

THEIR DUTIES TOWARDS THE CHILDREN:
CITIZENSHIP AND THE PRACTICE OF CHILD RESCUE IN EARLY
TWENTIETH CENTURY BRITISH COLUMBIA

by

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Their Duties Towards the Children: Citizenship

and the Practice of Child Rescue in Early Twentieth

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ABSTRACT

This study examines the political and practical implementation of child rescue in British Columbia during the early years of the twentieth century. Utilizing case files for 303 wards of the Vancouver Children's Aid Society and a variety of public and administrative records, the professed goals of the Society and its patterns of interaction with families are documented.

The Society devoted great effort during the earliest years of its existence to differentiate itself from other congregate care institutions already established in the province. While the Society presented itself as a novel "public" agency with legislated powers to rescue the children of the "criminal classes" and nurture Canadian citizenry, case file data reveal important continuities with the province's orphanages. In particular, the Society continued to operate reactively and to distinguish between deserving and undeserving families on the basis of gender, social class, ethnicity and race.

By examining the experiences of single mothers and fathers who came into contact with the Society, the study provides an historically grounded analysis of how gender shaped the standing of parents as citizens. Economically self-sufficient fathers were most successful in boarding their children, thereby retaining guardianship. Their relationship with the Society was primarily contractual, mediated by their standing as paid workers.

Single mothers approaching the Society confronted a markedly different standard. Their standing as citizens hinged on their role as wives and mothers, and the recourse to a "public" agency was often held to prove

their inability or unwillingness to fulfill the basic obligations of citizenship. As a result, the relationship between the Society and these "unnatural mothers" was quasi-criminal in nature, typically involving an adjudication of parental inability and a legal severance of guardianship.

Finally, an examination of the experiences of children committed to the Society further illustrates the central role of gender in shaping patterns of admission, placement and discharge. Correspondence flowing between wards, foster-parents and the Society permits an analysis of the distinction between paid and domestic labor, the differing experiences of male and female wards, and the contrasting paths which led them out of the Society's care.

DEDICATION

To the memory of Inez Hills.

QUOTATION

NOBODY'S CHILD

Society's Way --

Poor little wretch! But it must be fed
And clothed, of course, although if 'twere dead
'Twere better, we know. And now let's see:
We'll give a concert for charity,
And hire a star, if we can, to sing.
But wait, I've thought of a better thing, --
A masquerade, -- I've a love of a gown,
And I, I'll pose as the belle of the town.

His Way --

A shameful act, and more, a crime,
To foist a child without a dime
On the burdened world! "It can't be helped?"
Then the poor man's brat, conceived and whelped
In a human hutch, we'll say, or worse,
Must ever clutch the rich man's purse,
And hang like a stone upon his neck,
Well, well, good day, and -- there's my check.

Her Way --

O poor little child, so pinched with cold!
O poor little child, is there none to fold
And hold you close? And your ceaseless wail,--
Is it just for a mothering, sweet, you ail?
Then share with my little one here at rest
The shelter, the food, and the warmth of my breast.
There's love enough, sweet, in my heart for you,
For God gives all mothers enough for two.

-- Rose Turnbull

From the Eighteenth Annual Report of J.J. Kelso, Superintendent of
Neglected and Dependent Children, Ontario, 1911 (p. 40).

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PART I

Chapter One

Introduction

This dissertation involves a detailed study of the professed goals and activities of the Vancouver Children's Aid Society (V.C.A.S.), spanning the first three decades of the twentieth century. Drawing from both primary and secondary sources, it traces the assumptions informing the words and actions of those agencies providing public guardianship for children, and the patterns of application of child rescue legislation in the province. Perhaps more importantly, patterns of utilization of various charitable and public welfare resources by working class families are also described, drawing primarily upon the written accounts of parents, children, and foster-parents affected by the Vancouver Children's Aid Society.

The incorporation of historical accounts left by working-class families into welfare state history has been widely advocated by welfare historians during the last decade; however, due largely to the paucity of available archival sources, this goal has seldom been achieved¹. By documenting the thoughts and actions of working-class families and their interaction with officials of the Children's Aid Society, the work functions, in part, as an exploratory and descriptive contribution to the historiography of the Canadian welfare state.

The dissertation, however, offers significantly more than a description of the attitudes, actions and experiences of these working-class

¹ Recent admonitions include Bercuson (1987), Bremner (1970), Chambers (1986), Chunn (1992) and Smandych et. al. (1992). Bradbury (1982) represents an early and influential work in this area.

families. The promise of these "alternative accounts" lies in their potential to deepen our understanding of several important theoretical issues which have persisted in critical historical accounts of welfare state development in western societies.

The present work focuses upon the words and deeds of women, men and children affected by the Vancouver Children's Aid Society. These novel historical vantage points challenge us to examine the often mundane, daily struggles between welfare agencies and their clients. While structural and organizational changes alter the environment in which these struggles occur, and affect the strategies and resources available to the various participants, the dissertation is primarily concerned with examining the conscious attempts by men, women and children to utilize the Society's legal, material and ideological resources as they sought to deal with their very different positions in British Columbian society. In addition, these historical sources provide important illustrations of the ways in which gender, class, ethnicity, and race structured the Society's policies and practices. Before surveying some of the key literature influencing this dissertation, it is necessary to deal with some definitional issues.

The Welfare: Definitional Issues

Given its rapid infusion into the political lexicon of western societies, it is important to emphasize the relatively recent emergence of the term "welfare state". While the term "welfare" began to supplant the term "charity"

at the turn of the century², the distinction between democratic "welfare states" and fascist "warfare states" first came into common usage in the late 1930s (Williams 1983, pp. 332-333; Pateman 1989, p. 179; Gordon 1994a, pp. 1-8). In this strict etymological sense, I take some liberty in applying literature dealing with the nature of the "welfare state" to the time-period studied in this dissertation.

With reference to the specific historical development of agencies concerned with public guardianship of children, I will use the term "child rescue" to refer to the practices of British Columbia's Children's Aid Societies prior to 1930. This period retained the fundamentally religious and moral lexicon which had characterized earlier charitable organizations such as orphanages, but introduced a concern for the rescue of children from a life of crime and debauchery and the cultivation of the nation's next generation of citizens. In the British Columbian context, the term "child welfare" would arguably be applicable to the period from the late 1920s through the late 1950s, with the rise of "child protection" occurring *circa* 1960 with the discovery of the "battered child syndrome" by pediatric radiologists (Pfohl 1977).

Characteristically, these issues of definition and periodization play a fundamental role in the historical analysis which follows. As a study of the practice of child rescue, it is concerned with the policies of a range of social organizations concerned with the monitoring of, and the provision of care to,

² Authors vary on the specific emergence of the term "welfare". Williams notes examples such as "welfare-manager (1904); welfare policy (1905); welfare work (1916)" (1983, p. 333). Gordon's recent work (1994a, p. 1), in contrast, focuses on the important changes in the meaning of the term "welfare" which "occurred between 1890 and 1935".

particular segments of British Columbia's population of children. Specifically, concentration will fall on public and private organizations whose mandate focussed primarily on the children whose families were either absent or deemed unable to adequately provide for them.

As a result, the present study provides limited historical insight into the much broader (and for most of the province's children, more important) issue of how structures of class, gender, ethnicity, and race shaped the life experiences of children who did not come to the attention of children's aid societies, orphanages, juvenile courts or mother's pension boards. Similarly, the dissertation provides only second-hand glimpses of how programs like municipal relief, veterans' pensions and workmen's (sic) compensation functioned to reinforce families which resided on the margins of the wage-labor system.

Most recently, Linda Gordon (1994a; 1994b) has pointed out the tendency of public debates over "welfare provision" and "dependency" to exclude programs like workmen's compensation and old-age pensions along with state expenditures on infrastructure and selective tax benefit programs. Within the more limited field of child welfare, this dissertation contributes an historical case-study in the gendered nature of the distinction between benefits which flow to citizens by way of "right" and those which are charitably bestowed. By concentrated historical analysis of the differential utilization of the legal, financial and physical resources of the Vancouver Children's Aid Society, important implications can be extended to the wider political issues to which Gordon draws attention.

Focussing solely on agencies and programs which were explicitly directed at children allows the dissertation to document some of the nuances of the interaction between agencies and clients. The emergence of these agencies also marked an important transition in the nature of social regulation in Canada. The transition from a laissez faire, liberal regulation of children and families to a normative, interventionist approach involved, in its earliest stages, debates concerning the appropriate sphere of state responsibility. Child rescue regulations which began to reach beyond the highly visible examples of the work-place and other public spaces and into the home itself were one important aspect of this "sociological movement in law" (Hunt 1978; Chunn 1992). It is this broad historical transition which innervates the sociological analyses of welfare state history to which I now turn.

Child Rescue and the Welfare State: Surveying Theoretical Issues

The decision to undertake a social historical account of the relationship between emerging welfare state structures and their working-class "clients" immediately situates the proposed study within the boundaries of a set of vigorous theoretical debates. Specifically, they invoke key areas of contention in the sociology of the welfare state, historical studies focussing specifically on the nature of child rescue in North America, and examinations of the role of gender, class, ethnicity, and race in the application of law and

welfare provision. In order to place the present study within this complex, interdisciplinary literature, this introductory chapter will examine each of these issues in turn.

1. Functionalist Models: Care, Control and the Welfare Sanction.

"Whilst we inhabit a world of programmes, that world is not itself programmed"³

Children's Aid Societies were one early example of a range of programs and structures reflecting the new-found concern for public regulation of private social relations (including labour regulations, public health initiatives, public education, reformatory and industrial school programs, and mothers' pensions).⁴ The movement from the liberal, minimalist state to the interventionist welfare state has been noted by a wide range of commentators working in diverse fields (Chunn 1992, pp. 3-23).

In liberal, progressivist accounts, the extension of "public" state-sponsored programmes -- initially into the "private" sphere of the free-market economy and later into "the family" -- has highlighted a philosophical tension between the key liberal concepts of liberty and equality (Dworkin 1978; Olsen 1983). Guest (1985) reflects this concern by structuring his historical analysis of the emergence of social security programmes in Canada around the

³ Rose 1992, p. 191.

⁴ Although the dissertation will largely be concerned with the activities of the province's child rescue system, the interaction of this system with other public welfare programs will also be analyzed.

transition from a "residual" model stressing reliance on personal and familial resources in times of need to an "institutional" concept of social welfare.

"In essence, the private market, which has been the paramount institution in society for the distribution of income, goods, and services, has been challenged by the development of alternative institutional arrangements which utilize other criteria to determine the distribution of income, goods, and services, such as need, contractual rights, and the status of age, residence, and citizenship." (Guest 1985, p. 2)

This dynamic relationship between the "private", "laissez-faire" market-place and the "public", political world of citizenship, obligation and entitlement propelled much of the early debate surrounding the establishment of a framework of social provision in post-World War II Canada⁵ and continues to be an important element in contemporary debates surrounding the extension of state powers into economic and familial spheres.⁶

From the post-war period through the early 1960s, most historians of Canada's welfare state based their work on a similar model. Reflecting the stated intentions of early welfare state reformers, these accounts provide invaluable data concerning the development of welfare systems during Canada's colonial and post-Confederate periods (Clark 1942; Splane 1965). For all their value, however, their analyses remain tightly circumscribed by

⁵ See for example, the Report on Social Security for Canada, (Marsh 1943) commonly referred to as the "Marsh Report" and important published reactions to its proposals in Whitton (1943) and Cassidy (1943).

⁶ For recent reactions to the Democratic vision of the appropriate relationship between the state and the wage labor system in the United States, see the collection of articles examining the Clinton administration's "workfare" proposals appearing in *Social Justice* 21 (1), Spring 1994. For a recent example of conservative reactions to child welfare interventions in the familial sphere, see Burnam (1991).

the stated concerns of early politicians and administrators⁷. By taking reformers at their word, these accounts remain barren of any serious consideration of the unstated, unintended and unanticipated results of welfare policies.

Histories of child welfare written during this period were similarly structured around a progressivist narrative. Anne Angus' history of the Vancouver Children's Aid Society written on the occasion of the Society's 50th anniversary in 1951 provides sketches in sympathetic, but not uncritical, terms the Society's transformation from a naive but well intentioned body of volunteers to a complex, professionalized agency wielding a variety of medical, psychological, sociological and legal resources. Focusing almost exclusively on the stated goals of the earliest incarnations of the Vancouver Children's Aid Society, her implicit criticisms highlight the Society's lack of the contemporary accouterments of professionalism while accepting benevolence as their primary motivation.

"Our founders were brave and public spirited men and women who spared neither time, money or energy in the service of neglected and helpless children. They served to the very best of their knowledge and ability. Our knowledge and ability are both greater now: let us not fall short of them in public spirit and courage." (Angus 1951, p. 48)

Like the broader progressivist accounts noted above, Angus provides an important resource for researchers by documenting developments in organizational structure, legislation and public policy. Such progressivist

⁷ In Splane's discussion of the development of children's institutions, for example, analysis of the purposes of the various institutions surveyed is restricted to a rote recitation of the provisions of the various Acts under which they were founded (pp. 223 - 254).

accounts, however, provide surprisingly little information on the actual operation of the agencies they document. In particular, their accounts focus on perceived social problems, needs and responses without any consideration of the power relations within which they arise.

North American analyses of the welfare state from the late 1960s through the 1970s were characterized by a prolonged debate between these traditional, liberal commentators intent on tracing the progressive (if uneven) development from a "residual" to an "institutional" model of social benefit and neo-marxist accounts of the functionality of state intervention for capitalist political economies⁸. Where progressivist accounts had focussed on benevolence and humanitarianism as the motor-forces of welfare history, these "revisionist" histories challenged the established motives and intentions of middle-class welfare reformers.

Anthony Platt's accounts of the emergence and consequences of child-saving in America exemplify the theoretical tendencies found in many subsequent "revisionist" histories of child welfare. The first edition of Platt's *The Child Savers* (1969) charts the stated intentions of many groups intimately involved with the child-rescue movement in the United States and illustrates that, even in their own terms, their motivations were somewhat more self-serving than most progressivist histories had portrayed.

The first edition of *The Child Savers* is of significant value as an introduction to the variety of political purposes served by the child-rescue

⁸ Many of these accounts were based on Richard Titmuss' (1976) classic discussions of the evolution of welfare policy in western democracies (primarily based on the British experience). He outlined three policy approaches: conservative, liberal and social democratic which underpinned much North American theorizing within the liberal tradition during this time period.

movement. Writing from a pluralist perspective, Platt succeeds in illustrating the fear with which middle-class reformers regarded the growing population of urban poor, the opportunities which social (and particularly domestic) regulation provided for middle-class women eager to contribute to progressive thought and practice, and the very real professional benefits won by a number of middle-class "helping professions" as the field of child-rescue expanded. With the publication of the second edition of *The Child Savers* in 1977, however, Platt's theoretical interpretation of his historical data was drastically revised -- reflecting the growing influence of structural versions of Marxist theory on welfare history in North America.

Following the lead of a number of European and U.S. critical theorists, U.S. and Canadian scholars in a variety of fields began efforts to place the complex of social institutions which characterized North American capitalism within the context of classical marxist state theory. In the United States, Piven and Cloward's (1971) *Regulating the Poor: The Functions of Public Welfare* remains an important touchstone in U.S. welfare state historiography. According to Piven and Cloward, relief institutions developed specifically to meet two important functional requirements of capitalist states. Specifically, relief programs politically legitimated capitalist relations of production by moderating the impact of these relations on both the working- and capitalist-classes. Simultaneously, relief policies functioned to enforce the work norms central to ensuring continued capital accumulation.

Piven and Cloward's work reflected the broad influence of Poulantzas' structuralist approach to state theory, which began, in the early 1970s, to supplant earlier instrumentalist models (such as Miliband (1969)). James

O'Connor's (1973) description of the functions of the warfare-welfare state, and its later development by Ian Gough (1979), profoundly influenced Canadian welfare state theory. O'Connor proposed two cardinal functions of welfare provisions: "accumulation" and "legitimation" to which Drover and Moscovitch (1981) added a third, "order maintenance". The resulting triumvirate continued to influence Canadian analyses of the welfare state throughout the 1980s (Finkel 1977; Panitch 1977; Moscovitch and Drover 1987).

In the Canadian context, Both Panitch (1977) and Finkel (1977) make much mileage of the fact that the Canadian state has focussed upon capital accumulation at the expense of building legitimacy, thereby emphasizing the coercive actions of the Canadian state. However, neither provide any analysis of the relative stability of the Canadian state and the lack of popular resistance which this tenuous legitimacy has enjoyed. Some of these accounts go so far as to contend that working-class struggle did not play a significant role in the development of the Canadian welfare state, arguing that such social programs as exist in Canada were explicitly and proactively created to serve the interests of continued capital accumulation (Moscovitch and Drover 1987, pp. 14-5).

The inherent functionalism evident in these important contributions to state theory had an obvious impact upon the portrayal of welfare provisions. In the traditional liberal perspective, welfare provision develops from a "residual model" based on charitable, philanthropic giving, to an "institutionalized model" built around a rights-based claim to a minimum standard of living (Guest 1985; Irving 1987). The extension of the public

sphere of governmental regulation into the private spheres of the marketplace and the family were typically cast as progressive, even while concerns about pauperism loomed (Gaylin *et. al.* 1978, esp. pp. 67-96).

In contrast, the majority of early critical scholars have focussed primarily upon 'welfare as sanction', and contrasted this coercive function with its ideological portrayal as a social 'benefit'.⁹ Motivated by a strong revisionist desire to counter progressivist accounts, these works expropriated the term "social control" from its original, benign incarnation and granted it a new, coercive content (cf. Chunn and Gavigan 1988; Melossi 1991).

Scholarly accounts of child rescue and child welfare development have, to varying degrees, betrayed these broader functionalist influences. Anthony Platt's revised second edition of *The Child Savers* (1977) included new introductory and concluding essays which attempted to recast the empirical findings of the first edition. Strongly condemning the pluralism underlying his first account, Platt attempted to outline (theoretically if not empirically) the influence of "the most powerful and wealthy sectors of society" without whom the middle-class "child savers" would not have been capable of achieving their reforms (1977, p. xxii). He proceeded to re-cast the child saving movement in structural revisionist terms, as part of "... a massive change in the mode of production, from laissez-faire to monopoly capitalism, and in strategies of social control, from inefficient repression to welfare state benevolence" (1977, p. xx).

⁹ More recently, Garland (1985) has once again equated welfare with a form of sanction. While his account clearly refers to both the role of struggle and resistance in the developing welfare state and the positive, constitutive nature of power, he fails in the end to deal adequately with the tangible benefits which these programs offer to the most disadvantaged members of society.

Expectedly, any dialogue between liberal-progressivists who portray welfare reforms as a benevolent, philanthropic attempt to eliminate the worst excesses of industrial society, and revisionist "social control" theorists whose model of society is based upon a simple, structural class dichotomy, was short-lived. In both instances, the account of the historical development of welfare state institutions is written "from the top down", drawing primarily upon annual reports and other public records to illustrate either the benevolent intent or the malicious misrepresentation of governmental intervention. On its face, the debate became one of conviction with little attempt to plumb the potential for an empirical resolution.¹⁰

The dissertation seeks to counter the worst excesses of both sides of this ultimately teleological debate by portraying child rescue practice as a field of struggle. Although the reformers and philanthropists who advocated the development of orphanages, children's aid societies, juvenile and family courts, and mother's pensions clearly sought to reinforce "respectable", legally sanctioned family structures and worked with an often clearly expressed intention to encourage the development of a competent citizenry, present research indicates that the Vancouver Children's Aid Society controlled important resources upon which groups like single mothers and their children drew to deal with the problems arising from their tenuous position in British Columbia's developing industrial society¹¹.

In part, the tendency to deny the important role of clients as agents involved in the appropriation of resources may be reinforced by the nature of

¹⁰ One important exception to this silence is found in Trattner's (1983) collection of essays debating the portrayal of welfare programs offered by Piven and Cloward (1971).

¹¹ In different, though related, institutional and geo-political contexts, see Bradbury (1982), Davies (1984), Strong-Boag (1986), Creese (1988), Purvey (1992), Chunn (1992).

the historical sources upon which much progressivist and revisionist work depends. As Chunn (1992) notes, the limitations of the more plentiful historical records left by reformers often make it difficult for researchers to substantiate the complex interaction between clients and welfare organizations. Reviewing her own account of the operation of socialized family courts in Ontario during the early twentieth century, Chunn explains,

"At first glance, the historical study of socialized justice and family courts seems to provide support for [a] gloomy assessment of the reform enterprise. The preceding discussion about the impact of socialized courts during the interwar years... conveyed a clear instrumentalist image of an ever-expanding system of socialized legal coercion that impinged on a passive, homogeneous clientele. However, this picture merely reflects the reality that, in researching the effects of social-welfare reforms, it is always easy to find the voices of reformers and difficult to find the voices of the reform targets among the working and dependent poor." (p. 192)

Given the highly charged political content of most discussions about welfare provision, the effects of an over-reliance on organizational sources has had predictable effects on the development of welfare state theory. Drawing from similar historical sources, progressivist and revisionist historiographies have respectively taken reformers at their word or regarded their words as ruses and inscribed their own chosen reality. As Nancy Fraser (1990) notes, when a politicized social need becomes "colonized" by [the] professional-therapeutic bureaucracy of the liberal welfare state it is, on the one hand,

"... represented in abstraction from its class, race, and gender specificity and from whatever oppositional meanings it may have acquired in the course of its politicization; on the other hand, it is cast in terms that tacitly presuppose such entrenched, specific background institutions as wage labor, privatized child rearing, and their gender-based separation." (p. 212)

The relationship between a single parent and his or her children is thus mediated by social expectations -- although individual cases inevitably involve decisions based on the perceived worthiness of the individuals involved, which often selectively suspend these social factors.

The failure of these organizations to acknowledge the social and political contexts within which individuals seek aid is reflected, through the focus on organizational documents, in much existing literature of both progressivist and revisionist stripe. We are typically offered valuable accounts of the rise of various forms of public provision which provide only the barest glimpses of the role which clients played in defining their needs and pressing for services which could meet them, if not wholly on their terms. Similarly, the connection between the practices of child welfare agents and the structural "requirements" of political economies is often assumed rather than examined.

In the words of Nikolas Rose and Peter Miller (1992, p. 190), "government is a congenitally failing operation". Certainly, the struggles outlined below were often resolved at considerable cost to the men, women and children who became the object of V.C.A.S. policies; but it is equally evident that most cases evolved in a manner which fell well short of the ideals of child rescuers. Agencies like the V.C.A.S. operated within the fiscal and material restraints of their quasi-public organizational structure¹² and within an often contradictory ideological matrix which relied on stressing

¹² For most of its first three decades, the legislated mandate of the V.C.A.S. was funded by sporadic block grants from the municipal and provincial governments and, most significantly, by private charitable donations. In addition, although the *Children's Protection Act* [S.B.C. (1901), C. 9] created the public office of "Superintendent", no such officer was appointed prior to 1928. Effectively, the operations of the Society were govern by its appointed Board and its Secretary, Charles South.

both the deviance and dependency of wards. In only a few cases (usually involving very young wards) did the Society achieve a complete and final separation from birth-families and full integration into "respectable" foster-families.

The nature of this "congenital failure" is highlighted in this study by its focus upon the client families of the V.C.A.S.. By concentrating on the emergence and development of Children's Aid Societies, one of the earliest interventions to explicitly target the family for moral regulation, it highlights the dual role of British Columbia's citizens as both the subjects of aggressive state intervention and the active appropriators of state resources.

Where Moscovitch and Drover (1987) emphasize the lack of impact of organized labor on the development of welfare programs, my discussion will argue that individual working class British Columbians *did* enjoy some success in their attempts to derive benefit from the resources offered by Children's Aid Societies and other welfare programs. Men, women and children of various races and social classes brought different leverages to these interactions, leading some to systematically meet with more "success" than others. In this sense, the resources and policies of nascent public welfare agencies like the Vancouver Children's Aid Society had an important and complex relationship with the operation of class, gender and age structures in turn-of-the-century British Columbia.

The struggles to be documented included both victories and defeats. Elements of gender and familial ideology, notions of the appropriate scope of state action, and the abiding desire to create a "moral" citizenry (Elias 1978; 1982) informed efforts to enforce control, decisions to grant aid, and

strategies of resistance. By describing these complex struggles, the dissertation will illustrate the degree to which the contradictory position of various household structures within wider class and gender relations during this period (for example, single mothers, single fathers, and illegitimate children) permitted some to at least partially deflect the coercive, legal intervention envisioned in early welfare provisions and to draw upon these resources in their struggle for improved life chances for themselves and their families¹³.

To conclude, the legacy of functionalism has fundamentally shaped both progressivist and revisionist accounts of the development of the welfare state in Canada. Both accounts, in their attempts to arrive at the essential nature of the welfare state, have made important contributions to our understanding of the intentions embodied in the words and deeds of the architects of Canada's social programmes. Importantly, these contributions are limited by, among other factors, a failure to consider the experiences, agency and strategies of the targets of welfare interventions.

Both models assume a relatively direct connection between intent and effect -- assuming either that programmes unequivocally benefit those to whom they are directed or that they effectively control problematic populations. The experiences documented here demand much greater complexity. The Vancouver Children's Aid Society, from its earliest days, operated not only as an aggressive, interventionist force. It was equally concerned that access to its resources be controlled, that some families not be

¹³ A number of theorists have noted the contradictory nature of family-focussed interventions and their effects upon both class and gender structures (Donzelot 1979; Dickinson and Russell 1986; Zaretsky 1986; Gordon 1988b; Mandell 1988; Piven and Cloward 1988; Pupo 1988).

permitted to shirk their responsibilities and that other public and private agencies be encouraged to shoulder their own obligations. There is concern for defensive as well as offensive strategy here.

Ultimately, I have attempted to analyze some of the limitations of accounts of welfare provision which are wedded to the notion of distinct public and private spheres of social life. The conflicts over the portrayal of the extension of public regulation reflect the concerns of the reformers and organizations responsible for implementing new forms of social regulation at the dawn of the twentieth century. Their importance lies in their illumination of the terrain upon which the daily political struggles of individual men, women and children were carried out. However, even when expressly intended to revise the intentions of reformers as "control" rather than "benevolence", they remain fundamentally limited -- in no small part by their historical sources.

Having outlined the contributions and limitations of progressivist and revisionist scholars concerning the "functions" or nature of welfare provision in North America, it is now important to train an even more historically specific lens on the period considered in this dissertation.

2. Periodization in Revisionist Histories

The degree of continuity between pre-World War One forms of social regulation and those which emerged during the inter-war period has attracted significant debate among western sociologists. In the absence of any meaningful dialogue between progressivist and revisionist welfare historians, the issue of periodization has attracted considerable attention among revisionists, effectively dividing some of the major contributors to the revisionist school (cf. Cohen 1985; Chunn 1992). Although potentially profound theoretical implications flow from the adoption of either position (Chunn 1991, pp. 9-10), the historical and empirical issues focus on the actual impact which "progressive" reforms had on the forms of social regulation found in North American capitalist societies.

The first diverse group of theorists have contended that the forms of social regulation found in western capitalist democracies have undergone two major shifts since the industrial revolution (Scull 1983; Cohen 1985). For these theorists, the creation of a network of "disciplinary" institutions exemplified by the penitentiary began in the late eighteenth century (Foucault 1977) and remained the dominant strategy for social regulation until the late 1960s which saw a rapid expansion and development of non-institutional forms of surveillance, normalization and regulation.

In his discussion of the shifting discursive position of "the family" in France during the late eighteenth and early nineteenth century, Jacques Donzelot argues that a concern to preserve the human forces of the state led to a complex redefinition of the family in relation to the state.

"By the terms of the new law, the ancient and monolithic authority of the father gave place to a dual regime, which took the form of a simple alternative: either the system of *tutelage*, or that of the *contract*." (1977, p. xxi)

Tracing, in often controversial fashion, the complex interplay between public policies, professional knowledges, and their varying empowerments and subjugations across social classes and gender, Donzelot argues that the fundamental bulwarks of the modern practice of "governing through the family" were in place in Europe at least a century before the period under study here.

For social historical accounts of the development of child welfare, the implications of this historical vision are to stress the continuities between the earliest forms of social provision for dependent and delinquent children (for instance poor laws, work houses and orphanages) and later forms (such as children's aid societies, foster-care networks, and juvenile courts). There are indeed some striking similarities in the operation of British Columbia's orphanages and the Children's Homes operated by the province's children's aid societies. As will be outlined in Chapter Four below, the continued presence of children who were not duly committed wards of the Society reflected important organizational limitations of British Columbia's children's aid societies and directly contradicted the philosophy of foster-placement which they so vocally espoused.

To the extent that modern "welfare states" in the post-depression period exhibited continuities with their antecedents in the field of social provision (in terms of their professed aims, intended effects, and patterns of utilization by various segments of the population), agencies like the Vancouver Children's Aid Society were important precursors to the more

centralized, professionalized, medicalized, and bureaucratized child welfare organizations which gradually emerged in British Columbia between the late 1930s and 1945¹⁴. In particular, the study of such early social agencies allows us important insight into the gendered nature of "citizenship" in western capitalist democracies. Although British Columbian women were denied some of the most basic elements of democratic citizenship for the earliest decades covered here, there are important parallels to be found in the Society's efforts to cultivate an appropriately gendered "citizenry" and the "maternal feminism" which shaped the suffrage movement and eventually led to women's enfranchisement in North America.

While there are key continuities between agencies like the Vancouver Children's Aid Society and its forerunners in the field of congregate child-care, it is also important to emphasize some fundamental differences in the legal, ideological, and fiscal resources operating in the child-rescue field at the turn of the century. A second, equally important group of commentators argue that the unique forms of social regulation which characterize modern welfare states emerged much more recently (cf. Sutherland 1976; Rothman 1978, 1980; Garland 1985; Chunn 1992).

"From their perspective, the reforms implemented in the late nineteenth and early twentieth centuries did revolutionize public attitudes and contributed to a 'qualitative or structural' change, not simply 'a gradual shift of direction or emphasis' in the treatment of marginal populations. (Garland cited in Chunn 1992, p. 8)

¹⁴ In her influential article examining the origins of the "two-channel welfare state", Barbara Nelson (1990) shows important continuities between Progressive Era programmes and the ideologies and administrative structures of New Deal welfare policies.

In the context of Canadian child welfare development, the most direct support of this position is expressed by Neil Sutherland (1976). His now classic account traces the emergence, in twentieth-century English-Canada, of a new "consensus" regarding the nature of and appropriate public policies towards childhood. Focussing upon social reform movements and legislative developments, Sutherland illustrates how developments in the fields of education, public health and criminal justice revealed similar visions of the importance of child nurturance and, as importantly, developed similar forms of supervision, evaluation, classification and education to ensure the future of the nation.

"Those English Canadians who wanted to change childhood in their society therefore went to work with a varied group of allies on a wide range of projects in what they slowly came to see could be clustered around four closely related spheres of interest: improving conditions for good family life, establishing systems of child and family welfare, transforming the educational system, and organizing a pattern of child and family health care." (1976, p. 20)

Similarly, in her meticulous analysis of the emergence of family courts in Ontario, Dorothy Chunn outlines several distinct waves of reform which cumulatively effected "marked changes in the response to marginality... between 1880 and 1940".

"Solutions to social-welfare problems started to take the form of state-sponsored and/or -financed, community-based, family-centred policies and programs aimed at entrenching the conception of childhood as 'forced dependency' and 'forced obligation' and of the family as nuclear." (Chunn 1992, p. 43)

The discussion which follows clearly illustrates that the legal, ideological and organizational resources commanded by children's aid societies drastically altered the relationship which had prevailed between orphanages and their clients. Most specifically, the *Protection of Children Act*

(1901)¹⁵ contained provisions which allowed the Vancouver Children's Aid Society to apprehend children, and to apply for guardianship and court-ordered maintenance from municipalities and the provincial government.

Politically, attempts to distinguish the Vancouver Children's Aid Society's "legally sanctioned" practices from some of those of "charitable" organizations in British Columbia consumed much of the Board's energy during the early years. By highlighting the "public" nature of its efforts, the Society made a claim for governmental support which, after decades of often rancorous debate, succeeded in fundamentally altering its fiscal standing vis-a-vis its various charitable competitors (Adamoski 1988).

Ultimately, the nature of the historical materials examined in this study may obscure its contribution to the debate among revisionist historians. Rather than tracing a period of organizational upheaval, the discussion which follows remains relatively close to the lives of the men, women and children with whom the Society dealt. While the previous section highlighted some of the theoretical potential of these "histories from below", they have clear limitations when applied to the historical study of organizational change. Nonetheless, by examining how the legal, political and fiscal resources mobilized by the Vancouver Children's Aid Society influenced the strategies available to men and women who approached or were accosted by the Society, the dissertation does cast refracted light upon the importance of the changes in patterns of social regulation in the early twentieth century.

¹⁵ An Act for the Protection and Reformation of Neglected and Dependent Children. S.B.C. (1901), C. 9, s. 4.
The Act is reproduced in its entirety in Appendix E.

An analysis of the daily interactions between the Vancouver Children's Aid Society and its client-families suggests that some groups, particularly employed single fathers, typically formed contractual relationships with children's aid societies which differed little from those which they had enjoyed with the province's orphanages. For single mothers, however, the legal and ideological resources commanded by the Vancouver Children's Aid Society had a significantly different impact -- the echoes of which have been ably traced by many feminist analyses of modern welfare states. Their contributions to the following study conclude this introduction.

3. Welfare, Citizenship, and Gender

"If the state were a family, it would be assumed that welfare is a woman's affair."¹⁶

Since the late 1970s, scholars in Europe and North America have become increasingly sensitive to the importance of gender structures in the analysis of welfare state development. Drawing upon the voluminous and complex contributions of feminist scholars in such diverse fields as the sociology of the family, labor studies, sociology of the state and law, and political science, a thriving body of feminist literature highlighting women's role in welfare reform, welfare provision, and their often contradictory position as welfare recipients highlights the virtual absence of gender in much of the progressivist and revisionist material examined earlier in this chapter.

The breadth of the theoretical and historical contributions to the analysis of gender and its role in welfare provision makes any exhaustive review unrealistic for the present study.¹⁷ My examination here will focus on two closely related threads in contemporary feminist debate: the gendered nature of citizenship in western capitalist democracies and its expression in the emergence of a "dual stream" system of welfare provision, and the analysis of the political construction of "needs".

¹⁶ Gordon (1990, p. 9).

¹⁷ There exist several important anthologies outlining key themes in feminist analyses of welfare provision. The present work has been particularly influenced by a landmark collection of essays edited by Linda Gordon entitled *Women, The State, and Welfare* (1990). Review articles by Quadagno (1987), Lewis (1992b), O'Connor (1993), and Orloff (1993) are also of great value.

Analyses of the historical and sociological foundations of welfare provision are not unique in their belated consideration of the role of gender. Nonetheless, it is striking to reflect on the complete absence of women in virtually all of the literature which has been surveyed here. Whether the focus has been the shift in forms of social regulation or the functions of welfare programmes and the intentions of their advocates, the objects of these policies and practices have been left virtually devoid of gender. Did the emergence of new technologies of social regulation in the late nineteenth century affect men and women in the same manner? Did men and women who approached welfare organizations encounter the care and control dispensed there similarly? Questions in this vein have been notably absent in both progressivist and revisionist accounts of public welfare.

One important factor in the development of gender-blind welfare state scholarship has been the tenuous political status of women in western capitalist democracies. Despite their debate over the material impact of Progressive Era reforms, revisionist historians uniformly recognize the centrality of "citizenship" in the form of social regulation characterizing these western societies (cf. Culpit 1992; Turner 1993; van Steenberg 1994). For those following the Foucauldian narrative, the emergence of new knowledges and forms of bio-power by which populations and individuals could be regulated emerged simultaneous to the development of parliamentary forms of government.¹⁸ For those who focus more specifically on the forms of regulation which emerged in the late nineteenth century, the historical

¹⁸ In his discussion of Foucault's archeology of policing, Pasquale Pasquino (1978) emphasizes the concern of many 17th century Europeans to develop forms of regulation which could ensure the prosperity of "*omnium et singularum*" (all and each), thereby ensuring a healthy, productive population of satisfied, adjusted individuals. See also Foucault (1979).

correspondence between the extension of welfare provisions and the extension of the franchise beyond white, male property holders is of particular relevance (cf. Garland 1985).

A key referent for much of the emerging literature examining the lineage of the concept of citizenship, its centrality to welfare state politics and its utility in contemporary struggles for social justice is T. H. Marshall's (1950) essay "Citizenship and Social Class". Writing with the optimism characteristic of the post-war era, Marshall greeted emerging welfare systems as the harbingers of "social citizenship" the third and ultimate stage in the historical development of citizenship.

The first stage in this historical progression, "civil" citizenship, involved those most basic rights "necessary for individual freedom" including security of the person, freedom of speech and mobility, the right to fair trial, and property and contractual rights. The second stage involved "political" rights characteristic of western democracies including the right to vote and hold political office. These rights developed, respectively, during the eighteenth and nineteenth centuries (Marshall 1950, pp. 10-11).

"Social" rights, Marshall contends, emerged first toward the end of the nineteenth century and developed gradually until the post-World War II period when they finally achieved "an equal partnership" with the other components of citizenship. Social rights cover a broad

"... range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society." (Marshall 1950, p. 11).

Consistent with the progressivist portrayal of welfare provision discussed earlier, Marshall regarded the development of public welfare programmes as an "institutionalized" attempt to respond to the vagaries of capitalist economies (Guest 1977). Characterizing the relationship between citizenship and the capitalist class system as warlike (1950, p. 84), Marshall's work is notable for its carefully restrained optimism. He argues that the shared experiences resulting from universal social citizenship would eventually eliminate the cultural, if not structural aspects of class division in capitalist democracies.¹⁹

Marshall's assumption of a "warlike" relationship between social welfare rights and the functioning of the free market reflects a long-standing tradition in western political philosophy²⁰. Most recently, this tradition has been furthered in the influential work of Esping-Andersen (1990) and Korpi (1985; 1989), who have developed an important framework for the comparative analysis of welfare regimes. Although their comparative work is beyond the scope of this dissertation²¹, the influence of Marshall is evident in

¹⁹ Barbalet's (1993) discussion of Marshall's vision of the ameliorative potential of social citizenship highlights his emphasis on the cultural aspects of a class-divided society and the potential of social benefits to limit class resentment.

²⁰ Note the similarity between this depiction of social welfare provision and Richard Titmuss' (1976) "social democratic" model of welfare provision. In the Canadian instance, Andrew Armitage's *Social Welfare in Canada* (1975) is perhaps the most widely read portrayal of social welfare provision as a remedial programme which attempts to eradicate social inequality.

²¹ Utilizing extensive historical data outlining the development of welfare provisions in eighteen European countries between 1930 and 1985, Esping-Andersen (1985; 1989; 1990) and Korpi (1985; 1989) compare welfare regimes according to the relationship between the state and the economy, the degree and sources of stratification, and the development of social citizenship rights. From their comparisons, they develop three archetypical welfare state structures: conservative-corporatist (in which welfare provisions reinforce market-based stratification), liberal (in which welfare programs operate as residual 'social safety nets' when economic and familial resources fail utterly) and social democratic (where welfare rights are universal and egalitarian, operating in direct opposition to market-based stratification).

their basic assumption that Western societies can be characterized by two major power resources: capital and the right to vote and organize for collective political action. It is through the latter, and in particular through the development of public sources of welfare provision, that working-class citizens have the potential to "push back the frontiers of capitalist power" (Esping-Andersen 1990, p. 16). For Esping-Andersen, the development of social rights and the concomitant resources to achieve and maintain them may ultimately lead to the "decommodification" of citizens who would no longer be reliant on the market nexus.

This sanguine view of the nature of welfare provision obviously contrasts with the functionalism of some of the revisionist histories described above. Like revisionist critics of western welfare states, however, these classical discussions of the nature of citizenship are devoid of any reference to the role of gender in both its historical development and contemporary operation. As subsequent commentators have noted, Marshall's three stages in the development of citizenship rights present both historical and conceptual difficulties when applied to the experiences of women in western democracies (Fraser and Gordon 1994, p. 93).

This dissertation describes in some detail the contradictory position in which women in early twentieth century British Columbia found themselves. In many instances, the policies and practices of the Vancouver Children's Aid Society betray a fundamentally gendered understanding of the proper relationship between citizens and public agencies. For some families (particularly those headed by financially independent males), the Society's policies reflected a contractual relationship between the state and the citizen.

For others, the Society justified violations of the basic civil rights of parents and children by citing a higher goal, the right of the state to ensure the health and productivity of its citizenry.

These two, often contradictory visions of citizenship in modern welfare states have been recognized for several centuries. Recently, Carole Pateman (1989) has authored a series of treatises which have influenced a number of welfare state scholars. Excavating key elements of Hegel's analyses of the state and its legitimate role in civil society, Pateman highlights the contradiction between the "fraternalist" rights of citizens and the "paternalist" content of much modern welfare policy. As Pateman (1988) illustrates, Hegel's proposed solution to the dual dilemmas faced by capitalist democracies has important repercussions for women, children and marginalized racial groups in contemporary welfare states.

For Hegel, democratic capitalist societies were characterized by two fundamental dilemmas. The first, and the most challenging to Hegel, resulted from the relationship between the exercise of the rights of democratic citizenship and the operations of the free market. In particular, Hegel was "concerned with the manner in which the participation of some individuals as workers in the capitalist economy (Hegel's civil society) can make a mockery of their formal status as equal citizens" (Pateman, p. 182). Hegel provides an important moral basis for the development of social welfare provision, but it is a justification tied closely to an individual's potential to be a functioning member of both the political and paid economic spheres. With the rights of citizenship came a fraternal obligation to buoy duly qualified citizens whose ability to exercise their rights was temporarily threatened by the play of

market forces. Hegel's vision of the role of the state is clearly a "residual" one. Applying Marshall's taxonomy, the concern is to support basic civil and political rights in the face of market instabilities.

Hegel's "second dilemma" is paternal rather than fraternal in nature. If western democracies have historically been characterized, as in Marshall's model, by an extension of the rights of duly qualified citizens, it is also abundantly evident that these societies have historically excluded large segments of their population from the status of 'citizen'. Hegel's second dilemma involved those who were, "by nature", unable to assume the responsibilities of citizenship and therefore required protection. By way of example, the economic and political status of Canadian women at the turn of the twentieth century operated in the shadow of the common law tradition which denied married women the right to own and control property,²² denied them equal claim to the guardianship of their children, and made financial independence only a remote possibility. Social class also operated historically to limit citizenship claims, often operating in complex interaction with gender, ethnicity, and race. Women who independently owned taxable property, for example, enjoyed the right to vote in the Dominion of Canada well before the broader enfranchisement of women in 1917.²³ Finally,

²² This common law tradition was gradually usurped in Canada by provincial legislation passed during the late 19th and early 20th centuries. British Columbia was the second province (following Ontario, 1872) to pass legislation allowing married women to hold and dispose of property and to independently enter into contracts (*Married Women's Property Act* (1873) 36 Vict., c. 116.).

²³ The granting of the franchise to Canadian women at the federal, provincial and municipal levels was an evolution of considerable complexity. For summaries of the suffrage movement and the political status of Canadian women, see Altschul and Carron (1975) and Cleverdon (1950). The right to vote was won first by female landholders on the principle of "no taxation without representation". From the mid 1800s, several acts restricted the right of married women to vote. Women in British Columbia were finally granted the right to participate in provincial elections in 1917.

indigenous peoples, Asians, and other marginalized racial and ethnic groups encountered barriers which effectively barred them from full citizenship.

According to Pateman, Hegel's second dilemma highlights an important dimension of social life in western democracies which has been under-developed in many of the theories outlined above. By focussing exclusively on the emancipatory potential of the democratic political institutions created by "fraternal rights" (1988), these accounts typically fail to fully develop the consequences for groups excluded from the status of "citizen" and also tend to obscure the continuing role of the family in sustaining the "public" spheres of economic production and welfare provision.

"...[M]ost contemporary political theorists usually look only at the relation between civil society and the state, or the intervention that the public power (state) may make in the private sphere (economy or class system). This view of 'public' and 'private' assumes that two of Hegel's categories (civil society and the state) can be understood in the absence of the third (family). Yet Hegel's theory presupposes that family/civil society/state are comprehensible only in *relation* to each other - and then civil society and the state become 'public' in contrast to the 'private' family." (Pateman 1989, p. 183)

Ultimately, Pateman's work illustrates the profound effect of gender in the social and political construction of citizenship in western democracies. While Hegel's first dilemma casts the legislature in opposition to the tyranny of the market, the second dilemma belies the fact that the characteristics of independence, rationality and self-determination have historically developed in reference to men's experiences in market-based societies. In particular, this selective view of the nature of western political economies privileges paid work and contractual relationships as key expressions of independence while the continuing contributions of "dependent" groups (including wives,

mothers, the aged and children) to familial economies are recast (and discounted) as the product of "natural sentiment".

"The result was the appearance, especially among the urban bourgeoisie and those who aspired to middle class status, of a new ideological disjuncture between two different kinds of claims to social resources, associated with two different spheres of society. In civil society, the 'male sphere', contractual relations dominated: resources were exchanged for exact equivalents in discrete, monetarized transactions between self-interested independent individuals. In the domestic sphere of the intimate family, in contrast, resources appeared to flow with sentiment wholly outside the circuit of exchange." (Fraser and Gordon 1994, p. 100)

The analysis which follows will trace the effects of this dualist conception of citizenship both on the policies and practices of the Vancouver Children's Aid Society, and on the forms of the claims made by single parents and wards. My consideration of the gendered nature of child welfare practices in early twentieth century British Columbia supports the conclusion widely reported by feminist scholars that "gender assumptions about women's dependence were part of the historical bases of welfare policy" (Gordon 1990, p. 19).

A wide range of gender-sensitive analyses of welfare policy have developed this basic observation by outlining the historical emergence of two "channels" or "streams" in western welfare states²⁴. In what is perhaps the most widely cited application of this analytical framework, Barbara Nelson (1990) attempts to provide historical evidence for viewing "U.S. welfare policy and ultimately the welfare state as fundamentally divided into two channels, one originally designed for white industrial workers and the other designed

²⁴ Early discussions of this influential analytical model are found in Nelson (1984b; 1990), and Pearce (1979; 1983).

for impoverished, white, working-class widows with young children" (p. 124). The two channels which Nelson (and others) describe differ in at least three dimensions. First, programs in each of the two channels contrasted in the level of autonomy which they granted recipients, and in the degree to which recipients were cast as entitled claimants rather than as objects of charity. Second, the programs differed markedly in the benefit levels and the terms which were imposed on recipients. Finally, there were key differences in administrative structure between the two channels which reflected and reinforced the other contrasts (Fraser 1990, p. 208-209; Nelson 1990, *passim*).

Nelson argues that the first of these channels -- variously termed "entitlements" (Gordon 1988) or "contributory insurance" (Orloff 1993, p. 315) -- is exemplified by the American Workmen's Compensation system. Consistent with the components of male citizenship outlined above, she describes the primary characteristics of this system as "male, judicial, public, and routinized in origin" (1990, p. 133). Workmen's Compensation programs emerged primarily as a means of limiting the liability of individual industrialists under tort law, establishing in its place an insurance scheme based upon a bureaucratized process designed to establish eligibility and to arrive at a standardized level of benefit for various injuries.

"... (I)n Workmen's Compensation, we see the confluence of the major elements of the first channel in the welfare state: socially legitimate, standardized decision criteria supporting insurance programs whose eligibility is based on the wage work employing white men." (1990, pp. 136-7)

Under such schemes, claimants pursued benefits as a matter of right, administrative decisions focussed on eligibility for benefits of a standardized level and duration and, on the whole, the administrative structure was highly

routinized. As Guest (1985, p. 41) describes the process in Canada, the criterion of eligibility effectively shifted from proof of employer negligence to the presence of a work-related injury²⁵.

The second channel includes programs such as Aid to Families with Dependent Children (A.F.D.C.) and Widows and Mothers Pensions. It is most commonly referred to as the "charitable" channel (Gordon 1988), emphasizing continuities with earlier forms of outdoor relief²⁶. The most important distinctions between "charitable" and "entitlement" programs flow from the very different bases upon which claims for support are made. Individuals making claims for entitlement programs do so largely on the basis of their previous contributions to public, wage-labor. To return to Hegel's scheme, they are regarded as politically autonomous, independent citizens in need of temporary relief from the vagaries of the market economy. Individuals claiming charitable relief do so as "dependants". As a result,

"[Charitable] programs... are politically less legitimate, less generously funded, and more oriented to monitoring clients' behaviour and income..." (Orloff 1993, p. 315)

The historical analysis which follows deals with a variety of groups who were clearly regarded as "dependent" in early twentieth century British Columbia. Although the dissertation does trace the impact of child rescue agencies on marginalized racial and ethnic groups, the primary focus will fall

²⁵ Nelson notes, for instance, that the proliferation of Workmen's Compensation schemes across various states was facilitated by Samuel Harper's digest compiling examples of legislation, case law and forty-six sets of forms "covering almost every aspect of the Workmen's Compensation process" (Nelson 1990, p. 135). For a brief account of the establishment of Workmens' Compensation programs in Canada, see Guest (1985, Chapter Four).

²⁶ Orloff (1993, p. 315) uses the term "social assistance" to refer to this channel.

on groups whose "dependency" emerged primarily from their position within the domestic sphere -- in particular women and children.

In an early attempt to provide a structural account of the position of women and children in North American welfare policy, Linda Gordon (1988) offered an important elaboration of the class-based analysis of American welfare history found in Piven and Cloward's *Regulating the Poor: The Functions of Social Welfare* (1972). As noted earlier, Piven and Cloward's analysis was essentially limited to the role of public welfare in regulating the labor force by absorbing, controlling and procuring surplus labor to meet the demands of capitalist production. Gordon observes that this tendency to uncritically accept wage-labor as the norm imputes an important gender bias which led Piven and Cloward to "theorize the relation between welfare and wage labor, but not that between welfare and domestic labor" (Gordon 1988, p. 615). Gordon proceeds to illustrate that the relation of A.F.D.C. to the reproduction of labor is to *future wage labor*, not to *unpaid domestic labor*.

One of the key characteristics of "charitable" forms of welfare provision like A.F.D.C., mother's pensions, and presumably child welfare, is that women's claims for assistance are mediated by their family position. Their claims arise not on the basis of their direct contributions (in the form of domestic labor, for example) but on the basis of the potential contributions of their children. This aspect of many of the programs which comprise the second channel in western welfare states generates its own contradictions. As Gordon points out,

"The central administrative contradiction in A.F.D.C. and its predecessor, state mothers' pensions, is that they aim to support children but can do so only by supporting women." (1988, p. 618)

The actions of the Vancouver Children's Aid Society during the period under study here reflect the operation of similar logics. Single mothers who approached the society were seldom granted the degree of autonomy and self-determination which characterized the Society's dealings with employed single fathers. Rather, even when these women were economically self-sufficient, the Society's decisions typically hinged on a highly critical scrutiny of their ability to mother their children. In many cases, the Society regarded the very attempt to seek public aid as being indicative of maternal failure.

There are clear applications of this "two channel" analytical model in contemporary debates concerning welfare programs aimed at single mothers. These programs, like the Society examined in this dissertation, struggle with an important paradox. While the Vancouver Children's Aid Society explicitly defined the objects of its intervention as children at risk of being denied the upbringing required of full citizens, it wrestled constantly with concerns that its interventions would allow their parents to shirk the responsibilities of citizenship and parenthood. The gender-sensitive analysis of the two channels of programs which have developed historically in western welfare states highlights the fact that these "responsibilities" were fundamentally gendered. Some forms of dependency (economically dependent wives and children within male-headed households; children, the ill and the elderly who were dependent on care provided largely by women) were accepted and even encouraged while others (unemployed fathers who sought public-funded care for their children or unwed mothers who sought such aid to permit full-time work) were to be avoided at all cost.

The "two channel" analytical model outlined above has proven to be an important stage in the development of gender-sensitive literature examining western welfare policies. As with most analytic frameworks, however, it is partial and some caution must be exercised in its application. While gender and its implications for citizenship allow us important insight into the logics underlying the two channels, it is inaccurate to present these two categories of programs as being gender-specific. For at least two decades, analysts have noted a drastic increase in the proportion of poor families maintained by women alone²⁷. The "feminization of poverty"²⁸ has been reflected in the increase of women in virtually *all* social welfare programs (with the exception of unemployment insurance schemes).

The attempt to place the "two channel" model in the wider context of citizenship and gender in western societies should allow for a deeper understanding of the manner in which western welfare policies can be said to be 'gendered'. As I have attempted to outline, the distinction between the two channels is based less on gender *per se* than on a socially-constructed status of "independence" of which gender is one important component. As Orloff notes, the two channels affect women differentially based, in part, on the familial structure within which they live.

²⁷ For statistical materials on poverty among single mother families in Canada, see Ross and Shillington (1989), National Council of Welfare (1990).

²⁸ This widely used phrase was apparently coined by Diana Pearce in an article first appearing in 1978 (cf. Pearce 1979).

"In the United States, the difference between the two tiers of social insurance and social assistance... is [best] conceptualized as a difference between members of families that are, or were, headed by a male breadwinner with an economically dependent wife (and children), and families maintained by women who are not in the paid labor force, or work on its fringes, who must make claims based on their status as mothers." (1993, p. 315)

The study which follows explicitly focuses on the experiences of single parent families in order to highlight the impact of gender on the Society's policies and practices. Building on theories of gender and citizenship, the analysis illustrates that the characteristics of the two channel welfare state can be focussed profitably on the policies of a single agency, providing an important historical instance of the gendered nature of social welfare policy.

The position of many women in contemporary Canadian society differs fundamentally from those who will be examined in this dissertation. Today, single mothers are typically younger and less likely to be widowed, paid employment opportunities for women have increased, and the proportion of dual-income families has sky-rocketed. Nonetheless, Canadian families headed by single mothers remain three times as likely to fall below the poverty line as traditional nuclear families (McQuillan 1992). By moving beyond the notion of "two channels" and highlighting the effects of gender on the policies of a single component of the emerging welfare state in British Columbia, I hope to render these historical findings relevant to a society where men and women increasingly approach the same programs for aid, but ultimately continue to do so under very different terms.

In this introductory chapter, I have sought to survey the wide-ranging theoretical landmarks around which my dissertation is oriented. In the pages which follow, I attempt to throw light upon these broader issues while focussing upon the experiences of individuals who came into contact with the Vancouver Children's Aid Society during the early twentieth century. The strength of the materials at hand lies in the insight which they can contribute to our understanding of the policies and daily practices of agencies like the Vancouver Children's Aid Society, and the experiences of those individuals who were involved with the Society. As an exercise in social history, the present work confronts the challenge of teasing out the historical and theoretical implications of individual experience.

Chapter Two outlines the key data sources and methodologies employed in the study. The use of case-records as sources of historical data is relatively novel and offers both promises and challenges which are surveyed in this chapter.

Part II of the study consists of three chapters which provide a broad social and organizational context for the dissertation. Chapter Three focuses on the social terrain of Vancouver in the early twentieth century, and offers a brief biographical sketch of Charles South, who personified the Society during the period studied here. Chapter Four plots the emergence of child rescue in British Columbia. During its earliest years, the Vancouver Children's Aid Society struggled to differentiate itself from a number of orphanages and foundling homes which were already established in the province. The discussion examines the Society's attempts to constitute itself as a public agency uniquely concerned with shepherding the province's future

citizenry, and provides a brief statistical overview of the characteristics of the families who make up the dissertation's primary sample.

Chapter Five concludes Part II by outlining the role of race and ethnicity in shaping the policies and practices of the Society. The relationship between Canadian child welfare agencies and Canada's indigenous peoples over nearly a century has varied significantly. During the period under study here, the Society was only rarely involved with families of native descent. Nonetheless, the Society's case-files speak volumes of the racial and ethnic parameters which shaped their vision of "the most desirable material out of which to manufacture the best Canadian citizenship".

Part III of the dissertation examines the role of gender in shaping the policies and practices of the Society. Building on recent feminist analyses of welfare provision and the gendered nature of citizenship, I use case histories to highlight the varied experiences of parents who came into contact with the Society. Chapter Six focuses on the Society's policies toward single fathers. I illustrate that single fathers typically regarded the Society in the same manner that they had historically regarded orphanages or boarding schools. Given their continuing reliance upon paid boarders, the Society's policies toward economically independent single fathers differed little from these earlier organizations.

Chapters Seven and Eight examine the experiences of single mothers who came into contact with the Vancouver Children's Aid Society during the early twentieth century. Single women approached the Society from significantly different social, political and economic positions than did single men. In effect, women's status as citizens deserving of aid was tied to their

status as mothers and wives. Chapter Seven sketches the social and economic crises which confronted families deserted by their male wage-earner in the early twentieth century. For these women, the lack of an economically independent, legally sanctioned family compromised not only their economic survival but also their basis for claims of aid.

Chapter Eight highlights the tenuousness of women's status as "lesser citizens in the welfare state" (Pateman 1989, pp. 185) by examining cases of incest and sexual assault. In many of these cases, women who sought public solutions to their children's private problems were condemned for failing in their conjugal and maternal duties. Chapter Nine closes Part III with some moving examples of women's resistance to the policies and practices to which they were subjected.

Part IV shifts the focus to children who were committed to the care of the Vancouver Children's Aid Society during the early twentieth century. Chapter Ten examines the role of gender in the determination of a child's need for protection and provides a statistical portrayal of the institutional trajectories of male and female wards. By utilizing exemplary cases, and by focusing on their experiences while in the Society's care, the impact of gender structures on wardship policy is clarified. Chapter Eleven extends this analysis to include the work-placements which typically provided a bridge to independence for long-term wards. The chapter examines the types of placements arranged for young women and young men, the experiences which they recount in correspondences, and the circumstances under which their wardship was terminated.

The experiences of wards in the care of the Society give a final perspective on the gendered visions of labor, dependency and citizenship which innervated the Society's policies and practices. The dissertation concludes by noting the applicability of these historical findings for issues confronting western welfare states in the late twentieth century.

Chapter Two

Methodology and Sources

Access and Ethical Considerations

The study which follows draws on a range of primary and secondary archival sources, including secondary historical accounts, various public news and professional media, restricted administrative records and minute books, court records, curfew officer records, and client case files compiled by the Vancouver Children's Aid Society. Of these sources, only the confidential organizational and client records raise ethical concerns -- the remainder are in the public domain. Access to these restricted materials has been obtained from the office of the Attorney-General, the Superintendent of Family and Child Services, and the respective archives (See Appendix A).

The dissertation research was also approved by the S.F.U. Ethics Review Committee (See Appendix B). In the proposal submitted to this committee, I undertook to be guided by the following considerations:

- a) All primary data collection will be carried out by the principal researcher. Records will remain in the possession of the archives or agencies where they are presently housed. Any information removed from the premises will be coded to eliminate any identifying information.

b) The principal researcher will fastidiously guard against the release of any information which might personally identify any person who is the subject of these confidential records.

c) The proposed study will focus primarily upon aggregate trends as opposed to specific cases. Although specifics may be cited as indicative of these larger trends, no identifying information will be released.

d) The study will utilize archival records rather than active case files.

In the cases which follow, pseudonyms are used to disguise the identity of all individuals except public officials. The decision to employ pseudonyms rather than initials was prompted by two key considerations. First, decisions by the Society's representatives were often shaped by their own constructions of the "race" and/or "ethnicity" of families which approached them. During the period of this study, many requests for intervention were initially received by letter or telegraph, and many decisions were made without any personal contact between Society officials and the families in question. I have decided to choose pseudonyms which would convey to the reader cues similar to those upon which the actors in question may have relied.¹ Secondly, as outlined in Chapter One above, one of the key goals of the research is to illustrate the important theoretical and historical implications of an increased sensitivity to the experiences of clients. The use

¹ As will be expanded upon in Chapter Five, the dissertation presents "race" and "ethnicity" as important social constructions which affected the policies and daily decisions of the child rescuers studied here. Although I will abandon the practice of parenthesizing these terms in the discussion which follows, it is recognized that both concepts are highly problematic.

of pseudonyms in the place of the more standard initials aids in the wider project of reinforcing the agency of men, women and children who have typically been relegated to anonymity in sociological and historical studies of welfare state development.

The primary sources can be broadly grouped into two categories: organizational records and case files. From the organizational materials,² the professed goals of the Vancouver Children's Aid Society, the policies adopted to achieve these goals, and the Society's evolving relationship to other agencies³ are subjected to traditional, qualitative historical methods.⁴ The second major group of primary sources consist of a unique, previously untapped collection of case files compiled by the Vancouver Children's Aid Society. From these materials, I describe the patterns of interaction between the Society and the families which were its clients. The use of these records presented unique challenges, reflecting their novelty as historical data sources. Given both the technical issues and the centrality of this source to the theoretical goals of the proposed dissertation, I will deal with this aspect of the research in greater detail.

² These sources included correspondence, board minutes, annual reports and other published material.

³ In particular, the study notes in varying detail the Society's interactions with the city's orphanages, maternity homes, infant's homes, juvenile courts, industrial schools and its psychiatric establishment.

⁴ Issues of reliability have been managed using established standards for historical research (cf. Gottschalk 1945).

Research Strategies: Case-files as Sources

Although historians have long relied upon archival documentary analysis, it is only during the last fifteen years that North American historians have become familiar with case records as a valuable source for historical research. Beginning in the mid- to late-1960s, a number of historians began to explore the potential of a range of social records including census data, assessments and parish records. Reacting against the tendency among conventional historians to ignore the lives of the "labouring and unlettered", and mindful of the opportunities for quantitative study offered by emerging computer technology, these "cliometricians" adopted a largely quantitative approach to the study of family structures, urban geography, labor patterns, demography, and social mobility (Tilly 1965, 1975, 1981; Laslett and Well 1972; see also Katz 1975 for a Canadian example).⁵

Joy Parr (1980) utilized case files from the Barnardo Children's Homes to describe the experiences of some of the eighty thousand British children who were placed in Canada by child-saving agencies between 1886 and 1925. By illustrating the value of case files as an historical resource, Parr has done much to identify the perils and promise which these records offer. In her words, "case records are cumbersome documents. The transformation of descriptive accounts into machine-readable form is not without its hazards. But handled with care case histories provide an intricate and intimate view of a part of the past rarely glimpsed through other sources." (p. 161)

⁵ While this "new social history" gained momentum, spawning a bewildering range of sub-disciplines (including family history, women's history, labor history, and black history), social welfare historians in both the United States (cf. Chambers 1986) and Canada largely continued to produce more traditional, organizational histories of welfare state development (Splane 1965; Armitage 1975; Guest 1980).

Utilizing case files from three Massachusetts child welfare agencies, Linda Gordon (1988) focuses primarily on the history of family violence. In so doing, she raises important issues concerning the political content of family violence, the contradictory nature of state intervention (which both supports and frustrates women's attempts to escape family violence), and the experiences of women who utilized a variety of strategies to protect both themselves and their children. As will become evident in the discussions which follow, the present work has been strongly influenced by these early studies both methodologically and theoretically.

Benefits of Case Records as Historical Sources

The primary benefit of case-files as a source of historical data lies in the depth of qualitative information found within them (Parr 1977, p. 123). In the present instance, access was granted to approximately 1600 uncataloged case files spanning the years 1901 to 1945. The material available in these files was found to vary markedly. The earliest material (those files compiled prior to the mid-1920s) was in many ways the most fascinating. Although these files did not follow any systematic format, they did typically contain a range of important historical documents: for example, rich collections of correspondence, and complete court transcripts.

Files from the late 1920s betrayed the influence of professionalization in social-work practice. While these materials provided much more orderly information, the effects of both contemporary technology (particularly the increasing availability of the telephone) and an increasing reliance on

bureaucratic forms of information exchange (in particular the development of systematic case forms and running records) fundamentally altered the historical content of these files. Although the files from the period following the Society's reorganization in 1927 may be very useful for historical inquiries emphasizing systematic, quantitative demographic and organizational data, the perspectives of client- and foster-families rarely emerge from these files.

The variable nature of the case files utilized in the proposed research is one of the primary reasons for the decision to incorporate both quantitative and qualitative research methods. While the systematic information in these files is limited, they represent an impressive collection of data through which to understand the process of child rescue practice.

In an effort to produce a representative empirical description of the activities of the Vancouver Children's Aid Society, a random sample of 457 case files spanning the period from 1901 to 1930 was coded and statistically analyzed. The annotated coding instrument (Appendix C) includes variables divided into three main components:

- 1) Family demography and circumstances leading to apprehension.
- 2) Child demography and placement history.
- 3) Placement experiences and circumstances surrounding discharge.

