University of Alberta

New Woman, New Nation: Emily Murphy, the Famous 5 Foundation, and the Production of a Female Citizen

by

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INTRODUCTION

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> Men make their own history, but they do not make it just as they please; they do not make it under circumstances chosen by themselves, but under circumstances directly encountered, given and transmitted from the past.
>
> —Karl Marx, "The Eighteenth Brumaire of Louis Bonaparte" (188)

Before this project, I had never thought much about the immigrant roots of my family, who, like so many others in the late nineteenth and early twentieth century, transplanted themselves from Eastern Europe to Canada's prairie provinces. This project was both an attempt to understand the legacies of early twentieth-century nation building in the present and an effort to educate myself about the world in which my grandparents would have moved. It represented an attempt to understand how my own feminism might be indebted to and implicated in complex legacies of nation building, particularly as a white woman researching Canadian cultural studies and teaching in a classroom for the first time. It was also a response to a broader cultural moment. In the late 1990s, early twentieth-century immigration debates and social hygiene solutions—namely eugenics—emerged as a problem for contemporary Canada. As I elaborate in Chapters One and Four, the court case of Leilani Muir (1996)—who sued the Alberta government for negligence in sterilizing her under the Alberta Sexual Sterilization Act—prompted particular media attention. It represented the first time that a victim of Alberta's earlier eugenic policies entered the court

system seeking redress. When the Alberta Court of Queen's Bench held the province liable for negligence in the Muir case, the legacies of early twentieth-century eugenics became a contemporary fiscal problem for the Alberta government because the Muir decision opened the door for a number of potential suits against the Alberta government (even though the sterilization of institutionalized individuals was legal between 1928 and 1972). Ralph Klein, the Premier of Alberta's Conservative government, attempted to invoke the Charter's not-withstanding clause to limit the government's liability; however, in response to swift public condemnation, he quickly withdrew that measure.

In popular newspaper coverage, columnists interrogated how contemporary Canada should remember the racial and class-based policies that characterized early twentieth-century nation building. When the Famous 5 Foundation established itself in 1996 and commissioned a statue to commemorate the Persons Case of 1929, the media began to debate whether or not a statue commemorating the "Famous Five" was appropriate for the present, since individual famous fivers—notably Emily Murphy—were strong advocates of eugenics and selective immigration policies.[1] And, as the Famous 5 Foundation lobbied for a statue site in Calgary and a second statue site on Parliament Hill, local organizing became national news. Race and gender were polarized in the debates that ensued, and readers were asked to evaluate the contributions of the Famous Five in advancing women's rights against the racism articulated by key figures such as Emily Murphy (who organized the Famous Five and initiated the Persons Case). For the Famous 5 Foundation, the problem became one of how to appreciate and celebrate the achievements of Canada's feminist foremothers as

nation builders when that nation building was problematically exclusionary. The Famous 5 Foundation celebrated the Famous Five as heroic individuals who triumphed through their indomitable will. In the face of institutions that excluded and subordinated women on the basis of gender, that is, the Famous Five championed legal rights for women. By contrast, critics focused primarily on the racism of key famous fivers and tended to assume a strict one-to-one relationship between cultural and democratic representation. Because the Famous Five were racists, this position argued, they could not function as symbols for the nation; they could not be representative of the nation as an imagined community. In turn, defenders of the Famous Five typically read them as products of their moment whose racism must be contextualized. This defense of the Famous Five explained their politics as part of a broader moment and tended implicitly to assume a narrative of progress that viewed racism as a problem of the past which had been superceded by more progressive thinking. Without contextualization, defenders argued that anti-racist critiques of the Famous Five became suspicious themselves. Why, these defenders asked, were the same critiques not being leveled at prominent male figures of the same period? Meanwhile, in right-wing publications like the *Alberta Report*, writers appropriated anti-racist discourses to compare early twentieth-century eugenic policies with contemporary abortion policies, using the Persons Case to advocate for the personhood of the fetus and critiquing contemporary liberal feminists for ostensibly reproducing the mistakes of their foremothers. Race, gender, class and sexuality were complexly intertwined in this struggle over the meaning of the statues and the Famous Five.

My dissertation uses this statue controversy as a doorway into a broader set of problems: what are the legacies of first wave feminism and early feminist nation building? How do we negotiate those legacies as feminists and as Canadians? And, how do those legacies continue to exert an influence in the present? With an eye to these questions, my dissertation works on two levels: it develops the figure of the New Woman and the female citizen in early twentieth-century Canada to consider the contexts within which these figures were elaborated and the debates that issued about them; secondly, it examines the statue controversy to elaborate particularly a struggle between women's groups in the present over the character of the female citizen imagined in the Famous Five statues. Arguing that the ability of women such as Emily Murphy to claim rights as citizens and to advocate sexually empowering politics for women was interconnected with efforts to manage the ambiguous dangers posed by racialized, sexualized and classed others, I examine how struggles over the character of the female citizen in the present have been informed by earlier constructions of the New Woman and the female citizen. In this, I build on the recent work of Jennifer Henderson who argues that race-making was central to Canada's self-production as a sovereign Dominion and that the white, bourgeois woman was invested in that project with a particularly weighty symbolic importance. Henderson maps how the white bourgeois woman was simultaneously policed, protected and empowered in the project of nation and empire building: "not only positioned as a symbol of moral authority but also enlisted as a practical *agent* of government" (17). With a shared interest in examining the production and policing of national subjects, my work similarly explores the construction and regulation of middle-class white

women's moral authority, its transference from the private to the public sphere, and the contingency of that public authority on their ability to "Canadianize" and regulate themselves and others. In that condition of complicity and implicatedness, they also practiced feminist resistance. It is the complex entanglement between complicity and resistance that this project attempts to explore. In this vein, while the problem posed by the statue controversy was widely misrecognized as an opposition between race and gender, I argue that the challenge is not to weigh gender interests against racial politics, but to understand how the resistances of first-wave feminism were complexly entangled in broader hegemonic structures and how the complicit racism of a figure such as Emily Murphy was imbricated in broader processes of cultural nation building. That implicatedness is particularly obvious in relation to the question of reproduction, which involved both the rights of individual women and the production of human resources for a broader social formation, a process that translated into the production and policing of racialized, sexualized and classed otherness. The tensions around reproduction, while differently figured, continue to inform contemporary feminist organizing. My work seeks to identify the legacies of first-wave feminism and to consider how they might be elaborated to promote progressive politics in the present.

While the statue debates crystallized for me the ways in which my own family would have once been subject to the state surveillance of non-British immigrants in post-World War One Canada, this project represents an attempt to negotiate the legacies of that history as a white female academic working in Canadian cultural studies. That is, as I entered the classroom for the first time as an instructor and as I increasingly invested my energies in the field of Canadian studies—with its dual focus

on knowing ourselves and producing educated citizens—I wondered what I was meant to impart. I debated how to think about the classroom as a site of production, policing and empowerment. And, as I came to recognize the investments of Canadian studies in a nation building enterprise and my own investments in nation building on personal and professional registers, I realized also that broader forces underpinned my coming to this project, forces which I loosely describe here as a contemporary "heritage movement." This dissertation then was an attempt to understand what was at stake in the Famous 5 Foundation's efforts to interpellate a feminist citizenry for the present and to contribute to an ongoing conversation about the legacies of first-wave feminist nation building.

The Heritage Movement

When the Famous 5 Foundation established itself in 1996 (an initiative that I elaborate in Chapter One), it did not emerge in a vacuum. Rather, it was part of a broader movement that had been gathering momentum since the early 1990s to produce a reinvigorated national consciousness. One of the driving forces behind this movement was the Charles R. Bronfman (CRB) Foundation, which was established in 1986 by the Bronfman family to promote the study of Canada and to enhance Canadian identity. Established, in part, to fill the void left by the defunct Canadian Studies Foundation—which "was incorporated in 1970 in response to the publication of *What Culture? What Heritage?* by A.B. Hodgetts which powerfully demonstrated that students had little knowledge of Canada" (Cameron 122) and which was terminated in 1986 because of difficulty obtaining funding from public or private sources—the CRB

Foundation initiated a broad-sweeping Heritage Project, "designed to awaken and enliven an interest in Canada's heritage and identity" (Cameron 135).

As part of that Heritage Project, the CRB Foundation coordinated several initiatives. The "heritage minutes" program, for instance, involved the production of one-minute dramatizations of important moments in Canada's history, which were aired on radio, on television, and in cinemas across the country. To date, there are more than sixty of these micro-movies, including representations of Emily Murphy and Nellie McClung (along with key political leaders and landmark cultural events, organizations, and works). While these heritage minutes were temporal audio-visual encounters—which, it is worth noting, can now be ordered and collected on video—the Heritage Project complemented this initiative with another, more traditionally collectable, set of heritage representations: a series of commemorative stamps produced in partnership with Canada Post. More than thirty of these stamps were released in 1995, including images of the flag, commemorations of the 1945 peace, and paintings of the Group of Seven. In a different vein, the Heritage Project founded in 1991 a quarterly newsletter, *The Heritage Post*, which it distributed without charge to history teachers across Canada and around which it constructed an interactive website, "The Heritage Post Interactive." To complement this publication, the Project further produced "a comprehensive learning package on Canadian history designed by a team of educators from Queen's University" ("We Are Canadians"). Focusing on ten "snapshots" from Canadian history, the package represented the perspectives "of everyday people" from different regions, in different historical contexts and was designed to function as a teaching resource for grades seven, eight and nine. Lastly,

beginning in 1993, the Heritage Project promoted annual "heritage fairs" across the country, at which students were provided with "an opportunity to discover and celebrate their history and culture" ("Heritage Fairs"). When five fairs were organized simultaneously in 1995, the Heritage Project video-conferenced the events so that fair-goers across the country could see movie and sound clips of student presenters and other fair-goers in cities across the nation.

Aside from the Heritage Project which linked these initiatives, the CRB Foundation contributed financially to other cultural initiatives. It is thus named as a partner or sponsor of projects such as the Canadian Encyclopedia Online, the Junior Encyclopedia of Canada, and the Canadian Centre for Advanced Film Studies (Cameron 135-36). In 1993, the Bronfman family further donated ten million dollars to McGill University to establish the Institute for the Study of Canada (Cameron 136). And, in the late 1990s, other institutes and organizations—funded by the CRB Foundation and becoming funding sources themselves—emerged to diversify this heritage movement. With John Ralston Saul as an Honourary Patron, the Dominion Institute was established in 1997 with a commitment to "help engage youth and all Canadians in learning about Canada's military, political and cultural history" (The Dominion Institute: "Educational Programmes"). And in 1999, the Historica Foundation was established "to address concerns with the insufficient amount of Canadian history instruction in our schools and the impact of this knowledge gap on the development of an informed citizenry" ("About Historica"). Taking over the production and circulation of the heritage minutes and the promotion of the fairs initiated by the Heritage Project, the Historica Foundation extends the mandate of the

earlier project in becoming, itself, a funding body for other initiatives seeking to educate Canadian citizens about their history.

Supplemented by funding from the federal government—which created a separate Department of Canadian Heritage in 1993—the heritage movement gained momentum through the 1990s and is an important context within which to situate the Famous 5 Foundation and the statues in Calgary and Ottawa. However, to clarify what was understood to be at stake in the heritage movement, one must consider the social and economic formations within which it transpired. The 1990s were a particularly turbulent time in Canada, marked by a series of failed attempts to negotiate a process of constitutional reform. After the sovereignty-association referendum in Quebec and the repatriation of the Constitution in 1980, and after Quebec's refusal to sign a constitutional accord in 1981, negotiations were initiated in the mid-1980s in an attempt to bring Quebec into the constitutional fold. Quebec made a series of proposals—which involved recognizing its status as a distinct society within Canada, enhancing provincial power, and amending the process of constitutional reform—that were the basis of the Meech Lake Constitutional Accord of 1987. The "distinct society" issue, however, unraveled the accord as First Nations communities argued for an equal right to that claim. When Elijah Harper refused his consent in Manitoba's legislature and Newfoundland abandoned the ratification process in 1990, the accord's failure "effectively left Canada without a workable constitution" (Blundell, Shepherd and Taylor 11) and created an atmosphere of political and social instability. The Oka crisis and stand-off in the same year (1990) was an extension of that turmoil. Subsequent constitutional negotiations and

commissioned reports culminated in the Charlottetown Accord, which sought ratification through a referendum process in 1992 but could not obtain majority approval. Then, in 1995, Quebec held a provincial referendum on the question of national unity that only narrowly decided against pursuing sovereignty. Together, these events had destabilizing effects on the social formation and placed the political formation of Canada in jeopardy.

In economic terms, the heritage movement must be situated against the increasing influence of transnational corporations as the prime movers of capital and the expansion of global capitalism that followed the collapse of the Soviet Union. The collapse of communism, that is, as an alternative economic system meant new opportunities for capital expansion. In the face of this emergent global phenomenon, new economic partnerships were established—such as the North American Free Trade Agreement (NAFTA) and the European Economic Union (EEU)—which functioned simultaneously as arrangements between sovereign nations and as trade relationships that have blurred the boundaries between those units. Moreover, transnational corporations, which have multiple national headquarters and which use local strategies to appeal to local markets, are increasingly influential on the global stage. Highlighting a broad shift in power, Rosemary Hennessy notes that "a network of industrial and service formations rather than a single nation serves as [the] center [of late capitalism], and the transnational corporation is now the prime determiner of capital transmission" (*Profit* 7). Simultaneously celebrated as an effort to promote international development, a means of expanding markets for industrialized countries, and an instrument through which to promote human rights, the emergent global

economy is figured by critics as effecting new forms of imperialism. Kevin Bales thus asserts that "[t]ransnational companies today do what European empires did in the last century—exploit natural resources and take advantage of low-cost labor—but without needing to take over and govern the entire country" (25). For Bales, this imperialism extends then into new forms of slavery, which rarely involve actual ownership but which "[appropriate] the economic value of individuals while keeping them under complete coercive control" (25). Similarly suggesting that globalization has promoted a kind of cultural imperialism, Fredric Jameson offers a more subtle model of its effects. Rather than overt "coercive control," Jameson describes how the globalization of cultural markets, in particular, has translated into a growing cultural imperialism, new forms of cultural exchange and hybridity, and concomitant forms of resistance. Addressing an imagined American reader, Jameson identifies the material and social effects of the global exportation of culture:

> We do not here sufficiently notice—because we do not have to notice—the significance, in the Gatt and Nafta negotiations and agreements, of the cultural clauses, and of the struggle between immense U.S. cultural interests, who want to open up foreign borders to American film, television, music and the like, and foreign nation-states who still place a premium on the preservation and development of their national languages and cultures and attempt to limit the damages—both material and social—caused by the leveling power of American mass culture: material on account of the enormous financial interests involved; social because of the very change in values likely to be wrought by

> what used to be called—when it was a far more limited phenomenon—Americanization. (59)

Given the economic and cultural pressures of globalization and the rise of increasingly powerful transnational corporations, academics have alternately observed a progressive erosion of national culture and of the nation-state or a progressive process of hybridization. Bill Readings, for instance, sees the economic influence of these transnational corporations as fundamentally undermining the function of the university, an institution that he describes as traditional guardian of national culture. Because of this shift in power to transnational companies and because of the rise of a corporate discourse of excellence within the university, globalization represents, for Readings, a threat that fundamentally redefines the institutions that protect and transmit national culture. Readings's response to this changing institutional climate is to suggest that "the University will have to become one place, among others, where the attempt is made to think the social bond without recourse to a unifying idea, whether of culture or the state" (191). Readings views this situation as a challenge and a site of possibility, an impetus to re-imagine the very idea of community. Other critics echo this view, describing national identity and the idealization of a uniquely national heritage as a recipe for "endemic rivalry," a legacy best countered by a sense of catholic interconnectedness between national groups (Lowenthal 41). Globalization, these critics suggest, increasingly blurs nations as political and cultural units. Understanding the heritage movement, then, as a response to internal and external pressures on the nation, a response that works to reconsolidate an ideal of national unity, this project looks back historically to trace the woman question as a

debate that was articulated in specific contexts and re-articulated across national borders, and to explore the ways in which the professionalization and empowerment of middle-class white women within processes of nation building worked also to manage challenges to Canada's social and political formation.

National Resurgences

That said, while the nation as a socio-political formation might be pressured by external and internal factors, it is clearly premature to think that we have entered a post-national era. Rather, the instabilities produced by the social, political and economic factors of globalization have paradoxically intensified struggles over national formations. As Jameson suggested in the passage quoted earlier, one effect of transnational media networks with concentrated ownership structures is a degree of homogenization in popular culture; another effect, however, is the rise of counter-cultural movements at local and national levels so that processes of globalization come also to produce resistances:

> when one positions the threats of Identity at a higher level globally, then everything changes: at this upper range, it is not national state power that is the enemy of difference, but rather the transnational system itself, Americanization and the standardized products of a henceforth uniform and standardized ideology and practice of consumption. At this point, nation-states and their national cultures are suddenly called upon to play the positive role hitherto assigned—against them—to regions and local practices . . . it is striking to witness the resurgence—in an atmosphere in which the nation-state as such, let

> alone "nationalism," is a much maligned entity and value—of defenses of national culture on the part of those who affirm the powers of resistance of a national literature and a national art. (74-75)

Jameson suggests that the instabilities effected by globalization also stimulate the reproduction of national culture as an ostensible site of resistance and defense. Inside Canada, the heritage movement can be understood as one such response to the external pressures of globalization and the internal pressures of Canada's political and social instability. As a small illustration of the paradoxical effects of economic globalization on national cultures, it is interesting to note that, for all that the nation appeared to be in a state of crisis as a political, social and cultural formation in Canada in the 1990s, underwriting calls for a reinvigorated production of national cohesion and identity, companies like Molson Canada implemented nationalist advertising strategies in the 1990s to hugely successful ends. The introduction of the "I AM CANADIAN" campaign and its wildly popular reception—particularly notable in "the rant" of Joe Canadian, the numerous parodies of the rant that circulated on the internet, the Molson images which young Canadians began tattooing on their bodies, and the interactive website which Molson launched in 1995, where those same young Canadians posted pictures of themselves, imbibing Molson products—seemed to make clear the fact that, while the nation as a political and social formation might be destabilized and while global capitalism might be a threat to national culture, nationalism was still highly marketable. If, as Jameson suggested, globalization also produces its own resistances at a national and local level, it also seems those productions are equally implicated. In economic terms, this can be seen through the I AM CANADIAN

campaign, which capitalized on the nationalist sentiment that was, on some level, a response to social and political instability. However, the heritage movement manifested a similar resistance to and reproduction of the hegemonic order in ensuing struggles over history, memory and identity.

It is not simple coincidence then that the heritage movement happened at the same time as the Quebec referendum or the Oka crisis or the implementation of NAFTA or the "I AM CANADIAN" campaign. Political, social, and economic factors stimulated a broad struggle over Canadian identity, a struggle played out in the heritage movement. J. L. Granatstein, for instance—a key figure in the Dominion Institute, a member of the Order of Canada, an Emeritus Professor at York University and a popular military historian—translated heritage issues directly into questions of national unity. In his 1998 book, *Who Killed Canadian History?*, Granatstein represented Canadian history as a besieged body of knowledge, the unity of which paralleled that of the nation-state and which was undermined by the turn to social history—the study of history from the perspective of women, immigrants and the working-classes—and to discursive analysis.

In this book, Granatstein answers his own question—who killed Canadian history?—with the following list of culprits:

1) The provincial ministries of education for preaching and practising parochial regionalism and for gutting their curricula of content.
2) The ministry bureaucrats who have pressed the "whole child" approach and anti-elitist education.

3) The ethnic communities that have been conned by Canada's multicultural policy into demanding an offence-free education for all Canadian children, so that the idea that Canada has a past and a culture has been all but lost.
4) The boards of education that have responded to pressures for political correctness by denuding their curricula of serious knowledge and offering only trendy pap.
5) The media that has looked only for scandal and for a new approach to the past, so that fact becomes half truth and feeds only cynicism.
6) The university professors who have waged internecine wars to such an extent that they have virtually destroyed history, and especially Canadian history, as a serious discipline.
7) The university presses and the agencies that subsidize professors for publishing unreadable books on miniscule subjects.
8) The federal governments that have been afraid to reach over provincial governments and the school boards to give Canadians what they want and need: a sense that they live in a nation with a glorious past and a great future. (140)

For Granatstein, the fragmentation of Canadian history—into social history concerned with raced, classed and gendered perspectives rather than "national history" (which he describes as the study of political leaders, constitutional history, or key events that affected all Canadians [e.g. WWII])—mirrored and prefigured the fragmentation of the nation. Social cohesion required reasserting a strong, "unified" curriculum of Canadian history. History and heritage, argued Granatstein, were essential factors in

promoting national unity and national identity. In these terms, Granatstein criticized provincial and federal governments for not taking a hardline approach with quantifiable standards, and he attacked what he perceived to be a distorted political correctness. In his words, Canada is "one of the few political entities to overlook its own cultural traditions, the European civilization on which our nation in founded, on the grounds that they would systematically discriminate against those who come from other cultures." In this model, those who would interrogate historical events and national policies from non-hegemonic perspectives, to consider the effects of those events and policies on specific social groups, were guilty not only of elaborating "unreadable", "trendy pap"—they were also promoting national instability and social dysfunction.

Feminist Responses

In the midst of the heritage movement and the struggle over Canadian history to which Granatstein alludes, the Famous 5 Foundation was established to commemorate the achievements of the Famous Five and to represent women in contemporary nation building projects. Through the statue and through other projects aimed at inspiring and educating young women and young Canadians, which I discuss at greater length in Chapter One, the foundation celebrated the Famous Five as feminist heroes and great Canadians, and it worked to promote feminist citizenship for the present. The statue commissioned by the foundation typified this effort: while Nellie McClung and Irene Parlby hold a newspaper announcing their Persons Case victory in the air, the other famous fivers toast the news with tea cups and Murphy stands before an empty

chair inviting the spectator to join them. The statue dramatizes their moment of victory and it invites the spectator to join the Famous Five at their table and bear witness to their historic achievement (which, it is worth noting, has also become a required subject of study in provincial curricula). The Famous Five have become not only ideal citizens of the past but a means of producing citizens in the present, a production that I will interrogate here as both a form of empowerment and implicatedness.

In a more literary sense, a popular market for books about the Famous Five and about individual members of the Famous Five—largely centering around the figures of Murphy and McClung—has also recently emerged, due primarily to the efforts of the Famous 5 Foundation. In addition to promoting the Famous Five generally—lobbying to have their image on the new fifty dollar bill, for instance—the foundation has helped to cultivate this market by sponsoring at least two books: Kay Sanderson and Elda Hauschildt's *200 Remarkable Alberta Women* (1999), and Nancy Millar's *The Famous Five: Emily Murphy and the Case of the Missing Persons* (1999).[2] A new biography of Nellie McClung was also recently released by Margaret Macpherson, *Nellie McClung* (XYZ Publishing, 2003). In addition, three popular biographies on individual famous fivers have been recently reprinted: Donna James's *Emily Murphy* (Fitzhenry and Whiteside, 2001; reprinted from 1977); Mary Lile Benham's *Nellie McClung* (Fitzhenry and Whiteside, 2000; reprinted from 1975); and Carol L. Hancock's *Nellie McClung: No Small Legacy* (Northstone, 1996; reprinted from 1986). These reprints reflect not only the resurgence of popular interest in the Famous Five—primarily in Murphy and McClung—they reflect also an ongoing production of

the Famous Five as women who spoke from the margins of history and heroically fought to be heard. As is evident in the mantra celebrated by the Famous 5 Foundation—"I feel equal to high and splendid braveries"—the foundation's representation of the Famous Five has embraced this mode, promoting the Famous Five as great feminist heroes who fought for women's rights and who succeeded through determination, courage and sheer acts of will.[3]

This representation of the Famous Five has not been limited to the Famous 5 Foundation or to popular biographies. In their 1993 biography, *Firing the Heather: The Life and Times of Nellie McClung*, Mary Hallett and Marilyn Davis struggle with a related problem informing the writing of women's history and biography. Building on the work of Carolyn G. Heilbrun, Hallett and Davis note that "a woman's right to her 'own story' frequently depends upon her 'ability to act in the public domain'" (xii). However, rather than recognizing that not every woman was equally authorized or empowered, they assert that it was McClung's "ego-strength" that enabled her to emerge as an influential social reformer (vii). Situated within broader social contexts, McClung becomes here another representative of the heroic feminist, fighting and writing from the margins of social power. Representing McClung then as a deserving feminist subject and arguing that a female literary tradition—or counter-tradition—can be approached through her writing, Hallett and Davis ultimately reinscribe the heroic narrative produced in the popular biographies, representing McClung as a figure who is excluded from and fighting for authority as a woman.[4] In this logic, McClung has been reclaimed as both a historical and a literary figure whose books continue to circulate in reprinted form.[5] By contrast, Murphy has almost exclusively been

discussed as a historical figure, whose writing is rarely connected to other literary movements of the period.[6]

In recent years, however, the discursive effects of both Murphy's and McClung's writings have become a subject of analysis for feminist critics interested in intersections of feminism, imperialism and nationalism. Cecily Devereux, for instance, has examined how McClung's writing advocated for women's interests while promoting imperial motherhood. Jennifer Henderson has similarly interrogated Murphy's courtroom as a site for the discursive production and policing of women as persons, a process that she ties to the "race making" that accompanied Canada's self-conception as a self-governing Dominion. Both analyses attend to the complex interconnectedness of gender, race and class in the discursive struggles of first-wave feminism and to the particular dangers to and implications for white womanhood in the project of nation building. Misao Dean's book, *Practising Femininity: Domestic Realism and the Performance of Gender in Early Canadian Fiction*, extends this discursive analysis, but in ways that begin to problematize the very possibility of feminist agency. In this work, Dean argues that the writings of Nellie McClung, like those of other Canadian New Woman writers, reinscribed gender relations in the very act of representation. In an attempt to complicate the heroic model—which supposes that women threw off the shackles of gender oppression by an act of will—Dean builds on the work of Judith Butler and Michel Foucault to represent New Womanhood as a discursive confession of women's inner self, a "ritual of discourse in which the speaking subject is also the subject of the statement" (qtg Foucault 61). As such, she argues that the conditions of speech are also the conditions of subjugation,

and she proposes that New Woman writing "does less to free women from stereotypes than it does to reify the power relationship between men and women by responding to the imperative to explain, to speak, to justify women, and therefore to reinsert them into the hierarchy of gender" (61). Similarly, McClung's female characters—who "speak out" against inequality—reinscribe, for Dean, their subordination: "self-expression relies upon a concept of a natural self which reinstalls the stereotypes of the feminine which it seeks to overthrow, and 'speaking out' comes to be demanded by a coercive power structure which seeks to control the unknown by forcing it into linguistic categories" (78). Through this logic, Dean complicates the radicalism associated with the New Woman and with heroic feminist recuperations to explore how women writers were deeply implicated in the very structures that enabled their transgressions.

While valuable for the ways in which it problematizes the model of heroic individualism, Dean's analysis ultimately leaves feminists with an unresolved problem: if subjects are produced in discourse and if those discourses are constituted within existing power structures, is it ever possible to imagine resistance? By contrast, as part of the heritage movement mapped earlier, the Famous 5 Foundation's work to promote a feminist citizen foregrounds the agency of the individual and the importance of legal rights. However, the foundation's singular focus on individual agency, empowerment and rights—while standing as that which we cannot not want—ironically obscures the formations which shape and regulate subjects. As Wendy Brown elaborates (in a point that I discuss again in Chapter Three), the sovereign individual and the rights which protect her are, in fact, deeply imbricated in existing

social formations and have complex discursive effects. Brown thus points out that—while rights obviously matter—they are "never deployed 'freely,' but always within a discursive, hence normative context, precisely the context in which 'woman' (and any other category) is iterated and reiterated" (232). The foundation's production of the feminist citizen as the empowered liberal subject is a site of agency; however, it is not transparently so. It is complexly involved in that process of discursive iteration and re-iteration. The struggle between the Famous 5 Foundation and the REAL Women of Canada thus reveals discursive legacies that are not immediately transparent, legacies that parallel the REAL Women's contemporary efforts to police an authentic concept of womanhood with the eugenic commitments of early famous fivers.

I want to position my own work between these poles, to argue that—in the context of a heritage movement driving the re-entrenchment of a socially cohesive nation in ways that erase the discursive production and policing of raced, classed, gendered and sexualized social groups—it matters to represent women's voices and women's interests. However, it matters also to recognize that the subject position which the Famous 5 Foundation invites women to occupy—the autonomous, sovereign citizen-subject of classic liberalism—is itself complex and overdetermined.[7] That overdetermination, then, becomes key to my understanding of this problem: subjects are discursively produced, but they are produced and reproduced within overlapping and contradictory discourses. Overdetermination thus becomes, itself, a site of agency and mediation. As Foucault extends this concept, the agency of the self-governing citizen-subject is a discursive effect of liberal governmentality. Rather than ruling by force, Foucault argues that liberal governmentality hinges on the

production of subjects who are self-governing and who exercise self-control; political relations of rule come to root themselves intimately within the subject. The spheres of political rule and economic relations overlap with the sphere of moral and performative conduct, and citizenship comes to be not just a political relationship of rights and responsibilities, but also a form of overdetermined regulation. As Foucault articulates it,

> The state is superstructural in relation to a whole series of power networks that invest the body, sexuality, the family, kinship, knowledge, technology, and so forth. True, these networks stand in a conditioning-conditioned relationship to a kind of "metapower" which is structured essentially around a certain number of great prohibition functions; but this metapower with its prohibitions can only take hold and secure its footing where it is rooted in a whole series of multiple and indefinite power relations that supply the necessary basis for the great negative forms of power. ("Truth" 122)

Foucault clarifies in this passage how structures like the nation-state rely on a process of regulation that roots itself inside and becomes constitutive of the subject. In *The History of Sexuality*, he further details how this process underwrites not only the surveillance and policing of the self, but also of the Other; the "deployment of sexuality" thus comes to be a technology of power that is intimately bound to the production and policing of the nation's human resources (139). To understand what is at stake, then, in the Famous 5 Foundation's production of the female citizen and in the struggle over the character of that citizen, I suggest that we must also understand the discursive legacies informing productions of the citizen as a human resource,

legacies which, in the chapters ahead, I trace back to struggles over New Womanhood and post-World War One productions of the female citizen.

Chapter One details the emergence of the foundation in the 1990s and its attempt to promote a specific ideal of feminist citizenship. Through a close-reading of the statue as a text, parallel projects initiated by the foundation, and the statue controversy that the foundation negotiated in their unveiling ceremonies, this chapter examines the Famous 5 Foundation's efforts to harness the legacies of first-wave feminism into a liberal narrative of empowerment and professionalization. My next two chapters shift into a historical mode to examine the articulation of the New Woman and the female citizen. Specifically, Chapter Two connects the New Woman in Britain to the movement of middle-class women into white-collar labour to examine how she became an object of fear and fantasy for both men and women. Describing the New Woman as a discursive formation and situating it within broader material contexts in Britain, this chapter then goes on to examine the re-articulation of that figure in Emily Murphy's early writings. Exploring how that discursive formation enabled a certain kind of authority for Murphy as a white colonial woman, this chapter also then examines how the performance of New Womanhood and Murphy's engagement with the woman question were deeply involved in the Canadianization of new immigrants. New Womanhood was thus importantly connected to the production of new Canadians. Chapter Three builds on this analysis to examine the production of the female citizen in the post-World War One social hygiene movement. This movement importantly contributed to the production and policing of the female citizen through a massive propaganda campaign in post-World War One Canada, with

significant effects on the political organizing of first-wave feminists. In turn, the chapter weighs this production and policing against the more radical sexual politics also enabled by these same discourses and advocated by Emily Murphy on the subject of birth control. Examining citizenship as a complex site of production and policing, of resistance and complicity, this chapter details not merely a history of racism but discursive productions of the female citizen that are re-articulated and challenged in contemporary nation building. Chapter Four moves back into the present to examine the contested legacies of the Famous Five as materialized in the REAL Women of Canada organization's critique of the Famous 5 Foundation's project (articulated in its newsletter, in popular newspapers and in a public protest at the Ottawa unveiling ceremony). Interpreting this critique as an attempt to define authentic womanhood for Canadian women, this chapter reads the statue debates as a struggle over the character of the contemporary female citizen. Nuances of race, class and sexuality are examined in this chapter to reveal the complex production and policing at the heart of the REAL Women's critique of the Famous Five and their efforts to recast traditionalism as an alternative women's movement. Examining how the REAL Women and the Famous 5 Foundation are overtly and implicitly aligned with the Famous Five, this chapter draws out the determinations and challenges enabled (or effected) by these legacies.

My conclusion revisits each chapter to draw out the interconnected production of the female citizen and a broader social formation. Elaborated as an attempt to negotiate the legacies of first-wave feminism, I position my work methodologically against productions of the Famous Five as heroes or demons and against discursive analyses that sacrifice the possibility of individual agency. By contrast, I argue that

the discursive and socio-economic overdeterminations of the subject are themselves a site of agency and resistance, albeit in highly mediated ways. Situated against the tradition of Canadian cultural studies sketched by Jody Berland, I further position this dissertation as a contribution to that developing field. In particular, where Berland suggests that cultural studies in Canada has been dominated by communications studies and by the legacies of dependency theory—factors that have made the state and state-policy a central subject of analysis but which have elided the production of the national subject—my study elaborates the connection between productions of the female citizen as a human resource and productions of the social formation. In this recasting, I assert that historical work is crucial for understanding the overdeterminations of the present. The racism of the Famous Five is not then a rationale for challenging such commemorative acts, but rather an argument for studying parallels across divergent formations. As Marx reminds us, history is a powerful critical tool; however, it determines and it is determined. This project locates itself in that intersection to explore what might be enabled by recognizing women as implicated, historical subjects rather than heroic rebels or mere effects of dominant discourse.

[1] As I elaborate in Chapter Three, the Persons Case emerged out of an obscure clause of the Supreme Court Act that allowed five citizens to submit a serious legal question, concerning the British North America Act, to the Supreme Court of Canada for interpretation. The question posed by Murphy and the other members of the Famous Five—Nellie McClung, Louise McKinney, Henrietta Muir Edwards and Irene Parlby—involved the legal clarification of whether or not women qualified as "persons" under the parameters of Section 24 of the British North America Act and thus whether or not they could be appointed as Senators. On 24 April 1928, the Supreme Court of Canada responded in the negative; however, the Famous Five appealed the decision to the Privy Council of England, Canada's highest court of appeal. On 18 October 1929, the Privy Council reversed the decision, arguing that women were not specifically disbarred in Section 24 and that the Constitution should be a "living tree" that reflected changing social values.

[2] In addition to these books, the Famous 5 Foundation financed and marketed a booklet edited by Linda Distad, *Famous 5: Nation Builders* (sold for $10 each). Currently, the foundation's website is also promoting an unpublished book of quotations, which will draw on nearly 1500 quotes from the Famous Five.

[3] The Famous Five Foundation has embraced this phrase as a kind of a mantra at its Famous Five events, regularly asking the audience (at statue unveilings and at mentorship lunches, for instance) to chant the words aloud. The phrase is taken from a diary passage written by Emily Murphy, in which Murphy comments on having visited a statue of Queen Victoria in Ottawa.

[4] Hallett and Davis's chapter reads McClung's writing as a vehicle for her feminist social reform work, which the authors describe as a cause of McClung's relative obscurity in the Canadian canon: "the result has been that mainline critics—generally males—have written her fiction off as merely didactic and therefore unworthy" (228). In this reading, Hallett and Davis have importantly politicized McClung's writing; however, at points, they seem to work overly hard to recuperate McClung from criticism. A more balanced approach, I suggest, would be to recognize her writing as political both in what it advocated and what it reinscribed, to recognize McClung as a cultural producer working within and against existing socio-cultural paradigms.

[5] McClung's recovery as a reformer and literary figure is reflected in the reprints of her work that have occurred since the 1970s, including her suffrage treatise, *In Times Like These*

(University of Toronto Press, 1972), which has been reprinted multiple times since then. Recent reprints include: her novels *Purple Springs* (University of Toronto Press, 1992) and *Sowing Seeds in Danny* (Indypublish.com, 2003); a collection of her short stories, *Stories Subversive: Through the Field with Gloves Off* (University of Ottawa Press, 1996); and her autobiography, *Nellie McClung: The Complete Autobiography: Clearing in the West & The Stream Runs Fast* (Broadview, 2003). Critical work exploring a female literary tradition in Canada through McClung can be seen in Davis's introduction to *Stories Subversive* and Helen Buss's article "The Different Voice of Canadian Feminist Autobiographers," *Biography: An Interdisciplinary Quarterly* 13.2 (1990): 154-67.

[6] Murphy has primarily been discussed through biographical accounts of her life. See, for instance, Byrne Hope Sanders, *Emily Murphy: Crusader* (Toronto: MacMillan, 1945); Donna James, *Emily Murphy* (Marham, Ont.: Fitzhenry and Whiteside, 2001; reprinted from 1977); Christine Mander, *Emily Murphy: Rebel* (Toronto: Simon & Pierre, 1985); Aphrodite Karamitsanis, "Emily Murphy: Portrait of a Social Reformer" (University of Alberta, MA Thesis, 1991). Chapters of books and articles, similarly, tend to focus on specific historical campaigns championed by Murphy or on her courtroom: Isabel Bassett, "Persons or Not: The Legal Status of Women," *The Parlour Rebellion: Profiles in the Struggle for Women's Rights* (Toronto: McClelland and Stewart, 1975); Catherine Cavanaugh, "The Limitations of the Pioneering Partnership: The Alberta Campaign for Homestead Dower, 1909-25," *Canadian Historical Review* 74.2 (1993): 198-225; John McLaren, "Maternal Feminism in Action—Emily Murphy, Police Magistrate," *Windsor Yearbook of Access to Justice* 8 (1988): 234-51. By contrast, Jennifer Henderson's chapter on Murphy engages more particularly with the discursive effects of Murphy's writing and Murphy's courtroom: "Inducted Feminism, Inducing 'Personhood': Emily Murphy and Race Making in the Canadian West," *Settler Feminism and Race Making in Canada* (Toronto: University of Toronto Press, 2003).

[7] For more on the concept of overdetermination, see Althusser, "Contradiction and Overdetermination," or Rosemary Hennessy's *Materialist Feminism and the Politics of Discourse*.

CHAPTER ONE

Sitting at the Table: The "Famous Five" Statues and the Statue Controversy

WE WANT **WOMEN LEADERS**
TODAY (1931) AS NEVER BEFORE,
LEADERS WHO ARE **NOT AFRAID**
TO BE CALLED NAMES AND WHO ARE
WILLING TO GO OUT AND FIGHT.
I THINK WOMEN
CAN SAVE CIVILIZATION.[1]

– Judge Emily Murphy

In October 1996, a foundation was established in Calgary with the object of marking the 70th anniversary of the Persons Case (1929) and celebrating the achievements of the "Famous Five" who instigated that landmark decision: Nellie McClung, Louise McKinney, Henrietta Muir Edwards, Emily Murphy, and Irene Parlby. For years, October 18th had been unofficially recognized and celebrated as Persons Day by feminist organizations such as the Women's Legal Education and Action Fund (LEAF). However, the Famous 5 Foundation set about not only to commemorate the 70th anniversary of the case but to shift its historical importance from the margins of women's history to the centre stage of Canadian nation building. They celebrated the Persons Case as a moment of historic significance for women in Canada, and, as the above epigraph suggests, they approached the Famous Five as figures capable of inspiring a new generation of women leaders. This chapter charts the emergence of the foundation and considers how that initiative materialized in two artefacts (the Famous Five statues in Calgary and on Parliament Hill). In particular, this chapter works to examine how the foundation represented the Famous Five as inspirational

figures for the present, how the statues attempt to interpellate citizens in a project of nation building, and how the statue initiatives were contested in popular debates.

The Famous 5 Foundation

The Persons Case was a historic moment in the fight for women's rights and in the evolution of Canada's political institutions. As I elaborate in Chapter Three, it signalled not only a new recognition of women within the British North America Act—a decision that enabled women to be considered as Senatorial candidates—but also a new principle of constitutional change. An interpretive legal decision, the Persons Case examined the question of whether or not women qualified as eligible "persons" under section 24 of the BNA Act and thus whether or not they were eligible for appointment to the Senate. The question was initially posed to the Supreme Court of Canada, which returned with a negative decision based on what the judges considered to be the original intentions of the framers of that legislation. With the support of the Department of Justice, the decision was appealed to the Privy Council in Britain. Based on the principle that a constitution must be interpreted differently from other legislation, that it must be understood as a "living tree" which grows in tandem with its social context, and that the sovereignty of Canada as a Dominion should be reflected in the organic evolution of its institutions, the Privy Council judges decided that—lacking a clear exclusion of women—the personhood of section 24 should be understood to include women. In legal terms then, the Persons Case specifically allowed that women were eligible to be considered for appointment to the Senate of Canada. However, the implications of that legislation were much broader in

that it established social context as a new referent for constitutional interpretation. Arguing that women's exclusion from office reflected a more "barbarous" era, the decision implicitly referenced a changed society in which women had entered into the rights and privileges of citizenship.

