"Censuring the Erring Female:"

Governing Female Sexuality at the Toronto Industrial Refuge, 1853-1939

by

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A thesis submitted to the Department of Sociology

in conformity with the requirements for

the degree of Doctor of Philosophy

Queen's University

Kingston, Ontario, Canada

November 2003

Your file Votre référence
ISBN: 0-612-92405-X
Our file Notre référence
ISBN: 0-612-92405-X

Abstract

This thesis examines the discourses that informed and the practices that characterized the Toronto Magdalene Asylum and later Toronto Industrial Refuge from its establishment in 1853 to its closure in 1939. The Refuge governed female sexuality generally, and working class women who defied gender and sexual conventions, in particular. At the Refuge various discourses around prostitution, feeblemindedness, and sexuality converged and were reified in and through the minds and bodies of working-class women, making it a significant place from which to investigate the politics of gender, sexuality, and governance. I explore how the social censure – the erring female – signified a problematic form of female and called for her control. Covering four eras and the corresponding sociocultural changes that had an impact on the Refuge – from institution building, to psychiatric knowledge, legislation and the arrival of the "expert" in the growing field of female penality – the discussion shows how despite new meanings given to "the erring female" she remained in need of protection and/or punishment. I argue that while the Refuge emerged specifically to divert women away from prison it became not an alternative to penality, but an alternative way to punish women and regulate female sexuality. The thesis provides an important but missing part of the story of female penality.

Acknowledgements

For Ayden

I completed the final stages of this project after giving birth to a beautiful son, Ayden. I find solace knowing that he will never know what it feels like to be called an erring female, though, I feel a great responsibility for teaching him the significance of such terms.

Historical research is a solitary endeavor. During the years I worked on this dissertation I was fortunate to have the support, guidance and camaraderie of several individuals in my personal and professional life. I would like to thank Janet Gwilliam, Shelley Reuter, Elizabeth Comack, Cathie Krull, Diane Symbulak, Russ Powell, Vince Sacco, Lynn O'Malley, Celine Nadon, Jackie Burnell, Brian Minaker, Ela Minaker, Bob Minaker, Diane Minaker and Jonina Hucul. I would like to express my deepest gratitude to my Supervisor, Laureen Snider, for her knowledge, acceptance, continuing encouragement, and friendship. My journey has been enhanced in countless ways for having her in my corner. Roberta Hamilton went above and beyond as Committee Member. I will always remember the role she played in guiding my work. I would also like to extend my thanks and appreciation to Mary Louise Adams and Karen Dubinsky, whose knowledge of the relationship between gender, sexuality and history was

pivotal to this project. The contributions of my Committee Members, Laureen Snider, Roberta Hamilton, Mary Louise Adams, Karen Dubinsky and Susan Prentice have not gone unnoticed.

My research was made possible by the collections and the work of the archivists at the Archives of Ontario, the Toronto Archives, the Salvation Army Heritage Centre, the University of Toronto and Queen's University libraries and the Canadian Institute for Historical Micro reproductions. I owe a special debt to Diane Bakker and Belmont House for allowing me access to their private holdings. The Social Sciences and Humanities Research Council provided much needed financial assistance. Thanks to the support staff at Queen's University and Grant MacEwan College for their assistance.

This dissertation would have never come together without the compassion, generosity, brilliance, love and devotion of my partner, Bryan Hogeveen. He always helped me to keep my work and the writing process in perspective. Words can never do justice to the role he plays in my life, nor could my thanks here represent the extent of my appreciation. My life and this work are enriched for his contributions.

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Introduction

The woman who sells what should be given away for free in the name of love (as with prostitution) merits punishment… there is a powerful double bind here which we are still far from resolving but which constructs women's bodies as perpetually problematic.[1]

Introduction

Velma Demerson is a living example of what Carol Smart refers to as a "perpetually problematic woman."[2] Deemed out of, and in need of, control by her father, police officers, and a magistrate, Velma – like thousands of other females – was punished in the name of protection. In 1939 Velma Demerson was 18, pregnant, and in love with a Chinese-Canadian man named Henry Yip.[3] At the request of her father on the morning of 30 May 1939 Velma was arrested for being "incorrigible," taken to the Women's Court and subsequently sent by Magistrate Robert Browne to the Toronto Industrial Refuge for Females to serve an indeterminate sentence of two years. The Toronto Industrial Refuge was a site for prostitution control and governing sexuality that targeted working-class women.[4] Under the Female Refuges Act females between the ages of 15 and 35 could be imprisoned there for such behaviours as public drunkenness, promiscuity, and pregnancy out of wedlock.[5] Velma was one of the last of a long list of girls and women who were institutionalized at the Refuge between 1853 and 1939 for being "erring females."[6]

Velma was unique, however. After only six weeks of her stay the Refuge closed its doors and she, with 17 other girls, was transferred to the Mercer Reformatory for the remainder of her sentence. In a recent interview 82-year-old Demerson recalled that the Protestant women who ran the Refuge did "the best

they could" with scarce finances. She explained to reporter Leisha Grebinski, "we slept in dorms and the food wasn't bad, it was when we were transferred to the Mercer Reformatory that it was really bad."[7] Thinking about her experience Velma argues that locking girls up was an easy way for society to rid itself of girls considered "frivolous, sinful and feeble-minded."[8] Velma's reflections speak to the three main themes of this thesis: gender, sexuality and governance.

Despite immense social change and increasing institutional tensions the Refuge, founded in 1853 as the Toronto Magdalen Asylum, persisted for 86 years until finally closing in 1939. It saw both expansion and contraction; successes and failures. Those who ran the Refuge extended their work in 1898 to include an aged women's home and in 1908 an aged men's house. However the original institution, established for the protection and recovery of the "erring female," closed in 1939. Belmont House, now a posh retirement centre for aged persons (on Belmont Street) in mid-Town Toronto, stands today where the Refuge once stood. Seemingly far removed from hot debates over sexual immorality, incorrigibility, and the governance of young girls, Belmont House is all that remains of the Refuge.

Although the bricks and mortar of the Refuge are gone, this institution, with its uneasy combination of protection and punishment, offers a unique opportunity to examine the gendered governance of working-class sexuality seen as "errant."[9] Although historical records provide information from the vantage point of the governors, telling us the strategies they employed and the ways they constructed their charges as problematic, they provide vital sources to

understand the complex relations of power at work when women govern other women. This thesis examines the institution and its programs, the strategies, rationalities, and claims of its Founders, and the underlying discourses that informed them.[10] The discussion shows how the Refuge, guided by Christian and maternalist underpinnings, alternatively protected and punished working class women who defied gender and sexual conventions. The Refuge is an institutional site where various discourses around prostitution, feeblemindedness, and sexuality converged and were made real in and through the minds and bodies of working-class women.