The development of the coding scheme was influenced by the works of both Parr (1980) and Gordon (1988a). Through published sources and direct correspondence, original code books were obtained and served as useful models. By combining these models with a careful perusal of the information available in the Vancouver Children's Aid Society case files the present coding scheme was devised.

Generally speaking, the coding scheme process focussed upon the latent rather than manifest content of the records (Babbie 1983, p. 279). That is, the coding process involves an informed, interpretive reading of the materials on file rather than focussing narrowly on the presence or absence of given words or phrases. The variables themselves emerged inductively from the early exploratory stages of the research. The study thus attempts to balance the reliability of manifest content analysis with the validity of latent content analysis.

One of the problems encountered during the development of the code book involved the creation of variables which would be both exhaustive and mutually exclusive. By developing and refining variables incrementally over a prolonged exploratory period, exhaustive categories were developed. The goal of developing mutually exclusive categories presented significantly greater challenges. For several variables (for example, those dealing with the factors leading to apprehension), a given case may have involved a number of factors. The code book represents an attempt to resolve this problem through the creation of arrays of binomial variables where the presence or absence of each factor in a given case is recorded. The coding scheme was pre-tested on a small sample of case files and revised.

Limitations of Case Records as Historical Sources

Although case files offer potentially rich data, there are several drawbacks associated with their uses. The first, and perhaps key, limitation is the extent to which the findings of this study can be generalized to wider, contemporary populations. The study provides a detailed description of the interaction between the Vancouver Children's Aid Society and working-class families. While the pursuit of this goal undeniably opens a window through which the reader can glimpse the family structures and life experiences of Vancouver's working class at the turn of the century, the dissertation makes only a limited contribution to the general field of family history⁶. The experiences of the families described in the present work (both client- and foster-families) revolve around their involvement with agencies with which many working class families had no contact.

The second major limitation evident in the case files is their resistance to trend analysis. Fundamentally, the limitation results from the relatively small number of cases per year. Exacerbating this problem, it is important to note that the placement histories and experiences of children differed markedly depending upon the age at committal. In combination, these two factors render any statistically meaningful trend analysis of placement policies highly difficult. Once again, it is likely that qualitative analysis of these issues will yield more understanding than will strict statistical analysis.

⁶ For recent contributions to the study of working class family history, see Archer (1990), Bercuson (1987), Bradbury (1992, 1993) Gordon and McLanahan (1991), Newcomer (1990), Parr (1982), and Sutherland (1990, 1991).

The third, and final limitation inherent in case files as sources for historical research lies in the form of the documents themselves. While many of the earliest files do contain apparently frank statements by the families involved, the fact remains that these files were created and preserved to serve the purposes of the Vancouver Children's Aid Society. As such, they are subject to all of the limitations of "organizational documents" (Platt 1981). Basically, the issue has two elements:

- 1) The selective preservation of information for organizational purposes.
- 2) The extent to which such documents can tell us "what really happened".

In the first instance, the present work must be sensitive to the fact that certain types of information have likely been systematically excluded from the case files under study. Simply put, the Society's records are more likely to document parental failures than heroic self-sacrifice.

The second issue is essentially one which raises questions of validity and epistemology. Documents, by their nature, capture only particular aspects of reality. One of the key goals of the present work is the description of the circumstances leading to the apprehension of children. Typically, a wide range of social, economic, and behavioral factors contributed to each decision, but only rarely did all the participants involved agree upon the relative importance of the various factors. In order to overcome the obvious limitations of relying solely upon the Society's version of the circumstances leading to apprehension, efforts were made to locate as many alternative

accounts as possible. During the pre-test phase, such accounts included the original complaint (often in the form of correspondence between local citizens, officials and the Society), court transcripts, and correspondence with the involved family.

The reliability of the data collected has been guarded in two ways. First, a conscious effort was made to utilize categories emerged from the data themselves. Preliminary exploratory analysis sought to uncover, for example, common circumstances which were presented as the cause of apprehensions, and the particular constructions of gender, race and ethnicity which shaped the assumptions and decisions of officials. I endeavored, where possible, to enlist categories actually used by the individuals who contributed to the case-files (clients, caseworkers, other experts and officials). By endeavoring to avoid imposing a particular, analytically determined set of coding variables on the rich data sources at hand (a struggle reflexively noted by Gordon⁷), the coding scheme also included a number of long string variable fields which allowed for extended commentary on crucial aspects of each case.⁸ This

⁷ Gordon repeatedly refers to the tension between the descriptively rich categories which emerged from her analysis of the Massachusetts Society for the Prevention of Cruelty to Children and the highly simplified categories into which they were combined for the purpose of her statistical analysis. "To make different factors in different cases comparable, the variables had to be extremely simplified. In the most basic of categories, for example, child abuse, are included as many different ways of attacking children as there are parents" (1988a, p. 306)

⁸ Specifically, lengthy descriptions of the following aspects of each case were recorded:

- Siblings not apprehended.
- Family structure at time of apprehension.
- Circumstances leading to apprehension.
- Household economy.
- Child's contact with family and V.C.A.S. during placement.
- Concerns expressed by any party(ies) during placement.
- Foster parent concerns expressed during placement.
- Incidents of pregnancy or paternity alleged or implied during wardship.
- Juvenile charges, court dispositions during wardship.
- Circumstances surrounding discharge.

resulted in a reliable, detailed, *descriptive* collection of data which proved useful as analytical questions subsequently emerged. These "grounded" variables remain "closer" to the actual archival material at hand and consistency is thereby increased (cf. Glaser and Strauss 1967). Secondly, the study's reliability also benefitted from the use of only one researcher -- eliminating inter-rater disparity.

In the early stages of the study, the strength of these two strategies was gauged using a test-retest method. Selected variables from case records pertaining to a subsample of the children surveyed here were retested early in the research process. The method of data collection further allowed for the rapid recall of cases based on particular criteria. The availability of this technology had a reassuring effect on coding consistency. Temporal reliability is strengthened by the fully random nature of the sampling process. Simply put, there are no identifiable sub-groups within the sample which were dealt with in an identifiable order.

Cases were selected randomly based on their position within an alphabetical listing of all case-files. The random selection of any file determined the inclusion of the entire family within the sample. This sampling method had the effect of favoring larger families and the impacts of this sampling bias have been noted throughout the study.

Not surprisingly, in a study based virtually exclusively on archival sources, questions of validity harbor some important epistemological implications. By relying upon archival materials, historians remain permanently divorced from the actual phenomena of interest to them -- in

this case, the experiences of the working-class families under study and their relationship with the Vancouver Children's Aid Society.

Typically, researchers faced with this challenge have adopted one of two strategies. Some, aptly surveyed by Kellner (1987), have been overcome by ontological angst -- choosing to draw upon semiotic or literary theory and staunchly refusing to grapple with the relationship between the concrete document and the "speculative" reality which gave rise to it. Palmer (1990) has described this unfortunate trend as "the implosion of theory".

The second strategy (exemplified by Parr (1980), but also employed in Gordon's (1988a) original coding design) involves the creation of 'paired variables' wherein "one set of categories describes the record-keeper's subjective evaluation [and t]he other noted relevant conflicting or corroborating circumstances" (Parr 1980, p. 160). As outlined above, by systematically recording the accounts of parents, children, Society officials, foster parents and other community members, the coding scheme has attempted to provide this historical parallax.

The study which follows does not limit itself to textual analysis. It proceeds from the assumption that case files represent ontologically acceptable accounts (however biased) of "what really happened". This decision to regard archival documents as socially constructed accounts of past social realities does not require one to adopt the Rankean quest for "objective" history (Ranke cited in Meyerhoff 1959, p. 13). Rather, the analyses which follow highlight the varied perspectives of clients, officials and the public, not as mere "language games" but as a field in and through which living,

breathing human beings carry out struggles which were often constituted outside of the realm of language.

The second research strategy involved a qualitative analysis of a number of specific types of cases which, in the process of the research, emerged as key to a full understanding of the interaction between the men, women and children documented here. While the quantitative coding strategy described above produced generalizable statements concerning patterns of interaction between the Society and its clients, careful analysis of theoretically illuminating cases often furthers understanding in ways which statistically representative cases cannot.

"In relying on qualitative evidence, and sacrificing often the possibility of specifying how many cases were similar, I am acting in the belief that what is revealing of deeper patterns is more significant than what is representative." (Gordon 1988a, p. 306)

Given the theoretical issues surrounding "care" and "control", the study presented here will be concerned not only with those families which were the subject of the Society's actions, but also those complaints where the Society declined to intervene. In striving to analyze the Society's actions in terms of both 'sanction' and 'benefit', the work attends to restraint as much as regulatory efforts, and to the complex relationship between compliance and resistance among clients. Information on claimants who were ultimately rebuffed or vindicated by the Society was gleaned from correspondence files, which included letters from private individuals, local government officials, and other Children's Aid Societies.

In terms of analysis, the qualitative methodology resembles, in important respects, the methodology outlined almost twenty-five years ago by Theda Skocpol and Margaret Somers (1980) and later adapted by Barbara Nelson in her formative analysis of the origins of the "two-channel" welfare state. By systematically comparing the policies applied to individuals who differed along dimensions of gender, class and race, I hoped, as suggested by Nelson (1990, pp. 126-127) to challenge the functionalist traditions outlined in Chapter One "with the aim, in the macroanalytical tradition, of rethinking social theory for state and welfare state formation." Before surveying the results of these methodological strategies and their implications for broader sociological theory, it is first necessary to outline the social context within which the practices of the Vancouver Children's Aid Society developed.

PART II

Chapter Three

Indenture, Orphanages and Maternity Homes: A Sketch of Charitable Aid and Social Environment in Late 19th Century British Columbia

Gender, Class and Family

During the period under study, British Columbia (and particularly the city of Vancouver) underwent significant social and economic changes (cf. MacDonald 1981). In 1891, Vancouver's population stood at 13,000 in comparison to Victoria's 16,000 and New Westminster's 6,000. However, by the mid-1890's, the economic and social growth which accompanied the completion of the nation's transcontinental rail-link led Vancouver to surpass Victoria as the province's main commercial center. Elsewhere in Canada, children's aid societies had appeared primarily during periods of rapid growth in urban populations (Rooke and Schnell 1983) and the significant shift in British Columbia's urban population is clearly an important observation as we set the stage for the present study. However, it is the composition of this increasing population and its connection to seasonal, primary resource extraction which distinguishes the unique social environment in which the Vancouver Children's Aid Society emerged.

Most of Vancouver's population had only recently come to the province. The 1891 census showed that about half of the population were born in Canada, and half of these in Ontario. Of those born outside of the

country, over half were from Great Britain. One-sixth of the foreign-born population were American and one-eighth were from China and Japan.

Between 1900 and 1912, the city experienced a major wave of immigration from Great Britain. By the latter date, one in three Vancouverites was British-born. This pre-war immigration wave left a lasting mark on Vancouver's ethnic make-up; as late as 1921, almost 20% of the city's population was British-born while slightly less than 25% hailed from British Columbia (MacDonald 1982, p. 327).

Settlers of British descent, therefore, constituted a major social stratum within early 20th century British Columbia. As noted by Barman (1986), a significant proportion of British Empire emigres during this turn-of-the-century period were independent speculators and other self-employed citizens. One such arrival, Charles John South, was virtually synonymous with child-welfare practice in British Columbia for the first quarter of the new century.

South was born in Melbourne, Australia on Aug. 2, 1850¹. He studied there and eventually married E. B. Unthank of Melbourne². Together they had four sons and two daughters. South arrived in B.C. in 1896 and by 1900 had been appointed Justice of the Peace and presided in Magistrate's Court. South was also involved in a variety of charitable organizations. In an evolution common to many North American child-rescue figures, South

¹ Biographical information was drawn, in part, from Parker (1912).

² It appears that the South's were rather exceptional in having relocated to British Columbia from Australia. Immigration from Australia was seemingly quite rare at the turn of the century. Woodsworth (1909, p. 23-24) cites national statistics indicating only 3 cases of immigration from Australia among more than 49,000 total immigrants in 1901 and 11 out of over 67,000 in 1902.

established himself first as B.C.'s representative to the Royal Humane Society of London, then as the General Secretary of the British Columbia Society for the Prevention of Cruelty to Animals, and finally, was one of five founding Board Members of the Vancouver Children's Aid Society.

The connection between Societies for the Prevention of Cruelty to Animals and North American child-rescue societies is strikingly commonplace. In the United States, the "Mary Ellen" case played a central role in mobilizing political support for the establishment of North America's first child-rescue agency. In the popular memory, guardianship of Mary Ellen was stripped from her physically abusive step-parents by means of New York state's statute prohibiting cruelty to animals. In fact, as recounted by Nelson (1984, p. 7), Elbridge T. Gerry succeeded in his petition for a writ *de homine replegendo* -- utilizing a longstanding common-law provision for the removal of a person from the custody of another. Gerry went on to found the New York Society for the Prevention of Cruelty to Children later in the same year.

In the Canadian context, J. J. Kelso's earliest involvement in charitable work showed a similar tendency to combine a range of reform proposals, including cruelty to children and animals. Jones and Rutman (1981, p. 21) recount an early speech given by Kelso to the Canadian Institute in 1887 entitled 'The Necessity of a Society for the Prevention of Cruelty in Toronto'.

"He proposed a general humane association with a broad set of objectives: preventing cruelty to children; rescuing children from vicious influences and remedying their condition; preventing the beating of animals, overloading streetcars, overloading wagons, working old horses, or driving galled or disabled animals; introducing drinking fountains; passing more effective laws prohibiting cruelty; adopting better horseshoing methods; disseminating humane literature into homes and schools; teaching children to be humane; and encouraging everyone to practice and teach kindness to animals and others."

South described his religious affiliation as "Wesleyan, now known here as Methodist"³ and, like the reformers mentioned above, he was clearly influenced by the wider social gospel and social purity movements. Both his public statements and private correspondences indicate his strong opinions on a range of social issues reflecting the social gospel movement's concerns to "Christianize" social and economic relations and the social puritan concern with moral decline. Letters to the children placed in his care were typically laden with the florid mixture of evangelical, racial and gender referents which characterized much social debate in this era⁴. One typical note was written to an eleven year-old girl placed with a foster family named Wallace.

"... Do you know that you have a name now that everyone is proud of? Wallace was a Scottish Chief loved by all true Scots because he was... a real Christian Man. ... He became a great Chief because he was a great Christ-Man... So my little girl must also be a Christ-Woman when she is grown up and to be a Christ-Woman you must give yourself to Jesus Christ now and learn to love him every moment of your life. I love you Jessica and all the boys and girls because Jesus said to me 'feed my lambs'."⁵

³ Case number 371101. Letter from South to foster parents, July 19, 1902. These case numbers are based on a coding key devised by the researcher. Persons obtaining permission to access the case-records of the Society may contact me for the key.

⁴ An important aspect of Valverde's (1991) study of the social purity movement is her attempt to deconstruct the imagery of the movement, while retaining a recognition of the role of agency and a sensitivity to the realities of structures of class, gender and racial power (See especially Chapter Two).

⁵ Case Number 221701. Letter from South to girl, October 15, 1906.

Although he consistently referred to his role as Superintendent as a "calling", South's writing also included more secular discussions of the consequences of poor moral character on Vancouver society. He would often muse about the moral implications of his work as a magistrate and child-rescue advocate.

An illuminating letter written by South to an eighteen year-old ward gives insight into his own experiences of life on the bench and into the paternal relationships which he often formed with wards of the Society. The ward in question had written to "Daddy South" dotting over his exhausting schedule and offering to assume his magisterial duties in order to allow him a vacation. South replied,

"I just fancy I see you sitting upon that high chair on the bench in the Police Court with 32 drunks before you all dirty, and foul smelling... And then to have the Police Officers tell you all about the fights the drunk and disorderly had, and then get rid of that batch for the Loafers who won't work, some with bleary eyes and some of them with lots of dirt and uncombed hair and red noses and dirty clothes, and worse than that, with their mouths full of lies as to why they have come to the condition that they are in.

A woman has summoned her husband for assaulting her and she begins to tell you her tale and then she says, looking away from you, the Judge, towards her husband some distance from her 'Oh George, you bad bad man, why did you slap my face?' and he says 'Sarah, you have got what you had coming to you, that's all' and then to hear the sad tale of the unhappiness in that home, and so on, and so on..."⁶

For the period of this study, South's stipend for his duties as magistrate supported a large proportion of his efforts as Secretary of the V.C.A.S. and *de facto* Superintendent of Neglected Children for the province. In 1917, South was receiving \$100 per month, \$40 of which he paid his

⁶ Case number 520601. South to girl, November 16, 1912. Throughout the dissertation, case file materials will be presented verbatim, inclusive of spelling, grammatical, punctuation and factual errors.

stenographer (Angus 1951 p. 12). He "resigned" from both positions on no less than three occasions during the period of the study, finally being forced by ill health to abandon his position as Secretary of the Society late in 1923. Writing in 1914, South refers to the rather informal arrangement by which he occupied the position of Superintendent.

"In British Columbia the work for the children is conducted in a somewhat different manner to the same class of work in all the other Provinces. We have no Government Department and no Government Superintendent. From 1901 until two years ago, or a little more, I was the Superintendent for the Province of British Columbia, but during all those years the Government did not see its way to pay me any salary, but merely paid travelling expenses....

Although I am not the Provincial Superintendent, I practically do the work just the same as before I resigned that position, as complaints sent to the Government through their Provincial Police or other persons are nearly always sent on to me if the children are of the Protestant religion, and sometimes if they are of the Roman Catholic.⁷

In fact, despite the provisions of the *Protection of Children's Act* and its successor, the *Infants Act* (1911) and the constant agitation of the V.C.A.S., no provincial Superintendent of Neglected Children was appointed until 1924 when Thomas Menzies was granted the position. Charles South passed away on September 10, 1923, still functioning, by default, as the province's Superintendent (cf. Angus 1951, pp. 21-23; *Annual Report* 1925).

For South, along with many of his colleagues on the Society's Board of Directors, the social environment in Vancouver presented a multitude of such moral tragedies. While the discussion below will provide ample evidence that

⁷ Add. Ms. 672, Vol. 174. Letter from South to R. B. Chadwick, Supt. Neglected Children, Edmonton, Alta., July 21, 1914.

his perspective was not peculiar, it is equally clear that others of similar social standing found his views overdrawn and even amusing. In 1918, South wrote to a local school Principal to voice his concerns about a 17 year-old ward who had visited him at his office earlier in the day.

"... Personally I may say that when she came down to see me, I was very much shocked to see the way she did her hair and dressed herself up..."⁸

The Principal was obviously not nearly so inclined to see evidence of moral turpitude.

"I shall... do what I can to set her right and keep her that way. I wish you had been more explicit in your letter and had told me what were her shortcomings. Girls of her age are often silly and do their hair and dress in ridiculous fashion but its a mere passing whim and doesn't necessarily signify that there is any serious flaw in their character."⁹

Over the first three decades of the Society's existence, the proportion of foreign-born men sitting on the Board declined slowly. Nonetheless, its members remained overwhelmingly British in heritage. The Board's shared racial, ethnic and gender background undoubtedly shaped their policies, affecting their characterization of clients, the social circumstances which brought clients to the Society, potential foster-parents and, of course, the children with whose care they had been entrusted.

Whether they came from overseas or from within the Dominion, the most marked growth in the period of this study occurred in British

⁸ Case number 251901. South to Principal, November 26, 1918.

⁹ Case number 251901. Principal to South, November 27, 1918.

Columbia's working class. In 1891, 5,016 of Vancouver's 13,000 residents (38.6%) were employees. By 1911, the city's work force had grown to 50,628 out of a population of 100,401 (50.4%) and constituted one-quarter of the province's total work force (MacDonald 1986). Unfortunately, very few accounts have chronicled the daily lives of these workers during the years prior to 1914. It is clear, however, that a marked distinction existed between the relatively settled lifestyles of some urban residents and the seasonal upheavals of those dependent upon the construction or resource sectors.

"The skilled worker who was raising a family, belonged to a craft-organized trade union, took part in union picnics, baseball games and balls, had joined the Odd Fellows Lodge, owned or rented a small cottage in Mount Pleasant and voted in provincial and municipal elections lived in a very different social world than the single loggers for whom cheap hotels, "skidway saloons", shooting galleries, prostitutes and Sunday evening Wobbler meetings constituted Vancouver society." (MacDonald 1986, p. 305)

Consistent with the large waves of immigration which characterized the city's early decades, many of Vancouver's residents lacked supportive, extended family and community ties. Vancouver was also a resoundingly male community. Two-thirds of the population was male, while in the downtown core, the proportion reached eighty percent. Finally, the population was notable for its youth, the median age being 25 years and only one percent of the population being over the age of sixty-five in 1912. (Ward 1980; MacDonald 1990)

The large, transient population of male laborers had obvious effects upon family structures in the city. The Annual Reports of the Vancouver Children's Aid Society provide some insight into the perils confronting

Vancouver families during these early decades. The demands of an economy based on primary resource extraction meant that many men left to find work and, through death or evasion, failed to return. For others, the availability of work outside of the city was clearly a facilitating, if not a determining factor in their flight. The representativeness of these cases must be carefully considered, but stories like the following, which appeared in a local daily paper, followed a theme which was at the least familiar to much of its readership.

"The sad part of this case is the way in which the home was broken up.... The home life of the family was said by witnesses in court and who lived near the Loneys to be far from happy and congenial... The father left several weeks ago and is said to have gone to Lynn Creek where he secured work in a shingle-bolt mill.... It is said that Loney never wrote after he left. The little money which Mrs. Loney had was soon spent, and she was left in destitute circumstances...

The strain and suffering... are said to be the cause of the derangement of her mind... They found her sick, emaciated and her mind deranged to such an extent that she had attempted to injure her little girl in her delirium.

Not a bite of food was found in the house and the rooms were in a fearful condition."¹⁰

There is a clear, if unstated, recognition in this article that women like Mrs. Loney had few opportunities to achieve self-sufficiency in turn-of-the-century Vancouver. In a pattern similar to other Canadian provinces, paid employment for women living in Vancouver during this period was characterized by limited opportunities and exceedingly low pay. Women

¹⁰ Case Number 2905, "Province", March 7, 1906.

tended to be employed most often in jobs which extended logically from their assumed "natural" affinity to domestic labor, including domestic service, laundry and clothing repair and health-care (cf. Phillips and Phillips 1983).

In her study of the women's employment and their struggles to insert female unemployment into the agenda of British Columbia's nascent Labour movement, Gillian Creese notes that thirty-seven percent of Vancouver's female labor force was employed in domestic and personal service while twenty-five percent were employed in the trade and finance sector, usually as office clerks (1988, pp. 123-124).

Along with these common, nation-wide trends, women's employment in Vancouver was drastically affected by the relative absence of manufacturing jobs in areas such as textiles, food processing and clothing industries -- sectors which employed large numbers of Canadian women in eastern Canada -- and the previously noted gender imbalance in the city as a whole. McDonald observes that, while women comprised 50.6 percent of the urban population of Toronto and 25.3% of its total work force at the turn of the century, Vancouver's urban population was only 39.9% female and women represented only 12.7% of the city's total work force (1986, p. 286).

Members of the Board of the Vancouver Children's Aid Society, then, differed significantly in social background from the majority of those whom they met on the streets of Vancouver. Their notions of what constituted acceptable family life were undoubtedly challenged by the range of lifestyles which surrounded them -- from the familiar, respectable working-class families formed around parents of British heritage to the male-dominated worlds of the city's "Chinatown" and the itinerant denizens of its downtown

hotels. Against this complex social background, the Society emerged with policies ostensibly intended to "protect" the children of British Columbia from the threatening social and moral environments which surrounded them.

These newly-empowered children's aid societies emerged within a society already dotted by existing institutions providing care for children. The following section outlines the early history of the child-care institutions in British Columbia with a special focus on the Alexandra Orphanage, which played a central role in providing temporary care for the children of Vancouver's working-class and marginalized families.

The Alexandra Orphanage and Charitable Aid

Prior to the turn of the century, legislation pertaining to British Columbia's children was largely limited to their involvement in the market sphere. In particular, strict limits were placed on the ability of minors to enter into contracts or dispose of assets;¹¹ the duties and obligations of apprentices and their masters were established;¹² and restrictions were imposed on the employment of minors in various industries¹³. Even legislation such as the Youth's Protection Act and The Guardian's Appointment Act were centrally concerned with aspects of the commercial

¹¹ *Infant's Contracts Act*, R.S.B.C. 1897, c. 95.

¹² *Apprentices and Minors Act*, R.S.B.C. 1897, c. 8.

¹³ See, for example, *Coal Mines Regulation Act*, R.S.B.C. 1897, c. 138.

trade in alcohol and tobacco (in the former case) and the disposition of the estates of orphans (in the latter case).

At the turn of the century, the public regulation of Canadian children was confined to the establishment of basic limitations on childhood involvement in the productive sphere and attempts to ensure that most, if not all, children were located within some form of guardianship structure¹⁴. In those relatively rare instances where children, due to their age or other "disability" were not readily assimilated into some form of family structure, guardianship was provided exclusively by charitable orphanages and apprenticeship schemes (cf. Parr 1982; Bradbury 1982; Rooke and Schnell 1983; Purvey 1992).

In British Columbia, public institutions devoted specifically to children were also relatively late arrivals in comparison to other North American jurisdictions. By 1850, institutional care for America's dependent children was sufficiently developed to warrant its inclusion under a number of categories in the federal census (Lerman 1982, pp. 21). In contrast, British Columbia's first dedicated children's institution was Victoria's "British Columbia Protestant Orphan's Home", established in 1873. Vancouver was without such an institution until 1892, when the "Alexandra Non-Sectarian Orphanage and Home for Children" was established by members of the W.C.T.U..

¹⁴ A wide range of work has emerged which describes the relationship between North American children and the productive sphere. See, for example, Parr (1980), Barman (1986), Archer (1990), Sutherland (1990, 1991), and Gaffield (1992).

As in other jurisdictions, orphaned children were bound to these earliest British Columbian institutions in much the same manner as apprentices were bound to their masters.¹⁵ There were no legal grounds for intervention without the consent of living relatives.

Studies of the social purity movement at the turn of the century have shown that it was avowedly concerned with transferring responsibility for the education of children (and the specialized care of certain groups, such as orphans) to a variety of institutions. The "twentieth century consensus" presented children as malleable and deserving of protection both from market forces and from some of the social and legal obligations of social life within capitalist economies (Sutherland 1976; Zelizer 1985), and, to replace the discipline traditionally imposed by these spheres, the institution represented an effective and efficient means to form socialized habits (Rooke and Schnell 1983).

In British Columbia in the early 1900s, families seeking assistance in caring for their children outside of their extended family were faced with a range of possible options. Many of these organizations (particularly indenture schemes, orphanages and reformatories) were likely quite familiar to those who had emigrated from major centres in Canada, the United States or western Europe. Other organizations (such as children's aid societies, and later, juvenile courts, industrial schools, formal adoption and mother's pensions) were relatively novel. Much of the early history of these nascent forms of aid can be characterized as a struggle over the most appropriate

¹⁵ For a recent discussion of the role of apprenticeship as one of the forms of interdependency which "bridged the gap between the family and 'the State'..." see Pelling (1994) (cf. R.S.B.C. 1897, chapters 8, 95, 96).

scope and nature of the aid to be offered. For the period under study, virtually all of these agencies co-existed, each vying for financial and popular support.

During the first three decades of the twentieth century, six orphanages were in operation in the lower mainland and Vancouver Island. Two of these, the Providence Orphanage (New Westminster) and The Monastery¹⁶ (West Vancouver) were Catholic institutions, both of which were founded in 1900. The former housed approximately 150 orphaned and destitute children while the latter was home to almost 100 "wayward and friendless" girls and women¹⁷. Not surprisingly, given their strictly sectarian nature, the Vancouver Children's Aid Society shared few clients with these institutions¹⁸.

As will be developed in some detail below, Children's Aid Societies placed great emphasis on the importance of their work in the process of nation-building. The often acrimonious relationship between the Catholic and Protestant Children's Aid Societies in Vancouver, however, serves as an important reminder of the close relationship between the religious, moral and secular goals of the agencies.¹⁹

Protestant organizations operated two orphanages in the areas surrounding Vancouver. The Protestant Orphans' Home in Victoria, as

¹⁶ Apparently, this institution was also referred to as either "The Monastery of The Good Shepherd" or "The Monastery of Our Lady of Charity of Refuge".

¹⁷ *British Columbia Child Welfare Survey* (1927), pp. 80, 83.

¹⁸ Only one child in the sample had previous contact with a Catholic orphanage.

¹⁹ An exemplary case (Case Number 070401) is discussed in Chapter Nine.

previously mentioned, was the first large congregate care facility for children in the Province. It occupied a three-storey brick building on 14 acres of land and housed, on average, 100 children. The Loyal Orange and True Blue Orphanage (New Westminster) was founded in 1913 and its standing population quickly grew from two to forty by 1927. In that year, plans were established for a new building to house 200 children, a proposal which was dealt a serious blow by the British Columbia Child Welfare Survey as outlined below. Once again, there appears to have been only limited client movement between these agencies. One of the three hundred V.C.A.S. wards had previously resided in the Loyal True Blue Orphanage while three were former inmates of the Protestant Orphans' Home.

The Orphanage which was most closely associated historically with the Vancouver Children's Aid Society was the Alexandra Non-Sectarian Orphanage, founded in Vancouver in 1894. From the establishment of the V.C.A.S. in 1901, the two organizations led a curiously intertwined existence which saw them oscillate between selfless support of each other, through bitter dispute and personal attacks and on several occasions, overt attempts to usurp control of each other's institutional resources and legal standing.

During its first three years of operation, the V.C.A.S. functioned without a practical Children's Home, and initially boarded wards at the Alexandra Orphanage before acquiring its own property²⁰. Eight of the Society wards from my sample were previously housed in the Alexandra

²⁰ The Society first utilized properties on Pender Street in 1903 and Davie Street in 1904. In March 1906, the Davie Street Home was badly damaged by fire and the Society was forced to move its wards to a building known as "the Old Hospital" at 530 Cambie St. The Wall Street Children's Home was built and occupied in 1907 and served the Society for over twenty years.

Orphanage. By 1904, however, factions within the Board of the Orphanage were apparently instrumental in encouraging the laying of criminal charges against South late in 1902.

The Society's files contain only two references to the incident, the first being a statement published by the Board of Directors in July 1903.

"The collapse of the case against Mr. South, Secretary of the Children's Aid Society of this City, makes this an opportune time for the Directors of the Society to issue a brief statement and appeal to the public.

... [E]ver since December last -- when reference was made through the medium of a local paper, which we understood to reflect upon the character of our agent -- we have given the matter of these charges our earnest and unremitting attention... As the attacks were first made in connection with children placed temporarily by us in the care of the Alexandra Orphanage, we at once asked for a friendly conference with a committee appointed by the Board of that institution...

Many suspicions and some definite charges were found by us to be conclusively refuted upon evidence of the most trustworthy character. In other cases, while it was impossible, owing to the peculiar circumstances surrounding the charges, to obtain absolutely negative proof, the sources of the charges were found to be tainted, and in some instances were so absurdly over-done as to bear the evident imprint of fiction. All efforts to get evidence having proven fruitless, action for defamation of character was finally threatened by Mr. South, in the hope of bringing the matter to an issue. Shortly thereafter criminal information was sworn against Mr. South in the case recently thrown out of Court.

Now that this charge has been definitely brought, supported, we assume by all available evidence, and now that this charge has been publicly dismissed as unsubstantiated, we desire to record **OUR UNABATED CONFIDENCE** in the moral fitness of our agent, Mr. C.J. South, for the highly responsible position which he is called upon to fill in connection with our work."²¹

²¹ "Statement of the Directors of the Children's Aid Society of Vancouver" Add. Ms. 672, Vol 121. The transcript of the criminal trial (which apparently collapsed when the child involved broke down and was unable to testify) is housed in the Provincial Archives of B.C. in GR 0419 BC AG, 1903, #86 R. v. C.J. South, *Carnal Knowledge, Vancouver*.

Although the statement was signed jointly by the Society's President, Mr. R. G. MacBeth and five of the Directors, there is indication that their confidence in South was equivocal and that South's practices had also left staff of the Children's Home uncomfortable. Four months after the public statement above, South wrote to MacBeth to tender his resignation.

"Yours of yesterday's date is just to hand, in reply let me say:

(1) I have not as far as I know interfered in any way with the domestic arrangements of the staff. I punished two little boys for falsehood upon the matron's making the complaint to me. If the matron did not wish me to deal with the matter why did she not punish the children?

(2) I very much regret to say that I have come to the conclusion that if my being seen with any of the children on the street is likely to embarrass the work then it is absolutely necessary that I should not go to the Home at all.

(3) As to my addressing the children by the term 'my dear', I am fond of children and cannot refrain from using a term that I have been using since I was 17 or 18 years of age and may I say the same about putting my hand upon a child's shoulder...

... Lastly, as someone in connection with our people seems to be of the opinion that I am not fit for the work I believe God called me to do, there is not alternative but for me to tender you my resignation..."²²

Apparently, South ultimately received sufficient assurances of the Board's support to prevent his resignation. In his last recorded speech before the Society given twenty years later, South characteristically launched a final assault no less vitriolic for the absence of his quarry.

²² Letter from South to MacBeth, November 7, 1903. (Add. Ms. 672, Vol 136, File 7)

"A certain section of the community were determined that they should destroy the Society and nullify its work, so to accomplish what they had started, not because I was guilty of any crime, they had me arrested and put in gaol. But the friends of our Society stood behind us. They investigated the whole matter and found, of course, that their judgement was not misplaced, but that I was true as I promised to be. I have often heard it said that the more damage done by sin and Satan, the greater reward, and what as intended to crush the work of the children, turned out to be a magnet that caused women like Mrs. T. E. Atkins, Lady Tupper, Mrs. McNair... [to take] a positive stand to enable us to carry on our work. The Home therefore was built -- and I thank God, and I thank these ladies who stood behind us."²³

The relationship between the Alexandra Orphanage and the V.C.A.S. repays close attention. While they emerged in very different eras, their practices in the early twentieth century reveal substantial similarities. The discussion which follows will outline the patterns of utilization uncovered in recent Canadian studies of orphanages during the late 19th and early 20th centuries. By comparing these patterns with the data emerging from the case files of the V.C.A.S., the dissertation will attempt to contribute to the revisionist debate concerning the novelty of the forms of social control which emerged at the dawn of the twentieth century.

Patterns of Utilization of The Alexandra Orphanage and "The Threat of Imposture"

Although the Alexandra was ostensibly created to deal with a rather restricted class of dependants, recent studies of admission patterns to orphanages in the late nineteenth century reveal that a much larger range of

²³ Cited in Angus (1951, p. 15).

social circumstances led to admission. A large percentage of children residing in Canadian orphanages had at least one surviving parent (cf. Rooke and Schnell 1983; Purvey 1990). There exists ample indication that the important involvement of orphanages in the lives of single-parent families was common knowledge among progressive era reformers. Speaking at the 1923 Canadian Conference on Child Welfare, for instance, the Reverend Joseph Haley noted without debate that "less than ten per cent of the children in orphanages, as child-caring institutions are called, are orphans" (Canadian Council on Child Welfare, 1923, p. 174).

For the majority of these non-orphans, orphanages served as a short-term shelter which allowed their surviving parent(s) to weather transient crises such as illness or unemployment or allowed either the children or their siblings to reach an age where they could serve as contributors to rather than burdens upon the household economy. (Bradbury 1982; Purvey 1990) By analyzing case-records of the Alexandra Orphanage in Vancouver for the years 1892-1938, Diane Purvey found that non-orphans accounted for well over 55% of admissions. More specifically, the most common reasons for admission were desertion of spouse (24.3%), death of spouse (21.9%), and illness of spouse (10.6%) (Purvey 1990, p. 22).

Like most of its contemporaries, the Alexandra Orphanage was lenient in admitting children who were not strictly orphans and was equally willing to overlook its stated policy of not admitting siblings as paid boarders. (*Ibid.* p. 16-17) The stated policy clearly reflects one of the imperatives which governed the admission policy of early child-care institutions: namely, the desire to discourage parents from "shirking their familial responsibilities".

Broader studies of the admission policies of nineteenth century Canadian orphanages indicate a similar desire to avoid "imposture" and "fraud" by working class parents (Rooke and Schnell 1983, pp. 114-115).

The majority of these short-term boarders remained in institutional care within the orphanage, which maintained an average of approximately 70 residents at any time between 1910 and 1930 despite a notable rate of turnover (Purvey 1990, p. 15). Importantly, however, those who were orphaned or whose parents fell seriously into arrears or abandoned their children were, on occasion, sent out to reside with families, either through "adoption" or through their placement in "free homes" where their board was repaid through domestic or other labor. Purvey notes that 10.2% of the orphanage's charges were released to either foster or adoptive homes while 1% were discharged to free homes (1990, p. 29-31).

Few of these placements had a sound legal basis. Foster-care and free home placements were usually done without any written agreement, often resulting in the complete loss of contact between the child, the orphanage and the natural parents. Until the 1920s in British Columbia, adoptions took the form of "indentures" by which the natural parents of the child ceded all claim to their guardianship or custody (cf. Rooke and Schnell 1983, pp. 139-150)²⁴.

In the orphanages of the day, however, it was seldom possible to arrange for such consent from natural parents and the orphanage, without any formal legal guardianship, would attempt to merely place the child, usually without any written agreement. Needless to say, many potential

²⁴ See Appendix D for a reproduction of the Indenture Agreement used by the Vancouver Children's Aid Society.

adoptive families were leery of entering such a tenuous agreement. Rooke and Schnell (1983) cite an official of a Kingston, Ontario orphanage who noted that, in the case of non-orphans,

"... the condition is often more desolate than that of children left wholly orphans for the very circumstances of their having a parent living prevents their adoption into families that would gladly receive an orphan." (p. 143)

Similarly, in his 1923 address cited above, Reverend Haley noted that "There is usually little difficulty in placing children who have been deprived of both parents by death" (Canadian Council on Child Welfare 1923, p. 174).

For these reasons, the placement of children by orphanages within either the family or market spheres was effectively limited to true orphans. Non-orphans residing in Vancouver's Alexandra Orphanage typically returned to either their natural parent(s) (70% of total discharges) or extended family (13.1% of total discharges) (Purvey 1990, pp. 29-31).

The practices of adoption and indenture each illustrate the continuity of family and market spheres in the experiences of children in the early twentieth century. Child labor was an important component of the economies of all families in turn-of-the-century British Columbia (cf. Sutherland 1990, 1991), and the expectations of adoptive parents regarding the work to be done by adopted children were undoubtedly shaped by the contributions which all children made to family economies during this period.

In the late nineteenth century, "idle or dissolute" parents who were deemed likely to burden orphanages with their charges were typically denied shelter for their children by orphanages. In practice, this "threat of

imposture" was mobilized to justify the exclusion of many of the same populations which had been deemed "undeserving" under the poor-law tradition (Rooke and Schnell 1984). Importantly, none of these established responses to the social problems presented by children in need of guardianship and care presented themselves as "public" agencies. Orphanages and maternity hospitals steadfastly maintained their philanthropic identity and, for many years prior to the turn of the century, argued that the plight of these children could most effectively and most appropriately be dealt with through private charity. In particular, they argued, aid which flowed from "public" agencies had a pauperizing effect upon recipients, who came to see benefits as their right rather than as an expression of Christian charity.

Late in the nineteenth century, however, a range of North American philanthropic agencies began to struggle to establish themselves as *de facto* state agencies, dealing with social problems constructed as public concerns and deserving of both legislative and financial backing. One important constituent of this group were children's aid societies.

Chapter Four

Worthy of Rescue: An Introduction to the Practice of Child Rescue in Vancouver

"Charity is One Thing and the Administration of Justice is Another": Constituting The Vancouver Children's Aid Society as a Public Body

The present work takes the passage of British Columbia's *Children's Protection Act*¹ as its starting point. As outlined in Chapter One, there is particular theoretical importance attached to the choice of this point of departure by revisionist historians of social control. The passage of the Act marked the emergence of the first organization ostensibly concerned with child "rescue": an interventionist approach supported by legislation which granted an exclusive right for children's aid societies to supplant familial rights to guardianship and custody of children. As one element of "the sociological movement in law" (Hunt 1978), this legislated mandate to actively seek out (and, more fundamentally, to "constitute"²) deviant parenting has been regarded as an important legislative milestone

¹ *An Act For the Protection and Reformation of Neglected and Dependent Children*, S.B.C. (1901), c. 9.

² For a recent account of the central emergent themes of 'constitutive criminology', see Henry and Milovanovic (1991).

distinguishing modern day child protection agencies from the orphanages and apprenticeship schemes which pre-dated them.³

While these new legislative powers did mark an important shift in the strategies and resources available to agents of the V.C.A.S., I argue here that the novelty of the actual practices and policies of the Society may be unduly amplified by accounts which focus exclusively on legislative change and organizational discourse. An examination of patterns in the deployment and utilization of the Society's resources and services, indicates significant continuities in the practices of agencies like the Vancouver Children's Aid Society and the orphanages, refuges and infants homes which also populated the field of social provision at the turn of the century. In particular, Children's Aid Societies continued to be utilized as forms of short-term aid for families struggling with unemployment, illness, death and separation; they remained silent on paid boarders; and they struggled with the contradictions involved in aiding children without "fostering the dependency" of their parents.

Child welfare history has not lacked attention from Canadian scholars, who have carefully recorded the assumptions underlying the "child-saving" movement. In particular, studies of key reformers like J. J. Kelso

³ Bullen (1991, p. 137) makes similar observations regarding Ontario. He notes significant areas of change including:

"the weakening of absolute parental discretion in favor of a code of moral behavior defined and enforced by the state [and] the transition from unsystematic philanthropic voluntarism to uniform state regulation..."

He also points out many important continuities including the dominance of middle-class reformers and goals, the focus on the prevention of delinquency, and the continuing role of work in the reformative ideologies of child rescuers.

(Jones and Rutman 1981; Bullen 1991) and Charlotte Whitton (Rooke and Schnell 1981, 1982, 1987) provide important biographical accounts. However, these works have focussed virtually exclusively upon the ideology of child-saving and not specifically on the scope and nature of its practices⁴. The potential for the actual practice of child welfare to deviate from the ideals described in public policy statements and legislative texts was simply neglected or, more commonly, deemed of less historical and heuristic importance than the intentions embodied in these official accounts. The work presented in this chapter will attempt to contextualize aspects of the publicly espoused philosophy of B.C.'s child-rescuers by comparing the interaction between the Society and its clientele with the patterns (as outlined earlier) which characterized the province's orphanages.

The Vancouver Children's Aid Society (being by far the largest such Society ever to operate in the province) remained relatively stable in terms of organizational structure between their inception and the early 1920s. Although the problems of child abuse and neglect were portrayed in similar moralistic tones throughout these two decades, organizational and economic factors played key roles in shaping the mobilization of child rescue legislation by the Society -- the most notable change occurring in the late nineteen-

⁴ As argued by Bullen (1985) these works have typically revolved around four themes:

- a) the belief of 19th century reformers in the malleability of children and in the social benefits which would result from proper childhood training.
- b) the dominance of middle class values and players in new welfare schemes.
- c) the transfer of welfare responsibility from the family to the state, with private charities acting as intermediaries.
- d) the continuing practice of child labour under the guise of apprenticeship.

twenties when the British Columbia Child Welfare Survey led to a fundamental restructuring of the Society, its staff, and its relationship to the Provincial Government.

Focussing on the earlier decades of the twentieth century, this dissertation closely examines a period of the Society's history which has typically been portrayed as one of organizational stability and trying fiscal circumstances (Angus 1951, pp. 5-25). From the perspective of organizational history, the Society's first quarter-century was remarkable for this stability. For twenty-one of those years, Superintendent Charles South acted as the key figure-head of the Society; his decisions constituted, in large part, the Society's policies.

Following South's death in 1923, two Superintendents served brief terms as simmering controversies between the Society, the local police authorities, and the Provincial Government increasingly attracted public attention. Finally, in late 1926, scandal engulfed the Society, leading to public investigations by both the provincial Public Accounts Committee and the Canadian Council of Child Welfare. The carefully orchestrated "British Columbia Child Welfare Survey"⁵, which marks the end of this study's historical frame, resulted in fundamental changes in funding practices, legislative provisions, and inter-agency practices, allowing it to assume a central role as a "clearing house" for a wide range of social agencies with which it had previously been forced to compete for funding.

⁵ The British Columbia Child Welfare Survey, which spanned the years from 1926 to 1928, was commissioned by a group of "community leaders" and carried out by members of the Canadian Council on Child Welfare, headed by Charlotte Whitton. It was precipitated by a series of organizational crises which confronted the Vancouver Children's Aid Society and, in fact, most of the "community leaders" were members of the Society's Board of Directors (Adamoski 1988).

During the early twentieth century, the policies of children's aid societies betrayed the broader spirit of the progressive era in North America. They were motivated by an increasing confidence that environment and heredity interacted to shape the moral character of individuals and, therefore, that social policy had the potential to remedy the variety of social, economic and domestic malaises of industrial societies. An influential American spokesman for the social purity movement, Colorado's Dr. Ernest Hall, was approvingly cited in the Society's 1909 Annual Report (p. 39) from a speech given in Victoria earlier in the year.

"... [T]he findings of modern science indicate the existence of heredity in the moral activities. As children are born with deformity of physical organs, so are they born with imperfect moral tendencies. Still, after studying the child life we must realize that although the child may be handicapped by a vicious hereditary tendency that factor may lie latent and need not necessarily be developed if the early environment is of an uplifting and developmental nature. While we are to a certain extent the sum of ancestral factors yet the forces of heredity always tend upwards."

The earliest published reports of the Vancouver Children's Aid Society reveal elements of thought common to both the social gospel and social purity movements. The two movements have been aptly documented by Canadian historians⁶. As summarized by Valverde (1991, pp. 15-19), social gospel reforms focussed largely on social ills arising from the industrialization and urbanization of society while the social purity movement scrutinized very similar issues emphasizing the moral aspects of social life⁷. The public

⁶ In the case of Canada's social purity movement, see Cook (1985) and Valverde (1991). The social gospel movement in Canada is outlined in both Cook (1985) and Guest (1985), the most extensive discussion being found in Allen (1971).

⁷ Valverde (1991) also cautions against drawing an overly rigid distinction between these two social movements. "... [O]ne must guard against seeking analytical clarity at the expense of historical accuracy: for many of the people who lived it, social purity was intertwined with socioeconomic reform." (p. 18)

documents and private correspondences of officials of the Vancouver Children's Aid Society (not unlike those of Superintendent South noted in Chapter Three) are typically cross-woven with references to the moral and economic character of the work, the evils of urbanization and the redemptive nature of rural labor.

The earliest Annual Reports of the Vancouver Children's Aid Society (V.C.A.S.) contain interesting attempts by the Society to differentiate its work from that undertaken by the city's orphanages. As the Society struggled to locate funding sources, they faced arguments from both the municipal and the provincial governments that the V.C.A.S. provided services which duplicated those offered by orphanages and that an amalgamation of the two organizations, allowing the legally empowered officers of the Society to utilize the Alexandra's existing physical plant, would be most efficient (see especially the Annual Report of 1905).

The strategy pursued by the founders of the Vancouver Children's Aid Society in the face of this challenge was to establish itself as a "public" agency -- a claim which revolved around its legislated powers and their focus on the public order issues of crime and delinquency. Representatives of the Society used these "public" characteristics, which supposedly differentiated their work from that performed by private, charitable organizations such as maternity homes and orphanages, to bolster their claims to public funds.

For the purposes of this chapter, I will focus on two key elements of the Society's self-portrayal which were critical in their attempts to claim public support for their rescue efforts. First, the Society saw its work as part of a larger project to ensure the health of the nation's future citizenry, and distinguished this progressive goal from the charitable goal of ameliorating

the suffering of individuals. Specifically, the Society argued that the intention of the Act was to provide protection for the children of criminals -- a responsibility clearly public in nature. Second, the Society argued that the unique legal status granted by the *Children's Protection Act* rendered it an efficient, "public" agency uniquely equipped to deal with the "threat of imposture".

Salvaging Citizens from the "Criminal Classes"

The New York Society for the Prevention of Cruelty to Children, established in 1825, is generally cited as the first North American agency to attain legal backing for its efforts to intervene in the lives of working class families (Lerman 1982, pp. 110). Canada's first Children's Aid Society, founded in Toronto by J. J. Kelso in 1891, was underpinned by legislation modelled after New York's. In turn, B.C.'s *Children's Protection Act* [S.B.C. (1901) C. 9 S. 4]⁸ was a virtual copy of the Ontario act (cf. Splane 1965, pp. 265-77; Jones and Rutman 1981).

Within the documents, reports, correspondences and case-files of the Vancouver Children's Aid Society, there is scant record of any organizational history predating the passage of *The Children's Protection Act of British Columbia* in 1901. In a very real sense the Society was, as its members

⁸ The Act is reproduced as Appendix E.

constantly reiterated, a "child" of the Provincial Government⁹ constituted under the provisions of the Act. The first Annual Report of the Society contains the following chronology:

"... [T]he Act was passed by the Legislature in consequence of the public agitation asking for some protection for young children against influences by which many were surrounded, which could only end in their growing up either paupers or criminals. The Government was requested to so frame the laws that the children of drunken, dissolute and immoral parents should by the protection and aid of the law, have such help and assistance as would enable them to grow up to live a good and useful life, and not by force of their surroundings become untruthful, unclean, and immoral, thereby adding to the pauper and criminal class of the community.

In response to this request of the people during last Session, 1901, an Act, cited as the *Children's Protection Act of British Columbia*, was passed and a little later became law.

On July 17, 1901, the Vancouver Society was incorporated, the first five (5) Directors being Rev. E. D. McLaren, D.D.; Captain Tatlow, M.L.A.; Messrs. E. B. Morgan, D. Donaldson and C.J. South. The application for incorporation was made hurriedly to protect a young girl from the horrible cruelty practised by her mother when mad with drink."¹⁰

From their inception, children's aid societies in North America had reflected the concern that children left to the vagaries of a market-based society posed great threat to the moral, economic and political future of capitalist societies. Charles Loring Brace, founder of the New York Children's Aid Society, referred often to this "dangerous class" and their "potential for

⁹ In 1904, a member of the Society was the recipient of "enthusiastic applause" when he denounced the provincial government for its "pitiful" contributions to the work and added: "Had it not been a child of their own which receives the niggardly sum, we might not have so much reason to cavil or complain" (*Annual Report*, 1904, p. 11).

Throughout this dissertation, *Annual Report* refers to the Annual Reports of the V.C.A.S. housed at the City of Vancouver Archives, Add. MSS. 672, Vol. 129.

¹⁰ *Annual Report* 1902-3, pp. 7-9)

pauperism, adult crime and political villainy" (cf. Bellingham 1983; Leiby 1978, p. 83).

In the British Columbia Act, sections 4 and 5 designated a wide range of circumstances under which any police officer, constable, or agent of a Children's Aid Society could apprehend a child for the purposes of a judicial determination of whether the child was "neglected". While the scope of these definitions clearly encompasses the destitute, orphaned and abandoned children ostensibly targeted by orphanages, subsection 4 (6) betrays the concerns which form the subtext of the section.

"4. Any officer, constable, policeman, or officer of any Children's Aid Society duly approved by the Superintendent of Police, may apprehend, without warrant, and bring before the Judge, as neglected, any child apparently under the age of fifteen years, who is within any of the following descriptions: -

- (1.) Who is found bedding in any street, house or place of public resort:
- (2.) Who is found sleeping at night in barns, outhouses, or in the open air:
- (3.) Who is found associating or dwelling with a thief, drunkard or vagrant, or who, by reason of neglect or drunkenness, or other vices, of the parents or guardians, is suffered to grow up without salutary parental control and education, or in circumstances exposing such child to an idle and dissolute life:
- (4.) Who is found in any disorderly house, or in company of reputed criminal, immoral or disorderly people:
- (5.) Who is a destitute orphan, or who has been deserted by his lawful parents or guardians:
- (6.) Who is found guilty of petty crimes, and who is likely to develop criminal tendencies if not removed from his or her surroundings."¹¹

¹¹ *An Act for the Protection and Reformation of Neglected and Dependent Children*. S.B.C. (1901), C. 9, s. 4. The Act is reproduced in its entirety in Appendix E.

Similarly, section 5 effectively broadens the application of the act beyond the specific forms of "neglect" enumerated above to include children "in a state of habitual vagrancy or mendicancy, or ill treated so as to be in peril of life, health or morality by continued personal injury, or by grave misconduct or habitual intemperance of the parents or guardians".¹²

At first reading, sections 4 and 5 of the *Children's Protection Act* present a humanitarian appeal to the plight of the innocent, defenseless and dependent. However, there is a crucial referent which fundamentally underpins them: the neglectful, larcenous parent of criminal, immoral or disorderly repute. While child-savers in many jurisdictions were active in urban-reform movements which lobbied for fresh air, playgrounds and green-spaces, and pure foods, the child protection legislation which they enforced stopped short of advocating policies which might have improved the financial or physical lot of their parents. Children are presented here as salvageable while their parents are not merely lost but liable -- hence undeserving of public assistance.

In his landmark account of the history of social welfare and social work in the United States, Leiby (1978) notes that "the term *social welfare* came into currency... as a euphemism for the older phrase 'charity and correction'" (p. 1). The *Annual Reports* and other documents of the V.C.A.S. give important insight into the potency of this dualistic ideology. While the public documents produced by the V.C.A.S. continued to utilize sentimental accounts of the plight of innocent children to stimulate charitable contributions from its community, the Society's struggle to define itself in

¹² *An Act for the Protection and Reformation of Neglected and Dependent Children*. S.B.C. (1901), C. 9, s. 5.

relation to the orphanage and the Provincial Government focussed simultaneously on the criminal character of the parents with whom it dealt and the economic, moral and racial implications of its work to cultivate Canadian citizens among the coming generations.

On February 26th, 1906, at the annual meeting of the V.C.A.S., Reverend R.A. Wilson argued that, on both economic and moral grounds, the government could not turn its back on "the criminal's child".

"Reference has been made here to the government and to its duty. ... (If a man does wrong - if he becomes a criminal - and everyone of these children is the child of a criminal - we are only allowed to touch the criminal's child - if a man becomes a criminal the Government brings the machinery of the law to bear on him, and law costs are heavy in this country, and spends a good deal of money in law costs, and then places him in confinement in a palatial building in comparison with the Home of the Children's Aid Society. He is fed by the state, and the state pays for his food. But his child is left, and for the sake of the state for economic purposes, his child must be maintained. If it is the state's duty to care for criminals, it is clearly the state's duty to care for the children of criminals."¹³

Officers of the Society went to great lengths to emphasize the *legal* nature of their interventions and the role of these actions in preventing *crime* -- this in stark contrast to the voluntary, charitable relation which prevailed between orphanages and their client-families. In the *Annual Reports*, The Vancouver Children's Aid Society highlights its legal obligations to proactively seek out children who are simultaneously threatened and threatening. While the relationship between orphanages and their clients was built upon the contractual indenture, the Society struggled to fulfill the duties of its statutory authority, often without the requisite financial and

¹³ *Annual Report* 1905, p. 21.

physical resources. In 1905, Sir Charles Hibbert Tupper, former federal Minister of Justice and President of the V.C.A.S., presented a statutory argument in favor of child rescue being a public responsibility.

"Among the many responsibilities devolving upon the Province of British Columbia, there are few as high as that which it ought to faithfully discharge as representing the Crown in this part of Canada to save neglected and homeless children from an evil and criminal future.

... I desire now to call attention to the obligation of the State as 'Parens Patriae'. In England and in this Province under the Chancery Jurisdiction there is and always has been authority in our Courts to interfere in these cases - in the one case the King and in the other the Province is the Guardian of the destitute children; in practice, however, resort to the Courts became and is useless for want of means at the disposal of the Court.

In British Columbia the duty of the State has been clearly recognized. Our Legislature in 1901 enacted a law whereby Children's Aid Societies under the direction of the Court may become guardians of these waifs. Nevertheless, while the responsibility and power of the Crown have been recognized, the history of the Children's Aid Society of Vancouver is evidence that while we have still the machinery to perform a noble duty, we are largely left (as the Courts were) without the means to operate it.

State aid is given to Hospitals and Orphanages, and, in my opinion, properly so, but no institution is so closely connected with the direct duties of the Government in this matter as the Society in question."¹⁴

One key element of the Society's attempt to constitute itself as a public agency, then, arose from its claim to deal exclusively with a "criminal class" of parents with whom, the Society's members claimed, orphanages had historically had little involvement. Orphanages, according to this argument, had dealt virtually exclusively with "children of respectable parents, who are

¹⁴ Statement by Sir Charles Hibbert Tupper (*Annual Report 1905*, p. 1)

unfortunately not able to support them, or who had, perhaps through no fault of their own, left them without proper means of support"¹⁵.

The amalgamation of the Vancouver Children's Aid Society and the Alexandra Orphanage proposed initially in 1904 was decried as it would expose these children to others tainted by "immoral associations" and "it could not occur without destroying the objects of each institution".¹⁶ Further, the public nature of the Society's mandate was advanced to support the claim the V.C.A.S. was deserving of a position of privilege in the competition for governmental support.

"It was never dreamed that the Alexandra Orphanage should carry out this work. I have nothing to say in regard to the bounties extended, but charity is one thing and the administration of justice is another. The paramount duty of the Legislature and the Government is the administration of justice, and this Society has first call for assistance..."¹⁷

The severing of custodial and guardianship rights of "criminal" parents was thus advocated on economic, moral, and philosophical grounds.

¹⁵ *Annual Report* (1904) p. 15 . Speech by Director F. R. McD. Russell.

¹⁶ *Annual Report* 1904, p. 9. Speech by Sir Charles Tupper, President. Ironically, as noted in Chapter Three, the Alexandra Orphanage *did* provide housing for Society wards at various points in the Society's history. In 1933, in the wake of the B.C. Child Welfare Survey, the Alexandra Orphanage was again conscripted to serve as a temporary shelter for children pending foster placement. The Annual Report of that year revealed a strikingly different portrayal of the institution which had, following the reorganization of the child welfare field in the late 1920's, ceased to compete directly with the V.C.A.S. for funding (cf. Adamoski 1988):

"During the past year 152 of our children spent an average of approximately one month in the Orphanage. Of this number 40 were in for less than one week.... Whether they are or are not the children of criminals, they are just boys and girls, and while in the Orphanage they mingle as one big family with the children who have never been in our care and in no way can they be distinguished one from the other." (p. 13)

¹⁷ *Annual Report* 1907, p. 11

The first Annual Report of the Vancouver Children's Aid Society approvingly quoted J. J. Kelso:

"Children should be removed from immoral homes without delay; the moral safety of a child is of more consideration than the rights of depraved parents. This is a work of economy as well as of philanthropy."¹⁸

Bellingham (1983) has insightfully demonstrated the rhetoric and discursive imagery which allowed child rescuers to present their work as an "unspeakable blessing" worthy of the unrestrained benefaction of New York's citizens. One element of this calculated revision of the Society's practices -- the "invidious diagnosis of parental unfitness as the cause of disadvantage" -- is evident in Kelso's remarks.

As I shall amply document throughout the following chapters, many parents had sharply contrasting views of the morality of the actions of the V.C.A.S.. As illustrated in the following case (notable as one of the few which literally involved a parent convicted of a criminal offence) parents often protested the sudden characterization of their on-going struggles as "threatening" as well as the implication that they were fully liable for their straits.

¹⁸ *Annual Report 1902-1903*, p. 6. In British Columbia, the notion that the "children of criminals" should be separated permanently from their unhealthy and immoral environments was not seriously challenged until the British Columbia Child Welfare Survey in 1927 which held that:

"A children's aid society has three main functions: child protection, child caring, and guardianship of public wards. The Children's Aid Society of Vancouver has limited its activities very largely to conducting a large shelter institution and has neglected its primary function of protecting children in their own homes." (British Columbia Child Welfare Survey Committee 1927, p. 76)

The Ebrecht case is characterized by the desperate circumstances typical of many of the cases encountered in the Society's files. Mrs. Ebrecht's husband was serving a life term in prison in Alberta and "for some considerable time" the Provincial Secretary had paid \$30.00 per month for the maintenance of Mrs. Ebrecht and her six children in a small town in the Kootenays. In September, 1914, the Provincial Secretary wrote to South explaining that "on the 29th July last, another child was born to her, father unknown. Under these circumstances, the Department does not feel inclined to continue making any allowance to Mrs. Ebrecht, and it has been suggested that the children should be taken over by your Society...." After much negotiation between South and the office of the Provincial Secretary concerning the children's maintenance, all seven children were found to be "neglected", removed to the Children's Home in Vancouver, and gradually placed out in foster-placements.

In April 1915, Mrs. Ebrecht wrote to Charles South pleading to have her children (in particular 9 month-old Betsy) returned to her. Her letter poignantly conveys the dehumanization she felt as a "neglectful parent", and challenges the legitimacy of the Society's policies in blatantly political terms.

"I wrote you a while ago asking you if you could help me out a little by returning my child Betsy, but I got no answer yet. I have been treated shamefully more like a dog than a human being it is not fair that I should have been treated so through making one mistake in my life. It was hard for me when my children were taken far away but to let them go afterwards to strangers is ruining my health as I thought some day I should have them again don't you think that mistake I made will make me any worse afterwards as I would write and always send them something what I would earn from an honest living. You would please me so much if ever you brought her back to my home again.

Let the rich people raise children as well as the poor then they have no need to want other people's children. I am begging of you Mr. South to heal my wound a little by letting Betsy come back..."¹⁹

Mrs. Ebrecht's letter offers striking historical evidence of the politicization of childhood which occurred in North America at the turn of the century. By elevating "the moral safety" of Betsy above "the rights of [her] "depraved parent", men like Charles South could appear to strive for the melioration of their social environment without having to acknowledge the role that the institutions and social relations they championed played in creating the misery that confronted them (Bellingham 1983, pp. 303-306).

The project envisioned by child rescuers was rendered justifiable to the public and tolerable to its practitioners by its virtually exclusive focus on the implications of intervention for the nation's citizenry rather than the devastation it caused for parents and children.

"'The child of today is the citizen of tomorrow'. In all phases of child welfare work this is a standard slogan and one which is oftentimes uttered with only a passing thought. And yet how much is embodied in these nine words. The child - the citizen - the nation. Hence it is plainly the bound duty of every right-thinking and loyal citizen to do his or her part to bequeath to the Empire a generation of God-fearing, righteous young men and women; sound in mind and body."²⁰

The attempts of child rescuers to cultivate "the citizen of tomorrow" embodied a pantheon of powerful, motivational images which left little room for Mrs.

¹⁹ Case Number 1601. Mother (through ghostwriter) to South, April 27, 1915.

²⁰ City of Vancouver Archives, Add. MSS. 672, Vol. 129, "Twenty First Anniversary of the Children's Aid Society of British Columbia", p. 2.

Ebrecht, or the real consequences of South's actions on her children and their mental or physical soundness.

Nonetheless, the power of this call to nurture a new citizenry infused private philanthropy and public reform in progressive era North America; providing powerful ideologies and images in diverse fields such as public health regulation, urban reform, immigration, mental health, public education and in social panics surrounding opiate use and "white slavery" (cf. McLaren 1988; Valverde 1991). In the promotion of child rescue in British Columbia in the early twentieth century, this project was justified in both economic and religious terms. Economically, Vancouver's child rescuers pointed to benefits on both the supply- and demand-side of the province's ledger. As a project in delinquency-prevention, it was argued, the Society would eliminate a large proportion of the demand for criminal justice resources for future generations.

"As crime increases, the financial obligations become greater, and outside of charitable ideas altogether the objects of the Society are purely a business proposition. We as a Province spend a large amount of money in bringing criminals to justice, but the work of this Society reaches to the root of the whole thing... The greater success of an organization of this kind... results in saving part of the huge expense in tracking down criminals and in suppressing and punishing them. It is different from other charitable organizations."²¹

More fundamentally, the cultivation of these young lives promised to create the most valuable of commodities, the benefits of which could apparently be rendered in the most obvious economic terms.

²¹ *Annual Report* 1904, pp. 8-9.

"... I wish to emphasize the fact that every individual with a good physical constitution who allows his energy to go forth along proper channels towards the accomplishment of worthy ends has always a certain value to the country, a value in dollars and cents."²²

In fact, such appeals to the economic value of the work were overwhelmed in most Annual Reports by references to the moral, religious and humanitarian benefits of child rescue. Economic arguments were cited primarily in appeals to provincial and municipal governments for funding, while contributions from both Society members and the general public were encouraged by references to these less tangible dividends. In the broad ideological context of child rescue, the imagery found in this example reveals the crucial role which gender played in shaping the Society's more mundane policies and practices.