The Famous 5 Foundation was organized in 1996 by a group of influential Calgary women to commemorate the Persons Case as a significant event in Canadian history and to promote women as social leaders and nation builders. In August 1996, Frances Wright and Nancy Millar persuaded Sheila O'Brien (Senior Vice President, NOVA Corporation) to sponsor and organize a luncheon to promote the cause of the foundation. A fundraising event, the luncheon laid the framework for a series of luncheons sponsored by women with similar influence: Frances Peeples (AMOCO Canada); Drude Rimell (Alberta Energy Company); Linda Van Gastel (Pan Canadian Petroleum); and Hazel Gillespie (Petro-Canada). These fundraising lunches enabled the official launch of the Famous 5 Foundation in October and set the stage for an ongoing "Mentorship Speaker Series." Similarly organized as a group of inspirational, fundraising luncheons, the Mentorship Speaker Series continued to mobilize corporate support from the above companies (with the exception of Pan Canadian Petroleum), and went on to recruit new sponsors like Hirsch Asset Management, the Royal Bank of Canada and the Canadian Imperial Bank of Commerce. Taking place in the Crystal Ballroom of the Palliser Hotel in Calgary, the luncheons commence with the singing of the national anthem; guests dine and listen to the speaker's address; then, at the close, guest recite the Famous Five motto: "I feel equal to high and splendid braveries." Addressing topics like "power," "perseverance," "success," "leadership,"

and "being first," the Mentorship Series has boasted an impressive array of guest speakers, including: Chief Justice Catherine Fraser; Senator Vivienne Poy; *Globe and Mail* columnist Jan Wong; Justice Rosalie Abella; councillor Regina Crowchild; Marcella Szel (Chair, Canadian Chamber of Commerce and VP, Legal Services, Canadian Pacific Railways Company); Martha Billes (Director, Canadian Tire Corporation); Christine Silverberg (Chief, Calgary Police Services); Senator Thelma Chalifoux; and Linda Hohol (Executive VP, Canadian Imperial Bank of Commerce).

After its first year (1996-1997), the Mentorship Series was considered so successful that, in November 1997, the foundation launched a parallel initiative aimed at young women, titled the "Rising Stars! Series." Supported by the same five corporations that launched the Mentorship Series, the Rising Stars! Series endeavoured "to educate young women about the achievements and contributions of women in the building of our nation and encourage them to meet and exceed challenges" (Famous 5 Foundation website, "Rising Stars").[2] At each luncheon, a young successful keynote speaker would "inspire the guests by her dynamic presentation and her successes" while each table of young women would sit with a "Woman of Achievement." Targeting young women between the ages of seventeen and twenty-five, the series was launched with a keynote from Denise Donlon (VP, MuchMusic) and, in its first year, included addresses from: Jennifer Welsh (partner of D-code, a firm targeting the Nexus Generation, and co-author of *Chips and Pop*); Sharon Wood (the first North American woman to climb Mount Everest); and actress Esther Purvis-Smith (*Primo Baby*, 1989). Reaching approximately 600 young women and involving more than 100 "women of achievement" in its first two years, the Rising

Stars! events were described by audience members as "awesome" and "inspiring," leaving one young woman "feeling passionate about being a woman" while another declared, "I now know that there are bigger and more interesting jobs out there for me" (Famous 5 Foundation website, "Rising Stars!—Quotes").

On one level, these events were fundraisers that made it possible to launch the foundation and to finance its projects; on another level, however, these luncheons typified the pedagogical mission that the Famous 5 Foundation mobilized around the Persons Case. As suggested in its "invitation" to web visitors to educate themselves and others, the foundation committed itself to popularizing information about the Persons Case as a democratic achievement.[3] With the goal of disseminating information about the case, commemorating it as an event and inspiring women in the present, the foundation thus decided to commission a statue to mark the 70th anniversary of the Persons Case. Its pedagogical mission, however, manifested itself also in a number of other initiatives. For instance, the foundation successfully petitioned a number of provincial Ministers of Education to have the Persons Case (1929) declared a key historical date, which meant that it would necessarily become part of the general Social Studies curriculum taught between grades one and twelve.[4] To facilitate this curriculum reform, the foundation hired a curriculum consultant—Pat Shields (SpectraEducation)—to prepare a curriculum guide, an annotated bibliography, and a resource binder for educators and for the use of "women's groups, new Canadians and other community organizations" (Famous 5 Foundation website, "Curriculum Guide"). Moreover, the foundation financed the publication of a booklet documenting the Persons Case—*Famous 5: Nation Builders* (1997)—and, as noted in

(Fig. 1 "Women are Persons ..." postage stamp, released September 15, 1999. © Canada Post Corporation, 1999. Reproduced with permission.)

the Introduction, it has promoted two books on early Canadian foremothers. In 1998, the foundation initiated a debate program in Calgary high schools, which was meant to become a national program, and, in following years, it promoted a series of essay contests in which students were encouraged to write about inspirational women in their lives. In co-operation with Canada Post, the foundation helped to develop a stamp that commemorates the Persons Case, which was unveiled on 15 September 1999. The "Women are Persons ..." postage stamp represents a detail from the Famous Five statue: the figure of Nellie McClung as she holds aloft a triumphant newspaper with headlines declaring their victory in the Persons Case. One of sixty-eight stamps in a series, it was produced by Canada Post for a limited edition hardcover book, *The Millennium Collection* (Famous 5 Foundation website, "Postage Stamp"). At present, the foundation is similarly co-operating with the Bank of Canada to design a new fifty-dollar bill that features the Famous Five.

These pedagogical initiatives demonstrate the foundation's general commitment to making visible the Persons Case as an exemplary moment of feminist organizing and democratic reform. The most prominent initiative to which the

foundation committed its energies, however, was the statue of the Famous Five unveiled in Calgary (18 October 1999) to commemorate the 70th anniversary of the Persons Case, and the sister statue that was unveiled in Ottawa (18 October 2000). Having decided that a monument would be an appropriate commemoration, the foundation sent an invitation in February 1997 to eighteen artists (nine male and nine female). By the end of May, seven artists had responded to the call. Those seven submissions were then put through a jury selection process that narrowed the competition to three proposals from: (i) Mary-Ann Liu (a finalist in the jury process for the National Peacekeepers Memorial in Ottawa); (ii) Barbara Paterson (a local artist, whose commissioned works can be seen in Red Deer and St. Albert); (iii) Helen Granger Young (who has produced commissions in bronze and porcelain for the Queen of England and other dignitaries and who sculpted the Rt. Hon. Ramon Hnatynshyn statue in Saskatoon and the Canadian Forces Memorial in Brantford, ON). On 27 September 1997, the jury made its decision, selecting Barbara Paterson's proposal as the winning design.[5]

While undertaking this jury process, the Famous 5 Foundation had also established a chapter in Ottawa (August 1997) and had petitioned Calgary's city council for a prominent downtown statue site. In July 1997, the city opted to undertake a formal consultation process with all user groups before making a final decision on the proposed site. In September, the council approved a plan in principle to donate the west end of Calgary's downtown Olympic Plaza for the proposed statue, and, in July 1998, an official approval from the city council was secured. In the meantime, the Ottawa chapter undertook the work of promoting a second statue of the

Famous Five, an almost identical replica of the Calgary statue, to commemorate these women and the Persons Case in the nation's capital. Several sites were proposed and debated in the press, including: Parliament Hill, Confederation Boulevard and the Daly site (a vacant lot that formerly supported the Daly Building just east of Parliament Hill, which some advocated transforming into a park). In December 1997, however, momentum to locate the statue on Parliament Hill began to grow. Jean Augustine—backed by Minister Hedy Fry and Deputy Whip, Marlene Catterall—introduced to Parliament a Special Resolution that a site be designated on Parliament Hill for a statue of the Famous Five. One Member of Parliament, Independent representative John Nunziata, objected to the resolution, delaying its reading. The next day, however, the resolution was unanimously approved on its third reading (11 December 1997). On 15 December, Senators Joyce Fairbairn and Marjorie LeBreton introduced the resolution to the Senate where it was adopted on 18 December 1997. Against a tradition of exclusively honouring British royalty or Canadian Prime Ministers on Parliament Hill, the resolution marked the first time in Canadian history that a moment of democratic reform initiated by citizens—not to mention a moment of social reform initiated by a group of activist women—would be commemorated on Parliament Hill with a monument.

As they worked to negotiate these statue sites and to plan the unveiling ceremonies, the Famous 5 Foundation further contacted the Speakers of the provincial legislatures and the national parliament to co-ordinate a national tour for the twenty-six inch bronze maquette of the sculpture produced by the artist, Barbara Paterson. Sponsored by the Canada Millennium Partnership Programme, the Girl Guides of

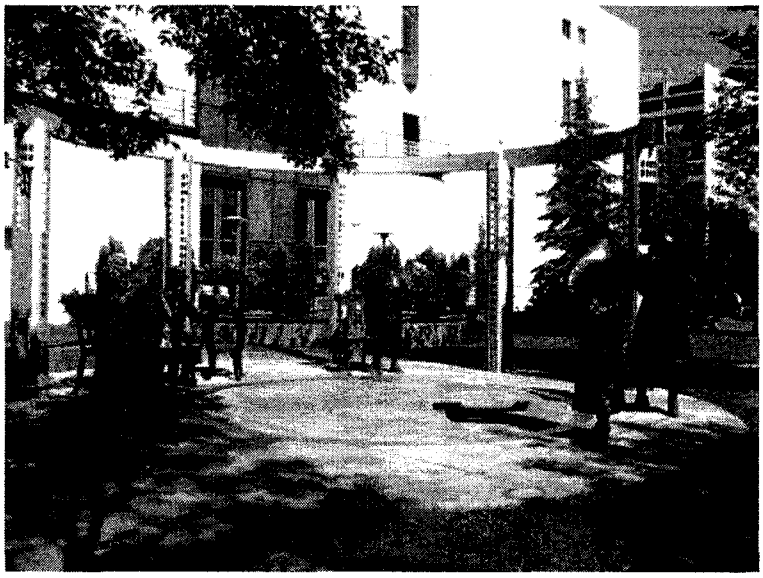
Canada, and the Ministers responsible for the Status of Women, the traveling exhibit would be housed in the legislature of each province for two to three weeks, enabling the public to have a preview of the sculpture and cultivating enthusiasm for the upcoming unveiling ceremonies.[6] As the exhibit toured from city to city, it was welcomed with an official opening ceremony and reception, with speeches by prominent political figures and representatives of the sponsoring organizations. The ceremonies typically included speeches by the provincial Lieutenant Governor, the Minister Responsible for the Status of Women, the Speaker or Deputy Speaker of the House, and Frances Wright, Founding Member of the Famous 5 Foundation. Further, the display units were supposed to "tell the story and acknowledge the sponsors and our partner, the Girl Guides of Canada" (Famous 5 Foundation website, "F5 Exhibit National Tour"). According to the press release distributed in Newfoundland and Labrador, the Famous 5 Foundation articulated its partnership with the Girl Guides of Canada based on their shared commitment to "[helping] girls and young women become responsible citizens" and to "improving the lives of others by honouring past contributions and achievements of women and inspiring others to build a better world" ("News Release"). As an extension of this partnership, the Girl Guides designed a Famous Five badge which guides could earn by completing an educational activity: the Famous Five challenge.[7]

While the central thrust of the foundation's focus was aimed at commissioning and unveiling the statues that commemorated the Persons Case as an historic moment of democratic reform, their general commitment to promoting positive models for women in the present led them to undertake a much broader series of pedagogical

initiatives. Replicating the organizational strategies employed by earlier suffragists—for instance, adopting "pink teas"—the foundation actively foregrounded its indebtedness to earlier moments of feminist organizing to commemorate not only the Persons Case, but also the forms of women's organizing that led to social reform.[8] It both replicated and transformed that organizing to suit the present moment; however, the foundation clearly imagined the possibility of inspiring women in the present by educating them about women's organizing and women's achievements in Canadian history.

The Statues

Unveiled in Calgary's downtown Olympic Plaza (18 October 1999) and on Parliament Hill (18 October 2000), the statues that the Famous 5 Foundation commissioned from Barbara Paterson imagine a specific event for the spectator so as to celebrate an ideal of legal and social equality. That is, the statues dramatize the hypothetical moment in which the Famous Five celebrate the British Privy Council's decision that women could be included in section 24 and therefore that women were eligible for Senate appointments. In lieu of the traditional pedestal, the Calgary monument stands at ground level in a broad circle, with the names of the individual women carved into the stones at their feet. Nellie McClung and Irene Parlby stand together, proudly displaying a newspaper that declares "Women are Persons / Les Femmes sont des Personnes" while, seated at a table with teacups, Louise McKinney and Henrietta Muir Edwards toast the news. Aside (and prominently in front of the spectator), Emily Murphy stands before an empty chair with her hand outstretched, implicitly inviting



(Fig. 2 *Women are Persons!* statue in Calgary's Olympic Plaza. Photograph by author)

the spectator to enter their circle and to sit at their table. The figures are bronze and rough-hewn, with larger-than-life proportions. On the structural supports that provide a backdrop to the circle, alongside an acknowledgement of the statue's sponsors and a biographical sketch of each member of the Famous Five, three placards pedagogically sketch out a rough history of the case, framing it as an example and recognition of feminist nation building. The last placard thus summarizes the decision of the British Privy Council and its symbolic resonances for women:

Yes, Women are Persons!

On October 18, 1929, the Privy Council concluded:

"...that the word 'persons' in Section 24 of the British North America Act, 1867, includes members of both the male and female sex..."

> The 'Persons' Case was a landmark victory in Canadian constitutional law. Its triumph symbolizes the equality and the importance of the contributions of both women and men as nation-builders.

Working to highlight an inspirational narrative of feminist progress, this placard, and the statue generally, attempts to further the Famous 5 Foundation's self-proclaimed agenda to educate and inspire "women leaders" in the present.

The monument unveiled in Ottawa—titled the *Women are Persons!* monument—is an almost identical replica of the Calgary statue. Its framing devices differ, however, in a few key ways. It is still on ground-level, but the five figures stand within a square rather than a circle; the pseudo-modern columns or structural supports that frame the Calgary statue are absent; and, to state the obvious, the statue is now framed instead by the other statues and buildings of Parliament Hill. In Calgary, the columns produce a semicircular background for the statue, creating a central viewing location positioned between the three spectator-figures inside the statue and the two figures who are showcasing the newspaper for their view. The real spectator is situated to foreground both these positions inside the statue, a location that balances a certain strategic tension within the statue (which I will elaborate shortly). By contrast, the *Women are Persons!* monument in Ottawa has two primary access points created by pathways that approach the statue. From one approach, the spectator's line of vision lands initially on the back of the journal page and beyond that Murphy's chair; from the other, the

(Fig. 3 *Women are Persons!* statue on Parliament Hill. Photo copyright M. Forster. Reproduced with permission.)

spectator focuses initially on the backs of Henrietta Muir Edwards and Louise McKinney or over their heads to the newspaper held aloft by Nellie McClung and Irene Parlby that triumphantly declares their victory. Both statues are open, allowing the spectator to move around within their space and to enter or exit from multiple angles; however, the ideal locations in which they position the viewer are different. Where the Calgary statue more consciously establishes a "front" from which to view the statue, a positioning that balances the statue's inner tension and foregrounds the chair of Emily Murphy, the Ottawa monument—by virtue of its approach paths—confronts the viewer with the backs of different Famous Five persons. It makes the viewer want to enter the statue to see all of its angles. The same tension is there inside the statue, but it is primarily realized as an experience which surrounds the spectator; in this, the statue promotes engagement over critical distance. As I will elaborate in

my discussion of the statue controversy and the organizers' responses to that controversy in Calgary and Ottawa, I think this displacement also marks a broader shift between the two unveilings. At this point, however, I want to focus on elaborating the key differences between the two statues, a point that relates importantly to the immediate framing devices of the statues and the re-articulation of the statue as a national monument on Parliament Hill.

As noted earlier, the *Women are Persons!* monument marks the first time in Canadian history that a statue has been unveiled on Parliament Hill to honour any woman (excepting royalty) or any citizen (excepting Prime Ministers). Among the political leaders and royal figures that dot the landscape of Parliament Hill, a statue commemorating a group of five women who organized for women's rights is a significant cultural text. It represents a tribute to collective, citizen-initiated democratic reform. However, the *Women are Persons!* monument is not only significant as a groundbreaking text. Its location on Parliament Hill also emphasizes the national context into which the statue inserts the reinvigorated spectator-citizen. Both statues are interactive; they invite the spectator to enter their space and to sit in the chair. In so doing, they ask the spectator to join the Famous Five at their table, to enter their activism, to become a nation builder. However, on Parliament Hill, the statue becomes a national monument, a process that foregrounds the statue's production of national subjects. The statues are structured around a basic tension between the two figures presenting the newspaper—which declares their victory in having women recognized as legal persons—and the spectator-figures within the statue. The historical event requires witnessing and that witnessing becomes the basis

of the statue's interactive appeal. In the Calgary statue, however, the viewer is offered a comfortable space outside the statue from which to view both sides in balance. In Ottawa, no such comfortable space is made available. Both approach paths come up behind the back of a figure; to see all the figures, the spectator is lured inside the statue. To see, we must enter, and in entering, we experience the view all around us (not only of the statue, but of the space beyond). The shifts in the framing devices between the two statues thus produce a stronger interpellative effect for the monument on Parliament Hill.

Both the Calgary and the Ottawa statues stand at ground level, allowing the spectator to interact with the figures and to sit in the chair; however, that levelling act—on Parliament Hill—marks another shift. This shift is not articulated between the Calgary and Ottawa statues; instead, it emerges out of the contrast between the *Women are Persons!* monument and the other statues on Parliament Hill. Nearby, for instance, stands another statue commemorating a woman: it is a representation of Queen Elizabeth II, in the model of the heroic military figure. She sits on horseback and is elevated above the spectator. She is masculized, riding astride in trousers and a cape. She herself does not bear arms, although her appearance on horseback echoes a traditional form of monumental iconography. By contrast, the Famous Five stand on the ground, *sans* pedestal. They wear dresses and stylish hats. And they appear to be having a tea party. Moreover, it is not just that a group of five women are being honoured as great women; the monument honours a specific event in Canadian history, a moment of democratic reform. The five figures are larger-than-life; the roughness of their bronze representation imbues them with a certain raw power;

however, they are not on pedestals and there are no angels or feminized figures of Liberty or Britannia heralding this victory. Rather, the space is secular and interactive, pointing the spectator to his/her own location in history, a space that can be entered and exited from multiple angles. And the scene that is chosen to represent this historic moment is one from daily life. It is a scene that interpellates the spectator to enter its space, to join its celebration and to carry on the work of democratic reform. The statue then is not simply a celebration of greatness, a point which is emphasized by the juxtaposition of the *Women are Persons!* monument against the other statues adorning Parliament Hill. It is primarily an interactive, interpellative text, which balances individual agency with a sense of historical indebtedness.

Where the traditional genre of the commemorative statue typically involves the elevation of a solitary figure—usually male—on a pedestal, these monuments break with convention. The Famous Five sculptures are situated at ground level, democratizing their interpellation of the spectator; they mark a collective victory rather than the life of a great individual; they replace a phallic-like verticality with an interactive domestic space; and, they insist on the femininity of the women that they represent. While celebrating women's equal status as legal persons, the statues work also to hold on to the Famous Five as women and to celebrate women's organizing. The centrality of the tea party and the invitation to join the Famous Five at their table is key in this point. Tea parties were social events; they signalled the social bonds that connected these women of similar racial and class backgrounds. In early feminist organizing, however, the "pink tea" also represented a social and political event where women came together to socialize and strategize about suffrage issues. Clearly

conscious of this history, the Famous 5 Foundation incorporated pink teas into their programs to remember not just the Persons Case, but early feminist organizing and the resistances encountered by women in their fight for women's rights: "During their quest for the right to vote and stand for office, Canadian women found that their political efforts were often disrupted by dissenters. In reaction they organized 'Pink Teas' which fooled their opponents into thinking they were hosting simple social events but were in reality holding political discussions to organize to get the vote."[9] The tea party with which the Famous Five celebrate the Persons Case decision in the Calgary and Ottawa statues is significant in that it works to remember women's attempts to coordinate their efforts and to produce transformative knowledges through collective organizing.

The tea party thus marks the statues' spaces as clearly domestic while connecting that domesticity to the campaign for women's rights. The statues throw that domestic space into further relief by representing it outside, in a downtown plaza and on Parliament Hill, in clearly public locations. This juxtaposition creates a kind of threshold that the spectator is invited to transgress in a gesture that parallels the struggle for women's rights. The spectator's crossing into the space of the statue mimics women's movement across that public/private threshold to enter domains previously regulated as masculine. Historicizing the progressive gendering of the public and private sphere, Mary Poovey describes how secular and religious institutions struggled for the authority to legislate social behaviour in a set of terms that were increasingly articulated as binary oppositions mapped onto sex (6). As an ideological construct, the public sphere compressed together the economic, political,

and social domains and assumed an Enlightenment subject that was rational, efficient and analytical; it was the location of productivity and progressivism and was gendered masculine. Legal personhood was one marker of that policing.[10] By contrast, the private sphere was primarily evaluated as a spiritual, moral, traditional site. Middle-class women were respectably contained and protected in the private sphere, but it was also a locus of particular authority for women: the site in which character and moral conduct were taught. In the middle-class white woman's movement out of the private and into the public sphere, Jennifer Henderson cautions against celebrations of such transgression as simple assertions of individual will. In her words, the movement of these women into sites of public authority was conditioned by "discourses that offered them authority, but only on the basis of these discourses' prior construction of woman as the linchpin of moral and racial economies concerned with the 'making and preserving of life'" (14). Simultaneously authorized to teach and evaluate moral conduct and construed as particularly vulnerable to contamination herself, the middle-class woman's authority was conditioned by a complex subjection of the self and of racialized and classed others: in this, they proved and practiced their authority as civilizing agents (Henderson 27). In turn, Lisa Tickner notes how suffragists in Britain were "unsexed" by anti-suffragists and challenged to prove their femininity: "[f]or their part, suffragists drew on evolutionary concepts either to argue that uniquely feminine characteristics should be represented in social life, or that femininity itself evolved and found its appropriate expression according to the circumstances of the age" (188). This strategic mobilization and modernization of womanliness is then another frame in which to situate the domestic scene of the

statues, which mask and perform a production of womanhood historically inherent in that public/private transgression.

On the one hand, the statues delineate a split between the private and the public to position women as transgressive agents in that dialectic—literally interpellating the spectator into their space and symbolically marking the entrance of women into a public community. On the other hand, both the Ottawa and Calgary statues foreground the Privy Council's assertion that "the exclusion of women from all public offices is a relic of days more barbarous than ours." This invocation of progressive evolution and civilization in the moment of the Privy Council's verdict—which resonates with Murphy's claim that "women can save civilization"—suggests the degree to which that civilizing narrative rationalized women's authority as citizens. It points to the way in which women's entrance into the rights and privileges of citizenship was explained as a process of evolution and civilization. And it marks simultaneously the way in which that civilizing narrative involved processes of regulation; that is, it points to the barbarism that needed reforming and to women's particular agency (and vulnerability) in the face of that social threat. Nation building thus becomes also a process of civilization, and women's entrance into citizenship suggests how the agency of legal personhood was complexly bound to processes of subjection.

The Calgary and Ottawa statues are complex texts with multiple effects. The Ottawa statue commemorates the reform organizing of five women on Parliament Hill. It simultaneously intervenes into traditional monumental iconography to politicize activities of daily domestic life and to represent a more accessible, interactive,

participatory monument. Both statues work to produce nation building citizens by interpellating viewers into their space and into the open chair. And both statues represent the project of nation building as incomplete, inviting those reinvigorated citizens to venture forth across the threshold. However, the empty chair marks also a kind of absence at the heart of the statues' commemoration. In turn, this functions not only as a site of interpellation in an ongoing, unfinished project of nation building, but also as an ironic marker of the invisible others that haunt that project. In the roughness of the bronze and in their larger-than-life proportions, the five figures are invested with a kind of elemental strength and imbued with a certain power; however, even while the figures are individually femininized, they retain a rough, unfinished quality that suggests the need for further refining. The connotations here suggest commemoration, celebration and the need for ongoing revision. However, against the suggestiveness of the statues, the Famous 5 Foundation has worked to harness the meaning of the statues into a more heroic model. At one of their mentorship luncheons, for instance, Frances Wright reminded the crowd that the Famous Five had tea in that very room, sat in those seats, and lifted their teacups even as we lifted ours. Shortly after, she asked the room to chant repeatedly the inspiring words of Emily Murphy: "I feel equal to high and splendid braveries. I feel equal to high and splendid braveries. I feel equal to high and splendid braveries." Working to promote feminist leadership, the foundation shaped the legacy of the Famous Five as inspirational. However, as members worked to secure statue sites in Calgary and Ottawa, that legacy became increasingly unstable.

The Statue Controversy

Before the statue in Calgary was even unveiled it became a controversial subject in the popular press for columnists, who declared their advocacy for or opposition to the monument, and for ordinary citizens, who wrote numerous letters to the editor. From various ideological positions, contributors debated the meaning of the Famous Five statue and its suitability as an inclusive national monument. The debate turned on the racial and sexual politics of the Famous Five, and of Emily Murphy, in particular. As I suggested in my Introduction, the statue controversy reflects broader contemporary instabilities caused by struggles over Canada as a political and social formation: evident in the failure of the Meech Lake Accord (1990), the Oka crisis (1990), the failure of the Charlottetown Accord to create a majority consensus on constitutional reform questions (1992), and the Quebec sovereignty referendum (1995). And, to reiterate the points that I develop at more length in the Introduction, that broad sense of instability translated into a multidimensional response in cultural terms. Cultivated by organizations like the Charles R. Bronfman Foundation, a heritage movement emerged to promote cultural identity, social cohesion, and self-knowledge. However, that cultural nation building was paralleled by critical interrogations that reflected a broad uncertainty and concern for the ongoing effects of Canada's earlier imperialist and nation building legacies.

While it would be too simple, then, to manufacture a single chain of cause and effect, the trigger for the debate that emerged around the meaning of the Famous Five statues seems to have been the Leillani Muir decision handed down from Alberta's Court of Queen's Bench in January 1996 and the ensuing concern about eugenics as a

spectre of Alberta's past. Sterilized in 1959 under the Alberta Sexual Sterilization Act, Muir sued the Alberta government for procedural negligence and damages. The judge awarded her $740,780 (plus $230,000 in legal fees) in a decision that provoked controversial debates over how contemporary Canadian society should come to terms with its history. Representations of the case in magazines and newspapers described it as a denial of history or as a harbinger of future lawsuits.[11] From the "opinion" page of *The Vancouver Sun* (01 Feb 1996), Trevor Lautens asked:

> What are the politics of today that could be the lawsuits of tomorrow? . . . How much will future courts award women denied children "because government counsellors urged them to have abortions before they were old enough to understand the implications?" Or to white males denied jobs because of their race and gender? Or "an AIDS victim persuaded into a dangerous lifestyle by a government sex education course?" ("Sterilization," qtg Ted Byfield)

For the Alberta government, the problem was similarly conceived in fiscal terms. In the face of a group lawsuit by sterilization victims that was launched in the wake of the Muir decision, the Alberta government decided in March 1998 to implement the Constitution's notwithstanding clause to limit potential payments—a move they revoked in the face of immediate public condemnation (Johnsrude). This general debate about eugenics, liberal policies and the politics of historical accountability prepared the ground on which Famous Five members were evaluated by writers from various ideological camps, armed with quotations evidencing their problematic sexual and racial politics.

Given the Muir lawsuit, the reaction it provoked from the Alberta government and public outcry that resulted, the ground was ripe for a newspaper debate about the controversial eugenics policies advocated by individual Famous Five members—most significantly by Emily Murphy, a judge and social reformer who lobbied for Alberta's Sexual Sterilization Law (1928) and openly declared her support of eugenics as a social reform policy. While newspapers such as *The Vancouver Sun* fronted page one headlines asking, "Can a Hero be a Racist? Ms. Murphy's Dual Legacy" (MacQueen), right-wing magazines like the *Alberta Report* appropriated race critiques to forward conservative, anti-abortion arguments (a point which I elaborate at length in Chapter Four). Link Byfield, for instance, charged that the sexual politics of contemporary feminists were replicating the mistakes of their flawed foremothers: "Just as some of the original feminists were blind to the personhood of Asians and the mentally handicapped, their successors are blind too. Why, for instance, do feminists never, ever champion the rights of other legally excluded human beings; most obviously, the unborn?" ("Let Us Praise"). In the *Calgary Herald*, Peter Menzies argued that "in casting Emily Murphy in stone today, we make history in the present by excusing her racism in order to prove her feminism" (06 May 1998). Meanwhile, the *Edmonton Journal* (07 Jun 1998) ran an article by Paula Simons that reproduced a series of inflammatory passages from Emily Murphy's notorious book, *The Black Candle* (1922). Similar passages appeared below Ken MacQueen's article in *The Vancouver Sun*, prefaced by an introduction to *The Black Candle* as Murphy's "1922 examination of the drug trade and its threat to the white race." In response to the controversy as a whole, the Vancouver North Shore Crisis Services Society changed the name of its

women's shelter from the "Emily Murphy House" to the "Shelter, Advocacy, Growth and Empowerment" (or SAGE) House to avoid alienating any group of women that might turn to them in need of support ("North Vancouver," *The Vancouver Sun*, 14 May 1998). And, in an attempt to justify their project and to address these charges of racism, the Famous 5 Foundation included a "Commonly Asked Questions" section on their website where they responded to the question "Were these heroes perfect?":

> By studying the F5, we learn that people are complex beings, with strengths and weaknesses. The F5 operated from the basis of love, not hate. They tried many different ways to make life better for women and children and the majority of their initiatives were successful and have withstood the test of time. Some have not. Most Canadians believe that the achievements of these nation builders have significantly improved democracy in Canada and far outweigh their short comings. . . . Like most Canadians of the 1920's, Judge Murphy, for example, believed that Canada should develop as a British country. She admired her heritage, the British Empire, and wanted to continue that way of life. However, despite her preferences, Judge Murphy did not hate any other group of people. (Famous 5 Foundation website, "Commonly Asked Questions")

In one sense, the controversy emerged from developments within feminist theory that have attempted to make feminism attentive to differences between women; in another sense, however, the controversy marked the appropriation of those critiques by conservative interests, who mobilized race, for instance, to dismiss feminism and its insistence on women's right to control their own bodies. While the first position

challenges the abstract equality of liberal theory on the grounds that it obscures ongoing social inequalities, the second position makes obvious why liberal notions of individual rights and choices continue to matter for feminism. However, in the face of these charges, the Famous 5 Foundation responded by appealing to a dominant imagined community—the "most Canadians [who] believe that the achievements of these nation builders have significantly improved democracy in Canada and far outweigh their short comings"—and by appropriating multicultural discourse. In this logic, they asserted that Murphy was not a racist, she simply preferred her own heritage: "[that of] the British Empire, and wanted to continue that way of life." In so doing, the foundation re-framed Murphy's concern for the dominance of the white race into a more neutral rhetoric of preference that erased the production of normative British values as Canadian and the unequal relations of power that underwrote those preferences. Safely containing racism as a problem of the past, they invoked multiculturalist pluralism to consolidate a narrative of progress for the present.

By contrast, the newspaper controversy insisted on recognizing Emily Murphy's problematic racial and sexual politics. From various ideological positions, columnists and interested citizens debated the meaning of the statue in light of this latent history. For many, including law professor Annalise Acorn, it meant that Murphy and her cohorts could not function as heroes for contemporary feminism.[12] For others, the problem was one of contextualization; Murphy's politics needed to be re-situated as a product of her moment.[13] Some contributors perceived the controversy around Murphy as an antifeminist backlash, since like-minded male activists of the time were the namesakes of numerous streets, parks and statuary.[14] Meanwhile, for

others, the controversy around Murphy's eugenic policies marked feminism's investment in women's rights at the expense of children's rights, a feminist investment that campaigned for women's rights through historical revisionism.[15] Manifesting a discursive struggle to determine the meaning of the statue, the controversy turned on a question of appropriateness: was the statue an appropriate monument for contemporary Canada and contemporary feminism? Implicitly working with a linear narrative of history, contributors to the debate either agreed that the statue was inappropriate—because the politics of these women were outdated—or argued for the Famous Five's ongoing value because of their contributions to a feminist narrative of progress. Both positions, however, constructed a feminist subject that was detached from the problems that Murphy came to represent. In her letter to the editor, Malinda S. Smith was the only contributor to argue that, while racism and equality issues are still contemporary problems, the statue controversy demonstrates that "It is easier to be radical in matters of the past, than in the present." The problem thus remains: what are the legacies of first-wave feminism and how do they shape contemporary feminist nation building? How might that shaping be re-articulated or interrupted?

The Ceremonies

While they attempted to reframe the charges of racism leveled at the Famous Five inside the rhetoric of multiculturalism, the foundation was forced to engage the terms of the statue controversy because of its widespread publicity. The debates in the popular press, then, are an important referent for the Calgary unveiling ceremony and an important context for the shifts that happened at the Ottawa unveiling. The Calgary

unveiling (18 October 1999) was a staged event that included fireworks, speeches, a dramatic address from "Emily Murphy" on a balcony, a curtained unveiling, and a ceremonial initiation of "Emily's Chair." The culmination of a week long series of events—including an academic conference ("Global Perspectives on Personhood: Rights and Responsibilities") at the University of Calgary; the ceremonial presentation, by the Governor General, of the Person's Awards; and a "Pink Tea" (Crystal Ballroom, Palliser Hotel)—the unveiling was a show designed to impress and entertain the spectator. Marshalling a notable group of speakers (including Ralph Klein, Premier of Alberta, and Adrienne Clarkson, Governor General of Canada), the event was a coup for the foundation and bestowed an official cultural recognition on the statue and the occasion: the 70th anniversary of the Persons Case.

Beyond that sanction, however, the event needed to construct an image of feminism that could redeem and recuperate the statues from the charges of racism and exclusivity levelled at the Famous Five, themselves. Toward that end, the foundation produced a two-fold image of feminism. On the one hand, the ceremony celebrated the Famous Five for having advanced the rights of women as a whole, regardless of their ideas on race or their commitment to eugenics as a social policy. Feminist organizing of the past was imagined to continue in the present, inspired by a shared political commitment to gender equality, a commitment to promoting the interests of women and to erasing social differentials of power structured around gender through collective organizing. Governor General Adrienne Clarkson thus addressed the crowd to validate the Famous Five as important feminist foremothers who helped establish the framework that enabled her own appointment as the representative of the Crown in

Canada. She also, however, addressed the irony of that fact, given the racial politics of figures such as Emily Murphy. On the other hand, the ceremony constructed a second image of feminism, mapping out an implicit narrative of progress that marked a break between earlier and contemporary feminist organizing to suggest that racism was a problem of the past and that contemporary feminism had moved into a different, more inclusive mode. This narrative was particularly obvious in the moment of ceremonially initiating "Emily's Chair," when Shawnee Price, a young First Nations girl in traditional dress, was invited to be the first person to occupy that symbolic space.

The girl's youth and the First Nations culture that she made visible suggested a future-oriented vision of inclusivity for feminism and for the nation building that the Calgary ceremony invoked. I argued earlier that the pseudo-columns that framed the Calgary statue were significant for the way in which they positioned the spectator in relation to the statue and to the tensions within the statue. That is, I suggested that the pillars created a kind of "front" from which to view the statue in a balanced tension. Between the two figures holding the newspaper that proclaimed their victory and the three other figures who functioned as spectators within the statue, I suggested that a tension existed within the statue between the historical event and the need to witness it. The tension between the event and its witnessing then becomes central to the interactive nature of the statue; the production of a citizen within the statue space comes to be also the production of a historical witness. The nuances of Shawnee Price's symbolic occupation of the chair are thus extremely complicated. Her prominence suggested an attempt on the part of the Famous 5 Foundation to embrace

multicultural and racial difference. She signalled the way in which the foundation's promotion of feminist leadership was meant to enable a space of opportunity and future possibility for all women. However, to secure that narrative for the foundation, she was asked to bear witness to a legal decision which did not include Native women, because Native women did not qualify as British subjects unless they abandoned their First Nations status. Racism was addressed at the Calgary ceremony; however, the heroic narrative promoted by the foundation ironically constructed equality as an act of will.

The celebration of equality that framed the statue as a commemoration of the Persons Case thus had a range of effects. It valued equality as an ideal; it celebrated women's organizing; it promoted diversity; and, it re-enacted a kind of violence in making Shawnee Price stand in for their vision at the expense of her own history. On probably unintended levels, it also invoked a latent interrogation of nation building as a power-laden site of struggle. That is, whether intended or not, in the context of broader struggles over Canada's political and social formation—the Meech Lake Accord, the Quebec referendum, and the ongoing discussions about Native self-government that were prominent in the 1990s—Shawnee Price's occupation of the chair nuanced the celebration of nation building as a site of struggle with extremely significant stakes. The violence of nation building as an imperialist endeavour in the early twentieth century had brutal consequences for Native culture; that legacy and the endurance of First Nations cultures, however, was an important factor in efforts to conceptualize nation building in the instabilities of the 1990s. The occupation of the chair by Shawnee Price thus interrogated the very act of nation building—

materializing the spectre of its violences in the past—even as the foundation promoted nation building as an unproblematic goal.

In addition to constructing an image of diversity, however, the Calgary ceremony was also notable for its attempts to construct and interpellate the spectator. In particular, the foundation produced a program for the event which foregrounded Murphy's call for "women leaders": "We want women leaders today (1931) as never before, leaders who are not afraid to be called names and who are willing to go out and fight. I think women can save civilization." Including also a small package of bronze shavings, the program further addressed the reader: "These are fragments of the original Famous 5 Monument. This piece of history will remind you to feel equal to the high and splendid braveries of the Famous 5." Not only the statue, but the refuse from that object was invested here with a mystical power to inspire and uplift the spectator, to bring her into proximity with the Famous Five. These shavings were simultaneously commemorative traces of the event that the spectator could take home and material traces of the statue that would stand in for the whole. The act of witnessing embraced by the statue was thus radically reconfigured. History as a dynamic and politically charged process of remembering and forgetting was condensed and objectified into a handy inspirational souvenir. In that gesture, the Famous 5 Foundation transformed witnessing into an act of inspirational collecting.[16] Faced with the problem posed by the statue controversy—which interrogated the discursive effects of remembering the Famous Five with commemorative statues—the foundation further responded to this racial critique with a narrative of diversity and

equality, positioning the spectators as prospective "women leaders" who would be inspired by the Famous Five.

Ottawa

The unveiling ceremonies for the *Women are Persons!* monument in Ottawa were similar to and different from those in Calgary in important ways. As in Calgary, the unveiling of the Ottawa statue was the culmination of a series of events that included an exhibit displaying twenty-one large banners of the Women's Christian Temperance Union (Canadian Museum of Civilization); a Famous 5 Tea (Chateau Laurier); a Famous 5 Breakfast with the Chief Justices of the Supreme Court of Canada (Grand Hall, Canadian Museum of Civilization); a Famous 5 Interfaith Worship Celebration (Christ Church Cathedral); the exhibition of the *Women are Persons!* maquette after its national tour (Capital Infocentre); a historical exhibit on the Famous Five and the Persons Case (National Archives/National Library of Canada); a panel discussion of the impact of the Persons Case (Auditorium, National Archives of Canada); and a reception with the Speaker of the Senate, Gildas Molgat (by invitation only). These events worked to disseminate the history of the Persons Case, to promote discussion of its significance for Canadian society and to encourage ongoing media coverage. They peaked on 18 October 2000, with the inauguration of the *Women are Persons!* monument on Parliament Hill.

Choreographed by Adele Cardamone of the Canadian Broadcasting Corporation (CBC), the inauguration ceremony was attended by numerous Ministers and Senators, Chief Justice of Canada Beverly McLachlin, Prime Minister Jean

Chrétien, and Governor General Adrienne Clarkson. It included performances by the dance group Qilaujartiit; vocalists Maeasha Brueggergossman, Crystal Plamondon, Natalie Choquette and Raylene Rankin (accompanied by the Calgary Girls Choir); the musical group Barrage; and five actresses who personified the Famous Five in a dramatic sketch.[17] There were speeches by Ministers Sheila Copps and Hedy Fry, the Prime Minister and the Governor General. The sculptor, Barbara Paterson, was honoured with a standing ovation. Frances Wright of the Famous 5 Foundation presented the monument to Minister Gagliano, who accepted it on behalf of the Government of Canada. And, to close the ceremony, the women personifying the Famous Five called descendants of the original five reformers down into the monument's space while Catherine French, a young Calgary girl, was invited to be "the first citizen to sit on [Emily Murphy's] chair" (event program).

The Calgary unveiling and the Ottawa inauguration were different in two important ways. Firstly, the Ottawa event was choreographed by a CBC producer/director for a television audience. That is, the unveiling was broadcast live across the nation on CBC and on CTV Newsworld (18 Oct 2000). Where the Calgary event was scripted insofar as it was a staged progression of speeches and performances, the Ottawa inauguration was scripted in far more pervasive ways. Beyond the staged sequence of events, the audience, itself, was strictly policed and choreographed for the cameras. On the one hand, the policing was literal, evidenced in security guards surveying the audience, protecting the important personages at the event. On the other hand, the policing was performative, controlling access to seating and standing areas so that the audience was already produced for the camera. Directly

in front of the stage, a seated section, requiring a pass to enter, was reserved for the Ministers, Senators, family and foundation supporters. Behind and around that area, a section was marked off for school children and their teachers, all of whom were provided with small Canadian flags to wave. The whole area was then blocked off with barricades, beyond which the general public could observe at a distance. The audience that appeared on television comprised these two sections of seated guests and standing school children, waving their Canadian flags. Representing "the public" for a nation-wide audience at a ceremonial event on Parliament Hill, the audience at the Ottawa inauguration was designed to produce a sense of dignity, tradition and patriotic enthusiasm. There was no mention of the controversy in the press. Rather, in its live broadcast, the inauguration of the *Women are Persons!* statue created what Benedict Anderson describes as an effect of simultaneity; as a live broadcast, the unveiling produced a sense of shared witnessing, experienced across the nation. Primarily a temporal experience, that simultaneity created a certain imagined cohesiveness even while it might be differently received. The range of possible reception—cultivated by the statue controversy—was shaped, however, to offer the audience a specific narrative. Interpellated again as citizens and future leaders—urged, for instance, by Frances Wright to recite the foundation's mantra: "I feel equal to high and splendid braveries"—the audience seen on television materialized the broader community that the statue, as a national monument, was expected to include and inspire.

