

**Keeping Canada Sane:  
Mental Hygiene Movement and Immigration in the Early Twentieth Century**

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## Keeping Canada Sane: Mental Hygiene Movement and Immigration in the Early Twentieth Century<sup>1</sup>

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### Introduction

In November 2005, Paul Martin's Liberal government tried to sign a \$12.5 million deal with Chinese Canadians, as part of its plan to set aside \$25 million in total for redress measures for ethnic groups — Italians, Germans, Ukrainians, Jews, Sikhs, and Chinese — that have claimed compensation for various injustices. This, however, did not satisfy most Chinese Canadian communities. The \$12.5 million was too small in comparison with the amount of money that the federal government collected in head taxes between 1885 and 1923, totaling \$23 million, equal to more than \$1.2 billion today, and they are still claiming for a formal apology and individual financial compensation.<sup>2</sup>

A few weeks later, British Columbia newspapers reported further news with headlines such as "Women win compensation for sterilization" and "Sterilized psychiatric patients get \$450,000 in out-of-court deal". Nine elderly women, the plaintiffs, who were sterilized at Riverview Psychiatric Hospital in Coquitlam between 1940 and 1968 were to share a \$450,000 (also too small!<sup>3</sup>) settlement reached with the B.C. government. British Columbia and Alberta were the only provinces in Canada to enact the Sexual Sterilization Act, and in B.C. this case was the first of its kind.<sup>4</sup>

These two news items concerning dark chapters in Canadian history, immigration restriction and sterilization, differ from each other in terms of their legal, political and social meanings. However, would it be so reckless to see both of them as a redress to those who have/had suffered under the 'White Canada' policy? The former, needless to say, have been depicted as a 'race' victim case along with Japanese Canadians', but the latter has been not only totally forgotten from Canadian collective memory but also seldom described as being related to 'race'. But the experiences of mentally retarded and ill persons facing discrimination by pseudo-scientific ideology, namely eugenics, could be seen as paralleled with those of Asian immigrants who suffered discrimination by colour, another pseudo-scientific ideology of 'race'.

We often tend to assume the dichotomy of 'whites' vs. 'non-whites' in which 'whites' are depicted as stable or monolithic when describing the power relations, such as immigration history writings. Canadian concern with 'race' and 'racial purity' is often seen as manifesting itself in restrictive

immigration policies. It is, however, misleading and oversimplified to view those policies as race-based in some uncomplicated sense. To be sure, Canadians did seek to maintain the strength and purity of 'whites' by qualifying, and in some case denying, the entry of 'non-whites' and discriminating against them in society. Equally, however, they moved to that goal by limitation on the entry and citizenship of certain kinds of 'whites' as well. Proceeding against degenerate or inferior 'whites' as well as 'non-whites', they in some real sense put the two in the same category, and in doing that, indicated how arbitrary and constructed notions of 'race' in fact were.<sup>5</sup>

By focusing on the mental hygiene movement that had a strong connection with immigration restriction and finally led to the enactment of sterilization acts in both Alberta and British Columbia in the early twentieth century, this paper tries to point out that the movement targeted the British as well as the non-British and that Canada attempted to draw a line between 'us' and 'them' in terms of pure 'whiteness' or pure 'Britishness'. By so doing, it shows that Canada was constructed on the concept of 'racial purity'.<sup>6</sup>

Historiographically, this study tries to shed light on the rather overlooked history of British Canadians.<sup>7</sup> In comparison, a pretty rich literature has been found on the histories of non-British ethnic groups, although each group seems to have been studied separately. In this sense, the present study also endeavours to be a bridge-builder between British Canadian historiography and the historical literature of non-British ethnic groups.

### Medical Profession and Immigration

From the late nineteenth century the influx of Chinese immigrants stirred anti-Oriental sentiments especially in British Columbia, which led to the enactment of a series of laws to impose head tax on Chinese immigrants — fifty dollars in 1885 (effective as of 1886), one hundred dollars in 1900, five hundred dollars in 1903 —, and finally to prohibit their entry in 1923.<sup>8</sup> In addition, Japanese immigrants met with discriminatory treatments especially after the Vancouver riot of 1907, and South Asian immigrants were rejected to enter in the notorious *Komagata Maru* incident in 1914.<sup>9</sup>

Not only Asian immigrants were unwelcome. In the 1890s, child immigrants brought from England by Thomas J. Barnardo and other philanthropists also became a controversial issue.<sup>10</sup> After 1905, when the 'open door' policy under Clifford Sifton, Minister of the Interior, was over, Canadian immigration policy became gradually restrictive towards the British and Europeans. For example, from the year of 1907 world-wide depression and unemployment caused an unusual flow of immigrants from the British Isles to Canada. Most of them were sent at the cost of charitable societies or public funds, which became a matter of utmost concern in Canada. In 1908, out of approximately 1800 deportations nearly 1100 (or 65%) were deportations to Britain. Frank Oliver who succeeded Sifton as the Interior Minister had to make strict measures, stipulating that no person could enter Canada as a landed immigrant if his way had been paid by a charitable society unless that charitable society had been approved by the Canadian government.<sup>11</sup>

Overall, between the late nineteenth century and the interwar period the character of opposition to immigration transformed. At first the quantity of immigrants was the major concern among nativists, nationalists, and labour leaders. But their leadership in opposing immigration was gradually replaced by professional groups such as doctors, social workers, and psychiatrists, in which the quality of the new arrivals became the main concern.<sup>12</sup>

The first immigration act since Confederation prohibited the landing of pauper or destitute immigrants.<sup>13</sup> It was not until 1906 that anyone "who is feeble-minded, an idiot, or an epileptic, or who is insane, or has had an attack of insanity within five years" were rejected their entry.<sup>14</sup> By the Immigration Act of 1910 Canada closed its door to "immigrants belonging to any race deemed unsuited to the climate or requirements of Canada",<sup>15</sup> as well as the aforesaid 'charity immigrants'.<sup>16</sup> Then, the Immigration Act of 1919 prohibited the entry of 'enemy aliens' and also introduced a 'literacy test'.<sup>17</sup> With a departmental reorganization medical inspectors were transferred from the Department of Immigration and Colonization to a newly formed Department of Health in 1919, but medical officers, like Dr. Peter Bryce, still influenced immigration policy and practice until the 1920s when non-medical officials controlled the Department of Immigration and Colonization.<sup>18</sup>

In 1908, just when concerns over the pauper immigrants from the British Isles were raised, as mentioned above, C. K. Clarke (1857-1924), medical superintendent of the Toronto Asylum, the most prestigious of the Ontario provincial hospitals for the insane,<sup>19</sup> advocated an introduction of the strict selection of immigrants by increasing well-trained medical inspectors and allowing them to mingle freely with immigrants on their passage across so that the defectives and those suspected could be detained for examination at the port of landing.<sup>20</sup> In this argument, his criticism was not only against non-British immigrants but also British immigrants, saying "it is scarcely fair to suppose that Canada is to support hordes of degenerates of the English-speaking peoples, to say nothing of those lowest in the social scale of the European and Asiatic races".<sup>21</sup> Showing the results of a survey on the Toronto Asylum and other custody institutions in Ontario from 1906 to 1907, he pointed out the preponderance of defectives among British immigrants because of the "wholesale cleaning out of the slums of English cities".<sup>22</sup> His view was shared with other medical professionals. For example, the editorial of the *Canadian Journal of Medicine and Surgery* declared that "Canada has much to offer to the strong, capable and brave; but its welcome is not to be misunderstood; it is not to be mistaken for a sanitarium or a cemetery, still less for a garbage pail for England, Ireland and Scotland to dump their diseased, incapable, demented and drunken overflow".<sup>23</sup> Dr. J. D. Pagé, chief medical officer at the Quebec port and superintendent of the Quebec Immigration Hospital, called upon an organized and systematic ships' surgeons' service as an urgent necessity, citing Sir James Barr's lecture at the Canadian Medical Association that a high rate of tuberculosis, insanity and mental defectiveness was to be found among the immigrants from "England and Wales, Scotland and Ireland where we are naturally looking for our biggest supply of immigrants".<sup>24</sup> The arguments by Clarke and so on that medical inspection was inefficient were, however, ignored by federal government officials like Dr. Peter Bryce, who served as the first chief medical officer of the Immigration Department until 1921.<sup>25</sup>

