anything.44

The above quotations present a fascinating portrait of another aspect of how white British Columbians viewed Asians. In discussing masculine and feminine constructions, Joan Scott describes these so-called “natural” oppositions as “strong/weak, public/private, rational/expressive, material/spiritual.”45 Surprisingly, it would appear that the above quotations regarding Asians were as much based on accepted gender constructions as they were on those of race. Asians were described as secretive or private and physically weak when compared to white workers. Additionally, the “peculiar” skill they possessed in the canneries was really manual dexterity and this too was a gender construction. Men were supposed to be strong and somewhat clumsy while women possessed the delicacy with their hands that often resulted in their being confined to jobs (such as needlework or stenography), which supposedly required such skills. Asian males, in other words, were not considered real men and, therefore, should not be treated as such.

On those rare occasions when employers were foolish enough to neglect to say something negative about their Asian workers, they were often chastised by the Commissioners or persuaded to admit that white labour would be preferable. The following is an excerpt from an interview with a fruit grower in the Summerland area. After he testified that he was extremely satisfied with the Japanese labour he hired and

---

44 Ibid., File 3, pp.268-269.

45 Scott, p.63. On page 47. She also discusses attempts by the state to legitimize their power by constructing “domination, strength, and central authority” as masculine attributes while “enemies, outsiders, subversives, weakness” are feminine.
payed them the same as white labour, the Commissioners attempted to convince him of the error of his ways:

Question: Suppose they should undertake to buy land and cultivate it themselves and have their families here and establish large Japanese colonies? Answer: If they’re as nice people as neighbours as those working for me, I’ve no objection.

Q. Do you like their standard of living? Do you think they would be a detriment to your own community? A. No.

Q. Don’t you think its rather a dangerous experiment? To take these Japs and educate them as you are doing? A. I think its one of the best experiments for fruitgrowers. It has been for me.

Q. Don’t you think it would be to the advantage of Summerland if all white labor was employed? A. If you could get them, yes. I don’t deny that. 46

Another fruitgrower, after describing his Chinese gardeners as “faithful and good men” was asked whether he would hire white gardeners if there were a $4 minimum wage. He replied that he would still hire Chinese men but was finally persuaded to admit that he preferred his own “society.” 47 Earlier in the hearings, a lumber company owner admitted that 40 percent of his employees were “Hindus” and was asked by Jardine “why our people are discriminated against.” The response, not untypically, was that white men make “better citizens” but if given a choice, he would prefer “a good Hindu to a poor white man.” 48

The Commissioners were clearly disturbed by what they perceived as an intrusion of Asian labour into white territory and the acceptance of such by some employers. Their

46 RCL, Box 2, Volume 5, File 5, pp.58-62.

47 Ibid., File 8, p.349.

48 Ibid., Volume 6, File 12, pp.305-306.
response was usually to work on the witness until he at least admitted that he preferred the company of his own kind and would gladly replace Asians with whites if suitable ones could be found. It is difficult to ascertain, however, whether the Commissioners were attempting to achieve a consensus that would allow them to recommend banishment of all Asians or whether they simply wished to ensure that everyone accepted a similar ideological position where Asians were concerned.

As previously discussed, gender will be used as a category to examine various aspects of both men's and women's lives as constructed at the Labour Commission hearings. Although this section will be roughly divided into male and female sections, the two often intersected as what constituted ‘maleness’ often meant that the opposite constituted ‘femaleness.” Also, race played a large role in determining what protection women needed as one of the dominant society’s greatest fears was the intermingling of Asian men and white women and the inevitable immorality that would result from such contact. The point here is that the line between men/women and white/non-white is a fairly nebulous one in which identities were constantly crossing over from one category to the next. As a result, the divisions in this section are somewhat arbitrary.

Two of the most important topics which directly concerned mainly male workers at the hearings were wages and health, safety, and compensation. Although these were topics which would also have related to female workers, concerns in this regard were usually expressed in a markedly different way and with a different purpose in mind. For men, wages usually meant a living wage and an amount sufficient to provide him with the ability to successfully maintain a breadwinner role. Women's wages were never expressed in these terms. Similarly, issues of safety and compensation were almost totally a male domain; women were simply not employed in any of the industries covered under the Workmen's Compensation Act in effect at the time of the hearings, and women's proper sphere did not extend to any jobs that might be considered physically dangerous. The different ways in which these issues were discussed are indicative of how gender roles were constructed during this period of time.
The discussion of men's wages at the hearings can be loosely divided into those for skilled and unskilled workers. Very few of those considered skilled workers had complaints about their wages, which never seemed to be under $4 a day. Consequently, this was usually not a controversial issue or one that took up much of the Commission's time. Wages for unskilled white labour varied radically from region to region, ranging anywhere from roughly $2 per day to slightly over $4. It would be safe to conclude that the vast majority of unskilled workers in the province earned between $2.50 and $3.50 per day. Most of the discussion regarding men's wages involved the possible recommendation of a minimum wage and, if so recommended, the level at which it should be set. Very early on in the Commission records a union representative suggested that a $4 minimum would be appropriate considering the average cost of living in the province. The Commissioners promptly spent the next eight months asking practically every employer whether they would support such an amount, with predictable results. A Fernie quarry manager who was paying his miners a minimum $3 a day, commented that such an amount "would simply mean shutting down the mines in this country." A coal mine superintendent from the same area expressed similar sentiments stating that a $4 wage would "shut all the coal mines down in a week."49 A Victoria sawmill manager suggested that it "would shut up every mill in B.C."50 These three remarkably similar responses are representative of numerous other reactions from employers to a suggestion they clearly found shocking. However, it is equally apparent that this was how they were expected to react. The Commissioners had obviously decided that they had no interest in recommending a minimum wage for male workers and, therefore, couched their questions in such a way as to guarantee a negative response. They accomplished this by always suggesting a $4 figure and never any lesser amount. This is another example of the state's representatives manipulating the hearings in order to gain support for a pre-ordained decision.

49 Ibid., Box 2, Volume 6, File 9, p.73 for quarry manager and File 10, p.103 for coal mine superintendent.

50 Ibid., Box 3, Volume 7, File 15, p.362.
The attitude of working men and their representatives to the minimum wage proposals was both rather predictable and at times surprising. It is important to note that the Commissioners, in their continuing attempt to influence the outcome of the testimony, rarely asked workers their opinion on a minimum wage and even more rarely did they mention the $4 figure. It was usually left to the workers themselves to bring up the issue. The Trades and Labor Council were the most vocal in their support of a $4 minimum and their argument often took the form of linking wages to the high cost of living and supporting a family.\footnote{Ibid., Box 1, Volume 3, Box 8, p.120. D.S. Cameron, vice president of the Council, actually listed the average costs of supporting a wife and three children and how difficult this was with current wage scales.} The president of the Prince Rupert carpenter's union similarly argued for a $4 minimum and did not see how a family could survive on less. Two quartz miners from the same area actually stated that even $4 was too low.\footnote{Ibid., Box 2, Volume 6, File 12, p.379 for the carpenters union representative. The quartz miners are on pp.405-411. The latter of the two miners stated that such a wage would be necessary to bring up his family correctly and that he "don't want children that are raised up that are as bad as I am."} In most of these cases, the connection between the masculine role as breadwinner and the related need for an adequate wage to maintain this position was made quite apparent. Surprisingly, however, a number of workers and union representatives did not support a minimum wage. As previously mentioned, J.H. McVety felt this would simply increase the cost of living but he also thought it "a beautiful ideal", but one organized labour was unlikely to achieve.\footnote{Ibid., Box 1, Volume 3, File 10, pp.251-252.} Other workers and union representatives had similar concerns. On the other hand, one witness who described himself as a "working man" was against the proposal because "A person that would hire me at $4 for eight hours would not get the worth of his money." Furthermore, a shorter work day would give men "two more hours for debauchery."\footnote{Ibid., Box 2, Volume 6, File 9, p.16.} Another labourer thought $3 "fair to employer and employee...some men are not worth very much."\footnote{Ibid., Volume 5, File 6, p.102.} Statements such as these are not altogether rare in the
hearing records. There is a sense here of fair play and honesty towards employers that is often not reciprocated. These last two witnesses quoted above, for example, were both receiving less than the proposed minimum and were working much longer than eight hours per day. Incredibly, one of these men had just finished describing the horrific camp conditions he had been exposed to and then argued that a minimum wage would be unfair to the same people who were running the camp. There is a sense of gallantry in much of this testimony, a belief that the struggle to survive and get a ‘fair deal’ was part of what it meant to be male. Moreover, these workers clearly believed in a sense of individuality within a free market system. They believed that a minimum wage would rob them of the right to be more successful than other workers based on skill, loyalty, and hard work.56

Safety and compensation issues were also topics that received considerable attention at the hearings although employers and the Commissioners were clearly more interested in the compensation side of the debate. A ‘workmen’s compensation act’ was originally passed in 1902, but was not a state-controlled compensation system as we now know it. It was more a set of general guidelines with no direct state involvement in the adjudicative process or the payment of benefits. The problem for workers was that it provided for very low maximum payments in case of work-related disability and only covered injuries that did not result from “serious neglect” or “willful misconduct.” Obviously, an employer could question the validity of almost any claim based on these criteria. Furthermore, the Act only covered “railway, factory, mine, quarry, or engineering work” as well as construction work on any building exceeding forty feet in height. Compensation was only payable if the period of disability exceeded two weeks.57

56 Perlman, p.165. In attempting to explain the lack of class consciousness within the American working class during this period, the author argues that not only did the perception of ‘upward mobility’ exist, but that in reality, it was to some extent accurate. Workers could move from industry to industry to seek better conditions, had the opportunity to enter the lower ranks of management, or start their own small business.

