

A Policy of Privilege: The Alberta Sexual Sterilization Program 1928-1972

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Abstract

In 1928 Alberta became the first province in Canada to enact eugenic sterilization legislation. Under the “Sexual Sterilization Act,” a four member eugenics board was created and given the authority to order the sterilization of patients about to be released from mental hospitals. Eugenic in its motivation, this Act was established in order to prevent the transmission of “feeble-mindedness” and “insanity” to future generations. By the time of the Act’s repeal in 1972 close to three thousand individuals had been sterilized.

To date, no comprehensive contextual study has been done of this program. This thesis provides an analysis of the development of this social policy from its first discussion early in the province’s history through to the formation and implementation of the “Sexual Sterilization Act.” Beyond situating this eugenic-minded program in its historical context, the thesis also deconstructs the very language upon which this policy was based in order to reveal the complex process through which race, class, gender and ability relations were defined.

In Alberta in the first decades of the twentieth century, due to the influence of the eugenics movement, discourses on mental disability were seldom sympathetic. Feeble-mindedness was defined according to Anglo-Saxon middle-class assumptions about race, class, gender and ability. More specifically feeble-mindedness was defined as a largely foreign, lower-class and frequently female problem. During the 1920’s growing fears of the

“menace of the feeble-minded” inspired activists to launch a campaign for the compulsory sterilization of this problem group. Dominated by maternal feminists such as Emily Murphy and Irene Parlby, the campaign was not the work of the province’s arch-reactionaries. Bound up within their discourse on sterilization these women elevated the status of their roles as “mothers of the race” by denying motherhood to those deemed “unfit”. When the proposed sexual sterilization bill was introduced in the Legislative Assembly it sparked significant debate. Despite objections raised on moral, libertarian and scientific grounds, the fundamental justifications for such legislation went unchallenged. Opponents and supporters alike did not challenge the reality of the threat of the feeble-minded and accepted the ethnocentric assumptions upon which the bill was based. These assumptions were institutionalized by the implementation of the “Sexual Sterilization Act.” Out of the 2,832 individuals who were sterilized in Alberta between 1928 and 1972, the majority occupied disadvantaged positions within society. The effect of the Sexual Sterilization Act, even if it was not its avowed intention was to reinforce the privilege of the Anglo-Protestant elite at the expense of all “others”.

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Introduction

In 1929, Georgina Sackville, in her book entitled *Birth Control The Prevention of Conception*, made the following compelling argument in favor of the sterilization of the feeble-minded.

While we do not for a moment think that sterilization alone is a panacea for all the ills of society, nevertheless, by doing away with the procreation of the feeble-minded, idiotic, syphilitic, ect., we are adding to the number of physically strong, mentally sound and higher morally developed men and women, and joining the fight against the transmission of venereal disease to the next generation. We possess in sterilization an invaluable instrument for the immediate improvement of the race.¹

Sackville's endorsement of compulsory sterilization at first seems peculiar considering that at the same time she opposed virtually all forms of birth control. Like many of her contemporaries, however, Sackville believed that children should be brought into the world according to a "Divine Plan in the perfection of the human race." This plan was informed by the science of eugenics which demanded on the one hand, **the reproduction of the "fit" and on the other, the prevention of the reproduction of the "unfit"**.¹ For Sackville, race degeneration could be prevented most effectively through the adoption of a eugenic sterilization program. By the time Sackville's book appeared in 1929, however, her hopes for such a program in Alberta had already become a reality.

¹Georgina Sackville, "Birth Control the Prevention of Conception," unpublished manuscript, 1929, Provincial Archives of Alberta 77.259 SE, p. 24.

This thesis examines the process through which Alberta came to enact a "Sexual Sterilization Act" in 1928. Under the authority of this legislation, which remained in place until its repeal in 1972, close to three thousand individuals diagnosed as either "mentally deficient" or "psychotic" were sterilized. This thesis explores first, how the concept of mental handicap was socially constructed and second, how "progressive" social reformers came to be involved in "conservative" efforts to control the reproduction of marginalized groups. Although the use of the terms "progressive" and "conservative" are somewhat problematic they were in currency during the historical period under investigation. My use of these terms refers, in the case of the former, to the tendency to embrace change and challenge traditional forms, and, in the case of the latter, to the tendency to resist such change. Although defined in opposition to each other, these terms must not be understood as mutually exclusive. A reformist interest in change, for example, can serve a number of interests including those which tend to preserve existing social and economic institutions. This thesis analyzes how both conservative and progressive values and motivations were expressed within the discourse surrounding eugenic sterilization in Alberta.

This thesis builds on existing historical literature devoted to the growth of hereditarian thought in the United Kingdom and the United States. The adoption of a sexual sterilization program in Alberta was partly a response to growing fears among social reformers that the "feeble-minded" were a menace to society. Such notions were a by-product of the eugenics movement which emerged in England at the end of the nineteenth century. Sir Francis Galton coined the term "eugenics" in 1883 to define the science of

improving the race through selective breeding.⁷ According to the principles of eugenics most aspects of human behavior including intelligence were biologically determined. Eugenicists sought to prevent the degeneration of the race through policies of both “positive” and “negative” eugenics. While the former sought to encourage the breeding of the “fit” the latter were aimed at discouraging the breeding of the so-called “unfit”.²

Richard Soloway argues that the early eugenics movement in England developed in response to the growing anxiety over the declining birth rate. Anxiety turned into alarm with the realization that this decline was more pronounced among the middle and upper classes. Eugenicists, according to Soloway, warned that the integrity of British stock was being undermined by the “recklessly procreate [sic] tendencies of the lower classes”³. Eugenics in Britain was a very broad movement, including supporters from across the political spectrum. Consequently different groups interpreted the science of eugenics according to their own political views.⁴

Widespread discussion of positive and negative eugenics, however, did not ensure the adoption of a compulsory sterilization program in England.

²Angus McLaren, *Our Own Master Race, Eugenics in Canada, 1885-1945*, (Toronto: McClelland & Stewart, 1990), pp. 14-16; Daniel Kevles, *In the Name of Eugenics, Genetics and the Uses of Human Heredity*, (Berkeley: University of California Press, 1985), pp. 3-19.

³ Richard Allen Soloway, “Neo-Malthusians, Eugenicists, and the Declining Birth-Rate in England, 1900-1918,” *Albion* 10: 3 (Fall, 1978), p. 265; See also Richard Allen Soloway, *Demography and Degeneration, Eugenics and the declining birthrate in Twentieth-Century Britain*, (Chapel Hill, University of North Carolina Press: 1990).

⁴ Soloway, *Demography and Degeneration*.

Campaigns launched in the 1930's to legalize the "voluntary" sterilization of alleged defectives were ultimately unsuccessful. The Brock report of 1934, which resulted from a government inquiry into the issue, concluded that there was little scientific basis for requiring sterilization except in cases where the problem was indisputably due to hereditary. Human behavior, the report argued, was far too complex to justify the sterilization of persons with character or behavior problems. In Britain, Soloway argues, sterilization remained a controversial topic even among eugenicists.⁵

As the eugenics movement developed in Britain during the late nineteenth and early twentieth centuries a parallel movement was brewing in North America. Unlike the English movement which was largely concerned with issues of class, the American eugenics movement, according to Daniel Kevles, was marked by racism. Although British and American eugenicists agreed that society was in need of social reform to meet the rapid changes brought about by urbanization and industrialization, American eugenicists, Kevles asserts, were preoccupied by anti-immigrant sentiments. These progressives, viewed declining Anglo-Saxon fertility and non-Anglo-Saxon immigration as undermining the racial integrity of the country.⁶

American eugenicists sought to prove the heritability of degeneracy through the publication of eugenic family studies. These studies, carried out by investigators such as Richard Dugdale, Henry Goddard and Charles Davenport, traced the ancestry of individuals considered to be social failures.

⁵ Ibid., p. 203.

⁶ Kevles, *In the Name of Eugenics*.

The family studies, argues Nicole Rafter, "created a powerful myth about the somatic nature of social problems."⁷ *The Jukes*, the first of these, published in 1877 and written by Dugdale, was followed by several others including *The Kallikak Family*, (1912), *The Hill Folk*, (1912), and *The Dack Family*, (1916).⁸ In general the eugenic family studies emphasized, first, that the cause of social failure was more often the result of nature, not nurture; second, that if particular traits appeared in more than one generation it was proof that they were inherited and third, that social problems such as feeble-mindedness, insanity, crime and alcoholism were biologically related.⁹

Kevles explains that the eugenic cause in the United States was furthered when mass intelligence testing carried out on army recruits during the First World War claimed to reveal that the average white American draftee had the mental age of only thirteen. Suddenly warnings about race degeneration became more relevant to American reformers, convinced as they were that close to one quarter of those tested were unable to read a newspaper or write a letter home. Kevles argues that eugenicists exploited the massive collection of "objective" army test data to legitimize their social prejudices. Psychologist Carl Brigham concluded that the test scores revealed the intellectual superiority of the Nordic "race" over the Alpine and

⁷ For a discussion of American eugenic family studies see introduction in Nicole Rafter, ed. *White Trash, The Eugenic Family Studies 1877-1919*, (Boston: Northeastern University Press, 1988); J. David Smith, *Minds Made Feeble: The Myth and Legacy of the Kallikaks*, (Rockville, Maryland: Aspen Systems Corporation, 1985).

⁸ Rafter, ed., *White Trash*, p.

⁹ *Ibid.*, p. 6.

Mediterranean “races.” Brigham was also quick to leap to hereditarian conclusions about why black Americans did more poorly on these tests than their white country men. Ignoring any possibility of cultural bias within the tests or differing environmental conditions Brigham argued that blacks were innately inferior to whites.¹⁰

The American experiments with intelligence testing are one of the major misuses of science in the twentieth century. Stephen Jay Gould argues that American psychologists perverted the intended use of Binet’s intelligence tests to back up a newly created hereditarian theory of I.Q.. He states that “determinists arguments for ranking people according to a single scale of intelligence, no matter how numerically sophisticated, have recorded little more than social prejudice.”¹¹ Social and economic differences between classes, races and ethnic groups were explained solely in terms of innate biological difference. Biological determinists, Gould explains, have been led astray by two fallacies concerning the nature of intelligence. Reification, the first of these fallacies, involves the tendency to convert abstract concepts such as intelligence into entities that can be measured. Ranking, the second fallacy involves the arrangement of these entities into a unilinear scale of intelligence. For eugenicists, who sought to prevent race degeneration through selective breeding, intelligence tests provided a seemingly objective way to measure and rank individuals according to their intellectual fitness. But as Gould points out, the hereditarian propaganda that was generated from

¹⁰ Kevles, *In the Name of Eugenics*, pp. 82-84.

¹¹ Stephen Jay Gould, *The Mismeasure of Man*. (New York: W.W. Norton Co., 1981), p. 28.

the I.Q. tests administered to the American army recruits chiefly served to legitimize the efforts of eugenicists who demanded greater immigration restrictions and the eugenic regulation of reproduction.¹²

Many American progressives were attracted to eugenics Mark Haller argues, because they saw it as a scientific way to reform society. Although the eugenics movement in the United States came to be associated with campaigns for sexual sterilization, he notes that the majority of eugenic supporters viewed sexual sterilization as unjustified in terms of both public opinion and scientific knowledge.¹³ Philip Reilly and Thomas Shapiro, argue, however, that the popularity of involuntary sterilization in the United States should not be underestimated. Rielly contends that one need only look at the numerous involuntary sterilization programs set up across the United States to realize that such practices were much more widespread than is often thought. Between 1907 and 1913 sixteen states passed involuntary sterilization laws. Although most of these Acts did not survive the constitutional challenges raised against them during the First World War and the period immediately following it, after 1923 newly framed Acts were passed in Oregon, Montana, Delaware, Michigan and Virginia. In 1927, when the American Supreme Court upheld the Virginia sterilization law in the case of *Buck vs. Bell*, a new flurry of sterilization Acts followed. By the end of the twenties sterilization laws were in place in twenty-four states. Reilly also points out that involuntary sterilization programs persisted long after the

¹² Ibid., pp 146-233.

¹³Mark Haller, *Eugenics Hereditarian Attitudes in American Thought*, (New Brunswick: Rutgers University Press, 19), p. 5.

“science” of eugenics had been discredited after the Second World War. Between 1907 and 1960 more than 60,000 mentally retarded and mentally ill Americans were subjected to eugenic sterilization.¹⁴

Prior to the work carried out by Angus McLaren, the history of eugenics in Canada remained largely unexamined. In his book *Our Own Master Race*, McLaren argues that despite the lack of historical investigation into the subject, Canada was not immune to the influence of eugenic ideas. In the first half of the twentieth century eugenic arguments concerning “race betterment” figured prominently in discussions of a whole range of subjects including sex instruction, intelligence testing, special education, social welfare, immigration and birth control. Further, McLaren reveals that political conservatives did not hold an exclusive monopoly on eugenic notions in Canada. Eugenic ideas also found a great deal of support across the country among political progressives and feminists. McLaren analyzes the ways in which progressives and conservatives alike became preoccupied with the purported dangers of racial degeneration and class suicide. For many middle and upper-class Canadians eugenic ideas were attractive not only because they explained the cause of social problems in terms of biological determinism but also because they offered tangible and “scientifically” sanctioned solutions to these social problems.¹⁵

¹⁴Philip Reilly, *The Surgical Solution A History of Involuntary sterilization in the United States*, (Baltimore & London: The John Hopkins University Press, 1991); Thomas Shapiro, *Population Control Politics Women, Sterilization, and Reproductive Choice*, (Philadelphia: Temple University Press, 1985).

¹⁵Angus McLaren, *Our Own Master Race Eugenics in Canada, 1885-1945*, (Toronto: McClelland & Stewart, 1990).

Until the publication of *From Asylum to Welfare*, in 1982, in which Harvey Simmons analyses the evolution of mental retardation policies in Ontario, mental handicap had not been the central focus of historical investigation in Canada. Throughout Ontario's history, Simmons argues, mental retardation policy was shaped by four very different objectives: to provide shelter, to educate, to impose social control and finally to provide social welfare. Although Simmons acknowledges that certain objectives were more popular than others he argues that all four remained present, at least to some extent, in all of the time periods he examines. For the purpose of this thesis what is of special interest is that in the period between 1900 and 1930 Simmons argues that mental retardation policy became dominated by eugenic concerns over the myth of the menace of the feeble-minded.¹⁶

Since the work of McLaren and Simmons, Tamara Vrooman and Monica Wosilius have carried out important investigations into the history of eugenics in British Columbia. Vrooman's thesis examines the treatment of young women at the Provincial Industrial Home For Girls in the period between 1914 and 1929. Using the analytic categories of race, class, gender and age she deconstructs the relationship between eugenics and the process through which women in British Columbia were identified as deviants.¹⁷ Wosilius, in her thesis on the eugenic sterilizations carried out in British Columbia, shares

¹⁶ Harvey Simmons, *From Asylum to Welfare*, (Downsview: National Institute on Mental Retardation, 1982).

¹⁷ Tamara R. Vrooman, "The Wayward and the Feeble-minded: Euthenics, Eugenics, and the Provincial Industrial Home for Girls, 1914-1929," (Master's Thesis, University of Victoria, 1994).

with Vrooman an understanding of deviance and “feeble-mindedness” as socially constructed categories. According to both Vrooman and Wosilius young woman were frequently identified as feeble-minded as a result of apparent “looseness” rather than any signs of mental impairment. Although Wosilius acknowledges that sterilization was a policy of social control, her thesis analyzes how, at times, patients and their families were actively involved in the negotiation of sterilization decisions.¹⁸

When we finally turn to Alberta we find that relatively little historical work has been carried out on Alberta's sexual sterilization program. According to Paul Collins, who looked at the public health programs of the United Farmers of Alberta Government, the sterilization program was an anachronistic undertaking in a period when the philosophy of prevention and cure dominated ideas about mental health.¹⁹ Collin's account is an attempt to trace the government's "good beginnings" in the field of public health and he, therefore, views the sterilization program as an aberration in the march of progress. According to Collins, by 1929, only a year after the passage of the "Alberta Sexual Sterilization Act," "The change in the U.F.A.- U.F.W.A.'s attitude toward mental health was complete. The menace to be feared had become an illness to be cured."²⁰ Collins fails to explain why thousands of individuals diagnosed as either mentally handicapped or mentally ill

¹⁸ Monica Wosilius, "Eugenics, Insanity and Feeble-mindedness: British Columbia's Sterilization Policy from 1933-1943," (Master's Thesis, University of Victoria, 1995).

¹⁹Paul V. Collins, "The Public Health Policies of the United Farmers of Alberta Government, 1921-1935", (Master's Thesis, University of Western Ontario, 1969).

²⁰ Ibid., p. 84.

continued to be subjected to sterilization long after this shift was said to have taken place.

Unlike Collins, Ian Clarke argues that sterilization in Alberta formed the "cornerstone of the entire mental health system."²¹ According to Clarke, sterilization was used to alleviate the pressures of over crowding which were found throughout Alberta's mental health institutions. Although the campaign for sterilization in Alberta was believed by its backers to be an Act of progressive social reform, when applied: "sexual sterilization became an Act of violence against women in the province."²² As he points out, while male admissions to the Hospital for the Insane out numbered female admissions by two to one in the years between 1929 and 1933, far more sterilization operations were carried out on women than men.²³

The first in depth examination of the Alberta sterilization program was carried out in the early 1970's by Law Professor Timothy Christian.²⁴ Using the file system established by the Eugenics Board, Christian conducted a statistical analysis of the implementation of the "Sexual Sterilization Act". In order to establish profiles of the recipients of sterilization, he examined the following variables: sex, age, diagnosis, occupation, residence, religion, race,

²¹ Ian Clarke, "Public Provisions for the Mentally Ill in Alberta 1907-1936," (Master's Thesis, University of Calgary, 1973), p. 117.

²² Ibid., p. 112.

²³ Ibid., p. 112.

²⁴ Timothy Christian, "The Mentally Ill and Human Rights in Alberta: A Study of the Alberta Sterilization Act," (Unpublished paper, University of Alberta, N.D.).

birth place, sex reactions, sexual deviance, marital status, type of operation, method of admission and I.Q. scores. Christian summarized his findings as follows:

Persons presented to and approved for sterilization by the board occupied socially vulnerable positions. They tended to be female rather than male, young and inexperienced rather than mature, not employed and dependent rather self-supporting, employed in low status rather than prestigious jobs, residents of small towns rather than cities, members of ethnic minorities rather than the dominant ethnic group, single rather than married, and had been defined as sexual deviants.²⁵

Christian concluded by condemning the Alberta Sexual Sterilization Act as an "abhorrent statute" which allowed the state to interfere with the lives of vulnerable individuals by denying them the right to reproduce.

While Christian's report provides us with a wealth of statistical information concerning the implementation of the Act it only briefly sketches in the historical background. To date, no comprehensive contextual study has been done on the formation of this social policy. This thesis will hopefully rectify this obvious omission in the historical record. It will trace the movement which first asserted that the feeble-minded posed a social problem, then called for their isolation and finally demanded their sterilization. The study will examine the passage of the "Sexual Sterilization Act" of 1928 which ultimately led to the sterilization of close to 3000 individuals.

This thesis argues that throughout the formation of this social policy support for eugenic sterilization was dominated by progressive social

²⁵ Ibid., p. 123.

reformers. In addition to their desires for social reform these individuals simultaneously sought the social control of certain individuals. In calling for the isolation of the feeble-minded and in enacting the “Sexual Sterilization Act” itself, these Anglo-Saxon, middle class reformers attempted to define “unfitness” in relation to their own self proclaimed “fitness”. The distinction between “fitness” and “unfitness” upon which this social policy was based, therefore, reflected rigid race, class and gender assumptions. Consequently this thesis posits that the Alberta sterilization program primarily served to preserve and reinforce the privilege of those who were already in positions of power.

Having located this study historiographically a word or two has to be said about methodology. Following in the footsteps of feminist historians Valverde and Scott, this project draws upon poststructuralist theories which view meanings generated within language as social constructions. Valverde explains, that “language is not a transparent window giving access to the world but is rather itself a part of the world, a kind of objects among objects...”²⁶ It follows, according to Scott, that meanings are not static and enduring but dynamic and contested.²⁷ Social historians must therefore attempt to deconstruct the discourses in which meanings are contested. For this project this means that categories such as “feeble-mindedness” and

²⁶ Marianna Valverde, *The Age of Light, Soap, and Water, Moral Reform in English Canada, 1885-1925*, (Toronto: McClelland & Stewart, 1991), p. 9.

²⁷ Joan Wallach Scott, *Gender and the Politics of History*, (New York: Columbia University Press, 1988), p. 5.

“mental handicap” have to be viewed as much more than descriptive labels. This thesis will analyze these categories as social constructions in which everything from race, class and gender relations are defined, contested and redefined.

If meanings are to be understood as socially constructed, all modernist notions that claim scientific knowledge is the objective pursuit of an unalterable truth must be challenged. “Facts,” as Gould explains, “are not pure and unsullied bits of information; culture also influences what we see and how we see it.”²⁸ In addition, one must cast out the assumption that progress inevitably results from the rational application of science. Although critiques of the objectivity of science are becoming more widespread, there is still much resistance to the postmodern view that science like everything else is a socially embedded activity.²⁹ The acceptance of these arguments forces social historians to analyze science as an activity carried out by human beings within a particular social context. This thesis is a case study of the application of the science of eugenics to a particular set of social problems in Alberta. In showing how this social policy was informed by a whole variety of social preoccupations this thesis attempts to show that science is not the value-free pursuit of knowledge.

This thesis moreover accepts the claim made by Scott that act of writing

²⁸ Gould, *The Mismeasure of Man*, p. 22.

²⁹For postmodern critiques of the objectivity of science see: Bruno Latour, *Science in Action, How to Follow Scientists and Engineers Through Society*, Cambridge, Massachusetts: Harvard University Press, 1987); Ludwick Fleck, *Genesis and Development of a Scientific Fact*, (Chicago: University of Chicago Press, 1979).

history is a political one. "My motive was and is one I share with other feminists and it is avowedly political: to point out and change inequities between women and men."³⁰ Feminist historians such as Valverde have broadened their initial interest in gender as an analytic category to include other categories such as ethnicity, race, class and sexuality. In doing so Valverde calls into question a whole range of inequities in the past in order to reorder and reframe the present constructions of knowledge. Feminist history also demands a self-critical stance with regard to one's own cultural baggage. Many feminists are now attempting to challenge the ethnocentrism, racism, classism and even ableism present within the feminist movement itself.³¹

Despite the recent efforts of some feminists to include ability as an analytic category, mentally disabled individuals have rarely been considered by historians. Perhaps this is because historians have mistakenly believed that so-called "simple" people have had overly simple histories. Or perhaps our lack of empathy makes it easier to ignore this group completely. We are all "mad" at one time or another but never admit to being "retarded". Unfortunately, in a society where the very worth of mentally disabled persons is frequently denied it is no surprise to find that their history has been neglected.³² It was only recently that women were recognized as historical

³⁰ Scott, *Gender and the Politics of History*, p. 3.

³¹ Nancy Mandell, ed., *Feminist Issues Race, Class and Sexuality*, (Scarborough, Ontario: Prentice Hall, 1995), pp. 32-66.

³² Notable exceptions are: Tamara R. Vrooman, "The Wayward and the Feeble-minded: Euthenics, Eugenics, and the Provincial Industrial Home for Girls, 1914-1929," (Master's Thesis, University of Victoria, 1994) and Monica Wosilius, "Eugenics, Insanity and Feeble-mindedness: British Columbia's Sterilization Policy from 1933-1943," (Master's Thesis, University of Victoria, 1995).

subjects. The mentally handicapped and other marginalized groups, however, still remain invisible to many historians. Central to this thesis, therefore, is the assumption that persons with mental disabilities make interesting and important historical subjects. It is always easier to criticize the past than the present. There is much continuity between the abilism expressed in Alberta in the 1920's and current attitudes which continually challenge or deny the worth of the mentally disabled. This thesis therefore, will attempt to point to the roots of contemporary discrimination by revealing some of the horrors inflicted upon the mentally disabled in an earlier period.

To examine the public pressures which were brought to bear on the Alberta Legislature in the campaign for sterilization of the "unfit" it is necessary to analyze the documents generated by the public and the media such as the newspapers, the annual reports of various organizations and the health and welfare publications. While reference will occasionally be made to Canadian medical periodicals my interest is in mundane rather than academic science. More specifically I am interested in how scientific ideas were taken and applied to social problems by a group of middle-class social activists.

Chapter one explores the process through which in Alberta a category referred to as the feeble-minded was constructed as a social problem which threatened the very fabric of society. Resorting to arguments steeped in biological determinism, the province's Anglo-Protestant elite constructed the menace of the feeble-minded as a largely foreign, lower-class and frequently

female problem. In so doing they actively defined ethnic, class and gender relations which preserved the status quo and justified their positions of privilege.

Chapter two examines the role played by maternal feminists in the 1920's in their campaign for the sterilization of the "unfit" . This chapter analyzes how women such as Irene Parlby, Nellie McClung and Emily Murphy, embraced sterilization as a solution to the most feared social problems of the day. An effort will be made to analyze the complex marriage between eugenics, progressivism and first wave feminism. Finally, an analysis will be provided of the process by which members of organizations such as the United Farmers of Alberta and Local Councils of Women, constructed womanhood in a way which denied the right of motherhood to certain women considered "unfit" to be the "mothers of the race".

