THE BRITISH COLUMBIA SAFE STREETS ACT AND THE LAW OF VAGRANCY: SIMILARITIES AND DIFFERENCES

by

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THESIS SUBMITTED IN PARTIAL FULFILLMENT THE REQUIREMENTS FOR THE DEGREE OF

MASTER OF ARTS

In the School of Criminology

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Summer 2008

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ABSTRACT

North American cities have enacted legislation to counter panhandling and other incomegenerating activities of the visible poor. Anti-homeless laws are similar to earlier vagrancy laws in Western societies. This thesis addresses how British Columbia's *Safe Streets Act (BCSSA)* compares with earlier vagrancy laws.

A social constructionist perspective is combined with a content analysis of print media and provincial government debates available online. Government sources consisted of Provincial Legislature debates. The goal was to understand the social construction of the homeless problem through the *BCSSA*.

Rhetoric employed in the social construction of the homeless problem was similar in that the homeless were characterized as a disruptive force and potential criminals. Alternative positions termed "pro-squeegee" were also identified in the data. Differences included a focus on exclusion from public spaces instead of idleness and lack of work, a wholly retributive response and a lack of a focus on general deterrence.

Keywords: Social Construction; Safe Streets Act – British Columbia; Vagrancy – British Columbia; Squeegee Kids

Subject Terms: Homelessness – British Columbia; Social Problems – Canada; Social Construction; Vagrancy – Canada

QUOTATION

Standing on the street just waiting for a bus This car pulls up, they're giving me the sus¹ He says "Hey sonny, I think you're on our file, well you better come with us for awhile."

We got ya with sus You look too obvious You better come with us And don't make no fuss We got ya with sus

So they shake me down, try to make me look like a clown I just stare at the ground

You better come with us (We got ya with sus) You look too obvious (You better come with us) And don't make no fuss (Too obvious) You better come with us (Don't make no fuss) We got ya with We got ya with sus ...

> S.U.S. The Ruts The Crack (1979) © Virgin Records

¹ Sus, an abbreviation of suspicion, is used here with reference to the so-called 'sus law' in Britain. Sus law enabled police officers to stop and search individuals on the basis of suspicion alone.

ACKNOWLEDGEMENTS

I would like to extend my sincere thanks and appreciation to the people who helped me throughout the completion of my thesis. A very special thank you to my senior supervisor, Dr. Brian Burtch, for all your support and guidance. This has been a long journey with its fair share of roadblocks and rough spots, and I cannot thank you enough. To Dr. Liz Elliott, I'd like to thank you for the many conversations and advice during the formative stages of this project. Thanks also to Professor Neil Boyd for your insightful comments and contribution at the eleventh hour. And heartfelt thanks to my family, for all the love and support through my post-secondary education ... I credit all of my success to you guys. Finally, thanks to all the friends, colleagues and support staff of the Faculty of Criminology; it has been an absolute pleasure.

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CHAPTER 1: GOVERNMENT REGULATION OF HOMELESS PEOPLE

During the 1990s, North Americans witnessed the creation of various government regulations meant to address panhandling and other income-generating activities of the visible poor on city streets (Feldman, 2004:45; Gordon, 2006:82). For example, the City of Oshawa enacted a Nuisance By-law that prohibited begging on city streets (1994:1). The Cities of New Westminster and Vancouver each passed a by-law in 1998 which restricted areas in which individuals could panhandle (City of New Westminster, 1998:1-2; City of Vancouver, 1998:3). Both Calgary and Hamilton enacted by-laws restricting various forms of "aggressive" panhandling (City of Calgary, 1999:2; City of Hamilton, 1997:1). American cities such as Santa Monica, Baltimore and Los Angeles also passed by-laws referring to similar activities around this time (Feldman, 2004:45).

Scholars argue that this spate of anti-homeless laws in North America shares many similarities with vagrancy laws that permeated western societies during the 18th, 19th and early 20th centuries (Gordon, 2004:35; Hermer and Mosher, 2002:13; Feldman, 2004:30-31). Modern anti-panhandling, public sleeping and related bylaws, and provincial statutes all operate in a manner similar to former vagrancy laws (Gordon, 2004:35; Hermer and Mosher, 2002:13). While these similarities are acknowledged by critics and advocates of these policies, Feldman suggests that there are important distinctions between modern anti-homeless policies and past vagrancy laws. (2004:27). After a brief discussion of this line of argument, this thesis will address how British Columbia's *Safe Streets Act* ([SBC 2004] c. 75) (hereafter *BCSSA*) both resembles and is distinguished from vagrancy laws that operated in past societies.

To accomplish this task, this thesis employed a social constructionist perspective, which was brought to bear on data elicited from a content analysis of selected media presentations and provincial government debates. The goal of this research was to gain an understanding of how both the law and surrounding social context of the *BCSSA* compared to Canadian vagrancy law and the historical social context. Following a brief discussion of how the law of vagrancy compares with the *BCSSA* and the social context from which the *BCSSA* emerged.

Canadian Vagrancy Law

Historically, vagrancy law was used by government to address a great number of problems, everything from begging and loitering to prostitution and causing a disturbance (Phillips, 1990:130; Bright, 1995:39). Chambliss suggests that changes in the focus of vagrancy law have reflected the "socially perceived need" to help different vested interests protect the economic (capitalist) structure of western society through the control of members of the lower classes (1964:76-77). Although this article has received criticism², Alder suggests that an important insight of Chambliss's analysis is "that laws are rooted in the social setting in which they are framed" (1989:223). The primary focus of vagrancy laws was individuals who were deemed able-bodied and mentally capable of work, but were not engaged in any legal means of employment (Gordon, 2004:35; Phillips, 1990:130). For example, over a century ago the 1892 Canadian *Criminal Code* stated:

² See Chambliss, W. J. (1989). On Trashing Marxist Criminology. *Criminology*, (27), 2 : 231-238 for Chambliss's response to Adler's (1989) alleged misinterpretation and simplification of Chambliss's argument and Chambliss's rebuttal of stock criticisms of Marxist theory by mainstream academics.

207. Every one is a loose, idle or disorderly person or vagrant who

•••

(a) Not having any visible means of maintaining himself lives without employment

(b) being able to work and thereby, or by other means to maintain himself and family willfully refuses or neglects to do so;

(d) without a certificate...wanders about and begs, or goes about from door to door, or places himself in any street, highway, passage or public place to beg or receive alms;

(e) loiters on any street, road, highway or public place and obstructs passengers by standing across the footpath or by using insulting language, or in any other way;

(Canada, 55-56 Vict, c.29, s.207)

Begging, unemployment and excessive idleness were thus rendered illegal for individuals deemed capable of working (Gordon, 2004:37). According to section 208 of the *Criminal Code*, individuals could be arrested, convicted and sentenced to six months' hard labour without committing any overt specific criminal act, for example, burglary or theft. In this way, vagrancy is seen as a status offence (Bright, 1995:48) which punishes one for "being a specific kind of person, not doing a certain overt act" (Douglas, 1960:6).

In general, it is unconstitutional for the State to sentence a person to a prison sentence without proving that a certain act or omission was voluntarily committed (Roach, 1999: 626-27). However, prior to the enactments of the *Canadian Charter of Rights and Freedoms* (*Canada Act 1982* (U.K.) 1982, c. 11), status offences were a common aspect of the legal landscape concerning marginalized segments of society (Landau, 1981:149). One facet of the 1892 version of Canada's vagrancy law which contributed to its operation as a status offence was its breadth. Phrases, like the ones in subsections (a) and (b), granted state officials considerable discretion in terms of who "appears" to be a vagrant, while simultaneously placing a considerable onus on the

accused person to prove that they were not (Gordon, 2004:38). These broad powers, combined with other vaguely-worded subsections which focused on particular forms of conduct, meant that authorities could arrest people based on little substantial evidence and, in many cases, on nothing more than suspicion (Foote, 1956:647). As one author noted, in this scenario "it was inevitable that entirely innocent individuals would end up in court" (Bright, 1995:54). The net effect of this legislative scheme was considerable discrimination against the poorest segments of society (Hermer and Mosher, 2002:13; Phillips, 1990:147; Pitsula, 1980:132).

Perhaps the biggest concern with vagrants found in the discourse surrounding the administration of vagrancy law stemmed from dominant middle-class values centred on work, responsibility and sobriety (Phillips, 1990:129). By not working or contributing to society, vagrants were seen as a threat to the foundation of society (Bright, 1995:41; Pitsula, 1980:116). Pitsula states that vagrants or tramps in 19th century Toronto "symbolized rejection of the work ethic and middle-class values" (1980:116). Thus, it was not because vagrants were a physical threat to residents in the early 20th century, but rather that they challenged the dominant belief system of the day by failing or refusing "to internalize dominant middle-class values" (Bright, 1995:43). Phillips contends that members of the 19th-century Halifax community saw idleness as a potentially dangerous condition that, if left unchecked, could prove disruptive in any major urban setting (1990:131-32). Clearly, however, in 19th century Canada the majority of citizens were not middle-class and thus state officials were empowered to use various means, including the criminal sanction, to ensure that middle-class interests and ideologies had a hegemonic status vis-à-vis subaltern groups (Bright, 1995:43; Phillips, 1990:131).

Concerns over idleness were so ingrained in the operation of and rhetoric surrounding vagrancy law that the penalty for a conviction of vagrancy could be six months' hard labour (s.208). Hard labour was seen as a suitable punishment since vagrancy and idleness were seen as manifestations of deficient personal characteristics rather than simple misfortune (Phillips, 1990:143-44; Pitsula, 1980: 119). Many character defects were commonly associated with vagrants, including "laziness, improvidence, intemperance [and] instability" (Pitsula, 1980:119). There was something wrong with the individuals who *chose* not to work, not the society that produced unemployment (Bright, 1995:57). Thus, there was need to reduce the threat posed by idleness, but also a duty on behalf of society to assist individuals in the struggle to internalize the values and work ethic of society, even if it was administered through force and coercion (Bright, 1995:57; Phillips, 1990:143; Pitsula, 1980:132). The benefits of forced labour were twofold: first, the vagrant would learn the value of work and providing for himself; and second, the financial strain on the city would be significantly reduced (Pitsula, 1980:124). As Pitsula stated, individuals convicted of vagrancy "would not be released until they had been transformed from parasites into producers" (1980:131).

Another major concern surrounding vagrants was the possibility of future criminal acts committed by them (Foote, 1956:625; Phillips, 1990:144; Pitsula, 1980:120). Chambliss suggests that a concern of the criminality of vagrants dates back to the first vagrancy statute in England during 1349 (Chambliss, 1964:74-75). One of the first major examinations of vagrancy law in the United States found that future criminality was often cited by justice system officials to justify arresting, charging and sentencing individuals with vagrancy (Foote, 1956:625). Similar attitudes were relied on heavily in Canada.

Phillips remarks that "the vagrant was not merely deviant, but dangerous, always likely to commit other crimes" (1990:144). Tramps in Toronto were accused of committing burglaries, highway robberies and murders (Pitsula, 1980:120). In fact, it has been argued that "idleness and future criminality have constituted twin rationales for vagrancy law for a considerable time" (Feldman, 2004:32). Nevertheless, crime was not the only deviant activity associated with vagrancy: alcoholics, socialists and many other social outcasts were also commonly linked with vagrancy (Bright, 1995:45). These associations made vagrants prime candidates for negative public sentiment through newspaper articles cursing their existence and politicians and other members of government professing their disdain for the groups (Bright, 1995:49; Phillip, 1990:149; Pitsula, 1980:119-20). By focusing on problematic individuals, many of the structural or societal causes of mass unemployment and poverty were kept out of the public focus (Bright, 1995:49; Pitsula, 1980:132).

Modern Anti-Panhandling Law

Canada, as well as the rest of North America, has seen a trend toward enacting various laws aimed at restricting or prohibiting many activities engaged in by homeless citizens (Collins and Blomley, 2003:40). Collins and Blomley assert that the appearance of these laws is a response to the growing revitalization of downtown public space, and a reconstruction of what exactly is public and private space (2001:58). Gordon argues that these laws are part of a larger restructuring of the state taking place in neoliberal governments (2004:53). Despite different explanations for the appearance of these types of laws, authors generally agree that these laws serve to remove or lessen manifestations of visible poverty from city streets (Collin and Blomley, 2003:45; Feldman, 2004:43).

These laws prohibit activities like sleeping, loitering and sitting in a variety of public spaces (Collins and Blomley, 2003:40). Many laws also drastically constrain the form and location of panhandling (Collins and Blomley, 2003:48; Gordon, 2004:42). One of the most celebrated forms of this type of law prohibits the work of "squeegee kids" who wash the windows of cars stopped at traffic lights for spare change. This practice has received an overwhelming amount of negative attention, a point that will be explored later in this thesis (see O'Grady and Bright, 2002:23; Parnaby, 2003:303).

Many of these laws are municipal by-laws (Collins and Blomley, 2003:43; NAPO, 1999:8). Nevertheless, in December 1999, the Ontario Provincial Parliament enacted the *Safe Streets Act* (1999, S.O. 1999, c. 8) (*OSSA*), becoming the first modern provincial government to prohibit panhandling in public (Hermer and Mosher, 2002:12). The *BCSSA* was enacted five years later in October 2004. Both laws are virtually identical; in fact, the original version of the *BCSSA*, introduced as a private member's bill to the legislature on May 6, 2004, contains sections found in the *OSSA* but not in the *BCSSA*. These two laws contain elements which cause authors to compare them to vagrancy law (Gordon, 2004:53; Hermer and Mosher, 2002:13).

While these laws have not formally re-established vagrancy as a status offence, Gordon argues that the legislative framework has essentially criminalized vagrancy and that many features resemble vagrancy law of times past (2004:43, 46). These features and how they resemble vagrancy law will be illustrated using the *BCSSA*.

The first element identified by Gordon is that these statutes broadly define begging (2004:46). For instance, the *BCSSA* definition of solicit includes "the spoken, written or printed word, a gesture or another means, for the purpose of receiving

something of value" (s.1). The inclusion of the phrase "a gesture or another means" is problematic for it raises the question of whether the presence of a visibly homeless person "who looks to be in a destitute, desperate state that evokes need and want" could be construed as soliciting under the *Act* by simply being present (Hermer and Mosher, 2002:13). It is argued that such a broadly-worded section moves the *Act* closer to a status offence for it is plausible that no overt act is required to be prosecuted under it (Esmonde, 2002:70; Hermer and Mosher, 2002:13). Much like vagrancy laws, this gives great discretion to officials which could result in discriminatory enforcement practices (Hermer and Mosher, 2002:13).

Another similarity suggested by Gordon is that both the new laws and vagrancy laws prohibit begging and panhandling within certain spaces (2004:47). Just as s.207(d) of the 1892 vagrancy law prohibited individuals from begging in a variety of public places without a certificate, sections of the *BCSSA* have similar effects. Subsections 3(2) and 3(3) make it an offence to solicit individuals within five metres of automated teller machines, payphones, public toilets, taxi stands, bus stops, or people exiting or entering a transit vehicle or taxi. Like vagrancy law, the *BCSSA* restricts where an individual can panhandle; however, its impact is much deeper. By restricting panhandling around places where people commonly have money close at hand, the *BCSSA* reinforces the idea that homeless people are more apt to steal or commit crimes, similar to the rhetoric surrounding vagrants (Gordon, 2004:47; NAPO, 1999:9). Moon suggests that panhandling around these locations is no more likely to be abrasive or harassing than any other location, and that such a ban merely reflects a want to protect "members of the public from communication by a beggar in situations where contact with him or her is

difficult to avoid or to escape from quickly or where the 'beggee' may feel more embarrassed by his/her refusal to give" (2002:74). Ruddick asserts that this type of ban will affect where homeless people spend their time, for many downtown areas which offer necessary services are peppered with ATM's, payphones and many other prohibited places contained in s.3(2) (2002:58). When this section of the act is combined with the broad definition of "solicit", it appears that the BCSSA resembles vagrancy law's statusbased offences and restrictions on begging; however, there are further similarities. S.207(d) of the 1892 vagrancy law allowed for an individual to receive a certificate from the proper authority and beg in the areas listed in the section. Similarly, s.3(4) of the BCSSA asserts that individuals can solicit within the five metre zone of ATM's if they have the permission of the owner of the premises on which the ATM is located. Such provisions are usually in place to allow charities and other more reputable individuals to solicit money from the public (Gordon, 2004:49). It is argued that these exemptions bring the laws even closer to vagrancy law because it clearly demonstrates that it is not the *act* of soliciting that is of chief concern, but rather who is soliciting (Gordon, 2004:50). Taken in concert, these sections appear to resemble the status offence imposed by the 1892 *Criminal Code*. There are other sections where this similarity is even more striking.

Section 3(5) of the *BCSSA* states: "a person commits an offence if the person, while on a roadway, solicits a person who is in or on a stopped, standing, or parked vehicle". There are no possible exemptions to this law; it represents a complete ban on any solicitation of driver or passengers from people outside of the vehicle. Gordon asserts that "such provisions are aimed directly at the squeegeers" (2004:47). This section essentially makes being a squeegee kid a status offence, for the one activity at the heart of

the trade, asking drivers for money, is illegal. Authors assert that when one examines negative public sentiment surrounding Toronto's squeegee kid problem and the same provision in the *OSSA*, the situation evokes comparisons to much earlier concerns over idleness (Esmonde, 2002:81).

The *BCSSA* does not simply restrict the location where panhandling can occur; it also restricts the manner in which it can take place. Section 2 of the *BCSSA* prohibits certain forms of "aggressive" solicitation. The provision states that solicitation that "would cause a reasonable person to be concerned for the solicited person's safety or security" is an offence (s.2(1)). The section lists a number of behaviors which define whether or not a type of solicitation is aggressive. They include:

(a) obstructing the path of the solicited person;

(b) using abusive language;

(c) proceeding behind or alongside or ahead of the solicited person;

(d) physically approaching, as a member of a group of 2 or more persons, the solicited person;

(e) continuing to solicit the person.

(BCSSA, s.2(2))

Like other sections of the *BCSSA*, this provision uses language very similar to that of the 1892 *Criminal Code*. For example, s.207(e) of the *Code* made it an offence for someone to obstruct pedestrian traffic on a sidewalk, and s. 2(2)(a) of the *BCSSA* defines obstruction as a form of aggressive solicitation. The potential negative impact this section may have on homeless people is large for, as Esmonde argues, many homeless people must carry all their belongings with them at all times (2002:71). Therefore, if an individual with a shopping cart full of possessions is panhandling on a busy sidewalk, it is likely that this could be interpreted by the *BCSSA* as constituting an obstruction

(Esmonde, 2002:71).

Constituting an obstruction is not sufficient to contravene the *BCSSA*; one must do so while soliciting an individual, and create a situation that would cause a reasonable person to be concerned for their safety or security (s.2(2)). It has already been demonstrated how the definition of "solicit" is broad enough to potentially include the mere presence of an individual (Hermer and Mosher, 2002:13). Does the addition of the reasonable person standard reduce the potential for misuse established by this section? Gordon asserts that it does not; in fact, his contention is the exact opposite for *reasonable* is a "relative term, the meaning of which may shift to suit the purposes of those employing it" (2002:48). Much like the previous vagrancy law, the *BCSSA* grants a considerable amount of flexibility and discretion to those charged with enforcing it, within a legal framework of a law aimed particularly at the activities of the poorest segment of society (Hermer and Mosher, 2002:13; Foote, 1956:643).

From this brief example, one can see how the text of the *BCSSA* can be described as a near-cousin of earlier forms of vagrancy law. Authors such as Feldman assert that while there are similarities between new anti-homeless laws and old vagrancy statutes, there are a number of important discontinuities between the two (2004:30). When one examines the broader political, economic and cultural matrix out of which these laws arose, the similarities are rather apparent. Feldman argues that earlier vagrancy laws served to coercively incorporate vagrant, idle individuals into the world of work, responsibility and discipline (2004:30). This can be appreciated by the centrality that hard labour played in the punishment of those convicted of vagrancy (Pitsula, 1980:144; Bright, 1995:57), and also the overwhelming public sentiment that vagrancy and idleness could not be fixed through charity, only through good honest work (Bright, 1995:52; Phillips, 1990:144; Pitsula, 1980:128). Feldman asserts that this element is missing from modern anti-homeless policy (2004:30).

What has replaced the desire to forcefully reform the idle is a need to protect the public from ostensible threats posed by the homeless (Feldman, 2004:30). Feldman attributes this shift in policy to a larger societal shift from a productive society to a consumptive society (2004:43). During the time of vagrancy law, production and industry were the mainstays of the economic organization; there was a constant need to ensure the presence of a sufficient labour force (Feldman, 2004:34; Gordon, 2004:38; Phillips, 1990:135; Pitsula, 1980:132). From the time of vagrancy law to the modern day, Feldman asserts that consumption is of primary importance and now the need is to ensure that prime areas of consumption are maintained to encourage and allow as much consumption as possible (2004:42). Currently, this reflects a desire to remove visible poverty from areas frequented by consumers (Feldman, 2004:43). Evidence of this trend can be seen in the legislative framework of the BCSSA. Penalties for offences committed under the Act are fines ranging from \$86-\$115 (BC Ministry of the Attorney General Website, 2008). Nowhere in the text of the BCSSA is there any mention of imposing a work ethic, forceful re-integration of the offender or other remedies associated with vagrancy law.

Another difference between the two laws is that whereas vagrancy law specified that certain types of people were vagrants, the new anti-homeless laws prohibit certain types of actions. Where the 1892 *Criminal Code* stated that "Every one is a loose, idle or disorderly person or vagrant who", the *BCSSA* lists a selection of illegal acts. Feldman asserts that this shift reflects due process and equality reforms of criminal law in the

1960s and 1970s which led to the repeal of many vague and inconsistent laws (2004:49). In Canada, the vagrancy law received a major revision during the consolidation of the Criminal Code in 1953-4, where many of the harsher, status-based offences were removed (Gordon, 2004:39). By 1970, the definition of vagrancy had come to be considered "notoriously vague" (Sharpe, 2002:613). It was condemned by civil liberties groups (BCCLA, 1971) as well as the Manitoba Court of Appeal, where Mr. Justice Brian Dickson (as he was then) said "it is not a crime to be without apparent means of support" (R v. Heffer, [1970] 4 C.C.C. 104 (QL) at pg. 4). While it may appear that this shift from types of people to forms of conduct may be a benefit for homeless people, Feldman contends that this shift does much harm to the homeless (2004:50). It appears that the status offence of vagrancy has been broken down into various forms of conduct, which brings along with it a discourse focusing on individual choice and willful conduct (Feldman, 2004:50). This shift emphasized individual responsibility in regards to homelessness, which completely removes any element of social responsibility in terms of producing homelessness or helping individuals leave a life of homelessness (Feldman, 2004:50). Overall, the discontinuities between vagrancy law and modern anti-homeless policies flow from differences in the rhetoric and socio-political environment in which these laws are situated.

From a brief examination of the *BCSSA*, one can appreciate how the Act could be simultaneously linked to and distinguished from vagrancy law. However, the law itself is only one aspect of the situation for the social context of the law is vital to understanding its content. This is the focus of this thesis. Specifically, the original contribution of this thesis is the examination of this central question:

• To what extent can the social context of the *BCSSA* be seen as similar and different from that of vagrancy law?

To answer this question, the goal was to identify the problem that the *BCSSA* was designed to address. In doing so, it was thought that the larger concerns and beliefs about homeless people and squeegee kids could be discerned. The task was to analyze the social construction of the rhetoric employed by critics and advocates of this law through a content analysis of various media and government sources, in order to determine what social factors may have contributed to the law's enactment, which allows for a comparison between the *BCSSA* and vagrancy law. The thought heading into this project was that uncovering the rhetoric of this particular claims-making campaign in B.C. could contribute to a wider understanding of the values and principles that surround a marginalized segment of our society. Ideally, this approach will clarify these values and principles and arguments of those who seek to invoke punitive sanctions against the poorest sector of the population.

Thesis Organization

This thesis is organized as follows: Chapter 1 introduces the goal and organization of the thesis. Chapter 2 presents a review of the available literature, including social constructionist theory. Chapter 3 presents the research methodology and a description of the research sample. An overview of the research results in Chapter 4 precedes a discussion of the theoretical implications of the results in Chapter 5, which is followed by a brief conclusion.

CHAPTER 2: THEORETICAL FOUNDATIONS

Three bodies of literature were examined for this thesis: social constructionism, construction of the news, and political ideology. Social constructionism is the main theoretical framework used in the analysis. Drawing from the long-established schools of interactionist sociology, social constructionism has become a leading approach in the examination of human interaction and social problems (Schneider, 1985:210). This tradition, coupled with a few key works within the field which focused on homelessness, made constructionism the most attractive theoretical framework for this analysis.