Why, just think what it means to take even half-a-dozen children before whom lie open only the paths of darkness and dishonor - who, humanly speaking, if nothing is done for them are going to be more and more obstacles to the well-being of the country and nation - a hindrance to all kinds of progress - and set their feet on paths that lead to honor, truth and purity and all high usefulness.

The loving toil of some Christian woman who seeks to win a little child for a life of Christian service may mean far more in the long run for a nation or for all the world, than all the effort that has been put forth by the most prominent and influential public men of the country."²³

The Annual Reports of the Vancouver Children's Aid Society provide, in their frantic efforts to avoid homogenization with the Alexandra Orphanage, an historically valuable account of a key political dichotomy

²² *Annual Report* 1911, pp. 20-21.

²³ *Annual Report* 1909, pp. 11-12.

which continues to be played out in modern welfare policy. This historically specific lens has highlighted both important continuities and ideological innovations in the movement from "charity and corrections" to "social welfare". Consistent with Leiby's (1978) model, the innovative, public "social welfare" advocated by the V.C.A.S. clearly reflected elements of a new "democratic sensibility" which repudiated older forms of charity (p. 1). The focus on the public, legalistic nature of the enterprise and the effort expended in tracing its benefits for the child, the citizenry and the nation clearly differentiated child rescue from the charitable efforts of the City's orphanages.

Equally important, however, is the continuing significance of the charity/corrections dichotomy in structuring the Society's polemics. In large part, the positive, interventionist strategies so apparent in the rise of child rescue continued to draw on the nineteenth century categories of dependent, defective, and delinquent. It was only through the process of constituting parents like Mrs. Ebrecht as "depraved" parents that child rescue could be regarded as "salvage" despite the ravages which forced apprehension, institutional placement and foster-placement imposed on children and their families.

Further, by creating the legislative resources which allowed parents to be judged "neglectful" and unworthy of continued guardianship of their children, the *Children's Protection Act* altered public perceptions of the child rescue process in an equally important sense. As discussed in Chapter One, feminist theories of welfare provision have raised important issues concerning the specific forms of "dependency" in western democratic capitalist

societies (Fraser 1989). In the transition from a system for dealing with dependent families based on temporary care in orphanages to one based on child rescue, the new legislative and ideological resources of the V.C.A.S. fundamentally recast the long-standing "problem of imposition". The focus on the unique legal ability to "apprehend" children and to forcibly terminate guardianship drastically transformed the older concern that parents would "burden" institutions with their responsibilities.

Since its inception, child rescue has been cleaved by its dualist role as a "charitable" institution offering salvage to redeemable children and as a punitive "correctional" agency charged with the monitoring of marginal families. In its ideal form, the "rescue" of children from "depraved" parents apparently skirts moral or political concerns about parents shirking their responsibilities. Later in this chapter, I will outline the basic demographic and social characteristics of the families who came into contact with the Vancouver Children's Aid Society during its early decades. By comparing these attributes with the historical data outlined in Chapter Three, it is possible to test the assertion that Children's Aid Societies dealt with a new "criminal class" not typically encountered in orphanages. Similarly, as shall be amply documented in the chapters which follow, the practice of child rescue (like present-day child "protection") has consistently been shaped by concerns that parents would subvert public resources to meet their own private ends.

Legal Rationality and "Wasteful Practices"

As outlined above, the legal status of Societies like the V.C.A.S. was important in early attempts to emphasize the public nature of child rescue. Unlike the Orphanages operating in the province, the legal status of which were not significantly different from that of any individual entering into an indenture, the policies of Children's Aid Societies were, to a large extent, defined by their unique statutory powers and obligations. The petition for incorporation reflects the legalism which framed the Society's work. It stated:

"The business and objects of the Society shall be the protection of Children from cruelty and caring for and protecting neglected abandoned or orphaned Children and the enforcement by all lawful means of the laws relating thereto."²⁴

In turn-of-the-century British Columbia, this new statutory authority presented new promises to some and new perils to others. For the Society's advocates, one important benefit promised by the legal-rational form shaping this intervention into the province's families lay in its potential to avoid one of the chronic problems characterizing charitable agencies like the Alexandra Orphanage, namely, the threat of imposture.

²⁴ City of Vancouver Archives, Add. MSS. 672, Vol. 129, "Petition for Incorporation". During the period examined in this dissertation, two other Societies were similarly incorporated: The Children's Aid Society of the Catholic Arch-Diocese of Vancouver was incorporated in 1905 and the Children's Aid Society of Victoria three years later. Some characteristics of the Vancouver Society's interactions with these other two agencies are noted below.

British Columbia's Orphanages were themselves creations of the "scientific charity" movement, which sought to replace capricious, indiscriminate charity with aid calculated to encourage the thrift, independence and self-sufficiency of nuclear families. As voiced by a contemporary advocate of 'scientific charity', "next to alcohol, the most pernicious fluid is indiscriminate soup"²⁵. The re-emergence of this concern that charity misplaced was not only 'wasteful' but potentially 'pauperizing' is characteristic of the development of social assistance in liberal democratic, capitalist societies. Indeed, it remains an important theme in both the daily operation and periodic reformation of welfare regimes to the present day. For now, I will focus on the manner in which this theme expressed itself in the Vancouver Children's Aid Society's efforts to distinguish itself from the city's orphanages.

The key issue in early twentieth century Vancouver was the extent to which orphanages allowed parents to escape responsibility. Speaking in 1907, Sir Charles Tupper, Director of the Vancouver Children's Aid Society, noted,

"...(Orphanages) are beset with difficulties that hardly confront us at all. In this matter one of the greatest difficulties has been that with the very best intention very great wrongs have been done and people, through charitable organizations have been encouraged to forget their own duties to assist their children..."²⁶

Social institutions in early twentieth century British Columbia betrayed a continuing obsession with the goal of rationalizing charity. Although these arguments had circulated in North America since the mid-

²⁵ H.H. Wayland, *Baltimore Charities Conference* (1887) cited in G. Mink (1990, p. 100).

²⁶ *Annual Report*, 1907, p. 12.

nineteenth century, they had lost little of their power in the intervening decades. To a certain extent, then, statements regarding the "charitable" nature of the Alexandra Orphanage were simply mild slurs directed toward a political rival. It is clear, after all, that orphanages envisioned their work not only in terms of the rescue of innocents but also as an effort to combat disorder in the newly emerging urban environment (Rooke and Schnell 1983, p. 88-99). However, given their meagre legislative armament, orphanages were largely confined to passive or reactive forms of intervention, relying on distinguishing between worthy and unworthy cases brought to their attention.

The attempts by the emergent Vancouver Children's Aid Society to differentiate between its own efforts to deal with social disorder and those undertaken by "charities" did not, in fact, rest on the utilization of new "scientific" criteria by which to distinguish the "unworthy" (a claim which emerged in the late 1920s with the development of professional social work in British Columbia). Rather, the Society's strategic portrayal of its work as a new attempt to prevent delinquency referred to its altered relationship to the state's legal apparatus. The legalized nature of the Society's interventions was presented as a means of ensuring that the "wastefulness" of charitable aid would not ensue. As one director noted,

"... Not only do we rescue from lives of crime these particular children, but in rescuing them, we do so after [a] preliminary judicial inquiry which does not obtain in any other case. In that manner we are guarded from impositions and consequently it would be difficult, if not impossible, for... those arguments [to] be used as to the waste of charity."²⁷

²⁷ (*Annual Report 1904*, p. 12)

Children's Aid Societies represented, in principle, a major alteration in the relationship between families and agencies providing public care for children. Rather than being saddled with the children of the "idle and dissolute" who were largely unplaceable so long as their parents survived, children's aid societies had the option of obtaining court orders severing parental guardianship. Thus, while orphanages were *dependent* upon parents and forced to foster their continued contact with their children, children's aid societies were able to force families to meet the societies' standard of respectable family life under threat of assuming guardianship of the children placed in their care.

Section 9 of the *Children's Protection Act of British Columbia* [S.B.C. (1901) c. 9 s. 9] provided that children whose parents defaulted on boarding payments should not be returned to the parents "unless the parent satisfies the Court that, having regard to the welfare of the child, he is a fit person to have the custody of the child".

An illustrative example occurred in 1913. Mrs. Erma Sanderson, separated from her husband, was raising her illegitimate 9 year-old daughter Irene as a single parent. Irene's father, a Montreal physician, had deserted before her birth. Although Mrs. Sanderson was somewhat intemperate, she had managed to provide for Irene until the child fell ill with a parasitic disease. Mrs. Sanderson approached the Vancouver Children's Aid Society, which agreed to board Irene while she convalesced. Almost two years later, Mrs. Sanderson's new spouse contacted the Society announcing that he was willing to adopt Irene and wished the child returned.

In the late nineteenth century, it is likely that a child like Irene would present difficult options for agents of the province's orphanages. With a living parent who was unwilling to cede guardianship, placement by indenture would have been nearly impossible. In fact, depending on the precise terms of the agreement binding Irene to the Orphanage, its agents may have found themselves without legal grounds to deny her mother's request even should they so wish.

In 1913, however, the terms of the relationship between C. J. South and Erma Sanderson were substantially different. As we will see in many of the cases examined in this study, the potential to bring the case before the courts allowed South to attach terms well beyond basic material support to the girl's return. In this case, given the mother's failure to secure a divorce from her former husband, the family home was held to constitute a morally perilous environment for Irene.

"I am glad to hear that you have a permanent position now, and that you could look after Irene's mother, but I do not think it would be of any avail to put your application before the committee, because the first question they would ask would be 'Is Mr. Murray married to Irene's mother?', and I understand that she is not in a legal position to marry you."²⁸

Undoubtedly, the legal powers conveyed in the *Children's Protection Act* provided weapons to Societies like the V.C.A.S. which had been notably absent from the arsenal of the province's orphanages. An exclusive focus on the new interventionist powers of Children's Aid Societies, although common in many studies which focus on the public policy declarations of child

²⁸ Case Number 3017. Letter from South to Mother, March 31, 1915.

rescuers, may well obscure important elements of their practices which showed marked continuity with the practices of Orphanages.

Family Demographics and the Deployment of Child Rescue

In this section, I will outline in general terms the demographic and social characteristics of the families whose experiences are analyzed in this dissertation. In addition to providing a cursory statistical introduction to the men, women and children who constitute my sampling of the clients of the Society, I intend to further develop my comparison of the V.C.A.S. and the orphanages which pre-dated it. While the new legislative powers of North American children's aid societies and the public proclamations of their founders have generally led to the assumption that these agencies differed fundamentally from earlier "charitable" forms of aid, the data examined here reveal important continuities.

As we have seen in the preceding section, representatives of the Vancouver Children's Aid Society typically presented their work as a proactive effort to rescue the children of the "criminal classes" from their immoral or unhealthy environments. In the words of Society President Charles Hibbert Tupper, it was the task of the Superintendent to "scour the Province and find out the children in the haunts of vice...".²⁹ The case files

²⁹ *Annual Report*, 1905, p. 7.

examined for this dissertation suggest that the Society played a much more reactive role.

Table 4.1 lists the source of the initial complaint for each of the 154 families who comprise the sample. In striking contrast to the proactive imagery which surrounded much child rescue work, the findings indicate that, in over one-third of the cases examined, the Society was initially approached by the custodial parent, a finding consistent with the patterns which characterized orphanages in the late nineteenth century.³⁰

TABLE 4.1
COMPLAINANT INITIATING V.C.A.S. INVESTIGATION
(1901-1930)

Complainant	No. of Families	Pct of Cases
Custodial Parent	98	33.6
Police / Magistrate	56	19.2
Government Agent	47	16.1
Community Member	41	14.0
Other Relative	18	6.2
Maternity Hospital	12	4.1
Non-Custodial Parent	9	3.1
Other C.A.S.	8	2.7
V.C.A.S.	6	2.1
Probation /Curfew	5	1.7
Child	2	0.7
Other	9	3.1
None Noted	3	1.0

³⁰ Purvey (1991, p. 119) notes that "[f]ew of the Alexandra Orphanage children were full orphans. Parents would take their children to the Orphanage, and parents would bring them home again." Van Krieken (1991, p. 98), describing the formation of the Australian child welfare system between 1890 and 1915, describes the relationship between parents and the agencies in the following terms: "... While it is true that once [parents] 'went so far' they were, of course, subject to state control, the coercion driving the majority of children to the Children's Court... came not from state officials and agencies, but from other quarters: force of circumstance, relatives, neighbours, or the parents themselves."

The degree to which the Society, and particularly its Children's Home was populated by children voluntarily placed by their parent(s) is reinforced by other quantitative indicators. In almost 15% of the cases examined, parents initially approached the Society seeking assistance in the form of short term care for their children and were denied such aid. In many of these cases, the children eventually came into the Society's care either by agreement or by court order. Often, parents sought to "board" their children at the Children's Home -- agreeing to pay for their maintenance as best they were able but not willing to cede their guardianship or to have them placed in a remote foster-home. The following letter written to South in 1921 is typical.

"Being a widow and labouring under great difficulties through the loss of my husband who was drowned 2 years ago, and, having two little children left on my hands I now feel that it would be to the best interest of the children and myself also to have them placed in a home, where they will be cared for properly.

Will you kindly send me full particulars as to what it will cost me to place my children in your home and conditions of payment.

I could pay a small sum monthly if that would be convenient to you."³¹

Much of the work which follows examines the policies and practices of the Vancouver Children's Aid Society in cases which began with overtures much like this one. As will be elaborated, South's reply to the above request is also typical of the response received by single women who petitioned the Society to board their children.

³¹ Case number 1624. Mother to South, May 23, 1921.

"... When children are made over to the Society, the Mother loses the control of them. We are so crowded that we cannot take children in as boarders; they have to be made over to the Society absolutely, and then we have the right to adopt them out...

I am sorry that we cannot take them in the Home in any other way."³²

In fact, as we will examine in Chapter Six, many children *were* taken into the Home in other ways. Thirty-one of the families in the sample (20%) boarded their children in the Children's Home while in 15% of the cases studied, the parent(s), like the widow in the case above, eventually signed indenture agreements binding their children to the Society until they reached the age of majority. The key difference between these two options in terms of the child's career in care was that boarding children typically remained in the Society's Children's Home or, rarely, in a local foster home as long as their parents continued to maintain their payments. Children indentured to the Society were much more likely to be placed in foster-homes anywhere in the province where these were available.

However, there were two important similarities which united children placed in the Society's care by boarding agreement or indenture. First, the relationship between the Society and the child's parents took the form of a contract -- with its attendant appearance of independence, volition and reciprocity -- although the cases examined here often betray circumstances where parents had few other options. In both boarding and indenture cases, children entered the Society's care without a court appearance, avoiding the

³² Case number 1624. South to Mother, June 1, 1921.

mechanism so often cited by the Society's agents as the key to the "problem of imposture".

Second, children placed in this manner were not eligible for public funding. This became increasingly important in the years after 1911 when changes to the *Children's Protection Act* established a *per capita per diem* funding scheme to replace the block funding grants on which the Society had relied for its first decade.

The findings in Table 4.1 also illustrate the degree to which Superintendent South relied on referrals from communities and other agencies. The V.C.A.S. initiated contact with families in only two percent of the cases examined here. When cases referred by other children's aid societies (for example, protestant children brought to the attention of the Catholic Children's Aid Society of Vancouver and referred to South) are included, only five percent of cases are accounted for. Next to custodial parents, the most common sources of referral were police, magistrates and community members. In large part, this pattern is the result of the specific organization of child rescue in British Columbia.

In Ontario, the province with the most direct legislative influence on B.C.'s *Children's Protection Act*, Children's Aid Societies had, by the second decade of the twentieth century, been established in towns throughout the Province. Although complaints were often received first by the Superintendent's Office in Toronto, each Society applied the legislation autonomously.³³ In British Columbia, Vancouver's Protestant and Catholic

³³ Eighteenth Annual Report of the Superintendent of Neglected and Dependent Children, Ontario (1911, pp. 11, 54). Toronto: L. K. Cameron.

Children's Aid Societies effectively serviced the entire province. Although "committees" consisting of interested citizens were established in several larger cities including Nanaimo, Fernie, Revelstoke, and Penticton, their actions were limited to bringing particularly troubling cases to the attention of the Vancouver Societies and investigating foster-home applications in their region.

In a letter written in 1914, South outlines the organization of child rescue work in the province to an official of the Y.M.C.A. of Kamloops who was interested in establishing a children's aid society in that city.

"Under our Children's Protection Act (which is almost similar to the Ontario Act) we have only three Children's Aid Societies in the Province. The one a small one in Victoria, which deals with the City of Victoria only; the second being the Children's Aid Society of Vancouver, which has jurisdiction extending over all the Province of British Columbia, except Victoria. The third Society is the Roman Catholic Society, and they deal with cases all over the Province, except Victoria.

Some years ago it was thought advisable not to form branches in the smaller towns, because they were unworkable, owing to the fact that the population in all these districts is forever changing, and it was found impossible to successfully work branches of the Society.

The Children's Aid Society of Vancouver (which receives all children except Roman Catholic children, from any and every part of the Province) has a large Home in this City, and we have found that it is to the advantage of the children, and far less expensive to have this Provincial Home.

We have in nearly every town and district small Committees who work in conjunction with the City and Provincial Police, so that I get full reports of what is taking place, also of various cases that may arise requiring attention...."³⁴

³⁴ Letter from South to A. W. Geddes, YMCA, Kamloops. July 8, 1914. Add. Ms. 672, vol. 147.

Table 4.1 reflects these dynamics, indicating the importance of local justices, police officers, government agents and interested citizens. While this network certainly *did* contribute a number of children from areas well outside of the lower-mainland to the sample of cases examined here, almost two-thirds of the families came from urban settings.

The role of public officials in referring cases to the V.C.A.S. does not alter the basic characterization of the Society as reactive, however, as in many instances, government agents and other officials would refer parents who had approached them seeking financial or legal assistance. As Table 4.1 indicated, instances where the Society's agents actively sought out children from the "haunts of vice" were few indeed, constituting only two percent of cases.

Appendix F outlines the factors cited by representatives of the V.C.A.S. for the placement (either through agreement or apprehension) of children under their care. A selection of these factors is reproduced here in Table 4.2.

TABLE 4.2
 SELECTED FACTORS LEADING TO PLACEMENT³⁵
 (1901-1930)

	No. of Families	Pct of Cases
Orphaned	4	2.6
Abandoned	29	18.8
Illegitimate	29	18.8
Marriage breakdown	37	24.0
Death of Father	19	12.3
Death of Mother	29	18.8
Deserted by Fa.	59	38.3
Deserted by Mo.	34	22.1
Illness (Father)	4	2.6
Illness (Mother)	15	9.7
Child Destitute	67	43.5

Based on Purvey's study (1991, p. 119), abandoned and orphaned children had constituted only about three percent of admissions to the Alexandra Orphanage. The present research indicates that, among recorded cases, orphans and foundlings constituted up to 21% of admissions to the Vancouver Children's Aid Society. Significantly, it appears from these findings that both the Alexandra Orphanage and the V.C.A.S. dealt with a similar proportion of true orphans, the large increase apparently being in the number of abandoned children left to the care of the Society.

Cases of abandonment present particular problems for historical analysis. As will be discussed in Chapter Seven, abandonment often

³⁵ For each case, up to three circumstances were noted.

represented a strategy pursued by parents who differed only in their level of desperation from the single parents who dealt directly with the Society's representatives. Thus, they represent one facet in the complex phenomenon of "imposture" which remained a prominent concern for charitable orphanages and children's aid societies alike. For this introductory discussion, I shall focus more specifically on those cases where the information concerning familial background is most reliable: children with at least one known parent.

Despite the substantial number of orphans and foundlings apprehended by the Vancouver Children's Aid Society, it is clear that the Society dealt -- in a majority of cases -- with families which were in destitute financial straits. Table 4.1 outlines some of the most common circumstances leading to these crises, including the death, desertion or serious illness of a spouse.

Consistent with studies of committals to orphanages in the late nineteenth century, significantly more children entered the care of the Society due to desertion by their father than by their mother. While desertion by mothers accounted for 22% of the cases reviewed, desertion by fathers was a contributing factor in 38%. As we shall see in Chapter Seven, illegitimacy cases also tended to involve desertion by fathers. The economic effects of being left without a male wage-earner are reflected in the level of destitution found among these cases. In well over 40% of the sample cases, the family was explicitly judged to be destitute at the time of placement. In a very real sense, the Vancouver Children's Aid Society functioned as an important

resource upon which unmarried or deserted women could draw in order to deal with their tenuous position outside of the family unit.

When family units are examined, single parent families emerge as the most common family structure encountered in the sample. This is consistent with Bellingham's (1986) study of the Record Book of Charles Loring Brace's New York Children's Aid Society. Bellingham found that "seventy-five percent of the children had one or both parents living,... half-orphans accounted for 52 percent of the agency's case intake [and c]hildren with two parents accounted for 23 percent" (1986, pp. 47-48).

In the present study, I collected information on family structure at two points in the early stages of each case. First, as summarized in Appendix G, I examined the family structure at the moment of first contact with the Society, finding patterns remarkably similar to those reported by Bellingham. Over one-half of the families in our sample were headed by single parents at the time of first contact (79/154), while almost one-quarter (38/154) were nuclear families.

Appendix G also tabulates who had custody of the child(ren) at the time of placement, which often occurred a significant time after the initial contact with the Society. It appears that those families headed by two parents at the time of first contact tended to be in the final throes of marital breakdown. Consequently, in over sixty percent (93/154) of families, the children were in the sole custody of one parent by the time of placement.

The addition of this second data point allows the present study to add significant information to the basic portrait of the families found in

Bellingham's New York Society study. Most fundamentally, as will be developed in the chapters which follow, Bellingham's early work tends to obscure the significance of gender in the deployment of the resources by children's aid societies. One summary indicator obvious in these figures is the proportion of families headed by single mothers, which increases steadily as one moves through the early stages of interaction with the V.C.A.S.³⁶.

Part III of the dissertation looks in greater detail at the circumstances surrounding the committal of children to the V.C.A.S., emphasizing the role of gender-structures in shaping the Society's policies. Our cursory glance at the complainants and circumstances leading children into the Society's care, however, has emphasized one basic continuity between Vancouver's Protestant Children's Aid Society and the Alexandra Orphanage: both agencies were fundamentally reactive in their initial contacts with the province's families. To the extent that the Society's portrayal of its work as "delinquency prevention" hinged on a new proactive assault on the warrens of vice, these findings challenge the novelty of their role in policing the province's families.

Another means of comparing the interaction between British Columbia's dependent citizens and the province's orphanages and children's aid societies is by examining the basic characteristics of the 'careers' of wards and the ultimate disposition of cases. The ideological underpinnings of Children's Aid Societies in North America claimed to represent a response to

³⁶ Whether families or children are used as the unit of analysis, single mothers constituted the most common family structure either at first contact or at placement. The lone exception emerges from the fact that nuclear families tended to be significantly larger than lone-parent families, although, by the time of placement, even these children were largely in the care of one or the other parent.

the threats of urban childhood which differed in two major respects from programs pursued by orphanages.

First, the V.C.A.S. placed great emphasis on their non-institutional response to the often deplorable influences of urban life. Specifically, the reports of the society in the years prior to 1925 consistently cite the curative potential of rural life and, particularly, the forms of physical labor involved in agricultural pursuits³⁷. Annual Reports from this period are peppered with endorsements like that given by Reverend C. C. Owen in 1905.

"I... believe that this Society is working rightly by not crowding children into one great institution. I think the idea of the foster home is one of the finest in this world... It has always been one of the things I have advocated this Society for -- laying hold of this sensible idea and getting them away from the city slums and putting them out in the country.... I have been much interested to see the boys taken from the slums of London, in the surroundings of farmyard and country life...."³⁸

Second, consistent with the interventionist imagery discussed earlier, Children's Aid Societies, in their earliest years, argued that economic and moral imperatives demanded that children be permanently separated from immoral families. The Directors of the Alexandra Orphanage regarded their institution as meeting the "needs of children needing a temporary home -- not as a place where children are brought up".³⁹ W. P. Argue, Chairman of the

³⁷ As noted by Leiby (1978, pp. 83-85), there was an important distinction to be drawn between protestant and Catholic approaches to child rescue in North America during the turn of the century. While Protestants like Charles Loring Brace in New York and J. J. Kelso in Ontario strongly advocated rural placement, Catholic officials saw the placement of urban children (of whom a significant percentage were of European, Catholic extraction) in the largely Protestant communities of the rural mid-west as the worst example of proselytization. They mounted strong attacks against the practice, citing "permanently broken families, poor placements, poor follow-up, [and] bad results" (Leiby, p. 84).

³⁸ *Annual Report* 1905, p. 25.

³⁹ City of Vancouver Archives, Social Service Dept. Series 7, 107 A 4. Cited in Purvey (1991, p. 118).

Adoption Committee of the Vancouver Children's Aid Society, in contrast, clearly saw both foster and institutional placement as permanent replacements for children's kith and kin.

"The ideal place for a boy or girl is home. If home is such in name only the nearest approach to an ideal place is a foster home. If a foster home is unobtainable a home institution such as our own is best."⁴⁰

Examining the placement patterns and ultimate disposition of the 303 children who form the sample, it is apparent that the experiences of many of the children in the Society's care may not have differed significantly from those placed in the Alexandra Orphanage. A large percentage of children (including those who had been found neglected by the Court) eventually returned to the care of their parents or extended family. Further, slightly more than one quarter of children spent their entire period of care as residents of The Children's Home -- an institution whose population surpassed 160 inmates for much of the period under study.

The continuing role of congregate care within the Vancouver Children's Aid Society, and in particular the perennially overcrowded and often dilapidated Children's Home, offered perhaps the most visible reminder of the continuities between child rescue and earlier forms of aid to dependent children. Charles South and the other Directors of the Society attempted to reconcile the contradiction between the Home's persistence and Society's stated policy of placing children out in redemptive (preferably rural) family

⁴⁰ *Annual Report 1911*, p. 25

environments by emphasizing the apparently "home-like" nature of life in the institution.

"Some people think that my ideas are erroneous, because I have always insisted that the Home shall be a real home to the children, and not an Institution where the child is pauperized and made to do things for fear of punishment, and brought up as a kind of machine.

I am very, very fond of children, and think that they ought to have the very best chance in the world, so that they will be prepared for their future, and will become citizens in the truest sense of the term. The strap does not govern our Home, but love, affection and good-will are the weapons that we use to prepare the children for life..."⁴¹

In 1915, South wrote to the Irish relatives of two children committed to the Society inquiring about their interest in paying the children's fare to Ireland and assuming their custody. Again, he attempted to down-play the institutional aspects of life in the Children's Home.

"By the way, let me say that our Children's Home is a real home, and not an institution such as the good friends in the Old Country have had so much to do with. We treat the children just as if they were ours from birth."⁴²

Finally, in the Annual Report for 1914, then-President A.B. Erskine noted the Society's attempt to construct what he regarded as a natural family structure in an institution then housing in excess of 160 children.

⁴¹ Case number 021201. South to adoptive father, February 5, 1915.

⁴² Case Number 2519. Letter from South to children's relatives in Northern Ireland, January 11, 1915.

"I think that all our Directors are very much inclined to believe that environment has very much to do with the upbuilding of the average citizen, and believing so, we endeavor and strive to do our best to make the Home as home-like as possible. It is not intended that it should be merely an institution, and that the children should be numbered 1,2,3 and so on. I believe Mr. South could name all the children with his eyes shut. They delight in calling him 'Papa South', and the matron, Mrs. Lockhart, 'Mama Lockhart'. It gives a little different tone to the home."⁴³

Placement in the Children's Home offered both benefits and hardships for both the children placed there and their families. Most obviously, placement at the Children's Home made contact with natural family members (both in and out of care) much easier as more than half of the families committing children to the Society's care (90/154) came from Greater Vancouver. However, life in the Children's Home may not have been quite as "homelike" as South seemed to repeatedly suggest. One 23 year old former ward was interviewed in 1946 by Society staff who wrote:

"It was rather interesting to discuss with him his attitude towards the C.A.S., why he had taken such a dislike during the years when he was 17, 18 and 19. He stated that his earlier dislike was when he was in the institution and had to march to and from school, always being tagged as an orphan. He said later on when he went to a foster home it was the greatest day in his life."⁴⁴

South's propensity to cast himself in a paternal relationship with his wards was the source of great conflict. Throughout his tenure, South was periodically chastised for over-extending his personal involvement with wards. As noted in Chapter Three, South's public displays of affection for children in the care of the Society also affronted members of the Board of the

⁴³ *Annual Report 1914*, p. 13.

⁴⁴ Case Number 30501, Running record, May 18, 1946.

Alexandra Orphanage, and officials of the Catholic Children's Aid Society regarded South as "an orange-man not above the most base proselytizing".⁴⁵

The attempts of Society officials to re-define the institutional experiences of wards thus emphasize one of the key contradictions between the ideology and practice of child rescue in turn-of-the-century Vancouver. While children's aid societies throughout North America emphasized their use of rural foster placement as a important element of their novel approach to the problem of the urban poor, extended periods of congregate care continued to characterize the experiences of wards much as it had in the late nineteenth century. As will be developed in Chapter Six, the continued reliance of the V.C.A.S. on congregate care arose from a variety of factors including the structure of public funding and the expediency of paid boarding, as well as the ongoing pressures of parents (particularly single fathers) to seek assistance for their children without ceding guardianship. Examining other aspects of the careers of children placed with the Society, we can elaborate on other continuities and discontinuities with earlier forms of care for destitute children.

In terms of their length of committal, it *does* appear that, on average, V.C.A.S. children spent longer periods in care than did children in the Alexandra Orphanage. Slightly less than one-quarter of the children passing through the Vancouver Children's Aid Society were in care for less than one year, while thirty-eight percent of Purvey's sample of Alexandra wards spent less than one year in care (1991, p. 117). These short-term residents almost

⁴⁵ Correspondence, J. Foran to C.E. Whitton, June 1926. Public Archives of Canada, MG 28, I 10, Vol. 27, File 139.

invariably returned to the care of their parents. Short terms in care, however, were by no means typical of the placement history of children's aid society wards.

Whereas the average length of stay in the Alexandra Orphanage was between one and two years (Purvey 1990, p. 18), it was over 81 months (6 years, 9 months) for the Children's Aid cases surveyed. More than half of the 98 children studied spent in excess of 54 months in care (4.5 years). Although it may be argued that these long-term wards represented the logical outcome of policies focussing so explicitly on permanently 'rescuing' children of the 'criminal classes', it should also be noted that even these long-term wards did, on occasion, eventually return to their natural families⁴⁶. To more fully explain the longer average stay in care for wards of the V.C.A.S., two factors must be considered: the larger proportion of abandoned children (especially infants), and the greater ability of the Society to place children out in foster-homes where they could effectively be self-supporting. Both of these factors are considered in greater detail in Chapters Ten and Eleven.

Information on the ultimate disposition of 290 children in care of the Vancouver Children's Aid Society is summarized in Table 4.3 below. I have noted in Chapter Three that over 80% of non-orphans boarded in the Alexandra orphanage eventually returned home. Among wards of the V.C.A.S., the percentage of children returning to live with their parents (38.6%) is significantly lower, though far from insubstantial. As important, the sections of the *Children's Protection Act* and the *Infants Act* which

⁴⁶ Specifically, five of the twenty-four children who spent seven or more years in care were explicitly returned to the care of their natural families. This number does not include those children with whom contact was lost by the Society and who may well have returned to their natural families.

cleared some of the practical legal impediments to placing children in foster-care are reflected in the number of children with whom contact was lost. The Society lost contact with over 20% (65/290) of its wards before they reached the age of majority, some likely returning to family or familiar neighborhoods and others utilizing networks of acquaintances to find employment in much the same manner that non-wards might. Examining similar findings in the New York, Bellingham notes

"Almost half of the children are recorded as returning home to New York City.... Some of the remainder surely returned unbeknownst to the agency. This fact of massive return from placement is unremarked in the historiography of social reform." (1986, p. 51)

TABLE 4.3
FINAL DISPOSITION OF WARDSHIP CASES
(1901-1930)

Disposition	No. of Children	Pct of Cases
Return to Family	112	38.6
Lost Contact	65	22.4
Age of Majority	51	17.6
Transfers:		
Other C.A.S	7	2.4
Industrial School	6	2.1
Asylum	2	0.7
Gaol	0	0.0
Deceased	6	2.1
Killed in Action	2	0.7
Married	15	5.2
Legal Adoption	14	4.8
Non-Ward Care	10	3.4

13 missing cases; 290 valid cases.

Table 4.3 also contains data which may further challenge the claim that children's aid societies like Vancouver's served a quasi-criminal control function. In Chapter Ten, I elaborate the basic finding illustrated here that the Society's wards had limited interaction with the city's industrial schools, asylums and gaols.

Finally, almost 18% (51/290) of wards remained in care until they either reached majority or married. The experiences of these children as documented in the case files of the Society allow me to examine their development from childhood to young adulthood, particularly in terms of their position in the labor market. As Chapter Eleven illustrates, the routes to 'independence' pursued by male and female wards showed striking similarities as well as important differences.

This preliminary examination of the development of extra-familial care for children in turn-of-the-century British Columbia has emphasized both significant legal and ideological changes and important practical continuities between orphanages and children's aid societies. The legislative resources which gave rise to the V.C.A.S. substantially altered the "rules of engagement" between families and the Society. They also formed the basis of the Society's claims to be a public entity responsible for the economically, morally and philosophically expedient project of "rescuing" children from the "criminal classes". In public discourse, childhood was politicized during this period, becoming perceived as a battleground on which the future of "the child - the citizen - the nation" depended.

These public proclamations have led some revisionist historians to suggest that the first decades of the nineteenth century marked a

fundamental break in strategies for regulating marginal groups in western capitalist societies (Sutherland 1976; Rothman 1980; Garland 1985; Hall and Schwarz 1985; Valverde 1991; Sears 1995). In the present instance, the importance of the *Children's Protection Act* and the ensuing public debates in sketching new ground rules for the relationship between public agencies and marginal families must not be underestimated.

Nonetheless, the summary demographics provided here clearly illustrate that a significant number of families continued to utilize the resources of the Vancouver Children's Aid Society in much the same manner as they had enlisted orphanages in the late 19th century. Like orphanages, the Society played a largely reactive role in dealing with the familial disruptions which were presented to it. In contrast with two important ideological elements of child rescue (the permanent removal of children from "criminal" homes and their placement in preferably rural, foster homes as members of a nuclear foster family), many children spent their entire wardships in a large congregate institution, often as boarders. Finally, a substantial number of these cases saw children eventually return to their parent(s).

Through the utilization of primary historical sources like case files and correspondences, it is possible to significantly deepen our understanding of the impact of legislative and organizational change on the provision of care for British Columbia's children in the early twentieth century. The findings here (and in the chapters which follow) do not directly contradict the widely held belief that the period from 1880 to 1920 saw a major transition in social legislation and policy in many western democracies. Rather, they suggest

that these reforms may have been much more incremental in their effects than is commonly supposed. As noted by Bellingham

"If institutions are the unit of analysis, it may appear that a novel form of power was loosed on [late] nineteenth-century society. If client careers are analyzed, the picture may look much less dramatic." (Bellingham 1986, p. 51)

The backgrounds and careers of the 303 children who form the present sample clearly suggest that there is reason to question whether the Vancouver Children's Aid Society dealt primarily with "a different class" of child. What is clear, nonetheless, is that the acquisition of legal authority by children's aid societies drastically altered the power relationship between the societies and working class families. In effect, the new legislative powers of Children's Aid Societies rendered at least some of their clients "criminal" by undercutting the contractual relationship which many had historically enjoyed with the Province's orphanages. By differentiating their 'correctional' efforts from the 'charitable' activities of orphanages, they constituted the objects of their interventions, creating through legislative fiat a remediable threat to their society where previously had existed the seemingly inevitable lower-orders with their variable levels of desert.

Finally, child rescuers fundamentally redefined the nature of their interventions in an effort to claim public status (and thereby public authority and public funding). Where orphanages, indenture schemes and boarding schools had historically been regarded as services to be utilized by parents in need of temporary assistance, children's aid societies quite consciously focussed on the interventionist role bestowed on them by legislation like the *Children's Protection Act*. By casting their interventions as a permanent,

judicially sanctioned termination of guardianship imposed on "neglectful" parents, the V.C.A.S. sought to avoid questions of imposture which had haunted orphanages. By strategically aligning their efforts on the axes of parental and filial deservedness, child rescuers were able to simultaneously present their work as humanitarian rather than heartless and as unquestionably efficient rather than wasteful and pauperizing.

The detailed case studies which follow will reinforce the basic quantitative information outlined here. As is typical in studies based on historical materials, the qualitative information imbedded in the Society's files allows an appreciation of the nature of the relationship between the V.C.A.S. and the families who petitioned it for assistance.

In the chapters which follow, I will examine in greater detail the complex interactions between the Vancouver Children's Aid Society and Vancouver's families. In particular, I will be concerned to outline the substantial impact which gendered notions of citizenship had on the practice of child rescue during the first three decades of this century. The emphasis on gender, however, should not divert us from the fundamental role which other social structures played in establishing the skirmish lines of these struggles. Within the broad ideological template which presented children as worthy of rescue and their parents as villains, child rescuers' estimations of the salvageability of particular children and their families were expressed in their constructions of "racial" and "ethnic" categories.

Chapter Five

“A Natural Aptitude for Citizenship”: Race, Ethnicity, and the Practice of Child Rescue.

“... I would remind you that the great law of the survival of the fittest applies equally to the nation as to the individual. The nation which has the largest number of physically sound, intellectually developed and morally controlled individuals is the nation that is going to survive. To-day, as never before, nation is brought into competition with nation. In such competition the child, as an asset above all others, is to be prized.”¹

Through the introductory chapters of this dissertation, I have outlined the significance of citizenship in the development and operation of public policy in the earliest stages of the welfare state in British Columbia. Early advocates of welfare policies like Marsh (1943), Marshall (1950), and Titmuss (1976), justified public provision as a means of ensuring a political leveling of citizens economically and culturally stratified by capitalist productive relations. The three chapters which follow will add important contour to these traditional discussions by examining some of the ethnic, racial and gender dimensions of citizenship as reflected in the practices of the V.C.A.S.. This chapter will begin the process by highlighting the significance of socially constructed categories of “race” and “ethnicity” in framing the child rescue project in British Columbia.

¹ *Annual Report* 1918, p. 26.

Child rescue as practised in the early twentieth century must be understood as a fundamentally eugenicist project². As such, child rescue was premised on a variety of socially constructed distinctions between individuals who supposedly, through genetic or cultural inheritance, had markedly differing "natural aptitudes for citizenship".

In some respects, these constructed categories found legal and organizational expression. For example, the Society had no legal power to intervene in Catholic families. Similarly, the existence of a "Home for Orientals" in Victoria, ensured that "Oriental children [did] not figure in the work of the general (sic) child caring institutions except as isolated instances, usually those of infants" (*British Columbia Child Welfare Survey* 1927, p. 89).³ Of course the most obvious such manifestation was the extensive network of residential schools developed to "educate" the province's "native" children. In other instances examined in this chapter, the "racial" and "ethnic" categorization of individuals was less explicit, but no less pivotal in its effects on the assumptions and decisions of officials.

Throughout this chapter, and those which follow, I will plot the effects which these categorizations had on the practice of child rescue in early twentieth-century British Columbia. Several commentators have cautioned against the utilization of such social constructions. For example, Miles (1982)

² McLaren (1990, p. 15) notes that Galton coined the term "eugenics" to describe "the study of agencies under social control that may improve or impair the racial qualities of future generations, either physically or mentally".

³ The *British Columbia Child Welfare Survey* (1927, p. 89) noted that "the policy [of the Home] is directed towards fitting the girls, if they wish, to go to their own countries and render service..."

argues that sociological analyses which uncritically adopt "race" as an analytical category, "[come] to constitute yet another moment in the process of legitimating the world of appearances by reflecting back on it categories which the sociologist derived directly and unquestioningly from it" (p. 35). Such cautions are certainly valid. Nonetheless, as will be detailed in the discussion which follows, social constructions of "race" and "ethnicity" were fundamental to vision of child rescuers. They were reflected in their stated motivations, their justifications and their legal and organizational structures. As such, these categorizations had real consequences for families who approached the Society regardless of the degree to which they corresponded with their own social identity. As Li (1990) notes,

"... Race and ethnicity take on social meaning and importance when physical and cultural traits are paired with social attributes, such as intellectual, moral, or behavioural characteristics. Whether such associations are alleged or real is often irrelevant. What is important is that the dominant group has the power to define socially what constitutes a subordinate group, using physical and social features." (pp. 5-6)

Throughout its early history, the V.C.A.S., like many other child rescue organizations in North America, presented its work in terms of the cultivation of a new generation of citizens (cf. Bellingham 1983, pp. 310-315; Gordon 1988, pp. 27-37). As outlined in Chapter Four, at the level of individual salvation the ideological effectiveness of this project hinged on the Society's ability to label neglectful parents. The Society's broader goal of cultivating the next generation of "Canadian" citizens relied for its rhetorical effectiveness on the construction of a similar dichotomy -- a race⁴ of "Canadians" in danger of being over-run by masses of "immigrants".

⁴ For the benefit of the reader, in the discussions which follow I will eschew with the use of quotation marks when referring to the problematic terms of race and ethnicity.

We have been very active of late years in our efforts to increase our population. We wanted our land taken up and our resources developed. From all parts of the world we sought to draw immigrants, and, although they were the best that could be got at the time, some of those immigrants have not been of the most desirable character.

All the time we were neglecting hundreds and thousands of lives that if properly dealt with would have constituted the most desirable material, out of which to manufacture the best Canadian citizenship. That was not good business..."⁵

In this sense, child rescue assumes a historical position among the many agencies expressing public dismay over the "racial degeneration" which seemed the likely outcome of Canada's immigration policies at the turn of the century. In his examination of the eugenics movement in Canada, Angus McLaren documents the breadth of such beliefs among Anglo-Canadians (1990, pp. 46-67). Like the V.C.A.S. Official cited above, groups like the Church of England Council for Social Service, the Canadian National Committee on Mental Hygiene, the National Council of Women, the Social Service Council of Canada, and the National Child Welfare Association argued during the first three decades of the twentieth century that immigrants had contributed greatly to the "national burden of pauperism, vice, crime and insanity" (McLaren 1990, p. 46).

While many of these organizations agitated for changes to Canadian immigration policies -- in effect, damming the 'flood' of immigrants -- others adopted a strategy focussing on the "Canadianization" (McLaren 1990, p. 47) of young immigrants and the first generation of Canadian-born children. In

⁵ *Annual Report* 1911, pp. 20-21.

his introduction to J. S. Woodsworth's *Strangers Within Our Gates*, first published in 1909, J. W. Sparling attempted to convey the gravity of the challenge.

"For there is a danger and it is national! Either we must educate and elevate the incoming multitudes or they will drag us and our children down to a lower level. We must see to it that the civilization and ideals of Southeastern Europe are not transplanted to and perpetuated on our virgin soil."
(Woodsworth 1972, p. 8)

Clearly, members of the V.C.A.S. shared this concern. One Board member noted that although "it was a poor, short sighted policy to bring in adults of alien races of low ideals, who have no natural aptitude for citizenship, ... their children or children's children may make good citizens."⁶ As we shall note shortly, clear boundaries limited the application of this strategy. Some groups were deemed "non-assimilable": inherently unworthy of the burdens of Canadian citizenship.

Within the present study, the most extreme example of the Vancouver Children's Aid Society being utilized to "Canadianize" a culturally and politically distinct community occurred in 1927. In September and October of that year, seven Doukhorbor girls were taken from their families and placed in the Children's Home⁷. Simultaneously, a number of male children were placed at the Boy's Industrial School.

⁶ *Annual Report* 1911, pp. 20-21.

⁷ Case numbers 3818, 4224, 3905, 0611, 2707, 5017, 4814.

Correspondence surrounding the incident clearly indicates that the removal of the children was intended to serve a dual purpose. Most obviously, the children were to provide useful leverage in encouraging 'civilized' behavior among their parents. Writing to Laura Holland, Manager of the V.C.A.S., on August 31, 1927, Superintendent of Neglected Children Thomas Menzies advised her to expect the children shortly:

"The Government has decided that they will take away the children for six months and have them educated and cared for on the understanding that if the Doukhobors behave themselves the children will be returned to their homes at the end of that time but we want to keep the children's whereabouts secret or we might have a parade staged by the parents in Vancouver."⁸

As importantly, government officials apparently held out some hope that the time spent in "Christian institutions" like the Industrial School of the Children's Home would have a salutary effect on the children's character, hopefully preparing them to shoulder their responsibilities as young Canadians. A memo from then-Attorney-General O. C. Bass to the Provincial Secretary explained that,

"The policy is to scatter the children as much as possible in environments where they will get a proper conception of what living conditions should be in a Christian country."⁹

The fundamentally political nature of child rescue, so evident in the public documents examined in Chapter Four and in the progressivist and revisionist historiographies which mined them, seldom finds as clear an expression in the Society's case files as it does in this case. In the vast

⁸ Case number 5017. Confidential Memo from Menzies to Holland, August 31, 1927.

⁹ Case number 5017. Memo from Attorney-General O. C. Bass to P. Walker, Deputy Provincial Secretary, Sept. 14, 1929.

majority of cases encountered here, familial and gender structures effectively combined to depoliticize the struggles waged between Society agents and the men, women and children with whom they were involved. For example, women's resistance to the demands of their maternal and conjugal responsibilities were interpreted as the "unnatural" or "unwomanly" acts of individuals rather than being placed in the context of age, class, gender, and race struggles.

While the political nature of their project was crucial to the public image of child rescue, it was equally crucial that individual cases were effectively depoliticized through the apparently neutral standard of parental "neglect". The Doukhobor children in this case presented insurmountable problems for the functioning of the Children's Home as the increasingly desperate correspondences of Miss Holland demonstrate. Writing to Superintendent Menzies shortly after the arrival of the children, she notes her inability to deal with the girls as "ordinary neglected children".

"These children have already shown an attitude of mind which suggests they are not going to be willing to conform to the ordinary routine of any institution. Naturally we are making no demand at present, merely trying to keep them satisfied. So far the girls have refused to wash, have stated (through the one who speaks English) that they do not wish to speak English, and they are going to do no work. They have spent considerable time today singing Russian songs. I merely mention this to show that these children cannot be treated as ordinary neglected children.

... We cannot keep girls of 14 and 15 years of age in complete idleness for any length of time without it resulting in some problem...."¹⁰

Two days later, a telegraph revealed the growing tension within the Home.

¹⁰ Case number 5017. Reply from Holland, Sept 11, 1929.

"Adoption committee think it important Government representative confer with them regarding their wishes re children sent recently to us stop. While children in years they are adults in attitude and refuse to do anything and we suspect them of planning to outwit those in authority stop. Some parents arrived today and we are at disadvantage until we have further information stop."¹¹

Finally, having proven themselves unwilling (and, perhaps "unworthy") objects of rescue, the girls were transferred to the Industrial School for Girls under the provisions of the *Infants Act*¹².

In these discussions, The Provincial Superintendent's vision of the Society as a colonizing force conflicted not only with Miss Holland's organizational concerns, but also with the Society's approach to other visible ethnic and racial groups in British Columbia. The racial and ethnic characteristics of the families whose experiences are recorded in the case files of the Vancouver Children's Aid Society suggest that it is inaccurate to describe the practice of child rescue as a proactive attempt to "Canadianize" the province's inhabitants. The fundamental role which race and ethnicity played in structuring the policies and practices of the Society hinged on the Society's professed goal of preserving "the most desirable material, out of which to manufacture the best Canadian citizenship"¹³.

¹¹ Case number 5017. Telegraph from Holland to Menzies, Sept. 13, 1929.

¹² *Infants Act* R.S. 1911, c. 107, s. 59 stated that if, following committal as a neglected child, "it is established by satisfactory evidence, in the opinion of the Minister, that a child may be better cared for and educated in an industrial school or refuge for boys or girls, the Minister may, at the expense of the Crown, cause the child to be removed to one of such institutions, in or outside of the Province... for a period not extending beyond the time at which the child attains the age of eighteen years, but not exceeding in any event three years..."

¹³ *Annual Report* 1911, pp. 20-21.

Consistent with most Anglo-saxon, Protestant social reformers at work in the country, agents of the V.C.A.S. appeared to have operated with a concept of national identity which bore little congruence to history or genetics. The struggle to constitute a "Canadian" race which embodied the respect for authority, self-control and self-regulation required of responsible citizens in a western democracy is reflected in Woodsworth's opening chapter, "Who are we?".

"... There has not been sufficient time to develop a fixed Canadian type, but there is a certain definite *something* that at once unites us and distinguishes us from all the world besides..." (1972, p. 16)

As Valverde describes, this "certain definite something" corresponded roughly to "Britishness, a peculiar mixture of social order and individual freedom, [which] functioned as a sign of both sexual and civic self-policing" (1991, p. 105).

Other ethnic and racial groups were ranked in relation to these ideal "Canadians" resulting in a hierarchical catalogue which was widely accepted but subject to little critical scrutiny. An influential example is found in Woodsworth's taxonomy, originally published in 1907, which ranks immigrants according to his estimation of their aptitude for Canadian citizenship (Woodsworth 1972). Ranking the groups from most to least assimilable, he discusses immigrants from the following assortment of geographic, ethnic and racial groups: Great Britain, the United States, Scandinavia, Germany, France, Southeastern Europe, Austria-Hungary, The Balkans, The Hebrews, the Italians, the Levantine races, the Orientals, the

Negro and the Indian.¹⁴ As illustrated in Table 5.1, children coming into the Society's care were typically categorized within those groups deemed most assimilable by social reformers like Woodsworth. A large majority of the children in the present sample had at least one parent whose "nationality" was traced by officials to either Great Britain or Canada.

TABLE 5.1
PERCENTAGE BY "NATIONALITY" OF NATURAL PARENTS¹⁵
(1901-1930)

	Mother		Father	
	Pct of Children		Pct of Children	
Gr Britain	38.4	(76)	44.9	(89)
Canada (Caucasian)	21.2	(42)	17.7	(35)
W. Europe	10.6	(21)	11.1	(22)
America	5.6	(11)	10.6	(21)
Scandinavia	2.5	(5)	3.5	(7)
Canada (Native)	10.6	(21)	2.0	(4)
E. Europe	2.0	(4)	1.0	(2)
Asia	1.0	(2)	1.0	(2)
Other	2.5	(5)	4.0	(8)

For reference purposes, Woodsworth (1972, p. 20) reports that in 1908, the most common birthplaces for British Columbian residents included Canada

¹⁴ See Valverde's discussion of the fictive construction of an Anglo-Canadian "race" and the hierarchical ordering of "others".

¹⁵ Section 5 of the *Children's Protection Act* required that Judges include in their orders of committal "a statement of the facts, so far as ascertained, as to the age of such child, name, nationality and residence, and occupation of parent..." (See Appendix E. Emphasis added) Although clearly not based on nationality alone, these categorizations reflect the understandings of race, ethnicity, and nationality which structured the Society's policies.

(55.7%, about 14% aboriginal¹⁶, the remainder Caucasian), British Islands (17.4%), United States (9.6%), and China (8.2%).

The Vancouver Children's Aid Society was clearly selective in its efforts to identify and cultivate citizens among British Columbia's children. Their policies and practices reflect the belief that the most strategic response to the threat of "racial degeneration" was to preserve and nurture children whose heritage made them "the most desirable material, out of which to manufacture the best Canadian citizenship". Child rescue was quite consciously regarded as an important "positive eugenic" strategy which complemented the "negative" strategies of restrictive immigration policies and sterilization.¹⁷

"...what is the sense of paying money to get people into the country and allowing our own boys and girls - Canadians - to go to the dogs, when by the expenditure of money - by God's providential hand - we can make good citizens out of them?"¹⁸

Once again, examination of the deployment of child rescue in Vancouver in the early twentieth century challenges some commonly accepted historical characterizations. The V.C.A.S. seems to have shown great restraint in "policing" those racial and ethnic groups which many British Columbians felt, in the early twentieth century, posed the greatest threat to "white Canadians".

¹⁶ Reported in Valverde (1991, p. 108).

¹⁷ As will be discussed further in Chapter Ten, these strategies often converged in cases involving children accused of sexual promiscuity.

¹⁸ *Annual Report* 1909, pp. 11-12.

In turn of the century British Columbia, Aboriginal and Asian residents attracted particular attention from the rapidly growing white protestant population and the widely circulated writings and speeches of moralist clergy, social reformers and politicians. For both activists and the white protestant public, these categories remained largely undifferentiated including, in the case of "Asians" or "orientals" peoples of Japanese, Chinese, Indian and numerous other extractions. These residents of the province were regarded not only as non-citizens (an accurate appraisal given their exclusion from the most basic democratic rights), but as inherently unassimilable. Woodsworth (1972) concludes his chapters on each of these groups by stating:

"[While] many are devout Christians living exemplary lives, but there are still 10, 202 Indians in our Dominion, as grossly pagan as were their ancestors, or still more wretched, half civilized, only to be debauched..." (p. 160)

"Certain objections hold good with regard to all these Eastern peoples. It is true that they may be able to do much of the rough work, for which it is difficult to secure sufficient white labor; but where they enter, the whites are out, and out permanently. They constitute an entirely distinct class or caste. They have their own virtues and vices; their own moral standards and religious beliefs. The Orientals cannot be assimilated." (p. 153)

During the time period under study, Asian families were seldom the subjects of Vancouver Children's Aid Society case files. As mentioned earlier,¹⁹ a separate Home for Orientals, which operated in Victoria, was regarded by protestant child rescuers as a more appropriate placement. In addition, the legal and economic barriers which confronted Asian immigrants wishing to bring family members led many (particularly in the early years of the twentieth century) to regard their time in Canada as a "sojourn".

¹⁹ See footnote 3 above.

Although the number of Asian immigrants settling permanently in British Columbia likely grew steadily during the period of this study, at least one commentator is of the opinion that the establishment of Asian residents outside of traditional unskilled occupations had "little more than begun by 1939" (Ward 1989, p. 272).

Among the cases sampled, only three involved children of Asian heritage. In one instance, a juvenile girl apparently brought to Vancouver from China as an indentured servant was apparently immediately placed in the Oriental Children's Home in Victoria²⁰. The case attracted a significant amount of press coverage with its lurid accounts of the child's life in the City's "Chinatown" district.

A second case involved an illegitimate child of mixed Chinese and English parentage committed by her young Chinese mother immediately after birth. Guardianship for this child was transferred directly to Charles South by an indenture signed by the child's grand-father. South immediately indentured the child to a Chinese family living on Vancouver Island²¹. This transaction was unique among the cases sampled for this study, and one might conjecture that this process served the interests of South by allowing the Society to avoid any long-term responsibility for the child while protecting the anonymity of the natural family within the relatively small Chinese community on the lower mainland.

²⁰ Case number 2113.

²¹ Case number 2008.

Finally, an orphaned child who had lived alone with his Chinese father following the death of his native mother was placed by foster agreement²². Like all of the oriental children encountered in the study, this child spent no time in the Children's Home and there is no correspondence indicating any contact after placement.

The final section of this chapter looks in much greater detail at the Society's involvement with children of native descent. The relationship between British Columbia's child rescue authorities and the province's native communities has drawn significant attention during the last three decades. In his study of the formation of Australia's child welfare system, Robert Van Krieken (1991) argues that while the functionalist models of revisionist and progressivist welfare historians are often insensitive to the complexities of the Australian experience, it *is* historically accurate to describe state intervention in the lives of Aboriginal families primarily in terms of coercive social control.

"The 'child welfare' system set up specifically for [Aboriginals] early in the twentieth century was by definition a system of domination deliberately designed to eliminate their parents' culture and society. For them the social control arguments *do* apply, as it was a wholly unwelcome system designed by members of an alien culture to radically transform theirs, through the systematic removal and resocialisation of the rising generation." (p. 144)

I argue in the following section that this claim must be modified in the case of early twentieth century British Columbia. During the period under study, the Vancouver Children's Aid Society sought, in practice if not explicit policy, to avoid involvement with native families. In large part, this

²² Case number 5214.

reflected the fact that, while the main sources of public funding for child rescue were provincial and municipal, native Canadians were under the jurisdiction of the federal Department of Indian Affairs. During the first half of the twentieth century, these federally-funded residential schools functioned explicitly to eliminate native culture, language and life-patterns in British Columbia (cf. Furniss 1992; Haig-Brown 1988; LaViolette 1973; Raibmon 1994; Redford 1979). Thus, while Native Canadians certainly did endure the coercive expropriation of their children described by Krieken, Canadian child welfare agencies were not direct participants in the process until much later.

Beginning in the nineteen-sixties, Canada's federal government began, through a liberalized system of transfer payments, to encourage provincial child protection agencies to assume responsibility for native children. By 1988, a report commissioned by the Canadian Bar Association noted that "children of native ancestry are eight times more likely than children of other ethnic backgrounds to be apprehended by the child welfare systems in British Columbia and Ontario" (Desjarlais 1988, pp. 34). Ministry policies which effectively favored the "assimilation" of native children into white foster-families were also convincingly documented and stridently protested.

The clear racial distinctions which shaped the Society's policies toward Asian and Aboriginal children offer important insight into the nature of the child rescue project in the early decades of the twentieth century. Charles South and other child rescuers clearly regarded the racial and ethnic constructions which underpinned the mandates of the Oriental Children's

Home, the residential school system, and the Catholic and Protestant Children's Aid Societies as the only appropriate means of dealing with what they regarded as fundamentally different problems of regulation. While residential schools were engaged in the project of assimilation, agencies like the V.C.A.S. were concerned with the complementary strategy of shepherding the next generation of white protestant citizens.

"For they are Indians if they have been brought up as Indians": Child Rescue and Native Canadians

In his study of the formation of Australia's child welfare system, Robert Van Krieken (1992) notes the common-place colonial assumption that indigenous peoples who had not been "civilized" were, by definition, "inappropriate and improper" to function as parents (p. 96). More specifically, as non-citizens, indigenous peoples under colonial domination were by definition incapable of aiding in the creation of a self-regulating citizenry.

In their published reports, correspondences and case notes, officials of the V.C.A.S. frequently illustrate that native families, in and of themselves, constituted an environment sufficiently threatening to their children to justify intervention. In the Society's first Annual Report (1902-1903, p. 17), a curious summary of the year's "Work in Vancouver" enumerates the primary causes which brought children under the Society's care. The causes cited are "Drink" (11 cases), "Poverty" and "Orphans/Relinquished" (6 cases each), "Ill treatment" and "Delinquency" (2 cases each) and "Immorality" (a single case). Finally, one case is recorded simply as "Indian".

The low regard in which officials of the Vancouver Children's Aid Society -- and later the Superintendent of Neglected Children and other members of the Provincial Secretary's office -- held native families is a consistent feature of the documents uncovered in this study. However, in contrast to the logics which might be found in post-war discourse on child welfare policy, the concern was limited to a condescending pity for the plight of young native children and a concern for the moral effects of "the mingling

of the races" on the Caucasian population. For at least the earliest years of this study, the policies of the Vancouver Children's Aid Society did not reflect a concern for developing young "citizens" among indigenous communities.

Generally, Charles South resisted any attempt to have the Society charged with the care of children of native heritage. In many cases, the role of racial and ethnic considerations in South's decision-making processes remained unspoken but seldom unclear. For example, although not explicitly articulated, race likely was a factor in South's refusal to become involved with the following case, brought to his attention by a Government Agent in Yale.

"... There is a quarter-breed female child here (illegitimate) whose mother is obliged to go out as a general servant and who cannot therefore look after the child, who will be two years old in September next. The child has been left in the care of its grandmother, a full blooded Indian woman who is living with a chinaman here, but of late the grandmother has taken to abusing the child, and this morning ordered the girl to take herself and child away from her house.

The child has marks on its face which its mother says are the result of punches with closed fist by the grandmother. The child's mother asked me to write you and find out if she can have it placed in your care as owing to circumstances she cannot now look after it and work for a living. There is a chance of her getting married in a few months and she could then take the child back.

In my own opinion if the child cannot be taken care of it will force its mother into living by prostitution and spoil her chances of marriage, and from what information I can gather she has kept straight since the birth of the child."²³

The case above is informative in a variety of respects. In addition to illustrating the Society's selectivity in accepting cases, it is also notable for

²³ Add. Ms. 672, Vol. 147. Letter from L. A. Dodd, Gov't Agent, Yale to South. July 21, 1914.

the fact that the custodial parent took substantial initiative in approaching South through the mediation of Government Agent Dodds. In this respect, it differs fundamentally from most sampled cases involving parents with an acknowledged native heritage.

Whereas over one-third of all cases were brought to the Society's attention by either custodial (46/154 families) or non-custodial parents (7/154 families), cases involving native or part-native parents were much more likely to originate from complaints made by community members, or police or government officials (7/10 families). This finding raises the important issue of the role of the local communities in "policing" native families -- the extent to which cases were "delivered up" by locals who were socially enabled to do so (even if these reports were often not pursued by the Society).

Towards the end of the period covered in this study, then-Superintendent Laura Holland inquired into the circumstances which had brought a group of four siblings into the Society's care. The family was of partial native ancestry, and the oldest boy had recently succumbed to tuberculosis at the age of fifteen. Unable to gain a satisfactory understanding of their past from the children themselves, Holland wrote to a former neighbor in 1929 inquiring about the family's social history. He replied that he had first become acquainted with the father, Thomas Jackson, while he was living with "a Haida squaw". He explained that the woman had a young daughter named Tessie.

"As to whether [Jackson] was the father of the girl [Tessie], I don't know, but he lived with the mother when the girl was very young and when she reached about the age of thirteen years she became pregnant. The mother who was in the same condition at

the same time discovered the facts of her daughter's case and accused [Jackson]. A row ensued and the mother died. No serious inquiry was made by the authorities and [Jackson] continued to live with [Tessie] when her child - a girl - was born. It died within a day or so of birth. [Tessie] told me she did not know what [Jackson] done with it!"

Between 1910 and 1919, Tessie bore four children. She finally died late in 1919 of tuberculosis, leaving Jackson with four children, ranging in age from the infant to a nine year-old daughter. Shortly after Tessie's death, her Haida relatives came to claim the children. Jackson refused to release the children, reportedly declaring: "My children shall be white"²⁴. Jackson "continued to raise them under the very worst conditions" until July, 1926 when "he lost his life by falling out of his boat while drunk."²⁵

The Jackson family clearly represents one of the most extreme family histories encountered in the present study. Equally fascinating, however, was the response of the wide range of state officials, community organizations and individual community members who were clearly familiar with the family and its plight. Whether restrained by fear²⁶ or indifference, available evidence suggests that the community, like the authorities who made "no serious inquiry" into the death of Tessie's mother, chose to leave Thomas Jackson's family to their own devices. It is clear that this family was tolerated if not embraced by the community for a number of years.

²⁴ This quote is drawn from a local news article. Full reference is withheld to protect client identities.

²⁵ Case number 2805. Letter from community member replying to inquiry by L. Holland concerning social history, April 27, 1929.

²⁶ There is in fact, reason to believe that the man referred to here as Thomas Jackson represented a particularly threatening figure. Materials from a local museum document the feats of strength and pugilistic accomplishments of this individual. Again, specific references are withheld to protect client privacy.

Eventually, community members did contact the Children's Aid Society. However, in a pattern repeated in many of the cases involving children of native heritage, this occurred only when the children had become virtually completely dependent on the community.

"The children were then neglected. Neither the church nor the Women's Institute would have anything to do with them. When Christmas 1926 arrived they were destitute and hungry. Learning the facts my wife fed them until the authorities took them away..."²⁷

A similar pattern emerges in the following case, referred to South by a stipendiary magistrate living in the vicinity of Hazelton, B.C. in 1920.

"There is a family residing in the neighbourhood of Hazelton by the name of Wilson. Henry Wilson is the father, who some years ago, married a young Indian woman named Maggie.....

In the past two or three years I have personally known the mother of these children to be 'no good' she leaving them for days together absolutely unattended until the neighbours have taken compassion on them. These occasions have been intermittent, but things have now come to such a pass that it is deemed that the authorities should step in.

For some months past Maggie, has been leading a dissolute life, drinking, etc., and has now left her husband, children and home. Wilson himself recently attempted to commit suicide....

If the children are committed to your home, are you prepared to receive them?"²⁸

Once again, despite the existence of social circumstances which resulted in apprehension in other cases, South refused to take responsibility for the

²⁷ Case number 2805. Letter from community member replying to inquiry by L. Holland concerning social history, April 27, 1929.

