CLAIMING A UNIQUE PLACE

The Introduction of Mothers' Pensions in B.C.*

MARGARET HILLYARD LITTLE

At the turn of the century, an international child-saving movement lobbied governments throughout the industrialized world for protective labour legislation and welfare reforms. One of the centrepieces of this movement was the promotion of Mothers' Pension or mothers' allowance legislation for needy single mothers and their children. Through such legislation social reformers made new claims upon the state. By examining these early claims, we can better understand women's unique relationship to the state.

The relationship between citizenship rights and the welfare state has been an on-going discussion in the welfare state literature. T. H. Marshall initiated the debate with his now-famous typology of rights: civil, political, and social. He believed that civil (legal) and political

* An earlier version of this paper was presented at the B.C. and Beyond: Gender Histories Conference, University of Victoria, Victoria, B.C., June 17, 1994. This research was made possible by the Ruth Wynn Woodward Postdoctoral Fellowship at Simon Fraser University. I would like to thank Susan Johnson for her archival assistance and expertise and the guest editors of this issue and the anonymous reader for their helpful comments on an earlier version of this paper. I am indebted to Jacquie Buncel, Lykke de la Cour, Marty Donkervoort, Nancy Forestell, Judy Hill, Susan Prentice and Carolyn Whitzman for their constant support; to Rhonda Chorney, Janice Ristock and Catherine Taylor who kept me laughing; and a special thanks to Lynne Marks for always being there. Each of them, in their own way, helped me through a very difficult transition.

1 This reform took the form of both state legislation and private welfare activities. Legislation such as compulsory school attendance, restrictive child labour laws, and Mothers' Pensions were enacted to provide and guide mothers and children. Many new social clubs, charities, and women's organizations, such as Brownies, Girl Guides, and the Red Cross, focused on the proper guidance of children in their leisure pursuits and the development of a mother's parental skills. Other associations such as the Children's Aid Society were an amalgam of public and private welfare activities. For a more detailed discussion of this mixture of public and private welfare reform, see Margaret Hillyard Little, "The Blurring of Boundaries: Private and Public Welfare for Single Mothers in Ontario," Studies in Political Economy, forthcoming.

BC STUDIES, nos. 105-106, Spring/Summer 1995 80
rights (primarily suffrage) were precursors to social rights. Social rights encompassed the guarantee of economic security but also "the right to share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society." The latter was to develop in the twentieth century with the emergence of public education and the welfare state. Feminist scholars have found Marshall's typology and evolution of rights to be gender blind. Women achieved a number of social provisions, such as Mothers' Pensions and War Pensions, prior to their successful struggle for the political right to vote. American political scientist Barbara Nelson has also argued that women's early claims upon the state were distinct from men's; while men claimed social legislation, such as Workers' Compensation, as a right, women argued for Mothers' Pension as a privilege to be granted to the most deserving. According to Nelson, these different claims created a two-tiered welfare state, with one tier establishing rights predominantly for working men and the other tier creating a number of charity-styled welfare programs, namely for low-income women, based on privileges rather than rights.

An examination of B.C. Mothers' Pensions adds further nuance to this citizenship debate and to the study of women's relationship to the welfare state. On 14 April 1920, following an aggressive lobby effort, the British Columbia Legislature adopted Mothers' Pensions; thirty-nine states in the United States and three other Canadian provinces had previously done so. But the B.C. lobby and subsequent policy reveals a distinct notion of citizenship. During the lobby effort, advocates embraced a rights-based discourse, claiming that single mothers had a right to the proposed pension. Not all single mothers were able to make this claim to entitlement. As in many jurisdictions, claims to citizenship rights in B.C. occurred simultaneously with the exclusion of racial minorities. While advocates extended this right to all Anglo-Celtic single mothers, they simultaneously and vehemently excluded others, namely Asian mothers. Mothers' Pensions were

---


understood as a state payment fee in exchange for mothering service provided by Anglo-Celtic single mothers.

This is not to overstate the case; B.C. Mothers' Pensioners were never as entitled to payment as those claimants of employment-related benefits, such as Workers' Compensation. Workers' Compensation rates were more generous and the terms of entitlement more clearly established. Given this distinction it is still important to distinguish B.C. Mothers' Pensions from other similar legislation of the era. Unlike most North American Mothers' Pension legislation, this policy, premised upon a rights-based discourse, was more inclusive and more generous to Anglo-Celtic single mothers while simultaneously excluding most racial minorities. In an effort to provide a better understanding of this unique legislation, this article will explore the lobby effort which preceded the policy and the characteristics of the policy during its first decade, and will culminate with an explanation of why this B.C. policy has a unique place in the history of Mothers' Pensions.

THE LOBBY FOR MOTHERS' PENSIONS IN B.C.

Welfare policies are not created in a vacuum. Too often, welfare state scholars have ignored or paid scant attention to the origins of particular welfare policies. Generally, the introduction of Mothers' Pensions in Canada has been under-examined. Historian Veronica Strong-Boag has explored the general features of this policy in relation to other early welfare programs. In the B.C. case, Megan Davies has provided a brief analysis of B.C. Mothers' Pensions. But neither of these scholars adequately compares the B.C. legislation with other Mothers' Pension policies of the era. As a result, they are unable to account adequately for the nature of a specific policy. In order to understand the progressive nature of the B.C. Mothers' Pension...
policy, it is important to locate the emergence of a number of lobbyists, their interests, and the alliances they formed.

In most North American jurisdictions at the turn of the century, much of the available welfare assistance was provided by private organizations, be they charities, women's groups, or religious associations. With expertise gained from this private welfare work, these organizational leaders were well placed to lead the lobby for state welfare programs. In the B.C. case, women's organizations played an even more prominent role in private welfare activity than in many other areas of North America. A number of women's groups, such as the Friendly Aid Society (FAS), gave money or aid to individual families in need. Besides charitable organizations such as the FAS, a vast array of women's organizations donated a portion of their time to charitable duties. These included the Vancouver Women's Forum, the New Era League, the University Women's Club, and the Local Council of Women.