Some of the province's major industries, notably logging and fishing, were not covered under this legislation and neither was any industry in which women were employed. Even more problematic for workers, the state did not control payments under this system; this was left up to private insurance companies usually hired by the employer. As was evidenced by testimony at the Commission hearings, many employers were also not happy with this system, partially because they felt insurance costs were too high and also due to court costs and the fear of losing such cases. Although workers could sue their employers for non-payment of benefits, most could certainly not afford high court costs unless they had financial backing from a union, a privilege enjoyed by a small minority of workers. This was the general background on which the debate over a new compensation act occurred. Once again, the Commissioners would largely shape the direction the results of this debate would take.

Workers testifying on the subject of safety and compensation certainly displayed more interest in safety than anyone else which is, of course, not overly surprising. However, this too was often expressed in terms of masculinity in that danger was often considered an accepted part of the job. In speaking on behalf of electrical workers, J.H. McVety described them as "a body of men who spend their lives in the open and take their lives in their hands everyday, but they are as tender hearted men as ever I met." He went on to recommend that the 'willful misconduct' section of the Act be removed and that the state tax employers directly and administer payments. He, along with many other union representatives, were calling for a system similar to the one adopted by the State of Washington in 1912, a system which, according to McVety, greatly pleased employers as well. A lineman and representative of the International Brotherhood of Electrical Workers stated that "We have been pretty lucky so far. Only about half a dozen men killed." He was referring to a period of approximately four months.

58 RCL, Box 1, Volume 3, File 9, p.296.

59 Ibid., File 10, pp.353-358. Also, see Volume 1, File 2, p.156 for testimony from a VTLC representative who recommended the Washington system because the present system in B.C. rewarded lawyers and insurance companies more than injured workers. A similar recommendation from another union representative is located in the same source, p.178.
duration. The secretary for the Rossland local of the B.C. Federation of Miners described "minor accidents" as "a finger or two pulled off and men smashed and cut. Two men went with broken arms and one with a broken thigh." It is evident from testimony such as this that many workers clearly accepted danger as part of their jobs and actually relished this as a masculine trait. There are, however, numerous other examples of complaints about lack of safety covering everything from lead poisoning and exposure to cement dust to the danger caused by having electrical lines too closely spaced. The majority of worker complaints about the compensation system though were related to payments or, more accurately, the lack of payments. There were a number of witnesses who testified to being injured and not receiving any benefits from employers or their insurance companies. A union representative provided evidence regarding four fatalities from a single mine that were presently before the courts because employers refused to pay compensation to dependants. Two women were also interviewed with respect to a similar issue; their husbands had been killed at work and they had received no money with which to support themselves or their families. Another miner was in the process of testifying about his wages when Commissioner Harper noticed his bandaged hand:

Question: I see your hand is hurt. Did you have an accident in the mine?  
Answer: Yes  
Q: When was that? A: A long time ago.  
Q: Did you get any compensation? A: I used to but not now.  
Q: Why not now? A: the finger is alright now.  
Q: What have you got it bandaged up for? A: There is not very much left.

---

60 Ibid., File 7, p.79.  
61 Ibid., Box 2, Volume 5, File 7, p.294.  
62 Ibid., Box 1, Volume 2, File 4, p.100 for the union representative. See Box 2, Volume 4, File 3, pp.225-227 for the testimony of the two widows. The first of the two had three children and received no compensation a year after her husband's death, despite immediately agreeing to accept the $1500 stipulated under the Act.
Q: You got no compensation from the company?
A: No.63

This worker did, incidently, receive $1 per day from a union accident fund. What is of interest here, aside from the rather shabby treatment afforded injured workers at the hands of their employers, is the nonchalant attitude of a worker who received nothing for an injury that was permanently disabling. Whether this was due to some cavalier form of masculinity is difficult to say, but issues of manhood were common in concerns expressed regarding compensation benefits. A Ladysmith miner testified that the $2.75 he had been paid was not enough to support his family. He was then off sick for a period of time with bronchial problems related to inhalation of dust in the mine. After he had recovered, he was unable to get his old job back which, considering that thirty-two miners died in an explosion while he was laid off, was a fortunate happenstance indeed.64

Safety was also of less importance to the employers who testified on the issue of compensation. They too seemed to accept that danger was an acceptable part of many jobs and that workers who freely accepted employment were aware of this risk. The chief complaint here was costs. The vast majority of employers who supported the Washington system did so because they were interested in reducing court and insurance costs. One copper mine engineer testified that his company paid death benefits in a case where a worker fell off “the yard track”, a practice forbidden under company rules, and was crushed. Despite this “willful misconduct” this benevolent employer paid a total of $2000 to the worker’s dependents.65 Another employer actually testified that a state-run compensation system “would be a splendid idea” because workers got compensated too easily under the system then in effect and were, therefore, less careful on the job. He went on to describe an accident involving a worker being crushed as having been the

63 Ibid., Box 1, Volume 2, File 6, pp.242-243.

64 Ibid., p.287.

65 Ibid., Box 2, Volume 5, File 7, p.207.
result of "perfect stupidity", which was actually grounds for disallowing a claim.66 There are numerous other examples of employers supporting a state-controlled compensation system based on cost considerations and not on any concern with the welfare of their workers. The possibility that a safer workplace would also have reduced costs never seemed to occur to anyone.

There were employers who displayed some reluctance to support a new compensation scheme mainly, it would appear, because they thought the old system worked fine and were reluctant to allow the state to intervene to this extent in their relations with their employees. The Commissioners, however, had obviously decided that they would recommend the new system and wanted it fully supported by those who would fund it. In perhaps the most blatant example of manipulation, the Commissioners repeatedly pressured reluctant employers to support the proposed system of state-run accident insurance. The following is an example of this persuasion:

Question: Suppose you were asked to pay a reasonable premium, not excessive and not over what you have been paying, and when an accident occurred the Govt would make a prompt settlement and you would have no further interest in the matter. Don't you think that would be an all round benefit?67

Questions similar to this were asked of any employer who did not initially support the proposed new system and the manipulation did not end until the witness, however grudgingly, supported the proposal. Moreover, the argument used to coerce these people was fabricated on very little in the way of actual facts. The Washington system was new and the Commissioners would have had no idea of what premiums for employers would amount to or what administrative costs would be. The question is, why did the state, through its representatives at the hearings, decide that it wanted to take control of a

---

66 Ibid., Volume 6, File 9, pp.3-7.

67 Ibid., File 12, p.333.
system it could surely see would be a political minefield? This was a government that
openly stated that it did not like to interfere between capital and labour and this was
clearly a case of proposing direct interference. It has been suggested that the agency of
the working class combined with a government always mindful of election time were the
main reasons for this interest. This seems somewhat unlikely considering that the
McBride regime had only recently won an election and had never in the past been hesitant
to crush labour uprisings. A better explanation lies in the state’s interest in moral
reform and its recognition of the importance of the male worker as the family
breadwinner. In other words, by providing injured workers with an income while they
were disabled, the sanctity of the family would be maintained. This interest in
compensation legislation could also be viewed as a means of achieving industrial peace in
order to create a less hostile business climate.

Throughout the course of the hearings, many employers and even some workers
linked shorter hours and higher pay for men to an inevitable lack of moral fortitude.
Shorter hours led to ‘debauchery’ and higher wages resulted in men being less reliable
and more likely to drink and gamble. For a variety of reasons, the situation for women
was the exact reverse; low wages and long hours were considered as being a major cause
of a moral and physical exhaustion that threatened the well-being, not only of the women
themselves, but also their families and potential families. Variations of these sentiments
were expressed by practically all witnesses who testified on the subject of women’s
waged labour at the Commission hearings. A perusal of this testimony is instructive in
identifying the dominant discourse that prevailed during this period regarding working
women; a discourse that, unfortunately, was constructed without input from the women
themselves.

Speaking in the provincial legislature against a proposed women’s suffrage bill, a
high ranking Conservative politician referred to the “emotional hysteria” of women

68 For various theories on the origins of workers’ compensation legislation, see Eric Tucker,
Administering Danger in the Workplace: The Law and Politics of Occupational Health and Safety
displayed during the French Revolution where they were "largely responsible for the French reversion to infidelity, paganism and semi-barbarous conditions." They should not, therefore, be granted the vote because "it is incompatible with womanhood to be responsible for civil government since women is naturally constituted not to debate or to reason but to influence and persuade."69 As ridiculous as this quote may sound today, it was indicative of the prevailing attitude toward women and the essential paradox of how they were viewed during this period. Women were both evil temptresses and weak to the point that they required special protection. This is further illustrated in much of the testimony provided by union members and representatives at the Commission hearings. One member of the barber's union testified as follows:

The main objection that the International has is that they don't consider it a fit profession for any lady to be in. That's the reason they don't accept them.

Mackelvie: Couldn't it be made a respectable profession?
Answer: In a manner yes, but you can't handle the public such as drunks and foul minded men that come into the place and are bound to take advantage of their opportunities in a barber shop when a woman is up close against them. You can't govern them and it is no fit place for a lady...