Chapter three examines the process through which eugenic sterilization legislation was adopted in Alberta. The objections to sterilization which were raised during the debates in the legislative assembly primarily addressed either moral, libertarian or scientific concerns. Despite the heated arguments which developed around these sets of concerns, many other issues embedded in the sterilization bill went unquestioned. While certain members of the government and the opposition parties objected to the sterilization bill, in general, they did not challenge the reality of the threat of the feeble-minded and they defended the ethnocentric assumptions upon which the bill was based. Consequently, their discourse served to reinforce the status quo by consolidating rather than challenging the privilege of the Anglo-Saxon elite in the province.

Finally chapter four examines the implementation of the "Sexual Sterilization Act" from 1928 and 1972. The program initially enjoyed a great deal of popular support but by the end of the Second World War the eugenics board's activities became shrouded in secrecy and silence. Despite this silence, however, sexual sterilizations continued to be ordered and carried out with tremendous zeal. The implementation of the Alberta Sexual Sterilization Act saw the institutionalization of ethnocentric, racist, classist, sexist and abilist ideologies which had been brewing in Alberta since the birth of the province.

Chapter 1

The Threat of the Feeble-minded: The Creation of a Social Problem, 1913-1928.

In 1916, J.S. Woodsworth a well-known Canadian reformer, socialist and author warned that "the feeble-minded and the progeny of the feeble-minded constitute one of the great social and economic burdens of modern times."³³ The fears expressed by Woodsworth were not unique. During the late nineteenth and early twentieth century, inspired by the eugenics movement, many reformers on both sides of the Atlantic identified the feeble-minded as a menace who threatened the race with degeneration.

The term "feeble-minded" was first used in Britain in the 1850's to refer specifically to high grade mental defectives.³⁴ In North America the term came to be used more broadly for all grades of mental deficiency. It must be understood, however, that the classification of mental deficiency reflected social as well as medical judgements.³⁴ Deviant behavior in itself was frequently enough to label an individual as feeble-minded regardless of whether or not he or she was mentally disabled. During the first decades of the

³³Peter Tyor, "'Denied the Power to Choose the Good:' Sexuality and Mental Defect in American Medical Practice, 1850-1920," *Journal of Social History* 10 (1977), pp. 472-489.

³⁴ Kevles, *In the Name of Eugenics*, p.78.

twentieth century middle and upper class reformers actively constructed the feeble-minded as a loose category into which individuals judged to be socially "undesirable" or "unfit" were cast.³⁵ Basing their arguments on biological determinism these reformers popularized a myth of the menace of the feeble-minded. According to this myth, feeble-mindedness was responsible for the majority of social problems including crime, illegitimacy, prostitution, alcoholism, and poverty. Feeble-mindedness was also believed to be largely hereditary, and the feeble-minded, it was argued, had disproportionately high birth rates.³⁶

In Alberta, between 1913 and the passage of the "Sexual Sterilization Act (1928)," the myth of the menace of the feeble-minded gained acceptance among social reformers, politicians and health professionals. The forms which this menace took most frequently corresponded to one of three stereotypes: the foreign defective, the degenerate pauper, and the promiscuous woman. The construction of feeble-mindedness as a largely foreign and lower class phenomenon and the belief that female defectives were particularly dangerous reveals how the Anglo-Saxon elite of the province, used feeble-mindedness to define ethnic, class and gender relations. Through drawing connections between mental deficiency and various forms of "social failure" this social construction in turn prevented a sympathetic understanding of mental disability. By arguing that the feeble-minded were a menace to society,

³⁵ For a discussion of the myth of the menace of the feeble-minded in Canada see: Simmons, *From Asylum to Welfare*, pp. 66-67; McLaren, *Our Own Master Race*, pp. 37-38.

³⁶ Walter Young, *Democracy and Discontent: Progressivism, Socialism and Social Credit in the Canadian West*, 2nd. ed. (Toronto: McGraw-Hill Ryerson Ltd., 1978).

reformers were expressing fear rather than concern for these individuals. Many of these reformers, however, were not arch reactionaries, but progressives and socialists intent on creating a new and better society.³⁶ Despite the good intentions of these reformers, their definitions of feeble-mindedness served to consolidate the privilege of those defining at the expense of those so defined.

While Alberta did not experience urbanization as much as North America did in the first quarter of the century, it did experience massive immigration. In the years between 1898 to 1914, as a direct result of Minister of the Interior, Clifford Sifton's aggressive policy to people the west, 600,000 immigrants flooded into Western Canada. Alberta's population swelled from 73,000 in 1901 to 375,000 in 1911. Although immigration slowed during the years of the First World War, by 1921, the province's population reached 554,458.³⁷ Before 1930, there was a wide spread fear among Alberta's Anglo-Protestant elite that their social institutions were threatened by this influx of foreigners. Although many of the individuals who fought for immigration restrictions were immigrants themselves, often either British or American, it was specifically non-Anglo-Saxon immigration that they rallied against. The worthiness of immigrants was judged according to a racial hierarchy which placed British and American immigrants at the top and non-white immigrants at the bottom. According to this hierarchy, Northern Europeans were

³⁷ T.C. Byrne, *Alberta's Revolutionary Leaders*, (Calgary, Detselig Enterprises, 1991), pp. 10-11, 13.

³⁸ Howard Palmer with Tamara Palmer, *Alberta A New History*, (Edmonton: Hurtig, 1990), p. 76-78.

considered more desirable than Southern and Eastern Europeans who it was believed were less likely to be assimilated into Anglo-Protestant society.³⁸ With the onset of the First World War, a growing nationalism shattered the earlier tolerance of German and Eastern Europeans now labelled by many as "enemy aliens." Even though Alberta's population was made up primarily of immigrants, Anglo-Saxon nativism was wide-spread throughout the Anglo-Protestant majority of the province³⁹.

Not surprisingly given this nativism, between 1913 and 1930 social reformers, politicians and health professionals in Alberta increasingly associated feeble-mindedness with foreigners. Numerous descriptions of foreign defectives were included in their discussions of the feeble-minded. As R.B. Chadwick, Alberta's Superintendent of Neglected and Dependent Children, explained in 1914, with respect to feeble-mindedness: "In Alberta, the problem is largely an imported one."⁴⁰ According to Chadwick, insufficient screening of immigrants permitted many weak and defective individuals to enter the country:

No mental tests are required by the Dominion Immigration Department, there is merely a cursory medical examination, whereas at least half an hour should be taken with each case [...] with the result that cases of this kind are brought in from Europe and other places...⁴¹

³⁹ Ibid., pp. 172-173, 199-204.

⁴⁰ R. B. Chadwick, "Mental Defectives in Alberta". *The Public Health Journal* 5: 4 (April, 1914), p. 222.

⁴¹ Ibid., p. 222.

⁴² J.S. Woodsworth, *Strangers Within our Gates*. (Toronto: 1909); See also: Allen Mills, *Fool*

Chadwick, like many of his contemporaries, believed that the quality of Canadian stock was threatened by the arrival of foreign defectives.

J.S. Woodsworth, a well known progressive reformer and Director of the Bureau of Social Research, shared many of Chadwick's concerns about immigration and its relationship to mental deficiency.⁴² The Bureau of Social Research was a joint project between the Manitoba, Saskatchewan and Alberta governments set up to investigate problems associated with mental deficiency. Two months after Woodsworth lectured in Edmonton in August of 1916, the bureau's report was published as a series in the *Winnipeg Free Press*. The report rearticulated commonly held fears that the feeble-minded were a menace to society.⁴³

Although Woodsworth recognized that mentally deficient individuals were found in both native and immigrant groups his discussions were focused on the latter.⁴⁴ The discovery that immigrants were over represented in the country's mental institutions and prisons acted as a catalyst for concern about the quality of immigrants coming into Canada. In 1915, as reported by Woodsworth, Dr. J. D. Page, the chief medical officer at the Port of Quebec,

For Christ: The Political thought of J.S. Woodsworth, (Toronto, University of Toronto Press, 1991).

⁴³ Clarke, "Public Provision for the Mentally Ill in Alberta," pp. 87-88; *Winnipeg Free Press*, October 11, 1916, p. 9.

⁴⁴ *Ibid.*.

⁴⁵ *Winnipeg Free Press*, October 11, 1916, p. 9.

warned the Canadian Public Health Association that

If the character of the examination of the immigrants was what it should be or what it is already in the United States, they would not have found last year at the clinic for the feeble-minded of the Toronto General Hospital 222 feeble-minded persons born outside Canada against 203 native born which is more than the number rejected among the 3,000,000 immigrants who have reached our shores since the enforcement of the Immigration Act nearly 11 years ago - 215 only have been rejected at examination on arrival up to the year 1913-14 inclusive.⁴⁵

Social reformers such as Woodsworth blamed the disproportionate number of foreign born individuals in these institutions on their innate defectiveness, rather than on a social system which made their adjustment to a new culture difficult.

It was no accident that many of the individual cases Woodsworth discussed in his report were identified as recent immigrants. As he explained: "when the Markofskys landed at Montreal in 1900 the casual examination given did not reveal the fact that Max was insane and his wife mentally deficient."⁴⁶ Woodsworth went on to describe how Max, the father of six children, bounced from mental asylum to prison to mental asylum, unable to support his family. According to Woodsworth, cases such as the Markofskys were not unique, but instead all too common. He was quick to explain the difficulties faced by immigrants such as the Markofskys, as the result of their

⁴⁶Winnipeg Free Press, November 15, 1916, p. 11.

⁴⁷Winnipeg Free Press, November 15, 1916, p. 11; and Winnipeg Free Press, November 1, 1916.

"defective" stock and failed to recognize the inequities in the existing social system.⁴⁷

According to Woodsworth: "One thing is obvious, no more mental defectives should be allowed to enter Canada."⁴⁸ In order to achieve this goal, Woodsworth advocated tighter immigration restrictions. In support of Dr. Page, Woodsworth also suggested that medical examinations take place in the country of origin rather than on entry into Canada. He proposed that the financing of this project be provided by the Chinese head tax already in place. These solutions, he believed, would help stem the flow of defectives entering Canada. According to Woodsworth, "mental defectives are here in hundreds; they are multiplying rapidly; more are coming in every ship load of immigrants."⁴⁹

For Woodsworth, mental deficiency was one of the most serious problems facing Canada during this period. The magnitude of the problem was reinforced by the link drawn between mental deficiency and problems such as alcoholism, disease, prostitution, crime and poverty.⁵⁰ Above all was Woodsworth's insistence that this problem was largely a foreign one. According to Howard Palmer, prostitution, crime, alcoholism, and immigration,

⁴⁸ *Winnipeg Free Press*, November 15, 1916, p. 11.

⁴⁹ *Ibid.*, p. 11.

⁵⁰ See: *Winnipeg Free Press*, November 1, 1916, p. 9; *Winnipeg Free Press*, November 8 1916, p. 11.

⁵¹ Howard Palmer, *Patterns of Prejudice: A History of Nativism in Alberta*, (Toronto: McClelland & Stewart, 1982), p. 18.

especially non-Anglo Saxon immigration, were commonly viewed by Alberta social reformers as interrelated.⁵¹ These related social problems were also believed to be largely hereditary. For Woodsworth and the Bureau of Social Research, it was the defective stock of the Markofskys, not the social and economic factors present within Canada, which worked against them and was responsible for their failure to adjust to Canadian society.

In October and November of 1921, the Canadian National Council of Mental Hygiene carried out a mental hygiene survey of the province of Alberta which strengthened the claim that immigrants posed a threat.⁵² This survey was ordered under the direction of Clarence Meredith Hincks, and carried out by Professor D. G. Revell. As stated in the preamble: "it will be clear to the thoughtful reader that those who are mentally handicapped tend to drift into antisocial channels and therefore need intelligent supervision."⁵³ Even the use of the term "hygiene" reflects the pervasive attitudes about those who suffer from mental illness or disability as somehow unclean. The survey's

⁵²Formed in April 1918, The Canadian National Committee for Mental Hygiene was patterned after a similar American organization, The National Committee for Mental Hygiene under the directorship of Clifford Beers. Inspired by the work of Beers, Clarence M. Hincks established the CNCMH which was committed to analyzing and proposing solutions to a variety of mental health problems in Canada. Included in these problems was the threat of the feeble-minded. For more information see: Evelyn Molson Russel, "The Origin, Organization and scope of the Canadian National Committee for Mental Hygiene," *Canadian Mental Association Journal* 8 (1918), pp. 538-544; C.M. Hincks, "The Scope and Aims of the Mental Hygiene Movement in Canada," *Canadian Journal of Mental Hygiene* 1:1 (April, 1919), pp.. 20-29. See: Canadian National Committee on Mental Hygiene, "Mental Hygiene Survey of the Province of Alberta," Conducted in October and November, 1921. Provincial Archives of Alberta 90.173 - GSE.

⁵³ CNCMH, "Mental Hygiene Survey of the Province of Alberta," 1921, p. 1.

⁵⁴ Ibid., p. 43.

discussion of mental handicap and the problems associated with it were infused with anxiety about race degeneration. The fact that Alberta was primarily made up of immigrants did not stop the Anglo-Saxon elite from complaining about the quality of immigrants entering the country or from claiming that mental abnormality was disproportionately higher among foreign groups. The survey recommended that medical examination and tighter immigration restrictions be established.⁵⁴

It will be shown, that while the Canadian born of the province as a whole was 48.06% in 1916, their proportion is considerably less in the Mental Hospital, Ponoka, the jails and the institutions caring for unmarried mothers. In other words, immigrants have contributed more than their fair share to the insane and feeble-minded population, and other undesirable groups.⁵⁵

These views were also shared by one of Canada's leading feminists and social reformers. According to Magistrate Emily Ferguson Murphy, seventy percent of the inmates in the mental institution at Ponoka were born outside of Canada.⁵⁶ Establishing that the representation of immigrants was disproportionately high, Revell and Murphy, like many other middle and upper-class reformers in this period, implied that immigrants were biologically more likely to be mentally abnormal than the Canadian born population.⁵⁷

⁵⁵ Ibid., p. 43.

⁵⁶ "Birth Rate of Feeble Minded Causes Alarm." *Edmonton Bulletin*, June 8, 1926.

⁵⁷ CNCMH, "Mental Hygiene Survey of the Province of Alberta," 1921, pp. 39-40.

⁵⁸ See for example: R. B. Chadwick, "Mental Defectives in Alberta", *The Public Health Journal*, 5: 4 (April, 1914), p. 222.

The difficulties experienced by immigrants were explained by their investigators as the result of their innate inferiority rather than a social system in which immigrants, particularly those who were non- Anglo -Saxons, were placed in a devalued and disadvantaged position.

The reformers' concept of the immigrant was often confused with their concept of race. The use of the term "race" by social reformers, however, was ambiguous.⁵⁸ As Mariana Valverde points out, the term was used simultaneously to refer generally to the human race and to refer specifically to the Anglo-Protestant race.⁵⁹ "The layers of ambiguities of meaning, far from demonstrating confusion, helped to legitimize and at the same time obscure the mechanisms of racial and imperial power."⁶⁰ Valverde's comments concerning the use of the term race are consistent with its employment in Alberta during this period. In R. B. Chadwick's conclusion, for example, he confidently stated: " money spent in eliminating this unfortunate class from society by segregation all over the dominion, will be returned a thousand fold in the higher mental development and stronger race of people of the future."⁶¹ Although there was nothing explicit in Chadwick's statement to

⁵⁹ Marianna Valverde, "'When the Mother of the Race is Free': Race, Reproduction , and Sexuality in First- Wave Feminism," in *Gender Conflicts New Essays in Women's History*, eds., Franca Iacovetta and Mariana Valverde, (Toronto: University of Toronto Press, 1992), pp. 4-5.

⁶⁰ Ibid., p. 5.

⁶¹ Chadwick, "Mental Defectives in Alberta", p. 222.

⁶² Alberta Women's Institutes, "Report of the Annual Convention of Alberta Women's Institutes", May 25-31, 1923, Provincial Archives of Alberta, 74.1 Box 9/228, p. 52.

suggest that he was referring exclusively to the Anglo-Protestant race, racial specificity was implied through the statement's close association with earlier discussions of immigration and the foreign defective. While the intended message remained clear, it was made more palatable by Chadwick's ambiguous language.

The language used by social reformers while discussing immigration and race degeneration was not always cloaked as well as Chadwick's. In May of 1923, George Hoadley, the Minister of Health for the United Farmers of Alberta government, spoke at the annual convention of the Alberta Women's Institutes held in Edmonton. Speaking on immigration and the problem of caring for the insane and mentally deficient, Hoadley was quoted as having

deplored the danger of allowing undesirables into a new country like Canada, as it would be only a matter of a short time before they outnumbered the white people. The only safety lies in bringing in people of the same blood and origin.⁶²

For Hoadley, the relationship between non-Anglo Saxon immigration and insanity and mental deficiency was undeniable. Hoadley, like Chadwick, Murphy and Woodsworth, blamed the increase in numbers of insane and mentally deficient in the provincial institutions largely on the inadequate screening of immigrants.⁶³

Feeble-mindedness was also frequently associated with the defective

⁶³ *Ibid.*, p. 53.

⁶⁴ Mrs. R.B. Gunn, "U.F.W.A. Presidential Address", *Grain Grower Guide*, January 28, 1925.

foreigner in the *Annual Reports and Addresses* of the United Farm Women of Alberta. Mrs. R.B. Gunn, stated in her 1925 Presidential Address to the United Farm Women of Alberta: "in the final analysis the permanence and progress of civilization depends on the mental calibre and physique of its citizenry."⁶⁴ According to many social reformers, the defective foreigner had to be barred from the country in order to prevent the degeneration of the race. By constructing feeble-mindedness as a largely imported problem, members of the Anglo-Saxon elite expressed their anxiety over the influx of non- Anglo-Saxon immigrants arriving in Alberta.

In addition to the stereotype of the foreign defective, feeble-mindedness was also constructed as a largely "lower-class" phenomenon. Many social reformers linked feeble-mindedness to social problems such as poverty, dependency, delinquency and crime, which were in turn associated with the "lower classes". In a 1914 special issue of the *Canadian Public Health Journal* on the problems of the feeble-minded, George Strathy of Toronto argued that "the relation of feeble-mindedness to poverty is of course well known to scientists of the subject."⁶⁵ For example, in Toronto, according to Strathy, the majority of the chronically poor were mentally defective.⁶⁶ J. S. Woodsworth also discussed the relationship between poverty and mental deficiency. Referring to the work of American eugenicist Henry Goddard,

⁶⁵ Dr. George S. Strathy, "The Feeble Minded and Social Evils," *The Public Health Journal*, 5 : 4 (April, 1914), p. 233.

⁶⁶ *Ibid.*, p. 233.

⁶⁷ *Winnipeg Free Press*, November 8, 1916, p. 11.

Woodsworth reported that at least fifty per cent of the inmates in American almshouses were feeble-minded. Woodsworth stated that "while we in western Canada have no almshouses, the records of relief societies show that many of the most difficult family cases are those in which at least one of the parents is mentally defective."⁶⁷

Feeble-mindedness was also linked to dependency. The Alberta "Mental Defectives Act" of 1919 defined mentally defective persons as, "any person afflicted with mental deficiency from birth, or from an early age, so pronounced that he is incapable of managing himself or his affairs, and who is not classified as an insane person."⁶⁸ The 1921 Mental Hygiene Survey of Alberta stated that the mentally handicapped included the insane, the mentally deficient and the psychopathic. These individuals, it was argued, were unable to live independently and conduct their own affairs because of their mental defect or disorder.⁶⁹ Not only were the feeble-minded often dependent, but the authors of the survey argued that the majority of individuals who were chronically out of work and dependent were mentally handicapped.⁷⁰ Connections were also made between feeble-mindedness and the problems of delinquency and crime.⁷¹ R. B. Chadwick argued that the majority of

⁶⁸ Alberta Statutes, 1919, "An Act Respecting Mentally Defective Persons," Chapter 21, p. 151.

⁶⁹ CNCMH, "Mental Hygiene Survey of the Province of Alberta," 1921, pp. 4-5.

⁷⁰ *Ibid.*, pp. 40.

⁷¹ See: Maud A. Merrill, "Feeble-mindedness and Crime," *The Dalhousie Review* 1 (January, 1922), pp. 360-368.

chronic criminals, "misdemeanants" or delinquents were mentally defective.⁷² Mental deficiency according to Woodsworth:

...in the community in later life, the sad combination of his childish mind and his adult years inevitably brings him into conflict with laws, customs and rules of conduct all of which have been devised for persons whose minds as well as bodies are those of adults.⁷³

Following Chadwick's argument, as a result of this "sad combination", the majority of alcoholics, unwed mothers, prostitutes, criminals and paupers came from this class.

The Alberta Mental Hygiene survey of 1921 came to similar conclusions about the connections between social problems and feeble-mindedness. Although these conclusions were not new, they were supported for the first time by Alberta statistics which gave them the appearance of enjoying scientific objectivity. The objectivity of this survey, however, must be questioned. Not only were the definitions upon which it relied biased in favor of the Anglo-Protestant majority, but its conclusions depended upon a confusion between correlation and causation.

In order to determine whether or not behavioral problems were related to mental abnormality, Charles B. Willis, principal of Alex Taylor School in

⁷² Chadwick, "Mental Defectives in Alberta", p. 222.

⁷³ *Winnipeg Free Press*, October 11, 1916, p. 9

⁷⁴ CNCMH, "Mental Hygiene Survey of the Province of Alberta," 1921, pp. 32-33. For a discussion of the problems of I.Q. testing see: Gould, *The Mismeasure of Man*, pp. 146-233.

Edmonton, carried out intelligence tests on all of his students.⁷⁴ During this period, many psychologists, educators and health professionals enthusiastically embraced intelligence tests as objective measures of human intelligence. These tests however were far from objective. As Stephen Jay Gould has argued I.Q. tests are culturally biased and at best have recorded little more than social prejudice.⁷⁵

Willis' study established that "troublesome" children more commonly had lower than average I.Q scores. The survey recognized, however, that behavior problems could have many different causes including a poor environment or physical condition. The task of the teacher was, therefore, to determine the cause or causes and try to correct them when possible.⁷⁶

Although it was admitted here that behavior was not exclusively determined by either nature or nurture, the emphasis on the connections found between mental deficiency and social problems colored the report with a biologically deterministic bias. According to Revell, "in Alberta, as elsewhere, a considerable proportion of the chronic and flagrant offenders against the law are possessed of unsound mentality...."⁷⁷ After visiting Alberta's jails, juvenile courts and detention homes, the survey staff came to the conclusion that at least twenty-five per cent of inmates suffered from some form of mental

⁷⁵Gould, *The Mismeasure of Man*, pp. 28.

⁷⁶ CNCMH, "Mental Hygiene Survey of the Province of Alberta," 1921, p. 33.

⁷⁷ *Ibid.*, p. 36.

⁷⁸ *Ibid.*, p. 37.

abnormality.⁷⁸

The allure of hereditarian ideas led some reformers away from their progressive sentiments. Linking perceived lower-class social problems such as poverty, dependency, delinquency and crime with the menace of the feeble-minded, reformers justified rather than challenged the existing social structure. The construction of the feeble-minded as a largely lower-class menace discouraged policies which were directed at improving the conditions of the poor.⁷⁹ According to Strathy efforts, of "charitably disposed" persons were not only futile but dangerous as they encouraged rather than discouraged the spread of "social evils".⁸⁰ Instead, he connected poverty with the menace of the feeble-minded and the concomitant threat of race degeneration. Woodsworth, a socialist who sympathized with some who were poor was unsympathetic when it came to those who were poor as a result of their feeble-mindedness. Woodsworth described how the Baker family, defective paupers from London, cost the government over nine hundred dollars in relief during their three and a half year stay in Canada before they were deported. In summarizing the efforts to help the Baker family Woodsworth pessimistically proclaimed; "Results - nil! Prospects - hopeless."⁸¹ Not just poor, the Baker family was a menace. The dangers

⁷⁹ For example of this view see: Dr. George S. Strathy, "The Feeble Minded and Social Evils," *The Public Health Journal* 5 : 4 (April, 1914), p. 233.

⁸⁰ Strathy, "The Feeble Minded and Social Evils," p. 233.

⁸¹ *Winnipeg Free Press*. November 8 1916, p. 11.

⁸² *The Public Health Journal* 5 : 4 (April, 1914), p. 207.

posed by this family would likely be transmitted to their offspring, of which, he argued, there would be many.

In 1914, the arguments concerning the threat of the feeble-minded were summarized for Canadians in a special issue of *The Public Health Journal* entitled "The Problem of the Feeble-Minded".⁸² Articles with titles such as, "Waste Humanity", "We Pay" and "The Feeble-Minded and Social Evils" indicated that the concern surrounding the feeble-minded was more about fear and anxiety than sympathy and understanding. The authors of such essays were primarily interested in the need to protect society from such "degenerate" individuals. They argued that the feeble-minded were a menace to the community because they were responsible for many social problems. Unlike the insane, warned these social reformers, the majority of the feeble-minded were not isolated from society in institutions.⁸³ At large, free to reproduce their kind, and without the ability to distinguish between right and wrong, the feeble-minded were a menace to the entire community.⁸⁴

Reformers who constructed the feeble-minded as a foreigner and as a pauper also specified that the feeble-minded was usually a woman. Many Albertan and Canadian discussions on the feeble-minded emphasized the dangerous and immediate threat posed to society by feeble-minded females.⁸⁵ This preoccupation with women stemmed, first, from the eugenic

⁸³Chadwick, "Mental Defectives in Alberta," p. 222.

⁸⁴ Strathy, "The Feeble Minded and Social Evils," p. 232; see also, J.E. Farewell, "The Feeble Minded and Crime", *The Public Health Journal* 5 :4 (April, 1914), p. 237.