The remaining bodies of literature - news construction and political ideology contextualize the content analysis. The primary data source for this analysis is newspaper articles published in British Columbia. Newspaper articles were chosen, in part, because of their availability and access, but also because the media serves as a major source of information for the public about homelessness and homeless people (Pascale, 2005:250). Althiede asserts that before undertaking a study involving a particular media source, steps should be taken to understand how information is gathered, produced and transmitted (1996:23). Therefore, steps were taken to examine literature pertaining to the news making process. Specifically, the literature examined consisted of organizational aspects of news production, qualities of an event's newsworthiness, and the social effects of news presentation. The final aspect of this review is an analysis of the political context in B.C. leading to the enactment of the BCSSA. This analysis features the process through which events were translated into a legislative remedy. Steps are taken to reveal how the Provincial government's political stance, coupled with its previous political record, could make legislation like the BCSSA possible. Together, these three bodies of literature

bolster an analysis focused on rhetoric leading up to the enactment of the *BCSSA*. This discussion begins with the theoretical perspective.

Social Constructionist approach to Social Problems

Drawing on interactionist theorists, social constructionism emerged in 1966 with Berger and Luckmann's *The Social Construction of Reality*. The authors assert that the reality of everyday life is socially created (Berger and Luckmann, 1966:19). Instead of taking everyday life for granted and analyzing a particular phenomena within it, social constructionists examine the process through which reality is created, which the authors assert is done through the thoughts and deeds of those people living in it (Berger and Luckmann, 1966:19). Spector and Kitsuse applied this theory to social problems analysis.

Traditional approaches to the study of social problems are ostensibly objective in that social problems are considered to be harmful phenomena that can be objectively assessed and measured within a particular society (Best, 1995:3). Instead of focusing on supposedly objective conditions of social problems, Spector and Kitsuse focus on the *process* by which a condition is defined as a social problem (1977:78). Social problems are recast as an activity, more specifically, as a claims-making activity (Spector and Kitsuse, 1977:78). Social constructionists focus on the interpretive process through which a particular phenomenon is defined as a problem and where "putative conditions", not facts *per se*, are to be critically examined (Miller and Holstein, 1993:4-5). For Spector and Kitsuse, the word *putative* is used to "emphasize that any given claim or complaint is about a condition alleged to exist, rather than about a condition whose existence we, as sociologists, are willing to verify or certify" (1977:76). The significance of conditions in the social constructionist approach is measured in the claims made about them.

Unlike many traditional approaches, social constructionism focuses on the subjective aspects of a social problem (Spector and Kitsuse, 1977:79). Because the focus is placed on a group's demand on another to alleviate some condition, analysts must examine the problem from the participant's point-of-view, not from the outside (Spector and Kitsuse, 1977:79). The authors emphasize that the classification of an activity as a claims-making activity "is not based on a quality intrinsic to that activity, but rather on the interactional setting in which member make assertion and demands in the name of their right to responsive actions" (Spector and Kitsuse, 1977:79).

By conceptualizing social problems as a claims-making process, social constructionism shifts the research agenda "away from a study of the conditions in and of themselves, to a study of the rhetorical and idiomatic claims that are being made with respect to the proposed existence, magnitude, causes, and solution to 'problematic' social phenomena" (Parnaby, 2003:284). Attention will now be focused on how one applies the constructionist approach to a given social problem.

Social Constructionist Analysis: Application

An integral part of any social problem analysis is an examination of how a problem is typified. Best states "typification occurs when claimsmakers characterize a problem's nature" (1995:8). This is an important issue because the typification process indicates how a problem is going to be presented, which for many potential problems could be any number of ways (Best, 1995:8).

The typification process is an important part of the social construction of a problem because it will determine how the problem will be discussed, and how solutions to the problem will be developed (Best, 1995:9). To better understand the typification

process of a given social problem, Best recommends examining how a problem is socially constructed, which involves an examination of claims made about the problem; the claimsmakers presenting the claims; and the claims-making process through which the problem is socially constructed (1995:349).

Claims

Claims are statements used by claimsmakers to "convince audiences to take a condition seriously" (Loseke, 1999:27). Claims are usually designed to reach a large number of people (Best, 1995:13). Thus, researchers often examine various forms of media, government reports, and other forms of information distributed to the public to locate claims about a given topic (Best, 1995:350). Their content can be examined and emphasis placed on how the problem is being typified, which includes examining what is being said about the problem and what aspects of the problem are being highlighted (Best, 1995:14). This initial presentation can affect the subsequent reactions to the problem, including institutional responses (Best, 1995:8).

Claims can take many forms which, along with their content, can influence the construction of a given problem (Best, 1995:14). Some authors believe that there is one factor shared by all claims within the construction of a social problem: they are all intended to persuade a particular audience that something is a problem that requires attention (Best, 1987:101; Loseke, 1999:26). Because of the persuasive nature of claims, Best asserts that "rhetoric – the study of persuasion – can be used to study claims" (Best, 1987:102).

Best uses Toulmin's (1958) structure of an argument to analyze the claims and

rhetoric of a claims-making campaign (1987:102). Toulmin's structure breaks an argument into three component parts: (1) conclusion – what is trying to be established; (2) data, or grounds – the facts used as a foundation for the conclusion; and (3) warrants – the link between grounds and conclusions which verify the particular structure of the argument (Best, 1987:102). Best demonstrates the applicability of this structure by applying it to the claims-making campaign of the missing children social problem of the 1980s, beginning with the grounds used (1987:104).

Grounds lay the foundation for the ensuing discussion by providing the basic facts of the argument (Best, 1987:104). Best asserts some types of grounds may appear in various claims-making campaigns (1987:104). In the missing children problem, Best found that three grounds were typically employed (1987:104). The first ground is *definitions*, which Best considers to be the fundamental form of claims-making (1987:104). By giving a problem a name, a claimsmaker is able to set the limits as to what can be said about a problem, because definitions involve domain statements; ones that set the problem's boundaries and orientation statements; ones that determine what sort of problem it is (Best, 1987:104-5). Definitions can greatly influence the subsequent actions of and response to a given claims-making campaign (Best, 1987:105).

The second ground identified by Best is *examples*, which can solidify specific aspects of a problem's definition. Horrific examples of extreme or unusual incidents of child abuse and abduction were able to have profound influence on "the social, political and institutional successes of the child maltreatment movement" (Johnson, 1995:19). Examples are capable of affecting an entire campaign (Best, 1987:105). For instance, in the missing children problem, many of the high-profile cases were ones where a stranger

kidnapped a child. Although this was one of the least common types of child abduction, it was talked about most frequently (Best, 1987:106).

The third type of ground is *estimates* of the problem's extent that were employed to establish the need for immediate action (Best, 1987:106). Generally, these estimates took three forms: (1) incidence estimates – that portrayed the most horrifying cases as commonplace; (2) growth estimates – that attempted to establish that the problem is getting worse; and (3) range claims – the extent to which the problem extends throughout society (Best, 1987:106-8). Overall, ground statements are used to frame the problem as one that cannot be ignored, and therefore requiring an immediate response.

The next element in a rhetorical analysis is examining the *warrants* – statements used to justify conclusions about the grounds (Best, 1987:108). Warrants are important because if the audience does not agree with or validate the warrants used to justify the argument, there is a good chance that it will fail to persuade them (Best, 1987:109). Some warrants used in the missing children problem included: the value of children, deficient policies and historical continuity (Best, 1987:109-11). Although these warrants were tailored for a discussion about missing children, Best asserts that they may be present in other social problems (Best, 1987:109).

The final aspect of Best's rhetorical analysis is the *conclusion*, which are the various solutions offered by the claimsmaker, and are justified by their grounds and warrants (Best, 1987:112). Best asserts the rhetorical decisions made by claimsmakers are done to maximize the persuasive capacity of a given claim (Best, 1987:114). He states that different grounds and warrants are used in different times and therefore an examination of the surrounding social context is imperative to understand the rhetorical

decisions made by claimsmakers (Best, 1987:117). The rhetorical choices made greatly affects the success or failure of a given campaign (Best, 1987:118).

Claims have taken many forms in the social construction of homelessness. For example, Parnaby's study found that Toronto's squeegee kid problem was presented "as if it were symptomatic of an impending state of disaster, devastation, and/or social decay" (2003:292). This particular construction emphasized three different types of claims. First, there were claims that the problem was widespread (Parnaby, 2003:293). Equating squeegee kids with a swarm of mosquitoes or a spreading plague, claimsmakers attempted to ground their arguments in the idea that the squeegee kid problem was worsening (Parnaby, 2003:293). Second, other claims emphasized the grungy appearance of the squeegee kids, which claimsmakers used to cast squeegee kids outside of general society (Parnaby, 2003:295). Third, some claims linked squeegee kids to a growing fear of crime in the city, with reports of squeegee kids damaging cars and assaulting people (Parnaby, 2003:297). The results of this presentation were twofold: first, the squeegee kid population was effectively distinguished from other members of Toronto's homeless population; and second, the problem was constructed in such a way that demanded an immediate law-and-order response (Parnaby, 2003:299).

Claimsmakers

The creation and promotion of claims is done by the claimsmakers, who tend to be interested parties, individuals who have something to gain from a successful campaign (Best, 1995:103). A claims-making process is affected by the person making the claims, because one's ability to garner media attention can greatly influence promoting their opinion on a given social problem (Best, 1995:104). Therefore, it may prove useful to examine who is making the claim, in terms of status, ideology and experience (Best, 1995:350). Examining the claimsmaker behind a campaign can provide information about the form, content and success of that particular campaign (Best, 1995:104).

In the case of homelessness, many viewpoints appear in popular discourse (Parnaby, 2003:283). For example, Forte (2002) demonstrates the diversity of opinions presented by the different groups that voice an opinion concerning a particular controversy over the location of a homelessness shelter in an American city (2002:134). Using a social constructionist approach, Forte examined perspectives presented by residents, business owners and other interested parties in local newspapers (2002:135). Forte found that a claimsmaker's opinions varied according to membership category. For example, he determined that the majority of anti-business claimsmakers (94%) were in favour of leaving the shelter in its original downtown location, whereas the pro-business claimsmakers were split evenly between leaving it where it is and moving or closing it (Forte, 2002:143). 90% of the residents agreed to keep the shelter where it is versus 73% of the non-residents (Forte, 2002:143). 100% of those with religious affiliations (Christian) and social workers wanted to keep the shelter in its original downtown location (Forte, 2002:144). Both of these groups were far more sympathetic than their non-religious or non-social worker counterparts (Forte, 2002:144). The final element of a social problem that should be examined is the claims-making process (Best, 1995:350).

Claims-making Process

Some claims-making campaigns gain instant recognition and exposure, bringing about significant change, while others barely appear as a blip on the social radar (Best, 1995:350). The resounding majority achieve moderate success, organizing social support but falling short of their ultimate goals (Best, 1995:350). Many institutional and structural factors can contribute to the success of a given campaign. Best recommends examining whom claimsmakers chose to address, the presence of rival or counterclaims, how the reaction of the audience shaped the issue, and how the government responded (Best, 1995:351).

Parnaby demonstrates how claims-making process involving Toronto's squeegee kids went through a dramatic change. The squeegee kid phenomenon was initially typified by themes of lost innocence, poverty and domestic turmoil (Parnaby, 2003:289). This early presentation focused on struggles the youth had experienced and were currently dealing with – with stories of lives rife with abuse leading to an adolescence filled with street life, and drug and alcohol problems (Parnaby, 2003:290-291). The squeegee kids were framed as "victims of poverty," with some concern for their wellbeing (Parnaby, 2003:291). However, when an angry squeegee kid accosted an Ontario Member of Provincial Parliament (MPP) while attempting to clean his windshield, a dramatic change took place (Parnaby, 2003:291). This act helped to move the topic of squeegee kids into the government arena, and based on the assault of the MPP, squeegee kids were quickly linked to "pre-existing anxieties over juvenile delinquency and urban disorder" (Parnaby, 2003:291). After this, squeegee kids began to represent urban decay, a rise in crime in both the government and media, which ultimately contributed to the law and order response by the government (2003:292).

Overall, this discussion aimed to provide an understanding of how one would examine a social problem from the social constructionist perspective. Two important factors remain of central importance. First, the focus of the analysis remains centred on

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the claims-making process, not objective conditions. Although the majority of the preceding discussion focused on the analysis of claims and claimsmakers, those analyses are parts of the entire claims-making process (Best, 1995:350). Second, the acknowledgment that the specific socio-historical context of a given social problem will affect many facets of that specific claims-making campaign, everything from the rhetorical decisions made by the claimsmaker to the shape of the institutional response (Best, 1987:117). Therefore, the larger context can provide a better understanding of a particular social problem and should be factored into the analysis. The next element of the literature review examines key aspects of media analysis.

Media Analysis

An examination of literature on news construction is essential for this analysis. As Fishman states "news is the result of the methods newsmakers employ" (1980:14). An examination of the news making process could provide insights into why certain items are selected to appear in the news; how they are presented; and the effects that this may have on public discourse (Altheide, 1996:25). These issues are pertinent to an analysis of the construction of a social problem within public discourse for they relate to all the necessary elements of a constructionist analysis (Best, 1995:349). This discussion will focus on three aspects of the news production process: the routine organization of the news; the concept of newsworthiness; and presentation and possible effects of the news.

Routine organization of news production

Organizational aspects and routine activities of news production regularly affect news content (Fritz and Altheide, 1987:475; Voumvakis and Ericson, 1984:10). For Tuchman, the reporting of news consists of accounts of a variety of unexpected events on a routine basis (1973:111). To deal with the unexpected, newsmakers impose routines and priorities on their work that bring order to the unexpected world of potential news, which helps reduce the amount of stress commonly associated with working with novel or unforeseen events (Tuchman, 1973:111). As Tuchman states, "without some routine method of coping with unexpected events, news organizations, as rational enterprises, would flounder and fail" (1973:111).

The routinization of news production is of particular interest to a social constructionist analysis, especially the relationship between newsmakers and their sources. The interest in this aspect derives from the fact that it is through such a relationship that newsmakers receive the majority of information used to construct the news – and in the area of crime and deviance, this majority is vast (Chermak, 1994:98; Ericson et al., 1987:20). News making organizations have developed organized and systematic methods of accessing sources, methods that meet the demands for pragmatic and efficient means of gathering news – ones which involve reporters following particular "beats" in order to access particular sources of possible news (Fishman, 1980:28). Beats consist of a collection of particular people, institutions or organizations that newsmakers routinely access for newsworthy material (Fishman, 1980:28-29).

The need for reliable sources of newsworthy information leads to a dependence on institutions or people in positions of authority (Ericson et al., 1989:61). The primary reason behind this dependence is that the majority of these sources are part of a government bureaucracy that produces an overwhelming amount of materials for newsmakers (Fishman, 1980:52). These official sources are considered to be more

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trustworthy than others, due to their increased degree of public accountability (Gans, 1979:130). By relying on official sources, the media are able to underscore their own sense of authority and legitimacy and increase the credibility of the institutions they cite (Chermak, 1994:99).

The information received by newsmakers from these institutions has passed through a bureaucratic process designed to cast that particular institution in the best light possible (Fishman, 1981:381). This means that the information provided to the media by an institution is presented in a manner that will "sustain their versions of events and visions of what should be done about them" (Ericson et al., 1991:182). This gives beat institutions considerable control over promoting their public image, an ability that may favor some institutions more than others (Fishman, 1981:372; Sacco and Fair, 1988:120). More importantly to social constructionism, institutions are able to regulate what information makes it into public discourse for the media relies on the information provided by these institutions for their stories (Fishman, 1980:25). An event must meet the newsmakers' sense of what constitutes newsworthiness to make into the news (Hall et al., 1978:53; Harcup and O'Neill, 2001:262).

Newsworthiness

Newsworthiness is the concept used to describe the qualities of a particular event that set it apart from others, in terms of its suitability to appear in the news (Lundman et al., 2004:250; Surette, 1992:58). The concept of newsworthiness is more fluid than static, and can vary among different news mediums (Ericson et al., 1991:20). Nevertheless, certain qualities influence an event's newsworthiness, qualities which can be grouped into two broad categories: organizational aspects of the media, and aspects of a particular event (Harcup and O'Neill, 2001:279; Surette, 1992:58).

The first category refers to organizational aspects of the operation and constraints of a news medium that make certain news items attractive (Surette, 1992:58). These determinants exist outside of the content of a particular item, yet influence whether or not a specific story is selected. One such quality is the prevailing news themes of a particular news organization (Chermak, 1994:99; Harcup and O'Neill, 2001:276). An item must fit themes presented by that particular news organization (Harcup and O'Neill, 2001:276). As Ericson et al. state, "the newsworthy is not that which is new, but that which fits into a familiar frame or into the existing knowledge of news discourse" (1987:144). The more a story represents one or more of the themes employed by a particular medium, the better chance it has of being selected (Harcup and O'Neill, 2001:276). Other organizational aspects that influence an event's newsworthiness include constraints of time and space (Chermak, 1994:99). The second aspect of newsworthiness focuses on the particular content of an event (Ericson et al., 1987:139; Surette, 1992:58).

The qualities of an event that make it newsworthy set it apart from the other events that are available to newsmakers (Chermak, 1994:99). A number of qualities determine whether or not an event is newsworthy (Harcup and O'Neill, 2001:279). A few qualities that are relevant to this study are simplicity; drama; and personalization. The simpler an event is, the more likely it will be considered newsworthy (Chermak, 1994:99). An event's *simplicity* is associated with the ease through which it can be summarized or reduced to its key points and still be presented in a clear, unambiguous manner (Ericson et al., 1987:140). Simplicity also refers to the ability of an event to be linked to one of the many themes presented (Chermak, 1994:99). An event that can be

framed under multiple themes is more likely to be included than an event that cannot.

The second quality related to newsworthiness is *drama*, aspects of an event that can differentiate it from mundane incidents (Chermak, 1994:99; Surette, 1992:58). Typically, dramatic qualities of an event are played up by the newsmaker (Ericson et al., 1987:141). Acts of crime and deviance are relied on by the news media, in part, because of their dramatic qualities (Chermak, 1994:99; Surette, 1992:62) and the likelihood of increased sales or readership (Ericson et al., 1987:151). Chermak states that "ordinary crime is not news. The news media presents exceptional, unusual and violent crimes because these stories sell newspapers" (1994:99).

The last element of an event's newsworthiness is *personalization*. Media staff tend to describe events in terms of individual action and concrete consequences (Ericson et al., 1987:141). Personalizing stories serves to reduce debates between political parties or organizations to human-interest stories, thereby making the events easier to consume (Ericson et al., 1987:142). This helps the audience to identify with the victim of a crime or disaster for instance, because sympathy and empathy are evoked from individuals when presented with the individual detail of an event (Gans, 1979:156).

This personalized aspect of the news has an important implication for this thesis. Personalized news reports present events in terms of individual action, which frames many issues in terms of individual accountability and responsibility (Ericson et al., 1987:142). By doing so, the media effectively remove the focus of the audience from the larger social issues that might have an influence on an individual's actions and places responsibility solely on that individual (Ericson et al., 1987:142; Surette, 1992:64). Iyengar argues that this is the predominant manner in which poverty and homeless was framed in his study of network (1991:67). The final element in this discussion focuses on the presentation and possible reaction to the news.

News presentation and reaction

The *presentation* of the news is the process whereby events deemed newsworthy are made intelligible by the media and moved to the realm of the meaningful (Hall et al., 1978:53-55). This is accomplished by placing these events into frames of reference or themes that carry cultural significance, which become "maps of meaning" that "form the basis of our cultural knowledge, into which the social world is already mapped" (Hall et al., 1978:54). Crime is usually framed in a manner where individual choice and accountability are emphasized instead of larger structural imperatives (Brownstein, 1991:96). Parnaby's analysis demonstrated how attempts were made to place squeegee kids in the frame of youth homelessness and poverty, where action was needed to provide assistance to Toronto's homeless (2003:300). However, there was a stronger movement to frame squeegee kids in a law-and-order schematic highlighting criminal deviance, public nuisance, and the need for punitive responses, a trajectory from which the OSSA emerged (Parnaby, 2003:300). This is not to suggest that there is a causal relationship between media presentations and subsequent public opinion. This suggestion is too mechanical and deterministic, and discounts the ability of individuals to gather alternative sources of information. Certainly, many people have direct experiences with serious crime, as victims and/or offenders, but the majority of the population's views of crime is heavily influenced by media presentations (Dowler, 2003:109).

Various news presentations have been shown to alter public perception and policy. The concept of *moral panic* was introduced by Stan Cohen (1972). Although the

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concept has received a sizeable amount of criticism, it "... is still an effective way of analyzing exaggerated social responses to perceived threats from the evildoers" (Bulc, 2002:318). Moral panics are said to be "characterized by the feeling, held by a substantial number of members of a given society, that evildoers pose a threat to society and to the moral order as a consequence of their behaviour, and, therefore, 'something should be done' about them and their behaviour" (Goode and Ben-Yehuda, 1994:31). Typically, this feeling is developed through interplay between the press, government, law enforcement, the public and other interested parties (i.e. experts) and eventually government action is demanded by the public (Bulc, 2004:308; Goode and Ben-Yehuda, 1994:24-29).

The effects of moral panic typically involve strengthening the social control apparatus around a given group of people, substance or activity (Bulc, 2004:303; Goode and Ben-Yehuda, 1994:31). Moral panics have affected policy surrounding many distinct activities, including drugs and alcohol (Goode and Ben-Yehuda, 1994:35) and youth subcultures (Cohen, 1972:9). In some cases, a public reaction to a group of people need not be characterized as a moral panic in order to harm a given group.

In a study of the social construction of street youth in Brazil, de Moura found that the way youth were constructed in popular discourse affected the policy approach by the government (2002:354). de Moura contended that life as a street youth is typified as revolving around drug use, prostitution and other crime (2002:358). These youth are described as belonging to a subculture so perverse, so antithetical to mainstream society, that questions are raised about the ability of street youth to rejoin mainstream society (de Moura, 2002:360). The policies that flow from these caricatures further marginalize poor and impoverished youth and their families (de Moura, 2002:361-362). de Moura concludes that: "... descriptions of poor families and street children and the explanation for their existence in society are powerful discursive devices. They create a category of individuals with particular characteristics, which in turn elicits and legitimizes certain types of interventions at the expense of others" (2002:363). This process is influenced by media presentation and construction (de Moura, 2002:354).

Overall, this aspect of the literature was reviewed to gain a better understanding of how the news is constructed and implications for claims-making activities, important understandings for this social constructionist analysis of a particular claims-making campaign. The final aspect of this chapter focuses on the political context of B.C. leading up to the enactment of the *BCSSA*.

Political Ideology

The political context of the province is an important aspect of this analysis of how the B.C. government was able to conclude that the *BCSSA* was a suitable, appropriate solution to the problem caused by squeegee kids and other homeless people. This analysis will demonstrate that the provincial government operated in a manner that can be described as less than sympathetic to the plight of poor people and a right-of-centre approach to the issues of crime and crime control.

In the summer and fall of 2004, the B.C. Liberal Party – led by Premier Gordon Campbell – were the majority government (Beers, 2005:3). The Liberals had formed the government in May 2001, with "the most decisive win in provincial history, 77 seats out of 79" (Beers, 2005:3-4). The Liberals implemented initiatives which, according to some, have "deepened, rather than patched, the fractures in B.C.'s political landscape" (Beers,

2005:7). Many changes undermined services and departments within the province, but of particular interest were changes linked to hardships of the province's poor and impoverished people, like the changes made to the provincial welfare system, which according to a 2004 report by the National Council of Welfare (NCOW) are "cruel and punitive" (MacLeod, 2005:29).

In a report for the Canadian Centre for Policy Alternatives, Klein and Long describe how the B.C. Ministry of Human Resources, the ministry then responsible for the welfare program, was subjected to a large budget cut – nearly one third of all the cuts made by the Liberals in an effort to reduce public spending (2003:12). Different political ideologies have differing views of individuals and the best way to solve a problem, and in terms of government programs, the ramifications of differing perspectives can transform the look operations of programs (Klein and Long, 2003:12). The welfare changes affected almost every aspect of the program, and the authors assert that many of these changes adhered to a neo-liberal ideological perspective (Klein and Long, 2003:12).

As a political ideology, neo-liberalism promotes individual property rights, the ideal of a free market, and a belief in minimal government as manifested in downsizing of certain departments and consideration of contracting-out and privatization (Clark, 2002:771; Navarro, 1998:608). Many policy developments within neo-liberal democracies focus on tasks like reducing public deficits through reduced public spending; deregulating the economy to promote growth; and reducing state interference in international trade markets (Navarro, 1998:608-609). Authors agree that there are no guaranteed or permanent set of policy developments that take place in every neo-liberal state (Clark, 2002:772; Hartman, 2005:59) but one stock theme is the decreased size of

the welfare state and decreased public spending (Clark, 2002:772; Teeple, 2000:109).

These changes to the welfare state are not simply restricted to reducing its size. Many changes altered the entire look of certain programs – for example, welfare programs (Fraser, 1993:16; Hartman, 2005:60). Welfare programs in neo-liberal states are typically shrouded in anti-dependence rhetoric, decrying the "free ride" mentality sometime associated with welfare recipients. Rather than viewed as a right or entitlement, such programs are instead meant as temporary assistance for deserving individuals who must make efforts to return to work as quickly as possible (Fraser, 1993:17; Hartman, 2005:60). The series of obligations and conditions that must be met to receive assistance are said to establish a distinction between the deserving and the undeserving poor (Fraser, 1993:18; Teeple, 2000:111). Exactly how these beliefs affect a given program can vary, but Klein and Long suggest that many of the changes made to the B.C. welfare system reflect these beliefs (2003:19). Three of these policies will be discussed, with a focus on how they disadvantage poor people in B.C.