The second important shift between the Calgary and Ottawa ceremonies happened around the issue of race. While the Calgary ceremony more directly confronted the question of race, the Ottawa inauguration avoided the issue altogether.

The markers of this disavowal are interestingly opaque if one limits the frame of reference to the Ottawa statue and events. However, that absence becomes more visible if the frame of reference is expanded to include the Calgary statue and unveiling ceremony. To clarify, I suggested earlier that the Calgary statue—through the column-like backdrop—constructs an ideal position for the spectator by positioning the viewer between the figures of McClung and Parlby (who are showcasing the newspaper) and the spectator-figures of Murphy, Edwards and McKinney. The newspaper is balanced by the witnessing of the spectator-figures. Although certainly able to observe the statue from different angles, the spectator is positioned ideally between this balanced tension. The spectator is further offered a comfortable position, external to the statue, from which to observe, even while that position prominently situates Murphy's chair. In Ottawa, the spectator is offered less critical distance. The same act of witnessing is still present; the chair is still a site of absence that can be occupied in different ways by different bodies. However, because the viewer is confronted by the backs of famous fivers in both approach angles, the spectator is propelled around the square and pulled inside the statue's space. The critical distance that might be afforded by the position of the external viewer is not offered to the viewer. To be clear, I think that interactiveness can also enable a kind of critical distance; however, the Ottawa ceremony itself disavowed any recognition of the need for that distance. Where Governor General Adrienne Clarkson had directly addressed Murphy's racism in her speech in Calgary, there was no mention of that context in Ottawa. Similarly, where the Calgary ceremony invited the young First Nations girl to initiate Murphy's chair, the Ottawa ceremony shifted focus, inviting

Catherine French to inaugurate the chair as a recognition of the *fundraising* for the Famous 5 Foundation that she had undertaken in Calgary. Coordinating the recognition of Catherine French with an invitation to the descendants of the Famous Five to come out of the audience, the Ottawa ceremony reshaped that inauguration to foreground the cohesive social bonds of familial descent.

All monuments can be understood to mark a simultaneous remembering and forgetting in the selective events or people that they commemorate. In shifting from statue to national monument, however, the *Women are Persons!* sculpture on Parliament Hill and its inaugural ceremony adopted a politics more explicitly designed to erase and displace critiques based on Murphy's racist and eugenic commitments. This is not to suggest that the ceremony was entirely successful; the spectre of those critiques was present at the inauguration in the form of a group of protesters condemning the Famous Five as racists and supporters of eugenics. The protest was coordinated by two groups: the REAL Women of Canada and the Campaign Life Coalition. The REAL women protesters carried signs with messages like: "Racists should not be honoured" and "Famous Five supported eugenics." The Campaign Life Coalition distributed pamphlets stating that "The Discrimination Continues." That is, instead of criticizing the unveiling, the Campaign Life Coalition "piggy-backed on it, arguing that the same Supreme Court which discriminated against 'a whole class of people'—women—seventy years ago, discriminates today against another whole class of people—unborn children" (Lifesite Special Report). Mobilizing a critique of eugenics in an anti-abortion narrative, these protesters further criticized the monument's special parliamentary approval process as fundamentally

"antidemocratic" (Lifesite Special Report). However, even the presence of these protesters attests to the way in which critiques of racism were disavowed at the Ottawa ceremony. While the ceremony took place beside the monument, near the Senate building and the East Block building, the protesters were allowed to demonstrate but not near the ceremony.[18] Instead, they were obliged to voice their protest directly in front of the Parliament building. They were allowed to demonstrate; however, their presence was forcibly marginal to the event itself, completely beyond the scope of the television cameras and virtually unreported by newspapers.[19]

The Project of Feminist Nation-Building

From the REAL women protesters in Ottawa to the contested debates about the sculptures in the popular press to the foundation's celebration of the Famous Five, the struggle to determine the meaning of the Famous Five statue in Calgary and the *Women are Persons!* monument in Ottawa marks an ideological struggle over the legacies of first-wave feminism. Confronted with a public controversy, the Famous 5 Foundation worked to promote a narrative of heroic nation building while describing the Famous Five as flawed but relevant feminist foremothers, and it upheld the Famous Five as inspirational figures, capable of exciting a new generation of women leaders. Celebrating the achievements of contemporary women and advocating a process of net-working and role-modelling to advance women's professionalization, the foundation cherished a belief in the individual and in principles of equality (hence the crucial significance of the Persons Case). It suggested that, through a combination of individual effort and community support, women have advanced their own cause

and empowerment. And, believing in a kind of indebtedness to a broad community past and present, it celebrated path-breakers as social role-models who benefited all women. For the foundation, the Famous Five epitomized this leadership.

The range of responses to the Famous Five and the openness of the statues as cultural texts are important to note because they point to the ways in which texts and contexts do not have one-to-one relationships. While texts are always produced and received within contexts, different readers bring different social and cultural contexts to the table. However, this should not nullify the effort to situate projects within formations. That effort represents an attempt to recognize the world within which texts are read and debated and made meaningful in ways that profoundly reflect—and can interrupt—a social formation's practices and relations of power. Methodologically, this approach telegraphs my indebtedness to Raymond Williams in a general sense and reflects his particular insistence on the need to interpret texts contextually:

> [the insistence] that you cannot understand an intellectual or artistic project without also understanding its formation; that the relation between a project and a formation is always decisive; and that the emphasis of Cultural Studies is precisely that it engages with *both*, rather than specializing itself to one or the other. ("The Future" 151)

For Williams, the imperative is a double one: to attend to the nuances of cultural texts, and to understand texts within broader frames of reference. In discursive terms, the meaning of the Famous Five was debated in competing narratives. Neither the statues nor the Famous Five were stable texts, although the Famous 5 Foundation worked to

harness the instability of the Famous Five into a narrative of heroism. However, while that narrative was contested and protested, the project of feminist nation building was not.

As I suggest in my Introduction, the project of the Famous 5 Foundation must be understood in relation to the broader heritage movement which I map there. It was a response to the internal and external forces destabilizing the nation as a political and social formation, a response that involved reinvigorating an earlier project to know ourselves as national subjects and to produce a citizenry for the future. As part of a broader heritage movement concerned to promote social cohesion, national sentiment and identification, the foundation promoted the Famous Five as great leaders and heroes who initiated reforms that affected all Canadians: women, particularly, because of the advances secured for women's rights, but all Canadians in that the constitution was reconceived as a legal document. The commemoration of the Persons Case was thus conceptualized by the foundation as a celebration of nation building and an act of nation building itself. The foundation worked to promote women as leaders, representing nation building as a diverse cultural, political and economic endeavour. It invited a range of speakers—from female politicians and business executives, for instance, to mountain climbers and journalists—to speak as mentors. This model of mentorship particularly valued women's rights and advocated women's empowerment; it celebrated the agency of the individual; yet, from the singing of the national anthem to the recitation of the Famous Five motto, it was engineered to promote social cohesion. As I detail with respect to the statue controversy, the actual interpretation of the statues as cultural texts was more fraught. Approaching this

range of discursive productions as differently articulated but part of a shared moment, I suggest that—as the nation reeled from the effects of the Meech Lake Accord, the Oka crisis, the Charlottetown Accord and the Quebec referendum—the work of the Famous 5 Foundation's cultural nation building was engineered to resecure the social and political formation and to promote women's influence in that new alignment, even as it ignited debates about the other discursive effects of the statues.

Along with the recognition of nation building as a production of social cohesion, the foundation promoted a female subject who understood nation building as a professional enterprise. Through its mentorship speaker series, for instance, the foundation promoted female professionals as role-models and resources for other women. As inspirational and motivational exercises, the luncheons translated women's professionalization into networking opportunities and into the shaping and cultivating of resources within other women. Addressing topics like "power," "perseverance," "success," "leadership," and "being first," professional women narrated their experiences presumably as success stories and as discussions of the sorts of challenges they confronted as women. In addition to functioning as fundraisers, the luncheons gave women tools for succeeding professionally. Typically facilitated by a Famous 5 activist, the luncheons were sponsored by major corporations and companies were encouraged to buy tables as a charitable donation. In turn, companies were publicly recognized for their support, and women were celebrated at the luncheons for their influence (for example, their inclusion on a list of the "100 most powerful women in Canada"). By promoting the Famous Five as role-models for future women leaders and by celebrating women's professionalization, the Famous 5

Foundation valued liberal ideals of individualism, equality, and opportunity, values that underpinned their desire to promote the Persons Case as a key event in Canadian history.

In this effort to cultivate resources within women and to produce women as human resources, the foundation in some ways replicates a central object of early feminist organizing. That is, within contemporary discourses of bio-power that focused on the human resources of the nation and the race, earlier feminists argued for women's key role. The New Woman, for instance, argued for women's ability to enter the work force and her centrality as the mother of the race; as a parallel to the male soldier, the female citizen imagined by the social hygiene movement idealized self-government and the production of other human resources. The vision of the Famous 5 Foundation is less concerned with the physical and moral reproduction of the resources of the nation, and more concerned with producing a new generation of female professionals, skilled in managing human resources; however, there are strong parallels between the discourses of bio-power that informed early feminist organizing and the ways in which the REAL Women of Canada co-opt racial critiques of the Famous Five to promote an authentic concept of femininity. To open up the nuances of women's participation in the production and reproduction of human resources, my next two chapters will examine the articulation and re-articulation of the New Woman in Britain and Canada and the production of a female citizen in post-World War One Canada's social hygiene movement. Without collapsing these different historical moments, I suggest that discourses cross specific cultural, social and historical formation, although they are re-articulated in specific cultural, social and historical

contexts. In these terms, I consider the New Woman and the post-World War One female citizen as discursive formations that can be examined in other historical moments but which underwrite the Famous 5 Foundation's professional female citizen and importantly inform the critique leveled by the REAL Woman of Canada at the Famous 5 Foundation, a struggle that forms the basis of Chapter Four.

[1] This quote is foregrounded in the program distributed at the Famous 5 Monument unveiling in Calgary (18 October 1999). I have attempted here to reproduce the layout and emphases of the quote as it stands in that program (produced and distributed by the Famous 5 Foundation).

[2] In later years, the Rising Stars! Series was sponsored also by: Ismaili-Muslim Women; Enbridge; and the Southern Alberta Institute of Technology (SAIT).

[3] The foundation's "Invitation" (Famous 5 website, "Invitation") encouraged browsers to: (1) know the story of the Persons Case and the contributions that the Famous 5 and others made to ensure this was a democratic victory; (2) tell the story with gusto to everyone; (3) provide the information to your schools, universities, colleges, churches, unions and other groups; (4) provide the information to your communication vehicles: media, newsletters, magazines, journals, etc; (5) attend the October 14-18 1999 Celebrations in Calgary; (6) enable others to attend the 1999 Celebrations in Calgary; (7) organize celebrations in your community; (8) raise funds to assist the 1999 Celebrations; (9) attend the October 2000 Celebrations in Ottawa; (10) plan for the 2004 Celebrations, the 75th anniversary of the Persons Case.

[4] According to the Famous 5 website, an agreement with Manitoba, Saskatchewan, Alberta, British Columbia, the Yukon and the North West Territories took effect in 2001, while other provinces indicated the intent to incorporate the Persons Case into their curriculum (Famous 5 website, "Curriculum Guide").

[5] The jury was comprised of: Katie Ohe (sculptor and instructor (Alberta College of Art); Alice Mansell (President, Nova Scotia College of Art and Design); Cornelia Hahn Overlander, CM (landscape architect); Dr. Ann Calvert (Assistant Dean of Fine Arts, University of Calgary); and Dr. Maria Eriksen (Founding Member, Famous 5 Foundation).

[6] According to the Famous 5 website, the named sponsors are differentiated from the funding support that enabled the tour, provided by: the New Sun Fund; the Wittington Foundation; and the Canadian Millenium Partnership Program. Presumably the sponsors participated in organizing and hosting the ceremonies around the exhibit. (Famous 5 website, "F5 Exhibit National Tour").

[7] The Famous 5 badge has the maquette of the Famous 5 statue on its face, framed with the phrase, "Guiding Salutes / The Famous 5." It can be earned at the various Girl Guide age-

group levels (Sparks, Brownies, Guides, Pathfinders or Senior Branches). The challenge involves answering questions about the Famous Five and the Persons Case (the number varies with the age groups), and performing a Famous Five "activity". These activities ranged from: a hat-making contest or the construction of a mock tea-party (Sparks); to interactive story-telling (Brownies); to a Famous 5 Word Search (Guides); to researching the Famous Five and delivering a speech (Pathfinders); to interviewing a politically active woman and presenting that interview to the group (Senior Branches).

[8] Commenting on "The Pink Tea"—a theatrical concert organized by the Ginger Group and David Warrack to honour the Famous Five (26 July 2001)—Frances Wright noted the appropriateness of the title: "It's very appropriate that this tribute to the Famous 5 take the form of a Pink Tea because the F5 and others organized Pink Teas in the early 1900's as a way of getting women together to strategize about getting the right to vote and run for public office . . . In August of 1927, the F5 ... gathered for tea at the home of Judge Emily Murphy in Edmonton and made history when they endorsed Murphy's petition to have Canadian women appointed to the Senate of Canada" (Famous 5 website, "Pink Tea"). In its own organizing, the Famous 5 Foundation repeatedly scheduled "Pink Teas"—for instance, as parts of the unveiling events in Calgary and Ottawa.

[9] This passage is taken from information made accessible by the Famous 5 Foundation to publicize the events leading up to the unveiling on Parliament Hill (October 2000). It was accessed here (12 Oct 2000) through the Government of Canada's webpage on the Status of Women of Canada (http://www.swc-cfc.gc.ca/persons/famousfive-e.html).

[10] Women were persons for the purposes of punishment and tax payment, but did not qualify for the privileged benefits of personhood (e.g. qualification for appointment to the Senate). In a speech accessible through the Famous 5 website, Sandra Peterson discusses the nuanced shifts in legal language that made personhood into this equivocal legal signifier that was "sometimes synonymous with human beings, sometimes [included] only men." In particular, she notes that, before 1850ish, masculine and feminine pronouns distinguished between sexes while "they" referred to both; "he" did not include both sexes. Between 1822 and 1878, she notes that the British statute book was massively overhauled and reduced from 118 volumes to 18. Concurrently, the language was compressed and the masculine pronoun came equivocally to represent also women (even as the law carefully distinguished the specific application of

certain laws [e.g. regarding infanticide or prostitution] to female persons) (Peterson, "Caught in the Act").

[11] In Chapter Four, I elaborate somewhat more broadly the challenge of historical revisionism. In that frame, I situate Rob Martin's assertion, professor of law at the University of Western Ontario, that "This case should have never gone to trial. . . . You can't go back and litigate every historical outrage since the beginning of time. . . . We're creating a social schizophrenia, judging every historical act according to today's moral standards" (qtd by Woodard).

[12] Acorn argued that "Emily Murphy cannot function as a symbol of women's rights in the late 20th century . . . We can recognize her as a very important historical figure, but we can't expect her, at this moment in history, to be someone women can look up to as a heroine" (qtd in Simons).

[13] See, for instance, Frances Wright, "Famous Five worthy role models of their Day," *Calgary Herald* 02 May 1998, final ed.: I6; Doug Tomlinson, Letter, *Edmonton Journal* 18 June 1998, final ed.: A15.

[14] See, for instance, Paula Simons, "Heroine in a Black Hat," *Edmonton Journal* 07 June 1998, final ed.: F1, 2; Malinda S. Smith, Letter, *Edmonton Journal* 13 June 1998, final ed.: A15.

[15] On abortion as a feminist life-style choice, see: Joe Woodard, "No End to Doing Good," *Alberta Report* 22.29 (03 July 1995): 38-42; Link Byfield, "Let Us Praise Famous Persons," *Alberta Report* 26.35 (13 Sept. 1999): 2. On historical revisionism, see REAL Women of Canada. "'Famous Five' Women Are No Heroines," *Reality* (Jan.–Feb. 1998): 7–8.

[16] This is extended by the foundation's production of assorted Famous Five memorabilia that could be ordered from their website: a Famous Five pin; a 70th anniversary commemorative poster; a Famous Five quotation poster; books; and the Famous Five Girl Guide patch.

[17] This dramatic sketch was performed by Diana Leblanc (Emily Murphy), Shirley Douglas (Nellie McClung), Annick Léger (Henrietta Muir Edwards), Beverley Wolfe (Louise McKinney), and Mary Ellis (Irene Parlby).

[18] According to the plaque in front of the structure, the East Block building was completed in 1865 and was the centre of Canada's government for 110 years, housing the offices of the

Privy Council, the Prime Minister and the Governor General. Presumably the *Women are Persons!* monument was situated in proximity to the Senate Building and the old offices of the Privy Council to highlight the specific history of the Persons Case.

[19] For instance, in a survey of newspaper articles reporting the unveiling across the country on the day after the event, only the *National Post* mentions the protesters. See: "Recommended Reading: Murphy's Law," *Halifax Daily News* 19 Oct. 2000, daily ed.: 19; Mark Brennae, "Monument Dedicated to Famous Five," *St. Johns Telegram* 19 Oct. 2000, final ed.: 11; Gina Gillespie, "Famous Five's fight goes on, women told: Violence, Inequality remain undefeated," *Ottawa Citizen* 19 Oct. 2000, final ed.: A11; "Ottawa's Tribute to the Famous Five Unveiled," *Edmonton Journal* 19 Oct. 2000, final ed.: A6; Mark Brennae, "Five win their Place in the Sun," *Montreal Gazette* 19 Oct. 2000, final ed.: A12; "Monument honours Trailblazing Women," *The Province* (Vancouver) 19 Oct. 2000, final ed.: A28; "'Noble Actions' praised as Famous Five statue unveiled," *Vancouver Sun* 19 Oct. 2000, final ed.: A3: "Monument Dedicated to Five who fought to be Persons," *Times Colonist* (Victoria) 19 Oct. 2000, final ed.: B5; Emma Poole, "Famous Five makes stand on Hill," *Calgary Herald* 19 Oct. 2000, final ed.: A5; Brad Evenson, "Famous 5 Win another Fight as Memorial Unveiled: The 'Persons' Case," *National Post* 19 Oct. 2000, national ed.: A6.

CHAPTER TWO

Inherited Legacies: The Formations of New Womanhood

This chapter examines New Womanhood as a discursive formation that was articulated and re-articulated within socio-economic formations in Britain and Canada. It connects that discursive formation to the entrance of women into white-collar work in Britain, a development that provoked broader struggles over modern women's social function. And, after discussing the emergence of New Woman debates in Britain in the 1890s, it explores how that formation was re-articulated in Emily Murphy's early writings under different pressures. Initially elaborating the range and contradictions of New Woman debates in Britain, I suggest that New Womanhood is best conceptualized as a discursive struggle over feminine subjectivity in the context of broader social restructuring and *fin-de-siècle* instabilities. The arguments for and against women's economic, social and sexual independence were importantly connected to anxieties about Britain's waning imperial influence and to social instabilities on the home front. The demands and effects of industrialization—the expansion of capital and of governmental infrastructures, the ensuing expansion of white-collar labour, and the turn to middle-class women as a potential labour pool—contributed to anxieties about modernization and its effects on the social body. Building on the work of Rosemary Hennessy and Christopher Keep to consider how these socio-economic forces provoked a struggle over "woman's nature" and disrupted the singular path of self-realization offered to respectable young women, I focus particularly on how this disruption translated into a fear and fascination with the New

Woman's sexuality. To that end, I examine the complex ways that dominant discourses about femininity and reproduction enabled the re-articulations of New Women writers, which in turn provoked a hostile counter-response in the mainstream press.

By considering this articulation and re-articulation in Britain, this chapter works to historicize the figure of the female professional by considering women's entrance into white-collar labour, women's demands for social, sexual and economic equality, and the progressive sexualization of the New Woman in the mainstream press and in New Woman novels. Rather than celebrating the New Woman as a heroic individual or positioning her as a wholly recuperated effect of discourse, my work considers New Womanhood as a discursive struggle over feminine subjectivity that was articulated and re-articulated within broader socio-economic formations. Thus, where historians and critics have lamented the New Woman as an absent political voice in Canada or as a misrecognized marker of women's reinscription into a gender hierarchy, I argue that the articulation of modern women's social role was shaped by the context within which that articulation was enabled. In Canada then, it was importantly connected to the "Canadianization" of immigrants and to the promotion of Canada as a site of unlimited possibility. Translating into a discourse of racial regeneration and commercial potential, this expansionist vision both created opportunities for Anglo-women as "Canadianizing" figures and reinforced motherhood as women's primary social role. This chapter thus works to historicize the New Woman as a discursive construct that was articulated within and moved across specific formations. Examining contemporary anxieties about the sexuality of

the New Woman as a consequence of the white, middle-class woman's entrance into white-collar work and examining how the "woman question" translated into critique and implication for Emily Murphy, it sets up the chapters that follow, which examine the female citizen's investment in managing the human resources of the nation in post-World War One Canada and the struggle over feminine subjectivity enacted on the terrain of the Famous Five.

The New Woman in Britain

As Ann Ardis notes, the New Woman was prefigured not only in feminist and conservative texts of the 1880s but in assorted labels of the period, produced both by advocates and opponents of women's sexual, social and economic emancipation. "She was called 'Novissima': the New Woman, the Odd Woman, the Wild Woman, and the Superfluous Woman in English novels and periodicals of the 1880s and 1890s" (1). In 1894, however, the "New Woman" was coined as a term by Sarah Grand and picked up in a hostile response by another woman writer, Ouida.[1] In her article, "The New Aspect of the Woman Question," Grand represented the New Woman as an advanced type of woman who, through her evolved moral sense, would require a parallel evolution in men and an evolution in gender relations. For Grand, that evolution meant eliminating the sexual double-standard and elevating men's sexual morality. The New Woman was thus an advanced and educated figure whose progress would mean also the social betterment of men and the evolution of the race. In an article titled, "The New Woman," published in the same journal two months later, Ouida re-articulated that figure not as an evolutionary ideal, but as an affront to men and an

insult to other women. Ouida criticized the New Woman for selfishly demanding access to masculine privileges without the capacity to wield power effectively; in wanting those privileges, she debased the refined influences of traditional femininity. Ouida thus reconfigured Grand's assertion of moral superiority into presumption, characterizing the New Woman through "her fierce vanity, her undigested knowledge, her over-weening estimate of her own value and her fatal want of all sense of the ridiculous" (Ouida 157). Ellen Jordan notes that, by itself, Grand's article did not launch the movement, nor effect this christening. To some degree, the term was popularized because of conservative detractors: "it was *Punch* that chose to link together the three things which made the 'New Woman' label stick—the line of anti-feminist jokes it had been developing since 1890, the interest aroused by Sarah Grand's article, and the label 'New Woman' suggested by Ouida" (20). The way in which the New Woman was signified and resignified, then, in the moment of her christening suggests some of the complexities of New Womanhood. The "newness" of the New Woman marked both her potential and her threat to tradition. Perhaps because of this doubleness, the New Woman—like so many other "new" movements and formations of the late nineteenth and early twentieth century—was the term that stuck. As a contested discursive construct, the New Woman was articulated and re-articulated by advocates and critics so that the term became value-laden in deeply contradictory ways.

In fiction and in debates of the 1890s, the New Woman was variously described as a threat, a problem or a solution. As a fictional character, she was associated with objects and behaviours that signalled her mobility, her movement out

of the private sphere and her willingness to challenge traditional codes of feminine appropriateness: riding a bicycle; carrying a latchkey; studying continental philosophy or the works of Ibsen; smoking; drinking; or otherwise manifesting masculine behaviours. She interrogated gender relations; she explored sexual impulses that were virtually unrecognized in women; and she advocated a range of social reforms. She argued for the reform of marriage, of women's fashions, and of women's education, for instance. She advocated women's suffrage. Simultaneously intellectualized and primitivized, she was often mannish, unsexed or asexual; however, the New Woman also marked a monstrous female sexuality that was excessive and degenerate.[2] The New Woman was frequently associated with Decadence and sexual "perversion." Some New Women characters advocated free love to explore the emancipation of women from the social, sexual and economic dependency of marriage; some seemed to abandon sexuality for productive, rational, efficient work; others argued for new mothers of the race who would reform and purify the marriage institution. Writers did not agree about what the New Woman signified. For some, she was a problem, for others a solution. However, across the board, the New Woman signalled an engagement with the question of women's social, sexual, or economic emancipation.

As a character, the New Woman was highly visible in fiction and drama of the 1890s, alternately representing the promise or degeneration of modern womanhood. In turn, the range of issues and ideological positions embraced by New Woman characters was matched also by a range of ways in which discourses about the New Woman circulated. For Elaine Showalter, the short story was one of the key forms through which New Women writers expressed themselves. Offering "flexibility and

freedom from the traditional plots of the three-decker Victorian novel" (viii-ix), the short story emphasized psychological intensity and formal innovation, making it the ideal form for the self-realization of the New Woman writer: "Seeking to tell a new story, the New Woman writer '[needed] an artistic mode of expression; she [flung] aside the old forms and [searched] for new'" (ix). The short story, however, was but one platform through which New Woman writers found their voices. As is clear in the range of articles encompassed in Carolyn Christensen Nelson's *A New Woman Reader*, the periodical press became another key forum through which New Woman debates were articulated. The 1890s marked also the explosion of a new cultural phenomenon, the New Woman novel, which interrogated, challenged and re-imagined existing possibilities for women. Mass-produced for mass-consumption, the New Woman novel was part of a broader shift in the conditions of cultural production and reception. I will develop this shift in the pages ahead; however, it is worth noting here the feminization of mass culture against which George Moore's new realism articulated itself and the engagement with the new realism by New Woman novelists in their attempt to explore the self in relation to its world. In an interview with Sarah Grand, Sarah A. Tooley would thus assert the realism of Grand's characters: "To be true to life should be the first aim of an author, and if one deals with social questions one must study them in the people who hold them, not invent a puppet to give forth one's views" (161).

New woman writing could be fictional or non-fictional. It intervened in conventions of the domestic romance through its realist representations of character and social problems; however, many writers also embraced the utopian mode as a way

of exploring alternate realities and possibilities. New Women writers published stories and articles in British and American monthlies, in women's pages, and in journals committed to specific reform issues like temperance or the suffrage movement.[3] And, as Viv Gardner discusses in her Introduction to *The New Woman and her Sisters*, the "woman question" was a significant subject in drama of the 1880s and 1890s, facilitating engagements for women as audience members, actresses and managers of theatre companies. In short, New Woman debates both reflected middle-class women's movement into the workplace and facilitated opportunities because of the currency of the topic. That facilitation, however, was matched also by conservative representations of natural femininity as reproductive and the New Woman as unnatural in her attempt to disrupt biological laws.

Given this range of ideological positions mobilized about the New Woman by men and by women, and given the various forms through which New Womanhood was debated, it is difficult to pin down the New Woman as a referent. In one sense, the New Woman was a character, popularized in the 1880s and 1890s, that was importantly different from the "well-regulated" heroines of domestic romance (Stubbs). The popularity of the woman question, however, also enabled material opportunities for women and reflected their broader movement into the public sphere. The New Woman, then, was a subject and object of study; she was a site of identification. However, she was also, and perhaps most appropriately, a site of struggle through which contemporaries debated the shifting contours of modern femininity. To encompass this range of responses and to elucidate "the new" as a contradictory discourse, Rosemary Hennessy describes the New Woman "as a

symptom of a more general crisis of subjectivity, an index of the disruption and recontainment of the hegemonic bourgeois ideology of the feminine" (105). That is, for Hennessy, the New Woman marked a broad interrogation of and struggle over femininity as a discursive construct that stemmed from bourgeois women's movement out of the private sphere, a movement that was connected to key shifts in the economic formation. More specifically, Hennessy charts the New Woman's brief moment of glory in the 1890s as an effect of specific developments: the institutionalization of compulsory education in Britain; the population of trained and literate women that consequently emerged; the development of key industries that created new employment opportunities; women's organizing to demand access to higher education; their advocacy for women's legal rights; and their entrance into the public sphere as professionals and white-collar workers. Describing these shifts as symptomatic of broader processes of industrialization and capitalist development, Hennessy frames the New Woman as an index of the pressures of industrialization; the New Woman "figured" and "managed" the resulting social tensions. She was an index of social re-structuring.

In his analysis of "the type-writer girl"—a figure that he describes as the acceptable face of the New Woman (404)—Christopher Keep similarly points out that middle-class women were particularly cultivated as a potential labour pool in the late nineteenth century because of the rapid expansion of capital and of government agencies. With the rise of "vertically-integrated corporations" and the development of transnational markets, Keep argues that "businesses required an ever larger body of clerks to transcribe, collate, and file the masses of paperwork upon which the

company's operations depended. Middle-class women served as an ideal solution to this problem" (403).[4] Martha Vicinus confirms this shift when she notes that,

> The percentage of the total working population holding such positions as teacher, nurse, shop assistant, clerk, and civil servant increased from 7.6 percent in 1861 to 14.1 percent in 1911; the percentage of women workers in these occupations rose from 5.0 percent to 16.4 percent. Although salaries remained meagre and working conditions often poor, educated women workers found an increasing number and variety of jobs opening throughout the second half of the century. (5)

Middle-class women maintained the bourgeois respectability of these spaces, and they were a relatively inexpensive source of labour. Moreover, the surplus of young, single women in Britain's population—a surplus that provoked debates about the future of "superfluous" women, who could not all realize themselves as wives and mothers—provided a rationale for the vocational training of women.[5]

In addition, the entrance of bourgeois women into white-collar work was an extension of other ways in which a public presence for middle-class women was cultivated in the nineteenth century. Sally Ledger, for instance, describes the department store as "an important new arena for the legitimate public appearance of middle-class women in the city" (*The New Woman* 155). To cultivate the market of middle-class women's consumption, specific "half public, half private" spaces were developed within which women could move in public while retaining their respectability (155). As side-effects, the cultivation of middle-class women's consumption also enabled the employment of women as shop-girls, the mobility of

women through public transport, and secondary spaces—like cafés, teashops, refreshment rooms and ladies-only dining facilities—that addressed the needs of the shopping-lady (156). The increasing independence of respectable, middle-class women in public was thus not simply a freedom that women claimed; it was a space carved out for them, which they claimed and appropriated and which became also a point of social anxiety. Elaborating that social anxiety, Judith Walkowitz describes how women's increased public mobility resulted also in new narratives and experiences of sexual danger—seen, for instance, in the white slavery panic produced by "The Maiden Tribute" scandal of 1885 or the serial murders of prostitutes by Jack-the-Ripper in 1889—which marked literal threats to women's safety in public, made the public sphere a site of sexual endangerment for women, and rationalized policing as protection. In the second half of the nineteenth century, then, while the cultivation of middle-class women's consumption—together with expanding white-collar opportunities—helped to facilitate a new mobility for women in public, it also produced new anxieties about protecting and policing women's sexuality.

In turn, these broader socio-economic shifts, which promoted women's entrance into white-collar work and into public spaces as consumers or as government agents, fuelled broader debates about women's social function and economic independence. In 1888, for instance, Mona Caird wrote an article simply titled, "Marriage," in which she described the marriage contract as a form of legalized injustice that amounted to sexual slavery for women. It was a sexual-economic contract made respectable. For Caird, marriage was dialectically related to prostitution as parts of one system in which women were treated as the property of

men. Fighting to demystify "woman's nature," Caird argued that "there is so little really known about it, and its power of development, that all social philosophies are more or less falsified by this universal though sublimely unconscious ignorance" (271). Caird criticized the way in which women had been restricted to a single mode of self-realization—"we have subjected women for centuries to a restricted life, which called forth one or two forms of domestic activity; we have rigorously excluded (even punished) every other development of power" (272-73)—and she called for legal protections of a woman's person (rights over her own body), for economic independence, and for co-education of the sexes. Judging from the debates that the article provoked, Caird struck a nerve. The *Daily Telegraph*, for instance, decided to run an ongoing letters column titled, "Is Marriage a Failure?" to which responses were published daily. "[I]n all, 27,000 letters were received from the public on the subject" (Ledger, *The New Woman* 22); a subsequent collection of these letters was even published by editor Harry Quilter in 1888. Caird's article was part of a broader moment in which women were not only entering white-collar work but interrogating the traditionally sacred institution of marriage. It pointed out that "women's nature" had been articulated to restrict women to a single destiny, and it called for increased education, opportunity and independence for women as a means of realizing social progress. The realization of women's individuality, their right to self-development, the ways in which the traditional family structure functioned to subordinate their individual development to the service of others, and the possibility of enlarging one's social contribution by developing one's individual talents: these topics were central to New Woman debates of the 1890s.

However, New Womanhood—while it was a site of identification for women—was not simply constructed by its supporters; it was importantly shaped through a process of articulation and re-articulation. In the first instance, the New Woman was a response to institutionalized medico-scientific discourses about sexuality, biology and reproduction that gained ascendancy in the nineteenth century. When Darwin published his evolutionary theories in *The Origin of Species by Means of Natural Selection* (1859) and in *The Descent of Man* (1871), the works were controversial and received widespread attention because of the implicit rethinking of Christianity's creation myth. Yet, while attacked by religious conservatives and critically received by biologists, Darwin's ideas nonetheless became the basis for a Social Darwinism that had wide currency and influence, peaking in the last decades of the nineteenth century (Burrows 46). The rise of Social Darwinism had the effect generally of naturalizing women's social function as the agents of reproduction and evolution. As an example, Sally Ledger notes that "[a]nti-feminist commentators deployed pseudo-scientific biological discourses against those women who vied for education achievements, warning that women's reproductive capacities would be damaged by traditionally masculine academic pursuits" (*The New Woman* 18). Women were bound by their organs; they had a specific destiny to realize as mothers.

It is inside this framework that Anna Davin describes how the general proliferation of discourses about women's sexuality in the late nineteenth and early twentieth century led not only to radical movements through which some women asserted claims over their own sexuality—for instance, the radical, neo-Malthusian movement that advocated contraception as a means of population control or the

eugenics movement that argued for the rationalization and control of reproduction—but also to the increased surveillance of motherhood through legislation, through medical experts and through voluntary societies as a means of promoting the health and strength of the nation's human resources. "Children, it was said, belonged 'not merely to the parents but to the community as a whole'" (Davin 10; citing Garvin), and women's reproductive practices were tied to the social good. The emancipation of women was thus a threat to the future health and strength of the nation and the race. In this climate, women's sexuality was a problem that needed alternately to be managed, policed or protected by legislation and practices of surveillance.

However, as Ledger goes on to note, these medico-scientific discourses also "provoked, and prised open a space for, alternate views on the New Woman, paving the way, to use Foucault's terminology once again, for a 'reverse discourse'" (*The New Woman* 20). Mobilizing discourses of evolution and progress, women argued for women's rights and for individual self-realization. Women, they argued, needed to be emancipated before the race could evolve. Or they argued that the New Woman was already an evolved type. "Both the cow-woman and the scum-woman are well within the range of the comprehension of the Bawling Brotherhood, but the new woman is a little above him," wrote Sarah Grand, "and he never even thought of looking up to where she has been sitting apart in silent contemplation all these years, thinking and thinking, until at last she solved the problem and proclaimed for herself what was wrong with Home-is-the-Woman's-Sphere and prescribed the remedy" (142). For writers like Sarah Grand, or for suffragists like Millicent Garrett Fawcett, women's particular role, as agents of progress and evolution, justified them also for a greater

role in matters of interest to the British state (Tusan 179). Arguing for an articulation of the New Woman that predated her naming in the exchange between Sarah Grand and Ouida, which was then picked up in *Punch*, Michelle Tusan asserts that the New Woman emerged in the feminist press in a rather different shape. Where *Punch* created a caricatured mannish woman, who rejected womanliness and reproduction, the New Woman was named in the feminist press in August 1893 and represented "the future of civilized society" (170). "For the women who published these journals," asserts Tusan, "she was the hope for England's future as she would take her skills as domestic manager into public life" (171). Into the 1890s, the New Woman signalled a newer, truer woman who, as a key agent of civilization, wanted to extend her womanly influence to participate in matters of state (172). The New Woman, in these pages, was a "respectable radical" who mobilized strategic positions to advance women's rights (180).

As a kind of response to the mystifications of "woman's nature" that Caird had pointed out, a body of work also emerged that sought to explore women's psychological and sexual depths and the ways in which that inner self was realized or constrained in social concepts of femininity. This exploration of sexuality and gender relations was enabled by the emergence of a new school of realist writing, in which George Moore and Thomas Hardy were central figures, and by shifting conditions of publication and distribution that created market opportunities in the early 1890s. Sketching this shift, Patricia Stubbs situates New Woman writing against earlier traditions of domestic romance that idealized women as "angels of the hearth" to secure a separate spheres ideology and to guarantee patrilineal lines of descent. For

Stubbs, the characterization of women as elevated moral agents, spiritually pure and uncontaminated by sexual knowledge, functioned as an ideological discourse that policed women's sexual behaviours, located feminine respectability inside the home and secured practices of inheritance. She demonstrates that this policing translated into public and private practices of censorship, restricting literature that might expose women to improper forms of knowledge:

> If a novel violated social and sexual conventions it was not just frowned upon or ignored. Society operated an extensive apparatus for banning as well as bowdlerizing and it did not hesitate to use it. This meant that if they wanted to be published at all, writers had to accept severe restrictions on the scope and treatment of their material. Most stayed well within the moral conventions, but if a novelist did step out of line he or she was likely to be silenced by publishers, editors or librarians. There was also the possibility of prosecution under the Obscene Publications Act (1857), but as a general rule unofficial, private censorship worked efficiently enough to enforce 'public morality'. (19)

Elaborating on this material context, Stubbs notes that lending libraries and periodicals serializing literature functioned as dominant institutions because "the price of books was kept artificially high throughout the greater part of the century. Novels were published in three expensive, elaborately bound volumes [triple-decker novels], and at one and a half guineas a time were far beyond the pocket of even quite well-off readers" (19). Because of this apparatus, libraries and periodicals had a massive influence, a monopoly in fact, which enabled regulatory practices of banning,

censoring and bowdlerizing (19). Although uncommon, the publishers or authors of manuscripts deemed too risqué could be charged with obscenity. Stubbs examines how, given this system of public and private censorship, New Woman writers exploited the collapse of the lending library as cultural institution—a collapse related partially to George Moore's public campaign against the lending library and partially to the emergence of cheap, single-volume novels in the 1890s (Stubbs 22-23)—and tried to challenge the "well-regulated" heroines of convention. However, Stubbs also reads the ongoing perpetuation of that discourse as a sign of the literary limitations of New Woman writers.

By contrast, Ann Ardis elaborates the controversy over realism (1885-1895) provoked by George Moore's attack on Mudie's Circulating Library to describe the New Woman novel as proto-modernist and avant-garde in its interrogation of character, plot and narrative voice. She positions New Woman novelists in relation to classic English realism, French naturalism and Moore's coterie of new realists, and she examines the realist controversy as a debate about aesthetics *and* about competing constructions of reality: "because 'books were viewed as powerful and authoritative texts, revelatory of absolute presence and truth'" (Ardis 30; qtg Frierson). Recognizing then that New Woman novels attempted to construct alternate realities, alternate characters, alternate plots, Ardis also details the material shifts that underwrote the emergence of the new realism. Inside those conditions, she argues that New Woman novels participated in that controversy to assert their own truth-claims about female sexuality and were resignified as "the 'decadent' threat to the purity of the English tradition" that had previously been attributed to French naturalism (30).

As a starting point, Ardis charts how Mudie's "withdrew George Moore's *A Modern Lover* from circulation in late 1884 when two little old ladies complained of its vulgarity" (31-32), and how Moore responded by publishing a three-penny pamphlet attacking the circulating libraries as monitors of public morality. Lambasting the libraries for their uneducated presumption, their censorship of the artist, and their "facile reproductions of 'Mrs. Grundy's' moral platitudes," Moore argued that a vital English literature needed a realer realism (32). Examining how this initial conflict developed into a broader controversy, taken up by writers such as Thomas Hardy and Elizabeth Linton, Ardis further notes its gendered overtones: the literature circulated by the lending libraries was deemed feminized and unable to "satisfy the needs of a 'strong-headed and masculine nation'" (Ardis 33, qtg Linton). Moore and the new realists sought to re-masculinize literature by throwing off the prudery of the circulating libraries. New Woman novelists shared a desire to disrupt the traditional plot and the idea of woman's nature revealed through character. They thus overlapped with Moore's desire to tell a new kind of story; however, where Moore sought to re-masculinize English literature, to re-assert its vigour and vitality, New Woman novelists sought to interrogate existing social realities and to imagine alternate possibilities for women. Thus, intervening into traditional representations of women, into this masculinized new realism, and into its borrowings from French naturalism (which authorized its representations of human nature as scientific observations), New Woman novelists attempted to explore female sexuality and its social codification and policing (Ardis 37).