⁸⁵ For an example of this see: *Edmonton Journal*, March 23, 1915.

⁸⁶ Ibid..

argument that feeble-mindedness was largely hereditary, and second, from the connection drawn by eugenicists between feeble-mindedness and immorality, illegitimacy, prostitution, and venereal disease. Prostitutes, poor pregnant women, and mothers of illegitimate children were held up by middle and upper-class observers to prove that the menace was continually increasing.

Why was the feeble-minded woman seen as a particular danger? Social reformers were concerned not only with the degeneration of the race caused by the importation of "defective stock", but were also concerned that the feeble-minded within Canada were reproducing their kind at an alarming rate. Pessimists such as Dr. G.D. Stanley, Member of the Legislative Assembly for High River, argued that not only was feeble-mindedness largely hereditary, but that the birth-rates of the feeble-minded were alarmingly high. He reported that in Great Britain it was found that the birth-rate of the feeble-minded was twice as high as that of "normal" individuals.⁸⁶

The feeble-minded female, accordingly, became the target of attention because of her visible role in the reproduction of the race. Stanley argued before the Legislative Assembly, on March 23, 1915, that the most dangerous class was not feeble-minded children, but feeble-minded women during their reproductive period.⁸⁷ Similarly, R. B. Chadwick explained:

 The menace of this woman to society, is far greater than if she were

⁸⁷ *Edmonton Journal*, March 23, 1917.

⁸⁸ Chadwick, "Mental Defectives in Alberta", p. 222.

violently insane, as the mental defective strain is bound to show up in all the children to whom she becomes a mother, the children in turn will transmit the same defect to their progeny, and this constantly increasing problem will have to be taken care of by the state in the future.⁸⁸

Although women were no more responsible than men for the transmission of feeble-mindedness to their children, it was feeble-minded women who became pregnant and therefore gained the nervous attention of Alberta social reformers intent on preventing the degeneration of the "race".

Female feeble-mindedness was constructed, within the Canadian discourse on gender, according to middle and upper-class expectations of behavior.⁸⁹ Such concerns for sexual propriety were revealed in Alberta in 1914, when a petition was sent to the Legislative Assembly which asked for a commission to investigate the condition of the mentally defective in the province.⁹⁰ The petition, was signed by several female social reformers including Emily Furguson Murphy. The petition described the problems associated with mental deficiency as follows:

WHEREAS the female of this group are liable to become immoral women and the victims of designing men,

WHEREAS, the males of this group are liable to become a menace and

⁸⁹ For a discussion of similar concerns raised in British Columbia see: Vrooman, "The Wayward and the Feeble-minded," p. 46; Wosilius, "Eugenics. Insanity and Feeble-mindedness," pp. 51-53.

⁹⁰ "Petition for the Appointment of a Commission to Investigate the Conditions of Mental Defectives," 1914, Provincial Archives of Alberta 70.427 GS Box 12/161.

⁹¹ Ibid..

cost to society as charitable charges or as misdemeanants or criminals.⁹¹

This description reflected the attitudes of individuals such as Murphy concerning appropriate gender roles for men and women. Morality was demanded of women, social utility and economic independence was expected of men. Those individuals falling short of these gender specific requirements were considered deviant and often labelled as mentally deficient. Lucy M. Brooking, the Superintendent of the Alexandra Industrial School For Girls in Toronto, was quick to point out that out of the six hundred girls that came under her care, only ten were "perfectly chaste".⁹² Feeble-mindedness, therefore, was largely defined as a failure to conform to society's standards. Sexual

Albertans, such as R.B. Chadwick, blamed the feeble-minded female for the problems of widespread immorality, prostitution, illegitimacy and venereal disease. In Chadwick's discussion of a girl he called Jenny, he stated:

This child should never be allowed to mingle with society at large, because as she comes to years of womanhood she is bound to become a vagrant, and professional prostitute, and an easy prey to any designing beast who will make up his mind to take advantage of the girl's mental capacity.⁹³

⁹²Lucy M Brooking, "We Pay," *The Public Health Journal* 5:4 (April, 1914), p. 212.

⁹³ Chadwick, "Mental Defectives in Alberta," p. 221.

⁹⁴Peter Tyor, "Denied the Power to Choose the Good," p. 482.

Chadwick's language was not only deterministic, but supported the double standard by demanding the segregation of the girl rather than the "designing beast" who might take advantage of her. For Chadwick, and others, it was not the designing ambitions of men to exploit females that threatened the social order as much as the uncontrolled sexuality of women. Deeply rooted in Victorian attitudes towards sexuality this double standard was still alive and well in Alberta during the 1920's.⁹⁴

The 1921 Alberta Mental Hygiene Survey also defined mental deficiency in terms of gender specific constructions. Dr. Revell was particularly preoccupied with the dangers associated with feeble-minded females. There was not a single reference made to men or boys in his discussion of immorality.⁹⁵ Once again, the double standard identified female immorality as a problem when it was not one for men. Concern over the immorality of feeble-minded females underlined the need to make provisions for feeble-minded women of child-bearing age rather than for feeble-minded men and children.⁹⁶

While behavior problems and delinquency were a concern to Dr. Revell and the Canadian National Council of Mental Hygiene, they considered illegitimacy and immorality to be more pressing problems. Out of twenty-eight illegitimate mothers surveyed, fifteen or 53.57 per cent were diagnosed as mentally deficient.⁹⁷ According to Revell, "their feeble-mindedness was

⁹⁵ CNCMH, "Mental Hygiene Survey of the Province of Alberta," 1921, pp. 39-40.

⁹⁶ Ibid., pp. 39-40.

⁹⁷ Ibid., p. 38.

responsible in no small measure for their inability to conform to the precepts of society."⁹⁸ More than simply posing a threat to middle-class expectations of behavior, illegitimacy was believed to threaten the future of society. "We must give cognizance to the fact that many of the babies born out of wedlock, with defective parentage, will themselves be handicapped mentally."⁹⁹ Feeble-minded women were also found to be over represented amongst those involved in immoral behavior.¹⁰⁰ Thirty out of the sixty-eight girls and women with records of prostitution and immorality, were declared to be mentally deficient.¹⁰¹ A typical case was that of an American girl, awaiting discharge from the Fort Saskatchewan Jail, who was described as posing a dangerous threat to the social order. The report described how she:

Has appeared before Judge [Emily] Murphy on three occasions, charged with vagrancy and prostitution. She frequents dance halls, and gives a long story of sexual promiscuity. Her occupation is that of housemaid, but she has had only irregular employment, because of instability.¹⁰²

Revell argued that, in order to prevent social failure, some form of provision for

⁹⁸ Ibid., p. 38.

⁹⁹ Ibid., p. 38.

¹⁰⁰ Ibid., p. 38.

¹⁰¹ Ibid., p. 39.

¹⁰² Ibid., p. 40.

¹⁰³ Ibid., p. 39.

such feeble-minded girls of child-bearing age was urgently needed.¹⁰³ Making matters worse, this girl was also suffering from venereal disease. Apparently Emily Murphy did not recognize the role men played in the transmission of such diseases. In a letter from Murphy to Clarence Hincks of the Canadian National Council of Mental Hygiene, Murphy warned that: "Feeble-minded prostitutes are responsible for the spread of more than twenty-five per cent of all venereal diseases, hence the necessity for the control of feeble-mindedness."¹⁰⁴

Feeble-mindedness was therefore constructed as not only a foreign and a lower class phenomenon, but also primarily a female problem. Feeble-minded females by their immoral behavior threatened the cherished institutions of marriage and the family with immorality, illegitimacy, prostitution and V.D..

Social reformers in Alberta, like their counterparts in the rest of North America and Britain, constructed feeble-mindedness as a cause of social problems. Because of the influence of the eugenics movement the discourse on mental disability during this period was seldom sympathetic. Feeble-mindedness was understood as manifesting itself in deviant behavior, responsible for a host of social problems and therefore a menace. Feeble-mindedness was defined according to Anglo-Saxon middle-class assumptions about race, class and gender. More specifically it was defined as

¹⁰⁴ letter to Emily Murphy From Clarence Merideth Hincks dated April 5, 1924, Queen Street Mental Health Archives.

¹⁰⁵ Margaret Gunn, President of the UFWA, quoted in Timothy Christian "The Mentally Ill and Human Rights in Alberta," p. 9; For original see Margaret Gunn, "President's Address to the UFWA, "UFWA Annual Report and Addresses", 1924. p. 70.

a largely foreign, female and lower class phenomenon. As a result eugenics ignored social inequities that caused social problems and never addressed the fact that those who were mentally disabled might be valued equally with those of "average" ability. As with all definitions, the label of "feeble-mindedness" was historically specific, and reflected the shared attitudes and biases of those defining rather than objective descriptions of those so defined. The suggestion that poverty was caused by feeble-mindedness or individual weakness, rather than by the inequities of the society itself, reflected an attempt by members of the middle and upper classes to justify their own position and reinforce the status quo. By describing the feeble-minded as "waste humanity", "degenerate" and "unfit", social reformers were not only constructing their own definition of the "lower" classes, but were also defining themselves in opposition to them. Thus a set of binary opposites were established which distinguished between the rich and poor, the moral and the immoral, the useful and the useless, and ultimately the good and the bad. These oppositions served to preserve rather than to challenge the privilege of those middle-class Anglo-Saxon reformers at the expense of all "others". In Alberta, once the feeble-minded were identified as a menace, it was a short step for social reformers to gain public acceptance of the compulsory sterilization of this group.

Chapter 2

"Democracy Was Never Intended For Degenerates," Maternal Feminists in Alberta Campaign for the Sterilization of the "Unfit", 1921-1928¹⁰⁵

In 1908, Dr. Helen MacMurchy, a physician, feminist and social reformer from Ontario advocated the sterilization of the feeble-minded. MacMurchy became the first well known figure in Canada to endorse the measure. As a physician working in the field of mental deficiency, MacMurchy brought scientific credibility to eugenic arguments. In addition, as a distinguished member of the National Council of Women, MacMurchy won a broad base of support for her public health initiatives including sterilization. While appreciating the support she received from the National Council of Women, MacMurchy emphasized the necessity of having the leadership of medical "experts" in campaigns for social reform.¹⁰⁶ Unlike sterilization campaigns in the rest of Canada which enjoyed the leadership of "experts" such as MacMurchy, the Alberta campaign was carried out almost exclusively by "maternal feminists". According to Linda Kealey, maternal feminists believed that women's moral superiority and special nurturing qualities as mothers made their participation in the public sphere necessary.¹⁰⁷

¹⁰⁶Simmons, *From Asylum to Welfare*, pp. 65-72.

¹⁰⁷ Linda Kealey, ed., *A Not Unreasonable Claim Women and Reform in Canada, 1880s-1920s*, (Toronto: The Women's Press, 1979), p. 7.

During the First World War, Alberta felt the impact of the international progressive movement through the unprecedented growth of the social gospel, prohibition, and the women's and the farmers' movements. The underlying goals of many maternal feminists were to combat a variety of social problems including, alcoholism, crime, prostitution, immorality and poverty. In their effort to achieve this they championed reforms such as married women's property laws, prison reform, child welfare and public health reform.¹⁰⁸ These activities were part of a broader social reform package which was inspired by an international anxiety over problems associated with urbanization, immigration and declining Anglo-Saxon fertility. By 1916, despite the successful achievement of prohibition legislation and female enfranchisement, social problems persisted in the province. In the early twenties many maternal feminists turned to eugenic solutions such as the sterilization of the feeble-minded as a means to prevent further social degeneration.¹⁰⁹

The maternal feminists who campaigned for compulsory sterilization in Alberta defined themselves, and were defined by others, as "progressive" social reformers.¹¹⁰ They were drawn from both urban organizations such as

¹⁰⁸ Howard Palmer and Tamara Palmer, *Alberta A New History*, (Edmonton: Hurtig, 1990,) pp. 117-182, 233; See also: Sheila McManus, "Gender, Work, Politics: Southern Alberta Farm Women, 1905-1929," (Master's Thesis, University of Victoria, 1994.)

¹⁰⁹ *Ibid.*, pp. 173-177.

¹¹⁰ Kealey, ed., *A Not Unreasonable Claim*. p. 3.

¹¹¹ Alison Prentice, et al. *Canadian Women : A History*, (Toronto: Harcourt Brace Jovanovich, 1988), pp. 169-188.

the Women's Christian Temperance Union and Local Councils of Women, and from rural organizations such as the United Farm Women of Alberta.¹¹¹

Although women's organizations in Alberta were divided along urban and rural lines, they shared a common commitment to social reform. Among the ranks of those who either campaigned for or endorsed compulsory sterilization were some of Canada's leading feminists including Emily Murphy, Irene Parlby, Nellie McClung, Louise McKinney and Henrietta Edwards.¹¹² Known later as the famous five, these women also appeared before the Judicial Committee of the Privy Council in Britain, to have women legally recognized as "persons".¹¹³

¹¹² "Return asked for by Mr. Weaver Regarding Correspondence in Connection with the Sterilization Bill, 1928," Provincial Archives of Alberta, Sessional Papers, 70.414 GS, Box 25/920.

¹¹³ See: Prentice, et al., *Canadian Women: A History*, p. 282; Palmer and Palmer, *Alberta A New History*, p. 236; Una MacLean "The Famous Five", *The Alberta Historical Review* 10:2 (Spring, 1962), pp.1-4.

¹¹⁴ Many early histories of maternal feminism in Canada are essentially narratives which celebrate the "progressive" achievements of this group. See for example: Catherine Cleverdon, *Women Suffrage Movement in Canada*, (1950). This approach fails to account for the race, class, and religious prejudices which informed much of these women's work. More critical historians have characterized its ideology as essentially "conservative" and defensive. Such historians argue that many of these women were motivated by a desire for the social control rather than for the social reform of society. Historians such as Carol Bacchi and Mariana Valverde, however, have avoided the social control / social reform debate by arguing that the maternal feminists' reforms contained aspects of each and were therefore both offensive and defensive. See: Carol Bacchi, "'First Wave' Feminism in Canada: The Ideas of English-Canadian Suffragists, 1877-1918," *Women's Studies International Forum* 5 : 6 (1982), pp. 575-576; Franca Iacovetta and Mariana Valverde eds., *Gender Conflicts*, (Toronto: University of Toronto Press, 1992), pp. xv-xvii.

It is not the intention of this study to either praise or condemn the maternal feminists who advocated eugenic sterilization, but rather to understand how both progressive and conservative interests were expressed simultaneously within their campaign.¹¹⁴ As Howard Palmer argues: "Both the prohibition and suffrage movements grew out of the optimism of the settlement period, but they also had a brooding, conservative side that feared social change, particularly the impact of non-British immigrants."¹¹⁵ Although progressive desires for social reform and conservative desires for social control might at first seem incompatible, both were used to justify eugenic sterilization in Alberta. Many maternal feminists embraced sterilization as a solution to social problems precisely because they believed it would reform society without upsetting the existing social order. By demanding the sexual sterilization of all insane and feeble-minded individuals, maternal feminists hoped to reform society and eliminate social problems while maintaining and reinforcing existing social structures and institutions.

In 1921 with the election of Nellie McClung as a Liberal MLA and Irene Parlby as a minister without portfolio in the United Farmer's Government, the campaign for eugenic sterilization entered the Alberta Legislature. Despite their differing political allegiances, many Alberta women joined together to

¹¹⁵ Palmer and Palmer, *Alberta A New History*, p. 177.

¹¹⁶ See: Nellie McClung, *The Stream Runs Fast*, (1945). Although it is important not to underestimate the significance of their membership in the Legislative Assembly, individuals such as McClung, Murphy and Parlby identified themselves as social reformers and feminists first, rather than as government representatives. For this reason that I discuss them as social reformers.

campaign for the sterilization of the feeble-minded. After confessing that she was not a good party woman, McClung described how she and Parlby united forces in the Legislative Assembly when questions relating to women were under discussion.¹¹⁶

Although Alberta feminists shared a progressive or reformist commitment to reshape and redefine society in certain areas, they also resisted certain changes to the existing social structure. The maternal feminists in Alberta were primarily middle-class, Anglo-Protestants. Consequently, their work reflected the interests of this group, specifically, according to Carol Bacchi, a commitment to race regeneration and social purity.¹¹⁷ Their preoccupation with these two issues influenced the character of many of their reforms which tended to endorse prevailing ethnocentrism, racism and class prejudices.¹¹⁸ One example of this form of conservatism was their resistance to non-Anglo-Saxon immigration.¹¹⁹ Mariana Valverde argues, however, that the racism of first-wave-feminists was not confined to issues such as immigration, but was integral to the movement as a whole. According to Valverde the discussions of reproduction which centered around the symbolic

¹¹⁷ Carol Bacchi, "Race Regeneration and Social Purity. A Study of the Social Attitudes of Canada's English-Speaking Suffragists," *Histoire Sociale/ Social History* 11 : 22 (November, 1978), pp. 460-474.

¹¹⁸ For a discussion of this see: Valverde, "When the Mother of the Race is Free," pp. 3-21; Bacchi, "Race Regeneration and Social Purity," pp. 460-474.

¹¹⁹ Palmer and Palmer, *Alberta A New History*, p. 177.

¹²⁰ See: Valverde, "When the Mother of the Race is Free," p. 3; Bacchi, "Race Regeneration and Social Purity," pp. 460-474.

figure of “the mother of the race” were interconnected with discussions of racial and imperial politics.¹²⁰ Discussions among Alberta feminists on sexuality and reproduction were not immune to this tendency. The racial and class prejudice of maternal feminists was particularly evident during the sterilization campaign.

The organization which played the largest role in the Alberta sterilization campaign was the United Farm Women of Alberta. In 1913 the United Farmers of Alberta amended their constitution allowing women to join their organization. After functioning as a women's auxiliary to the UFA, in 1916, the United Farm Women of Alberta became an independent organization. Irene Parlby of Alix was elected as first President and would later play leading role in the sterilization campaign.¹²¹ Although the UFWA and the UFA shared a common interest in improving the economic conditions of farmers, the UFWA also concerned itself with so called "women's issues" such as women's rights, public health and child welfare.¹²² The UFWA was neither small nor local in scope. When Parlby resigned from her presidency in 1920 the organization had approximately four thousand members and 293 Locals.¹²³ William Irvine the President of the UFA warned in 1920, that the

¹²¹Barbara Villy Cormack, *Perennials and Politics The Story of Hon. Irene Parlby, LL.D.*, (Sherwood Park:Professional Printing, N.D.), p. 58.

¹²² Cormack, *Perennials and Politics*, p. 63.

¹²³Palmer and Palmer, *Alberta A New History*, p. 194; Cormack, *Perennials and Politics*, p. 62.

¹²⁴William Irvine, *The Farmers In Politics*, (McClelland & Stewart, 1920), pp. 119-120.

importance of the UFWA should never be underestimated: "The women of the province are already in the front ranks of the progressive movement. ...Their executives are consulted on legislation, and their convention resolutions give the cue to political platform makers."¹²⁴ As a result of the UFWA's wide influence, the organization's discussion of eugenic policies such as marriage restriction, segregation, and sterilization of the feeble-minded had a considerable social impact on provincial politics.

While the UFWA had passed resolutions calling for the segregation of the feeble-minded as early as 1916, by the mid 20's the organization gradually came to favor sterilization over segregation as a more economical and humane solution to the problem of the mentally defective.¹²⁵ On January 19, 1921, the UFWA became the province's first organization to recommend that a careful study of eugenic sterilization be undertaken as a solution to the increasing problems associated with feeble-minded adults.¹²⁶ The UFWA, however, was not the only women's organization to discuss sterilization. In 1922, the Health Committee of the Edmonton Local Council of Women

¹²⁵ See: United Farmers of Alberta, "Official Minutes of the United Farm Women of Alberta," *Annual Report and Yearbook*, (1916), Glenbow Archives, BR UFA/UFWA Reel 1, UFA, p. 143.

¹²⁶ United Farmers of Alberta, "Official Minutes of the Seventh Annual Convention of the "United Farm Women of Alberta," *Annual Report and Yearbook*, (1921), Glenbow Archives BR UFA/UFWA Reel 1, UFA.

¹²⁷ "Return asked for by Mr. Weaver regarding Correspondence in connection with the Sterilization Bill, 1928," Provincial Archives of Alberta. Alberta Sessional Papers 70.414 GS, Box 25/920.

presented a resolution to their sub-executive committee calling for the sterilization of the feeble-minded. This resolution was carried at their annual meeting in February of the same year.¹²⁷ In 1922 and again in 1923 the Executive Board of the UFWA also called for the establishment of a law which would allow the sterilization of the feeble-minded.¹²⁸

Partially in response to the pioneering efforts of the UFWA and the Edmonton Local Council of Women, in April of 1923, R.G. Reid, the minister of Health for the United Farmers' of Alberta government, mentioned sexual sterilization as one option for dealing with the problems of the mentally defective. According to Reid, it was up to the people in the province to decide whether segregation or sterilization be adopted in order to prevent future generations of mental defectives from being born.¹²⁹ In the following five years several well-known feminists, including Irene Parlby, Emily Murphy and Jean Field, hailed sterilization as a progressive measure which would further social reform. Such action, however, depended exclusively upon the social control of the feeble-minded and insane in the province.

At the 1924 UFWA Convention, after calling for a program to weed out

¹²⁸ See for example: United Farmers of Alberta. "Minutes of the UFWA Board Meeting January 19th, 1923," *Executive Board and Convention Minutes*. (1923), Glenbow Archives, BR UFA/UFWA Executive Reel 3.

¹²⁹ *Edmonton Journal*, April 5, 1923.

¹³⁰ Margaret Gunn, President of the UFWA, quoted in Timothy Christian "The Mentally Ill and Human Rights in Alberta: A Study of the Alberta Sexual Sterilization Act." (Unpublished, University of Alberta, N.D.), p. 9 For original see Margaret Gunn, "President's Address to the UFWA," *UFWA Annual Report and Addresses, 1924*, pp. 68-70. (Pages missing in Provincial Archives collection.)

"undesirable strains", Margaret Gunn, the organization's president, chillingly warned that "democracy was never intended for degenerates."¹³⁰ Although this was not the first time sterilization was mentioned by the UFWA, it was the first time the issue was discussed in any depth in front of the entire provincial delegation. Just prior to the 1924 Convention, the Executive Board of the UFWA moved that sterilization be discussed at the convention following Irene Parlby's Address on Mental Deficiency.¹³¹ During the convention both Margaret Gunn, the current UFWA President, and Irene Parlby, the organization's first President, offered sterilization as a solution to race degeneration. The attention paid to sterilization by two of the most influential members of the UFWA had a profound impact on popularizing the notion. After the 1924 UFWA convention such medical intervention became a respectable topic of discussion across the province.

In addition to Gunn's opening remarks in favor of eugenics, Irene Parlby, as requested, made a lengthy address at the 1924 UFWA Convention, which described sterilization as a possible solution to the problem posed by the mentally deficient.¹³² Parlby was perhaps the most well known and influential member of the UFWA. Not only had Parlby served as the first

¹³¹ United Farmers of Alberta, "Minutes of the UFWA Board Meeting January 14th, 1924," *Executive Board and Convention Minutes*, (1924), Glenbow Archives BR UFA/UFWA Executive Reel 3.

¹³² Irene Parlby, "Mental Deficiency", *UFWA, Reports and Addresses*, (January, 1924), Provincial Archives of Alberta, UFWA. 71.181 SE.

¹³³ Palmer and Palmer, *Alberta A New History*, p. 180.

president of the organization but since 1921 she had been a Cabinet Minister in the United Farmers of Alberta government.¹³³ According to Howard Palmer, "Irene Parlby , although from a genteel British background, became the voice of Alberta farm women."¹³⁴ She was intimately involved in social reform particularly in issues surrounding married women's property laws and public health legislation. As a former President of the UFWA and provincial MLA, Parlby influenced other members of the UFWA with her views on eugenics and sterilization.

Drawing heavily from the writings of various international eugenicists, Parlby painted a picture of mental deficiency, which made drastic intervention seem imperative.

Curious, is it not, [she asked] that we cull our flocks and herds, allowing only the finest and most physically perfect to breed, and yet when comes to the human race we allow the mating of the most dis[illeg.] and imperfect both mentally and physically?¹³⁵

Parlby reported that the fitness of the human race was threatened by the growing menace of the mentally deficient, who were responsible for the majority of social problems including drunkenness, criminality, pauperism, prostitution and illegitimacy. Finally she warned that if society did not take measures to protect itself, the "race" would eventually go under.¹³⁶

¹³⁴ Ibid., p. 180.

¹³⁵ Irene Parlby, "Mental Deficiency," p. 8.

¹³⁶ Ibid., p. 4.

¹³⁷ Ibid..

According to Parlby, to prevent further race degeneration eugenic programs were needed to stop the procreation of the mentally deficient. These programs would include marriage restrictions for the mentally and physically "unfit", segregation of all mental defectives, and sterilization.¹³⁷ Parlby did not explicitly make any recommendations concerning these three measures, and attempted to discuss objectively their positive and negative aspects. Her emphasis on the immediate danger to the "race," however, not only brought measures such as sterilization to the forefront, but implicitly encouraged intervention along these lines.

Parlby was simultaneously expressing a progressive desire for social reform and a conservative desire for the social control of dangerous individuals in order to protect society. Parlby's progressive interests included her desire to eliminate poverty, criminality, prostitution and alcoholism. As she explained: "In order to encourage human progress the laws of heredity must be utilized to further the biological fitness of the community."¹³⁸ Although Parlby's starting point was a demand for social reform, her discussion was dominated by conservative fears for the future of the race. Eugenic solutions were defended in order to preserve the existing social structure which privileged an Anglo-Protestant majority. Parlby warned that the failure to respond to the problem of the feeble-minded would ultimately lead to the degeneration of the "race".¹³⁹

¹³⁸ Ibid..