The first aspect of the new Liberal welfare policy is the reduction of the amount of money one could collect as well as many other benefits and services available to welfare recipients (Klein and Long, 2003:19). Almost every group eligible for welfare was subject to a reduction, and Klein and Long assert that "B.C.'s deplorably low welfare benefit levels force people to choose between paying the rent and feeding the kids. They also make it very difficult to pay the cost of maintaining a phone, or buy bus fare, which severely complicates job-search efforts and socially isolates people" (2003:21). Reduced welfare rates place individuals below the poverty line for the province, making it impossible for individuals to adequately sustain themselves or a family (NCOW, $2004:25^3$).

The second troubling aspect of the new welfare policy is a two-year time limit placed on employable individuals collecting welfare (Klein and Long, 2003:27). This new policy asserts that in any given five-year period, people can only collect welfare for a maximum of two years, and once this time limit is exceeded, single employable individuals will be cut off and the benefits for single-parent and two-parent families will be reduced by \$100 and \$200 per month respectively (Klein and Long, 2003:27). This neo-liberal policy stance on welfare is unprecedented in Canada (Klein and Long, 2003:27). Individuals will be cut off welfare even if they have been unable to secure a job or if the low-waged job they have been able to find does not pay enough to sustain them or their family (Klein and Long, 2003:29).

The final negative aspect of the new policy is referred to as the two-year independence rule (Klein and Long, 2003:30). Individual applicants over the age of 19 have to demonstrate that they have been financially independent for two consecutive years before they are eligible to apply for welfare benefits (Klein and Long, 2003:30). Applicants have to demonstrate that they have not been collecting money from family, unemployment insurance or any other kind of social support (Klein and Long, 2003:30). While this rule exempts many individuals, most notably those with dependent children, this rule is primarily aimed at young people whose options are now to either get a job or enter a post-secondary program, options that for some are unattainable (Klein and Long, 2003:30).

³ NCOW reports that in B.C., a couple with two children and an individual receiving the maximum amount of welfare would face respective shortfalls of approximately \$20,000 and \$13,000 below the poverty line respectively (2004:28).

While this is only a small example of the changes made by the Liberals to the provincial welfare program, it demonstrates how the Liberal government can be seen as lacking compassion for the plight of poor and impoverished people. Some may question the negative impact of these changes to the welfare program, but after a thorough review and critique of the new policy, the Canadian Centre for Policy Alternatives concluded that the new policy increased the hardship faced by the province's poor, stating "B.C.'s new welfare rules are harmful, mean spirited and unjustified, and they should be thoughtfully and compassionately reconsidered" (Klein and Long, 2003:41). Subsequent studies have found that the maximum payment under the BC income assistance programs fails to provide individuals with enough money to meet monthly costs of living (Goldberg and Wolanski, 2005:20). Compiling estimates for shelter prices and other support costs (food, clothing, transportation, personal care etc), the authors found that the BC income assistance program only met 41% and 57% of the costs for single adults and single parents respectively (Goldberg and Wolanski, 2005:20).

The new features of the BC income assistance program, like the two year independence test, have had the effect of reducing the number of people on welfare (Wallace et. al, 2006:5). In fact, the number of people receiving welfare fell by 42% between 2001 and 2005 (Wallace et. al, 2006:8). However, it is not that more people are successfully leaving welfare, it is that more people are being denied entry into the program (Wallace et. al, 2006:5). The number of applicants who gained entry to the program fell drastically, mostly due to failure to meet the two year independence test (Wallace et. al, 2006:8). By denying an increasing number of people entry into the program, the authors assert that these individuals are being diverted into situations of

increased hardship, including homelessness (Wallace et. al, 2006:7). Although this change in welfare admissions cannot be definitively linked to an increase in homelessness, many link the increased number of unsheltered homeless – increased by 238% between 2002 and 2005 – (Goldberg, 2005:9) to changes in welfare policies.

Although these welfare changes alone cannot definitively paint the Liberals as "poor bashers", other changes lend strength to this charge. Such changes include tax cuts that disproportionately favour high-income earners (Murray, 2007: 2-3); cutbacks to services relied on heavily by the poor such as health and child care (Murray, 2005:7); and the elimination of poverty law cases from the provincial legal aid system (Klein and Long, 2003:35). When this stance is coupled with the Liberal's right of centre approach to the issues of crime control, it is easy to appreciate the provincial government's amenability to a policy like the BCSSA. According to Teeple, a recurring feature of neoliberal governments is "the expansion of forms of coercive social control" (2000:122). Despite a lack of evidence demonstrating a rising crime rate or the need for increased police presence, many neo-liberal governments pass coercive laws and increase prison populations at alarming rates (Teeple, 2000:123). It has been noted that many criminal justice reforms are not strictly decided upon within the realm of criminal justice, but the decisions are made within the wider political sphere of a particular government (Teeple, 2000:123). Gordon asserts that many Canadian anti-homeless laws accompany the restructuring of the welfare state taking place in many provinces (2004:43). If a neoliberal government that did not have a positive history in relation to impoverished people was presented with a problem caused by homeless people, chances are there could be a coercive social policy, if it was not too far from the party's mandate.

In a survey of B.C. Liberal political activists and party members, Blake and Carty demonstrated that the B.C. Liberal Party went through a significant change in 1993 when Gordon Campbell became leader of the party (1995:65). The results of the survey demonstrate that many of the thousands of newcomers to the Liberal party shifted the ideological position of the party towards the right, reporting a lack of support for social spending in general as well as on infrastructure and a more right-of-centre overall political view (Blake and Carty, 1995:67). The significance of these views is found in the fact that these are the individuals "to which the new Liberal leader [Campbell] owes his victory, their view must be taken seriously as the party attempts to consolidate and expand its position" (Blake and Carty, 1995:65). A look at B.C. Liberal Party literature demonstrates how Premier Campbell did this.

In a 1995 copy of the B.C. Liberal party provincial newsletter, in an article entitled "Liberals call for safer streets", Campbell criticized the NDP government at the time for their "soft" approach to crime and crime control, claiming that the public demanded a stronger approach and that 'the public wants actions and a B.C. Liberal government will deliver" (B.C. Liberal Party, 1995:9). This issue of crime control and public safety made appearances in both the 2001 and 2005 B.C. Liberal party's electoral platforms. In 2001, the Liberals criticized the NDP for decisions made concerning the police forces of the province as well as referring to the "fundamental duty" of government to maintain law and order and to protect citizens – stating "public safety is a cornerstone to our quality of life" (B.C. Liberal Party, 2001:31). In 2005, the Liberal party again alluded to the responsibility of government to maintain law and order, and to protect the public. They also stated that they need to "improve and intensify" their efforts

to protect the citizens of B.C., including fighting a plan to repeal the BCSSA (2005:24).

Overall, beginning with a party membership with a right-of-centre political stance and making better crime control an issue for the last ten years it appears that the B.C. Liberal Party would be more likely to respond in a punitive manner if the problem required such action. Given their questionable treatment of the province's poor, it does not seem unreasonable to assume that if the government was presented with a problem caused by homeless people and squeegee kids that they would respond with a punitive social policy like the *BCSSA*. The goal of this literature review was to provide the foundation for this study. The literature presented focused on the theoretical framework as well the context of the main research materials and the political climate of the province. These materials will help determine what rhetoric and other social factors were employed during the construction of the squeegee kid and homeless problem that led to the enactment of the *BCSSA*, which then can be compared to the vagrancy law of times past. In the next chapter I examine how the data were collected and organized.

CHAPTER 3: RESEARCH METHODS AND SAMPLE DESCRIPTION

The central problem of this thesis was to determine if the social construction of the homeless problem leading to the enactment of the *BCSSA* resembles earlier rhetoric surrounding vagrancy law. To this end, a content analysis was completed on newspaper articles on this topic. This chapter will detail the methodology for this original exploratory research. This includes the method used and the sources of research materials. This chapter will also provide a preliminary quantitative classification of materials, in order to aid in the description of the sample. Before this discussion, I think it is useful to outline the overall research approach.

According to Ted Palys, exploratory research "aims to gain familiarity with or to achieve new insights into a phenomenon" (2003:72). From an inductive stance, exploratory research involves the researcher becoming familiar with the research material, and thus steps are taken to maximize the flexibility and breadth of coverage in collecting data (Palys, 2003:74). Exploratory research is not concerned with establishing hypothesized relationships, or formulating representative samples; rather, it is focused on gaining familiarity with a strategic sample of materials or people (Palys, 2003:74). This approach is especially conducive to a social constructionist analysis, for the analysis of claims made during a claims-making process involves becoming familiar with a strategically compiled sample of materials. The focus is on how the homeless problem was constructed and how it relates to vagrancy law. After a brief description of the method used, a discussion of the research process and description of the sample will take place.

Ethnographic Content Analysis

I selected David Altheide's Ethnographic Content Analysis (ECA), one of the most frequently used methods of document analysis within social constructionism. Parnaby asserts that "ECA has been the method of choice in a myriad of constructionist case studies" (2003:283). Many studies have explicitly employed Altheide's method (Parnaby, 2003; Forte, 2003; Johnson, 1995).

ECA's approach is distinct from quantitative content analyses (QCA). QCA, based on positivist assumptions about objectivity, is designed to measure the frequency and objective content of documents "by collecting quantitative data about predefined and usually pre-coded categories or variables" (Altheide, 1996:15). The focus of QCA is on testing hypothized relationships, and this deductive mindset places the researcher's focus on setting up the research protocol, the coding sheet, and on the interpretation of the collected data (Altheide, 1987:68). Altheide describes QCA's research process as serial moving from construction of protocol, to gathering a sample, to data collection, analysis and interpretation (Altheide, 1987:68). During the research process, the coding sheet or protocol occupies the central role since data collection does not have to be carried out by the primary researcher (Altheide, 1987:68). Because data collection in QCA revolves around counting occurrences of a particular variable, it can be accomplished by anyone who receives proper instruction (Altheide, 1987:68). Unlike QCA, ECA is not strictly focused on the verification of theoretical relationships. It helps to document and understand the communication of meaning (Altheide, 1996:16). The investigator is involved in a highly reflexive and interactional relationship with the protocol, data collection, and analysis (Altheide, 1996:16). In this research process, the researcher is the

central component, following "a recursive and reflexive movement between concept development-sampling data, collection-data, coding-data and analysis-interpretation" (Altheide, 1996:16).

ECA allows the researcher to follow an inductive *and* deductive approach, where categories and concepts are relied on at the beginning of the study, but others are expected to emerge from the data (Altheide, 1996:16). Altheide asserts that ECA is involved in the "constant discovery and constant comparison of relevant situations, setting, style, images, meaning and nuances" (1996:16). Instead of forcing collected data into predefined categories, ECA strives to not only support, but to challenge prior theoretical claims (Altheide, 1996:17). The goal here is to develop descriptive themes and categories relating to the particular case study that may be applied to other cases (Altheide, 1996:17).

The Process of an Ethnographic Content Analysis

Completing an ECA involves 12 steps, grouped in five different stages. This process is set out in Table 1, below.

Table 1: Steps in Ethnographic Content Analysis

	STAGE 1: THE PROBLEM AND UNIT OF ANALYSIS		
Step 1	Pursue a specific problem to be investigated.		
Step 2	Become familiar with the process and context of the information source. Explore possible sources of information.		
Step 3	Become familiar with several (6-10 examples of relevant documents, noting particularly the format. Select a unit of analysis [e.g. each article], which may change).		
	STAGE 2: PROTOCOL DEVELOPMENT		
Step 4	List several items or categories/variables to guide data collection and draft a protocol (data collection sheet).		
Step 5	Test the protocol by collecting data from several documents.		
Step 6	Revise the protocol and several additional cases to further refine the protocol.		
Step 7	Arrive at a sampling rationale and strategy.		
	STAGE 3: DATA COLLECTION		
Step 8	Collect the data, using preset codes, if appropriate, and many descriptive examples. Keep the data with the original documents, but also enter data in a computer-text- word processing format for easier search find and text coding. Midpoint analysis: about halfway to two-thirds through the sample, examine the data to permit the emergence, refinement or collapsing of additional categories. Make appropriate adjustment to other data, complete data collection.		
	STAGE 4: DATA ANALYSIS		
Step 9	Perform data analysis, including conceptual refinement and data coding. Read notes and data repeatedly and thoroughly.		
Step 10	Compare and contrast "extremes" and key differences within each category or item. Make textual notes. Write brief summaries or overview of data for each category		
Step 11	Combine the brief summaries with an example of the typical case as well as the extremes. Illustrate with material from the protocol(s) for each case. Note surprises and curiosities about these cases and other material in your data		
	STAGE 5: REPORT		
Step 12	Integrate the findings with your interpretation and key concept in another draft		

Adapted from Altheide 1996:23-44.

Stage 1 involves setting out the problem and unit of analysis both of which are influenced by the problem being investigated (Altheide, 1996:24). A study examining violence on television could analyze a week's worth of programming, while a study of the description of homosexuality in print media could examine paragraphs or statements. In this study, I analyzed paragraphs and statements in articles about squeegee kids and the homeless problem to isolate claims made about them during the years prior to the enactment of the BCSSA. This decision was made because it is possible for one article to contain a variety of claims made about this problem. Proceeding on a statement-bystatement basis was more helpful than looking at the entire article.

During the second step, Altheide recommends familiarizing oneself with the process and context of the information sources, to become more aware of the steps and processes involved in the production of a particular source. Information about the length and location of a newspaper article or TV news story can illuminate its relative importance compared to other news items (Altheide, 1996:25). This was accomplished through the literature review.

This study relied primarily on print media and government sources. Media articles were drawn from an online Canadian newspaper database available through the Simon Fraser University (SFU) library. *Canadian Newsstand* contains full text articles of major Canadian metropolitan dailies as well a collection of small market papers from many B.C. communities. Government sources consisted of Provincial Legislature debates. This information is available through its website (www.leg.bc.ca/index.htm). In terms of a sampling frame, I looked at *Hansard* debates that occurred before and during the enactment of the *BCSSA*.

The development of the research protocol takes place in the second stage (Altheide, 1996:26). The protocol "is a list of questions, items, categories, or variables that guide data collection from documents" (Altheide, 1996:26). For qualitative-based content analyses like ECAs, the focus is on identifying definitions, processes and meaning, using quantitative data (i.e. frequencies) to add to the understanding and information derived from the other material (Altheide, 1996:27). Altheide outlines eight guidelines for the development of protocol.

Table 2: Guidelines for Protocol Development

Rule 1	Treat the development of your protocol as a part of the research project and let it			
	emerge over several drafts.			
Rule 2	Keep categories to a minimum at first, but other can be added as the investigato			
	interacts with documents and relevant theoretical issues.			
Rule 3	No item in the protocol should stand alone or be included just because the answer			
	would be interesting – each one should be relevant to at least one other.			
Rule 4	Protocol should be capable of accommodating both numerical or letter codes as w			
	as descriptions.			
Rule 5	Protocol should have more than one possible outcome for them.			
Rule 6	6 Protocol for qualitative content analyses should include categories that are relevant			
	cases of social action, should be able to capture the dramaturgical character of action.			
Rule 7	If appropriate, protocols of documents should be capable of documenting both written			
	and visual information			
Rule 8	Protocol should have a reflective segment in which the researcher can make			
	comments about how a case relates to others			

Adapted from Altheide 1996:27.

Altheide suggests that the test of a good protocol is if the conceptual problem is adequately covered by the categories (Altheide, 1996:28). An important aspect of ECA is determining the meaning and emphasis of a particular document (Altheide, 1996:28).

The final aspect of the second stage is deciding on a sampling rationale (Altheide, 1996:34). Altheide recommends *progressive theoretical sampling* where researchers begin with a couple of general search terms and, as a better understanding of the phenomenon is gained, the search terms are expanded with each becoming more specific than the original (Altheide, 1996:34). Altheide points out that it may take a preliminary analysis of 15 to 20 cases to develop an exhaustive list of search terms (Altheide, 1996:35).

The third stage of the ECA process involves data collection, where the investigator is "involved with the concepts, relevance, processual development of the protocol and internal logic of the categories" (Altheide, 1996:37). As one becomes more familiar with the materials, the protocol items will increase in number and precision as

required (Altheide, 1996:41). However, Altheide stresses that once the protocol has been finalized, which can require two thirds of the sample to be analyzed, that the researcher review all cases to ensure that all oversights and inconsistencies are accounted for (Altheide, 1996:41).

The fourth stage involves data analysis, which yields an understanding of "the process and character of social life and to arrive at meaning and process; we seek to understand types, characteristics, and organizational aspects of the documents as social products in their own rights, as well as what they claim to represent" (Altheide, 1996:42). Unlike QCA, where the focus is on obtaining frequencies, ECA's focus is on linking the understanding and meaning within a document with theoretical and conceptual issues (Altheide, 1996:43). This requires becoming very familiar with one's data – accomplished through thorough and comprehensive reading (Altheide, 1996:43). Throughout this stage, one should be constantly comparing data within and between specific categories, identifying exemplary cases that contain thematic and descriptive examples (Altheide, 1996:43).

The final stage in the process is report and presentation, which involves summarizing the data obtained in the protocol (Altheide, 1996:44). Altheide suggests initially summarizing and describing each category separately, then grouping categories together according to themes (Altheide, 1996:44). This stage is governed by the key findings of the sample and their links to the theoretical framework. While this is the suggested way to carry out an ECA, the next sections will describe what actually happened during the course of this research.

Description of Sample and Data Organization

Media Sources

This study primarily relied on newspaper articles gathered from the Canadian Newsstand database through SFU's library. Since this research was limited to the construction of the squeegee kid and homeless problem in B.C., only articles found in B.C. newspapers were included. Altogether, 30 newspapers were included in the sample: four major dailies available in B.C. *(The Vancouver Sun, The Province* (Vancouver), the *Times-Colonist* (Victoria), and the *National Post*) and 26 small market papers from cities throughout B.C. ⁴ To locate articles in the database, a user can limit the search using search terms and a date range. The date range for the searches included articles that appeared prior to November 15, 2004. This allowed for any "spillover" claims made after the *BCSSA* received Royal Assent (October 26, 2004) to be accounted for.

Canadian Newsstand allows users considerable freedom in terms of the different combinations of search terms for a particular search. Aside from the standard single term search, a researcher can string together multiple terms using AND or OR. For example, one search consisted of the term "squeegee kid" and another consisted of "squeegee AND B.C. OR Vancouver". Altogether, seven different combinations of search terms used for this study yielded suitable articles, all limited to articles that appeared in any of the 30 papers prior to November 15, 2004. After a search term was entered, I went through the list of articles provided by the database and marked specific articles to be saved. Articles were selected at this point based on their newspaper, title and abstract. If an article was in a B.C. newspaper and had a title and abstract that appeared relevant, it was selected. The

first term used was "squeegee kid". Once this preliminary list was compiled, it was used to cross reference the relevant articles for the next search, "squeegee AND Youth", and then those two lists were used for the next search and so on. If an article for the current search was already selected in one of the previous searches, it was excluded, in an attempt to avoid duplicates of the same article appearing in multiple searches. The preliminary number of articles yielded by each search term is outlined in Table 3 below:

Search Term	# of Articles	Percentage
Squeegee Kid	208	46.3%
Squeegee AND Youth	9	2%
Squeegee AND B.C. OR Vancouver	93	20.7%
Homeless AND Youth	30	6.7%
Aggressive Panhandler	28	6.2%
Panhandler AND B.C. OR Vancouver	63	14%
Lorne Mayencourt AND Squeegee OR Homeless OR Panhandler	18	4%
Total Articles	449	100% ⁵

Once the preliminary list of articles was compiled, each article was read to determine whether or not it actually contained claims about squeegee kids or the homeless. Of interest were claims that referred directly to squeegee kids, homeless people and panhandlers. Many articles contained such statements and were retained in the sample; however, approximately one-third of the articles were excluded from the sample. The primary reason for this exclusion was that the article was a repeat of an article already included in the sample. Despite my efforts to avoid selecting the same article more than once, I found that a number of them had made it into the sample. Many were Associated Press and News Wire articles reprinted in multiple newspapers under different titles. Some of these articles were retained because they provided additional information

⁴ For a complete list of the newspapers included in the search refer to Appendix 1.

⁵ The percentages do not add to 100% due to rounding error.

not contained in the source story. Other reasons for not including an article in the sample were: the article strictly addressed the policy response instead of people or the situation; the article was off-topic, only mentioning squeegee kids as an introduction to an unrelated topic; and the article focused on issues related to homelessness and squeegee kids rather the issue itself. Each article was read several times, and on different occasions, to ensure that it was correctly excluded or included. Overall, 169 articles (37.6%) in the preliminary sample were excluded, leaving a final sample of 280 articles.⁶ How the articles are distributed by search term is outlined in Table 4 below:

Search Term	# of Articles	Percentage
Squeegee Kid	125	44.6%
Squeegee AND Youth	5	1.8%
Squeegee AND B.C. OR Vancouver	55	19.6%
Homeless AND Youth	19	6.8%
Aggressive Panhandler	21	7.5%
Panhandler AND B.C. OR Vancouver	43	15.4%
Lorne Mayencourt AND Squeegee OR Homeless OR Panhandler	12	4.3%
Total Articles	280	100%

Table 4: Final Articles yielded by search term

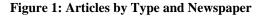
Of articles in the sample, 75 (26.8%) came from small market newspapers, while the remaining 205 (73.2%) came from the major dailies. The articles were classified according to a scheme adapted from Voumvakis and Ericson (1984). Articles were classified as follows:

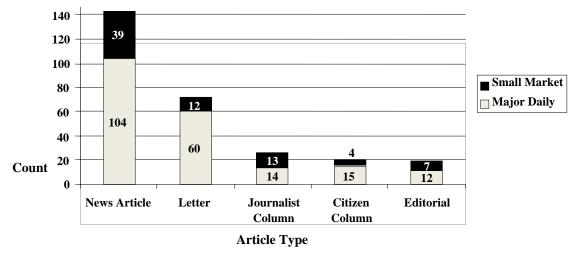
- 1 News Article: A news report of an event or on a group of people. Included here are feature articles and interviews. Essentially, all articles where the author is not voicing his or her opinion.
- 2 Opinion Editorial: Opinion pieces written by a member of the editorial staff of a newspaper.
- 3 Opinion Journalist Column: Opinion piece written by a journalist.

⁶ For a list of all the articles included in the sample see Appendix 2.

- 4 Opinion Citizen Column: Opinion piece written by someone other than an employee of the particular newspaper.
- 5 Opinion Letter: A letter written by a citizen to a member of the editorial staff of a newspaper.

This classification scheme allowed any differences in the presentation of claims to be examined between article types. In addition, all articles were given a number to allow for easy organization and tracking. This number was based on its chronological appearance, with 1 being the most recent article, and number 280 being the oldest article. All articles in the sample were classified according to this scheme. The distribution of the articles by newspaper and type is outlined in Figure 1, below:





As seen in Figure 1, articles from major dailies constitute the majority of articles in every category, which reflects their majority in the entire sample. In terms of article type, news articles constitute the majority of all articles with 143 (51%), with the next highest being letter to the editor with 72 (26%).The remaining 65 articles (23%) are spread almost evenly among the remaining three categories: journalist column 27 (9%); citizen column 19 (7%); and editorial 19 (7%).

In terms of article distribution by year, 110 articles (39%) appeared in 2004, the year that the *BCSSA* was enacted. The article distribution by year is illustrated in Figure 2, below:

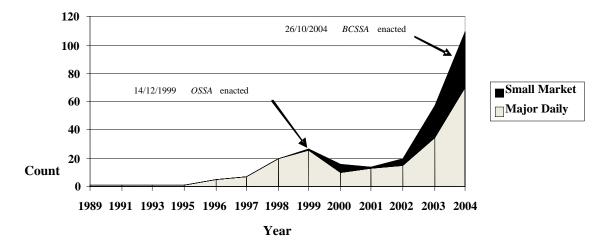


Figure 2: Article Distribution by Year

As Figure 2 illustrates, relatively few articles appeared prior to 1995. The first spike in the graph was in 1999 when the Ontario government enacted the *OSSA* in response to their squeegee kid and homeless problem (Parnaby, 2003:290). After that point, articles pertaining to the social construction of squeegee kids and homeless people continued at a relatively steady pace for a couple of years, and then beginning in 2002, articles began to increase, reaching its maximum in 2004, the year the B.C. Provincial government enacted the *BCSSA*.

Once the sample was collected and finalized, the analysis process began. Rather than developing and refining a list of protocol as suggested by Altheide, I simply read through each article and highlighted any statement that contained a claim pertaining to squeegee kids or the homeless. These statements justified moving the article from the preliminary to the final sample. The reason for highlighting the statements instead of engaging in a pure ECA is that I was primarily engaged in a social constructionist analysis, using ECA as a tool, not vice versa. My main concern at this point was locating claims made during the social construction of the squeegee kid problem prior to the enactment of the *BCSSA*. Instead of trying to establish a list of possible categories that these statements could fit into, I simply highlighted them, which allowed for classification to take place on a statement-by-statement basis. This process allows each claim to be examined on its own, allowing the claims made about the problem to be examined and classified on their own. Essentially, I delayed the front-end work prescribed by Altheide's method and opted to establish and refine a classification scheme along the way.

