

Another Brick in the Wall Toward a History of the Welfare State in Canada

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Dorothy Chunn, *From Punishment to Doing Good: Family Courts and Socialized Justice in Ontario, 1880-1940* (Toronto: University of Toronto Press 1992).

It is striking how many times the death-knell of the bourgeois family has been sounded this century. Equally striking is the similarity of means and instruments devised, or simply resurrected, in the interests of “preserving” a concept that has historically been more ideal than real. The “family besieged” was the central motif of countless reformist campaigns in early twentieth-century Canada, inspiring a vast catalogue of proposed social remedies, from improved public health and housing through eugenicist, racist campaigns to sterilize the “unfit” and block immigration. Behind this family crisis theory were overlapping social groups, drawn largely from the urban, Protestant, “British” and professional cadre, who devoted themselves to promoting the traditional family ethic in response to, and frequently in spite of, changing historical contexts.¹ In so doing, they looked increasingly to the state to vanquish the foes, real and imagined, of the modern family.

What explains the origins and persistence of this “save the family” campaign in its myriad forms? How did the health of the family and that of society become so intertwined as to be synonymous? And how, in western societies largely given over to the individualist ideal, did the state come to be seen as the foremost arbiter of all such familial/social interests? Marxist theorists argue that the welfare state arose to ensure the reproduction of labour, the maintenance of society’s economically-dependent (of whom women and children have historically formed the majority), and social stability.² Feminists have pointed out that state intervention also attempts to

1 The literature on moral and social reform in Canada is extensive; of the more recent examples, see A. McLaren, *Our Own Master Race* (Toronto 1990); M. Valverde, *The Age of Light, Soap and Water* (Toronto 1991), and, with specific reference to marriage and family, J. Snell, *In the Shadow of the Law: Divorce in Canada 1900 - 1939* (Toronto 1991). Older studies that discuss intervention in the family for social purposes include N. Sutherland, *Children in English Canadian Society* (Toronto 1976); V. Strong-Boag, *The New Day Recalled* (Markham 1988); and the seminal works by C. Lasch, *Haven in a Heartless World* (New York 1977), and J. Donzelot, *The Policing of Families* (New York 1979). On the “family ethic,” see M. Abramovitz, *Regulating the Lives of Women* (New York 1987).

2 See, for example, J. Wayne, “The Function of Social Welfare in a Capitalist Economy,” in J. Dickinson, B. Russell, eds., *Family Economy and State* (New York 1986), 56-7; J. Dickinson, “From Poor Law to Social Insurance,” *ibid.*, 115; E. Zaretsky, “Rethinking the Welfare State,” *ibid.*, 105; W. Seccombe, “The Expanded Reproduction Cycle of Labour Power in Twentieth-Century Capitalism,” in B. Fox, ed., *Hidden in the Household: Women’s Domestic Labour Under Capitalism* (Toronto 1980); F.F. Piven, R.A. Cloward, *Regulating the Poor: The Functions of Public Welfare* (New York 1971); E.D. Berkowitz, “How to Think About the Welfare State,” *Labour History*, 32, no. 4, (Fall 1991), 489-502; A. Finkel, “Origins of the Welfare State in Canada,” in L. Panitch, ed. *The Canadian State:*

meet the changing, at times conflicting, requirements of both capitalism and patriarchy by institutionalizing class relations and upholding gender distinctions.³ Catherine MacKinnon, in her deliberations on a feminist theory of the state, stresses the state's participation in "the sexual politics of male dominance" through its social policies.⁴ Jane Ursel's⁵ recent analysis of the historical relationship between state and family in Canada reveals how the increasing contradiction between the needs of production and those of reproduction, already evident in the early stages of industrialization, eventually compelled the state to play a more active role in regulating and providing services for the labour force.⁶ As Ursel contends, the state is not meant to replace but to sustain the traditional head of family as provider and protector: "the state is the guarantor of the rules of class and the rules of patriarchy and must ensure that one system does not disturb the other".⁷