While women's social reform and suffrage activities did overlap throughout the country in this period, this appears to have been even more true among B.C. women than elsewhere in Canada. In B.C. those who led the suffrage movement were also leaders in social reform. As a result, their alliances were strong and their lobbies persuasive. One concrete example of their political force and cohesiveness is the successful struggle to obtain a Women's Building in which a wide array of women's groups were housed. Consequently, these women were able to lead a unified campaign to ensure minimum-

7 Most of the limited state welfare assistance then available was provided by municipal governments. In B.C., however, the provincial government did provide some welfare assistance in non-urban areas through the Provincial Secretary's Indigent Fund.

8 Founded in 1894, the Friendly Aid Society is the most notable welfare agency in the province, for it attempted to co-ordinate and centralize relief to the poor. This society received money from city councils in exchange for relieving the city of any responsibility to care for the poor. City of Vancouver Archives [VA], Series 447, Social Service Department, City of Vancouver, Vol. 106 A1, The Friendly Aid Society; and Victoria City Archives [VCA], M98308-01, Friendly Help Association, 1895-1933, Minute Book, 1890-1900.

9 Whereas Carol Bacchi has argued that suffrage women and social reformers were somewhat distinct, Michael Cramer suggests that these efforts were closely aligned in the B.C. case. Leaders of the Mothers' Pension lobby, Cecilia Spofford, Helena Gutteridge, and Helen MacGill were also well known for their suffrage and other political work. See Carol Bacchi, Liberation Deferred?: The Ideas of English-Canadian Suffragists, 1877-1918 (Toronto: University of Toronto Press, 1983), 24-39; Michael W. Cramer, “Public and Political: Documents of the Women's Suffrage Campaign in B.C., 1871-1917: The View from Victoria”; ed., Barbara Latham and Cathy Kess, In Her Own Right: Selected Essays on Women's History in B.C. (Victoria, B.C.: Camosun College, 1980), 79-100; British Columbia Archives and Records Services [BCARS], GR 517, Box 1, File 1, Lillian Nelson, “Vancouver's Early Days and the Development of Her Social Services”; and VA, Helen MacGill, “Story of Vancouver Social Service.”
wage legislation for women, the raising of the marital age to sixteen years, women’s suffrage, compulsory school legislation, prohibition laws, and the establishment of the Children’s Aid Society.

The Mothers’ Pension lobby was an outgrowth of other social reform and political work. There were many reasons why Mothers’ Pensions became one of the most popular political lobbies of this period. This era was one of rapid industrialization and large-scale immigration. Many men who worked in the lumber camps and mines were separated for months from their families. These dangerous working conditions resulted in incapacitation or early deaths for many male breadwinners. Death, disability, and long-distance resulted in the dissolution of many families. World War I and the 1918 influenza epidemic only exacerbated these trends. Consequently, the number of widows, deserted, and unwed mothers increased, as did the accounts of neglected and delinquent children. Women and children were often forced to work at unhealthy and dangerous jobs. Orphanages were overcrowded. There was a great fear that the family unit was being destroyed. One prominent Mothers’ Pensions advocate explained,

We are told that “the hand that rocks the cradle rules the world.” If that be true, what is to come of the cradle rocking, when the grim reaper gathers in the stalwart provider and protector of many a little family group, and the mother must leave the cradle-rocking to someone else, and herself become the bread-winner... 

The migration of thousands of immigrant workers also greatly altered the social and economic fabric of the province. From 1885 to 1914 the provincial population more than quadrupled in size, mainly as a result of immigration. In 1910, approximately one-third of the B.C. population was non-British. Fears, prejudices, and emotions ran high as a result. There were concerns that ethnic-minority immigrants had higher fertility rates and would overwhelm the White Anglo-Celtic population. For instance, the Women’s Canadian Club of

10 For example, in 1908, the Children’s Aid Society Home in Vancouver had almost doubled the acceptable occupancy level. VA, MSS 351, Children’s Aid Society, Vol. 1, File 2.
11 VA, MSS 822, Vox 1, File 5, p. 16, citation by Mrs. Chippendale.
13 The ethnic composition of the province’s population in 1910 was: British — 68%, Continental European — 18%, Asian — 8%, and Aboriginal — 5%. See Jean Barman, The West Beyond the West: History of British Columbia (Toronto: University of Toronto Press, 1991).
Vancouver advocated that "there should be four children in each Anglo-Saxon family if the race is to perpetuate itself. ..." As historian Angus McLaren states, "No one was embarrassed to speak of the need to protect the race. ..." Consequently, there were demands for state intervention in an effort to bolster the White Anglo Celtic population against potential "race suicide."

This hostility towards foreigners was particularly directed at Asian immigrants. In Canada at this time there was a clear racial hierarchy: immigrants from Britain and the United States were considered the most desirable, Northern and Western Europeans were relatively acceptable, Central and Eastern Europeans were somewhat less so, while the "non-assimilable" Asians and Blacks were not wanted by most White Anglo-Celtic Canadians. However, since Canadian capitalists required a cheap pool of labour to build the necessary infrastructure for the province's industrialization, they supported Asian immigration. Chinese labour, in particular, was utilized extensively for the short-term, low-paid, dangerous jobs.

Anglo-Celtic residents responded to Asian immigration with virulent racism, expressed through fears about jobs, health, and the moral environment. Working men and their unions feared "unfair job competition" from the influx of Asian "hordes" and called for restrictive labour legislation. Social reformers were concerned about the health and moral risks supposedly caused by the Asian population and feared the "moral degeneration" of society generally. One of the most popular moral tales was that of the Chinese opium peddler enslaving innocent white young women into prostitution. Despite federal and provincial laws passed in the late nineteenth and early twentieth centuries, which limited Asian immigration, stripped all naturalized and Canadian-born Asians of their political citizenship rights (enfranchisement), and attempted to limit Asian employment opportunities, Anglo-Celtic fear and racism remained strong.