During the First World War, based upon more sufficient data from the Psychiatric Clinic of the Toronto General Hospital, Dr. Clarke maintained that the war-time recess of immigration waves gave a good opportunity to make adequate provision for the future so as to prevent post-war Canada from becoming a dumping ground for the defective and diseased classes of the Old World.<sup>26</sup> It should be noted that an idea of setting up a national organization for mental defectives had been discussed well before the problems of returning soldiers including over 5,000 shell-shock victims became critical.<sup>27</sup>

On February 26, 1918, the Canadian National Committee for Mental Hygiene (CNCMH), the flagship of the mental hygiene movement, was established. This organization consisted of psychiatrists, Dr. Clarke and Dr. Clarence Hincks, medical officers including Dr. Peter Bryce and Dr. Helen MacMurchy, a representative of women's organizations, Mrs. A. M. Huestis of the National Council of Women, and university representatives such as Robert A. Falconer, president of University of Toronto.<sup>28</sup>

After visiting the western provinces, Dr. Clarke as the medical director of the CNCMH criticized immigration policy of the Old World to "retain its active and successful workers and to allow the restless, shiftless, and disturbing elements to go to the new world".<sup>29</sup> In 1919, the CNCMH began a study of immigration and its impact on Canada with a federal government grant.<sup>30</sup> This survey was supervised by W. G. Smith, a professor of psychology at the University of Toronto. In 1920 he published *A Study in Canadian Immigration*, in which he made a careful deduction using various data and, although he was not entirely free from racial ideology, he pointed out the popular belief that non-British immigrants were the major source of mental deficiency, insanity and criminality was shaky.<sup>31</sup> He paid attention to deportation as well as rejection, pointing out "[s]ince the greater proportion of rejections were foreigners it is not without significance that insanity is so rarely the reason, only four per cent of the medical causes, while with deportations in which British and American preponderate insanity constitutes nearly forty per cent of the medical causes".<sup>32</sup> "It may not be a well-founded statement that our immigration policy is a complete failure, or that the foreigner is characterized by degeneracy. ... it is not at all apparent that these toxins have their origin in 'alien' infection. Of course that *may* be their origin, and if the native stocks had been allowed to develop unhampered by the presence of the foreigner, the 'sere and yellow' lines of degeneracy would not have made their appearance, at least not so soon. But until the evidence is adduced on which such a conclusion is based the statement must be regarded as unproved, though not unprovable".<sup>33</sup> In 1919 the CNCMH undertook another survey on British Columbia at the request of the provincial government. Its report concluded that the foreign born (British 35.4%; others 37.3%) made up a disproportional number of the admissions to the hospitals for the insane.<sup>34</sup>

In May 1923, Dr. Clarke, now psychiatry professor of the University of Toronto was invited to give the fourth Maudsley Lecture of the Medico-Psychological Association of Great Britain and Ireland,<sup>35</sup> and in September back in Toronto he addressed the Empire Club of Canada, in which he insisted upon strict immigration control in cooperation with politicians, transportation agents and business circles, warning of the threat of the immigration of the 'unfit'. He argued that hereditary as well as environment determined the quality of races and in this sense only those of Nordic types would be preferred, but at least the elimination of the 'useless' would be needed for the "improvement of race" and "let us have

population of the right kind". He also briefly referred to sterilization of mental defectives.<sup>36</sup>

Generally speaking, the medical profession dealt with both 'whites' and 'non-whites' equally, although not necessarily free from the assumption of racial hierarchy, but their main concern was against the 'unfit' immigrants from 'preferred countries'. As a medical journal puts, "[t]he admission of orientals should stop; the chief reason being because they do not assimilate; their contact with the whites is a menace to the latter. ... We believe, further, that we cannot melt in our pot certain peoples from Central Europe. They do not fit in. ... The same criticism applies to some of our own British countrymen from the slums of London, Glasgow, Dublin and certain other large centers. ... We value the presence of immigrants from Great Britain, United States, Scandinavia, and in general all the Nordic races; but these only under careful supervision".<sup>37</sup>

### Women's Organizations and Immigration

Women's organizations shared concern with the medical profession as to immigration in general. In the late nineteenth century, women's organizations such as the National Council of Women called for an inquiry into the child immigration. The CNCMH was, as above mentioned, composed of medical professions and women's organization representatives. And Dr. Clarke himself joined the National Council of Women in 1896.<sup>38</sup>

One can easily imagine the threat of the 'unfit' was felt especially in British Columbia and prairie provinces where an increasing number of non-British immigrants poured in. In fact, for example, the *Western Woman's Weekly* published in Vancouver from 1917 to 1924 as the official organ of the Child Welfare Association of British Columbia also endorsed by various women's organizations in B.C. including Imperial Order Daughters of the Empire (IODE), Order of the King's Daughters of B.C. and Women's Christian Temperance Union (WCTU) took up the problem of the 'feeble-minded' seriously. The journal puts, "[t]he proportion of feeble-minded in Canada has never been correctly estimated, but is supposed to be the same as that of the United States, which ten years ago, was two out of every thousand. Do you know what the proportion is now? Five out of every thousand! More than doubled in ten years! Women of the West! is it not time that something was done? ... shall we not undertake in earnest for the social purity of the community. That the mentality of our race may not degenerate, and that we may bring security and happiness to these unfortunate 'human misfits'".<sup>39</sup>

This journal made a petition to the British Columbia government for taking steps to provide for the proper custodial care of the feeble-minded, pointing out "the presence of such a large number of Feeble-minded in the community constitutes many serious problems, among which are, those of criminality, prostitution, vice, pauperism, and, kindred evils entailing unnecessary expense upon individuals and State".<sup>40</sup>

This problem was linked to the immigration problem at large. Canadian open door policy allowed so many foreigners to come, but making them 'Canadianize' became difficult. And the high rate of mental defectiveness among immigrants made the things worse.

Under the title of "The Conservation of Childhood", Rev. A. H. Sovereign declared that "[o]ur immigration laws must be made more stringent and must be more carefully enforced. Out of 2,000 feeble-minded people examined it was found that 51 per cent. came from Europe to our shores. During the next twenty-five years tens of thousands from Europe will flock to Canada".<sup>41</sup> The journal also delivered an interview with Dr. Hincks of the CNCMH, which showed the committee's recent survey results that "in Manitoba there was a surprisingly large percentage of inmates of jails, asylums and almshouses who were of foreign birth. It appears that defectives and insane immigrants have been poured into Manitoba and probably into other western provinces at an alarming rate in the days prior to the war".<sup>42</sup>

In a series of articles titled "Vancouver's Sub-Normal Problems", Miss A. J. Dauphinee, based upon her own teaching experience at one of the two special classes run by the Vancouver School Board, pointed out that special classes cost more to equip than a regular class room, then argued "we are allowing too many of these [i. e. mental deficient] to slip past our gates. ... A recent survey of the nationalities of these reveals this list: Canadians, 35 per cent; English, 27 per cent. (Born in the Old Country); Scotch, 10 per cent.; Irish, 3.8 per cent; American, 7.5 per cent.; Italian, 6.2 per cent.; Other countries, 10.5 per cent. ... if we are to maintain a high standard of Canadian manhood and womanhood vitally active and alert to uphold our Dominion's prestige and honor among nations, we must guard our sho[r]es from the immigrant mentally and physically subnormal".<sup>43</sup>

Most articles in the journal were concerned with both British and non-British immigrants, rather, on the immigrants from Europe, although some articles dealt with Asian immigrants exclusively. An article of October 1922, for example, delivered the British Progressive League's resolution in which the league asked for the exclusion of Oriental children from white schools, demanding the Asiatic Exclusion League to send speakers to a special meeting of the league in order to "learn further particulars of the need of Oriental Exclusion".<sup>44</sup> But it should be noted that the problems of 'white' immigration were taken seriously by women's organizations, just when Asian immigration was still a big issue.