After each article was read through and highlighted, I returned to each article and added a comment to each highlighted portion. Each comment varied from a word or two to a sentence and conveyed either what I understood to be the predominant theme contained in each statement or what the statement was doing. For example, some of the comments were descriptive words like: "rights", "fear", or "safety" and other comments included terms such as "example", "description", or "dividing practice". Some comments were more obvious than others, but all of the highlighted portions were classified.

Once statements were classified, they were grouped together with other statements that displayed a similar theme. All like statements were collected and placed into a chart. The chart contained space for the relevant information about an article to be recorded for each statement. The information included on each chart consisted of: Article number and type; Theme; Article Context; Quote(s); Other theme(s); and claimsmaker. This setup allowed for the essential information for each claim to be readily available, and when coupled with the numbering scheme, allowed for easy reexamination of any article throughout the analysis process.

Once this process was complete, a classification chart was devised for the following themes or actions: Broken Windows; Business; Consensus; Description – People; Description – Example, Event, Situation; Dividing Practice; Fear; Ineffective Legislation; Problem Increase; Public Sentiment; Safety; Something Must be done; Tourism; and Vulnerable Citizens. Similar to the inclusion-versus-exclusion decision when the final sample was formed, each article was read several times and on different occasions to ensure that each claim was placed into an appropriate chart. The content of these charts makes up the substantive content of the analysis, but before this discussion can take place, the other source of data must be discussed, namely government sources.

Government Sources

Debate records from the British Columbia Legislative Assembly constitute the second source of information for this project. Since the focus of this analysis is the construction of squeegee kids and homelessness prior to the enactment of the *BCSSA*, the debates examined consist only of those pertaining to the *BCSSA* itself. The relevant dates on which the *BCSSA* was debated were found on the B.C. Legislative Assembly's website at the section indexing debate records from previous sessions. The *BCSSA* was debated and enacted during the 5th Session of the 37th Parliament. The government's website contains links to the full text of each debate as well as clips of the television broadcasts of these debates. However, at the top of the first page of each debate is the disclaimer "The following electronic version is for informational purposes only. The printed version remains the official version". To avoid inconsistencies between the electronic and printed versions, I photocopied the print version available in the SFU

Library. Every page of the debate pertaining to the *BCSSA* was copied: everything from its emergence and debate as a private member's bill, to its introduction, debate and subsequent enactment as a government bill.⁷

Once all the debate material was collected, I went through a similar process as I had with newspaper articles. Each debate was read all claims about squeegee kids and the homeless problem were highlighted. Then, I went through the materials and made comments as to what theme was present in each of the statements. The initial plan was to carry out a separate analysis for the government materials to detect any difference in the construction of the problem between the media and the government. Unfortunately, there was not as much quality material available in the debates compared to the media. The amount of information gathered from the government debates was simply not enough to warrant a separate analysis. Therefore, the government material is used in a secondary role, complementing what was found in the media.

Overall, ECA provided the base for this analysis. Although it was not adhered to with the greatest of rigor, the theoretical underpinnings of ECA allowed for a research process that was well-suited for this social constructionist analysis. This chapter focused on how the information for this thesis was gathered and processed. Chapter 4 will focus on the results this research yielded.

⁷ For a list of all dates of debate copied, refer to Appendix 3.

CHAPTER 4: FINDINGS – CONTRARY STORIES OF THE HOMELESS PROBLEM

Like many other studies of the social construction of homelessness, the results of this study were unpredictable. Certain claims and themes I thought would be present were not, and conversely I found unexpected items. For example, I anticipated being able to apply moral panic theory or a related framework in this analysis. Similar studies have been quite successful in this regard. Parnaby's study employed Ibarra and Kitsuse's rhetoric of disaster during his analysis of Toronto's squeegee kid problem (2003:283). Sean Hier employed moral panic theory to analyze and explain the reaction by municipal government and the public to the growing use of ecstasy at raves in Toronto, the subsequent regulation of raves, and the reaction to that regulation during 1999 and 2000 (2002:34). However, the data did not support the application of moral panic theory and instead of 'interpreting'' the data to fit the theory, I examined it as is. I used Best's rhetorical analysis (1987) to examine claims made about squeegee kids and the homeless in Vancouver. Once the rhetoric is examined, it was then compared to the literature on vagrancy law.

As stated earlier, Best uses Toulmin's (1958) structure of an argument to analyze claims (1987:102). Toulmin's structure breaks an argument into three component parts: (1) *conclusion* – that which is sought to be established; (2) data, or *grounds* – the facts used as a foundation for the conclusion; and (3) *warrants* – the link between grounds and conclusions which verify the particular structure of the argument (Best, 1987:102). Best asserts that the rhetoric of a claims-making campaign is central to the claims-making process (1987:115). Rhetoric, a strategy used by claimsmakers to persuade the intended

audience, influences what examples are used, the basis for the arguments, and the links between the problem and the solution (Best, 1987:115). By examining the examples, values, and facts used by claimsmakers, one can gain an idea of how a problem is being constructed and reconstructed. This is the theoretical structure through which I will examine the claims-making campaign employed during the enactment of the *BCSSA*. However, a couple of points should be made before this discussion begins.

Throughout the presentation of the results, I refer to two opposite sides of the debate: the pro-squeegee position and the anti-squeegee position. Though it may appear that I am referring to two distinct, separate entities, I am not. I rarely encountered media presentations from organized groups that were either an advocate for or against squeegee kids and homeless people. Instead, I found a more variegated set of claims made from many stakeholders including residents, politicians, tourists, business owners and law enforcement personnel. Statements by these people presented ideas and concerns that can be considered pro- or anti-squeegee. Grouping individual opinions together makes it easier to present similar ideas, and contrast those ideas with opposite ones. Although it may appear that some of the ideas I am presenting originated in an organized group of like-minded individuals, they did not, and the decision to present them as such was made for heuristic purposes and ease of presentation.

On a similar note, the debate over squeegee kids, panhandlers and the *BCSSA* was lopsided in terms of the number of voices against squeegee kids and panhandlers and in favour of the *BCSSA* (the anti-squeegee position) vis-à-vis those supporting squeegee kids and panhandlers and opposing legislation (the pro-squeegee position). Therefore, instead of structuring the results presentation to present one side and then the other, I contrast the two sides at appropriate junctions. The reason for this stems from the disparity between the two sides – a separate presentation of them could eclipse the smaller pro-squeegee position with the size of the anti-squeegee position, thereby reducing the impact of pro-squeegee opinions and ideas. To retain the impact and contrast of either side of the debate, I present them together rather than separately. The presentation of the results consists of an examination of the *grounds*, *warrants*, and *conclusions* of the different sides of the debate, occasionally adding limited information elicited from a review of government material. The first element is the *grounds*.

GROUNDS

In the structure of an argument, *grounds* lay the foundation for the ensuing discussion by providing the basic facts of the argument (Best, 1987:104). As stated earlier, in Chapter 2 grounds typically involve three different aspects, *definitions, examples* and *estimates* of the problem's extent (Best, 1987:104). Elements of each were found in both the anti- and pro-squeegee positions.

DEFINITIONS

Definitions are considered a fundamental form of claims-making (Best, 1987:104). A problem's definition has significant influence over how the problem is discussed, for limits are set as to what can be said about a problem in terms of boundary and orientation (Best, 1987:104-5). Also, definitions can help establish whether a problem is medical or criminal, both of which are responded to somewhat differently by authorities (Best, 1987:105). The definition of a topic can influence that topic's *domain* – or what included in the boundaries of the problem – and its *orientation* – what sort of

problem it is (Best, 1987:104-5). The content of these categories was obviously different for the anti-squeegee position compared to the pro-squeegee position.

Both the anti- and pro-squeegee positions displayed a preference for an inclusive versus exclusive definition. Unlike other claims-making campaigns that sought to establish or discover a new domain of a problem – e.g. establishing the concept of "missing children" during the 1980's (Best, 1987:104) - this one focused on issues that had a history in B.C. Books have been published chronicling the history of B.C.'s homeless population (Roddan, 2005; Baxter, 1998). Articles gathered in this study referred to Vancouver's longstanding homeless issue, with one article published in 1989 referring to Vancouver as a "Panhandler Paradise" (280⁸). Even squeegee kids have a history within B.C.: articles in 1998 referred to street youth who participate in "squeegee work – unwanted washing of windows in traffic" (259). Due to the popular use of the concepts *squeegee kid* and *panhandler*, claimsmakers were spared the task of spelling out exactly what constitutes each one, and instead focused on what they see as the problem. The anti-squeegee kids and aggressive panhandlers.

Anti-Squeegee Definitions

Squeegee kids and panhandlers were described as unrelentingly plying their respective trade. Florid passages refer to "dangerously insistent squeegee people" (8) who were described as "a menace that seems to grow more aggressive with each turn of the traffic light" (172). Profiles were given of squeegee kids like "Punky, a squeegee guy

⁸ The numbers that follow a mention of an article refer to numbers assigned by the author to articles during the data collection process. The table of articles is found in Appendix 2.

who doesn't take 'No for an answer'" (177). In other overwrought expressions, squeegee kids were presented as descending "upon unwary motorists like birds on fallen seed" (172); or plastering themselves "against [drivers'] windshields like June bugs" (45), and thus squeegee kids were denigrated as "extortionist panhandlers" (188) and "guerrilla entrepreneurs" (277).

Panhandlers were described as becoming "aggressive enough to upset even charitable folk... [some] curse wildly, or cling to pant legs, refusing to let go until money changes hands" (259). Other articles simply regarded panhandlers as "out of control street people" (23). Like squeegee kids, aggressive panhandlers were described as people who "... [make] life uncomfortable for people who just want to drop into a restaurant, a bar or even just go for a stroll on a warm summer night" (145).

Squeegee kids and panhandlers were often linked with drug use. Articles described "punks smoking crack, their squeegees in their knapsacks" (166), and "twitchy junkies who bang and kick, shout and swear, and all but extort money from motorists who dare to say, 'Thanks, but no thanks'" (172). Some observers explained the kids' forthright behaviour by suggesting "maybe they are too doped up to understand basic requests" (174). Panhandlers were said to include "grubby shrubs, drunks and junkies...whose internal demons have landed them on the sidewalk, squatted behind the mute demands of their upturned ballcaps" (13), who "rely on the generosity of others for the money to finance their next drink, whack of crack or bag of weed." (12).

A further tactic to demonize squeegee kids and panhandlers was to link them with crime. Articles quoted individuals claiming that squeegee kids were using stolen property: "many of the squeegees used are stolen from nearby service stations" (275); "Many of them use equipment stolen from gas stations" (273); and quoting individuals who have felt the effects of this behavior: "I operate a gas station in Vancouver. I've spent more than \$600 replacing squeegees this year, all because of the thieving squeegee bums" (218). The crime link did not end there; it was suggested that squeegee kids and panhandlers were liable to damage property: "They can get nasty...they kick car doors and snap antennas off if motorists rub them the wrong way" (189); and people – an instance where a "woman... was attacked by a squeegee kid who broke her window and beat her with the squeegee handle" (92). Similarly, "a female motorist on her way to work in Vancouver was assaulted after she ignored a plea for spare change while stopped at an intersection. The panhandler took exception and spat in her face through the open car window" (44). Even animals were described as victims of squeegee kid-related violence. A couple of articles described a situation where a 21-year-old Vancouver "squeegee kid, has...been accused of torturing the cat" (160); specifically, he was accused "of helping skin a cat alive" (162).

The *domain statements* of the problem according to the anti-squeegee claimsmakers focused on negative aspects of long-established categories of people within B.C. This was anchored in an insistent drive to panhandle individuals, a propensity to use drugs and commit a variety of crimes, both violent and property-related. With this boundary, the *orientation* of this problem according to the anti-squeegee claimsmakers was one of a law-and-order problem. Best asserts that a problem's orientation suggests "appropriate examining avenues for response" (1987:105).By response recommendations of anti-squeegee claimsmakers, it easy to appreciate that anti-squeegee claimsmakers defined the issue as a law-and-order problem. This is not surprising given

the increasing influence the law-and-order theme is having within Canadian politics and popular culture (Gordon, 2006:1).

Perhaps the most common recommendations from anti-squeegee claimsmakers were either the enactment of new legislation or tougher enforcement of existing laws. Some people thought the existing laws were ineffective, stating: "The existing law is inadequate" (51); and "A 'true consequence' is needed" (58); also "what's needed is a tougher bylaw and better enforcement" (107). Others said that the problem was not the laws specifically; rather, the issue was enforcement. For example, "what we need are more police officers on the streets to enforce perfectly good existing laws against public nuisances" (22); "The question isn't more laws – it's enforcing the existing ones" (79); and "police must actively enforce the provisions of the Criminal Code ... to remove criminals from our streets" (178). From this brief example, it can be seen that the antisqueegee claimsmakers defined the problem of squeegee kids and aggressive panhandlers as one consisting of persistent unrelenting aggressive panhandling, drug use and crime, requiring a law-and-order response. As will be demonstrated later, this is part of the effort to differentiate these groups from the larger population of homeless people. This definition differs greatly from the one forwarded by the pro-squeegee claimsmakers.

Pro-Squeegee Definitions

Unlike the anti-squeegee claimsmakers, the boundary of the problem for prosqueegee claimsmakers did not consist solely of drug-induced criminal panhandlers and squeegee kids who would not "take no for an answer". Rather than attempting to exclude panhandlers and squeegee kids from the rest of the homeless population, pro-squeegee claimsmakers sought to include them. Therefore, the domain statements focused on the harsh reality of street life experienced by homeless people. While anti-squeegee claimsmakers suggested that many panhandlers and squeegee kids were actually "non-needy poverty-chic freaks" (259) or "middle income youth out begging for a lark" (9), pro-squeegee claimsmakers pointed out that many homeless people were not so lucky.

Such claimsmakers described how homeless people often experience a litany of adverse social issues and conditions, and a prevalent theme was sexual abuse. Claimsmakers described how many homeless youth experienced sexual abuse in their homes and on the street, with one person stating that street youth "aren't the kids who panhandle on Granville Street or run away from home for two days because they got into a fight with their parents. These are kids who are so immersed in the sex trade they will be killed by their pimps if they try to leave. These are kids who can't go home because their parents abuse or neglect them" (126). Others pointed out that many street youth "are sexually exploited in order to have their needs met – basics such as a place to sleep, food to eat, a place to do laundry or to have a bath" (11); and "many have been sexually abused by the people closest to them – people who take advantage of their vulnerability and pretend to be their friends, offering them good times and excitement" (197).

Another issue included in pro-squeegee claimsmakers' domain statements was mental illness. Many commented that individuals coping with mental illness make up a sizeable portion of the homeless population and emphasized how mental illness can lead to life on the street and a person's mental state may deteriorate once they are homeless:

The pervasiveness of mental illness within the homeless population was also estimated:

[&]quot;Many people end up on the street in the first place because of mental health problems – such as schizophrenia or bipolar disorder – that make it difficult for them to keep a job or an apartment. But the disorder of life on the street can also contribute to psychological problems. 'Just being out there and having no stability in your life.... That in itself is a mental health issue,' said James Tigchelaar, a street nurse with the B.C. Centre for Disease Control. 'They're out of money; they lose their place to stay.... People get very depressed.'" (105)

"About one-third of homeless people have a mental illness, and the majority of these individuals are also addicted to alcohol and/or drugs" (190). In fact, the link between drug use and mental illness is common in the claims of pro-squeegee claimsmakers. Consider, for example, the account whereby

"... like hundreds of other mentally ill people in B.C., he was slowly pushed to the Downtown Eastside 10 years ago after a long series of evictions every time he stopped taking his medication. He became a crack-cocaine addict shortly after arriving in what has become the city's de facto psychiatric ward and, to get money for his drugs, has occasionally become the kind of aggressive street beggar who gives panhandling a bad name" (106).

However, some were quick to point out that the view of mentally ill homeless can go overboard:

"While the mentally ill are over-represented among the homeless, mental illness is not necessarily the cause of their homelessness. Linda Thomas, who works with the Vancouver Coastal Health Authority to create housing for the mentally ill, says many of those who become homeless have a common problem. 'It's not because you're mentally ill that you end up homeless. It's because you're poor.' Besides all that, people who act strangely on the street may not be mentally ill at all. 'Sometimes people think everyone is mentally ill down here,' says Ralph Buckley, head of the mental-health team that serves the Downtown Eastside. 'But their behaviour could be the result of addiction, the stress of living in poverty, or just plain being angry with the world around them''' (106)

Pro-squeegee claimsmakers stated that the actions of panhandlers and squeegee kids were not motivated by malicious or criminal intent; rather, they were motivated by desperation. Individuals stated, "I'm sure there are some people on the streets who are too 'aggressive' ... but the vast majority would probably be best described as simply desperate" (47). People commented how "over the last few years there has been a concerted effort to display the homeless as undeserving and criminal. These are not problems of criminal intent, nor of civil disobedience. People are committing these acts out of desperation" (110).

The boundary of the problem for pro-squeegee claimsmakers involved individuals who need help and compassion, not criminals who require restraint. Therefore the *orientation* of the problem was one of help and assistance. Claims were made suggesting that homelessness "is an issue which deserves serious consideration and positive supportive action as well as ownership. Let us not forget, members of the street youth population are just as much a part of Victoria as any of us are – they are a part of our community. Therefore the question is, how do we help them?" (194). Other individuals buttressed their claims to help homeless people with the undesirability of a law-and-order response: "they need support. They don't need to be carted off to jail" (50).

These brief examples demonstrate the difference between the how the antisqueegee and pro-squeegee sides of the debate viewed the problem of B.C.'s homeless population. Best asserts that claimsmakers often strengthen these definitions by providing *examples* of the individuals and behaviours that constitute their respective definitions (1987:105). This is the next element of the *grounds* of rhetoric employed by both claimsmakers.

EXAMPLES

According to Best, claimsmakers perform an important rhetorical function by providing *examples* of the behaviours that they describe. When an audience is exposed to an individual account of an incident, it is "easier to identify with the people affected by the problem" (1987:106). Gruesome examples can become a referent for the entire claims-making campaign, even if the incident is an outlier (Best, 1987:106). For example, stranger abduction received the largest amount of attention in the missing children epidemic of the 1980's, even though it was the least frequent type (Best, 1987:106). Both anti- and pro-squeegee claimsmakers used dramatic, even sensationalistic examples in their campaigns.

Anti-Squeegee Examples

Many articles described a negative encounter with a homeless person. Some examples referred to situations where people were simply being panhandled: "every day when I go to catch my bus home I am constantly bombarded by beggars asking for money or cigarettes on Granville Mall" (205); "I walk to and from work and I am constantly harassed by people asking for spare change. I am constantly having to say, 'No, sorry. I do not."(204). A visitor to Nelson stated, "I was confronted on two occasions by panhandlers, walked past two kids smoking pot in the alcove of a shoe store, and continued past three or four young men loudly swearing at one another" (154) . Similar stories were related about being "squeegeed": "The squeegee people were out and I was miffed at having to deal with the aggravation yet again" (225);

"Yesterday, I watched a squeegee girl hobble over to the car in front of me at a red light. The girl clutched a crutch under one arm. She frantically scrubbed the windshield, eyes wild and twitching – obviously high on something. The light turned green and she continued scrubbing. Cars were held up, and oncoming traffic began to speed by her, dangerously close. Finally, she finished, collected her coins and sprinted back to the sidewalk, carrying the crutch under her arm. For those squeegee kids ... who are looking to mooch of the compassion of others, and make a quick buck to fund a drug habit, the police crackdown is welcome." (145)

Accompanying examples like these were ones that were more serious, describing

situations where violence occurred or was narrowly avoided. For example:

"A squeegee man is accused of beating a Richmond woman and smashing a window in her car after she refused his offer to clean her windshield at a stop light. 'She made it abundantly clear that she did not want him to wash her window,' Vancouver police Const. Sarah Bloor said yesterday. 'The accused approached the driver's side window and allegedly hit the victim in the upper left arm,' she added. Not satisfied with simply injuring the horrified, 26-year-old woman, he continued his assault by smashing the window of her red 1990 Chevy Tracker with his squeegee. 'She was shaking, shivering and crying,' said Bloor. ... The woman was treated by paramedics at the scene and her left arm was put in a sling ... Bloor said the driver didn't do anything to prompt such a violent confrontation" (123).

Some situations involved panhandlers, "On one occasion when I asked someone to move along, an angry man chased me through the parking lot with a hammer" (166). Other statements were not limited to describing a single incident, "citing an incident that occurred two weeks ago on Granville Street where a panhandler stabbed a man in the hand, Lorne Mayencourt, Liberal MLA for Vancouver-Burrard, said some panhandlers and squeegee kids are getting more aggressive in interactions with the public" (158).

One case in particular became a lightning rod for the anti-squeegee claimsmakers. In November 2003, the Vancouver Sun ran an article about an incident that occurred in September of that year. A 100-year-old, female resident of Vancouver's West End was reportedly "was subjected to a terrifying brutalization" (127). She was accosted in the elevator of her apartment complex by a homeless individual who wrenched her purse from her. She became a prisoner of fear, not opening her door to strangers or venturing out of her apartment. This story was addressed by politicians and community activists. One in particular, MLA Lorne Mayencourt, used this story when addressing the Legislative Assembly on October 27, 2003. He asked that the government create "legislation like the (Ontario) Safe Streets Act" (Private Member's Statement: 7513⁹). After this, Mayencourt referred to "awful atrocities" when addressing the need for the BCSSA (83, 89, 90, 93), and one of these was this particular attack. Overall, similar to their definition of the problem, a great range of activities were referred to by antisqueegee claimsmakers. Audiences were given opportunities to identify with less serious events that occurred at a high frequency within the city, and with serious events presented in the media.

⁹ To locate quotes from government debates, see Appendix 3 and refer to the event listed (i.e. Bill M202 1st Reading) and the corresponding volume and page number of the Official Report of the Legislative Assembly of British Columbia. The quote will be found on the page listed in the text of the particular Volume under the bolded name of the MLA who is speaking.

Pro-Squeegee Examples

For the pro-squeegee position, examples consisted of accounts from homeless people and non-homeless people that referred to harsh realities of homelessness and accounts that countered some of the references forwarded by anti-squeegee claimsmakers. For example, a Vancouver community advocate described how "many panhandlers desperately need the money. There are single mothers out there panhandling. Nine out of 10 are in a desperate situation and about one out of 10 has a mental illness or addiction problem." (104). Another community worker described how street youth:

"... are being portrayed as people who use drugs to get high, party and have a good time. More often than not, they are using drugs to dull or forget all the mental and physical pain in their lives. I learned that most of the young adults go into this area to get away from bad family situations, or because they feel like they do not really fit in anywhere else. ... The drugs numb the pain. Before these teens know it, they must feed this sudden, new addiction they cannot control. It quickly comes to rule their life and they go to extreme lengths to keep getting these drugs, whether it be stealing, panhandling or selling their bodies. Hearing these stories almost brought me to tears" (126)

A Victoria police officer made the comment: "99% of the panhandlers I deal with in the downtown core are decent people. They might dress a little different and as a result of that people have this weird perception of them. There's a small percentage of them that aren't, but it's much like policing, you get one bad cop and we're all tarred with the same brush." (176)

Homeless and impoverished people gave examples of their lives. For example, a squeegee kid recounted how he and his coworkers, contrary to stories of squeegee kids pressuring motorists for money to fund drug habits: "wash the window, if they say no, we just say, OK, have a good day. We don't pressure people, we just walk away.' McIntosh said squeegeeing is his only source of income right now. He depends on the activity for food and clothing" (113). An interview with a squeegee kid elicited similar information "Where the money goes: 'I'm saving for my own place. I've got my damage

[deposit] now. I've just got clean, off heroin, after five years. I've just got to get away from the [Downtown] east side, that's why I'm saving for a place on Broadway [a Vancouver street]'" (168). A panhandler from downtown Vancouver spoke to the motivation for panhandling: "they're trying to make a few bucks without having to resort to stealing or getting into prostitution or selling drugs. Basically, what it is, they're just earning money. A panhandler, it's just a job like anybody else has – they get up in the morning, and they make some money so they can have something to eat" (273). Much like the anti-squeegee position, the examples provided by pro-squeegee claimsmakers gave substance to the definitions they had forwarded. The final ground element is *estimates*.

ESTIMATES

Another element of the baseline information claimsmakers use in a claims-making campaign involves *estimates* of the problem's extent (Best, 1987:106). Best states that these estimates emphasize the size of a problem, because "the bigger the problem, the more attention it can be said to merit" (1987:106). Missing children claimsmakers relied on three kinds of estimates: (1) incidence estimates; (2) growth estimates; and (3) range claims (Best, 1987:106-8). Similar combinations were found in both anti-and prosqueegee positions.