16 For a discussion of the racial tensions in B.C. during this era, see Patricia E. Roy, A White Man's Province: B.C. Politicians and Chinese and Japanese Immigrants, 1858-1914 (Vancouver: UBC Press, 1989); and Peter Ward, White Canada Forever.
17 A federal head tax limited Chinese immigration. During the early 1900s this head tax was increased from $50 to $500 to further limit entry of this group. In 1908 the federal government restricted the immigration of Japanese and East Indians through the bureaucratic rule that only those with a continuous journey ticket were permitted to enter Canada. This eliminated many Asians who travelled through Hawaii before journeying on to Canada. The Chinese
that in 1910 the Asian population was 8 per cent while the British population was more than eight times that also failed to clam fears of "race suicide." Reformers continued to call for "solutions" to the presence of Asians in B.C. society.

A number of reformers advocated eugenics as a method to rid Canada of morally corrupt races. For social reformers "the two seemingly paradoxical urges — the one to do good, the other to exclude — cheerfully co-existed. . ."18 They argued in favour of school segregation and exclusion from charitable aid in an effort to bolster and protect the moral purity of the Anglo-Celtic race. According to the reformers, "mixed" education would expose innocent Anglo-Celtic children to corrupting influences, while access to charity would increase the ability of Asians to compete with their fellow citizens.19 As a result of the propagation of these myths and prejudices, B.C.'s early history was dotted with riots, rallies, and petitions — all in an effort to control or limit the rights of Asians.

In turn of the century British Columbia, large-scale immigration was accompanied by significant urbanization and industrialization. The vast majority of immigrants and B.C. citizens resided in urban areas in the lower mainland region, Victoria, and the Saanich peninsula.20 In British Columbia, as in North America more generally, the combined effect of urbanization and industrialization made the poor more visible and simultaneously produced the emergence of a middle class who were anxious to solidify their new-found socioeconomic position. But their declining birth rate in relation to the working class caused them considerable anxiety. They believed this could lead to "degeneration" or a deterioration in the moral fibre of the province's citizens. These changing class relations had a particular impact upon women. With industrialization came the separation of home from work, and the removal of at least bourgeois women from productive activities. As a result, women's identity increasingly came to be

---


20 In 1911, 50 per cent of British Columbians lived in the lower mainland while another 10 per cent lived in Victoria or the Saanich peninsula. The remaining 40 per cent were spread throughout the province in tiny resource-based communities. Barman, *The West Beyond the West* 194.
focused on their role as mothers. Some middle-class women used the increasing social emphasis on motherhood to assert a position for themselves in the public sphere. Welfare reforms such as Mothers' Pensions provided an opportunity for them to establish themselves as maternal experts and promote their version of the ideal family, with husbands as the sole breadwinner and mothers and children in the home. This new familial ideology was influential, even though most working class families were not able to adhere to it.

Support for Mothers' Pension legislation in B.C. can be viewed as a response to the socioeconomic and cultural concerns of the period. In response to the concerns engendered by industrialization, urbanization, and massive immigration, a number of organizations joined forces to help enact the Mothers' Pension policy. Most prominent were the many women's organizations that played a central role in lobbying for Mothers' Pensions. As early as 1901, the Local Council of Women in Vancouver promoted the issue. As a member of the National Council of Women, the Local Council was well situated to lead the Mothers' Pension lobby. The National Council of Women was modelled after other national women's associations established in a number of industrialized countries at the turn of the century. As an umbrella organization, it represented a wide cross-section of middle-class women's interests, including the Victorian Order of Nurses, women's church groups, and literary societies. This council had national and international contacts and was informed about the successes and failures of other social reform lobbies elsewhere.

A second women's group that was instrumental in the B.C. Mothers' Pension lobby was the University Women's Club, an organization which both acted as a social club for university women graduates and pursued the advancement of women's rights. In the B.C. case, this association provided the legal expertise for the Mothers' Pension lobby. Club member Helen MacGill conducted a painstaking exploration of all laws affecting women and children and persuaded the club to endorse and lobby for legislative change. As the first woman judge in the province, MacGill was particularly concerned about delinquent

21 VA, MSS 438, Local Council of Women, Vancouver, Historical Pamphlet.
children and unwed mothers who ended up in her court room and desired both social policy and legal measures which would benefit them.\textsuperscript{24}

While women's groups led the Mothers' Pension delegation, the B.C. labour movement was also involved. It is important to recognize that members of the labour movement had previously called for a number of social reforms, including Mothers' Pensions. In 1914, the president of Trades and Labour Congress argued that assisting widows with small children was more important than financing the building of railways.\textsuperscript{25} A year later, well-known B.C. labour activist Helena Gutteridge persuaded the Vancouver Trades and Labour Council to lobby for a national Mothers' Pension.\textsuperscript{26} The labour movement had lobbied for a number of social reforms previously with little effect. Once the newly aware middle-class reformers who had access to political power became interested in these issues, the possibilities for social legislation improved immeasurably. The ties between labour and various women's organizations were strong partly as a result of Gutteridge's previous work. She had worked with women's organizations, such as the University Women's Club and the Local Council of Women, to improve women's relief and employment conditions.\textsuperscript{27} Gutteridge and these middle-class women saw Mothers' Pensions as a way to reduce the heavy burden placed on single mothers, who had both to raise their children and financially provide for them through paid work. With Mothers' Pensions, single mothers could spend more time at home with their children, thus more closely approximating the dominant familial ideal.

Religious leaders were also involved in the B.C. Mothers' Pensions coalition. Generally, religious organizations do not appear to have had the social or moral influence in B.C. which they enjoyed in other

\textsuperscript{24} For a discussion of unwed mothers and juvenile delinquency, see Helen MacGill, "The Juvenile Court in Canada: Origin, Underlying Principles, Governing Legislation and Practice."