Dorothy Chunn, in *From Punishment to Doing Good: Family Courts and Socialized Justice in Ontario, 1880-1940*, narrows the scope in this on-going examination of the relationship of family and state by focussing on a specific reform initiative in Ontario, the family court. Chunn argues that "social work leaders recurrently identified crises of the family that coincided with the periods of greatest dissonance between their childrearing practices and family life and those of non-middle class children and parents." At these various junctures, reformers perceived both an immediate danger to the family and "an ultimate threat to the foundations of the social order." (40) Adopting "ecological explanations" that stressed environmental factors in the making of "pathological families," they sought to persuade targeted social groups "to embrace and adhere to alien standards of childrearing and family life associated with the bourgeois family model." (42) Chunn concludes that their efforts brought about "marked changes in the response to marginality" between 1880 and 1940, shaking adherence to the minimal state and laying the foundations for interven-

Political Economy and Political Power (Toronto 1977); A. Moscovitch, J. Albert, eds. *The Benevolent State: the Growth of Welfare in Canada* (Toronto 1987) For a critical review of recent specialized studies in social welfare history, see J. Struthers, "The Provincial Welfare State: Social Policy in Ontario," *Journal of Canadian Studies*, 27, no. 1, (Spring 1992), 136-46.

- 3 For an overview of feminist discussion of the welfare state from various ideological directions, see Abramovitz, *Regulating the Lives of Women*, ch. 1.
- 4 C. MacKinnon, *Toward a Feminist Theory of the State* (Cambridge, Mass. 1989), 167-70.
- 5 J. Ursel, *Private Lives, Public Policy: 100 Years of State Intervention in the Family* (Toronto 1992).
- 6 Marxist theorists are only just beginning to develop a theory of reproduction despite warnings by Marx and Engels that a complete analysis of any social formation calls for such an understanding; see, for example, *Capital*, vol. 1, (Moscow n.d.), 356-7. Engels noted how family forms both reflect and sustain changes in economic organization, explaining the subordination of women by the place accorded to their reproductive capacities under capitalism; "The Origins of the Family, Private Property and the State," in Marx, Engels, *Selected Works*, vol. 3, (Moscow 1970), 191. Catharine MacKinnon's *Toward a Feminist Theory of the State* provides a thorough feminist critique of Engels, 19-24, and a larger discussion of feminism and Marxism, 3-60. See also J. Dickinson, B. Russell, "Introduction: The Structure of Reproduction in Capitalist Society," in Dickinson, Russell, eds. *Family, State and Economy*, 2-4.
- 7 Ursel, "The State and the Maintenance of Patriarchy," in Dickinson, Russell, eds. *Family, State and Economy*, 155-7; further developed in Ursel, *Private Lives, Public Policy*, Part I, 17-58.

tionist family-centred policies and programs. (43) By means of “non-coercive strategies for upgrading standards of family life,” these reform initiatives proved phenomenally successful. Reformers’ conceptions of childhood and family became “more and more hegemonic within the middle class itself and across social classes from the 1880s to the 1940s.” (43) Ultimately, the family courts, in seeking to uphold the bourgeois family model, “helped reproduce the class and gender divisions that make up the *status quo* in western market societies.” (179)

There are certain assumptions at work here, and throughout the detailing of policy that follows, that historians will question. It is important, first of all, to give some consideration to the issue of how “alien” the bourgeois family model actually was to the working class. Do we accept it as somehow “alien” by definition, or “alien” simply in accordance with middle-class perceptions? Either way, we need more information about the internal dynamics of early twentieth-century working-class families to provide the comparative angle that the argument requires. It follows, then, that the increasing hegemony of reformers’ conceptions of family and childhood also needs more substantiation through evidence independent of the reformers themselves. Again, this conclusion is premised on the assumption that working-class families gradually mutated from their inherently “alien” form to the middle-class form idealized by tenacious reformist types over the course of a half-century. I am not suggesting that this is science fiction: the point is that we cannot know how the story ends without a clearer sense of its starting point. Despite obvious differences rooted in very real material concerns — a focus on collective survival in the working-class family, for example, as opposed to middle-class individual self-actualization — there is no reason for historians to ascribe wholeheartedly to the reformers’ own views of the dissolution and upheaval, parental negligence and juvenile criminality that supposedly typified the working-class family. Did reformers really teach these parents the need for concern about, and responsibility toward, their children? Or is it possible that their direct intervention in Ontario homes provided evidence of a parent/child relationship that *they* depicted as new largely because of their own conviction that it did not previously exist?