¹³⁹ Ibid..

Within the context of social reform in this period, the term "race" as used by Parlby and other maternal feminists was understood to mean not the human race, but specifically the Anglo-Protestant race.¹⁴⁰ In 1921, for example, in her report on birth control, Emilie Briggs of the UFWA, explained that the degeneration of the "race" was already well on its way. For Briggs, the term "race" clearly referred to a "white population" which was being swamped by the "colored races".¹⁴¹ Parlby, while not openly racist, similarly invoked concern for the preservation of an Anglo-Protestant majority through her frequent references to the future of the race.¹⁴²

While Parlby's racism was not explicit in her 1924 address, her class prejudices were. As Howard Palmer explains, "because of their ambivalent position within the class structure farmers in the province have historically vacillated between radicalism and conservatism."¹⁴³ In Parlby's 1924 speech, mental deficiency was described as largely a "lower" class affliction. By using examples taken from American eugenic family studies, she, not only emphasized the relationship between mental deficiency and social problems, but also the prevalence of mental deficiency among the "lowest" sections of

¹⁴⁰ Valverde, "When the Mother of the Race is Free," pp. 5-7.

¹⁴¹ UFWA, Mrs. Emilie Briggs, "Amendments to Criminal Code, Re Control of Conception, Negative Argument", *Annual Report and Yearbook*, (1921), Provincial Archives of Alberta.

¹⁴² Irene Parlby, "Mental Deficiency".

¹⁴³ Palmer and Palmer, *Alberta A New History*, p. 218.

¹⁴⁴ Irene Parlby, "Mental Deficiency," p. 5.

society. For example she cited one study which traced the Hill Folk, a population marked by feeble-mindedness, alcoholism and immorality, back to two individuals of "low social status" and of "undesirable stock".¹⁴⁴ Quoting Henry Goddard an American Eugenicist, Parlby warned that "our good stock is multiplying very slowly - our poor stock - the lowest strata of society, multiplies in what might be called a brutal ratio."¹⁴⁵ In order to prevent class suicide, she argued, radical measures were needed to rectify this imbalance.

Beyond the race and class constructions present within the sterilization campaign were also specific constructions of gender. Maternal feminists such as Parlby were drawn to eugenics because they believed that its policies would elevate the status of their roles as mothers. As the self defined "fit" maternal feminists saw themselves as not just mothers, but the "mothers of the race".¹⁴⁶ In trying to define women's place in the nation, Parlby, in a 1916 address to the UFWA, reported that according to modern scientific men:

"biologically the woman not only typifies the race, but metaphor aside, she is the race." Each generation is born anew to women, and the woman has the moulding of it and determines the race characteristics that shall be transmitted to the future -and right here we see the vital importance of the womankind of our nation, for as its women are, so will the nation be. The finer, the nobler, the more spiritual our mothers, the greater our nation in the generations to come.¹⁴⁷

¹⁴⁵ Ibid., p. 7.

¹⁴⁶ See: Valverde, "When the Mother of the Race is Free," pp. 15-21; Bacchi, "Race Regeneration and Social Purity" pp. 467-468.

¹⁴⁷ Irene Parlby, "Women's Place in the Nation", *Annual Report and Year Book*, (1916), Glenbow Archives BR UFA/UFWA Reel 1, p. 126.

The category of "the mother of the race", however, was not open to all women. While exalting their own role as mothers, women such as Parlbly were condemning and excluding many other women from the process. In her 1924 address, Parlbly warned that feeble-minded women invariably became immoral, carried venereal diseases, and gave birth to defective children.¹⁴⁸ For Parlbly, as for many other "maternal" feminists, a woman's failure to conform to Anglo-Protestant expectations with regard to behavior proved their "unfitness" for motherhood. Parlbly believed that all feeble-minded women with previous sexual experiences should not be at large in the community, and they certainly should not be allowed to have children.¹⁴⁹ Parlbly concluded her 1924 address by calling upon "the mothers of the race" to give serious thought to the problems of the mental defective.¹⁵⁰

Parlbly's "glorification of motherhood," therefore, contained obvious conservative elements. The ethnic and class specificity of the "mothers of the race", assumed a hierarchy among women which was directed at preserving rather than challenging the existing social structure. Whether marriage restriction or segregation or sterilization was chosen, the social reform of

¹⁴⁸ Irene Parlbly, "Mental Deficiency," p. 7.

¹⁴⁹ *Ibid.*, p. 9.

¹⁵⁰ *Ibid.*, p. 11.

¹⁵¹ See: Valverde, "When the Mother of the Race is Free," pp. 3-21; Bacchi, "Race Regeneration and Social Purity," pp. 467-468; Vrooman, "The Wayward and the Feeble-minded," p. 46; Wosilius, "Eugenics, Insanity and Feeble-mindedness," pp. 51-53.

society depended upon controlling the reproduction of "unfit" individuals. Although concern about the morality of ethnic minorities, the "lower" classes and "fallen" women was not a new phenomenon among women's groups, the eugenics movement gave maternal feminists like Parlby the scientific legitimization to demand the control of the sexuality and reproduction of others.¹⁵¹

Irene Parlby's 1924 address on mental deficiency was read by almost every local in the province.¹⁵² This address convinced many members that sterilization had the potential to reform degenerate aspects of society while preserving the existing social order. As Margaret Gunn explained in her 1925 Presidential Address to the UFWA that "the chief need of society today is an enlightened, progressive, and organized public opinion, and the first step towards an enlightened and organized public, is an enlightened and organized group opinion."¹⁵³ Unlike Parlby, Gunn's racism was more explicit. The progress of civilization that Gunn was interested in depended upon aggressive efforts in the area of "racial improvement". This progressive goal was therefore directed at conserving and strengthening the Anglo-Saxon majority in the province by eliminating the "racially inferior".¹⁵⁴ In the same

¹⁵² Jean Field, "Health and Child Welfare." *Reports and Addresses United Farm Women of Alberta*, Jan 20-23, 1925, Provincial Archives of Alberta, Premier's Files, 69.289 mi, file 0168, p. 27.

¹⁵³ Mrs. R.B. Gunn, "UFWA Presidential Address." *The Grain Growers Guide*, January 28, 1925.

¹⁵⁴ *Ibid.*.

¹⁵⁵ "Copies of Resolutions Passed at UFA Conventions," Provincial Archives of Alberta, Alberta Sessional Papers 70.414 GS Box 19/715.

year, the UFWA passed a resolution introduced by the Sedalia Local, in eastern Alberta, which endorsed compulsory sterilization of the "mentally unfit". This resolution demanded that sterilization be compulsory by law to prevent the alarming increase of mentally deficient endangering the population with the reproduction of their kind.¹⁵⁵

While women such as Parlby and Gunn popularized eugenics among the UFWA, Emily Murphy actively campaigned for the compulsory sterilization of the "unfit" throughout the province.¹⁵⁶ Emily Murphy, one of Western Canada's best known maternal feminists, was involved in numerous reform campaigns in the areas of women's rights, prison reform and mental health.¹⁵⁷ In 1916, after women received the vote in Alberta, Murphy became the first woman in the British Empire to be appointed as police magistrate.¹⁵⁸ This position gave Murphy the opportunity to tackle a variety of social problems head on as criminals, alcoholics and prostitute passed through her courtroom.

Murphy's interest in mental health grew out of her belief that a large proportion of of the individuals who were brought before her on various charges, were either insane or mentally defective. In defining her role as

¹⁵⁶ Christine Mander, *Emily Murphy : Rebel*, (Toronto: Simon & Pierre, 1985).

¹⁵⁷ See: Palmer and Palmer, *Alberta A New History*, pp. 180, 236.

¹⁵⁸ *Ibid.*, p. 180.

¹⁵⁹ John McLaren, "Maternal Feminism in Action - Emily Murphy, Police Magistrate," *Windsor Yearbook of Access To Justice* 8, (1988), pp. 234-251.

magistrate Murphy even referred to herself as a “magistrate physician” involved in the diagnosis and treatment of the individuals who came before her.¹⁵⁹ Murphy’s efforts in the area of mental health, however, were not limited to the court room. As a member of the Canadian Council on Mental Hygiene and the Social Hygiene Council of Canada, Murphy maintained close ties with experts in the field of mental health. In addition to this work Murphy began to make regular visits to the jails and asylums in the province.

Murphy’s unofficial visits to the provincial jail and Mental Hospital became official when she was appointed to the newly created Board of Visitors in 1925. Set up by the Provincial Department of Health, the Board of Visitors was established to make regular inspections of provincial institutions. The board’s first report was submitted to the provincial government on March 16, 1926. Despite the general goals of the Board of Visitors to ensure the humane care and treatment of the insane and mentally defective, a recommendation was made that measures be taken to restrict the marriage and procreation of discharged patients.¹⁶⁰ Although the report of the Board of Visitors did not focus specifically on sterilization, Emily Murphy began, in

¹⁶⁰ “Report of the Board of Visitors,” 1925, Provincial Archives of Alberta, Alberta Sessional Papers 70.414 GS Box 21/801, p. 15.

¹⁶¹ See: *The Albertan*, May 1926, City of Edmonton Archives (CEA), The Emily Murphy Collection, Scrapbook 4, p. 63; *The Edmonton Journal*, May 29, 1926, CEA, The Emily Murphy Collection, Scrapbook 3, p. 58; *The Edmonton Bulletin*, June 8, 1926, Provincial Archives of Alberta, Scrapbook Hansard, 1926; *The Lethbridge Herald*, June 1926 CEA, The Emily Murphy Collection, Scrapbook 4, p. 133; *The Edmonton Journal*, June, 1926, Provincial Archives of Alberta, Scrapbook Hansard, 1926; *The Medicine Hat News*, August, 1926, CEA, The Emily Murphy Collection, Scrapbook 4, p. 131 .

1926, a province-wide campaign for sterilization.¹⁶¹ In order to deal with the increasing numbers of the insane and feeble-minded, Murphy demanded that more space be provided for their care and treatment, and that all mentally deficient and insane women of child-bearing age be sterilized.¹⁶¹

Murphy's interest in feeble-mindedness and insanity was neither exclusively humanitarian nor reactionary. On the one hand, Murphy was motivated by a concern for the personal well-being of "these unfortunate individuals". After a visit to the Provincial Mental Hospital in Ponoka Murphy explained how:

One walks past the sorely distracted patients and notes the profound depression, fumbling hands, worn eyes and tightly pinched faces. Apprehensive, delirious, exalted, furiously maniacal, unstable or melancholic--theirs is a veritable life in death. The scene had all the suffering of tragedy, with none of its dignity.¹⁶²

Horrified by the suicide of the first woman she had sent to jail, Murphy was determined to increase the public's awareness concerning the conditions of the insane and mentally defective in the province. After making a number of visits to the Provincial Mental Hospital at Ponoka and the Provincial Training School at Red Deer, Murphy was relieved to report that the inmates of these facilities were receiving humane care.¹⁶³ Murphy insisted that the

¹⁶² Quoted in: Byrne Hope Sanders, *Emily Murphy, Crusader*, (Toronto: MacMillan, 1945), p. 179.

¹⁶³ *The Edmonton Bulletin*, June 8, 1926, Provincial Archives of Alberta, "Scrapbook Hansard," 76.427 mi..

over-crowded conditions at these facilities needed to be remedied and praised the efforts of staff members who sought to provide these places with home-like environments. Murphy happily reported that the children at the Training School were provided with both birthday parties and Christmas celebrations.¹⁶⁴

Murphy's understanding and patience was limited, however, to those persons whom she believed to be redeemable.¹⁶⁵ Murphy's vision of social reform was also shaped by a conservative desire to control certain individuals whom she believed were a threat to the social order. As she explained in an article for *MacLean's Magazine* in 1920:

"the weak-minded are more to be feared than the wicked, in that there is no hope for them. 'What is written on their forehead,' says a Hindu sage, 'will be there and nothing more.' We should not allow the imbecile or the feeble-minded criminal to become a burden upon the workers lest the nation become weak."¹⁶⁶

According to Murphy, "It is a matter of humanity. Insane people are not entitled to progeny."¹⁶⁷ By sterilizing all defectives of child bearing age, she

¹⁶⁴ *The Lethbridge Herald*, June 1926, City of Edmonton Archives, The Emily Murphy Collection, Scrapbook 4, p. 133 .

¹⁶⁵ McLaren, "Maternal Feminism in Action," pp. 234-251.

¹⁶⁶ Emily Murphy, "A Straight Talk on Courts." *Maclean's Magazine*, October 1, 1920.

¹⁶⁷ *The Lethbridge Herald*, June 1926, City of Edmonton Archives, The Emily Murphy Collection, Scrapbook 4, p. 133.

¹⁶⁸ *The Edmonton Bulletin*, June 8, 1926, Provincial Archives of Alberta, Scrapbook Hansard 76.427 mi..

optimistically asserted that Alberta's insanity problem could be eliminated in one or two generations.¹⁶⁸ Murphy's interest in sterilization involved a desire for the punitive control of "unfit" individuals. Parenthood was regarded as a privilege of which insane and feeble-minded individuals were not worthy. In the same addresses that she identified the insane and feeble-minded sympathetically as "unfortunate individuals," Murphy also defined them as a "menace".

Murphy, like many social reformers in this period, was trapped between conflicting progressive and conservative goals. Much of Murphy's more progressive work was both ethnocentric and racist. In 1922 she had published *The Black Candle*, in which she warned against the danger of Chinese involvement in the drug trade.¹⁶⁹ Murphy was involved in reinforcing racial and ethnic stereotypes, by insisting upon the racial superiority of "Nordic" types.¹⁷⁰ Despite Murphy's prejudices, she believed that the assimilation of immigrants was not only possible but desirable. Howard Palmer explains that reformers like Murphy were: "faced with the problem of promoting equal acceptance of immigrants while at the same time emphasizing the need to reform their "obvious deficiencies."¹⁷¹

¹⁶⁹ Palmer, *Patterns of Prejudice*, p. 85.

¹⁷⁰ Valverde, "When the Mother of the Race is Free," p. 15; Emily Murphy, "Immigration," City of Edmonton Archives, Emily Murphy Collection 62-163 Box 1/ 43.

¹⁷¹ Palmer, *Patterns of Prejudice*, pp. 43-44.

¹⁷² Palmer, *Patterns of Prejudice*, pp. 14, 91-95.

One of these "deficiencies", according to Murphy, was the vulnerability of recent immigrants to feeble-mindedness and insanity. She warned her audiences that 70 percent of the patients at the Ponoka institution had been born outside of Canada. In order to prevent this alarming trend, Murphy appealed for tighter immigration restrictions. Such sentiments were not unique in Alberta during this period. In 1925 the Federal Government signed the Railway Agreement which encouraged the entry of immigrants from Central, Eastern and Southern Europe. The large influx of these "non preferred" immigrants into Alberta sparked protest among many members of the Anglo-Protestant elite. Despite the fact that by 1921 46.46 per cent of Alberta's population was already foreign born, it was the non - Anglo -Protestant character of this new wave of immigration which alarmed individuals such as Murphy.¹⁷² As she explained "we must remember there are dangers in immigration. Does Canada want the morally, physically and mentally weak? Does she want people opposite to us racially?"¹⁷³ By equating feeble-mindedness and insanity with non Anglo-Protestant immigrants she once again reinforced the belief that mental deficiency was largely a foreign import. While sometimes a promoter of tolerance, Murphy's basic belief in the superiority of Anglo-Saxons colored her work, for even when she emphasized assimilation it was to an Anglo-Saxon norm.¹⁷⁴

¹⁷³ *Lethbridge Herald*, February 1926, City of Edmonton Archives, Emily Murphy Collection, Scrapbook 4, 93.

¹⁷⁴ Emily Murphy, "Immigration."

¹⁷⁵ Provincial Archives of Alberta, "Scrapbook Hansard," 1926, 76.427 mi.

Murphy's high standing as a member of the Board of Visitors for the Provincial Institutions, a well known feminist and judge, meant that her opinions concerning sterilization carried a great deal of weight. On June 22, 1926, Mrs. Mabel James wrote a letter, in response to Murphy's address, to Premier J. E. Brownlee on behalf of the Medicine Hat Women's Institute. James urged the government to put into place legislation which would allow for the sterilization of all inmates before their discharge from institutions.¹⁷⁵

Emily Murphy's efforts regarding the campaign for sterilization were paralleled by the work of Jean Field of the United Farm Women of Alberta. Field, as the convener of health for the UFWA in the 1920's, made mental deficiency and sterilization two of the organization's central concerns. Many of the UFWA's resolutions concerning sterilization were first introduced by Field.¹⁷⁶ Field, like Murphy, was also a member of the Board of Visitors. Although Field's interest in eugenics and sterilization predated this work, her convictions were reinforced and strengthened after visiting the provincial mental institutions in November of 1926.¹⁷⁷ In her report, which she presented to the UFWA in the same year, she stated that the most serious problem facing the province in the area of Health and Child welfare was

¹⁷⁶ See: "Minutes of the UFWA Board Meeting January 19th, 1923," *Executive Board and Convention Minutes*, Glenbow Archives, UFWA, BR UFA/UFWA Executive Reel Number 3; Amy Roe, "Alberta Farm Women Meet", *The Grain Growers Guide*, February 1, 1927.

¹⁷⁷ Jean Field, "Health and Child Welfare," *Reports and Addresses United Farm Women of Alberta*, Jan 19-20, 1926, Provincial Archives of Alberta, Premier's Files 69.289 mi, file 0168, p. 20.

¹⁷⁸ *Ibid.*, p. 21.

posed by the mentally defective.¹⁷⁸ Institutions such as the Provincial Training School in Red Deer were not only filled to capacity and over crowded, they also had long lists of individuals waiting to be admitted. While such institutions provided important care for children who were primarily low-grade defectives, the majority of the more dangerous high-grade morons, Field warned, were still at large and free to reproduce their kind.

By 1926, a number of important feminists and social reformers had come out publicly in favor of compulsory sterilization. Field explained, in her 1926 report that "the study that has been given this question by women's organizations is showing results, in that public opinion is becoming more favorable to sterilization of the feeble-minded."¹⁷⁹ In that year the UFWA unanimously passed the following sterilization resolution introduced by Field:

"Whereas, heredity plays a most important part in the transmission of insanity and all grades of feeble-mindedness, and
 "Whereas, under certain conditions many feeble-minded and many intermittently deranged persons could, with safety to themselves and without menace to the public be permitted their freedom,
 "Therefore be it resolved, by the U.F.W.A. Convention assembled, that we respectfully ask the Government of the Province of Alberta to pass an Act by which it shall be compulsory for each and every institution in the Province entrusted with the care of the insane or feeble-minded, to appoint upon its staff, in addition to the regular institutional physician,
 ✕ two skilled surgeons of recognized ability, whose duty it shall be in conjunction with the chief physician of the institution, to examine the mental and physical condition of such inmates as are recommended by the institutional physician and a properly constituted board of of

¹⁷⁹ Ibid., p. 21.

¹⁸⁰ "Return asked for by Mr. Weaver regarding the correspondence in connection with the sterilization bill," Provincial Archives of Alberta, Sessional Papers 70.414 GS file 920.

managers. If, in the judgement of this Committee of experts, and the Board of Managers, procreation is inadvisable, it shall be lawful for the surgeons to perform such operations for the prevention of procreation as shall by them be deemed safest and most effective."¹⁸⁰ //

Unlike previous UFWA resolutions for sterilization, this one not only called for appropriate legislation but it also mapped out what form this legislation should take.

In 1927 Field acknowledged, in her UFWA report on health and child welfare, that the organization's members were well aware of the progress of the sterilization campaign in their own province and so she chose to discuss the growing popularity of sterilization throughout North America and Britain.¹⁸¹ In the same year Field introduced a new resolution calling for compulsory sterilization. According to this resolution, all feeble-minded individuals were to be examined by a competent tribunal of psychiatrists, and those found with I. Q. scores of less than seventy, unless they were confined in institutions, were to be sterilized.¹⁸² These changes reflected a desire on the part of Field and others to legitimize their arguments by medicalizing social problems. By insisting that sterilization program be implemented by

¹⁸¹ Jean Field, "Health and Child Welfare," *Reports and Addresses United Farm Women of Alberta*, Jan 22, 1927, Provincial Archives of Alberta, Premier's Files, 69.289 mi, file 234, pp. 27-28.

¹⁸² "Minutes of the UFWA Board Meeting January 19th, 1927," Glenbow Archives, *Executive Board and Convention Minutes*, UFWA, BR UFA/UFWA Executive Reel Number 3.

¹⁸³ "Return asked for by Mr. Weaver regarding the correspondence in connection with the sterilization bill," Provincial Archives of Alberta, Sessional Papers 70.414 GS File 920.

psychiatrists and based upon “objective” measurements, Field and the UFWA were emphasizing that such intervention would be based upon the application of scientific and medical knowledge.

The language used by Field in these resolutions simultaneously reflected progressive and conservative interests. The 1926 resolution was progressive in that sterilization was justified on the basis of providing “freedom” to certain individuals.¹⁸³ The 1927 resolution also described the feeble-minded as unfortunate people in need of care and protection. But concern for the protection of these individuals, who frequently became “victims of the unscrupulous”, was paralleled by a concern for the protection of “democratic institutions” from the menace posed by these individuals.¹⁸⁴ According to the 1927 resolution, as a result of their defect the feeble-minded were frequently members of the “criminal and pauper class”.¹⁸⁵ Their perceived threat to “democratic institutions” was not only a social threat but an economic one as well. As the 1927 resolution emphasized, the financial burden of segregation was already considerable and would only increase.¹⁸⁶ Advocating sterilization as a means of protecting unfortunate individuals while safeguarding democracy made this option all the more compelling to maternal

¹⁸⁴“Minutes of the UFWA Board Meeting January 19th, 1927.”

¹⁸⁵ Ibid..

¹⁸⁶ Ibid..

¹⁸⁷ Dr. McAlister, “Is Sterilization of the Mentally Defective Practical as a Preventative Measure.” *Alberta Health Bulletin* (February, 1925), Provincial Archives of Alberta, Mental Health 85.454 GSE.

feminists intent on reforming society.

Despite Field's efforts to medicalize the discussion of sterilization, Alberta's leading medical "experts" in the areas of mental deficiency and insanity were relatively inactive throughout the sterilization campaign. The first medical "expert" to endorse sterilization was Dr. W.J. McAlister, Medical Superintendent of the Provincial Training School in Red Deer. In 1925, in response to the active debate being carried out among the women of the UFWA, McAlister published an article on sterilization in *The Alberta Health Bulletin*.¹⁸⁷ In this article he argued "That eugenical sterilization was desirable and practical," he stated, " but only to a limited extent."¹⁸⁸ Although he did not believe that sterilization was in itself a panacea, he argued that it could be an effective means of prevention and control when combined with other measures such as segregation.¹⁸⁹ In 1927, Jean Field reported to the UFWA that sterilization had been endorsed by both Dr. McAlister and Dr. Cook, Medical Superintendent of the Provincial Mental Institution at Ponoka. This endorsement, however, was provided only after it was solicited from the Board of Visitors, of which Jean Field and Emily Murphy were both members.

One possible explanation for McAlister and Cook's reluctance to join the sterilization campaign was their concern that by encouraging sterilization government funding might be directed away from their own segregation programs. This had already occurred to a certain extent in 1922 when an

¹⁸⁸ Ibid..

¹⁸⁹ Ibid..

¹⁹⁰ Clarke, "Public Provisions for the Mentally Ill," p. 103.

expansion plan for McAlister's Training School was effectively guillotined as a result of the government's growing interest in sterilization.¹⁹⁰ Since compulsory sterilization was frequently defended in opposition to segregation, the leading medical "experts" of the province, who were also superintendents of institutions, would only provide cautious support.

With the exception of the maternal feminists who had been elected as Members of the Legislative Assembly other politicians did not play a leading role in the sterilization campaign. Action was only taken cautiously by these individuals once public support had already been secured. George Hoadley, the Minister of Health, attended the 1927 UFWA Convention, and announced that his government was now of the opinion that something had to be done to stop the increase of the feeble-minded in the province.¹⁹¹ Less than a month later, Hoadley introduced a sterilization bill in the legislature.¹⁹² In 1926, pointing out that the number of persons in provincial institutions had increased by 313 since 1925, he argued that sterilization was necessary in order to stop the growing problem.¹⁹³ Although the bill did not pass in the 1927 session, it was left with the house for consideration in the following year.¹⁹⁴ The role

¹⁹¹ Amy R. Roe, "Alberta Farm Women Meet," *The Grain Growers Guide*, February 1, 1927.

¹⁹² *The Edmonton Bulletin*, February 14, 1927, Provincial Archives of Alberta, "Scrapbook Hansard," 76.427 mi..

¹⁹³ *The Edmonton Journal*, February 16 1927, Provincial Archives of Alberta, "Scrapbook Hansard" 76.427 mi. .

¹⁹⁴ *The Edmonton Journal*, March 26 1927, Provincial Archives of Alberta, "Scrapbook Hansard." 76.427 mi. .

played by many politicians, such as Hoadley, in the campaign for sterilization can be characterized as that of cautious followers. As Hoadley explained: "progressive legislation must wait upon enlightened public opinion."¹⁹⁵ It was only after several feminists actively campaigned for sterilization that a bill was introduced in the House. The bill was then put on hold for another year so that public support for it could be secured before any serious action was taken.