Q: Do you agree with the last witness that the average woman barber is an immoral person? A: I don't know that they are immoral, but they are kind of degenerate rather.70

The same witness went on to suggest that female barbers used their shops as "blinds" for prostitution. It is quite possible that the reason for this type of testimony was motivated by similar concerns to that regarding Asians - fear of competition. Regardless of the motivation, however, the manner in which women were described is fascinating. On the one hand they needed protection from sleazy male customers and on the other, they

69 Premier's Collection, GR 441, Volume 424, from the Victoria Colonist, March 1, 1913.

70 RCL, Box 2, Volume 4, File 1, p.37.
were immoral creatures luring men into fake barbershops for illicit sexual purposes. Equally interesting is what this says about how white men viewed themselves; they could not help how they reacted “when a women is up close against them” because they were men, but they were also the victims of feminine wiles.

Wages were a central concern of union representatives testifying at the hearings and, although this was also true of their testimony regarding women, it took a very different form from that referring to male workers. Gone was any mention of the dignity of a living wage or the need to earn enough to maintain a breadwinner role. This was replaced with concerns about morality and cleanliness. J.H. McVety was the first to suggest a minimum wage for female workers as long as it was adequate, which meant half of what was recommended for men.

The enforcement of a minimum wage would, I think, protect a very large number of women who are at present unable to do anything for themselves. No doubt about it, the class of women or girls who live at home are doing more to increase immorality than any other class in the community.

In one respect, this was actually a rather perceptive description of the situation facing many women during this period. Employers tended to hire young girls whenever possible in order to justify paying lower wages, as such employees usually still lived with their families and did not require anything approaching a living wage. McVety was pointing out that women who did need to work to survive could not do so for the wages being offered these young girls and were, therefore, shut out of whole segments of the job market. Despite this flash of insight, however, he still related the problem to morality instead of

---

71 Strange, p.207. A very similar discourse existed during the 1886 Royal Commission on the Relations between Labour and Capital. Strange notes that women were never considered as workers but rather for the moral problems which inevitably resulted from their waged labour.

72 Ibid., Box 1, Volume 3, File 9, pp.289-290.
the right of all workers to earn enough to live on. The implication here is that older women who could not get jobs naturally turn to prostitution. Even more direct proof of this is provided by the vice president of the TLC who went into the “restricted district” of Vancouver and asked prostitutes what had caused them to “descend to that life.” Their response, according to this witness, was inevitably that they did not make enough money in the stores where they had previously been employed.73

Respectability was an equally important issue related to both wages and workplace environments. There were a number of references to women not being able to dress properly due to insufficient wages and having to use the same washroom facilities as men.74 Although workplace sanitation was often an issue for male workers (especially in railway construction camps where typhoid had been discovered), it never involved any discussion of separate washrooms based on gender, nor was there any reference to men not being able to dress properly due to low wages. These concerns were undoubtedly genuine issues for these men, but it is also evident that by concentrating on subjects such as these, they were reinforcing stereotypes about their fellow workers that, as with Asian workers, reinforced the segmented labour market in the province.

Many of these moral issues regarding women were related also to issues of race; specifically, white women being exposed to Chinese men. One member of the B.C. Federation of Labour recommended a law to make illegal the employment of white women by Asians because “The girls were some of them learning to use dope.”75 The same witness went on to relate the story of a 19 year old woman he was familiar with:

73 Ibid., Volume 1, File 3, p.201.

74 Ibid., File 2, p.172. Here a representative of the New Westminster TLC recommended a minimum wage for women and “young persons” because “no women or young girls can live and dress as they have to dress on any less than $12 per week.” He then went on to recommend separate toilets for men and women in places of employment. See also File 3, p.205 for another recommendation for “separate lavatories” from a TLC member.

75 Ibid., File 8, p.188.
[She] has been brought up by the Chinese... She can't go downtown without a Chink addressing her and no white women likes on the street to have any Chinese showing familiarity, lifting their hats or passing the salutation of the day.76

There was an element of class in concerns expressed by working-class men about working-class women; there was, for example, no evidence that these same witnesses had similar apprehensions about upper-class women being exposed to Chinese domestic servants. The exposure to undesirable elements of society was cause for alarm because it could lead to immorality, the downfall of white women, and of the white race itself. For some reason though, only working-class women were subject to such problems. These were beliefs that, as will become evident in subsequent paragraphs, were very much a part of middle-and upper-class concerns as well. It could be argued that such beliefs were constructed by the privileged classes who were especially involved in the moral reform movement of the period. Part of this movement very much involved the purity and reproduction of the white race and they likely played a large role in constructing this particular discourse.

The various women's groups involved in the hearings had a similarly peculiar attitude towards the working women they were supposedly representing. They were concerned with wages more for reasons of morality than an actual standard of living. This is illustrated in testimony from a representative of the VLCW who commented on the effects of low wages in stores:

From what I have been able to learn I should say that the majority of girls in the stores are receiving from $7 to $9 per week, but we must not forget that there are those who are receiving as low as $3, $4, $5 and $6. How can a girl in Vancouver maintain life and retain respectability on $5 or $6 a week... I think we may well stop and ask ourselves what

this question of low wages means. When wages are below the cost of living what follows. You know the answer as well as I do, and knowing it shall we blame the girls who find some other way of satisfying their natural desire for a little amusement, candy or some other small luxury.  

This quote is important for several reasons, not the least of which are the miserable wages paid to these workers, wages which are later confirmed by the employers themselves. It is also interesting to note that the emphasis is less on the lack of a living wage than on a threat to the morality of these women. Because of their “natural desire”, women are tempted to seek money in some unnamed but undoubtedly immoral manner because of insufficient wages. The question of their having a right to wages equivalent to male workers is thus made a non-issue by shifting the focus to trivial matters such as women’s inability to buy candy. Amazingly, this women went on to suggest that this was not the fault of the employers but rather parents who sent their children to work at any wage just to get them off the streets. The fact that store employers may have hired younger women only to reduce costs seems not to have occurred to this witness, who clearly sees this as a completely working-class problem. The fact that some of these women were married to store owners may have also have been a factor.

The concerns of these middle-class women at the hearings usually seemed to have revolved around a maternal protection of the purity of working women and also, sufficient protection for employers. A representative for the Victoria Local Council of Women was not in favour of a proposed $3 minimum wage for women because such high wages would encourage “young girls” to leave home. Furthermore, this would not be fair to employers because young women “are careless and in many cases the damage they do is a thing that has to be considered.”  

Another women from the same organization stated much the same thing; a minimum wage was not necessary because young girls living at home did not need one and because “there is amongst women a great many very

77 Ibid., Box 2, Volume 4, File 1, pp.2-3. Italics mine.

78 Ibid., Box 3, Volume 7, File 15, p.300.
incompetent workers. You find that in domestic service. Last year I had eight, one after another wishing to be cooks." This witness also suggested that women employed in stores were generally “well cared for” by their employers.79 This latter quote contains an interesting choice of words in that it is indicative of the fact that these women supported paternalistic relationships between women workers and their employers.

With the exception of Helena Gutteridge, who simply reported on working conditions she had observed during her investigations, all other representatives of these organizations generally testified in a manner that was not overly supportive of working women. Some did support a minimum wage but usually only to alleviate a perceived threat to the moral well-being of the women being discussed. Moreover, the minimum they recommended was usually below what was thought necessary to survive at a reasonable level of comfort. It was evident that these women had no interest in helping to achieve anything resembling a state of equality between men and women and that their allegiance was to the class they represented.

The exchange which occurred between the Commissioners and employers showed both the paternalistic attitude of the state toward women workers and the absolute ruthlessness of employers in their pursuit of profit. The Commissioners displayed little interest in investigating the wages of women from the point of view of the discrepancy based on gender, as was evidenced by their interview with a laundry owner in Nelson who testified that he paid his six female employees between $9 and $14 per week. He also had two “young men” working for him who received $18 per week. The Commissioners ignored this and instead asked him whether he provided separate washroom facilities for his female employees.80 A candy and jam manufacturer testified that he paid his seven female employees $25 for a 60 hour week. The Commissioners harassed him about contravening the Factory Act which stipulated that women were only allowed to work eight hours a day. Evidently, the freedom that male workers enjoyed in


80 Ibid., Box 2, Volume 6, File 11, p.283.
dealing with employers did not apply to women as this was one of the few instances where they were actually earning what was approaching a living wage. The Commissioners did attack some employers for their wage policies, at times rather vehemently, but this was usually couched in paternalistic terms and not equality with men. This is evidenced in testimony provided by the manager of a department store who stated that he paid his female employees on average between $5 and $6 per week and tried always to hire only “girls” who lived at home. The Commissioner’s initial response was to ask whether he provided seats for them, but after lengthy questioning, they actually began to attack him on his wage policies:

Mackelvie: The difference is that you are employing girls and you’re not giving them a living wage. What have you to say about that? Answer: I think I have already explained it. Question: No you haven’t explained it at all. You acknowledge that they couldn’t live on what you pay them?
A: Yes...
Mackelvie: Well, at least two of the Members of this Commission have been acquainted with commercial stores. I think we both agree that you are the most disgraceful corporation that we ever heard of. The idea of paying women such wages as you do is simply disgraceful in a province like this.