Women's organizations in the early twentieth century had a wide range of interests such as prohibition, women's suffrage and child welfare, sharing the idea that character-building was to critical to the broader project of nation-building.<sup>45</sup> Anxiety about 'racial suicide' was shared by middle-class reformers in Britain, the United States, Canada and other British colonies as early as late nineteenth century. Their concerns were with the internal threat, namely those of Anglo-Saxon stock, and how to deal with juvenile delinquency and how to foster good motherhood or domesticity were their priority. But with the influx of 'unfit' immigrants, their presence also became one of the major concerns among middle-class women.<sup>46</sup> In this sense, their pursuit of the 'racial purity' of immigrants was an extension of their long-time concerns with the 'racial purity' of the British.

### **Sterilization: An Ultimatum**

The pursuit of 'racial purity' finally led to the appalling enforcement of sterilization. The term

'eugenics' was coined by Francis Galton in 1883, and both the policies of 'positive eugenics' and 'negative eugenics' began to be considered seriously. In the early twentieth century, as it turned out that the segregation of the feeble-minded had been expensive and inefficient, the sterilization would prove to be an alternative way to prevent them from breeding.<sup>47</sup> In North America the first sterilization act was enacted in Indiana in 1907 and the second in Washington in 1910. 1928 saw the enactment of the Sexual Sterilization Act in Alberta legislature for the first time in Canada and throughout the British Empire,<sup>48</sup> which was followed by British Columbia in 1933.<sup>49</sup> Eventually thirty-one U.S. states and the two Canadian provinces would legitimate sterilization.

In the prairie provinces James S. Woodsworth, who later became the founder of the Co-operative Commonwealth Federation, was a leading figure in popularizing the mental defective problems. Appointed as chief of the newly-built Bureau of Social Research by the Manitoba, Saskatchewan and Alberta governments, he contributed a series of articles to the *Manitoba Free Press* from October to November in 1916.<sup>50</sup> "Feeble-mindedness is the mother of crime, pauperism and degeneracy. The feeble-minded and the progeny of the feeble-minded constitute one of the great social and economic burdens of modern times", he said. He also pointed out that "mental defectives are here in the hundreds: they are multiplying rapidly: more are coming in every shipload of immigrants". According to him, one of the solutions was to prohibit mental defectives from entering, but this was ineffective due to the insufficient medical inspection, as substantiated by Dr. J. D. Pagé's report. Woodworth himself suggested sterilization among other solutions, but its adoption was not yet practicable at this time because "general sentiment is so strong against such a radical measure".<sup>51</sup>

Afterwards, the United Farm Women of Alberta that was founded as women's auxiliary of the United Farmers of Alberta in 1914 was one of the leading lobbyists for the Sexual Sterilization Act, and it became law under the UFA government,<sup>52</sup> with the strong initiative of Mr. George Hoadley, then Minister of Agriculture and Health.<sup>53</sup>

In British Columbia, various women's organizations were also the earliest and strongest proponents of sterilization, and its first support was carried in *The Champion*, a suffragist paper in 1914.<sup>54</sup> Mrs. M. E. Smith, who was liberal MLA for South Vancouver and a contributor to the *Western Woman's Weekly* and also had served as the first woman cabinet member in the British Empire in John Oliver's government, insisted upon the introduction of sterilization of mental defectives.<sup>55</sup> Also Miss Alice Ravenhill, who, as the only female fellow of the Royal Sanitary Institute, had been involved in health and educational movements in England,<sup>56</sup> emigrated to Canada in 1910 to become a leading figure in educating eugenics. She was chosen as a member of the advisory board to the Women's Institutes,<sup>57</sup> a federation of local women's institutes for the purpose of the "amelioration of conditions as affecting women in our rural districts, and ... a general elevation of the standard of living".<sup>58</sup> Her view on eugenics was from an imperial viewpoint. She read a paper titled 'What Is Eugenics? A Plea For Racial Improvement' at the second annual conference of Vancouver Island Institutes in September 1915, in which she described eugenics as being needed to "cultivate the highest form of patriotism, which accepts responsibility for the perpetuation of an Imperial race".<sup>59</sup> And, as Gerald Thomson illustrates, Miss Dauphinee, a



progressive activist and former special class supervisor in Vancouver, passionately lobbied for a sexual sterilization law with other activist women.<sup>60</sup> In 1925, the Legislative Assembly of British Columbia appointed the Royal Commission on Mental Hygiene. And its final report of 1928 recommended the “enactment of legislation providing for a carefully restricted and safeguarded measure of permissive sexual sterilization of certain suitable and definitely ascertained cases of mental abnormality”.<sup>61</sup> A few more years were needed to enact a law, but the fact that Alberta passed a Sexual Sterilization Act affected the debates.

In 1932, *Vancouver Sun* delivered a series of articles of Emily Murphy, one of the most prominent Canadian women in those days and counted as one of the ‘Famous Five’ today. Under the pen name of ‘Janey Canuck’ she boasted “the only portion of the British Empire which has officially adopted permissive eugenical sterilization of the insane and feeble-minded is the Province of Alberta”.<sup>62</sup> She maintained that the issue of birth control was no longer taboo, but “highly respectable, the churches and medical profession having adopted”, and pointed out the misunderstandings by the Catholics and others that birth control was the commitment of abortion.<sup>63</sup> Immigrants, according to her, were a major cause of “RACE IMPERILLED”: “70 % of Alberta’s insane are not natives of this, the newest province in Confederation, but come from countries outside of Canada. ... our provincial governments will ultimately apply the remedial measure of sterilization there can be no matter of doubt in that the world has become constructive in tendency. ... Neither must governments allow their actions to be paralyzed by witless talk about ‘the extinction of humanities through racial suicide’”.<sup>64</sup>

During the debates over sterilization bills in both Alberta and B.C. legislatures, opposition came mainly from Roman Catholics, who disagreed on religious reasons with “any use of medical knowledge which interferes with the natural process of life”.<sup>65</sup> They, however, shared concerns about the influx of ‘unfit’ immigrants, arguing for alternative measures. Mr. Laudas Joly, a French-Canadian backbencher of the governing United Farmers of Alberta, from St. Paul, for example, urged rejection of the bill and advocated in its place “co-operation with other provinces in education, better inspection of immigrants and continuation of the present plan of segregation of the mentally unfit”.<sup>66</sup> Also one of the letters to editor in the *Edmonton Journal* opposed the bill on the religious belief, but maintained that “[if] over 70 percent of the insane were born in other countries why not send them back to the land of their birth, and by the same token let medical inspection be extremely strict at the port of embarkation”.<sup>67</sup> As for the Labor party, it had no definite party policy on this matter, but, Mr. C. Lionel Gibbs, a labor MLA from Edmonton, claimed for further consideration, although he himself shared the idea that “[g]reater precautions should be taken to protect the country from indiscriminate inflow of immigrants”.<sup>68</sup> In this regard, most people, irrespective of their religions and political creeds, related the sterilization issue to the immigration problem at large.<sup>69</sup>

Following Alberta, the B.C. sterilization bill was finally approved in 1933. In the same year, Manitoba legislature rejected a similar measure. And in the later 1930s, Ontario also refused to follow Alberta and British Columbia, in spite of a vigorous campaign for sterilization by medical profession, especially by Dr. MacMurchy, who worked as a public health officer for the federal Department of

Heath and was the well-known author of *The Alms: A Study of the Feeble-minded* (1920) and *Sterilization? Birth Control?: A Book for Family Welfare and Safety* (1934).<sup>70</sup> As to the reasons why only these two provinces succeeded in passing the sterilization acts, it has been pointed out that the Catholic opposition was not large enough to reject the eugenic measure unlike Manitoba and Ontario. Besides, both Alberta and British Columbia faced a large immigrant influx — in the latter with ‘yellow peril’ —,<sup>71</sup> which made relatively easy to obtain support for sterilization so as to make them more ‘British’ or pure ‘white’.<sup>72</sup>

The targets for sterilization were not only non-British but also British immigrants and it was expected to be the most useful solution to keep Canada sane, based upon British morality, respectability and institution.