Anti-Squeegee Estimates

Backers of the anti-squeegee position used a combination of *growth estimates* and *range claims*. *Growth Estimates* are claims made about an aspect of a worsening social problem (Best, 1987:107). For the anti-squeegee position, the problem with squeegee

kids and panhandlers was worsening in many ways. Writers reported how the numbers of panhandlers and squeegee kids were increasing: "Aggressive panhandlers and squeegee people are proliferating" (136); "You're starting to see more of it here" (26); and that "despite a Vancouver bylaw passed years ago prohibiting aggressive panhandling, there may be more beggars downtown than ever before, according to police, politicians and tourists" (107). Some individuals likened this perceived increase to a disease, "panhandlers and street people and drug users and skuzzier and skuzzier [sic] streets [have grown] to such an extent that now they have spread, like an unstoppable cancer, throughout our cities" (29). Coupled with an increase in their numbers were statements that the actions of panhandlers were becoming more serious. For example, individuals claimed that "aggressive panhandling, particularly in Vancouver, just got worse." (8); "This type of aggressive, threatening behaviour is becoming the norm in Vancouver. I've seen others spat upon, sworn at, followed and even pushed into traffic" (54).

Individuals in specific areas of Vancouver testified how panhandling and homelessness were affecting their neighbourhoods: "the West End is spiralling downward in what one policeman calls a vast petty crime economy, and something has to be done fast" (127); "Do you remember the days when Gastown was the place to go?" referring to the struggle to "push back against the onslaught of crack dealers, junkies and aggressive panhandlers...a constant battle waged to push back the flotsam and jetsam to maintain the area as a unique, engaging and historical place" (153). This sentiment even came up in the legislature. During his address to the House when he first called for legislation like the *OSSA*, Lorne Mayencourt stated, "Things are getting a little out of hand in Vancouver-Burrard. Petty crime, aggressive panhandling, drug dealing, prostitution,

graffiti, vandalism, tent cities and squatters, random acts of violence – all these terrible things are on the rise" (Private Member's Statement:7512). For anti-squeegee claimsmakers, it was not just the numbers, but the actions of panhandlers and squeegee kids that were getting worse. Accompanying these *growth estimates* were a variety of *range claims*, that attempt to establish that the problem can affect everyone, and extends throughout the social structure (Best, 1987:108). This was demonstrated in two ways.

First, anti-squeegee claimsmakers attempted to demonstrate the range of the squeegee and panhandling problem. Statements were made how the problem "spread east up Hastings Street towards Burnaby and New Westminster. Then it spread west towards the West End. Over the Strait to Victoria and Nanaimo. Up to Kelowna and Kamloops. And now it's in just about every city in B.C." (29); "There are more bottle collectors, panhandlers and people sleeping on the streets of North Vancouver (61); and "Like scores of communities from Surrey to San Francisco, this densely packed enclave [West Vancouver] bounded by Stanley Park, English Bay and downtown Vancouver is currently under siege from an ugly wave of drug-induced street crime and disorder" (135). Reports came out of communities across B.C. report of problems with homeless people. A Kelowna official stated that "The past summer is the worst ever for abusive transients connected with the drug trade" that "Bylaw officers have devoted 500 per cent more time this year than last and RCMP calls are up 25 per cent" (52). A Prince George mall manager reported that because of aggressive panhandlers "security costs have increased by more than 30 per cent in the past year" (159). However, it was not just where the problem was located that was an issue. Who the problem was affecting was the second range claim invoked.

Statements were made regarding how anyone and everyone is being troubled by the homeless problem, for example: "Even the most compassionate advocates for the poor are taken aback now at how barbaric life has become on the downtown streets. – Not just for the disadvantaged, but for the average taxpayer trying to make their way through the beggars, drug addicts and bullies" (86). Included in this growing concern were a number of statements referring to the threats posed by panhandlers to society's more vulnerable citizens, for example, how seniors were at risk: "North Vancouver RCMP are warning residents and especially seniors to be wary of a street panhandler" (94); "Panhandlers prey on senior citizens" (163). Women were also at risk: "Panhandlers and squeegee kids have owned that intersection for years and it's only getting worse, especially for women driving alone" (53); "Squeegeers often target single women, because they don't expect a confrontation" (123). Some statements left no group off the list of those adversely affected by panhandlers, for example: "There is a group that is extremely aggressive, prone to violence who are out on the streets and they are intimidating the heck out of seniors, gays and women walking their children to school" (158). Relying on a variety of growth estimates and range claims, anti-squeegee claimsmakers claimed that the homeless problem was growing in size and seriousness. These estimates differed greatly from those forwarded by pro-squeegee claimsmakers.

Pro-Squeegee Estimates

Pro-squeegee advocates used a combination of *growth estimate* and *range claims*. *Growth estimates* referred to the increasing growing number of homeless youth in B.C. Articles reported that in Vancouver "the number of at-risk kids continues to grow … Compared with last year, there are about twice as many youth in downtown Vancouver who are at such a high risk of hurting themselves or being killed ... Last year, the Child Youth Protection Strategy profiled and developed [safety] plans for 154 high-risk youths under the age of 19. In the first six months of this year, the group had already profiled 146 high-risk kids" (126). A community worker said, "The numbers [who] are accessing services I would say have doubled from last summer" (126). Other articles mirrored statements like these:

"50 per cent more homeless children downtown ... The number of street kids downtown has almost doubled in the past six months and shows no sign of abating, says a woman who keeps statistics on a nighttime youth drop-in centre. Deena Franks, who has worked with street youth in the city for the past 16 years, said [that] ... Six months ago, the number of youths using the Dusk to Dawn drop-in centre behind St. Paul's Hospital averaged between 40 and 50 ... said Franks, associate executive director of the Family Services of Greater Vancouver's Street Youth Resource Centre. 'Now we are seeing up to 75 youth a night coming in and the average age is coming down.'" (167);

"We are seeing a lot more younger people than we used to,' said Fuller. On average,

Samaritan House believes 60 to 70 per cent of homeless people are under 30 years old"

(175). As Joy MacPhail said

"... poverty is growing faster in the lower mainland than in any other urban region in Canada. The number of homeless in the lower mainland has more than doubled in the past two years. In Victoria it is estimated that nearly 50,000 people are living in poverty, 9,000 of which are children, and that 22,000 have a housing crisis, while the number of shelter beds available in the capital city on any one night ranges from 87 to 117 in total" (2nd Reading, Bill 71:11535).

Much like the anti-squeegee position, it was not just the ostensible increase in numbers

that was an issue – deteriorating social conditions were also of concern.

A major issue was the increased possibility of street youth dying. An article

referred to a Montréal report that found:

"Young people living on the streets of large cities have a far greater chance of dying compared with others in their age group...Their study of more than 1,000 Montreal 'street kids' found that homelessness, substance abuse and being infected with HIV made them 11 times more likely to die, primarily from suicide or a drug overdose" (62).

The effects of this situation were felt in Vancouver, for a community worker was quoted:

"The death and dying is real...I know over 100 kids who have died."(126). Despite the

increased chances of dying or being killed, many youth actively stay on the streets, because as one Vancouver Police Officer stated "the streets are safer than getting shitkicked at home." (126). As Jenny Kwan, NDP MLA for Vancouver-Mount Pleasant said, "it was not a choice for [street kids] to be on the streets, because on the streets, in spite of how awful the experience was, it was better for them than what was at so-called home. They were there not to rake in the big bucks. They were there for simple reasons of survival, just trying to survive every day" (2nd Reading, Bill M202:10951-2). It is not just violence in the home that pushes many youth towards the street, as the *range claims* demonstrate, there are issues that affect many street youth.

The *range claims* of the pro-squeegee position focused on how many homeless youth were on the streets not through choice. According to these claimsmakers, many factors are outside their control. For example, one community worker stated, "Not all homeless youths fit the drug addict, prostitute, runaway or mentally ill stereotype. In many cases one or more of these factors contribute to their street life. But many don't have a choice. For many of the young ones, 16 to 17 years old, their parents can't afford to keep them at home...often it is single parents, who have a low income or are facing their own addictions" (175). For youth in the foster care system without a permanent home:

"... once a teen hits 19, they're on their own ... They're just released from care to no one but themselves. There's nothing, they have no support system, and they slip through the cracks...Look at the homeless population in Vancouver. There was a study done, and I think it was something like 36 per cent (of the homeless population) is youth, and about 80 per cent of those were youth who were in permanent care, or had been in care, had been in the system at one time, somewhere in Canada" (72).

These claims demonstrate a wide range of who is susceptible to become homeless. This range extends from individuals temporarily living in poverty to teenagers in the foster care system without a permanent residence. Much like anti-squeegee claimsmakers, the

pro-squeegee position demonstrated that their homeless problem worsened in both size and substance, and that the list of those people that could possibly be affected is much larger than it has been before.

Overall, the *grounds* supplied by both sides of the debate painted a very different picture. Each focused on issues that related to the problem as they saw it. The definitions, examples and estimates of each group lead to a very different solution to this problem, and as a consequence, the warrants mentioned by these groups differ greatly.

WARRANTS

Warrants play an important role in Best's framework, for "they are the statements which justify drawing conclusions from the grounds" (1987:108). Warrants are the why in the equation; if legislation should be enacted to correct a problem, the warrants are the reasons for doing so. For instance, claimsmakers in the missing children problem relied on warrants like the value of children, blameless victims and rights and freedoms when justifying the need for social awareness programs and protective legislation (Best, 1987:109-112). Both the anti- and pro-squeegee positions invoked a variety of warrants to justify their conclusions. Best states that warrants are often implicit, (1987:108) and this was the case here. Many warrants in this discussion were derived from what was said by claimsmakers. When this is the case, steps will be taken to demonstrate how the warrant was constructed.

Anti-squeegee Warrants

Anti-squeegee claimsmakers invoked five different warrants:

• panhandlers and squeegee kids are different

- panhandlers impede 'our way of life'
- panhandlers cross the line of acceptable behaviour
- rights and freedoms of the public
- ineffective legislation.

The majority of warrants were found both in the media and legislature. Each warrant is outlined below.

Panhandlers and Squeegee Kids are Different

One justification in the anti-squeegee position was that squeegee kids and panhandlers are different, both from other homeless people and from mainstream citizens. Claimsmakers asserted that squeegee kids and panhandlers were specifically different from the rest of the homeless population: "squeegee people and abusive panhandlers are not necessarily mentally ill, or homeless. Some of them are lazy bums, who need to be told to lay off." (17). A frequent method was to refer to squeegee kids negatively while describing the "genuine" homeless as victims. One article stated that it is been difficult to tell the difference "between the shiftless wastrels looking for a handout and the true victims of government action, or inaction" (29); another said, "many of the panhandlers are either mentally ill or suffering from drug and alcohol addiction. These people need help, not harassment. There are also others, however, who are aggressively wielding their squeegees or begging essentially for the money" (18).

Another method that distinguished squeegee kids and aggressive panhandlers from average homeless people was their physical appearance. Statements were made that many panhandlers and squeegee kids were "mostly able-bodied young men" (212), who look "neither mentally ill nor lacking in nourishment" (12). Some were described as appearing as "fit and healthy specimens as you would find in a YMCA gym" (12). The otherwise healthy appearance of some panhandlers led to conclusions that "attitude, not aptitude, appears to be the main factor that separates many, albeit not all, street people from working-class life" (12). Squeegee kids and panhandlers were described as follows, " [they] seem to have a lot of energy to loiter and squeegee and beg, but none to fit in, fall in line and get a real job like the rest of us working stiffs" (3). Accompanying the description of squeegee kids as primarily able-bodied was the sentiment that "Ablebodied street people don't inspire generosity" (247). Physical differences were also mentioned regarding how squeegee kids dressed.

Profiles of squeegee kids describing people "decked out in the quintessential squeegee outfit of black ripped cargo pants, combat boots, sleeveless Dead Kennedy's t-shirt, and innumerable tattoos and piercings, he makes an intimidating windshield washer" (177); and "squeegee kids with wild dreadlocks" (157). In a similar vein, a reporter attempting to experience a day in the life of a squeegee kid admitted he was not quite ready, for he did not have the look, saying "My skin is bereft of tattoos; likewise, my ears, eyebrows, nose, lips and tongue are not pierced with metallic studs, spikes or rings. Nor am I wearing a leather biker jacket (complete with Ghost of Christmas Past chains), nor am I donning a T-shirt covered with skulls, anti-establishment jingoism or the likeness of Marilyn Manson" (238). By emphasizing different appearance and actions of squeegee kids and aggressive panhandlers, claimsmakers are able to address squeegee kids and panhandlers separately from the general homeless population (Parnaby, 2003:296).

This approach provided claimsmakers the opportunity to deflect charges that they were targeting the entire homeless population. In his comment to the legislature during the introduction of the *BCSSA*, Randy Hawes, Liberal MLA for Maple Ridge-Mission, referred to the difference between "the thousands and thousands of people in this particular province who live in poverty but are honest, law-abiding citizens" and those who display "aggressive behaviour" (2nd Reading, Bill 71:11537).

The second method claimsmakers used to set squeegee kids and panhandlers apart was a more general approach to dividing them from the rest of society. Claimsmakers frequently used what could be seen as an "us and them" dichotomy. References to "these people" were used on occasion (14, 202, 204). Other people referred to factors believed to set members of society apart from the homeless, "I've made a decision to contribute to my city, province and country by exercising enough self-discipline to obtain and hold a steady job." (12); "The problem is that street people aren't like you and me. They don't feel shame asking for money. They expect a handout. If they can get it by harassing you, they'll do it. They really don't know any better, or at least don't care about doing any better." (16). After a reference by a Vancouver City Council member recommending we respond to the homeless like we would to flood victims, an unnamed person said:

"We respond and relate to fire and flood victims because they are like us, people who have lost what they have spent a life time working for. We respond to them because we know the toil behind their loss. We know the vast majority of homeless here are addicts, and it's something most of us don't understand. ...what I am not willing to do is support a culture of drug users who pan-handle me, or squeegee kids who aggressively fly in front of my car looking for a hand-out, and it is this group that most Vancouverites want off our increasingly dirty streets." (124).

In their drive for new legislation, anti-squeegee claimsmakers portrayed squeegee kids and panhandlers as people separate from the conventional homeless people and the rest of society. The next warrant referred to the problem caused by this separate group.

Panhandlers impede "our way of life"

Claimsmakers referred to a number of situations where panhandlers and squeegee

kids interfered with day-to-day life for respectable people. Essentially, by providing examples and commentary regarding panhandlers' behaviour, claimsmakers attempted to establish that panhandlers were threatening the way of life of "regular people".

One way claimsmakers portrayed panhandlers and squeegee kids as a problem was to draw attention to their adverse effects on business. Panhandlers and squeegee kids were blamed for driving business out of cities: "They [panhandlers] drive business away from downtown" (13); "the human blight on downtown streets that is frequently blamed for driving shopkeepers and customers alike from the core." (45). Many groups and organizations voiced similar concerns. For example the Downtown Vancouver Business Improvement Association conducted a survey of Vancouverites that found "Four out of ten respondents say they avoid areas of the downtown that they like because of their discomfort with beggars and squeegee kids." (67). After a FOX News website ran the headline "U.S. wary of Van-sterdam," the Vancouver Board of Trade President was quick to say "high rates of property crime, panhandling and squeegee kids are damaging the city's international reputation" (70). In an address to the provincial legislature, Randy Hawes remarked how "the downtown business association pulled its hair out trying to find solutions, because their customers were being scared off the street" (2nd Reading, Bill 71:11537)

Related to business concerns were comments from tourism officials. Workers within the tourism industry mentioned the negative impact panhandlers were having on tourists,

[&]quot;Recently, I spoke to some U.S. visitors at a restaurant in Gastown. They said the aggressive panhandling was pervasive and they felt so unsafe getting back to their car, they'll never return. They travel all over the world and said this is the worst they've ever encountered in an area of upscale retail stores and restaurants" (185).

An employee of a Vancouver hostel commented that one of tourists "most vivid memories of Vancouver will be the numerous people, hands outstretched asking for money" (138). A representative of Tourism Vancouver said that aggressive panhandlers made some visitors feel anxious; they "heard from visitors that are quite frightened by it all" (56).

Tourists also expressed their disdain and discomfort with panhandling. "Tourists consistently cite [panhandling] as one of the city's biggest drawbacks" (44). A frequent visitor from Arizona said "I am concerned about the proliferation of street people in the downtown area" (141); A couple from California warned that "Aggressive panhandlers are going to ruin the reputation of your fine city if they are allowed to continue to take over the streets ... As enjoyable as Vancouver can be, what I will remember most is the aggressive, obnoxious behaviour of panhandlers ... Nowhere, including Manhattan, are the panhandlers as disgusting as they are in Vancouver" (226). A couple from Florida commented:

"Five years ago, my husband and I visited Vancouver and fell in love with the city. Everything was so clean and beautiful. This year, we decided to spend a few days in Vancouver after our cruise to Alaska. What a shock! This once beautiful city has now turned into a city of despair, with panhandlers and runaway teenagers at every corner. I cannot recall ever seeing the scenes of filth and hopelessness that I witnessed in Vancouver. The larger U.S. cities I have visited do not even compare to the conditions in Vancouver. Why are tourists, an important source of revenue, afraid to walk alone? I certainly will never suggest to anyone to visit Vancouver, nor will I ever return." (208).

Some individuals connected to the tourism industry were concerned about the 2010 Olympic and Paralympic Winter Games, which added to the motivation to remedy the homeless problem: "As we get ready to invite the world to Vancouver in 2010, the consequences of not tackling this issue head-on will be economically and socially disastrous; it will be impossible to keep our secret to ourselves" (42).

Businesses and tourists were not the only ones having their lives disturbed

because of panhandlers and squeegee kids – residents also expressed concerns in two general ways: (1) safety risks posed by squeegee kids and panhandlers and (2) the fear people experienced because of them. Some residents admitted that "We don't feel safe on our streets because of aggressive behaviour." (49); "Panhandling is really starting to affect people's sense of safety on our streets" (120); to the point that "we can no longer feel safe in our own building, or taking out the garbage or walking down the street" (166). Other accounts included, "I seldom go downtown any longer because I finally realized that I was risking my health each time I told an aggressive panhandler to 'go off and pleasure him or herself and leave me alone.'" (163). Concerns were voiced over the threat squeegee kids posed to drivers; people recommended that squeegee kids "should be more careful out in the road. It's dangerous for drivers." (169). We were reminded that "Drivers have a hard enough time trying to avoid other cars on the road, let alone having to watch out for squeegee kids standing in the middle of the street." (14)

People reminded each other that "Our security and our families' security is not just freedom from international terrorism, but also the freedom that goes with being confident in our safety as we walk through our neighbourhoods" (46); that "Having safe streets and safe communities is an important Canadian value," (98), and "Governments have to ensure that all our residents ... feel as secure as possible in every neighbourhood" (44). In terms of how this could be accomplished, one idea was "Removing panhandlers will make streets safer" (141). This course of action may appear to be drastic, but people were quick to defend it, "Although I know there is a resistance to removing street people, the safety of the greater public should mitigate towards just such a course of action" (141); "Despite our concern for our fellow man, city streets and businesses must remain a safe and accessible place for all." (15).

For some people, these safety risks led to a fear of panhandlers and squeegee kids. Squeegee kids were described as "the most objectionable characters that make people uneasy" (39). Individuals stated how "I have had numerous scary moments and, for the past year, have gone out of my way to avoid that intersection altogether because I don't have a cell phone to call 911 should anything happen" (53). Police stated "For people driving alone – especially women, the elderly and those simply caught off-guard – a squeegee person can be intimidating. The fear factor gets turned up a notch when drivers refuse to hand over cash for a service that has essentially been forced upon them. That's when some squeegee kids get aggressive". In one instance, people interviewed for a newspaper article did not want to be identified. Describing the impact of a neighbourhood panhandler, one woman "asked only to be identified as 'Rene' because she fears for her safety", and similarly, a local bank employee "asked not to be identified because she's afraid" (60).

Anti-squeegee claimsmakers thus portrayed squeegee kids and panhandlers as a manifestly different group of people who interfere with the daily lives and undermine security of citizens. The next warrant addressed the feeling many people had about this situation.

Panhandlers have crossed the boundary of acceptable behaviour

A commonly expressed sentiment by members of the public was having put up with panhandlers and squeegee kids for long enough. Individuals believed that panhandling and squeegeeing had moved out of the realm of acceptable behaviour. Some people stated that they were tired of panhandlers, "To tell you the truth, I'm tired of hearing how we should treat aggressive street people with compassion and just somehow accept that they're here to stay, because, quite frankly, I don't believe they ought to be" (12). People said panhandling is "an activity that almost everybody would like to see eliminated" (193). In regard to panhandlers asking shoppers for the change used to unlock shopping carts, one woman remarked "I'm tired of being robbed one dollar at a time" (121).

Others felt that they had about enough of panhandlers; "Enough is enough. We have a city characterized by squatters taking over public parks, vagrants asking for handouts throughout downtown and the West End, squeegee people continually trying to wash my windshield" (129); "I live in the West End. To walk to the store I must run the gauntlet of four or five panhandlers. This is not an occasional thing, it's every time I step out my door. Enough already!" (161). Lorne Mayencourt said in an interview that "People are really sick of the panhandling business and they want someone to deal with it." (128). For others, these feelings had progressed to anger, Mayencourt said: "People are damn mad about their streets being unsafe "(49), that people have "gone from feeling" sorry for the beggars to feeling so mad at them they're not going to take it anymore" (135). In regard to squeegee kids, people said "We're outraged that these people are allowed to continue intimidating drivers and impeding traffic" (185). Some people portrayed the public as victims of this situation, as Ken Johnson, Liberal MLA for Vancouver-Fraserview said "We talk about the victims. We tend to forget that the general law-abiding public are the victims in this" (2nd Reading, Bill 71:11537)

These attitudes manifested into a couple of common requests, both of citizens and of panhandlers. People urged citizens to stop giving money to panhandlers, because doing so "does nothing but make things worse for everyone" (24). Vancouver Police Chief Jamie Graham said "people shouldn't give money to panhandlers because it only encourages them" (39); that "many panhandlers don't need the money, and there is no incentive to work if people give them handouts" (40). One author, albeit in a convoluted way, likened this situation to "feeding bears in a campsite. The bears are all grins, trotting off to inflame dangerous appetites, having been trained to retrace steps when hunger returns. Benefactors drive off pondering charitable hearts, and return trips from recipients become someone else's headaches" (156). Many people said by giving money to panhandlers, "the only thing you're doing is giving them money to buy drugs or alcohol" (107); that "all too often giving money to panhandlers reinforces misery" (193); essentially handouts are not only "aiding and abetting individuals who ruin their lives" (255) but "helping our pan-handler/ squeegee-kid population grow" (55). The belief was "Giving them money's not going to help, they'll be right back tomorrow" (169). Therefore, many people said "Never, ever give money to a panhandler or beggar" (116); "Refuse! Refuse! Refuse!" (55), because "When people start rolling their windows up and stop handing over loonies and toonies, they will stop squeegeeing pretty quick" (189) and "the panhandlers will have to go somewhere else – or make that change in lifestyle that the income from begging has allowed them to put off" (193).

The other demand was for panhandlers to get a job. Police Chief Jamie Graham said panhandlers "should get off the street and pick up a pick. I always thought to myself, why they couldn't sort of look for a pick-and-shovel job" (40). People remarked, if squeegee kids "like cleaning windshields they should get a job at a carwash" (150); that "if they can say 'can you spare some change, lady,' can't they also learn to say 'welcome

to McDonald's, can I take your order'" (137); and panhandlers should "clean up and get real jobs and pay taxes like the rest of the working country" (218). Some people said "It is long overdue for these homeless youths to be sent into rural Canada and forced to do a useful job such as picking fruit for our farmers or cleaning up roads of litter rather than continuing to live in ramshackle tent cities" (58).

In summary, this identifiable group interfered with the lives of business, tourists and residents and they had worn out the patience and tolerance of the population as well. The next warrant involved rights and freedoms.

Rights and Freedoms

Best asserts that when claims-making focuses on government policy, warrants about rights and freedoms are frequently involved (1987:112). Warrants about rights where involved in two different manners. The first way was in regard to a citizen's right to carry out activities without obstruction. People stated that "Citizens who are just trying to get from point A to point B deserve to be protected from aggressive panhandlers" (20). Lorne Mayencourt stated, "People who pay taxes have the right to be protected from people who won't take no for an answer when they ask for money" (89). Greg Halsey-Brandt, Liberal MLA for Richmond Centre, said "often the streets are taken over, in instances, by some people who will not recognize the rights of others...We all have rights, and they have to be recognized by each other" (2nd Reading, Bill 71:11530). An individual accused the mayor of Vancouver for failing to "defend Vancouverites' right to use the amenities they paid for" (136). A politician stated that aggressive panhandling is "a way of life which infringes on the rights of others, and causes others to have to alter their lifestyle" (240).

The second manner in which rights were invoked by members of the antisqueegee positions was the argument that panhandlers do not have the "right" to panhandle other people. Squeegee kids garnered responses similar to: "Just because I stop for a red light doesn't give them the right to disturb me" (189). People said "Panhandlers don't have the right to beg, nor do they have the right to be begging next to a business" (102). Overall, rights were invoked to demonstrate that people's rights were being limited, and panhandlers and squeegee kids did not have the right to do so. The final warrant was focused on deficient and ineffective legislation.