It is interesting that after hearing literally months of testimony about horrific accidents in unsafe working conditions and wages that were almost as “disgraceful” as these, this is by far the most open hostility displayed by the Commissioners. The obvious difference is that this testimony relates to the treatment of women and this perceived abuse of women touched a moral nerve that did not exist when dealing with men. It should also be noted that the rest of the evidence on women’s wages usually showed that they may have been paid better at other places of employment, but only marginally so. Rarely did they

---

81 Ibid., p.220.

82 Ibid., Box 3, Volume 7, File 8, pp.439-441.
ever make what even the Commissioners acknowledged was the bare minimum needed to survive, $10 per week. Despite this, however, attacks of this nature on employers were rare indeed.

The Commissioners clearly had no interest in a minimum wage for male workers but this was not the case with females. There is a great deal of evidence suggesting that they discussed this matter quite seriously, including what a minimum wage would be if so recommended. Not surprisingly, the response of employers to such a suggestion was somewhat negative. One laundry owner testified that if he was forced to pay his female employees as much as his male workers, he would simply hire more males. He also felt that women would get higher wages if they would stay on the job longer.83 This is the same argument often used by unions as to why many of them did not attempt to organize women, but the evidence would seem to refute this. Testimony from most working women and their employers indicated that many women had remained with the same employer for at least two years, thus indicating that they were neither young girls still living at home or unreliable.84 Despite their interest in this type of protection for working women, the Commissioners were clearly uneasy about interfering between capital and labour in such a manner, especially considering that testimony from employers was very much against any minimum wage. This uneasiness is reflected in the Commission's final recommendations.

A number of important conclusions can be drawn from the preceding overview of the Commission records. Testimony from employers tended to challenge the usual stereotypes about Asian workers common during this period. First, and perhaps most

---

83 Ibid., Box 1, Volume 3, File 8, pp. 102-105. He employed 16 men at between $16 and $25 per week and approximately 30 women at $6 to $12 per week. Interestingly, the Commissioners don't become upset with this witness at all. They are obviously not concerned with men making more than women for the same work because this is the natural order of things.

84 Ibid., Box 2, Volume 4, File 2, p. 116. One example is a store manager testifying that "lots of girls" out of the 350 employed in his store had been there at least as long as he had, which was five years.
importantly, they did not always work for lower wages than their white counterparts, although they undoubtedly did in some cases. The fact that they were often able to command equal or higher wages leads to a second conclusion that they were not docile and easily manipulated. Clearly, employers would have paid them less had they been able to but many Asian workers obviously did not allow this to occur. Much of the reason that they were able to command good wages was because they were valued for their skill in certain jobs and even more for their reliability. These conclusions would seem to directly contradict many traditionally held beliefs about Asian workers and might lead one to question the validity of the information supplied by these employers. However, considering the often negative reaction of the Commissioners to much of the testimony which challenged their beliefs, and the widespread racism against Asians amongst the general population of the province, it is safe to assume that these employers were more likely to be reluctant to divulge this information.

Testimony from labour groups regarding Asian workers was based on a fear of unfair competition within the labour market but was curiously expressed in middle-class terminology centred on immorality and the continued survival of the pure white race. These concerns often mingled with those regarding working women who needed protection from this threat, but not the same protection afforded white male workers. In terms of their position within the labour market, women were generally unimportant and were to a large extent, ignored by organized labour at the hearings. Concerns regarding male workers were expressed by these groups in ways which were very much based on gender constructions, however. Although there was interest in increased job safety, the dangerous nature of many workplaces clearly was a source of heroic pride for many of these workers. They were far more interested in obtaining a state-controlled compensation system which would circumvent the need to deal with unscrupulous employers, insurance companies, and lawyers. It is also interesting to note the surprising level of loyalty displayed by many workers towards employers, despite low pay and dangerous working conditions; clearly, the rift that many have argued existed between capital and labour in the province may have been somewhat exaggerated.
Women's groups testified at the Commission hearings because they were themselves women and because they had supposedly conducted studies on the condition of women's employment in the province. Considering the interest that the Commissioners displayed in questioning representatives of these groups, and the lack of testimony from actual working women, it becomes apparent that groups such as the VLCW testified as representatives of working women. This was unfortunate because the interests of these groups was very much based on the moral reform movement popular at the time and their own class-based considerations. Working women had to be protected for reasons of morality and the threat to the purity of the white race; employers also had to be protected, however, from poor quality workers and high wages. If one considers the likely connections between these middle-class women and these same business owners and other testimony regarding the difficulties in obtaining suitable domestic help, it becomes apparent that there was a significant element of blatant self-interest in this testimony. The unfortunate result was that working women were essentially unrepresented at the hearings.

If the Commission records are examined from the point of view of the Commissioners themselves, several conclusions can be reached as to the reasons the hearings occurred in the first place as well as the pre-conceived results that were expected. This was obviously an exercise in information gathering as is evidenced by the endless questions related to the nature of working conditions, the identities of workers themselves, and the nature of the relationship between capital and labour. More than this, it was a propaganda exercise designed to elicit support for social programs the state was interested in as well as to promote certain ideological beliefs. In short, it was a means of manufacturing consent. This is most obviously the case with discussions related to workers' compensation where the Commissioners obviously intended to recommend a state-controlled system and, as a result, manipulated employers into expressing support for such a system. It is equally evident that they had no interest in a minimum wage for male workers as is indicated by the negative light in which this was presented to employers. Their opposition to the latter was based on a desire to not interfere between capital and labour while their support of the former was the exact opposite of this. Legislating a minimum wage for men would have been tantamount to direct interference
in the open labour market, something that would certainly not be supported by employers and, somewhat surprisingly, not that strongly by workers either. Although a minimum wage for women would have amounted to similar interference in the labour market, it was likely not viewed as such by the state because women were not recognized as 'labour' in the same sense as were men. This, combined with the strength of the moral reform movement, led the Commissioners to show considerable interest in such legislation. For a variety of reasons, the state was also intent on reinforcing an ideology which posited Asians as undesirable citizens. With women's reform groups and organized labour they were essentially preaching to the already converted, but they experienced some difficulty in convincing all employers of this because Asian workers were simply considered too valuable in many sectors of the economy. Regardless of how successful they were, the intent here was to create a consensus for future state actions and to legitimate these actions. Whether their recommendations reflected these beliefs is the subject of the next chapter.
CHAPTER III
PROTECTIVE LABOUR LEGISLATION

The previous chapter examined the various discourses that were created or solidified during the Labour Commission hearings and the manner in which issues of gender, class, and race often intermingled to produce these constructions. This chapter will examine the results of these constructions, both in terms of the Commissioner's recommendations and the labour related legislation that was enacted within a few years following the cessation of the hearings. Obviously, changing social, economic, and political conditions in the province between the issuance of the Commission's recommendations and the actual passing of labour legislation had a profound effect on why such legislation was eventually considered. However, it will be argued here that this legislation did, to a large extent, reflect the dominant discourses expressed at the Commission hearings, even if they did not necessarily reflect the official recommendations issued by the Commission in 1914.

The first section of this chapter will examine the Commission recommendations and the manner in which these did or did not represent what was expressed at the hearings. In addition, I argued in Chapter II that the Commissioners manipulated witnesses to garner support for legislation that they clearly intended to recommend in their final report. It will become evident in examining this report that this was indeed, largely the case. In reviewing the Commissioner's recommendations, it is evident that they were well aware of the nature of political exigency in a democratic society. While there was somewhat of an interest in pursuing greater state involvement in the management and control of society, they recognized that any attempt to go too far in this direction would have been politically disastrous. Moreover, it is unlikely that they were truly interested in further reforms of this nature. In general, these recommendations represented an attempt at compromise that would be acceptable to most voters. Thus, while they were interested in minimum wage legislation for women, they chose not to recommend it because of the predictable reaction from employers. On the other hand, they did recommend a workers' compensation scheme totally funded by employers but
limiting what it would cost them through such items as the two week exclusion and the "serious and wilful misconduct" sections. For the Commissioners, this was clearly an exercise in balancing intent with the differing interests of the voting public.

The Royal Commission on Labour issued its report to the provincial legislature during the latter part of February, 1914. The final report, interestingly enough, was generally supportive of labour and labour organizations. For example, the Commissioners rejected the view that labour was controlled by "alien" influences and, although they found no evidence of this "it must be said that many large corporations employ managers and superintendents and are controlled by directors who are themselves aliens." It is more than likely that they were specifically referring to the coal miner's strike and the union leadership involved therein. This type of worker had a high standard of living and ran "well regulated households." They further noted that for the majority of labour in the province:

[W]orkmen of thrift and industry is [sic] more frequently to be found than the malcontent. It was a noticeable feature of our investigation that legitimate trade unionism flourished most among workmen of our own nationality and race, while organizations of pernicious principles, for instance, as the "Industrial Workers of the World" can find few adherents except among immigrants...2

The language of this passage is worth noting, especially in light of much of the testimony from employers. It was an often-repeated theme at the Commission hearings that white labour was unreliable because they did not remain on the job for any length of time and were prone to spend their wages on alcohol. A surprising number of workers confirmed

---


2 Ibid., p.M3.
that this was indeed the case although they were usually not referring to themselves. Despite such testimony, the Commissioners have chosen to use words such as “thrift” and “industry” to describe white labour in the province, despite all evidence to the contrary. These were the highest attributes that a worker could possess and this somewhat distorted construction was likely also racial in origin, especially considering the latter portion of the above quote. It is interesting to note that the IWW probably had the greatest impact on railway workers, where many men of non-British origin were indeed employed. The Commission records clearly indicate that these were among the most poorly treated workers in the province; their employment characterized by long hours, exceedingly low pay, and horrific living conditions. The Commissioners chose to ignore the possible relationship between these working conditions and the success of IWW organizers and instead blamed the racial background of the workers themselves.