The Refuge provides an important opportunity to investigate the politics of gender, sexuality, and governance, situated within a microcosm of wider social processes designed to control girls and women. Investigations of campaigns against prostitution, venereal disease, feeblemindedness, and other moral crusades to govern the sexual morality of working-class women reveal broad disciplinary, social, and economic relations and cultural expectations that shaped the emerging field of women's penality. My analysis is concerned with a constellation of discourses and practices that informed attempts to make the erring female perpetually problematic and thereby produce, enhance, or otherwise justify attempts to control female sexuality. Through this study we can see how a particular set of claims were legitimated and the consequences of such claims for strategies of governing female sexuality.[11] By examining how the upper-middle class, Protestant women who operated the Refuge understood the females they sought to reform, and the religious, ethnic, class-based and

gendered underpinnings of their efforts, the thesis provides an important but missing part of the story of female penality. In this way, it has both historic and contemporary relevance.

Empirical and Intellectual Context

A growing body of feminist scholarship focuses on women as objects/subjects of care and control, protection and welfare, guidance and punishment, or reformation and rehabilitation.[12] Contributing to this literature, this thesis examines how various processes of control, regulation, and discipline, conceptualized here as "governance," found their expression at the intersection of what I refer to as the punishment/protection complex in one site – the Toronto Industrial Refuge. This study of the governance of female sexuality by women provides an important substantive contribution to socio-legal studies and women's history in three main ways.

First, the thesis investigates a response to prostitution – quasi-penal institutionalization – that has not received much attention in the historical or socio-legal literature. Second, my research eschews the tendency to *either* focus on formal legal measures *or* strategies diffused across various sites. Rather, it analyzes the interplay of expert and non-expert knowledges, the mutual influence of legal and medical developments, and the way punishment is visible in quasi-penal sites. Finally, this research investigates the gendered project of governing

errant female sexuality – no such institutions ever existed for men nor were men made targets for moral reformation in the way females were.

Much has been written in feminist circles on the question of prostitution, the subject of law and female sexuality, and the female body and law.[13] These studies focus on how law was called upon by reformers to solve the problem of prostitution.[14] As a result, the problem of female sexuality made explicit in prostitution control is firmly entrenched within an exclusively criminal/legal context. Studies have emphasized prostitution related offences, enforcement patterns, and reforms to Canada's prostitution laws. While such studies have made valuable contributions, they leave open space to explore the more nuanced, non-state centred attempts to deal with social problems, the governance that occurred alongside legal measures.

Feminist historians, on the other hand, have also examined the motives, role, and impact of many of the mostly female prison reformers who first revolutionized female incarceration. They have examined how social controls exercised *on* women *by* women shed light on power relations between women of different races and classes.[15] These studies begin with the emergence of reformatories for women in the mid to late nineteenth century. For example, Nicole Hahn Rafter, looking at formal female social control in the Western House of Refuge in the United States, shows that the Albion reformatory was charged with the mutually reinforcing functions of sexual and vocational control. It trained "loose" working class women to accept middle class standards for working class respectability (i.e. chastity until marriage and fidelity after) and domesticity (i.e.

for a "career" in domestic service). In her analysis of governance at the Andrew Mercer Reformatory for Females Carolyn Strange found similar strategies were employed.[16] The search for means to manage the erring female, however, can be traced back to private institutions in eighteenth century England and Scotland.

Little is known about these institutions, save for Linda Mahood's study of the Glasgow System, characterized by the operation of lock hospitals, Magdalene institutions, and the 1866 Police Act.[17] Believing that a fallen woman could regain her character through resocialization and moral education, male Scottish reformers established non-statutory female penitentiaries, called Magdalene homes both to entice women into direct moral reformation and divert young women away from prisons and poorhouses. Under what Mahood calls a decarceration strategy, once persuaded to commit to long periods of voluntary incarceration in a Magdalene home, women were subjected to strict moral education, industrial training, and the expectation that they would conform to middle-class standards of femininity.

The Refuge was similar in scope and focus to Scotland's institutions as it was designed for the social control and moral reform of women who defied widely accepted cultural standards of sexual and vocational propriety. Indeed, these Scottish institutions provided external validation for the Founders' argument a century later, that the antidote to Toronto's prostitution problem lay in the reformation of female prostitutes in rescue homes (run in this instance by upper-middle class Christian women, not men as in Scotland).

There is a burgeoning historical literature on moral reform in Canada.[18] However, the Industrial Houses of Refuge or Magdalene Asylums that emerged in the 19th century and continued to house "fallen women" well into the 20th century have only received cursory attention.[19] Probably the most widely cited text on moral reform in Canada is Mariana Valverde's (1991), *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925.* This groundbreaking book examines reformers' campaigns to create a white, Protestant Canada. However, her focus is on better known movements like social purity, rather than less familiar campaigns preceding them. Valverde notes only that when courts began to sentence women to serve time in rescue homes, philanthropists "were not replaced by state corrections officials but simply assumed quasi-public powers."[20]

My study investigates the impact of "quasi-public powers" on these institutions and the extent to which female reformers were granted legitimacy. It provides an intricate and nuanced exploration of the specific strategies and practices one women's group employed to deal with women they deemed "fallen." It shows how a women-run institution helped to construct mentalities, strategies and practices to govern female sexuality from a Christian vantage point.[21]

Institutions like the Refuge also hold a peripheral place in Canadian socio-legal scholarship. John McLaren notes that at some point it became apparent that institutions like the Refuge, with their grim combination of religious education and limited job training, met with little success and policy in Canada shifted to

special women's prisons.[22] Echoing these sentiments, Constance Backhouse argues that "the shelters ultimately contributed little to these women's lives" and as the lofty goals of rehabilitation were dashed, the campaign of rescue was extended to one of prevention.[23] Similarly, citing evidence that in any one year thirty to sixty percent of inmates left voluntarily, Lori Rotenberg claims that "in terms of its stated goal of reclaiming 'fallen women' the Industrial Refuge was not particularly successful."[24] Rotenberg concludes that "these women seemed to have been unaffected by their contact with moral reformers."[25]

While definitions of "success" may vary, the assumption that the Refuge met with little success neglects its longevity. That such institutions had little impact on the women's lives is called into question by the experiences of women like Velma. This study questions the claim that women incarcerated at the Refuge were unaffected by their contact with their keepers, and explores the complex interactions that characterize reform strategies and institutional practices. Although David Rothman argues that we can understand why institutions were invented by turning to the rhetoric of reformers, as Jacques Donzelot and Michel Foucault have shown, focusing on the intentionality of actors may obscure consequences in favour of causes.[26] Following these authors and others such as David Garland, I argue that this social welfare reform is much more complex: it is a product of the interests of individuals and groups, influenced by structural change, culture and knowledge.[27] This interpretation allows me to investigate the interaction of human agency and social structure.