Various women's organizations continued to educate their members and the general public concerning the necessity of sterilizing the feeble-minded. On March 26, 1927, the *Edmonton Bulletin* and *Edmonton Journal* reported that the Women's Institutes, at their District Conference, endorsed the government's goal for the sterilization of defectives. Despite passionate opposition from Mrs. A. H. Rogers, of Fort Saskatchewan, who feared an increase in immorality, the resolution passed with a comfortable majority.¹⁹⁶ At the Annual Convention of the Alberta Women's Institutes, held in May of 1927, Dr. McCullough of the Provincial Mental Hospital at Ponoka, made an address on the prevention of mental breakdown. In his speech he gave his support to the sterilization campaign by stating: "Sterilization is more humane than segregation and much less costly."¹⁹⁷ In order to give their campaign

¹⁹⁵ Roe, "Alberta Farm Women Meet."

¹⁹⁶ *The Edmonton Bulletin*, March 26, 1927; *The Edmonton Journal*, March 26, 1927.

¹⁹⁷ Dr. McCullough, "Address on the prevention of Nervous and Mental Breakdown." *Report of the Annual Convention of Alberta's Women's Institutes. May 24-17, 1927*, Provincial Archives of Alberta 74.1 Box 9/ 228, pp. 57.

¹⁹⁸ Mrs. R. O. German, "The Problem of the Feeble-minded, A Growing Menace Which Must be Delt With, " *The United Farmer*, June 1, 1927 p. 422.

scientific legitimacy, women's organizations such as the UFWA and Women's Institutes actively recruited the opinions of medical professionals.

In June of 1927, Mrs. R. O. German of the Calgary local of the UFWA published an article on feeble-mindedness in *The United Farmer*.¹⁹⁸ Once again Albertans were warned about the menace of the feeble-minded. German, like Murphy and many others before her, argued that the most dangerous group among the feeble-minded were the highest-grades known as morons. This group was believed to be more dangerous than lower-grades because they were often at large, and were difficult to identify. Although morons could often pass as normal individuals, German warned that their lack of will power would lead to various anti-social activities including crime, pauperism, drunkenness, and disease. In conclusion German proclaimed; "Surely now is the time to bring about measures to check this menace before it becomes too late."¹⁹⁹ Arguing that segregation was not practical because of the prohibitive cost, German advocated sterilization as the only practical alternative for dealing with this menace.²⁰⁰

In 1927 and 1928 the Alberta government received a flurry of letters in support of sterilization.²⁰¹ In writing to George Hoadley on December 14,

¹⁹⁹ Ibid..

²⁰⁰ Ibid..

²⁰¹ "Return asked for by Mr. Weaver Regarding the Correspondence in Connection with the Sterilization bill," Provincial Archives of Alberta, Sessional Papers 70.414 GS File 920.

²⁰² "Return asked for by Mr. Weaver Regarding the Correspondence in Connection with the Sterilization bill," Letter from Emily Murphy to George Hoadley, December 14, 1927, Provincial Archives of Alberta, Sessional Papers 70.414 GS File 920. .

1927, Emily Murphy described two cases which had come before her within forty- eight hours where sterilization was urgently needed. The first case was that of a woman with a long history of dependence which included a stay at the Mental Hospital in Ponoka, as ordered by Murphy. Recently she had been recommitted to the Misericordia Hospital in Edmonton with her new illegitimate baby. As Murphy explained: "Needless to say this child is a problem case"...²⁰² Unfortunately cannot be adopted out and may become a permanent charge upon the rate payers." The second case was that of a woman Murphy committed to the Mental Hospital in Ponoka after she had jumped into a well. At the time of her committal she was six and a half months pregnant with what would be her eighth child under the age of fourteen. As Murphy argued:

In my opinion, it is an neglect amounting to a crime to permit these women, Mrs. --- and Mrs. --- to go on bearing children. They are both young women - and likely to have numerous offspring unless they are sterilized before leaving the hospital.²⁰³

Murphy, was not only concerned about the financial burden of illegitimate

²⁰³Ibid..

²⁰⁴ "Return asked for by Mr. Weaver Regarding the Correspondence in Connection with the Sterilization bill." Letter from Henrietta Muir Edwards to George Hoadley, N.D., Provincial Archives of Alberta, Sessional Papers, 70.414 GS File 920. The letters received by the government also included one from E.S. Gosney a leading American eugenicist. In addition to his letter of support, Gosney included a copy of his extensive report on the California sterilization program.

children, but also as a member of the self defined "fit", was alarmed by the unrestrained sexuality and reproduction of less respectable women. The category "mothers of the race" was only meaningful in relationship to a deviant "other". In describing why these two women were obviously "unfit" for parenthood, Murphy was implicitly emphasizing the necessity and importance of "fit" motherhood.

Another well known Alberta feminist who wrote to George Hoadley in regards to her long time support of sterilization was Henrietta Muir Edwards. In her letter she stated that, "an overwhelming majority of social workers who come personally in contact with the great evil to our country are in favor of sterilization as the only possible available means of a remedy."²⁰⁴ The pressure exerted by female social reformers such as German, Murphy and Edwards did not let up until it was clear that sterilization legislation would be enacted by the provincial government.

The most extensive written defense of eugenic policies, including sterilization, to appear in Alberta in the 1920's was Georgina Sackville's unpublished book entitled, *Birth Control The Prevention of Conception*.²⁰⁵ Although Sackville did not complete the book until 1929 one year after Alberta passed the Sexual Sterilization Act, it is of interest because it was clearly intended as a defense of the measure and drew from the general arguments expressed throughout the sterilization campaign. Although very little

²⁰⁵ Georgina Sackville, "Birth Control The Prevention of Conception," 1929, Provincial Archives of Alberta 70.259 SE .

²⁰⁶ Georgina Sackville, "Unmarried Mothers and Illegitimate Children Truth-Not Fiction," 1929, Provincial Archives of Alberta 77.209 SE. p. 10.

information exists on Sackville, her life was devoted to furthering child and maternal welfare in the province. Sackville was especially concerned with the welfare of unmarried mothers and their children and, in response to this concern she opened a home in Calgary to care for these individuals. It was through this work that she became interested in eugenics and sterilization.²⁰⁶

Despite Sackville's concerns about whether or not her book on sterilization was an infringement of section 207 of the Criminal Code, which prohibited the dissemination of birth control information, she went ahead with its distribution. After receiving information that her book could not be circulated through the postal service, Sackville mailed it in unidentified packages. On September 27, 1929, however, the district superintendent of the postal service, unimpressed by her creativity, wrote to Sackville warning her that her postal privileges would be withheld if she continued to mail such "objectionable" material.²⁰⁷

The controversy surrounding the distribution of Sackville's book stemmed from her detailed discussion of various birth control methods. Ironically, with the exception of what she referred to as "Nature's Safe Guard" (the rhythm method), Sackville condemned the use of all other forms of birth control.²⁰⁸ While opposed to all forms of "artificial" birth control for "normal" individuals, Sackville endorsed the eugenic sterilization of feeble-minded, idiotic and

²⁰⁷ Letter to Mrs. Georgina Sackville from J. McKinley Cameron, Barrister, March 22 1929 and Letter to Mrs. Georgina Sackville from the District Superintendent of Postal Service, September 27, 1929, Provincial Archives of Alberta 70.259 SE.

²⁰⁸ Sackville, "Birth Control."

²⁰⁹ *Ibid.*, p. 24.

syphilitic individuals.²⁰⁹ As she explained: "Sterilization is not the cruel harsh treatment which those who have not studied the matter might think it was."²¹⁰ Sackville then quoted W.T. Belfield, who described vasectomies as "less serious than the extraction of a tooth."²¹¹ Sackville's rejection of both artificial birth control and her endorsement of sterilization were directed at preventing further race degeneration. The danger of contamination could not be ignored:

For it spreads from the guilty to the innocent, working its ravages unmolested with a fatal and an inexorable certainty - creating a generation of human debris, scrofulous children, imbeciles, degenerates, and criminals.²¹²

Sackville believed that sterilization could promise immediate race regeneration.²¹³ The application of eugenics to further race betterment was a double edged sword which depended upon encouraging the "fit" to reproduce (positive eugenics) while preventing the "unfit" from doing so (negative eugenics). The link between birth control and eugenics was not new. In Canada, as elsewhere, eugenic arguments were employed by both the opponents and defenders of birth control.²¹⁴

²¹⁰ Ibid., p 23.

²¹¹ Ibid., p. 24.

²¹² Sackville, "Unmarried Mothers," p. 79.

²¹³ Sackville, "Birth Control," p. 24.

²¹⁴ McLaren, *Our Own Master Race*, pp. 77-79.

Sackville's argument, like others before her, depended upon rigid assumptions about race, class and religion. References to "race suicide", "race degeneration" and "race improvement" appeared throughout her book. While Sackville did not explicitly proclaim her interest in preserving and strengthening the supremacy of the Anglo-Saxon race, this was implicit in her discussion. Sackville's opposition to artificial birth control was partially motivated by a concern that it was also causing a "class suicide". As she warned: "we must take into account the phenomenon of the falling birth rate a phenomenon which is becoming common to almost every civilized nation in the world, and affecting most markedly the upper and middle classes of society."²¹⁵ Sackville also described "race improvement" as a program which followed God's Laws and strengthened Christianity.²¹⁶ She was horrified that certain Christian women would shirk the duties of motherhood through disobeying God's laws of Nature.²¹⁷ Sackville's discussion of both negative and positive eugenics assumed a "fitness" criteria which was defined in terms of an Anglo-Saxon, Protestant, middle and upper-class norm. Her progressive interest in improving the condition of society was therefore colored by her

²¹⁵ Sackville, "Birth Control," p. 36.

²¹⁶ *Ibid.*, p. 70.

²¹⁷ *Ibid.*, pp. 13, 70-71.

²¹⁸ "Return asked for by Mr. Weaver regarding Correspondence in connection with the Sterilization Bill, 1928, " Provincial Archives of Alberta, Sessional Papers 70.414 GS Box 25/920.

conservative desire to maintain the hegemony of the self defined "fit".

By 1928, when the Sexual Sterilization Act was passed -- which will be examined in chapter three-- support for compulsory sterilization had been secured from organizations including: The United Farm Women of Alberta, The Women's Christian Temperance Union, The Canadian Social Hygiene Council, The Women's Section of the Dominion Labour Party in Calgary, The Women's Institutes, and the Edmonton Local Council of Women.²¹⁸ In addition, sterilization was supported by Alberta's leading feminists, including Irene Parlby, Emily Murphy, Nellie McClung, Louise McKinney and Henrietta Muir Edwards.²¹⁹ Although various government officials and health professionals occasionally lent their voices to the campaign for sterilization, it was primarily carried out by female social reformers as a part of a broader commitment to progressive reform.

Why did maternal feminists, intent on progressive social reform, turn to eugenics as a solution to a variety of perceived social problems? The reasons are complex and do not correspond to either purely progressive or conservative goals. Nor do the activities of these women reflect a wholly offensive or defensive stance.²²⁰ Georgina Sackville summed up her interest in sterilization by explaining that:

we can improve and purify the conditions of the today, revive and rebuild the race (without disturbing the social order) through strict and inflexible laws regarding; sterilization of the mentally defective, and through proper

²¹⁹ Ibid..

²²⁰ For discussion of this see: Bacchi, "Race Regeneration and Social Purity," pp. 460-474.

²²¹ Sackville, "Unmarried Mothers," p. 79.

sexual education.²²¹

As members of the Anglo-Protestant majority in the province, women such as Sackville, sought reforms which would improve social conditions without challenging a social structure which placed them in a privileged position. Maternal feminists saw sterilization as a reform with the potential to do just that. Criminality, alcoholism, prostitution and poverty would be eliminated by sterilizing individuals believed to be responsible for these problems. Sterilization required the identification of a dangerous "other" which stood in the way of the progress of civilization. The process of defining the "unfit" provided these women with an opportunity to define fitness according to strict Anglo-Saxon, Protestant and middle-class expectations. Eugenic sterilization was therefore consistent with a general ambition among these social reformers for race-improvement and social purity.²²² Morality could be upheld by regulating the sexuality and reproduction of deviant individuals. Although the progressive interest in social reform should not be overlooked, the choice of eugenic sterilization reflected a defensive interest in conserving rather than challenging Alberta's pervading racism, ethnocentrism, and classism.

That sterilization was consistent with an Anglo-Protestant middle-class reform ideology that stressed the importance of race-regeneration and social purity does not explain why women dominated the Alberta campaign for

²²² For a discussion see: Bacchi, "Race Regeneration and Social Purity," pp. 460-474.

²²³ Sackville, "Birth Control," p. 72.

sterilization. Perhaps the most important reason why maternal feminists supported sterilization was that they saw in it the potential to raise the status of their roles as mothers. Women such as Sackville understood eugenics as a double edged sword which demanded on the one hand that the "fit" reproduce their kind while the "unfit" be prevented from doing so. Any discussion of the sterilization of the "unfit", therefore, underscored the necessity of "fit" parenthood. That feeble-minded females were considered a more immediate threat than feeble-minded males centered this discussion around the issue of motherhood. As the self defined "fit", maternal feminists in Alberta described themselves as the "mothers of the race" upon whom the progress of civilization depended. As Sackville proclaimed: "to be good mothers of men and women is the greatest thing in all the world."²²³ In denying the rights of certain women to reproduce these reformers were defining themselves in opposition to the "unfit". According to Emily Briggs: "Womanhood, wifehood and motherhood would be cherished - not abused."²²⁴ Those who abused motherhood through such vices as immorality, illegitimacy and prostitution were, according to Parlby, to be denied the right to reproduce.²²⁵ By demanding the sterilization of these women, reformers were deconstructing the concept of "woman". Viewed as feeble-minded rather than as women, females labelled as "unfit" were excluded from being "mothers of the race"

²²⁴ Mrs. Emilie Briggs, "Amendments to Criminal Code. Re Control of Conception, Negative Argument", UFWA, *Annual Report and Yearbook*. (1921). Provincial Archives of Alberta.

²²⁵ Parlby, "Mental Deficiency".

²²⁶ *The Journals of the Legislative Assembly of Alberta*, March 6, 1928, pp. 94-95.

because they were judged to be "unfit" as both women and as mothers. The popularity of sterilization among "maternal" feminists, therefore, can be attributed to their belief in the potential for both progressive reform and conservative social control.

Accordingly, the campaign for the compulsory sterilization of mental defectives must be understood as both a progressive and a conservative enterprise. A genuine optimism was shared by many feminists who believed that sterilization would eliminate many of the social problems which plagued society. The sterilization of the feeble-minded was also defended as a preventative measure to combat over crowding in provincial mental institutions. This reform, however, depended on the radical social control of certain individuals. The eradication of social problems was to be achieved by preventing the procreation of the "unfit". Decisions concerning who was "fit" and who was "unfit" were frequently informed by rigid assumptions about the construction of race, class and gender held by these maternal feminists. Eugenic sterilization was advocated by many maternal feminists because they believed it would eradicate many of the social problems associated with rapid industrialization and urbanization without challenging a social system which placed them in a position of privilege with respect to class and race, and which exalted their roles as the "mothers of the race".

Without the sterilization campaign carried out by Alberta women, the passage of sterilization legislation would have been unlikely. The UFA government was cautious in its implementation of social policy and preferred to follow rather than lead public opinion. Once public support had been secured by the efforts of various women's groups, the UFA government was

quick to respond by initiating sterilization legislation. Although feminist interest in compulsory sterilization did not die out once the provincial government enacted legislation, its role and goals changed somewhat. While many feminists continued to advocate the merits of sterilization they were no longer the authorities on the subject.

Chapter 3

Contention and Consensus: The Debate over the Sexual Sterilization Bill, 1928

Despite the heated debate which took place in the Alberta legislature over the proposed sexual sterilization bill, it passed successfully on March 6, 1928 by a margin of thirty votes to eleven.²²⁶ Under this Act, a eugenics board was given the authority to order the sexual sterilization of patients about to be released from mental institutions when the board was of the opinion that there was a risk that their disability might be transmitted to their progeny.²²⁷ Local newspapers described the debate over the sterilization bill as one of the stormiest ever. In some cases opponents of the measure even went as far as plastering "venomous stickers" on the walls of Edmonton buildings which attacked Minister of Health George Hoadley, the mover of the Act.²²⁸

The objections to sterilization which were raised during the debates in the legislative assembly addressed either moral, libertarian or scientific concerns. Despite these objections, many other issues embedded in the

²²⁷ "The Sexual Sterilization Act, 1928," *Alberta Statutes 1928*, Ch. 37, pp. 117-118.

²²⁸ Frederick Watt, "Hoadley of Alberta," *MacLean's Magazine*, July 15, 1929.

²²⁹ *The U. F. A.*, March 1, 1928 p. 172.

sterilization bill went unquestioned. While certain members of the government and the opposition parties objected to the sterilization bill, in general they did not challenge the validity of the threat of the feeble-minded and the ethnocentric assumptions upon which the bill was based. Consequently, their discourse served to reinforce the status quo by preserving rather than challenging the privilege of the Anglo-Saxon elite in the province. This status quo denied the human worth of all persons with disabilities and failed to recognize the value of cultural and social difference. In order to reveal the complex constructions of mental disability and mental illness in this period, this chapter will analyze, first, the contentious issues and second, the issues upon which consensus was reached in the debate over the sterilization bill.

Moral and religious opposition to the sterilization bill was heard from both inside and outside the legislative assembly. Various members of the Legislative Assembly frequently challenged the government to consider the moral implications of the bill. While L. A. Giroux, Liberal member for Grouard, did not question the government's legitimate desire to find a solution to the growing menace of the feeble-minded, he feared that the government had lost sight of the moral viewpoint in their attempt to stress the eugenical.²²⁹ Ludas Joly, UFA member for St. Paul, broke ranks with his party to remind the house that "attention to public morals was the first duty of the state."²³⁰ Central to Joly's objection to the sterilization bill was his belief that since no individual had the right to consent to mutilation, there was no justification to give the

²³⁰ *The U. F. A.*, March 1, 1928 p. 172.

²³¹ *Lethbridge Herald* February 24, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 163.

state that power.²³¹

Giroux and Joly were not only alarmed by the lack of moral justification for the so called "mutilation" of an individual, but also by the bill's potential to increase immorality. According to Joly, while sterilization prevented the procreation of the mentally deficient, it left their "sense of attraction" intact. At large, without sufficient self restraint, Joly warned, these individuals would become the easy prey of the "unscrupulous," thus spreading the "moral evil" even further. For Giroux, it was feeble-minded women discharged from institutions that posed the greatest threat to the morality of society. These women, he warned, would become a moral menace spreading social evils throughout the community.²³² In closing, he remarked: "if a person was not sane enough to give consent he was not sane enough to be at large."²³³ In accepting the construction of the mentally deficient and insane as immoral, individuals such as Giroux and Joly feared more than the offspring of persons so afflicted. They viewed these persons -- even sterilized -- as immoral vectors of disease that could wreck havoc on the entire community.

One explanation for the moral objections to sterilization raised by Giroux and Joly can be found in their French-Catholic backgrounds. According to Angus McLaren, eugenic policies including sterilization were never popular among French Canadians for two reasons. First, as members of an ethnic and

²³²*Edmonton Journal*, February 25, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 178.

²³³*The U. F. A.*, March 1, 1928 p. 172.

²³⁴ McLaren, *Our Own Master Race*, pp. 25-26.

religious minority, many French Canadians recognized that such policies could be used against them, and second, as Catholics they were opposed to any interference into human reproduction.²³⁴ As McLaren argues, the successful passage of sterilization legislation in Alberta and British Columbia occurred in provinces which held the country's smallest percentage of Catholics.²³⁵ It is significant that the only member of the UFA government to raise objections to the sterilization bill was not only French but represented the French Catholic riding of St. Paul. Despite Joly's claims that his opposition was not religiously motivated, his arguments were steeped in the rhetoric of Catholicism.²³⁶ For example, at one point Joly described procreation as "a divine right which ought not to be conceded to the state."²³⁷ While Giroux and Joly never explicitly justified their objections to the bill on religious grounds it is significant that moral objections were first raised in the House by French Catholics.

Moral and religious opposition to the sterilization bill, however, was not limited to French Catholics, nor was it limited to the legislative chamber. Similar arguments to those raised by Giroux and Joly began to fill the editorial pages of various local newspapers. Echoing the words of Joly, a

²³⁵ Ibid., pp. 104, 126.

²³⁶ *Lethbridge Herald* February 24, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 163.

²³⁷ *The U. F. A.*, March 1, 1928 p. 172.

²³⁸ *Edmonton Bulletin*, February 25, 1928, p. 5.

letter to the editor of the *Edmonton Bulletin*, argued against sterilization on the grounds that "mutilation of the human body is a serious crime, especially that which would prevent reproduction as it strikes at the life of the nation."²³⁸ In addition the letter warned that sterilization did not restrain sexual vice but in fact tended to increase it. Consequently, the writer feared that this measure would result in an increase in the spread of venereal disease in the province.²³⁹

On February 26, Tillie Phelan wrote to the editor of the *Edmonton Journal* to oppose the sterilization bill on moral and religious grounds. As she stated in her letter,

It is with profound horror that I note the discussion of this in the house. ... Just where in the Old or New testament does God give man power over the bodies of His afflicted! Are we animals soon to be classed as Tamworths, Holsteins or Clydes. Mr. Hoadley in his desire for physical perfection will bring in a bill next year that all children suffering from infantile paralysis or any deformity, be taken to the high level bridge and thrown in to the Saskatchewan.²⁴⁰

Phelan's strong words emphasized her underlying belief that sterilization was morally reprehensible. In the closing of her letter, Phelan argued that it would be best if the government would leave these things to God.²⁴¹ In a similar

²³⁹*Edmonton Bulletin*, February 25, 1928, p. 5.

²⁴⁰*Edmonton Journal*, February 26, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 197.

²⁴¹ *Ibid.*.

²⁴²*Edmonton Bulletin*, February 28, 1928, p. 5.

vein , a letter received by the editor of the *Edmonton Bulletin*, on February 28, 1928, referred to the sterilization bill as "pagan nostrum" in direct opposition to a Christian code of morals.²⁴²

Public opposition to the sterilization bill became more organized on March 5, 1928, when a delegation of individuals, including John Galloway, paid a visit to George Hoadley in order to express their moral and religious opposition to the measure. During this meeting they read a letter from John Galloway which concluded as follows:

Some may ask, do you presume to challenge the Alberta government? In the name of the people of this dominion and our representatives in Ottawa, In the name of the laws of nature, Infallible, Immutable and Eternal In the name of the God of Nature, the Creator and Preserver of mankind who has endowed us with physical immortality... I challenge.²⁴³

On March 7, 1928, the day after the bill was passed, the *Edmonton Bulletin* once again criticized the sterilization bill. The measure, according to this editorial, did not have the support of public opinion: "the majority of people apparently regard it with strong dislike, and also with misgiving, based either on moral or religious grounds and upon doubts that it would serve to the end in view to any important degree."²⁴⁴ For individuals such as Joly, Giroux, Phelan, and Galloway the government had no moral or religious justification

²⁴³*Edmonton Journal*, March 6, 1928, p. 5.

²⁴⁴*Edmonton Journal*, March 7, 1928, p. 4.

²⁴⁵*Medicine Hat News*, February 25, 1928.

to sanction the sexual sterilization of individuals.

Supporters of the measure did not sit back quietly when such objections to the measure were raised. As the *Medicine Hat News* reported, Premier J. E. Brownlee and Attorney General J.F. Lymburn were "rushed into the fray to stem the tide of opposition...."²⁴⁵ Although Premier Brownlee had not intended to speak in support of the measure, he decided it was necessary given the heated debate which was in progress in the house. Acknowledging that the two available alternatives for dealing with the problem of the feeble-minded were segregation and sterilization, Brownlee explained how initially he had not favored the latter but after reading much of the available literature on the subject he now "viewed it through the glasses of an other hue."²⁴⁶ In response to the moral concerns raised by Joly and Giroux, the Premier argued that the passage of the sterilization Act would not result in an increase of social evils. In order to support this claim, Brownlee referred to a report on California's sterilization law which had detected no increase in such evils.²⁴⁷

While Brownlee and other supporters of the sterilization bill attempted to dispel concerns that sterilization would lead to the spread of immorality and disease, they chose not to address the religious objections to the bill. In a period when progressive individuals sought scientific solutions to a variety of social problems, the best defense against Catholic objections was to either discredit them as non-scientific or simply to ignore them. The reluctance of

²⁴⁶ Ibid..

²⁴⁷ *Edmonton Bulletin*, February 25, 1928, p. 1.

²⁴⁸ *The Calgary Albertan*, March 6, 1928.

Joly and Giroux to identify their objections as religiously motivated perhaps illustrates their recognition that Catholic concerns carried little weight, at least among the progressive element in the House.

In addition to the moral and religious objections raised against the sterilization bill were those raised in the defense of human rights. Eugenic in its inspiration, the sterilization bill was designed to protect the state from the growing menace of the feeble-minded. This goal was to be achieved through the sexual sterilization of individuals so afflicted. Central, therefore, to the debates which followed surrounding the measure was a complex struggle over the relative importance of collective versus individual rights.

In defense of the sterilization bill, George Hoadley emphasized the need for such legislation in order to protect society as a whole. While Hoadley viewed collective rights as primary, he did not completely deny the importance of individual rights. Hoadley argued that sterilization followed by discharge would be less of an interference in a persons' individuals rights than segregation throughout the individual's reproductive period. In defending the humane character of the operation Hoadley claimed that, "this operation was minor in its extent and could be performed without any pain and without the necessity of administering any anesthetic."²⁴⁸ While not denying that sterilization involved the suspension of certain rights, Hoadley argued that it was a more humane option than segregation.²⁴⁹

²⁴⁹*Lethbridge Herald*, February 24, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 163.