In the early 1890s, as the circulating libraries "began to lose their moral stranglehold on the literary marketplace," Ardis notes that new publishing houses emerged that, in efforts to lure established writers to their fold and to capitalize on contemporary debates, were willing to publish more risqué manuscripts. Newly established houses like William Heinemann and John Lane were, perhaps unsurprisingly, the means by which influential New Woman authors (for example, Sarah Grand and George Egerton) reached the public, but were also already positioned—by virtue of their association with these houses and not the sanctioned circulating library—as "tainted by sexual and social license" (39). This broad context informs not only the material conditions that enabled the publication of early New Woman novels but also key debates into which those novels intervened and within which they were ultimately re-positioned by forces beyond themselves.

A third discursive thread in the debate over New Womanhood is the increasingly virulent and sexualized critical backlash that happened in the mainstream periodical press. In response to Mona Caird's article, for instance, which articulated marriage as problematic in part because it offered women a single means of self-realization, conservatives represented the New Woman as a selfish individualist who threatened social anarchy by rejecting the natural impulses and social duties of motherhood, a representation that is clear in Eliza Lynn Linton's two articles, "The Wild Women: as Politicians" (*Nineteenth Century*, July 1891) and "The Wild Women: as Social Insurgents" (*Nineteenth Century*, October 1891). For Linton, the Wild Women were defined by their selfishness:

> Their idea of freedom is their own preponderance, so that they shall do all they wish to do without let or hindrance from outside regulations or the restraints of self-discipline; their idea of morality, that men shall do nothing they choose to disallow. Their grand aim is to directly influence imperial politics, while they, and those men who uphold them, desire to shake off their own peculiar responsibilities. ("The Wild Women: as Politicians" 188)

Framing the Wild Woman, a prefiguring of the New Woman, as a selfish power-monger, Linton further describes the Wild Woman's rejection of "the finer distinctions of sex" as a "step downwards in refinement and delicacy—wherein lies the essential core of civilisation" ("The Wild Women: as Social Insurgents" 198-99). Wild Womanhood or New Womanhood was thus a degenerative, primitivizing, anti-progressive social threat. In class terms, the New Woman was distinguished from the proper lady; her transgressions disrupted class proprieties. Linton asserted that Wild Women assimilated themselves to the class of "pit-brow women for whom sex has no aesthetic distinctions" ("Wild Women: As Social Insurgents" 199), and she lamented the reverse process: "the translation into the cultured classes of certain qualities and practices hitherto confined to the uncultured and—savages" (200). In this voluntary descent, Linton saw disastrous consequences. Moreover, in the Wild Women's pursuit of adventure—Linton asserted that even missionaries, springing from the surfeit of single women in Britain, were suspect—Linton cautioned her peers: "we hold it to be an ethnological blunder, as well as a political misdemeanour, to send out these surging apostles of disobedience and discontent to carry revolt and confusion

among our Indian fellow-subjects" (205). The Wild Woman, for Linton, was a threat to the family, to Britain's internal class structure and to Britain's imperial interests.

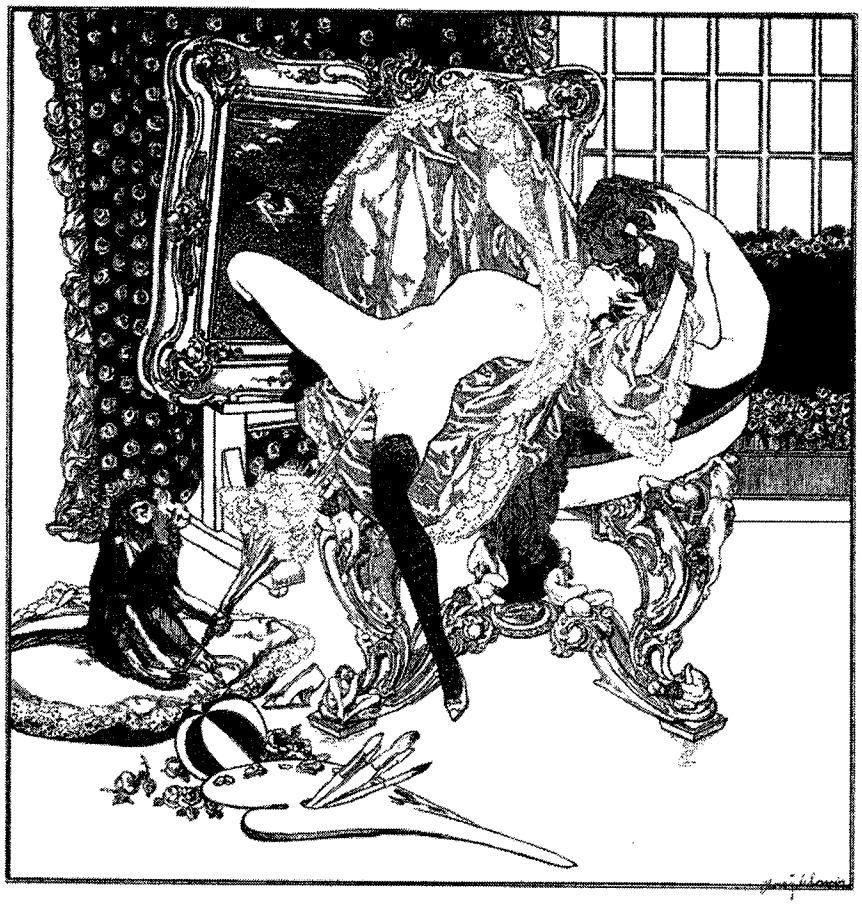
Grant Allen polarized the New Woman's relationship to society even further, exploring the economic and social emancipation of women as a strict problem of reproduction. On some level, Allen is sympathetic to women's desire for equality. In his novel, *The Woman Who Did* (1895), his heroine insists on being economically independent and insists on a free love arrangement with her partner. However, Allen turns those decisions around so that Herminia ultimately becomes the victim of her demands. Not only is she judged socially, she is rejected also by the very child that she bears, the daughter whom she wanted to conceive under conditions of freedom and for whose freedom she was presumably fighting. That rejection triggers Herminia's suicide. The ambivalences of Allen's novel—its ostensible sympathy yet its conservative undertones—are made more clear in his response to the marriage debate, "Plain Words on the Woman Question" (1889). Asserting that reproduction is a requirement for every society and that under existing conditions, women must give birth to at least four children for the race to continue, Allen argues that—while emancipation is desirable and while he "should like to see [the modern woman] a great deal more emancipated than she herself as yet at all desires" (212-13)—emancipation cannot subvert reproduction:

> And this, I believe, is what almost all the Woman's Rights women are sedulously doing at the present day. They are pursuing a chimæra, and neglecting to perceive the true aim of their sex. They are setting up a false and

> unattainable ideal, while they omit to realise the true and attainable one which alone is open to them. (213)

Extending his argument to claim that every society has a duty to support and properly train women in their reproductive functions, Allen represents the gendered division of labour as a mark of civilization (213) and characterizes "modern women agitators" as pursuing an unsexed ideal (214). Allen's response to the marriage debate was thus to re-articulate women as reproductive agents, to assert that role as an incontestable natural law, and to reinscribe existing social arrangements as the best way of supporting women in their function as wives and mothers.

After New Woman writing began to explore the topic of sexuality, however, the New Woman became a much more threatening figure in the popular press. Progressively articulated as an unsexed woman or as monstrously oversexualized, she became a mannish figure surrounded by demasculinized men; alternately, she was represented in perverse poses that signalled her degeneracy or that made her an object of decadent curiousity. In figure 4, for example, the New Woman is simultaneously embraced by another woman and penetrated vaginally by a monkey with an umbrella in a scene that openly exposes her body to the viewer's gaze. It represents the New Woman as a kind of sexual deviant, who is not only engaged in non-procreative sexual activities but whose sexuality is also primitivized and displayed for public consideration. The meaning of the umbrella-wielding monkey, however, is unstable. As George Egerton explores in her writings, it may be seen here to represent New Woman sexuality as a powerful, primitive force in tension with the highly refined culture and detail of her surroundings; or it may suggest that her sexuality is



(Fig. 4 Erotic Lithograph: Franz von Bayros. Reprinted in *1900: A Fin-de-siecle Reader*. Ed. Mike Jay and Michael Neve, p.235)

fundamentally degenerate. Certainly, the entire image evokes the excessive detail and ink techniques of Aubrey Beardsley, the illustrator of the *Yellow Book* and an associate of Oscar Wilde. As Sally Ledger, Ann Ardis and Patricia Marks have all recognized, New Woman writing was increasingly associated with Oscar Wilde and his circle in the 1890s, an association that coded New Woman writing as the new decadent threat to English culture. The following excerpt from the pages of *Truth*, reprinted by Patricia Marks, is indicative then of this broader representation:

> Take of Swinburne's ballads three—
> Choose the most erotic—
> Let them simmer in a pan,
> Steeped in some narcotic;
> Stew some sketches by de Groux—
> *Primitif* sensations—
> Chop in little bits, and add,
> Several green carnations.
> In this mixture, when a scum,
> Thick and green, is on it,
> Throw a scene from Maeterlinck,
> And one hot Richepin sonnet;
> Lard some *chansons* by Verlaine,
> Grill until they're greasy,
> Pepper with obscenity,
> Franco-Japanesy,
> Boil a "Yellow Book" well down
> In broth of burnt sienna,
> Add a "Minor Poet" stewed
> In hasheesh dashed with henna;
> Spice *ad lib.* with morbid taste
> (Give the steam no egress);
> Put in whole the unctuous lips
> Of a Cuban negress;
> Grate some cankered Dead-Sea fruit,
> And withered flowers of passion,
> Drench with *sauce* à Schopenhauer
> Mixed in latest fashion;
> Add a paradox or two
> (See they're Oscar Wilde-ish)
> Sprinkle in some draughtsmanship,
> Absolutely childish;

Equal parts of venom take,
Slime, and impudicity,
Belladona, sewer-gas,
Laudanum, and lubricity.
And, when all these things you've mixed
In a hotch-potch baleful,
Chinese white and ivory black
Dash in by the pail-ful.
Take the mixture off the fire
When it is well heated,
Put it in the sink to stand
Till it grows quite fetid.
Pour it in a tainted mould,
Like to nothing human,
Shut your eyes and hold your nose,
And serve
THE BEARDSLEY WOMAN! (Marks 168-69)[6]

This passage makes clear the way in which the New Woman's association with decadence was figured as a revolting and obscene effect of foreign influences on English culture. She is composed of a slimy mixture of French symbolism and Japanese orientalism, into which the full lips of a Cuban negress are cooked. Her song is atonal (in the reference to Schopenhauer); her "fruit" is withered, nourished on the shores of a Dead Sea; and she is steeped in narcotics and swamp-like gases. Set in a single "tainted mould," the combination of all these elements is both dehumanizing and disgusting. Erased as a real woman asserting her voice in contemporary debates, the New Woman came to function instead as a monstrous depository of cultural fear and disgust. In a similar vein then, Hugh E.M. Stutfield's article, "Tommyrotics" (1895), represented the New Women as decadent, degenerate and neurotic and New Woman writing as a disease infecting English culture with sexual anarchy:

> Along with its diseased imaginings—its passion for the abnormal, the morbid, and the unnatural—the anarchical spirit broods over all literature of the

> decadent and "revolting" type. It is rebellion all along the line. Everybody is to be a law unto himself. The restraints and conventions which civilised mankind have set over their appetites are absurd, and should be dispensed with . . . there is nothing clean but the unclean; wickedness is a myth, and morbid impressionability is the one cardinal virtue. (239)

Asserting that the matter "rests largely in the hands of women . . . [who] are chiefly responsible for the 'booming' of books that are 'close to life'—life, that is to say, as viewed through sex-maniacal glasses" (241), Stutfield calls on women "to give us a lead in discouraging books which are a degradation of English literature" and calls for perhaps "an occasional prosecution" (242). In the aftermath of Oscar Wilde's 1895 prosecution for committing acts of gross indecency, the sexualization of the New Woman and the association with decadence became an even more powerful means of critical containment. Sally Ledger thus notes that "the fate of the New Woman in the 1890s was inextricably linked with the public disgracing of Oscar Wilde" ("The New Woman" 24) and that, for the most part, feminists strongly opposed that association, preferring rather to share in the public censure even while they shared a certain desire to destabilize gender and sexuality as fixed ideological certainties (Ledger "The New Woman" 29). By the end of the 1890s then, increasingly sexualized and represented as a monster in mainstream representations, the New Woman eventually became a referent from which mainstream feminists progressively distanced themselves. "By early 1897," Tusan states, "the New Woman had faded as a contested icon in British culture. Lectures on the New Woman advertised in *Shafts* in late 1894 and early 1895

had stopped. Other references to the New Woman had to do with the New Women of other nations" (177).

As a critical backlash to New Women writers' explorations of women's psychological and sexual depths, the mainstream press re-articulated the New Woman as a mannish, monstrous, unsexed or oversexualized deviant. Those psychological and sexual explorations undertook to explode the fixity with which "woman's nature" had been bound to the single destiny of marriage and motherhood. In turn, that desire to disrupt "woman's nature" was connected with the movement of middle-class women out of the home into the public sphere. However, even as spaces were opened up *for* middle-class women in public—as consumers and as white-collar workers—that movement was coupled with social fear and anxiety about their sexuality. It is this doubleness that Christopher Keep develops with respect to the type-writer girl. Keep argues that young, single middle-class women were actively solicited as white-collar workers, that they were desired as workers because of their respectability and cheap wages, but that a latent anxiety also accompanied their movement into traditionally masculine spaces. Keep identifies a fascination with the sexuality of the type-writer girl that was symptomatic of a socio-economic re-structuring and that subjected her to constant surveillance and fantasy for women and for men. A similar argument, I think, could be made about the New Woman in Britain more generally. Symptomatic of broader socio-economic shifts that invited middle-class women into public spaces as consumers and facilitated new opportunities for them as white-collar workers, New Woman debates marked a struggle to disrupt and re-articulate middle-class femininity. Women struggled to interrogate the singular destiny allotted them as

the fulfillment of women's nature; they appropriated and disrupted Darwinian discourses that made reproduction the means of evolution and the central defining practice of femininity. However, in part because of attempts to explore women's psychological and sexual depths, the sexuality of the New Woman became a subject of fear and loathing for the mainstream press. The rise of white-collar work for women was thus importantly tied to public debates about reproduction and sexuality in Britain. Building on the premise that discursive formations move across specific cultural and national lines but are re-articulated within different socio-economic formations, I want to turn now to a consideration of New Womanhood in Canada and its particular articulation in the early writings of Emily Murphy.

Canadian Formations

In the first half of this chapter, I argued that New Womanhood in Britain represented a discursive struggle over bourgeois femininity and the social function of the modern woman. New Woman debates were contemporaneous with middle-class women's entrance into white-collar labour. They were an important cultural complement to that phenomenon, which figured and managed the tensions that accompanied the disruption of women's singular function as reproductive, civilizing agents. Informed then by broader concerns to protect and police middle-class women's sexuality, but also informed by the market conditions within which New Woman novels were published, the association of New Woman novelists with George Moore's realist circle, and the virulent conservative responses that figured the New Woman as a sexual (or asexual) monster, the New Woman in Britain came to be associated with a

radical sexual politics. In Canada, the social and cultural context of the 1890s and the early 1900s was very different, and that difference had important effects in shaping the New Woman's articulation.

According to James Doyle, the decade of the 1890s—when the New Woman officially emerged in Britain—was remarkable for Canadian writers because, while the decade was charged with "the impetus of a revitalized nationalism, most of the anglophone writers in the country were looking abroad for publishing outlets and critical recognition" (30). Aptly summarizing a broad trend on the part of Canadian writers to look to the United States for publishing opportunities, Sara Jeanette Duncan declared in 1897 that "The market for Canadian literary wares is New York, where the intellectual life of the continent is rapidly centralising" (qtd. in Doyle 30). Between 1890 and World War One, a number of new publishing houses were established within Canada; however, "many of the new firms were Canadian branches of US or British houses, and all Canadian publishers were agents for foreign books" ("Book Publishing").[7] Professional women writers banded together in 1906 to form the Canadian Women's Press Club, while, as late as 1920, Constance Lindsay Skinner lamented that "Alas! Canada has, as yet, failed to provide a market for her writers" (qtd. in Gerson "Canadian" 109). In 1921, as part of the growing cultural nationalism of the decade and in an effort to promote a national market for Canadian writers, the Canadian Authors Association was founded. The importance of the American market in the early decades of the 1900s, by contrast, cannot be overstated, a point which Carole Gerson quantifies in astounding numbers:

> According to [L.M.] Montgomery, from 1908 to 1911 *Anne of Green Gables* sold about as many copies in England and in Australia as in Canada, but American sales were 23 times the Canadian sales in 1908, 11.5 times the Canadian sales in 1909, and more than 12 times the Canadian sales in 1910 and 1911. In the first three years that *Anne of Avonlea* was on the stands, American sales outnumbered Canadian sales by a consistent ratio of ten to one. ("Canadian" 113)

Gerson further elaborates how this significant American market influenced Canadian cultural production, preferring representations of Canada as a romanticized, rural locale:

> turn-of-the-century American readers were generally quite receptive to Canadian content, or at least to that which satisfied their interest in local colour. Most popular in fiction were the exotic aspects of Canadian experience: the customs and folklore of French Canada, the northern and western frontiers (including Indians, Métis, and Mounties), historical romance, and, after *Anne of Green Gables*, Prince Edward Island. The periodicals and publishers catering to American readers were decidedly less enthusiastic about realistic urban fiction from Canada. ("Canadian" 111)

To be certain, this was not simply a representation of Canada that was forced upon writers from the outside. As Carl Berger elaborates at length, idealized representations of its Northern climate and rural culture mythically reinforced the claim—actively promoted within Canada—that the Canadian soil and rugged physical life would toughen, purify and regenerate the race (128-52). However, it is notable

because this cultural milieu is so very different from that within which the New Woman in Britain was articulated.

Where the New Woman in Britain was importantly informed by the "new realism" movement spurred by George Moore's conflict with Mudie's lending library, the collapse of the lending library in the 1890s as a dominant cultural institution, the explosion of cheap novels, the emergence of new publishing houses seeking to capitalize on the moment with sensational titles, and a strong critical reaction that articulated the New Woman as a social anarchist and threat to Britain's national and imperial destiny, the displacements that were central to Canada's cultural milieu in the 1890s helped to reinforce the representation of Canada as a Northern new world. This self-imaging was initiated well before this moment. Carl Berger, for instance, highlights Robert Grant Haliburton's address *The Men of the North and Their Place in History* (1869) as a key text that "fused the nebulous sentiment of his associates and his own knowledge of mythology to produce one of the most arresting themes in the emerging nationalist creed of the Canada First" (53). However, it became particularly important to the articulation of New Womanhood because of other social developments of the 1890s and early 1900s. In the mid-1890s, for instance, Clifford Sifton joined the federal cabinet in Ottawa, initiating a massive immigration campaign that targeted traditional British desireables, but also (and increasingly) immigrants from other European and Eastern European countries, immigrants who frequently did not speak English and who thus brought new challenges to the process of assimilation. Ramsay Cook notes that, in 1901, the population of Canada was 5,371,315; by 1911, the population had experienced a 34 per cent increase to slightly over 7,200,000; and

by 1921, that number increased to 8,800,000. With the greatest concentration of this new immigration settling in a concentrated area, the prairie provinces, Cook notes that the numbers were not the only extraordinary factor: "almost as striking," he suggests, "was the varied ethnic character of this population" ("The Triumph" 383). The "Canadianization" of these new immigrants soon emerged as a central concern for others, a process that amounted to a struggle over the character of Canada's social formation.

The idea of Canada as a Northern new world was a powerful discourse in these years for a number of reasons. The central imaging of Canada through its climate and through its people's relationship to that climate, for instance, helped to facilitate an imagined unity. However, more significantly, it helped to manage anxieties about different social groups—for instance, French Canadians—and about the ongoing certainty of Canada as a social formation modelled on British culture and institutions:

> The similarity of climate throughout Canada, declared the vice-president of the National Club of Toronto, was "creating . . . a homogeneous Race," sturdy in frame and stable in character. The French and English were not merely being "welded together" by the common climate: it was frequently pointed out that in their racial backgrounds there were no vital differences between them. (Berger 131)

Even while the material pressures of expansion rationalized the admission of non-British and non-Northern immigrants, the idea that the races of the North were superior stock reinscribed a clear hierarchy between those immigrants, creating a sliding scale of desirability and anxieties about assimilation and integration. At the

very bottom of this scale were the Chinese immigrants who had been valued as cheap labour during the building of the railway, but who were marked as a social problem after the railway was completed in 1885. In the year of the railway's completion, the first Chinese head tax, for instance, was implemented. Initially a tax of fifty dollars per Chinese head, that amount was raised in 1900 to one hundred dollars, and in 1903 to five hundred dollars. As Peter Li details in his book *The Chinese in Canada*, hostility toward Chinese immigrants significantly increased during these years—evident in legislation passed to enforce segregation and to limit the jobs for which Chinese labourers could apply—leading to the Vancouver riot of 1907, in which the Asiatic Exclusion League attacked Chinese merchant shops. The Chinese were represented as a social problem because of their visible racial difference and because of the ways that difference was culturally produced as irrevocably other; that is, they were produced as a threat to Canada's white racial community and to white labourers because of the Chinese immigrant's supposed willingness to work for breadcrumb wages. However, to understand race in strictly biological terms elides the massive work that went into re-securing the Canadian social formation as white and British, a project that involved the very active Canadianization of many groups. Race, in fact, was a slippery category in this period, a category that sometimes signalled a human grouping that transcended difference, a biological grouping that was differentiated by visible features, or a national and linguistic grouping in which culture was of primary importance. Sliding between these definitions, imperialists argued that Canada's Northern ruralness would strengthen and regenerate the race, a social grouping that was implicitly white and implicitly British but which would assimilate others to itself

through the effects of Canada's Northern climate and through a process of "Canadianization."

This social climate then created both opportunities for women and an increased surveillance of them, depending on their positioning within the sliding scale of racial, ethnic and class-based value. As Bill Maciejko details at length, in the years between 1896 and 1921, the Canadianization of immigrants in the West took the form of an educational campaign. "Schools," he argues, "provided both the locus and the rationale for a set of ideological constructions based on, and linking, ideals of ethnicity (as people hood) and domesticity (the bourgeois family). Together, these formed the ideological basis of the modern bourgeois state in Canada" (21). And, for members of the Imperial Order of the Daughters of Empire, the Canadianization of the non-British immigrant was a task for which women were particularly qualified:

> The IODE felt that the best way to deal with the threat of immigration to the British nature of Canada was through patriotic education and the Canadianisation of non-Anglo-Saxon immigrants. Using the authority invested in their maternal role in society, as well as the traditional designation of the education and socialisation of children as a woman's responsibility and part of the private sphere, the IODE worked to ensure that Canadian schools educated children on the history, culture and greatness of the British Empire. In doing so, they hoped to ensure the British character of future Canadian citizens. (Wilton 8)

In addition to the education of immigrant children, Maciejko describes the similar efforts of Presbyterian and Methodist missions or "school homes" that were

established between 1902 and 1925 to penetrate into immigrant homes, targeting immigrant mothers (Maciejko 8). "Teachers," he states, "were to go into the homes of foreigners, and to draw the women into the school with the formation of 'mothers' clubs' in which lessons in hygiene and morality would be mixed . . . A school in North End Winnipeg was equipped specifically to provide domestic training for foreign-girls who might then make proper wives and mothers" (8). White womanhood—or more specifically British womanhood—was empowered and idealized in this process. And, as Jennifer Henderson importantly reminds us, these initiatives had important consequences not only for the immigrant women who were subjected to this training and surveillance, but also for specific class-groups and for the bourgeois white women who were empowered as agents. The White Woman's Labour Law, for instance, passed in 1912 in Saskatchewan, signalled the degree to which white womanhood was marked as a site of vulnerability that required protective policing—thus limiting women's economic options and handicapping Chinese businessmen—and the degree to which white women's labour was claimed as a cheap resource for white businesses (Backhouse).[8] Similarly, white slavery debates of the 1910s indicate that white women's sexuality was an important site of anxiety for the broader Canadian social formation (Valverde). The effort to Canadianize new immigrants enabled spaces for Anglo-women to enter into those activities, allowing them a publicly sanctioned role as civilizing agents. As techniques of bio-power evolved then to monitor the population as a statistical body, a social body, and a physical body, women were invited to participate in the Canadianization project at the level of culture and racial reproduction.

The Canadian social formation into which struggles over British New Womanhood were re-articulated was shaped then by a combination of pressures. Where the British New Woman was emphatically modern and urban, figuring and managing the tensions of industrialization, Canada's self-imagining as a Northern, rural new world idealized British Canadian womanhood as a civilizing agent and mother. She represented a broader anti-modern sentiment that informed the narrative of new world regeneration. The great irony, of course, is that during the early decades of the twentieth century, Canada was increasingly urban and industrialized. Richard Allen elaborates this exponential growth:

> Between 1901 and 1911 the urban population of the country increased 62.28 per cent. Whereas in 1901 there had been fifty-eight cities with a population of 5,000, in 1911 there were ninety. Four cities, Montreal, Toronto, Winnipeg, and Vancouver, then numbered over 100,000; Montreal was approaching the half-million mark. More alarmingly, Toronto and Montreal very nearly doubled in the decade, Winnipeg multiplied four times over, and Vancouver nearly so, while newer prairie cities like Calgary and Regina grew by ten times and more. (ix)

How then do we reconcile the contradiction between Canada's self-promoted rural identity—its idealization of the North as a vast, empty space of regeneration—and its increasingly urban population in these years? One possible explanation is rooted in what Alan Lawson has theorized as the particular pressures under which settler-colonies attempted to produce authentic national cultures.

Lawson describes the settler subject as positioned between two worlds: the authority of an imperial power and the authority of First Nations people. In Lawson's account, the settler subject is both a representative of imperial power and displaced from the imperial centre. Working to disrupt an unproblematic imperial/colonial binary in which nationalism represented colonial resistance, Lawson argues for a more nuanced approach that attends to the specific function of such movements within their social formations. To demonstrate the importance of that attention, Lawson demonstrates how settler nationalism worked particularly to erase a prior First Nations presence from the land and to construct an authentic European culture to insert in its stead. In places like Canada and Australia, the attempt to construct an authentic national culture involved appropriating and displacing a First Nations presence; it invited a combination of desire and disavowal for the First Nations subject, particularly in his/her relationship to the land; and it required constructing identifications with the land to authenticate the dominant settler culture. The idealization of Canada as a rural, Northern landscape, empty and regenerative, which would produce a race of hardy Northmen, is importantly connected to this settler project of claiming the land and authenticating the dominant culture. Moreover, because of its regenerative power, it was a landscape that would uplift and revitalize a body of immigrants who—as working-class subjects and as non-British foreigners—were a source of anxiety for the dominant social formation. In this logic then, Canada might have been increasingly industrialized and urbanized in the early twentieth century, but the myth of the North as a rural new world served a key function for the dominant settler culture. Canada was working to imagine itself as the future centre of

the British Empire. And it was in these terms that women like Emily Murphy entered public discourse to offer critiques from a colonial perspective and from a feminist perspective, but also to promote Canadian expansionism and processes of Canadianization.

Murphy's first published writing was her book of sketches, *The Impressions of Janey Canuck Abroad* (1902), which described her extended stay in England between 1898 and 1900. The visit was an extension of Arthur Murphy's missionary work as an Anglican preacher, work which he had previously undertaken in rural Ontario (Sanders 46, 50). Once their two daughters were entered into schools, Murphy then had considerable freedom to visit historical or cultural sites by herself or to accompany "the Padre" on missionary work into the slums of London and other cities. In adopting the pen name, "Janey Canuck," Murphy signalled her positioning in broader fields that enabled her writing. The book of sketches represented a kind of travel literature, written from the perspective of a colonial woman, reflecting on the imperial centre. It described her impressions of another geographical and cultural locale; however, it registered also her observations on urban slums, a descent into a social otherworld. Appealing to a kind of curiosity about and fascination with England and to a shared identification as a "Canuck," Murphy was also authorized by the popularity of the woman question. Byrne Hope Sanders, for instance, asserts that the book's cover image represented "the picture of a young woman in the fashions of the nineties" (63).[9] Lacking a publisher's imprint, the book seems to have been self-published by Murphy; the cover choice, then, whether it was chosen by Murphy or by a publisher, suggested another positioning in the New Woman debates that dominated

the 1890s. Claiming an authority enabled by New Woman writing, Murphy pitched the book to Canadian audiences through her colonial, feminine perspective. "Truth to tell," she asserted in the Preface to the book, "there is but little in the semblance of novelty for the well-informed traveller, except perhaps a different insight, for we all see through our own particular prejudices and temperament. We LOOK physically but SEE mentally." In asserting the importance of this "different insight" and in naming herself "Janey Canuck"—a feminized complement to the Jack Canuck figure who was popular in cartoons of the 1890s—Murphy strategically emphasized the importance of her specific perspective, authorized herself through that inner vision, and targeted a community of Canadian readers as her audience.

As a colonial woman in England, Murphy celebrated the heritage of British culture, characterized the types that she observed around her and meditated on the social problems of British cities. She visited places like the British Museum, the Tower of London, and Carlyle's house. Resenting a sense of imperial condescension—she notes, for instance, that the average Briton "is mildly surprised at the fairness of your skin ... [and] is distinctly charmed when he finds you do not eat with a knife" (181)—Murphy includes a constant barrage of literary quotations to reflect on her surroundings and to evidence her culture. Describing her first impressions of London, she thus writes:

> To Wordsworth, she was "a crowded solitude," to De Quincey "A stony hearted stepmother." Shelley wrote of her as, "London, that great sea whose ebb and flow at once is deep and loud, and on the shore vomits its wrecks and

> still howls on for more, yet in its depths what treasures!" Dr. Johnson said, "He who is tired of London is tired of existence." (45)

In this, we see that she not only produces impressions of London (and other cities), but she produces herself also in the process. She types the characters around her, describing them as representative of particular classes and subject to determined destinies, and she extrapolates these observations to comment on broad social problems. She is horrified not only by specific women, for instance, but also by the poverty with which she is confronted. She comments on that poverty as a tornado waiting to explode into violence:

> Only those who give up their lives to the redemption of this place, know of the cruelty and hunger that madden the galley-slaves of greed; know how the rich grind the face of the poor, for this is "Darkest England" and these are "the unreached majority." Some people quickly kill their decrepit and starveling poor, but these English torture them in a slow and more refined method. The Bishop of Winchester says, "The zones of enormous wealth and degrading poverty, unless carefully considered, will presently generate a tornado which, when the storm clears, may leave a good deal of wreckage behind." (73)

Murphy comments on the social problems of British cities, particularly the slum conditions within which the working-poor live. She accuses the various Churches of not responding to the needs of those people. And, she debunks reifications of feminine morality that would ignore material contexts: "I have a clear, well-defined idea, that women are not all soul; that they have a way of hungering after bread, even before they hunger after righteousness" (185). Moreover, while

representing these impoverished classes as a potential threat that might overflow onto Canadian shores, she simultaneously manages that anxiety by figuring Canada as inherently regenerative. Describing Canada as "God's fairest gift to man" (186) and describing the escape from the "foul atmosphere of fetid slums and rotting tenements" as fortunate (if not life-saving), she comments on the salvation that will be found by the immigrants on the ship: "These hard-featured, unwashen, shambling fellows are perhaps the filthiest sweepings of the Old World, and yet bound for the better land of Canada, every one of them is looking out grandly into the future with unbounded faith" (182). Canada thus becomes not only the external referent that gives Murphy a standard of comparison through which to articulate a kind of social critique, but also the solution to that problem. As a kind of chosen land where mountains "[blaze] in the sky like altars of beaten gold . . . a mirage of the god-lit hills of heaven" (186), Canada represents a new beginning and new possibilities for Britain's forsaken. It is as a colonial woman then, an inhabitant of that new world, that Murphy claims an ironic social authority. Rejecting the stereotypes that would characterize her as unsophisticated, uncultured, or uncivilized, she claims a specific authority that is rooted in her colonial femininity, the perspective from which she uniquely observes this social world.

By claiming colonial femininity as a particular kind of authority from which to engage in a critique of British cities as ironically uncivilized, Murphy performs the challenge that Carole Gerson locates in colonial women's articulation of New Womanhood ("Wild Colonial Girls"). Recognizing that there are differences between local contexts, Gerson nonetheless argues that colonial New Women shared a

willingness to interrogate imperialism as a determining factor of feminine subjectivity. "What I do find in common," states Gerson, "is a discourse of wildness and civility that encodes their apprehension of imperialism as a complicating factor in the creation of stories for colonial young women who challenge received gender norms, and through whom their authors 'confront their own colonization'" ("Wild" 63-64). Gerson's analysis recognizes how discourses get appropriated differently by virtue of location, and she values the critiques levelled by colonial New Woman authors at structures of imperialism as well as gender relations. However, I want to suggest that the woman question was not only a site of critique for women in colonial contexts; it involved a complex process of critique and implication, particularly for white, middle-class women. While holding on to the idea that New Womanhood enabled critical discourses for women in Canada, I want to build also on Cecily Devereux's representation of the New Woman as a New Mother in the writings of Nellie McClung ("New Woman")—a figure deeply invested in racial regeneration and in promoting Canada as the future centre of the British empire—and on Jennifer Henderson's refiguring of the "girl problem." That is, Henderson references the working-girl as a site of social anxiety in Canada not to turn to girls' voices for the representation of resistance—although that too offers another dimension to the problem—but to examine "the relation between feminism and government":

> I come at the 'girl problem' somewhat differently, for the project to recover resisting voice and agency by-passes a crucial opportunity to examine a fundamental and continuing bind for feminism, centred on the relation between feminism and government. This bind does not become visible through a class

> analysis that fails to problematize voice and agency themselves. If the 'girl problem' surfaces inside forms of regulation invented and refined with feminist assistance, under the banner of maternal authority, it is not the recovery of the girl's voice that will alert us to continuing contradictions for feminism. A closer look at the particular strategies elaborated with the authorization of feminism in this period might prove to be a more promising way of grasping historical contradictions in the name of a self-conscious and critical feminism in the present. (162-63)

It is in this spirit then that I suggest it is important to understand the articulation of New Womanhood in Canada as both a means of critique and as a site of implicatedness for middle-class white women. To elaborate this point, I will turn to a brief discussion of the sketches published by Murphy back in Canada, sketches that took as their theme the Canadian West and its inhabitants.

In the context of the immigration and Canadianization processes that I discussed previously, Murphy established herself as an author by continuing to publish sketches but by turning to the Canadian West for new subject matter. Having published some of her English "impressions" in a Toronto monthly—*The National Monthly*—Murphy followed up with a series of sketches titled "The Impressions of Janey Canuck At Home."[10] Short on money and having been advised to move west for health reasons (Sanders 69), Murphy chronicled her journey in the pages of *The National Monthly*, establishing a readership for the three books to come: *Janey Canuck in the West* (1910), *Open Trails* (1912), and *Seeds of Pine* (1914). Where *The Impressions of Janey Canuck Abroad* might have been self-published by Murphy,

these later sketches established her as a recognized Canadian author. Isabel Bassett, for instance, asserts that "*Open Trails* sold over 60,000 copies at a time when 5,000 copies was considered a good sale in Canada" and that both *Open Trails* and *Janey Canuck in the West* "sold enough copies to warrant being reprinted by Dent in the Wayfarer's Library" (xxii-xxiii). Reviewers described her as being "in the very first rank of Canadian writers" ("Press Comments," *Hearth and Home*, England) and as representing "to Canada what Charles Dickens was to Victorian England" ("Press Comments," *Canada Monthly*). For a reviewer in the *Western Women's Weekly*, Murphy ranked among the literary greats of Western civilization: "A magnificent epic of the West, which for sheer elemental greatness is comparable only to such works as Thoreau's 'Walden' and characterized by an inimitable note of Homeric simplicity" ("A magnificent epic"). She was described as a Canadian Mark Twain, lauded as the voice of her people, and celebrated for her realism:

> As a writer, Janey Canuck has a rare distinction. She has the light-rippling touch, the vein of *causerie*, which we in our ignorance think to be the exclusive medium of the French . . . She writes just as the blackbird whistles, as the stream flows, and her song is not the song of art, but the song of life. ("As a writer," *The Bookman* [England])

Noted over and over again by her reviewers, this realism was important not only as a way of representing Murphy's standing as a modern artist, but as a way of signalling her importance to a developing Western Canadian formation. Describing her sketches as "[w]ritten obviously to 'boom' the Western Canadian country" ("*Janey*," *The Herald*, Duluth), reviewers commented also on the balanced perspective

offered in these works: "Besides its readableness, 'Janey Canuck in the West' is remarkable for its truthfulness. No one who has not visited Western Canada will find in this book descriptions which will lead him astray with ideas of a land that is another England, with nothing strange or difficult to overcome and only boundless opportunity" ("To write," *Toronto News*). Rather than the realism of the New Woman novel in Britain, which sought to interrogate and re-imagine the narratives available to women, Murphy's balanced perspective was celebrated as an act of nation building: "No Canadian, certainly no woman, has done more to spread Western Canada's fame through the world than Janey Canuck. Her knowledge of the country, of conditions, her keen insight and accurate portrayals, have lured thousands of hardy settlers to these provinces" ("Press Comments," *Dominion Magazine*).

While represented by the British *Hearth and Home* as the embodiment of the Canadian spirit and celebrated by Canadian reviewers as a settler rather than a traveller, "Janey Canuck" was embraced as a representative of Western Canada. However, it was also the feminine perspective offered in the sketches that registered with reviewers. As a writer in Montreal's *The Star* asserted, "Of all the trails the reader is invited to tread in this most entertaining volume, none is so fascinating as the pleasant retrospective trail of the author's reminiscences and quaint imaginings" ("Press Comments," *The Star*). Described as a "spirited young woman with ideas of her own upon most subjects" ("*Janey*," *The Athenæum*), Janey Canuck is characterized as racy but charming, modern but womanly. A reviewer in the *Pioneer Press* (St. Paul, Minn., 1912), for instance, described the record as "full of the life led by real modern adventurers" ("Open Trails"), while another asserted that "a great part of the

attractiveness of Mrs. Murphy's narrative springs from the fact that it is so natural and that it could only have been written by a woman" ("To write," *Toronto News*). Readers were as interested in "Janey Canuck" as they were in the Canadian West: "The charm of the book is the spontaneity and hob-nob of its comradeship. You are right there with "Janey," seeing what she sees, feeling what she feels, smiling with her and (if you're a man) perhaps at her once in awhile—just as you'd smile at any person so delightfully feminine" ("Books," *The Trail*).

As with her first book, Murphy's Western sketches were enabled by debates about woman's nature and perspective. Interest in the "woman perspective" created a market for her writing. She went where no white woman was imagined to have gone before. For a reviewer in *The Tribune* (Oakland, California), "Janey Canuck" is characterized as "one of the most capable writers Canada has ever produced, and without losing any of her woman's charm or wit, she has penetrated to camps where no white woman has been and brought back a most fascinating account" ("No people"). However, while she capitalized on the interest afforded by her white woman's perspective, Murphy clearly distinguished herself from New Women types who had challenged motherhood as the singular realization of woman's social contribution, dismissing the "raw-boned, gaunt-muscled women of the Gibson creation—women with arms like mummies and distorted bodies, incapable of children and compared with which a china doll would be spiritual and artistic" (*Janey* 93). Murphy was celebrated as a female author; her work was described as belonging to a modern type. She was even referenced as a New Woman by an English reviewer: "Mrs. Murphy is a new woman in the best sense of that word. She is a shining

evidence [sic] of the fact that, given the right spirit, the energy and ability, there is practically no limit in Western Canada to the honours a woman may attain, or the services she may do her community" ("Mrs. Murphy," *Canadian News* [London]). Murphy's New Womanhood then was valued for its service-function to the community. And, in Murphy's own words, the work of advancement was bound to the production of national unity. Under the title, "United We—Advance," Murphy published a snippet in the *Toronto Sunday World* (30 June 1912) that asserted: "Our Canadian coat-of-arms has many colors, but it is a seamless garment. Alberta's color is white, her symbol a range of mountains. From these may be had the clearest view of the confederacy and the glories thereof" ("United"). In her sketches of the Canadian West, Murphy was deeply invested in representing not only its manifold resources and its material promise, but also the characters inhabiting that land in an effort to knit that seamless garment.

As in her impressions abroad, Murphy recorded factual information about resources and practices in the Canadian West that would be of interest to non-Westerners and to potential immigrants. She catalogued flowers and described their many uses; she described the land and its rich resources; she detailed practices of harvesting, coal-mining and lumber-jacking. With unflagging optimism, she celebrated the Western wheatfields as the seeds of Canada's future strength: Canada was to become the bread basket of the world. However, as with her first book, the sketches were equally interested in describing the people of the Canadian West, many of whom were non-British immigrants. By and large, her sketches worked to

represent these immigrants as parts of the many coloured garment that was to become seamlessly Canadian. Of the Doukhobors, for instance, she writes:

> I am doubtless stupid in that I fail to see just reason why attempts should be made to coerce this people into other modes of thinking and living. Why cannot we let them alone? They do not steal, swear, lie or drink. They pay their debts, cultivate the land, and rear large families. There is no languorous emasculated manhood among them; no mendicant or criminal poor. (*Janey* 150)

Because of their communal practices and overtly pacifist religious commitments, the Doukhobors were a topic of much social debate. However, Murphy argues for a live and let live policy because of their work ethic and communal principles. Recognizing that contemporaries "have made much ado over [the Doukhobors'] unfitness as settlers" (*Janey* 47), Murphy argues instead that, because of their communal values, "these people from the shores of the Black Sea will make excellent citizens" (47).