\textsuperscript{26} VA, MSS 307, Resolution from the Vancouver Trades and Labour Council to the Trades and Labour Congress Convention, 7 February 1915.

\textsuperscript{27} As a member of the University Women's Club Committee to Aid Unemployed Women and also the Women's Employment League of the Vancouver Local Council of Women, Helena Gutteridge had worked with middle-class women to give destitute women meal tickets, groceries, emergency funds, and employment advice. Gutteridge was also well known for her suffrage work with both the women's organizations and the trade union movement. See Irene Howard, \textit{The Struggle for Social Justice in British Columbia: Helen Gutteridge, the Unknown Reformer} (Vancouver: ubc Press, 1992); Tami Adilman, "Evelyn Farris and the University Women's Club," in \textit{In Her Own Right}, 147-166; and Susan Wade, "Helen Gutteridge: Votes for Women and Trade Unions," in \textit{In Her Own Right}, 187-203.
regions of the country. B.C. historians have demonstrated that the social gospel movement in the Christian churches, which advocated a number of private and public welfare reforms, tended to be less popular in B.C. than elsewhere in Canada. Consequently, religious leaders performed a back-seat role in the B.C. Mothers’ Pension lobby, whereas they helped lead similar coalitions in other provinces. For example, Reverend Peter Bryce, an influential Methodist minister, played a key role in the Ontario Mothers’ Pension lobby. He effectively mobilized the church community, made a strong alliance with the women’s organizations, and became the leader of the lobby effort. His views were so influential that he was nominated as the chief administrator once the policy was enacted. No prominent religious leader or church coalition played such a significant role in the B.C. lobby.

In 1918, following years of discussion and coalition-building, a large delegation, including representatives from women’s charity, labour, and religious organizations, approached the government. Led by B.C.’s first woman MLA, Mary Ellen Smith, the delegation also included a number of other powerful women leaders, most notably Cecilia Spofford, a Children’s Aid Society administrator and wcu member; Maria Grant, also of the wcu; and Helen MacGill, representing the University Women’s Club. Premier John Oliver considered it the most businesslike and representative delegation that had ever appeared before the government. So persuasive was the lobby that the government appointed a commission to investigate the matter. Cecilia Spofford, of the wcu and part of the 1918 lobby, was appointed as one of the commissioners.


30 For further discussion of the work of Cecilia Spofford and Maria Grant in the wcu, see Lynn Gough, As Wise as Serpents: Five Women and an Organization That Changed B.C., 1887-1939 (Victoria: Swan Lake Publishing, 1988).

31 This was not the first inquiry which included the study of Mothers’ Pensions. In 1912, the Royal Commission on Labour had conducted a report on the subject but without public hearings or legislative results. In 1920, the Health Insurance Commission chaired by E.S.H. Winn, newly appointed chair of the Workmen’s Compensation Board, was “to enquire as to the laws relating to the subjects of Mothers’ Pensions, Maternity Insurance, Health Insurance and Public Health Nursing. . .” Because of the tremendous support for Mothers’ Pensions, the Commission was asked to report separately and promptly on this subject. BcArs, GR 684, Ministry of Labour, Box 4, Royal Commission on Labour, 1912, “Report of Information in Regard to Mothers’ Pensions;” and BcArs, GR 706, B.C. Commission on Health Insurance, 1919-1921, Box 1, File 2, “Letter to Lieutenant Governor in Council, Victoria, B.C., March 18, 1921.”
The commission held hearings in seventeen locations throughout the province. During the hearings there was unanimous support for Mothers' Pensions. The legislation was endorsed by seventy-seven organizations, twenty-four fraternal societies, thirty-four labour organizations, six other groups, ten religious leaders, thirteen medical doctors, four insurance agents, and forty-six private individuals. Notable among these advocates was the strong voice of women, for almost every women's organization in the province participated in these hearings.

The overwhelming support for Mothers' Pensions was not unique to B.C.; this legislation was considered the most popular legislation of its era. But what is distinctive is the content of this support. In most other locales, Mothers' Pension advocates were quick to distinguish between “suitable,” moral mothers — most particularly widows — who should be eligible for Mothers' Pensions and “unfit,” immoral mothers who should not be eligible. During the B.C. hearings, lobbyists argued that many different types of mothers should be eligible for Mothers' Pensions. This endorsement was particularly unique in the discussion of unwed mothers during the hearings. In the B.C. case, almost every women's organization supported the inclusion of unwed mothers. Representations of labour, war veterans, local politicians, religious leaders, and nurses also supported the eligibility of unwed mothers. As one women's organization representative explained, “We feel that many unmarried mothers have children who are just as good as those who are married; why should she be deprived of support, if she is your daughter or my daughter — let us stick together.”

Another advocate stated, “Your statistics will prove that there will not be one in 500,000 [unmarried] girls who will not prove true — you not only save the mother but the child has the love and protection of its mother.” And more than one WCTU member believed that if an unwed mother was eligible for Mothers' Pensions, she would be encouraged to keep the child and this would act as a safeguard from further illegitimate pregnancy; a rather novel form of birth control. Finally, one worker who spoke on behalf of unwed mothers reminded

32 These hearings were held in Chilliwack, Cranbrook, Fernie, Golden, Grand Forks, Kamloops, Nanaimo, Nelson, New Westminster, Prince Rupert, Princeton, Revelstoke, Rossland, Trail, Vancouver, Vernon, and Victoria. BCARS, GR 706, Box 1, File 3, “Report of the Health Insurance Commission.”
33 BCARS, GR 706, Box 1, File 3, Mrs. E.J. Carson, Women's Forum, Vancouver, 511.
34 BCARS, Box 1, File 3, Mrs. H.G. Taylor, New Era League and Local Council of Women, Vancouver, 544.
35 BCARS, GR 706, Box 1, File 3, Mrs. William Grant, WCTU, Nanaimo District, 409 and Mrs. J.A. Gillespie, WCTU, Vancouver District, 709-710.
the commissioners that "Jesus Christ himself was born out of wedlock."³⁶