This blatant paternalism towards white labour was further displayed in an additional recommendation calling for a fortnightly pay period in mines, factories, and construction camps, in order to encourage “independence” and “habits of thrift.” This recommendation was not to apply to agricultural workers, railway construction camps, and logging camps; the latter because loggers had no opportunity to spend their wages in the remote areas of the province in which they were usually employed, and the first two because Asian and other “alien” workers were principally employed in these industries. The theory was that more regular pay periods would discourage workers from going on a spending spree at the end of each month, thereby encouraging them to be more responsible with their wages and, at the same time, preventing nasty habits like drinking and gambling. This was a rather minor concession to labour as well as an indication of the growing influence of the moral reform movement in the province.

The recommendations regarding a minimum wage were not difficult to predict given the Commissioner’s efforts at overt manipulation during the hearings. The New Westminster TLC was singled out as having initially recommended a $4 daily minimum, as well as some form of similar legislation for women and children. The Commissioners

3 Ibid., p. M5.
summed up the refusal of employers to support such a scheme as resulting from their fear that it would destroy them because they would no longer be able to compete with other provinces and countries. The Commissioners, therefore, recommended against a minimum wage for male workers as “We believe that a minimum wage law would have a ruinous effect upon the industrial activities of the province,” and a corresponding negative effect on labour if capital were to leave the province for greener pastures. Although there was a certain inescapable logic to this argument, it rested on a number of assumptions. First, in order for this to be the case, employers would all have had to be operating on a bare minimum profit margin, in which higher legislated wages would have forced them to increase prices, thereby negatively affecting their ability to be competitive on the open market. This could not possibly have been the case for all employers, many of whom were likely enjoying massive profits, or else they would not have been in business in British Columbia in the first place. Second, this recommendation ignored the fact that the Commissioners themselves were considerably more insistent on a $4 figure than were any of the workers who testified. Even a $3 minimum would have raised the wages of many workers in the province. This was an area where the state did not want to interfere between capital and labour because it would have amounted to direct intervention in the free market system, a step they were clearly not prepared to consider in this instance.

The Commissioners had no interest in minimum wage legislation for male workers and this is made abundantly clear from the onset of the hearings. However, they showed considerably more interest in a minimum wage for women for paternal and moral reasons. For much the same reasons, there was also considerable support for such legislation from organized labour and various middle-class reform groups. Such legislation was undoubtedly considered less intrusive than a similar law for men, mainly because the numbers being bandied about during the course of the hearings were still only a small percentage of what even the lowest paid male workers in the province could earn. Additionally, the protection of women from the evils of capitalist exploitation was an important issue that simply did not exist in the discourse about the need for a

---

minimum wage for men. Women were, in effect, not considered part of the regular labour/capital equation. Despite all of the above, the Commissioners recommended against such legislation:

> We believe that [a minimum wage law for women and girls] would be the same as that for men - i.e., that those who are not considered competent would never be employed at all, instead of being able, as at present, to earn something while gaining knowledge and business experience, and that the minimum would ultimately become the maximum.\(^5\)

Here again, the Commissioners appear to have backed away from the possibility of state interference in the labour market because of pressure from business interests who were universally against any such proposition. The manner in which this is expressed, however, is very much based on gender. The danger of a male minimum wage was that men might lose their jobs if uncompetitive employers chose to leave the province. For women, incompetence would lead to unemployment if such a law were to be enacted. If this were the case, one has to wonder who would have taken these jobs if not women. The proposed level of wages was unquestionably well below what any male in the province would have worked for and, in any event, these were mainly jobs that were segregated based on gender. Women in stores, for example, worked as sales clerks and cashiers while their male counterparts, who incidently were paid considerably more money, usually worked as shippers or store detectives.\(^6\) As for the minimum wage becoming the maximum, this may have been a legitimate concern if not for the fact that the vast

\(^5\) Ibid., p.17.

\(^6\) RCL, Box 2, Volume 4, File 2, p.112. Here the superintendent of a clothing store testified that the average salary for the store’s 350 female employees was $8.60 per week while the average for the 450 male employees was $14.50. The proposed female minimum of $10 would obviously not have encouraged employers to hire more male workers. See also Box 3, Volume 7, File 16, pp.427-435, for testimony from another store owner who payed his 25 female clerks an average of between $5 and $6 per week, while his six male employees, all of whom did different jobs, made between $12 and $20 per week.
majority of women would appear to have been making below the proposed amount anyway. Moreover, the state would have gained the ability to control the level of wages. It is also interesting to note that this was not a concern expressed for men, whose wages were generally believed to be regulated by conceptions of skill and experience. Why would this not have been the case for women workers as well? This was a discourse grounded in the belief that women should only be employed while still young and living at home. In such circumstances, they did not require a living wage and did not deserve one because they had no discernable skills. Older women who did not live at home apparently did not figure in this equation. That such a discourse greatly benefited employers was more than simple coincidence.

The Commissioners recommended a system of “compulsory State Insurance” to replace the 1902 act which created “unnecessary friction between the master and the servant and [was] slow and wasteful in operation.” They felt that injured workers were often not being compensated at all and that the litigation process was both slow and expensive for worker and employer alike. Furthermore, they agreed that insurance companies were charging employers exorbitant rates which, they apparently sincerely believed, the new system would not do. Among the apparent benefits of the proposed system were prompt payments to workers, employer assessments based on accident rates, and no contributions from workers. These aspects of the plan were certainly to the benefit of the province’s labour force. The assessment system would, in effect, penalize employers with poor safety records and the fact that workers did not have to contribute to the plan was a somewhat surprising recommendation given the stance of employers on this matter and the fact that the Commissioners usually displayed a tendency to side with capital. These gains were somewhat tempered, however, by further recommendations that benefits would not be paid for the first two weeks of disability in order to avoid “simulation and malingering.” Furthermore, compensation was still not payable in cases where the injured worker engaged in “serious and willful

7 RRCL, p.M12.

The vast majority of legitimate work-related accidents are of a minor nature, usually requiring less than two weeks off work. This recommendation would result in most workers not receiving anything for their injuries. Perhaps even more problematic, the meaning of "serious and willful misconduct" was extremely nebulous and would have been open to interpretation by a government appointed, potentially employer-friendly board. Although these recommendations would likely have resulted in a system more beneficial to workers, they were also couched in such a way as to not be repugnant to employers.

The Commission report spent a considerable amount of space on the subject of working women, aside from that related to the minimum wage debate. On the subject of immorality amongst female factory and shop workers, the Commissioners found no evidence to support such contentions, which were "a slander upon industrious and hard working women." Furthermore, "the readiness with which even many of those who claim to be social reformers will cast imputations on the chastity of a hard-working class is much to be deplored." On the related subject of Asians employing white women:

Some complaint was made that Asiatics employed white female help. We cannot find as a fact that this exists to any appreciable extent, but such employment must have a demoralizing influence. We would recommend, if it be found that the Province has jurisdiction, that legislation be enacted forbidding such employment.

The first quotation is interesting for the unexpected rebuke directed towards social reformers whom the Commissioners seemed very supportive of during the hearings. The


use of the word *chastity* is also noteworthy. The social reformers were suggesting that poor working conditions and wages led working women to turn to prostitution, but chastity implies virginity or celibacy, which would seem to indicate a concern with a more general state of *immorality* over and above prostitution. The second quote may be illustrative of this concern, especially in the use of the term *demoralizing* to describe the effects on women who worked for Asian employers. The trepidation displayed by these male Commissioners was not just a fear of female prostitution, but female sexuality.\(^\text{12}\)

On the subject of Asian immigration, the Commissioners noted the utter failure of the head tax and how alarming it was “to observe the number of Asiatic immigrants who [could] never become assimilated into the citizenship of our Dominion.”\(^\text{13}\) They, therefore, recommended the total exclusion of Asians in order to ensure “the preservation of our own nationality and race.”\(^\text{14}\) This is hardly a surprising recommendation considering the overall racist attitude displayed by the Commissioners on a regular basis throughout the hearings. It is, however, a recommendation that would not have pleased many employers, thus showing that, in this instance at least, considerations of race overrode those of class.

Initially, the McBride government did not respond to the Commission recommendations. Then, in January of 1915, the Premier officially tabled the report for a period of one year due to “the general financial disturbance” in the province. Furthermore, McBride stated:

> It would be unwise to bring the labor legislation, which provided for workmen’s compensation, into effect without the most careful

---

\(^\text{12}\) Strange, p.213. In what she refers to as the “relentless sexualization of working girls,” the author notes that morality for working women was always equated with *sexual* morality, as would seem to be the case here.

\(^\text{13}\) Ibid., p.M24.

study, otherwise it might have a ruinous effect upon certain industries - the sawmills of the country, for instance.\textsuperscript{15}

There are several readily apparent explanations as to why McBride chose to ignore the Commission's recommendations. If the Premier initially created the Commission only to placate labour and avoid taking any direct action for the duration of the hearings, the recommendations would then appear to be rather moot. This explanation would appear even more viable in light of the onset of World War One which would also act as a catalyst for government inaction on the labour front. Labour unrest was unpatriotic and would eventually become legislated as such. Despite the fact that the world around him was changing and governments were becoming more active in the regulation of society, McBride clearly believed in the sanctity of the free enterprise system and was loathe to interfere in that system to the extent that he imagined a state-run workers' compensation plan would do.\textsuperscript{16} In addition, the province was in poor economic shape with government revenues half of what they had been in 1912.\textsuperscript{17} McBride's resignation was only a few months away and his party's defeat not long after that.