## Conclusion

By tracing the treatment of mentally retarded and ill persons by the medical profession and women’s organizations in the early twentieth century, it can be said that mental disorder was thought to be linked to the immigration of both British and non-British descent. Both reproduction in Canada of the unfit and immigration to Canada of the unfit were regarded as the major cause of racial degeneration.<sup>73</sup>

As recent research indicates, the British Canadians were annoyed with ‘non-white’ immigration fearing that ‘whiteness’ could be contaminated by filthiness like the ‘yellow peril’. So the agency of ‘in-betweenness’ standing between the ‘whites’ and ‘non-whites’ or transgressing the sphere of the ‘whites’, such as in white slavery and opium trade was strictly regulated.<sup>74</sup>

At the same time, as has been mentioned above, the British Canadians saw immigrants from the British Isles, who were supposed to have an inherent ‘whiteness’, with anxiety. They acknowledged that lots of mental defectives existed among British immigrants, and at least in this case they rarely discriminated the non-British from the British. Mental health patients, who were thought to be both an internal and external threat, were in the minority or ‘otherness’, without regard to the ‘race’ they belonged to. Canadian society in this period was constructed upon an assumption that Canada was sane, enjoying British morality and respectability as well as democracy and institution.

This suggests a deviation from the dichotomy of ‘whites’ vs. ‘non-whites’ and that shows the ‘whites’ are socially constructed and this dichotomy is contingent to time and space. But this does not mean that ‘race’ is an irrelevant category to analyze. Rather, in the arguments over mental disorder and immigration, ‘race’ did have relevance in that an idea of ‘racial purity’ or pure ‘whiteness’ was widely propagated. Non-British immigrants, especially Asian immigrants as well as mentally retarded and ill persons were treated discriminately in order to keep Canada sane. In other words, Canada tried to unite its society by drawing the line between ‘us’ and ‘them (both the internal and external threat)’ in terms of ‘Britishness’. Once again rephrased: Canada tried to make its society pure ‘white’ or pure ‘British’.

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In this article, permit me to use offensive terms. All of them are citations from contemporary sources, which reflect biased thoughts of the period here examined. In this period, the term 'idiot' was used to denote mental deficient with a 'mental age' of 3 years or less; 'imbecile' was used to indicate individuals with a mental age of from 3 to 7; while the terms 'moron' and 'feeble-minded' were applied to those whose mental ages were from 7 to 11 years. e.g. Province of British Columbia, *Final Report of the Royal Commission on Mental Hygiene*, 1928, G5. These categories were established by Henry Goddard who was known for research on 'Kallikak' family to assert the hereditability of mental defectiveness.

- <sup>2</sup> *Vancouver Sun*, Nov.24, Dec.2, 7, 12, 2005. Due to growing pressure from groups like the Chinese Canadian National Council (CCNC), the National Association of Japanese Canadians, the National Anti-Racism Council and prominent Canadians, Paul Martin didn't sign the deal. He, instead, signed a \$2.5-million agreement with the National Congress of Chinese Canadians (NCCC). This agreement was forwarded by Multiculturalism Minister Raymond Chan, who bypassed the CCNC and began redress negotiation with the NCCC that was founded by Chan himself in 1991. *Vancouver Sun*, Nov.24, Dec.2, 2005. The head tax redress was a major issue in several ridings in not only B.C. but also other parts of Canada in the federal election of January 23, 2006, in which the Liberals were defeated for the first time since 1993. During the campaign Martin apologized for head tax on a Chinese language radio station. *Vancouver Sun*, Jan. 5, 2006.
- <sup>3</sup> In the first lawsuit in Alberta in 1996, Miss Leilani Muir then 51, who was sterilized at age 14 obtained \$750,000. *Edmonton Journal*, Jan.26, 1996.
- <sup>4</sup> *Vancouver Sun*, Dec.22, 2005, *Globe & Mail*, Dec.22, 2005.
- <sup>5</sup> Recent scholarship points out that 'race' is socially constructed. e.g. Kay J. Anderson, *Vancouver's Chinatown: Racial Discourse in Canada, 1875-1980*, Montreal & Kingston, 1991. As early as the early twentieth century, describing the classification of the 'whites' and 'foreigners' by the bunkhouse men working for railway construction during the period 1903-14, Dr. Edmund W. Bradwin suggested that such classification was quite subjective, as he put "[i]t has already pointed out that the name foreigner, applied to navvies, is an epithet not necessarily implying a slur at nationality. It is a generic term, used by the supercilious among the English-speaking workers and commonly applied to those campmen, of whatever extraction, who stolidly engage in the mucking and heavier tasks". Edmund W. Bradwin, *The Bunkhouse Man: A Study of work and pay in the camps of Canada, 1903-1914*, New York, 1928, rep. with an introduction by Jean Burnet, Toronto, 1972, pp.104-105. Also of note are the following remarks by James S. Woodsworth: "What does the ordinary Canadian know about our immigrants? He classifies all men as white men and foreigners. The foreigners he thinks of as the men who dig the sewers and get into trouble at the police court. They are all supposed to dress in outlandish garb, to speak a barbarian tongue, and to smell abominably"; "Even those who detest 'foreigners' make an exception of Germans, whom they classify as 'white' people like ourselves. The German is a hardworking, successful farmer". James S. Woodsworth, *Strangers Within Our Gates: Or Coming Canadians*, Toronto, 1909, rep. introduction by Marilyn Barber, Toronto, 1972, pp.9, 84. In Canadian literary and cultural studies, Daniel Coleman points out that a specific form of whiteness emerged in Canada that was extremely influenced by Britishness. Daniel Coleman, *White Civility: The Literary Project of English Canada*, Toronto, 2006.
- <sup>6</sup> Major works on the history of eugenics in Canada are as follows. Angus McLaren, *Our Own Master Race: Eugenics in Canada, 1885-1945*, Toronto, 1990; do., "The Creation of a Haven for 'Human Thoroughbreds': The Sterilization of the Feeble-Minded and the Mentally Ill in British Columbia", *Canadian Historical Review*, vol.67, no.2, 1986; Ian Dowbiggin, *Keeping America Sane: Psychiatry and Eugenics in the United States and Canada, 1880-1940*, Ithaca, 1997;