Theoretical Background

In recent years many socio-legal scholars have attended to the intimate connection between expert knowledge, authorized knowers, and forms of discipline/power.[28] Several feminist writers have corrected Michel Foucault's gender-blind analysis, paying particular attention to how relations and technologies of power operate through gendered practices.[29]

Hannah-Moffat's interrogation of mechanisms of power/knowledge in women's penality underscores the importance of "the historically and culturally specific techniques and rationalities evoked to discipline women's minds and bodies" and how they are "used to create knowledge about the female prisoner and to legitimate and support the exercise of disciplinary power in women's prisons."[30] She explains non-expert and women-centred knowledges were far from absent in women's penality. This distinction between non-expert women's knowledges versus expert-based penality guided by scientific explanations of women's deviance is used here to explore the strategies promoted by "non-expert" Christian, laywomen.[31] The Founders claimed that it was their lay, intrinsic understanding of women's nature that perfectly suited them as "experts." My analysis focuses on the claims of authorized knowers – those granted power and authority to have their claims heard – and the actions made possible by the production of constitutive knowledge(s) and how this changed over time. Such knowledge is an essential component of practices, policies and programs developed to govern female offenders. Moreover, as I will show, this was a key component in the closing of the Refuge.

Studies that examine the control, discipline, and surveillance of girls and women have been referred to as "among the most promising and vibrant components of postmodern feminist scholarship."[32] In keeping with recent poststructuralist feminist scholarship this study examines power relations not as solidified between a dominant and subordinate group – the Founders versus their charges – but as giving rise to and emerging from strategies of governing and resisting at the Refuge. The Founders, as we will see, were both privileged and disadvantaged by their gender. The lives of the working class women under their charge were constrained not just by their gender but also by their marginalized class and (for some) ethnic position. In this way, my focus is not on the gendered or sexualized woman *per se*, but on the governance of gendered sexuality as it played out at the Refuge.[33] According to Roberta Hamilton, a key strength of this kind of analysis is its recognition of the ways in which specific historical discourses produce particular representations (e.g. erring female) both explicitly and implicitly.[34] The production of an "erring female" governed working class women through *censure*.

The Erring Female as a Censure

Colin Sumner defines censures as "categories of denunciation or abuse lodged within very complex, historically loaded practical conflicts and moral debates."[35] The term "the erring female" as used in this thesis is a censure, a category with many discursive and material connections. Rather than explaining behaviour or people, the concept is deployed as part of a process of making knowledge

claims. It delineates social deviance and legitimate responses to those so categorized. Sumner identifies three significant issues related to how censures work: 1) ideological formations, social relations and human fears which support and constitute the censure(s); 2) the phenomena censures interpret and signify, and; 3) the historical conjuncture within which they are applied. Applying his insights to the operation of the Refuge, we can better understand the censure, "erring female." How was the censure applied? By whom, and to what ends? What was the political and structural context of its application? As a concept, erring female informs and imbricates the practices in and around the Refuge. The constructions of the erring female and the claims made about her have social consequences.

Discourses create and sustain norms for behaviour, as well as generating mechanisms to reform the individuals who deviate.[36] Foucault referred to this process as normalization in the sense that certain discourses serve to divide behaviour into categories of good (normal) and bad (abnormal).[37] In the case of the erring female, normalizing discourses are historically linked to the perpetuation of various methods of governing working class women. As a social censure, to call a female "erring" signifies a particular form of problematic female, denounces her character, mind or body and regulates her actions.[38] This discursive construction produces not only a *type* of Woman (epitomized by the phrase "the female prostitute and those likened to her") but also a woman in need of control.[39] As Judith Butler argues, the reiterative power of discourse produces the phenomena that it regulates. Sexuality, then, is not a bodily given

whereby culture constructs various norms, but rather is performed each time it is called into question.

Deborah Brock argues that "women working in prostitution become prostitutes in the eyes of others."[40] Similarly, women targeted for the Refuge became "erring females" in the eyes of authorized knowers. In creating a censure, an "other" necessarily gets constructed. Thus, the "erring female" evokes the idea or image of immorality, sexual deviance, and waywardness and its underlying binary opposite, the chaste, pious woman. Here we see a double standard of sexual morality that places women into two categories: whores and madonnas, bad girls and good girls. This idea closely parallels Carol Smart's understanding of the place of "woman" in legal discourse. Smart argues that legal discourse renders "woman" problematic at the very moment of her constitution. As Smart explains: "Thus the female criminal [or the erring female] is a type who can be differentiated from other women, at the same time, what she is is abstracted from the prior category of Woman always already opposed to Man."[41] She is abnormal because of her *distance* from other women.[42] In Pat Carlen's terms, the erring female is "outwith" gender norms, family norms, and other social norms and thereby deemed a failure as wife/partner, mother, daughter, and worker.[43] The erring female was constituted as an inappropriately gendered working class woman.

Underlying the creation of the erring female censure was not only the desire to control, govern, and otherwise punish, but the Founders' desire to help or protect. The censures were tied to particular calls for action. The Founders

advocated various strategies *in the name of protection* to bring the erring female back "with(in)".[44]

The erring female was brought into existence as belonging to an outcast class by knowledge claims that were enabled by and infused through gendered, class-based, and sexualized categories. All working class women were judged by the application of these same categories. Notions of female (dis)respectability and assumptions about working-class womens' failure to conform to idealized standards of femininity were also tied to ethnicity. In Toronto, by stigmatizing and targeting Irish and Scottish immigrants, the Founders articulated an outclass class. Not only are prostitutes, then as now, defined as outside the bounds of acceptability, but as a group have historically been perceived as a throwaway population.[45] The methods deemed culturally acceptable to reform "erring women" belied the fact that discourses used to construct identities like the prostitute or the erring female always placed them outside the boundaries of respectability and those of decent treatment reserved for upper-middle class women. Insofar as they needed public support, however, the Founders constructed the erring female as their "fallen daughter," one warranting public sympathy, Christian compassion and, as significant, pecuniary assistance. The fact that they believed their work was benevolent and defended it in the name of protection should not be forgotten. Dominant ideologies of female sexuality and gender informed the response the Founders developed and their construction of erring females was as objects of denigration and pity not objects for harsh punishment.

The category of erring female was not stable; it was a shifting representation unified by the ever present theme of errant sexuality. Over the period from 1853 to 1939 different representations of the erring female proliferated, and rendered her intelligible. Marking her with a variety of "problematic identities" – including "the fallen woman," the "feebleminded woman" and the "wayward girl" (labeling/naming or censure) often had little to do with actual behaviour. Both signs and standards of proof of errant sexuality varied. The erring female incarnate represented a woman or girl who by immorality, degradation, mental defect, intemperance or otherwise deviated from respectable (i.e. tamed and chaste) female (a)sexuality.

These censures found their shape, tone, and effect in the practices and rhetoric of the Refuge, but they did not originate there. They were materially imbricated within the dominant social relations of the day. For example, the erring female deployed in nineteenth century Ontario represented not only middle-class fears of working-class vice and the tensions between middle-class sensibilities and working-class realities, it was also produced through a moral discourse informed by Christian beliefs and maternalist assumptions. Therefore, to understand how the erring female – and the women she stood for – was constituted through discourse is to make sense of representations of, and claims made about, working class women in a specific historical period.