In addition, if reformers believed that delinquency was “so obviously” the monopoly of non-middle class children, what explains their failure to confront the material basis of the problem? They saw that poverty incited family breakdown, bred deviance, and threatened to undermine the system, yet their brand of intervention was premised on “training” and moral regulation. This educational approach was cheaper, less threatening to those who feared state intervention (so often equated with Bolshevism in this period) even while calling for it, and ensured a healthy social status and income for the emergent breed of helping professionals. The class aspects of this tale, while certainly acknowledged, are much more complex than presented, and therefore beg more analysis.

The environmental definition/solution espoused by family court reformers also contradicts the pervasive eugenicist assumptions of the period that underlay so many of its social movements. But no consideration is given to the potential for conflict between coexistent hereditarian and environmentalist reform paradigms, a source of tension for reformers of all persuasions in the early twentieth century. There is mention made, but little more, of the tremendous social and ideological impact of the Great War and the Great Depression. Both had significant effects on attitudes and policies toward social welfare, on class and gender relations, on families, and on the socially-conscious who were anxiously observing all these.⁸ In short, while the author

is clearly sensitive to historical context, a lot of it is still missing, particularly in the realm of ideological shifts.

Professor Chunn does present a thorough examination of the development of social welfare policy with respect to the particulars of socialized justice and family courts. She shows how the socialization process that slowly unfolded during the interwar years was impeded by ideological splits among social welfare leaders and government lawyers/bureaucrats. There was no unified support for socialized courts within the wider social work and legal professions, a support that she regards as “the prerequisite for their widespread development.” For advocates of socialized justice, these various obstacles pre-empted, until the Second World War, the creation of a coherent, organized national movement for the establishment of family courts. (52) Such influential social welfare leaders as Charlotte Whitton, head of the period’s most important social service tribunal, never gave the Canadian Council on Child and Family Welfare’s support to family courts because she believed that “such matters ought to be handled by lawyer-judges who were legal professionals.” (150) Home visits, clinics, the growing reliance on experts and expertise, all point to professionalization and “expert-worship” as important contributing elements also evident in other reformist campaigns of the period. The period’s intensifying drive for professional autonomy and authority is a significant undercurrent that is never really brought to the fore.⁹

Competing, at times conflicting, philosophies of socialized justice and legal formalism, combined with the lack of substantive commitment to social welfare by successive Ontario governments, meant that policy-makers were “probably moved primarily by monetary considerations.” (50) If reformers could make a reasonable argument for economic rationalization, their objectives might be realized in legislation. Chunn demonstrates that the welfare state in this country was built gradually and incrementally, in piecemeal and often *ad hoc* fashion, subject foremost and always to financial considerations. Its construction was plagued by internal wrangling over objectives and means, a diehard commitment to the minimal state, and relentless inter-governmental parrying over jurisdictional issues. Nonetheless, by 1940 a new, private, technocratic justice system was operational, “albeit not fully developed,” in Ontario’s juvenile and family courts. (188)

Curiously, the author does not pursue the relationship between capitalistic imperatives and social welfare, despite this evidence of the historical existence of “bottom line” politics that consistently protect the wealth of the few before the needs of the many. She raises the issue of state intervention “to enforce the privatization of the costs of social reproduction” (49) but does not employ the concept of social repro-

8 A great deal remains to be done in this area, with D. Guest’s *The Emergence of Social Security in Canada* (2nd edition, Toronto 1988) and J. Struthers, *No Fault of Their Own* (Toronto 1983) still the principal examples of studies that consider the wars and the Depression in this manner; see also B.D. Palmer, *Working Class Experience* (2nd edition, Toronto 1992), ch. 5, 214-63.