Ineffective Legislation

Claimsmakers stated that current pieces of legislation were deficient, or not being enforced properly. Lorne Mayencourt, in an address calling for safer streets, said:

"B.C. is in need of stronger legislation to protect public safety. As a community, we need to protect the children on the way to school and protect people as they walk on our streets, whether that's day or night. We need to protect the shop owners who try to run their small businesses. Ontario has legislation that meets this goal. B.C. needs legislation to protect our people from aggressive panhandling and squatters imposing themselves on us all." (Private Member's Statement:7512)

One person wrote, "It is shocking that we in Vancouver do not have the proper laws in place to combat this issue" (96). Similarly, people said "The existing municipal bylaws that are available for enforcement aren't working" (97), Mayencourt commented that "current laws don't give police enough power to make arrests [and] the city's current panhandling bylaw [is] 'pointless'" (158).

Other people thought enforcement was the issue, not the laws themselves, commenting that "Residents are attacked in city parks by illegal campers, seniors fear neighbourhood walks because of aggressive panhandlers and drug dealers invade public schoolyards – despite the existence of bylaws to prevent all of these things from

happening" (119); and "what we need are more police officers on the streets to enforce perfectly good existing laws against public nuisances" (22).

This drive for new laws or better enforcement was strengthened with the application of broken windows theory. Advocates of broken windows theory assert that "disorder and crime are usually inextricably linked, in a kind of developmental sequence" (Wilson and Kelling, 1982:31). The authors warn that toleration of disorderly behaviour could lead to more serious crime (Wilson and Kelling, 1982:32). A community that does not disapprove of behaviours like public drunkenness, vandalism and panhandling "is vulnerable to criminal invasion" more so than in a community that openly disapproves of and informally controls such activities (Wilson and Kelling, 1982:32). The belief is that apathy towards minor acts of civil disobedience could eventually lead to violent crime within a particular community. Individuals claimed that if action was not taken, the situation would get worse, stating: "If we continue to tolerate the growing trend to aggressive panhandling, we're validating, and we're going to see more of it' (144); and "the likely result of continuing indifference will be an increase in the street population, and the accompanying forms of street disorder and urban deterioration" (245). Along the same lines, people said that indifference toward minor street crimes could quickly lead to major crime: stating that indifference to panhandling tells "people that want to steal and rob and mug think anything goes down here" (127); similarly, people said "it is a small stretch to go from panhandling to begging to pick-pocketing and, finally, to robbery and violence" (141); and that "If we're not smart we'll be there and all of a sudden we'll wake up one morning with all kinds of murder and all kinds of graffiti" (262). For the most part, citizens were demanding that "city and provincial governments...start doing

their jobs and act upon the ever-increasing voices demanding laws to make panhandling illegal" (96). Overall, claimsmakers stated that new legislation was required to combat the problem panhandlers and squeegee kids were causing. They warned that the current, barely tolerable circumstance could get worse if action was nor taken quickly.

Warrants of the anti-squeegee position focused on the problem caused by panhandlers and squeegee kids and the need to correct the issue with new legislation. They portrayed squeegee kids and panhandlers as different from regular society and the typical homeless population, both is action and appearance, who were causing people to alter their activities, in some cases due to fear and perceived safety threats. Claimsmakers called for new legislation and better enforcement to protect the rights of citizens that were being violated by the squeegee kids and panhandlers and to quell the public reaction to a problem that had strained the patience of the public. As detailed below, these warrants were different from warrants associated with the pro-squeegee position.

Pro-squeegee Warrants

The pro-squeegee position relied on four warrants:

- panhandlers are people
- the panhandler/squeegee threat is unfounded;
- rights of panhandlers
- criminalization is not the solution.

Like the anti-squeegee position, many warrants were found in both the legislature and the media, and while they may not have been directly stated, it will be demonstrated how they were deduced.

Panhandlers are People

With the amount of effort the anti-squeegee claimsmakers placed on how different squeegee kids and panhandlers were, pro-squeegee claimsmakers emphasized that panhandlers were people too. Statements were made reminding the public that panhandlers and squeegee kids "are human beings and they're part of the community, whether you like it or not" (33); that they "are people we need to take care of" (114). Claimsmakers commented on how the homeless were being treated by the public and government. An individual stated that "much of the talk from the [BCSSA's] supporters contemplates an underclass with fewer rights than the rest of us" (38). A resident commenting on squeegee kids said "I don't find them annoying. I think the government just isn't dealing with them, they're just ignoring them...I don't think they're lazy. I think they're disenfranchised" (169). In regard to the act of squeegeeing, someone stated, "Squeegee people aren't lazy – many work from early morning till dusk, dodging dangerous traffic and hostile potential clients for just quarters and loonies" (237); that "Rarely are the beggars just lazy folks looking for handouts instead of a job" (113). An interview with a squeegee kid mirrored this sentiment: "he said he would rather have a full-time job. He's not averse to taking business cards and would be happy to attend interviews for potential employment" (164). Pro-squeegee claimsmakers used the ground that panhandlers and squeegee kids are citizens, people, humans – that need to be cared for, not some other being that should be feared. Other warrants dispelled some assertions of the anti-squeegee position.

The Panhandling/Squeegee Threat is Unfounded

Another warrant invoked by members of the pro-squeegee position was the idea

that much of the attention brought to the problem of squeegee kids and panhandlers was unfounded. Individuals stated that the idea of the squeegee problem may simply be a difference in interpretation, for example someone said:

"Whether Kamloops is plagued with a problem of aggressive panhandling is a matter of debate. It's all about interpretation. Some people find just being approached for money offensive and frightening. Others have no difficulty handling the problem with a simple yes or no" (113).

Similar thoughts were voiced in regard to squeegeeing. "Some people are happy to pay for a useful service. Others are intimidated by the solicitation from people who are often rough-looking and sometimes not very socially skilled" (188). Public perception differed in regards to the existence of a problem, for one person described squeegee kids as "the most courteous and thoughtful groups in Victoria are those in their early to late 20s who have not been handed for free many of life's advantages, but who are working bloody hard in honest, unglamorous jobs to improve their situation and contribute to their communities" (248). Another referred to Vancouver squeegee kids as "a handful of scruffy-looking street dwellers who squirt and wipe year round. Harmless nuisances, these characters would rather earn their spare change with a bottle of soapy pride than beg for it with a crude placard" (172). An interesting note here is that anti-squeegee claimsmakers suggested that the problem may be a perception more than an actuality; "it's the lack of safety – or at least the appearance of danger – that is seen as one of the major reasons the downtown is decaying" (117). Anti-squeegee claimsmakers pointed out that "people perceive a real problem, not just in Vancouver but in smaller communities across the province. And this is one of those cases where that perception matters" (38). This sentiment was echoed in the legislature by Jeff Bray Liberal MLA for Victoria-Beacon Hill, "It's not that they're not safe. We're not talking about whether they are or aren't safe. It is their sense of personal safety" (2nd Reading, Bill M202:10950). Both anti-and pro-squeegee claimsmakers stated that the appearance of a problem is influenced by one's perception. While anti-squeegee claimsmakers were willing to enact laws to combat this perception, pro-squeegee claimsmakers pointed out that "there are already laws in place to deal with aggressive panhandlers ... when the culprit actually becomes a threat and is not just perceived as one" (113).

Poll results demonstrated that despite the perception of a problem, overall feelings of safety were higher than previous years:

"In the most recent poll, eight per cent of respondents named panhandlers, beggars or "loiterers" as the number- one dislike. – That figure again is down from past years, when panhandling was cited at times by almost one in five respondents. In 1993 and 1999, 18 per cent said panhandling was their biggest dislike. – A further four per cent said they felt downtown was not safe. Again, that's dropped from past years. In 1993, 14 per cent said their biggest dislike was a lack of safety. That number dropped significantly in the following two years and has leveled off since" (191)

Some politicians mirrored this sentiment. NDP by-election candidate Jagrup Brar stated "I've been doing a lot of door-knocking and I haven't heard anyone telling me that it's [panhandling] a problem in Surrey". Similarly, in her address to the legislature when the *BCSSA* was introduced, Joy MacPhail, NDP MLA for Vancouver-Hastings, described how after an afternoon walk around downtown Vancouver talking to shoppers and shopkeepers "Not one single small business person said: 'Get these panhandlers out of the way. I'm worried about aggressive panhandling.' … they didn't once raise this matter of getting these aggressive panhandlers in jail" (2nd Reading, Bill M202:10952)

Other individuals related a factual reality contrary to the anti-squeegee position. University of Toronto Criminologist Phillip Stenning countered that "crime numbers in Toronto and other Canadian cities have been dropping – not getting worse … The notion that by harassing squeegee kids you reduce murder rates is just completely unsubstantiated … The danger is that it's perceived as solving all our problems when it doesn't solve any and it further divides the community." (261). Victoria Police Constable Rick Anthony said "British Columbians who think their streets are wildly dangerous should think again...Yeah, they don't look pretty, some of these [panhandlers]. But most of them are harmless. We go to very, very few assaults involving these guys." (25). In regards to squeegee kids' participation in crime, a study revealed "that 24% of street kids who were involved with the squeegee trade acknowledged having committed petty theft. This compared to an admitted 75% of participation in theft by the street youths who did not squeegee for a living" (222). As with the previous warrant, this one attempted to subvert thoughts and ideas forwarded by the anti-squeegee position. This trend continued with the next warrant.

Rights of panhandlers

Warrants about rights were involved by pro-squeegee claimsmakers, although they did so in a limited fashion compared with anti-squeegee commentators. Claimsmakers stated that "The streets belong to all of us" (38). Similarly, individuals referred to a panhandler's right to panhandle: "Just like it's my right to say "yes," "no," or "take off... it's the panhandler's right [to ask for money]" (2). One individual extended the rights of the homeless to include "the human right to a safe, secure home" (110). An important note here is that pro-squeegee claimsmakers were not placing the panhandler's right to panhandle above one's right to feel safe, they were taking issue with the perception that panhandling and squeegeeing was limiting the rights of others, for example, "Yes, people have a right to feel safe, and those who endanger the public should be stopped. But we have difficulty seeing a 50-cent window-wash as a grievous offence" (188). Another concern of pro-squeegee claimsmakers was the possibility of individuals who found themselves subjects of the *BCSSA* having their rights infringed, as Paul Nettleton, an Independent Liberal MLA for Prince George-Omineca, said "are not the needy, even though sometimes reduced to begging, also citizens with rights? What safeguards and protections does the Attorney General include in this legislation for those who have fallen between the cracks to ensure that their rights are not trampled?" (2nd Reading, Bill 71:11529). The final warrant invoked by pro-squeegee claimsmakers was a rejection of the solution proposed by members of the anti-squeegee position.

Criminalization is not the solution

Despite a demand of the government to remedy this problem with a new law, there were those who held reservations. Claimsmakers referred to the fallout of the OSSA and the negative effects it had for the homeless, outside of fines and jail. Burnaby City Councilor Celeste Redman pointed out that after the introduction of the Ontario legislation, "Sixty-one per cent of the former squeegee kids are now selling drugs or doing prostitution...I guess if they can't panhandle they can always break into cars or steal from stores" (19). Sociologist Bill O'Grady said that after homeless people in Ontario were no longer allowed to squeegee, "a significant percentage [of former squeegee kids] moved on to more dangerous activities including drug-peddling and prostitution" (37). Joy MacPhail mirrored this concern in her address to the legislature:

"The Ontario study found that even more of the youth took up panhandling and — this is most telling — that a significant percentage moved on to more dangerous activities, including drug peddling and prostitution. The study also found that the effect of banning squeegeeing cost the young people money that usually went to pay for housing, actually pushing them more into the streets. More of the youth started living on the streets — either in squats, bus shelters or ravines — or moved to other areas to continue their activity. The study found that the legislation created more conflict, not less, between the youth and the police" (2nd Reading, Bill 71:11534).

The irony of driving squeegee kids into more dangerous activities did not bode well with pro-squeegee claimsmakers, especially given the inherently dangerous nature of squeegeeing itself. Remarks were made like "One day, one of them will get injured in traffic or killed just for a few quarters – it is not worth putting your safety or life at risk for 50 cents" (149); and "As for squeegee kids, I'm all for individual initiative, but it's a wee bit dangerous for anyone to walk out into traffic" (73). Pro-squeegee claimsmakers did not support the idea of criminalizing squeegeeing because of the negative reactions it has for squeegee kids. The idea of forcing individuals, whose current lifestyle is already extremely dangerous, into a more dangerous lifestyle in the name of protection from a threat that was for the most part unsubstantiated is not an idea these claimsmakers could support.

Overall, the warrants forwarded by pro-squeegee claimsmakers focused on ideas that panhandlers are people, that the threats attributed to them are unfounded, and that legislation that criminalizes the problem obscures and violates their rights at minimum and potentially could send them into a more dangerous lifestyle at maximum. This is a vastly different circumstance then the one presented by the anti-squeegee position. Thus far, differences have existed between the two sides of the debate, in terms of grounds and warrant. Given that these two aspects are used to support the conclusions of a particular claims-making campaign, it seems reasonable to assume that differences will continues to exist as this analysis moves on to the conclusion of each position, which will be outlined next.

CONCLUSIONS

The final element in Best's rhetorical framework is conclusions (1987:112). Conclusions call "for action to alleviate or eradicate the social problem" (Best, 1987:112). Conclusions can vary between different campaigns, both in number and precision (Best, 1987:112), in this case, conclusions were forwarded that were different in terms of subject and detail.

Anti-Squeegee Conclusions

The problem as presented by anti-squeegee claimsmakers motivated a "something must be done" response. Demands were made of the government to address the problem of aggressive panhandling within the province. People stated that "the time has come for firm, decisive action...to curb increasingly aggressive panhandling, an activity that compromises the safety and security of streets throughout the province" (36). Individuals claimed that "a lot of British Columbians weighed in, in letters to newspapers [and] on radio talk shows... [demanding] that the government be seen as doing something about what they see as a serious problem" (18). Claimsmakers asserted, "something has to be done" (143); "This needs to change" (153); and "if we do nothing, it's like saying we don't care about our streets and our city. We have to have order" (250). Mayencourt said, "It is time for all of us to take a stand and restore the standards of conduct on our streets and in our communities" (1st Reading, Bill M202:10915).

There was a consensus expressed for this call for action. Residents stated, "My friends and colleagues all agree that we want order back on our streets to make downtown a pleasure to visit again" (185); and "Police should crack down on aggressive panhandlers because the community is speaking up" (53). Reports stated that "More than 70% of Vancouver residents consider aggressive panhandling a problem" (44). Survey results mirrored this sentiment. A survey conducted by the Downtown Vancouver Business Improvement Association found "panhandlers and street people continue to rank as the most serious challenge facing downtown with 45 per cent of the members

mentioning it" (148). Municipal politicians commented on the intensity of the concern over squeegee kids and aggressive panhandlers, stating "people in urban centres across the province are clearly fed up with being harassed and intimidated as they go about their business" (18); and that this attitude is "a real barometer for what is happening in both large and small communities ... we've been able to send a message to the province. It can't be ignored" (49). For the most part, the public asserted that "we have a crime problem and it's time to face up to it" (42).

For the most part, the solution to the problem was the BCSSA. Given the focus placed on the inability of current laws to quell the problem of squeegee kids and aggressive panhandlers, the response to legislation designed with that purpose in kind was supportive. For example, Joyce Murray, Liberal MLA for New Westminster, stated "municipalities, police and citizens across the province have endorsed this initiative" (1). Attorney General Geoff Plant said "this legislation responds to what communities, business owners and citizens have been telling us they need to make their communities safer" (19). Lorne Mayencourt said "I have received countless e-mails and letters over the past few days from people across this province that support this piece of legislation" (2nd Reading, Bill M202:10948). Other people said "clearly, there is a place for the legislation" (12). Police officers welcomed the Act to combat aggressive panhandlers, one saying "he will use anything he can, the Safe Streets Act and more, to discourage such people" (31). On a similar note, Ken Johnson said that the BCSSA acknowledges "the rights of all the citizens and all the people of the province, not just a select few." (2nd Reading, Bill 71:11536). Some admitted however that "the Safe Streets Act isn't going to solve everything, but it's a start" (29).

While there were some mixed reviews of the BCSSA, the Act received support from the Union of British Columbia Municipalities since delegates at their 2004 annual general meeting voted eighty per cent in favour of the Act (30; UBCM, 2004:3). Newspapers referred to "the overwhelming support municipal leaders showed for a crackdown on aggressive panhandlers and dangerously insistent squeegee people" (8); and that "the government is responding to the 'overwhelming' call from mayors and city councils across B.C. for an additional tool to deal with a problem that cuts across the province" (33). Members of Parliament also referred to the support the legislation received from municipal leaders, Valerie Roddick, Liberal MLA for Delta-South, said "communities want a safe place for people to play, live and work, as seen in the enthusiastic support by the UBCM in Kelowna last month. Municipal politicians representing 80 percent of our communities voted in support of the Safe Streets Act ... showing overwhelmingly that this is not simply a Vancouver or lower mainland issue. It's societal." (2nd Reading, Bill 71: 11539). The main conclusion forwarded by the antisqueegee position was the BCSSA, and it was well received by many members of society. Perhaps the biggest display of consensus took place within the legislature, when the BCSSA was voted on. It was put to a vote one time as a private member's bill and three times as a government bill. During those four votes, the total was 164 to 9 in favor of the Act. When taken in conjunction with the eighty per-cent voted at the UBCM annual general meeting, this demonstrates that within the legislature, and by extension the public, the majority of people favoured a law and order response and endorsed the BCSSA. But this does not mean that it was the only conclusion offered. The pro-squeegee position forwarded its own conclusions.

Pro-squeegee Conclusions

Like the anti-squeegee position, the desire for something to be done surfaced in the pro-squeegee campaign. The key difference here was the "something". As mentioned earlier, there were those who took issue with the idea of criminalizing squeegeeing and panhandling. People asserted that the benefits of a policy like the *BCSSA* did not outweigh the negative consequences caused by similar legislation. People were aware of the demand for the *Act*, in the words of one author "a receptive audience for politically harassing the poor and simply getting them out of sight exists in B.C." (9). As a result, the pro-squeegee position called for "something else" to be done.

Claimsmakers wanted the bigger issue of homelessness addressed, not just the panhandling issue. Individuals stated "let's deal with causes, not symptoms" (81); "we have to look at the root causes and the needs, then start addressing them" (11); that the homeless "need our compassion, not our contempt" (16); and "Street youth need real help, not insults" (194). People stated that society should be focused on "extending a hand, not slapping one away" (2); or as Joy MacPhail said "We want safe streets. We know how you have to invest in people to have safe streets, not attack them" (2nd Reading, Bill M202:10953).

Many believed that this involved addressing some factors that contribute to homelessness. But unlike the anti-squeegee position, there was no overwhelming consensus on what course of action should be taken. Many different issues and concerns were raised. For example, people mentioned that "programs and subsidies have been cut during the Liberals' first couple of years in office, and these should be restored" (20); similarly we have to "at least acknowledge the real problem: welfare policies. Not the people they affect" (81). Another issue that came up was housing; some stated that while there are no easy solutions to homelessness "says providing more affordable housing is a start" (118). People realized that addressing issues like this is not the most popular approach, but maintained "as much as it scares us, if we take an opportunity to open ourselves to the homeless youth issue and create awareness we may help make some of those changes." (173). One author stated:

"While it may be unpopular to increase services to those in need ...we need to put aside our judgments and fears if we really want to rid our streets of panhandlers and squeegee kids. We have to look at the root causes and the needs, then start addressing them" because, as it currently stands, "A stray dog or cat receives better care in our community via our animal shelters than do our children." (11).

In general, while the pro-squeegee position was fragmented in terms of what need to be done, they were unified in terms of what was not needed. People spoke out against the *BCSSA*, calling it "the most cynical abuse of the poor for political advantage ever seen in B.C." (9). Joy MacPhail called it "the cheapest, most ideological and mean-spirited way to address a serious issue" (2nd Reading, Bill 71:11531). Pro-squeegee claimsmakers asserted that a different approach was required to address the homeless problem as they saw it, and that the *BCSSA* was a step in the opposite direction.

The conclusions of the two sides were drastically different, which is expected given the different nature of the grounds and warrants invoked by them. It is interesting to note the relationship between the grounds, warrants and conclusions, how one is affected by the other two. Best asserts that the conclusions of a campaign appear uncontroversial when examined in terms of their grounds and warrants (1987:114). This applies to both the anti-and pro squeegee positions, especially given the connection between all three elements within the campaign.

This discussion illuminated the two different rhetorical strategies employed by the

different sides of the debate over the B.C. homeless problem. While it does answer what rhetoric surrounded to homeless problem that preceded the enactment of the *BCSSA*, questions still remain regarding how this study fits into previous studies on the social construction of homelessness; and how this rhetoric resembles the literature surrounding vagrancy law and modern anti-homeless laws. These questions will be addressed in Chapter 5.

CHAPTER 5: DISCUSSION AND CONCLUSION

As demonstrated in Chapter 1, Canadian vagrancy law consisted of broad legislation which made it illegal to be unemployed and idle (Gordon, 2004:38). As a status offence, vagrancy disproportionately affected the poor and marginalized segments of society and its rhetoric focused on concerns over future criminality and other associated evils, as well as locating the source of vagrancy in the individual, not society (Bright, 1995:58; Phillips, 1990:147). This moralistic scenario was draped with a concern over idleness and a desire to compel vagrants to live by dominant middle-class values of the day (Bright, 1995:58; Pitsula, 1098:132). Researchers suggest that modern antihomeless laws create an environment that legally resembles historical vagrancy law (Gordon, 2004:35; Hermer and Mosher, 2002:13; Feldman, 2004:30-31). The BCSSA is among these statutes which represent the second coming of vagrancy law since it contains sections which appear capable of operating in a manner similar to vagrancy law of times past (Gordon, 2004:53; Hermer and Mosher, 2002:13). For example, broad definitions of begging coupled with restricting panhandling in certain areas place significant discretion in the hands of those enforcing the law and reinforces the idea that individuals who panhandle are more prone to commit crimes (Gordon, 2004:46-47), a notion that was rife in Canadian society during the times of vagrancy law (Feldman, 2004:32; Pitsula, 1980:120). It is also suggested that sections of the BCSSA pertaining to squeegeeing and squeegee kids are *de facto* status offences because they criminalize the activity at the heart of the squeegee trade (Gordon, 2004:50). While the law of the BCSSA can be seen as a near-relative of vagrancy law, this thesis was focused on determining the extent to which the social context from which the Act emerged resembled the social

context during the times of vagrancy law. By undertaking a social constructionist analysis of the rhetoric forwarded by proponents and opponents of the *BCSSA* in the print media and government debates, this thesis has offered a glimpse of a particular aspect of the *BCSSA*'s formative context. The task of this Chapter is to examine the similarities and differences between the information gleaned from the content analysis and the social context of vagrancy law and offer some conclusions. Before this analysis, two brief discussions are made concerning the limitations of the research method of this study and some preliminary observations.

Limitations of the Research Method

Before discussing theoretical implications of my research, I think it is necessary to discuss some methodological limitations and shortcomings of my study. The reason for including this discussion here, as opposed to the methods chapter (Chapter 3), was because methodological shortcomings significantly affect the conclusions of a study, and I decided to present them here to ensure that the conclusions and implications of this study were not overstated. This should not be seen as an attempt by the author to sell the findings short; rather, it is an acknowledgement of the limitations of this research as well as an avenue to suggest areas for further research.

As a specific research method, content analysis is limited in terms of the availability of research material, which in turn influences interpretations that can be drawn. This is primarily because content analyses, unlike other methods of data collection, do not generate data *per se*; they rely on material that already exists, having been recorded in some manner (Berg, 1998:244). Palys states that most existing historical material has been affected by the processes of selective deposit and selected survival,

terms which refer to the differential ability of the views and opinions of different social classes to make it into and remain in the historical records (2003:230-1). This phenomenon invariably affects the interpretations and conclusions of a content analysis. As Carney reminds us, the materials subject to content analyses "... tell only part of the story behind them" (1972:15). I am aware that not every opinion concerning the homeless problem was expressed in the media or government debate, and therefore my conclusions are necessarily limited. This is especially true for literature concerning the production of news covered in Chapter 2. The information received, and then presented, by the news media passes through a variety of filters and protocols that must be met before it is released to the media or presented to the public (Chermak, 1994:98-99). This grants significant power to both the sources of information and the media to influence the picture provided to the public (Fishman, 1981:381). The majority (n = 143 - 51%) of the articles in the sample were news articles (see Figure 1 above, Chapter 3). Significantly, as of 2002, the Canadian Senate recognized that one media corporation controlled an overwhelming majority¹⁰ of the market share for both television news broadcasts and daily newspapers in Vancouver (2004:37). This same corporation has considerable media influence provincewide¹¹ (Edge, 2007:164). Therefore, I think it is important to understand that the findings of this study are not necessarily representative of the views and opinions of the entire population of B.C.

Despite these inevitable shortcomings, the information gathered through this study provides a unique glimpse into B.C.'s social context during a specific period in

¹⁰ CanWest Global Communication owns 70.6% and 100% of the market share for television news broadcasts and daily newspapers respectively. (Senate of Canada, 2004:37).