The Materialist Context of Discursive Struggle

As long as social relations are conditioned and contoured by ethnicity, class and gender, such axes of power inform the production and deployment of discourses. Those occupying dominant gender, class, and ethnic positions in society have greater capacity to assert their censures in the legal and moral discourses of the day. Feminist and social historians have recently been integrating discourse and materialist analyses to develop intricate, nuanced, and theoretically sophisticated studies. This necessitates asking questions of political economy (or what Franca Iacovetta refers to the "materialist context of discursive struggle,"[46] the social structural basis in which discourses are lodged, understood, and transformed). This thesis follows the tradition of recent sociology that integrates discourse *and* materialist analyses and attends to "the 'complicating' influence of language, rhetoric, and ideology on social practice," recognizing hierarchies of power.

The erring female was constituted by knowledge claims produced and disseminated by groups with the power and authority to have their claims heard. Laureen Snider argues that how arguments are heard, how expert knowledge claims are interpreted, and the cultural contexts in which they are received are just as significant as the claims themselves.[47] Understanding which knowledges were legitimate and which ones were disqualified requires unpacking the rhetoric to find whose claims have – to borrow from Snider – "legs." Some claims are produced and enabled through the articulation of class, gender and racialized interests; that is, they emerge from power relations and social structure.

An analysis that views discourses as rooted in material reality and material relations as constitutive of discourse eschews an insular reading of texts, and

favours a dynamic analysis moving back and forth from discourse to material reality, exploring the constant and dialectical relation between the two.[48] To make links between the discursive and the materialist contexts this thesis pays close attention to various socio-cultural developments and socio-economic changes that occurred during the history of the Refuge (between 1853 and 1939). The representation of the erring female must be connected to changes in the economic and social landscape, law, and the wider cultural context. An interplay of discourses and practices reflecting and responding to wider concerns such as feeble-mindedness, venereal disease, social purity, and mental hygiene formed and informed the Refuge and its attempts to "make good" out of erring females. The Founders drew first upon lay religious and medical then on legal and social scientific discourses to (re)produce a problematic and unruly feminine mind/body, a woman who posed a threat to the moral and social order of each era – the erring female.

The processes through which the Founders of the Refuge gained and lost their status as authorized knowers are significant. The wives of prominent Toronto politicians, lawyers and doctors and other reform-minded citizens, lawmakers, moral entrepreneurs, and professionals in social work, medicine, and psychiatry all made claims about the erring female. These voices did not all come with the same degree of legitimacy. But, those with the weakest "legs" were not the groups who were eventually "heard." The voices not heard were those of the "erring female" herself. We do not know if working class women bought into the Founders' claims or not (undoubtedly some did, some didn't). The thesis asks:

Why were the Founders authorized to speak on behalf of the erring female? How were knowledge claims of the Founders accepted as legitimate? What changed over the period to disqualify them? What discourses made the erring female the "perpetually problematic" woman? In what ways did such discourses justify attempts to control those understood and governed *as if* they were really "erring females?" To what extent was the erring female a *punishable* (a subject that requires punishment) or a *rescueable* woman (a subject that requires protection)? Asking these questions directs attention "away from the discourses *produced* and onto those *heard.*"[49]

Method

Mahood's methodological approach and theoretical application in her study of the Magdalen Homes in Scotland provides an important point of departure for my work. Like her I employ a case study approach to examine the Refuge and the relationship between discourses and practices around the regulation of female sexuality.

Since my primary data collection method is archival, the main source of information was textual documents such as annual reports, meeting minutes, correspondence and miscellaneous written records.[50] My objective in dealing with these texts was to discern the discourses embodied in them through the statements made, words used, who said them, their meanings and practices, and the weight accorded such statements. The study of discourses has been undertaken in different ways, according to whether the analysis is primarily social

or literary. This thesis takes a social approach, emphasizing the meanings attached to words and how language was used, rather than a literary one that attempts to collect and combine every statement.[51] A key objective is to account for "the positions and viewpoints" from which people speak and "the institutions which prompt people to speak . . . and which store and distribute things that are said."[52] This approach utilizes the modifications of Foucault's work on discourse theory developed by feminist scholars.[53] Referred to as "critical discourse analysis," it provides a social context-bound view of discourse as an ongoing intertextual process.[54] It also assumes a dialectical relationship between discourse and the particular socio-cultural, historical contexts in which they are embedded (as discussed above).[55] Critical discourse analysis acknowledges that power relations shape discourses, because texts and the claims made in them cannot be divorced from the social contexts that frame them and the individuals and groups who deploy them. In effect, in a complex and dialectical process discourses may both reinforce the social context and contribute to its change or stasis.[56]

To situate the Refuge within the wider society and contextualize prostitution in the political economy of the day required looking beyond the internal annual reports and inspection records and exploring secondary sources, such as newspapers and academic/medical journals. To make links between the discursive and the materialist context I paid close attention to various socio-cultural developments and socio-economic changes over the period.

Most of the documents and surviving testimonies came from reformers, or officials with a censorial moral and social gaze. This reveals how those who governed and defined the problem understood the population under study. These sources show how the erring female was officially represented. They told little about the women themselves.

"Case file" has become an umbrella terms for many different kinds of documents.[57] Case files produced for institutional purposes provide clinically oriented case histories on subject populations such as inmates, used here to supplement annual reports. To learn more about the inmates inside the institution case histories, similar to case files, held in the archives of Belmont House were canvassed. (See the Appendices for more information.)

Chapter Organization

This thesis offers a social-legal and historical analysis of a series of events organized around a chronological history of the institution. The material is divided chronologically into four eras, namely, the era of emergence (1853-1879), the era of transition (1880-1904), the era of restructuring (1905-1928), and the era of closure (1929-1939). The decision to use the emergence and closure of the Refuge as markers was both practical and theoretical. Each era provides a window for viewing important social processes and gives a structure for reading the past by attending to key themes of each period.[58]

During Era One (1853-1879) the Refuge was established and maintained. Its day-to-day operation were set up to be consistent with aims of the Founders.

Era Two (1880-1904) was a time of transition, that represented not so much a departure from old ways but a renewal of the institution's primary objective, philosophy and practices, in a changing social context that saw the elaboration of social welfare networks and institution building. Era Three (1905-1928) ushered in the most significant wave of changes in the philosophy and practice of the Refuge, with modernist administration and routines, social welfarism, and the rise of the medical and legal expert. Era Four (1929-1939) traces the decline and fall of the Refuge and its causes, with particular focus on the professionalization of charity and reform, the expansion of women's penality, state retrenchment, fiscal crises, and final closure.

Chapter One sets the institutional framework for the thesis. It traces the emergence of the Toronto Magdalen Asylum or Industrial House of Refuge for Females (Refuge) in 1853 and plans for its operation until 1879. It demonstrates how, when and why a small group of Anglo-Protestant female reformers imbued with a Christian sensibility established a refuge to rescue and reform prostitutes and those they likened to them. It explores the ways in which the Founders' claims represented a departure from established classical liberal ideas about prostitution as primarily a penal issue and situates the strategies they developed in the socio-political climate and economic conditions of their day. That is, the Founders' construction of the erring female was imbricated in the simultaneous constitution of themselves as Protestant, upper-middle class women with the right combination of maternalism and Christian benevolence to rescue and reform her.