A comparison of the B.C. and the Ontario Mothers' Pensions hearings, held in the same year, reveals how significant a difference there was in attitudes towards unwed mothers. In the Ontario case, women's organizations, the CAS, charities, and church groups all opposed the inclusion of unwed mothers. The Local Council of Women in Ontario generally believed that unwed mothers with one child should seek financial support from the father and argued that unwed mothers with two or more children should be institutionalized, for these women were considered "weak intellects." Labour representatives were the only ones in the Ontario case who acted on behalf of unwed mothers, and did so with little effect. And the Ontario policy which resulted reflected the majority views and initially excluded all but widows.³⁷

The B.C. lobby and hearings also demonstrated a particular position regarding the racial origins of recipients. While Mothers' Pension advocates in many jurisdictions perceived the policy as a method to support White Anglo-Celtic offspring at the expense of other less valuable babies, there was greater unanimity for this position in the B.C. case. As previously documented, B.C. was characterized by great racial prejudice and fear at the turn of the century, and these fears imbued the Mothers' Pension hearings. One Mothers' Pension supporter argued that the "Anglo Saxon race . . . [is] becoming exterminated."³⁸ Another asserted that, "You are going to find in B.C. inside of 30 years that you will have nothing but Orientals. . . ."³⁹ The position was unanimous; while some were willing to extend the pension to British subjects and other white mothers who swore allegiance to the crown, no one supported the inclusion of immigrants who were non-British subjects.

Following the hearings, the commissioners reported that they were unanimously in favour of legislation which reflected the views expressed during the hearings. When the proposed legislation came before the provincial legislature, Mary Ellen Smith was there to see it through. During her time in the legislature, Smith was credited as the force behind a number of social reforms, including the Female Minimum Wage Act, the Deserted Wives Maintenance Act, and the Equal

³⁶ BCARS, GR 706, Box 1, File 3, George H. Turner, shipwright by trade and secretary of The Fire Clay Company, 725-726.
³⁷ Margaret Little, "No Car, No Radio, No Liquor Permit," Chapter 1.
³⁸ BCARS, GR 706, Box 1, File 3, Dr. Ernest Hall, 414.
³⁹ BCARS, GR 706, Box 1, File 3, F.W. Welsh, President, Vancouver Trades and Labour Council 631.
Guardianship Act. But she was perhaps most influential during the campaign for Mothers' Pensions. During the 1917 provincial election campaign, she had promised her supporters a Mothers’ Pensions Act. She was part of the Mothers’ Pension delegation to the Premier in 1919. And when the bill came before the legislature for the second reading, she argued for a generous policy which would include many types of single mothers. She is remembered particularly for her support for unwed mothers and her now famous speech before the legislature on their behalf: “Mr. Speaker, there are no illegitimate children. It may be there are... people who will contend there are illegitimate parents but in God’s name, do not let us brand the child.”

ONCE ENACTED: POLICY DEVELOPMENT AND ADMINISTRATION

With Smith’s help in the legislature, the Liberal government under Premier Oliver passed the B.C. Mothers’ Pension Act on 17 April 1920. Immediately, the government received high praise, numerous letters of support, and a flood of applications. Within a year, the government announced that the individual pensions would have to be reduced because the demand had exceeded the $400,000 allotted. During the first decade, there were a number of amendments made to the original Act in an attempt to curb the number who qualified.

40 VA, MSS 822, Mrs. Sheyla Scott Chippendale, Box 1, File 5, "Vancouver Women's Building, Year Book, 1922," 3.
43 Letters of support included correspondence from the Liberal Association, Nelson; the University Women’s Club, Methodist Parsonage, Cloverdale: City Clerk, Rossland; and other private individuals. BCARS, GR 541, Provincial Secretary, Letter Book, Vol. 2, 1920.
45 In 1921, the government announced that women who had independent incomes or some type of employment would receive less than those who had nothing. BCARS, GR 441, Series XIV, Vol. 427, “Too Many Mothers,” Times, 1921.

Other amendments to the Act were made during the first decade:
1921 — clarified that the male breadwinner must be totally disabled.
— stipulated that the applicant whose husband had deserted, was imprisoned or incapacitated had to have resided in the province at the time of the difficulty.
1924 — stated that the disability must not only be total but “reasonably be expected to continue for at least one year.”
— the deserted applicant must be deserted for at least two years and her husband must not reside or own property in B.C. at the time of the application
— applicant must own less than $500 cash and hold property valued less than $1,500.
"An Act to amend the Mothers’ Pensions Act, 1921,” Statutes of B.C., King’s Printer, Victoria,
Despite these amendments, this popular legislation continued to be the most progressive Mothers' Pension policy of its era in North America. Three traits of the policy distinguish it from other Mothers' Pension programmes of the 1920s. First, it was the most inclusive. Whereas other Mothers' Pension policies generally restricted eligibility to widows, the B.C. legislation included not only widows but also mothers whose husbands had deserted, were imprisoned, or were incapacitated. B.C. also included mothers with one child, while many other policies restricted eligibility to mothers with two or more children.46

Even more noteworthy was the discretionary clause within the B.C. legislation. No other jurisdiction in North America had such a clause. This clause permitted any other case not covered by the Act to be eligible provided the Superintendent of Neglected Children deemed the case to be "a proper one for assistance."47 Through this discretionary clause divorced and unwed mothers also received the pension.48 In 1920, when the legislation was passed, B.C. was only one of three jurisdictions in North America to include divorced mothers and the only one, except Hawaii, to include unwed mothers (see tables 1 and 2 for comparative purposes).