²⁸ Case Number 3312, Letter from Stipendiary Magistrate to South, Apr. 3, 1920.

children. He replied to the Magistrate that, "... we are crowded to the doors, and there would be no possible means of taking half-breed children in our Home".²⁹

Despite this reluctance to assume responsibility for children of native heritage, South did intervene in some instances. Before discussing the various factors which brought children of native heritage into the care of the Vancouver Children's Aid Society, it is necessary to comment generally on the typical family structure and social circumstances which characterized the ten families whose twenty-five children were the subject of this analysis.

In each case, the involved family was inter-racial in composition. Generally, these families involved native women living in long-term common-law relationships with Caucasian men (8/10 families).³⁰ All of the children of native heritage studied here lived with their families in rural communities where the significant gender imbalance among immigrants and their daily interaction with indigenous peoples made mixed-race families much more common and mediated against some of the most blatant racist attitudes found in urban centres (Barman 1994). Like the cases outlined above, these families often benefitted from a level of support from their community and local government agents which did not differ significantly from that upon which Caucasian families could reasonably expect to draw.

However, once their circumstances were brought to the attention of 'outsider' agencies such as the Vancouver Children's Aid Society, these

²⁹ Case Number 3312, Reply from South to Stipendiary Magistrate, April 7, 1920.

³⁰ In two cases, children were apprehended from the custody of single "native" fathers.

families often encountered a much less accommodating set of attitudes. In particular, in the case of mixed-race families, the Society was quick to condemn two common characteristics: commonlaw unions and the consumption of liquor.

By comparing some of the circumstances which led to the apprehension of "native" vs. "non-native" children, it is possible to outline some of the ways in which constructions of race and attendant assumptions concerning social circumstances structured the Society's policies.

TABLE 5.2
SELECTED FACTORS LEADING TO APPREHENSION
(NATIVE CANADIANS VS. ALL OTHERS)
(1901-1930)

Circumstance	Non-Native		Native	
	No. of Children	Pct of Cases	No. of Children	Pct of Cases
Fa. Death	20	7.5	13	52
Fa. Deserts	99	37.4	2	8
Fa. Truancy	14	5.3	6	24
Fa. Mental Ill	7	2.6	4	16
Fa. Alcohol	51	19.2	9	36
Fa. Sexual	36	13.6	6	24
Mo. Dead	48	18.1	10	40
Mo. Deserts	58	21.9	9	36
Mo. Neglectful	63	23.8	10	40
Mo. Alcohol	39	14.7	11	44
Child Illeg.	31	11.7	5	20
Child Orphaned	7	2.6	6	24

Non-Native children: 265 valid cases
Native children: 25 valid cases

In comparison to non-native children, native children in the care of the Vancouver Children's Aid Society were much more likely to have come into care due to the death of at least one of their parents. An exemplary case from 1911 involved six children of mixed descent whose plight was brought to South's attention by a local Magistrate, Ashton Spilbury.

"I am writing to you on behalf of a family of six children consisting of one girl and five boys, ages, 18 months to 15 years.

Their mother died last winter - they have a father but he is improvident (partly indian) and he has left them to the care of his deceased wife's sister at Whonnock, and she is a widow without means and with children of her own and she also cares for her aged father and tries to support them all by taking in washing."³¹

Several months later, a concerned community member wrote to South, again requesting assistance for the children's heavily burdened aunt. South's reply reflects a common characteristic of many of these cases: the efforts of a number of agencies to avoid assuming responsibility for children of mixed race. Case records do not indicate any assistance being given to this family.

"... This matter was reported to me some time ago, and I have understood that the relatives of the children were Roman Catholics, and as a consequence I forwarded all the papers to the Roman Catholic Superintendent. He has returned everything to me saying that in his opinion the children do not belong to his church. Then I placed the matter in the hands of Inspector Green with a view to having the children sent to the Chilliwack Home, but yesterday he returned me the papers and informed me that he could not place the children there. As far as the Children's Aid Society Home is concerned, although the Directors have spent so much money on the building, the number of children coming in has been far beyond anything that could have been anticipated, as a consequence the Home has been overcrowded.....

³¹ Case number 1912. Letter from Ashton W. Spilbury, Mag. to South, June 12, 1911.

My advice to Mrs. Gardner is this, that she immediately, and some of your friends can help her, make a claim on the municipality to assist her with the maintenance of her children out of their funds which are provided for that purpose....

I may tell you for your information that there is not a Children's Home of any description either in Vancouver or elsewhere but what is crowded; and, of course, whilst it seems too bad, and I feel it is too bad to leave Mrs. Gardner in the plight which she is, yet we cannot turn out other children to make room for the children she is burdened with."³²

This case is exceptional in that it involves children whose father was partially native. As noted above, the typical racial composition of the families in the sample was a Caucasian father and native mother. From the perspective of child rescuers, the death of the (usually Caucasian) father added a racial consideration to the more basic economic and "moral" concerns which will be elaborated upon below. As reflected in Table 5.2, over one-half of all native children in the Society's care were committed following the death of their father -- a rate seven times higher than for non-native children.

Although not such a striking contrast, native children were also more than twice as likely to have been committed following the death of their mother. As will be discussed in depth in later chapters, the death of a wife left fathers with a very different set of concerns than those which faced single mothers. Primarily, for single fathers, their ability to maintain their family depended on the location of a skilled source of domestic labor and child-care. In urban settings, men typically re-married at a much higher rate than did single mothers (cf. Bradbury 1993, pp. 184-185). In the rural, male-dominated areas from which most mixed-race families hailed, the

³² Case number 1912. Letter from South to Maggie Knox, Nov. 2, 1911.

opportunities for remarriage were probably extremely limited -- a factor likely reflected in some respects in the formation of the original family.

The unique gender imbalance in these communities likely also played a role in desertion rates among mixed-race families (cf. Barman 1994). While desertion by fathers was easily the most prevalent factor leading families to their involvement with the Vancouver Children's Aid Society, it was an exceedingly rare experience for mixed-race wards. Conversely, they were three times more likely than their non-native cohorts to have been deserted by their mother.

Finally, both fathers and mothers in rural, mixed-race families were more likely to be characterized as morally deficient by the Society's agents. For fathers, concerns about mental illness, heavy drinking, sexual impropriety and the encouragement of truancy were characteristics more common than among non-native families. The (usually native) mothers of these families were regarded as problem drinkers at a rate three times as high as their (usually Caucasian) counterparts in non-native families.

Ultimately, 40% of the native children who came into the Society's care did so in part because their mothers were deemed to be "neglectful". As my examination of the policies and practices of the Vancouver Children's Aid Society is developed below, the complexities and gendered specifics of this concept will be highlighted. For the present, it is sufficient to illustrate, with several case studies, some of the common physical and moral factors which were deemed to constitute "neglectful" maternal care.

In 1908, Charles South received correspondence from Reverend W. T. Rushbrook of St. John's Rectory, Port Essington. The Reverend was concerned about the daughter of a local native woman and her British expatriot spouse who had been committed to the Society's care some months previously. The Reverend wrote:

"Some time ago while I was absent from town, judgement was given by which Elsie Timms of this town was handed over to the care of your association. Mrs. Timms was at the time living with a man named Ben Moore an engineer somewhat unsteady, but making good money. I have since married the couple.

Now while the child is illegitimate, and the father has no legal claim, yet it is Mr. Moore's child and with the parents now man and wife, feel the loss of their only child very heavily. The mother has not recovered from the shock, and the father is utterly broken up. You may have done a little good to the child by its removal, but you are certainly doing a grievous injury to the parents....

I am informed that the chief reason of the child's removal was the state in which the parents were living (namely unmarried). This reason has now been removed.

May the parents get their child back again? Not only myself but some of those who were instrumental in having it removed would be pleased to see it returned to its parents. Since it is a half breed child it certainly will never have a better home than the parents are able to give."³³

South's reply appears calculated to shatter Reverend Rushbrook's portrayal of the Moore family as a respectable working-class family. Without implying any form of physical or emotional maltreatment, South nonetheless cites the threats posed by the child's moral neglect.

"... I regret to have to say that I take exception to some of your statements.

³³ Case number 3530. Letter from Rev. W. T. Rushbrook to South, Oct. 22, 1908.

When I left with Elsie, Mrs. Timms was not suffering any shock from the action taken... Possibly the 'shock' you speak of arises from the drink rather than from any action I may have taken. You say 'we may have done a little good to the child by her removal but you certainly have done a grievous injury to the parents'. The amount of good done to the child you are not in a position to judge and the child is to be considered before the parents who have lived in open immorality for so long. The parents have no legal rights over this child and cannot make any application to the Courts [on this] matter, but whenever the Society can build up the parents through a child and in some way in which the child will not suffer they are willing to do so....

The fact of Elsie being an halfbreed does not arise. She is a dear little girl who ought to and will have all the advantages given to every child in British Columbia. Mr. and Mrs. Moore must absolutely give up the drink before Elsie comes to them."³⁴

The "open immorality" practiced by Elsie's parents was widespread in the frontier communities of British Columbia. It took the form of non-sanctioned unions usually involving Caucasian men and native women. As Barman (1994) argues, these unions typically displayed many of the characteristics of fully sanctioned marriages with the exception that religious ceremonies were often not available. Despite the prevalence of these long-term unions in non-urban regions of the province, they were regarded as strong indicators of a compromised morality by men like Charles South. Further, as familial relations and state involvement became increasingly legalized during the early decades of the century, these racist assumptions had the potential to seriously impact the legal standing of native peoples.

In 1924, William Grayston was appointed Secretary of the V.C.A.S. following the passing of Charles South. One of the first cases with which he dealt involved a personal friend of South, who had previously had a foster-child forcibly "reclaimed" by the natural mother. Given his previous

³⁴ Case number 3530. Letter from South to Rev. W. T. Rushbrook, Nov. 9, 1908.

experiences, he sought to adopt this child through the provisions of the *Adoption Act*³⁵ of 1920 rather than relying solely on the standard foster agreement with the V.C.A.S.. The concerned child had been indentured to the Society by his native mother who had been widowed some years earlier. Using her husband's Scandinavian surname in her correspondences with South, she succeeded in arranging an indenture of the children to the Society without broaching the issue of race. South later learned that the youngest child was illegitimate and that his living father had contributed to his upkeep while in the mother's care.³⁶

In 1924, a lawyer representing the foster father contacted Secretary Grayston explaining that his client hoped to circumvent the *Adoption Act* requirement that consent of the living parents be obtained prior to an adoption order being made by the Court.

Some of your officers may remember that in the fall of 1922 [Foster Father] had an infant whom he had adopted informally, forcibly taken from him by the Roman Catholic Institution. It was shortly after this that he was given custody of the above named lad by yourselves....

As you know, before an Adoption Order can be obtained under the Act of 1920 certain consent is necessary unless it is dispensed with and notice served upon the parents. It occurs to me that possibly you may have obtained this consent from the parents of the lad when he was left with you, and I would be very glad to hear from you on this point

What [Foster Father] particularly wants to avoid is any recurrence of the trouble he had with regard to the other lad he wanted to adopt, and for this reason, if possible, does not want to have to bring the parents in at all at this date, because although they might have been quite willing to have had the child adopted two years ago, they might possibly have changed their

³⁵ *Adoption Act*, S.B.C. (1920), C. 2.

³⁶ The Thomasson case is further referred to in Chapter Nine below.

minds by this time and it would be a severe blow to him and his wife to have the parents at this time endeavor to regain the custody of their child, and if there was any possibility of this my client would probably decide to take a chance and let matters go on as they are."³⁷

Grayston replied explaining that the names and last known addresses of both parents were on file, to which the solicitor responded:

"... My greatest difficulty in connection with the matter is that of serving notice on the Mother, which is required by the Act in every case, with one exception contained in the 1922 amendment, where, if the child is illegitimate and the Mother cannot be found, her consent is not required. As there are very few properly solemnized marriages between these Indians and white people I think we would be pretty safe in concluding in all probability this lad is, strictly speaking, illegitimate...."³⁸

Ultimately, the child was adopted with the consent of the V.C.A.S. in lieu of either the mother or father.

Occurring as it does toward the end of the historical period examined in this study, this case is remarkable for its consistencies with the practices of "assimilation" which would become more evident in British Columbia's child welfare system in the nineteen-sixties. However, it is the manner in which race became linked to assumptions about family structure and, more fundamentally, familial morality which is most consistent with early twentieth century child rescue practices. Given the prevalence of non-sanctioned "marriages" among rural, mixed-race families, South's vision of "moral neglect" had the potential to be widely applicable throughout the

³⁷ Case number 1624. Letter from H.H. Boyle, lawyer for the Venuses to Grayston, March 21, 1924.

³⁸ Case number 1624. Letter from Boyle to Grayston, May 26, 1924.

province. Nonetheless, the Society continued throughout the first three decades of the twentieth century to resist intervening in native families.

Although the Provincial Secretary's office often over-ruled his objections, it is clear that South not only believed that the Children's Home was never intended to house native children, but that his arguments against such "impositions" would be self-evident to his superiors in the Provincial Government. One typical exchange involved two sisters of mixed-race who had been living with their unmarried maternal aunt until the latter exhausted her resources and was no longer able to care for the girls. At the urging of local officials, the girls were committed to the Superintendent of Neglected Children and Acting-Superintendent Brankin promptly had them shipped to the Vancouver Children's Aid Society. As in several cases encountered in this study, the fact that the children had a non-native father led the Department of Indian Affairs to deny responsibility for their care. In September 1921 and July 1922, South expressed his disapproval in letters to the Superintendent's office, suggesting that an alternative system was in place to deal with native children.

"I was very much surprised to hear from the Home that two Indian girls had been brought from the North, and that they were committed to the Superintendent of Neglected Children, but that you had re-committed them to the Children's Aid Society of Vancouver.

These girls were received in a most filthy condition, it being necessary to take the hair off their head, as it was so full of vermin.

It was never intended that any Children's Aid Society should be a receptacle for Indian children, and especially Indian children suffering from tubercular trouble. The Grandmother and Aunt, as your papers show, are tubercular, and have been sent to a Hospital where it is not probable that they will survive very long, and that the Indian Department, in their most generous way, has disclaimed their responsibility because the father, they say, was a white man, and has shifted all responsibility upon the Provincial Government, which I believe is a most improper thing for the Department to do. I am surprised that any Police Magistrate would commit these children to a Home such as the Children's Aid Society's Home is.

These children have lived in the Indian Village of Metlakatla, and why have they been brought from their surroundings, for they are Indians if they have been brought up as Indians, but certainly they are not fit to be in our Home.

I want to point out further that it is an astonishing thing that the Indian Agent and Doctor at Metlakatla should presume to foist these children upon either the Children's Aid Society or the Provincial Government. They are, as anyone can see, purely Indian Children.

... Yet, in view of all this, they are sent into a Home containing 160 boys and girls.³⁹

Clearly, South regarded children of native heritage as a source of both moral and physical contagion. Their supposed tubercular tendencies (not confirmed by the Home's resident doctor) were obviously only one element of the broader threat which these "purely Indian children" presented to the "160 boys and girls" living in the Society's Home. Despite the opinion of the Home's doctor that the children presented no threat to the physical health of the other children in the Home, it is clear that South regarded them as a threat to its overwhelmingly Caucasian population, as evidenced in his second letter to Brankin written some months later.

³⁹ Case number 3320. Letter from South to Acting Supt. of Neglected Children, Brankin. Sept. 15, 1921.

"... I am absolutely disgusted to think that nothing has been done and that my girls and boys in the Children's Home, that we try to keep healthy and strong and free from infectious disease, should be subjected to eyes full of matter, boils breaking out, etc., etc., which are contagious, I am sure, or shall I say infectious, and all because some man in Prince Rupert chooses to say that he thought the children ought to come to our home.... They should be in the Coqualeetza Home, and not in the Children's Home."⁴⁰

South's correspondences repeatedly reflect his concern that children of native descent presented a moral threat to the malleable Caucasian children in his charge. Although it will be developed more fully in later chapters, it should be noted here that the threat which these children posed was not solely a function of their race. Gender also played a crucial role in structuring South's lexicon of morality and young women of Indian descent were common subjects of his concern. He refers repeatedly to girls "governed very materially by [their] Indian nature".⁴¹

In addition to his concerns regarding the moral contagion which Indian children presented, South also had more practical reservations about taking these children into his care. In particular, the largely blue-collar, Caucasian families on which he relied for the placement of his wards were usually reluctant to accept children whose race or ethnicity differed substantially from their own. In one case, the Superintendent of the Vancouver Children's Aid Society wrote to the Provincial Superintendent with the exceptional request that she be allowed to place an African-American ward in a Roman Catholic household. The request explained that

⁴⁰ Case number 3320. Letter from South to Acting Supt. of Neglected Children, Brankin. July 5, 1922.
"Coqualeetza" refers to an Indian residential school located in Sardis, B.C. operated by the Methodist Church and funded by the Dept. of Indian Affairs.

⁴¹ Case number 240101. Letter from South to Cowichan C.A.S.. January 13, 1919.

the ward had "been a difficult girl to obtain work for, as... there seems to be on the part of many people, an aversion to taking into their home a coloured girl of this type."⁴²

Many potential foster families couched their concerns in terms of character traits which were ultimately reducible to the child's racial or ethnic background. In one case, a foster-father who had not previously voiced complaints regarding a young girl in his charge inexplicably returned her to Vancouver in January 1921. The girl carried a letter to South which explained:

"... Now another thing that I was very much disappointed about was when Ann got a good coat of tan to discover she was a half-breed Indian, and to be very honest with you had I known this fact I should never have chosen her, although I have never let her know that I know she has Indian blood in her veins...

P.S. I would like to say that I would have kept Ann notwithstanding the fact of the native blood if she had proven good."⁴³

South's difficulties in placing non-caucasian children in the foster-families on which the Society relied was compounded by the unwavering refusal of the Society's Board of Directors (with South's tacit concurrence) to allow placement of wards with non-caucasian families. This study did not uncover any cases where Caucasian wards were placed with non-caucasian families. Indeed, the response of both Charles South and other individuals involved in child rescue work in Vancouver leaves little doubt of the thoroughness of their resistance to this policy. In one case, Mr. D. Jennings of

⁴² Case number 1115, Letter from Holland to Menzies, Feb. 16, 1931.

⁴³ Case number 240102. Letter from Foster-father to South, January 3, 1921.

Port Essington wrote to Miss Penhale, matron of the Alexandra Orphanage, regarding a possible placement for one of the Orphanage's young inmates. Apparently unwilling or unable to nominate any of her own wards, Penhale forwarded the request to South who received it while he was in Nelson on Society business. The letter read, in part,

"... Yesterday an Indian and his wife called to see me and Mrs. Jennings to learn if they could adopt a little boy or girl of whom you have charge... They are legally married and are respectable people, moral in their lives. Their winter home is about 70 miles or so up the Skeena River. Mrs. Jennings told them you do not propose to allow any more of your orphans to come up this coast to be in charge of Indians....

I understand that up to date you have not sent out a pure white child to be in the keeping of an Indian man and woman. Please let me know your final decision on this matter..."⁴⁴

Although the letter appears to indicate that non-caucasian wards had previously been placed with native families, other cases suggest that the Society's reluctance to place wards in native families was not restricted to cases involving Caucasian wards. In fact, this unwritten policy was sometimes cited to deny claims by extended family wishing to assume care of native children who often had remained in the Children's Home for extended periods in the absence of other placement options. In 1925, a Government Agent working in Prince George wrote to South concerning two mixed-race girls in the Society's care.

"... I beg to advise you that Indian relatives living on the Shelley No. 2 Reserve... near Prince George are anxious to adopt these two girls... There is no doubt that the children are, to all intents and purposes, Indians, but you would, no doubt, wish to judge for yourself as to whether or not it would be in the best interests of the children to return them to the Indian mode of life..."⁴⁵

⁴⁴ City of Vancouver Archives, Add. Ms. 672, Vol. 136, File 2. Letter from D. Jennings to Miss Penhale, July, 22, 1902.

⁴⁵ Case number 1832. Letter from Pr. George Government Agent to South, January 15, 1925.

South replied that the Provincial Superintendent had intervened in the case and had transferred jurisdiction to the Catholic Children's Aid Society of Vancouver, but he noted that "[t]he policy of this Society is against placing children with other than white people."⁴⁶

The cases cited in this chapter have highlighted the eugenicist nature of child rescue as practised in early twentieth century British Columbia. The determination with which the V.C.A.S. sought to avoid "fostering the dependency of Indians" and other visible racial and ethnic groups on its resources is striking and provides an important historical context for the explicit policies of assimilation which characterized later periods. As Valverde (1991, p. 107) observes, "... the precariousness of white/European western Canadian life" likely played a considerable role in shaping "the [vigorous] efforts to invent a 'native' Anglo-Canadian tradition... there".

In the discussions which follow, the impact of race and ethnicity on the practices of the V.C.A.S. are, to some degree, submerged by the homogeneity of the Society's clients. While the following chapters focus most explicitly on the effects of gender and social class in structuring the Society's vision of "the most desirable material" from which to fashion Canada's coming generation of citizens, race and ethnicity undoubtedly helped to shape the margins within which this programme was implemented.

⁴⁶ Case number 1832. Letter from South to Pr. George Government Agent, February 5, 1925.

PART III

Chapter Six

“Privileged Characters”: Single Fathers and the Practice of Boarding

“The public world of universal citizenship is an association of free and equal individuals, a sphere of property, rights and contract - and of men, who interact as formally equal citizens.” (Pateman 1989, p. 183)

The previous discussion raised very clearly the importance of the distinction between charity and justice for the members of the nascent Vancouver Children's Aid Society. For them, a child welfare system based on notions of justice, as opposed to charity, implied accountability, responsibility and, most importantly, public authority. It thus presented itself as an important shift in strategies of public guardianship and aid provision to families in early twentieth century British Columbia.

As we have also seen, students of welfare state development have often approached this extension of public power with a marked degree of cynicism. It has been described primarily in terms of the dissolution of older systems of community and charitable aid and its replacement by public officials and secular professionals. Andrew (1988, p. 65) captures this sense of loss when he notes that "a circumcision of the heart is the condition of rebirth into the rule of rights" (cf. Lasch 1977, pp. 1-21).

The cases which follow will, in part, support the contention that the historical movement from a charitable system of provision to a system

structured primarily by law and contract disadvantaged many. I will also seek to balance this portrayal by further developing the already noted continuities evident in the movement from orphanage to children's aid societies.

The four chapters which comprise Part III of the dissertation describe in greater detail the complex relationship between the Vancouver Children's Aid Society and their client-families and illustrate that much is lost by analyses which focus exclusively on the extension of repressive social control. Consistent with the recent literature on "citizenship" outlined in Chapter One, the interaction between the Vancouver Children's Aid Society and its various "clients" was selectively constraining and enabling.

The following four chapters focus on the experiences of single parents who came into contact with the Vancouver Children's Aid Society. This undertaking is relatively novel and allows us to add an important dimension to welfare historiographies which limit themselves to organizational analysis. In the final analysis, the notions of state, charity and justice, which played such an important role in the Board's self-portrayal, were equally important to clients.

Many clients were not simply targets of expanding public powers but were active petitioners who approached these self-proclaimed public institutions with clear expectations of their rights as citizens and rejected attempts to portray them as merely beneficiaries of munificence. Justice, for them, was received without obligation, without compromise, and without dependency. These new expectations represent an important and seldom-studied accompaniment to the expansion of public powers commonly

described in welfare state historiography and throw light on the process through which these earliest forms of public welfare provision reflexively created men and women sensitive to their respective roles as "citizens".

By focussing on the claims of single parents and the response of the Vancouver Children's Aid Society, I am able to illustrate that the effects of welfare programs are shaped as much by refusal as by provision. This observation may appear facile, but it has often found little expression in welfare state historiographies which characterize state expansion solely in terms of the amplification of "social control". For many of the families studied here, the removal of their children was only one element in a complex process of request, refusal, and negotiation. For example, in almost 15 percent of the cases examined, parents who initially approached the Vancouver Children's Aid Society requesting that their children be boarded or otherwise placed were denied such aid.¹ Often, their children were later apprehended.

Chapter Five chronicled certain aspects of the role of race in the Society's distinctions between those families worthy of aid or intervention and those more appropriately left to the control of other governmental, economic or community structures. Similarly, in the case of Caucasian families, the Society often seemed loathe to interfere in the affairs of self-sufficient, legally sanctioned families despite evidence of abuses². On Christmas eve, 1902, Jacob Shingle wrote to C.J. South requesting his

¹ Aid was initially refused for 23/154 families and 45/303 children.

² Recall that, in Chapter Four, both parents had custody of the children at the time of placement in fewer than ten percent of families. Also, Table 4.1 reveals that less than one percent of cases were initiated by the child in question.

assistance in freeing Shingle's mother and five younger siblings from "the brutality and neglect of my father".

"The whole family came to Vancouver last May. Since that time father has had many offers of good work but will not work, living off the earnings of his two eldest daughters and little son. He has become unbearable, he drinks to excess often and beats mother and the children."³

The complaint was substantiated by several neighbors who had been attracted by screams late in the night and had witnessed the senior Shingle beating his children⁴. Although South routinely intervened in cases where parents refused to co-operate, his reply to Jacob was that "... Under the Act that I am working I cannot interfere as long as your mother refuses to say what is taking place at home".⁵

The prevalence of single parent families in the Society's case files and the decision to focus on these cases is, in part, a reflection of such discretionary practices. Of the 154 families examined in this study, 47 (30.5%) were headed by single mothers and 32 (20.8%) were headed by single fathers at the time of first contact with the Vancouver Children's Aid Society. In total, then, single parent families constituted slightly more than one-half of the families studied.⁶ The statistical importance of single parenthood in the

³ City of Vancouver Archives, Add. MSS. 672, Vol. 136, File 1. Letter dated Dec. 24, 1902.

⁴ City of Vancouver Archives, Add. MSS. 672, Vol. 136, File 1. Letter dated Dec. 20, 1902.

⁵ City of Vancouver Archives, Add. MSS. 672, Vol. 136, File 1. Letter dated Dec. 27, 1902.

⁶ See Appendix G.

analysis of child rescue practices is further reflected when we examine the circumstances leading to placement.

Accepting illegitimacy as a form of desertion, it is clear that cases coming to the attention of the Vancouver Children's Aid Society were much more likely to be characterized by men shirking their familial responsibilities than by women doing so. Appendix F shows that desertion by fathers was a factor leading to the placement of children in over 38% of cases while illegitimacy was a factor in almost 19% of cases. In comparison, slightly more than 22% of cases involved desertion by the children's mother.

As discussed earlier, the Vancouver Children's Aid Society, like the orphanages which preceded it, dealt almost exclusively with families in which the parents either had already separated, or were in the process of so doing. In fact, as illustrated in Appendix G, in the progression from initial contact to final placement, the proportion of single mothers increases dramatically.

My discussion here will be limited to those families who, upon first contact with the Society, were headed by single parents. There is, of course, an element of discretion exercised here since virtually all of the families in the study were headed by single parents at some time during their involvement. Nonetheless, the response of the Society to the "social problem" of single-parenthood is most clearly evidenced in these cases.

In addition to their empirical significance, there are important theoretical reasons for studying single parents and their interaction with various elements of the welfare state which emerged at the turn of the

century. In class terms, both single fathers and single mothers can be seen to present similar structural problems. For working-class single parents, the basic contradiction between the economic imperative of wage labor and the demands of domestic labor and child care resulted in a Hobson's choice: penury or neglect. As we shall see, however, the response of the Vancouver Children's Aid Society (and several related elements of British Columbia's social welfare system) to the problems of single motherhood and single fatherhood were markedly different.

The category of "single parents" represents a relatively novel conglomeration of what were traditionally very distinct categories. For South and the wide variety of government agents, magistrates and social service agencies which referred cases, the categories of "widow(er)", "deserted parent" and "unwed mother" represented very different social problems, and carried with them a wide range of connotations. By examining the circumstances which led these men and women to their position as single parents, and the gendered effects which these circumstances had on the policies of the Vancouver Children's Aid Society, we can begin to perceive the differing resources which the Society presented to men and women who approached it.

The circumstances which brought single-parent families to the attention of the Vancouver Children's Aid Society were overlaid with long standing distinctions between deserving and undeserving clientele. With the development of quasi-public forms of charitable organizations, these distinctions were translated into a concern that undeserving families should be actively discouraged from becoming dependent upon public funds. In a relatively conscious way, the deservedness of parents who approached the

Vancouver Children's Aid Society was determined by the degree to which they had met the Society's standards for parenthood -- standards which reflected well-recognized class biases and were also markedly affected by gender.

As outlined in Appendix I, the factors which led mothers and fathers to a position of single parenthood were also notably different. There was significantly less variation in cases involving single fathers. In over one-half of the cases (17/32), fathers came into contact with the Society following the death of their spouse. This finding is consistent with a number of previous studies of charitable and public institutions caring for children. Referring to circumstances leading to the placement of children in Vancouver's Alexandra Orphanage, Purvey concurs with the present findings that "in cases of death or illness of a spouse, the father was more likely than the mother to admit children into the Orphanage" (1991, p. 120). In such circumstances, the majority of the single fathers examined in the study benefited from a relatively warm reception by the Vancouver Children's Aid Society.

Widowers present another important example of the markedly different social positions from which single men and women approached the Vancouver Children's Aid Society. In her study of working families in late 19th century Montreal, Bettina Bradbury (1993, pp. 182-213) offers a rich account of the consequences which the death of a spouse presented for working-class men and women. The challenges and strategies which she outlines are clearly reflected in the cases encountered in the present study,

although the Society's case files provide only a partial view of the responses of men and women to the loss of a spouse⁷.

Single fathers who committed their children to the care of the Society sought an institutional solution to their need for skilled domestic labor. As Bradbury has documented in the case of industrializing Montreal, widowers adopted a number of strategies including re-marriage and the utilization of the domestic skills of other female family members (including older daughters). When these other options were not available, widowers often turned to paid help, the more prosperous engaging housekeepers and the less prosperous turning to institutions.

Clearly, men who found themselves in such circumstances revealed the importance of domestic labor in the continued survival of their families. Simultaneously, they betray the highly gendered structure of "dependency" in western capitalist societies (cf. Fraser 1989; Fraser and Gordon 1994). As long as their paid work permitted them to support their children in institutions like the Alexandra Orphanage or the V.C.A.S. Children's Home, these men were spared the social stigma of being "dependent" on charity. The effect of gender on the provision of aid is starkly illustrated by examining the practice of boarding children in the Society's Children's Home.

⁷ This process is also outlined summarily by Purvey (1991, pp. 120-121).

Ideology and The Organizational Persistence of Boarding

The *Children's Protection Act* gave children's aid societies new legal options which allowed them to exercise quasi-public regulatory powers. Nonetheless, the organizational structure of the Vancouver Children's Aid Society during the period from 1901 to 1927 still reflected the private, charitable nature of the enterprise. During the years 1901-1903, the Vancouver Children's Aid Society was totally reliant upon private donations. Between 1903 and 1911, contributions from the municipal and provincial governments gradually increased, averaging approximately one-third of the operating budget. Finally, with the passage of the *Infant's Act*⁸ public funding began to hover at approximately 50% of the Society's budget (Adamoski 1988, p. 125). In this rather unstable financial position, the role of paid boarders within the Vancouver Children's Aid Society was particularly crucial.

In the present study, a random sample of 154 families involved with the Society between 1901 and 1940 revealed 31 families who boarded children during this period (20%). These families boarded a total of 64 children, 21% of the 303 children who comprised the sample. This finding must be viewed with some caution. The case files which formed the basis of the sample are more likely to contain records of children legally committed to the Society. For these children, the Society assumed the role of guardian and, in that role, was obliged to maintain placement, medical and legal records. Among boarders, it is understandable that cases involving parents who resided or worked outside of Vancouver would be more likely to appear among the files,

⁸ R.S.B.C. (1911) C. 107.

if only to house ongoing correspondence. Conceivably, children who boarded at the Children's Home and had relatively regular contact with their parent(s) were far less likely to have their placement experiences documented. For these reasons, other primary and secondary sources were examined.

Existing archival sources make it exceedingly difficult to ascertain with any reliability the precise number of children who were accepted as boarders by the Society. Annual Reports often failed to distinguish between those children who entered the Home by way of committal and those who resided there as paid boarders. Canvassing Annual Reports from 1910 to 1920, for example, figures suggest that, for the second decade of the Society's existence, boarders accounted for more than one-third of annual admissions in five out of six years.

The Society and its Board made several published statements regarding the Home's boarders which appear wholly incompatible with the estimate, drawn from the present study and these Annual reports, that boarders constituted between 20 and 30 percent of admissions. For example, in a pamphlet published to commemorate the Society's twenty-first anniversary in 1922, we read that,

"The work is of a Provincial character. Since its inception, 846 children have been committed to the care of the Home and some 2,300 boarders have been received, coming from every part of the province."⁹

⁹ "Twenty First Anniversary of the Children's Aid Society of British Columbia", Published c. 1922, City of Vancouver Archives, Add. MSS. 672.

This much higher estimate is partially supported by the statements of the Society's Board of Directors in response to a series of questions posed by the authors of the B.C. Child Welfare Survey (1927). Writing in September 22, 1926 the Board of Directors reported that 5,119 children had entered the Home since its inception and that 4,000 (78.1%) of these had been either boarders or other children who had not been legally committed to the Society.¹⁰ This drastically differing portrayal of the number of paid boarders residing in the Children's Home is likely, in large part, a reflection of the political environment surrounding child welfare agencies in Canada near the close of the nineteen-twenties -- especially the increasing skepticism directed toward institutional care except as a final alternative.

A statement prepared in the wake of the British Columbia Child Welfare Survey at the end of July 1927 confirms both the persistence of boarding practices in the mid-1920s and the desire of the Society's new administrators to actively discourage the image of the Children's Home as an institutionally-oriented source of charitable aid. This statement lists 105 children who were categorized as "boarders" and who were residing in the Home at the end of July, 1927. All but 26 of these children had been either committed as wards or discharged (usually to their parent(s)) by December 1927.¹¹

¹⁰ According to the same statement, however, the Home apparently, at the time of responding, housed a significantly smaller proportion of non-committed children. Of 143 children residing in the home in September 1926, only 11 (8%) were boarders while 10 (7%) were being supported by other public agencies, and 17 (12%) were "wholly dependent on the Children's Aid Society" (Canadian Council on Social Development, "Answers to Questions for Survey Committee", Sept. 22, 1926, p. 1).

¹¹ "Report of the Board of Directors of the Vancouver Children's Aid Society to the Provincial Secretary, July 25, 1927". Public Archives of Canada, MG 28, I 10, Vol. 27, File 137.

Ultimately, it is impossible to definitively assess the proportion of children cared for by the V.C.A.S. through boarding agreements. Nonetheless, it is clear that the present study's finding that boarders constituted 20% of the cases sampled is conservative.

Boarders were a lucrative source of operating funds for the Society. Rates paid by boarding parents were significantly higher than the rate remitted either for committed children or for children who were maintained by other social agencies. A questionnaire completed by the Society for the Canadian Council on Social Development in 1926¹² notes that rates paid by parents ranged from \$12.00 to \$15.00 per child per month (averaging \$13.80) while agencies paid between \$7.50 and \$13.50 per child per month (averaging \$11.00). Duly committed wards had, since the *Infant's Act Amendment Act* of 1922,¹³ been supported by their municipality at the rate of \$3.00 per child per week.¹⁴

Undoubtedly, the fiscal importance of boarders played some role both in the continuance of the practice of boarding and in the length of stay of individual cases. Not surprisingly, available evidence surrounding the length

¹² Canadian Council on Social Development, "Answers to Questions for Survey Committee", Sept. 22, 1926.

¹³ R.S.B.C. 1922 c. 31, s. 93.

¹⁴ The 1922 Amendment represented a marked increase in the statutory rate paid for public wards. Between 1901 and 1910, Societies were reimbursed at the rate of \$1.00 per week [*Children's Protection Act*, S.B.C. 1901, c. 9, ss. 29 (1)]. Amendments in 1910 raised this rate to \$1.50 [*Children's Protection Act Amendment Act*, S.B.C. 1910, c. 5, s. 7], where it remained until 1922. These statutory minima were, in fact, interpreted as acceptable standards by the courts although they fell well short of the average per capita cost of maintaining wards. Angus (1951, p. 20) reports that, between 1914 and 1921, the average per capita per month cost of maintaining wards increased from \$7.77 to \$12.78.

of stay of children boarded by the Society is less than definitive. The random sample of boarders studied here stayed an average of 23 months in care.¹⁵

Once again, the only available supporting documents chronicle the experiences of children boarding immediately preceding and immediately following the B.C Child Welfare Survey of 1927. Information from the Society's report of September 1926 is summarized in Table 6.1.

TABLE 6.1

NUMBER AND LENGTH OF STAY BY LEGAL CATEGORY
(1926)

CATEGORY	NUMBER	RANGE OF STAY	AVERAGE STAY
Boarders	11	5.5 - 66 mo.	38 mo.
Agency Charges	10	.5 - 10 mo.	3 mo.
VCAS Dependent	17	1.5 - 12 mo.	5 mo.

Source: Compiled from Canadian Council on Social Development, "Answers to Questions for Survey Committee", Sept. 22, 1926.

Clearly, those children whose stays in the Children's Home were financed by their parent(s) tended to remain boarders for a significantly longer period than did children supported by other social agencies or those who were without financial support. The previously mentioned July 1927 report lists detailed information including the circumstances leading to the boarding agreement, the nationality of parents, source of financial support

¹⁵ Larger families (particularly those involving more than 3 children) tended to board for significantly longer periods. Throughout this section, "Average Stay" refers to the average stay per family rather than per child.

and, in some cases, ultimate disposition of the child and contains sufficient information to calculate length of stay for 40 of the 49 families who had children boarded at the Children's Home. The length of stay for these children ranged from two weeks to over 9 years, averaging 16 months.¹⁶

Although considerable dissonance exists between these sources, one clear finding emerges. Paid boarders remained an important feature of child rescue throughout the early decades of the twentieth century and were important factors in the viability of Vancouver Children's Aid Society (cf. Adamoski 1988). The Society's reliance upon paid boarders provides an interesting counter-point to preceding discussions of the legislative novelty of children's aid societies. While the statutory underpinnings of the province's children's aid societies drastically increased their power to intervene in the life styles of working-class families vis-a-vis orphanages, and while they consistently advocated non-institutional foster-care, boarding continued to offer clear organizational benefits. These benefits, however, exacted a price.

As discussed in Chapter Four, one manifestation of the tension between the financial benefits of boarding and the organizational stresses it imposed was the chronic over-crowding of the Children's Home. Whether we accept the assessment offered in 1922 that to that date over 95% of the Home's residents had been boarders, or the pre-Survey estimate from 1926 that approximately 15% of children at that time were "boarders" of one form or another, it is clear that boarders represented a substantial, and relatively constant, strain on the Society's resources.

In addition to this organizational strain, boarding presented an important ideological conflict for the Vancouver Children's Aid Society. From

¹⁶ Canadian Council on Social Development, "Answers to Questions for Survey Committee". Sept. 22, 1926.

its inception, the Society had advocated a retreat from institutional care, and increased reliance upon foster-care in carefully screened homes. Indeed, as discussed in Chapter Three, this functioned as an important differentiation between the service offered by children's aid societies and those which characterized orphanages.

The Society operated a Children's Home for most of the period under study. For the years from 1907 until 1930, the Children's Home was located in what was a rural setting on Wall St. The Wall St. Home was, for this period, the most visible contradiction surrounding the Vancouver Children's Aid Society. On one hand, the Home functioned as an important symbol of the aspirations of the Society (for instance, its maintenance provided the key incentive for both public and private donations). On the other, the Society's ongoing reliance upon congregational care flew in the face of emerging child-rescue practices as seen in Ontario and elsewhere and seemingly contradicted its Directors' endorsement of rural placement as the key to moral reclamation.

Clearly, the consistent over-crowding of the Children's Home coupled with the persistent presence of boarders presented a notable contrast to this self-portrayal, one which the Society grappled with in a variety of ways. Perhaps the clearest examples of this struggle lie in South's repeated attempts to cast the Society's institution -- which housed an average of 166 children in 1914, 171 children in 1915 and 173 children in 1916 -- as little more than a large "home" inhabited by an extended "family" (Angus 1951, p. 17):

"Some people think that my ideas are erroneous, because I have always insisted that the Home shall be a real home to the children, and not an Institution where the child is pauperized and made to do things for fear of punishment, and brought up as a kind of machine."¹⁷

In addition to these attempts to portray their institution as fundamentally different from orphanages, the Society's Board of Directors also explicitly condemned the practice of boarding at various times, arguing that all children should be legally committed and placed in foster homes where the latter were available. One example is found in correspondence from the Society to W. Paterson, who had enquired about the possibility of having children boarded at the Children's Home.

"... The Directors have decided that no boarders will in future be received at their Home on Wall St., and letters have been written to the parents and guardians of all children who are at present boarders, with the request that they take action to provide for them in the future."¹⁸

There is no indication that the practice of boarding children changed appreciably in the years between this letter and 1927.

The persistent attempts by the Society's Board of Directors to publicly condemn the practice of boarding provide valuable perspective on their shifting vision of the appropriate boundaries of public and private responsibility. Although they issued mostly sporadic condemnations of the practice of boarding children and appeared to be motivated primarily by temporary crises of either a political or economic nature, such pronouncements are, nonetheless, important in illustrating changing

¹⁷ Case number 0213. Letter from South to adoptive father, dated February 5, 1915.

¹⁸ Case number 531801. Letter from Secretary to W. Paterson, Oct. 29, 1923.

ideologies surrounding public guardianship practices, and have been drawn upon in traditional, progressivist welfare state historiography (cf. Angus 1951; Harrison 1979; Jones and Rutman 1981).

It is at least as important, however, to examine the much more complex and confounding policies towards the practice of boarding which were reflected in the "front-line" decisions of the Society's officers -- particularly those of C. J. South. Unlike his Board of Directors, South's approach to parent's requests to retain legal guardianship while temporarily boarding their children appears, on the surface, to be much more equivocal and subject to vagary. Often, for example, he would refuse a number of requests in a given month -- usually citing a recent proclamation of the Board of Directors or claiming that the resources of the Children's Home were taxed to the breaking point -- only to accept another request a few days later.

It is in these relatively mundane decisions, made without the fanfare or flourish of the Board's proclamations, that we can begin to recognize in much greater detail the understandings of the boundaries of private and public responsibility which infused the policies of the Vancouver Children's Aid Society. These boundaries were contested, and their applicability in any given case was seldom clear-cut, but the range of cases examined here clearly indicate some important tendencies. By examining the deployment of boarding agreements, it is possible to outline the closely related dichotomy between public and private responsibility and, more importantly, the distinct effects of social class and gendered expectations upon the deployment of public aid.

Boarding and "The Good Provider": Tracing the Impact of Gender and Class

As noted by Linda Gordon (1990, p. 11) and others, an understanding of the impact of social welfare programs must incorporate a sensitivity to both their coercive aspects and the very real consequences of withholding aid from clients in need. The effects of social policy are shaped as much by refusal as by provision. The willingness of the Vancouver Children's Aid Society to enter into boarding agreements with certain classes of clients -- despite the pall which this practice cast over the Society's claims that its practices differed fundamentally from those common in orphanages -- provides an important instance of the role of gender in shaping the provision of welfare services.

Single fathers who approached the Vancouver Children's Aid Society proposing that their children be boarded and their rights as guardians retained were significantly more likely than any other group to be granted such aid by the Society. In terms of family units, the cross-tabulation below illustrates that 41 percent (13/32) of all single father families ultimately boarded their children at the Children's Home while less than 15 percent of all other families reached such an agreement.

TABLE 6.2
SINGLE FATHER FAMILIES by BOARDING STATUS
(1901-1930)

Count (Row %)	NON- BOARDING CASES	BOARDING CASES	Total
NON-SINGLE FATHER FAMILIES	104 (85.2%)	18 (14.8%)	122 79.2%
SINGLE FATHER FAMILIES	19 (59%)	13 (41%)	32 20.8%
Column Total	123 79.9%	31 20.1%	154 100.0%

$x^2 = 10.55$
DF=1

Further, in terms of the number of children involved, those from single father families constituted a significant proportion of the Home's population of boarding children. Table 6.3 below illustrates that almost half (48%) of the children boarded by the Society came from single father families.

TABLE 6.3
 CHARACTERISTICS OF FAMILIES BOARDING CHILDREN
 IN CHILDREN'S HOME.
 (1901-1930)

Structure	Number of Families	Number of Children	Average Family Size
Nuclear	3	11	3.7 ¹⁹
S. Mother	9	13	1.4
S. Father	13	31	2.4
Other	6	9	1.5
	—	—	—
Totals	31	64	2.06

Finally, it is interesting to note the relative rarity of cases in which nuclear families were permitted to board children at the Society's Children's Home. With the exception of one seven-sibling nuclear family, single fathers families tended to be the largest boarded by the Society. On average, they consisted of one more child than the single mother families who boarded children at the Home.

Single fathers who were successful in boarding their children rather than having them legally committed retained important legal rights as guardians. More importantly, however, their relationship to the Society was clearly mediated by their ability to provide financially for their children. Often, single fathers appeared to regard the Society as little more than a paid boarding school with which they had a contractual relationship. The public subsidies and powers which the Society so often pointed to were almost

¹⁹ The average family size is, in the case of nuclear families boarding children with the Society, somewhat misleading due to one family consisting of seven siblings.

totally disregarded by these clients, many of whom placed stringent demands upon the Society and the care given their children. Thus the widower James Bircham, who had in 1904 unsuccessfully boarded his daughter Jenny with a woman in Victoria "... thinking she would overcome the desire for connections with boys," wrote Mr. South stating

"I am willing to pay a reasonable amount toward her maintenance. If you would take her I would be greatly obliged and relieved; as I know of more than one instance where you have been the means of saving young girls from shame and disgrace..."²⁰

Less than three weeks later, Jenny arrived at the Children's Home with a letter containing two months' board and the following note.

"... I wish it to be distinctly understood that... I wish her to learn a trade... say dressmaker or something. I strongly object to her being made a general servant... I presume that she will go on with her schooling."²¹

Mr. Bircham echoed similar demands made by working class families willing to pay for their children's board. Their outspoken demands for the provision of both education and training were, by and large, complied with by the Society. The single-father families studied were much more likely to assume this "contractual" relationship with the Vancouver Children's Aid Society than were families headed by single-mothers. Quantitatively, this gendered differentiation is reflected most clearly in the greater likelihood of

²⁰ Case number 221701. Letter from Father to South, July 5, 1905.

²¹ Case number 221701. Letter from Father to South, July 24, 1905.

single-fathers boarding their children, as opposed to having them apprehended and their guardianship rights extinguished.

More importantly, however, the manner in which gendered expectations of parental responsibility structured the relationship between the Vancouver Children's Aid Society and its client-families reflected qualitatively different understandings of the rights and responsibilities of fathers versus those of mothers²². These differences had a profound effect upon their claims for public aid.

For single fathers who approached the Society requesting aid, the determination of their deservedness for public assistance hinged upon their willingness and ability to support their family financially. This instrumental consideration was often directly tied to the moral standing of fathers in the eyes of the agency. In particular, men who were deemed to have socialist political leanings were regarded with particular disdain by South and many of his government correspondents. The tenor of South's many references to members of the Industrial Workers of the World makes it clear that their efforts to advance the position of the working class in the province conflicted with the ideals of citizenship which infused his work.

In addition to what he would have regarded as undemocratic political practices, South clearly regarded such men as irresponsible, lazy, unambitious and unfit for the station of fatherhood. In January 1922, South wrote to the City Clerk of Grand Forks enquiring about the father of seven children recently committed to the Society.

²² One indication of the profoundly different views of male and female clients is reflected in the common tendency for single fathers to refer to the Children's Home as a "school". Very few women shared this tendency to view the Children's Aid Home as a relatively benign, largely beneficial state service.

"I received your telegram, which gave me an awful shock, as the Home is crowded out. We have room for 120 or 130 children, and we have over 180 there, so you can imagine the shock you gave me when I received a telegram to say that there were seven children committed to the Home...

... The oldest girl tells me that her father is a horrible socialist and I.W.W. man, and that he has damaged two of the children... through his ungovernable temper....²³

In the Clerk's reply, the connection between character and political orientation is forged even more fully with the suggestion that "ungovernable" men of this sort might live for years without being detected if the means of political expression were absent.

"... As to the history of the family, I might state that we were not aware that Gertz was an I.W.W., although he is the stamp of man that would easily be influenced along such lines, but in a small city like this where there are no such organizations with which a man might affiliate, a man might live for years without causing any suspicion...²⁴

Pushed to its political extreme, the villainization of "men of this stamp" went beyond presenting them as incapable of the private responsibilities, public decorum and possessive individualism required of male citizens. On occasion, public officials presented them as members of the "criminal class" --- that antithesis of the model citizenry which the V.C.A.S. sought so assiduously to develop through its work. In 1911, in a speech given at the Society's Annual Meeting, Mayor Findlay of Vancouver responded with

²³ Case number 0707. Letter from South to City Clerk, Jan. 9, 1922.

²⁴ Case number 0707. Letter from City Clerk to South, January 19, 1922.

what he must have regarded as a deliciously ironic solution to the Directors' call for funds in aid of the Children's Home.

"Mr. Erskine spoke about the improving of the boulevards around the Home. I think this can be easily arranged. We have criminals with us, and just now we are starting a camp to make these men work whose motto is 'I.W.W.' These men are starting on a forty acre lot, but I do not see why we should not turn some of these men to do the necessary clearing round the Home."²⁵

The role of social class in structuring the policies and procedures of the Society, coupled with the continued importance of paid boarders for the organization, is evident in the willingness to grant redemption to fathers who had deserted their families and later showed both the desire and the means to re-establish responsibility for their care. Two cases occurring in the early months of 1911 illustrate South's willingness to grant considerable latitude in such instances.

In January of that year, South was informed by the government agent serving the mining district around Phoenix, B.C. that Mrs. Robertson, a single mother with eight children, had been deserted by her husband, a British mining engineer. The agent had granted provincial relief at the rate of thirty dollars per month, and saw the Society as a more economical means of caring for the children. After discussions between South and the Provincial Secretary, the children were placed in the Home and South succeeded in tracing Robertson to the Gold Coast of Africa. The man denied having deserted his family, claiming that he had left sufficient funds and had sent money regularly. South clearly regarded his story as incredible.

²⁵ *Annual Report 1911*, p. 23.

"... Your wife states that in July last you sent a very small sum of money and as a matter of fact after you left Phoenix that you only contributed about sufficient to amount to supply them with two weeks food and then you left. After you left the Government contributed, at the request of your wife, \$30 a month towards the support of the children... I saw for myself the distressing condition that the children were in. You say in you letters to me that you did not desert your children. I would like to know what else you could call it when you left Phoenix and eventually British Columbia without making any provision for the maintenance or care of your children... had I not intervened and brought the children down to the Home, the probability is that before now some of them would have lost their lives... but you say "I never deserted my children".²⁶

Clearly, South regarded Robertson as a man who had intentionally fled his responsibilities -- deserting his family in a foreign country without resources or kin in the dead of winter, and fleeing to a distant continent, thereby shirking a wide range of emotional, paternal and economic duties. What is particularly illuminating, moreover, is the emphasis which South places on Robertson's recognition of his financial obligations and his attendant disinterest in the man's ability to meet the extra-economic requirements of his roles as husband and father.

... I don't know and don't want to know what the trouble is between you and your wife but it does seem to me an outrageous thing that a man who can make the money that you are able to command, should leave his children and that they should be cared for by an Institution such as ours is....

In the meantime the children shall not be adopted out as we have the right to do in connection with each one of them but I must insist that you lose no time in letting me understand exactly how things are and whether you are prepared to have Mrs. [Robertson] and the other children return to you... and that these children shall not be compelled to travel in the Steerage.

They are not the kind of children to associate with the class that generally travel in Steerage from Canada to the Old Country..."²⁷

²⁶ Case number 0706, Letter from South to father dated January 12, 1911.

²⁷ Case number 0706, Letter from South to father dated January 12, 1911.

As indicated in his closing comments, South was clearly also sensitive to Robertson's social class and his ability to financially support his family had obvious effects on South's strategy in the case.

Simultaneous to their dealings with the Robertsons, the Vancouver Children's Aid Society was involved with the Stewarts -- a family whose contentious "separation" was referred to earlier. Writing to Mr. Stewart in March, 1911, South expresses a virtually identical appraisal of the man's actions and the appropriate remedies as he had in the Robertson case.

"I suppose that after your absence of 2 1/2 years from your family, it will hardly be a surprise to you to hear that it has been necessary for your wife to apply to me for some sort of protection for her children. The boy Curtis is very delicate and unfit to battle for himself. The little lad Richard has been compelled to go to work although he ought to be finishing his education at school and the twins, the two girls are coming to the Children's Home to enable their mother to go out to work.

Now sir, I understand that you are in a position to support your wife and children and to make a proper provision for them all. I do not know and I do not care what friction there has been between you and your family but this I do know that any man who calls himself a man will deprive himself of all luxuries to enable him to make provision for his children.

The object I have in writing to you now is to let you know that unless I obtain a satisfactory answer from you by the 1st of April next, I will take such proceedings as are necessary to obtain the absolute guardianship of the children but before doing this, I thought that, notwithstanding the fact that you have deserted them for over twelve years, you would willingly make provision for the support of your children. I understand that you are in circumstances somewhat more than comfortable."²⁸

Writing in response to South's remonstrance for abandoning his children, Stewart claimed,

²⁸ Case number 1216. Letter from South to father, dated March 15, 1911.

"... I was surprised and verry much shocked to read your letter and I feal terrible bad and grieved over the matter and it is enough to drive any man to put an end to his life. After the way I have strived and tryed to get on my feet and to provide for the children and alwayes to be so unlooky and unfortunate in every way. Now one more letter will be the last and enough for me like I received from you, none too strong if I was fixed like has been represented to you and others but the Gods truth to you is that I am in det and in a worse shape than has been stated to you...

In August 1908 I divided what money I had with Olive came hear and started prospecting...but the worst came to the worst...

Now if I had of had money enough to go to B.C. this spring and settle down to work I would have went for this is a poor place... Now I have a chance to go out right away in new Gold Fields and feal confident that will meat with success may hit it rich...

Now for the past few years I have been helping what I could to take care of my poor old mother in her terrible condition. It is over she died last fall so I can turn to the children now...

Now the mother refused all help towards the children for the first 10 years so that I would have no claims on them. Got a lawyers advise and lived up to it. For I tried to help in every way...You now my fix for the last 2 1/2 years. If I haven't convinced you I cant do any thing more but give you my word I will help children through you..."²⁹

Clearly, the willingness and ability to financially support his family was a key element in South's appraisal of a father's fitness to parent. And, as illustrated in Stewart's reply, many fathers had no difficulty understanding the circumscribed responsibilities entailed in South's references to making "proper provisions for their children". Despite the obvious shortcomings of Messrs. Stewart and Robertson, South deemed their ability to parent as being equivalent to their ability to support their families and did not "care what friction there [had] been" between them and their families.

Gender clearly structured the boarding policies of the Vancouver Children's Aid Society, but this was not an anomalous element in the broader

²⁹ Case number 1216. Letter from father to South, dated March 21, 1911.

issue of child guardianship. Indeed, the clients of the Society often reflected similar assumptions regarding the legal and fiscal connections between fathers and their children. The most obvious examples of this "commonplace understanding" of paternity occurred in cases where single fathers were faced with the necessity of committing their children to the care of the Society.

Other than boarders, children who were formally committed to the Society between 1901 and 1930 fell into two categories: those indentured to the Society with the consent of their parent(s) and those committed to the Society by court order. From the vantage point of the Society and the provincial and municipal governments, the major distinction between these two groups lay in the fact that only those children committed by court order were eligible for public funding.

From the perspective of parents, the major distinction between the two statuses lay in the stigma attached to a court order which, as shown in Appendix H, implied a public adjudication that they were unfit parents. Many parents (especially, as we shall see, single mothers) preferred to sign indentures "voluntarily" ceding their legal rights as guardian, thereby avoiding this public stigma.

The form of indenture commonly used by the Society is attached in Appendix D. The concept of indenture arose as the juridical equivalent to traditional apprenticeship practices in many western societies (cf. Lowe and White 1986). Unlike traditional apprenticeship agreements, however, the legal indenture submerges the issues of education, training and employment in favor of the more contemporary progressivist notions of "protection" and

"well-being".³⁰ Further distinguishing legal indenture from traditional apprenticeship, the indenture form provided for the payment of a monthly fee by the child's former guardian "until such time as a foster home has been found for the said child".³¹

In practice, however, The Vancouver Children's Aid Society seldom required payment for children indentured to their care. Indentured children were, economically speaking, a drain on the Society's resources since, at best, they could be placed in a self-supporting capacity in a foster home. One factor likely contributing to the Society's leniency in this regard was the reluctance of parents (particularly single fathers) to perceive indentured children as their private financial responsibility. For most of the single fathers studied, the obligation to support children was inextricably bound to their role as legal guardian. The case below illustrates both the desirability of boarding over committal for many single fathers and their reluctance to contribute for children for whom they were no longer legally responsible.

In November, 1909, South received a letter from Mrs. C. Alexander, secretary of the Fernie Ladies Benevolent Society. The Society was "anxious to arrange for the adoption of two little girls named [Reynolds] whose mother [had] lately died." Mrs. Alexander added that Mr. Reynolds had eight children to provide for and was "willing to let the [two] children be taken off his hands". "We are anxious", she added, "to get the children away as soon as possible, as the father is very unsatisfactory."³²

³⁰ See paragraphs 2 and 3 of Appendix D.

³¹ See paragraph 4 of Appendix D.

³² Case number 3501. Letter from C. Alexander, Sec. Ladies Benevolent Society, Fernie to South, dated Nov. 1, 1909.

South forwarded indentures to the Benevolent Society and, approximately one month later, received a letter from Reynolds himself inquiring about the possibility of placing some of his children in the Home. His letter is revealing in the way that it reflects the common assumptions of most single fathers who approached the Society.

"Sir, Under what conditions can I put my children in the home?

Do they pass entirely out of my control til they are 21 or can they be put there for a few years and taken out again if desired. What are they taught. Can I put a girl of 16 1/2 in there.

Answers to the above with general information concerning the schools will greatly oblige."³³

Like the single fathers discussed earlier, Mr. Reynolds clearly regarded his potential relationship with the Vancouver Children's Aid Society as a contractual, rather than charitable one. Further, his letter reflects the emphasis on education common among the single fathers studied. More fundamentally, he operated on the assumption that he would retain guardianship of his children.

The form of indenture forwarded by South, however, involved the absolute termination of guardianship and Mrs. Alexander wrote back shortly, stating that Mr. Reynolds had "absolutely refused to sign the papers".³⁴ In a subsequent letter, she detailed the problems which the Ladies Benevolent Society had encountered with the legal indentures provided by the Vancouver Children's Aid Society.

³³ Case number 3501. Letter from father to South, no date.

³⁴ Case number 3501. Letter from C. Alexander, Sec. Ladies Benevolent Society, Fernie to South, dated Dec. 7, 1909.

"I have been asked by the Ladies Benevolent Society to write to you about the papers for the adoption of children by your home. It seems that parents are frightened by the length of the term, and for fear of not seeing their children for a number of years, they refuse to allow them to go at all.

We thought that if you could put in a provisional clause to the effect that the children could return when the parent or parents were able to make suitable provision for them that the parents would be more likely to let them go. You will remember the case of the [Reynolds] children. We think the father would be glad to send some of the children if it were not for 21 years, especially as the little boy he was fondest of died some months ago. The other children are in a wretchedly neglected state.

I fancy that in nineteen cases out of twenty the children would never be taken back, but you will understand that a parent would be reluctant to part with children when he thought he would never be able to see [them] again.

I hardly like troubling you on this point, as you must have thought the matter out so very carefully, but... I am requested to give the opinion of the Society."³⁵

South's reply presents a somewhat selective reading of the provisions of the *Children's Protection Act*³⁶ and entirely ignores the boarding practices commonly adopted by the Society.

"... I wish to say that the whole of the children coming into the care and custody of the Children's Aid Society [do so] under the provisions of the Children's Protection Act of British Columbia, Section 8 of which says;- 'That the child shall be under the control of such Society until it reaches the age of 21 years &c.'³⁷

³⁵ Case number 3501. Letter from C. Alexander, Sec. Ladies Benevolent Society, Fernie to South, dated Nov. 22, 1910.

³⁶ *An Act for the Protection and Reformation of Neglected and Dependent Children*. Statutes of British Columbia (1901) Chap. 9.

³⁷ Case number 3501. Letter from South to C. Alexander, dated Nov. 28, 1910.

The section referred to by South actually provides very specific circumstances in which the guardianship of a child would be transferred to a children's aid society. Specifically, it required that a child was being maintained by a society, and that it had been deserted by its parents (S.B.C. (1901) C. 9, Ss. 8 (1)). Further, the Act provided that either the Society (Ss. 8 (2)) or the Court (Ss. 8 (3) and 9 (3)) could, at any time, "rescind such resolution if they think that it will be for the benefit of the child... or may permit the child to be either permanently or temporarily under the control of its parents...".

As I have noted in earlier cases, struggles between single fathers and the Vancouver Children's Aid Society often revolved around the issues of financial responsibility and legal guardianship. In the present instance, Mr. Reynolds repeatedly refused to commit to the maintenance of his children under an agreement which would terminate his guardianship of them. In South's subsequent correspondence with the Ladies Benevolent Society, he took the opportunity to stress once again the centrality of financial responsibility to his vision of "the good father".

"... I told Mr. [Reynolds] that the children could come to the Home provided that he paid the Fares and the costs of bringing the children down and that he contribute \$10.00 a month for each child as it costs the Society about that amount to maintain the children in the Home. This proposition was not agreed to by Mr. [Reynolds]. I am sure that you and the Members of your excellent Society will be of the same opinion as we are regarding the support and maintenance of children. The father should always be prepared to deny himself, if necessary, to provide properly for his children. Perhaps the main reason why it is provided in the Act that the children in all cases become the Wards of the Society until they reach the age of 21 years is that there cannot be two sets of Guardians one perhaps somewhat opposed to the wishes of the other..."

The cases outlined here have illustrated a notable degree of agreement between the Vancouver Children's Aid Society and many of the single fathers with whom it dealt regarding the boundaries of private and public rights and responsibilities. Single fathers were often able to retain their paternal rights and usually managed to reach a consensus regarding the maintenance of their children and their expectations for the level of care provided by public agencies such as the Society. Ultimately, however, the Society, unlike charitable institutions such as the Alexandra Orphanage, did have the power to "impose" its vision of the boundaries between public and private responsibilities.

After several months of correspondence, Reynolds finally wrote to South informing him that he found himself unable to care for all of his children and would cede his guardianship of his three youngest daughters -- on the understanding that they would thereby become public charges.

"Sir, I will turn my 3 girls Ada 11, Elsie 9, Maggie 5 over to your school if you will let me know when you are in Fernie. As I find I cannot take care of them."³⁸

South's response to this letter revealed that he foresaw a very different outcome to the Reynolds case. On the back of Reynolds' letter, South scrawled "by reason of the neglect of their father are suffered to grow up without salutary parental control and education and in circumstances exposing them to idle and dissolute lives" -- a reference to one of the grounds enumerated in section 4 of the *Children's Protection Act* under which children could be apprehended as "neglected children". The transcript of the trial which took

³⁸ Case 3501. Letter from father to South, no date (c. March 1911).

place in Fernie before the local police magistrate begins with Reynolds' prepared statement.

"My wife has been dead twenty months on the 27th of last month. I have made application to have these three children committed to the care of the Children's Aid Society. I wanted the children committed to the Home on account of my inability to rear them as good women. I am doing it in the interests of the children. I have not been working lately. I am a mason by trade."³⁹

It undoubtedly came as a surprise to Mr. Reynolds -- who viewed the committal of his children largely in terms of a contractual transfer of the rights and responsibilities of guardianship -- when South proceeded to call the local sergeant to give testimony regarding the conduct of Reynolds' two older daughters, neither of whom was the subject of the trial. The sergeant testified:

"About two years ago now, I was down at the [train] Depot one morning. Mr. Blackstone, the Agent, informed me there was something going on as L. had so many young girls coming around there... I went to the school the next morning and had a talk with Mary [Reynolds] I asked her why she was around the G.N. Depot so often. She told me she went around there because L. gave her 10 and 25 cents for a kiss. I asked what he was doing with her on the blankets. She said all he done to her was to kiss her."⁴⁰

At the conclusion of the trial, Reynolds' three youngest daughters were committed to Vancouver Children's Aid Society, having been found to be "neglected children" as defined in section 4 (3). The court did not render any finding with regard to Reynolds' four other children (including Mary) and they all remained in their father's care. In a final procedural twist, the

³⁹ Case number 3501. Court transcript dated May 11, 1911.