- do., "Keeping This Country Sane": C.K. Clarke, Immigration Restriction, and Canadian Psychiatry, 1890-1925", *Canadian Historical Review*, vol.76, no.4, Dec.1995. Professor McLaren gives us a comprehensive history of eugenics in Canada and consistently sees eugenicists as racist, as he writes "[i]n short, eugenics arguments provided apparently new, objective scientific justifications for old, deep-seated racial and class assumptions". *Our Own Master Race*, p.49. In his *Keeping America Sane*, psychiatric historian Dowbiggin studies psychiatrists as profession in the North American context and points out that the professionally vulnerable situation of psychiatrists under pressure both from governments and other physicians and eugenics seemed for them the best vehicle for catching up with the progress of science. According to him, although psychiatrists were not totally free from racist and pro-imperialist ideas, Clarke, for example, "subscribed to no real hierarchical taxonomy of racial groups". "Keeping This Country Sane", p.624. These two historians briefly refer to the treatment of British immigrants, of which is one of the main themes in my article to consider social meaning of 'race', but they don't pay their special attention to them. As for the studies in immigration history, Barbara Roberts' pioneering work is of use, in that it sheds light on another side of immigration, namely deportation of the internal threat. Barbara Roberts, *Whence They Came: Deportation from Canada, 1900-1935*, Ottawa, 1988.
- <sup>7</sup> cf. Phillip Buckner, "Whatever Happened to the British Empire?", *Journal of the Canadian Historical Association*, New Series, vol.4, 1993; do. (ed.), *Canada and the End of Empire*, Vancouver, 2005; Carl Bridge & Kent Fedorowich (eds.), "Special Issue: The British World: Diaspora, Culture and Identity", *Journal of Imperial and Commonwealth History*, vol.31, no.2, 2003.
- <sup>8</sup> *Statutes of Canada*, 1885, c.71; 1900, c.32; 1903, c.8; 1923, c.38.
- <sup>9</sup> W. Peter Ward, *White Canada Forever: Popular Attitudes and Public Policy Toward Orientals in British Columbia*, 3rd ed., Montreal & Kingston, 2002; Patricia E. Roy, *The Oriental Question: Consolidating a White Man's Province, 1914-41*, Vancouver, 2003; Hugh Johnston, *The Voyage of the Komagata Maru: The Sikh Challenge to Canada's Colour Bar*, 2nd ed., Vancouver, 1989.
- <sup>10</sup> cf. Joy Parr, *Labouring Children: British Immigrant Apprentices to Canada, 1869-1924*, Montreal & Kingston, 1980.
- <sup>11</sup> Mable F. Timlin, "Canada's Immigration Policy, 1896-1910", *Canadian Journal of Economics and Political Science*, vol.26, no.4, 1960, p.523. As to Canadian attitudes towards assisted British immigration, especially under the Empire Settlement Act of 1922, see the following article. Janice Cavell, "The Imperial Race and the Immigration Sieve: The Canadian Debate on Assisted British Migration and Empire Settlement, 1900-30", *Journal of Imperial and Commonwealth History*, vol.34, no.3, 2006.
- <sup>12</sup> McLaren, *Our Own Master Race*, p.66.
- <sup>13</sup> *Statutes of Canada*, 1869, c.10, s.16.
- <sup>14</sup> *Statutes of Canada*, 1906, c.19, s.26.
- <sup>15</sup> *Statutes of Canada*, 1910, c.27, s.38.
- <sup>16</sup> *Ibid.*, c.27, s.3(h).
- <sup>17</sup> *Statutes of Canada*, 1919, c.25, s.3 (6), (p) & (t). The 'Literacy test' was not strictly enforced, since this was left to the discretion of Minister of Immigration and Colonization.
- <sup>18</sup> Barbara Roberts, "Doctors and Deports: The Role of the Medical Profession in Canadian Deportation, 1900-20", *Canadian Ethnic Studies*, vol.18, no.3, 1986.
- <sup>19</sup> Dowbiggin, "Keeping This Country Sane", p.611; Cyril Greenland, *Charles Kirk Clarke: A Pioneer of Canadian Psychiatry*, Toronto, 1966; do., "Three Pioneers of Canadian Psychiatry", *Journal of the American Medical Association*, Vol.200, No.10, June 1967, pp.839-841. Charles Kirk Clarke was born in Elora, Ontario, in 1857, as the only son of Charles Clarke, member of the Provincial Legislative Assembly, Speaker of the Assembly, and Clerk of the Assembly. He began his first job in psychiatry at seventeen as a clinical assistant at the Toronto Asylum. After obtaining his M.D. in 1878, he briefly worked at the Hamilton Asylum, then in 1885 he was appointed as medical superintendent of the Rockwood Asylum in Kingston in place of William Metcalf, his brother-in-law, who was killed by a paranoid patient. In 1905 he moved to Toronto as medical superintendent of the Toronto Asylum, and he had been superintendent of the Toronto General Hospital from 1911 to 1918 when he became the first medical director of the newly-created Canadian National Committee for Mental Hygiene. Until his resignation in 1920 he also had served as dean of the Faculty of Medicine and professor of psychiatry at the University of Toronto since 1908. The Clarke Institute of Psychiatry, established in 1966 and opened in Toronto in 1966, was named after him, but in 1998 it became the Centre for Addiction and Mental Health as a result of its merger with the Addiction Research Foundation, the Donwood Institute, and the Queen

Street Mental Health Centre.

- <sup>20</sup> C. K. Clarke, "The Defective and Insane Immigrants", *The University Monthly*, University of Toronto, vol.8, no.8, June 1908, p.278. This article also appeared in *Bulletin of the Ontario Hospitals for the Insane*, vol.2, no.1, July 1908, pp.3-10.
- <sup>21</sup> Clarke, "The Defective and Insane Immigrants", p.273. According to Dowbiggin, Clarke was struck by the high number of Chinese patients, when he, as a royal commissioner, investigated the Hospital for the Insane at New Westminster, B.C. in 1901 ("Keeping This Country Sane", p.608.). As his later writings show, however, he paid his increasing attention to British immigrants. As for his B.C. inquiry in 1901, see Province of British Columbia, *Royal Commission on Hospital For the Insane at New Westminster*, 1901, in which he suggested that "the laundry could be improved by a small expenditure. ... As so many Chinese patients who understand laundry work, are available, washing furnishes an excellent industry, and possibly machines can be done without" (p.233).
- <sup>22</sup> "The Defective and Insane Immigrants", p.277.
- <sup>23</sup> "Why is the immigration act not enforced", *Canadian Journal of Medicine and Surgery*, vol.25, no.4, 1909, p.250.
- <sup>24</sup> J. D. Pagé, "The Medical Inspection of Immigrants on Shipboard", *Public Health Journal*, vol.3, no.1, 1912, p.26.
- <sup>25</sup> Dowbiggin, *Keeping America Sane*, pp.155-157.
- <sup>26</sup> Clarke, "The Defective Immigration", *Public Health Journal*, vol.7, no.11, 1916, p.462-463.
- <sup>27</sup> McLaren, *Our Own Master Race*, p.93.
- <sup>28</sup> As for the CNCMH history, see Kathleen Janet Ann McConnachie, *Science and Ideology: The Mental Hygiene and Eugenics Movements in the Inter-war Years, 1919-1939*, Ph.D thesis, Department of Education, University of Toronto, 1987, chap.1.
- <sup>29</sup> Clarke, "Immigration", *Public Health Journal*, vol.10, no.10, 1919, p.443.
- <sup>30</sup> McConnachie, *op. cit.*, p.92.
- <sup>31</sup> W. G. Smith, *A Study in Canadian Immigration*, Toronto, 1920, chap.XI.
- <sup>32</sup> *Ibid.*, pp.243-244.
- <sup>33</sup> *Ibid.*, pp.261-262.
- <sup>34</sup> "Mental Hygiene Survey of the Province of British Columbia", *Canadian Journal of Mental Hygiene*, vol.2, no.1, 1920, pp.48-50.
- <sup>35</sup> Clarke, "The Fourth Maudsley Lecture", *Public Health Journal*, vol.14, no.12, 1923, pp.531-541 & vol.15, no.1, 1924, pp.9-15.
- <sup>36</sup> Clarke, "Mental Abnormalities: A Factor in Industry", *Empire Club of Canada, 1923*, Toronto, 1924, pp.200-203: But there is no published evidence that Clarke endorsed sterilization, according to Dowbiggin who researched his records. Dowbiggin, "Keeping This Young Country Sane", p.620, n.56.
- <sup>37</sup> "Editorial: Immigration", *Canada Lancet and Practitioner*, vol.65, no.1, 1925, pp.1-2.
- <sup>38</sup> Dowbiggin, "Keeping This Young Country Sane", p.605.
- <sup>39</sup> "An appeal for the feeble minded", *Western Woman's Weekly*, vol.1, no.5, Jan.10, 1918, pp.2-3.
- <sup>40</sup> "Child Welfare Association Meets", *Western Woman's Weekly*, vol.2, no.9, Feb.8, 1919, p.8.
- <sup>41</sup> "The Conservation of Childhood", *Western Woman's Weekly*, vol.2, no.52, Dec.6, 1919, p.1.
- <sup>42</sup> "Canadian National Committee for Mental Hygiene", *Western Woman's Weekly*, vol.2, no.13, March 8, 1919, p.1.
- <sup>43</sup> "Vancouver's Sub-Normal Problem: Article No.3", *Western Woman's Weekly*, vol.4, no.37, Aug.20, 1921, p.8.
- <sup>44</sup> "British Progressive League", *Western Woman's Weekly*, vol.5, no.45, Oct.14, 1922, p.2.
- <sup>45</sup> Carolyn Strange & Tina Loo, *Making Good: Law and Moral Regulation in Canada, 1867-1939*, Toronto, 1997, p.i.
- <sup>46</sup> Carol Bacchi, "Race Regeneration and Social Purity: A Study of the Social Attitudes of Canada's English-Speaking Suffragists", *Histoire sociale/Social History*, vol.11, no.22, Nov.1978, pp.460-474; Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925*, Toronto, 1991, esp. chap.5.
- <sup>47</sup> Terry L. Chapmen, "Early Eugenics Movement in Western Canada", *Alberta History*, vol.25, no.4, 1977; McLaren, *Our Own Master Race*, chap.5; do., "The Creation of a Haven for 'Human Thoroughbreds'", pp.132-133; Allan Levine, *The Devil in Babylon: Fear of Progress and the Birth of Modern Life*, Toronto, 2005, chap.3. According to Dr. McLaren, it was R.W. Bruce who was among the first in Canada to refer to the need for 'asexualization' to supplement segregation. McLaren, *Our Own Master Race.*, p.133, n.23.
- <sup>48</sup> "The Sexual Sterilization Act", *Statutes of Alberta*, 1928, c.37 (see APPENDIX 1 in this article). The bill was introduced