Chapter Two takes as its point of departure the establishment of the Toronto Industrial Refuge. It explains how the Founders' images of gender and sexuality, represented in chastity, Christianity and temperance, informed the Refuge's reform programme. It demonstrates how the Refuge's interrelated goals – to rescue, to protect, to bring to moral strength again – were carried out between 1853 and 1879 by examining the operation, management, and practices of the Refuge and the discourses supporting them. The Chapter ends with an interrogation of the claims of distinctiveness the Founders evoked to define and legitimate their reform programme.

Chapter Three examines key developments in Toronto and across Canada between 1880 and 1904, and the ways the Refuge was affected by, and responded to, this changing socio-cultural context. It traces how the Refuge reacted to the growing interest in the problem of the erring female evinced by maternal feminists, health professionals, and child welfare advocates. It aims to understand how the Managers responded to competition, new claims, and the resulting tensions experienced inside the Refuge over the period.

Chapter Four outlines increased participation of medical professionals in charities and psychiatric involvement in corrections, specifically, the use of the Refuge as an institution for females diagnosed as "feebleminded." The discussion shows the impact of being designated as a refuge under the Female Refuges Act (FRA) in 1917 and magistrates' subsequent reliance on the Refuge as a site for incarcerating young sexually wayward girls. The Refuge became a house of correction for sexually wayward girls, while simultaneously cast as a

home for feebleminded women. Thus the period between 1917 and 1933 saw the Refuge playing a dual role. Consequently, control over the entry and exit process was transferred from laywomen to medical professionals and then to magistrates. I reveal the connections between feeblemindedness, expert knowledge, and the control of female sexuality at the Refuge by exploring the intersections between medical and legal discourses and ways of responding to female delinquency.

Chapter Five examines the circumstances that led to the transfer of the remaining inmates to the Mercer Reformatory and closure of the Refuge in 1939. It explores the influence of two interrelated developments – the proliferation of the discourse of professionalism and the discourse of penality – on the viability of the institution. In particular, I examine the tensions involved in the power/knowledge relations between on the one hand, upper-middle class Protestant women, and the Provincial Government, on the other.

In summary, the thesis explores the shifts and continuities of one institutional response to prostitution, paying attention to the balance the Governors sought to achieve between protection and punishment. In the pages that follow I argue that, rather than decrease the punitive character of responses to prostitution, the Refuge ultimately contributed to the opposite trend. Moreover, with the advent of more insistent and powerful punitive discourses around female criminality the Refuge facilitated the incarceration of the erring female and entangled more women and girls within the web of the criminal justice system. In this way, an institution that emerged specifically to *divert* women away from

prison became not an alternative to penality, but an alternative way to punish women and regulate female sexuality.

Conclusion

Women and girls who have sex outside of marriage are still regarded as promiscuous, or more colloquially as slags and sluts; unmarried women are still unable to legitimize their children without getting married.[59]

In various ways and to various degrees, all women suffer from an extraordinary weight of characterization, but certain kinds of women in particular historical contexts attract even greater attention.[60] Although her stay at the Refuge was brief, women like Velma Demerson are a case in point. The erring female remains both scattered throughout historical record and conspicuously absent from it. This thesis shows that between the late nineteenth and early twentieth centuries otherwise "ordinary women" were deemed hapless victims in need of protection and punishment. On 30 June 1939 all of the inmates of the Refuge were gone, transferred or discharged. The Industrial House of Refuge for Females was removed from the Female Refuge's Act and all that remained was the work of caring for aged men and women. Detailed studies of institutions with no real equivalent in this century are important largely because they have been almost forgotten.

Understanding the erring female is still important because today "actual women are affected by being mistaken for her."[61] Alberta and Ontario have recently enacted child prostitution legislation similar to the Female Refuge's Act

(responsible for Velma's confinement), and other provinces may be following suit. History is repeating itself – females are being punished for their own protection.

The thesis explores continuities and shifts in the discourses that early maternalist feminists employed and the practices they assembled to protect, punish, and otherwise govern the poor and working-class women who were "the class of women for whose benefit the institution is intended."[62] Toward this end Chapter One opens with an examination of the process by which the Founders of the Refuge constructed an "erring female" as problematic, organized a campaign to deal with the social problem of prostitution, and carved a niche for themselves and their institution. Subsequent chapters explore how transformations in the socio-cultural landscape, such as the better known social purity movement, and shifts in discourse influenced the philosophy, rationales, and practices of the Refuge.

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[1] Carol Smart. *Law, Crime and Sexuality: Essays in Feminism.* (London: Sage, 1995): 227.
[2] Ibid.
[3] The prevailing morality of the day defined miscegenation as a sign of incorrigibility. During the 1930s the eugenics movement popularized the idea of "better breeding," which encouraged eliminating those with supposedly "bad" genes. Moreover, the Chinese Exclusion Act was in effect, which betrayed the government's desire to limit Chinese immigration, prohibit white women from working in Chinese establishments and reduce the number of Chinese babies. As Velma put it "having sex with a non-white person was considered unclean... It was worse than being a prostitute. Even those people at the very bottom of society thought they were better than anyone that associated with Chinese." "Prisoner of love: sixty years ago, Velma Demerson was a teenager caught up in a great romance, then she discovered how harsh Canadian law can be." Jan Wong. Globe and Mail. 26 October 2002.
[4] The institution was originally called the Toronto Magdalene Asylum, but operated under the name Toronto Industrial Refuge for most of its history. It will be hereafter referred to as the Refuge.
[5] Reporter Michele Landsberg wrote in a recent article in the Toronto Star "you needed only be female, poor, and sexually active to qualify for arbitrary punishment inflicted by male authorities in the name of 'protection.'" (Lower class boys were not punished for sex, they were deemed

incorrigible only for theft). "Plight of 'incorrigible' women demands justice." Michele Landsberg. Toronto Star. 6 May 2001.

[6] The institution's Founders referred to those they sought to help as "erring females." In 1860, they wrote, "the erring female is at once crushed by public sentiment..." Annual Report, Toronto Industrial Refuge. 1860. Page 1.

[7] "'Promiscuity' and eugenics: an Ontario senior reveals a little known source of some of our current sexist and racist attitudes." Leisha Grebinski. Briarpatch, December-January 2002, vol. 31, no. 10. pp. 10. For more on Velma Demerson's case also see Leisha Grebinski. Incorrigible Indeed: "A Canadian history moment," October 25, 2002 and "Jailed as 'incorrigible' 60 years ago, woman wants compensation;" and CBC News online; "Dark passage in Ontario's past: until 1958, female minors deemed incorrigible could be put in jail: Velma Demerson was one." Michael Valpy. Globe and Mail, March 22 2002.

[8] Ibid.

[9] Social historians have only recently begun to seek out and listen to the voices of those confined for their own good in institutions like the Refuge and reconstruct their subjugated knowledges. However, few sources are available to tell the stories of women like Velma.

[10] Discourse is the relation between language and social reality.