⁴⁰ Case number 3501. Court transcript dated May 11, 1911.

matter of maintenance for the children was not dealt with in the transcript, but appeared only on a slip of paper unceremoniously glued onto the reverse of the Order for Delivery form signed by the presiding magistrate. This addendum required the municipality of Fernie to support the children until they reached the age of 14 years, and indicated that they could seek reimbursement from Reynolds.⁴¹ A letter from Reynolds to South two months following the committal of the children reveals Reynolds' disdain for this arrangement.

"I do not know if you are cognizant of the fact that Judge Whimpster has seen fit to issue an order against me for the maintainence of the children. Now it is not that I object so much to pay, but I do certainly object to pay and have no say whatsoever in their disposition.

And you certainly know that I should not have let them go with you had I not understood otherwise and also that I was no willing party to the compact, but only through force of circumstances. I was sorry then and I am now. So if you will arrange matters so that I can recall them at any time I will endeavor to pay you the 30.00 per month, it will certainly be a hard struggle but I have been doing that all my life as you could realize if you think a little, handicapped as I have been to maintain a wife and 7 children more so than you can ever know.

I read your letter of recent date to Mary [in which South states "I wish that you were down here too for you would have advantages in schooling that you cannot get in Fernie] and I am so detestable a character that you should try to instill a desire into her to go there. I know that I am not of the best according to some people ideas and I also know that I am not the worst...."⁴²

⁴¹ This arrangement does seem to reflect the provisions of the *Children's Protection Act*, section 92 (1) and 92 (4). In the cases examined for this study, this is the only instance where there is reference to the enforcement of the provisions of subsection (4), which provides that:

"Every municipality incurring expenditure hereunder may recover the amount of such expenditure from the parent of the child in respect of whom such expenditure is made."

⁴² Case number 3501. Letter from father to South, dated July 19, 1911.

The Reynolds girls remained in the care of the Society until they had each reached the age of 17 years. Mr. Reynolds grudgingly continued to reimburse the municipality for their maintenance until their respective 14th birthdays. When Reynolds ceased to reimburse them, the Fernie City Council petitioned South to have the children returned to their father, but he refused and continued to bill the municipality until they were released. By the discharge of the second child, Reynolds had been forced to heavily mortgage the ranch on which he lived.

For single fathers like Reynolds, financial responsibility, legitimate paternity and guardianship were inseparable. Reynolds, along with others who boarded their children with the Vancouver Children's Aid Society usually expected to contribute -- at least symbolically -- to their upkeep. In return, they expected public agencies such as the Society to fulfill a quasi-contractual obligation to house, feed and educate their children. Paternity was seen as an inherently legal relationship which imposed primarily financial obligations and bestowed general guardianship rights.

The relationship which obtained between economically stable single fathers and the V.C.A.S. highlights many of the characteristics of the "entitlements" which western welfare states have typically provided for male wage-earners. Single fathers approached the Society not as petitioners for charitable assistance, but as independent market-actors seeking a contractual exchange of service. In many cases, this fundamentally shaped their perspective of the Society, which, as noted above, they commonly termed a "school". They did not regard the Society as a public agency concerned primarily with child-centered interventions aimed at "the criminal classes".

Rather, they focussed on its most obvious physical expression, the imposing Children's Home, and envisioned it as an affordable boarding school in which their children could be cared for and trained.

Largely, single fathers who were able to arrange and maintain a boarding agreement with the V.C.A.S. escaped the stigma which marked others whose children resided in the Home. They preserved guardianship rights, and the leverage created by their monthly payments even allowed some input into daily practices concerning their children. Further, as the cases discussed here have shown, the relationship between fathers and their children was largely regarded in legal and economic terms. Repeatedly, South informed fathers accused of deserting their families that he "did not know and did not care" about the sources of conflict within the family. Essentially, these cases suggest, the measure of a father was his ability to keep his family from public dependency. To again quote South, "... any man who calls himself a man will deprive himself of all luxuries to enable him to make provision for his children".⁴³

South's indifference towards the wider obligations of fatherhood is clearly an historical artifact which would find much less obvious expressions in present-day social welfare policies. Nonetheless, the basic assumptions concerning the acceptability of family dependency on a male wage-earner continue to be expressed in contemporary policies. More fundamentally, the practices outlined here highlight the gendered nature of the concept of dependency in western capitalist societies. Despite the fact that single fathers who approached agencies like the V.C.A.S. were clearly in desperate need of

⁴³ Case number 1216. Letter from South to father, dated March 15, 1911.

support in the form of skilled child-care, the Society's practices reveal little concern that they may become "pauperized" or dependent on such public assistance. Rather, they are regarded as fully independent citizens to the extent that they are able to continue to support their children, if only financially.

As will be documented in Chapters Seven and Eight, the policies of the Vancouver Children's Aid Society set very different standards for acceptable maternal relationships, standards which required much more than financial responsibility. Where men seeking aid in the form of skilled child-care were deemed independent citizens, women approaching the Society for assistance (whether in the form of material aid or services which would allow them financial stability) were typically regarded as social failures likely to become a permanent burden on the public and posing an on-going threat to their children's development. Not surprisingly, the relationship between these "unnatural mothers" and their children was regarded as much more fragile and more easily terminated by public agencies than the legal and economic relationship between independent fathers and their offspring.

Chapter Seven

Unnatural Mothers: Public Aid and Natural Motherhood.

"At the present time we have about 170 in the Home, and many of them are very young babies who have been deserted by their unnatural mothers..."¹

During the period under study, the position of most single women within the political and economic structures of British Columbia was, of course, markedly different from that of the single men discussed in the previous chapter. As outlined in Chapter One, recent gender-sensitive analyses of welfare programs have focussed on the new "positive" forms of power which had as their goal the creation of self-regulating, gendered "citizens". For at least the first half of the historical period examined here, women were excluded in important respects from all three of Marshall's "stages of citizenship" -- most fundamentally through their exclusion from the political process. Nonetheless, even in the earliest policies and practices of the Vancouver Children's Aid Society, it is possible to discern important tendencies which would continue to characterize the efforts to constitute women as appropriately gendered "citizens" later in the century.

¹ Add. MSS. 672, vol. 174. Letter from South to Manager of Laurential Milk Co. requesting a donation of milk after death of the Home's cow. Dated Jan. 21, 1914.

This chapter examines these tendencies in terms of their effects on the Society's policies and practices towards single mothers, particularly those caring for illegitimate children and those whose husbands had deserted. As noted in Chapter Six, the single fathers encountered in this study tended to be regarded primarily as "legal citizens" with guardianship rights typically respected by state agencies, provided that they met their financial obligations. In contrast, women's relationship to their children was typically regarded as "natural" rather than "legal". Women were more likely to be denied aid, even in desperate circumstances since they were regarded as shirking their natural duties to their children. While many of the fathers discussed above were chastised for attempting to foist their children upon public agencies, women who approached the Society for aid were often regarded as not only irresponsible but "unnatural".

In examining the Society's responses to the problem of single motherhood, I also describe and analyze the Society's position among the myriad strategies by which women sought to meet their own needs and the needs of their children. The "public" nature of children's aid societies -- in particular their emphasis on legal formality, financial responsibility and contractual relationships -- cast economically qualified single fathers as entitled citizens rather than supplicants. Although some single women sought a similar relationship with the Society, few succeeded.

Once again, as discussed in Chapter Six, the focus on single parent families can be justified on both empirical and theoretical grounds. An understanding of the roles of the V.C.A.S. within British Columbian society in the early twentieth century cannot ignore the overwhelming numbers of

single mothers who approached the Society for aid. Theoretically, the focus on families headed by single women is also crucial in the application of the "two tiered" model of welfare provision outlined in Chapter One. As noted by Orloff,

"... [T]he difference between the two tiers of social insurance and social assistance - often understood as the difference in treatment between men and women - is better conceptualized as a difference between members of families that are, or were, headed by a male breadwinner with an economically dependent wife (and children), and families maintained by women who are not in the paid labor force, or work on its fringes, who must make claims based on their status as mothers." (1993, p. 315)

Ultimately, the political mantle of "citizen" is an expression of entitlement and obligation. By outlining the fundamentally gendered character of child rescue practices during the early twentieth century, the discussion here offers historical evidence of one strand of the broader forms of gendered "citizenship" which eventually led to women's enfranchisement (cf. Koven and Michel 1993). As this chapter will illustrate, one important characteristic of citizenship in western democracies is the continuing importance of women's maternal and conjugal obligations in buttressing their political and social claims. The examination begins with a description of the socioeconomic circumstances which faced the single mothers encountered in the study.

As outlined in Appendix I, the largest percentage of single mothers approaching the Society were either parenting illegitimate children, or had been deserted by their husbands. Together, these two circumstances characterized 27 of the 47 cases examined. Desertion and illegitimacy cases were similar in that they involved mothers who had been (in most cases)

denied the practical, emotional and financial support of the fathers of their children. Many women left without a male breadwinner in the early twentieth century faced the mutually contradictory demands of "... restoring the revenue deficit engendered by the absence of a man while still ensuring that domestic labor and childcare were performed" (Bradbury 1993, p. 196).

As Bradbury outlines, women faced with crushing demands of single parenthood in the late 19th century typically relied on assistance from others to supplement their own earnings. She examines the "webs of means" woven by these women and illustrates how financial contributions from kin and community, children, and informal production all supplemented the wages of single mothers. She also briefly notes the roles played by charitable organizations and institutions (Bradbury 1993, pp. 197-213).

While the legitimacy of the children involved did not alter the demands they posed, women caring for illegitimate children consistently faced greater barriers in their quest to maintain their children. The case files of the Society provide only limited insight into the private options available to single mothers raising illegitimate children in this period. One particularly graphic case provides an obviously extreme example of the censures which such women might have faced within their own families. The family in question ran a large, well regarded dairy farm on Vancouver Island. They were, by all accounts, respected and financially stable. Excerpts from the running record provide the following clinical account.

"... In the summer of 1925, neighbors informed Mrs. Irvine [of the Nanaimo Children's Aid Society] that they had reason to believe that there was a child in the home that was kept a prisoner. ... Mrs. Irvine visited the home ... [and] found mother

and R., aged 2 1/2 in a room in an attic living under most unsanitary conditions - faeces on the floor - no mattress on the bed, paper hanging in strips from the walls. R. was wrapped in dirty rags and his body was filthy. It is understood that R. had never been downstairs...[M]ost of the children are illegitimate as father deserted several years ago."

"[Uncle Willis] states the whole trouble was the mother's illegitimate children. Her family do not feel they should be responsible for them."²

Five of the woman's children were committed to wardship and spent varying periods of time in the care of the Vancouver Children's Aid Society. The family fought vigorously to have the two oldest boys returned to work on the farm in 1929, but when contacted about the possibility of taking the child whose infancy is described above, they were "sorry to say there isn't much doing in Nanaimo. All the relief work is stopped and there's nothing doing... Grandpa said that he couldn't take him just yet but if anything comes up he'll see about him coming over."³

By comparison, many of the single mothers portrayed in the case files were much more successful in their attempts to arrange for themselves and their children. In September, 1924, R. Grayston (who briefly served as the Society's Superintendent and Secretary following South's retirement) received a letter from A.M. Stephens, a long-time child rescue advocate. The letter outlined the concerns of Mr. J. M. Gilroy regarding the circumstances of his children, who were in the care of his estranged wife.

"Acting upon advice from Mr. Ian McKenzie, M.L.A., Mr. J. M. Gilroy has given me particulars of the case involving his children who are in need of your protection..."

² Case number 322. Running record dated Sept. 1925 and August 1928.

³ Case number 32202. Brother to Miss Hill (visitor), November 10, 1931.

"I know that you have the power to act in this matter... that, by an order from the Court, you can take these children into your custody, after investigation. You can then, arrange to have the children made joint wards of the Court and suitable people, relatives of friends, designated by Mr. Gilroy. Mr. Gilroy is able and willing to pay for the children's board and lodging etc.

These children...(aged 6 and 8)... are at present in the care of their mother,... who is not living with her husband but with a questionable character. This man, together with the mother of the children are engaged in running a "place" or "blind pig" at 633 Gore Ave. The little children are taken down to this place in the afternoon, where for several hours each day and evening they are in this "place" exposed to the vileness and criminal influences of the surroundings. There is no question as to their condition. They are neglected if ever children were.

I trust that, in the interests of the children, you will do your duty without delay. Every day that the children are left there is a serious matter affecting their future as citizens..."⁴

In Stephen's eyes, women in the position of Mrs. Gilroy could not provide the moral and economic resources which her fledgling citizens required. Although his information was limited to that provided by the children's father, Stephen evidently found it credible, having little difficulty imagining that neglect of her children would flow inevitably from Mrs. Gilroy's lifestyle. Grayston visited the family shortly thereafter and recorded his findings.

"... I visited Gore Avenue at 4:45 P.M.... and found Mrs. Gilroy together with several dirty looking men in a room at this address. Mrs. Gilroy stated that the children were not there and did not come there, but that they had been in the habit of coming there and going to the Show after which they returned to their home.

[The next morning]... I visited the home... and found the children with an Italian... apparently acting towards the children as father and mother, Mrs. Gilroy standing at the stove cooking something for a meal.

⁴ Case number 2003. Letter from A.M. Stephen to R. Grayston (Supt.-Sec'y), Sept. 4, 1924. Emphasis in original.

So far as the children are concerned they are well-fed and well clothed and during the day they are cared for by a young girl of 16 years of age ... who lives on the opposite side of this Street. This girl stated that Mrs. Gilroy returns to the home generally about 1 A.M. and sleeps on the premises with herself and the children.

The influence exercised on these children must be very poor and the evidently close connection between the Italian and Mrs. Gilroy, which is undoubtedly of an illegitimate nature must eventually tend to lead the children the wrong way.

I propose to ask that these children be taken from both their parents as being unfitted to have control or direction of their lives."⁵

Grayston's report offers a fascinating example of the logics which characterized the Society's responses to the plight of the single mother. Despite uncontradicted evidence that the children did not frequent her questionable business establishment, that they received responsible care and supervision during work hours, and that Mrs. Gilroy and "the Italian" apparently acted towards them as mother and father, Grayston's recommendation was that they be removed "from both their parents" and committed to the Society.

Women who were successful in replacing the economic contributions of their husbands faced a more stringent test in the form of the moral requirements of motherhood. To men like Stephen and Grayston, each strand of the "web of means" which allowed Mrs. Gilroy's family to survive economically appeared to threaten the children's morality -- with perhaps the greatest threat being her extra-legal relationship. Likewise, although all women faced with raising children alone in early twentieth century British Columbia suffered from the contradiction between material survival and the

⁵ Case number 2003. Statement of Grayston, Sept. 20, 1924.

moralties applied to motherhood, women whose children were illegitimate were subject to the greatest challenges.

Illegitimacy

"Your [Adoption] Committee has dealt with some questions this year of no ordinary importance, one of which is the numerous applications made to receive the offspring of misguided and unfortunate girls. Several girls have come to the city from various parts of Canada and some from the Old Land with a view to hide their shame and have made application, sometimes even before the child was born, to have the little one committed to the Society immediately after its birth.

Your Committee is of the opinion that the Society was not established for the purposes referred to in the previous paragraph."⁶

Illegitimate children who were eventually committed to the Vancouver Children's Aid Society were, in the majority of cases (60% of families, 54% of children), in the care of single mothers at the time of first contact (See Table 7.1 below). At the time of committal, almost 60% (17/29) of illegitimate children were in the care of their mothers. In just two cases did single fathers have custody of their children at the time of committal -- neither of whom had custody at the time of first contact with the Society⁷.

⁶ *Annual Report* 1911, p. 29.

⁷ Case numbers 3016 and 3017. In what has emerged as a common theme, both of the illegitimate children whose fathers had custody at first contact with the Society were initially boarded at the Children's Home, and later apprehended when their fathers defaulted.

TABLE 7.1

STRUCTURE OF FAMILIES COMMITTING ILLEGITIMATE
CHILDREN TO VANCOUVER CHILDREN'S AID SOCIETY
(1901-1930)

Structure	At First Contact		At Apprehension	
	Families	Children	Families	Children
Nuclear	1	1	0	0
S. Mother	12	14	12	18
S. Father	0	0	2	2
Ex. Family	2	6	0	0
Other	5	5	6	6
Totals	$\overline{20}$	$\overline{26}$	$\overline{20}$	$\overline{26}$

A number of illegitimacy cases presented themselves to the Vancouver Children's Aid Society when relatives tired of the burden of caring for the children and approached the Society for assistance in locating the parents or assuming responsibility for the children. In every such case, the relatives had transferred care of the children by the time of apprehension⁸.

In British Columbia until the late 1920s, unwed mothers found some institutional support in maternity homes operated in Vancouver by the Salvation Army, in Burnaby by the United Church and in Victoria by the Women's Christian Temperance Union. The operation of such homes was regulated by the *Infants' Protection Act*⁹ which prohibited any individual from caring for more than one infant under one year of age "for hire or

⁸ For an illustrative example, see case number 0322.

⁹ *An Act to Regulate Maternity Boarding Houses and for the Protection of Infant Children*, S.B.C. 1901, c. 29.

reward" in an unregistered house. The act further required registered maternity homes to keep fastidious records of the origins and destinations of all women and children who came into their care,¹⁰ prohibited maternity homes from advertising, and required that all "adoptions" be overseen by either a children's aid society or the "Superintendent of Police"¹¹.

For expectant, unmarried mothers, these organizations were clearly alternatives for only the most desperate. Most maternity homes refused to care for children apart from their mothers, and many required convalescent mothers to aid in the care of infants, sometimes including required service as wet-nurses (Rooke and Schnell 1983, pp. 115-130).

Twelve of the 303 V.C.A.S. wards in the sample examined here had contact with the Salvation Army Maternity Home (either as expectant young mothers or as newborns) before being committed as wards of the Children's Aid Society. One child was born in the United Church Home for Girls in Burnaby. In terms of abandoned newborns, the largest percentage of V.C.A.S. wards in the sample (over 7% or 21 children) came to the Society from either the city's hospitals or the Creche.¹² Unwed mothers who were unable to make private arrangements and were unwilling to reside for long terms in maternity homes typically pursued one of two alternatives: private adoption or placement in a commercialized infants home (B.C. Child Welfare Survey 1927, pp. 26-28).

¹⁰ S.B.C. 1901, c. 29, s. 4, 22, 24.

¹¹ S.B.C. 1901, c. 29, s. 27.

¹² I am unaware of any organizational records or studies of the City Creche, which offered day-care for a small number of employed mothers.

If maternity homes presented an undesirable option, there were similar obstacles which barred women who attempted to privately place illegitimate children -- whether or not they were their natural offspring. One case from 1914 illustrates the paternalism which characterized both the letter of the law and the attitudes of jurists. On September 8, 1914, Mr. George Lee wrote to Charles South seeking advice in a private adoption he had arranged.

"I take the pleasure in writing you asking your advice if you will oblige me about a Child I adopted a month ago. I wrote out an agreement with the Mother and she signed it before another witness to give me full charge of the Child and Bring the Child up as my own now after having it one month she comes along and wants to take it back again and I have refused to give it to her until I get your advice as to whether I can claim it or her hoping you will reply at an early date...."

"I forgot to tell you this woman Mrs. Oster adopted the Child in the Old Country when it was 12 hours old and she turned it over to my keeping one month ago now she has come to claim it back she wants to pay me for it keep but I refused till I got to know if she could take it back from me."¹³

The replies of South, a sitting Magistrate, and his fellow Magistrate Simpson of Nanaimo indicate the conundrum which must have confronted many women seeking to arrange for private placement of illegitimate children. As a married woman, Mrs. Oster's ability to enter into such a contract was subsumed by her husband, regardless of his lack of legal standing in the case. The illegitimacy of the child and, more importantly, judgements of her own maternal suitability appeared to seal the fate of her efforts to regain custody. South replied to Mr. Lee:

¹³ Case Number 2813. Letter from Geo. Lee to South. Sept. 8, 1914.

"... If this woman is married and has a husband living, then any papers that she signed, without the husband's signature, would not be binding, and you could not hold the child.

Of course I cannot say whether you have a good transfer of the child, unless I see the papers, as a Judge of the Supreme Court would not uphold these adoption papers unless they are carefully drawn...."¹⁴

He further conferred with J. H. Simpson, Stipendiary Magistrate from Nanaimo, outlining his proposed advice to Mr. Lee:

"Mrs. Thompson knows this Oster woman very well, and states that she is not a fit person to have the care and custody of this child, and further states that Mrs. Oster admitted to her that the baby was not hers by birth, but that she had received it from some woman in England without any written agreement. If this is true, Mrs. Oster is not the guardian of the child: Therefore, she cannot sign the child away, and has no authority to remove the child from Mrs. Lee.

I am suggesting that they make an application under the Infant's Act... Section 67, sub-section 5., "A child who has been deserted by her lawful parents and guardians."...[Y]ou could then commit the baby to the Children's Aid Society of Vancouver, and then Mr. Lee can adopt the child from us."¹⁵

Ultimately, the Society's intervention in this case was not necessary.

Writing in judgement of the case on October 29, 1914, Judge Murphy stated:

"I am not convinced by the argument submitted that Mrs. Oster has the rights of a parent. That being so, I do not feel compelled to hand the child over to her regardless of the child's interest.... If in the future, circumstances change, this decision is not to be a bar to Mrs. Oster renewing her application..."¹⁶

¹⁴ Case Number 2813. Letter from South to Lee. Sept. 10, 1914.

¹⁵ Case Number 2813. South to J. H. Simpson, Stip. Mag. Nanaimo. Sept. 12, 1914.

¹⁶ Case Number 2813. Judgment of Murphy, J. October 29, 1914.

Effectively, the societal response to illegitimate children in British Columbia during this period involved a halting attempt to shift the care of illegitimate children from the traditional options of apprenticeship or extended family care towards institutional care operating within the philanthropic sphere (such as maternity hospitals) and the market sphere (such as commercial infant homes). In each case, however, institutions struggled with the organizational and moral problems of "imposition"¹⁷.

The concern over illegitimacy as a drain on public resources was regularly expressed in the Society's organizational minutes and other published material. In the Society's Annual Report for 1912, we find their first explicit reference to the "problem" of illegitimate children.

"Applications are now being made to make children over to the Society and too often the request is made to cover up the crime of bringing a child into the world without a name and permit the mother and alleged father to pass through the world as being without a stain upon their character. Many of the little mites referred to were in a condition verging on to death."¹⁸

¹⁷ There is much room for historical work on the operation and eventual elimination of commercial infant homes in Canada. Burnaby's Ivy Lodge was one such operation. Founded in 1927, it immediately drew the ire of members of the British Columbia Child Welfare Survey team (supervised by Charlotte Whitton under the auspices of the Canadian Council for Social Development) and the Vancouver Children's Aid Society (then headed by Whitton's colleague Laura Holland).

The operators of Ivy Lodge briefly succeeding in having the facility recognized under s. 51 of the Infant's Act, thereby qualifying for provincial funding. By 1931, the Ivy Lodge had been forced to close, the standing population of abandoned children having outstripped the Provincial Government's willingness to fund the operation. Officers of the Vancouver Children's Aid Society were widely quoted as suggesting that the Lodge catered overwhelmingly to unmarried parents (Add. MSS. 672 Vol 122).

¹⁸ Cited in *Annual Report 1939*, p. 6.

The imagery here reveals the stark effects of gender in the Society's policies toward single parents. Paternity is presented here as a legal status with "criminal" repercussions for the "nameless" child and an implied standard of due process to protect the rights of the "alleged" father. The vulnerability of the birth-mother to moral condemnation lurks in contrast.

Similar themes emerge in a revealing piece of correspondence with the local press corps wherein South conveyed the circumstances surrounding the abandonment of a child whom he assumed was illegitimate. The child, being about 2 months of age, was found on the front lawn of a prominent family in 1913. South wrote of his "regret that the newspapers got hold of the transaction".

"I had requested them not mention this matter, for it is just an advertisement in my opinion, for women to leave their babies when they are not under observation."¹⁹

Here the "alleged" father disappears entirely from South's visualization of the problem of supervising irresponsible mothers who were allegedly at risk of abandoning "their" children.

Given the hostile environment which faced the mothers of illegitimate children during this period, it is not surprising to find a number of poignant cases involving women pushed to desperation by the birth or pending birth of an illegitimate child. In many cases, information on file is limited to terse commentary by officials, not unlike the previous descriptions offered by South and the Adoption Committee. In other instances, case files allow for a more

¹⁹ Case number 490201. Apparently a press release written by South c. 1913.

complete contextualization of the material and emotional circumstances in which these women found themselves.

In some instances, the correspondence and reports contained in these files beg for a degree of informed conjecture. One such case occurred in September, 1913 when Officer Lowry of the Vancouver City Police brought an infant before Police Magistrate H.C. Shaw. The child had been found, apparently abandoned, in a boarding room in the City. The room was empty with the exception of a short handwritten letter, unsealed and without an address. The court transcript (including Officer Lowry's testimony) and the letter offer the only available information concerning the child's identity and parentage.

"I answered call to 2004 Heather Street where we found a baby girl about two weeks old. Mrs. Belleville of that address informed us that about 1 PM today a woman called there with this baby and asked for a room for one night which she got. She seemed to be very weak and sick. She said she had just come from the General Hospital. She then went to the room and wrote a letter to her sister [in]... Butte, Montana after which she went out leaving the baby on the bed. A short time after this some one phoned Mrs. Belleville enquiring about the child. This party said they were speaking from St. Mary's Hospital and that the mother of the child had fallen off a car and broken her back. Mrs. Belleville phoned all the City Hospitals, also St. Mary's Hospital New Westminster but could not find any trace of her... We took the baby to the Salvation Army Home."²⁰

Despite further exhaustive searches of Vancouver and New Westminster, authorities were unable to locate the mother, or find record of her hospitalization for either the birth or the alleged accident. The only

²⁰ Case number 2811. Court Transcript, Report of Officer Lowry, Sept. 17, 1913.

information concerning the child's background came from the letter found with the child.

"Dear Sister - Just a few lines to let you know I'm still alive hope your the same but Gee I feel sick and weak. I just come out of the hospital today and I shouldn't of. I'm not fit to do anything. I carried the baby a couple of blocks and I had to sit down on the street if I hadn't of I would of fell down. I was sure I was going to faint. My insides seems as if it was all on fire. There is something not right but the Baby is a darling... a little girl if its father was only alive to see her wouldn't he be proud. But still its all for the best. He's dead 8 months tomorrow. It seems strange for me to have a baby and him gone so long but its his and I will Love it as i did Poor Bert am going to Westminster tomorrow if I am able atole I don't know anybody here in Vancouver and its very hard for me but strangers are very very good to me and everybody thinks baby is a dear... Well Ida I don't feel much like writing but I thought I'd let you know how i was. I am going to get my suitcase now and get some food for baby. I have to get envelopes also before I can post this but there is a drug store right close and baby is real good hardly ever crys only when she's hungry... With fondest love to all, Your loving sister Anna..."

While the information on file for this case precluded its inclusion as a case of illegitimacy, it seems to offer great insight into the desperation and inventiveness of individuals left only with undesirable choices. Such dynamics were further evidenced in the cases of desertion found in the files of the V.C.A.S.

Desertion

The majority of the single mothers whose experiences are documented in the files of the Vancouver Children's Aid Society occupied the continuum between the cases described above. Those able to construct systems of support

like Mrs. Gilroy likely avoided any contact with men like South or Grayston. Similarly, although abandonment was relatively common, there is little definitive information about the circumstances of the parent(s) preserved on file. Many women who approached the Society did so after struggling for years to maintain their children with only sporadic or non-existent contributions from the children's father.

As documented in Appendix I, claims of desertion were key factors contributing to the Society's involvement in families headed by single parents of either gender. Slightly more than twenty percent of single father cases (7/32) and almost 30% (13/47) of cases involving single mothers involved desertion.

Claims of desertion made by both men and women present important difficulties for historical analysis. Families which came into contact with the Vancouver Children's Aid Society were, as we have seen, either fractured or in the process of becoming so. Single parents approaching the Society were well aware that their circumstances would be scrutinized and often sought to present themselves as victims deserving of public provision. This careful 'presentation of self' was particularly important for single mothers. Evidence that they had neglected their duties and obligations as "mothers" or "wives" were, for them, stigma which would be difficult to overcome.

The case of the Chime family is typical of many in which mothers apparently deserted their children. In July 1909, The Chief Constable at Fernie, B.C. contacted C.J. South to ask for assistance in dealing with the family of John Chime which was in destitute circumstances. "It appears", the Constable reported, "that [Chime] refuses to support his wife and family.

[Chime] was offered work at Hosmer at two and a half dollars a day, but because he could not get an eight hours shift refused to work." The Constable added that Mrs. Chime was "very anxious that two of the [three] children should go to the Children's Home."²¹

Like many of the families examined in this study, the Chimes came to the attention of the Vancouver Children's Aid Society primarily due to their desperate financial circumstances. In some cases, these families were deemed sufficiently deserving that South would consider boarding the children, and intervening personally in an attempt to convince the fathers involved to shoulder their responsibilities.

For Mr. Chime, and many other fathers, the policies of South and the Vancouver Children's Aid Society had a distinctively less tolerant tone. South's primary concern in this instance revolved around methods by which Mr. Chime could be legally compelled to support his family. Refusing, in this case, to consider boarding the Chime children, South proposed that the primary response ought to be a legal one.

"... The only condition upon which these or any other children can come to the Home is that an Order be obtained committing the Children to the Aid Society and under that order the father would be compelled to pay towards the support of the Children. From what you say in your letter I am of the opinion that [Chime] should be summoned before the Court and compelled to support his family."²²

²¹ Case number 1110. Letter from Chief Constable to South, July 27, 1909.

²² Case number 1110. Letter from South to Chief Constable, July 31, 1909.

Later, discussing the case with the Provincial Secretary, South reiterated "If this man will not work and provide for his family then in my opinion he ought to go to jail and be made to work. I have advised the Police to this effect..."²³

The policies of the Vancouver Children's Aid Society toward non-supporting fathers during this period repeatedly reflected this class-based distinction. South clearly agreed with the Chief Constable that Chime appeared to be "a worthless, good-for-nothing kind of man". This evaluation not only affected the tack of South's approach to Chime himself, but also had repercussions for his wife and children, who were deemed undeserving of public support.

The intersection of these gender- and class-based policies typically had profound effects upon the decisions which faced women like Mrs. Chime. Almost one month after being apprised of the family's plight, South was informed by the Constable that "Mrs. Chime [had] left her husband and her whereabouts is unknown, leaving him with three children. The father... has made arrangements for the adoption of [the two youngest children, including a four month old infant] and there is a probability that [the oldest boy] being taken care of by some family."

Instances such as these reveal the complexities which characterized "desertion". Unable to obtain support from the police, the Vancouver Children's Aid Society, or the Provincial Secretary, Mrs. Chime apparently chose an option which promised some benefit for both herself and her

²³ Case number 1110. Letter from South to Provincial Secretary, August 6, 1909.

children. A related case reflects some of the dynamics evident in cases where the V.C.A.S. agreed to become involved in an on-going familial dispute.

In November, 1911, Mr. Fritz approached the Children's Home requesting to board his three children aged nine, seven and three years. After several months of unrest, his wife had fled the family home, initially taking the children. Unable to find adequate housing and without any real prospect of supporting the children, she had returned them to her husband, who had refused to allow her into the family home.

Just before Christmas, 1911, Mrs. Fritz and her children returned to the family's home. However, by February of 1912, the children were once more on the Society's doorstep. This time, Mrs. Fritz had approached the Society asking that they again be boarded. In support of her application, she brought a letter from Reverend R. M. Thompson outlining the case.

"Mrs Fritz... has asked me to do what I could toward the replacing of her children in the Home. According to her statement, she had them taken out before, because she could not endure being separated from them, and because she hoped that the conditions in her home might improve. She is now quite hopeless and says that the children are not provided for in the matter of clothes and food, and she would rather suffer the separation than see them suffer want.

Personally I do not know her husband but it seems from what she says that there has been trouble between them frequently, owing to his gambling and non-support, and attitude toward religion...."²⁴

In addition to the official correspondence, an enclosed note apparently offered further assessment by the Reverend. This additional correspondence is

²⁴ Case number 1907. Letter to South from Rev. R. M. Thompson, Feb 23, 1912.

enlightening as it illustrates both the legal hurdles which confronted women seeking court backing in their claims of non-support and the reactions of many officials involved in cases of marital discord.

"She is greatly worried as it will not be easy for her to get anyone to prove that he gambles, and she fears that he may use violence if he finds out her intention. I advised her as follows:

(1) to prove non-support and have the Court order him to provide for them.

(2) If he refused as of will she could get separation papers, and have good grounds on which to ask for placing the children where they would be looked after.

It is a peculiar case. I think the woman is about distracted. She is very changeable and seems to fear him greatly. I know absolutely nothing against her in any way, but have a lingering suspicion that there must be fault on both sides. There is no doubt, from the appearance of the home and children that they are in very hard circumstances. She seems to be greatly attached to the children. I really think the main cause of their domestic trouble is incompatibility of temperament....."²⁵

Without the consent of her husband, Mrs. Fritz' request to place her children in the Home was dismissed. Discussions continued for several months, ending with a note indicating that Mrs. Fritz had again left her husband with the children, hoping to force him to place and financially support them.

Whatever the difficulties in distinguishing between "desertion", mutually desired separation, and forced expulsion, we must conclude that it offered perils to women which did not confront single fathers. We have canvassed the challenges which their lack of access to a reasonable wage presented for single mothers. In addition, single mothers like Mrs. Fritz who approached the Vancouver Children's Aid Society during the early twentieth

²⁵ Case number 1907. Note attached to letter of Feb 23, 1912.

century often found themselves subject to policies and practices which demanded a standard of conduct and range of responsibilities much broader and more nebulous than that demanded of fathers.

The case histories cited thus far in this work have revealed, in their actual practices and in the vocabularies with which they were reflexively linked, many important elements which characterized the "dual streams" of welfare described by Nelson (1990), Gordon (1988b), Orloff (1993) and others. One key characteristic of the portrayal of single mothers has been a "naturalized" vision of maternal obligations. In the cases which follow, the consequences of the "natural" responsibilities of motherhood for single mothers deserted by their husbands are exemplified.

In September, 1921, South received correspondence from a WCTU Community Visitor describing the plight of Mrs. Morton, a resident of Ladysmith on Vancouver Island.²⁶

"I would like to outline the two cases from Ladysmith that I spoke to you about when you were here a week ago....

The first case is Mrs. R. Morton...

... whose husband left her in February, with five small children, whose ages range from thirteen years to four years of age. When her husband left her Mrs. Morton had nothing in the house. There was one pair of blankets there which was on Morton's own bed. Morton is supposed to have gone off with a young woman from Ladysmith. ..."²⁷

The visitor requested that South petition the newly established Mother's Pension Board for assistance. He replied:

²⁶ Case number 3524.

²⁷ Case number 3524. Letter from Elizabeth Waugh, community visitor, to South, dated Sept. 2, 1921.

"The pension people tell me that they cannot take any action to assist, because they are of the opinion that she is absolutely unfit to have anything to do with the children, and that when their investigator was there, as I think you know, everything was in a very bad condition, the children uncared for and filthy.

... I gather, that one of the authorities in the district of Ladysmith, was a medical man. He says that the best thing to do is to remove the children ... because of the weakness of her intellect and the probability that she will very soon become so bad that she will have to be transferred to the Asylum. In fact, his idea is that the children are neglected because [of her] mental condition... she is unable to do her duty although she has tried."²⁸

The single fathers discussed earlier were, of course, also subject to an evaluation of their worthiness to receive aid from the Vancouver Children's Aid Society. We have noted the importance of a family's social class in determining the Society's policies -- in particular the ability of the father to meet the financial obligations of boarding his children and the Society's attitude toward men with leftist political leanings. Nonetheless, single mothers unquestionably faced a much more demanding standard in their quest for aid. Clearly, from South's perspective, single mothers like Mrs. Morton bore a "natural duty" to their children which was not mitigated by the desertion of their husband or by their own poverty. Mrs. Morton's inability to meet this standard of "natural motherhood" rendered her not only an unfit mother, but one of "weak intellect".

The Morton children were finally judged neglected and were committed to the Society's guardianship. Almost three years later, Mr. Morton reappeared. He claimed to be willing and able to support his children.

²⁸ Case number 3524. Letter from South to E. Waugh, undated, c. October, 1921.

Then-Superintendent Brankin of the Vancouver Children's Aid Society was clearly reluctant to return the children, thereby "... allowing this man to escape from paying back the money that the Province has paid out since he deserted them..." A note in the case file's running record indicates that two of the children were eventually returned to their gainfully employed father while the others remained in the free homes where they had been placed by the Society.

The specifics of the Morton case do tend to obscure the gendered policies of the Society inasmuch as several independent observers raised questions regarding her ability to parent.²⁹ In the case of another resident of Ladysmith, however, the tenuous legal position of single mothers -- even those whose ability to parent is not at issue -- is clearly highlighted.

"... About nine or ten years ago [Mrs. Rose Weaving of Ladysmith] took an infant two or three months old and has kept it ever since. The child was an illegitimate child, whose mother has left Ladysmith and not been near for the last nine years at most. Mrs. Weaving's husband was supposed to be the father of the child. Mrs. Weaving's husband lived in Ladysmith up until three years ago and although living apart always paid for her rent and fuel; Mrs. Weaving taking in washing and doing other work to make a living for herself and the adopted child.

²⁹ In addition to South's comments above, Elizabeth Waugh, who agitated on Morton's behalf, did concede in her initial correspondence that she had,

"... spoken to several people from Ladysmith about Mrs. Morton and it would appear that she was a very bad manager and did not keep her home and children quite so clean as she might do. However, I believe, that if some of these good women in Ladysmith, who are so fond of dragging the poor unfortunate woman down, would just get together, and show Mrs. Morton what she should do that perhaps the woman would improve; but as it is now nearly everyone seems to be quite down on her and of course that is not much encouragement for improving oneself..."

[Case number 3524. Letter from Elizabeth Waugh, community visitor, to South, dated Sept. 2, 1921.]

Mrs. Risdale [the local visitor for the provincial Mother's Pension] came to Ladysmith and looked into Mrs. Weaving's application last December and also stated that Mrs. Weaving was entitled to the pension. The Pension Board, has, however, written to Mrs. Weaving asking her to find the mother of the child, and Mr. Weaving before she could get the Pension. This in itself is ridiculous, as if Mrs. Weaving had money with which to locate either the child's mother or her husband she would not be asking for the Pension. In other Supreme Court work, in cases similar to this when parties cannot be found affidavits by some reliable persons are always accepted, so why not in cases of this kind. Mrs. Weaving is far from well, and seems to keep the child very well...."

"In the [Weaving] case, I have also consulted the Pension Board.... There are some regulations or something of the kind preventing them from giving assistance under the Pension Act for the keep of a child who is illegitimate, and not the child of the person having it in possession or control...."

Supposing that Mrs. Weaving took out adoption papers under the Adoption Act, and had the child committed to her, then this other regulation steps in and says that because she has adopted the child with a view of getting the pension, she could not get it on that ground alone...."

Those women whose children were placed in the Home were more likely to have them apprehended than were men in similar circumstances. Of the 47 cases initially involving single mother families, the eventual desertion of the children by their mother led to their ultimate apprehension in 10 cases (21%). Half of these cases (5/10) involved illegitimate children and in 7 of the 10 cases, mother and child were deemed by the Society to be destitute at the time of first contact. Moreover, these desperate economic circumstances often led to damaging accusations being made concerning these women. In 7 cases, the women were deemed by the Society to be engaged in prostitution. Although case records do not allow any means of verifying or refuting these claims, their effect upon the Society's perception of the mother's suitability to parent was obvious.

Further, single women who approached the Vancouver Children's Aid Society seeking to board their children were most often denied this option -- sometimes due to "overcrowding" but often through blatant deceit. Although overcrowding was a chronic problem confronting the Children's Home, it is nonetheless true (as illustrated previously) that the boarding of children remained a common practice throughout the first three decades of the Society's existence. I have previously argued that the preferential position of single fathers as wage-earners in British Columbia's economic structure was a key factor in their relative success in boarding their children. The following case, however, reveals that the gender structures which shaped the Society's policies towards boarders were not always reducible to simple economics.

In October, 1913, Reverend C. Ladner of Kamloops wrote to the Vancouver Children's Aid Society requesting aid for a woman who had apparently been successful in supporting herself and her three children for some years and wished assistance in boarding her children with the Society.

"A poor woman of this City has requested me to write you and ask if you could assist her in getting her two children into the Home.

Her husband went insane about 15 months ago - is now at Westminster - and there is no hope of his regaining his reason. She is left without means to support herself and children. She is now waiting on table in the best restaurant in the City, and out of her monthly income, could and would assist in meeting the keep of the children in the Home.

The case is a most distressing one. Will you please do all in your power to help her place her children in the Home."³⁰

³⁰ Add. MSS. 672, vol. 147. Letter from Rev. C. Ladner of Kamloops to South dated Oct, 9, 1913.

South's reply is representative of many similar cases encountered in this study. Despite her apparently exemplary character references and stable source of income, the woman referred to was denied aid.

"... Regarding this poor woman you speak of: I am in great difficulty, for we absolutely are so crowded that I do not think at the present moment it would be possible to find room in the Home for even these two little ones.... In fact I would not like anyone to make us a present of a cat just now, for I don't know where we could put her."³¹

Equally as important, South proceeds to suggest more appropriate sources of aid for cases such as these. Both the sources of aid and the tenor of the letter reflect his understanding that, while the woman was apparently deserving of public aid, this aid should assume a rather specific form.

I think you ought to place the facts either before the Municipal Council, or His Worship the Mayor, and if you fail there, to approach the Government Agent, so that very probably through both sources you could obtain financial assistance for this poor soul.

It hurts me to have to write a letter such as this one is, but every week I have to send one or more out of the same tenor...."³²

As discussed in Chapter One above, a common theme in recent feminist analyses of western welfare states has been the existence of "dual streams" -- typically characterized by programs such as unemployment insurance on the one hand, and family welfare programs on the other. In the example above, South's suggestions all fall into the latter category. They represent forms of aid which are conditional upon the recipient's performance

³¹ Add. MSS. 672, vol. 147. Letter from South to Rev. C. Ladner of Kamloops dated Oct. 24, 1913.

³² *Ibid.*

of a service -- in this case, appropriate maternal care of children -- as opposed to the contractual relationship which characterized boarding arrangements. In many instances, however, such "charitable" aid was either not available or was deemed inappropriate.

We have seen how a single woman's inability to provide an adequate home environment for her children was often viewed as a clear indication of her inability to parent. In the case of Mrs. Morton, this resulted in the denial of her application for a Mother's Pension and, eventually, the forced apprehension of her children. In a large number of cases, however, women who approached the Vancouver Children's Aid Society requesting assistance in boarding their children were not merely denied service, but were pressured to "voluntarily" cede guardianship.

In August, 1914, South received correspondence from an Anglican minister in Nanaimo who detailed the circumstances of Mrs. Anheuser. She was held in some regard in her community for her efforts to provide for her three young children after the desertion of her husband some years earlier. Unfortunately, her health had failed recently and the Reverend wrote to South asking for his aid in temporarily boarding the two youngest children while the oldest nursed Mrs. Anheuser back to health. South's reply blatantly repudiated the established practice of boarding at the Children's Home.

"I cannot take these, or any other children in the Home as boarders, as we have no room for boarders. If it is absolutely necessary that the children be committed to the Children's Aid Society as wards, some provision might be made...."³³

³³ Case number 0212. Letter from South to Minister in Nanaimo dated August 27, 1914.

South proceeded to outline the implications of wardship, primarily the termination of Mrs. Anheuser's legal guardianship.

Accepting apprehension as her only available option, Mrs Anheuser consented to her second daughter Doris and youngest child Barbara being made wards of the Society. For six months, she regularly wrote the children (although both were too young to read), and sent them gifts of clothing, shoes and toys. Eventually, however, South wrote to advise Mrs. Anheuser that Barbara had been "adopted" and could no longer receive her letters.³⁴

"... In response to your communication of the 16th inst. I would like to say that I was greatly upset to hear of my baby being adopted so soon. I suppose she will be dead as far as I am concerned. I expect it is the attitude of the association to keep their mothers in complete ignorance of their abode after adoption. I wish it would be a little more sympathetic. I would like you to know that I am not always going to be a helpless beggar. When Mr. [Anheuser] deserted me and sickness overtook me so soon after my circumstances were appalling but the place is my own and I have not yet received the balance of my legacy which amounts to about \$800 dollars. I hope to be in a position to take Doris before very long. Do you think there is a chance of my being able to see Barbara once in a while?

Thanking you for your past favours, etc...."³⁵

In light of Mrs. Anheuser's account of the events which led eventually to the loss of her daughter, it is interesting to note the version of events which South gave to the family which "adopted" Barbara. South portrays Barbara's mother not as a member of a "criminal class", but as a noble (if tragic) figure.

³⁴ As will be discussed in Chapter Nine below, there was no legal basis for true adoption in British Columbia until 1921. Children "adopted" before the passage of the *Adoption Act* remained wards of the Society until they reached the age of majority.

³⁵ Case number 0212. Letter from mother to South dated March 15th, 1915.

"I regret that I was unable to be with you the day you went out to the Home, but you have selected an exceedingly fine little girl.

The reason why Barbara and Doris came to the Home was through the death of their father, the Mother was absolutely destitute, and after considering for some time and trying to support her children, she found that it was absolutely useless to go on....."³⁶

Although she apparently never again saw her youngest child, Mrs. Anheuser was granted the opportunity to visit her older daughter Doris later in 1915. She wrote to South requesting the visit so that she might "reconcile [herself] to the hand of Fate". South's reply offers some insight into his understanding of the circumstances which resulted in the permanent separation of Mrs. Anheuser (a woman whose resignation he apparently regarded as appropriate) and her children. His reliance on a providential explanation is much more consistent with the fictional account offered Barbara's adoptive parents than it is with Mrs. Anheuser's own experience. Although South does not directly attribute blame to Mrs. Anheuser for the collapse of her family, he does little to acknowledge the role of her husband in the family's plight.

"Of course when you come over if you will come to my office at the Dawson Block, corner of Main and Hastings Sts. I will be glad to give you an Order to go out and see Doris.

I got a letter two or three days ago about Barbara. She is very happy and contented, and they are very proud of her, as, under their tuition, she is fitting herself to occupy the position they intend their daughter to in the future.

Don't talk about the "hand of Fate". There is no such thing as Fate. All things that happen that we are not responsible for are permitted by One wiser than ourselves..."³⁷

³⁶ Case number 0213. Letter from South to adoptive father dated Feb. 1, 1915.

³⁷ Case number 0212. Letter from South to mother dated July 16, 1915.

South's decision to permit Mrs. Anheuser to visit Doris at the Children's Home, along with his accounts of the circumstances leading to the committal of the children, all illustrate his basic approval of Mrs. Anheuser as a conscientious woman who fulfilled the basic requirements of motherhood. The family lacked only a wage-earning father to meet the basic standard which infused the policies of the Society. However, even in cases such as these, South's actions reflected an attitude which prevailed amongst both charitable agencies and courts of the day. These agencies generally appeared much more willing to sever the "natural" relationship between mother and child than they were to terminate the "legal" status of father.

In an absolute sense, the emergence of the Vancouver Children's Aid Society in 1901 did represent a valuable resource upon which populations meeting specific racial, gender and class criteria could draw to deal with the difficulties specific to their various social positions. For most single women, however, their eligibility for this assistance and the form which it took were seriously compromised by the socially constructed form of their relationship to their children.

The Society's efforts to produce self-regulating families capable of raising respectable, responsible citizens were premised on very specific understandings of the rights and obligations of male and female citizens in Canadian society. In this chapter I have specifically analyzed how the Society's "naturalized" vision of the connection between mothers and their children shaped their understanding of and reactions to single mothers whose children were born with or without the sanction of marriage.

For the majority of the women whose experiences were documented here, the "public" nature of the Vancouver Children's Aid Society -- in particular its reliance on a strictly legal, contractual and exclusive notion of guardianship -- presented significant problems. Where the "legal" relationship between fathers and their offspring was reinforced, the "natural" relationship supposedly connecting women and their children was significantly disadvantaged and was ultimately, in many cases, legally terminated.

While children's aid societies, like charitable institutions, were loathe to accept the burden of illegitimate children, the Vancouver Children's Aid Society ultimately enjoyed, and often pursued, the option of establishing legal guardianship at public expense. For single mothers who made the difficult decision to turn to the Society, however, one consequence was the reconfirmation of the myth of their own maternal failings. In each case above, the responsibilities of the children's fathers are submerged beneath a narrative of maternal failure. Although seldom directly cited, there is a clear assumption that women unable to fulfill their natural maternal obligations to their children had failed, by definition, to meet their conjugal obligations. This connection between maternal and conjugal obligations is seen with great clarity in cases involving allegations of incest, to which we now turn.

Chapter Eight

Unwomanly Women: Maternal and Conjugal Obligations in Incest Cases

The cases reviewed to this point indicate that the role of Vancouver's Protestant child rescuers went well beyond the dismantling of the "criminal classes" to include the provision of aid to those who presented themselves as independent, self-sufficient citizens fulfilling their parental obligations. More importantly, as reflected in the practices recorded in their case files, the actions of agents of the Vancouver Children's Aid Society were clearly structured by gender. The very notion of "independence" privileged economically stable fathers and disadvantaged women who had shown exemplary ability to care for their families in often desperate circumstances.

The analysis developed in Chapter Seven focussed primarily on cases most representative of the plight facing the women encountered in the Society's case files. Building on this previous analysis, this chapter will examine a much less common category of cases: those involving allegations of incest¹. Again, these cases are important in both empirical and theoretical senses. Empirically, they provide important information concerning the occurrence of incestuous assault in early twentieth century British Columbia.

¹ Incest is defined here as sexual victimization by an immediate family member whether or not there was any biological relationship.

Scholars have bemoaned the dearth of historical information concerning incest in the Canadian context (Valverde 1991, p. 135). More fundamentally, in a society only recently coming to terms with the vast swath of sexual-victimization, historical accounts provide an important acknowledgement of the persistence of these practices. While the data upon which this analysis is developed can in no way provide generalizable statistical information, case files containing direct accounts from victims do offer important qualitative insight into the social processes which facilitated these assaults and the strategies pursued by victims and protective adults.

Theoretically, these cases are important exemplars of the reaction of public officials to the threat which some nuclear families posed to their youngest members. Previous chapters have focussed on single-parent families, which comprised the majority of V.C.A.S. cases -- for incest cases, nuclear family structures were the norm. By examining the strategies of women faced with such threats to their children, and the reaction of officials to their attempts to seek public assistance, this chapter will provide compelling data concerning the effects of gender on the practice of child rescue.

Incest was a factor leading to the Society's involvement in 13 of the 154 families studied.² Linda Gordon's (1988) study of family-violence files held by a variety of social service agencies in Massachusetts covering the period from 1880 to 1960 describes incest cases as being "common in family-violence case records from the very beginning of the child-protection

² Case numbers: 0707, 0811, 2401, 2616, 2718, 2805, 2828, 4008, 4016, 4101, 4910, 5206, and 5218.

movement, constituting about 10 percent of the case-load."³ References to incest among the records of the Vancouver Children's Aid Society are comparable, constituting 8.4% of the cases studied. In an effort to uncover more data, purposive sampling was undertaken by reference to the Society's ledger-book, which contains a chronological listing of most wards committed between 1901 and 1926. This search uncovered only two additional cases of confirmed or suspected incest.⁴

One of the descriptive threads of this chapter will examine how authorities (be they governmental officials, representatives of private agencies, or professionals) portrayed the familial problems which confronted them. The chapter will also place great emphasis on detailed discussions of the circumstances surrounding the families being discussed here. The cases, in the end, are far more diverse than they are similar. That said, incest cases differ in important ways from other cases in the main sample.

³ Gordon argues that incest drew the attention of social reformers in the United States of America between 1880 and 1920 after which incest became invisible, colonized by professions and distorted by victim-blaming. Empirically, the admittedly small sample of incest cases examined here suggests that if such a trend occurred in Canada, it likely took place much later.

Of the thirteen cases drawn from the main random sample, five occurred in 1927 or later. It may well be the case, as alluded to by Valverde (1991, p. 135-8), that incest was relatively submerged in the public texts of moral and social reformers in the inter-war period, but it is clearly not the case that the Vancouver Children's Aid Society showed a decrease in cases of incest. In fact (again bearing in mind the limited number of incest cases in either period), incest cases constituted almost 6 percent (7/122) of sampled cases initiated prior to 1927 and almost 17 percent (5/30) of sampled cases initiated after January 1, 1927.

⁴ Case numbers: 2908, and 0719.

The paucity of cases uncovered in the purposive sample results, in part, from the nature of the ledger-book. In effect, the book served merely as an index to the more involved case files which emerged from each case. Although the ledger does contain birth dates, whether parents were living, nationality, date of committal order and the court responsible for the order (where applicable), and brief notes (usually only names and/or addresses) where children were placed out, it offers only cursory descriptions of the circumstances responsible for the children's' admissions - in many cases, there are no descriptions at all.

Like many of the cases examined in this dissertation, incest cases with which the Vancouver Children's Aid Society became involved often concerned families where acceptable, legal marriages were in the final throes of disintegration. In every instance, the perpetrator was a male who functioned socially as the victim's father. In five cases, the accused was the child's natural father while step-fathers were implicated in three offences. Finally, five of the thirteen instances involved single fathers.

In three of the five incest cases where the Vancouver Children's Aid Society initially became involved with nuclear families, it was the breakdown of these families through divorce (or more commonly separation) which led to the placement of the children.⁵ While some nuclear-structured families broke down between the first agency contact and the apprehension of the children, many other parents had separated before their children came to the Society's attention. For example, the proportion of incest cases in which the family structure, at the time of first contact, was characterized as being headed by a single father accounted for well over one-third (39%) of cases, while the proportion in non-incest cases was less than one-fifth (19.1%). Although not statistically significant, this finding is notable when combined with a comparison of the number of single mothers whose children came to the attention of the Society as victims of incest.

Where the factors leading to apprehension did not include allegations of incest, single mothers were the sole custodial parents at the time of first contact in almost one-third of the cases (32.6%). Incest cases, however, were

⁵ Parents maintained joint custody of their children until apprehension in only 2 of the 13 incest cases studied. Among non-incest cases, joint custody at the time of apprehension occurred in only 13 of 141 cases.

significantly less likely to involve children who were in the custody of a single mother at the time of first involvement with the agency (8% of incest cases).

In combination, the comparatively high number of nuclear and single-father families at the first stages of agency involvement coupled with the rarity of single-mother families support the portrayal of incest cases as overwhelmingly involving either families where the father had retained custody following the death, desertion, or serious illness of the mother, or relatively stable legal marriages which disintegrated when the abuse was finally publicly exposed. Although the death of the mother was actually less common in incest cases than in non-incest cases, desertion and illness were significantly more likely in the former. In almost one-half of the incest cases studied (6/13), the mother had fled her husband by the time of apprehension while serious illness was involved in slightly under one-third of cases (4/13).⁶

Women who had left abusive or negligent spouses were not rare in the case-files of the Vancouver Children's Aid Society. Not surprisingly, many of these women approached the Society largely because they had taken their children in tow. Cases involving allegations of incest did not typically follow this pattern. In only one instance was the Society initially approached by a single woman with custody of her children. Although a large range of factors affected women's decisions in these circumstances, economic necessity clearly played a major role. The families appearing in the incest cases studied here were significantly larger than families in non-incest cases. While non-incest cases averaged 1.86 children per family, cases involving incest averaged 3.46

⁶ Both desertion by and illness of the child's mother were more common in incest than non-incest cases. Cases of desertion comprised over 45% of incest cases and less than 20% of non-incest cases. Illness of the child's mother was a factor in over 30% of incest cases and less than 8% of non-incest cases.

children.⁷ Undoubtedly, the challenges of supporting three or four children weighed heavily on the minds of many of the women encountered in this study. One such example is the case of the Richardson family.

In late 1927, the Richardson family⁸ was brought to the attention of the Vancouver Children's Aid Society when their oldest daughter, Emily, was discovered living in an abandoned house with a teenaged boy from the neighborhood. When brought to Juvenile Court, the girl alleged that she had been sexually abused by her step-father for several years and had subsequently been involved with several young men in the neighborhood.

Initially, Mrs. Richardson claimed that her husband had abandoned her, and left her in destitution with 5 children. The Society's investigation, however, uncovered a much more complex set of circumstances. Despite her early claims, it soon became evident that Mr. and Mrs. Richardson had never been married and that all five children were illegitimate, Mr. Richardson being the natural father of three of the five. Further, it was discovered that Mrs. Richardson had at least one undeclared source of income -- a widow's pension amounting to 75 dollars which she drew from the Canadian Patriotic Fund on behalf of herself and a child from her previous marriage raised by and residing with Richardson's relatives.

The Richardsons' family life was characterized by neighbors as raucous. Mr. and Mrs. Richardson often fought and both apparently drank heavily (this characterization was confirmed by the children). Neighbors also

⁷ F = 2.09, p = .042.

⁸ Case number 2828, August, 1927.

claimed that the family ran a rather lucrative bootlegging operation, although this was never proven.

Mr. Richardson re-appeared rather suddenly once the Society informed Mrs. Richardson that they could not accept her portrayal as a deserted wife. Most importantly, his re-appearance was preceded by a hasty marriage to his common-law wife. Notes from the case file suggest that the marriage was calculated to render Mrs. Richardson a non-compellable witness in the pending sexual abuse case. Faced with the uncorroborated testimony of Emily, and with her sullied character and reputation within the neighborhood, the charges were dropped. Each of the five children spent short periods in the care of the Vancouver Children's Aid Society, usually during the periodic desertions of Mr. Richardson. The guardianship of all five children, including Emily, was eventually returned to Mr. and Mrs. Richardson

The Richardson case reflects important characteristics of many of the cases examined in this dissertation. Far from being the complacent object of state intervention, Mrs. Richardson sought out state resources, utilized legal categories to her own limited advantage, and carefully scripted her "presentation of self" to meet the requirements of the Society. The economic reality of surviving as a single woman with 5 illegitimate children likely made Mrs. Richardson's decision less one of sacrificing her daughter in favor of her husband and more likely a matter of protecting her children's right to maintenance by Mr. Richardson. Indeed, in the several years during which the Society was involved with Mr. Richardson, the legal responsibility created

by his marriage provided an important lever both within the family structure and in the family's relationship to other authorities.

The case files contain numerous other accounts of the efforts of women and children to thwart the incestuous advances of fathers and step-fathers without directly threatening the family's economic viability. Once again, by examining the responses of mothers to the abuse of their daughters, we can gain important insight into the effects of gender structures in shaping the range of resistances available to women in the early twentieth century.

One case from 1914 poignantly illustrates both the limited options which these women faced and the mixed response of the victimized children as the social and economic position of their abuser was reinforced. In 1913, a mixed family by the name of Tagernay⁹ came to the attention of Superintendent Charles South of the Vancouver Children's Aid Society. Mrs. Tagernay, who was chronically ill, had two girls from a previous marriage and two children from her marriage to Mr. Tagernay. Despite his steady employment, Mr. Tagernay's family lived a penurious existence, eventually leading to the involvement of the Society.

After the three youngest children were taken into care on charges of neglect, Audrey, the second oldest, disclosed that her step-father had been sexually abusive. In support of these allegations, her older sister (now married) wrote of her own experiences with Mr. Tagernay.

⁹ Case number 4910, November, 1913.

"When he (step-father) worked in the baths he was always wanting me to strip and let him give me a bath. I did once and when I told mother she was so mad she gave me a note to give him next time he asked me... When he told me to go and undress I opened the letter and all mother said was 'Herbert. Rose mustn't have a bath tonight. Send her home early. Mother.' I showed him the note and he was so mad he wouldn't have me help him clean up the baths anymore."¹⁰

Similarly, the case records are replete with examples of the strategies used by children to deter their abusers. Gordon (1988, pp. 227-240) argues that incestuous assault is typically enmeshed in a complex and often confusing social milieu. While it is universally experienced as wrongful by its victims, it is intimately wound up with notions of obligation, duty, and the protection of other family members. Nonetheless, it must be recognized that children, particularly the very young and those living within nuclear family structures, were clearly aware of the impropriety of their abusers' actions. The stereotypical, isolated family which functioned with a cultural acceptance of incestuous relations was notably absent from the cases studied here.

The statement of Audrey Tagernay, written in 1914, includes reference to her own efforts to deflect the advances of her step-father -- efforts which apparently met with some limited success.

"... It was while mother was sick that he used to sneak in my bedroom and put his hand up my nightdress. I used to pinch Emily who was sleeping with me and she'd wake up and he'd pretend to be covering us up... I told mother about him after that..."¹¹

¹⁰ Case number 4910, Notarized statement dated January 6, 1914.

¹¹ Case number 4910, Notarized statement dated January 6, 1914.

This case, along with many similar cases, illustrates attempts by young girls to protect themselves by breaching the privacy upon which their victimizers often relied. It also highlights a contradiction in the child-savers' oft-repeated condemnation of group sleeping arrangements¹². While the lack of private sleeping arrangements was a consistent complaint among middle-class visitors in both the Victorian and Progressive eras, the incest cases examined here often highlight the dangers which "private" quarters presented for girls. For the majority of the children appearing in the Society's records, however, their efforts to compromise this oppressive privacy were ultimately inadequate.

"... Vera under oath stated in Court at Golden that her father had tampered with her privates ever since she could remember. He continually talked about sex matters to her and attempted relationship with her but she was always able to get away from him. Even on occasions when she has had a girl friend to stay all night with her he has come into the bedroom and made advances toward her...."¹³

Victims of incestuous fathers, their siblings and their mothers, showed great resourcefulness in attempting to defend themselves from the abuses perpetrated within their families. The cases outlined above are representative of their efforts to mobilize "the powers of the weak" against their oppressors. As we have seen, however, women living within these families typically lacked the economic and social resources to effectively bar the abuses of their husbands and fathers. For these women, the emergence of social legislation may have initially offered some encouragement by apparently presenting new resources from which they could draw. The

¹² See for example, Woodsworth's often cited reference to "the crowded couch of incest in the warrens of the poor" (1911, p. 9).

¹³ Case number 2719, October, 1935.

"maternal feminism" of the nineteen-twenties clearly envisioned legislation which recognized and reinforced women's contributions in their "proper sphere".

Canadian legislation at the turn of the century contained a number of initiatives which appeared, *prima fasciae*, to provide important leverage for Canadian women in their struggle to escape oppressive family structures.¹⁴ The present discussion will not address the application of this wide range of legislative initiatives in detail. Rather, it will emphasize some of the legal and extra-legal forces which functioned to limit women's recourse both to law and to social welfare agencies.

In turn of the century Canada, incest occupied a markedly different position in the public iconography than did other sexual offences. In the 1892 Criminal Code, incest was categorized as an "Offence Against Morality" unlike the offences of rape and carnal knowledge which were deemed "Offences against the Person and Reputation". Further, the elements of the offence clearly reflected legislators' desire to consider the role of both of the participants in the offence.

"Every parent and child, every brother and sister, and every grandparent and grandchild who cohabit or have sexual intercourse with each other, shall each of them, if aware of the consanguinity, be deemed to have committed incest."¹⁵

Chapman, in her study of sexual offences in western Canada between 1890 and 1920, argues that the subsection allowing a judge to refrain from

¹⁴ For more complete discussions of these legislative initiatives, see Bradbury, 1992; Snell, 1983, 1991; and Backhouse 1988, 1991.

¹⁵ *Criminal Code* (1892), s. 176. This offence has remained substantially unchanged.

convicting a female who "consented" only in the face of "restraint, fear, or duress" represented a compromise between the Conservative Minister of Justice who argued in 1890 that "both the male and female should be punished in incest cases" and the leader of the Liberal opposition who felt that such a requirement would strongly deter women from reporting such crimes.¹⁶ Despite these concessions, the criminal law has only rarely been applied to incestuous assault in Canada. For the years between 1900 and 1930, Criminal Code charges and convictions of Incestuous Assault averaged approximately 5 per year (Report of the Committee on Sexual Offences Against Children and Youth 1984, p. 358).

One of the first elements of an incestuous assault as defined in the Code involved proof of one of the three defined blood relationships. The lack of available medical technology clearly thwarted many prosecutions and, on some occasions, courts seemed willing to dismiss charges entirely if this preliminary element was not proven.¹⁷ In the case-files of the Vancouver Children's Aid Society, at least one such example was uncovered.