By the same token, Murphy is less enthusiastic about First Nations peoples or about Chinese immigrants. In an early sketch of Victoria's Chinatown, published in "The Impressions of Janey Canuck at Home," for instance, Murphy is singularly disparaging about Chinese immigrants.[11] Describing "the Chinaman" as frequently guilty of petty larceny and unsympathetic to the sound of a baby crying, Murphy surprisingly dehumanizes those immigrants in ways that erase the very material conditions she was concerned to address in British cities:

> It is said that these people have a remarkable apathy to suffering and death. They have no tears. Their nervous systems are singularly insensible, and they

> will undergo the most painful operations without the necessity of applying anæsthetics. It is this dulness [sic] of the nerves that enables them to work so continuously, and to remain hours in one position, like an automaton—impassive as clay idols. Long centuries of oppression and misery have most likely been the engendering causes of this callousness. ("The Impressions" 230-31)

Suggesting that Chinese immigrants choose segregation—"It seems a pity that the Chinese should isolate their children in separate schools" (231)—and that residual traces of "Asiatic life" represent the Chinese immigrant's attempt to cling to old ways, Murphy asserts that "[i]f he would more often dress in Western garb much of the prejudice which is directed against him would disappear" (231). Given these choices, Murphy implies that the Chinese population resists assimilating into a broader Canadian community and that prejudice is the natural result. With a similar condescension, Murphy represents contrasting positions about First Nations people, figuring the Indian as positioned in an early stage of development, waiting to be filled in with the real colours of humanity, or as a red skinned type who is essentially "white right through" (*Janey* 77). Murphy comments that "[o]ne hardly knows whether to take an Indian as a problem, a nuisance, or a possibility" (*Janey* 76); however, for Murphy, this uncertainty is ultimately irrelevant:

> Regarding his future, we may give ourselves little uneasiness. This question is solving itself. A few years hence there will be no Indians. They will exist for posterity only in waxwork figures and in a few scant pages of history.

> However brave and game they may be, there is nothing for them in the end but death. They have to reckon with invincibility. (*Janey* 77)

Perhaps the most disturbing note to sound in this narrative is the way then that Murphy asserts the superiority of Northern peoples—because of their Northernness—and her implied willingness to sanction forceful assertions of dominance. The North, she suggests, naturally biologizes superiority: "I think the proximity of the magnetic pole has something to do with the superiority of the Northmen. The best peoples of the world have come out of the north, and the longer they are away from boreal regions in such proportion do they degenerate" (*Janey* 31). Moreover, that superiority must not hesitate to assert its strength and power: "It is a bad day for a race, too, when it becomes over-civilised. Brutality is a sign of strength and health. When people become soft they become a prey" (*Janey* 90). By extension, Murphy implies that the exercise of brutality by a people marks not its lack of civilization, but its natural dominance. Assimilation thus takes on a frightening element of force; and the imminent death of First Nations communities is not lamented, but rather naturalized and even rationalized. Murphy's many-coloured garment is revealed here to be less accommodating than she suggests.

These contradictions are symptomatic of the socio-economic formation within which Murphy's writings were articulated. She was enabled by her white woman's perspective and by the authentic vision afforded to her as a settler rather than a traveller in the West. She is characterized as racy and modern, but feminine; her newness is harnessed into service-work; she is a modern adventurer with a mission. Described as efforts in nation building, her sketches are credited with representing

"the Canada of the future in the making" ("In 'Seeds of Pine'," *The Churchman* [New York]). However, while she envisioned that Canada as a many-coloured, seamless garment, it is perhaps not surprising that she simultaneously flags Alberta's colour as "white." Her feminine perspective is bound to acts of nation building that are fundamentally contradictory, seeking both to celebrate the new immigrants of the Canadian West and to assert the dominance of the Northerner. In the context of Canada's massive post-1895 immigration project and its efforts to "Canadianize" newcomers in the early years of the twentieth century, I suggest that these contradictions were symptomatic of the broader socio-economic formation within which Murphy was enabled through the woman question. The re-articulation of New Womanhood then in Canadian contexts is developed here as a debate that enabled women's writing, that authorized critiques of the imperial centre, and that was deeply implicated in a "Canadianizing" project which would reassert Canada as a Northern new world.

An examination of New Womanhood as a discursive formation that was articulated and re-articulated in specific socio-economic formations reveals three points that should be noted as particularly significant. First, the New Woman was not articulated only by her advocates. New Womanhood represented a debate in which commentators struggled to define the parameters of modern femininity. The New Woman was articulated then as significantly by her detractors as by her advocates, and from an early twenty-first century perspective, feminists must recognize that mediation as a factor not only in the New Woman's articulation, but also in her

containment. Second, New Womanhood was a cultural debate that was articulated within specific socio-economic formations. The New Woman was importantly connected to the pressures of industrialization, which rationalized a citizenly public role for middle-class women as respectable consumers and which turned to young middle-class women as a desirable labour pool. The New Woman's sexualization was, in part, connected to the disruption of singular notions about "women's nature"; however, it was also symptomatic of the fears and fantasies associated with the public woman. Progressively transformed into a monstrous figure, the New Woman thus became a kind of cultural repository of fear, anxiety and disgust. Third, in the articulation of New Womanhood by Canadian women, it is important to attend not only to the critical perspective particularly available to the colonial woman, but also to the ways in which figures like Emily Murphy were deeply implicated in a broader socio-economic formation concerned with the "Canadianization" and assimilation of immigrants. Murphy was modern and racy; she was noted for her realist techniques; however, Murphy's feminine perspective was enmeshed in a kind of nation building that, retrospectively, is deeply problematic. What then are the implications for "modern" women? Without answering that question here, I ask it as a way of signalling the other work that this chapter performs: it sets up a discursive struggle over feminine subjectivity—informed by women's professionalization, by debates about women's reproductive functions, and by a "Canadianizing" project—that is central to the debate I will examine in Chapter Four. Simultaneously, this chapter sets up the nation building examined in the next chapter, with its particular focus on the post-World War One social hygiene movement and the articulation of citizens as

human resources. Examining how the female citizen was particularly produced in that discourse and how "personhood" was a site of struggle—both for women as political subjects and in attempts to control women's reproductive functions—the next chapter functions as an extension of this discussion, interrogating nation building as a complex site of empowerment and surveillance for women.

[1] For more on the naming of the New Woman, see Ellan Jordan, "The Christening of the New Woman: May 1894," *Victorian Newsletter* 63 (1983): 19-21. Michelle Elizabeth Tusan sketches out a different genealogy for the term, locating the coinage in the pages of *The Woman's Herald*—a *fin-de-siècle* feminist periodical—in August 1893. Both of these accounts are tremendously useful. I have foregrounded Jordan's narrative not because it is more correct or more academic, but because her account represents the New Woman's entrance into the mainstream press. I return to Tusan's genealogy later; however, it is worth noting here that Tusan predates this naming in the feminist press. See Tusan, "Inventing the New Woman: Print Culture and Identity Politics During the Fin-de-Siecle," *Victorian Periodicals Review* 31:2 (Summer 1998): 169-82. Both the Grand article and Ouida's response are reprinted in Carolyn Christensen Nelson's *A New Woman Reader*.

[2] For representations of the New Woman in *Punch*, see Patricia Marks. In *The New Woman: Fiction and Feminism at the* fin de siècle (Manchester: Manchester UP, 1997), Sally Ledger develops how the New Woman was compared to the Decadent movement by conservatives, and how, after 1895, New Women writers attempted to distance themselves from Wilde and his associates.

[3] See Beetham on women's pages; Tusan on women's writing in feminist journals.

[4] On "vertically-integrated corporations," Keep elaborates that "[b]usinesses were restructured in such a way that the once inclusive category of clerk was increasingly subdivided between those tasks which required 'decision-making' skills and those, like typing, which were merely 'mechanical' in nature. This distinction masked what was in reality a division of labor along gender lines" (412).

[5] Ledger, for instance, registers a surplus of approximately 900,000 more single, unmarried women than men in Britain's 1891 census. She notes the ways in which this surplus strengthened arguments for women's education and employment; however, she flags also the way in which emigration in the service of the empire was invoked as an alternative response. "Those women," she states, "who persisted in the belief that the unmarried woman should be enabled to lead a full an independent life as man's equal were the New Women most vilified in the periodical press during the last two decades of the nineteenth century" (*The New Woman* 12).

[6] Marks includes this verse in her discussion of *Truth*'s 1894 Christmas issue. The verse is part of a four-part representation of the New Woman: as a Beardsley woman, a Mrs. Grundy type (who puritanically hates men), a mannish woman, and a blue-stocking. An illustration groups these figures together as a kind of chorus line—with a verse elaborating each character—and the representations are matched by masculine counter-parts: the Beardsley man (a Wildean figure), the fashionable fop, the man-woman, and the "brainless military man" (Marks 171).

[7] According to *The Canadian Encyclopaedia*, these new publishing houses included: Musson Book Company (1894); G.N. Morang (1897); McLeod & Allen (1901); University of Toronto Press (1901); Oxford University Press (1904); John C. Winston (1904); Macmillan Company of Canada Limited (1905); McClelland and Goodchild (1906; later McClelland and Stewart); Cassell and Company Limited (1907); J.M. Dent and Sons (1913); and Thomas Nelson and Sons Limited (1913).

[8] In her excellent chapter, "'Mesalliances' and the 'Menace to White Women's Virtue': Yee Clun's Opposition to the White Women's Labour Law, Saskatchewan, 1924," Constance Backhouse describes the initial enactment of this provincial law in Saskatchewan in 1912 and the coalition of forces that banded together to support it, including the Local Council of Women, the Saskatchewan Trades and Labor Council, and the Saskatchewan Social and Moral Reform Council. Specifically targeting Asian businesses, the law provided that "No person shall employ in any capacity any white woman or girl or permit any white woman or girl to reside or lodge in or to work in or, save as a *bona fide* customer in a public apartment thereof only, to frequent any restaurant, laundry or other place of business or amusement owned, kept or managed by any Japanese, Chinaman or other Oriental person" (136). Backhouse describes this law as the "first overt racial recognition of 'whiteness' in Canadian law" (136) and sketches how the protection of white women's sexual morality translated into an economic issue between white labour groups, white business owners and Chinese entrepreneurs. In fascinating detail, Backhouse further describes how the legal production and protection of white women's sexuality ironically also foregrounded the instability of racial categories (so that, for instance, some white women were considered less white than others because of their ethnic background).

[9] As a sidenote, it is interesting to point out that Nellie McClung also attempted to enter into publishing by appealing to a kind of New Woman writing. This is suggested in an early

manuscript described by Hallett and Davis: "The Bicycle Belle" (1899). According to Hallett and Davis, cycling was very popular in Manitou, the Manitoba town where the McClungs were residing. The manuscript, in turn, was "a bicycle burlesque that [spoofed] the blackest-villain, whitest-hero melodrama so dear to the heart of the nineteenth century. All the clichés of extravagant melodrama—stock plot, stock characters, stock language—are mimicked and satirically cut down to realistic southern Manitoba size in a tongue-in-cheek prairie tall tale" (60). McClung tried repeatedly between 1899 and 1901 to find a serial publisher for the work; however, interestingly, it was never picked up.

[10] In its first issue (June 1902), *The National Monthly* published some early chapters of *The Impressions of Janey Canuck Abroad* and continued to serialize the account through 1902 and into 1903 (Volume 1, numbers 1-6; Volume 2, numbers 1-5). In June 1903, the monthly started publishing Murphy's "The Impressions of Janey Canuck at Home." This serial continued until December 1903 (Volume 3, number 6).

[11] Emily Ferguson [Murphy], "The Impressions of Janey Canuck At Home," *The National Monthly* 3.4 (Oct. 1903): 230-32. Copies of *The National Monthly* can be found at the National Library of Canada.

CHAPTER THREE

Inherited Legacies: Personhood, Social Hygiene and the Production of the Female Citizen in post-World War One Canada

As noted in chapter one, the *Women are Persons!* monument on Parliament Hill was a landmark event in Canada for two reasons: (i) it marked the first time that common citizens (as distinguished from Canadian Prime Ministers) had been commemorated with a statue on Parliament Hill; (ii) it represented the first time that any woman outside of British royalty—much less a group of women who collectively organized to lobby for women's rights—had been honoured in this way. Located on the literally and symbolically public space of Parliament Hill, the statue simultaneously celebrates the Persons Case as a historic legal decision initiated by the activism of five women and promotes an ideal of participatory citizenship, inviting spectators to sit in the chair and to join the Famous Five at their table. Moreover, in both Calgary and Ottawa, pedagogical panels accompanying the statues represent the Persons Case as a historic moment for Canada's political institutions, a moment that signalled not only a new recognition of women within the *British North America Act*—recognizing women as persons in section 24 of the BNA Act and so allowing them to be considered as Senatorial candidates—but also a new principle of constitutional change. That is, the question of women's personhood within the parameters of section 24 was re-articulated by the Privy Council as a question of constitutional evolution: they argued that the constitution needed to progress and evolve with society and asserted that "the exclusion of women from all public offices is a relic of days more barbarous than

ours" (Muir Edwards v. Attorney-General for Canada: 128). And while the Persons Case has been read as a victory in the fight for women's rights, the Imperial Council emphasized that this recognition was *not* an assertion of rights for women, but rather a decision regarding eligibility for the privilege of being appointed to the Senate. That is, women could not be entitled to be Senators; however, given that women were now holding public office in other capacities and lacking a clear reason why they should be disqualified from Senatorial public office, the Council affirmed that, providing they met the other conditions of eligibility, women should qualify for consideration. In this chapter, I will explore the tension between rights, privileges and duties of citizenship that accompanied the symbolic recognition of personhood for women, a tension that I argue had important consequences for first-wave feminism.

More specifically, this chapter proposes to examine the complex effects of citizenship for women with reference to the Persons Case (1929) and the discourses of citizenship developed by the post-World War One social hygiene movement in Canada. In particular, I consider how a political discourse of rights for women—the rights of citizenship—was tied to the social production of citizenship within the social hygiene movement. To this end, I investigate the construction of personhood in the 1928 decision by the Supreme Court of Canada, the 1929 decision by the British Privy Council, and a 1917 decision of the Alberta Supreme Court involving the fate of a Calgary prostitute and the authority of the female magistrate who sentenced her. I suggest here that it is no coincidence that female magistrates and women's courts emerge at the exact moment that women are first enfranchised in Canada: the courtroom was an important site for the production and policing of women as citizens.

Focusing here primarily on legal decisions, this chapter describes and explains a relationship between the production of the citizen as a self-governing sovereign subject in legal and social discourse. I argue that discourses of citizenship, while important because they allowed women to participate actively and legitimately in the political community of the nation, functioned also to produce and police femininity in ways that worked to contain the challenges posed by first-wave feminism to a broader social order. Finally, I examine how Emily Murphy negotiated that complex discursive nexus as an exemplary female citizen, a judge and an active member of the Canadian Social Hygiene Council. In short, where social historians like Linda Kealey have suggested that first-wave feminism "failed" as a result of maternal feminism's ideological dominance and fundamental conservatism in Canada, I argue here that citizenship—as a mixed bag of rights, duties, privileges and responsibilities—functioned as one of the central discourses through which women were produced and policed in postwar Canada, and that the recuperative effects of that discourse should not be underestimated. Entrance into citizenship *did* advance women's rights, and it *did* legitimize women's participation in public policy decisions. However, the policing of the population as the nation's human resources and the production of the good citizen as a crusader for sexual and moral health also resulted, quite literally, in the confinement and sterilization of specific bodies through venereal disease legislation and in practices of state-sanctioned eugenics. Further, where such legislation enabled the enforcement of normalized social codes, discourses of citizenship more broadly called for a constant, internalized policing of the self and the other. I suggest that the effects of this internalizing policing, coupled with the abstract

equality promised as citizens, functioned to neutralize the women's movement in important ways.

The Persons Case

Culminating in a decision of October 18, 1929 by the British Privy Council, which ruled that women should be included as persons in section 24 of the British North America Act and that women were therefore eligible for Senate appointments, the Persons Case was an extension of women's organizing in Canada for the suffrage and for women's rights. As early as 1916, women obtained the provincial vote in Manitoba, Alberta and Saskatchewan and the right to stand as elected members of the Legislative Assembly in Manitoba and Alberta.[1] In 1917, women were partially enfranchised at the federal level through the Union government's War-time Elections Act, which granted women the right to vote on behalf of soldiers (and which simultaneously disenfranchised "enemy aliens" in Canada, unless they were naturalized before 1902). In 1918, a more comprehensive women's suffrage bill was passed by parliament, and, in 1920, it was matched with the federal right to stand for public office.[2] Having made significant gains at the provincial and federal levels, women thus turned their eyes to the Senate, the only political office still legally denied to women on the basis of sex. As Emily Murphy wrote in a letter to Mrs. John Scott,

> In spite of the arguments concerning [legislative] Intent, when you come to think it over, you'll find that sex, in itself, is no longer a disqualification. All things being equal, a woman is eligible for any office—with the unimportant exception of being the father of a family. She may be a queen, a cabinet

> minister, speaker of the house, premier, pound-keeper, or any other old thing, except—oh, presumption ineffable!—a senator. (qtd in Sanders 231-32)

Building on women's successes in the suffrage movement, organizers transferred their energies to the question of the Senate. In 1921, the National Council of Women—which, through its member organizations, represented some 450,000 women—unanimously approved a resolution that Emily Murphy should be appointed to the Senate of Canada (Benoit 3). Similar resolutions were passed and forwarded as petitions to government officials by the Montreal Women's Club and the Women's Institutes of Canada (Sanders 218). The 1922 death of a Senator from Alberta provoked a new flood of submissions, asserting that women were unrepresented in the Senate, that the present vacancy should be filled with a woman, and that Magistrate Murphy was ably qualified. To this and other petitions, however, five federal governments in the postwar years responded with legal opinions suggesting that women were not eligible for appointment.[3] As a consolation, they suggested that it might be possible to amend the BNA Act so as to redress this question.

While Murphy strategically worked to keep that door open as a last resort, any amendment to the BNA Act would have meant lengthy delays and a possible derailment since all of the provinces would have needed to approve any such amendment, and women's enfranchisement was strongly opposed in Quebec. Moreover, if they pursued that route, the Senate itself could refuse to ratify the amendment (Sanders 238; Cleverdon 151). Instead, pointed by her brother (a judge) to an obscure clause in the Supreme Court Act, allowing five petitioners to submit a question regarding a constitutional point to the Supreme Court for interpretation,

Murphy organized four other women—Nellie McClung, Louise McKinney, Henrietta Muir Edwards, and Irene Parlby —and submitted a question regarding women's eligibility under section 24 of the BNA Act for consideration. As provided for in the clause, the Department of Justice agreed to pay all reasonable fees, assuming that the question was of significant import to Canadian law, and, if approved, the petitioners were allowed to appeal the decision to the British Privy Council. On April 14, 1928, the Supreme Court of Canada returned with a negative response: women could not be considered qualified persons under section 24 of the British North America Act, and thus they could not be considered for appointment to the Senate. When the Canadian government agreed to finance the appeal—the appeal, in fact, required an Order of the Governor-General-in-Council before it could be forwarded to the Privy Council (Cleverdon 150, 152)—the five women decided to forward their application on to the British Privy Council. As a result, after years of effort, their tenaciousness was finally rewarded. On 18 October, 1929, in a decision that reversed the earlier one by the Supreme Court of Canada, the Imperial Council announced that women *were* persons within the parameters of section 24 and that they should thus be considered eligible for Senate appointments.

The Privy Council's decision was a landmark in that it opened the doors of the Senate to women in Canada. That said, the decisions of 1928 and 1929 are worth exploring more closely for the different ways in which they constructed personhood in relation to concepts of sovereignty more broadly. It should be noted that women *were* already persons before the Persons Case; however, as we will see in the 1928 Supreme Court Decision, the "privilege of sex" replaced their eligibility for other public

privilege, a common law practice that held women "persons in matters of pains and penalties, but not persons in matters of rights and privileges" (Benoit 3). Where Monique Benoit locates this distinction in an 1876 English court decision, Sandra Peterson elaborates how the definition of personhood was essentially "split" by English courts throughout the nineteenth century, becoming an equivocal signifier that was always synonymous with men but sometimes included women. That is, women were sometimes persons and sometimes not persons, depending on different factors like the wording of the law, the assumed intent of the law-makers, and the function of the legislation in question. And, as the decisions of 1928 and 1929 make clear, judges turned to very different referents to stabilize that inherited equivocation so as to decide the question posed by the Persons Case. The problem of interpretation and equivocation, then, is also at the heart of the Persons Case, a problem that is complicated by the inheritances of a legal apparatus.[4]

Heard by a panel of five Supreme Court Justices and presided over by Chief Justice Anglin, the question posed by the Famous Five to the Supreme Court of Canada was this: "Does the word 'Persons' in section 24 of the *British North America Act*, 1867, include female persons?" Where section 24 stated that "The Governor General shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of Canada, summon qualified Persons to the Senate; and, subject to the Provisions of this Act, every Person so summoned shall become and be a Member of the Senate and a Senator" (Supreme Court Decision, 1928: 277-78), the qualifications delimiting eligibility were stated in section 23 of the same act:

(1) He shall be of the full age of Thirty Years;

(2) He shall be either a Natural-born Subject of the Queen, or a Subject of the Queen naturalized by an Act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of One of the Province of Upper Canada, Lower Canada, Canada, Nova Scotia or New Brunswick, before the Union, or of the Parliament of Canada after Union;

(3) He shall be legally or equitably seised [sic] as of Freehold for his own Use and Benefit of Lands or Tenements held in free and common Socage [sic], held in Francalleu [sic] or in Roture [sic], within the Province for which he is appointed, of the value of Four thousand Dollars, over and above all Rents, Dues, Debts, Charges, Mortgages, and Incumbrances due or payable out of or charged on or affecting the same;[5]

(4) His Real and Personal Property shall be together worth Four Thousand Dollars over and above his Debts and Liabilities;

(5) He shall be resident in the Province for which he is appointed;

(6) In the case of Quebec he shall have his Real Property Qualification in the Electoral Division for which he is appointed, or shall be resident in that Division. (Supreme Court Decision, 1928: 279)

The question to be decided was whether or not a woman who met all the specifications of citizenship, property, age and residency was included within the "He" of the language or whether the "fit and qualified" nature of the persons under consideration already excluded women from that category (Supreme Court Decision 1928: 281).

Representing the Famous Five and the province of Alberta in support of the appellants, the Honourable N.W. Rowell, K.C. argued two key points.[6] Firstly, he compared section 24 with other sections in the BNA Act to demonstrate that women were included as persons within that legislation; the only restriction then, he argued, should be the qualifications outlined in section 23 (Sanders 234-35; Cleverdon 148). Secondly, he cited Lord Brougham's Act—an earlier provision in force in England in 1867—which stated that "in all Acts words importing the Masculine Gender shall be deemed and taken to include Females, and the Singular to include the Plural, and the Plural the Singular, unless the contrary as to Gender or Number is expressly provided" (Supreme Court Decision 1928: 286). Given this point of law, Rowell asserted that the masculine pronouns used in section 23 should be understood to include women (Cleverdon 148). In short, since the BNA Act already included women within the term "person" and since there was no explicit qualifier in section 24 stating that the term included men but not women, Rowell argued that, by virtue of Lord Brougham's Act, women should be understood to be persons in section 24 and should therefore be eligible for Senate appointments, providing they met the qualifications outlined in section 23 (the only specific qualifications that the framers of the BNA Act expressly provided).

The Supreme Court, however, was not persuaded. Although there were differing explanations offered for why the Justices arrived at that decision, they unanimously responded in the negative. Chief Justice Anglin, with whom three of the other Justices concurred in substance, argued that, as established by precedent, the job of the court was to decide whether, when the BNA Act was passed in 1867, the

framers of that legislation *intended* to include women in the section under scrutiny (Supreme Court Decision 1928: 282). If section 24 was to be understood to include women in the present day, Anglin asserted that it must have intended to do so in 1867. Based on established legal principles, Anglin noted that such intent might be gleaned "from the cause and necessity of the Act being made, from a comparison of its various parts and from foreign (meaning extraneous) circumstances so far as they can be justly considered to throw light upon the subject" (citing *Hawkins* v. *Gathercole*, 282). For Anglin, two important circumstances weighed upon the matter: the fact that the office of the Senator was newly created in the BNA Act, and the fact that, at the time, women were subject to a "legal incapacity to hold public office" (283). The newness of the office meant that "the right of any one to hold the office must be found within the four corners of the statute which creates the office" (citing *Beresford-Hope* v. *Sandhurst*, 283). Meanwhile, the historical incapacity of women was framed as a privilege of the sex: "chiefly out of respect to women, and a sense of decorum, and not from want of intellect, or their being for any other such reason unfit to take part in the government of the country, [women] have been excused from taking any share in this department of public affairs" (citing *Chorlton* v. *Lings*, 283). In response to Rowell's assertion that Lord Brougham's Act implicitly included women within the parameters of personhood, Anglin built on the precedent of *Chorlton* v. *Lings* to assert that women's privilege or legal incapacity meant that, while "persons" normally included women, in this instance—because it required the capacity for public office—it was implicitly restricted.[7] If the framers had wanted to include women, he suggested, they

would have been more obvious and less "furtive" (287). And, to locate this back within the "four corners" of the BNA Act, Anglin thus returned to section 23:

> In every clause of s.23 the Senator is referred to by the masculine pronoun—"he" and "his"; and the like observation applies to ss. 29 and 31. . . . Moreover, clause 2 of section 23 includes only "natural-born" subjects and those "naturalized" under statutory authority and not those who become subjects by marriage—a provision which one would have looked for had it been intended to include women as eligible. (286)

As a result, Anglin declared that, in his opinion, women could not be considered eligible for the Senate because they were not "qualified persons"; they were subject to a historical, legal incapacity from holding public office, and thus they were expressly excluded (290).

The one opinion that dissented substantively in logic from Anglin's was offered by Justice Duff. He disagreed with the preceding argument "in so far as it rests upon the view that in construing the legislative and executive powers granted by the B.N.A. Act, we must proceed upon a general presumption against the eligibility of women for public office" (294); however, finding different grounds on which the restricted construction of personhood needed to be maintained, he nonetheless agreed with the negative response to the question. For Duff, the authority granted to the Dominion in the BNA Act to alter the qualifications for public office meant that a strict definition of women's capacity in 1867 should not be unwaveringly determinative. Women's historical legal incapacity was not a stable enough referent to determine the question at hand. Instead, Duff looked for a different kind of intent in

the Act: "an intention that the constitution of the Senate should follow the lines of the Constitution of the old Legislative Councils under the Acts of 1791 and 1840" (300). According to Duff, then, the Act constituted the Senate through a model that did not include women and which Parliament was not empowered to redefine:

> It seems to me to be a legitimate inference that the *British North America Act* contemplated a second Chamber, the constitution of which should, in all respects, be fixed and determined by the Act itself, a constitution which was to be in principle the same, though, necessarily, in detail, not identical, with that of the second Chambers established by earlier statutes. That under those statutes, women were not eligible for appointment, is hardly susceptible of controversy. (301)

That model meant, for Duff, that the personhood referred to in section 24 had to be interpreted in its restricted sense to include only men. Further, recognizing a measure of independence and authority accorded to the Senate in the BNA Act, Duff suggested that the Senate, "by assenting to the Statute authorizing the submission of questions to this Court for advisory opinions, can be deemed thereby to have consented to any curtailment of its exclusive jurisdiction in respect of such questions" (302). However, Duff questioned whether the Supreme Court actually had the authority to expand the interpretation of the word "person" in section 24 and suggested that such a move "might give rise to a conflict between our opinion and a decision of the Senate in exercise of its jurisdiction" (302). Given these factors, Duff elaborated not only why he concurred with the decision that "persons" must be interpreted in its restricted sense in section 24 of the BNA Act—because the intended model on which the Senate was

imagined did not include women—but also his doubts about "whether such a question as that now submitted falls within the Statute by which we are governed" (302). The Imperial Council, it would seem, was the only proper authority for the question at hand.

However, in responding to the Famous Five's appeal of the Supreme Court decision, the British Privy Council took a very different approach to the question. In their decision, the Privy Council shifted the focus away from the original intent of the framers of the BNA Act to the intended *function* of that legislation:

> The British North America Act planted in Canada a living tree capable of growth and expansion within its natural limits. The object of the Act was to grant a Constitution to Canada. "Like all written constitutions it has been subject to development through usage and convention": Canadian Constitutional Studies, Sir Robert Borden (1922), p.55.
>
> Their Lordships do not conceive it to be the duty of this Board—it is certainly not their desire—to cut down the provisions of the Act by a narrow and technical construction, but rather to give it a large and liberal interpretation so that the Dominion to a great extent, but within certain fixed limits, may be mistress in her own house, as the Provinces to a great extent, but within certain fixed limits, are mistresses in theirs. "The Privy Council, indeed, has laid down that Courts of law must treat the provisions of the British North America Act by the same methods of construction and exposition which they apply to other statutes. But there are statutes and statutes; and the strict construction deemed proper in the case, for example, of a penal or taxing statute or one

> passed to regulate the affairs of an English parish, would be often subversive of Parliament's real intent if applied to an Act passed to ensure the peace, order and good government of a British Colony": see Clement's Canadian Constitution, 3rd ed., p.347. (Muir Edwards v. Attorney-General for Canada: 136-37)

In the eyes of the Council, the BNA Act was passed to grant a written constitution to a newly established Dominion—within the context of the British Commonwealth—and it should be understood to evolve with the changing conditions of society. Its function was to ensure the "peace, order and good government" of the Dominion. Based on this logic, the Privy Council asserted their focus "not [on] what may be supposed to have been intended, but [on] what has been said" (137). Allowing for a "large and liberal" interpretation of that statute, the Justices highlighted sections in the Act where the term "persons" necessarily included men and women; they did not see an express disqualification of women in sections 23 or 24; and thus they shifted the burden of proof: "The word 'person,' as above mentioned, may include members of both sexes, and to those who ask why the word should include females the obvious answer is why should it not? In these circumstances the burden is upon those who deny that the word includes women to make out their case" (138). Further, recognizing that, since confederation, women had entered into the class of persons entitled to vote and to hold public office in the Dominion, the Privy Council pointed out the contradiction that women might be allowed to hold office as a member of Parliament but not as a Senator. Barring an explicit disqualification of women in the law, they suggested instead that the interpretation of section 24 should reflect those broader social currents.

In the same move, however, the Council distinguished its decision from an assertion of women's rights. "No one," they argued, "either male or female, has a right to be summoned to the Senate. The real point at issue is whether the Governor General has a right to summon women to the Senate" (137). While it involved a question of rights—the right for women to be considered for Senatorial appointments—the issue did not involve the right to *be* Senators. Rather, it was importantly tied to other eligibility criteria and to a kind of exemplariness that merited recognition.

The 1928 Supreme Court Decision and the 1929 Privy Council reversal of that ruling made obvious the ways in which personhood was an unstable signifier. As Rowell pointed out, Lord Brougham's Act established that men and women must both be understood to be included in such terms unless a restricted interpretation was expressly provided. For Anglin and the three other Justices who concurred with his decision, women's "legal incapacity"—understood as a privilege of the sex—was context enough to signal the expressly provided exclusion of women from the privileges of personhood in section 24. For Duff, it was the historical model on which the Senate was imagined that clarified the restricted interpretation of personhood. Both Anglin and Duff, however, were guided by a principle of legislative intent in their attempts to stabilize the equivocation of personhood, a principle which implied there could be only one proper meaning. The framers of the BNA Act could not have meant to include women and to exclude them simultaneously. However, the equivocation within the term and the resulting attempts to fix its interpretation—which agreed in principle but disagreed about why and how personhood came to exclude women—highlights the fact that personhood was not an inherent trait that women

simply possessed or did not possess. Rather, it was a *designation*, produced by law in specific contexts, and the question was whether or not women were to be included in that discursive category, in this instance. In turning to "intent" to stabilize the meaning of the law, the Supreme Court Justices recognized that the equivocations of personhood required an external referent to stabilize the meaning of the term. As a means of producing that stability, both Anglin and Duff searched for the originary presence of the Imperial framers to restrict the equivocation of personhood; yet, their divergent arguments demonstrate that the intent of the framers was not stable either. There was more than one way of defining it. As a result, their search for Truth—for the originary presence of the framers that would fix the problem of interpretation—ultimately reinforced the constructedness of personhood as a discursive category. The Privy Council's decision marked an important moment for women: not the first moment that they had been recognized as persons in law, but a new legal construction of women that recognized their eligibility for public privilege—based on their entrance into the duties of citizenship—rather than the "privilege of sex" that had previously rationalized their legal incapacity.

The Persons Case thus represented a new production of women as political subjects, an extension that the Privy Council rationalized as an extension of imperial progress and Canada's self-government as a Dominion. "The communities included within the Britannic system," noted the Privy Council Justices, "embrace countries and peoples in every stage of social, political and economic development and undergoing a continuous process of evolution" (135). The BNA Act was not intended to bind Canada's development through "a rigid adherence to the customs and traditions of

another [community]" (135); rather, the BNA Act was figured by the Justices as "a living tree capable of growth and expansion within its natural limits . . . so that the Dominion to a great extent, but within certain fixed limits, may be *mistress in her own house* ..." (my emphasis, 136). The function of the BNA Act was to ensure the peace, order and good government of the Dominion through a written constitution; it produced a system of government and defined its processes. In so doing, it enabled self-government on the part of the Dominion and defined the limits of that sovereignty. British institutions—the Crown or British courts, for instance—remained a final authority. But the sovereignty of the Dominion produced by the BNA Act was central to the Justices' rationale that constitutional interpretation should evolve with society. That sovereignty, however, was figured by the Justices specifically in a discourse of domestic economy: the Dominion was meant to be a "mistress in her own house, as the Provinces to a great extent, but within certain fixed limits, are mistresses in theirs" (136). The Dominion governed her house presumably in the same way that the ideal female citizen, as a sovereign subject, governed her keep. Self-government at the level of the individual and the Dominion, then, was an important part of the Privy Council's decision to expand personhood to include women as eligible Senators: they embodied the Dominion itself as a mistress in its own keep, a configuration that was importantly tied to skills of domestic management but also to the management and production of others. To elaborate this re-articulation of personhood, I will turn now to an earlier moment in the history of the Persons Case, a moment tied intimately to Murphy's authority as a female judge, trying and sentencing other women in her "women's courtroom."[8]

While the Persons Case was officially resolved in October 1929, its roots went much further back. As I suggest earlier, it was an extension of women's organizing for the suffrage, a movement that, in Canada, relied heavily on a rhetoric of maternal feminism (Bacchi). This movement had roots in the nineteenth century; however, it was in the years between 1916 and 1925 that women actually entered into citizenship as enfranchised voters and as political candidates at the federal and provincial levels (with the exception of Quebec). In these same years, some women also entered into positions of public authority in non-elected capacities: for instance, the appointment of Emily Murphy and Alice Jamieson as police magistrates in Alberta in 1916. And, as David Bright points out in his article, "The Other Woman: Lizzie Cyr and the Origins of the 'Persons Case'," these earlier appointments to public office and the legal battles which they provoked were important precursors to the Persons Case of 1929. Murphy and Jamieson presided over women's courts in Edmonton and Calgary, hearing cases involving the prosecution of women, frequently on vagrancy charges (which included prostitution).[9] These appointments resulted in a series of objections by lawyers in Murphy and Jamieson's courtrooms, challenging their authority as magistrates. In 1917, the Alberta Supreme Court was called to decide on the question of women's authority to be appointed to public offices of this sort, as part of an appeal involving a Calgary prostitute, Lizzie Cyr (also Lizzie Waters). The appeal challenged Jamieson's sentencing of Lizzie Cyr on three points: (i) that Cyr was not to be included in the definition of a vagrant as a "loose, idle or disorderly person" who lacked visible means of support, since that definition would condemn most respectable, middle-class women and since the language of the Act imputed the masculine gender (Rex v. Cyr

[Alias Waters], 14 June 1917: 1185); (ii) that Jamieson was "incompetent and incapable of holding the position of police magistrate," since she was subject to a common-law incapacity to hold such office (1186); (iii) and that Jamieson's sentencing of Cyr was premature in the process, denying the defendant the right to a defense (1188). The appeal went through two stages. First, it was heard by an Alberta Supreme Court Justice (Justice Scott), who upheld Cyr's inclusion in the language of the vagrancy law; suggested that Jamieson's authority was questionable but that this court proceeding was technically the wrong place to offer that challenge; and upheld Jamieson's sentencing of Cyr while recognizing that she made a mistake in the process (which was immediately redressed). Second, it was appealed again to the Appellate Division of the Alberta Supreme Court, where three Justices considered the same issues but tackled the question of Jamieson's authority more fully. Suggesting that Scott had evaded the point, they decided the following:

> While there is no statute directly declaring women qualified to hold the office of a police magistrate in Alberta, there is no actual decision declaring their incapacity at common law, and therefore, especially in view of the general sense of the community upon the subject, as indicated by local legislation during the last thirty years, and, in view of the general principle of reason and good sense which should be followed in interpreting the common law in new conditions of society, it should be held that at common law as it exists in this province there is no legal disqualification preventing women from holding public offices in the government of the country. (Rex v. Cyr [Alias Waters], 23 November 1917: 849)

The judges considered a series of decisions in English Courts and concluded that "no case can be found which directly decides that a woman is disqualified from holding public office"; that common sense dictated that the law should reflect other, broader social changes; and that, while bound by tradition, English courts were not strictly determinative of Canadian law: "We are at liberty to take cognizance of the different conditions here, not merely physical conditions, but the general conditions of our public affairs and the general attitude of the community in regard to the particular matter in question" (857). Concepts of sovereignty and of self-government again entered the debate—suggesting that sovereignty was not simply something that the Imperial parliament doled out but also something that colonial subjects desired and sought to claim—as did the distinction between women's rights and the question of privilege:

> a different principle might well apply to the question of the franchise, which could be claimed as a right by all persons coming within the proper class without any power, in the executive, of discrimination or selection, from that applicable not to the right, because no right could be claimed, but to the legal *qualification* to be appointed to a public office when the Crown and its responsible advisers can always exercise judgment and discretion in regard to the particular qualification of the individual. (856)

In a case that predated the Persons Case by more than a decade, the Justices distinguished between privileges and rights even as they asserted a measure of independence from English courts to rationalize women's empowerment in local contexts. Women's rights and privileges were one locus through which Canadian

courts struggled with and asserted principles of sovereignty; however, while this decision enabled women to hold public office in the province of Alberta, it clearly mattered which woman one was considering. Women such as Murphy or Jamieson challenged a legal apparatus that had previously considered sex as a requirement for public service; however, for women like Lizzie Cyr, the appointment of a female magistrate meant simply that she would be judged by a woman rather than a man. For figures like Jamieson and Murphy—whose very ability to be magistrates was at the "judgment and discretion" of the Crown and its responsible advisors—and for a figure like Lizzie Cyr, the production and policing of good citizenship more broadly was an important effect of these shifts in the legal apparatus. In these terms, I suggest it matters to consider the elaboration of good citizenship in broader social discourse as constitutive of women's broader empowerment as sovereign subjects.

It is not a coincidence that Lizzie Cyr was a prostitute, that Alice Jamieson was a judge, that the drama played itself out in a women's court and that, legally, the problem translated into one of sovereignty. As Jennifer Henderson elaborates, women's empowerment as "persons" entitled to public privileges was, in fact, contingent on their ability to perform self-government. Self-government evidenced their ability to govern others. In short, self-government importantly informed women's entrance into citizenship and—as evident in Murphy and Jamieson's courtrooms—the problem of self-government, for women, was centrally bound up with sexuality and moral character. It is in this context that I turn now to the social hygiene movement in Canada in the postwar years, with a specific focus on the

Canadian Social Hygiene Council, to elaborate the production and policing of the good citizen more fully.

The Canadian Social Hygiene Council

According to the first issue of its newsletter, *Social Health*, the Canadian Social Hygiene Council grew out of a wartime committee established in Toronto in 1917—the Advisory Committee on Venereal Diseases (a committee responsible for managing venereal disease among soldiers in military district number two)—which developed into the Canadian National Council for Combatting Venereal Diseases (CNCCVD), "an organization which was formed on the recommendations made by a nation-wide conference of medical health officers held in Ottawa in 1919" ("What is" 1). In 1922, the national committee changed its name to the Canadian Social Hygiene Council (CSHC) in an attempt to negotiate the social stigma attached to venereal disease. In a letter of October 1921 to Dr. J.A. Amyot, Dr. Gordon Bates (the General Secretary of the CNCCVD) detailed this problem:

> A number of our Branches have now found that it is difficult to get ahead with a number of types of work because of the name of the organization. For instance, suppose we desire to use the name of the Council on slides in a moving-picture theatre. Generally the manager of the theatre objects and we are definitely held back as a result. Or suppose we are promoting a scheme for increased recreational facilities, under such circumstances the name of the

> Council is embarrassing. Or suppose again we desire to put on a benefit concert to raise funds again the situation is extremely difficult. On the other hand without attaining a condition of Social Hygiene, which as I understand it means the provision of the normal things of life for the average individual, we can certainly not stamp out Venereal Diseases. (qtd. in Cassel 213)

As part of a broader project to encourage "the normal things of life for the average individual," the name change marked also the broadening scope of the council's work, which moved from a singular focus on venereal disease—as a medical problem requiring treatment and clinics, and as a social problem requiring education and legislation—to an expanded set of efforts: to promote healthy recreational activities and facilities; to restrict the influence of "pernicious" magazines and other threats to the social body; to promote ideal human relationships through literature, movies, lectures and exhibits; and to expand the influence and effectiveness of the organization by encouraging the growth of local activist branches. By 1924, the CSHC represented "over fifty affiliated branches throughout the Dominion" ("What is" 1) and had been influential in the establishment of treatment clinics and the passing of legislation at federal and provincial levels. A voluntary body that raised its own funds and was supported by government grants, the CSHC worked primarily to educate the public and public officials, describing its programme as "one in which every citizen and particularly every parent is vitally interested" ("What is" 2).