The three pieces of legislation examined in this chapter were all passed by the Liberal government which defeated the incumbent Conservatives in the 1916 election. Initially, their leader was Harlan Brewster, a “wealthy cannery owner and prominent Baptist layman.”\textsuperscript{18} In one respect, he was certainly no different from most politicians in that he obviously belonged to the capitalist class, but his religious connections would

\textsuperscript{15} Premier's Collection, GR 441, Volume 426, 1915. Taken from the Victoria Colonist, January 27, 1915.

\textsuperscript{16} For a summary of McBride's beliefs in this regard, see Martin Robin, p.130. Perhaps most telling is McBride's belief that public and private interests were one and the same and that government's job was to provide an atmosphere conducive to the success of industry (such as building roads and railways with public money), which would in turn, be good for the public interest.

\textsuperscript{17} Ibid., p.138.

\textsuperscript{18} Ibid., p.156.
also have brought him into contact with the reform clerics who were becoming so prominent in calling for moral and social changes within society. The Liberals won the election on a platform which included promises of labour legislation and social reform, mainly in the realm of women’s suffrage and temperance. This platform was enough to gain the Liberals the support of various labour groups, women’s organizations, and other social reform groups. This, combined with the extreme unpopularity of the Conservatives, guaranteed the Liberals a substantial victory. The resultant labour legislation was undoubtedly a payback for this support, but it was also a reflection of dominant discourses expressed several years earlier at the Labour Commission hearings. The remainder of this chapter will examine the correlation between the legislation and the hearings.

The Workmen’s Compensation Act of 1916 was reflective of the Commission hearings in that most everyone supported it: labour groups because they felt a state-controlled system would result in prompter payments covering more industries; employers, in order to cut insurance and court costs; and the state, because this was a means by which they could exert direct social control within the province. The act was generally reflective of the Commissioners’ recommendations, although in considerably greater detail. In one area, labour won a substantial victory in that the waiting period proposed by the Commissioners was reduced from two weeks to three days. However, the “serious and wilful misconduct” section remained as part of the new act, as did a section completely prohibiting a worker’s right to take legal action against his or her employer or any other employer covered under the act. This was a trade-off for a basically no-fault system that covered workers for any injuries sustained while in the course of their employment. Furthermore, Section 13 made it illegal for employers

19 Barman, p.218.


21 Ibid., p.349.
“either directly or indirectly, to deduct from the wages of any of his workmen any part of any sum which the employer is liable to pay into the Accident Fund.”

Regardless of the motivation behind the enactment of this legislation, there is little doubt that, for workers, it was a vast improvement over the old system. First and foremost, it was a completely regulated system in which an injured worker could expect prompt payment of benefits set by law before the accident. There was no longer any need to hire lawyers whom they could not afford and no further worry as to whether they would ever receive benefits regardless of the legitimacy of their claim. Moreover, the system was totally funded by employers and run by a benevolent organization with no supposed interest in profit. The issue of safety was still somewhat problematic, as the act did not stipulate anything in the way of fines or plant closures if an employer did not comply with the Board’s suggestions in this regard. However, employers would supposedly be more interested in reducing accidents as these directly affected the amounts that they paid into the accident fund. One has to wonder why the threat of a lawsuit would not have had the same effect.

The reference to 'workmen' in the last quotation is an example of the type of gender-specific wording that is common throughout the act. Indeed the very title of this legislation is indicative of its being very much oriented towards male workers. For example, although Section 4 provided for greatly expanded coverage in terms of the number of industries involved, only two - telephone systems and “power” laundries - would have employed women to any great extent. There was no mention of businesses that traditionally employed large numbers of women, such as stores or offices. Furthermore, Section 74 states: “This Act shall not apply to farm-labourers or domestic servants or to their employers.” These notable exceptions meant the legislation excluded women and Asian males who were often prominent in these areas of

22 Ibid., p.350.

23 Ibid., p.346.

24 Ibid., p.371.
employment. This is not to say that racism and sexism were the sole reasons for these exclusions, although this is certainly part of the explanation. Domestic service was never recognized as a job as such; it was mainly women's work (and by extension, Asian males because they could not properly be considered men), and it was considered non-productive. In other words, no one made a profit from the labour of a domestic servant in the traditional, capitalist sense of the word. More importantly, society did not recognize the upper- and middle-class people who hired domestic help as employers as they would a business owner. This is made abundantly clear in a recorded debate which occurred many years after the initial passage of the act. A Commissioner at an official provincial inquiry into worker's compensation, argued against coverage for domestic servants: "If the Act applied to domestic help, any housewife would be guilty of an infraction of the law if she gave a schoolgirl a dollar to mind the baby for an evening." This absurd argument is indicative of an attitude towards certain forms of women's paid employment that obviously survived long after 1916. Farm labour was likely excluded because farmers were certainly not an overly prosperous class and they did, in some respects, straddle the line between employer and employee. Their exclusion from coverage was mainly for economic reasons.

There were additional, more subtle examples of gender bias in the language of the Workmen's Compensation Act, often to the detriment of male workers as well as females. Under Section 15 (2), for example, death benefits were payable to a dependent widow or "invalid widower." In other words, women were assumed to be dependents of their husbands and would automatically receive benefits upon his death. Men, however, had to be physically incapable of working in order to collect benefits if their wives were killed while in the course of their employment. While this may have been reflective of a reality in which few able-bodied men stayed at home and were dependent on their wives for financial support, this is also a case of legalizing a discourse which automatically

25 British Columbia, Report of the Commission Relating to the Workmen’s Compensation Act and Board, 1952, (Victoria: King’s Printer, 1952), p.34. This inquiry, incidently, resulted in no compulsory coverage for domestic servants under the existing legislation.

posed women as being dependent on men. Furthermore, in a province where unemployment was usually a fact of life, there must surely have been cases where unemployed men were at least temporarily supported by working spouses, thus making this section of the act blatantly sexist. This was a reflection of the discourse established at the Commission hearings regarding both men and women; men were breadwinners and women, regardless of whether they worked or not, were dependents of men.

The Workmen’s Compensation Act empowered the state to a great extent, in terms of its ability to gather information about who worked where and for how much money. In a more general sense, the employers of the province were forced by legislation to open their books to the Board on an annual basis, providing the state with invaluable information on the condition of the province’s economy.27 This can also be viewed as a means for the state to create certain kinds of knowledge with which it could later exercise power over those involved. The Board’s power was further enhanced by Section 64 (1) which stated:

The Board shall have the like powers as the Supreme Court for compelling the attendance of witnesses and of examining them under oath, and compelling the production and inspection of books, papers, documents, and things.28

In a province where the state traditionally had little interest in this type of intrusion into the economic and social realms of the province, this type of almost unlimited state power certainly marked a turning point in relations between the government and the governed. No longer would the state engage to the same extent, in a laissez-faire style of

27 Ibid., p.356. Under Section 28 (1), “every employer shall, at or after the close of each calendar year, and at such other times as may be required by the Board, furnish certified copies or reports of his pay-rolls, verified by statutory declaration.”

28 Ibid., p.368.
non-intervention. This act marks the overt beginning of the recognition by the state of the utility of intervention and the connection between knowledge and power.

Minimum wage legislation for women was not recommended by the Commissioners in their final report, nor did it receive universal support from those testifying at the hearings. However, the Commissioners did exhibit considerable interest in such a concept and many representatives of labour organizations and women’s reform groups did propose a minimum wage for women, mainly to alleviate the threat of immorality that they believed accompanied low wages. Therefore, the passage of this legislation did not constitute a radical departure from past state ideology. It was reflective of a new government who owed allegiance to, and were themselves part of, the moral reform movement and were simply willing to act on something the previous government was not. The legislation that was passed in 1918 very much reflected the manner in which working women were described at the hearings. This was not a law designed to make women’s wages the equal of men’s; the very existence of this act without a male equivalent is evidence of this. Rather, it was an attempt to protect women from their own weakness. Unable to compete successfully in an open labour market, women’s low wages made them susceptible to the lures of ill-gotten gain, mainly in the form of prostitution. This law was designed to provide women with the minimum needed to survive as a single person in the hope that it would alleviate such problems.29 This is not to suggest that the legislation’s supporters did not recognize that women’s wages were ridiculously low and were not likely to get any higher without state intervention, but the subordinate nature of women within society was not addressed in this bill.

As with the Workmen’s Compensation Act, minimum wage legislation for women was a means by which the government could obtain information, albeit of a curiously more personal nature than the Compensation Act. Section 5 of the minimum wage bill stipulated that: “A register of the names, ages, and residence addresses of all employees

29 McCallum, p.434. Although my analysis does not include an examination of how the Minimum Wage Board actually operated, it is interesting to note that, as McCallum describes, rates for women were always set based on the amount needed for a single person to survive.
shall be kept by employers.”

During the Commission hearings, employers had justified the low wages paid to their female employees by claiming that they usually only hired young girls who still lived with their parents. By having these same employers provide the information stipulated in Section 5, the state would be aware of precisely which women were being hired. This can be viewed as both a means of regulating employers and ensuring that women were protected from the ravages of capitalism, something they were apparently incapable of doing on their own.