¹¹ CanWest also owns and controls the major television newscasts and daily newspaper in Victoria, the *National Post*, and many of the small market newspapers within B.C. (Edge, 2007:164)

time. As Gamson and Modigliani state regarding the study of social problems, "... if one is interested in public opinion ... media discourse dominates the larger issues culture, both reflecting it and contributing to its creation" (1989:3). However, this study could benefit from further research, for the social construction of the homeless problem is but one factor that made the *BCSSA* the most attractive policy response at that specific moment in time.

Three different approaches specifically stand out. First, a study that gathered information from various claims-making groups and individuals regarding the perceptions of squeegee kids and panhandlers through interviews or surveys could be a robust complement to this study, providing a basis for comparison between different sites of claims-making. Second, an analysis of different sources of information that were either not publicized by the media or government or widely disseminated could help uncover a different layer of rhetoric that may have influenced the larger social construction of the problem. It would be interesting to determine the actual influence, if any, of the social construction of this particular problem on the political reaction, and whether there were any ulterior motives.¹² Third, a study that took a longitudinal approach could provide an interesting context. This study examined a cross-section of a particular period of time – the majority of articles (n = 187 - 67%) appeared between 2002-2004. Sacco suggests that cross-sectional data may not produce the best information for discerning relationships between media presentation and public opinion, a nexus which necessarily develops over time (1982:488). A thorough longitudinal analysis, drawing from quantitative and qualitative paradigms, could provide valuable insights into the shape and form of the social construction of homelessness over time and better depict the social

construction of homelessness and the corresponding legislative response. As Alder states, a "systematic, longitudinal, and focused examination of the history of vagrancy promises to yield crucial information on the relationship among the social context, the motivations of policymakers, and the development of [the] law" (1989:217). This is a brief discussion of some of the methodological shortcomings of this study, as well as some directions for future research. The next section examines preliminary observations gathered during the process of this study.

Preliminary Observations

Of all the findings not directly related to the central focus of this thesis, one in particular warrants discussion, namely the timing of and the speed at which the *BCSSA* was enacted. This observation is based on a report published on January 26, 2004 by the Vancouver Mayor's Office titled *Neighbourhood Liveability and Safety in Vancouver*. This is the final report and recommendations of a Mayor's forum held on January 10, 2004, where a number of different stakeholders¹³ discussed issues pertaining liveability and safety in the city, including aggressive panhandling (City of Vancouver, 2004:6). Speaking to the issue of aggressive panhandling, the report states,

"There was no suggestion, formally or otherwise, that more laws are necessary at the City level to improve enforcement. There is wide agreement that the existing bylaws should be adequate, combined with the *Criminal Code*, to handle aggressive panhandling" (2004:6).

This report is significant because it was published nine months before the *BCSSA* was enacted.¹⁴ Months after the Mayor's office reported the recommendations of many

¹² A Freedom of Information investigation could yield some interesting results.

¹³ Stakeholders consisted of members of Vancouver's Business and Tourism Associations, Social Service Providers, Community organizations, Legal Specialists, Civil Liberties groups and Youth Shelters (City of Vancouver, 2004:Appendix B).

¹⁴ The *BCSSA* was enacted on October 24, 2004.

different groups within the city, the MLA for the most populated constituency in the city and province¹⁵ was calling for the introduction of the *BCSSA*, which was ultimately delivered a few months later.¹⁶ This appears to be an incredibly quick process, especially in light of the process through which the *OSSA* was passed.¹⁷

The quickness of this process has a number of implications. For example the reliability and validity of the Mayor's forum are of particular interest. In *How Claims Spread: Cross-National Diffusion of Social Problems*, Best asserts that social constructionist analysis can benefit from incorporating concepts from the study of social diffusion (2001:12). Diffusion examines the process by which various phenomena spread among people (Strong and Soule, 1998:266). Best argues that "all claims-making is a form of diffusion" that helps to examine how the flow of information between groups is affected by various factors including the content of the information, characteristics of the audience and source, and the means through which information is presented (2001:8). Best argues that areas of theoretical focus for diffusion such as "recent social changes, common language … shared ideologies, and compatible beliefs" can aid social constructionist explanations of the diffusion of social problems (2001:12). It appears that the population of B.C. was influenced by the development of Ontario's squeegee kid and panhandling problem, and their government's legislative response.

Although a thorough diffusion analysis is beyond the scope of this thesis, such an examination may provide insight into the swiftness of the *BCSSA*'s enactment. This

¹⁵ As of the 2001 Census, Vancouver-Burrard was the most populated provincial electoral district in the province. Vancouver-Burrard is the constituency represented by Lorne Mayencourt.

¹⁶ Refer to Appendix 3 for a timeline of the progression of the Bill introduced by MLA Lorne Mayencourt (Bill M202) and the Bill introduced by the Liberal Government (Bill 71).

¹⁷ Accounts of squeegee kids were found in newspapers beginning in 1995. The rhetoric was not predominantly negative until 1997, and the *OSSA* was enacted in December of 1999 (Parnaby, 2003:288-289).

assertion is primarily based on the fact that many of the older articles in the sample refer to squeegee kid and panhandler problems from areas outside of the province. For example, 39% (34 of 88) of the articles that appeared between 1996 and 2001 referred to homeless problems outside of B.C. The news of the OSSA being enacted (223) and surviving a constitutional challenge (192) was present in the sample. By the time the debate over squeegee kids had appeared in public discourse, negative connotations had already been attached to the terms "squeegee" and "squeegee kid". Articles referred to "squeegee corporations" (219, 239), seemingly in a vein similar to corporate welfare. News appeared of a local play which used "squeegee' as a pejorative [adjective]" (230). Unlike Toronto, where squeegee kids had not been cast in a negative light prior to the appearance of the problem in 1997 (Parnaby, 2003:288), it appears the term squeegee kid was loaded with negative references tied to urban and social problems, due in part to the reporting of the Ontario problem. When increases in street homelessness and associated problems in Vancouver¹⁸ (Goldberg, 2005:9) led an MLA to propose legislation identical to legislation passed by another neo-liberal government from a predominately Englishspeaking Canadian province, it did not take long for the BCSSA to be enacted.

The transferability of claims and stories about squeegee kids from other parts of the country to B.C. newspapers is not surprising in light of the media literature reviewed in Chapter 2. An event's newsworthiness is determined in part by the constraints of the particular news medium (Surette, 1992:58) and the qualities of the specific event (Ericson et. al, 1987:138). National issues are frequent in major daily newspapers. The Toronto squeegee kid problem was presented by the media in a way which emphasized criminal

¹⁸ Vancouver's street homeless population was reported to have increased by 238% between 2001 and 2006 (Goldberg, 2005:9).

youth whose crime and activity were symptomatic of social disaster (Parnaby, 2003:292). These characteristics possessed the relevant qualities of simplicity, drama, and personalization to make the issue newsworthy (Surette, 1992:58). While this can help explain the transfer of squeegee kid stories to B.C., it also established the squeegee kid as a theme in the news. In fact, one article appearing in 1999 contained the statement, "Have you been harassed by beggars or squeegee kids lately?" and set up a call number, encouraging readers to phone in (220). The pre-existing establishment of the squeegee kid theme can be seen as assisting the proliferation of newspaper articles when the problem arrived in B.C. Advocates of diffusion analysis are aware of the tendency of innovative policy to be borrowed or transferred from one context to another in situations where similar problems appear (Bennet, 1997:213). Future research would be able to shed light on how the *BCSSA* can be seen as one such example of the diffusion of policy. The next section of this Chapter compares the social context of the *BCSSA* with that of vagrancy.

Comparison of the Social context of the BCSSA and Vagrancy

To examine the rhetoric used during the social construction of the homeless problems and determine to what extent it resembles or differs from the social context of vagrancy law, this thesis focused on the warrants of the anti and pro-squeegee campaigns. The warrants of each were focused on for two reasons. First, warrants are important to an argument's persuasiveness for they "bridge the gap between grounds and conclusions" (Best, 1987:114). Warrants are the important link between the claimsmakers' definition of and solution to an alleged problem (Best, 1987:115). Second, values frequently appear in the warrants of an argument (Best, 1987:109). Values serve as "the explanations people give in support of their claims, complaints or demands" (Spector and Kitsuse, 1977:92). The proposed solutions to a problem are justified through references to values (Best, 1987:115).

With the importance of warrants to the rhetoric of a claims-making campaign, they were the obvious choice to serve as the primary examination for similarities and differences. Grounds and conclusions were used to contextualize the discussions. This discussion will begin with the similarities.

SIMILARITIES

Through the analysis, four different aspects or themes of the anti-squeegee rhetoric were found to be similar to the social context of vagrancy:

- Panhandlers and squeegee kids are a disruptive force
- Dividing Practices
- Homelessness caused by personal characteristics
- Negative Public Opinion

The following section will discuss each similarity in turn.

Panhandlers and Squeegee Kids are a disruptive force

The sense that squeegee kids and panhandlers disrupted the social order was voiced by Canadians during the time of vagrancy law (Phillips, 1990:132; Pitsula, 1980:116). Widespread concern over vagrants was a common feature of each of the three historical studies on vagrancy law in Canada. Residents of Halifax saw vagrants as an increasing threat to the social order and moral fabric of society (Phillips, 1990:128). Pitsula reports how the suppression of the tramp was considered a necessary step in the preservation of the social order of Toronto (1980:116). Vagrancy in early twentieth century Calgary was seen as "one of the most serious problems in the west" (Bright,

1995:38). Modern concern over the impact of the squeegee kids and panhandlers was a pronounced theme of the anti-squeegee rhetoric.

Many justificatory elements of the anti-squeegee warrants can be seen as expressing concern about the disruptive impact of squeegee kids and panhandlers. There were aspects of the anti-squeegee rhetoric that referred to the interference with the way of life for many people. The main focus of this concern was on the commercial sector of the city of Vancouver, specifically business and tourism. There was a great deal of concern expressed by both customers and business owners over the negative effect that homelessness was having on commercial exchange within cities. Increased security costs (159), loss of potential customers (193), inability to attract and keep staff (120) were some of the many negative effects on business that were being linked to panhandlers and squeegee kids. Tourists and individuals within the tourism industry voiced similar concerns about the negative impact of homelessness, especially regarding the upcoming Vancouver 2010 Olympic and Paralympic Winter Games. This aspect of the antisqueegee position was based on many of the grounds outlined above. Examples of individuals being harassed on a daily basis from unrelenting panhandlers and squeegee kids were frequent. Estimates by anti-squeegee claimsmakers gave the impression that the homeless problem was not only getting worse, but affecting more people in more areas of the province. A pronounced element of the worsening character of the homeless problem was the constant link drawn between panhandlers and squeegee kids and crime.

Associating vagrants with crime was a staple of news coverage during that time (Bright, 1995:49; Phillips, 1990:140). Vagrancy and vagrants were constantly linked with crimes and the potential to commit crimes (Phillips, 1990:144). Feldman asserts that the

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association between crime and vagrancy has constantly served as one of the "twin rationales for vagrancy law" (2004:32). It has been demonstrated how this association was constantly reinforced by newspapers and public officials (Bright, 1995:49) and this trend continues today.

Crime and drug use figured prominently in outlining the domain¹⁹ of the antisqueegee definition of the problem. The orientation²⁰ of this problem was law-and-order according to the anti-squeegee campaign. Stories of squeegee kids and panhandlers focused on vulnerable individuals and committing theft and property crimes to feed their drug habits appeared to increase the estimated disruptive impact the homeless problem was said to have on society. This focus on crime and drug used was incorporated in a broken windows theme which was highly prevalent in the anti-squeegee rhetoric. By referring to a deviant, criminogenic problem which was growing larger and affecting more people, it did not take much for individuals to suggest that things would worsen unless addressed. Opinions were voiced concerning the ineffectiveness of existing legislation and the need for a "true consequence" (58). One individual stated that the homeless problem could be "economically and socially disastrous" if left unchecked (42). Feldman asserts that broken windows rhetoric is a central factor in much of the context influencing the enactment of anti-homeless policies (2004:53). Parnaby found that broken windows figured into the rhetoric surrounding the squeegee kid problem and the Ontario government's response (2003:298).

In the vagrancy context, the threat to the social contest posed by vagrants served

¹⁹ Domain statements set the boundaries or content of a problem (Best, 1987:104). See Chapter 2.

²⁰ Orientation statements refer to the type of problem being forwarded by the claimsmaker. (Best, 1987:105). See Chapter 2.

as a motivation behind the retributive stance taken against them (Phillips, 1990:132; Pitsula, 1980:116). Although this particular social construction was not dominated with the alarmist, fear-based sentiment that characterized vagrancy and other social constructions of homelessness (Parnaby, 2003: 292; Phillips, 1990:132; Pitsula, 1980:118), it nevertheless presented squeegee kids and panhandlers as a threat. The second similarity involved dividing practices.

Dividing Practices

Dividing practices refer to the process whereby subjects are divided through acts of classification (Grenier, 2007:426). Certain subjects "are divided from others ... examples are the mad and the sane, the sick and the healthy, the criminals and the 'good boys'" (Foucault, 1983:208). Dividing practices were a common aspect of the social context of vagrancy. Phillips identifies differences between the "deserving and undeserving poor" (1990:143). In many situations, this distinction was drawn on the basis of one's work ethic, with those honestly looking for work (deserving) being distinguished from vagrants (undeserving) (Bright, 1995:49; Pitsula, 1980:120). Two different dividing practices were at work in the rhetoric of the anti-squeegee campaign, the division between deserving and undeserving and the division between the problematic homeless and civilized society, or us and them.

To justify the solution being sought for the problem posed by panhandlers and squeegee kids, anti-squeegee claimsmakers often took steps to distinguish the deserving poor from the undeserving poor. A common differentiation was between 'genuine' homeless and other less deserving groups. For examples, Lorne Maynecourt was reported to "believe that panhandlers and squeegee kids are mostly middle income youth out begging got a lark" (9). The "truly homeless" were divided from the "criminal transient"

(59). The so-called 'able-bodied' poor were one of the groups consistently presented as part of the undeserving poor. The negative presentation of the able-bodied poor is consistent with the many anti-homeless policies that have appeared in Canada (Gordon, 2004:49). The categorization of individuals as deserving or undeserving poor is a common element of neo-liberal social policy (Fraser, 1998:18). Authors have argued that this particular dividing practice was employed by the Liberal government during their welfare reforms of 2001 (Klein and Long, 2003:12). Differentiating squeegee kids from the larger homeless population allows claimsmakers to focus the debate on a particular, problematic subset of the large homeless population, which can facilitate a law-and-order political response (Parnaby, 2003:301).

The second dividing practice present in anti-squeegee rhetoric distinguished the homeless population from the rest of society. Claims were made emphasizing various elements of squeegee kids and panhandlers, from appearance to attitude, which set them apart from larger society. Similar rhetoric was present during the social context of vagrancy (Pitsula, 1980:117) and has been a common aspect of the social construction of homelessness in the media (Forte, 2002:149; Shields, 2001:214). Many of the grounds that contributed to the disruptive force similarity can also be seen to support the division between the problematic homeless and "law-abiding citizens" (Hawes, 2nd Reading Bill 71:11537). The use of dividing practices can profoundly affect the services and policies directed at these different categories or groups (Grenier, 2007:427). It would be interesting to further research punitive policies associated with homeless persons deemed undeserving or alien.

Personal Characteristics cause Homelessness

Much like the social context of vagrancy law, the rhetoric of the BCSSA described

homelessness in a manner that cast homelessness as the result of personal, as opposed to structural, characteristics. During the time of vagrancy law, a common perception was that vagrancy was the result of individuals who "lacked the moral fibre and commitment to the work ethic" (Phillips, 1990:152), individuals commonly referred to as "work-shy" (Phillips, 1990:149; Pitsula, 1980:122). Structural contributors to vagrancy were rarely considered to influence the levels of vagrancy, like population increases and unemployment (Bright, 1995:49; Pitsula, 1980:132). The strong focus on personal characteristics greatly influenced the policy response to vagrancy, which was the imposition of various hard-labour punishments aimed at addressing the deficiencies of individuals (Bright, 1995:50; Pitsula, 1980:132).

The anti-squeegee rhetoric reflected this aspect of the social context of vagrancy law in a number of ways. Claimsmakers referred to aspects of an individual's personality as the cause of his or her poverty. One's 'attitude' was often forwarded as a cause of homelessness. Authors suggested that it was one's "attitude, not aptitude" that contributed to homelessness and that "an attitude adjustment ... [is] ... needed to get many young people off the street and into the workplace" (12). Attitude appeared to supersede physical ability in some instances, "I think a panhandler has the ability to earn money but he doesn't want to" (107). A common theme present in anti-squeegee rhetoric was choice. Some authors stated that some panhandlers and squeegee kids "simply want to shirk responsibility and have deliberately chosen their way of life" (114). Others framed their request that the homeless find employment in such simplistic terms that it implied it was simply a choice, in keeping with the standard putdown, "get a job" (150).

The focus on individual rights in the anti-squeegee rhetoric also contributed to the

personal characteristics of choice theme. Claims were made focusing on individuals' rights not to be impeded by panhandlers or squeegee kids and denouncing any rights of homeless people to carry out certain activities, like panhandling. By characterizing the action of panhandlers as choices, or personality or character defects, the anti-squeegee campaign constructed the problematic homeless as willful, irresponsible people who interfere with the lives and actions of the public (Feldman, 2004:50). Like vagrancy law, this approach restricted the debate regarding the homeless problem, with a large emphasis on responsibility for ones actions. For example, on a page of frequently asked questions regarding the BCSSA, the Ministry of the Attorney General responds to the question "Do you expect someone with no money to pay a fine?" with "We expect people not to break the law. If they do there are consequences ..." (Ministry of the Attorney General Website, 2008). Much like the vagrancy social context, a debate over individual choice, action and responsibility downplays some of the social contributors to homelessness. In some situations, certain characteristics like drug use and drug addiction were attributed as caused of their poverty or behaviour (12, 23, 174). The anti-squeegee campaign did not appear to consider the volumes of research which demonstrates that the discourse of choice is problematized in reference to homelessness, for the context of life on the street contributes to the development of deviant behaviours more so than personal characteristics (McCarthy and Hagan, 1991:407). Much like vagrancy law, the cause of homelessness was ultimately fixed in the individual, not in society.

Negative Public Opinion

The final similarity the social context of the *BCSSA* shares with vagrancy is the negative opinion expressed by the public towards panhandlers and squeegee kids. Phillips described how the "attitudes towards vagrants were harsh" (1990:145). Vagrants were

considered to be the lowest segments of society (Pitsula, 1980:118) and in many situations the negative opinion expressed translated into harsh treatment of vagrants by authorities (Phillips, 1990:1471 Pitsula, 1980:117). As Bright asserts, "public opinion in Calgary was fully prepared to endorse the punitive treatment of vagrants" (1995:50). A similar theme was found in anti-squeegee rhetoric.

A sentiment of frustration and anger ran through some of the anti-squeegee rhetoric. Reports of individuals being tired of dealing with panhandlers accompanied those asserting that "people are damn mad" about the homeless problem (49). Individuals referred to the homeless as "disgusting" (204), described the city of Vancouver as a "human garbage dump of squatters and vagrants" (140). Many of the conclusions forwarded by the anti-squeegee campaign demanded action, for instance a police crackdown on the homeless. Different recommendations were suggested, "I'd especially like to see annoying squeegee kids rounded up and taken somewhere, just for being who they are" (43), or "I think [squeegee kids] should be banned from the streets" (147). Others simply expressed their disdain with the state of affairs, "It's not illegal in Canada to ask for help. Nuts." (130). Much of the other three similarities can be construed as an element of this negative opinion of panhandlers and squeegee kids. If a punitive policy response can be seen as the culmination of a negative public opinion, the fact that the *BCSSA* was enacted speaks volumes.

When this theme is examined alongside other similarities with vagrancy law, it is not surprising that squeegee kids and panhandlers generated the negative opinion that they did. They were presented as a criminogenic group of aggressive panhandlers, different from society at large and separate from the larger homeless population. Given the fear and disaster that permeated the social construction of squeegee kids in Toronto, stories and claims concerning the problematic population appeared in B.C. media. As the highly visible population of squeegee kids and panhandlers began to appear and cause problems for certain members of the public, there was already an established media theme to categorize and present accounts of this particular group. Squeegee kids and panhandlers had become a disruptive force, visibly interfering with the daily lives of people. In a sense, "people with housing became the victims of people who cannot afford housing" (Pascale, 2005:262). Authors have pointed out how it was apt that the law against vagrancy was kept under the title, offences against "morals and public convenience" within the *Criminal Code* (Bright, 1995:52; Canada, 55-56 Vict, c.29, Title IV). I think that this title accurately describes the social construction of the problem the *BCSSA* was enacted to address, for most of the problems caused by squeegee kids and panhandlers presented in the media appeared to be against the public's morality and convenience more so than any other concern.

Although these four themes present some clear ties between the social contexts of vagrancy and the *BCSSA*, there were some patent differences. The *BCSSA* possesses notable legal differences with vagrancy law (Feldman, 2004:55). Some of the differences in social context reflect the legal differences asserted by authors like Feldman. The differences between the social contexts of vagrancy law and the *BCSSA* will be described in the next section.

DIFFERENCES

Through the comparison of the *BCSSA* and vagrancy rhetoric, some themes and aspects were not shared between the two. Two of the clearer differences were:

- Lack of Concern over Idleness and Labour
- Lack of Consensus

While these two are the most obvious examples of difference between the two social contexts, there were others that were interesting but did not warrant an in-depth discussion. For example, within the context of vagrancy, there was the idea that society was under a duty to rehabilitate the vagrant (Bright, 1995:57; Phillips, 1990:150). Even though this duty was operationalized through punitive policies, probably against the will of the participants, there was a sentiment that it was the responsibility of society to help these individuals get back on track. Needless to say, with the emphasis of the anti-squeegee rhetoric on defining the homeless problem as a law-and-order problem and on strengthening the law to prevent certain types of action, there was not a shared sentiment concerning assisting the poor.

There was also the sentiment in the social context of vagrancy that the punishment of the vagrant was done, in part, to remind the rest of society of the importance of adhering to the societal values concerning work and industry (Bright, 1995:57; Gordon, 2004:59; Pitsula, 1980:117). Punishing vagrants to hard labour was partially to "remind other workers of the fate that befell those who questioned or rejected" the middle class work ethic (Bright, 1995:43). Similarly, the prevailing attitude in Toronto was "no one should have the illusion that he could live except by the sweat of his own brow" (Pitsula, 1980:132). The social context of the *BCSSA* did not express this deterrent-based theme. The focus was on generating a policy response that would end the problem caused by squeegee kids and panhandlers, there was no concern for deterring the larger population. The remainder of this section will examine the two clearest examples

of difference between the social contexts of vagrancy and the BCSSA.

Lack of concern over Idleness and Labour

Perhaps the most glaring difference between the social context of vagrancy and the BCSSA was the concern over idleness and labour. This concern played a central role during the time of vagrancy (Bright, 1995:50; Feldman, 2004:32; Phillips, 1990:142; Pitsula, 1980:132) but barely made an appearance during the BCSSA. Idleness was the centre of the rhetoric used to justify the punishment and regulation of vagrancy (Bright, 1995:50; Feldman, 2004:32; Pitsula, 1980:132). The harm of vagrancy, the reasons for punishment and the spotlight of rehabilitation all focused on the work ethic and idleness (Bright, 1995:52; Phillips, 1990:152; Pitsula, 1980:131). The supposed idleness which vagrants represented was perhaps the most predominant reason they were considered such a disruptive force in the cities they inhabited (Phillips, 1990:152; Pitsula, 1980:132). Pitsula asserts that "the unrelenting theme of the anti-tramp crusade in Toronto was the inviolability of the work ethic" (1980:132). One reason for using labour as a form of punishment was to instil vagrants "with a sense of work-discipline which they could take with them upon their return to society" (Bright, 1995:53). The concern over idleness affected society in other ways regarding vagrancy, including speaking out against charity and hospitality given towards vagrants, for there was fear that this would encourage their evil ways (Pitsula, 1980:130). Workhouses and other institutions put in place to assist in reducing the vagrant population were made even less hospitable (Pitsula, 1980:130). Idleness was such an issue that Feldman considers it the other twin rationale for vagrancy law (2004:32)

Unlike vagrancy, idleness did not have a central role in the social context of the *BCSSA*. Rather, the impact of panhandlers and squeegee kids had on business was

significant, both from the standpoints of business owners and potential customers. Claimsmakers speaking for business people were concerned about the economic impact the homeless problem was having on them and citizens were complaining about the interference and hassle the homeless were causing. As stated earlier, this problem was more concerned about crime than idleness. The focus was on efforts to "clean up the streets" (127) rather than end idleness. The anti-squeegee problem defined the problem as a law-and-order problem and the conclusions offered focused on a punitive, retributive response to remove the homeless and restore 'order'. Fines replaced hard labour and a desire to remove the problem replaced any sense of rehabilitating them.