Not only was the B.C. policy more inclusive, it also provided more pensions per capita than anywhere else in North America. Given the breadth of the B.C. policy, no sooner was the programme announced than the applications began to pour into the office. Within seven months, the office had received more than 1,000 applications — almost five times more than the number predicted during the commission hearings.49 As the applications increased, so did the acceptance rate. During the first decade, B.C. had second highest acceptance rates per capita in all of North America at 212 families per 100,000 population. As a result, the total pension costs per population were the highest in North America at $1.40 per person, whereas the

46 Other provinces included one-child families only in exceptional cases. BCARS, GR 100, Box 1, File 1, Charlotte Whitton, Executive Director of The Canadian Council on Child and Family Welfare, "Full Report re: The Operation of Mothers' Pensions in British Columbia, 1920-21 to 1930-31," 60-73.
47 "An Act to provide Pensions for Mothers, 1920," B.C. Statutes, King's Printer, Victoria, B.C., c. 61, s. 2, ss. 3.
48 By the end of the decade divorced mothers accounted for 5 per cent of the total B.C. Mothers' Pension cases and unwed mothers represented 3.5 per cent. BCARS, GR 100, Box 1, File 1, Whitton, "Full Report," 48.
<table>
<thead>
<tr>
<th>STATE</th>
<th>PERSONS BENEFITED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Widows, divorced women, women whose husbands are in prison, in asylum or incapacitated with children under 17.</td>
</tr>
<tr>
<td>Arizona</td>
<td>Widowed mother with 1 or more children under 16.</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Woman whose husband is dead, permanently deserted or incapacitated at work, or in prison or asylum who have children under 16.</td>
</tr>
<tr>
<td>California</td>
<td>Children, orphans or half-orphans under 16.</td>
</tr>
<tr>
<td>Colorado</td>
<td>Parent or guardian of any neglected or poor children.</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Widow with dependent children under 16.</td>
</tr>
<tr>
<td>Delaware</td>
<td>Mothers of children under 14 whose father is dead, has abandoned his family, or is physically or mentally unfit to support them.</td>
</tr>
<tr>
<td>Florida</td>
<td>Mother or guardian of 1 or more orphans or half-orphans under 16; mother must be proper person to bring up children.</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Children of indigent, widowed, or abandoned mothers, married or unmarried.</td>
</tr>
<tr>
<td>Idaho</td>
<td>Mothers of 1 or more children under 16 whose father is dead, in prison or asylum in State.</td>
</tr>
<tr>
<td>Illinois</td>
<td>Mothers whose husbands are dead, permanently incapacitated, physically or mentally, and with child or children under 14.</td>
</tr>
<tr>
<td>Indiana</td>
<td>Children under 15.</td>
</tr>
<tr>
<td>Iowa</td>
<td>Children who for any reason are homeless or abandoned, dependent for support on public without proper parental care or guardianship, or children under 16 of a poor mother.</td>
</tr>
<tr>
<td>Kansas</td>
<td>Mother of child or children under 16 who is unable to provide for them on account of father being in prison or asylum.</td>
</tr>
<tr>
<td>Maine</td>
<td>Mother of child or children under 16; must be of good character and fit person and living with children.</td>
</tr>
<tr>
<td>Maryland</td>
<td>Mother of child or children under 14 whose father is dead or unable to support children.</td>
</tr>
<tr>
<td>State</td>
<td>Persons Benefited</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Mother of dependent children under 14 living with children.</td>
</tr>
<tr>
<td>Michigan</td>
<td>Mother of child under 17 of good character whether husband in prison or asylum.</td>
</tr>
<tr>
<td>Montana</td>
<td>Children under 16 and must live with dependent mother where husband is dead, in prison or asylum, or if disabled in the State.</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Mother of child under 17 of good character, whether husband in prison or asylum.</td>
</tr>
<tr>
<td>Missouri</td>
<td>Dependent mother with child or children under 16 living with children.</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Dependent mother with children under 14 where husband is dead, in prison or asylum, or sick children under 16.</td>
</tr>
<tr>
<td>Nevada</td>
<td>Dependent mother with children under 15.</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Dependent mother with child or children under 16 living with her.</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Widow or child or children under 16.</td>
</tr>
<tr>
<td>New York</td>
<td>Widowed mothers with dependent children or child under 16.</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Dependent woman with child or children under 14.</td>
</tr>
<tr>
<td>Ohio</td>
<td>Dependent mothers where husband is dead or deserted for 3 years and leaving children of school age with mother.</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Dependent mothers with child or children under 14.</td>
</tr>
<tr>
<td>Oregon</td>
<td>Dependent mother with child or children under 16.</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Poor and dependent mother of proven character and ability with child or children under 16 living with her, with husband dead or permanently confined to institution for insane.</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Dependent mothers with one or more children under 16. Divorces of State included.</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Dependent mother whose husband is dead or disabled, mentally or physically, and leaving children or child living with mother.</td>
</tr>
</tbody>
</table>
### TABLE 1 — continued

<table>
<thead>
<tr>
<th>STATE</th>
<th>PERSONS BENEFITED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Texas</td>
<td>Dependent mothers with child or children under 16.</td>
</tr>
<tr>
<td>Utah</td>
<td>Dependent mother or 1 or more children living with her.</td>
</tr>
<tr>
<td>Vermont</td>
<td>Dependent or neglected children.</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dependent widowed mother of child or children under 16.</td>
</tr>
<tr>
<td>Washington</td>
<td>Destitute mothers of children under 15.</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Dependent mother of 2 or more children under 13.</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Dependent mothers or grandparents with child or children under 14, or 16 if unemployed.</td>
</tr>
<tr>
<td>Wyoming</td>
<td>Dependent mother of children under 14 living with her, and if father is dead, deserted, in prison, or incapacitated in the State.</td>
</tr>
</tbody>
</table>