The driving force behind both the CNCCVD and the CSHC was Dr. Gordon Bates, a Toronto medical doctor; however, he was certainly not alone in his efforts. As Jay Cassel elaborates, concerns about venereal disease were steadily growing in the

prewar years, a problem recognized by the medical establishment as a "major issue" (112) and increasingly addressed by reform organizations in response to growing fears about "white slavery" and new urban reports that articulated prostitution as a growing problem.[10] Once the war started, venereal disease seemed to reach epidemic proportions. "In 1915," writes Cassel, "[the situation] reached a high-water mark when the number of cases amounted to 28.7 per cent of the men in the CEF [the Canadian Expeditionary Force]" (123). This percentage of infection would be the highest proportion among any of the armies of the allied forces. The Canadian military struggled to rein in the problem, calling it a waste of human, medical and financial resources. They set up early treatment centres, handed out tubes of antiseptic ointment, required regular medical inspections of the troops, deducted the pay of infected soldiers, and mounted an educational campaign (125-29). By tightening the medical surveillance of soldiers, the military hoped to at least manage the problem, if they could not eradicate it; real changes, they thought, would require a more interventionary approach.

As Lucy Bland elaborates, even while women's groups called attention to an ongoing sexual double standard in the policing of prostitution and venereal disease, mainstream thinking held prostitutes in Britain widely responsible, imagining them as a contagion infecting men (who then brought the infection into the home) (27-28, 42-44). As voiced by Sir Robert Borden at an Imperial War Conference of 1917, Canada's military elites similarly feminized the problem and grew frustrated with Britain's reluctance to implement strong legislative measures policing "loose women":

> I say unhesitatingly that if I should be Prime Minister of Canada on the outbreak of another War, I would not send one man overseas if the conditions were such as have prevailed during the progress of this War ... We are in the midst of a War which may shatter the whole empire and surely a measure [to police prostitutes] would not be too drastic whatever consequences it might produce. (qtd. in Cassel 138)

Britain's reluctance to pass this legislation stemmed from the resistance mounted to the Contagious Diseases Acts of the 1860s—counter-organizing that eventually effected the repeal of those Acts in 1886—and from feminist opposition to the increased surveillance of women on military bases during World War One (Bland 28-32). To sidestep this organized opposition, the British government, instead, legitimized a number of "women patrols" that were empowered—on military bases—to approach suspicious women, to enforce military curfews, to enter private residences, and to monitor "amateur" and professional prostitutes. In 1918, Britain briefly implemented Regulation 40D of the Defense of the Realm Act (22 March 1918), a measure which Bland attributes, in part, to pressure from colonial forces (31); however, because of feminist organizing and the cease-fire, it was repealed on 26 November 1918 (Cassel 140). Initially framed as a foreign and feminized threat attacking the Canadian troops, the venereal disease problem was gradually reshaped to recognize the incidence of disease among draftees, and—as troops began to return to Canadian shores—reform groups in Canada articulated fears that infected soldiers would re-enter the population with disastrous effects.

Perhaps unsurprisingly, given the existing tension between Canada and Britain around the subject of venereal disease, extant correspondence reveals that the primary model for Bates's organizational efforts was the American Social Hygiene Association (ASHA), a philanthropic association that acquired government backing during the war and was incorporated as part of the United States War Department. Organized in 1913 and officially formed in 1914, the ASHA represented the union of two organizations with very different ideological backgrounds: the American Vigilance Association (a social purity organization) and the American Federation for Sex Hygiene (an organization composed largely of physicians who supported sex-education and medical intervention) (Colwell 46-63). Induced to unite by philanthropist John D. Rockefeller, Jr., the two groups, as the ASHA, worked to lobby the government and to educate the public. In 1916, a joint complaint by the Young Men's Christian Association and the ASHA about "the swollen ranks of prostitutes accompanying General Furston's army in their 1916 pursuit of Pancho Villa" (Colwell 47) led to a government investigation into the problem. From this investigation, "[g]overnment officials [became] convinced of the need to develop a campaign against venereal disease, first, to preserve military efficiency and, second, to assuage the citizens who were writing Washington to urge the government to protect the spiritual and physical health of draftees" (47). Such public pressure prompted the government to adopt the ASHA's recommendations about the problem. In 1917, the US government created the Commission for Training Camp Activities under the rubric of the War Department and appointed Raymond Fosdick—the ASHA's lawyer and a key member of the aforementioned 1916 investigation—as its chair. With him, Fosdick brought other

ASHA members into the Commission and, for the rest of the war, the US government had a federally financed social hygiene program (Colwell 48).[11]

On behalf of the Advisory Committee on Venereal Diseases, Bates wrote to Raymond Fosdick in February 1918 asking about the US Commission for Training Camp Activities with hopes of establishing a similar program and central organization in Canada. In an effort to persuade the Canadian government to launch a similar program, Bates was also in contact with Vincent Massey, who joined the Army in 1915 and was appointed as the associate secretary of the war committee of the cabinet in January 1918, a position that involved the "liaison with various government agencies and the preparation of pamphlets describing Canada's war efforts" (Bissell 102). In August 1918, Bates wrote to Massey at the Office of the Privy Council, Ottawa, about the seriousness of the venereal disease question in Canada—citing numerous statistics about the soldier population and arguing that "the vast majority of venereal cases were infected not only before they went overseas but before they entered the army at all"—about the necessity for a Federal Department of Health, and about possible liaisons with national organizations in a united effort to combat venereal disease. "A Federal Department of Health," argued Bates in his letter of 06 August 1918, "could enlist the co-operation of national organizations (as well as provincial governments) as the American War Department has – and I know that the national organizations we have would co-operate because I have approached a number of them in regard to the matter." Building on the example of the ASHA—the means by which it had achieved federal recognition and funding, the ways in which it had approached the venereal disease problem, the amount of funding it had received from

the US Congress, and the literature and films that it had already produced—and on the example of the British organization, the National Council for Combatting Venereal Disease—which Bates praised for its "fine work acting with general government approval and co-operation" (Letter to Vincent Massey, 08 November 1918)—Bates was instrumental in organizing the national conference of 1919 that would launch the Canadian National Council for Combatting Venereal Disease. Modelling this conference on one organized by the ASHA in April 1917, which was attended by public health officers, physicians, experts in recreation and social work (Letter to Vincent Massey, 08 November 1918), and adopting the name of the aforementioned English organization, Bates similarly imported social hygiene literature from both countries and motion pictures produced by the ASHA to jumpstart the Canadian effort.

Bates's letters to Massey emphasized both the seriousness of the venereal disease problem among soldiers in Canadian bases and the corresponding degree to which that problem reflected the incidence of venereal disease among Canada's population at large. Considering that Canada had recently implemented a conscription act (passed in August 1917, becoming effective in January 1918), which had sharply divided the country along regional and linguistic lines but which was pushed through by the wartime Union Government because of unexpectedly high casualties overseas and waning recruitment lines at home, this appeal would almost certainly have resonated with broader contemporary concerns over the health and strength of Canada's fighting troops and the effects of the war on Canada's fledgling population. Combined with the influenza epidemic of 1918-1919, in which some 21 million people died (including about fifty thousand Canadians) and in which entire villages in

Labrador and Quebec were decimated ("Influenza"), concerns about venereal disease resonated powerfully with anxieties about national health and well-being. As a result, the Canadian government created a federal Department of Health in 1919 and allocated an annual sum of $200,000 to be distributed among provinces for the purposes of venereal disease education and control ("Social Hygiene" 5; Cassel 195). In 1918, Ontario, Alberta, New Brunswick and Nova Scotia passed provincial legislation dealing with the reporting of venereal disease, while the other provinces of Canada followed suit in the next few years.[12] In Ontario, failure to receive or continue treatment for venereal disease meant a penalty of $25.00 to $500.00 (or twelve months imprisonment), while exposing others to infection subjected the offender to a fine between $100 and $500 (Cassel 162-63). Persons could be ordered to submit to an examination if they were charged with a sex offence (for instance, engaging in prostitution) or if "credible information" suggested they might be infected ("Social Hygiene" 2); infected persons were required to place themselves under treatment and to produce a certificate to that effect once a month ("Social Hygiene" 3); and, for those deemed "a menace to public health," medical officers could order detention until treatment was effective in curing the disease ("Social Hygiene" 4). As a letter of 08 January 1920 from Emily Murphy to Gordon Bates makes clear—a letter to which she appends a copy of her first formal confinement order under Alberta's Venereal Disease Act (brought into effect in December 1919)—offenders were charged under that legislation not with *doing* anything but with *being* infected. Those charges were undoubtedly understood to stem from prior actions that led to that state of being; however, the legislation literally criminalized the condition of having a venereal

disease and subjected anyone who was sexually active outside the sanction of marriage to the surveillance of a juridical apparatus.[13]

This surveillance was paralleled by efforts to promote proper education and proper training to combat what was understood to be primarily a problem of ignorance. Between 1920 and 1921, the CNCCVD arranged to screen a motion picture produced by the ASHA in 1918, *The End of the Road*, in various parts of the country, reaching an estimated 500,000 viewers ("Social Hygiene" 10). According to Stacie A. Colwell, *The End of the Road* adopted a narrative format and romantic plot in an effort to reach female viewers, a point that is confirmed by advertisements for the film—promoting screenings, twice daily, at Massey Hall—that address the female spectator directly: "Young Women—Do you know this picture was especially produced for you?" (Cassel 210). Citing Major Snow, the ASHA's General Director, in a letter to Surgeon General William Crawford Gorgas (04 January 1918), Colwell further describes Snow's sense that "much information" and "counsel for conduct" could be effectively expressed through plot and that "the excellent portrayal of character" would appeal to and elevate the noblest qualities of youth (45). Movies, like literature, were imagined as sites for moral uplift. However, to help secure a specific mode of interpretation, the CSHC arranged for speakers at each screening of the movie and distributed social hygiene literature to the audience. In addition to such feature films, lecture tours by speakers like Emmeline Pankhurst were organized across the country; public meetings were scheduled regularly by local branches of the association; courses on social hygiene were developed at the University of Toronto; radio lectures were frequent and popular; exhibits were mounted with more motion

pictures, lectures, and wax models; and literature was disseminated at every opportunity ("Social Hygiene" 10-14). All this propaganda was designed to promote healthy men and women, healthy families and a healthy national life. As one dentist, Dr. Hermann Kreit, asserted, "Bad teeth—or no teeth—cause bad stomachs. Bad stomachs cause bad characters. Bad characters make bad decisions. Bad decisions mean bad work. And people who do bad work cannot hold their place in the world. It is so!" ("He has spoken").

Indeed, extending this chain of connections between individual bodies, individual character and the national life of a people, social hygienists appealed for government support through discourses that figured citizens as the human resources of a nation:

> "There is one thing that our politicians seem to forget," said a doctor who has charge of an important department of public health. "It is humanity as capital. Human capital includes all of those who make the numerical force of a country, of a nation and which the nation is called on to supervise quite as much as it supervises the state of its financial capital.
>
> "Human capital, the whole population of a country is either the prosperity of a country or its liability. It will be its prosperity if the authorities, conscientious as to the part they play, look after the conservation of the forces of mankind which compose it; in other words, if the health departments have a complete control of the maladies which are making ravages everywhere. Human capital will decrease in value and the prosperity of a country will be

> compromised if the governments do not assist in the supervision of public health." ("Humanity")

To be a strong, prosperous nation, to maintain its "place in the world," Canada needed to attend to and develop its human resources, argued social hygienists. This meant treating the medical aspect of the venereal disease problem and identifying broader social causes of the problem: "It has become clear that in order to correct present conditions, the social, economic and moral causes must be sought, and medical aid must be only one of several agencies conscripted in the fight with the social ills and their underlying causes" ("What is" 1). In these terms, the CSHC worked to establish medical clinics and to lobby for venereal disease legislation, but also to promote productive skills and attitudes. However, identifying the "social, economic and moral causes" of the problem did not typically take the form of social critique; rather, the CSHC tended to address venereal disease as a problem related to prostitution and illicit sexual contact that could be contained by promoting good character and useful work skills. Along these lines, the CHSC disseminated literature and screened films promoting sexual, social and productive ideologies that circumscribed good citizenship for contemporary men and women.

Producing the Female Citizen

On the front page of its first issue of *Social Health*, the CSHC printed an article, "What is the Canadian Social Hygiene Council?," outlining the history of the CSHC, and a central image, presumably representing the ideals of social hygiene (fig. 5). In that image, a family—composed of a father, a mother, and a young daughter—stands

SOCIAL HEALTH

To Advocate the Knowledge and Practice of Social Hygiene as the One Way to Racial Improvement

ORGAN OF THE CANADIAN SOCIAL HYGIENE COUNCIL

HON. MR. JUSTICE RIDDELL, *President* DR. GORDON BATES, *Gen.-Secretary*

"The Race is to the Strong"

VOL. 1 No. 1 TORONTO, FEB., 1924 507 YORK BLDG., 146 KING ST. W.

What is the Canadian Social Hygiene Council?

During the war there was formed in Toronto an Advisory Committee on Venereal Diseases. From this small body which functioned as an educative agency from 1917 onwards, there later came the Canadian National Council for Combating Venereal Diseases, an organization which was formed on the recommendations made by a nation-wide conference of medical health officers held in Ottawa in 1919. Intensive work and interest broadened the usefulness of the Council and then followed the necessity of changing the name to the Canadian Social Hygiene Council which in itself explains the aims and scope of the work.

The causes out of which the urgent need of such work as that now undertaken by the Social Hygiene Council, arose, are plain to everyone. War conditions revealed among the fighting men of all nations, Canada included, an appalling prevalence of venereal disease. Arguing from the figures compiled it was evident that civilian and military populations alike suffered heavily from the social scourges. The revelations of war quickened in all countries a realization of the menace entailed in this condition to the community, to child life and to national welfare.

On this revelation, has been founded in Canada one of the most comprehensive public health programmes of the world. In federal and provincial fields alike drastic legislation has been passed for the regulaton of venereal disease, government funds have been set aside, free clinics and treatment centres have been established, and such organizations as the Canadian Social Hygiene Council, are busy building behind legislative enactments, that solid wall of informed public opinion which alone can make the law effective. A positive, constructive programme has emerged from what was originally a purely negative effort. It has become clear that in order to correct present conditions, the social, economic and moral causes must be sought, and medical aid must be only one of several agencies conscripted in the fight with the social ills and their underlying causes.

From a nation-wide gathering of Public Health officials in Ottawa in 1919, to which reference has already been made, came very strong recommendations for the passage of those enactments, both provincial and federal which have since come into being, but, as the ignorance of the general public with regard to venereal disease was known to be profound it was agreed that an educative and propaganda body such as the Social Hygiene Council was an immediate need. Thus, from the original local committees there arose the National Council and today the Social Hygiene Movement is being carried forward by over fifty affiliated branches throughout the Dominion.

The Council is a voluntary body having neither jurisdiction over, or control of the two hundred thousand dollars voted by the Federal Government for the establishment of free clinics and treatment centres for those afflicted with venereal diseases. This fund is administered under government officials alone. The duty of the Council, which raises its own funds or profits by special government grants, is to educate the public in the

(Fig. 5 Cover page of *Social Health* [Vol.1, No.1]. Health League of Canada Fonds. MG 28I332, Vol. 124, File 6: Newsletters. National Archives of Canada. Reproduced with permission.)

on a platform, before a backdrop of children. With one hand on her daughter's shoulder, the mother holds in the other hand a standard representing the CSHC—foregrounding a shield on which a hand holds a sword, surrounded by the letters "CSHC"—while the father holds the daughter's hand and hails the reader with a wave. (Removed from the standard, the same shield is represented as part of the front page banner on each installment of the newsletter.) The whole family is neatly dressed and clean-cut; the father wears a suit and tie, the mother a dress, nylons and heels, while the little girl wears a white frock. They are white, clean, well-dressed and respectably middle-class, as are the children who stand behind their platform. Under the banner of the shield and the sword, they are simultaneously protected by and fighting for the cause of social hygiene, presumably for the sea of children behind them as well as for themselves. To make certain the icon was clear in its symbolism, the same issue includes a central advertisement a few pages later: "JOIN NOW! Be a Crusader for Social Hygiene. Be a Good Citizen. Line up with us for Health for all" (Canadian Social Hygiene Council, "Advertisement"). As Mariana Valverde suggests in her chapter, "The Work of Allegories," such compressed images, which were typical of the moral reform movement that she details, were effective in their moment not because allegories are inherently transparent but because they "resonated with pre-existing social cosmologies" (34). The warlike imagery makes sense given the organization's trajectory as a volunteer body, organized in the face of World War One's demands and effects on the human resources of the nation; the reference to the crusades marks the movement as Christian and enlightened, as a representative of Truth and righteousness; and the centrality of the family in the image identifies it both

as an object of concern for the organization and the potential site of regeneration. The good citizen as a crusader in this compressed narrative was tied to enlightened thinking, to clean respectability, and to Christian family values.

In the booklet, *Healthy Happy Womanhood*, distributed by the CSHC by at least the early 1920s, more precise codes of femininity were tied to discourses of citizenship.[14] Resonating closely with the image described above, the pamphlet's introduction invokes Joan of Arc as a heroic figure who, "aroused by the misfortunes of her countrymen, helped to free them from the hands of a foreign foe" (1). It continues:

> She has come to stand for the woman with a vision, the woman who is seeking to do her part in the betterment of the world. Wherever her figure appears, it is always looking forward, the light of a great purpose in her eyes, the will for large achievement in the lines of her face. As she raises her standard aloft, there seem to gather behind it innumerable hosts of those who would follow her lead. (1)

In this introduction to "healthy, happy womanhood," women too are interpellated as crusaders of "light" and "purpose," as standard-bearers around whom others gather, as participants in the battle against "a foreign foe" that threatens their countrymen (1). However, as the booklet goes on to develop, women's specific contribution to that battle involves primarily protecting good health, as individuals and as mothers of the race. "[P]hysical exercise, fresh air, sufficient sleep, frequent bathing, three well-balanced meals a day, erect carriage, and comfortable clothing" (4-5) are identified as essential keys to good health; however, as the booklet progresses, the health of

individual bodies and of the social body comes to be bound importantly to the appropriate exercise of the "sex instinct."

Described as that which drives men and women "to create life and continue the race" (13), the sex instinct was properly attached to "[a]ll the fine emotions, such as love of mother for child, of husband and wife, friendship, devotion to a great cause, and the joy which one finds in everyday work" (13). The sex impulse in girls and boys found satisfaction in "constructive activities" that released creative energies, activities such as reading, playing sports, pursuing hobbies or developing special talents in the arts (14). In adults, "because this impulse is related to the creation of new life, its most complete expression is found in building up a home and family" (14). The sex instinct properly expressed itself in work and in play, in individual creativity and in family life; by contrast, the "misuse" of the sex instinct by men and women "[endangered] their own happiness as well as the welfare of the community" (15). In its highest form, the sex instinct marked a commitment to the social body, and the proper exercise of that instinct—as a sexual, social and productive practice—was constitutive of good citizenship. Translating into a combination of "work, recreation, and service to others" (14), the proper channelling of the sex instinct and the performance of good citizenship involved developing the human and social resources of the nation in a way that mimicked and redressed the sacrifices of the soldier:

> The progress and worth of a nation are mainly in the hands of its women. Upon their health and vigor depend not only the health and happiness of their children but also their own successful co-operation with the efforts of the men.

> We have seen how readily men will die for their country. Let our women make sure that they are doing their part to make our country one we are all proud to live for. (22-23)

Compressing together concerns for physical health, social welfare, moral character, racial degeneration and the economic strength of the nation, the sex instinct functions in *Healthy, Happy Womanhood* as an important regulatory mechanism. The exercise of good citizenship for women thus translated into not only a discourse of home-making and care-taking, but also into policed forms of proper social contact with men. Car rides with chance acquaintances, the indulgence in liquor, the acceptance of illicit kisses, or even hasty marriages all became dangerous activities that threatened the fabric of the nation. Revealing the implicit whiteness of that discourse, good citizenship also involved the strict policing of women as guardians of the race. Finally, good citizenship required directing creative energies into proper productive channels. As women acquired the franchise during the war years, entering into citizenship more fully than ever before, their right to participate in the political community of the nation was rapidly coupled with discursive productions that bound sexual morality to the reproduction of whiteness and productive ideologies.

However, it would be misleading to suggest that women were *only* policed within that broad discursive apparatus. Figures like Emily Murphy—who became the first female magistrate in the British Empire in 1916, who sat on the bench of her "women's court" in Edmonton until 1931, and who was a key social hygiene organizer and lecturer in Alberta—make obvious the fact that women were also empowered by that discursive and material apparatus. Citizenship also involved rights (for example,

the exercise of the franchise or the right to hold political office) and the recognition of women as political agents. Women's entrance into Canada's political community was further coupled with increased opportunities for economic and social influence. As a judge, Murphy heard the cases of women brought before her (most often on charges of vagrancy); she sentenced women for criminal behaviour; she corresponded with many of those inmates, sending them objects like knitting needles to facilitate their rehabilitation; and she actively enforced Alberta's Venereal Disease Legislation, complaining to Gordon Bates that the inaction of her male colleagues was leading to a gender imbalance in enforcement (Letter to Gordon Bates, 23 April 1921). However, in her capacity as a judge, Murphy also participated in enforcing a strictly coded gendered subjectivity. At its furthest extension in the late 1920s, the policing of the sex instinct as an attribute of good citizenship rationalized the sexual sterilization of those deemed feeble-minded or insane.[15] This policing was not concerned simply with physical health; it was strongly tied to social codes of normality that defined sexual, social, and moral conduct for men and women, and it was frequently rationalized with economic and racial arguments predicting the dire effects of non-action for the nation. "Authorities tell us," writes Murphy, elaborating the ostensible normality against which the "unfit" were measured, "that the insane and feeble-minded are giving birth to a progeny at somewhere from two to six times faster than normal people" ("Sterilization"). She describes the feebleminded as biologically determined criminals and informs her readers that "70% of Alberta's insane are not natives of this, the newest province in Confederation, but come from countries outside of Canada" ("Sterilization"). And, translating this into a code of gender, she claims with

conviction: "Perhaps, after all, there is not so much credit in being a mother as *being fitted to be one*" ("Sterilization"; my emphasis). The parameters of respectability here implicitly include Britishness, sexual restraint (or the proper channeling of the sex instinct), and a healthy respect for property and the law. The female citizen then marked both a physical and social ideal that Murphy saw herself inspiring, shaping, and policing:

> Assuredly, in this year of 1932, there is a terrific need for pioneering women possessed of wide-eyed courage, as well as an entire immunity to insult and obliquy [sic]; women who are sure-footed starters of real ideas—a need for women who will have the vision to perceive the direful fate that threatens mankind, and the valor to deal with it effectively. If these are not forth-coming upon call, there is nothing left for us but to invent them. The cause of mankind cannot afford to wait. ("Over-population")

In this passage, the female citizen comes to stand as an agent of action and as a construct to be produced discursively and physically. Emily Murphy marks then, not only an example of the empowered female citizen, but also the degree to which that citizen participated in a broader discursive and material apparatus that produced and policed women according to codes of gender, race and class.

That said, it would be inaccurate and misleading to suggest that Murphy was simply an agent of the state, an enforcer of productivity, morality, sexual restraint, and racial evolution. She did those things; she was an advocate of eugenics and a magistrate charged with the specific task of policing inappropriate feminine behaviour in her women's court. Her work involved constantly reinforcing appropriate codes of

feminine behaviour, codes that were deeply imbricated in middle-class propriety, sexual morality, and racial privilege. However, Murphy simultaneously advocated practices that, from a historically later perspective, stand in flat contradiction with her politics as a state agent. Her writings politicize sexuality, for instance, both through her advocacy of eugenics as a controlled practice, designed to protect the nation's human and financial resources and to promote an ideal social body, and through discussions of birth control, as a practice exercised by individual women and families. That she connected these two practices is evident in the first article of a series of articles published in *The Vancouver Sun* to promote the passing of provincial sexual sterilization law in British Columbia, an article which was titled "Birth Control: Its Meaning" (27 August 1932). After 1892, it was criminal in Canada to "offer to sell, advertise, publish an advertisement of or have for sale or disposal any medicine, drug or article intended or represented as a means of preventing conception or causing abortion" (qtd in McLaren and McLaren 9); however, Murphy remarks on developing movements abroad:

> there have come to be millions among us who do not consider that sex-knowledge is indecent, or that the subject is taboo.
>
> Indeed, we have actually come to a place where some of the countries are establishing birth-control clinics in connection at hospitals with recognized specialists in gynecology and obstetrics—clinics where doctors may even prescribe birth control. . . . Well, not yet in Canada (at least, not openly) for, being afraid of our own opinions, it is our established habit to make sure of the

practice or custom in other countries before we dare to set ourselves a-strut. ("Birth Control: Its Meaning")

While Murphy describes abortion as "murder in embryo," she understands birth control as a form of sex-knowledge designed to prevent conception, an alternative that she asserts is the only real means through which to combat abortion. Against this preventative approach, Murphy describes sterilization as a practice that "should only take place in the cases of seriously diseased persons, or of the insane, and then by the authority of a committee of surgeons officially appointed for the purpose." For Murphy, there was a range of ways through which to politicize reproduction. She was an advocate of eugenics, applied when an ostensibly scientific process of determination deemed it appropriate; however, she advocated also for a broader dissemination of sex-knowledge and access to contraceptive resources. Pointing to the work of Margaret Sanger in the United States and to Churches in the US that called for legislation to de-criminalize birth control, Murphy contrasted these calls-to-arms with "a civilization publically [sic] devoted to the worship of mother and child, closing its eyes to the appalling waste of human life which results from leaving the matter of child birth to a blind instinct and to chance." Effectively extending her concerns with social hygiene—arguing for the need to rationalize sex and reproduction, to promote sex-knowledge, and to improve the conditions of child-rearing—Murphy supported birth control, in this instance, as a form of family planning practiced by individuals rather than the state.

However, in another article, "The Cradle-Rockers and War," which was also published or intended for publication in *The Vancouver Sun* (n.d.), Murphy took a

more radical position in politicizing women's sexuality.[16] Framing her discussion with reference to Malthus, Murphy represents the "natural" tendency of a population to over-reproduce if it is unchecked. In the "machine age," Murphy marks the development of newer, deadlier "implements of warfare, thus making the conquest and seizure of other countries a vastly easier undertaking. It did not matter so mush [sic] that a cause of seizure was often lacking. The nation, or rather the war-mongerers and other tough-minded men of the world, could always find a seemingly valid excuse" (3). To cultivate the necessary human resources—soldiers and others to produce material necessities—these war-mongerers, asserts Murphy, promoted an ideology of mindless reproduction. Unchecked reproduction, suggests Murphy, merely feeds the war machine. However, Murphy describes birth control as enabling a radical intervention into that war machine, an intervention increasingly championed by physicians: "Who among us could have believed that those physicians who had betaken themselves from the plough were to discover, with their successors, the secret of birth-control, and to actually disclose it to mothers so that they need not rock the cradles at all unless so {pre}purposed or disposed; that they ~~did not~~ need ~~any~~ ^{no} longer ~~to~~ create a surplusage [sic] of babies for cannon fodder" (4-5). To sum up her key points, Murphy condenses her argument into a series of resolutions, which build on the initial presumption that women "stand—or should stand—for the preservation of life upon all occasions" (6):

> HERETOFORE, we have planned everything in life except the procreation of life itself, but we are beginning to learn that this {was} ~~is~~ a poor ^{policy} ~~plan~~ and uneconomic.

> HERETOFORE war, famine and pestilence have been the only insurance against over-population, these, with infanticide and abortion.
>
> HERETOFORE, we have also depended upon treaties, pacts and conferences instead of dealing with the conditions political, economic, social and religious that make for wars. Among these causes, Over-Population, with the conditions appertaining thereto, is, by all odds, the greatest.
>
> HERETOFORE, no matter how much women might challenge the male potency of our civilization—their morals and their economics as these pertained to war—{they} did not succeed in getting far. (6-7)

In this article, Murphy takes a more radical position in positing birth control as a means through which women could intervene into broader political structures and policies, by intervening into sexual reproduction. For Murphy, then, reproduction was clearly a politicized practice, one which she sought to rationalize at the level of individual practice and at the level of state management of resources.

In other articles, she supplemented this call for rational reproduction with a further move to disrupt naturalized assumptions that, as an activity sanctioned within the framework of marriage, sex was valued only as a procreative act and to assert women's rights to control their own reproduction. She argues, for instance, in her article "Mothers and Birth Control," that "birth control is entirely valid by reason of the fact that the ^procreation xxxxxxxx [sic] of children is not the sole object of matrimony" (1, quoting from manuscript). "To begin with," she continues, "what we call 'the lusts of the flesh' are not at all sinful, albeit none can disallow that these may be sinfully used. Certainly, their practice in conjugal love cannot in any sense be

considered as sinful unless we make it so by ruthlessly over-stepping mutuality and the laws of health" (2-3). Rather, for Murphy, sexual intimacy bonds couples together, and, in these terms, she values birth control over "wedlock repression or continence," which she sees to promote alienation and immoral releases. She builds then toward an assertion of women's rights: "We are also agreeing with Plato that women are the possessors of their own bodies. This being the case, they accordingly have the right to practice birth control by the use of contraceptives should they deem it adviseable" (7). While simultaneously an advocate of eugenics and a proponent of women's rights over their own bodies, Murphy's sexual politics were even further complicated when concerning women of other races. In particular, after discussing the ways in which Chinese women are oppressed—she states, for instance, that to keep women subservient and at home, reproducing, their feet were "bound into distorted hoofs" ("Over-population")—she collapses the oppression of the Chinese woman with the problem of the "yellow peril." As a result, her feminist sympathies translate into a targeted promotion of birth control (which she here describes as eugenics): "There are some of us who are coming to believe that the best way to deal with the 'yellow peril' is to send multitudes of doctors and nurses to China—or better still, to train up Chinese doctors and nurses—to teach the people of the country concerning eugenics." The slipperiness in her language here reflects her simultaneous advocacy of eugenics, birth control and targeted birth control more generally, an advocacy that recognized the political dimensions of reproduction but moved easily from individual rights to state control. The range of these positions is worth noting because it re-iterates her active production and policing of appropriate femininity. That is, for all that she talks

about eugenics as a rational solution to the problem of the feeble-minded or insane, it is important to note the ways in which those designations were determined as deviations from specific norms. However, it is worth noting also the ways in which she supported women's challenges to traditional dictates that inscribed their subservience or determined their reproductive functions. Those things happened together in Murphy's writings.

The Future Historic

There are a number of threads to draw out of this convergence of women's entrance into the privileges of citizenship in legal discourse and the production of women as good citizens in social hygiene circles. In this space, I will concentrate on four main points. Firstly, it is worth highlighting the fact that these developments were part of a broader postwar moment, in which a budding surveillance state took root in Canada and in which discourses of citizenship served an important function. As noted, women obtained the provincial vote as early as 1916; they were partially enfranchised on a federal level in 1917 (when the War-time Elections Act empowered them to vote on behalf of close male relatives who were serving in the war); and, with the exception of Native women—who had to choose between maintaining their Indian status or becoming British subjects—women were granted the federal franchise in a separate Act passed in 1918. The War-time Elections Act, however, the act which first granted women the vote at the federal level, simultaneously provided for the disenfranchisement of "enemy aliens" (immigrants who were born in enemy countries and naturalized subsequent to 1902 or immigrants born in *any* European country and

naturalized subsequent to 1902, whose mother tongue was the language of an enemy country). In response to anxieties produced by the war, by the Russian Revolution (1917) and by labour organizing within Canada, a series of Acts and Orders-in-Council were passed restricting the civil rights of enemy aliens and labour activists. Enemy aliens, for instance, were required to register with authorities, to carry "certificates of parole" as identification papers, and to obtain permission to move between localities ("Order in Council Respecting Alien Enemies," P.C. 2194, 20 September 1916). In addition, they were prohibited from owning firearms, banned from publishing foreign-language newspapers, forced into internment camps, and, eventually, disenfranchised (Avery 66-75). Meanwhile, numerous socialist organizations were outlawed and radical organizers were deported (Avery 66-75). Gregory Kealey further elaborates how the Royal Canadian Mounted Police (RCMP) infiltrated suspect organizations like the Socialist Party of Canada and the Communist Party of Canada to monitor "'foreign agitators', 'Reds', and enemy aliens" (18). Through the activities of covert agents, the RCMP gathered information about labour organizing and targeted the leaders of those radical groups for prosecution or deportation, organizations which the RCMP perceived as a class-based threat, supported by immigrant communities, to Canada's business interests. The conjunction of these developments, I suggest, is significant. Women's entrance into citizenship was not simply a result of women's successful lobbying strategies; it was also implicated in the management of social instability and the attempt to produce a new post-war social formation.

In short, I suggest that the enfranchisement of women and the concurrent surveillance and policing of "enemy aliens" and labour activists reveals the degree to which citizenship was a mechanism through which the existing order attempted to reproduce and resecure its hegemony. This point is elaborated further by Tom Mitchell with respect to a 1919 citizenship conference in Winnipeg, a conference organized by local business elites and middle-class progressives in response to postwar labour agitation and the Winnipeg General Strike in particular. For Mitchell, "[t]he determination of Canada's business elite to construct a durable postwar order led inevitably to an offensive on the cultural and ideological terrain of citizenship and nationhood" (7). To protect the interests of the old order in the new postwar order, discourses of citizenship emphasized narratives of service, loyalty to established tradition, and subordination of the individual to the interests of a broader national collectivity. Citizenship, in this frame, was not a site of political challenge; it was a mechanism of social reproduction. The citizen as a self-governing, sovereign subject came to include women in the postwar years; however, together with the increased surveillance of enemy aliens and of labour radicals, the production and policing of the female citizen as an overtly sexualized human resource suggests that good citizenship was complexly entwined with the production of British, middle-class interests. Describing this Winnipeg conference as "an important feature of [a] post-war project of class rule and state formation" (7), Mitchell elaborates its central premise: "that a modern social order must be rooted in the psyche of the ruled" (22). In the post-war social formation, which is typically represented as a "coming of age" moment for Canada as a nation, citizenship was an important means through which challenges to

the old order—by labour radicals and by suffragists—were defused and harnessed into the new post-war formation. None of this is to suggest that civil rights do not matter or that disenfranchisement was a desirable alternative for women of the period. Rather, I simply mean to situate citizenship within a broader framework to understand its complex effects and to interrupt its naturalized status as the site of political agency. To reiterate a passage from Foucault which I cite earlier in my Introduction, it is important to recognize the multiple levels through which governmentality functions:

> The state is superstructural in relation to a whole series of power networks that invest the body, sexuality, the family, kinship, knowledge, technology, and so forth. True, these networks stand in a conditioning-conditioned relationship to a kind of "metapower" which is structured essentially around a certain number of great prohibition functions; but this metapower with its prohibitions can only take hold and secure its footing where it is rooted in a whole series of multiple and indefinite power relations that supply the necessary basis for the great negative forms of power. ("Truth" 122)

Re-articulated as a function of governmentality, the discourses of citizenship within which women were positioned in the postwar years—in legal and in social hygiene circles—were central to the reproduction of a Canadian surveillance state and the hegemonic interests that it represented.

To develop a second thread, I want to nuance this preliminary re-articulation to consider the entanglement of rights, duties and privileges in post-World War One discourses of citizenship for women. Specifically, I focus here on the question of gender as it informs this entanglement. According to the logic of governmentality, the

"metapower" of the state must take root within the subject in order for the apparatus to be sustained. The discourse of citizenship is one mechanism through which the rooting process occurs; however, while the discursive production of the citizen as a self-governing sovereign subject allows both men and women to occupy that subject position, it does not mean that they do so in precisely the same ways. The narratives of service and duty which Mitchell describes translated into different performances for men and women: for men, the quintessential act of service was military service; for women, the quintessential locus of service was the family. The idea of women in public office emerged as a new site of service that extended their maternal capacity—John McLaren, for instance, describes Murphy's courtroom as a site of "Maternal Feminism in Action" (234)—however, as *Happy, Healthy Womanhood* makes clear, the primary role of the good female citizen was to mimic and redress the sacrifices of the soldier through the family. Raising happy, healthy children and working as homemakers was the ideal realization of the sex instinct. Maternal feminism justified new roles for women in politics; however, it was an extension that already presumed a primary set of social codes—sexualized, gendered, racialized and class-specific codes—that were internally and externally policed. Motherhood was not exactly an unquestioned ideal: women needed to be fitted for motherhood. For the fit, the measure of women's citizenship was the degree to which their self-restraint and self-government facilitated their arrival as mistresses of their own house. Meanwhile, the national interest subjected the unfit to surveillance, policing and sterilization.

This performance of dutiful service was then intimately bound to the rights and privileges claimed by women as citizens. Citizenship is essentially a social contract:

duty and service to the nation are exchanged for protected civil rights and eligibility for privilege. One enters into the abstract equality of citizenship as an individual with protected rights and freedoms. And while rights and privileges are not exactly the same, there are important overlaps. As already observed, the Justices' decisions in the Lizzie Cyr appeal (1917) and in the Privy Council verdict (1929) made efforts to distinguish the rights of women from their eligibility for the privileges of public office. Women, once excluded from political appointment by the "privilege of sex" were re-articulated as sovereign subjects, eligible for the public privileges previously gendered male. In the new contract, the sovereign subject could be male or female, but his/her eligibility for privilege was not something claimable as a right: it was a privilege which was strictly controlled, and it was on those terms that the Justices defended women's legal claim. Thus, the Persons Case, which re-articulated women as persons eligible for the privileges of citizenship, also reaffirmed that the good female citizen was defined by specific attributes. She had substantial wealth; she was British or "Canadianized" in a British mould; she had material property interests; she was qualified by virtue of her service to the nation, and she exemplified self-government (justifying her capacity to govern others). As a question of privilege, the Persons Case thus had complex effects too, reinscribing the qualifications that were deemed valuable and the process of distinguishing citizens on a scale of merit that was highly inflected by specific cultural and social codes. The Persons Case was an achievement. However, as David Bright comments with reference to the Lizzie Cyr case, the decision which upheld Jamieson's authority as a magistrate simultaneously "reinforced the social assumptions and prejudices on which she had based her

conviction of Cyr in the first place" (101). The Persons Case represents a similar moment of achievement and reinscription.

My third point builds on the analysis above to contribute to an old question: what happened to first-wave feminism in the years after women acquired the suffrage? Where historians like Linda Kealey have suggested that the ideologies of maternal feminism which dominated the women's movement in Canada themselves prefigured the demise of first-wave feminism because of their inherent conservatism, I want to suggest instead that the 1920s were a complicated moment in which the very successes of the women's movement enabled new and more complex discursive productions. While recognizing the reformative impulse behind maternal feminism, Kealey, for instance, works within a binary that identifies liberal claims to rights and individual equality—which she exemplified in the politics of the New Woman—as the more radical, unfulfilled promise of first-wave feminism in Canada. In this logic, "[the maternal feminists'] biological rationale doomed them to a restrictive social role based on home and family. Any element of radical criticism in their social thought disappeared under the very weight of 'maternal feminism'" (8). However, this privileging of the New Woman's liberalism at the expense of maternal feminism merely replicates what I suggest was the original mechanism of recuperation. That is, women's entrance into citizenship in Canada exemplifies Wendy Brown's point that the acquisition of rights within an existing juridical institution—important as that is for historically dispossessed social groups—comes also with complex effects that work to recuperate and neutralize those political challenges.[17] The abstract language of universal rights, for instance, can obscure one's ability to recognize and to articulate

ongoing social inequalities. Women's entrance into citizenship was not only coupled with discursive productions of the citizen that helped to resecure old social scripts, it also problematized continued critique. This is not to suggest that liberal discourse was the only mode within which women challenged social and economic inequalities; Kealey, for instance, publishes later on the uneasy relations between women in the socialist movement, their male compatriots and female suffragists in Canada. However, while I think these different political positions enabled different types of critique, the mainstream successes of the women's movement in gaining the franchise made it more difficult to articulate social inequalities because the juridical establishment ostensibly offered every citizen rights, representation, and a system for managing injustice. That is, such protections matter, but it is important to note that social inequalities are not necessary redressed by abstract discourses of equality and that, within this logic, citizenship as a code of legal rights and social responsibilities functions as a complex site of simultaneous empowerment and reinscription.

Given the double-edged nature of citizenship for women in the post-World War One decade, I want to explore the problem of agency as the final thread in this discussion. I have attempted in this chapter to disrupt the naturalness of the citizen as a sovereign subject and the site of political agency so as to reveal the ways in which citizenship, in the post-World War One moment, was deeply implicated in policing social boundaries and reinscribing hegemonic relations. It matters to do this work, I think, because the legacies of first-wave feminism continue to inform contemporary organizing. Feminist nation building in the present has inherited its legacies. However, I have not undertaken this work to create some sense of political paralysis.