- on February 14th, debated on the second reading on February 23rd, 27th, March 2nd and 5th, and read a third time and passed on March 6th. Province of Alberta, *Journals of the Legislative Assembly*, 1928, pp.44, 69, 71, 75, 85, 87, 91-93, 95, 150. In 1937, under William Aberhart's Social Credit government, the stipulation that required parents or guardians' consent for the mentally defective person was repealed ("An Act to amend The Sexual Sterilization Act", *Statutes of Alberta*, 1937, c.47, s.5. See APPENDIX 2 in this article). The Sexual Sterilization Act was finally repealed in 1972 ("The Sexual Sterilization Repeals Act", *Statutes of Alberta*, 1972, c.87.), and by that date over 2800 were sterilized in Alberta. Women, teenagers and young adults, and aboriginals were particularly targeted. Jana Grekul, Harvey Krahn and Dave Odyna, "Sterilizing the 'Feeble-minded': Eugenics in Alberta, Canada, 1929-1972", *Journal of Historical Sociology*, vol.17, no.4, Dec.2004. See also Jana Marie Grekul, *The Social Construction of the Feebleminded Treat: Implementation of the Sexual Sterilization Act in Alberta, 1929-1972*, Ph.D thesis, Department of Sociology, University of Alberta, 2002. Both of them try to revise the findings in Timothy J. Christian, *The Mentally Ill and Human Rights in Alberta: A Study of the Alberta Sexual Sterilization Act*, Edmonton, 1974, pointing out that East Europeans and Catholics were *not* overrepresented in sterilization.
- <sup>49</sup> "An Act respecting Sexual Sterilization", *Statutes of British Columbia*, 1933, c.59 (See APPENDIX 3 in this article). This bill was introduced on April 5th, debated on the second reading the following day, and passed on April 7th. Province of British Columbia, *Journals of the Legislative Assembly*, Session 1933, vol.62, pp.101, 105, 109, 112, 115, 125. In British Columbia the sterilization act was repealed in 1973. No data is available on how many were sterilized, but it is estimated at a few hundred. Grekul, *The Social Construction of the Feebleminded Treat*, p.247. Law Reform Commission of Canada, *Working Paper 24: Sterilization: Implications for mentally retarded and mentally ill persons*, Ottawa, 1979, pp.27-29.
- <sup>50</sup> "The Problem of the Mentally Defective: By the Bureau of Social Research, Governments of Manitoba, Saskatchewan and Alberta", *Manitoba Free Press*, Oct.11, 25, Nov.1, 8, 15, 22, 1916. This bureau was suddenly ordered to close as of January 31, 1917, after Woodsworth wrote an article opposing to the National Service Registration. "Suspicious of Registration", *Manitoba Free Press*, Dec.28, 1916. See also, Kenneth McNaught, *A Prophet in Politics: A Biography of J. S. Woodsworth*, Toronto, 2001, pp.76-77.
- <sup>51</sup> "The Problem of the Mentally Defective", *Manitoba Free Press*, Nov.15, 1916. Woodsworth later refused eugenics after he learned that it was being used as a stick with which to beat the working class. McLaren, *Our Own Master Race*, p.66. Tommy Douglas, who later found the CCF, served as the CCF premier of Saskatchewan and the first leader of the federal New Democratic Party, was also once a supporter of eugenic ideas, when he was a M.A. student at McMaster University. McLaren, *Our Own Master Race*, pp.7-9.
- <sup>52</sup> The UFA won 43 out of 60 seats in the election of 1926.
- <sup>53</sup> Mrs. Nellie McClung, one of the 'Famous Five', mentioned that her opposition party also supported the act, in spite of fanatical resistance from certain religious groups, and she admired Hoadley's foresight and courage in her autobiography. Furthermore, she commented this act worked well, referring to the 'Katie' (an eighteen-year-old girl from southern Alberta) case in which she was involved. Veronica Strong-Boag & Michelle Lynn Rosa (eds.), *Nellie McClung: The Complete Autobiography: Clearing in the West & the Stream Runs Fast*, Peterborough, 2003, pp.442-445.
- <sup>54</sup> *The Champion*, Jan.1914, cited in McLaren, "The Creation of a Haven for 'Human Thoroughbreds'", p.133.
- <sup>55</sup> "Sterilization is advocated", *Vancouver Sun*, Dec.2, 1925. See also McLaren, "The Creation of a Haven for 'Human Thoroughbreds'", p.135. Mary Ellen Smith was elected in a 1918 Vancouver by-election after the death of her MLA husband, Ralph Smith. Patricia E. Roy & John Herd Thompson, *British Columbia: Land of Promises*, Don Mills, 2005, p.105.
- <sup>56</sup> e.g. Alice Ravenhill, *Eugenic Education for Women and Girls*, [London], 1914. Based upon her lecture on Hygiene delivered at King's College for Women, University of London, this booklet was published by the Eugenics Education Society that was founded in Britain in 1907.
- <sup>57</sup> Province of British Columbia, *Annual Report of Women's Institutes 1914*, Victoria, 1915, p.13. The number of the membership of women's institutes grew from 17 in 1910 to 56 in 1915. "Appendix no.3", *Annual Report of Women's Institutes 1915*, Victoria, 1916, p.127.
- <sup>58</sup> William E. Scott, "Foreword by the Superintendent", *Women's Institute Quarterly*, vol.1, no.1, Oct. 1915, p.3. Scott was the Deputy Minister of Agriculture of B.C. government, and he and the Minister of Agriculture (Hon. W. J. Bowser) were among the Advisory Board of the association.