[11] I am indebted to Laureen Snider for demonstrating the significance of knowledge claims and how they get used. See Snider, L. "The Punishable Woman," *British Journal of Criminology,* (2003) and Snider, L. "The Sociology of Corporate Crime: An obituary (or, Whose Knowledge claims have legs?)," *Theoretical Criminology,* 4 (2002) 2: 169-206.

[12] Smart, *Law, Crime and* Sexuality; Rafter, N. H. "Chastizing the Unchaste: Social Control Functions of a Women's Reformatory, 1894-1931". In Cohen, S. and A. Scull (eds.) *Social Control and the State: Historical and Comparative Essays.* (Oxford: Martin Robertson, 1985); Carlen, Pat. "Virginia, Criminology and the Antisocial Control of Women." In T. Blomberg and S. Cohen. (eds.) *Punishment and Social Control.* (New York: Aldine de Gruyter, 1995).

[13] For more on the experiences of prostitutes see Jaget, C. (ed.) *Prostitutes: Our Life.* (Bristol: Falling West Press, 1980); Walkowitz, Judith. *Prostitution in Victorian Society: Women, class and the state.* (London: Cambridge University Press, 1980); Carlisle, Marcia. *Prostitutes and Their Reformers in Nineteenth Century Philadelphia.* PhD thesis. Rutgers University, 1992; Bell, S. *Reading, Writing, and Rewriting the Prostitute Body.* (Bloomington and Indianapolis: Indiana University Press, 1994); McLeod, E. *Women Working: Prostitution Now.* London: Croom Helm, 1982). A classic text on female sexuality and its control is Brownmiller, Susan. *Against Our Will.* (London: Secker and Warburg, 1975). Also see Edwards, Susan. *Female Sexuality and the Law.* (Oxford: Martin Robertson, 1985); Dubinsky, Karen. *Improper Advances: Rape and Heterosexual Conflict in Ontario, 1880-1929.* (Chicago: University of Chicago Press, 1993); Dubinsky, Karen. "'Maidenly girls of designing women?' The crime of seduction in turn-of-the-century Ontario." In F. Iacovetta and M. Valverde (eds.) *Gender Conflicts: Essays in Women's History.* (Toronto: University of Toronto Press, 1992). For the relationships between law and women's bodies see Eisenstein, Z.R. *The Female Body and the Law.* (Berkeley: University of California Press, 1988) and Smart, *Law, Crime and Sexuality.*

[14] McLaren, John. "White slavers: The reform of Canada's prostitution laws and patterns of enforcement, 1900-1920." *Criminal Justice History: An International Annual.* VIII (1987): 53-119; McLaren, John and John Lowman. "Prostitution law and law enforcement, 1892-1920: Unraveling rhetoric and practice." *Canadian Journal of Law and Society.* 1 (1990):125-165; Backhouse, Constance. "Nineteenth-Century Canadian Prostitution Law: Reflection of a Discriminatory Society" *Social History.* 18 (1985) 36: 387-423.

[15] Rafter, Nicole Hannah. "Chastizing the Unchaste."

[16] Carolyn Strange. The velvet glove : maternalistic reform at the Andrew Mercer Ontario Reformatory for Females, 1874-1927. Master's Thesis. University of Ottawa. 1983.

[17] Mahood, *The Magdelenes.*

[18] Valverde, Mariana. *The Age of Light, Soap and Water: Moral Reform in English Canada* (Toronto: University of Toronto Press, 1991); Strange, Carolyn and Tina Loo. *Making Good: Law and Moral Regulation in Canada, 1867-1939.* (Toronto: University of Toronto Press, 1997); Hunt, A. *Governing Morals: A Social History of Moral Regulation.* (Cambridge: Cambridge University

Press, 1999b); Little, Margaret. *No Car, No Radio, No Liquor Permit. The Moral Regulation of Single Mothers in Ontario, 1920-1997.* Toronto: Oxford University Press, 1998); M. L. Adams, *The Trouble with Normal: Postwar Youth and the Making of Heterosexuality,* (Toronto: University of Toronto Press, 1997).

[19] Rotenberg, Lori. "The Wayward Worker: Toronto's Prostitute at the Turn of the Century." In Janice Acton et. al. (eds.) *Women at Work: Ontario, 1880-1930.* (Toronto: University of Toronto Press. 1974). Page 61. McLaren, John. "Chasing the social evil: Moral fervor and the evolution of Canada's prostitution laws, 1867-1917". *Canadian Journal of Law and Society.* 1, 1986. 125-65. Backhouse, "Nineteenth-Century Canadian Prostitution Law." On the Magdalen asylums see Susan Houston. The Impetus to Reform: Urban Crime, Poverty and Ignorance in Ontario, 1850-1875. PhD dissertation. University of Toronto, 1974. p. 232; Walsh, Zoya-Claire, The Toronto Magdalen Asylum 1853-1900: The Transition from Moral Reformation to Social Service. Unpublished manuscript, January 1986; Carlisle, Marcia. Prostitutes and Their Reformers in Nineteenth Century Philadelphia. PhD thesis. Rutgers University, 1992.

[20] Valverde, *Age of Light, Soap and Water.* Page 100.

[21] Corrigan, Philip and Derek Sayer. *The Great Arch: English State Formation as Cultural Revolution.* (Basil Blackwell, 1985); Adams, Mary Louise. *The Trouble With Normal*; Valverde, *Age of Light, Soap and Water*; Hunt, A. "Anxiety and Social Explanation: Some Anxieties About Anxiety." *Journal of Social History.* Spring. 32(1): 1999a: 509-528; Hunt, A. *Governing Morals.*

[22] McLaren's (1986) assertion that women's prisons 'replaced' refuges runs counter to historical record. Annual Reports, Ontario Sessional Papers and Langmuir's inspections of prisons, asylums and charities reveal that far from being obsolete, these institutions continued well into the 20th century. McLaren, "Chasing the social evil." Also see Sangster, Joan. "Incarcerating "Bad Girls": The Regulation of Sexuality through the Female Refuges Act in Ontario, 1920-1945." *History of Sexuality.* (1996) 7(2):239-275.

[23] Backhouse, Constance. "Nineteenth-Century Canadian Prostitution Law: Reflection of a Discriminatory Society." *Social History.* (1985) Vol. 18(36): 387-423. Page 416.

[24] Rotenberg, Lori. "The Wayward Worker." Page 61.

[25] Ibid.

[26] Foucault, M. *Power/Knowledge: Selected Interviews and Other Writings.* Edited by Colin Gordon. (New York: Pantheon Books, 1980). Donzelot, Jacques. *The Policing of Families.* (New York: Pantheon Books, 1979).

[27] Garland, David. *Punishment and Modern Society.* Oxford: Claredon Press, 1990).