²⁵⁰*Calgary Herald*, February 23, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 164.

Certain opponents to the measure remained unconvinced by Hoadley's claims that the bill, as framed, adequately protected individual rights. Rejecting Hoadley's description of sterilization as more humane than segregation, Joly, warned that sterilization would be offered to patients as the "price for their liberty."²⁵⁰ For Joly, sterilization was punishment and, in his view, no one should be punished without a fair trial.²⁵¹ Giroux, was also concerned that the sterilization bill would interfere with the rights of individuals.²⁵² Giroux suggested that this could be rectified by removing the compulsory feature in order to insure that the constitutional rights of these individuals would be preserved.²⁵³ C. Y. Weaver, Conservative-Edmonton, reminded the house that while he,

fully realized the desirability of reducing as far as possible the number of mentally unfit, (...) there was a further duty revolving upon the house and that was to see that measures taken are not only in the interests of posterity but in the interests of the poor unfortunates of the province.²⁵⁴

²⁵¹ *Edmonton Bulletin*, February 24, 1928.

²⁵² *Edmonton Journal* February 25, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 178.

²⁵³ See: *Medicine Hat News*, February 25, 1928; *The U. F. A.*, March 1, 1928 p. 172.

²⁵⁴ *Edmonton Journal* February 25, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 178.

²⁵⁵ *The U. F. A.*, March 1, 1928 p. 172.

Repeating Joly's objection, Weaver declared that mutilation was a terrible price to pay for one's liberty.²⁵⁵

Premier Brownlee put collective rights before individuals rights. As he explained "The belief that an Englishman's home was his castle no longer held good in view of changing conditions of democracy and where the state was concerned the right of the the individual had to yield place."²⁵⁶ Brownlee also denied allegations that the bill gave the board indiscriminate powers to offer mutilation in exchange for freedom. As he explained "where freedom from a mental institution was justified without treatment this would be done as formerly. Only in cases where it was absolutely necessary would this be resorted to."²⁵⁷ Brownlee's belief in the supremacy of collective rights over those of the individual was consistent with the view shared by many United Farmers that society was an organic whole. Accordingly, when the health of the collective organism was threatened the surgical manipulation of certain individuals could and should be sanctioned by the state.²⁵⁸

Following the Premier's address on February 24, 1928, Attorney General J. F. Lymburn defended the constitutionality of the bill before the house. Having anticipated constitutional challenges to the sterilization bill, Lymburn had solicited the legal opinions of O. M. Biggar of Ottawa and E.

²⁵⁶ *Medicine Hat News*, February 25, 1928.

²⁵⁷ *The U. F. A.*, March 1, 1928 p. 172.

²⁵⁸ See: Clark, "Public Provisions for the Mentally Ill," p.100.

²⁵⁹ "Re Sexual Sterilization Bill, Letters to Lymburn from Biggar and Lafleur," Provincial Archives of Alberta, Sessional Papers 70.414 Box 25/917.

LaFleur of Montreal.²⁵⁹ According to Biggar, while the provisions of the bill were not expressly authorized he saw no reason for any constitutional objection to them. While similar legislation in certain states in the United States had been declared unconstitutional on the basis that they went against the fourteenth amendment which forbade anyone from being deprived of life, liberty or property without due process of Law, Lafleur explained that the British North America Act contained no such limitations.²⁶⁰

While ministers such as Joly, Giroux, and Weaver argued that the sterilization bill did not have enough safeguards to protect the rights of individuals, Milton McKeen, UFA-Lac St. Ann, and George MacLauchlin, UFA-Pembina, argued the the exact opposite. Objecting to such claims, McKeen argued that if he had his way, he would draft a still more drastic measure which the Federal government could allow or disallow as they saw fit.²⁶¹ MacLauchlin argued that the bill as it stood contained so many safe guards that it could be considered as almost innocuous. Already no decision could be made without the unanimous agreement of the four member eugenics board. According to MacLaughlin, the addition of further safeguards would render the bill incapable of achieving its objective.²⁶²

²⁶⁰ "Re Sexual Sterilization Bill, Letter to Lymburn from Lafleur." Provincial Archives of Alberta, Sessional Papers 70.414 Box 25/917, pp. 1-2.

²⁶¹ *Edmonton Journal* February 25, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 178.

²⁶² *Edmonton Bulletin* February 28(?), 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 189.

²⁶³ *The U. F. A.*, March 15, 1928 p. 249.

On March 6 1928, before the Premier and Cabinet Ministers, several members of the newly formed People's Protection League voiced their opposition to the enactment of the sterilization bill on the grounds that it interfered with the rights of the people. The League, made up of two hundred members, retained the services of H. S. Parlee, K. C. for the purpose of testing the bill's constitutionality in the courts. Mr. Sheppard, one delegate from the League, argued that "the measure was a most dangerous piece of legislation". Mrs. McKay Smith, another delegate, was concerned that without proper safeguards persons who were only temporarily under mental derangement and found themselves incarcerated in institutions might be wrongly sterilized.²⁶³ After thanking the delegation for their interest in the matter, Premier Brownlee pointed out that most of their objections were based upon misunderstandings of the bill's intention. Despite what they believed, the Act would not be applied to every inmate on their discharge from an institution. According to the Premier, one must "distinguish between the class known as a "mental defective" and those suffering who were temporarily insane. The former was the only individual at whom this legislation was aimed."²⁶⁴ In spite of the objections raised against the bill on the grounds that the measure would interfere with individual rights, the debate over the relative importance of individual versus collective rights was not clear cut. Although supporters and opponents of the bill disagreed over which set of rights needed more

²⁶⁴ *The U. F. A.*, March 15, 1928 p. 249.

²⁶⁵ "Return asked for by Mr. Weaver Regarding the Correspondence in Connection with the Sterilization bill," Provincial Archives of Alberta, Sessional Papers, 70.414 GS File 920.

protection, no one completely denied the importance of either collective or individual rights.

Among the most influential arguments raised against the measure were those raised in the name of science and medicine. During this period of increasing secularization and of a growing faith in science, social problems were gradually becoming medicalized. As a result of this trend the sterilization bill was both defended and attacked on scientific and medical grounds. Although the supporters of the bill attempted to stress the scientific legitimacy of this legislation, their arguments were primarily influenced by maternal feminists rather than medical authorities. Despite the heavy debt owed to these women, through the government's co-opting of their campaign their efforts were understated in favor of the few medical opinions which were received.

Instead of giving sufficient credit to Emily Murphy or other maternal feminists involved in the sterilization campaign, Hoadley legitimized his arguments by reading telegrams of support from medical "experts" including Clarence M. Hincks, Medical Director of the Canadian National Committee on Mental Hygiene, C.B. Farrar, Superintendent of the Psychopathic Hospital in Toronto, and E. S. Gosney, a leading American eugenicist.²⁶⁵ Medical and scientific support was necessary at a time when social problems were increasingly becoming medicalized. With the exception of women who were members of the legislative assembly, maternal feminists were no longer responsible for the formation of social policy. Many continued to petition the

²⁶⁶*Edmonton Bulletin*, February 24, 1928.

government for various changes, but their voices became those of concerned citizens rather than those of the pioneers of the sterilization campaign .

In response to George Hoadley's speech in support of the sterilization bill, A.A. McGillivray, the leader of the Conservatives, advised the government to proceed with caution with regards to the sterilization bill. Prior to the bill's passage, McGillivray argued that it should be put before committee of the whole House and the best medical authorities in the dominion should be consulted. While not completely opposed to the bill in principle, McGillivray would not endorse it because of the composition of the eugenics board. The current bill would establish a board of four members of whom two were to be doctors and the other two lay persons. In McGillivray's view, Dr. Edgar Pope and Dr. Mason, the two doctors to be appointed were not experts in the field of psychiatry.²⁶⁶ According to McGillivray, "Dealing with the human mind was dealing with the most delicate pieces of mechanism known."²⁶⁷ McGillivray had realized the complex task of judging whether a person was sane or insane through first hand experience when acting as the defense lawyer for a man who had murdered his wife.¹⁴ As McGillivray told the house, in this trial, the doctors working for the prosecution found his client to be perfectly sane, while the doctors, including a psychiatrist, working for the defense testified that the man was insane. The jury believed the first set of doctors and the accused was sentenced to death. Fortunately on a technicality a new trial was granted and this time the man was found to be insane and was committed to a mental

²⁶⁷ *Edmonton Bulletin*, February 24, 1928.

²⁶⁸ *Edmonton Journal* February 23 or 24 ?, 1928. Provincial Archives of Alberta, "Scrapbook Hansard," 164.

hospital. Relating the facts of this case to the proposed bill, McGillivray argued that:

- ✦ Any set of doctors , who were not experts in their line, [...] might call a man sane or insane when the reverse might be the case. Any board upon which it was intended to confer the tremendous powers proposed by this Act, must have outstanding psychiatrists in its membership.²⁶⁸

While not challenging the merits of the Act, McGillivray did stress the need to ensure that decisions concerning sterilization be informed by expert medical and scientific knowledge.

C. Y. Weaver, conservative member from Edmonton, "urged the house to be careful and not to embark on an unexplored sea until the word of outstanding authorities on both sides of the question had been obtained."²⁶⁹ Weaver supported his objections to the bill with numerous references to scientific authorities who shared his caution with respect to such legislation. He also reported that sterilization legislation in the United States was only operating successfully in one state.²⁷⁰ C. Lionel Gibbs, Labour member from Edmonton also argued that up to this point the government's defense of the bill was far from convincing. Gibbs warned that the sterilization bill should not be endorsed until sufficient medical information was before the House. For

²⁶⁹ *Edmonton Journal*, February 25, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 178.

²⁷⁰ *Ibid.*.

²⁷¹ *Ibid.*; *Edmonton Bulletin*, February 25, 1928, p. 1.

example he pointed out that there was a great deal of confusion within the House concerning the difference between mentally defective and mentally diseased individuals.²⁷¹ As long as the House remained so uninformed on such crucial details, Gibbs warned that the government was in no position to endorse this bill.

Although Premier Brownlee conceded that there was no consensus among scientists concerning the appropriate treatment of mental diseases or the desirability of sterilization, he argued that the growing menace in the province was such that immediate action was needed.²⁷² On a practical level, the province was unable to keep up with the ever increasing demand for beds in mental institutions. According to Brownlee, sterilization was the only remaining option.²⁷³ George Hoadley, also rallied to defend the bill against the suggestion that it was not informed by expert opinion. In response to another appeal made by McGillivray Hoadley stated that the government had already been presented with sufficient scientific opinion on the matter.²⁷⁴ Instead of reviewing such "expert" opinions, however, Hoadley went on to argue that public opinion was overwhelmingly in favor of the bill. "Every woman's organization," Hoadley argued, "except one, which favored

²⁷² *Medicine Hat News*, February 25, 1928.

²⁷³ *The U. F. A.*, March 1, 1928 p. 172.

²⁷⁴ *Edmonton Bulletin*, February 28(?), 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 189. Not surprisingly the only women's organization to come out against sterilization was Catholic.

²⁷⁵ *Ibid.*.

segregation rather than sterilization, was behind the proposal in the government bill."²⁷⁵ This public opinion was not, however, the expert opinion McGillivray was interested in. In pressing his point further, McGillivray asked if there was any objection to his proposal that scientists be brought before the House. In response Hoadley argued that such action would only cause an unnecessary six week delay. He then reassured the house that world authorities everywhere were united in support of sterilization.²⁷⁶

Despite Hoadley's claims concerning the scientific legitimacy of the bill, very little scientific opinion had been gathered. With the exception of a handful of letters and telegrams from individuals such as Clarence Hincks and E.S. Gosney, the government had consulted relatively few medical "experts". Even the support of the Alberta College of Physicians and Surgeons had not been officially received. Although George Johnson, the registrar of the organization, claimed that the general feeling among their members was that medical men were not opposed to the bill, no actual resolution had been passed by them.²⁷⁷

In an period of increased faith in science and its resulting medicalization of social problems, the sterilization bill was attacked and defended on scientific and medical grounds. Opponents of the bill argued that medical experts should be consulted prior to drafting such legislation and should be

²⁷⁶ *Ibid.*.

²⁷⁷ "Return asked for by Mr. Weaver Regarding the Correspondence in Connection with the Sterilization bill," Provincial Archives of Alberta. Sessional Papers, 70.414 GS File 920.

²⁷⁸ *Vegerville*, March 7, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 257.

responsible for its implementation. Although, by and large the overwhelming majority of support for the sterilization bill came from various women's organizations rather than from health professionals, the government sought to down play this and instead emphasize that scientific opinion was largely behind this bill. Although there was controversy concerning the ability to determine who was feeble-minded, once that was determined sterilization was believed to be the obvious scientific solution.

Despite the heated debates surrounding the sterilization bill that flared up over moral, libertarian, and scientific concerns, many other issues embedded in the sterilization bill remained unexamined. While some members of the government and the opposition parties objected to the sterilization bill, in general, they did not challenge either the notion of the threat posed by the feeble-minded or the Anglo-Saxon middle class constructions of race, class, gender and ability upon which the bill was based. As a consequence, the discussion over the sterilization bill implicitly served to consolidate rather than challenge the privilege of this group at the expense of the so called "unfit".

Among the supporters and opponents of the sterilization bill there was a general consensus that the feeble-minded posed a problem that needed to be dealt with. Much like the maternal feminists involved in the sterilization campaign, politicians also feared that without drastic intervention the race would ultimately face degeneration. As an editorial in the Vegerville paper crudely put: "it is an established fact that we believe, that nit-wits, both male and female, are uncannily gifted with reproductive powers and the sum total of this reproduction is more nit-wits."²⁷⁸ The sterilization bill, as Hoadley argued,

²⁷⁹*Edmonton Bulletin*, February 24, 1928.

would protect the state from this growing menace.²⁷⁹

In general, the opponents of the sterilization bill also did not challenge the validity of the myth of the menace of the feeble-minded. McGillivray's opposition to the measure did not include a challenge to the assumption that the feeble-minded constituted a threat, or an attack on the science of eugenics upon which the bill was based; instead he objected to the bill as framed. McGillivray was concerned about the need for medical experts to implement the bill, rather than a question of whether or not the bill should be implemented.²⁸⁰

Clearly McGillivray was not alone in accepting the myth of the menace of the feeble-minded. L.A. Giroux also wanted to make it "abundantly clear" that while he opposed the bill as drafted he supported the idea that the state had the right to protect itself from this growing problem as long as the rights of individuals were sufficiently protected.²⁸¹ Joly and Giroux feared the consequences of releasing these sterilized but still dangerous individuals into the community. As Joly warned, "the moral evil would be worse than the original trouble because disease would be more widespread."²⁸² By linking feeble-mindedness with immorality and disease, Giroux and Joly actively

²⁸⁰ Ibid.; *Edmonton Journal* February 23 or 24 ?, 1928. Provincial Archives of Alberta, "Scrapbook Hansard," 164.

²⁸¹ *Edmonton Bulletin*, February 25, 1928, p. 1.

²⁸² *The U. F. A.*, March 1, 1928 p. 172.

²⁸³ *The U. F. A.*, March 1, 1928 p. 172.

constructed feeble-mindedness as a social problem and threat to the community.

The arguments raised on both sides of the debate over the sterilization bill presumed that feeble-mindedness was a menace. At issue was how to deal with this problem not whether or not it was in fact a problem. Some preferred sterilization, others segregation; no one challenged the basic assumption that some form of state intervention was needed to counter this menace.

Throughout the debate, no one questioned the subjectivity of the judgements of human worth upon which the sterilization bill was based. Like the feminists involved in the early campaign for sterilization, Alberta politicians, with a few exceptions, shared a primarily Anglo-Protestant, middle-class background. Their judgements concerning human "fitness" were informed by rigid assumptions about race, class, gender and ability which defined their experiences as normative and all others as deviant. In his defense of the sterilization bill, for example, George Hoadley asked if there was anyone in the house who was

prepared to say that the mentally diseased were an advantage to any country? If, then, a situation was undesirable with regard to the growth of the mentally deficient, could there be any objection to adopting this plan designed to at least hold it in check?²⁸³

According to the newspapers reporting on this debate there was no challenge raised against Hoadley's assertion of the unworthiness of the lives of those

²⁸⁴ *Edmonton Journal*, February 23 or 24?, 1928, Provincial Archives of Alberta, "Scrapbook Hansard," 164 .

with mental disabilities. Throughout this debate no one protested the prevailing construction of feeble-mindedness as primarily a foreign and lower class phenomenon. Nor did they challenge the widely held views that feeble-minded women posed a more immediate threat to the race, or that society should be arranged according to a hierarchy based on ability.

Not only were the ethnocentric assumptions concerning fitness which informed the debate over sterilization not challenged, many members of the Legislative Assembly actively reinforced the belief that foreigners were somehow inherently inferior and therefore more susceptible to feeble-mindedness. This view was expressed throughout the debate when members on both sides called for tighter immigration restrictions. Echoing Emily Murphy, George Hoadley explained to the house that:

each year sixty or seventy persons enter the institutions of the province for the insane and that the great majority are foreign born. Seventy per cent of those in Canada's mental hospitals are not born in the dominion while the total foreign born population of Canada is only 53 per cent."²⁸⁴

Although Joly was a French Catholic and not a member of the Anglo-Protestant majority, he also did not challenge the racist and ethnocentric assumptions that were used to justify the sterilization bill. Instead, he agreed with Hoadley that this problem was largely a foreign one and demanded tighter inspections of immigrants at their ports of entry.²⁸⁵ This belief was also

²⁸⁵ *Lethbridge Herald*, February 24, 1928, Provincial Archives of Alberta, "Scrapbook Hansard,"163.

²⁸⁶ *Edmonton Journal*, February 25, 1928, Provincial Archives of Alberta, "Scrapbook Hansard,"178.

shared by C.Y. Weaver who argued that: " it would be better to impose still greater restrictions than to adopt a policy of mutilation."²⁸⁶ Defending the government's record, Premier Brownlee responded to these appeals by claiming that the Provincial government had done everything under its power to pressure the Federal government to prevent the importation of the mentally unfit into Canada.²⁸⁷ Milton McKeen, UFA member from Lac St. Anne, however, was not satisfied that the government had done enough in this area. McKeen advocated that: "he would have it broadcast throughout the world that a man must be physically and mentally fit before he could enter the province of Alberta."²⁸⁸ McKeen then chillingly threatened that if it became necessary to incarcerate such individuals in the province, "worse things than sterilization would happen to them."²⁸⁹ Constant references to the feeble-mindedness as a largely imported problem served to reinforce the widely held belief that the quality of immigrant stock was somehow less desirable than that of the Anglo-Saxon elite in the province. As George Hoadley explained: "if the quantity of production in the human race is all that is desired that is all right, but if it is quality, then that is a different thing."²⁹⁰ Of course quality or

²⁸⁷*The U. F. A.*, March 1, 1928 p. 172.

²⁸⁸*Lethbridge Herald* February 24, 1928, Provincial Archives of Alberta, "Scrapbook Hansard,"163.

²⁸⁹*The U. F. A.* March 1, 1928 p. 172.

²⁹⁰*Edmonton Bulletin*, February 24, 1928.

²⁹¹*Edmonton Journal*, March 7, 1928, p. 4.

worth was determined according to strict assumptions about race, class, gender and ability.

The debate over the sexual sterilization bill was described as one of the stormiest ever. As the *Edmonton Journal* reported, on March 7, 1928: "seldom, if ever, has a measure been introduced in the legislature that has aroused deeper resentment than that manifested over Hoadley's sterilization bill."²⁹¹ During the debate over the sterilization bill the measure was challenged on moral, libertarian and scientific grounds. Despite these objections, however, on March 6, 1928, the sexual sterilization bill passed third reading by a vote of thirty to eleven.²⁹² Any analysis which looks solely at the issues held in contention, however, fails to explain why this legislation was ultimately successful. Beyond the arguments raised in the house over the sterilization bill there was a widely held consensus concerning the construction of feeble-mindedness. While members of the government and opposition parties objected to the sterilization bill, in general they did not challenge either the notion of the menace of the feeble-minded, or the Anglo-Saxon scale of values against which fitness was measured.

²⁹²*Edmonton Journal*, March 7, 1928, p. 5.

²⁹³ "Sterilization of the Unfit World-Wide Movement - Alberta's Experience," *Canadian Doctor*, (January, 1936), pp. 17-18.

Chapter 4

The Implementation of Alberta's Sterilization Program 1928-1972.

An article in the 1936 issue of *Canadian Doctor* praised Alberta's sterilization program and compared it favorably to similar legislation in Nazi Germany. The article reported that the German program had apparently "reduced the country's 20,000 annual crop of feeble-minded to about 10,000."²⁹³ Adolph Hitler passed a Eugenic Sterilization Law in 1933, five years after the passage of the Alberta Sexual Sterilization Act. Both pieces of legislation were directed towards preventing race degeneration through programs of negative eugenics. Sterilization of the "unfit" in Germany, however, was only the first step in a long process of racial "cleansing." By 1939, the Nazis had replaced their sterilization program with a policy of euthanasia which was ultimately expanded into Hitler's final solution.²⁹⁴

Eugenic ideas and practices did not disappear after Nazi horrors were revealed to the world. The Alberta Sexual Sterilization program remained in

²⁹⁴See: Stefan Kuhl, *The Nazi Connection, Eugenics, American Racism and German National Socialism*, (New York: Oxford University Press, 1994); Gisela Bock, "Racism and Sexism in Nazi Germany: Motherhood, Compulsory Sterilization, and the State," in *When Biology Became Destiny: Women in Weimar and Nazi Germany*, eds. Renate Bridenthal, Atina Grossmann, Marion Kaplan, (New York: Monthly Review Press, 1984).

²⁹⁵ See for example: Kevles, *In the Name of Eugenics*, pp. 117-119.

place until 1972, almost three decades after the end of World War Two. In the period between 1928 and 1945 eugenic sterilization reached its peak of popularity throughout Europe and North America. Canadians from across the country praised Alberta's "progressive" sterilization legislation. After the Nazi atrocities were revealed at the end of the Second World War, historians have noted, a dark shadow was thrown over the science of eugenics.²⁹⁵ While the realization that eugenic ideas could be carried as far as the Holocaust did have an impact on the popularity of eugenics, it did not bring about the immediate repeal of the Alberta Sexual Sterilization Act. Although the Act remained law for another twenty seven years the activities of the eugenics board were shrouded in secrecy and silence. After the Second World War, public discussions of the program virtually disappeared. Yet continued support for the Act among politicians and health care professionals persisted. Opposition to the sexual sterilization program did not reappear until the late 1960's. In response to growing concerns over the protection of individual rights Alberta's Sexual Sterilization Act was ultimately repealed in 1972.

On March 21, 1928 Alberta became the first province in Canada to enact its own "Sexual Sterilization Act." Under the authority of this legislation a eugenics board was created. As the Act specified the members of this board included two medical practitioners nominated by the Senate of the University of Alberta and the Council of the College of Physicians respectively, and two persons other than medical practitioners nominated by the Lieutenant Governor in Council. The eugenics board was charged with the task of

²⁹⁶ "The Sexual Sterilization Act, 1928," *Alberta Statutes 1928*, Ch. 37, pp. 117-118.

examining “inmates” of mental hospitals at the request of the Medical Superintendent , when the discharge of such individuals was proposed.

((If upon such examination, the board is unanimously of opinion that the patient might be safely discharged if the danger of procreation with its attendant risk of multiplication of the the evil by transmission of the disability to progeny were eliminated, the board may direct in writing such surgical operation for sexual sterilization of the inmate as may be specified in the written direction and shall appoint some competent surgeon to preform the operation.²⁹⁶))

✘ Further, the Act required the consent of “inmates” if capable of giving it and if not, the consent of their husband or wife, parent or guardian.²⁹⁷ In the years between 1928 and 1972 2,832 individuals were sterilized under the authority of the “Sexual Sterilization Act.”

In the late 1920’s and early 1930’s eugenic sterilization was rapidly gained popularity throughout the western world. Within Canada, health professionals, politicians and social reformers came together in support of this so-called “preventative” measure. This broad base of support resulted in a flurry of articles, throughout the 1930’s, expounding the merits of sterilization and praising the efforts of the Alberta Government, including a feature article on Alberta’s sterilization Act in the July, 1933 issue of *Saturday Night*. In addition to providing Canadians with a detailed description of the legislation the article reported that the Act had operated, to that time, without complaint

²⁹⁷ Ibid.

²⁹⁸ D. Walter Thompson, “Alberta’s Experience With Sterilization.” *Saturday Night* (July 8, 1933,) p. 2.

or criticism.²⁹⁸

Support for the Alberta legislation was not limited, however, to the popular press. Tributes to Alberta's "progressive" legislation were also voiced by a number of medical experts in the field of mental health. In June of 1928 Dr. Clarence M. Hincks, the director of the Canadian Association for Mental Hygiene, toured Alberta to show support for the province's new sterilization legislation. In 1934, Dr. Helen MacMurchy, an Ontario physician and long time advocate of eugenic sterilization, joined ranks with Hincks and other health professionals to congratulate Alberta on its progressive legislation.²⁹⁹

While social reformers and maternal feminists, not medical experts, pushed through the legislation, the support of medical authorities was crucial to the program's success. With influential experts such as Hincks and MacMurchy on side, Alberta could claim that its sterilization Act had scientific legitimacy.³⁰⁰ The validity of this claim must, however, be challenged. Being supported by scientists and health professionals, the sterilization program did not rely solely on objective scientific knowledge. The social biases of the individuals responsible for the Act's implementation led them to use the scientific knowledge in a particular way.³⁰¹ The efforts of the maternal

²⁹⁹ For example see: Helen MacMurchy, "Sterilization of the Unfit." *Saturday Night* 49 (March 1934). p. 5; Helen MacMurchy, *Sterilization and Birth Control*; Dr. William L. Hutton, "A Brief For the Sterilization of the Feeble-Minded," June 1936, Provincial Archives of Alberta, Irene Parlby Papers.