- <sup>59</sup> *Annual Report of Women's Institutes 1915*, Victoria, 1916, p.39. As for her, see also Ravenhill, *Memoirs of an Educational Pioneer*, (with a Foreword by Norman MacKenzie), Toronto & Vancouver, 1951, esp. chaps.14 & 19; McLaren, *Our Own Master Race*, p.26. Ravenhill, however, dropped from women's organization activities. She didn't mentioned why she did so in her memoirs. From the late 1920s she turned her interest to the arts and crafts of B.C. indians. Ravenhill, *The Memoirs of an Educational Pioneer*, p.191.
- <sup>60</sup> Gerald Thomson, "'Through no fault of their own': Josephine Dauphinee and the 'Subnormal' Pupils of the Vancouver School System, 1911-1941", *Historical Studies in Education*, vol.18, no.1, 2006.
- <sup>61</sup> Province of British Columbia, *Final Report of the Royal Commission on Mental Hygiene*, 1928, G6. The interim report of the commission had already recommended the sterilization. Province of British Columbia, (Interim) *Report of the Royal Commission on Mental Hygiene*, 1927, CC6-7. As to this commission, see Robert Menzies, "'Unfit' citizens and the B. C. Royal Commission on Mental Hygiene, 1925-28", in Robert Adamoski, Dorothy E. Chunn & Robert Menzies (eds.), *Contesting Canadian Citizenship: Historical Readings*, Peterborough, 2002.
- <sup>62</sup> "Sterilization of the insane", *Vancouver Sun*, Sep.3, 1932.
- <sup>63</sup> "Sterilization of the insane", *Vancouver Sun*, Aug.27, 1932.
- <sup>64</sup> "Sterilization of the insane", *Vancouver Sun*, Sep.3, 1932.
- <sup>65</sup> e.g. *Vancouver Sun*, April 3, 1933.
- <sup>66</sup> *Edmonton Journal*, Feb. 24, 1928; *Edmonton Bulletin*, Feb. 24, 1928; *Calgary Daily Herald*, Feb.24, 1928.
- <sup>67</sup> Tillie Phelan, "Sterilization", *Edmonton Journal*, Feb.28, 1928.
- <sup>68</sup> *Edmonton Bulletin*, Feb. 25, 1928.
- <sup>69</sup> However, Japanese Canadians seemed to think that this issue had nothing to do with immigration. *Tairiku Nippo* (*Continental News*) reported the debates over the bill in B.C. legislature at length, and supported it from eugenic point of view, citing the fact that B.C. was the province of the highest insanity rate: 372 per 100 thousand far exceeding the national average 300. *Tairiku Nippo*, April 7, 1933. Around this period, the paper reported on Japan's decision to leave the League of Nations, the arrival of Japanese navy's training ships, the *Yakumo* and the *Iwate* at the port of Victoria, Hitler's persecution of the Jews, Mussolini's policy of birth encouragement, an anti-Japan military speech by the wife of Baron Ishimoto in New York, in which she insisted on birth control to curve population increase and solve economic problem in Japan, which enraged the Japanese in the United States. It also called for the readers to observe Canadian immigration laws. *Tairiku Nippo*, Mar. 23, 25, 27, 29, 30, April 1, 3, 6, 7, 1933. Comprehensive explanation of the attitudes towards sterilization of Japanese Canadians as well as those of other 'non-whites' still remain to be seen.
- <sup>70</sup> Helen MacMurchy, *The Almosts: A Study of the Feeble-minded*, Boston & New York, 1920; do., *Sterilization? Birth Control?: A Book for Family Welfare and Safety*, Toronto, 1934.
- <sup>71</sup> McLaren, "The Creation of a Haven for 'Human Thoroughbreds'", pp.129, 144. In 1931, Roman Catholics accounted for 13.1% in B.C., 23.0% in Alberta, 27.1% in Manitoba, 21.7% in Ontario. *Seventh Census of Canada, 1931*, pp.788-797. In the same year, the British made up 70.6% of the population in B.C. and 53.2% in Alberta. *Canada Year Book*.
- <sup>72</sup> In this sense, sterilization was a product of nativism. If John Higham's study of the three main strands of American nativism (i.e. Anglo-Saxon nativism, anti-Catholic nativism, and anti-radical nativism) is applied to Canada, the enactment of sterilization was a product of Anglo-Saxon nativism and anti-Catholic nativism. John Higham, *Strangers in the Land*, New York, 2nd ed., 1967, preface. As for the nativism in this period, see Howard Palmer, "Nativism in Alberta, 1925-1930", *Historical Papers*, Canadian Historical Association, 1974. In Alberta, both the United Farmers of Alberta (1921-35) and Social Credit (1935-71) governments were successful in obtaining support from all ethnic groups, although ethnic cleavage existed between the French and Ukrainian districts in the north and the dominant majority composed of Anglo-Saxons, Germans and Scandinavians in the south. And in comparison with other prairie provinces, ethnic and religious distinctions were not conspicuous. Thomas Flanagan, "Ethnic voting in Alberta Provincial Elections 1921-1971", *Canadian Ethnic Studies*, vol.3, no.2, Dec.1971, p.161.
- <sup>73</sup> McLaren, *Our Own Master Race*, p.47.
- <sup>74</sup> cf. Valverde, *op.cit.*; Carolyn Strange, *Toronto's Girl Problem: The Perils and Pleasures of the City, 1880-1930*, Toronto, 1995. This was also the case with aboriginal peoples, Chinese and 'white' prostitutes. Renisa Mawani, *The 'Savage Indian' and the 'Foreign Plague': Mapping Racial Categories and Legal Geographies of Race in British Columbia*, Ph.D thesis, Centre for Criminology, University of Toronto, 2001.

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APPENDIX 1

1928

CHAPTER 37.

The Sexual Sterilization Act.

(Assented to March 21, 1928.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Sexual Sterilization Act.*"
2. In this Act, unless the context otherwise requires —
  - (a) "Mental Hospital" shall mean a hospital within the meaning of *The Mental Diseases Act*;
  - (b) "Minister" shall mean the Minister of Health.
3. (1) For the purpose of this Act, a Board is hereby created, which shall consist of the following four persons:  
Dr. E. Pope, Edmonton.  
Dr. E. G. Mason, Calgary.  
Dr. J. M. McEachran, Edmonton.  
Mrs. Jean H. Field, Kinuso.

(2) The successors of the said members of the Board shall from time to time, be appointed by the Lieutenant Governor in Council, but two of the said Board shall be medical practitioners nominated by the Senate of the University of Alberta and the Council of the College of Physicians respectively, and two shall be persons other than medical practitioners, appointed by the Lieutenant Governor in Council.

4. When it is proposed to discharge any inmate of a mental hospital, the Medical Superintendent or other officer in charge thereof may cause such inmate to be examined by or in the presence of the board of examiners.

5. If upon such examinations, the board is unanimously of opinion that the patient might safely be discharged if the danger of procreation with its attendant risk of multiplication of 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 perform the operation.

6. Such operation shall not be performed unless the inmate, if in the opinion of the board, he is capable of giving consent, has consented thereto, or where the board is of opinion that the inmate is not capable of giving such consent, the husband or wife of the inmate or the parent or guardian of the inmate if he is unmarried has consented thereto, or where the inmate has no husbands, wife, parent or guardian resident in the Province, the Minister has consented thereto.