1 BCARS, GR 706, B.C. Commission on Health Insurance, 1919-1921, Appendix.

### TABLE 2

*Comparison of mothers' pension legislation in Canada, 1920*

<table>
<thead>
<tr>
<th>PROVINCE</th>
<th>PERSONS BENEFITED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alberta</td>
<td>Widow or woman whose husband is in insane asylum, leaving boys under 15 and girls under 16.</td>
</tr>
<tr>
<td>British Columbia</td>
<td>Widow or woman whose husband is in prison or asylum; or whose husband is incapacitated; or whose husband has deserted; or “any other person whose case . . . is a proper one for assistance.” The latter clause can include divorced and unwed mothers. In all the above cases the mother must have 1 or more children under 16 years.</td>
</tr>
<tr>
<td>Ontario</td>
<td>Widowed leaving 2 or more children under 16 years. The mother must be a fit and proper person. During 1920 this Act was expanded to include a woman with 2 or more children under 16 years who had not seen nor heard from her husband in seven years.</td>
</tr>
<tr>
<td>Manitoba</td>
<td>Widowed mother or if husband is in prison or asylum or physically disabled.</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>Dependent widowed mother, who is proper person to have custody of children.</td>
</tr>
</tbody>
</table>
second highest rates were Manitoba and New York State at 71 cents per person.\textsuperscript{50}

Even the very discourse of the B.C. policy was distinctive. Most other jurisdictions enacted a Mothers' Allowance policy — to be \textit{allowed} when a mother was deemed both financially and morally worthy. Such an allowance connoted a sense of privilege which had to be earned, as in the case of charitable welfare. The B.C. legislation, on the other hand, was a pension. Pensions were associated with Workers' Compensation and later Old Age Pension and were considered a payment for recognition of services rendered. During the commission hearings, many participants spoke about the right of mothers to bring up their children and argued for a policy based on rights. The Act, in turn, reflected this rights-based discussion. It stated that this was a measure to provide pensions for mothers, whereas othersimilar programmes stated that the allowance was restricted to mothers who demonstrated their financial and moral worthiness to care for their children.\textsuperscript{51} In 1921, the administration of Mothers' Pensions was transferred from the Superintendent of Neglected Children to the Workers' Compensation Board, further emphasizing the notion that Mothers' Pensions were a right.\textsuperscript{52}

This rights discourse was also reflected in the administration of the policy once enacted. Letters written by applicants and lobbyists, as well as government correspondence and annual reports, all demonstrated that the majority of B.C. citizens viewed Mothers' Pensions as a statutory right to which recipients were unquestionably entitled if they met the purely technical qualifications spelled out in the legislation.\textsuperscript{53} There are numerous letters from applicants demanding that it is their right to receive Mothers' Pensions. For instance, one young mother with one child was rejected because she had refused full-time work at a school. The Pension Board found her "healthy and vigorous, who spends a great deal of energy in pursuing what she conceives to be her legal right to a Mothers' Pension..." when she should be looking


\textsuperscript{51} "An Act to provide Pensions for Mothers, 1920," \textit{B.C. Statutes}, 1920, c. 61.

\textsuperscript{52} Charlotte Whitton also emphasized this distinction between mothers' allowances and mothers' pensions in her 1931 report. \textit{BCARS, Annual Report of the B.C. Mothers' Pension Act, 30 Sept. 1922, 1; and BCARS, GR 497, Box 7, File 7, Whitton, "Summary Report," 20.}

\textsuperscript{53} Government reports bemoan the fact that applicants believe they are entitled to the pension. Annual reports and applications demonstrate that many single mothers who were not impoverished believed themselves to be eligible for the pension. \textit{BCARS, Annual Report of Mothers' Pensions, 30 Sept. 1922, 5."}
for work. In response, the mother wrote the Premier to complain: “Mr. Winn [chairman of the Mothers’ Pension Board] argued along such small mean lines and seemed far more anxious to steer the conversation to some unimportant detail over which he might sneer with pleasure than to try to understand my problem.” This notion of entitlement was widely accepted by other applicants. In 1931, a report investigating the policy condemned British Columbians for their “socially disturbing attitude to regard this and other forms of public aid as an inalienable statutory right, to which the recipient is unquestionably entitled. . . .”

The rights-based discourse of B.C. Mothers’ Pensions refutes some of the previous feminist literature on the early welfare state. As discussed earlier, Barbara Nelson has argued that the welfare state is fundamentally divided into two tiers. One tier, developed mainly to support male workers, was based on a notion that welfare was a right which must be earned through paid labour. Eligibility was determined in a scientifically ordered fashion and generally based on financial need. Administration of such policies was for the most part routinized. The second tier was based on a notion that welfare was a privilege rather than a right, and had to be continually earned. Recipients tended to be poor women who were, for the most part, outside the wage labour relationship. These latter charity-styled welfare did not have clearly defined criteria based on economic need. Rather, these programmes required applicants to prove that they were morally as well as financially deserving. To determine the deservedness of the applicant required a great deal of intrusive investigation and opened the door for much discretionary decision-making. It is Nelson’s belief that Workers’ Compensation sets the tone for the first tier of the welfare state and Mothers’ Allowance for the second. Clearly, the evidence provided here suggests that B.C. Mothers’ Pension was a hybrid between the two tiers. The discourse surrounding the B.C. policy implies that it was considered a right rather than a privilege. Given the different types of single mothers clearly defined as eligible for the program, the investigation of moral worthiness was certainly much less significant in the B.C. case than in other jurisdictions.

54 BCARS, GR 1323, Attorney General Correspondence, 1902-1937, Reel B2320, ‘Letter from The Workmen’s Compensation Board to the Provincial Secretary,” 16 November 1928; “Letter from Applicant to Premier,” 26 November 1928; and “Letter from Deputy Attorney-General,” 10 January 1929.


This is not to imply that the B.C. programme was entirely inclusive and generous. While rights were claimed for Anglo-Celtic mothers, they were carefully and consciously denied for other racial minority groups. The policy clearly excluded immigrants who were non-British subjects. And a number of naturalized immigrations were also refused the pension. As one Mothers’ Pension administrator explained, “There were such an endless number of non-British subjects applying . . . that it was necessary for the Legislature to tighten up the Act very materially, with the result that a few deserving cases on the border line have been excluded from the benefits.”