Re-articulating the sovereign subject as an *effect* of power does not mean that it is not still a site of agency. Rather, I embrace what Simon Gikandi describes as a "resistance/complicity dialectic": the dialectical relationship between power and resistance and the difficulties inherent in seeking pure spaces of unmediated agency or resistance. Describing this desire for purity, Gikandi notes that the project of "reading the feminine" in colonial contexts "is a project driven by paradox" (122):

> We want to read woman as the absolute other in the colonial relation so that we can unpack the universalism of the imperial narrative and its masculine ideologies, but the result (positing white women as figures of colonial alterity, for example) can be achieved only through the repression of their cultural agency and the important role they play in the institutionalization of the dominant discourse of empire and the authority of colonial culture. (122)

To recognize the complex subjectivity and agency of white women in colonial contexts, Gikandi suggests that we need more complicated frames that recognize both resistances and implicatedness. To this end, it is necessary to disrupt the sovereignty of the sovereign subject.

To mobilize a feminist citizen capable of sustaining a counterhegemonic critique, feminists must understand the ways in which the subject position of the citizen has also worked to police the self and the other. And it is in the turn to history that we develop resources through which to rethink the present, not to collapse two historical moments but to examine that which is similar and that which has shifted.

It is this commitment that informs my phrase "The Future Historic" and that nuances my sense also that it matters how we undertake that work and to what end.

More specifically, the "future historic" here is not to suggest that there is an original essence of citizenship produced in earlier historical moments that simply continues to play itself out in a predetermined way (and that coming to know this essence allows us to approach some idea of Truth). Rather, I build on Foucault's sense that discourses serve social functions and that those functions shift in different moments, that relations of power are complex and multiply articulated in every moment, and that, between historical moments, there are shifts *and* overlapping threads. The essential work thus involves not a search for origins, but contextualized historical and contemporary analyses that examine the function of a given discourse and the power/knowledge configurations that it secures or disrupts. For Foucault, such discursive positioning is not specific to particular political stands; it affects all political positions in a given field, legitimizing and delegitimizing them in different ways. However, in the face of that apparatus, he continues to insist that the "specific intellectual" has a role to play:

> It seems to me that what must now be taken into account in the intellectual is not the "bearer of universal values." Rather, it's the person occupying a specific position—but whose specificity is linked, in a society like ours, to the general functioning of an apparatus of truth . . . . The intellectual can operate and struggle at the general level of that regime of truth which is so essential to the structure and functioning of our society. ("Truth" 73-74)

Suggesting that the problem is not one of emancipating truth from every structure of power—an effort that would be "a chimera" since "truth is already power"—Foucault asserts instead the viability "of detaching the power of truth from the forms of hegemony, social economic, and cultural, within which it operates at the present time"

(75). Rather than deepening women's identification as nation builders, intensifying women's identification with discourses of citizenship that function to produce and police, I suggest that the legacies of first-wave feminist nation building can become sites of critical analysis that reveal the interrelatedness of discursive subjectivity and broader social formations. In the context of heritage advocates like J. L. Granatstein who argue that the need for social cohesion outweighs the contribution of historical analyses that attend to micro-dynamics of power, it matters to interrogate heritage as a form of cultural knowledge with material effects. Moreover, where the easy solution might be to reject first-wave feminism as irrevocably implicated in racist and class-based ideology, the real challenge lies in recognizing resistance and complicity as complexly interconnected not only in the past, but also in the present.

[1] Other provinces followed suited, granting women the franchise in following years: British Columbia (1917); Nova Scotia (1918); Ontario (1919); New Brunswick (1919); Prince Edward Island (1922); Newfoundland (1925); and Quebec (1940).

[2] The Dominion Franchise Act of 1920 made women's enfranchisement and the capacity to stand for public office uniform across the Dominion (eliminating discrepancies that would have previously resulted from the provinces' differential requirements). To be eligible, women were required to be over the age of 21, British subjects and residents of Canada and of their electoral district (Cleverdon 137). As a consequence, this bill did not provide for the enfranchisement of Native women unless they relinquished their Indian status to become British subjects. Without first renouncing their Indian status or having it stripped away through marriage, First Nations' women would not gain the vote in Canada until 1960.

[3] The political shifts that took place between 1917 (women's federal enfranchisement) and 1929 (the Persons Case) resulted in five governments led by: Sir Robert Borden (1917-20), Arthur Meighen (1920-21), William Lyon Mackenzie King (1921-26), Arthur Meighen (1926-26), and William Lyon Mackenzie King (1926-30).

[4] Jakob de Villiers, Q.C., for instance, contextualizes the Persons Case as a major achievement in the face of "54 years of relentlessly negative court decisions in Scotland and England" (364) asserting women's "legal incapacity" for political office. Among these decisions, he discusses four cases in some detail: *Chorlton* v. *Lings* (1868), which decided against women's right to vote under the recently passed *Representation of the People Act* (1867) (see note 7); *Beresford-Hope* v. *Sandhurst* (1889), which rescinded the election of Lady Sandhurst as a member of a county council, since women did not have the right to be elected as councilors (though they acquired the right to vote in municipal elections in England in 1869); *Nairn* v. *University of St. Andrews* (1906), which upheld the University's refusal to confer voting papers on female graduates (who asserted their right, as graduates, to be members of the "general councils" and thus to vote, since the University had been endowed with a seat in Parliament in 1868); and the *Rhondda Case* (1922), which concerned Viscountess Rhondda and her entitlement to participate in the House of Lords, since the royal papers proclaiming her father a Viscount expressly provided that his daughter would hold the title on his death and that his (and her) "heirs male" were entitled to "hold and possess a seat place and voice" in Parliament (Villiers 363). All of these decisions rejected attempts by

women to claim access to the rights and privileges of enfranchisement and public office, informing ensuing decisions as common law precedents.

[5] The terms "Socage," "Francalleu," and "Roture" all refer to types of land tenure. Socage refers to "a type of tenure in which a tenant held lands in exchange for providing the lord husbandry-related (rather than military) service." Where socage was typically distinguished from knight-service, free socage was a type of socage wherein "the services were both certain and honourable" and in 1660 "all the tenures by knight-service were, with minor exceptions, converted into free socage. – Also termed *free and common socage*" (*Black's Law Dictionary*). According to Arthur English, "franc-alleu" (or alleu) referred to allodial land—"that which is not held of any superior; an estate held free (the opposite of feudal)"—and, rooted in old French law, "roture" signalled "a tenure of free services though the tenant had not the privileges of a nobleman."

[6] Because it was a constitutional question, provinces had the right to appoint counsel to represent their position in the matter. The only two provinces to participate in that process, however, were Alberta and Quebec. The province of Alberta asked that Rowell—counsel for the five petitioners—jointly represent its position in support of the Famous Five. Quebec appointed counsel to argue in the negative (Sanders 234), a position that was also articulated by three counselors representing the Attorney General of Canada (Supreme Court Decision 1928: 278).

[7] According to Jakob de Villiers, Q.C., *Chorlton* v. *Lings* (1868) involved a challenge that the *Representation of the People Act*, 1867—which broadened the franchise to a wider class of men—gave women also the right to vote. That is, because *Lord Brougham's Act* (1850) provided that, unless expressly restricted, masculine pronouns should be understood to include women in their scope, and because the *Representation of the People Act* was intended to extend the franchise, 5, 347 women registered to vote following the passing of the new Act. Four judges upheld the decision of the barrister who deleted those names from the registration list on the grounds that "simply by using the word 'man', Parliament had *expressly* excluded women" (360) and that, as established by social custom and legal discourse, women were subject to a specific legal incapacity that disqualified them from participation (Villiers 359-61).

[8] I build here on the work of Jennifer Henderson in her chapter, "Inducted Feminism, Inducing 'Personhood': Emily Murphy and Race Making in the Canadian West," in which she

explicitly connects the recognition of women as "persons" to Murphy's courtroom, where Murphy's production and policing of other women evidenced her own worthiness. In my own analysis, I develop a similar point; however, I am interested in considering the broader relationship between legal discourses of personhood and social discourses of citizenship, which I examine in the post-war social hygiene movement, to consider the complex effects of feminist nation building on first-wave feminism.

[9] According to John McLaren and John Lowman, the Criminal Code of 1892 contained two major sets of provisions concerning prostitution: provisions that built on earlier vagrancy laws, "relating to street-walking, keeping, being an inmate or frequenter of a common bawdy-house, and living on the avails of prostitution" (29); and provisions that specifically targeted the keeping of bawdy-houses. McLaren and Lowman note further the gendered effects of those laws: "The ascription of prostitution to female depravity was predictably reflected in a degree of sexual discrimination within the substance of the vagrancy laws. Although in the bawdy-house offences, male and female keepers and users were, in theory at least, both at risk from the law, in street-walking, the offence was exclusively a female one; the customer was free of legal reproach" (29).

[10] Marking the concern of reform organizations, Cassel notes that the National Council of Women of Canada—an umbrella organization representing other women's groups—established a special committee on the subject of venereal disease in 1906. Reports on urban conditions emerged for cities such as New York (1902), Chicago (1911), and Toronto (1915) (Cassel 113). For more on the white slavery panic and anxieties about urbanization in Canada, see Valverde.

[11] According to Stacie A. Colwell, however, the ASHA only secured this kind of federal standing until 1921. After the war, the Commission for Training Camp Activities was disbanded and members were absorbed in the U.S. Interdepartmental Social Hygiene Board; then, in 1921, Congress voted not to continue funding that board, transferring its responsibilities instead to the United States Public Health Service. Although the health and educational concerns of social hygiene were not abandoned, "[t]he demise of the Board, the CTCA's postwar incarnation," states Colwell, "signaled an end to all wartime ties, formal and cooperative, between voluntary agencies and federal government" (74).

[12] Manitoba, British Columbia and Saskatchewan passed provincial acts in 1919, while Quebec followed suit in 1920 and Prince Edward Island in 1929 (Cassel 309n.46).

[13] Where the form makes space for the Judge to detail what the offender "did," that verb is crossed out on the form, which charges instead that "Eleanor Pattison" of Edmonton "*was inflected* [sic] with venereal disease within the meaning of the Venereal Disease Regulations, issued by the Provincial Board of Health of the said Province, and approved by Order-in-Council December 8th. 1919, of the said Province" (Letter to Gordon Bates, 08 January 1920; my emphasis).

[14] *Healthy, Happy Womanhood* was produced, in fact, by the ASHA and reprinted with their permission. Evidence that the booklet was distributed by the CSHC by at least 1923 can be found in the report, "Social Hygiene and Venereal Disease Control in Canada," which seems to have been written in 1924 to summarize the CSHC's work and the status of the venereal disease problem (including complete statistics from 1923) and which includes *Healthy, Happy Womanhood* in a list of other titles that the CSHC had widely distributed. The booklet was apparently still being distributed by the CSHC until at least 1927, when it is mentioned again in an advertisement in *Social Health* (Jan-Feb 1927), where it was priced at 10c. Moreover, according to Cassel, *Healthy Happy Womanhood* was distributed for many more years, ranking as one of the "three pamphlets that became [the CSHC's] staples from the mid-1920s to the end of the 1930s" (222).

[15] In 1928, for instance, Alberta passed a Sexual Sterilization Act, which Murphy supported (Sanders 186), and in 1933, the province of British Columbia followed suit. The articles discussed here, published by Murphy in *The Vancouver Sun* in 1932, contributed to that campaign in British Columbia, advocating state-controlled sexual sterilization of the 'unfit'. For more on the eugenics movement generally, see Angus McLaren; for specific details about the Alberta Sexual Sterilization Act, see Tim Christian.

[16] This manuscript is included in the Emily Ferguson Murphy Fonds at the City of Edmonton Archives. It is undated; however, it makes reference to the "Great War," clearly marking it as post-World War One, and a handwritten note on the first page flags that it was published (or intended for publication) "in *The Vancouver Sun*" (n.d.). Quotes from this article have attempted to reproduce Murphy's editorial revisions, as they appear in the manuscript. Reserving square brackets for my editorial comments, text that appears {in alternate brackets} signals that it was handwritten.

[17] Brown describes this as the paradox of rights. Examining particularly the complex effects of rights that seek to protect historically disadvantaged groups, Brown interrogates the

discursive reproductions that accompany those protections. In Brown's frame-work, the problem surfaces in the following dilemma: "the question of when and whether rights for women are formulated in such a way as to enable the escape of the subordinated from the site of that violation, and when and whether they build a fence around us at that site, regulating rather than challenging the conditions within. And the paradox within this problem is this: the more highly specified rights are as rights for women, the more likely they are to build that fence insofar as they are more likely to encode a definition of women premised upon our subordination in the transhistorical discourse of liberal jurisprudence" ("Suffering" 231). Simultaneously, while Brown recognizes the re-inscriptions that come with highly specified rights, she also suggests that the discourse of abstract equality has differently complicated effects.

CHAPTER FOUR

Feminist "Memory Work": The Production and Policing of REAL Womanhood

> Memories help us make sense of the world we live in; and "memory work" is, like any other kind of physical or mental labor, embedded in complex class, gender and power relations that determine what is remembered (or forgotten), by whom and for what end.
>
> – John Gillis, "Memory and Identity" (3)

> No longer is the historian's driving impulse the desire to disclose or to express more accurate views of the way things once were, but rather an effort to produce or disrupt the discursive materiality of the present by renarrating the past. If historical narratives are no longer taken to be transparent vehicles of an empirical archive, the reasons for reading historical sources can be taken to lie in the ideological force which they—or their narration—(continue to) exert on the present.
>
> – Rosemary Hennessy (*Materialist Feminism* 118)

In the last chapter, I argued that discourses of citizenship were an important mechanism through which first-wave feminism was recuperated in the post-World War One period. Paradoxically, women also acquired new rights and privileges through those discourses. Providing they met the specific conditions of eligibility—until 1960, for instance, First Nations women could only be enfranchised if they gave up their Indian status[1]—women entered into the rights and privileges of enfranchisement; they acquired the right to be elected as political representatives; and, against a long history of British Common Law rulings, they earned the rights and privileges of public appointment as Judges, for instance, or as Senators. However, as social hygiene discourses targeted the human resources of the nation after the war, the citizen became an important site also of physical and moral regulation. For women and for men, this involved strictly policed codes of sexuality and respectability, codes that promoted industrious productivity and self-government for the welfare of the nation and the race. In its most extreme form, that policing was institutionalized to

sanction the imposed sexual sterilization of "the unfit." Figures such as Emily Murphy, who strongly advocated for eugenics as a state policy and simultaneously championed birth control as a feminist intervention into national and international politics, demonstrate the female citizen's double articulation as an individual sovereign subject and as a microcosm of the nation's human resources. Building on this history to consider a struggle between the Famous 5 Foundation and the REAL Women of Canada over the character of the female citizen, this chapter shifts back into the present to examine how the legacies of feminist nation building have been inherited and are being adapted by contemporary feminist organizations.

To this end, I build on John Gillis's description of "memory work" as a productive practice that assigns meaning and value to history. Like other productive practices, memory occurs within a broader network of social relations and is nuanced by dynamics of class, gender, race, and sexuality. Paralleled by acts of forgetting that elide the dispossession and policing of specific social groups and the inequitable distribution of resources, memory matters. It "matters" in that memory is articulated within specific material contexts and importantly tied to the social organization of power. The matter of memory is overdetermined and a site of struggle. Moreover, memory matters particularly for social groups that have struggled to have their histories of suffering and oppression legitimized.[2] However, the challenge of "memory work" is not simply to remember more fully. Benedict Anderson, for instance, suggests that forgetting stands as an important rationale for "a systematic historiographical campaign deployed by the state mainly through the state's school system" (201). "Having to 'have already forgotten' tragedies of which one needs

unceasingly to be 'reminded,'" suggests Anderson, "turns out to be a characteristic device in the later construction of national genealogies" (201). The challenge, rather, is to interrogate the social organization of memory and history. To this end, it is important to recognize not only the "systemic historiographical campaign[s]" that Anderson highlights, but also the ways in which memory work is a more diffuse practice, undertaken from different social locations and mobilized toward different ends. Memories are not just produced and accepted; rather, memory work is a contested practice, implicated in the same relations of power that striate the social world that it makes meaningful. The process of making memory meaningful is thus dynamic and frequently conflicted, as diverse parties struggle to determine the parameters of value and legitimacy in the present.

This chapter elaborates one such instance of contested memory work—evident in the Famous 5 Foundation's efforts to commemorate the "Famous Five" and in the protest mobilized by REAL Women of Canada (Realistic, Equal, Active for Life)—to foreground the broad set of questions underwriting this project. What do the legacies of first-wave feminism mean for the present? What does it mean to remember the racial, sexual, and class-based politics of first-wave feminism in Canada? And how should feminists effect that remembering? How are feminist politics in the present compromised or strengthened by engaging that history? And how is that history a site of contestation and struggle? As my second epigraph to this chapter intimates, I suggest that history is not something that we progressively leave behind or something that we produce in a vacuum. History is a narrative written by the present, and it is a

legacy that the present inherits. It is inside that doubleness that we practise our politics.

I explore competing practices of feminist memory work by examining REAL Women of Canada's efforts to resignify the Famous Five statues commissioned by the Famous 5 Foundation. As elaborated in Chapter One, the foundation was established in 1996 to commemorate the seventieth anniversary of the "Persons Case" (1929), the historic legal decision that recognized women's status as persons under the British North America Act. Representing the Famous Five as role models capable of inspiring a new generation of female leaders—as feminists, as citizens, and as entrepreneurs—the foundation commissioned a statue and lobbied the Calgary City Council and the federal government for statue sites in downtown Calgary and on Parliament Hill. The foundation initiated multiple mentorship speaker series—in which successful female keynote speakers addressed topics such as "power," "perseverance," "success," "leadership," and "being first"—to promote the empowerment of women within existing corporate and legal structures. The Parliament Hill site, approved in December 1997, was particularly significant, marking the first time that a monument had been erected on Parliament Hill in honour of any woman (excepting British royalty) or citizen (excepting prime ministers). A monument commemorating the efforts of five women who fought together for feminist social reform was simply unprecedented. What the monuments signified for contemporary Canadian society and for contemporary feminists, however, was highly contested. As I elaborate in Chapter One, the debate focused on Emily Murphy—who initiated the Persons Case, advocated eugenics, and promoted racially selective

immigration policies—to ask whether one could commemorate her feminist democratic reforms without also commemorating her problematic racial and sexual politics. As participants in this debate, members of the REAL Women published articles and letters (in newspapers and in their newsletter) and publicly mounted a protest at the unveiling ceremony on Parliament Hill. Accusing the Famous Five of racism and of supporting eugenics, REAL Women advocates argued that the Famous Five were inappropriate symbols for contemporary Canadian feminism and that the Famous 5 Foundation was engaging in historical revisionism by promoting them. For members of REAL Women, the foundation's work to remember and commemorate was overshadowed by the forgetting that was required to accept the Famous Five as inspirations. The REAL Women organization thus produced a counter-memory of the Famous Five that named them as racists.

However, I suggest that the memory work in this moment—the work of making the Famous Five statues meaningful—was more complicated than simply a process of remembering what was forgotten or of offering a counter-memory. The critiques levelled by the REAL Women of Canada at the Famous Five and the Famous 5 Foundation—the former for being racist eugenicists, the latter for functioning as an elitist special interest group—worked simultaneously in the service of another narrative: the REAL Women organization's efforts to resecure a concept of "authentic" femininity that was specifically Christian, heterosexual, and procreative.

In what follows, I reiterate details about the Leilani Muir case in Alberta in order to establish a key context for the statue debates and subsequent efforts to negotiate Alberta's history of institutionalized sexual sterilization before moving into

a more detailed interrogation of the REAL Women of Canada's critique of the Famous Five and the Famous 5 Foundation. Through a close-reading of the ensuing struggle to determine the meaning of the *Women are Persons!* statues, I argue that contemporary feminists cannot disavow the legacies of first-wave feminism, nor can they embrace those figures uncritically. Rather, those legacies exist not as past problems but as histories that inform the world within which contemporary feminists practise their politics. Those histories thus continue to matter not just for *what* is remembered but also for the ways in which that remembering works to resecure or reimagine social relations in the present.

Eugenics and the Famous Five Statues

When the Alberta Court of Queen's Bench handed down the Leilani Muir decision in January 1996, conservative critics were quick to publish articles situating the decision as yet another instance of misguided liberal thinking. Although sexual sterilization was legally institutionalized in Alberta from 1928 to 1972, Muir sued the Alberta government for negligence in determining her "intelligence quotient," leading to her sexual sterilization in 1959. The judge ruled in her favour and ordered the Alberta government to pay Muir $740,780 plus $230,000 in legal fees. While newspaper coverage of the case largely described the decision as an overdue act of redress, the case also circulated as an extreme example of the dangers of liberal "progressivism." On that note, critics such as Joe Woodard used the Muir lawsuit to situate early-twentieth-century eugenics as "part of mainstream progressive thinking" and to foreground that its supporters included feminist forerunners Helen MacMurchy,

Margaret Sanger, Nellie McClung, and Emily Murphy (Woodard 39). In the days after the decision, Trevor Lautens published an article in the *Vancouver Sun* entitled "Sterilization Award Is Not Just about Our Past; It's about Our Future," and a modified version in the *Calgary Herald* entitled "Left Shares Blame for Human Tinkering," in which he elaborated the fiscal dangers of liberal-minded social policies.[3] In both articles, Lautens reported on the Muir case to raise the question "What are the policies of today that could be the lawsuits of tomorrow?" Representing sexual education classes, legalized abortion, and affirmative action as likely sources of such future lawsuits, Lautens used the Muir decision to name eugenics as a "progressive" early-twentieth-century policy so as to interrogate the merits of contemporary liberal initiatives. By contrast, a state-funded effort to interpret the history of eugenics in Canada—the release and television broadcast of a National Film Board documentary in March 1996 entitled *The Sterilization of Leilani Muir*—not only allowed Muir to tell her story to a broad audience, making public this uncomfortable moment in Canadian history, but also ultimately recuperated that history in a narrative of progress managed by the court system. From different perspectives, the decision was alternately a victory of social justice or a dire harbinger of things to come.

These contemporary developments describe the context within which the Muir decision was received; however, more importantly, they make obvious the kinds of ideological struggles waged in interpreting that decision. Competing interests positioned the decision alternately as an attempt to redress a historical act of injustice or as yet another example of the social and fiscal dangers of liberal thinking. The

questions that underpinned these contrasting responses, however, ultimately remained the same. What politics informed eugenic policies in the early twentieth century? How, from a later perspective, do we understand ourselves in relation to that history? And what are the implications of that history—and of contemporary responses to that history—for the present? By tracing some key threads that influenced the eugenics debate stimulated by the Muir decision and the ways in which that debate was mapped onto the Famous Five statues in Calgary and Ottawa, this section explores how the REAL Women of Canada invoked eugenics to signal their critical distance from the Famous 5 Foundation and to underline their concept of authentic femininity.

The Famous 5 Foundation established itself in Calgary in October 1996, six months after the Muir decision. The events were unrelated; however, as the foundation promoted public awareness of the Famous Five and lobbied for prominent sites in Calgary and Ottawa on which to erect statues commemorating the Persons Case, the debates engendered by the Muir decision gradually embraced the Famous Five statues. Having publicly advocated for Alberta's Sexual Sterilization Law (1928), and having published articles arguing for the necessity of sterilization policies to control reproduction of the "unfit," Emily Murphy—the key organizer of the Famous Five—became a particularly controversial figure. Critics suggested that it was inappropriate to include Murphy in the statues. In December 1997, parliamentary approval of a *Women Are Persons!* monument site on Parliament Hill extended the scope of the debate to interrogate the merits of a national monument honouring the Famous Five. Simultaneously a local commemoration and a work legitimized by Parliament as a symbolic, national monument, the Famous Five statues in Calgary and

Ottawa were charged sites that critics and advocates struggled to make meaningful. I want to highlight here three lines along which the debate developed: (1) charges of historical revisionism from conservative and critical perspectives; (2) attempts to weigh the merits of feminism against the problems of racism; and (3) positions that conflated eugenics with abortion.

While the Muir decision turned not on the fact that Leilani Muir had been sterilized but on the evidence that she had been negligently sterilized, critics referenced the case as an instance of historical revisionism. Rob Martin, a professor of law at the University of Western Ontario, for instance, asserted that "This case never should have gone to trial . . . You can't go back and litigate every historical outrage since the beginning of time . . . This is crap. We're creating a social schizophrenia, judging every historical act according to today's moral standards" (qtd. in Woodard 38–39). After the Muir decision, Alberta's history of institutionalized eugenics resurfaced in other contemporary controversies, such as the University of Alberta Department of Psychology's move in September 1997 to rename the John MacEachran conference room and the John MacEachran lecture series. Although MacEachran was a founding member of the department, he also chaired the Alberta Eugenics Board from 1928 to 1965 and signed the official order for Muir's sterilization. The erasure of his name from the department, however, again fuelled charges of historical revisionism.[4] University of Alberta professor Rod MacLeod, for instance, suggested that the erasure of MacEachran from the psychology department marked "an attempt to deny history" and "to pretend it didn't happen" (qtd. in Torrence 33). Both MacLeod and Martin responded to the same history of eugenics.

Martin criticized the Muir decision as evidence of a desire to impose contemporary ideas and values onto history, and MacLeod similarly argued against editing history to cleanse it for the present. However, for Martin, historical revisionism involved meddling with a past that was distinct and separate from the present, while MacLeod asserted that the past essentially lived on in the present and needed to be recognized for its ongoing effects, an argument that Ralph Klein—then premier of Alberta—was hesitant to acknowledge. In March 1998, that is, pending sterilization lawsuits in the court system prompted the Alberta government to propose a bill that translated concepts of historical revisionism into a specifically fiscal logic. Arguing that the Alberta taxpayers should not be responsible for legislation deemed acceptable in its moment and fearing that the Muir decision would set a dangerous precedent, the Klein government invoked the Canadian Constitution's "notwithstanding clause" in an attempt to limit the potential payments from court decisions. Klein rationalized that "it [was] in the best interests of the people to limit the liability for something we were not responsible for many, many years ago" (Johnsrude A1). Public outrage, however, prompted the Alberta government to reverse its position the next day (12 March 1998).

On a broader scale, discourses of historical revisionism ranged widely beyond the Muir case in the 1990s to underwrite a policing of national history and national unity more generally. In 1998, J.L. Granatstein, for instance, published his *Who Killed Canadian History?*, arguing that Canadian history was under siege from feminists, multicultural interest groups, and professors of "new social histories" and that the fragmentation of Canadian history would have severe consequences for the nation. In

June 1998, Colby Cosh similarly responded to the removal of "Riel's Rope" from the RCMP centennial museum in Regina by describing acts of historical revisionism as "a threat to national cohesion." Citing "a four-person panel of central Canadian thinkers [who] met in Ottawa to discuss Canadian identity at the annual Congress of Social Sciences and Humanities," Cosh registered their consensus "that Canadian history is fragmenting, thanks to regional prejudice and the activities of interest groups, clans and gender politicians." Cosh argued against attempts to sanitize history; however, he did not make this case to recognize history as a contested political narrative tied to the social organization of power and resources. Rather, he positioned himself against "victimolatry" to argue for a responsible, proactive ownership of history. To be proactive, Cosh asserted that one must acknowledge history, but not lobby for social redress. The past, for Cosh, was part of the past while attempts to drag the past into the present were described as irresponsible citizenship.

Discourses of historical revisionism were employed to different ends, sometimes advocating the importance of remembering rather than erasing an uncomfortable history, sometimes advocating a linear narrative of progress in which the past should be left in the past. For Cosh, historical revisionism marked the sterilization of history in a narrative of "victimolatry," while Granatstein collapsed the cohesion of Canadian history with the state of national unity. For both, the value that they placed on social cohesion required the inculcation of a strong, unified history safeguarded from the fragmentation threatened by competing political interests. And, as the Famous 5 Foundation lobbied for statue sites between 1996 and 1998, the same underlying question—the problem of how contemporary Canadian society should

remember and understand its problematic histories—and the same discourses of historical revisionism informed a broad interrogation of whether or not the proposed statues were appropriate feminist commemorations.

In the spring of 1998, this question of appropriateness began to circulate specifically as a conflict between race and gender in the statue debates. Frances Wright, a key organizer of the Famous 5 Foundation, attempted to position the original five as "worthy role models of their day" and suggested that, while it is important to attend to the ways in which their racial views have become unacceptable, it is wrong to erase "the great work that these women did for women generally" (qtg. Ron Ghitter). In a *Calgary Herald* editorial, Peter Menzies responded by declaring that "It's wrong to excuse Murphy's beliefs about race: There's no question that she advanced the worthy cause of women, but those actions must be weighed against her less savoury views." As Emily Murphy became an increasingly controversial and problematic signifier, the North Shore Crisis Services Society in Vancouver decided in May 1998 to change the name of its Emily Murphy House, a shelter for abused women and children, to the Shelter, Advocacy, Growth, and Empowerment (or SAGE) Transitional House. And, on the front page of the *Vancouver Sun*, Ken MacQueen asked "Can a Hero Be a Racist? Ms. Murphy's Dual Legacy." Advocates and critics of the Famous Five statues debated their merits by weighing Murphy's racial politics against her contributions to women's rights.

For others, however, the racial critique levelled at the Famous Five and at Murphy, because of her support for eugenics, was bound into the service of another narrative. A month before the statue unveiling in Calgary, Link Byfield, for instance,

published an article about the Famous Five in which he congratulated the Famous 5 Foundation for recognizing the "grave flaws" of their foremothers' racial politics ("Let Us Praise"). With regard to sexual politics, however, he argued that contemporary feminists were reproducing the mistakes of early feminist foremothers by denying basic human rights to vulnerable social groups: "Just as some of the original feminists were blind to the personhood of Asians and the mentally handicapped, their successors are blind too. Why, for instance, do feminists never, ever champion the rights of other legally excluded human beings; most obviously, the unborn?" Articles developing this question were published by Byfield and Woodard before the Muir decision—Byfield, for instance, wrote about the "direct link" between "yesterday's eugenist [sic] and today's abortionist" (July 1995), while Woodard referenced the pending Muir lawsuit to conclude that, like the racial doctrines underwriting eugenics in the 1930s, contemporary women were effecting a "ferocious and irrational eugenics" in practising abortion as a "lifestyle" choice (July 1995)—but it was largely through the eugenics debate that the problem was mapped onto the Famous Five and the Famous 5 Foundation.

REAL Womanhood

Demonstrating alongside members of the Campaign Life Coalition, REAL Women of Canada was one of two anti-abortion groups that protested at the Ottawa unveiling ceremony of the *Women Are Persons!* monument. The protest was largely unmentioned in newspaper coverage of the unveiling, a point that reflects, to some degree, the attempt by Ottawa organizers to distance the ceremony from controversy

where the Calgary organizers had attempted to incorporate race as an issue for contemporary feminism.[5] However, although the two ceremonies negotiated the issue differently, the protesters at the Ottawa unveiling mobilized the same terms of critique that dominated the controversy about the statues in the popular press. Demonstrating with signs that described the Famous Five as racists and supporters of eugenics, the protesters drew parallels between the rise of the eugenic movement in Canada and the rise of Nazi Germany's campaign for racial hygiene. In literature mailed out after the protest, they pointed out that "1933 was the year British Columbia followed Alberta in passing legislation to permit the sterilization of the mentally ill and retarded. That same year, the Nazis under Adolf Hitler began their infamous campaign for so-called 'racial hygiene' in Germany which involved the forced sterilization and murder of people deemed to be medically unfit or unacceptable due to racial background."[6] Based on the eugenic commitments of Famous Five members, REAL Women accused the Famous 5 Foundation of expounding "more than a little revisionist history" ("'Famous Five' Women" 7). Moreover, REAL Women rejected the Ottawa monument as a national symbol and represented it instead as a concession to the pressure tactics of a feminist "special interest group" (7). Pointing specifically to ministers Hedy Fry, Sheila Copps, and Jean Augustine—the women who had initiated and strongly advocated for the special resolution in Parliament approving the *Women Are Persons!* monument site—the article accused the Famous 5 Foundation of manipulating parliamentary process. That is, the *Reality* article asserted that the special resolution had been opposed in Parliament but that Fry, Copps, and Augustine had strategically reintroduced the bill for reading in the absence of its opponents.

REAL Women maintained that the statue had not been legitimately approved as a national monument; rather, it attested to the strategic and antidemocratic manoeuvring of a feminist special interest group (7). The protest mobilized by REAL Women, then, while articulated on the grounds of racism and eugenics, can equally be understood as a protest against the Famous 5 Foundation as representative of an elitist, "special interest" feminism working to secure its own advancement. In this logic, the statues mark the revisionist history advanced by ostensibly ambitious feminists in the present to advance and legitimize their own class-based interests.

In contrast, REAL Women of Canada constructed itself as an alternative women's group attuned to the real concerns of real women not represented by these special interest organizations. "Until the formation of REAL Women of Canada," its web site asserts, "there was no voice to represent the views of those many thousands of women who take a different point of view from the established feminist groups" ("Our View"). As the name suggests, the organization posits itself as representing and having privileged access to the interests of "real" women. But while constructing itself as internally diverse and committed to principles of individual choice, and while acknowledging the importance of having multiple feminist groups to represent the different interests of different women, REAL Women interprets "the real" in a manner that hierarchizes that diversity. Real women comprise a specific community. They are invoked as a real majority whose interests are unrepresented by current feminist groups, and they are real women by virtue of having fulfilled the womanly function of producing and socializing children. The "real" stands in to mark a spectral community and assumptions of authenticity. The nature of this authentic femininity is made clear

in the organization's primary political agenda: protecting and promoting the family as a Christian (and specifically heterosexual) institution.[7] In these terms, REAL Women advocates for the institutional recognition and valuation of women as wives and mothers. Lobbying for family tax breaks, subsidized marriage counselling, and the direct payment of mothers as child-care providers (which money they could, if they chose to work, spend on day care), REAL Women promotes the family and the option of stay-at-home feminism (see "Statement on Child Care"). Like the Famous 5 Foundation, the REAL Women organization asserts a commitment to principles of equality and choice; however, it argues that women are often forced into the workplace by economic circumstances. The institutional revaluation of motherhood would give those women more choices. The organization does not oppose the right of women to make decisions about their reproductive functions, but it recognizes that option only before conception. Once conceived, the unborn foetus is invested with a discourse of rights. In this logic, REAL Women declares its motto: "Women's rights, but not at the expense of human rights." As a result, in the final moment of choice, when women's individual interests might be in conflict with "the family" as a social institution, REAL Women identifies itself as "Canada's New Women's Movement" but conflates women's interests with those of the Judeo-Christian family.

The problem here is not in valuing families or motherhood. The problem is in the name. The REAL Women organization justifies itself with the spectre of "many thousands" of real women with real needs. Through this spectral community, however, REAL Women discursively defines reproduction as constitutive of real womanhood. Women who choose not to have children (largely assumed to be

professional women) or women who choose same-sex relationships (regardless of whether or not they have children) are considered special interest groups. In contrast, REAL Women asserts that "ninety per cent of [women] either have or want to have children," justifying its efforts to promote home-care options for those women ("Our View"). Real women are heterosexual and are defined (and valued) through practices of physical and social reproduction. Informed by the statue debates, the problem of eugenics further developed this concept of authentic femininity. REAL Women invoked eugenics as evidence of the Famous Five's racism and as an inappropriate transgression of the boundary between public and private spheres, between the state and sexuality. In this second sense, then, eugenics constituted "an obscene and inhumane intrusion into people's lives," an infringement of the state on private, individual rights (from "Truth"; see note 4).[8]

However, the ostensibly liberal critique levelled by the REAL Women organization actually assumes a specific definition of rights. REAL Women does not advocate for a broad liberal tolerance of different sexual practices or lifestyles; it does not expand traditional notions of the family to recognize other possible configurations or communal arrangements. Rather, this representation of eugenics, resonating with other passages on the REAL Women's web site, ultimately protects Christian marriage and heterosexual reproduction as individual rights. As a racial and sexual politics, then, eugenics constituted the ground on which REAL Women rejected the Famous Five monument as a misplaced honour in the present; however, its critique was levelled to resecure specific rights for a specific community of women. Representing itself as "Canada's New Women's Movement," the REAL Women organization

marshals discourses of liberalism not just to advocate for women's interests but also to promote its ideal of authentic femininity. Given the specificity of that ideal and the organization's ultimate advocacy for a tremendously conservative definition of the family, the invocation of newness is somewhat ironic. However, as explicated in Rosemary Hennessy's analysis of newness as a discourse, this invocation of "the new" by REAL Women can be understood as a conservative response to a moment of perceived social uncertainty, a response worth examining not only for the terms of its articulation but also for its social effects.

Critical Memory Work

In her chapter "New Woman, New History," Rosemary Hennessy explores the discourse of the new as an important touchstone for the "New Women's History" that emerged in the 1970s (in Great Britain and the United States) and as an equally relevant discourse for contemporary feminist work (*Materialist Feminism*). Examining the "New Traditionalist" of an early-1990s advertising campaign for *Good Housekeeping* and reading this image against the New Woman of late-nineteenth-century infamy, Hennessy points to the contradictory ways in which new-ness is mobilized as a discourse. Specifically, she interrogates the idea that newness equals a radical or transgressive break, demonstrating that "the new" can equally signify "the traditional" and can function as a site of ideological reproduction. "In its conservative manifestation," Hennessy asserts, "the appeal to new-ness serves as the guarantor of repetition, an articulating instrument whereby the *preconstructed* categories that comprise the symbolic infrastructure of the social imaginary are sustained through

moments of historical crisis by their dissimulation in the guise of the new" (103–04). Alternately articulated in positive and negative terms, the new can also signal radical challenges to tradition or conservative reinscriptions. In itself, then, the new has no stable meaning as a marker of value. In effect, it marks a site of contradiction, a term invoked to articulate and legitimize competing ideologies. For this reason, Hennessy argues, feminist historiography must attend to the material effects of specific discourses, to the ways in which they reproduce or rearticulate dynamics of power. Given her analysis of newness, a series of "new" questions begins here to emerge. Considering their efforts to inspire a generation of women leaders in the present, how does "the new" inform the Famous 5 Foundation's self-identification with historical women? What does it mean for the REAL Women of Canada to articulate themselves as "Canada's New Women's Movement"? How do these identifications reproduce or rearticulate the social imaginary? And how does this newness inform the charges of historical revisionism levelled by REAL Women at the Famous 5 Foundation? In other words, what is relationship here between the new and the authentic?

Where the REAL Women organization represented itself, ironically, as representative of the new, the Famous 5 Foundation identified with and was established to remember the achievements of five reform-minded women in Canadian history. To this end, the foundation organized to commemorate a specific political moment in feminist history (by commissioning two statues and by lobbying for a Parliament Hill statue site), to establish a lecture series in which women would mentor and inspire young girls and other women, and to popularize the Famous Five as relevant, although controversial, feminist role models. As part of the unveiling

preambles in both Calgary and Ottawa, the foundation further incorporated "pink teas" to invoke not just the Famous Five but also the strategic organizing employed by a broader community of early suffragists. Where pink teas originally masked the political organizing of the suffragists, the pink tea in this later context functioned in two ways: as an unveiling event, it signalled a social gathering at which women came together around a political cause (remembering a feminist history so as to inspire present generations and to promote the empowerment of women); and as a symbolic reference, pulled out of history, it suggested an attempt to read everyday, social activities in politicized terms. Remembering not just the Persons Case but also a process of feminist organizing, inviting contemporary women to participate in these activities, the pink teas further nuanced the "tea party" represented in the statues. The work of remembering, however, also took more literal forms. For instance, the Famous 5 Foundation named and produced itself in the image of the original Famous Five, and, at both ceremonial unveilings, the Famous Five were literally re-membered by actresses and organizers: embodied performatively for the audience and as inanimate presences in the statue.[9] Finally, the foundation lobbied provinces to make the Persons Case a compulsory subject in the education curriculum so that students would be required to study the event. While the open chair in the statue—inviting the spectator to enter the circle of the Famous Five, to sit at their table, and to participate in nation building—suggests that the monuments are intended to engage and actively mobilize the public as feminist citizens and as nation builders in an open-ended process, the foundation's commitment to history resonates in some ways with REAL

Women's invocation of the new, a connection that I will elaborate through a detour into Derrida's theorizing of the archive as a site of authentic and original presence.

Drawing out the latent meanings of the word *"arkhē,"* Derrida theorizes the archive as a site of commencement and commandment, a guarded resource that is constantly produced as meaningful. The meaning of the archive is written and rewritten. It is produced both in its structure (its organization, its categorization) and in its interpretation, yet the archive is privileged as a preconstructed *record*, a site of authenticity imbued with an originary presence. It is that search for origins, the search for an originary presence that constantly slips away, that Derrida terms "archive fever": "It is to burn with a passion. It is never to rest, interminably, from searching for the archive right where it slips away. It is to run after the archive, even if there's too much of it, right where something in it anarchives itself [sic]. It is to have a compulsive, repetitive and nostalgic desire for the archive, a nostalgia for the return to the most archaic place of absolute commencement" (91). Archive fever, then, marks an ongoing attempt to grasp the originary presence with which the archive is invested. The search for presence spawns the constant production and reproduction of meaning, yet, while motivated by that presence, the constant production of the archive as "meaningful" marks its very instability. And, in Derrida's formulation, this ongoing process of making the archive meaningful registers as a repetitive compulsion for both the subject and the social formation. Theorizing the archive, then, not only as a site of compulsive, repetitive meaning making but also as a site where information is guarded, protected, and restricted, Derrida highlights the political valencies of this process: "There is no political power without control of the archive, if not of memory.