In 1904, a ten year-old girl was "made over" to the Society following an incest trial in the town of Fernie, British Columbia. The circumstances of the case, as reported in the local newspaper, clearly illustrate the barriers imposed both by legal requirements and by the gendered models of parenthood which underpinned legal decision-making. The accused, Mr. Wilcox, had his charge reduced to one of indecent assault when it appeared "... from the evidence of Mrs. Wilcox, wife of the prisoner, that the little girl

¹⁶ *Debates of the House of Commons*, 15 April 1890, pp. 3369 - 3370. Cited in Chapman, Terry (1984, pp. 97-98).

¹⁷ Chapman (1984, p. 98) includes several such examples.

was not his daughter, but had been adopted by Mrs. Wilcox in England, unknown to her husband...". Finally, however, it was not this legal intricacy so much as a vision of what constituted appropriate gendered behavior and responsibility which led the Fernie jury to acquit Mr. Wilcox.

"His Lordship said that if the jury believed some of the evidence tendered against the adoptive mother of the child they must find her to be a degenerate of the most repulsive type, a fiend of a rare sort, quite capable of putting up the little girl to tell the story against the alleged father. At noon the jury re-entered the court after 20 minutes deliberation and announced that they found the prisoner not guilty, asking the Court at the same time if there was not some way of taking the child away from her adopted mother, so as to give her a chance to grow up along decent lines."¹⁸

The intricacies of case law were only one contributor to the general air of hostility which greeted women who sought public remedies to the private problems facing themselves and their children. It is far more likely that resort to the law or social welfare agencies was mixed with feelings of failure, resignation and even guilt for many, though not all, of the women who appear in the Vancouver Children's Aid Society's case records. In this sense, the experiences documented here support the finding of many commentators that Progressive-era understandings of child-rearing and domestic science had achieved the status of a consensus by the early twentieth century. Hand-in-hand with the gradual extension of political and social rights in the inter-war period, notions of the obligations of citizenship were adopted by a wider constituency through the pervasive effects of public education, and moral and social reform campaigns.¹⁹

¹⁸ Case number 5206. Excerpt from newspaper, May 19, 1904.

¹⁹ See for example, Sutherland (1976), Valverde (1991), Chunn (1992, p. 43).

In addition to this generalized sense of responsibility, gender expectations also shaped the response of agencies like the Vancouver Children's Aid Society towards incest cases in ways which undoubtedly discouraged women from seeking their support in their efforts to defend themselves and their daughters.²⁰ The cases examined here contain several examples where women who approached the Society with allegations of incest against their husbands were themselves subject to censure and even had their children apprehended.

These women faced a uniquely gendered form of stigmatization; they were regarded as having failed to fulfill at least three of the most basic expectations of motherhood. First, by allowing their daughters to be victimized, they had failed by not vigilantly guarding their children's well-being. Second, in many cases, the actions of their husbands were held to indicate their failure to achieve an orderly domestic environment which met the needs of all -- including their husbands. Finally, by turning to quasi-public agencies for aid they had willingly brought public attention to their daughters' disgrace. In the eyes of the Society, these were "unwomanly women" unworthy of the responsibilities of motherhood.²¹

In one such case, seven children of the Gertz family arrived at the Children's Home in Vancouver, having been committed to the Society by a police magistrate in Grand Forks. This family was previously discussed in Chapter Six, where I noted South's accusations concerning the father's

²⁰ The few North American scholars who have examined the stigma attached to the receipt of welfare provisions have virtually ignored the gendered nature of these stigma (for example, Horan and Austin 1974).

²¹ Case number 0707, South to mother, June 19, 1922.

I.W.W. affiliations. In addition to these concerns, South questioned the local City Clerk about statements made by others concerning the behavior of Mrs. Gertz.

"... I may tell you confidentially that John Woods, who is doing so well in the Home came to me on Saturday... and told me in a confidential way that the woman was a bad woman, that she went with other men. Is this true?"²²

The City Clerk could not confirm these allegations, although he noted that Mr. Gertz had accused his wife of "... allowing other men to go there... especially when they had had a quarrel." The primary problem facing the family according to the Clerk was Mr. Gertz' refusal to support his large family.²³

Some six months later, in May 1922, the children were still in the care of the Vancouver Children's Aid Society when Mrs. Gertz contacted the office of the Attorney General claiming to have evidence that the oldest daughter, aged 17, was pregnant by her father. The girl later disclosed that the father had attempted to rape her after her mother left the home, although a medical examination proved she was not pregnant. Nonetheless, South appears to have been convinced of the veracity of the girl's claim. "... There was nothing wrong" he wrote, "but it was not her Father's fault. He treated her in a most beastly way... He should be thankful he is not in the penitentiary where he ought to be."²⁴

²² Case number 0707. Letter from South to City Clerk, Jan. 9, 1922.

²³ Case number 0707. City Clerk to South, January 19, 1922.

²⁴ Case number 0709. Letter from South to McCallum P.M., August 20, 1923.

Clearly, South did not simply dismiss this father's behavior towards his daughter. Mr. Gertz' actions are portrayed as abnormal and animalistic. Nonetheless, South was equally incensed with Mrs. Gertz for having the audacity to publicly denounce her husband's actions, thereby threatening her daughter's reputation. Writing to the Provincial Government's Superintendent of Neglected Children (a position created only months before), South replied to Mrs. Gertz' allegations:

"... It is deplorable to think that a Mother would circulate such reports about her seventeen year old daughter, even supposing there was truth in the statement she made. What an awful thing it is when a Mother should tell the world that her daughter was in the family way by her own father..."²⁵

South then wrote directly to Mrs. Gertz, clearly holding her accountable not only for the assault and her own attempts to bring public powers to bear on her husband, but even for the trauma of the medical examinations which he had ordered.

"I was surprised and horrified to receive from the Government word that you had written to say that Pearl was in the family way, and you went further, you told the Attorney-General that your husband, the father of Pearl, was also the father of her baby. I was horrified and am still horrified to think that any mother would make such a statement about her daughter.

I have had examinations made by two medical men, and I find that it is an absolute falsehood, and I am distressed to think that you caused your daughter to be examined by two Medical Men, when you, the mother of that girl, should have protected her and not tried to take her character away..."²⁶

Despite the obvious barriers confronting Mrs. Gertz, she continued to rail against the innuendo and censure directed at her by Supt. South.

²⁵ *Ibid.* South to Brankin, Supt of Neglected Children, June 1, 1922.

²⁶ *Ibid.* South to mother, June 19, 1922.

Eventually, all of the Gertz children returned to live with both parents who had relocated in greater Vancouver. Mrs. Gertz continued her efforts to force her husband to contribute to the family, quite likely with the same vigor she showed in her struggles with South. I will detail her resistance to South's accusations in Chapter Nine.

The tendency to lay a good deal of the responsibility for familial discord and even assault on the doorstep of wives and mothers -- particularly those who attempted to bring public attention to the plight of themselves and their daughters -- was not peculiar to the Vancouver Children's Aid Society. Indeed, it reflected attitudes and polemical techniques common to legal institutions²⁷, reform movements²⁸, and even the communities in which these women lived. In the cases of both Mrs. Wilcox and Mrs. Gertz, Charles South acted not only at the behest of Judges and Magistrates, but also that of juries, and community-based informants.²⁹ In fact, the incest cases examined here were most often brought to the attention of the Vancouver Children's Aid Society through the complaints of either community members, or government

²⁷ This is particularly evident in the paternalistic aspects of the legal concept of guardianship and its expression in the Society's approach to single mothers.

²⁸ There is much similarity, for example, in the lines of questioning found in many of the case transcripts examined here, and the discursive techniques outlined by Valverde (1991) in her analysis of the "white slavery panic" which swept Canada in the first fifteen years of this century. (pp. 77 - 103; cf. McLaren's (1988) discussion of the characterization of male exploitation in prostitution cases during this period.

²⁹ In March 1922, South wrote to Mrs. Gertz asking her to answer to accusations made by several Grand Forks women that she had been unfaithful to her husband and that some of her children were in fact illegitimate. Both Mr. and Mrs. Gertz denied these accusations - Mrs. Gertz concluding: "... I hope this letter will answer your questions. If not I will have to go to a lawyer and see if he can figure out what you want and find out these parties that is so low as to try and bar a mother from her children just because her health was so she could not take care of them..."

agents³⁰, in marked contrast to non-incest cases. The majority of community-reported incest cases involved nuclear families (3/5) while only one involved a motherless household. Clearly those incest cases which attracted community censure typically included not only sexually abusive fathers, but women who could be labelled negligent mothers.

TABLE 8.1
COMPLAINANT APPROACHING VANCOUVER CHILDREN'S AID
SOCIETY
(INCEST VS. NON-INCEST CASES)
(1901-1930)

Complainant	Pct of Incest Cases*	Pct of Non-Incest Cases**
Community Complainant	33	12.0
Other Gov't Agent	20	9.3
Custodial Parent	13	29.3
Police / Magistrate	13	17.3
Non-Custodial Parent	7	4.0
Other Complainant	7	2.0
Affected Child	7	.7
Hospital / Mat. Home	0	8.7
Other Relative	0	7.3
Other Children's Aid Society	0	4.7
Vancouver C.A.S. Initiated	0	2.7
Probation / Curfew Officer	0	2.0
	----	----
Total	100.0	100.0

³⁰ In most rural areas in British Columbia during this period, government agents served as conduits, bringing both individual and community requests for aid or intervention to the Provincial Secretary or other appropriate provincial officer. In most instances, cases brought to the Society's attention through government agents had already aroused community concern.

* 13 valid cases; 0 missing cases.

** 138 valid cases; 3 missing cases.

Gendered expectations also affected women who sought private solutions to the assault of their children. While women like Mrs. Gertz were frequently chastised for exposing their children's victimization to public or professional scrutiny, others who attempted to avoid a public airing of their familial crises were, on occasion, subject to censure by the courts.

Late in 1906 in Rossland, British Columbia, the local Magistrate's court convened to try three men for having "unlawful carnal knowledge of a female under 14 years of age" - the thirteen year-old daughter of the widowed Mrs. L. Benson. The trial invoked a fair amount of public interest, and Charles South was already well acquainted with the facts surrounding the case when he received a letter from the Chief of Police of Rossland dated December 17, 1906.

".... We had the trial of one of the prisoners on Friday and when the girl was placed on the stand she absolutely declined to give evidence, in fact would not open her mouth, so the case so far as the prisoner was concerned fell through...

Great influence must have been brought to bear on the girl and I have been informed on reliable authority that a professional man acting for a prominent politician had all kinds of money at his disposal to endeavor to have the case end in a fiasco."³¹

The records of the Vancouver Children's Aid Society contain relatively few cases of this sort. Parents whose children were victimized by non-family members typically sought criminal remedies and did not attract the attention of the Children's Aid Societies. However, it is also likely that most of these 'non-protection' cases involved male-headed, nuclear families. Chapman

³¹ Case number 2908. Letter from Police Chief to South, December 17, 1906.

notes that "[c]omplaints of rape and attempted carnal knowledge of a female under fourteen were laid by the girl's parents, usually the father or the husband. Very few women laid charges independently" (1984, pp. 100-101).

Transcripts of subsequent phases of the Benson trial present an intriguing account populated, as suggested by the Chief of Police's correspondence, with anonymous, and apparently fairly well placed, interveners. Mrs. Benson, for example, assured the court that she had made private arrangements for her daughter's "rescue" following the trial. "I want", she stated, "to take her to some school at Spokane or Colville and leave her there. It is a Catholic home or Convent where I would like to have her sent. I will not be there myself, but someone, whose name I refuse to mention will supply the money to send and keep her there." Further, she explicitly refused to consent to have her daughter sent to the Vancouver Children's Aid Society's Children's Home.³² For our purposes, however, it is sufficient to note the efforts expended by the court into the investigation of Mrs. Benson's character and the evaluation of her maternal abilities -- efforts in stark contrast to their relatively resigned attempts to secure convictions against those accused of assaulting the girl.

"... The child does not go to school, she is not under proper salutary parental control. She is growing up in a most unhealthy moral atmosphere. She is at the theatre alone and is on the streets at all hours of the night. She attends dances without escort and without parental supervision. She is constantly exposed to all the consequences of an idle and dissolute life. She goes to men's shacks or cabins and by her own sworn testimony allows them to have carnal connections with her...."³³

³² Case number 2908, Court Transcript, January 7, 1907, Rossland, B.C. - Testimony of mother.

³³ Case number 2908, Court Transcript, January 7, 1907, Rossland, B.C. - Testimony of Chief of Police.

Mrs. Benson's daughter was made a ward of the Vancouver Children's Aid Society and left for Vancouver by train the same evening that the last of her three attackers was acquitted.

The resort to legal and/or governmental resources did not only imperil protective mothers. Children who had been subjected to sexual abuse have also historically been stigmatized in terms of their treatment by the courts, social service agencies and the public in general. As will be discussed in Chapter Ten below, this was no less true for the cases examined here.

The resigned desperation which can be read into these cases represented one reaction of British Columbian women to the options which confronted them during this period. While the cases examined in this chapter have illustrated that the Vancouver Children's Aid Society's policies toward single mothers were at best callous and more often overtly punitive, many of the women encountered in the Society's case files adopted a distinctly "unwomanly" attitude to the Society's gendered policies. In most cases, these women focussed, by necessity, on limited objectives -- seeking the basic requirements of themselves and their children. On occasion, however, the study uncovered instances of political insight which are remarkable given the extreme circumstances which these women and children faced. Chapter Nine offers a brief recognition of these struggles.

Chapter Nine

By Any Subterfuge: Rights and Resistance to Gendered Intervention.

"A beggar is an object of our charity and may be said to have a right to demand it -- but when we use right in this way it is not in a proper but a metaphorical sense." Adam Smith¹

"The separation of charity and justice is consecrated by means of a baptism in the font of rights." (Andrews 1988, p. 65)

Given the preponderance of evidence already cited here, it would be difficult to argue that the Vancouver Children's Aid Society represented a notable improvement on its precursors for the families who came under its purview. The characteristics which, according to the Society's spokesmen, distinguished it from charitable organizations like orphanages included a recourse to law, a concern to cultivate the province's Anglo-saxon, protestant citizenry, and a professed concern to arrest the further development of a criminal, pauperized class. It has been argued here that each of these notions was fundamentally structured by gender, class and race.

From the perspective of child rescuers, their legally reinforced standing allowed children's aid societies to avoid imposture in a manner not available to older forms of charitable aid. Equally able to subvert the impositions of financially irresponsible fathers, maternally irresponsible

¹ Cited in Hont and Ignatieff (1983, p. 24).

mothers, and racial and ethnic groups deemed incapable of fulfilling the obligations of full citizenship, the Society appeared well equipped to cultivate a citizenry built on a political foundation fractured by class, gender and ethnicity.

Nonetheless, the case files clearly reflect an awareness among a wide range of clients that the Vancouver Children's Aid Society's public designation, in particular its reliance on its unique legal standing, left opportunities for some to access important resources. The cases described below document the efforts of several women to alter the terms of their engagement with the Society. Creatively utilizing a variety of political, legal and discursive strategies, these women provide important historical evidence of the active role played by clients in challenging, resisting and, in some cases, ultimately forcing the alteration of child rescue legislation and practice. For all the strategic benefits offered by the recourse to law, the case files reveal clear limitations².

² In his study of England's *Black Act* of 1723, E. P. Thompson (1977) provides a classic illustration of the contradictory operation of the rule of law in an early capitalist society. The Act imposed a rule of terror consciously designed to quash resistance to the entrenchment of property rights in the face of long-standing traditions of common resource usage -- reflecting the privilege of the propertied bourgeoisie and reinforcing the dependency of the working-class on wage labor. Nonetheless, in his summation, Thompson determines that "... the rule of law itself, the imposing of effective inhibitions upon power and the defence of the citizen from power's all-intrusive claims, seems to me to be an unqualified human good" (p. 226).

There is considerable historical evidence that the historical antecedents of Canadian criminal law, procedure and administration which comprise Thompson's "rule of law" garnered, from their outset, a significant degree of support amongst even the most disadvantaged, although much debate has emerged among commentators concerning the essential nature of the rule of law and its likely contributions to the achievement of social justice (cf. Beattie 1986; Hay, Linebaugh and Thompson 1975; Langbein 1983). In this very broad sense, there is continuity in the resort to legalistic principles of justice and equity by the parents described in this chapter.

As outlined in Chapter Four, legislation establishing Children's Aid Societies in North America involved the introduction of an alternative to the contractual indentures which had governed private transfers of guardianship and had supported some of the practices found in orphanages. This novel alternative created a form of public guardianship which had the characteristics of being judicially imposed and ostensibly final. The only circumstances under which a child committed to the guardianship of the Superintendent of Neglected Children could be relinquished were on the petition of the natural parents, by agreement between the Society and the parents, or on the child reaching majority. Most fundamentally, the legislation did not allow the Society to permanently transfer guardianship to any individual.

On some occasions, the Society's tendency to utilize committal rather than contractual placement (as in boarding agreements) worked in favor of single women who could no longer provide for their children. In May, 1921, South received a letter from a woman who identified herself as Mrs. Thomasson, a widow living in the interior who wished to board her children at the Children's Home.

"Being a widow and labouring under great difficulties through the loss of my husband who was drowned 2 years ago, and, having two little children left on my hands I now feel that it would be to the best interest of the children and myself also to have them placed in a home, where they will be cared for properly.

Will you kindly send me full particulars as to what it will cost me to place my children in your home and conditions of payment.

I could pay a small sum monthly if that would be convenient to you."³

South replied as he did to many such applications by single mothers. Without inquiring into the circumstances or ever meeting Mrs. Thomasson and her children, he instructed her that:

"... When children are made over to the Society, the Mother loses the control of them. We are so crowded that we cannot take children in as boarders; they have to be made over to the Society absolutely, and then we have the right to adopt them out...

I am sorry that we cannot take them in the Home in any other way."⁴

Mrs. Thomasson quickly accepted the terms of South's offer and returned the completed indentures (which South had signed prior to forwarding) accompanied by a brief note.

"Just a few lines to thank you very much for your kindness in getting the Society to receive my children. I cannot express in words how grateful I am, and I pray to God that my children will be always happy under your care."⁵

For many of the women discussed in Chapter Seven, the finality of a legal termination of guardianship distinguished their relationships with the Vancouver Children's Aid Society from those which had prevailed with orphanages, extended families and communities. In the Thomasson case, however, we find an affecting example of the contradictory nature of this legalistic, inflexible approach to child rescue. Mrs. Thomasson's letter, along

³ Case number 1624. Letter from Mother to South, May 23, 1921.

⁴ Case number 1624. Reply from South to Mother, June 1, 1921.

⁵ Case number 1624. Letter from Mother to South, July 11, 1921.

with the completed indenture forms, arrived in the hands of her two children.

Almost immediately, South wrote to their mother.

"The two little children arrived, but before I could possibly receive them into the Home as our wards, I want you to give me a little information.

Are the children Spanish, partly Indian, or partly colored. It is very important that I should know exactly the facts regarding their parentage and Nationality. I thought from your name, "[Thomasson]" the children would be Swedish, but now I don't know what they are. Please let me know at once."⁶

South also wrote to Sergeant Graham of the Provincial Police in Kelowna inquiring about the background of the children who were now his wards.

Graham responded,

"... I have the honor to report as follows...

Mr. Thomasson was drowned in the Sask. River in 1918 while employed as a bridge builder, leaving Mrs. Thomasson with five children. Four of the Children are in the children's home in Regina.

Mrs. Thomasson came here about 3 years ago from Sask. to work in a hotel bringing her youngest child with her. The other child was born in Kelowna and she claims that a man named Norman Oakwood of this place is the father of the child. Oakwood seems to have given her some little money for awhile to help support the child but since the first of this year has given her nothing.

Mrs. Thomasson appears to me to be about half white and half Indian so I guess that will account for the appearance of the children."⁷

Mrs. Thomasson's success in placing her children highlights one limitation of a child rescue strategy built around the termination of a birth parent's guardianship. Whether public guardianship was obtained by means

⁶ Case number 1624. Letter from South to Mother, July 18, 1921.

⁷ Case number 1624. Letter from Graham of the Prov. Police, Kelowna to South, July 28, 1921.

of indenture or by apprehension, the V.C.A.S. had few options which would allow for the termination of its guardianship in favor of the natural parent. The indenture agreement (see Appendix D) contained no specific escape clauses, while the *Children's Protection Act* required that the Court or the Society determine that a return to parental guardianship would be "for the benefit of the child".⁸

More fundamentally, by establishing itself as a public body charged with responsibility for "the protection of children from cruelty, the safeguarding of the young, the care and control of neglected and dependent children, [and] the education and care of orphans and destitute children..."⁹, the V.C.A.S. created not only new public powers of intervention, but corresponding public responsibilities. As we shall see in the cases which follow, parents were quick to recognize the inter-relationship between the Society's public authority and its public responsibilities.

One of the key linchpins which women utilized in their struggles to maintain guardianship of their children emerged from section 7 (1) of the *Children's Protection Act*, which governed the placement of wards in foster homes.

"7 (1) The society to the care of which any child may be committed under the provisions of this Act shall be the legal guardian of such child, and it shall be the duty of such society to use special diligence in providing suitable foster homes for such children as may be committed to their care, and such society is hereby authorized to place such children in foster homes on a written agreement, during minority, or for any less period in

⁸ *Children's Protection Act*, S.B.C. 1901 c. 9 ss. 8 (2), 8 (3) and 9 (3). See Appendix E.

⁹ *Children's Protection Act*, S.B.C. 1901 c. 9 s. 2 (a).

the discretion of such society. All such contracts shall contain a clause reserving the right to withdraw the child from any person having the custody of such child when, in the opinion of the society placing out such child, the welfare of the child requires it."¹⁰

The effect of this section was to eliminate the possibility of irrevocably transferring guardianship of a public ward to a private individual¹¹ until the passage of the *Adoption Act*¹² in 1920. Over the first two decades of the Society's existence, a general recognition of the limitations of this arrangement made "adoptive" placements increasingly difficult. One important example involved Barbara Anheuser, whose mother had been pressured into consenting to the apprehension of her two youngest daughters following the desertion of her husband¹³.

Less than one year following the apprehension of the children, Barbara was selected for adoption by a family of considerable means, who immediately expressed concerns regarding the terms of the Foster Agreement (reproduced here as Appendix J) forwarded to them by Charles South.

"I have yours of the 1st inst. with formal [foster care] agreement. I am sorry we missed you as I would have been able to explain our wishes better. What we want is to have entire legal control of the child who will take our name. There is considerable property which in the ordinary course of events will go to her

¹⁰ *Children's Protection Act*, S.B.C. 1901 c. 9 s. 7 (1).

¹¹ It appears that section 7 (2) of the *Children's Protection Act*, which grants children's aid societies the powers of a charitable society under the *Apprentices and Minors Act* (S.B.C. 1897, c. 8, ss. 3 and 7), would allow for the indenture of wards, effectively transferring guardianship to foster parents until the age of majority. Practically, it appears that courts resisted this practice, as the cases below outline. Note that the case cited in Chapter Five (Case number 2008) involved a child indentured directly to Charles South (not the Society) and subsequently indentured to an oriental family on Vancouver Island.

¹² *Adoption Act* S.B.C. 1920, c. 2.

¹³ See the earlier reference to this case in Chapter Seven.

and there will probably be more. You will readily see from this that we want to feel that the child is absolutely our own in every way....

We have already got very fond of Barbara and she is as much at home and as happy as if she had been always with us. It would be with the most sincere regrets if we had to part with her again but I think you will understand that we do not want others to have any control of the child we adopt..."¹⁴

South's reply is informative in a number of respects. First, he conveniently describes Mrs. Anheuser as a widow, although her deserting husband was apparently alive. Second, although he acknowledges the limitations of the form of "adoption" permitted by the *Children's Protection Act*, he understandably goes to great lengths to emphasize the advantages of having a public authority mediate between himself and the Barbara's natural mother.

"[L]ittle Barbara... was committed to the Children's Aid Society under the Infants Act, Chapter 107, B.C.S. 1911. You will see in a minute or two that the Society has no power to give absolute adoption by Agreement to anyone. Clause 72 of the Infants Act reads as follows:...

[Quotes section cited on pages 313-314 above.]

As a consequence of what I have just quoted, we are bound to insert the clause that is in our agreement of adoption. You will see that the Society does not interfere as long as the foster parents act in accordance with the agreement regarding the child received from the Society.

The mother has nothing more to do with Barbara, and the only persons that you would have to deal with would be the Society itself, and there is no danger of any interference with any family to whom a child has been permitted to go, unless, of course, there was a serious breach of the Agreement.

¹⁴ Case Number 0213. Letter from potential foster father to South, February 3, 1915.

I note what you say about the little girlie's future, and the taking of your name. Of course she would take your name, for subject to the provision I have mentioned, she is your child, and in the event of the demise of both of you, then the child would still have a guardian who would bring her up in accordance with the means that you had left for her education (not necessarily in the Home, of course) and who would see that the conditions of your will were carried out for the benefit of the child, and for the child only.

You must not feel nervous about accepting the responsibility under the Agreement, because I regret exceedingly that we cannot enter into any other Agreement. I wish to point out to you that it is quite dangerous to receive a child on what is believed to be absolute adoption, signed by parents. I have seen a number of these cases brought into Court, and although the foster parents had been exceedingly good to the child, yet the Judge of the Supreme Court has quashed the agreement entered into when the child was a baby, and given it back to its real parents, depriving the adopted parents of all their rights. If I were adopting a child I think that I would rather have it in the way in which you have done it, than run the risk of adoption papers, signed by a parent, being given"¹⁵

Apparently reassured, the "adoptive" parents signed the Foster Agreement proffered by South and, some time later, moved overseas with Barbara.

The passage of the *Adoption Act* in 1920 introduced further complexity into the Society's placement practices. Most fundamentally, the *Act* required the consent of surviving parents to the adoption of the child(ren). Anxious to avoid the perceived vagaries of "adoption" under the *Children's Protection Act*, prospective adoptive parents saw the act as an attractive alternative -- one which also provided an important statutory lever for parents whose children were in the care of the V.C.A.S.

One exemplary case involved a six year-old girl who was boarded at the Society's Children's Home in February of 1920. Elma's mother, Constance, had come from New Zealand to accept a position as a housekeeper for a single

¹⁵ Case Number 0213. Letter from South to potential foster father, February 5, 1915.

man. Elma was the oldest of three illegitimate children fathered by this man who subsequently deserted his family. Almost immediately after the children were boarded, the father fell into arrears and South began to agitate for their maintenance. The father replied that their illegitimacy absolved him of any legal obligation for support and South had the children committed in April 1920. In June of the same year, South began corresponding with a member of the provincial Attorney-General's office regarding the adoption of Elma. Almost immediately, Elma's foster father began to have misgivings regarding the child's legal status.

"What is the status of Elma's [natural] mother with regard to the child?" Under the 'Adoption Act' passed by the legislature this year, the consent of the mother, if living is necessary... We have already got very much attached to Elma and there is no doubt in my mind that Elma has got attached to us but before I go on any further I want to know where we get off at in the way of having legal control over her..."¹⁶

Obviously, this particular adoptive father was in a good position to be familiar with the importance of the *Adoption Act*. Despite South's assurances that the *Act* did not impact their agreement, the foster father forwarded a Supreme Court petition to the natural mother in September, 1920. When she refused to sign the agreement, he decided that South's assurances were not sufficient to justify any further emotional investment for himself or his wife.

"... I am very disappointed to say the least. If [the natural mother] will not give her consent we cannot legally adopt little Elma and unless we were in a position to legally adopt her I shall have no other alternative but to return her to you... It should not be unduly delayed as if Elma is not to remain with us, the sooner, for her sake, she is sent back to the Home, the better. It is not fair to the child, let alone to us, to allow her to get attached to us and then to separate us."¹⁷

¹⁶ Case number 422701. Letter from adoptive father to South, July 16, 1920.

¹⁷ Case number 422701. Letter from adoptive father to South, October 9, 1920.

One month later the final letter from this family informs South that,

"... [My wife] will be over with Elma on Thursday morning when she will turn her over to you. I thank you for your kind offer to be on the lookout for another little girl but at present I am feeling so upset at losing Elma that I do not feel very enthusiastic over the project."¹⁸

Elma was returned to the care of her natural mother and new step-father shortly after returning to the Home.

Despite the appearance of the *Adoption Act*, the V.C.A.S. continued to place children for "adoption" under the provisions of the *Children's Protection Act* well into the early 1920s. Apparently, the key consideration was the avoidance of the consent requirement under the *Adoption Act*. Case files reveal that some women seized upon this opportunity to overturn placements by the Society.

In March 1921, Charles South was advised by the Vancouver City Police Department of a case involving a woman arrested for "keeping a disorderly house". When police arrived to arrest the woman, she had in her care her two year-old son. South attended the residence and took the child into his care. That afternoon, he wrote a brief note to the mother, who was being held in the Oakalla Jail, requesting basic information regarding the child's name, birth date, religious affiliation, and parentage. Two days later, the child's mother wrote in reply.

"The warden has read a letter to me from you wanting particulars in regarding my baby.

¹⁸ Case number 422701. Letter from adoptive father to South, November 15, 1920.

I do not want to give information of any kind about my child. Could you please tell me why the baby can't stay with you until I am released. I have a good home for baby in which he will be looked after until I come out. Had I had time when I was arrested the baby would have been there now."¹⁹

Clearly displeased with the tone of resistance he encountered, South brusquely replied to the woman two days later, inflating the legality of the Society's claim to her as yet uncommitted son.

"The child... is now a ward of the Society for which you ought to be extremely thankful. There will be no possible opportunity for you to have baby back, and in the interests of baby I think it would be better that you should never see him again.

I suppose you did not know that in the proceedings at the Court the following facts were brought out. They show where you have been arrested, and just what kind of woman you are..."

The letter detailed a list of criminal charges including shoplifting and keeping a disorderly house.

In comparatively short order, the child was "adopted" by a family in the interior of the province. The foster-mother wrote numerous letters to South between the summers of 1921 and 1922 expressing delight in their young "son". There is a conspicuous lack of correspondence from the child's natural mother during this period which ends rather abruptly with the inclusion of a newspaper clipping, which is reproduced here at some length.

"Bitter controversy over the custody of [a four-year-old boy] who disappeared on Friday from the home of his foster-parents..., and who, the police... allege, was abducted, has led to the swearing out of a warrant for [the] director of the Catholic Children's Aid Society, who,... the Chief of Police... alleges, took the child away.

¹⁹ Case Number 070401. Letter from Mother to South. Circa. March 20, 1921.

In 1921 the court decided that the mother... was not a fit guardian for the boy, and he was handed over to the Children's Aid Society (Protestant) of Vancouver.

By legal agreement this society gave the custody of the child to... foster-parents under the Infants' Act. The mother, desiring to have the child back, commenced, or threatened to commence, habeas corpus proceedings, on the ground that the boy was a Roman Catholic. Proceedings were subsequently abandoned. Thereafter the Catholic Children's Aid Society took the matter up and obtained from the magistrate an order that as the child was a Catholic the Catholic Children's Aid Society were the proper persons to have custody of it....

[The foster father] states that [the director of the Catholic Children's Aid Society] called at his home and asked for the delivery of the child, which was refused... [He later] returned by auto, and without asking permission of anyone, took the child from the lawn of its home, where he was playing with his foster-sister...

This is one of the many cases that only too plainly shows the danger of people adopting children from institutions and becoming attached to them, and the danger they run should not be under-estimated. Very frequently there comes a time when the mother may be desirous of regaining the child's custody and she may resort to any subterfuge ... if she thinks it will help her to gain her ends. It generally results in blighting the lives of the foster-parents and the tragedy of it all is that it may ruin the child's own life as well.

[The boy]... is a particularly attractive child and endeared himself to his foster-parents and foster-sister... who is inconsolable since his disappearance."²⁰

The Vancouver Children's Aid Society carefully considered launching an appeal in this case, but their counsel was of the opinion that despite the fact that the mother had married outside of the Catholic Church, "the County Court Judge may be expected to arrive at the same conclusion as the Magistrate did". An Appeal was not pursued, allowing the natural mother, through legal and religious leverage, to regain custody of her son. Perhaps as

²⁰ Reference withheld to preserve anonymity.

importantly, the publicity which surrounded the case provided important impetus in altering the Society's preferred method of placing children.

As evidenced in the Anheuser case above, the Society profited during its first two decades from the legal provisions of the *Children's Protection and Infants Acts*. Where orphanages had been faced with extreme difficulties in arranging for the apprenticeship of non-orphans, the guardianship provisions available to the Vancouver Children's Aid Society allowed the Society full discretion in the placement of wards without requiring parental consent. The well-publicized abduction case detailed here, and the resultant reluctance of prospective adoptive parents to enter into adoption agreements mediated by the V.C.A.S., provide an important example of the legislative impact of strategies of resistance on the practice of child rescue in British Columbia.

More than the specific provisions of the legislation which established the broad margins for the Society's practices, it was the recourse to a quasi-criminal form of law which distinguished children's aid societies from their predecessors. In place of the contractual agreements which had previously circumscribed non-familial forms of care for children, the V.C.A.S. could point to its unique public authority, its legislated powers to intervene in parenting practices which fell short of criminal conduct, and its reliance on judicial fact-finding as evidence of their 'elevation' from providers of charity to administrators of justice. As will be exemplified in the cases which follow, child rescuers were not alone in their recourse to justice. Correspondence housed in the Society's files illustrates that clients clearly understood the obligations which public status and, most importantly, the rule of law imposed upon the Society.

Mrs. Gertz, whose condemnation by Charles South was discussed in Chapter Eight, provides an important example of the strength of the resistance which often surrounded child rescue cases. Soon after her seven children were committed to the V.C.A.S., initially due to the non-support of their father, Mrs. Gertz wrote to South requesting that the older children be permitted to write to her. Casting rather nebulous aspersions on her character, South suggested that it was in the children's best interests to sever all connections with her.

You know Mrs. Gertz, they say some terrible things about your character, and how you can write to me and ask why the children are not allowed to correspond with you, I don't know. We want them to forget that they had a father and mother such as you are."²¹

Mrs. Gertz' reply to South, written one month later, is instructive. Obviously unclear about why her husband's non-support should render her a poor influence on her children, she argues for access to her children based not on her civil rights or the best interests of the children, but on her record as a solid, long-suffering wife and mother.

"... I can't see where I have not done fair by Mr. Gertz.

I have worked away from home to help take care of the children... Now you are aware that it is some work for a woman to wash, make and mend for that many children without [having to work] away from home but I couldn't see them go hungry as they would of done if I had not...

I never went anywhere except to the show once a week and that was because I swept the theater and I got mine and the children pass and 25 cts. each time I sweep it.

²¹ Case number 0707. South to mother, Feb. 15, 1922.

And as the children will tell you that I keep them in school except as sickness would compell them to stay at home. I never allowed them out nich alone and they was never allowed to run the street anyway....

The trouble started this way. We had got down so there wasn't hardly anything in the house to eat but potatoes and flour enough to last two days and I asked him to see about getting something and he said why did he half to russell and I said if he did not I would half to, so he said alright, they could get along without me...

It has been every winter for the last 6 years that we have had nothing but what I could get with my small earning except he would get an odd job now and again....

Now Mr. Gertz is a man that believe every thing that is told him. Now their is things been done and said that has been blamed on me which I am innocent and time will prove that I am.

Now if I am unfair with Mr. Gertz I would like to know in which way...."²²

Mrs. Gertz' attempts did not ultimately address South's concerns. Explaining that he had only broached the nature of his concerns to "protect" her, he outlined the source and nature of the complaints against Mrs. Gertz.

"... I am surprised that you did not give me [the answer] I was looking for. Now to show you the fix I am in - I have tried as far as I can to protect you, but I was speaking to a lady the other day about your baby, and she came from Grand Forks, but I did not know that. She seemed very nice and she said, "No, not the Gertz baby, no thank you; I am told that it's mother does not know who his father is." I understand from several others who were there, that you are not living right with your husband that is to say, you are doing wrong with men, and that is what I want answered."²³

Mrs. Gertz' response to these accusations is reproduced here at length.

²² Case number 0707. Mother to South, March 14, 1922.

²³ Case number 0707. South to Mother, March 18, 1922.

"I wrote to you on the 19 of April but received no reply. Now you say that you are told that I do not know who the children's father is. Well I can safely tell you that Mr Gertz is the father of my seven children... You also say that you are told that I am doing wrong with other men. I also deny that for I am not... I have been a true wife to Mr. Gertz the 18 years we have been married.

Now Mr. South tell me how it is if I am what they say that I am that my family is such a good family as the Matron told me they were. Now Mr. South, I ask you for the children's sake to give me the names of the parties that told you all of this stuff about my character. If I had of been able to work and taken care of Mr. Gertz and the children I would of still had the children with me but I could not work for them no longer and this is what I get by people that count them selfs christians....

You know that the law in Canada is that a man is supposed to support his wife and family but they failed to make Mr. Gertz. They have left him go so he can go and get another wife and bring some more children into the world and when she won't slave for him no longer he can take the children away from her as he has done me and go for another fresh start.

Now Mr. South I hope this letter will answer your questions. If not I will have to go to a lawyer and see if he can figure out what you want and find cut these parties that is so low as to try and bar a mother from her children just because her health was so she could not take care of them...."

There have not been anything proven about my character and you are going on hearsay and you are some man of law to go on hearsay. You say those children was good and pure minded, who brought them up that way it was not you.

Just as soon as I get my mother's estate settled I shall see that you prove what you wrote me as I have a lawyer that is ready to take hold of it just as soon as I have money to go through with it. You are one of these men that think a woman is only a dog all she is fit for is to have children and be a slave for him.

It is alright for Mr. Gertz to go around and tell that Pearl sleep with men before she was sent and it is alright for him to tell that the I.O.W. wanted him to go and swear that Pearl was a bad girl. It seems as if Mr. Gertz can do anything. He is like yourself, a gentleman, privileged character to do and say as he like. You can believe what I write or not but if all christians are like you and some in Grand Forks, I will leave the church for h--- is full of better ones.....

P.S. If you want some more children to put in the home I will see what I can do."²⁴

Mrs. Gertz' plea in the face of her nameless accusers is eloquent testimony of the resistance which, on occasion, confronted Charles South. In her spirited defence of her own conduct, her pride in her children, and her refusal to wither before the legal authority commanded by South, Mrs. Gertz provides an important counterpoint for some of the cases examined earlier in this dissertation. There is little deference or resignation here.

More specifically, Mrs. Gertz' letter is illustrative of the variety of bases around which clients shaped the claims which they advanced toward the V.C.A.S.. Initially, she defends herself as a "true wife" and urges "for the sake of her children" that South disclose the source of his information. The form of Mrs. Gertz' claims can be profitably related to some of the theoretical issues which have guided this study. In terms of the gendered structure of welfare provision, it is crucial to recognize the centrality of her maternal role in Mrs. Gertz' claims. She repeatedly highlights the "maternal" virtues of self-sacrifice, diligence, and the instillation of appropriate discipline in her children²⁵. Consistent with the portrayal of the "charitable" stream of western welfare programs, Mrs. Gertz' claims reflect a recognition that any consideration granted by South would hinge on her role as wife and mother.

Ultimately, however, Gertz goes beyond claims based on her gender-specific role to protest the inequity confronting her and her children. The power of her words arises from her "penetration" (Willis 1977) of the

²⁴ Case number 0707. Mother to South, May 1, 1922.

²⁵ See Kline (1992) and Pieckoff and Brickey (1991) for important historical accounts of the constituents of 'proper' maternal behavior.

gendered nature of the laws and agencies to which she refers. Her own experiences are harnessed to illustrate the gendered nature of the privileges and obligations of fathers and mothers.

Finally, in chastising South as "some man of law", Gertz highlights the contradictory nature of the public, legal authority of children's aid societies. For all its organizational benefits, this public identity also imposed obligations on the Society to be governed by the rule of law in a way which contractually-based, private, charitable orphanages had not been compelled. A final case closes this chapter by extending this logic. For some clients, the distinction between charity and justice so vehemently traced by child rescuers had a direct impact on the basis of their claims upon the Society.

As Fraser (1989, 1990) and Gordon (1994, cf. p. 10) have argued, activists and policy makers have historically advanced three types of claims for assistance: needs, entitlements, and rights. The cases examined earlier have illustrated that most men approaching the V.C.A.S. saw the care and education as an entitlement premised on their financial support. While some women approached the Society with similar expectations, their overtures were, in the majority of cases, converted into claims based on needs. As dependent members of the private sphere, both women and children were regard as essentially needy, in contrast to the independence and self-sufficiency of (male) citizens.

Increasingly throughout the late nineteenth and early twentieth century, these claims were transposed, first by activists and reformers and later, as documented here, by claimants themselves into the language of rights. In the case files of the V.C.A.S., there is evidence left by women who

sought "justice, not charity" for themselves and their children from public institutions. Importantly, however, these expressions of resistance often drew upon a gendered conception of "rights" which reflected important elements of the fractured forms of citizenship underlying the practice of child rescue. As Gwendolyn Mink has noted, "welfare fastened worthy women's citizenship to domestic motherhood... [w]ithholding the tools of independent citizenship from most women" (1994, p. 118).

When Mrs. Shore initially approached the Vancouver Children's Aid in January, 1912, claiming to have been deserted by her husband, South offered only to aid in finding employment for her eldest son. Her response to South's offer was an eloquent expression of the rights to which she felt entitled, and an illustration of her appreciation of the leverages she commanded in her request for public support for herself and her children.

"Clare [her 15 yr. old son] went to the plumbing shop which you referred him too. Said he did not need anyone at present, but might need some one later on. He has the promise of several places when the work begins, but promises does not keep the life in anyone.

Now if the law will not protect these children as it should while I am with them and willing to take care of them, I shall have to leave them; not because I want to but because I have to. I cannot endure seeing them want for things they need. I am behind with the rent and other things thro no fault of mine....

... I know that you have done your best concerning the matter, but then there must be something definite done and that very soon. If the law will not take [my husband] in hand and make him do his duty towards the children, then the law will have to provide for them.

Do not take up any charity collections for me. I do not want charity, only justice. "²⁶

²⁶ Case number 1216. Letter from mother to South, dated January 29, 1912.

The ability to usurp parental guardianship was a strategically important statutory resource for the Vancouver Children's Aid Society. Indeed, the Society's responsibilities toward the "criminal's child" were pivotal in its call to be recognized as an arm of the state. Ultimately, however, the legislative obligation to care for orphaned, abandoned and destitute children prompted some clients like Mrs. Shore to "call the Society's bluff" when denied assistance which would permit them to continue to care for their own children.

Many of the single fathers discussed in Chapter Six regarded the Society as little more than a boarding school. In contrast, women left to care for their children alone tended to equate the Society with "the law". They drew a clear connection between the Society and the various legal provisions which presumedly created obligations for their husbands, while recognizing their own inequitable position before the Bench. This recognition however did not prohibit women like Shore from framing their claims in the language of "rights" and "justice".

The adoption of the language of rights by female claimants approaching the V.C.A.S. also highlights the shortcomings of Marshall's classic formulation of the historical evolution of rights from civil rights through political rights and finally, marking the arrival of the welfare state, social rights. Shore, writing in 1912, was clearly limited in her ability to exercise even the most basic civil and political rights. Likewise, Gertz' vivid description of her experiences reflects the gap between formal political power and practical empowerment. Nonetheless, in both cases, these women sought to assert social rights for themselves and their children.

Importantly, in both cases, the rights and obligations upon which these women focussed were based upon positions in the private sphere. For both women, the primary claim was advanced on behalf of their children, towards whom their father bore a duty of support. In presenting their calls for assistance in this form, women like Shore were, of course, strategically paralleling the stated objectives of child rescuers. Whatever benefits or costs may have accrued to parents through the services provided by the V.C.A.S., the stated goal was to "protect the little ones"²⁷.

A number of commentators have suggested that it is possible to trace the origins of the "children's rights" movement to the same era which spawned "child rescue" agencies like the V.C.A.S. (Freeman 1983; Thompson 1988). Most recently, Joseph Hawes (1991) has argued that we can profitably conceive of Charles Loring Brace's approach to protecting the "rights" of children by removing them from abusive homes as an important precursor to the broader children's rights movement. In light of the importance of this form of claim in shaping women's resistance to the interventions of child rescuers, it is important to examine more carefully the nature of the "children's rights" which men like Brace and Charles South felt so obliged to protect. Closer scrutiny reveals that these "rights" assumed a very specific form which in fact offered little empowerment to their bearers and imposed important obligations on parents and particularly mothers.

Like other contemporary social reformers, representatives of the V.C.A.S. were not opposed to framing their work in the language of children's rights. In 1918, Board Member Professor Hetherington was asked to discuss

²⁷ This phrase functioned as the Society's motto, appearing on the cover of all annual reports prior to 1925.

"The Value of the Child" and framed his address in terms of "Child Rights"²⁸. He enumerated seven key "rights" which, he argued, society was obliged to protect. According to Hetherington, children had the "right" to be well-born.

"... The feebleminded and tainted boys and girls cry out against the community for robbing them of their birthright."²⁹

Children also had "rights" to be well-housed, well fed, to have access to adequate recreation and education -- the goal being a physically, spiritually and intellectually sound generation of citizens. Superficially, these latter "rights" appear most similar to the "social rights" envisioned by Marshall. However, Marshall's scheme purported to describe the historical development of the rights of "citizens" not children, as exemplified in the final two "rights" he discusses.

Heatherington's final two fundamental "rights" bore most directly on the child's relationship to his or her parents. Echoing the much publicized findings of the White House Conference on Dependent Children of 1909, which resolved that children had a "right to a normal homelife", Heatherington argued that children had a "right" to both a mother and a father able to fulfill their respective parental roles. He proposed an "advocate to defend the rights of the child in divorce proceedings", an end to "... social conditions [which] tend to make the father [solely] an agency to provide cash for the family"³⁰ and a mother sheltered from the strains of paid labor.

²⁸ *Annual Report* 1918, p. 24.

²⁹ *Annual Report* 1918, p. 24.

³⁰ *Annual Report* 1918, p. 25.

"Inevitably, the high cost of living will mean short-weight boys and girls. A properly socialized community conscience would devise measures which would eliminate such a possibility. If all children undersized through lack of food would form a procession, march to the City Hall and demand their lost inches and pounds, they would form a goodly company and be perfectly justified in their demands.

The same thing is true in the case of those children born with low vitality owing to their mothers being forced to work to the point of fatigue... This fatigue on the part of its mother may raise the earnings of some commercial enterprise but it also leaves in the physical system of the unborn child the poison of fatigue, which filches the right of the child to its full and fair growth.³¹

Heatherington's rhetorical flourish surely must have moved those in attendance at the seventeenth Annual General Meeting of the V.C.A.S.. As has been detailed in earlier chapters, these meetings had a well established tradition of advancing claims against municipal and provincial governments on behalf of the Province's dependent children. However, there is good reason to expect that a march by such a delegation of children on City Hall would have been somewhat troubling to many in attendance. While they may have been moved by the metaphor of a child's "right" to full provision, they likely would have preferred that compassionate adults give this right a voice. As Hetherington himself noted:

"Even if it be conceded that a child has rights, how is he to maintain them? For they only 'have rights who dare maintain them.' The child can maintain nothing. If not by might then upon what basis can the child secure and maintain the privilege of rights? Only by virtue of its naked humanity. Upon its appeal to our sympathies rests those rights more truly divine than ever did those of kings or potentates."³²

³¹ *Annual Report 1918*, p. 25-26.

³² *Annual Report 1918*, p. 24.

The "rights" of children, then, differed in at least two fundamental respects from those of the (male) citizens who informed Marshall's scheme. First, they were paternalistic in nature, safeguarded not by the independent claims of children themselves, but by the "sympathies" of well-meaning interveners. Second, unlike civil rights, which were negative and prohibitory in character³³, "children's rights" created positive obligations, not unlike Marshall's "social rights". Finally, where Marshall's "social rights" looked to "provision through state administration of economic goods and services as a right" (Barbalet 1993, p. 38), the responsibility for meeting the rights of children, according to child rescuers, fell first to the child's parents and only residually to other agencies. As South wrote shortly before his death,

"The stirring time we had was caused by the mistaken idea of people in that day, that the parents had the right to do what they liked with their children. My contention always has been that a child is a special trust given to the father and mother, who are duty bound to do what is right for that child, if not, to be taken away."³⁴

In her analysis of the role of such ideologies of motherhood in shaping the "foetal rights" debate in Canada, Alison Diduck (1993) has powerfully illustrated the complexities which "children's rights" pose for women and particularly, for mothers. She highlights the intimate relationship between the paternalist concern to "protect" children and the control of women through the maternalist ideologies which were so fundamental in shaping the practices of the V.C.A.S.

³³ I use the term "negative" to characterize these rights since they function by imposing limitations on the actions of others. For example, the right of freedom of expression ostensibly prohibits others from barring my speech, but does not require that I speak.

³⁴ *Annual Report*, 1922, p. 6.

"My point is that, while concern for children has usually been the 'selling point'..., dissecting the rhetoric can reveal motives and methods in addition to and sometimes contradictory to that concern... To speak in terms perhaps over-simplistic, maintenance of an oppressive class/gender/race structure is facilitated by exalting 'the family' which, because the two are inseparable within current ideology, means protecting the heterosexual, white, middle-class mother. This idea of motherhood then, becomes the idealized status for women. It carries with it certain expectations of behavior and attitude, which speak loudly of care and protection of children, and less loudly but perhaps more profoundly, of control of women." (pp. 464-465)

The forms of resistance utilized by women like Gertz and Shore reflect the nature of these "imposed" rights. Although they protested the practical day-to-day inequities which they suffered as women, and although they utilized the language of "rights" to express their claims, they ultimately advanced their claims as "mothers" concerned to protect the rights of their children. Their arguments resonated with the "maternal feminism"³⁵ which constituted one important strand of the feminist movement in western democracies in the early twentieth century³⁶.

The case file materials upon which the discussion is based are strongest when they are harnessed to provide qualitative accounts of the processes which characterized the interaction of clients and the V.C.A.S.. In the end, it is often difficult to evaluate individual cases in terms of "success"

³⁵ I use this widely cited term in the sense described by Linda Kealey (1979, pp. 7-8). "Maternal feminism' refers to the conviction that woman's special role as mother gives her the duty and the right to participate in the public sphere. It is not her position as wife which qualifies her for the task of reform, but the special nurturing qualities which are common to all women, married or not. In some senses maternal feminism de-emphasizes or subordinates personal autonomy in favour of a (relatively) wider social role."

³⁶ In particular, the Mother's Pension movement was premised on the assumption that women's most powerful claim for public resources emanated from their role as mothers for the new generation (cf. Bryce 1919; Davies 1984; Strong-Boag, 1986; Nelson 1990).

or "failure". I have dealt here largely with families who found themselves in desperate circumstances and who were forced to make difficult decisions, often involving, at least temporarily, loss of contact with each other.

That said, the materials covered in Part II do allow for a valuable analysis of the effects of gender and class in structuring the policies of the V.C.A.S.. Most importantly, the majority of women who approached the Society with dependent children were ultimately unable to access forms of aid which would permit them the same degree of independence allowed for fathers. Women approaching the Society were consistently subjected to an evaluation of their worthiness which focussed on their abilities as mothers and wives while men were evaluated primarily as bread-winners.

If case files ultimately fall short of providing a clear historical evaluation of the emancipatory potential of child rescue, they do furnish a moving account of the statutory resources and daily practices of the V.C.A.S. as an "arena of struggle" (Bartholomew and Hunt 1990, p. 51). By highlighting some examples of the struggles waged by women in the face of the inequities of V.C.A.S. practices, I have illustrated that the recourse to a public, legalized form of child care created at least some limited opportunities for women and children. This contention is supported by the frequency with which parents resorted to the Society and by their ability to carve options, however distasteful, from the available resources. The historical data examined here thus add substantially to progressivist and revisionist histories which have drawn upon materials left by social reformers by illustrating that many historically nameless women were as creative in

shaping their own political identity as were the more often cited reformers. As Barbara Nelson has argued,

"One hundred years ago many single mothers accepted - albeit with agony and fury - that they might have to lose their children in order to support them. Today, single mothers feel entitled to raise their own children... Histories that trace only legislation and political alliances, and explanations on the basis of some abstract 'modernization', are not adequate to chart such transformations." (1990, p. 28)

The "agony and fury" of many of the women examined in Part III of this study have been palpable. However, any attempt to evaluate the emancipatory potential of highly gendered programs like the V.C.A.S. must confront the evidence that many of the Society's clients appear to have subscribed to commensurate notions of the "proper spheres" for men and women. Indeed, as outlined in this chapter, women often framed their claims in terms of the paternalistic "rights" of their children and their own "rights" as mothers.

My intent is not to dismiss the rights-based struggles of women like Gertz and Shore as misguided or naive. Rather, the cases examined here should provide further historical reinforcement for the cautions of others who have mapped some of the clear limitations of an over-reliance on the emancipatory potential of rights (Smart 1989; Diduck 1993) and citizenship (Turner 1993, Chapters 1 and 8). Forced to engage the V.C.A.S. on a terrain not of their choosing, these women fashioned what benefits they could from what often must have seemed the tools of their own oppression. Describing the experiences of women seeking aid from the Massachusetts Society for the Prevention of Cruelty to Children, Gordon (1988) writes:

"Often the main beneficiaries of professionals' interventions hated them most, because in wrestling with them one rarely gets what one really wants but, rather, is asked to submit to another's interpretation of one's needs." (p. 299)

In the final chapters of this dissertation, I will outline the similar struggles waged by children committed to the care of the V.C.A.S.. As I will show, gender-ideals structured the careers of children committed to the V.C.A.S. as fundamentally as they shaped their parents' interactions with the Society. Further, the children's own expectations of their proper role as future citizens effected both the experiences of children in care and the paths by which they left wardship.

PART IV

Chapter Ten

Behavior Unbecoming: Gender and the Need for Protection

Previous chapters have offered a fairly detailed description of the life circumstances which led children into wardship. Interactions between the Society and its client-families have been shown to share important characteristics with those found among orphanages decades earlier (Bradbury, 1982; Finnane, 1985; Purvey, 1992). In most cases, as we have seen, children who came into the care of the Vancouver Children's Aid Society did have surviving parents who, where their social position in class, race and gender terms allowed, sought to negotiate the terms of the Society's involvement with their families. However, not all parents were able to exercise such control. For some (especially single women), the Society came to be seen quite accurately as a threatening presence.

This chapter shifts the focus of analysis from the interaction between parents and the V.C.A.S. to examine the effects of wardship on the children committed to the Society's care. Through the use of quantitative and qualitative data, the basic characteristics of the "careers" of wards will be described. In addition, I will attempt to extend the theoretical arguments developed earlier by highlighting the effects of gender on the experiences of wards.

The close relationship between the Society's stated goal of protecting future citizens and the evaluation of their parents along lines of gender, race and class was outlined in previous chapters. In this very broad sense, it is

clear that these social structures did play an important role in determining both whether a child was "in need of protection" and whether a parent was able to provide the specific type of protection required by the child. When the gender of the child is controlled for statistically, alleged immorality and neglect on the part of mothers and chronic unemployment on the part of fathers were significant factors leading to the committal of wards of both genders. These same data, however, provide little distinction between the factors which led to the committal of boys and girls.

In part, the lack of any strong statistical distinction between the circumstances leading to committal for male and female wards emerges from the fact that entire families were usually committed simultaneously. As outlined in Chapter Four, a basic philosophical element of child rescue held that the child's environment was crucial to its socialization into citizenship. Further, as discussed in preceding chapters, cases often hinged less on the actions of the involved child than on the perceived capability of the parent(s) to provide such an environment. Through such an explanatory framework, it is not surprising that the actions of any individual child could be interpreted as an indicator of environmental factors placing the entire family at risk. Finally, in addition to these often-noted ideological factors, the case files examined in this dissertation have highlighted the role which families themselves played in committal patterns.

Unlike juvenile courts (which dealt largely with individual children accused of delinquency), agencies like the Vancouver Children's Aid Society tended to have a familial focus. For over 70% of the children studied (220/303 children; 100/141 families) all children in the family were brought into care

simultaneously¹. Dorothy Chunn's (1990) study of case-flow patterns in juvenile courts in Ontario and British Columbia reflects this familial focus in the finding that, while boys were "eight to nine times more likely to be charged with delinquency than young women during the inter-war years in Toronto", "... statistics for neglect cases under the Children's Protection Act show near parity in the numbers of boys and girls brought to court" (p. 95).

While a strictly quantitative perspective does not seem able to distinguish the effects of gender on the Society's policies, the qualitative information available in the case files does illuminate this important relationship. In one case brought before the juvenile court in 1914, Charles South produced a barrage of witnesses in his attempt to have an 11 year old girl committed to the Society.

South's first witness was Constable Brankin of the City Police who testified that he had, on numerous occasions, seen the girl selling newspapers in the street although in his words this was "... an unusual thing to see girls to do." A young girl selling newspapers was, however, deemed to be far more than unusual; it amounted to a moral peril as outlined by Sergeant Jewitt.

"The way these girls were behaving was highly improper. They were insisting on some of the drunken men to buy papers and when they said they had no money, the girls would feel their pockets and the way some of the men would talk to them was not fit for them to hear."

As indicated by his comments, the threat to this child was obvious to the presiding judge. His comments underscore the fact that 'status offences' were

¹ This finding is even more significant given the fact that the sampling method was biased in favor of larger families (although only 8.5% of the families studied consisted of 5 or more children, these children constituted 25% of the children in the sample).

as gender-specific as they were age-specific. While the involvement of young boys in street trades was deemed undesirable, few of those cases aroused such indignation.

Court: "Why was this little girl selling papers on the street and mixing up with drunken men and all the immoral men she could find?"

Father: "She asked me, would I let her sell papers."

Court: "... You had not sufficient feeling of responsibility as father to refuse it?"

Father: "I asked Mr Capon (curfew officer) was I doing wrong in letting the child go, was I breaking any laws?"

Court: "You are breaking the law of the child's future life, that is the law you are breaking. ... If you have any common sense, use it and tell me what you expect the girl to be when she grows up if she goes on like that. The answer is very plain, isn't it?" ²

In the often vivid cases found in this collection, there are many similar examples of the impact which a child's gender had on the evaluation of her or his actions. Consistent with findings for jurisdictions throughout North America, the transgressions of girls were cast in moral, sexualized terms and were explained by more individualistic, psychogenetic theories of deviance (cf. Chesney-Lind and Shelden, 1992; Chunn, 1990; Gavigan, 1987; Matters, 1984; Messerschmidt, 1987). Examining records for Vancouver's Girl's Industrial School, Hatch and Griffiths (1991, p. 251) report that "during the first two decades of operation, eighty-five percent of the girls were committed... for incorrigibility or morals offences."

Delinquent girls were typically considered to be "predisposed toward deviance" with exposure to a "bad environment [liberating] this natural

² Case number 490801, Court transcript, c. Nov. 1914.

impulse" (Chunn 1990, p. 98). In comparison, criminal misbehavior by boys was often mitigated by the assumption that a certain amount of "mischievousness" was characteristic of normal young males, who required only an environment which would instill the required discipline. In one example, South wrote to a foster parent about to receive a young male ward.

"He stole some newspapers, but do not blame him for it as his mother of whom he is very fond, told him that it was not stealing if he found newspapers and the like lying outside the doors of houses and the poor little lad was very hungry."³

In the remainder of this section, I will examine the involvement of V.C.A.S. wards with a number of institutions, including the juvenile court and the industrial schools before and during their periods in care. In the following section, I will return to examine the perceived threat posed by immoral or sexualized behavior among wards, focussing on the "careers" of incest victims.

The effect of these gendered etiological theories of delinquent behavior played out, during the first half of the twentieth century, in a juvenile justice system in which males were drastically over-represented. As a result, the relatively few female delinquents who found their way before the Bench were typically regarded as exceptionally "unnatural" and dealt with more harshly than were boys convicted of similar offences.

Historical studies of the Juvenile Court have also addressed the relative likelihood of boys and girls to be bifurcated into either the delinquency or dependency processes (Chesney-Lind and Shelden, 1992;

³ Case number 371101, Letter from South to Foster Parent, July 19, 1902.

Houston, 1990; Matters, 1980, 1984; Schlossman and Wallach, 1978). Echoing many of the themes underlying the present study, these works have emphasized the importance of gendered notions of sexuality and dependency in shaping patterns of committal. In essence, these studies have suggested that, while girls committed far fewer and generally less serious offences than did boys, the former were much more likely to be institutionalized while the latter typically received a suspended sentence with or without a probation order (Hatch and Griffiths 1991, pp. 249-253). In the random sample of 303 wards examined in this dissertation, 174 (57%) were female and 129 (43%) were male.

Information on children's involvement with the juvenile court before and after their committal as wards was also collected. V.C.A.S. case files indicate that slightly less than 26% of wards (78/298 valid cases) had been judged "delinquent" prior to coming into care. In 19% (58/298) of all cases this court involvement led directly to committal to the V.C.A.S. Importantly, however, male and female wards were equally as likely to have been judged "delinquent" (males: 26% females: 26.3%) and to have that adjudication lead to apprehension (males: 18.9% females: 19.9%). Consistent with the works cited earlier, it appears likely that for the relatively small number of girls appearing before the magistrates of Vancouver's Juvenile Court, committal to the V.C.A.S. was a likely outcome (as noted by Hatch and Griffiths (1991, p. 253). A much smaller percentage of the vast number of male delinquents were dealt with in this manner. In either case, children committed directly by the Juvenile Court due to "delinquency" constituted less than one-fifth of the wards studied here, although interpretation of this relatively low rate of

direct committal should be tempered by the recognition that the court did not exist during the first decade of operation of the V.C.A.S..

Many wards had spent some time in other of the City's institutions prior to their being committed as wards. Table 10.1 below outlines some of these previous institutional involvements⁴.

TABLE 10.1
PREVIOUS INSTITUTIONAL CONTACT BY WARDS
(BY GENDER)
(1901-1930)

Institution	Females		Males	
	No. of Children	Pct of Cases	No. of Children	Pct of Cases
General Hospital	11	8	10	9
S.A. Maternity H.	8	6	4	4
Juv. Detention H.	4	3	1	1
Ivy Lodge	4	3	1	1
Orphan's Home (Vic.)	3	2	0	0
Alexandra Orphanage	2	2	6	6
Providence Orphanage	1	1	0	0
United Church Home	1	1	0	0
Loyal Orange Orph.	0	0	1	1

Although there are few striking differences in the pre-committal institutional contact of male and female wards, female wards were more likely to have previously been housed as infants or new mothers in one of the region's maternity homes (including the Salvation Army Maternity Hospital, the Ivy Lodge, and the United Church Home for Girls). Interestingly, girls

⁴ Involvement with a range of other social agencies operating in the province was also collected including any reference to previous receipt of Municipal Relief (23% of wards), Provincial (14%), Mother's Pension (2%) or other (including veteran's) pension (7%).

were more likely than boys to have been residents of the Juvenile Court's Detention Home prior to their committal than were boys.

The data underlying this study can give only the most general indication of the involvement of wards with the juvenile justice system. As noted above, Vancouver had no Juvenile Court until 1911 and, for the majority of the period under study here, V.C.A.S. case files are exceedingly unsystematic. There are no running records and a child's appearance in juvenile court would only be recorded if some correspondence surrounded it. This makes it more likely that serious cases (particularly those involving sentences to the Boys Industrial School or Industrial School for Girls) would be noted. In addition, there is indication that Charles South and the City's Probation Officer, Herbert Collier, were on less than amicable terms, apparently limiting their correspondence to strict necessities. Finally, children placed in rural communities were undoubtedly less likely to have their indiscretions dealt with through official channels and, when they did come to the attention of local magistrates, it is quite likely most of these charges would never be recorded by the distant Vancouver Children's Aid Society.

Having noted these limitations, it appears that the wards of the Society had, on the whole, surprisingly limited involvement with the juvenile justice system during their wardship. Among boys, 12.3% of wards had court appearances which were recorded on their case files⁵. Among girls, the

⁵ As will be outlined below, this qualification is important given the fact that children who spent a significant amount of time in the Children's Home were more likely to have their court appearances recorded than those placed in rural settings. Male wards typically had longer periods of congregate care and tended to be placed in rural settings more often than did female wards.

corresponding figure was 7.7%. A more detailed break-down is provided in Table 10.2 below.

TABLE 10.2
NUMBER OF JUVENILE COURT CHARGES WHILE IN CARE
(BY GENDER)
(1901-1930)

Appearances	Female		Male	
	Count	Percent	Count	Percent
0	155	92.3	106	87.6
1	11	6.5	13	10.7
2	1	.6	0	0.0
3	1	.6	1	.8
4	0	0.0	1	.8

As outlined in Table 10.3, with two significant exceptions, male wards did not differ significantly from female wards in terms of length of sentence.