Instead of setting a province-wide minimum wage for women, this act set wages on an industry by industry basis, following hearings conducted between the Board and representatives of labour and capital. The legislation was further diluted by sections which gave the Board the power to set different levels of wages within a single industry. For example, Section 10 (1) allowed for the setting of lower minimum rates for “women who are physically defective, and in case of female apprentices.”

Even more scandalous, was Section 11 in which lower rates could be set for women under 18 years of age. Rather than being any real help to women workers, the Minimum Wage Act actually reinforced the system that was in effect at the time of the hearings. Because employers could pay so-called apprentices or women under 18 a lower statutory minimum, they would of course be encouraged to hire such women in order to save on payroll costs, thus again penalizing women who did not live at home and needed to work to survive. It should also be noted that domestic servants were once again excluded from coverage under this legislation. Additionally, the penalty for contravening wage rates set by the Board was “not less than twenty-five dollars and not more than one hundred dollars”, certainly not amounts that would most likely deter many employers from ignoring a legislated minimum wage.

30 British Columbia, Statutes of the Province of British Columbia, 1919, (Victoria, King’s Printer, 1919), p.162.

31 Ibid., p.163.

32 Ibid., p.164.
The cumulative effect of these sections of the act was to essentially maintain the status quo as far as women workers were concerned. Although their wages may have improved in some circumstances, they were still being discouraged from working to earn a living. This is again reflective of the discourse on working women expressed by witnesses who supported this legislation. They believed that women's wages should be raised in order to combat immorality but they did not want to encourage women to seek independence from men (either their fathers or their husbands), through paid labour. Thus, as Gillian Creese has described minimum wage legislation, it “reinforced women's economic inequality, their maternal role and their dependence on a male breadwinner.”

It was also reflective of the Labour Commission testimony in another sense; middle-class women's groups did testify about women's working conditions, but they also repeatedly stipulated that they did not recommend any state actions that would inconvenience employers. This act as passed, certainly did nothing of the sort. To the contrary, it in fact reified the position of women in the workforce that these employers had largely created in the name of increased profits.

Although, as was earlier pointed out, the 1923 Act for the Protection of Women and Girls was only rarely enforced, its inclusion in this thesis is nonetheless warranted by its importance as a piece of social legislation. Moreover, it is very much reflective of the discourse expressed during the Labour Commission hearings and is an excellent example of how elements of class, race, and gender could be intertwined in a single law. More than anything, however, it is evidence of how the state manufactured consent during the hearings to provide an ideological foundation for future actions. This section will examine some important elements of the Act in order to illustrate where this is evident.

The first such legislation of this nature was actually contained in An Act to amend the “Municipal Act” passed in 1919. Section 13 (1) of this Act stated:

---

No person shall in any municipality employ in any capacity any white woman or girl or permit any white woman or girl to reside or lodge in or to work in or, save as a bona-fide customer in a public apartment thereof only, to frequent any restaurant, laundry, or place of business or amusement owned, kept, or managed by any Chinese person.34

This rather confusing barrage of legal rhetoric simply meant that the state could prohibit women from working for Chinese-owned businesses, exactly as the Commissioners had recommended. The act goes on to list penalties for those contravening these rules as a maximum of $100 in fines or two months incarceration. According to Kay Anderson, protests from Chinese diplomats led to the repeal of this section and its replacement in 1923 by the separate Act for the Protection of Women and Girls.35

Section 3 of the new act stated:

No person shall employ in any capacity any white woman or girl or any Indian woman or girl in or permit any white woman or girl or any Indian woman or girl to reside or lodge in or work in or, ...to frequent any restaurant, laundry, or place of business or amusement where, in the opinion of the Chief of Municipal Police...it is advisable, in the interests of the morals of such women and girls, that they should not be so employed, or reside, or lodge or work therein, or frequent the same.36


35 Anderson, p.159.

Even though this latter quotation makes no specific reference to Chinese employers, the intent is quite obviously still the same. By specifically alluding to laundries and restaurants - the only businesses where white and Native women and girls were likely to be employed by Chinese owners - it is evident that this was still a racially motivated law. The inclusion of Native as well as white women is further evidence of this. However, this law is also gender specific in that women were to be protected from possible immorality resulting from employment with a certain type of man. Additionally, there is a large class element here as well. In effect, this law consists of the ruling elite of society attempting to control or at least limit the free movement within the labour market of a specific segment of the working class.

This legislation is clearly reflective of the dominant discourse constructed at the Labour Commission hearings. Chinese males were immoral and were prone to making lascivious advances towards white women, who were themselves weak and unable to resist temptation. Somewhat paradoxically, they were also considered effeminate and, therefore, incapable of protecting the women working for them. The Commissioners did not uncover any substantial evidence that Chinese men were employing white women, but still made a point of recommending legislation just like the Act for the Protection of Women and Girls. They were undoubtedly responding to a discourse about Asians that was shared by middle-class reformers, employers, and even organized labour. The passage of the act was likely both a response to pressure from labour and reform groups who had supported the Liberals in the 1916 election and a means to garner support for the 1924 vote. Racism had long been a successful strategy by politicians to ensure voter loyalty among white British Columbians during this period. It was also, however, a response to a discourse which the law's sponsors firmly believed in.

All three pieces of legislation discussed in this chapter are very much reflective of the dominant views expressed at the Labour Commission hearings. Anti-Asian sentiment and immoral influences on working women were subjects that were of great interest to the Commissioners, middle-class reformers, and organized labour and these interests were reflected in both the Act for the Protection of Women and Girls and the Minimum
Wage Act for Women. The Workmen’s Compensation Act was designed to please employers, who expressed concerns about legal and insurance costs, and workers, who wanted a regulated system that was controlled by a neutral third party and promised quick, fair, and predictable decisions. The Liberal government under Harlan Brewster and later, John Oliver, passed this legislation in order to honour election promises and ensure continued support for future elections. Additionally, this was a means of achieving industrial peace in a province that was noted for labour unrest. In 1927, Minister of Labour, A.M. Manson was quoted as saying that “progressive legislation reasonably assures contented labour and operates as an insurance policy for capital.”

Taken together, these three acts can be viewed as an insurance policy for business interests in the province. They would reduce friction between capital and labour, provide a more stable workforce, reduce competition from Asian businesses, and, perhaps most importantly, provide workers (specifically women and injured workers), with more money to spend in support of the capitalist economy. Moreover, this was all accomplished without placing any undue hardship on the province’s business sector.

In an essay on the origins of the welfare state in the U.S., Barbara J. Nelson describes the American worker’s compensation system as “male, judicial, public, and routinized in origin” while the mothers’ pension scheme was “female, administrative, private, and non-routinized.” In a sense, she is arguing that protective labour legislation itself was constructed as a series of binary oppositions in much the same way that men and women were within a given society. Her analysis would also seem applicable to the laws examined in this chapter. The Workmen’s Compensation Act was male because it applied to very few women workers. It was judicial in that whether one was covered or not was strictly set out in the law. It was public because the worker, employer, and administrative apparatus were aware of the mechanics of the system and had input in how decisions were rendered. Finally, it was routinized because all cases

---

37 Barman, p.225.

were supposedly handled the same way; prescribed forms were filled out and if a worker met the criteria for an acceptable claim, he was paid based on a routine schedule that he knew in advance. Minimum wage legislation, on the other hand, was also based on an act of the provincial legislature but was not judicial in the same way. For example, the level of minimum wages payable was not based on a prescribed formula, but was left up to the discretion of members of a board, thus resulting in a system that was administrative and not judicial. The Act was also obviously female and private, in that board decisions were supposed to be posted by employers, if they so chose. Furthermore, working women had little input into the amounts set and little recourse if employers chose not to pay specified wages. Finally, because the minimum wage was different from industry to industry, the act must also be considered non-routinized. In essence then, these legislative acts were set up in such a way that accurately reflected gender differences in the province.

These acts were reflective of the state’s activities both during the hearings and in the Commissioner’s recommendations. The ‘truths’ that it created were that state-controlled workers’ compensation would benefit both workers and employers; Asians were an unassimilable race who posed economic and moral threats to the dominant culture; and working women needed protection from unscrupulous employers in order to avoid immoral influences. Even though the Commissioners did not recommend a minimum wage law for women, they clearly expressed an ideology at the hearings that posited women as very much needing such protection. The Liberal government of Harlan Brewster simply acted on this discourse. These acts then, are clear evidence of how the state created a certain kind of knowledge on which to legitimate future actions.
CHAPTER IV
CONCLUSION

If the Royal Commission on Labour in British Columbia is viewed as a snapshot of a particular time and place in the province's history, what is included in the picture and, perhaps equally important, what is excluded? In terms of the participants, a significant amount of space was devoted to Asian labour as well as to women workers. Despite this, there were virtually no representatives from either of these groups and the few women who did testify had virtually nothing to say. This in itself is an indication that these people were considered the 'other', outsiders within the labour/capital dichotomy who were objects of discourse but had no say as to how it was constructed. Those who did testify were generally quite willing to espouse a discourse that, while not necessarily accurate, had largely come to be accepted long before the Labour Commission hearings began. Those who testified must also be considered to have become part of the elite of British Columbia society. The fact that the state spent most of its time questioning members of organized labour, women's reform groups, and, of course, business leaders and their representatives, meant that the state had come to accept these groups as being the official representatives of society.