9 Paul Axelrod discusses the development and social composition of the professional class in English Canada in the early 20th century in his *Making a Middle Class: Student Life in English Canada during the Thirties* (Montreal/Kingston 1990), 9-11; see also Valverde, *The Age of Light, Soap and Water*.

duction analytically, using it as a descriptive term that categorizes without explaining, and that obscures its crucial relationship with production.

Ultimately, this book is at its best as a policy study. It carefully lays out the complicated net of ideas, social relations and material realities that caught up the reform-minded, the “experts” in social work and law, the politicians, and the “marginal populations” whose intimate relationships they wanted to regulate into some semblance of the ideal bourgeois family model. But, after a very useful introductory survey of the literature on family and reform, the institutional, internal policy focus that takes over leaves me wanting more. In particular, I want more people in this story. Where are the families, the parents and children, affected directly and indirectly by reformist ideas, and especially by these courts established expressly for them? There are a few intriguing glimpses of them in the closing pages. Here, Chunn concludes that, “despite the cost of the services rendered — infiltration of their homes and increasingly of their heads — by the state,” many of Ontario’s working and dependent poor regarded the family court as “a considerable improvement upon the old-style police court.” The additional levy on women, she notes, was a “perpetuation of their restricted and subordinate role outside the domestic realm.” (195)

The human costs, then, were indisputably high. While the problem of sources is all too familiar to social historians, the book’s focus on ideologues, policymakers and administrators allows for little sense of popular opinion regarding the courts, the need for them, response to them and their efficacy, much less of other-than-bourgeois views of the state of the family. If the class and gender repercussions are recognized, they are considered primarily from the vantage point of what the reformers aimed to achieve. So much of the responsibility for the family was ascribed to mothers, on whose behalf the new courts were often called upon to act. But we are not left with any real sense of the implications for poor families, and especially for women within those families. How did they respond to this unprecedented state scrutiny through regular home inspection? Chunn seems to accept at face value the inspectors’ assessments of both home conditions and family response to their visits and advice. Yet the evidence from which she derives positive conclusions about the client families’ participation is largely prescriptive and promotional. Even an impression of the public, as opposed to the uniquely professional/internal debate on the family court issue, would help bridge the gap between the “owners of social welfare discourse” and the recipients of their policies.

Much of this study’s relevance is current. We are clearly not through with theories concerning “the family besieged”: in one of its most pernicious recent manifestations, the lament about the demise of the traditional family (rigidly defined as husband, wife and their dependent children) is painfully familiar, while, ironically, the “state as saviour” has itself been transformed to “state as foremost enemy.”¹⁰ In addition, the piece-by-piece dismantling of the welfare state at the triumphant hands

10 W.D. Gairdner, *The War Against the Family* (Toronto 1993) is a impassioned right-wing attack on the “liberal conspiracy” that is deliberately destroying the family, with the state as its principal instrument through its nefarious reforms respecting welfare, children’s rights, women’s rights, gay and lesbian rights, divorce, sex education, abortion and contraception, etc. Singled out for particular invective are the “socialist” governments of Ontario, British Columbia and Saskatchewan, which seek nothing less than to replace the family with the state.

of neoconservatism has inspired interest in the motives and methods behind its initial construction. If somewhat disappointing to social historians, Dorothy Chunn's analysis of the development of family courts in Ontario is nonetheless an important addition to our understanding of the modernization of relations between state and citizen, state and family, and, within our particular federal context, between state levels. It helps to fill an existing void in Canadian historiography as we attempt to "bring the state back in."¹¹ We only have to remember not to give the state a life purely its own by leaving the people out.

11 See P. Evans, D. Rueschemeyer, T. Skocpol, eds. *Bringing the State Back In* (New York 1985); for Canada, see A. Moscovitch, J. Albert, eds. *The Benevolent State: The Growth of Welfare in Canada* (Toronto 1987); Ursel, *Private Lives, Public Policy*.