This difference does not mean that society is bereft of concerns over idleness and employment. A few claimsmakers suggested that panhandlers and squeegee kids should "get a job" (150). Also, Gordon points out how the concern over idleness and labour can often be found in legislation and policy that accompanies modern anti-homeless policy (2004:53). This is certainly the case in British Columbia's income assistance policy.²¹ In terms of the policies that criminalize homelessness, the concerns over idleness have been replaced. As Feldman states:

"Anti-homeless legislation centers on issues of consumption and appearance, promoting a zone of 'friction-free' consumptive activity for middle-class users of the postindustrial city and constituting a vision of a normative public through the constitutive exclusion of homeless street-dwellers and their actions" (2004:55-56).

This statement generally reflects the major theme of the rhetoric of the anti-squeegee campaign. Labour and idleness were far from a central concern of the *BCSSA*'s social context. The next difference is lack of consensus.

²¹ The *Employment and Income Assistance Act* (R.S.B.C. 2002) requires recipients of income assistance to engage in a variety of tasks related to finding work, which can result in reduced support if not met (See ss. 9 and 13).

Lack of Consensus

It appears that during the times of vagrancy law, there was a strong consensus concerning the causes and dangers of and solutions to vagrancy (Bright, 1995:50; Phillips, 1990:144; Pitsula, 1980:120). In the reports of vagrancy in Canada, there was no mention of an opposition to the ideas that vagrancy was rooted in the personal characteristics of people and that of left untreated could damage the moral and social foundation of society. Pitsula characterized much of the sentiment as "uniform loathing" (1980:120). Perhaps the most interesting demonstration of this consensus were reports that even those engaged in poor relief believed much of the same ideas behind vagrancy (Bright, 1995:57; Phillips, 1990:19). Phillips reports how members of private charities subscribed to the reasons behind and the justification for punishing vagrants (1990:149). Bright shows how one group that was strongly against vagrants was the local children's aid society (1995:57). In Toronto, a collection of various charities and poor relief groups, called the Associated Charities, took charge of ridding the city of vagrants (1980:119). By working with and organizing the local house of industry, a place where the homeless could get food and shelter in exchange for labour (Pitsula, 1980:123), many of the ideas and rhetoric concerning the root of vagrancy in personal characteristics and the need to show vagrants the virtue of labour were put into practice (Pitsula, 1980:127). From the information available, it appears that there was a strong consensus concerning vagrancy.

This was not the case for the social context of the *BCSSA*. There was an alternative or counter position to almost every one of the assertions made in the anti-squeegee rhetoric, Instead of seeing panhandlers and squeegee kids as a distinct group, different from the rest of society, the pro-squeegee position asserted that they are people, and "part of the community" (33). The pro-squeegee position characterized the threat or

disruptive force posed by panhandlers and squeegee kids as unfounded, based on a difference of perception, in that an action that is frightening and offensive for one person is a matter of a simple yes or no for another. The lack of consensus also focused on the suggestion that homelessness was the result of personal characteristics or choice. Many claims were made asserting that rarely were people homelessness by choice. It was claimed a litany of social conditions influenced an individual's path to the streets: abuse at the hands of a parent or caregiver (126), a foster-care system in shambles (72), a deficient social welfare system (81). The definition of the problem was not the only departure the pro-squeegee position had from anti-squeegee rhetoric; the conclusions were also at issue.

The pro-squeegee position saw the criminalization-based solution to the problem forwarded in the anti-squeegee rhetoric as a step in the wrong direction. Pro-squeegee rhetoric described the problem as a growing number of people who are in great need of compassion, for the existing social circumstances are making a lot of people desperate. The question for the pro-squeegee position was "how do we help them?" (194). Not only was the *BCSSA* the wrong approach to the issue, it was approaching it in a way that neglected the rights of the homeless. Accusing supporters of the *BCSSA* of treating the poor as a group "with fewer rights that the rest of us" (38), reminding the public that panhandlers are citizens with rights, the rhetoric of the pro-squeegee campaign suggested society address poverty's "causes, not symptoms" (81). Some pressured the Liberal government to reverse some changes made to social programs (20) and to address the ever-growing need for social housing (118). Unlike the social context of vagrancy law, the *BCSSA*'s social context did not present a consensus in regard to the case, dangers or solutions to the homeless problem. The lack of consensus concerning issues of homelessness is a phenomenon that has been reported elsewhere (Forte, 2004:145; Paranby, 2003:299). Although it cannot be proved that there was a uniform public opinion concerning vagrants, it is encouraging to see the existence of debate over this very sensitive and important issue.

Overall, this analysis demonstrated that the social contexts of the *BCSSA* and vagrancy law shared some similarities and differences concerning 'problematic' homeless populations. It appears that while the content of the justifications for demonizing these populations in public opinion, the form or strategy to do so has not. While the rhetoric surrounding the *BCSSA* was not overtly concerned with idleness and labour like its vagrancy counterpart (Bright, 1995:50; Feldman, 2004:32; Phillips, 1990:142; Pitsula, 1980:132), it nonetheless demonstrated a tendency to:

- Root the cause of the condition of the specific problem population in the personal aspects of the afflicted
- Invoke discursive dividing practices concerning deserving and undeserving poor and an "us and them" dichotomy
- Present the problematic group as a disruptive force within society
- Reflect (and influence²²) negative public opinion concerning the problematic group.

Although there were appearances of a breakdown in consensus concerning the problem populations, that is not enough to detract from the striking similarities between the form of the social construction of squeegee kids and panhandlers and the social context of vagrancy law over 100 years ago. The rhetorical strategy of the anti-squeegee campaign

²² Research has established how media content of certain social problems influences and is influenced by the reaction of the public, especially crime and deviance (Dowler, 2003:109).

is similar to the social construction of Toronto's squeegee kid problem, and I would suggest that the same strategy has been employed in many other situations regarding many other groups. This section has dealt with the question this thesis set out to answer; the final section of this thesis will offer some concluding remarks concerning the possible implications of these findings.

CONCLUSION

This study employed an exploratory approach "... to gain familiarity with ... [and] ... achieve new insights into a phenomenon" (Palys, 2003:72), namely the social context from which the *BCSSA* emerged. Through a social constructionist examination of information derived from a content analysis of selected newspaper articles and government debates this study found that the social context of the *BCSSA* appeared to share many similarities with that of vagrancy. The rhetorical differences found to exist between the two time periods applied more to the *content* of the rhetoric, whereas the *form* of the two rhetorical structures were highly similar. Finding that the same type of arguments over a specific aspect of the poor population could produce similar political and social responses over 100 years apart was interesting. While there may be some riveting theoretical implications concerning the link between the past and the present, I prefer to cast my attention towards two implications this study might hold for the future.

The first implication concerns one of the differences between the social construction of Toronto's squeegee kid problem and B.C.'s. This study found that a negative social construction of a marginalized group preceded the development and eventual enactment of a piece of legislation that restricts the income-generating activities of poor people. The content of the rhetoric did not resemble a moral panic (Goode and

Ben-Yehuda, 1994:31; Cohen, 1972:9). Unlike Parnaby's analysis of the social construction of Toronto's squeegee kid problem, this thesis found that the anti-squeegee rhetoric did not display overt amounts of fear or emphasize disaster to be called a moral panic. The troublesome aspect of this particular development is that the BCSSA was still enacted despite the lack of a social panic. B.C. received legislation almost identical to the OSSA despite not demonstrating an overt amount of fear or panic. Essentially, it took less to get the same result. This is not to say that concerns of fear and safety were absent; Feldman asserts that public fear of the homeless is a central aspect of the enactment of anti-homeless legislation (2004:53). However, it appeared that a lack of patience or toleration for the actions of panhandlers and squeegee kids and a concern of the impact they might have on business were more prevalent in the anti-squeegee rhetoric. Although the BCSSA is only one example, it arguably represents one step down a potentially slippery slope. I find this development concerning, for there continues to be reports of increases in the number of homeless and reports of ongoing incidents of drug use, crime and panhandling in B.C. (Howell, 2008:9; Young, 2008:A5).

The Vancouver Police Department has recently announced an initiative to increase the number of charges under the *BCSSA* by 20 percent over the next year (Howell, 2008:9). It will be interesting to see what happens in the aftermath of such a policy, for actions like these could prove to be catalysts for future developments in the criminalization of homelessness, and such actions and policies are feared to become more frequent as the 2010 Olympics grow closer (Howell, 2008:9). Ostensibly, the *BCSSA* represents a step towards an era where anti-homeless policies can be enacted with greater ease and be motivated less by social fear and more by overt prejudice.

Looking forward, I am left with questions, for example, will the lack of panic be reflected in any future social construction of homelessness that precedes a political response? Has the enactment of the *BCSSA* made it easier for the development and implementation of future punitive policies against the poor? Not only will the answer to these questions help to illuminate the status quo of the day, they also relate to the second future implication of this study.

The possibility of the *BCSSA* being involved in future efforts to criminalize homelessness is related to an observation made by Chambliss:

"Our analysis of vagrancy laws also indicate that when changed social conditions created a *perceived* need for legal changes that these alterations will be effected through the revision and refocusing of *existing* statutes" (1964:76, emphasis mine).

The assertion here is that the *BCSSA* may serve as the platform onto which additional restrictions are imposed on the homeless. This possibility does not seem outrageous given the impact that social constructions are argued to have on the political process. Schneider and Ingram assert that the social construction of target groups have an impact on politicians and therefore shape and are incorporated into policy (1993:334). "There are strong pressures for public officials to provide beneficial policy to powerful, positively constructed target populations and to devise punitive, punishment-oriented policy for negatively constructed groups" (Schneider and Ingram, 1993:334). There are two aspects of this argument that are important for any target population looking to either influence the political process or avoid being punished through its policies, namely social constructions and electoral power (Schneider and Ingram, 1993:335).

This study is an example of the negative social constructions that face the homeless. As long as society continues to be influenced by the rhetoric that casts the homeless negatively, and as long as the media continues to treat the poor as an object or subject of the news rather than a sources of the news (Pascale, 2005:260; Shields, 2001:214), there is little chance that the homeless will be able to influence the social constructions of them. As for electoral power, which Schneider and Ingram operationalize as "votes, wealth, and propensity of the group to mobilize for action" (1993:335), the poor have rarely been in a situation of being able to influence politics (Miliband, 1974:183; Schneider and Ingram, 1993:336). Given the historic inability of the poor to alter an election, compete with professional institutionalized lobbies, or do anything to have the government take their interests seriously (Miliband, 1974:189), it appears that the poor will have a tough time bettering their situation through the political process. These two factors will continue to keep the interests of the poor marginalized, for their lack of political power protects politicians from any negative political response they would receive if negative policies were enacted against powerful groups and the negative social constructions generally translate into mass support for the punitive policies applied to the negatively constructed target populations (Schneider and Ingram, 1993:336).

These two implications paint a rather grim picture for the homeless of Canada. Not only does it appear that it does not take as much for a population to enact antihomeless legislation, but resources that could help the poor better their socio-political circumstances appear to be beyond their reach. I would like to say that breakthroughs in critical theory offer solutions to this problem. Unfortunately, actualizing substantive change in the real world has not been a strong point of critical criminological scholarship (Tunnell, 1995:90). Tunnell explains how critical scholarship is virtually silent in areas of legislative policy formation and public debate concerning issues of crime and justice (1995:90). Despite the fact that critical criminology possesses some of the most progressive and innovative explanations and perspectives concerning issues of crime and deviance, these ideas are regularly neglected and dismissed by policymakers and the public (Tunnell, 1995:90). While there are suggestions on how critical theory can overcome the academic and social barriers that prevent the dissemination of its insights (Tunnell, 1995:98), it is not likely to occur because, as one author states, activism in academia is often discouraged in order to maintain objectivity, which "can too often mask support for the status quo" (Adler, 2002:142). The goal of ameliorating the social and political marginalization of the poor and homeless Canadian citizens is far from being realized, and while I am unaware of a tenable strategy to reach this goal, I am aware of a starting place.

Gordon asserts that Canadian anti-homeless policy "is still developing, and will likely continue to develop over time in a manner that, in the eyes of the state, effectively meets its needs in a given context" (2004:43). The social construction of the homeless is one very influential factor that will affect the perception of the given context and by implication the perceived need. Combating rhetoric used to skew the perceptions of the poor and homeless could be a valuable step in the empowerment of marginalized people. Addressing the picture of the homeless as separate from the rest of society is important, for as Hoffman and Coffey state, "if we expect to make inroads toward solving homelessness it is important that homeless individuals feel it is possible to become a part of 'mainstream society'" (2008:219). As long as what is said about a group of people influences how the state regulates them, I think it is important that those with a voice continue to speak out in support of those who are denied one or who are not heard.

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APPENDICES

APPENDIX 1: NEWSPAPERS INCLUDED IN SEARCH

Major Dailies:

- 1. The Vancouver Sun; Vancouver, B.C.
- 2. National Post; Don Mills, Ont.
- **3.** The Province; Vancouver, B.C.
- 4. Times Colonist; Victoria, B.C.

Small market:

- **5.** Abbotsford Times; Abbotsford, B.C.
- 6. Alaska Highway News; Fort St. John, B.C.
- 7. Alberni Valley Times; Port Alberni, B.C.
- 8. Burnaby Now; Burnaby, B.C.
- 9. Chilliwack Times; Chilliwack, B.C.
- 10. Coquitlam Now; New Westminster, B.C.
- 11. Courier Islander; Campbell River, B.C.
- 12. Cowichan Valley Citizen; Duncan, B.C.
- 13. Daily Bulletin; Kimberley, B.C.
- **14.** Daily News; Prince Rupert, B.C.
- 15. Daily Townsman; Cranbrook, B.C.
- 16. Dawson Creek Daily News; Dawson Creek, B.C.
- 17. Delta Optimist; Delta, B.C.
- 18. Harbour City Star; Nanaimo, B.C.
- 19. Kamloops Daily News; Kamloops, B.C.
- **20.** Langley Advance; Langley, B.C.
- 21. Maple Ridge, Pitt Meadows Times; Maple Ridge, B.C.
- 22. Nanaimo Daily News; Nanaimo, B.C.
- 23. Nelson Daily News; Nelson, B.C.
- 24. North Shore News; North Vancouver, B.C.
- 25. Now; Surrey, B.C.
- 26. Prince George Citizen; Prince George, B.C.
- 27. The Record; New Westminster, B.C.
- 28. Richmond News; Richmond, B.C.
- **29.** Trail Times; Trail, B.C.
- **30.** Vancouver Courier; Vancouver, B.C.

APPENDIX 2: ARTICLES INCLUDED IN STUDY

1 <u>New act puts people before party</u>	12 If you're healthy enough to wield squeegee,
politics:[Final Edition]	why not get a job?:[Final Edition]
Joyce Murray. Burnaby Now, Burnaby, B.C.:	Mike Cornell. Kamloops Daily News,
Nov 3, 2004. p. 6	Kamloops, B.C.: Oct 21, 2004. p. A6
2 Everyone's streets: [Final Edition]	13 Attacking the symptoms: Critics say Safe
Leanna Jantzi. Langley Advance, Langley,	Streets Act doesn't address real issues: [Final
B.C.: Oct 29, 2004. p. 8	Edition]
-	Jack Knox. Times - Colonist, Victoria, B.C.:
	Oct 19, 2004. p. A3
3 Balance for the unbalanced:[Final Edition]	14 'Initiative entrenches the values of
Rick Collins. Abbotsford Times, Abbotsford,	civility':[Final Edition]
B.C.: Oct 29, 2004. p. 8	Geoff Plant. Richmond News, Richmond, B.C.:
	Oct 16, 2004. p. 8
4 B.C. is turning into a 'fascist police	15 Safe streets require more than laws: [Final
state':[Final Edition]	Edition]
Mel Montgomery. The Province, Vancouver,	Rick Collins. Abbotsford Times, Abbotsford,
B.C.: Oct 28, 2004. p. A21	B.C.: Oct 15, 2004. p. 8
5 Mayencourt still doesn't get it:[Final Edition]	16 Compassion will make streets safe: [Final
Jeanette Andersen and Jane Dyson. The	Edition]
Province, Vancouver, B.C.: Oct 28, 2004.	Mike Garrett. Kamloops Daily News,
p. A21	Kamloops, B.C.: Oct 14, 2004. p. A6
6 Mentally ill don't panhandle: MLA: [Final	17 MLA Mayencourt shows how it's
Edition]	done::[Final Edition]
Steve Berry. The Province, Vancouver, B.C.:	Les Leyne. Times - Colonist, Victoria, B.C.:
Oct 26, 2004. p. A17	Oct 14, 2004. p. A14
7 Anti-panhandling law not aimed at homeless	18 Safe streets law alone won't make cities
and mentally ill:[Final Edition]	safer:[Final Edition]
Daily News, Prince Rupert, B.C.: Oct 26,	The Vancouver Sun, Vancouver, B.C.:Oct 13,
2004. p. 10	2004. p. A14
8 Carr finally gets her wish, but she's still not	19 Cracking down on beggars::[Final Edition]
happy:[Final Edition]	Julie MacLellan. Burnaby Now, Burnaby,
Les Leyne. Times – Colonist, Victoria, B.C.:	B.C.: Oct 13, 2004. p. 1 Front
Oct 26, 2004. p. A10	
9 <u>Playing politics with poverty:[Final Edition]</u>	20 New law not an answer but is
Paul Ramsey. Richmond News, Richmond,	needed::[Final Edition]
B.C.: Oct 23, 2004. p. 8	Burnaby Now, Burnaby, B.C.: Oct 13, 2004.
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10 Questions on the street: [Final Edition]	21 New law won't wash with squeegee
Leanna Jantzi. Langley Advance, Langley,	kids:[Final Edition]
B.C.: Oct 22, 2004. p. 8	Cam Fortems. Kamloops Daily News,
	Kamloops, B.C.: Oct 13, 2004. p. A3
11 Safe Streets not the answer: [Final Edition]	22 Poor make good political targets:[Final
Les Talvio. Abbotsford Times, Abbotsford,	Edition]
B.C.: Oct 22, 2004. p. 9	Barry Link. Richmond News, Richmond, B.C.:
	Oct 13, 2004. p. 8

23 <u>Mayor's on wrong side of Safe Streets</u>	34 <u>Here's what you said about: Panhandler in</u>
Act:[Final Edition]	downtown Vancouver: [Final Edition 1]
Holly MacDonald. Vancouver Courier,	Elektra Carter. The Province, Vancouver,
Vancouver, B.C.: Oct 13, 2004. p. 11	B.C.: Oct 8, 2004. p. A19
24 Here's What You Said About: Safe streets	35 Here's what you said about: Panhandler in
legislation	downtown Vancouver:[Final Edition]
Timothy R. Austin. <i>The Province</i> , Vancouver,	Ruth Casey. <i>The Province</i> , Vancouver, B.C.:
B.C.: Oct 12, 2004. p. A19	Oct 8, 2004. p. A19
25 Blushing able-bodied MLA Orr caught red-	36 Groups wrong not to yield to Safe Streets
handed parking in handicap spot:[Final	legislation:[Final Edition]
Edition]	<i>The Province</i> , Vancouver, B.C.: Oct 7, 2004.
Files from Les Leyne, Jeff Rud and Lindsay	p. A20
Kines. The Province, Vancouver, B.C.: Oct 10,	
2004. p. A24	
26 Safe Street bills drive wedge between B.C.	37 <u>Squeegee law likely to force kids into more</u>
byelection candidates:[finaledition 1]	dangerous life: [Final Edition]
Michael Smyth. The Province, Vancouver,	Michael Smyth. The Province, Vancouver,
B.C.: Oct 10, 2004. p. A6	B.C.: Oct 7, 2004. p. A6
27 B.C. moves to curb aggressive	38 Safe streets no answer to problem:[Final
begging::[National Edition 1]	Edition]
Jim Beatty. <i>National Post</i> , Don Mills, Ont.:	Paul Willcocks. Alaska Highway News, Fort
Oct 9, 2004. p. A7	St. John, B.C.: Oct 7, 2004. p. A4
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28 Panhandling law is step in right	39 Displaced beggars need a place to
direction:[Final Edition]	<u>go::[Final Edition]</u> Times Calumit Viatoria P.C. Oat (2004
Dave Paulson. <i>Prince George Citizen</i> , Prince	<i>Times – Colonist</i> , Victoria, B.C.: Oct 6, 2004.
George, B.C.: Oct 9, 2004. p. 4	p. A10
29 <u>Too much tolerance behind safe streets</u>	40 Get a job, says police chief: [Final Edition]
law:[Final Edition]	Ian Austin. The Province, Vancouver, B.C.:
Ian Haysom. Times – Colonist, Victoria, B.C.:	Oct 5, 2004. p. A6
Oct 9, 2004. p. A19	
30 <u>Beggars' code introduced::[Final Edition]</u>	41 Panhandling law debated:[Final Edition]
Ian Bailey. The Province, Vancouver, B.C.:	Frank Peebles. Prince George Citizen, Prince
Oct 8, 2004. p. A4	George, B.C.: Oct 4, 2004. p. 3
31 Act offers downtown policing extra	42 We have a crime problem and it's time to
bite:[Final Edition]	face up to it:[Final Edition]
Frances Bula. The Vancouver Sun, Vancouver,	Darcy Rezak. The Vancouver Sun, Vancouver,
B.C.: Oct 8, 2004. p. A2	B.C.: Oct 4, 2004. p. A11
32 The new outlaws: B.C. Liberals unveil law	
	43 <u>Take aim at dirty panhandlers:[Final</u>
targeting aggressive beggars:[Final Edition]	<u>Edition]</u>
Jim Beatty, with files from Derrick Penner.	Barry Link. <i>Richmond News</i> , Richmond, B.C.:
<i>The Vancouver Sun</i> , Vancouver, B.C.: Oct 8,	Sep 29, 2004. p. 8
2004. p. A1 Front	
33 Beggars' law outlaws squeegees::[Final	44 <u>Civility on our streets is in everyone's</u>
Edition]	interests:[National Edition]
Jeff Rud and Lindsay Kines. Times –	Lorne Mayencourt. National Post, Don Mills,
Colonist, Victoria, B.C.: Oct 8, 2004. p. A1	Ont.: Sep 28, 2004. p. A17
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67 <u>Beggars</u> , dealers keep people from	78 Study into EK homeless begins: [Final
downtown: Survey: [Final Edition]	Edition]
John Bermingham. The Province Vancouver,	Mark Hunter. Daily Bulletin, Kimberley, B.C.:
B.C.: Jun 30, 2004. p. A21	May 17, 2004. p. 1 / Front
68 Here's What You Said About: Squeegee	79 Squeegee kids may be irritating but they
kids:[Final Edition]	don't merit new laws:[Final Edition]
Lorne Mayencourt. The Province Vancouver,	The Vancouver Sun, Vancouver, B.C.: May 14,
B.C.: Jun 30, 2004. p. A19	2004. p. A18
69 Mud, sweat and tears::[Final Edition]	80 <u>Tougher laws aren't the answer:[Final</u>
Matthew Ramsey. The Province, Vancouver,	Edition]
B.C.: Jun 27, 2004. p. A14	Paul Willcocks. Peace River Block Daily
-	News, Dawson Creek, B.C.: May 14, 2004.
	p. 4
70 Fox warns Americans about	81 MLA's bills focus on symptoms, not
'Vansterdam'::[Final Edition]	cause::[Final Edition]
Nicholas Read and Yvonne Zacharias. The	Pat Johnson. Vancouver Courier, Vancouver,
Vancouver Sun, Vancouver, B.C.: Jun 18,	B.C.: May 12, 2004. p. 10
2004. p. B1 Front	- ^
71 Aggressive panhandlers and squatters	82 Toward a pan-Canadian squeegee
targeted, MLA says: [Final Edition]	ban:[National Edition]
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APPENDIX 3: DATES OF LEGISLATIVE DEBATE INCLUDED IN STUDY

The information contained in the following table refers to a particular edition of the Province of British Columbia, Official Report of the Debates of the Legislative Assembly (Hansard)

Volume	Volume 17 Issues 1 to 16, October 20, 2003 to November 3, 2003, Pages 7327 7764			
	Event	Date	Page(s)	
	Private Member's Statement	Monday, October 27, 2003	7512-4	
		Bill M202		
Parliame	ntary Session: 5 th Session,	37 th Parliament (2004)		
Volume	Volume 25 Issues 1 to 19, May 4, 2004 to May 20, 2004, Pages 10807 – 11325			
	Event	Date	Page(s)	
	1 st Reading	Thursday, May 6 2004	10915	
	2 nd Reading	Monday, May 10, 2004	10948-53	
	2 nd Reading Vote	Monday, May 10, 2004	11004	
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	Withdraw of Bill M202	Thursday, October 7, 2004	11470	
		Bill 71		
	Event	Date	Page(s)	
	1 st Reading	Thursday, October 7, 2004	11464	
	2 nd Reading	Monday, October 18, 2004	11526-44	
	2 nd Reading Vote	Monday, October 18, 2004	11544	
	Committee	Monday, October 25, 2004	11698-717	
	3 rd Reading	Tuesday October 26, 2004	11719-21	
	3 rd Reading Vote	Tuesday October 26, 2004	11721	
	Royal Assent	Tuesday October 26, 2004	11721	