[28] Hogeveen, Bryan. *Can't You Be a Man?: Regulating Wayward Masculinities in Ontario, 1860-1930.* PhD thesis. University of Toronto, 2003; Snider, Laureen, "Constituting the Punishable Woman. Atavistic Man Incarcerates Postmodern Woman." *British Journal of Criminology.* 2003 43: 354-378; Garland, David. *Punishment and Welfare: A History of Penal Strategies.* (London: Gower, 1985). Garland. *Punishment and Modern Society*; Smart, *Law, Crime and Sexuality.*

[29] Foucault, M. *Discipline and Punish: The Birth of the Prison.* (New York: Vintage, 1977); Foucault, M. *Power/Knowledge: Selected Interviews and Other Writings.* Edited by Colin Gordon. (New York: Pantheon Books, 1980); Foucault, M. "The Subject and Power." In H. Dreyfus and P. Rabinow, eds. *Michel Foucault: Beyond Structuralism and Hermeneutics.* 2nd ed. Chicago: University of Chicago Press, 1983). Also see others who have extended Foucault's analysis including Butler, Judith. *Gender Trouble.* London: Routledge, 1990; Butler, Judith. *Bodies That Matter: On the Discursive Limits of Sex.* (New York: Routledge, 1993); Hannah-Moffat, Kelly *Punishment in Disguise: Penal Governance and Federal Imprisonment of Women in Canada.* (Toronto: University of Toronto Press, 2001). Page 10. For an example see Dobash, Dobash and Gutteridge, who examine the disciplinary role of reformers in the normalization of women prisoners. Dobash, R.E., R.P. Dobash, and S. Gutteridge, *The Imprisonment of Women.* (New York: Routledge, 1986).

[30] Hannah-Moffat, Kelly *Punishment in Disguise: Penal Governance and Federal Imprisonment of Women in Canada.* Page 10.

[31] These categories are not entirely separate, however.

[32] Howe, Adrienne. *Punish and Critique: Towards a Feminist Analysis of Penality.* (London: Routledge, 1994). Page 3.

[33] Butler, *Bodies that Matter.*
[34] Hamilton, Roberta. *Gendering the Vertical Mosaic: Feminist Perspectives on Canadian Society.* (Toronto: Copp Clark, 1996).
[35] Sumner, Colin. "Foucault, Gender and the Censure of Deviance." In Lorraine Gelsthorpe and Allison Morris (eds.) *Feminist Perspectives in Criminology.* Milton Keynes Open University Press, 1990a). Page 28-29.
[36] However, norms are never repeated exactly. Judith Butler's concept of reiteration captures this point. See Butler, Judith, *Bodies That Matter: On The Discursive Limits of Sex.* New York: Routledge, 1993).
[37] Foucault, "The Subject and Power."
[38] Butler's elaboration of Louis Althusser's notion of ideological interpellation and her theory of materiality sheds light on this process. That is to suggest, being called an "erring female" brings into being a gendered subject, one that is socially constituted.
[39] Rotenberg, Lori. "The Wayward Worker: Toronto's Prostitute at the Turn of the Century." In Janice Acton et. al. (eds.) *Women at Work: Ontario, 1880-1930.* (Toronto: University of Toronto Press. 1974).
[40] Brock, Deborah. *Making Work/Making Trouble.* (Toronto: University of Toronto Press, 1996). Page 11.
[41] Smart, *Law, Crime and Sexuality* . Page 193-4.
[42] In other words, she is "the other woman." As we will see, the women who ran the Refuge distanced themselves from those they sought to reclaim. In this way, she is also "the othered woman."
[43] Carlen, Pat. "Virginia, Criminology and the Antisocial Control of Women." In T. Blomberg and S. Cohen. (eds.) *Punishment and Social Control.* (New York: Aldine de Gruyter, 1995). Page 220.
[44] Carlen, Pat. "Virginia, Criminology and the Antisocial Control of Women."
[45] The most recent example of this is the unsolved murders of over 53 women referred to as "prostitutes and drug addicts" from Vancouver's East Side.
[46] Iacovetta, Franca. "Gossip, Contest and Power in the Making of Suburban Bad Girls: Toronto, 1945-60," *Canadian Historical Review*, 80 (1999): 585-623. Page 591.
[47] Snider, Laureen, "Constituting the Punishable Woman. Atavistic Man Incarcerates Postmodern Woman."*British Journal of Criminology*. 2003 43: 354-378
[48] Smart, *Law, Crime and Sexuality.*
[49] Snider, Laureen, "Constituting the Punishable Woman." Page 355.
[50] I relied on archival material from various archives and collections including: the Ontario Archives, the Toronto Archives, Salvation Army Heritage Centre, Belmont Home records, Public Archives of Ontario (PAO), City of Toronto Archives (CTA), Salvation Army Heritage Centre (SA), United Church Archives (UC), Roman Catholic Archdiocese (RCA), Anglican Church Diocese, Griffin-Greenland Archives, at Queen's Street Mental Health Centre (GGA), University of Toronto libraries (UT), Toronto Police Museum and Archives (TPM), and the Canadian Institute for Historical Micro reproductions (CIHM), and private Belmont House holdings.
[51] Macdonell, Diane. *Theories of Discourse: An Introduction.* (New York: Basil Blackwell, 1986). Page 2.
[52] Foucault, "Subject and Power." Page 11.
[53] Diamond, I. and Quinby, L. *Feminism and Foucault.* (Boston: Northeastern University Press, 1988). Smith, Dorothy. *The Conceptual Practices of Power: A Feminist Sociology of Knowledge.* (Toronto: University of Toronto Press, 1990).
[54] Feminist discourse analysis goes beyond a simple analysis of various discourses which make up representations like the erring female by attempting to explain why women occupy certain subject positions. See Fraser, N. *Unruly Practices,* (Polity: London, 1989); Holloway, W. "Gender Difference and the production of subjectivity, In Henriques, J., W. Holloway, C. Urwin, C. Venn and V. Walkerdine (eds.), *Changing the Subject: Psychology, Social Regulation and Subjectivity,* (Methuen: London, 1984); and Butler, *Gender Trouble.*
[55] Smith, *The Conceptual Politics of Power.* Page 161.
[56] For more on methodological concerns around discourse see Mills, Sara. *Discourse: The New Cultural Idiom.* (London: Routledge, 1997). Also see Macdonell, *Theories of Discourse.*

[57] Iacovetta, F. and W. Mitchinson (eds.), *On the Case* (Toronto: University of Toronto Press, 1998). Also see: "On the Case: A Roundtable Discussion," *Canadian Historical Review* 81 (2000): 266-292.
[58] Such divisions or categorizations are heuristic and functional, not "real."
[59] Smart, *Law, Crime and Sexuality*. Page 55.
[60] Riley, Denise. *Am I That Name?* (London: Macmillan, 1988); C. Strange, *Toronto's Girl Problem: The Perils and Pleasures of the City, 1880-1930*, (Toronto: University of Toronto Press, 1995.
[61] Smart, *Law, Crime and Sexuality*. Page 231.
[62] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868, Page 7.