TABLE 10.3
INDUSTRIAL SCHOOL SENTENCES SERVED BY WARDS
(BY GENDER)
(1901-1930)

Term (Months)	Female		Male	
	Count	Percent	Count	Percent
0	160	95.8	111	93.3
1	1	.6	2	1.7
2	2	1.2	0	0.0
14	0	0.0	1	.8
18	0	0.0	1	.8
20	0	0.0	1	.8
24	4	2.4	0	0.0
34	0	0.0	1	.8
36	0	0.0	2	1.7

Again, the nature of the data found in the Society's case files limits the interpretation of this finding. For instance, without systematic data on the type of offence committed, it is difficult to evaluate the role which gender biases may have played in sentencing practices.

The impact of a child's gender on his or her involvement with the Vancouver Children's Aid Society and the Juvenile Court has proven to be difficult to assess quantitatively. As an agency which employed a complex combination of environmental, hereditarian, moralistic, and psychogenetic explanations for abusive and neglectful families, the Society tended to separate entire sibling-groups from their parent(s). This tendency obscures (at least statistically) many of the important ways in which gender structured behavioral expectations and beliefs in the varying responsibilities involved in parenting young girls and young boys.

As noted earlier, however, the use of the qualitative data makes it possible to highlight some examples of how the gender of the children in question affected the decisions and actions of both their parents and the Society. Similarly, the statistical portrait of the experiences of wards while in care can be augmented by their written records to highlight the effects of gender on their "careers in care". The next section examines the in-care experiences of female wards who were the victims of sexual assault. While cases of this type were relatively rare (see Chapter Eight above), they provide important qualitative information. The Society's reaction to "knowledgeable" or "promiscuous" female wards highlights the more general sexualization of female deviance noted above.

Moral Contagion and Feeble-mindedness: Portrayals of Female Sexual Assault Victims in the Files of the Vancouver Children's Aid Society

In responding to the victims of incestuous assault, Charles South clearly shared the orientation of many of the moral reformers of his era. Structured by his strong Methodist convictions, he reflected the belief in the complex interactions of environment, health, and the inherent malleability of the soul which characterized other expressions of the social gospel movement (cf. Bellingham, 1983; Valverde, 1991). These same beliefs were also mobilized by South, and with many of the foster parents and officials with whom he dealt, to determine and justify strategies for managing victims of sexual abuse.

In their responses to "knowledgeable" female wards, South and his colleagues reflect the broader trend (as noted above) to sexualize the misbehavior of female wards. Within this broad trend, the cases which follow illustrate two distinctive strategies pursued during the period of this study. During the earliest years examined here, female wards who had been the victims of sexual assaults were regarded as a "moral" problem - the chief concern being the threat of moral contamination of male and female wards. In the late 1920s, with the increased influence of eugenicist arguments, the problem of "knowledgeable" wards was re-cast in terms of the consequences of their promiscuity for the genetic heritage of Canada's next generation of citizens. During both periods there was an abiding focus on the "protection" of female wards which made institutionalization much more likely for them than for their assailants. In his study of child welfare practices in turn-of-the-century Australia, Van Kriekan notes a similar trend.

"...[I]f under-aged and raped, girls stood as good a chance of being institutionalised as if they had committed the crime. There was a sort of logic of 'protection' to it, but it was a rather appalling one. Similarly with cases of incest, the least powerful person, the girl was often the one who was punished." (p. 93)

In May 1922, Chief Constable Clerke of the Vernon Police Department wrote to South requesting such protection for a 13 year-old girl named Beatrice Warren whom he had detained. She had "been in trouble but [was] now all right". South replied that he would accept the young girl, adding "Of course I do not quite understand what you mean by the term 'she has been in trouble', but I suppose it is the usual kind of trouble with a little girl of her age, which has been the result of want of a proper home and care."⁶

Some nine months later, a family friend wrote South in response to a letter received from the girl alleging that single men visited the Children's Home each night. In his reply, South indicates both his compassion for the young girl's plight and his trepidation over housing such 'knowledgeable' children in the Home. Although Children's Aid Societies had long argued that they dealt with a "different class of child" than orphanages -- specifically the children of less desirable families -- South clearly conveys his belief that, for children like Beatrice, neither the Children's Home nor foster placement appears to be appropriate.

⁶ Case number 0204, Letter from Chief Constable Clerke, Vernon Police Department to South, May 26, 1913.

"... Poor girl; There never was a child in the Home who had had such misfortunes as she had. She says there are so many classes of different boys and girls, and that most of the girls have been in open houses and places like that, and I want to say that outside of her poor little self, there is not a girl of that description, and never has been for our Home is never intended for children of that kind, and when the Police wrote to me, giving me the particulars about Beatrice, at first I declined to receive her for fear that she would make statements to the children that were not nice.

When Beatrice came I told her that no one in the Home knew anything at all about her past, and that if she told the children anything about what had happened, I should be very angry indeed, and would have to take into consideration the advisability of placing her in a Rescue Home...

I cannot trust her out in a place to work as she wants to do, because I would be afraid that she might meet with someone who coming from the Vernon district, might know of her past troubles and use that to again lead her astray...

Poor child, she is a great anxiety to me, for I do want to assist her to grow up to be a good woman, but she is so unreliable that I find it very very hard to know how I can do that which will be a help to her...."⁷

Six months later, after Beatrice's foster home placement had collapsed, South wrote to Chief of Police Clerke describing his frustrations with this girl who seemed incapable of moral behavior.

"... I am sorry to say that through her excessive weakness for the company of men, she deceived both [her foster mother] and myself, consequently she was returned to the Home.

I had many talks with her and she promised me over and over that she would control herself. A few weeks ago a letter was found written by a man, asking her to meet him down in our cow stable or barn after everybody had gone to bed. Fortunately this was found in time to prevent this meeting. The next day she talked the matter over with another young girl in the Home, and tried to persuade her to run away that night; consequently I had her transferred to the Detention Home and brought the matter up before the Judge of the Juvenile Court, who came to the conclusion, as I had done, that it was necessary for the time

⁷ Case number 0204, South to Charles Chancy, Lumby, B.C. February 13, 1914.

being to remove her from our Children's Home to the Girl's Industrial School, where, outside the Superintendent, there are no other males, and the Judge sent her to the Industrial School for a period not less than two years....

Isn't this too bad? I am so disappointed."⁸

Incest cases appearing in records prior to the late nineteen-twenties uniformly voice similar concerns about knowledgeable children. Although South and others were clearly compassionate towards these girls, awareness of their status as victims did not fuel a desire to prosecute offenders or to prevent further occurrences. Rather, the emphasis fell to the threat -- real or imagined -- which these girls posed both to the moral development of other children in congregate care settings and to their own moral and physical well-being in less supervised foster placements. The 'dangers' posed by unwanted pregnancy remain a mere subtext in this litany. Clearly, the possibility of Beatrice becoming pregnant pales in comparison to the threat of her influence -- the sphere of which may encompass any number of imitators or beguiled suitors.

By the end of the Society's third decade, the eugenics movement began to have a profound effect upon policies regarding sexually active girls. Whereas the knowledge or experience of girls like Beatrice had been the Society's prime concern in the previous quarter-century, it was the assumed feeble-mindedness of contemporary victims which was most threatening.

Incest cases which emerged during the late 1920s were almost invariably interpreted through an increasingly secular, quasi-scientific

⁸ Case number 0204, South to Clerke, Nov. 10, 1914.

lexicon which incorporated concepts such as feeble-mindedness, degeneracy, chronic poverty, victimization and concerns regarding the reproductive consequences of sexual promiscuity among specific racial, and economic groups.

In addition to their illumination of how these new understandings of unmanaged sexuality affected the experiences of children in care, case files examined in this study provide important collateral information concerning the dissemination of eugenicist ideas throughout the public at large. Many foster parents living fairly isolated, rural lives were surprisingly conversant with eugenicist and biological explanations for deviant behavioral traits. One foster mother wrote to her local visitor in April, 1932 suggesting how they might deal with the misbehavior of the boy in her care using what she regarded as the most advanced scientific techniques.

"I think I once spoke to you about glandular treatment for backward children - have any of your medical staff done anything in that line? Calvin has the usual symptoms or rather traits of lack of thyroid - which ordinary people call laziness and indolence and timidity with regard to the responsibilities of life. I do know that cases have very much benefitted by treatment with thyroid extract..."⁹

While this woman clearly showed an exceptional familiarity with the concepts and applications of endocrinology, she was not alone in her enthusiasm for the potential of science to manage what had previously been regarded as moral flaws.

⁹ Case number 032202, Foster Mother to Mrs. Hill, Visitor, April 2, 1932.

The currency of these new tools for the management of social problems significantly affected the experiences of wards of the Society. One example, involving two sisters -- Helen and Victoria Fowler -- also provides historically important insight into the operation of British Columbia's Sexual Sterilization Act of 1933.¹⁰

Victoria Fowler and her younger sister Helen were aged 14 and 13 respectively when they were committed to the care of the Vancouver Children's Aid Society in 1928. The family had recently moved from Vancouver Island to Vancouver and had been referred to the Society by the Provincial Welfare Visitor. A family history compiled four years after the girls' apprehension described the 38 year-old English father as "a little man of weasel-like appearance" who was chronically unemployed. The mother, a 34 year-old French Canadian, had recently been admitted to the Marpole Hospital for Incurables with terminal cancer and, as she had played the crucial role in supporting both her husband and children, the family was immediately thrown into destitute circumstances. It was believed, the report concluded, "that family have practically always been dependent on charity and are permanently destitute."¹¹

¹⁰ As will be noted below, sterilization was by no means a common response to the problems presented by promiscuous girls. A report entitled "Some Aspects of Eugenical Sterilization in British Columbia with Special Reference to Patients Sterilized from Essondale Provincial Mental Hospital Since 1935" authored by M. Stewart for Dr. A.L. Crease notes 64 officially acknowledged cases in Essondale's records between 1933 and 1945 (Report cited in McLaren 1990, p. 161). As the ultimate solution to the problem, however, it frequently required the most explicit arguments in support of its use and thereby exemplified the fears and logics which often remained unspoken in cases deemed less threatening.

¹¹ Case number 1820, "Social History For Government Psychiatric Clinic", November 25, 1932, prepared by D. L. Baynes, Vancouver Children's Aid Society.

The Fowlers represented, for the growing legions of eugenicists in British Columbia in the late nineteen-twenties, all of the classic indicators of 'feeble-mindedness': chronic destitution, inverted gender roles, degenerative physical illness and, in the case of the father, a fondness for alcohol and a lack of control of sexual impulses.

"In 1930, the Employment Bureau of Victoria reported [Mr. Fowler] as being capable of doing kitchen work but did not recommend him where there would be young girls as they had heard numerous stories of his going about with and buying candy for them and also recalled that he had a weakness for alcoholic liquor...."¹²

These observations were later confirmed by more "scientific" means. In 1926, before her confinement, Mrs. Fowler was seen by psychiatrist Dr. W. A. Dobson, who diagnosed her mental age as 12.¹³ Likewise, both of the girls were regarded as feeble-minded despite the fact that they both managed to complete the sixth grade with marks in the middle range of their classes.¹⁴

When Victoria gave birth to an illegitimate child in December, 1933 while placed in a foster home with her sister, their family history played a large role in determining the Society's response. In April, she was examined by Dr. A. L. Crease, Medical Superintendent at Essondale, whose psychometric examination placed her in the "... dull normal group. She was quiet, seclusive and showed little animation. She worked fairly well but was easily tired. Physically, she seemed rather under par; there appears to be a

¹² Case number 1820, "Social History For Government Psychiatric Clinic", November 25, 1932, prepared by D. L. Baynes, Vancouver Children's Aid Society.

¹³ Case number 1820, "Social History For Government Psychiatric Clinic", November 25, 1932, prepared by D. L. Baynes, Vancouver Children's Aid Society.

¹⁴ Case number 1820, School Reports.

slight scoliosis of the spine, and a change in the right chest."¹⁵ On the basis of Crease's recommendation and with her father's consent, Victoria was sterilized on Sept. 11, 1934, five days before attaining her age of majority.

Dr. Crease was well acquainted with Victoria's family history, having examined her sister Helen in 1932. At that time, Helen was approaching 17 years of age and, in Crease's estimation was degenerating at such a rate that he felt "when her time was up [presumably when she reached 18 years of age] she would be an institutional case."¹⁶ However, four months later, when her father refused to consent to her committal, she was returned to his care. Supported by the City Relief Department, Helen and her father managed their home at an acceptable level for two years under the supervision of the Society. In July 1935, however, Helen left the home and told a family friend "and informed her that [her father] had forced sexual relations upon her. This friend gave her a free home and for some time did not wish the Society to take any responsibility for Helen..."¹⁷

Finally, in August, 1935. the Society regained custody of Helen and attempted to have a criminal complaint lodged against her father. While being interviewed by the police, however, Helen admitted "having had relations with [Alvin Hobbs] subsequent to the above occurrences. Consequently a satisfactory case could not be made against [her father] in

¹⁵ Case number 1820, Letter from A. L. Crease to Z. Collins, April 27, 1934.

¹⁶ Case number 1819. "Detailed Report of Circumstances Leading to the Committal of H. F. to the Mental Hospital, Essondale", Prepared for Mr. H.I. Bird, a Director of the Vancouver Children's Aid Society. October 31, 1935.

¹⁷ Case number 1819. "Detailed Report of Circumstances Leading to the Committal of H. F. to the Mental Hospital, Essondale", Prepared for Mr. H.I. Bird, a Director of the Vancouver Children's Aid Society. October 31, 1935.

Police Court." Almost six weeks later, it was confirmed that Helen was between two and three months pregnant, leaving both her father and Alvin as possible suspects.¹⁸

Had Helen been found in these circumstances a decade earlier, it is likely that she would have been housed in a reform-oriented maternity home like those operated in Vancouver by the Salvation Army and the United Church -- the goal of her confinement being her moral reformation and the removal of the moral threat which she posed both as an example to other girls and as a temptation for men in the community. Had she failed to achieve this goal, she may well have been confined in the city's Industrial School for Girls, effectively removing her from contact with the 'morally pure'. However, the concerns raised by eugenicists suggested much more radical responses.

In 1919, the prevailing eugenicist beliefs which had begun to influence public policy in British Columbia were expressed in a "Mental Hygiene Survey" conducted by the Canadian National Committee for Mental Hygiene.¹⁹ While the Survey went to great lengths to emphasize the pervasiveness of feeble-mindedness in the province, noting that 3.56% of a sample of 2, 273 public school children were "mentally abnormal"²⁰, it drew particularly strong connections between mental deficiency, immorality and precocious sexuality in female delinquents.

¹⁸ Case number 1819. "Detailed Report of Circumstances Leading to the Committal of H. F. to the Mental Hospital, Essondale", Prepared for Mr. H.I. Bird, a Director of the Vancouver Children's Aid Society. October 31, 1935.

¹⁹ "Mental Hygiene Survey Province of British Columbia" *Canadian Journal of Mental Hygiene* 2(1): 3-57.

²⁰ "Mental Hygiene Survey Province of British Columbia" *Canadian Journal of Mental Hygiene* 2(1), p. 15.

"...29 cases were examined - women who had either given birth to illegitimate children, or who admitted sexual immoral relations - and it was found that 28 were mentally abnormal. It is not possible to make any sweeping generalizations from this limited study, because of the comparatively few cases investigated. The findings indicate, however, that mental abnormality and immorality are closely related."

Members of the Survey Committee also undertook to visit virtually all of the major public and private institutions in the province. For our purposes here, their most interesting findings surrounded the Industrial School for Girls, and the various Rescue and Maternity Homes which had traditionally been utilized to confine girls like those from the Vancouver Children's Aid Society's case files. A review of cases taken from the Central Mission Rescue and Protective Society, Vancouver which received girls from a wide range of juvenile court and social agencies included at least two cases of juvenile girls who had been victims of sexual assaults by biological or social fathers.

"Summary of Mental Examinations:

(1) -----, born in U.S., 18 years old. Had a child by her own father. Occupation: Housework. Diagnosis: low grade moron.

(2) -----, aged 14. Canadian. Sr. II book in school. Committed because of bad home conditions. Mother is a drunkard; sister is syphilitic. Diagnosis: low grade moron.

(3) -----, Canadian, 18 years old. Reached IV reader. Was adopted out by the Children's Aid Society four years ago. Girl gives the history of having a baby 2 years old, by foster father. She states that she was encouraged by both foster mother and father to lead an immoral life. Diagnosis: inferior intelligence, but not definitely mentally deficient.

...[remainder of cases involved adult women]."²¹

The Survey Committee concluded that "[t]he five cases investigated indicate that mental deficiency and immorality among girls is closely associated..." and that without specialized intervention, "... the girls referred to will be sent

²¹ "Mental Hygiene Survey Province of British Columbia" *Canadian Journal of Mental Hygiene* 2(1).

out again into the world, doubtless to lead lives of immorality..."²² By 1927, a Royal Commission on Mental Hygiene struck by the provincial government gave detailed recommendations regarding the two primary forms which this specialized intervention might take: segregation and sterilization.²³

Efforts to segregate individuals deemed mentally inferior were of course not new to western society. Eugenicist reform programs, however, did represent an effort to dramatically increase the scope of segregative responses and concomitantly to implement a substantially narrowed definition of "normal mentality". For the authors of the 1927 Royal Commission, delinquents, and particularly juvenile girls with "records of immorality", posed an even more insidious threat than the more obviously insane.

"The lower grades of mental deficient do not present any problem... The greatest problem of mental deficiency lies in that large class who, while not helpless or altogether dependent, are unable by reason of their defect to make their way in the world. They have been aptly described as 'those who do not get along'. The battle of life is often too much for them and many drift into chronic pauperism, delinquency or crime because that seems the easiest way out of their troubles..."²⁴

In the restricted case of sexualized juvenile females -- girls like Beatrice Warren -- institutionalization was regarded by social purity advocates as the most effective means of limiting the moral threat which the behavior of these girls posed to both the community and themselves. For

²² "Mental Hygiene Survey Province of British Columbia" *Canadian Journal of Mental Hygiene* 2(1).

²³ "Report of the Royal Commission on Mental Hygiene" *British Columbia Sessional Papers, 17 Geo. 5 (1927), C.C. 3 -54.*

²⁴ "Report of the Royal Commission on Mental Hygiene" *British Columbia Sessional Papers, 17 Geo. 5 (1927), p. 21 - 22.*

those influenced by the eugenicist theories of the nineteen-twenties, however, it was not so much the immoral behavior of these girls which posed a social threat as it was their reproductive potential. As the increasingly professionalized systems of classification allowed more varieties of abnormality to be identified, both the sheer numbers of "mentally deficient" and the lack of effective treatment strategies drove eugenicists to find an alternative to institutionalization and to justify this new response on the basis of economy, effectiveness and humanity.

"...[I]t becomes plain that a very considerable number of persons are doomed before birth to a misery and helplessness from which there is little, if any hope for deliverance. Prevention in this case becomes a problem of ensuring as far as possible that there shall be no reproduction of persons of this type... We question very seriously if the alternative proposed by opponents of sterilization - that is, complete institutional segregation during the whole of the reproductive period of life - is not a much greater invasion of personal rights, particularly in cases where the individual might live out a nearly normal life in the community after the possibility of procreation had been removed."²⁵

When Helen Fowler fled her father's abuses and approached the Vancouver Children's Aid Society in 1934, Members of the Society's Board of Directors who had adopted elements of the eugenicist reform platform were faced with a fact pattern which confirmed their darkest fears. Helen's accusations merely substantiated the basic degeneracy which they had been advised to expect in such families.

Ten months earlier, the sterilization of her sister Victoria had been eased by her status as a minor and the consent of her father. Helen, however, was very nearly twenty-one years old and hence her case presented important

²⁵ "Report of the Royal Commission on Mental Hygiene" *British Columbia Sessional Papers, 17 Geo. 5 (1927)*, p. 25.

legal obstacles. In 1934, shortly after the passage of the *Sexual Sterilization Act*, Mr. McTaggart, then solicitor for the Vancouver Children's Aid Society summarized the Act's implications for the Society. In particular, he emphasized two aspects of the British Columbia Act which limited its applicability to clients of the Society:

- 1) The Act required the consent of either the patient herself or, where she was incapable of giving informed consent, that of a spouse, parent, guardian, or provincial secretary.
- 2) The Act applied only to inmates of a limited list of institutions, including public hospitals for the insane and industrial schools.²⁶

Children's Aid Societies were granted no extraordinary powers through which to seek the sterilization either of wards or, in Helen's case, of persons under "non-ward care". Indeed, as McTaggart pointed out, even prompting Helen to consent to the procedure presented legal perils.

"Looking at the situation at its worst, this is what might happen. A woman is urged to consent to the operation. She acquiesces but after its performance she changes her mind and brings an action against the surgeon and perhaps those at whose instance the operation was performed. This action would be one for damages for assault. It would be a complete defence that the woman had consented to the operation; but in the case of minors or persons of defective intellect it might be very difficult to show that the consent was a real one. Such a consent must be that of a rational person who knows the nature of the act consented to.

... the consequences might be very serious."²⁷

McTaggart concluded that there was an "element of danger to the Society in undertaking operations of this kind" and that, while he could see no good

²⁶ *An Act Respecting Sexual Sterilization*, S.B.C. 1933, C. 59, ss. 4 (1). See also McLaren (1990), Chap. 5.

²⁷ Case number 1819, Summary of Social History of Helen ----, Prepared for Board of Directors, Oct. 21, 1935 by M.F. Sadler, Visitor.

reasons for not extending the scope of the Act, he advised that the Society "avoid any part in bringing about operations intended to result in the sterilization of anyone."²⁸

Clearly, Helen Fowler's case presented a unique conundrum for members of the Society's Board of Directors. While the family history presented most of the classic indicators of feeble-mindedness, there were also a range of legal and ethical issues militating against the use of sterilization in this instance. Legally, as suggested by McTaggart, Helen's consent did not, in itself, shield the Society from subsequent liability. Ethically, members of the Board may well have noted the irony involved in recommending the sterilization of Helen while her father (and his lengthy history of involvement with young girls) remained untouched. Indeed, these constraints were generally operant -- hence the (relatively, at least by U.S. standards) low number of sterilizations. A solution to these dilemmas was found in the mobilization of professional, psychiatric authority.

After much consultation and a series of Board meetings, Laura Holland, former Superintendent of the Society and a member of British Columbia's recently formed Board of Eugenics²⁹, conferred with Doctors A. L. Crease and E. J. Ryan of the Essondale Provincial Mental Hospital apparently in an effort to secure their support for Helen's sterilization. The Society's own report of the circumstances surrounding the case provides an insightful, if terse, account of the outcome of these discussions.

²⁸ Case number 1819, Summary of Social History of Helen ----, Prepared for Board of Directors, Oct. 21, 1935 by M.F. Sadler, Visitor.

²⁹ The Board was established in November 1933, three months after the passage of the *Sterilization Act* and was responsible for reviewing all applications for sterilization submitted by Superintendents of the various institutions.

"Dr. Crease was loath to act so quickly, being averse to taking any action likely to prove detrimental to the act, which is still so new. However, in the face of the fact that on two previous occasions, one in 1932 and one in 1933 he had advised commitment to Essondale and later had advised sterilization, he felt that in this particular instance Essondale was protected. Dr. Ryan suggested that the facts be put before the Board of Eugenics... When given the social particulars Judge Robertson stated that he felt that Board should recommend sterilization..."³⁰

In order to bring Helen under the provisions of the *Sterilization Act*, Doctors Crease and Ryan agreed to have her admitted to Essondale on October 23, 1935, transferred to Vancouver General Hospital the following day, and subjected to both a therapeutic abortion and hysterectomy two days later. On November 1, 1935, the young woman, no longer deemed to present a threat to the future mental hygiene of British Columbia's citizenry, was discharged under the probationary supervision of the Vancouver Children's Aid Society, her total period of commitment in Essondale being limited to one evening.

"The matter of this patient's discharge has been taken up with Dr. Ryan, and he agrees that it would be better for her not to return to the Hospital [Essondale], where she would be in a ward, observing the mannerisms of mentally ill patients, and perhaps adapting some of these mannerisms to her own use.

For this reason we consider that it would be better if you could manage to take her on her discharge from the Vancouver General Hospital..."³¹

Sterilization as a response to the problems of precocious female sexuality was applied only sparingly in British Columbia. Nonetheless, it

³⁰ Case number 1819. "Detailed Report of Circumstances Leading to the Committal of Helen --- to the Mental Hospital, Essondale", Prepared for Mr. H.I. Bird, a Director of the Vancouver Children's Aid Society, October 31, 1935.

³¹ Case number 1819. Letter from Josephine Kilburn, Social Worker, Provincial Mental Hospital, Essondale to Z. Collins, Manager, Vancouver Children's Aid Society, November 1st, 1935.

provides an important example of the general tendency to frame female deviance in primarily sexual terms.

I have argued in this chapter that the qualitative data in the Society's case files support this well-established finding of historical studies of juvenile justice in North America. Whatever the perceived threat which these "knowledgeable" female wards posed to Vancouver's future citizenry, it is crucial to realize that they remained, in the eyes of officials, the objects of pity rather than scorn. They were regarded as "poor girls" whose lack of moral character or feeble-mindedness required them to be protected from their own actions. As Chunn (1990) notes, "the juvenile courts were more protective of girls than of boys because the former were considered much less able to avoid falling into the abyss of immorality when controls were absent" (p. 104). Although these controls took many forms, they were primarily supervisory. As we have noted in the cases above, one of the key attractions of institutional care for delinquent juveniles was the degree of supervision afforded in comparison to foster placements.

The following chapter closes my examination of the experiences of wards of the Vancouver Children's Aid Society. The placement experiences and reactions of male and female wards documented here reflect the differing concerns which shaped placement decisions for male and female wards. Beyond the rather unremarkable finding that gendered work-patterns were reflected in the Society's efforts to raise the Province's next generation of citizens, the sources examined here allow some insight into the ancillary effects of a placement system designed to groom boys as workers and girls as homemakers.

Chapter Eleven

"I Certainly Have Done My Share of It": Gender, Labour and the Experience of Wardship

"Big boys and girls don't like going out into the country: they have learned to love the ways of the city too well. But young boys and girls love the country.... If you catch him young enough, he will make a splendid farmer, and it is just these we want in this new country"¹

When he made the above observation before the Board of the Vancouver Children's Aid Society in 1905, Reverend Owen was articulating what child rescuers regarded as the "ideal" wardship experience. I have noted in earlier chapters that both organizational forces and client strategies compromised child rescuers' vision on a radically new replacement for orphanages and other forms of congregate care for children. In this chapter, I will trace the experiences of children committed to the V.C.A.S.. I will focus on the effects of gender on the experience of wardship, highlighting how the desire to cultivate a suitably gendered citizenry from among their charges shaped, often in unexpected ways, the experiences of boys and girls.

I have argued that the relationship between the V.C.A.S. and the parents with whom it came into contact provides important historical insight into the gendered nature of citizenship in modern welfare states. By extension, an examination of the Society's case files reveals that the Society's

¹ Speech by Rev. C.C. Owen, Annual Report 1905, p. 25.

desire to reclaim appropriately gendered future citizens had profound effects on the experiences of wards. Finally, the responses of these children to their lives under the Society's purview highlight how gender shaped their resistances and, ultimately, the paths which took them out of care.

On average, girls coming into care were 8.3 years old, two years older than boys who averaged 6.4 years of age². Further examination of the distribution of admission ages reveals that almost 19% of female wards were 15 years old or older at the time of admission while only one male ward was admitted after his 15th birthday. Twice as many boys as girls were admitted at age four or younger.

The significant difference in average admission age between male and female wards obviously impacted their subsequent experiences. For example, the age differential at admission was reflected in the period of time which boys and girls spent in care. Both male and female wards of the Vancouver Children's Aid Society spent considerable periods of their life in care; however, partially as a result of their younger entrance age, boys averaged 6.5 years while girls averaged 5.7 years in care.

One factor underpinning the significant age gap between male and female admissions arises from the sentencing practices of the juvenile court. As noted earlier, less than twenty percent of both male and female wards were committed as the result of a finding of delinquency. By comparing the admission ages of both male and female wards committed directly by the

² Mean (boys): 6.42 S.D.: 4.76

Mean (girls): 8.30 S.D.: 5.46

t = -2.81.

p = .005 (two tailed)

juvenile court with those coming into care by other means, one important repercussion of the gendered policies of the juvenile court can be highlighted. As shown in Table 11.1, children sentenced to the Society by the juvenile court were, on average, older than those whose involvement with the Society came through other channels.

TABLE 11.1

AVERAGE AGE AT ADMISSION,
BY GENDER AND COURT INVOLVEMENT
(1901-1930)

CATEGORY	NO. OF CHILDREN	AVERAGE AGE (YEARS)
Male (sentenced)	19	6.3
Male (not sentenced)	87	6.9
Female (sentenced)	30	11.5
Female (not sentenced)	105	7.4

Given the pattern outlined in this table, a large percentage of the variance between average admission ages for male and female wards may be explained by the significant age gap between boys and girls sentenced to the Society by the juvenile court. The previously documented concern of juvenile courts to control the sexuality of adolescent girls arguably played a major role in this pattern. While all of the boys sentenced to the Society by the juvenile court were under 14 years of age, only two girls were that young.

Slightly over 25% (78/303) spent their entire wardship at the Children's Home -- 39 girls and 39 boys. Male wards, however, tended to spend more time in congregate care on average than did female wards. The 125 boys on whom data were available spent an average of 22.6 months in

institutions while 163 girls spent only 17.2 months on average³. Apparently, this resulted, in part, from problems which the Society faced in placing boys in foster homes. Writing to J. J. Kelso in 1905, South laments this tendency.

"... I do not know how you fare in the matter of the young boys committed to your care, but whilst we can always find good homes readily for the girls we have great difficulty in placing the boys. I think that in this Province the people are blessed with more boys than girls. I am continually hearing applicants say 'We have three boys but no girls, and we do want a girl so badly.'..."⁴

Historical evidence of life within the Children's Home is limited.⁵ It can be inferred that from a very early age, both male and female wards contributed to the functioning of the institution in much the same manner as working-class children in Vancouver contributed to their own household economies, though on a much larger scale (cf. Sutherland 1990, 1991). In 1922, for example the Annual Report noted that:

"One of the most commendable features regarding the Home is the fact that, as far as vegetables, poultry and eggs are concerned, the institution is self-supporting. And in addition the industry in this regard had been a steady source of revenue. For instance, the sale of flowers alone brought in \$125.00....

³ Mean (boys): 22.55 S.D.: 24.94
Mean (girls): 17.25 S.D.: 21.42
t= 1.94
p = .06 (two tailed)

⁴ Case number 1906. Letter from South to Kelso, November 6, 1905.

⁵ It may still be possible to tap the experiences of former inmates of the Children's Home, the last of whom would likely be in their late 70s at present.

It will surprise those who have not followed closely affairs at the Home to learn that 27,624 eggs were produced. With an average of 45c. per dozen, the total revenue from this source alone amounted to \$1,035.90. Poultry and pigs disposed of brought in \$1,005.08. The total amount received from the garden was \$628.00".⁶

As discussed in Chapter Four, the scale of the Children's Home presented an important contradiction for the V.C.A.S., given their nominal dedication to foster-placement for wards. Annual Reports are replete with attempts to recast the lived experience of residents in the city's largest congregate institution for children in an image more congruent with the Society's ideology of redemptive, rural placement. Reverend J. K. Unsworth, in urging the adoption of the Annual Report for 1914, offered a particularly poignant example, invoking a natural haven where once had stood an institution.

"Another attractive thing I like about the report is -- if you will permit me to say so -- the smell of the barnyard. I can hear the crowing of the cocks, the cackle of the hens, the mooing of the cows. It is just like the farm that some of us were brought up on some time ago away back in Ontario or England. It makes one feel that some boys would rather wish their father would be a defective father and disgrace himself so they could be adopted into this farm... Children who are brought up so near to Nature have the advantage over children living in the city, and I hope the day will come when every man Jack and every woman Jenny of the city's children will have the advantage of fresh air and open life."⁷

If the labor required to maintain such an institution was a defining component of Home-life, it is also clear that physical discipline was an important constituent in the experiences of wards. Anne Angus, in her historiography of the Society's first fifty years, cites the case of a family who

⁶ *Annual Report* 1922, pp. 8-10.

⁷ *Annual Report* 1914, p. 21.

threatened to "prosecute the matron for cruelty" after finding a bruise on the thigh of their son who had been boarded at the Home. During the Board's review, two wards who had witnessed the incident gave depositions:

"I am eight. I have been there with every matron... We are well treated at the Home; Miss R. whips about the same as the other matrons."

"I am ten years old, I have been in the Home a long time... I saw John Coleman spanked... She used a hair brush... She didn't hit him very often or very hard. He didn't cry much. He cried just a little while. He stopped before I went to sleep... I have been often whipped. Mr. South beat me once at the Davie Street Home, and at the Cambie Street... There were more whippings then than there are now. They are not as hard now as they were before; we are not as bad as we were before." (cited in Angus 1951, p. 12)

Despite the measured optimism shown by these witnesses, it is not clear that the level of physical discipline declined appreciably during the period under study. Unfortunately, the case files provide only fleeting references to the daily experiences of wards living in the Children's Home. Daily logs are limited and, in any event, document only the passage of children in and out of the Home. The correspondence between some of the children and the Home Staff -- in particular the various Matrons and the Home's Teacher -- betrays fondness while other children obviously had less favorable recollections of their time in the Home. One 16 year old ward who had been placed with relatives wrote to his 14 year old brother who had recently passed through several placements and the Home.

"I just received your letter just today hearing that you had gone away. When you were working in Mission, why did old man South take you back? For God's sake don't go into that hole again whatever you do. ... Write to mother telling her not to worry because you are out [of the Home]. I will write to her also saying it in Fin to her. ... I have not much more to say. Whatever you do, never go to that dump again."⁸

Although there was wide variety in the careers of the Society's wards, they spent on average less than one third of their wardship in congregate care⁹. The remainder of their time was passed in what were variously termed "free homes", "foster homes", "adoptions", "indentures" or "wage homes". In modern child welfare bureaucracies, these various forms of placement have acquired very specific meanings. During the period prior to 1920 in B.C., however, they were used virtually interchangeably. In practice, many placements were referred to as adoptions -- implying that the child was to become a full member (emotionally and fiscally) in the family.

Unlike adoptions (either informal or, after 1920, legally sanctioned), other placements were clearly motivated by more instrumental considerations. These included both "free homes" where children were supplied with room, board, clothing and some opportunity for schooling in return for their labor and "wage homes" where children were treated strictly as hired hands and were compensated with some combination of room, board and wage. For analytical purposes, I distinguish between these two types of placement although in practice the differentiation was often tenuous.

⁸ Case number 291401. Letter from brother to ward, February 10, 1920. Emphasis in original.

⁹ By dividing the average number of months spent in congregate care by the average total months in care, it can be roughly estimated that boys spent, on average, 29% of their wardships in congregate care while girls spent, on average, 25% of their wardship in some form of institution.

Among wards of the Vancouver Children's Aid Society, almost one in three had a family express interest in "adopting" them as full members of the family. The sincerity of many adoptive parents is palpable in their correspondence and evidences obvious emotional commitment. In Elma's case, her foster father wrote to South on July 3, 1920 in these terms:

" ... Little Elma has been good as gold... We are already Daddy and Momma to her and it seems to come quite natural to her to call us that. Speaking for myself I know that it sounds like music in my ears. She is a dear little puss and has quite won her way into our hearts... I have already spent \$15 or \$20 on clothes for her and hope to gradually get her fitted out in that regard."¹⁰

In another case, a prospective adoptive mother requested a girl, but accepted South's offer of a three year old boy. Her offer to take a child as her own appeared sincere, despite the professed motives.

"I wish to adopt a little girl not over three years old of healthy parents preferably of fair or medium complexion... I do not want a child for commercial value but one to love me when I grow older. It keeps women from being selfish..."¹¹

In aggregate terms, female wards were slightly more likely to have received an offer of adoption [60/174 (35%)] than were boys [38/129 (30%)]. However, for both genders, adoption was principally the province of the young. Both boys and girls had a mean age at adoption of slightly over 6.5 years. Almost 40% (64/163) of children placed at adoption were aged four or younger when they entered their first placement while 23% were between 5 and 8. Surprisingly, 29 wards entered their first "adoptive" placements after turning 13 years of age. Families adopting older wards often had explicit

¹⁰ Case number 422701. Letter from adoptive father to South. July 3, 1920.

¹¹ Case number 4314. Letter from adoptive mother to South, Nov. 24, 1912.

expectations regarding the contributions which these youths would make to their households. Table 11.2 outlines the reasons cited by families who adopted children from the Vancouver Children's Aid Society.

TABLE 11.2
EXPRESSED REASON FOR ADOPTION OF WARDS
(BY GENDER)
(1901-1930)

Reasons	Females		Males	
	Count	Pct of Cases	Count	Pct of Cases
Adoption	56	34.6	31	27.4
Rescue/Educ.	54	33.3	29	25.7
Domestic	16	9.9	8	7.1
Child-care	6	3.7	2	1.8
Retail Store	1	.6	0	0.0
Agriculture	0	0.0	14	12.4
Horticulture	0	0.0	13	11.5

Females: 162 valid cases; 12 missing cases.
Males: 113 valid cases; 16 missing cases.

Of those wards whose foster families requested adoption, approximately one-third expressed a desire to raise the child "as their own" while approximately one-quarter offered their homes for the service of child rescue or education primarily. Perhaps most surprisingly, a significant number of applicants proposed to "adopt" children primarily for the help they could offer in the home, fields, or business. In an oft-quoted remark unearthed by Joy Parr, an English child-emigrant observed "Doption, sir, is when folks gets a child to work without wages" (Parr 1980, p. 82). While this

statement bristles our contemporary sensibilities, it may be more historically accurate to point to the very significant role which child labor played for working-class families. Work by Sutherland (1990, 1991) and John Bullen (1986) has amply documented the active role which children took in sustaining working-class families in both rural and urban settings. Even in fairly established capitalist economies, children's work played an important role in most household economies.

The case files of the Vancouver Children's Aid Society are remarkable not only because they reveal that labor-power was an important consideration in adopting a child but in part because they give us a fairly clear understanding of how gender-structures shaped the understandings of what types of labor were appropriate for prospective male and female citizens in early 20th century British Columbia. The broad outlines of gender-appropriate labor are most evident when we turn our attention to work placements ("free" or "wage" homes).

Work placements were much more explicitly instrumental than were adoptive placements. They were typically offered to children who were too old to be attractive to foster parents seeking adoption. Consistent with the philosophy of child-saving, there clearly was a note of charity in most requests -- the implication being that the child would be treated kindly and trained appropriately. But matters such as schooling, provision of clothing and other necessities clearly were secondary to the work at hand which, so long as it was appropriate to the age, gender and class of the child, was deemed to be largely sufficient for his or her reclamation. A School Board Trustee who requested and was granted a 13 year-old boy wrote:

"I am enclosing an application for a boy as help on my small fruit farm, and general help round the place... On reading over the conditions, it does not seem feasible for them to be carried out completely in this case;... If the boy is out working for his living and learning to take his place in life it would not be to his advantage or interest to be provided with everything until he is 21, besides being paid a fair wage...; As soon as he is earning enough to keep himself in clothes and necessities it is but right that he should realize these responsibilities.

... He will have a comfortable room detached from our house which is too small to accommodate another one. I will undertake to teach him to be manly in all respects, clean and industrious. He will live in the same way as my own family."¹²

Clearly, the independence, responsibility and "manly" labor prescribed by this foster parent met with the approval of the Adoption Committee. It is likely unremarkable to point out that the stated reasons for requesting a child for work placement fell strictly in line with the gendered division of labor which characterized most families during the era. Nonetheless, the work upon which the Society and its foster parents relied to create appropriately gendered future citizens had important consequences for the experiences of wards in their placements.

One of the most striking impacts which the gendered nature of labor had on the experiences of wards was geographical. The vast majority of male wards went to rural placements with the expectation that children of their class, gender and race would benefit most from agricultural and horticultural work. As a result, only 15% of boys remained in greater Vancouver for their first work placement. Instead, almost 40% went to the Fraser Valley with another 30% being equally divided between the Kootenays and the Chilcotin.

¹² Case number 2519. Letter from foster parent to South, March 14, 1921.

Over 70% of female wards, however, had their first work placement within the City -- a fact which appeared to fly in the face of the rhetoric of rural redemption espoused by many child-savers.

While the case files examined for this dissertation offer little insight into the experiences of wards residing in the Children's Home, they do provide a unique opportunity to examine how wards experienced and reacted to work placements. Foster parents interested in a work placement were required to enter into the same agreement as were prospective adoptive parents (See Appendix J). Foster parents agreed to "act towards the child at all times with kindness and consideration", "provide the child with food, clothing, washing and necessities", "treat the child as a member of the family", "teach as far as possible habits of truthfulness, personal cleanliness, and industry" and "to send the child to school as required by law". Foster parents were also expected to "write occasionally", especially in the event of serious illness, death, desertion, dissatisfaction, or removal to another locality.

The terms of these work placements often resulted in the Society assuming the role of mediator in disputes between wards and their employers. From these correspondences, it is possible to document some of the common complaints made by both foster parents and wards, thereby contributing to the limited existing historical accounts of life in foster-care (cf. Harrison 1979; Parr 1980; Barbalet 1983). Of greater theoretical import, an examination of the correspondence flowing between the Society and its wards reveals the expectations of each party, providing insight into both the

Society's vision of the requirements of citizenship and wards' notions of what should reasonably be expected of them.

One useful tool for comparing these expectations and their effects on male and female wards involves a comparison of the concerns voiced by wards and by the Society concerning work placements. Their very different roles within the family economies in which they were placed also were reflected in the complaints which male and female wards made to the agency (See Appendices K and L). Both boys and girls complained most often about being overworked. Over one half of all wards advanced this complaint while placed in either an adoption or work placement.

As shown in Appendix K, while they clearly had other primary concerns, the Vancouver Children's Aid Society *did* tend to support male wards in their complaints regarding work and reimbursement. The Society's principal preoccupation regarding male wards, however, surrounded the issue of truancy. Their protestations seldom had much effect on either foster parents or wards who consistently saw in full-time labor the type of experience most beneficial to boys of the race and class found among wards. One typical example involved a male ward, who had been placed with a widower at age 13. Throughout the placement, South emphasized the importance of education to both the boy and his foster father to little avail. Nonetheless, the child continued to keep South apprised of the "practical education" his foster father was providing.

"I have not been going to school now on account of Mr. Close's not beening able to do much he is trouble with the roomitthisim... I can drive horses, plough with a team of horses. I can mow hay. I can put hands to anything about the farm and do it." ¹³

Three years later,

"I am intending to leave Mr. Close soon and so I thought I would write an tell you. I have been with him now for 5 years. The first year I went to school prity steady and the next two I stayed home in the summer and the next two years I stayed home altogether and worked... I want to go and learn a trade of some kind."¹⁴

Male wards on work placements typically lived in standards quite different from those enjoyed by the children of their foster families as is reflected by the concerns regarding housing and clothing above. Many boys spent the nights in out-buildings (barns, chicken coops) and one ward was left to sleep on the porch with only a cardboard box for shelter. Another boy was returned by his foster father who declared that

"... I will not have any need for him. So will send him down ... per S. S. Cassiar. Please have someone meet him as he declares he is going to run away."

He added,

"I ought also to let you know that he is covered with body lice. We did not know of it for some time..."¹⁵

In some cases, community members and other government officials were moved to report the plight of male wards found destitute, apparently

¹³ Case number 371001. Letter from boy to South, May 20, 1908.

¹⁴ Case number 371001. Letter from boy to South, February 36, 1911.

¹⁵ Case number 2611. Letter from foster father to South, March 20, 1909.

abandoned by their employers. In 1923, the Government Agent for Williams Lake wrote South to advise him of the plight of wards placed in the region.

"Charles gave his age as 15 years and advised that he had first been sent to Mr. H. then transferred to Mr. C. whom he left after a disagreement. Finally he worked for a Mr. F. until (one of his) horses was hurt. He then was without means or place of abode until the police took him in and cared for him...

As I believe other boys have been sent to various persons in this district I would like to point out existing conditions and ask that caution be exercised in sending out such cases...

Owing to the present market price of farm products very few in this district would be able to properly take care of a young boy... The population of the district is small and scattered and in consequence very poorly adapted to caring for wandering youths... It is to be regretted that in some cases motives in obtaining the services of boys are actuated by a desire for cheap and drudging labor.

I have written you at length as the case of Charles J. very forcibly brought to mind the serious plight of a boy without home or employment. None of the persons he had worked for assumed any responsibility for his care with the result that he was destitute and without a home during one of our winter months..."¹⁶

As they were clearly regarded more as hired hands than as members of family, male wards were often treated with a great deal of suspicion by their employers. Complaints regarding theft (14% of male wards) and untruthfulness (15% of male wards) were common and many were strictly denied access to the family home. One young boy had his foster placement terminated -- apparently due to the uneasiness of his employers as there were no allegations of theft.

¹⁶ Case number 2519. Letter from Gov't. Agent to South, April 20, 1923.

"I cannot trust him with anything. We must lock [the] house when we go to milk the [cows.] If we leave the door unlocked [he] goes snooping from one room to the other... I cannot stand it anymore. I cuffed his ears twice... but the next day we leave the house open he is snooping again..."¹⁷

Comments of this type were common in the files examined. Although eager to accept strong young adolescent boys for farm labor, many foster parents were exceedingly wary and critical of the performance of these children. In the case cited above, the ward's subsequent placement with a rural farming family lasted 13 years. One could certainly interpret such a lengthy involvement as indicative of some mutual satisfaction yet, in common with most files, the correspondences showed persistent ambivalence and dissatisfaction. The foster father's assessment of his charge rates as one of the more tolerant examples encountered.

"I have nothing to say against the boy's character, he is a bit untruthful at times, but I have always tried to overlook a good deal to save trouble. His work especially milking cows does not suit me. He will turn some cows out of the stables not milked and tell me they are all milked if I am not about to watch him..."¹⁸

In another typical example, a foster mother detailed another episode in the long chronology of her husband's attempts to raise and reform a male ward.

"Frankie was in such a state because we were sending him back to the Home he asked so hard to get staying & promised to be a better boy & work some & be more careful in his habits that [my husband] gave in to him for about the 12 time....

¹⁷ Case number 242801, Foster Parent to South, October 11, 1917.

¹⁸ Case number 242801, Foster Father to South, July 15, c. 1922.

We are very sorry we ever troubled with a boy for there has been so many of our neighbors had so much trouble with boys out of different homes. It is just like they think they can do anything they like if they get into a home..."¹⁹

The annual letters which foster parents were expected to write constituted important forums through which the obligations and responsibilities of the Society and the foster families were negotiated. By highlighting the difficulties which they faced and by portraying themselves as animated by Christian charity rather than pecuniary motives, foster parents in effect argued that they had fully discharged their responsibilities to the children in their care. With the passage of years, they might reasonably expect that the Society would be obligated to support them if either the child, its natural family or other community members questioned their decisions or motivations.

Physical discipline and its appropriate role in the relationship between male wards and their foster parents-cum-employers was one area where the support of the Society was crucial. Resistance to the demands of work was commonly dealt with physically. While carefully avoiding any indication of recklessness, foster parents were fairly open in their discussions of physical discipline. In correspondence with the Children's Home, the foster father of a nine year-old boy wrote to South in 1917 outlining his difficulties with the boy.

"... He is not what one might term a bad boy, but he is naturally very slow and lazy, at times becomes very stubborn, a great boy to sulk.

¹⁹ Case number 032201, Foster Mother to Holland, Undated c. 1929.

... I have tried to appeal to the best side of him, to get him to take hold better, but he is lazy and takes advantage of you. There is one thing which appeals to him and which I do not believe in doing any more than is really necessary and that is a good threshing. I have given him three and he has done a good deal better... He is not the kind of boy that Mrs. B. and myself care to have mingle with our own small boys."²⁰

Male wards seldom voiced complaints about their exclusion from the family lives of their employers. We know from the work of Joy Parr (1980), Phyllis Harrison (1979) and Margaret Barbalet (1983) that "home" children often resented their status, but case files of the Vancouver Children's Aid Society seldom recorded any official complaints. We can infer from many cases (including some rather mysterious "accidental" deaths) that many male wards did experience considerable despair.

"I am sorry to have to tell you that Vernon is dead. Was buried yesterday. Shot himself accidentally... [My wife] found him under some trees dead... When doctor and policeman came doctor said death was instantaneous. Bullet went through heart and out of back.

... They think he had sat down and was watching a squirrel in the tree beside him and had the gun between his legs and somehow it had gone off. I don't see how it happened as he was a very careful boy.

[My wife] is very ill over it, we feel deeply grieved. He was such a fine boy and we thought as much or more of him than if he had been our own... I would like to get another boy but will not find one like Vernon."²¹

Most boys apparently learned the "manly" traits of independence, self-reliance and rational self-interest which their placements were, at least partially, intended to teach. While almost half of all wards eventually

²⁰ Case number 291402. Foster father to South, May 24, 1917.

²¹ Case number 291402. Letter from Foster father to South, August 1, 1921.

returned to their families, boys more often did so after securing their own occupation either with or without the aid of the Society. The running record of one case file records the opinion of the foster father of a 15 year-old boy.

"Clarence is a great big boy more like a man; that he has associated with men for so long and has looked after himself so well that he no longer feels he should be under the jurisdiction of the C.A.S."²²

Similarly, a Welsh boy who had found better paying work on his own initiative protested when asked to return to the placement arranged by the Society.

"... As a matter of fact, I don't think much of the way they send boys to work here. They send me 50 miles from nowhere. I was dissatisfied, I asked if I could return, I was told to stay. I stayed as long as I could stand it and then I came here. Now that I have a good home, and good prospects, you ask of my return..."²³

Finally, it is important to mention one final means by which boys in particular left the care of the Society. Among the present sample, eight male wards (over 7% of cases with discharge information) died while under the guardianship of the V.C.A.S. In comparison, only two female wards died while in care (1% of valid cases). In part, the fact that male wards were perhaps seven times as likely as female wards to die in care reflects both the nature of their work and the often harsh physical conditions in which they lived. Other male wards, however, had their names enshrined on the "Honor Roll" which prominently occupied the back cover of Annual Reports during the First World War. In 1922, the list included 23 boys who had been killed in action. One casualty was an Ontario ward whose foster parents had moved

²² Case number 140103. Foster father to South, n.d.

²³ Case number 3517. Ward to South, n.d.

to British Columbia. After being notified in 1916, J. J. Kelso wrote to South, reflecting their shared vision of the centrality of military service to full male citizenship (cf. Titmuss 1976).

"He is one of an increasing number whom we have saved from disaster and left upon a field of honor. While we cannot but regret the death of these lads, yet it is tinged with a certain sense of satisfaction that we have been able to kindle the fires of a better manhood than was probable at the time we made their first acquaintance."²⁴

To South and Kelso, the deaths of boys like these represented an ultimate expression of commitment to the State and its moral order. Although each war-time death took its toll on South, he ultimately regarded each as a "hero lad", and assured himself that "they are amply blessed in the action they took and that they are rewarded for their great sacrifice"²⁵

Whether they left heroically, or merely drifted into independence along the trail of the labor market, most male wards appeared to accept and even to actively pursue the trappings of male citizenship. Often, they craved the independence and acquisitions which a good position offered them. Although their options were in some instances limited, their often stoic tolerance of difficult work and living conditions betrayed an expectation that hard work for a fair wage was their lot. Importantly, male wards benefitted from a congruence between this expectation and the expectations of the Society, for whom fair working conditions and minimal exploitation were major concerns. As we shall see next, the experiences of female wards were markedly different.

²⁴ Add. MSS. 672, Vol. 174. Kelso to South, Nov. 6, 1916.

²⁵ *Annual Report*, 1922, p. 7.

Much as it shaped the lived experiences of male wards, the gender-specific division of labor espoused by child-savers and foster-parents affected the experiences of girls in work placements. Once again, much can be gleaned by comparing the complaints advanced by female wards and those made on their behalf by the Vancouver Children's Aid Society (See Appendix L).

The relative rarity of Society complaints regarding the over-work and under-pay of female wards reflects the familiar "invisibility" of unpaid domestic labor. While the expectation of hard work for a fair wage governed the Society's vision of male placements, female wards who complained of over-work or under-pay were typically regarded as unappreciative. The virtue of independence, so crucial to the future of male wards as male citizens, was regarded as problematic when expressed by female wards. Consistent with the gendered characteristics of citizenship which emerged from my examination of parental claims on the Society, female wards in domestic placements remained, in a fundamental sense, dependants within their adopted families. Just as their mothers were often expected to couch their claims for assistance in terms of their social position as mother or wife, female wards were expected to remain compliant and self-effacing in domestic role.

If the ceaseless demands and monetary value of domestic labor were invisible to men like South, they were fully evident to the wards whose lives it shaped. Such a recognition is reflected in this letter from a 19 year-old ward whom South had branded ungrateful for leaving her "adoptive" family.

"... As for helping those that helped me, I certainly have done my share of it. I have worked in the Hotel, washed and cooked and looked after a store and looked after Mrs. R. when she went on a big drunk for two months. Mrs. R. has been drinking liquor off and on all the time and as for you judging my letters to Beatrice I had to write nice letters, because they would read them.

Mr. R. told me I'd have to get out [of the house]. He has been trying to get me back but I will not go back. Mrs. R. has been jealous of me ever since she saw me. I certainly don't want to cause any trouble between Mr. R. and his wife.

And as for leaving school, I wanted to pass my entrance examination, but they took me out to work for them for nothing. If I wasn't there he would have to pay a woman twenty five dollars a month. So everything that I received from them, I think I well earned it.... I don't see how he can send me out without giving me some money till I find work..."²⁶

The primary concerns voiced by the Society regarding girls in their care surrounded the issue of supervision. Female wards were often characterized by both the Society and its foster parents as having tendencies towards sexual immorality (14% of female wards) and both groups often linked this supposed trait to the tendency of girls to run from their placements (13% of female wards). Supervision of these girls was of the utmost importance for the Society as can be seen in the case of Elsie Timms, a child of native heritage referred to previously in Chapter Five. In 1918, South wrote to a local minister announcing that the Adoption Committee had decided to return the child to her father provided that adequate supervision could be arranged. He wrote:

"... Elsie can cook and wash, if she likes, as well as anyone, and she is learning many things that have been greatly to her advantage, but I am rather afraid that unless you personally keep a sort of supervision over, and interest yourself in this young girl, she will be easily lead astray.

²⁶ Case number 3518. Letter from girl to South, n.d..

I may say to you confidentially that my experience is that when a girl has some Indian blood in her veins, it is very hard to control her when she reaches the age that this girl has.

Will you see [her father] and have the ticket sent down, and then I will put her on the steamer, myself, and have a talk with the Stewardess as well, but I suppose [he] will have to give the Stewardess what is commonly called a 'tip'.²⁷

The minister's reply illustrates that he shared South's view of the perils which the race and gender of this child posed.

"... I was sorry to hear of the tendency in Elsie. It is not often that those with Indian blood have virtuous tendencies. I shall try and get her into some position as her father is I believe out of Essington for the summer and Essington is a cannery town where women are subjected to much temptation."²⁸

In many cases, the Society's desire and ability to effectively supervise female wards diverged as the wards grew older. Often, foster parents eventually requested that they be relieved of their supervisory duties, only to find the Society quite unwilling to shoulder them. The uncle of Rebecca McClure, who had, along with his wife, raised the girl under a foster agreement for fourteen years, wrote to South explaining the difficulty of adequately supervising a ward approaching twenty-one years of age.

²⁷ Case number 3530. Letter from South to Rushbrook, April 8, 1918.

²⁸ Case number 3530, letter from Rushbrook to South, April 16, 1918.

"You will probably think it strange hearing from me. I would like you to advise me in regards to Rebecca, whom we took from the Home some years ago. We can do nothing with her and she seems to have the habit of running after the boys... [She] will be twenty-one years old in June and I don't feel like keeping her any longer and I don't want to turn her out. Wish you would advise what to do for the best"²⁹

In this case, the short time period remaining in the Society's guardianship obligations provided a ready justification for South's refusal to intervene.

"I am very sorry to hear that she is one of those girls that run after the boys, but what to do for the best I don't know... Talk to her, and show her the evils surrounding mischievous boys, who forget that she is someone's sister, and they are leading her to wrong."³⁰

Unlike the male wards discussed above, the provision of shelter for female wards was seldom an issue for either the girls or the Society. Of course, this relates directly to the fact that, as domestic servants, most girls were given quarters within the family home. While this feature of the gendered structure of labor had some benefits for female wards, it also undoubtedly contributed to the stifling sense of isolation which many experienced. While boys may only have been forcibly reminded of their status as hired hands during meals and in the evenings, girls were relentlessly confronted by the "superiority" of members of their foster-family.

Coupled with the ceaseless demands of housework and child-care and their employers' reluctance to grant them unsupervised leave, female wards complained of "isolation" or loneliness in their placements far more often

²⁹ Case number 430801. Letter from foster father to South, January 9, 1923.

³⁰ Case number 430801. Letter from South to foster father, January 11, 1923.

than did boys. One 13 year-old girl who had recently been placed with a family in Creston wrote to her sister still residing in the Children's Home.

"... The girls and boys don't like me a bit here they talk about me and it is all lies that they do say anyhow. It was Mrs Gibbert [teacher] that started them when she told them that I wet the bed. I don't care what they say because I can't help it..... The girls slap me and the boys kick me as if I was a stump... and if I go to slap one of them they all will pile on me and the teacher doesn't care...

I asked Mr. South if I could come back and he said I couldn't so I have to stay here in this old place. It is far far far worse than when we were with Pa. I would rather be with Pa than stay here. Often I wish I were dead..."³¹

The rural placements which typified the experiences of male wards made contact with natural parents, siblings (both in and out of care) and extended family much more difficult. This may partially explain the fact that female wards were far more successful in maintaining contact with their families while in care. Almost half (64/136; 47%) of female wards maintained contact with their parents while only 37% of male wards mentioned such contact. The qualitative data found in case records suggest that it was not geography alone which contributed to this gender difference.

Continued familial contact appeared to be of greater importance to female wards likely due to the greater sense of dependency and social isolation which characterized their work placements. One typical incident involved an 18 year old ward who was living in Vernon in 1908. Evidently

³¹ Case number 5010, letter from girl to sister, May 23, 1911.

defiant, she first wrote to South protesting her social isolation and later wrote demanding to know where her younger brother had been placed.

"This is the dullest place I think I ever was in. It seems as if I dropped off on some desert island... I just hope you get where you don't know anybody and see how you like it... I suppose by the time I know a few people I will have gout or something else and have to go somewhere else to get it cured."³²

"... The next thing you know there will be trouble so just let me know why I don't get a letter from [my brother]. I never was satisfied with this place and I am less satisfied now. Just think I have been without hearing from him for a year and a half and you wonder why I am so saucy. If I ever had known we were going to be separated like we are and never hear anything more of one another. A person has some feeling for their family even though I am only a kid."³³

Of course, control over contact with natural family members remained an important source of power for the Society and South often displayed an understanding of his wards' craving for virtually any sense of familial belonging. When one "adoptive" parent wrote South distraught at her inability to keep her teenage foster daughter from running away to the foster home where her brother was placed, he advised her to cast the child from her family.

"I am awfully sorry, for you have done so much for her, but it is no use, you must give her up, and I will deal with her as I see fit...

³² Case number 2904. Letter from girl to South, March 6, 1907.

³³ Case number 2904, letter from girl to South, June 21, 1908.

What else can I do, but to take her back into the home, as that is the only thing that will curb her now... Your love and affection has spoiled her, but she is like the whole family...

The only thing is to make her feel that she is not your daughter, but a simple girl as she was before you adopted her."³⁴

He then wrote to the girl in question,

"You are not now Minnie Wilson [her adopted name] as your foster mother has given you up for good... It is a poor return for what has been done for you. I hope you will not forget all the sacrifices that have been made for you, Minnie."³⁵

Such odious attempts to emotionally blackmail female wards into more compliant behavior reflect a common theme in South's practices. Whether they were women upbraided as "unmotherly", or adolescents who deserved the respect accorded "someone's sister", women encountering Charles South undoubtedly recognized the view that their position within the domestic sphere was the key determinant of their standing. As they reached late adolescence, many female wards began to rebel against their forced dependency within foster families. Primarily, they asserted their "independence" by fleeing wardship. Almost 85% of female wards left the care of the Society before reaching the age of majority (set at twenty-one years under the *Act*³⁶), many returning to occupy a role in their natural family (39%). Another significant subset (25%) simply lost contact with the V.C.A.S.. While many of these girls may have returned to their natural families, some

³⁴ Case number 242802, Letter from South to foster parent, July 10, 1922.

³⁵ Case number 242802, Letter from South to girl, September, 1922.

³⁶ *Children's Protection Act of British Columbia*, S.B.C. (1901), c. 9 s. 8(1).

were successful in establishing a degree of self-sufficiency away from both foster- and natural-families. One former ward, who had left her placement just prior to reaching majority and was aggressively pursued by V.C.A.S. officials, wrote to a welfare visitor in Nanaimo.

"I have intended writing you before, but until now have kept putting it off. Tonite I received a phone call from Steve and apparently he has received another letter from you asking for my address.

Now I trust this time that surely you understand I have no intention of sending you my address, as I have a good position, and have proven I can take care of myself. As you know I am of age and have a perfect right to choose my own life. ... It is in a home of two and the wages are far in excess of what I ever received while under the supervision of the Aid.

If you recall Mrs. MacRae you even refused me the right to sleep one night with my own mother. This with numerous other things make me feel justified in not sending you my address.

Due to the improvement of my present position over what I had while in Vancouver, there is no court (even if it came to that) that would make me return.

In future you would kindly oblige me by not annoying my friends... I am in good health and quite happy. Will drop a line from time to time to let you know how I am getting on."³⁷

More commonly, however, isolation from their natural family and exclusion from the social life of their foster families and communities made marriage an attractive alternative for female wards. Although a relatively small proportion of wards were discharged from care when they married, the contrast between male and female wards is quite striking. Of 155 female wards on whom information is available, 15 (or almost 10%) left care in this

³⁷ Case number 0812. Child to Kate MacRae, welfare visitor, Nanaimo, June 20, 1947.

manner. By contrast, only 2 of 113 males (under 2%) married while they were wards.

For most female wards, marriage represented an ideal avenue of escape from domestic service, even if it was realized infrequently. When considering the aspirations of these children, some sensitivity to both their age and the ideological position of marriage in Canadian society is necessary. As Strong-Boag (1988) notes, the ideal of marriage constituted an important cultural symbol in the lives of Canadian girls and women during the inter-war years. "This fascination reflected the fact that most female Canadians not only expected to marry but took it for granted that marriage would provide satisfaction, security and purpose" (p. 81). Although wards of the V.C.A.S. may have felt more keenly than most the pull towards the establishment of their own household, they were certainly not unique.

While many wards entertained notions of matrimonial rescue, those who began to put such plans into action attracted considerable resistance both from foster-parents and from Charles South. When the foster-parents of one 15 year-old ward intercepted a letter to the girl from a local boy which suggested that they had been planning to marry, South wrote immediately to the girl.

"I wish you could have seen Mother's heart-broken letter which she has sent me, because of her uneasiness about you, owing to the proposals that she has discovered, which are being made by some man whose name I think is Parkins....

See dear, I would be very very unhappy if Mother had written to me to say that you had taken some illness and died, but I honestly confess that I would rather see my dear little girl in her coffin than I would see any one mislead you, or induce you by any promise, to do what is wrong, and it would be wrong for you to think of going with this man, or any other man, to become his wife, for you are far far too young, and I have had lots of experience, as you know dear, and when men have married very young girls, such as you are, they tire of them almost at once, run away and leave them, and then there is a heart-broken, miserable, unhappy child, who has no future but misery before her..."³⁸

Faced regularly with such "threats" by the young adolescents in his care, South would caution them with what became thread-bare tales of the perils of early marriage.

"A young girl that I knew very well who married just about the age you are, against her parents' wish but who in just a few years had a family of very small children and who, because she had married before she was old enough, became insane... And everyone was afraid to have much to do with the children because they thought there was insanity on the mother's side."³⁹

When such cautionary tales did not suffice, South was not above resorting to legal means to bar or even over-turn marriages. Although such cases were obviously presented in a manner likely to favor an annulment, it is also clear that female wards who entered marriages from a relatively disadvantaged social station often found themselves in difficult circumstances. Loretta Heard, who had been indentured to the Society when her mother remarried, lived for several years with a foster family before eloping at 14 years of age.