Perhaps most evident in this perusal of the Labour Commission hearings was the often confusing manner in which class, gender, and race were intermixed. There is obviously a class-based reason why organized labour testified against their employers in the manner in which they did, but there is also evidence to suggest that gender played a role in that testimony in which fairness to employers was expressed. Thus the acceptance of danger as part of manliness, and the individuality involved in the lack of interest sometimes displayed towards a minimum wage, were both based on constructions of gender. In addition, despite obvious class differences, labour often expressed beliefs which were normally linked to the middle or upper classes. For example, the paternalism evident in testimony regarding women workers was similar to moral reform sentiments expressed by middle-class reform groups. The anti-Asian
sentiment, although usually based on a perceived fear of unfair competition, was often expressed in middle-class terms; Asians were unclean, degenerate, and immoral.

Despite their gender, middle-class women's groups testified in a way that was much more based on class than on any allegiance to working-class women. Their discourse centred around the connection between low wages and immorality and an equally strong concern with the protection of employers. They displayed little interest in establishing any sort of social equality based on gender. Class, gender, and race were mixed equally in their testimony regarding Asians. These were non-white, working-class males who were seen as a potential threat to the well-being of the white, female working class.

Employers supported the dominant discourse regarding women because this was largely to their benefit. Older women were supposed to be married and raising a family and employers took advantage of this by hiring young women whenever possible. This allowed them to obviously reduce wages to, in many cases, far below subsistence levels and justify these actions by arguing that this afforded these workers greater protection by allowing them to remain at home with their families. Class, gender, and race were also present in the testimony of employers regarding Asian workers. They were seen as possessing qualities that were not quite manly but they were often viewed as superior workers because of their reliability. Despite their obvious value in many segments of the workforce, most employers still viewed Asians in much the same way as organized labour, women's reform groups, and for that matter, the Commissioners; in short, they were undesirable citizens.

The consensus that the Commissioners attempted to create covered a variety of subjects which could roughly be divided into practical and ideological considerations. Workers' compensation legislation was an example of the former. For a variety of reasons, the state had decided that this legislation was needed and, therefore, they set about ensuring that its future passage would be supported by everyone participating at the hearings. Many were the times that recalcitrant employers were manipulated and
cajoled into expressing support for a state-controlled system of accident insurance. Similar pressures were applied to anyone who did not support an apparently accepted discourse about Asians: they were to be considered undesirable citizens whose mere presence in the province was injurious to the moral and financial well-being of white British Columbians. This was essentially an ideological belief that the state wished to ensure was widely accepted. The discourse regarding working women espoused by the state posited them as being subject to immoral influences caused by exposure to both Asian males and the ravages of capitalism. Although essentially ideological, there was interest expressed in recommending a minimum wage for women which would have presumably had practical implications. This was, however, abandoned by the Commissioners largely because of strong employer resistance.

This latter point was an example of the state's failure to achieve a consensus on all issues dealt with at the Labour Commission hearings. The attempt by the state to create or maintain an acceptable discourse on these matters must necessarily have rested both on the existence of an acceptable set of 'facts' and the willingness of participants to accept certain 'truths'. The Commission records are of interest precisely because this was not always the case. For example, it has long been accepted in much of British Columbia historiography that a dual labour market existed in the province because of the willingness of Asian workers to accept much lower wages than their white counterparts. Testimony from employers at the hearings often showed this not to be the case. In many instances, Asians worked in job categories where white workers simply were not interested in being employed. Moreover, in situations where there were mutual employment possibilities, Asians were often paid differently but not necessarily less than white workers. Finally, there were also a substantial number of employers who reluctantly testified to paying their Asian workers as much or more money than their white workers because the former were valued for their skill and reliability. In short, although the discourse which situated Asians as undesirable citizens was generally acceptable to all concerned, the 'facts' on which the discourse was based were suspect to say the least. The state attempted to solidify what they believed to be 'true' about Asians regardless of this.
Historians and sociologists have also usually argued that British Columbia was a society divided along class lines, a theory that is not supported by the Commission records. The mere fact that certain segments of organized labour were being accepted as part of society’s elite is evidence of this, as is testimony from a number of different groups whom one would expect to hold opposing views based on class divisions. For example, the Commissioners, organized labour, and women’s reform groups had similar views on the economic and moral undesirability of Asian citizens and this was at times in opposition to opinions expressed by the capitalist class. Additionally, organized labour seemed to completely accept prevailing middle-class notions about women’s proper sphere within society and the need to protect them from immoral influences. As previously discussed, this may have been the result of both the general acceptance of a dominant discourse about working women or an expression of blatant self interest. Irregardless of the underlying reasons, this was indicative of the fact that the province was not as divided along class lines as many have previously suggested.

Both the successes and failures of the state in attempting to achieve consent on the main issues dealt with at the hearings were also reflected in the final recommendations of the Commissioners. They were essentially successful in upholding the discourse which posited Asians as undesirable citizens and, consequently, were able to recommend that further Asian immigration be halted. They were equally successful in convincing everyone who needed convincing that state-controlled workers’ compensation was in everyone’s best interest and, including several concessions to capital, they recommended a law to reflect this. As was earlier mentioned, there was a strident lack of support from employers regarding a minimum wage for women and the state clearly had no interest in similar legislation for men. Consequently, citing a lack of interest in overt interference in the open labour market, neither was recommended. Despite this, however, it is important to remember that the discourse espoused by the Commissioners regarding working women was such that the state would feel relatively secure in passing protective labour legislation for women several years later.
The legislation that was eventually passed reflects both the state's successful application of hegemony and the various discourses that were generally accepted or came to be accepted by large segments of the province's population. This was especially evident in the Workman's Compensation Act of 1916 which clearly reflects the state's success in manufacturing consent on this issue. The Act for the Protection of Women and Girls (1923), was the result of a dominant and widely-held belief regarding Asians and their immoral influence on working women. By the time the 1918 Minimum Wage Act for Women was passed, the Liberals had assumed power largely through the support of various moral reform groups as well as organized labour. Despite the repugnance which employers displayed towards this suggestion during the hearings, the state had expressed some interest in such protective legislation, and this, combined with pressure from the aforementioned new elites of society, prompted the passage of this act. That women had recently been granted the right to vote was undoubtedly added incentive. It should be noted, however, that this certainly did not result in any appreciable burden being placed on the province's employers.

The first chapter of this thesis described a number of theories which were applicable in explaining the Labour Commission and argued that the use of any single such theory in explaining the hearings was inappropriate. As the remainder of the thesis and this conclusion have shown, this is indeed the case. Thus, although commissions of inquiry can clearly be viewed as a means of authorizing an acceptable course of social behaviour, they are more than this. They can also be viewed as knowledge/power forms in that the state creates or reifies certain kinds of knowledge with which to base the future exercise of power. The Royal Commission on Labour was also a form of legitimation in that the state attempted to ensure the allegiance of certain important segments of society. This was accomplished through such measures as including a member of organized labour as one of the Board members and allowing labour representatives and middle-class reform groups to espouse their views at great lengths during the hearings.
The concept of hegemony is also important in explaining the Commissioner's attempts to create and enforce a dominant ideology regarding race and gender issues. That this ideology was already generally accepted by the acknowledged elites of society who were permitted to testify at the hearings, lends some credence to the notion of a community of interests. Race and gender issues as expressed during the hearings, had both ideological and practical origins. Long-held beliefs regarding the moral inferiority of Asians and the susceptibility of working women to this and other immoral influences, were concepts that the elites of this society, including representatives of the state, clearly accepted as 'truth'. However, in emphasizing these constructions, the state was also acting on behalf of both capital and organized labour in attempting to maintain and solidify a segmented labour market. The newly won elite status enjoyed by organized labour was fundamentally based on the existence of workers (Asians and women), who were not part of this elite. Moreover, maintaining a segmented labour force was obviously beneficial to capitalist interests as it ensured the continued existence of an unorganized, powerless, cheap source of labour.

In a general sense, this thesis demonstrates how the state manufactures consent for future actions through measures such as the Labour Commission. By creating and engaging in such an activity, it is able to both create the appearance of an open, participatory form of government and, more importantly, lay the groundwork for the creation of a discourse which allows it to pursue pre-determined actions. It is equally evident, however, that the state was not omnipotent in the creation of such discourse. Consequently, they were not always successful in creating a consensus; a fact which was reflected in the hearing records, the Commission's final report, and the legislation that was eventually enacted. What people believe is 'true' about their society is not the result of their membership in a single group but rather the fact that they belong to many different groups and this applies to members of the state as well. Thus, members of organized labour, for example, also testified as white, male breadwinners. Women's reformers were not only testifying based on their gender, but also as individuals who were white and middle or upper class. Because of this diversity and the changing identities of the elites of society, the state was forced to compromise in its attempt to achieve hegemony over those it governed.
Bibliography

Primary Sources

Published


Unpublished

British Columbia Archives and Records Service, Manuscripts and Government Records Division.

William Bowser Papers
Sir Richard McBride Papers
Royal Commission on Labour, 1912-1914.
City of Vancouver Archives.

Newspapers

*B.C. Federationist*, Vancouver, 1908-1925. Held at UBCSC.
*Colonist*, Victoria.
*Daily News-Advertiser*, Vancouver.
*Province*, Vancouver.
*Sun*, Vancouver.
*Western Wage-Earner*, Vancouver.

Secondary Sources

Books


*Articles*


Unpublished Theses