³⁰⁰ *Edmonton Journal*, June 20, 1928; *Edmonton Bulletin*, June 20, 1928.

³⁰¹ For further discussion of science as a socially embedded activity see: Bruno Latour, *Science in Action, How to Follow Scientists and Engineers Through Society*, (Cambridge, Massachusetts: Harvard University Press.) 1987.

feminists who fought for compulsory sterilization did not end with the passage of Alberta's "Sexual Sterilization Act, 1928." In 1932, in a series of articles published in the *Vancouver Sunday Sun*, Emily Murphy insisted that Alberta's accomplishment was only the beginning.³⁰² According to Murphy the progressive social reform of society depended upon the sterilization of the unfit. "Governments except those who put their telescope to their blind eye understand beyond a doubt, that our racial health is being imperilled as well as our civilization."³⁰³ Goading her British Columbian readers even further, Murphy stated that Alberta preferred to be a leader rather than a follower in the area of mental hygiene.³⁰⁴ As if to meet this challenge, in 1933 British Columbia joined Alberta as the second province in Canada to pass a "Sexual Sterilization Act."³⁰⁴

In addition to the efforts of Emily Murphy the UFWA continued to play a role in both the implementation of the Alberta sexual sterilization program. Jean Field, the organization's convener of health, was rewarded by the government for her efforts in the sterilization campaign, with an appointment to the eugenics board in 1928. During the annual convention of the UFWA in 1932 Field confidently asserted that she was convinced that the Alberta

³⁰² Emily Murphy, "Sterilization of the Insane," *Vancouver Sunday Sun*, September 3, 1932, p. 3.

³⁰³ Ibid.

³⁰⁴ McLaren, *Our Own Master Race*, pp. 89-106.

³⁰⁵ UFWA, *Reports and Addresses*, January, 1932. p. 90.

Sexual Sterilization Act “brought into being a new phase of health work, which will be of great benefit to the future of our citizenship in Alberta.”³⁰⁵

Although there was widespread support for Alberta’s sexual sterilization program, many of the advocates of eugenic sterilization warned that the existing legislation did not go far enough. While praising Alberta for its pioneering steps towards the prevention of feeble-mindedness, Emily Murphy alerted an audience in Manitoba to the fact that Alberta’s existing legislation was still unable to prevent an increase in the number of feeble-minded cases in the province.³⁰⁶ In January 1932, in an address given to the UFWA on crime and punishment, Dr. John MacEachran, the chairman of the eugenics board stated that with respect to race degeneration, “there is one remedy (...) and we fortunately have begun to make use of it in Alberta - although not yet nearly extensively enough.”³⁰⁷

In 1933, challenged by the compelling arguments of individuals such as Murphy and MacEachran, the UFWA appealed to the Alberta government to broaden the scope of the Sexual Sterilization Act. The organization argued that the existing legislation was unable to sufficiently protect society from the growing menace of the feeble-minded. The UFWA declared that the non-institutionalized feeble-minded posed an even greater threat to the race than

³⁰⁶ Emily Murphy, “A Case For Sterilization,” *The Winnipeg Tribune*, Jan 16, 1932, City of Edmonton Archives, Emily Murphy Collection, Scrapbook 3, Page 59 .

³⁰⁷ John MacEachran, “Crime and Punishment,” *UFWA, Reports and Addresses*, January, 1932, pp. 45-52. See the same comments in: John MacEachran, “Criminals are Not Reformed by Brutality or Inhumanity ,” *Mental Health* (February, 1932), p. 12.

³⁰⁸ Jean H. Field, “Eugenics Board of Alberta,” *UFWA, Reports and Addresses*, January 19-22, 1932, p. 45.

those in institutions. The former were free to reproduce their kind. The UFWA resolved that existing limitations in the Act be removed in order that it be applicable to all feeble-minded cases in the province whether or not they were institutionalized.³⁰⁸ Moreover, in the following years the UFWA continued to pass additional resolutions calling for amendments to the Sexual Sterilization Act. In January of 1937, the UFWA resolved that the consent of parents or guardians no longer be required in the case of mentally deficient who have become a public charge.³⁰⁹))

Many of these concerns were addressed by “An Act to Amend the the Sexual Sterilization Act” passed by the Alberta Legislative Assembly in March, 1937.³¹⁰ Under this amendment sterilization was no longer limited to institutionalized cases and consent was no longer required in the case of the “mentally defective”.³¹¹ The Act was amended again in 1942. Now the eugenics board was given authority to sterilize people suffering from neurosyphilis with deterioration not amounting to psychosis but unresponsive to treatment, epilepsy with psychosis or mental deterioration, and Huntington’s chorea.³¹²

³⁰⁹ UFWA, “Minutes of the UFWA Board Meeting January 18th, 1937.” *Executive Board and Convention Minutes*, Glenbow, BR UFA/UFWA Executive Reel #3.

³¹⁰ *Journals of the Legislative Assembly*, 1937, p. 87.

³¹¹ “An Act to Amend the Sexual Sterilization Act,” *Alberta Statutes, 1937*, Chapter 47, pp. 181-183.

³¹² *Ibid.*, pp. 179-180.

³¹³ Reilly, *The Surgical Solution*, pp. 71-89.

Alberta's sterilization program did not develop in a vacuum. Many of the articles on sterilization which appeared in Canadian newspapers legitimized Alberta's efforts by placing them within the context of a world-wide sterilization movement. During the decades in which amendments were being drawn up to broaden the scope of the Alberta Act, eugenic programs throughout North America and Europe reached their peak of popularity. Although many of the early American sterilization laws were struck down by the courts during the First World War, after 1923 there was a resurgence of legislative activity. This trend was only reaffirmed on May 2, 1927 when the American Supreme court upheld the Virginia sterilization law in the case of *Buck v. Bell*. In the years that followed the *Buck v. Bell* decision the total number of states to enact sterilization legislation rose to thirty.³¹³ As in the case of the Alberta sterilization program, the negative eugenic campaigns in Nazi Germany did not function in isolation, but with the support and encouragement of eugenicists from around the world.³¹⁴ Canadian eugenicists were not exceptions. In 1936, an article appeared in *The Canadian Doctor* which favorably compared the Alberta program to the much more extensive sterilization program recently established in Nazi Germany. Without a hint of criticism the article reported that in the first three years of its operation the Nazi program sterilized almost 200,000 subjects. Those individuals targeted by this legislation included the mentally diseased, chronic alcoholics, victims

³¹⁴ Kuhl, *The Nazi Connection*, chapter 4.

³¹⁵ "Sterilization of the Unfit World-Wide Movement - Alberta's Experience," *Canadian Doctor* (January, 1936), p. 47.

of certain hereditary diseases and the congenitally blind, deaf and dumb. Predicting the expansion of this international movement, lead by countries such as Germany, the author concluded that “the future will see this trend ever more accentuated and legislation enacted to cover an ever widening field.”³¹⁵

By 1939 the Germans opted for euthanasia as a more efficient means to achieve racial purity.³¹⁶ Although it is difficult to determine how informed the Canadian public was about developments in the Nazi program, at least some individuals closely tied to the sterilization program in Alberta were aware of the shift in policy from sterilization to euthanasia. In 1942, E. Mary Frost, a graduate student at the University of Alberta, briefly mentioned euthanasia as one method of negative eugenics in her thesis on Alberta’s sexual sterilization program. Choosing to pass no judgement on the option Frost explained that , “euthanasia (...) has never gained public favor, although it has been practiced in isolated instances from early times to the present. (It is reported that Germany, of late, has adopted these methods as state policies.)”³¹⁷ Although Frost did not praise the German program nor advocate euthanasia, she also did not criticize the policy. Without being able to predict Hitler’s final solution and living in a period when eugenic ideas enjoyed a great deal of support,

³¹⁶See: Kuhl, *The Nazi Connection*, chapter 4.

³¹⁷ E. Mary Frost, “Sterilization in Alberta: A Summary of the cases Presented to the Eugenics Board for the Province of Alberta From 1929 to 1941.” (Masters thesis, Department of Psychology, University of Alberta, April 1942.)

³¹⁸ Ibid..

Frost's comments about euthanasia clearly required no explanation or apology.³¹⁸ Although Frost's thesis might not have enjoyed a very wide readership, John MacEachran, Chairman of the eugenics board, was her thesis supervisor. Both prior to and after the completion of her thesis Frost worked on follow-up cases for the eugenics board as one of their Social Workers. In general, Canadian eugenicists remained uncritical, until well into the Second World War, of the more radical racial cleansing measures being carried out by the Nazis. Their silence was indicative of the widespread acceptance of negative eugenics in North America.

In Alberta eugenic ideas were translated into action through the efforts of the eugenics board which was charged with administering the sterilization Act. Initially the eugenics board was somewhat cautious in implementing the legislation. As a result the first sterilization did not take place until May 10 1929.³¹⁹ This slow start, however, was not indicative of things to come. In 1930, Dr. W. J. McAlister, Medical Superintendent for the Provincial Training School in Red Deer reported that with respect to the activities of the eugenics board, "we feel satisfied that the Government has initiated a valuable activity which should materially lessen the problem of the propagation of the feeble-minded."³²⁰ Reassured by the comments of McAlister and others the eugenics board gradually became more active.

³¹⁹ "Eugenics Board," *Alberta Department of Public Health Annual Report, 1931*, p. 71.

³²⁰ W. J. McAlister, "Provincial Training School. Red Deer" *Alberta Department of Public Health Annual Report, 1930*, p. 74.

³²¹ J. M. MacEachran, "The Eugenics Board For the Province of Alberta," *Alberta Department of Public Health Annual Report, 1931*, p. 71.

In 1931 the first Annual report for the Eugenics board reported that :

The Act is working smoothly. No complaints have been received from any quarter, and it may be definitely stated that the board is being regarded with increasing favor by those who have responsibilities in connection with the mental hospital and mental hygiene services.³²¹

By the end of 1931, 134 individuals had been deemed by the board to be suitable candidates and ultimately sterilized.³²² By 1945 that number had swelled to 1,059.³²³

What do we know of the hundreds of individuals who were sterilized during the first decades of “The Sexual Sterilization Act” ? In general, the public discussion of the Alberta Sexual sterilization Act provides relatively little information concerning how the legislation was carried out on an individual level. One notable exception, however, is an account of the sterilization of a girl named Katie, which appeared in Nellie McClung’s autobiography *A Stream Runs Fast*.³²⁴

As mentioned previously, the efforts of maternal feminists did not end with the passage of sterilization legislation. Many individuals such as Jean Field, Emily Murphy and Nellie McClung played active roles in the both the

³²² *Ibid.*.

³²³ J. M. MacEachran, “The Eugenics Board For the Province of Alberta,” *Alberta Department of Public Health Annual Report. 1951*, p. 159.

³²⁴ Nellie McClung, *A Stream Runs Fast*, 1945, pp 177-178.

³²⁵ *Ibid.*, p. 177.

Act's articulation and implementation. Although McClung, unlike Field and Murphy, held no official position as either a eugenics board member or judge, she was quick to become personally involved in the Act when she felt it was necessary. As McClung explained "I saw the working out of this measure soon after it became law when a poor distracted mother from southern Alberta came to see me, bringing her eighteen year old daughter who was not quite normal."³²⁵ McClung described how her help was sought after the woman's husband suggested that their daughter Katie be allowed to marry a mentally defective man in their neighborhood. Katie's mother believed that such an arrangement would be a disaster and told McClung that she would rather see her daughter dead than married to such a man.³²⁶

For McClung, the obvious solution to the problems faced by this family was to have Katie sterilized as soon as possible. On the following day, with the support of Katie's mother, McClung arranged an appointment with one of the doctors in the Department of Health. Katie's father was in attendance despite his opposition to his daughter's sterilization. Although McClung was aware of the physical abuse Katie had suffered at the hands of, this "powerfully built Scandinavian," she did not feel it was necessary to report this to the doctor. The subject came up on its own, however, when Katie entered the room unsolicited and revealed her severely bruised shoulder. According to McClung, Katie's father, filled with guilt and shame from this revelation, quickly consented to Katie's sterilization. According to McClung, Katie's story ended happily.

³²⁶ Ibid., p. 178.

³²⁷ Ibid., p. 180.

I saw Katie and her mother a year later. The mother looked younger and happier. Katie was well and neatly dressed. Her mother told me that she was taking full charge of the chickens, and in the evenings was doing Norwegian knitting which had a ready sale in the neighborhood. The home was happy again.”³²⁷

If one believed McClung, sterilization offered much more than simply the prevention of degenerate offspring. It restored peace and happiness to a family on the verge of collapse.

An analysis of McClung’s account reveals a number of key issues which repeatedly cropped up in discussions of eugenic sterilization. McClung desired to have Katie sterilized primarily because she was mentally defective. Here we again see the persistence of the myth of the menace posed by the feeble-minded. Mental disability continued to be defined, in terms of a negative and pejorative language. Ableist assumptions were integral to Alberta’s eugenic sterilization program. Even within the wording of the 1928 Act itself and its subsequent amendments disability was defined in terms of an “evil” to be eradicated. McClung, like many others, believed that feeble-mindedness was not simply an evil unto itself, but also threatened to overcome civilization with generation after generation of “debased” and “marred” offspring. The sterilization of individuals such as Katie was a step toward the prevention of such degeneration.³²⁸

McClung’s inclusion of details such as the families’ poverty and

³²⁸ Ibid., p. 179.

³²⁹ Ibid., p. 179.

Scandinavian background situate the family as both foreign and lower-class. In addition to this, McClung attempted to discredit Katie's father's objections to the operation with references to their basis in a foreign religion. As she explained "the father seemed to have preserved just enough of the religion of his forefathers to believe that every one had a right to propagate their kind."³²⁹ McClung drew upon general anxieties about the poor and non Anglo-Protestant immigrants, in order to gain public acceptance for the eugenic sterilization of individuals such as Katie. In constructing this family as the "other", in opposition to the Anglo Protestant ideal, McClung hoped to persuade many of her readers that eugenic sterilization was necessary.

Throughout McClung's description of her involvement in this case, she raised concerns about Katie's emerging sexuality. Although, Katie's mother had been able to manage her daughter when she was younger, the girl's transition into womanhood had brought events to an alarming crisis. Not only was Katie attractive but as her mother explained she was also "torn by feelings and desires that she cannot control."³³⁰ As a result of this dangerous combination, Katie's mother feared her daughter could easily be led astray by ill-intentioned young men. Already in one instance, Katie had been lured out of her house at night by some local boys with the promise of a sleigh ride. Although no such ride materialized Katie's mother feared the loss of her daughter's virtue.³³¹ McClung like many others subscribed to the widely held,

³³⁰ Ibid., pp. 177-178.

³³¹ Ibid., pp. 177-178.

³³² C. A. Baragar, Geo. A. Davidson, W.J. MacAlister and D. L. McCullough, "Sexual Sterilization Four Years Experience in Alberta," *The American Journal of Psychiatry* 91

though bizarre notion that sterilization in addition to preventing unwanted offspring also somehow desexed the individual. It was Katie's sexuality that McClung regarded as dangerous, not the ambitions of men to either seduce or assault her, and it would be Katie's sterilization that was sought in order to prevent such encounters in the future.

In the period between 1928 and 1945 the success of Alberta's sexual sterilization program was evaluated partially in terms of the Act's moral implications for society. In 1935, the first medical report of the Alberta sterilization program was published in *The American Journal of Psychiatry*. The report was a collaborative effort of the Alberta commissioner of mental health, C. A. Baragar and the medical superintendents of the provincial mental institutions. In an effort to dispel moral opposition to the Act Barager argued that: "of one thing we are convinced, sterilization does not lead to increased immorality."³³² This argument reappeared over the course of several years in the annual reports of the eugenics board. In the board's report of 1931, for example, MacEachran reassured his readers that prior to 1931

in only five cases has there been a subsequent history indicative of promiscuity, and in four of these promiscuity preceded the operation. In only one case so far where the patient was regarded as sexually well behaved before the operation has the question of immorality become a subsequent problem. In that case the undesirable influence of a promiscuous sister was regarded as the root of the trouble, and not the operation. On account of her conduct and her mental state she was

(January, 1935), p. 905.

³³³ J. M. MacEachran, "The Eugenics Board For the Province of Alberta," *Alberta Department of Public Health Annual Report, 1931*, p. 71.

returned to a provincial institution.³³³

In at least the first decade of its operation the social acceptability of the sexual sterilization Act hinged partially on arguments that the Act did not result in an increase in immorality. For many social reformers such as McClung, sterilization was believed to actually decrease one's sexual desire and therefore in turn decrease immorality.

During the period between 1928 and 1945 the eugenics board sterilized a disproportionately high number of women. The most marked example of this imbalance occurred in the years between 1929 and 1933 when women accounted for 77.8 percent of those sterilized.³³⁴ In part, this disparity reflected the manner in which feeble-mindedness was defined. As we have seen, feeble-mindedness was regarded as primarily a female problem. Even after the sterilization campaign concluded social reformers, health professionals and politicians continued to raise concerns about the particular threat posed by feeble-minded females. Accordingly these experts chiefly targeted women for sterilization.

The concerns surrounding feeble-minded women was rooted in an underlying fear of female sexuality. Promiscuity and pregnancies outside of marriage were frequently cited as warranting sterilization. Baragar, for example, explained how:

one girl defective with a slowly developing schizophrenic reaction was sterilized. Her psychosis continued to develop and later she had to be

³³⁴ Christian, "The Mentally Ill and Human Rights in Alberta," p. 41.

³³⁵ C. A. Baragar, "Sexual Sterilization Four Years Experience in Alberta," pp. 900.

admitted to a mental hospital. As she had shown tendencies to promiscuity the operation was a very desirable precautionary measure.³³⁵

Although Barager provided a long discussion of the sexual and “moral” reactions of the female cases presented to the board, he provided no such discussion of the male cases. “A word about the moral reactions of the male patients. Information in this respect is inadequate, and the problem is not after all so important socially as in the case of the female sex.”³³⁶ McClung shared Barager’s opinion, for it was the sterilization of Katie she desired and not the sterilization of either the neighborhood boys or the mentally defective man who pursued Katie.³³⁷ It was therefore, specifically the uncontrolled sexuality of women that hereditarians such as Barager and McClung sought to control through sexual sterilization.

Although female sexuality was viewed as a more threatening problem than male sexuality, both men and women who were labelled as sexual deviants were targeted for sterilization. In the years between 1929 and 1933, for example 53.3 percent of those persons ultimately sterilized were classified by the board as exhibiting “abnormal sex reactions”.³³⁸ In at least a few

³³⁶ Ibid., p. 905.

³³⁷ McClung, *A Stream Runs Fast*, pp 177-178.

³³⁸ Christian, " The Mentally Ill and Human Rights in Alberta." p. 101.

³³⁹ Frost, "Sterilization in Alberta; A Summary of the cases Presented to the Eugenics Board," p. 11. Orchidectomy refers to the removal of the testicles and oophorectomy refers to the removal of the ovaries.

cases more than simple sterilization was used to curb the sexuality of such persons. As E. Mary Frost explained in her 1942 thesis : “There have been a few cases, however, in which the libido of the patient has been excessive, and the Board has directed the castration of them, by means of an orchidectomy (male) and an oophorectomy (female).”³³⁹ Although castration operations were few in number the fact that they occurred at all illustrates that eugenic sterilization was about much more than simply the prevention of generations of defective offspring.^u Recent information presented during the June 1995 wrongful sterilization trial of Leillani Muir, revealed that castrations of patients at the Provincial Training School were also a source of research samples for the Medical Superintendent.³⁴⁰ In the years between 1928 and the end of the Second World War social reformers, politicians and health professionals involved in the implementation of the Sexual Sterilization Act, sought not only to limit reproduction of the feeble-minded; they also sought to control and prevent immorality through the regulation of desire.

Not until the horrors of the holocaust were revealed near the end of the Second World War did the British and North American eugenicists begin to question some of the Nazis’ racial cleansing efforts.³⁴¹ Although the western world’s infatuation with eugenics was weakened by the knowledge of these

³⁴⁰ Information concerning the Muir trial was obtained first hand. For additional information see: Don Thomas, “Boys partially castrated for research project, trial told,” *Edmonton Journal*, July 1, 1995, p. A1.

³⁴¹ Kevles, *In the Name of Eugenics*, pp. 117-119.

³⁴² Clarence Hincks, “Sterilize the Unfit” *Maclean’s Magazine* (February 15, 1946), p.19.

atrocities, it was not fully extinguished. Many eugenicists inside and outside Canada continued to put pressure on governments to enact eugenic legislation. *MacLean's Magazine* in 1946 featured an article by Clarence Hincks of the Canadian Association of Mental Hygiene which urged Canadians to prevent further racial deterioration through the sterilization of the unfit.³⁴² Hincks nevertheless was beginning to recognize the necessity of distancing his ideas from those of the Nazis. In an effort to reassure his readers of the widespread acceptance of eugenic sterilization, Hincks claimed that: "Sterilization has been legalized in 30 states of the United States and in Denmark, Switzerland and pre-Hitler Germany."³⁴³ The suggestion that sterilization was not a part of the Nazi's social policy was not an oversight on Hincks part. Hincks used this white lie to ensure that no connections would be drawn between his proposals and those of the Third Reich.

Alberta continued to carry out its program of negative eugenics long after the end of the Second World War, but the activities of the eugenics board were carried out more quietly. Public discussions of the Alberta Sterilization program virtually ended. Until very recently the only available sources on the Alberta program in this period were the Annual Reports of the Eugenics Board.³⁴⁴ These reports, written by John MacEachran, the Chairman of the

³⁴³ Ibid..

³⁴⁴ Board minutes and patient files became available by court order in June, 1995, when Leillani Muir a B.C. woman, sterilized as an adolescent brought an action against the Alberta Government. This trial resumed after a summer recess in September, 1995. See: "Media can record all exhibits in Case," *Edmonton Journal*, June 17, 1995.

³⁴⁵J. M. MacEachran, "The Eugenics Board," *Alberta Department of Public Health Annual Report, 1946*, pp. 126-127.

board, were nothing more than brief statistical summaries which contained little general information concerning the functioning of the board. After 1946 MacEachran further pared the reports down by omitting information concerning the type of operations performed. This omission reflected an effort on the part of the MacEachran to withhold any potentially controversial information. The board recognized that connections drawn between their own program and the racial cleansing efforts of the Nazi's would be less likely if explosive information such as accounts of the castration of certain individuals were omitted.³⁴⁵

In 1948 the Social Credit government of Alberta requested that Hincks conduct another survey of the conditions of the mentally ill and mentally defective in the province.³⁴⁶ Unlike his earlier surveys, the 1948 effort contained no references to eugenic sterilization. In the following year, when Hincks addressed the United Farmer's of Alberta on the subject of mental hygiene, he once again made no mention of sterilization. For Hincks, a long time advocate of sterilization, such omissions could not be mere oversights. Only two years prior to the publication of the Alberta Survey Hincks had written his feature for *Macleans Magazine* in which he had demanded the sterilization of the "unfit".³⁴⁷ Hincks realized by 1948, in light of the recent horrors carried out in Germany, that open defense of sterilization might prove

³⁴⁶ "Alberta Hospital, Ponoka Social Service and Community Health," ND, Provincial Archives of Alberta 83.391 G8E.

³⁴⁷ Hincks, "Sterilize the Unfit," p.19.

³⁴⁸ Christian, "The Mentally Ill and Human Rights in Alberta," p. 22.

to be controversial.

Upon the deaths of both Clarence Hincks and John MacEachran two of Canada's most committed advocates of eugenic ideas and practices disappeared. In his final years in the late sixties MacEachran made arrangements that upon his death all his personal papers dealing with eugenics be destroyed.³⁴⁸ In 1963, in an address given to the Canadian Mental Health Association, Hincks, in his discussion of his basic philosophy concerning mental health included no mention of compulsory sterilization. No doubt in the changing climate of the 1960's Hincks had abandoned his earlier interest in such negative eugenic practices. When his biography was published in 1982, however, there was no mention of his long time national campaign for the sterilization of the unfit.³⁴⁹ This aspect of Hincks career was neglected so as not to tarnish the history of mental health movements, its absence served to reinforce a general amnesia concerning the history of eugenics in Canada.

A silence shrouded the topics of eugenics and sterilization throughout the 1950's and 1960's. This silence, however, was not the result of the board's inactivity. In the years between 1945 and 1963 the Eugenics Board ordered the sterilizations of 1,198 individuals. By the end of 1963 more than two thousand individuals had been sterilized under the Act.³⁵⁰ By 1970,

³⁴⁹Griffin, John. The Amazing Careers of Hincks and Beers. *Canadian Journal of Psychiatry* 27 (1982).

³⁵⁰ See: "The Eugenics Board," *Alberta Department of Public Health Annual Report, 1945*; "The Eugenics Board," *Alberta Department of Public Health Annual Report, 1963*, p. 200.