Effective democratization can always be measured by this essential criterion: the participation in and the access to the archive, its constitution, and its interpretation" (4n1). In this formulation, Derrida asserts that memory is a site of meaning making that intimately resonates with social and political relations of power. The archive is authoritative; it is a site of authenticity and presence. However, that presence spawns multiple acts of meaning making that spill over from authentic singularity into excess. The struggle then to determine the meaning of the archive is a struggle for social and political power, which is protected, policed and guarded. It is in these terms, I suggest, that we can begin to nuance the identifications of both the Famous 5 Foundation and REAL Women.

While the REAL Women organization can be understood as an ironic representative of the new, the Famous 5 Foundation's return to the historical moment of the Persons Case offers no more certainty that the remembering of the Famous Five in the present will promote a progressive, critical feminist consciousness. Celebrating the Famous Five as democratic reformers, the foundation was organized to promote an ideal feminist citizen and nation builder. The foundation located an originary, inspirational presence in the Famous Five; however, the debates that emerged contesting their appropriateness as role models for contemporary women make obvious the fact that "the meaning" of the statue and the legacy of the Famous Five are not stable. The Famous Five are not guaranteed to mobilize critical feminist agency; remembering them on Parliament Hill could just as easily be read as a commemoration of their selective immigration policies or Murphy's insistence that "sterilization of the unfit has now become a condition of national survival"

("Sterilization"). The unfit, for Murphy, comprised a diverse group who were largely identifiable by criminal behaviour and sexual practices outside the marriage sanction (particularly if they were infected with a venereal disease). It is worth noting, however, that these definitions of the unfit tended to concentrate on the more vulnerable members of Canadian society. In Murphy's own words, "75 per cent of all the patients at Ponoka Mental Hospital [were] also immigrants or settlers from other countries" ("Sterilization"), and, as Mariana Valverde points out, members of the lower classes and single women in urban environments were disproportionately targeted in the moral policing of this moment. Yet, as Valverde elaborates, "The class basis of social purity is not a simplistic matter of middle-class reformers imposing their values on working-class communities. . . . What has been described as imposing values on another class is simultaneously a process of creating and reaffirming one's own class" (29). By extension, then, as a female magistrate policing the activities of other women (mostly on charges of prostitution and vagrancy), Murphy engaged in a kind of implicit production of authentic, respectable womanhood ironically not unlike that of the REAL Women organization. Her policing, while more literal than that of REAL Women, worked to secure a concept of womanhood defined through normative codes of respectability; one's "fitness" or "unfitness" was ultimately a measurement of how closely one approximated that nuclear, heterosexual, Christian family code. That said, as developed in Chapter Three, Murphy also promoted birth control as a means through which women could intervene into national and international politics. Sexuality, Murphy recognized, was political and bio-politics had material effects on the human resources of the nation.

While consciously identifying with the Famous Five, the Famous 5 Foundation's efforts to produce the Famous Five as meaningful, stable, and inspirational have concentrated on specific aspects of their legacy but have ironically provoked other attempts to define that legacy that have, in turn, reflected impulses to police femininity that figures such as Murphy make apparent. As an extension of the indeterminacy of the Famous Five legacy, the charges of historical revisionism levelled by REAL Women at the Famous 5 Foundation, for instance, mark an attempt to police the legitimate interpretation of the archive in the service of a specific feminist imaginary. Articulated as a race critique, the charge of historical revisionism implied that the Famous 5 Foundation was repressing the racism of the Famous Five and thus perpetuating a violence on contemporary women. Presumably, the women whom the Famous Five project excluded were imagined to be included in REAL Women's spectral community; REAL Women protected its interests against an exclusive, elitist, special interest feminism. But the diverse spectral community of women that the REAL Women organization claimed to represent and protect was, under scrutiny, a specific community. REAL Women's race critique, while ostensibly protecting and representing the other to position the REAL Women organization as broadly inclusive of difference, in fact also translated into a sexual critique that worked to police the boundaries of womanly authenticity as Christian, heterosexual, and procreative. In this, the REAL Women reproduced the same manoeuvre used by Murphy to judge fitness. In these terms, then, the Famous 5 Foundation posed a threat not to groups of women who were once subject to eugenic scrutiny but to the imagined social reality of the REAL Women organization.

Legacies and Inheritances

This analysis attempts to draw out the nuanced reinscription of authenticity that underpins REAL Women's racial critique of the Famous 5 Foundation to demonstrate that, despite its "newness" and its implicit break with history, the REAL Women organization had a vested interest in policing the historical narrative produced about the Famous Five. Newness, as Hennessy pointed out, is no guarantee of a progressive, inclusive feminist vision. In fact, REAL Women's newness is bound up in a pattern of repetition: structured, on one level, by ideological compulsions to reproduce and resecure the social body and, on another level, in a pattern of discursive repetition. Apparently unconscious of other New Women in feminist history, the REAL Women organization replicates early-twentieth-century debates, couched similarly as a conflict between race, gender, and sexuality, to advocate a specific ideal of feminine authenticity. Consider, for instance, the following passage from Eliza Lynn Linton's article "The Modern Revolt" (1870):

> The late remarkable outbreak of women against the restrictions under which they have hitherto lived—the Modern Revolt, as it may be called—has two meanings: the one, a noble protest against the frivolity and idleness into which they have suffered themselves to sink; the other, a mad rebellion against the natural duties of their sex, and those characteristics known in the mass as womanliness. And among the most serious problems of the day is, how to reconcile the greater freedom which women are taking with the restrictive duties of sex; how to bring their determination to share in the remunerative

> work of the world into harmony with that womanliness, without which they are intrinsically valueless. (177)

Although its publication predates the rise of the New Woman proper in 1894, the article participates in the debates that structured the New Woman and conditioned her emergence, debates which I outline in Chapter Two. That is, it sets up a binary between noble feminist protesters advocating women's ability to contribute meaningfully as individual members of society and mad, rebellious women who reject "the *natural* duties of their sex" (my emphasis). Positing "womanliness" as the quality "without which [women] are intrinsically valueless," Linton frames "the Modern Revolt" as a tension between these two poles.

REAL Women's advocacy of motherhood as defining authentic womanhood resonates with this article, published more than 130 years ago, and with the New Woman's articulation and containment in discourses that charged women's sexuality as a topic, making the New Woman a site of fear and fantasy for detractors and advocates and a figure to which the future of the race was discursively harnessed. This old struggle to define a new, "real" womanhood through practices of reproduction—as a definitive womanly activity which needed to be secured or disrupted and which profoundly affected the race and the nation as collective bodies—has interesting parallels in the REAL Women organization's claim to "newness," its emphasis on motherhood, and its rejection of non-Judeo-Christian relationships. Asserting that "real" women want children and that the Judeo-Christian family is the basic social unit of the nation, REAL Women invokes specific concepts of authenticity to secure those imagined communities. Coupled with the Famous 5 Foundation's self-

fashioning in the guise of the "Famous Five" and their desire to promote the Famous Five as inspirational feminist figures, these first-wave legacies demonstrate the importance of attending to history because discourses have a way of reproducing themselves.

To be clear, I am not suggesting that the Famous 5 Foundation or the REAL Women of Canada are replicas of the New Woman who was articulated in the 1890s, nor am I arguing that the production of the citizen in the decade after World War One is a direct model for the statues' interpellations of citizens in the present. Both of those moves would erase historical specificity in a way that works against my commitment to understanding texts within contexts of production and reception. Rather, I am suggesting here that discourses also move across formations to be re-articulated, and those articulations involve both reproduction and reframing. As with the New Woman of the late nineteenth and early twentieth century, the statue controversy can be understood as a struggle to define authentic femininity in the context of a heritage movement working to resecure Canada's social and political formations. That controversy broadly, and particularly as elucidated with respect to the critiques levelled by the REAL Women of Canada, can also be understood as an attempt to police the character of the female citizen by policing the historical narratives that invest the *Women are Persons!* statue with meaning. In turn, the production of authentic femininity by the REAL Women and their attempt to harness critiques of Murphy's eugenic commitments into an anti-abortion narrative resonates with the ways in which the moral character of the female citizen was naturalized and strictly policed in the post-World War One decade.

What is so difficult to untangle, however, in these reproductions is the complex ways in which the REAL Women appropriated anti-racist and liberal discourses, particularly in relation to women's sexuality and reproduction, to resecure a highly specific feminist subject. To be sure, the REAL Women are not advocating the sterilization of women; they are not declaring that white motherhood must be protected and nurtured to safe-guard the future health of the race. They do not reproduce the discourses of first-wave feminism in such literal ways; however, their attempt to mobilize sexual politics to assert an authentic femininity—a move that upholds traditionalism as a new, alternative women's movement—methodologically parallels the very politics that they purport to denounce. For the REAL Women, race, gender, sexuality and class entwine in a critique of the foundation and of the Famous Five, but that complexity works fundamentally to argue for a specific ideal of femininity that constitutes natural womanhood and against which deviance can be measured.

More overtly, the Famous 5 Foundation takes the Famous Five as heroic models that it has worked to promote for contemporary women. It named itself in the image of these foremothers with the objective of promoting cultural memory, nation building and women's empowerment. In the context of a broader heritage movement seeking to promote social cohesion and political unity in the turbulence of the 1990s, the foundation organized to represent women's historical contributions to nation building. It institutionalized that remembering in educational curricula, and it lobbied to transform the Famous Five statue into a national monument. The decision to commemorate the Persons Case in particular reflects the foundation's political

commitment to a liberal politics of equal opportunity, participation and access, a politics of empowerment promoted particularly in the foundation's ongoing mentorship series. This liberal agenda mirrors New Woman debates in a way different from that of the REAL Women. Like advocates of the New Woman, the Famous 5 Foundation promotes women's empowerment and opportunities in the public sphere, foregrounding particularly the economic and political agency of the white middle-class woman. Emphasizing both group identifications and individualism, the foundation celebrates collective organizing as well as individual rights in choosing the Persons Case and in representing the Famous Five tea party; it similarly links women's empowerment to acts of nation building and affirmations of identification: for instance, opening Famous Five events by singing the national anthem and lobbying for a statue on Parliament Hill commemorating women through which to promote citizenship as a site of identification. In short, the Famous 5 Foundation seeks to recognize a debt owed to first-wave feminism and to celebrate early feminists as role models for the future, constructing them as path-breakers who continue to be meaningful for contemporary women.

It is this celebration of the Famous Five as heroic nation builders, however, that complicates the foundation's ability to respond to the challenge of their racism and eugenic commitments. In my own work, I have tried to re-articulate the "meaning" of the statues as productively ambivalent, reflecting what Simon Gikandi describes as a "resistance/complicity dialectic": the dialectical relationship between power and resistance and the difficulties inherent in seeking pure spaces of unmediated agency or resistance. In these terms, I suggest that the desire to position

Murphy as either a heroic feminist foremother (who advanced the rights of women) or as a demonized racist (who should not be honoured in the present) is fundamentally problematic in that it erases the real complexities of first-wave feminism in Canada. It erases the way in which citizenship was (and is) a complex mechanism of empowerment and policing. The right to vote mattered; the right to stand for office mattered. It matters that the political achievement of the Persons Case has been appropriated by contemporary conservatives to advocate for anti-abortion policies. Women's rights over their own bodies continue to matter. These are real forms of empowerment; however, those rights do not mark sites of pure or unmediated agency: the entrance of women into citizenship, for instance, hinged on a production of otherness that underpinned women's claims to be rational, self-governing, sovereign subjects—affecting not only those others but also those white middle-class women. The real challenge, I suggest, is articulating that complexity and negotiating its legacies.

My contribution to the statue controversy is a call for historical analyses that attend to the messy ambivalences and complexities of nation building. In this, my work is part of the broader Heritage Movement that I see underwriting the Famous 5 Foundation's project. In response to the series of crises that rocked Canada's social and political formation in the 1990s—crises rooted in Canada's constitutional debates and the effects of those debates on national unity—"heritage" emerged as a solution to social fragmentation. From the "Heritage Minutes" of the Historica Foundation to the establishment of a Department of Canadian Heritage in 1993, this broad movement echoed Jack Granatstein's assertions that "History is memory, inspiration, and

commonality—and a nation without memory is every bit as adrift as an amnesiac wandering the streets. History matters, and we forget this truth at our peril" (xviii). However, where Granatstein further argued for the need to forge a unified Canadian identity through a more cohesive historical curriculum, I suggest that we ignore the constructedness of national identity at our peril. By focusing on the production of the female citizen in particular, I also argue that the study of first-wave feminist nation building in the context of Canada's settler-colony formation offers a particularly rich archive through which to consider the complexities of resistance and complicity. In this framework, I hold that the Famous Five are neither heroes nor demons of the past; rather, the statues—and by extension the legacies of first-wave feminism in Canada—can be productively refigured as texts that ask us to attend to collective identity formations in the present. Studying the implications of personhood thus stands as a re-valuation of the importance of rights—a re-valuation of the debts owed to first-wave feminism—but also a call to rethink how the construction of national identity and of the female citizen has historically involved the production and policing of racialized, sexualized and classed otherness.

In short, I suggest that this examination of the struggle between REAL Women and the Famous 5 Foundation to determine the meaning of the Famous Five and their statues is one instance of a broader problem. How should contemporary feminism negotiate the legacies of first-wave feminism? How do those legacies continue to inform the present? Although they did so in different ways, both REAL Women and the Famous 5 Foundation attempted to respond to this problem; however, where the REAL Women organization disavowed the Famous Five and imagined itself as a

corrective to the old, compromised feminist groups, and where the Famous 5 Foundation attempted to celebrate the achievements of the Famous Five even though they advocated eugenics, neither response facilitated critical tools for interrogating contemporary practices. The problem, then, is not only one of remembering or forgetting but also one of *how* that remembering or forgetting is effected and to what end. Critical memory work requires attending to that which is forgotten and that which is made meaningful and to the ways in which that remembering takes place. Without that attention, Derrida reminds us, the search for origins, like the disavowal of history or the pursuit of authenticity, marks a compulsion to repeat. In contrast, effective democratization can be measured by "the participation in and the access to the archive, its constitution, and its interpretation" (Derrida 4n1). The interpretation of history, the work of making memory meaningful and the work of interrogating that process, is a powerful critical tool. However, it is not one freely wielded; we make history "under circumstances directly encountered, given and transmitted from the past" (Marx 188). It matters, then, to attend not only to the material and discursive registers of that inheritance, but also to the practices of memory work through which those histories are produced and contested from different social locations and to different ends.

[1] Until 1960, when Native people acquired the federal vote, First Nations communities only obtained the vote by voluntarily enfranchising themselves and thereby abnegating their Indian status under law. These conditions applied to both women and men; however, First Nations women were also subject to specific conditions of enfranchisement: "The term was used both for those who [gave] up their status by choice, and for the much larger number of native women who lost status automatically upon marriage to non-native men" ("Enfranchisement" *The Canadian Encyclopedia*). In these terms, enfranchisement was both a loss and a gain for First Nations women, who acquired the right to vote in this process, but "lost their treaty and statutory rights as native peoples, and their right to live in the reserve community."

[2] My emphasis on the "matter" of memory here is indebted also to the Concrete Matters Collective (Tracy Kulba, Mary Elizabeth Leighton, Janice Schroeder, Cheryl Suzack and Lisa Ward Mather) and to our shared efforts to grapple with the relationship between materialism and feminism, between "the concrete" and the social organization and contestation of meaning.

[3] As noted in Chapter Three, the province of British Columbia also had a sexual sterilization law, passed in 1933. The issues raised by the Muir decision in Alberta thus stimulated interest in both provinces. For more on the history of eugenics in Canada, see Angus McLaren.

[4] For more on the Alberta Eugenics Board, MacEachran's philosophical rationales for eugenics, and Muir's sterilization, see Wahlsten.

[5] As I develop in Chapter One, at the Calgary unveiling ceremony (October 1999), race was represented as an issue for contemporary feminists in Governor General Adrienne Clarkson's speech, in which Clarkson commented on the racial politics of the Famous Five but recuperated them through their work to advance women's rights, and in the ceremonial act of having a young First Nations girl, Shawnee Price, symbolically inaugurate the statue's open chair. At the Ottawa unveiling (October 2000), the performances on stage were ethnically diverse; however, race never surfaced as an issue in the speeches, and the chair was inaugurated by descendants of the original five. The protesters, moreover, were required to stage their demonstration in front of the Parliament building, while the actual unveiling ceremony took place off to the side of the Centre Block (on the grounds relatively near the Senate).

[6] After I talked with protesters at the Ottawa statue unveiling, REAL Women mailed me a packet with four items: a page of excerpts concerning the Famous Five and eugenics, organized under the broad title "The Truth about Famous Five's Nellie McClung, Henrietta Edwards, and Emily Murphy"; an anonymous article from the REAL Women newsletter, *Reality*, entitled "Famous Five Women Are No Heroines"; an article attributed to C. Gwendolyn Landolt (then vice president of REAL Women of Canada) published in the *Kitchener-Waterloo Record* on 12 January 1998; and an article by Harry Bruce, "The Real Janey Canuck," published in the *National Post* on 15 April 2000. The article in the *Kitchener-Waterloo Record*, entitled "The Famous Five Weren't the Only Heroines," appears to be a condensed version of the article in the *Reality* newsletter. The passage quoted here is cited as an "Important Historical Note" at the bottom of the page of excerpts.

[7] On the REAL Women web site, the organization lists a number of objectives around which REAL Women organizes. The first is "To reaffirm that the family is society's most important unit, since the nurturing of its members is best accomplished in the family setting." Working also "To promote, secure and defend legislation which upholds the Judeo-Christian understanding of marriage and family life," REAL Women advocates for social reforms that promote the family (as a Judeo-Christian concept) and homemaking for women ("Who We Are"). Since the statue debates, this concern to protect and promote the Judeo-Christian family has translated into a campaign against same-sex marriage in Canada on the grounds that it violates Christian ethics.

[8] This passage comes from a letter to the editor published in the *Ottawa Citizen* on 13 December 1997. It is reproduced on the handout of clippings, "The Truth About Famous Five's Nellie McClung, Henrietta Edwards and Emily Murphy." See n.6.

[9] As noted in Chapter One, at the Calgary unveiling ceremony, "Emily Murphy" appeared on a balcony to address and inspire the audience and to historicize the Persons Case. Performed by Diana Leblanc, "Murphy" similarly introduced the Ottawa audience to the Persons Case. Later in that ceremony, dressed in period outfits and quoting "famous lines," all five women were personified and remembered in a dramatic scene (in which they commented on the statue and invited "their" descendants down to join them).

CONCLUSION

Citizens and Subjects: Negotiating the Implications of Personhood

As its central problem, this project has worked to examine the legacies of early Canadian nation building, particularly for feminists, and the struggle to negotiate those legacies through contested cultural remembering. In these pages, I suggest that the issue is not whether Canadians should remember the past, but rather how that history is engaged and to what end. As a particularly charged site through which to explore this problem, I have focused specifically on the Famous 5 Foundation's efforts to celebrate and commemorate the Famous Five and the Persons Case (1929), in which women were officially declared "persons" in a symbolically equal sense. That is, women were legal persons before the Persons Case; however, as a privilege of the sex, they were "exempted" from the duties of personhood and denied access to institutional seats of power. In the face of a long history of British Common Law practice, the Persons Case reinterpreted the ambivalences of personhood to declare that in Section 24 of the British North America Act, women were entitled to be considered "persons" and therefore they were eligible for appointment to the Senate of Canada. It was not the first entrance of women into legal personhood; however it was a significant legal decision in that it reinterpreted women's eligibility for the rights and privileges of personhood. In these terms, the Persons Case was celebrated by the Famous 5 Foundation as a decision representing the symbolic equality of women and men under Canadian law. Moreover, it was an achievement that resulted from the collective and

individual efforts of the Famous Five, figures who were thus deserving of honour and commemoration.

Situating this commemorative gesture in the context of a broader heritage movement, propelled by instabilities in Canada's political and social formation during the 1990s, I understand the effort on the part of the Famous 5 Foundation as an attempt to represent women in a broader effort to resecure the nation. Among other things, their organizing constituted a bid to include women as nation builders in the cultural productions of the heritage movement. In these terms, it was no small thing for a statue to be housed on Parliament Hill commemorating first-wave feminist organizing. In fact, it was entirely unprecedented in more than one way. It was the first time a statue was situated on Parliament Hill representing ordinary citizens (rather than Prime Ministers or royalty); it was the first time a monument on the Hill represented any women other than British royalty; and it was certainly the first time that a statue was erected to commemorate the collective organizing of a group of reform-minded early feminists. In these terms, the statue re-articulates nation-building as a citizenly ideal. However, the statues in Calgary and on Parliament Hill became controversial cultural texts because the celebration of the Persons Case as a triumph of gender equality was still articulated in heroic terms and was measured against the racial politics and eugenic commitments of figures such as Emily Murphy. The meaning of the statues was thus hotly contested and that debate translated into a question of appropriateness: were these statues appropriate symbols for the present? What did it mean to commemorate women who advocated racist politics and

eugenics? How could a statue honouring these women function as an inclusive national monument?

In the preceding analysis, I have attempted to shift this debate outside the register of appropriate heroism to consider how a figure like Emily Murphy was implicated and empowered through discursive productions and policings, and to consider how that production of the self and of racialized, sexualized and classed others was central to processes of Canadianization and nation building. To develop this point, I have necessarily supplemented the debate over the meaning of the statues with historical analyses that detail how the women's movement enabled new opportunities for women, but how those opportunities were bound to productions of the self and the other. The inheritances of first-wave feminism encompass both those dimensions. It is important to recognize the debts owed to early feminists like Emily Murphy because they did advance women's rights. However, it is also important to recognize how that empowerment occurred because that legacy too is an inheritance that extends into the present. The production and policing of racialized, sexualized, and classed others is historically specific and yet not; there are parallels across historical moments. As in the early twentieth-century, nation building in the early twenty-first century continues to be an activity that both produces and polices citizens. First wave feminism thus has important lessons for the present, particularly in the context of heritage advocates who argue for the primacy of social cohesion. Murphy's implicatedness offers a window into the constructedness of the nation, the constructedness of an ideal female citizen and the constructedness of the others against whom citizen-subjects are produced. Her implicatedness authorized Murphy in

specific ways—both as an author and as a judge—and enabled more radical feminist challenges to the social order; however, one cannot embrace one without recognizing the other. My point here is that Murphy participated in a broad process of cultural nation-building that worked to manage otherness through discourses of citizenship, that her relative empowerment was very much connected to that broader process, and that the study of Murphy's implicatedness enables a more balanced and nuanced way of thinking about the legacies of first-wave feminism in Canada. Rather than idealized heroics or compromised failures, Murphy's courtroom and writings contain important lessons for the present about the nuances of cultural nation building as a process of subject formation and the ways in which subjection formation constitutes a process of nation building.

Chapter One sets the stage by outlining the emergence of the Famous 5 Foundation and by detailing the debates that emerged about the Famous Five statues. It establishes how the foundation attempted to negotiate those debates and how the foundation promoted the Famous Five as flawed but relevant heroes. Chapters Two and Three move backwards historically to supplement this moment with analyses of earlier feminist nation building. By examining the figure of the New Woman in Britain and in Canada, Chapter Two describes how New Woman debates enabled Murphy's writing—authorizing her through her woman's perspective and through the specificity of her colonial woman's perspective—and translated into critical commentary and acts of cultural nation building. In her later writing, one could further argue that the woman's perspective, now coupled with her authority as a magistrate, was equally significant in her writings on issues as diverse as marriage and

married women's rights, immigration, the feeble-minded, and the "drug menace." Murphy was importantly enabled by those debates; her Janey Canuck image was celebrated for her youthful modernity and for her engaging feminine perspective. However, Murphy's writing resonates strongly with the specific conditions within which it was produced. By initially detailing the emergence of the New Woman in Britain, I work to develop the ways in which New Womanhood was both a symptom of specific socio-economic conditions and a site of struggle between competing groups who attempted to define the appropriate parameters of modern femininity. I move from Britain to Canada then, not to suggest that as a colony Canada inherited the New Woman after the fact, but rather to explore, in some introductory ways, how New Womanhood was differently articulated in that space. Specifically, this chapter develops the figure of the New Woman to elaborate a specific kind of implicatedness: the ways in which the New Woman was articulated and re-articulated within specific socio-economic conditions in Britain and in Canada; the ways in which New Woman debates mobilized discourses in contradictory and implicated ways, particularly discourses of race and sexuality that alternately rationalized women's primary function as a biological one or argued for the necessary liberation of the New Woman in evolutionary terms (although both positions maintained the same racially hierarchized assumptions); and the ways in which New Womanhood was enabling for women like Emily Murphy, but was mobilized also in a project of nation building that worked to produce Canada as a white, Northern new world and to Canadianize (or assert the impossibility of Canadianizing) specific social groups.

In Chapter Three, I explore citizenship as a legal and social construct. That is, I examine personhood as a discourse through which women were reshaped as sovereign legal subjects, and I examine the production and policing of female citizens as human resources in social hygiene discourses. By examining constructions of personhood and citizenship together, I attempt to explore what I describe in my title as the implications of personhood. The production of women as citizens with the same legal rights and responsibilities as men and the same eligibility for public privilege—an entrance into citizenship that resulted from women's organizing for rights and for political representation—was importantly supplemented by a social production of the female citizen as a human resource that is hierarchically organized and valued in racial, ethnic and class terms. These interrelated discursive productions had important effects on the women's movement. Building on the work of Tom Mitchell, I argue that the female citizen was not simply a hero of the women's suffrage movement; she was also produced as part of a new social formation—the emergent Canadian nation in the post-World War One decade—and was part of a reinscription of the old order in the guise of the new. Citizenship did enable new political rights and opportunities for women. Women obtained the franchise. Social and legal productions of femininity in these years enabled Murphy to become a judge. However, social hygiene discourses underpinned also a production and policing of women's sexuality that Murphy both challenged and enforced: most literally, by advocating for institutional sexual sterilization policies. It is important, I think, to note that Murphy *also* advocated birth control to interrupt the idea that sex was necessarily procreative in its social function and to politicize women's sexual practices so that non-reproduction could be a means

of intervening into broader national and international politics. However, that advocacy must be read together with her advocacy of eugenics. It is her simultaneous desire to promote women's control over their own sexuality and to promote the control *of* women as human resources, in the interest of the nation and the race that stands as a basic contradiction and symptom of a broader moment. By elaborating that contradiction, this chapter works to examine the Persons Case and the female citizen as sites of women's empowerment and as sites of complex implicatedness.

In Chapter Four, I return to the Famous 5 Foundation and the statue controversy to examine efforts by the REAL Women of Canada to resecure "authentic" femininity by debating the true legacy of the Famous Five. Appropriating critiques of the Famous Five's eugenic commitments and racial politics, REAL Women simultaneously accused the Famous 5 Foundation of historical revisionism in promoting the Famous Five as feminist heroes. The Leilani Muir case and the heritage movement both provide a context for the struggle to determine the meaning of the statues. That is, the Muir case raised the question of how contemporary Alberta and contemporary Canada should respond to a legal, institutionalized history of sexual sterilization. The difficulties of negotiating the historical injustice experienced by Leilani Muir was counterbalanced in the same moment by heritage advocates, such as J. L. Granatstein, who argued that the fragmentation of Canadian history—the move to write and evaluate Canadian history from the perspective of marginalized groups—was bound up with the fragmentation of the nation as a social entity. Examining how REAL Women of Canada mobilized these same discourses in its critique of the Famous Five and the Famous 5 Foundation, this chapter focuses particularly on how

those critiques worked to produce and police a concept of authentic femininity as the Judeo-Christian mother and wife. To this end, the REAL Women's critique of the Famous Five as racists and eugenicists is mobilized as part of the organization's anti-abortion campaign. Women's control over their own sexuality is subordinated to their duty as mothers: to a broader social community and to the fetus. In elaborating this struggle to determine the meaning of the Famous Five for contemporary feminists and the meaning of the Famous Five statues, I then draw parallels between this struggle and the efforts elaborated in previous chapters to define New Womanhood, to produce New Canadians, and to police the sexuality of the female citizen. I thus work to describe the overt and implicit ways in which the Famous 5 Foundation and the REAL Women of Canada align themselves with and against the Famous Five. In elaborating the implications of personhood and citizenship, I argue for a reconceptualization of the *Women are Persons!* monument not as a cultural text that literally represents the nation, but as a text that represents a site of interpellation and subject production. Such cultural texts are not simply reflective; they are productive. In these terms, the Famous Five statue can be reconceived not only as a site for the production of the female citizen—a site through which the character of the female citizen was debated—but also as part of a broader national re-imagining that took place in the 1990s in response to social and political instability. The controversies that ensued about the meaning of the statues, as cultural texts, revealed the degree to which that re-imagining continues to be waged over the terrain of women's bodies and reproductive functions. In this, the statue controversy replicated earlier struggles to define the character of the New Woman and the female citizen.

In undertaking this analysis, I have attempted two simultaneous objectives. First, I have attempted to make an intervention into the representation of Emily Murphy and the Famous Five as heroes (or demons) and as simple effects of discourse. The first position idealizes Murphy as a woman, marginalized in a masculine legal apparatus, who fought against inequality to advocate women's rights. In rethinking this approach, I do not exactly mean to suggest that it is not correct; I mean rather to position Murphy in a more nuanced way within existing structures of power to recognize that her position was determined not only by her gender, but also by her race, class and sexuality. Her advocacy of women's rights, in this framework, had more complicated effects. That said, I think it is a mistake to understand subjectivity as a simple effect of discourse: to say that women's resistances are always already recuperated in the very moment of their articulation, as does Misao Dean in her discussion of the New Woman in Canada, is to erase the real messiness of resistance and complicity by erasing resistance and agency. By understanding subjectivity as overdetermined, I suggest instead that the contradictions underwriting Murphy's politics become productive sites through which to consider broader contradictions. Similarly, by understanding New Woman debates as multiply articulated, by different parties and in different contexts, I attempt to understand the New Woman as a site of discursive struggle which was intimately bound with the formation within which it was articulated. More broadly then, both in its historical analysis and in its discussion of the statue controversy, this dissertation attempts to demonstrate the connectedness between individualized sites of identification—struggles to produce, define, or police womanhood, for instance, or the female

citizen—and the social formations within which those interpellations occur and reoccur. The challenge here is to articulate that mediation and simultaneously account for individual agency, a challenge which I suggest is managed through the overdetermination of the subject.

By revaluing the concept of overdetermination in relation to discursive subjectivity then, I am implicitly taking a methodological stand to advocate for the ongoing relevance of feminist cultural materialism as an explanatory and analytical paradigm. Cultural materialism is a methodological approach usually associated with the theoretical work of Raymond Williams. In an attempt to rethink the base-superstructure division in Marxism and to theorize culture as an important site of production—in which hegemonic structures both reproduced themselves in individual consciousness and were subject to constant challenge and interrogation—Williams reconceptualized cultural production as "a constitutive social process" (*Marxism* 19). In the late 1970s, feminists similarly challenged Marxism to account for the specific forms of women's oppression under capitalism and patriarchy. Out of that challenge, a body of feminist work emerged that described itself as materialist in focus.[1] As the field developed, key figures such as Teresa L. Ebert in the US positioned their materialism against "ludic" models which focused on the body and desire; for Ebert, materialism meant historical materialist analysis with its insistent focus on class struggle and systemic structures of oppression. Positioning herself between Ebert's Marxism, which rejected Foucauldian analysis for its ostensible indeterminacy, and the possibilities of discursive analysis, Rosemary Hennessy's 1993 book, *Materialist Feminism and the Politics of Discourse*, worked to explore "the discursive

construction of the subject, 'woman,' across multiple modalities of difference, but without forfeiting feminism's recognition that the continued success of patriarchy depends upon its systematic operation—the hierarchical operations it maintains and the other material forces it marshals and is shaped by" (xv). Hennessy's key contribution to the field was to theorize discourse as material: both as an effect itself of broader material realities and in its knowledge-producing effects. However, as Ebert theorized it, the central materialist problem was not the recognition that discourse was material; it involved determining whether or not "the material" was determinative:

> not only is discourse autonomous [for Dreyfus and Rabinow], it is also determining: it organizes the non-discursive. In short, the non-discursive is more of a formal(ist) gesture towards an "outside" which might be regarded as "material." The decidability/undecidability of the relation between the discursive and the non-discursive—and not the mere acknowledgement (as in both Foucault and ludic feminism) that there is an extra-discursive—is the central issue in theorizing materialism. ("Critiques" 121)

For Ebert, the problem was not whether or not the discursive and the non-discursive existed; the problem was ultimately which one was determinative. Did discourse organize the meaning of the non-discursive? Or did the non-discursive drive and determine the production of discursive knowledges so that, in the last instance, relations of production were determinative of discourse? Marking a general polarization in the field between these positions, it is interesting to note how Hennessy too has gradually shifted into a stricter self-identification as a Marxist feminist

because, in her words, cultural materialism has come to be considered "quite compatible with a whole array of cultural strategies [that] late capitalism has deployed to sever the connection between culture and labor" (*Profit* 28). Rather than embracing this polarized framework, my own work has attempted to pursue the messy spaces in between to revalue the idea that more than one factor may be determinative and that it is, in fact, the contradictions which arise between those multiple determinations which enable agency.

To this end, I build on Althusser's description of an "accumulation of effective determinations" (113). For Althusser, this is still superstructural to the "determination in the last instance by the economic" (113); however, in my own thinking, I am persuaded by Williams's attempts to assert that culture is not simply an addition or a secondary determination. Working within the parameters outlined by Williams, I hold that this "accumulation of effective determinations" can itself be reconceived as constitutive. In this, I have embraced the grey areas of resistance and complicity as productive sites of overdetermined contradiction, sites where Murphy, for instance, performs contradictory roles as a feminist advocate promoting the rights of some women and as a judge and social reformer policing the reproduction of others. By examining the legacies of first-wave feminism in contemporary nation building, this dissertation has thus worked to connect the production of the subject with the broader production and policing of the social formation.

As a second contribution, this dissertation participates in an emerging body of work in Canada: the field of Canadian cultural studies. That is, cultural studies itself is not new as a field. As Stuart Hall and others have described it, cultural studies

emerged in Britain initially out of post-World War Two adult education initiatives. Recognizing among working-class students a sense of alienation from canonized literary texts, Raymond Williams—who, along with Richard Hoggart, was a key early figure (During 3)—turned to working-class culture as a site of legitimate study. This shift, which extended the study of culture beyond canonized literary works, was a fundamental impulse of the cultural studies movement, decentring both the object of study and struggling with a New Critical analytical approach that celebrated the literary object for its autonomy and elevated moral vision. According to Simon During, the romanticized view of an authentic working-class culture was then increasingly problematized by the rise of mass media: "The old notion of culture as a whole way of life became increasingly difficult to sustain: attention moved from locally produced and often long-standing cultural forms (pub life, group singing . . .) to culture as organized from afar—both by the state through its educational system, and by what Theodor Adorno and Max Horkheimer . . . called the 'culture industry'" (4). Progressively, culture was politicized—as a lost organic wholeness or as a means of social control—and work emerged to explore the resistances mobilized by socially marginalized groups, both as producers and consumers of culture.[2]

In Canada, however, the emergence of a Canadian cultural studies has had a rather different trajectory. According to Jody Berland, Canada has a long tradition of cultural studies, though she traces the formative influences of that tradition to Canada's development as a settler colony and nation. Berland argues that a tradition of cultural studies exists in Canada; however, it is rooted in a series of royal commissions on the state of Canadian culture and identity, commissions prompted by

anxieties about US influences on Canadian culture and by the challenges posed to social cohesion by a small, multicultural population spread out over vast distances. In this, Berland suggests that efforts to apply the paradigms of cultural studies in other places is somewhat misguided in Canada:

> Debates in Canadian cultural politics do not originate in an expressive concept of distinct 'identity' which elsewhere characterized national and ideological cultures of modernism and recent assaults upon their ethnocentrism. Attempts to apply theoretical insights from elsewhere to the cultural contradictions of Canadianness, therefore, often seem to me misguided and misleading. (514)

Rather, attending to the specificity of a particular tradition, Berland suggests that, particularly since the Massey Commission of 1951, cultural politics in Canada have been importantly shaped by a concern historically to promote and protect Canada's culture industry, to liberate it from a state of dependency, a concern that translated into "public control of and financial support for national cultural institutions responsible for broadcasting, film, arts funding, and so forth" (515). Berland traces this concern about dependency to the influence of Harold Innis's staples theory, which prompted lengthy debates about "the implications of Canada's peculiar dependency for economic theory in relation to modern imperialism" (518). Linking "Canada's industrial underdevelopment to the export of natural resources" (518), Berland explains that "Dependency [has] also [been] expressed in the shape of transportation, communications, information, and culture, which are similarly dominated by centre-periphery relations" (518). It is the dominance of this paradigm, suggests Berland, that explains how cultural studies in Canada has historically been dominated by the

field of communications and by a central concern to negotiate a tension between the nation and the state. For Berland, then, a key concern of Canadian cultural studies, historically, has been the relationship between the state and Canada's nascent national culture in the context of a "dependency" paradigm, a relationship she frames alternately as a form of state-domination over its subjects (which facilitates the interests of capital), as an expression of the state's subordination to external interests, or as a complex tension (519).

Berland's focus on a communications paradigm in Canada is useful for establishing how, as a political entity, Canada was "historically a product of technology" (521): a product of the railroad and the public broadcasting system. However, while this paradigm has led to studies of the state and state-policies in communications theory, Berland asserts that "what is absent is . . . the (Canadian) national subject" (520). My own study suggests that, if cultural studies in Canada has been dominated by communications paradigms (as described by Berland and by Will Straw), analyses of the national subject and the social formation may be the productive contribution of a complementary cultural studies that attends to the discursive production and contestation of power/knowledge configurations in a broad range of cultural texts. Attempting to address the production of the Canadian nation subject with a specific focus on the female citizen and the debates provoked about the character and reproductive functions of that citizen by the Famous Five statues in Ottawa and Calgary, this study participates in that effort. However, where Berland suggests that Canadian culture has embraced a kind of marginality, that it has been feminized and rendered other to itself because of its specific formative influences—its

vulnerability "before the masculized figures of (external) authority" (523)—this study attempts also to explore the way in which the production of national social formations within Canada has involved the production of racialized, sexualized and classed others within. In this, my contribution to this developing field has involved an attempt to demonstrate the importance of historicizing those productions to recognize a social formation structured in dominance, to trace processes of discursive production and policing in the past and the present, and to value the complex dynamics of a resistance/complicity dialectic. In examining the contested legacies of first-wave feminism, legacies that have been determinative in the attempt to produce and police a female citizen-subject, this dissertation is fundamentally informed by a materialist commitment to historicize, a commitment that Rosemary Hennessy eloquently politicizes:

> It is precisely the continual insistence on reading the culture within its own segmented categories that comprises one crucial strategy of the ruling bloc. Consequently, making historical connections between and among these segments (the philosophical and the popular, the public and the private, the individual and the collective, etc.) is one of the important charges of the intellectual as radical cultural critic. (*Profit* 31)

This study marks one small effort to participate in that work and to promote cultural materialist analyses that connect the production of the subject with the production of a broader social formation.

[1] Initially elaborated as a feminist encounter with Marxist theory, materialist feminism was theorized in the late 1970s by feminists who attempted to explain women's specific forms of oppression within capitalist and patriarchal structures. In Britain and France, early practitioners embraced the term "materialist feminism" on the grounds that Marxism needed to be over-hauled before it could be productively re-aligned with feminist concerns (Kuhn and Wolpe 1978; Delphi 1975). In Britain, the influence of Althusser and of Raymond Williams's cultural materialism facilitated theoretical interrogations of ideology and its relationship to women's oppression (Barrett 1980). In the US, however, Donna Landry and Gerald MacLean assert that materialist feminist work was marginalized by the legacies of McCarthyism and recast as "socialist feminism." Rosemary Hennessy confirms this in describing how the systemic analyses embraced by "socialist feminists" were gradually "displaced or recast as cultural feminism" after 1975 and gradually reshaped into a post-Marxist cultural materialism (*Materialist Feminism: A Reader* 6). Very different from that of Raymond Williams, however, the cultural materialism described by Hennessy "*rejects* a systemic, anticapitalist analysis linking the history of culture and meaning-making to capital's class systemic" (my emphasis, 5). Where Williams attempted to shift culture out of a strictly superstructural role in Marxist thinking, Hennessy extends her description of cultural materialism into a critique of cultural feminist work: "cultural feminism adamantly rejects the Left's critique of capitalism, emphasizes patriarchy as the root of women's oppression, celebrates women's rituals and spaces, and veers toward separatism. Even though it does not argue for women's equality with men, cultural feminism shares an ideological affiliation with liberal feminism and with liberalism generally in that it focuses exclusively on superstructural change" (7). While it is worth noting that cultural materialism has been differently articulated, my own work builds on Williams's key premise that culture is produced, distributed and interpreted within specific conditions and that cultural texts are sites of contested meaning-making. In these terms, Williams sees culture as intimately involved in the reproduction and contestation of broader social formations.

[2] John Storey, for instance, elaborates a tension between the culture of the folk and the influences of mass culture in cultural studies. In Simon During's *Cultural Studies: A Reader*, During includes works by Cornel West, Eve Kosofsky Sedgwick, and Dick Hebdige that articulate this politicization of cultural difference and marginality. Similarly, this collection

indicates movements within cultural studies to situate cultural production within a material apparatus (Radway) and to politicize not only representation, but also acts of consumption (Morris).

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