³⁸ Case number 2616. South to girl, Feb. 16, 1914.

³⁹ Case number 072401, South to girl, August 26, 1912.

"...[H]e got a woman of the street to go and say that she was her mother... and a friend went with them to the minister and seen that they were married... I told... his mother that Loretta was not 14 years of age and she only laughed at it... This woman is a spiritualist and a fortune teller and I have been very ill through it and I went to the sheriff and had the first marriage broke...

I am going to tell you that their is a lot of boose sold in the cabin were he keeps Loretta... I never saw her for eighteen weeks and when she called to see me Loretta went on her knees and... said that she dose not want to live among his people as their was too much drink going on and every body that know his people say why don't you get her lifted and he dose not work atol and wont work as long as he gets some one else to do it for him.... If you have any way in lifting her I would like you to do it..."⁴⁰

After conferring with the Chief of Police and the Crown Prosecutor, South contacted the Society's lawyer, asking if there was some way to "break her marriage, as things are not very nice over there". The lawyer responded,

"The Marriage Act requires that no person under the age of twenty-one years shall be married unless consent is first given by the parents or guardian, and there are penalties for failure to observe these requirements. It has repeatedly been held, however, that the failure to obtain such consent shall not invalidate the marriage, and the amendment to our Act of 1919 expressly states that the failure to procure such consent shall not invalidate any marriage.

In the circumstances we do not see how the Society can take any steps which would have the effect of dissolving the marriage of this ward."⁴¹

South essentially lost contact with Loretta until she wrote to the Society two years later, still married to the same man. Seven years later, the police contacted the Society after Loretta was arrested in a raid on a local bordello. Her third husband was jailed following this raid for living on the avails of prostitution.

⁴⁰ Case number 2610. Letter from foster sister to South, Dec. 6, 1922.

⁴¹ Case number 2610. McTaggart to South, July 16, 1923.

In another instance, a nineteen year-old former ward wrote to South requesting to board her own daughter at the Children's Home.

"This is my story since I have been married. Will left me two years this February without anything to eat and without any clothes and without any coal or wood... My baby was 6 months old when Will left me... Will never beat me or swore at me but he used to go to the hore houses + stay there for 2 or 3 days + baby and I would be starving. He used to get about \$80 a month + we used to be without things all the time...

I am having hard times. I am out working and have to keep my little girl in a home but it is not a very nice place. They don't keep her clean. I am getting \$15 a month. I have to pay \$8 of it for Maggie + buy her clothes."⁴²

Given his familiarity with this former ward, South agreed to board her daughter, keeping her for five years until her mother was able to remarry.

Despite the often bleak outcomes of marriages entered into by female wards, many seemed to revel in taunting South with their notions of marriage and their worldly experience. In 1912, for example, a sixteen year-old girl wrote repeatedly of her intentions to marry at her first opportunity.

"I am writing to tell you I have had many chances to get married so I am going to accept one so you won't be worried with me anymore... Sadie B. is married so I am going to get married too. I guess I must say good-bye to you. I remain, your girl who is going to get married, W.B."⁴³

"... Well Mr. South I have been asked many a time to get married. When I was in Vancouver I used to go out with a fellow and Mr. H. [foster father] thought I was at my auntie's but no. Anyway I know as much as any married woman... so do you wonder why I want to be a wife?"⁴⁴

⁴² Case number 221701. Correspondences between girl and South, February 12, 1915 and November 20, 1916.

⁴³ Case number 072401, Girl to South, August 12, 1912.

⁴⁴ Case number 072401, Girl to South, August 18, 1912. Emphasis in original.

These words, of course, are calculated to play on many of the concerns regarding female deviance and sexuality outlined in the preceding discussions. They explicitly draw attention to one important form of leverage which female wards increasingly had at their disposal as they approached their age of majority. Realistically, these taunts speak less to the actual intention to marry than to the desire for a measure of independence and perhaps, more importantly, for a sense of acceptance and belonging.

Paralleling the forms of resistance discussed in Chapter Nine, these young women were typically forced to seek "independence" and "fulfillment" in the often perilous option of young marriage. Like the male wards who often seemed to embrace their role as independent, working-class citizens, female wards often regarded marriage as the "obvious" solution to the isolation, dependency and powerlessness which characterized their lives in domestic service. Despite their seeming acceptance of these gender-specific options, we would be mistaken to assume that male and female wards faced the future on "equal, but different" political and economic footings. As Gordon notes,

"A shared gender system does not mean the absence of male power over women; it means rather that women struggle to gain power by adapting their subordination and exploiting the space and means available to them." (Gordon 1995, p. 290)

My examination of the effects of gender on the experience of wardship in early twentieth century British Columbia has highlighted the markedly different status accruing to boys and girls from the forms of labor in which they were engaged. Although each group of wards suffered their own hardships and benefits, male wards were encouraged to value their own work as a key component of their lives as independent, male citizens. Female

wards who brought attention to their exploitation were condemned for their unwomanly behavior. Although many railed against it, female wards were systematically groomed to seek their satisfactions in things domestic, and essentially, to concede their own dependency.

When male and female wards sought to make their own way in the world, they typically found the well-worn trails most ready. Beginning from relatively disadvantaged social and economic positions, they were often left with few options. While male and female wards had very different experiences in care and while they sometimes tended to respond to their predicaments in decidedly different ways, both groups struggled to achieve what they could within pre-existing social structures. Even as their struggles reinforced those social structures, their efforts grant their words power and importance in the writing of history.

Chapter Twelve

Epilogue.

"It is not long since we had very extraordinary ideas as to the punishment of crime. But a few years have passed since there were a hundred crimes which were capital offences. However, that has passed away and many of these barbaric views have passed away; but there are people in Vancouver to-day, and possibly some in the government who are medieval still.... I say can anything be worse than a system which takes these children before the law, and says, I will put you in gaol and make you a convict; you have taken the first step; I will take away all incentive to reform by placing you in an environment of criminals and making a criminal of you."

-- F.C. Wade, *Annual Report*, 1905, p. 30.

More than ninety years after Frederick Wade, a V.C.A.S. board member and early agitator for the Vancouver Juvenile Court made these observations, they remain both valid and highly controversial. As with most historical material, it is the task of the reader to determine their lessons for the present while recognizing the extent to which these insights have been shaped by our contemporary vantage point. In this brief epilogue, I hope to draw out some key connections between the past and the present of welfare provision in North America.

This dissertation has both built upon and reacted to the revisionist social control theories of the late 1970s and early 1980s. Clearly, it has also been influenced by the dominance, during the same period, of conservative political agendas built around monetarist fiscal policies, punitive law and

order criminal justice policies, and regressive financing of social programs. Within the contemporary political terrain, the limitations of theoretical approaches which primarily portrayed "the state" as "the villain" have become increasingly obvious.

One of the broadest findings of the present study concerns the nature of the interaction between the V.C.A.S. and various strata of British Columbian society. The evidence examined here supports the view that child rescue cannot accurately be described solely as the proactive control or oppression of the margins of industrial society by the agents of the state. Some years ago, Michael Ignatieff (1983b) described the interaction between the London poor and the police courts in the 1830s in terms which apply equally to the present study.

"They flocked to the courts in such numbers that we can only suppose that they did occasionally *get* the justice they deserved. They were not the passive victims and objects of the law: they used it for their purposes if they could." (p. 170)

This dissertation has sought to emphasize the complex and varied processes by which children came to reside in the Children's Home or in one of the Society's foster placements. The tendency for communities, and often parents themselves, to deliver up cases and the range of responses which met these petitions revealed the play of a variety of power structures including social class, race and ethnicity and gender. However, while recognizing the impact of these various structures, I have attempted to allow the ingenuity and tenacity of the individuals documented here to remain. Among these parents and children, the effects of gender, race, ethnicity, and social class

shaped, but certainly did not determine, the nature and ultimate outcome of their struggles.

The need for historical evidence documenting client agency is likely, in the final analysis, a largely academic concern. Modern political debate is replete with portrayals of welfare recipients as either unscrupulous social remoras or valiant survivors clinging to a decimated social welfare system. In such a political culture, both progressivist and revisionist models of social provision appear to fall short of lived experiences. The dissertation's historical challenge to the functionalism which characterizes both progressivist and revisionist models of social welfare provision contributes to the modern debate by simply clarifying that welfare programs are neither panacea nor plague. As Linda Gordon (1994, p. 15) succinctly argued "the goal is not to end welfare; the goal is to end poverty."

Oriented again by key academic issues in revisionist histories of official responses to dependence, deviance and depravity, the dissertation has also sought to examine the continuities and discontinuities between children's aid societies and the forms of congregate care for children most common prior to the twentieth century in British Columbia. The findings detailed in Chapters Three and Four confirm that the V.C.A.S., as portrayed in its constitutive legislation and Annual Reports, represented in principle a radical departure from the province's orphanages. Legally, the V.C.A.S. enjoyed powers which promised to allow it to avoid the "impositions" which had plagued orphanages. Politically, the Society sought to establish itself as a public power designed to salvage from the criminal classes "the most desirable material out of which to manufacture the best Canadian

citizenship".¹ Both of these fundamental shifts were nourished by a new vision of the nature of the service provided by institutions like the Children's Home. Rather than offering aid to orphaned children and parents in temporary need, Children's Homes stressed the reclamation of Canadian youth through a severing of ties to the threatening environment of their natural family and the substitution of a "real home".

In terms of these new public and legislative mandates, there remains some continuity between the child rescue society studied here and modern child protection agencies. Indeed, without an historically-informed recognition of the eugenicist program underlying the establishment of children's aid societies in North America, it is difficult to logically justify the inclusion (and exclusion) of services under the rubric of "child welfare". Armitage (1975) describes the field in his influential text as:

"... a specific field of practice inclusive of a series of case oriented measures designed to protect children. The primary services included are protection, unmarried motherhood, adoption, foster care of children, and treatment for psycho-social problems (including residence treatment)." (p. 207)

The present study has examined in some detail the ideological threads binding this patchwork. The entire project is premised on an opposition between the "criminal" family and the "paternalist" state. "Child protection" does not include, for example, protection from the actions or products of corporations or protection from the policies of state agencies. Even

¹ *Annual Report* 1911, pp. 20-21.

assaults perpetrated by individuals outside of the child's nuclear family are of concern only when they highlight a parent's "inability to protect" the child.²

Recent statistics continue to support this depiction of the function of child protection in British Columbia. Annual Reports of the Ministry of Social Services and Housing for the years 1981 to 1986 reveal that over fifty percent of total admissions fall into the categories of "parental failure" or "inability of parent to give appropriate care". During the same period, cases of physical abuse constituted between five and ten percent, while cases of parental sexual abuse ranged between 4 and 6 percent of admissions. This interventionist role continues to shape public perceptions of modern child protection. However, as this dissertation has illustrated, an exclusive focus on the stated functions of such programmes can mask the important effects of client strategies on the practice of welfare provision.

As argued in Chapter Four, an examination of the interaction between the Vancouver Children's Aid Society and its clients reveals that the experiences of some groups may have been strikingly similar to those which they encountered with the City's orphanages: specifically, the V.C.A.S. continued to operate in a largely reactive fashion; and continued to deal largely with children who had at least one surviving parent, usually in destitute financial circumstances. The Society also continued to rely on contractual boarding arrangements, and the large-scale congregate care which had typified orphanages. Finally, in contrast to its stated goal to sever

² With the increasing prominence of fundamentalist groups promoting "traditional family values", this inherent opposition between child protection agencies and "the family" has again been highlighted. In particular, there have been widespread calls in British Columbia to rein in child protection workers by making apprehension itself subject to judicial order with increased evidentiary requirements.

relationships between children and their criminal families, a significant proportion of families continued to utilize the Society as a short-term respite during times of need. The utilization of case file data thus allows this dissertation to emphasize an important element for historical analyses of social change. While many have recognized the role of organizational inertia in slowing or even fundamentally altering the impact of new philosophies in areas like juvenile justice (Rothman 1980; Hatch and Griffiths 1992), the role of client strategies in moderating radical changes in social regulation has been much less frequently cited.

The passage of the *Children's Protection Act* (1901) created important legal and ideological resources intended to usher in a new era in the regulation of British Columbia's families. Although a variety of organizational and strategic factors may have moderated these changes, I have argued in this volume that their impact was felt differentially across boundaries of social class, gender and race. Chunn (1992) offers a similar characterization of the impact of family court reforms in Ontario during this period.

"In short, socialized legal coercion was not a uniform system of oppression conceived and used by the capitalist, patriarchal state in a direct, instrumentalist fashion to control the marginal but, rather, a system characterized by contradictions that had a differential impact on its clients relative to social class and gender." (p. 192)

In the present study, the clearest example of this differential impact emerged from the comparison of the experiences of economically self-sufficient fathers versus those of single mothers. In striking continuity with the practices of orphanages decades earlier, the dissertation documented the ability of economically independent single fathers to board children at the

Children's Home. Consistent with a variety of important feminist analyses of welfare provision, I have argued here that these patterns reflect a gendered notion of citizenship which stressed, for males, economic independence bolstered by civil and political rights.

Conversely, women approaching the Society were evaluated according to a standard which tied their citizenship status to their position in the domestic sphere. During the period examined here, the mere recourse to public assistance was often interpreted as an inability to meet the demands of women's "natural" roles as spouse and mother. For these clients, the enhanced legal and ideological resources of the V.C.A.S. substantially altered the relationship which they had experienced with orphanages.

Within the racial, socioeconomic and gender dimensions outlined in this work, agents of the V.C.A.S. were anxious to frame their efforts in the language of citizenship and rights, focussing on broad notions of public responsibility to assist the down-trodden for the common good. However, in North America (and particularly the United States), the political portrayal of "welfare", and indeed the common meaning of the term, have changed dramatically. Beginning with the "New Deal" and accelerating through the 1950s, 1960s and 1970s, the distinction between programmes depicted as "entitlements" and those regarded as "welfare" has undergone a qualitative change³ (Gordon, 1994a).

³ Although Canada's social democratic heritage appears to have slowed but not prevented similar developments in this country, it is clear that in the United States the disproportionate development of claims based on individualized, civil rights has hampered the development of a widespread sensitivity to claims based on social rights (Fraser and Gordon, 1994).

The impact of the economic stagnation which has plagued North America since the 1970s has focussed public attention on specific segments of the redistributive function of western welfare states. In both the United States and Canada, moral panics concerning "welfare fraud" and "freeloaders" have spawned political scandals and have prompted high-profile policy reviews. However, as aptly documented by Gordon (1994a), the recent concern to rationalize "welfare expenditures" has operated within restrictive margins. Little public furor has been focussed on the public assistance given to corporations in the form of tax concessions. Calls to limit public funding for paved streets, sidewalks, public transit, policing, firefighting, public water and sewer systems have also been notably absent from the contemporary agenda. Similarly, attempts to include "entitlements" like Canada's Old Age Security benefits in the debate have prompted strong and sustained political resistance⁴. In the American context, Gordon states:

"Today 'welfare' means grudging aid to the poor, when once it referred to a vision of a good life... Its negative charge rests on a popular definition of government provision that labels only some programs 'welfare' and understands others to be in a different category." (1994a, p. 1)

Of course, the margins which define "welfare" correspond in important respects to the two-tiered model of citizenship and welfare provision first advanced by Pateman (1989), and Nelson (1990). While corporations which pay no corporate income tax, and financially comfortable senior citizens who collect monthly government pensions may attract some

⁴ In 1994, Reform-party Member of Parliament Paul Forseth drew nation-wide attention and was ultimately forced to step down as the party's social programmes critic for suggesting that Old Age Security was "a form of welfare".

resentment, the characteristics of these redistributive programmes -- particularly the emphasis on recipients' previous contributions to the economy -- render them relatively immune to serious examination.

Nelson's (1990) decision to focus her ground-breaking analysis on Workmen's Compensation and Mothers' Pensions as exemplars of the entitlement and charitable streams may have led some to interpret the model as a programme-specific analysis -- with specific programs being categorized as either "entitlement" or "charity". The work presented here, consistent with more recent applications of this analytical model, suggests that the charity/entitlement distinction can be profitably applied to the study of policy, practices and claims *within* specific welfare programmes⁵.

This dissertation has provided historical examples of how social class, gender, race, and ethnicity structured the boundaries between charitable aid and entitlement in the practices of the Vancouver Children's Aid Society during the early twentieth century. As outlined, the analysis also attempts to extend the model conceptually by illustrating how this gender-infused distinction shaped policies *within* one aspect of the emerging welfare state and how the inherent dual model of citizenship framed the expectations and resistances of both parents and wards who came into contact with the Society.

⁵ In the specific case of child welfare, contractual "short term care agreements" continue to function as an important form of admission. Between 1980 and 1985, at least fifty-percent of all new admissions to the care of British Columbia's Superintendent of Family and Child Services were by means of short-term care agreements. During the years 1985 to 1987, the percentage of such agreements dropped slightly, remaining at 43 and 45% respectively. As this dissertation has documented, however, reliance on contractual rather than quasi-criminal legal models has been a consistent feature of such agencies since the inception of child rescue.

The continuities and fractures between child rescue and issues in the considerably broadened arena of modern social welfare are complex. Nonetheless, it is possible to point to a number of idioms which continue to shape debates over the legitimacy of claims for assistance and the forms and conditions under which it should be provided. In particular, the dissertation has highlighted, through its examination of the deeply gendered ideals of male and female "citizenship", the socially constructed forms of "dependency" and "obligation" which shaped the Society's policies and practices.

During the early twentieth century, agencies like the V.C.A.S. actively discouraged women with children from pursuing independence through paid labor. Rather, women were encouraged to seek support from either family and community, or public sources (particularly municipal or provincial relief). Essentially, these policies forced many women into a child-centred domesticity coupled with chronic dependence on often sporadic public and private sources. Social class and racist beliefs played important roles in shaping these expectations. As has been seen in the cases examined here, Charles South clearly recognized that some women would be forced to take on paid labor in addition to their domestic duties although he showed little tolerance if the former began to compromise the latter. Similarly, South's reaction to families of native heritage who approached the Society often appeared to presume a level of support from extended-family and community which he did not demand from "independent" European families.

The dissertation has clearly documented how the professed concern to ensure the welfare of the future generation of citizens justified an intensified scrutiny of the quality of motherhood and simultaneously tied women's

citizenship to the fulfillment of that role. Women with children for whom paid employment was an option were often caught in the contradictory position of having to request assistance in fulfilling the very maternal role through which they could successfully advance their claims. Effectively, in seeking to board their children, these women became, by definition "unnatural", "unwomanly", and undeserving. Further, as an expression of women's "nature", domestic labor and child-care were effectively discounted in their labor value. In the present study, this was highlighted through a comparison of the experiences of male and female wards placed out "at service".

Since the 1960s, the assumption that all women with children should devote themselves exclusively to domestic labor has been altered in important respects. As women have become increasingly visible in the paid work-force, the normative proscription which posed such a barrier to many of the women studied here has moderated in some respects. Gwendolyn Mink (1994) has argued that the last 35 years have witnessed a notable shift from the assumption that women engaging in paid labor inevitably compromised their domestic responsibilities to a new expectation that women illustrate in their behavior a desire to work and to avoid welfare dependency. She concludes: "Clearly, even though attitudes toward women's wage-earning have changed, the nexus between welfare and the behavioral discipline of poor mothers remains" (p. 120).

Although present-day welfare politics demonstrate an acceptance that some women with children will work, and even an expectation that those on the most stigmatizing programs (the modern equivalent of the "charitable" stream) should be subjected to the discipline of the labor market, these

remain additions to rather than replacements of the domestic responsibilities of motherhood. This expectation mirrors the actual work-load shouldered by many employed women with children. In 1991, over 70% of Canadian women with children under 16 years participated in the labor force while employed women spent over 80% more hours per day on family care than did employed men (Hessing 1993, p. 38).

Thus, while present-day welfare ideologies have accommodated the increased visibility of mothers in the paid labor force, these adjustments have occurred within the context of the gendered forms of citizenship detailed in this dissertation. The ideal of the "good mother" has been overlaid, not replaced, by the ideal of the "good worker", exacerbating the devaluation of domestic labor and child-care. While increasing involvement in paid labor has allowed some women access to the "entitlements" tied to such labor, those who remain reliant on the "charitable" stream remain subject to the characteristic normative surveillance and uncertainty.

This study of child rescue practices in the early twentieth century has demonstrated that gender, race, ethnicity, and class were fundamental constructs shaping the precursors of modern welfare provision. The practices of the V.C.A.S. illustrate that the discretionary bifurcation of cases into the entitlement and charitable streams occurred within child rescue societies, in many cases behind publicly stated policies. Ultimately, however, these dichotomous models may prove self-limiting as a basis for political strategy.

In a wider historical and theoretical sense, the binary model of charity/entitlement can be seen as an indication of the political limits which constrain the redistribution of resources in western capitalist societies. As

argued by Fraser and Gordon (1994), systems of public provision structured around the charity/entitlement dichotomy effectively crowded out long-standing forms of mutual aid based on kinship, neighborhood and community. "... These practices lost public recognition and official political legitimacy. In time, the lack of a language to validate their existence contributed to their decline and decay" (p. 101). The invisibility of such reciprocal forms of mutual aid and obligation has been expressed most obviously in this study in the portrayal of paid and domestic labor. While the paid labor of fathers was reflected in their legal, quasi-contractual relationship to the state (in the form of the V.C.A.S.), the domestic labor of mothers was seen to "transcend" both the contract and the conditional, evaluative relationships of charity. For men like South, worthy women did not care for their children because they "owed" it to them, nor was their care conditional on their children showing appropriate deference and worthiness. Finding both "entitlement" and "charity" inappropriate descriptors for the assumed duties of mothers towards their children, early welfare activists recast them as "natural" behavior for "womanly" women.

Western societies are unlikely to meaningfully address the growing, multi-faceted problems of economic and physical victimization among women and children without transcending the chimerical boundary between the public and private realms in modern life. Recent proposals in both the United States and Canada have sought to eliminate "welfare dependency" by turning to the private sphere (through work requirements and cynical "job readiness" training or, in the case of single mothers, through "maintenance enforcement" programs). As many commentators have illustrated, however, simply oscillating between public and private forms of dependency does not move

either women or children towards economic or political independence (cf. Cleward 1994; Sidel 1987; Burbridge 1994).

Struggles focussing on law and rights as tools for achieving social justice remain crucially important. However, at the close of this study -- which has focussed on one of the first British Columbian agencies to seek the "public" mantle for its work with children and families -- it is informative to reflect on the limitations which have historically characterized such interventions.

Given the present fiscal climate, some may believe that the time to challenge the restrictive margins of "child protection" is rapidly passing. The failure of successive Federal Governments to adequately address the need for accessible, quality child-care options seems to confirm this pessimistic outlook. Concerns about fostering dependency on public coffers for the "private" responsibility of raising children undoubtedly continue to be an important political and economic barrier.

During the historical period studied here, concerns over "race degeneration" justified the implementation of "public" measures aimed at rescuing children and fundamentally limited the forms which such "public" intervention took. Indeed, historically, fear may have proven a more efficient motor of social reform than has humanity. As fear continues to shape the public's vision of the coming generation of citizens, it may be wise to contemplate the warnings voiced by F. C. Wade and to imagine child welfare policies -- aimed less at criminalization and censure -- which would again recognize, validate, and reinforce the reciprocal claims and obligations which have always quietly supported both contract and charity.

APPENDIX A

LETTERS OF PERMISSION



Province of
British Columbia

Ministry of
Attorney General

Fifth Floor, Harbour Square
910 Government Street
Victoria, British Columbia
V8V 1X4
Telephone: (604) 387-5211
Rapicom: (604) 387-6224

OFFICE OF THE
DEPUTY ATTORNEY GENERAL

August 21 1990

Mr. Robert J. Menzies, Ph.D.
Associate Professor of Criminology
Simon Fraser University
Burnaby, B.C.
V5A 1S6

Dear Dr. Menzies

Thank you for your further letter of July 30 enclosing confirmation from the City of Vancouver Archives regarding the records they are holding which are of interest to your researcher.

I am prepared to grant permission to Mr. Adamoski to access the Vancouver Juvenile Court records held by the City of Vancouver Archives on the same conditions that apply to his research of records held at the Provincial Archives, namely:

- 1 preserve the confidentiality of the records by not revealing by name or description the identity of any persons mentioned as a subject in the files
- 2 not make any notation of the names of persons mentioned as a subject in the letters
- 3 not duplicate the records or make them available to other persons.

In addition to the above, I would restrict access to include only those records prior to 1950 but not beyond that date.

If Mr. Adamoski agrees to these conditions, he may take this letter to the City of Vancouver Archives as evidence of his permission to access the records.

Yours truly,

E. N. (Ted) Hughes
Deputy Attorney General



Province of
British Columbia

Ministry of
Social Services
and Housing

Corporate Services Division
Research, Evaluation and
Statistics Branch
Parliament Buildings
Victoria
British Columbia
V8V 1X4

January 7, 1990

John Bovey
Provincial Archivist
British Columbia Archives
& Records Service
655 Bellville Street
Victoria, British Columbia
V8V 1X4

Dear Mr. Bovey:

Mr. Robert Adamoski has requested access to some of the material lodged in the Provincial Archives to do research on the nature of child protection and social welfare in British Columbia. I understand that access to this material requires the approval of the Superintendent of Family and Child Services. Mr. Adamoski has provided an undertaking to meet our ministry standards of confidentiality and his research proposal has been approved by the Simon Fraser University Ethic Review Committee. Because of this and because his research promises to add to our knowledge of the development of child welfare in British Columbia I am prepared to grant my approval. The specific holding that he wishes to access are:

Administrative and Case Records of Victoria C.A.S.
(1895 - 1973) (add. MSS. 431)

Administrative and Case Records of Vancouver C.A.S.
(1901 - 1928)

I would recommend that this material be made available to him subject, of course, to the provisions of your access policy. I will ask Mr. Adamoski to present his copy of this letter when he is ready to begin work.

Yours sincerely,

Leslie Arnold
Superintendent of Family
and Child Service

cc: Robert Adamoski

APPENDIX B

S.F.U. RESEARCH ETHICS COMMITTEE APPROVAL

SIMON FRASER UNIVERSITY

VICE-PRESIDENT, RESEARCH



BURNABY, BRITISH COLUMBIA
CANADA V5A 1S6
Telephone: (604) 291-4152
FAX: (604) 291-4860

.. October 15, 1990

Mr. Robert Adamoski
School of Criminology
Simon Fraser University
Burnaby, B.C.
V5A 1S6

Dear Mr. Adamoski:

Re: Poverty and Protection: The Shifting Nature of
Child Protection and Social Welfare in British Columbia

This is to advise that the above referenced application has been approved on
behalf of the University Ethics Review Committee.

Sincerely,

William Leiss, Chair
University Ethics Review
Committee

cc: R. J. Menzies
S. Verdun-Jones

APPENDIX C

CODING SCHEME

FAMILY DEMOGRAPHICS AND PRE-CARE CIRCUMSTANCES
(N = 154 families)

1. Four digit Family code (VVFF)
2. # of children placed (apprehended or boarded).
3. # of children not apprehended.
4. Step-children only placed?
5. Optional comment re: sibs. not apprehended.
6. Date of first contact.(YYMMDD)
7. Length of investigation period in weeks. (Summary)
8. Family structure at time of first contact.
9. Application by Custodial Parent Refused?
10. Signed indenture only (no court appearance)
11. Boarding agreement only?
12. Custody at time of apprehension/agreement.
13. Optional comment re: family structure.
14. Last recorded place of residence before app.
(in full)
15. Urban?
16. Residence at time of apprehension, placement.
17. Ethnicity of mother.
18. Ethnicity of father
19. Factors leading to apprehension
- 20) Person initiating C.A.S. involvement.

CHILD DEMOGRAPHICS AND PLACEMENT HISTORY

(N = 303 Children)

1. Four Digit Family Code
2. Birth-order Number.
(among those apprehended)
3. Birthdate.
4. Gender.
5. Recorded juvenile court contact (before apprehension)?
6. C.A.S. involvement results from charges?
7. Funding:
8. Payment ever delinquent > 6 mo.?
9. Contact with other congregate care institutions or pension bodies prior to apprehension?
10. Months in Congregate Care.
11. Age at first "adoptive" (board and school) placement.
12. Area of first board and school placement.
13. Expressed intention to adopt?
14. Expressed reason for taking child (adoption placement)
15. Occupation of head of placement household (in full)
16. Number of "adoptive" (board and school) placements.
17. Age at first wage placement/ indenture.
18. Area of first wage placement/ indenture.
19. Expressed reason for taking child (wage placement)

20. Occupation of head of placement household (in full)
21. Number of recorded wage placements.
22. Total months in adoptive placements.
23. Total months in Wage / Independent Placement
24. Number of new placements before 12th birthday.
25. Number of new placements after 12th birthday.
26. Date of discharge (or last contact as minor)

PLACEMENT EXPERIENCES

(N = 303 Children)

1. Four Digit Family Code
2. Birth-order Number.
(among those apprehended)
3. Contact with C.A.S.
4. Typical frequency of C.A.S. visits per year.
5. Congregate care only (contacts not recorded).
6. Family contact
8. Optional comment re: C.A.S./ Family contact.
9. Source of concerns re: conditions at placements.
10. Concerns re: placement environment.
11. Optional comment re: placement concerns.
12. Percentage of placements terminated due to poor work habits.
13. "Character deficiencies" noted by foster parents / Vancouver Children's Aid Society.
14. Optional comment re: "character deficiencies"

15. Pregnancy/Paternity out of wedlock:
16. Optional comment re: Pregnancy/Paternity. (age of subject, age of partner, both parents in care?, adult in position of authority implicated?, charges?, outcome of pregnancy.)
17. No. of recorded juvenile court appearances while in care.
18. Optional comment on charges, dispositions.
19. Time in BIS/PISG/JDH (tot. mo.)
20. Reason for discharge:
21. Was the provision of a pension a factor in child's return to parent(s)?
22. If returned to parents, reconstituted family structure:
23. Optional comment re: discharge.
24. Optional comments re: post-care contacts.

- career
- criminality - marriage/family
- age at marriage
- death
- age
- requests for information by child
- age when request made.
- nature of request
- requests for information by other agency
- age when request made.
- nature of request

APPENDIX D
 INDENTURE AGREEMENT

PROVINCE OF BRITISH COLUMBIA,)
) In the matter of.....
 County of.....)
)
 City of.....) and in the matter of the Children's Aid Society of
) Vancouver.

To-wit:

*Section 10, Children's Protection Act of British Columbia.
 Chapter 9, Statutes of British Columbia, 1901.*

This Indenture made this..... day of.....
 A.D. 19.....between..... of the City of.....
 County of..... Province of British Columbia, of the FIRST PART and
 the Children's Aid Society of Vancouver, in the said Province of British Columbia, of the SECOND
 PART.

Whereas the said..... the lawful
 guardian of..... aged.....
 years on the..... day of..... A.D. 19..... a child under twenty-one
 years of age, is desirous for the protection and well being of the said.....

And whereas the Parties of the Second Part are a Society duly organized and incorporated for
 the purpose of, among other things, caring for and protecting such neglected, abandoned or orphaned
 children as may be committed to their care.

And whereas the Party of the First Part is desirous of committing the said child to the care
 of the said Society and appointing the said Society to be legal guardians of the said child, and the
 said Society is willing to assume the obligation provided the sum of..... Dollars is
 paid monthly until such time as a foster home has been found for the said child.

Now, therefore, this Indenture witnesseth that the said Party of the First Part hath committed
 and by these presents doth commit the said.....
 to the care and control of the said Society and hath appointed and by these presents doth appoint
 the said Society to be the lawful guardians of the said child herein named until.....attains the
 age of twenty-one years, and the party of the First Part hath released and by these presents doth
 release to the said Society all claims of any kind or nature or description upon the said child.

And the Parties of the Second Part hereby for themselves, their successors and assigns, agree
 to receive the guardianship of the said child and provide..... with a foster home as soon as
 the said child is ready for adoption and a suitable foster home is found under the provisions of the
 Children's Protection Act of British Columbia.

In witness whereof the said parties have hereto set their hands and seals.

Signed and Sealed by the said.....

 of the City of.....
 in the Province of British Columbia this.....
 day of..... A.D. 19..... before

 Witness.

Signed and Sealed on behalf of the Children's Aid Society
 of Vancouver by the President and Secretary at
 Vancouver, this..... day of.....
 A.D. 19..... before

 Witness.

For the Children's Aid Society of
 Vancouver.

 President.

 Secretary.

In the Matter of the Guardianship of the Minor.....

I,
of the City of County of
Province of British Columbia,

HEREBY STATE:

(1.) That I am the.....
of the said.....

(2.) I understand that the Indenture of Guardianship herein includes an absolute giving up on my part of the right of the custody of the said..... and that I have no right to molest or interfere with the said child or without the express permission of the Children's Aid Society of Vancouver to speak with, visit or communicate with the said child in any manner whatsoever hereafter, and that I have no right to any information respecting the residence or otherwise concerning the said child.

Dated the..... day of..... A.D. 19.....

SIGNED AT.....
in the presence of
.....

.....

Children's Aid Society of Vancouver
Re

Adoption to Society



CHAPTER 9.

An Act for the Protection and Reformation of
Neglected and Dependent Children.

[May 11th, 1901.]

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Children's Protection Act of British Columbia."

2. In this Act—

Interpretation.

- (a.) "Children's Aid Society" shall mean any duly incorporated and organised society, association or institution having among its objects the protection of children from cruelty, the safeguarding of the young, the care and control of neglected and dependent children, the education and care of orphans and destitute children, and the carrying on of schools, orphanages and hospitals, such society, association or institution having been approved by the Lieutenant-Governor in Council for the purposes of this Act: "Society."
- (b.) "Judge" shall mean a Judge of the Supreme Court, or a Judge of the County Court, or a Stipendiary or Police Magistrate, or two Justices of the Peace acting together: "Judge."
- (c.) "Parent," when used in relation to a child, shall include guardian and every person who is legally liable to maintain the child: "Parent."
- (d.) "Street" shall include any highway or public place, whether a thoroughfare or not: "Street."
- (e.) "Superintendent" shall mean the Provincial Officer appointed under this Act: "Superintendent."

"Officer."

(f.) "Officer" shall mean a member of the Board of Directors of any duly approved society, or any person specially appointed by such society to enforce this Act.

Duties of the Superintendent of Police under this Act.

3. It shall hereafter be the duty of the Superintendent of Police—

(a.) To provide for the visitation of children in temporary homes, shelters or foster homes, and, when specially directed, to visit any home or place where any child is boarded out or placed pursuant to the provisions of this Act:

(b.) To see that a record of all committals is kept by the said societies, and of all the children placed out in foster homes under this Act, and of all particulars connected with each case.

Apprehension of neglected children.

4. Any officer, constable, policeman, or officer of any Children's Aid Society duly approved by the Superintendent or Superintendent of Police, may apprehend, without warrant, and bring before the Judge, as neglected, any child apparently under the age of fifteen years, who is within any of the following descriptions:—

Definition of "neglected child."

(1.) Who is found begging in any street, house or place of public resort:

(2.) Who is found sleeping at night in barns, outhouses or in the open air:

(3.) Who is found associating or dwelling with a thief, drunkard or vagrant, or who, by reason of neglect or drunkenness, or other vices, of the parents or guardians, is suffered to grow up without salutary parental control and education, or in circumstances exposing such child to an idle and dissolute life:

(4.) Who is found in any disorderly house, or in company of reputed criminal, immoral or disorderly people:

(5.) Who is a destitute orphan, or who has been deserted by his lawful parents or guardians:

(6.) Who is found guilty of petty crimes, and who is likely to develop criminal tendencies if not removed from his or her surroundings.

Powers and duties of Judge on apprehension of child.

5. Any child apprehended under the next preceding section of this Act shall be brought before the Judge for examination within the next day after such apprehension; and it shall thereupon be the duty of the Judge to investigate the facts of the case, and ascertain whether such child is neglected, and the said Judge shall have power to compel the attendance of witnesses. The parents or person having the actual custody of such child, if known, shall be notified of such examination. If on such occasion the Judge finds that any child is neglected within the meaning of the next preceding section, or so as to be in a state of habitual vagrancy or mendicancy, or ill treated so

as to be in peril of life, health or morality by continued personal injury, or by grave misconduct or habitual intemperance of the parents or guardians, he shall set out such findings by a proper order in that behalf, and may order delivery of such child to a society, and such society may send such child to their temporary home or shelter, to be kept until placed in an approved foster home, pursuant to the provisions of this Act. The Judge shall deliver to the society a certified copy of the order made in the case, which shall contain, beside the said finding, a statement of the facts, so far as ascertained, as to the age of such child, name, nationality and residence, and occupation of parent, or either of them, or whether either of them is dead, or has abandoned the child, and in the case of examination of two or more children at the same time, only one order may be made.

6. If at any time after the making of the order, pursuant to the provisions of this section, it is established by satisfactory evidence, in the opinion of the Attorney-General of the Province, that a child may be better cared for and educated in an industrial school or refuge for boys and girls, the Attorney-General may, at the expense of the Province, cause such child to be removed to one of such institutions, in or outside of the Province, willing to receive such child, to be kept there, cared for, and educated for a period not extending beyond the period at which such child shall attain the age of eighteen years, but not exceeding in any event three years, and thereafter to be delivered to the society for the purpose of being placed in an approved foster home until the child attains the age of eighteen years.

Attorney-General
may have child
removed to an
industrial school.

7. (1) The society to the care of which any child may be committed under the provisions of this Act shall be the legal guardian of such child, and it shall be the duty of such society to use special diligence in providing suitable foster homes for such children as may be committed to their care, and such society is hereby authorised to place such children in foster homes on a written agreement, during minority, or for any less period in the discretion of such society. All such contracts shall contain a clause reserving the right to withdraw the child from any person having the custody of such child when, in the opinion of the society placing out such child, the welfare of the child requires it:

Powers and duties of
society as guardian
of child.

(2) The society to which any child is committed may at any time during the period of their control or guardianship of such child exercise all the powers conferred by sections 3 and 7 of "The Act respecting Apprentices and Minors" upon the charitable societies therein mentioned.

8. (1) Where a child is maintained by any society, or in any foster home, having been placed out by proper authority in that behalf, and the child was deserted by its parents, the society may at any time

Term of guardian-
ship.

resolve that the child shall be under the control of such society until it reaches the age of twenty-one years, or such earlier age as may be thought sufficient, and thereupon until the child reaches that age all the powers and rights of the parent in respect of that child shall, subject as in this Act mentioned, vest in the said society:

(2.) The society may rescind such resolution if they think that it will be for the benefit of the child that it should be rescinded, or may permit the child to be either permanently or temporarily under the control of its parents, or of any other relative, or of any friend:

Order for return of child to parent.

(3.) A Judge, if satisfied on complaint made by a parent of the child, that the child has not been maintained by the society, or was not deserted by such parent, or that it is for the benefit of the child that it should be either permanently or temporarily under the control of such parent, or that the resolution of the society should be determined, may make an order accordingly, and any such order shall be complied with by the society, and if the order determines the resolution, the resolution shall be thereby determined as from the date of the order, and the society shall cease to have the rights and powers of the parent as respects such child:

What deemed maintenance of child by a society.

(4.) For the purposes of this Act a child shall be deemed to be maintained by a society if it is wholly or partly maintained by them, either in any shelter, or temporary home or other institution conducted, selected or approved by such society, or is boarded out under the provisions of this or any other Act in that behalf:

Imprisonment of parents to be deemed desertion.

(5.) Where the parents are imprisoned on a criminal charge, or in respect of an offence committed against a child, this section shall apply as if the child had been deserted by said parents:

Persons not relieved from liability for maintenance.

(6.) Nothing in this section shall relieve any person from any liability to contribute to the maintenance of a child, but the fact of such contribution being made shall not deprive any society of any of the powers and rights conferred on them by this section.

When Court may refuse writ for production of child.

9. (1.) Where the parent of a child applies to any Court having jurisdiction in that behalf for a writ or order for the production of the child, and the Court is of opinion that the parent has abandoned or deserted the child, or that he has otherwise so conducted himself that the Court should refuse to enforce his right to the custody of the child, the Court may, in its discretion, decline to issue the writ or make the order:

Liability of parent on return of child.

(2.) If at the time of the application for a writ or order for the production of the child, the child is being brought up by another person, or is boarded out by a society duly authorised in that behalf, the Court may, in its discretion, if it orders the child to be given up to the parent, further order that the parent shall pay to such person or such society, the whole of the costs properly incurred in bring-

the child, or such portion thereof as may seem to the Court to be just and reasonable, having regard to all the circumstances of the case:

(3.) Where a parent has—

(a.) Abandoned or deserted his child: or

(b.) Allowed his child to be brought up by another person at that person's expense, or by any children's aid society, for such time and under such circumstances as to satisfy the Court that the parent was unmindful of his parental duties, the Court shall not make any order for the delivery of the child to the parent unless the parent satisfies the Court that, having regard to the welfare of the child, he is a fit person to have the custody of the child.

When parent must show fitness to exercise parental duties.

10. No parent or guardian, or other person, who, by instrument in writing, surrenders, or has heretofore surrendered, the custody of a child to any society, incorporated boys' or girls' home, orphans' home or asylum, or children's or infants' home, shall thereafter, contrary to the terms of such instrument, be entitled to the custody of, or any control or authority over, or any right to interfere with, any such child.

Parents surrendering custody of children not entitled to any control over them.

11. Every society or person to whose care any child is committed under the provisions of this Act, and every person intrusted with the care of any such child by any such person or institution, shall, from time to time, permit such child to be visited, and any place where such child may be, or reside, to be inspected by the Superintendent or any of the members of the local children's visiting committee, or any person authorised by or under regulations approved by Order of the Lieutenant-Governor in Council for the time being in force in that behalf.

Inspection of places where children kept by societies.

12. Subject to such regulations as may be hereafter provided, all ministers of religion, or any person being duly authorised by the recognized head of any religious denomination, shall have admission to every temporary home or shelter, and access to such of the children placed or detained therein, as belong to their respective denominations, and may give instruction to them on the days and at the times allotted by such regulations for the religious education of such children of their respective denominations.

Right of ministers of religion to visit children in homes and shelters.

13. All members of the Parliament of Canada and of the Legislative Assembly of British Columbia, all heads of Municipal Councils, and all Judges and Justices of the Peace, shall be entitled to visit every temporary home or shelter, and shall have admission to the same accordingly.

Who may be visitors.

14. Every person entitled to visit any such temporary home or shelter as aforesaid, and every minister of religion, may inscribe in a

Visitors' Book.

book (to be for that purpose provided, and kept in such temporary home or shelter by the Superintendent or Matron thereof) any remarks or observations which he may think fit to make touching or concerning such temporary home or shelter, and the superintendent, matron, teachers, officers or servants, or the children placed or detained therein, or any of them; and such book shall be produced to the inspector or superintendent whenever he visits such temporary home or shelter.

Discharge of children by Lieut.-Governor in Council.

15. The Lieutenant-Governor in Council may at any time discharge a child from the custody of any person or society to whom it is committed under this Act, either absolutely or on such conditions as may be approved of, and may from time to time make, alter or revoke rules in relation to the procedure of societies operating under the provisions of this Act.

Care of children held in lock-ups or gaols for examination under this Act.

16. No child under fifteen years, who is held for examination under the provisions of this Act, shall be placed in the company of adult persons in any police lock-up or common gaol, but shall be kept in a separate room or building.

Examination may be private.

17. Any examination, prosecution or proceeding arising under the provisions of this Act may be conducted privately.

Incorporation of Children's Aid Societies.

Application for incorporation.

18. Any five or more persons, British subjects, and over the age of twenty-one years, and being residents within any municipality in the Province of British Columbia, who shall desire to associate themselves together for the purpose of protecting children from cruelty, and caring for and protecting neglected, abandoned or orphaned children, may make an application in the form in Schedule A hereto for incorporation under the provisions of this Act.

Evidence with application.

19. The signatures of the applicants to the application, and the facts stated in the application, must be verified by statutory declaration, to the satisfaction of the Provincial Secretary.

Incorporation.

20. Upon the Provincial Secretary giving his approval of such application in the form set forth in Schedule "B" hereto, the persons who shall have signed the application, and such others as may afterwards become members of the society, shall be a body politic and corporate by the name of "The Children's Aid Society of _____," and shall have perpetual succession and a common seal, and may sue and be sued, and complain and defend in any Court of Law, and may make and enter into any contracts necessary to carry into effect the objects of the said society, and may take and hold by gift, purchase, grant, devise, or bequest any property, real or personal, and may dispose of the same at pleasure.

21. The affairs of every such society shall be managed by a Board ^{Board of Directors.} of not less than five, or more than fifty, Directors.

22. The Directors of the society shall be elected by the members in ^{Election of} a general meeting of the society assembled at such place within the ^{Directors.} Province, and at such times, as the application or the by-laws of the Directors may prescribe.

23. The Directors of the society shall have full power in all ^{Powers of Directors.} things to administer the affairs of the society, and may make, or cause to be made, for the society any description of contract which the society may by law enter into, and may from time to time make by-laws not contrary to law for regulating the number of Directors of the society, their term of service, the appointment, functions, duties and removal of all agents, officers and servants of the society, the security to be given by them to the society, their remuneration, the time at which and place where the annual meetings of the society shall be held, the calling of meetings, regular and special, of the Board of Directors of the society, the quorum, the procedure in all things at such meetings, the qualifications and terms of admission of members, and the conduct in all other particulars of the affairs of the society, and may from time to time repeal, amend or re-enact the same, but every such by-law, and every repeal, amendment or re-enactment thereof, unless in the meantime confirmed at a general meeting of the society called for that purpose, shall only have force until the next annual meeting of the society, unless confirmed at such annual meeting.

Powers of Approved Societies.

24. Any society approved by the Lieutenant-Governor in Council ^{Powers of approved} under this Act and the directors of such society shall have all the ^{societies.} powers that may be conferred upon a society and its directors under the provisions of sections 18 to 23, both inclusive, of this Act.

Power to enter Buildings.

25. Whenever there is reason to believe that any child is being ill- ^{Power to enter} treated or neglected, within the meaning of section 4 of this Act, in ^{buildings.} any house or building, or that any absconding ward of any such society is being harboured in any house or building, then, upon any complaint thereof being made upon oath by any officer of the society, or any constable or police officer, to any Judge or Justice of the Peace, such Judge or Justice of the Peace may issue a warrant to enter by day or night such house or building, and if necessary use force for the purpose of effecting such entry, and to search for such child, and bring such child before such Judge to be dealt with in the manner provided by section 5 of this Act.

Penalties.

Penalty for harbouring an absconding ward.

26. Any person wilfully harbouring an absconding ward of any such society shall be liable to a fine not exceeding one hundred dollars, or alternatively, or in default of payment of such fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding three months.

Penalty for ill-treating children.

27. Any person who, having the care, custody, control or charge of a child under the age of fifteen years, ill-treats, neglects or abandons or exposes such child, or causes or procures such child to be ill-treated, neglected, abandoned or exposed, shall be guilty of an offence under this Act, and liable, on conviction thereof by a Police Magistrate, to a fine not exceeding one hundred dollars, or in default of payment of such fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding three months.

Curfew Bell.

By-laws to prevent children being on the streets after nightfall.

28. (1.) Municipal Councils shall have power to pass by-laws for the regulation of the time after which children shall not be in the streets at nightfall without proper guardianship, and the age, or apparent age, of boys and girls, respectively, under which they shall be required to be in their homes at the hour appointed, and such Municipal Council shall in such case cause a bell or bells, whistle or whistles, to be rung or sounded at or near the time appointed as a warning, to be called the "curfew bell," after which the children so required to be in their homes, or off the streets, shall not be upon the public streets, except under proper control or guardianship, or for some unavoidable cause:

Children after warning may be taken home.

(2.) Any child so found after the time appointed shall be liable to be warned by any constable or peace officer to go home, and if after such warning the child is found loitering on the streets, such child may be taken by such constable to its home:

Summoning parents permitting children habitually to break by-law.

(3.) Any parent or guardian may be summoned for permitting his child to habitually break said by-law, after having been warned in writing, and may be fined for the first offence one dollar, without costs, and for the second offence, two dollars, and for a third or any subsequent offence, five dollars.

Maintenance of children in homes.

29. (1.) The Judge may, upon the application of any society to whose custody or control a child is committed, make an order for the payment, by the municipality to which the child belongs, of a reasonable sum, not being less than one dollar weekly, for the expense of supporting the child by the society, or in any temporary home, or in any foster home where such children are not cared for without compensation, in which the child may be placed by the society, until

the child reaches the age of twelve years in the case of a girl and fourteen years in the case of a boy. The placing of children with the lowest bidder is hereby prohibited.

(2.) For the purposes of this section any child shall be deemed to belong to the municipality in which such child has last resided for the period of one year; but in the absence of evidence to the contrary, residence for one year in the municipality in which such child was taken into custody shall be presumed. When child deemed to belong to municipality.

(3.) A municipality having made any payment under this section for the maintenance of a child in respect of whom some other municipality is liable to make such payment, shall be entitled to recover the amount so paid from such other municipality. Recovery by one municipality of expenses from another municipality.

(4.) Every municipality incurring expenditure hereunder may recover the amount of such expenditure from the parent of the child in respect of whom such expenditure is made. Recovery of expenses by municipalities from parents.

(5.) The order of committal of any child under this Act may direct payment, by the municipality to which the child belongs, to any society or person to whose custody or control the child is committed, of a reasonable sum, not being less than one dollar weekly, for the expense of supporting such child, and any such order may also direct payment to the municipality, by the parent of the child, of the amount so directed to be paid by the municipality. Order of committal may direct weekly payment.

(6.) At any time after committal of a child, the municipality or the children's aid society may apply to the Judge for such order for payment of maintenance, or of additional maintenance, as the circumstances may justify, and any parent may also make application to the Judge in like manner for an order reducing the amount payable under any order, or revoking such order, or varying or suspending in whole or in part the operation of the same. Application for order for maintenance.

(7.) Any order made under this section may be enforced in the same manner as an order made by a Judge.

Juvenile Offenders.

30. (1.) In cities and towns with a population of more than ten thousand, children under the age of sixteen years who are charged with offences against the laws of this Province, or who are brought before a Judge for examination under any of the provisions of this Act, shall not, before trial or examination, be confined in the lock-ups or police cells used for ordinary criminals or persons charged with crime, nor, save as hereinafter mentioned, shall such children be tried or have their cases disposed of in the police court rooms ordinarily used as such. It shall be the duty of such municipalities to make separate provision for the custody and detention of such children prior to their trial or examination, whether by arrangement with some Custody of children pending trial.

Place of trial.

member of the police force or other person or society who may be willing to undertake the responsibility of such temporary custody or detention on such terms as may be agreed upon, or by providing suitable premises entirely distinct and separated from the ordinary lock-ups or police cells; and it shall be the duty of the Judge to try all such children or examine into their cases and dispose thereof, where practicable, in premises other than the ordinary police court premises, or, where this is not practicable, in the private office of the Judge, if he have one, or in some other room in the municipal buildings, or, if this be not practicable, then in the ordinary police court room, but only in such last-mentioned case when an interval of two hours shall have elapsed after the other trials or examinations for the day have been disposed of.

Temporary charge of children until trial by Judge.

(2.) Where any children's aid society possesses premises affording the necessary facilities and accommodation, children apparently under the age of twelve years, may, after apprehension under the provisions of this Act, be temporarily taken charge of by such society until their cases are disposed of; and the Judge may hold the examination into the case of such children in the premises of the said society.

Preliminary examination into charge of cruelty may be held in house.

(3.) The Judge may, if he thinks fit, hold the preliminary examination or the trial of any case against any parent for any offence in respect of a child under this Act, or for any alleged neglect of or cruelty to a child, in the house where the parent resides, but only at the request of such parent.

Private trial of children.

(4.) The Judge shall exclude from the room or place where any child under sixteen years of age, or any parent charged with any offence in respect of a child under this Act or otherwise with neglect of or cruelty to his child, is being tried or examined, all persons other than the counsel and witnesses in the case, officers of the law or of any children's aid society and the immediate friends or relatives of the child or parent.

Trial of children for offences against Provincial laws.

31. Wherever a complaint is made or pending against any boy under the age of twelve years, or girl under the age of thirteen years, for the commission of any offence against the laws of this Province, before any Court or Magistrate of competent jurisdiction, it shall be the duty of such Court or Magistrate at once, and before any proceedings are had in the case, to give notice in writing to the executive officer of the children's aid society, if there be one in the county, who shall have opportunity allowed him to investigate the charge or charges, and upon receiving such notice the officer may proceed to inquire into and make full examination as to the parentage and surroundings of the child and of all the facts and circumstances of the case and report the same to the Court or Magistrate, who may advise and counsel with the said officer of the said society; and if upon con-

sultation, after full investigation and proof of the offence charged, it appears to the Court that the public interest and the interest of the child will be best served thereby, an order may be made for the return of such child to his or her parents, guardian or friends, or the Court may authorise the said officer to take such child and bind him or her out to some suitable person until he or she attains the age of twenty-one years, or for any less time, or impose a fine, or suspend sentence for a definite or indefinite period.

32. Any Court or Magistrate, in lieu of committing to prison any child under the age of fourteen years convicted before him of any offence against the laws of this Province, may hand over such child to the charge of any home for destitute and neglected children or industrial school or children's aid society, and the managers of such home or school or society may permit its adoption by a suitable person, and may apprentice it to any suitable trade, calling or service, and the transfer shall be as valid as if the managers were parents of such child. The parents of such child shall have no right to remove or interfere with the said child so adopted or apprenticed except by the express permission in writing of the Provincial Secretary.

Adoption of or apprenticing children on conviction.

33. No child under sixteen years of age held for trial, or under sentence in any gaol or other place of confinement, shall be placed or allowed to remain in the same cell or room in company with adult prisoners. It shall be the duty of the officer in charge of such place of confinement to secure, as far as the construction of such place will admit, the exclusion of such children from the society of adult prisoners during their confinement.

Children not to be committed to gaols.

34. The Lieutenant-Governor may, upon the request of any municipal council, appoint a Commissioner or Commissioners, each with the powers of a Police Magistrate, to hear and determine complaints against juvenile offenders apparently under the age of sixteen years.

Appointment of commissioners to try juvenile offenders.

35. (1.) Where, in any proceeding against any person for an offence under this Act, the child in respect of whom the offence is charged to have been committed, or any other child of tender years who is tendered as a witness, does not, in the opinion of the Judge, understand the nature of an oath, the evidence of such child may be received, though not given upon oath, if in the opinion of the Judge such child is possessed of sufficient intelligence to justify the reception of the evidence and understands the duty of speaking the truth.

Evidence of children.

(2.) Any person shall not be liable to be convicted of an offence unless the testimony admitted by virtue of this section and given on behalf of the prosecution is corroborated by some other material evidence implicating the accused.

Corroboration.

Presumption of age of child.

36. Where a person is charged with an offence under this Act in respect of a child who is alleged to be under any specified age, and the child appears to the Judge to be under that age, such child shall, for the purposes of this Act, be deemed to be under that age unless the contrary is proved.

Miscellaneous.

Order of committal to designate municipality chargeable with maintenance.

37. Upon an order being made by the Judge for the committal of any child to any charitable society authorised under this Act, such order shall specify the municipality or municipalities chargeable with the maintenance of such child, and a copy of the order with a copy of the depositions upon which the child has been committed shall be forwarded by registered letter to the clerk of the municipality chargeable under such committal with the maintenance of the child, and unless the municipality moves before such Judge or Magistrate to set aside the order in respect of maintenance within one month after receiving copy of such order, the municipality shall be deemed to have consented to the order and shall be estopped from denying liability thereunder. Such Judge or Magistrate may at any time vary the order and charge any other municipality, upon which order like proceedings may be taken.

Prosecutions when offence is a contravention of other provisions.

38. Where an offence against this Act is also punishable under any other Act, or at common law, it may be prosecuted and punished either under this Act or under the other Act, or at common law, but no person shall be punished twice for the same offence.

If possible. Judge to commit child to custody of person or society of religious persuasion of child.

39. Notwithstanding anything in this Act contained, the Judge, in determining on the person or society to whom the child shall be so committed, shall endeavour to ascertain the religious persuasion to which the child belongs, and shall, if possible, select a person or society of the same religious persuasion, and such religious persuasion shall be specified in the order: and in any case where the child has been placed pursuant to such order with a person or society not of the same religious persuasion as that to which the child belongs, the Judge shall, on the application of any person in that behalf, and on its appearing that a fit person or society of the same religious persuasion as the child is willing to undertake the charge, make an order to secure his being placed with such person or society.

Right of inflicting punishment not affected.

40. Nothing in this Act contained shall be construed to take away or affect the right of any parent, teacher, or other person having the lawful control or charge of a child, to administer punishment to such child as if this Act had not been passed.

SCHEDULE "A."

(Section 18.)

We, the undersigned, all being of the full age of twenty-one years, and being British subjects, and residents within the municipality within which the Society is to be formed, in the Province of British Columbia, do hereby make application for incorporation, as "The Children's Aid Society of _____," under the provisions of the "Children's Protection Act of British Columbia," and amendments thereto, and hereby adopt the following articles of incorporation:—

1. The Society shall be known as "The Children's Aid Society of _____"

2. The business and objects of the Society shall be the protection of children from cruelty and caring for and protecting neglected, abandoned or orphaned children, and the enforcement, by all lawful means, of the laws relating thereto.

3. The number of directors of the Society shall be _____

4. The names of the first directors of the Society who shall hold office until the first annual meeting of the Society, are:—

5. The annual meetings of the Society shall be held at _____ on the _____ day of _____ in each year, until changed by by-law of the Society.

In witness whereof, we have hereunto severally subscribed our names this _____ day of _____ in the year one thousand nine hundred and _____

In the presence of _____

SCHEDULE "B."

(Section 20.)

(Certificate to be endorsed on application.)

I hereby approve of the within application for incorporation as "The Children's Aid Society of _____"

Provincial Secretary.

VICTORIA, B. C.:

Printed by RICHARD WOLFFSDEN, Printer to the King's Most Excellent Majesty.
1901.

APPENDIX F

FACTORS LEADING TO PLACEMENT*

	No. of Families	Pct of Cases
Orphaned	4	2.6
Abandoned	29	18.8
Illegitimate	29	18.8
Marriage breakdown	37	24.0
Death of Father	19	12.3
Death of Mother	29	18.8
Deserted by Fa.	59	38.3
Deserted by Mo.	34	22.1
Fa. in gaol	12	7.8
Mo. in gaol	4	2.6
Illness (Father)	4	2.6
Illness (Mother)	15	9.7
Mental illness (Fa.)	3	1.9
Mental illness (Mo.)	17	11.0
Alcohol (Fa.)	27	17.5
Alcohol (Mo.)	23	14.9
Encourages truancy (Fa.)	9	5.8
Encourages truancy (Mo.)	13	8.5
Phys. Abuse (Fa.)	7	4.5
Phys. Abuse (Mo.)	26	16.9
Sex. Abuse (Fa.)	13	8.4
Sex. Abuse (Mo.)	3	1.9
Child Destitute	67	43.5
Total cases:	154	

* For each case, up to three circumstances were noted.

APPENDIX G

FAMILY STRUCTURE AT FIRST CONTACT WITH SOCIETY

	Pct of Families	Pct of Children
Nuclear	24.7% (38)	34.1% (99)
Single Mo.	30.5% (47)	27.2% (79)
Single Fa.	20.8% (32)	25.2% (73)
Relatives	9.7% (15)	8.6% (25)

CUSTODY OF CHILDREN AT TIME OF PLACEMENT

	Pct of Families	Pct of Children
Mother	39.6% (61)	43.6% (122)
Father	20.8% (32)	29.6% (83)
Both	9.7% (15)	10.0% (28)
Relatives	8.4% (13)	7.9% (22)

APPENDIX H
APPREHENSIGN ORDER

Children's Protection Act of British Columbia, 1901

CHAP. 9, B. C. S. 1901

Order for Delivery

PROVINCE OF BRITISH COLUMBIA

County of _____

City of _____

To Wit:

In the Matter of the Children's Aid Society
of Vancouver

and in the matter of _____

_____ neglected Children.

Before _____

Whereas, on this _____ day of _____, A.D. 19____,

_____ residing with _____ in
the _____ of _____, have been brought before me
by _____, to determine if the
said children ^{is} are neglected within the meaning of the said Statute in such Act made and provided;

AND WHEREAS due notice of this investigation was given to _____

UPON HEARING _____

I DO FIND that the said _____

_____ are neglected children within the meaning of the
Act, and that by reason of the _____

W/S
W/S

APPENDIX I

CIRCUMSTANCES OF SINGLE-FATHERHOOD
(N=32)

	No. of Families	Pct. of Cases
Death of Spouse	17	53%
Desertion	7	21%
Gaol term	0	0%
Military Service	0	0%
Unwed	0	0%
Other	8	25%
	<hr/>	--
	32	99%

CIRCUMSTANCES OF SINGLE-MOTHERHOOD
(N= 47)

Circumstance	No. of Families	Pct of Cases
Unwed	14	30%
Desertion	13	28%
Death of Spouse	8	17%
Military Service	4	8%
Gaol term	1	2%
Other	7	14%
	<hr/>	----
	47	99%

APPENDIX J
FOSTER AGREEMENT

CHILDREN'S AID SOCIETY OF VANCOUVER

INCORPORATED UNDER THE "CHILDRENS PROTECTION ACT" OF BRITISH COLUMBIA
INFANTS' ACT, SEC. 92, C. 107, B. C. S.

AGREEMENT RE FOSTER CHILD

Agreement entered into this _____ day of _____, 1920,
between the Children's Aid Society of Vancouver, B. C., of the First Part, and,
_____ of the Second Part,
respecting _____

Witnesseth that the said Parties of the Second Part agree with the said Parties of the First Part to receive
into their home _____ aged _____ years,
on _____ day of _____ to act towards _____ at all times with kindness and
consideration, and to provide _____ with food, clothing, washing and necessaries.

The said parties of the Second Part further covenant with the said parties of the First Part as follows:

1. That the said child shall be treated as a member of the family.
2. Shall be taught as far as possible habits of truthfulness, personal cleanliness, and industry, and shall be afforded every opportunity for growing up to a good and useful life.
3. The said parties of the Second Part agree to send the said child to school as required by law.

4. IT IS AGREED that the said child shall remain in the care of the said parties of the Second Part so long as both parties hereto are satisfied with this arrangement, and that while with them the child may be visited by any person duly authorized to do so; also that should it be found necessary to return the said child the parties of the Second Part shall give two weeks' notice of their intention to the Secretary, and pay the return fare.

The parties of the Second Part further agree to write occasionally to the parties of the First Part, telling them how the child is progressing, and to send immediate notification in the event of serious illness, death, desertion, dissatisfaction, or removal to another locality.

SIGNED at Vancouver, British Columbia,
this _____ day of _____ 19____
in the presence of _____
_____ Witness.

_____ President
_____ Secretary

SIGNED at _____
this _____ day of _____ 19____
in the presence of _____
_____ Witness.

_____ (Husband)
_____ (Wife)

APPENDIX K

CONCERNS REGARDING WORK PLACEMENT OF MALE WARDS

(BY COMPLAINANT)

CONCERNS OF WARDS

CONCERNS OF V.C.A.S.

Concern	No. of Wards	Pct of Cases	Concern	No. of Wards	Pct of Cases
Over-work	10	56	Truancy	7	41
Pay	5	28	Belittlement	7	41
Housing	4	22	Over-work	5	29
Phys. Abuse	4	22	Pay	5	29
Belittlement	4	22	Housing	4	24
Clothing	3	17	Clothing	4	24
Truancy	2	11	Health	4	24
Isolation	2	11	Supervision	4	24
Health	1	6	Phys. Abuse	2	12
Supervision	1	6	Isolation	2	12
Sex. Impropr.	1	6			

18 valid cases

17 valid cases

APPENDIX L

CONCERNS REGARDING WORK PLACEMENT OF FEMALE WARDS
(BY COMPLAINANT)

Concerns of Wards			Concerns of V.C.A.S.		
Concern	No. of Wards	Pct of Cases	Concern	No. of Wards	Pct of Cases
Over-work	14	58	Supervision	8	47
Isolation	9	38	Belittlement	4	24
Sex. Impropr.	8	33	Truancy	3	18
Clothing	5	21	Health	3	18
Pay	5	21	Sex. Impropr.	3	18
Phys. Abuse	3	13	Isolation	3	18
Supervision	3	13	Over-work	2	12
Belittlement	3	13	Clothing	1	6
Truancy	2	8	Phys. Abuse	1	6
Health	2	8	Pay	1	6
Intemperance	2	8			
24 valid cases			17 valid cases		

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