³⁵¹ See: "The Eugenics Board," *Alberta Department of Public Health Annual Report, 1970*.

when the last Annual Report of the Eugenics Board appeared among the annual reports for the Department of Public Health, the number had swelled to 2, 767.³⁵¹

One of the few patients who we know anything about is Leillani Muir who was sterilized while she was a resident at the Provincial Training School for Mental Defectives in Red Deer. At the age of eleven Muir was dropped off by her parents at the institution where she was to remain for the next ten years of her life. Despite the staff's knowledge of Muir's history of emotional and physical abuse, her withdrawn behaviour and low I.Q. results were used to diagnose her as a moron. [In 1959 when Muir was fourteen she was informed that she was to have her appendix removed. What she was not told was that she would also be sterilized.] It was not until Muir was in her mid-twenties and found out that she was unable to conceive that she discovered that all but one quarter of her fallopian tubes had been removed.³⁵²

[Muir, who now lives in Victoria, is an intelligent and determined women.) She is currently suing the Alberta Provincial Government for \$2.5 million for her wrongful sterilization and for their failure to provide her with an adequate education. Muir's case went to trial in May 1995 and resumed after a summer recess in September 1995. [According to her Lawyer, Sandra Anderson, Leillani's sterilization was not justified under the "Sexual Sterilization Act" because Muir was not mentally handicapped. Recent retesting has placed

³⁵²This information has been gathered from by my own interview with Leillani Muir along with other taped interviews she provided me with.

³⁵³ Gould, *The Mismeasure of Man*, pp. 28.

Muir's I.Q. much higher than the level at which it was previously set. Muir has argued that her case was not unique. She has described how her ward at the provincial training school was made up of girls like herself who were not mentally handicapped. Muir believes that many of these girls were also subjected to involuntary sexual sterilizations. Living in what was much like an orphanage, what these girls primarily shared was their dependence rather than any mental disability.)

Between 1945 and the early 1960's, silence and secrecy surrounded the workings of the eugenics board, but Muir's case sheds some light on the inner mechanisms of the Alberta Sterilization program. First, her case reveals the pivotal role I.Q. testing played in the diagnosis of mental retardation. Test results were viewed as scientifically sound measures of a person's intelligence. Challenging this notion Stephen J. Gould, has argued that "determinist arguments for ranking people according to a single scale of intelligence, no matter how numerically sophisticated, have recorded little more than social prejudice."³⁵³ Ignoring the bruises on Muir's body and her alarming loss of weight upon her return from visits home, the staff at the Provincial Training School when diagnosing her relied almost exclusively on Muir's I.Q. scores .

Dr. Le Vann, the medical superintendent of the Provincial Training School, who signed the order for Muir's sterilization, was not ignorant of abusive backgrounds having a serious impact on children. In 1960 Le Vann published a report which outlined a pilot project for dealing with emotionally

³⁵⁴ McLaren, *Our Own Master Race*, pp. 122-126.

disturbed children in Edmonton. In no place in this report was sterilization suggested as a solution to the problems experienced by these children. Despite Le Vann's knowledge of her family history - which included both physical and emotion abuse - he was content to simply label Muir a "moron" and focus his efforts on securing her sexual sterilization. Tragically, Muir was provided with no other "therapy" than the surgical removal of her appendix and her fallopian tubes.

During the late 1940's and early 1950's open opposition to the Alberta Sexual Sterilization program was rare. Controversy was avoided. In the absence of media attention there was little for the public to discuss. The bureaucratic inertia of the provincial bureaucracy tended to support rather than challenge the status quo.

What little opposition to the to the Alberta Sexual Sterilization program that did appear was primarily launched by the province's Roman Catholic minority.³⁵⁴ In 1946, the Medicine Hat chapter of the Knights of Columbus passed a resolution demanding that the Act be repealed. The organization argued that the understanding of genetics at that time was insufficient to distinguish between those individuals who were "fit" and those who were not. This Resolution was quickly endorsed by the Calgary Chapter of the Knights of Columbus.³⁵⁵ The 1963 annual convention of the Calgary chapter of the Catholic Women's League resolved that "such operations are a trespass against the person of such individuals, are immoral, and contrary to human

³⁵⁵ Christian, "The Mentally Ill and Human Rights in Alberta," p.83.

³⁵⁶ The Eugenics Board Correspondence File. As quoted by Christian, "The Mentally Ill and Human Rights in Alberta," p.83.

dignity and the natural rights of man.”³⁵⁶ Although the arguments raised by Catholics were not exclusively religious they were easily dismissed by their opponents as the extreme views of a small religious minority. Such arguments were rarely given serious consideration or coverage in the popular media.

It was not until the late sixties that a serious public debate over the merits of eugenic sterilization took place. Those who defended the “Sexual Sterilization Act” in the sixties, employed almost identical arguments to those heard in the thirties. For example. In 1968, Dr. Herbert Pascoe, a psychiatrist at the University of Alberta, argued that mentally deficient individuals should be prevented from becoming parents. For Pascoe, the problem was not simply that these individuals would likely transmit their defect to their children, but also that they were incapable of parenting. Echoing the arguments raised by Nellie McClung twenty-three years earlier, Pascoe complained that it was difficult to impress upon retarded girls the problems associated with promiscuity. In order to prevent such dangers, he argued, such individuals needed to be sterilized.³⁵⁷

By the late 1960’s certain prominent individuals began to launch attacks against the Act. On March 1969, in an interview with *The Edmonton Journal*, Dr. James W. Goodwin warned that “sterilization ordered by the state is an appalling responsibility.”³⁵⁸ Goodwin, an associate professor of the

³⁵⁷ Mentally Retarded Should Be Sterilized Suggest Doctors,” *Edmonton Journal*, September 28, 1968. See also: McClung, *A Stream Runs Fast*, pp. 177-178.

³⁵⁸ “Sterilization: an Appalling Responsibility,” *Edmonton Journal*, March 28, 1969; *Edmonton Journal*, March 31, 1969.

³⁵⁹ *Ibid.*.

department of Obstetrics and Gynecology at the University of Toronto and formerly of the University of Alberta, raised concerns that sterilizations were being approved by the eugenics board without medical justification. He explained that in the years between 1961-1967 he was personally familiar with at least ten cases in which previously sterilized women had come to the University Hospital asking that their fertility be restored. According to Goodwin, all had been surprisingly articulate in their requests for sterilization reversals. One of the women to make such a request of Dr. Goodwin was Leillani Muir. When interviewed he contended that some physicians “seemed to apply the label of mental retardation with an unfortunate excess of zeal.”³⁵⁹

Goodwin’s comments incited strong reactions from those involved in the delivery of Alberta’s sterilization program. Dr. R. Kenneth Thompson, the chairman of the eugenics board between 1959-1969, declared that “we believe that our decisions are right as far as is humanly possible.”³⁶⁰ Thompson also questioned Dr. Goodwin’s ability to determine after only a brief consultation whether or not these women were mentally retarded. The board’s decisions, he explained, were made only after extensive testing and examination by experts. Thompson’s comment that only a trained expert could distinguish between someone who is mentally disabled from someone who is not was curious. Why, one might ask had individuals who were so

³⁶⁰ Ibid. ; “The Eugenics Board,” *Annual Report of the Department of Public Health, 1950*, Provincial Archives of Alberta 68.145.

³⁶¹ K.G. McWhirter & J. Weijer, “The Alberta Sterilization Act: A Genetic Critique,” *University of Toronto Law Journal* 19 (1969), p. 429-430; “Provincial Sterilization Act Attacked,” *Edmonton Journal*, April 7, 1969.

difficult to distinguish from the “normal” population labeled as mentally retarded at all.

In 1969, two geneticists from the University of Alberta launched a comprehensive attack against the Act. In an article in the *University of Toronto Law Journal*, Dr. Kennedy McWhirter and Dr. Jan Weijer warned that Alberta’s Sexual Sterilization Act was reminiscent of the sterilization laws of Nazi Germany. They pointed out that the Act was unscientific and had no justification in either modern genetics or medicine. Although the sterilization of both “mentally defective” and “psychotic” persons was sought in order to prevent them from reproducing similarly defective offspring, the authors argued that these categories did not even define medical syndromes, and instead were made up of a whole range of characteristics that were genetically and environmentally induced.³⁶¹ The sterilization of a neurosyphilitic, they pointed out as an example, would not prevent further infection of future sexual partners.

The authors further demonstrated that the effect on the genetic makeup of the population of the sterilization of a few persons suffering from mental deficiency, insanity, Huntington’s Chorea and epilepsy would be negligible. McWhirter, as both a geneticist and lawyer, contested the compulsory nature of the Act. He protested that, “the powers of the Act are dangerously wide [...]. The board is purportedly given the right to make its own decisions and definitions and to dispense with consent in cases where it itself decides that a valid consent cannot be given.”³⁶² In summary McWhirter and Weijer stated

³⁶² McWhirter & Weijer, “The Alberta Sterilization Act: A Genetic Critique,” p. 430.

that the Act was a disgrace from legal, social and scientific standpoints and should “ be consigned to the rubbish heap.”³⁶²

The legal and medical experts and politicians who supported the Act spoke out against such criticism. W. F. Bowker, former Dean of Law at the University of Alberta and director of the Institute for Law Research and Reform in Alberta, wrote an angry letter to the editor of the *Edmonton Journal* challenging the arguments raised by McWhirter and Weijer and voicing his support for the Act.³⁶³ Among those who defended the legislation was the Premier of Alberta, Ernest Manning. Manning stated in a 1981 interview that although it had been a contentious issue, he had always felt that the sterilization legislation was appropriate. Manning argued that criticism of the Act was often the result of misunderstanding and misinformation. According to the former premier the sexual sterilization Act was fair and did not allow for the “indiscriminate sterilization of people just because they were mentally handicapped.”³⁶⁴

In the same month that controversy was brewing in the local papers over the arguments raised by McWhirter and Weijer, a mental health study of the province was commissioned by the Manning government. The survey’s

³⁶³*Edmonton Journal*, April 16, 1969; For a response from McWhirter see: *Edmonton Journal*, April 24, 1969.

³⁶⁴ Ernest C. Manning Interview September 22, 1981, Archives of the University of Alberta, 81-32, 34:10-12.

³⁶⁵ Dr. W.R.N. Blair, *Mental Health In Alberta A Report on the Alberta Mental Health Study, 1968*, (Human Resources Research and Development Executive Council -- Government of Alberta, Edmonton, Alberta, April, 1969).

mandate was to review all aspects of mental health services and provide recommendations for reform.³⁶⁵ Although certain recommendations were made, the Sexual Sterilization Act itself and the justification upon which it was based went unquestioned. Dr. W. R. N. Blair, author of the survey, concluded that,

the legislation is considered generally adequate and justly implemented by the chairmen and other members of the board. The members exercise mature caution in doubtful cases and exert no pressure in cases where patient consent is required.³⁶⁶

Rather than calling for the repeal of the Act Blair recommended improvements of the existing legislation. He felt that one short coming of the extant legislation was the failure to require related medical and scientific expertise on the board. He recommended that the board be expanded and reorganized to include three representatives from various medical specialties such as psychiatry, neurology and pediatrics; a human geneticist; a "citizen", and either a social worker or a psychologist. He also called for more background reports and case histories of patients to be prepared by experts in the field. Although Blair believed minor changes were needed, he did not question the legitimacy of sterilization per se. Yet Blair was hardly an unbiased observer. He was closely tied to the program itself, having served on the eugenics board between August 1, 1967 and March 1, 1968.³⁶⁷

³⁶⁶ Ibid., p. 269.

³⁶⁷ "The Eugenics Board," *Department of Public Health Annual Reports, 1967*, p. 154; "The Eugenics Board," *Department of Public Health Annual Reports, 1968*, p. 166.

By the late sixties, opposition to the legislation was beginning to build. In 1969, Peter Lougheed, leader of the Conservative opposition, asked his researcher David King to investigate the Act. King found the Act to be inconsistent with the Conservative party's proposed provincial bill of rights.³⁶⁸ As a result, the repeal of the Sexual Sterilization Act was adopted as a plank in the Conservative platform in the 1971 provincial election. The Conservatives defeated the Social Credit party, and the new government moved quickly towards achieving this goal. When the first session of the new government opened in 1972, Lieutenant Governor Grant MacEwan announced in his throne speech that because it "offends basic human rights" the government would repeal the Sexual Sterilization Act.³⁶⁹

On March 23 of that year David King, now the newly elected member for Edmonton Highlands, introduced a bill entitled "The Sexual Sterilization Repeal Act". Prior to the second reading of the bill, on May 31 King spoke at length on the history of the Act and the reasons for its repeal. The government was opposed to the Sexual Sterilization Act on medical, legal, and humanitarian grounds, King explained. The arguments put forward by King on behalf of the Conservative government were drawn from the arguments made earlier by McWhirter, Weijer and Blair. Although the Blair report did not call for the repeal of the Sexual Sterilization Act, in a recent letter tabled in the Legislature by King, Blair reversed his earlier position : }

³⁶⁸ Christian, "The Mentally Ill and Human Rights in Alberta," p.30.

³⁶⁹ As quoted in the *Edmonton Journal*, March 2, 1972.

³⁷⁰ *Alberta Hansard*, 1972, May 31, 1972, pp. 58-36.

Since the submission of the 'Blair Report' I have discussed the Sexual Sterilization Act with a number of other behavioral scientists. I have come to the conclusion that the Act should be repealed and that other ways should be sought to achieve its socially desirable objectives.³⁷⁰

For King, the most compelling objection to the Sexual Sterilization Act was that it violated basic human rights. As he explained, "we are provided with an Act, the basis of which is a presumption that society, or at least the government, knows what kinds of people can be allowed children and what kinds of people cannot."³⁷¹ King argued that his party believed it was intolerable to sterilize individuals without their consent. As regards the so called "voluntary" sterilizations carried out under the Act, King warned that even in these cases sterilization was carried out without sufficient medical justification.

King's efforts were rewarded in June of 1972 with the passage of "the Sexual Sterilization Repeal Act".³⁷² This Act was followed in the same year with the passage of the Alberta Bill of Rights. These two pieces of legislation put an end to close to half a century of state attempts to control reproduction. They were a part of Premier Lougheed's larger vision to "protect the people from the growing power of the state."³⁷³ By the 1960's and 1970's attitudes

³⁷¹ Ibid., pp. 58-37.

³⁷² Ibid., 59-48.

³⁷³ "Alberta will be First Province with Rights Bill," *The Edmonton Journal*, December 26, 1972.

³⁷⁴ Christian, "The Mentally Ill and Human Rights in Alberta," p. 123.

towards collective versus individual rights were coming full circle from where they had been in the 1920's and 1930's. Whereas in the earlier period society had been viewed as organic -- in that the needs of the whole took precedence over the needs of the individual -- by the 1960's reformers such as Lougheed were calling for the protection of the individual from the powers of the state.

During the period between 1928 and 1972 under the authority of the Sexual Sterilization Act, the eugenics board authorized the sterilizations of almost three thousand individuals. Those sterilized had been diagnosed as suffering from either a mental handicap or mental illness. As Christian points out, these individuals tended to occupied socially vulnerable positions within society.³⁷⁴ Unlike this group, the eugenic board was made up of individuals drawn from the province's elite. With very few exceptions the members of the eugenics board tended to be well-educated, Anglo-protestants who were either in the middle or upper class. Although there was usually at least one female board member the body was dominated throughout the Act's implementation by males. As we have already seen, however, female social reformers were particularly harsh in their judgements made against women who, in their view, were "unfit" for motherhood. At no point during the Act's implementation was there ever a person on the eugenics board with any form of mental illness or mental disability. As society's "best citizens" the members of the eugenics board felt qualified to determine which individuals were not measuring up. The individuals for whom sterilizations were sought were therefore defined in opposition to the characteristics shared by the members of

³⁷⁵ Ibid., p. 88.

the eugenics board.

Representing 16 percent of the Alberta Population, people of Eastern European origin accounted for 21.5 percent of those sterilized under the Act. Natives and Métis made up only 2.5 percent of the general population, yet represented 8.2 percent of those sterilized. The most extreme example of such a disparity occurred in the years between 1969 and the Act's repeal in 1972. In that period when natives and Métis represented a mere 3.4 percent of the general population, they made up 25.7 percent of those sterilized.³⁷⁵ What makes these figures even more ominous, however, is the disproportionately low numbers of individuals of British ancestry that were sterilized under the Act.³⁷⁶ Although they constituted 48.8 percent of the province's population, they made up only 32.8 percent of those sterilized during the 43 years the Act was in place. Clearly the eugenic board's decisions concerning individual fitness were biased in favor of British ancestry.³⁷⁷

[Class and religion were other key variables. There was a negative correlation between the characteristics of members of the board and the individuals who were ultimately sterilized. As Christian's study reveals individuals who were sterilized tended to be dependent and unemployed rather than independent and employed. In addition Catholics were sterilized at a disproportionately higher rate than Protestants.] This was particularly

³⁷⁶ Ibid., p.89.

³⁷⁷ Ibid., p.86.

³⁷⁸ Ibid., p.75.

odious given Catholics hostile attitudes and beliefs regarding to sterilization. The most marked disparity occurred in the period between 1969-1972 when Catholics, making up only 26.6 percent of the provinces population, accounted for 44.4 percent of those sterilized.³⁷⁸

The identification of female defectives as posing a greater and more immediate threat to the race was translated in their higher rate of sterilization. Specifically, 59.1 percent of those approved for sterilization were female and females accounted for 64.7 percent of those ultimately sterilized.³⁷⁹ As Ian Clarke points out this was particularly alarming as male admissions to the the Mental Hospital at Ponoka out numbered female admissions by two to one.³⁸⁰ Given the long history of experts constructing female mental handicap as a particular menace, it is not overly surprising to discover that the eugenics board was especially zealous when it came to sterilizing women.

In addition to occupying marginal positions within society with respect to ethnicity, class, religion and gender the individuals who were sterilized under the Act had been diagnosed as either mentally deficient or psychotic. The largest group to be sterilized were those diagnosed with some form of mental handicap. If one includes individuals identified as suffering from both mental deficiency and psychosis with mental deficiency this group accounts for 73.8 percent of those sterilized under the Act.³⁸¹ As we have seen the Alberta

³⁷⁹ Ibid., pp. 40-47.

³⁸⁰ Clarke, "Public Provisions for the Mentally Ill," p. 112.

³⁸¹ Christian, "The Mentally Ill and Human Rights in Alberta," p. 52.

³⁸² "E. (Mrs.) v. Eve," *Supreme Court of Canada*, pp. 388-438.

Sexual Sterilization Act was inspired largely by a growing fear of the feeble-minded. But even in the last years of the Act's implementation mental handicap continued to be defined primarily in terms of social inadequacy and cultural deviance.

Conclusion

It is a non-contentious matter of simple humanity. Insane People are not entitled to progeny. Let us repeat it: Insane people are not entitled to progeny.

- City of Edmonton Archives - Emily Murphy Collection, Scrapbook 3 page 59. Emily Murphy, "The Case for Sterilization," *Winnipeg Tribune*, January 16, 1932,

Everyone talks about everyone else's rights, but what about the right of the right of the unborn child to a good life? 🙄

-Dr. Robert Lampard, Medical Director of the Mitchiner Center in Red Deer as quoted in:

"Sterilizing the Retarded," *Alberta Report*, May 27, 1985, p. 44.

This thesis has provided a case study of Alberta's experiment with eugenic sterilization, an experiment which resulted in the involuntary sexual sterilization of close to three thousand individuals. An effort has been made to analyze the formation of this social policy from its roots early in the province's history to the years between 1928 and 1972 when the Sexual Sterilization Act was implemented. It has been argued that rigid assumptions concerning the construction of race, class, gender and ability influenced every aspect of the development of this social policy which shifted from the isolation of the feeble-

minded to a state policy of their eugenic sterilization. Throughout this process judgements concerning the “fitness” of individuals were, we found, biased in favor of the dominant majority.

In Chapter one, I analyzed how the social construction of feeble-mindedness was elaborated by experts according to Anglo-Protestant middle-class expectations of behaviour. I revealed how, in the first decades of the twentieth century, Alberta reformers, politicians and health professionals, raising the spectre of the immediate threat posed to the race by the feeble-minded, adopted eugenic arguments. I then analyzed the articulation of the myth of the menace of the feeble-minded according to three popular stereotypes: the foreign defective, the degenerate pauper and the promiscuous woman. This analysis revealed the process through which feeble-mindedness was constructed according to Anglo-Protestant middle-class assumptions about race, class, gender and ability. In short I argued that social reformers, drawn from Alberta’s elite defined “unfitness,” in relation to their own self proclaimed “fitness”.

In Chapter two, I sought to explain why unlike the sterilization campaigns in the rest of Canada, which enjoyed the leadership of medical experts, the Alberta campaign was carried out almost exclusively by “maternal feminists” . I pointed out that the interest of maternal feminists in eugenic sterilization was consistent with their other interests in married women’s property rights, suffrage, prison reform and public health. By demanding the sterilization of the “unfit”, these women, I argued were simultaneously expressing a progressive desire for the social reform of society and a conservative desire for social control. Through sterilization feminists such as Emily Murphy hoped

to reform society and eliminate social problems while maintaining existing social structures and institutions which assured them positions of privilege. “Maternal feminists” were attracted to eugenic sterilization because they saw that by defending it they were given an opportunity to elevate their own roles as mothers. By denying motherhood to “unfit” women, these feminists were defining themselves as “the mothers of the race”.

In Chapter three, I examined the heated controversy which erupted in the Legislative Assembly in 1928 over the proposed sexual sterilization bill. I analyzed what both divided and united assembly members. I argued that despite the considerable opposition to the bill on moral, libertarian and scientific grounds, the basic assumptions embedded within the proposed legislation remained unquestioned. More specifically, the opponents of the Sexual Sterilization bill failed to challenge both the myth of the threat of the feeble-minded and the ethnocentric assumptions upon which it was based.

In Chapter four I argued that the Alberta Sexual Sterilization Act, by remaining in place from 1928 to 1972, demonstrated the persistence of eugenic practices long after the horrors of the holocaust were revealed to the world. Although news of the Nazi atrocities did not result in the immediate repeal of the Sexual Sterilization Act, it did force the members of the eugenics board to carry out their activities more discreetly. This chapter revealed how the flurry of articles which appeared in the popular press celebrating Alberta’s progressive legislation virtually disappeared by the end of the war. I argued that this silencing of the discussion, however, did not reflect the inactivity of the eugenic board. By 1972 close to three thousand individuals had been sterilized in Alberta. Finally I pointed out that although

the terminology changed considerably over the years, the ethnocentric, classist, sexist and ablest assumptions underlying the myth of the menace of the feeble-minded, survived. Their impact can be seen in the disproportionately high rate of sterilizations performed on non Anglo-Saxon immigrants, natives, poor people, women and persons with disabilities.

Today eugenic ideas are not dead, simply recast and expressed in more contemporary language. Although one rarely hears the term eugenics used its goal -- the perfection of the human species -- forms the cornerstone of much social biology and genetic engineering. The discussions surrounding the regulation of new reproductive technologies triggered yet more expressions of eugenic concerns.

The sterilization of the mentally disabled is still a subject of much controversy and debate in Canada. In 1986 the Supreme Court of Canada ruled in the case of *E. (Mrs.) v. Eve* that non-therapeutic sterilization can never be in the best interests of a mentally disabled person.³⁸² This decision, however, has not put an end to the debate. In 1988 the Edmonton Institute for Law Research and Reform challenged the Supreme Court's decision and proposed legislation which would give the Court of Queen's Bench the authority to order sterilizations of mentally incompetent persons. As Margaret Shone, the author of the report argued, "It is wrong to deny the possibility of the benefit of sterilization because a person is not mentally competent."³⁸³ Shone's views have not gone unchallenged. The Alberta

³⁸³ Quoted in Susan Braungart, "Sterilization proposal Sparks New Concerns," *Calgary Herald*, April 22, 1989, p. A1.

³⁸⁴ The Alberta Association of Community Living and People First, "In Preparation of A Response to the Institute of Law Research and Reform Regarding Non-Therapeutic

Association of Community Living and People First voiced their opposition to the proposed sterilization legislation. People First, a self-advocacy group made up of individuals with mental disabilities, warned that “the movement to introduce legislation once more will continue to strengthen misunderstanding of us as people, as human beings, not ‘less than human,’ with feelings of sexuality and love as other citizens of Alberta.”³⁸⁴

Arguments from the past and present collided during Leillani Muir’s wrongful sterilization suit against the Alberta government, which concluded on September 15, 1995. Although the Alberta government has already admitted that Muir should not have been sterilized under the “Sexual Sterilization Act,” the final decision concerning damages is not expected until the beginning of 1996. As the first of such lawsuits to be brought against the Alberta Government its outcome will have a far reaching impact on future cases. Despite the public shock expressed over the sterilization of Muir, the testimony at the trial and the media coverage, has revealed that much of the same eugenic thinking is still with us.

Much of the empathy for Muir comes from the fact that she herself is not mentally disabled. Her story is seen as a tragedy largely because she is one of “us.” Yet what of the thousands of sterilized individuals who did have a mental disability? The possibility of having and raising children is assumed to be a fundamental part of what it is to be human, yet in Muir’s words the government chose “to play God” and deny her this right. This is the problem of “ableism” : those who collectively define themselves as normal devalue the

Sterilization,” Unpublished Manuscript, May 31, 1989. Library of the Alberta Association of Community Living, p. 12.

“ableism” : those who collectively define themselves as normal devalue the lives and experience of individuals with disabilities. Contemporary discussions of the mentally disabled frequently fall into some of the same traps into which the Alberta eugenics board stumbled. The well-intentioned too easily enter into discussions of whether or not the mentally disabled should parent, without recognizing that this question completely negates the humanity of these individuals and their right to live, love, and even reproduce.

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