It was generally believed that those of non-Anglo Celtic blood could take care of themselves. This was particularly true of applicants of Asian background. For example, Mrs. Wong married Charlie Wong while he was in prison. Because Charlie Wong was a second-generation Chinese Canadian whose father had been naturalized, Mrs. Wong legally became a British subject through this marriage. As a poor mother of six children she applied for the Mothers’ Pension. The Mothers’ Pension administration was adamant in its refusal:

We now have on our list three cases of Chinese, together with three other cases whose applications we have not yet accepted. In all they represent potential liability to the Province of between $35,000 and $40,000. This, we believe, is but the thin edge of the wedge . . . Heretofore, the Chinese people have looked after their own cases. In the many thousands of those receiving relief from the City of Vancouver in past years there was only one Chinese case and that was by reason of a Tong War which practically ostracized that particular family.

Thus, the administration refused to acknowledge Mrs. Wong’s naturalization and concluded that “there is no reason to believe that Mrs. Wong will go uncared for if she remains a Chinese citizen.”

---

57 In one case the applicant and her husband were both naturalized, had lived in B.C. for more than a decade, had voted in the provincial elections, and yet were refused the pension because the naturalization papers were lost. BCARS, GR 1323, Reel B2311, “Letter to E.S.H. Winn, Chairman, Workmen’s Compensation Board,” 3 December 1981. Citation from BCARS, GR 1323, Reel B2311, “Letter from A.M. Manson to Mrs. H.” 5 September 1923.


Although the B.C. Mothers' Pension rates were more generous than most Mothers' Pension policies, they still remained inadequate. Like other Mothers' Pension rates, the B.C. rate remained well below subsistence.\textsuperscript{60} In comparison to the Veterans' Allowances, the B.C. pension payments were inadequate. Veterans' Allowances, established in 1916, provided a soldier's dependents with a supplement beyond his soldier's pay. The Veterans' Allowance paid a widow $55 a month, whereas the Mothers' Pension rate for a widow was $35. As well, the Veterans' Allowance paid $12 for the first child, $10 for the second, and $8 for each additional child, while Mothers' Pensions paid $7.60 per child.\textsuperscript{61}

The pension policy was also characterized by an intrusive administrative structure. Like other Mothers' Pension policies, the B.C. programme hired investigators who came into the homes of the applicants, much as charitable women had done previously, and carefully scrutinized all aspects of the home.\textsuperscript{62} The discretionary clause, which allowed many types of single mothers not covered under the Act to apply, also permitted the administration to determine eligibility on a case-by-case basis. Consequently, this provided the possibility of subjective decision-making.\textsuperscript{63}

CONCLUSION

Several factors help to explain the unique claims made upon the B.C. state by mothers' pension lobbyists and the policy which resulted. First, racism played a strong hand in the Mothers' Pension lobby and in the subsequent policy. The White Anglo-Celtic population of B.C. was small, in comparison to that of other provinces, and certainly the hearings demonstrated that members of this racial group were concerned about their numbers. A much higher level of racism was exhibited during the hearings in B.C. than during the Ontario hearings of the same year. During the B.C. hearings, no one advocated


\textsuperscript{61} BCARS, GR 441, Series XIV, Vol. 427, "Mothers' Pensions Charges of Canon Proved Unfounded," Times, 8 Dec. 1922.

\textsuperscript{62} When the Act was established four trained investigators were hired to conduct this work. BCARS, Annual Report of B.C. Mothers' Pensions, 30 Sept. 1922, 2.

\textsuperscript{63} Unfortunately there is no statistical data to adequately assess the types of applicants rejected. BCARS, GR 100, Box 1, Whitton, "Full Report," 48.
that non-British subjects should be eligible for Mothers’ Pensions. Several said they feared the survival of the White Anglo-Celtic race. Several women’s charitable organizations had a prior history of giving relief to White Anglo-Celtic citizens and sending immigrant families back to their homeland. Labour representatives were concerned that immigrant workers would threaten the competition for jobs. It seems possible that B.C. lobbyists were willing to include all types of White Anglo-Celtic mothers (be they widowed, divorced, or unwed) in an effort to increase this racial group at the expense of other racial/ethnic groups.

Also not to be dismissed is the limited role of churches. In B.C., the churches played a smaller role both in charity work prior to the Mothers’ Pension lobby and in the lobby effort itself than was generally the case in other provinces. B.C. church organizations did not have a century of experience in the field of welfare, and consequently church leaders were unable to establish themselves as the moral authorities on this question. In the Ontario case, however, church representatives played a leadership role in the debate and asserted themselves as experts on the question of welfare administration.

Thirdly, women’s organizations filled the vacuum left by the churches. Middle-class women’s organizations initiated and led the B.C. Mothers’ Pension lobby. In 1921, following the enactment of the legislation, the Civilian Mothers’ Pension Association (CMPA) of Vancouver was established both to help individual single mothers and to lobby the government collectively for further reforms to the policy. Along with other women’s organizations, the CMPA was extremely influential in the ongoing administration of this policy. There is no record of a similar organization in any other province of the country. In fact, historical records demonstrate that women’s groups in most provinces lost interest in Mothers’ Pensions once the programme was established.

The unique nature of the B.C. Mothers’ Pensions Act was not to last. During the 1920s, most British Columbians were proud of this progressive policy and numerous newspaper stories boasted of the province’s generosity towards single mothers. But by the end of the decade, this support had waned and opposition both from inside and outside of the province mounted. Increasingly, both the public and the

64 Mrs. T. Chippendale of the Chippendale furniture family was founder and president of the CMPA during its early years. While the CMPA devoted itself exclusively to the issue of Mothers’ pensions, a number of other women’s organizations also continued to lobby the government to amend this policy. They included The New Era League, the WCTU, and Local Councils of Women. BCARS, GR 1323, Correspondence, 1902-1937, Reel B2211.
government became concerned that B.C. was becoming “a dumping ground” for people who would not have been eligible for Mothers' Pensions in other provinces. The erosion of the inclusive elements of this policy occurred during the difficult Depression years, a subject that requires separate examination.