7. No surgeon duly directed to perform any such operation shall be liable to any civil action whatsoever by reason of the performance thereof.

8. This Act shall have effect only insofar as the legislative authority of the Province extends.

[Statutes of Alberta, 1928]

## APPENDIX 2

1937

### CHAPTER 47.

#### An Act to amend The Sexual Sterilization Act.

(Assented to April 14, 1937.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Sexual Sterilization Act Amendment Act, 1937.*"

2. *The Sexual Sterilization Act*, being chapter 37 of the Statutes of Alberta, 1928, is hereby amended as to section 2 thereof by striking out the same and by substituting therefor the following:

"2. In this Act, unless the context otherwise requires, —

"(a) 'Mental Hygiene Clinic' means any Mental Hygiene Clinic conducted by or under the direction of The Department of Health;

"(b) 'Mental Hospital' means a hospital within the meaning of *The Mental Diseases Act*;

"(c) 'Mentally defective person' means any person in whom there is a condition of arrested or incomplete development of mind existing before the age of eighteen years, whether arising from inherent causes or induced by disease or injury;

"(d) 'Minister' means the Minister of Health;

"(e) 'Psychotic person' means a person who suffers from a psychosis."

3. The said Act is further amended as to section 4 thereof by striking out the same and by substituting therefor the following:

"4.—(1) The Medical Superintendent or other person in charge of a Mental Hospital may cause any patient of a Mental Hospital whom it is proposed to discharge therefrom, to be examined by or in the presence of the Board.

"(2) The medical practitioner for the time being having the charge or direction of any Mental Hygiene Clinic may cause any mentally defective person who has been under treatment or observation at such a clinic to be examined by or in the presence of the Board."

4. The said Act is further amended as to section 5 thereof by striking out the same and by substituting therefor the following:

"5.—(1) If upon examination of a psychotic person the Board is unanimously of the opinion that the exercise of the power of procreation would result in the transmission to such person's progeny of any mental disease, or that the exercise of the power of procreation by any such psychotic person involves the risk of mental injury, either to such person or to his progeny, the Board may direct in writing, such surgical operation for the sexual sterilization of such psychotic person as may be specified in the writing direction, and shall appoint some competent surgeon to perform the operation.

"(2) In the case of a psychotic person, such operation shall not be performed unless such person being in the opinion of the Board a person who is capable of giving consent, has consented thereto, or when the Board is of the opinion that such person has a husband or wife, or being unmarried has a parent or guardian, resident within the Province, the husband, wife, parent or guardian of such person has consented thereto."

5. The said Act is further amended as to section 6 thereof by striking out the same and by substituting therefor the following:

"6. If, upon examination of any mentally defective person, the Board is unanimously of the opinion that the exercise of the power of procreation would result in the transmission to such person's progeny of any mental disability or deficiency, or that the exercise of the power of procreation by any such mentally defective person involves the risk of mental injury either to such person or to his progeny, the Board may direct, in writing, such surgical operation for the sexual sterilization of such mentally defective person as may be specified in the written direction and shall appoint some competent surgeon to perform the operation."

6. The said Act is further amended as to section 7 by striking out the same and by substituting therefor the following:

"7. No person shall be liable in any civil action or proceeding for any thing done by him in good faith in purported pursuance of this Act, if that person is, —

"(a) a surgeon directed to perform any operation for sexual sterilization pursuant to this Act, and any person who, in connection with any such operation, acts as an anaesthetist or takes any part therein or assists such surgeon in the performance thereof;

"(b) a person who consents to the performance of any such operation;

"(c) the Medical Superintendent or officer in charge of any Mental Hospital who causes any patient to be examined pursuant to this Act;

"(d) the medical practitioner having the charge or direction of a Mental Hygiene Clinic who causes any person to be examined pursuant to this Act;

"(e) a member of the Board."

7. This Act shall come into force on the day upon which it is assented to.

*[Statutes of Alberta, 1937]*

### APPENDIX 3

#### CHAPTER 59.

#### An Act respecting Sexual Sterilization.

*[Assented to 7th April, 1933.]*

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows: —

1. This Act may be cited as the "Sexual Sterilization Act."

2. In this Act, unless the context otherwise requires: —

"Inmate" means a person who is a patient or in custody or under detention in an institution:

"Institution" means any public hospital for insane as defined in section 2 of the "Mental Hospitals Act," the Industrial Home for Girls maintained under the "Industrial Home for Girls Act," and the Industrial School maintained under the "Industrial School Act":

"Superintendent," in the case of a public hospital for insane, means the Medical Superintendent of that hospital, and, in the case of the Industrial Home for Girls or the Industrial School, means the Superintendent or other head thereof.

3. For the purposes of this Act, the Lieutenant-Governor in Council may from time to time appoint three persons, one of whom shall be a Judge of a Court of Record in the Province, one of whom shall be a psychiatrist, and one of whom shall be a person experienced in social-welfare work, who shall constitute a Board to be known as the "Board of Eugenics".

4. (1.) Where it appears to the Superintendent of any institution within the scope of this Act that any inmate of that institution, if discharged therefrom without being subjected to an operation for sexual sterilization, would be likely to beget or bear children who by reason of inheritance would have a tendency to serious mental disease or mental deficiency, the Board may by an order in writing signed by its members direct the Superintendent may submit to the Board of Eugenics a recommendation that a surgical operation be performed upon that inmate for sexual sterilization.

(2.) The recommendation of the Superintendent shall be in writing, and be accompanied by a statement setting forth the history of the inmate as shown in the records of the institution, so far as it bears upon the recommendation, and setting forth the reasons why sexual sterilization is recommended.

(3.) The Superintendent may cause the inmate to be examined by or in the presence of the Board of Eugenics.

5. (1.) If upon such examination of the inmate the Board of Eugenics is unanimously of opinion that procreation by the inmate would be likely to produce children who by reason of inheritance would have a tendency to serious mental disease or mental deficiency, such surgical operation for sexual sterilization of the inmate as is set out in the order, and may appoint some legally qualified medical practitioner to perform the operation.

(2.) Nothing in this section or in any order made under it shall prevent the inmate, or any person acting on behalf of the inmate, from selecting and employing at the expense of the inmate a duly qualified medical practitioner to attend in consultation at or to perform the operation directed by the order of the Board of Eugenics.

6. The operation directed by the order of the Board of Eugenics in any case shall not be performed unless the inmate has consented thereto in writing, if in the opinion of the Board the inmate is capable of giving consent, or, if in the opinion of the Board the inmate is not capable of giving consent, unless the husband or wife of the inmate or, in case the inmate is unmarried, the parent or guardian of the inmate has consented thereto in writing, or, in case the inmate has no husband, wife, parent, or guardian resident in the Province, the Provincial Secretary has consented thereto in writing.

7. A legally qualified medical practitioner appointed by the Board of Eugenics to perform any surgical operation on an inmate duly directed by order of the Board pursuant to this Act shall not be liable to any civil action whatsoever by reason of the performance thereof, except in the case of negligence in the performance of the operation.

8. (1.) The members of the Board of Eugenics shall not receive any compensation for their services, but they shall be paid the amount of the travelling and other personal expenses necessarily incurred by them in the discharge of their official duties.

(2.) Every legally qualified medical practitioner appointed by the Board of Eugenics who performs an operation on any inmate as directed by the Board shall be paid his proper fees therefor.

(3.) All expenses and fees payable under this section in respect of any inmate shall be paid out of the moneys appropriated for the purposes of the institution in which that inmate is a patient or is in custody or under detention.

9. This Act shall have effect only in so far as the legislative authority of the Province extends.

10. This Act shall come into operation on the first day of July, 1933.

*[British Columbia Statutes, 1933]*