Chapter One
"Our Home is for Fallen Women": Constructing the Erring Female and Guardians to Save Her[1]

Introduction

During the early 1850s a small group of Protestant, upper-middle class Scottish and British women helped to construct an outcast group of "fallen women," among them prostitutes, drunkards, homeless or otherwise destitute women, as erring and problematic, and established an institution to rescue and reform them in Ontario, Canada.[2] By the 1880s the Toronto Magdalen Asylum (later called the Industrial House of Refuge for Females) had become an accepted site for the governance of female sexuality.[3] This chapter explores how the Founders of the institution legitimated their mission, to whom they spoke, and more importantly, who listened and why. It explores their shared sensibilities and the process which led them to see certain "types" of women as problematic, and examines the campaigns they mounted to deal with the social problem of prostitution using a maternal and Christian perspective. It demonstrates how they carved a niche for their institution and made a place for themselves among the Christian community, philanthropic elite, and general public of Toronto.

Evidence, primarily obtained from annual reports, illustrates how this group of women, initially known as "The Friends of the Magdalen Asylum," set up a refuge to reform prostitutes or potential prostitutes through training aimed at instilling in them Christian morality, domesticity, and femininity. Like American reformatories, as Nicole Hannah Rafter and Estelle Freedman have argued, the Refuge sought to fulfill the mutually reinforcing functions of sexual and vocational control.[4] As this chapter will show, the institution encouraged its primarily working

class inmates to adopt standards of respectability set by upper-middle class women, particularly the virtues of chastity, piety, sobriety, and domesticity. This programme distinguished the Refuge from other institutions of this period.

Prostitution regulation is a classic example of the gendering of vice. In the nineteenth century prostitution was not a rigidly defined indictable crime but a status offence, having to do with a person's lifestyle. Police had exercised considerable discretion to decide when to enforce the laws, and against whom.[5] Legislators passed statutes authorizing the arrest and detention of prostitutes as early as 1759 in Nova Scotia, 1839 in Lower Canada and 1858 in Upper Canada. An early Quebec ordinance read that, "[a]ll common prostitutes or night walkers wandering in the fields, public streets or highways, not giving satisfactory account of themselves" may be arrested.[6] In 1867, Canadian Parliament passed "An Act Respecting Vagrancy," which similarly singled out "all common prostitutes, or night walkers," and added all "keepers of bawdy houses and houses of ill-fame, or houses for the resort of prostitutes, and persons in the habit of frequenting such houses, not giving a satisfactory account of themselves" warranted punishment.[7]

Being a prostitute – or as a result of dress, demeanor or presumed flawed character, being suspected of being one – meant the possibility of arrest and punishment for any woman found in a public space who could not provide an "acceptable" reason for her presence.[8] Consequently, hundreds of working-class women found themselves detained by police, convicted by magistrates, and subsequently locked up each year.[9] In addition to harsh criminal law, nineteenth

century legislators employed different approaches. The first federal legislation governing female sexuality in Canada, the Contagious Diseases Act (CDA), was enacted in 1865. Although repealed in 1870, the CDA permitted the detention of women (read prostitutes) with venereal disease.[10] Between 1867 and 1917 criminal laws delineating prostitution grew from a small number of regulations directed against prostitution as vagrancy, to a more complex set of provisions that gave police wide powers of arrest and detention.[11] In other words, the net of social control over this "kind" of woman was made stronger and cast further.

Dominant mid-Victorian discourse defined prostitutes and those likened to them as "fallen women." The metaphor of the fallen woman permeated Victorian literature, art, and upper-middle class consciousness.[12] Judith Walkowitz argues that "once a woman ha[d] descended from a pedestal of innocence, she is prepared to perpetrate every crime" and lived in "the most abject poverty and wretchedness; subjected to the most loathing and painful diseases, their fate could only be premature old age and early Death."[13] Legal and state authorities, prison officials, and religious male elites constituted the female offender as beyond penitence and rescue. Police, magistrates, and judges saw prostitution as a crime of lifestyle, a female vice that signified sexual immorality. They shared the common presumption that prostitution undermined the morality of a growing nation and required a punitive response. The female prostitute, as the dominant culture constructed her, had fallen more deeply and was in greater need of punishment than male customers or male prostitutes.[14]

Ravaged by poverty, disease and alcohol, and subject to unrelenting police attention, scores of nineteenth century women found themselves detained in local jails and housed together with habitual male criminals.[15] At a time when bourgeois women were largely excluded from public life, the Friends of the Magdalen Society organized to provide an alternative to these circumstances. This pioneering group of Protestant reformers, comprised of women whose husbands belonged to Toronto's prominent business and political elite, were suspicious of this dominant penal approach to prostitution and troubled by the plight of the women caught by it. David Garland and Dorothy Chunn have both argued that a laissez-faire rationality, which viewed criminals as hedonistic, rational and calculating actors, dominated the era.[16] From this perspective of classical governance, all criminals – regardless of gender, age or circumstance – were to be punished. The Founders challenged this view, insisting that incarcerating women was an ineffective strategy to thwart prostitution and, more importantly, that such women deserved Christian sympathy and maternal compassion.

In keeping with their view that the female prostitute was a prime candidate for social and moral reform, they argued that a different form of detention was needed. The women who became the Founders proposed a "home for fallen women" which would be a place of safety that would offer moral, religious and domestic training.[17] Their reform-oriented understanding of female offenders was based on the tenets of Protestant Christianity, stressing that such women were more sinned against than sinning. Their model was no less a figure than Mary

Magdalene who, according to the New Testament, Jesus Christ befriended and saved, curing her of evil spirits "from whom seven demons had come out."[18]

The general public of mid Victorian Toronto looked at work with women involved in, or suspected of falling into, prostitution with suspicion.[19] To convince a Bible-reading, church-going Protestant community of the necessity of the Refuge, the Founders' choice of Mary Magdelene was a clever one because they envisioned their work as going beyond the confines of an evangelical calling.[20] Instead, they designed a response to the "fallen woman" based on the assumption that she required not only Christian compassion, public sympathy and benevolent assistance, but also maternal guidance and discipline.

This chapter sets an institutional framework by explaining how, when and why the Toronto Magdelen Asylum emerged from the claims of a small group of Anglo-Protestant female reformers bent on dealing with the social problem of prostitution and "female vice" from a Christian vantage point. The chapter examines the discourses that the institution's Founders drew upon to legitimate the Refuge. Power operates not only through various practices that mark, segregate, and control a population, but through the construction of particular forms of knowledge.[21] In this Chapter I interrogate the complex power/knowledge relations between claims, authorized knowers, and strategies for control, regulation, and punishment at the Refuge. The women who organized the Refuge exerted a form of power in constructing the erring female as in need of rescue and reform.[22] Put simply, she required protection. The Founders used such knowledge claims to justify practices that intervened in the lives of women

with (presumed) fallen characters. They constructed their own particular representation of the erring female as belonging to an "outcast class" of prostitutes or potential prostitutes. This construction was imbricated in the simultaneous constitution of themselves – Protestant, upper-middle class women who possessed the right combination of maternalism and Christian benevolence – as the most suitable guardians to rescue and reform her. The image the Founders had of themselves was dependent, then, on the women they sought to help.

The chapter is organized into three parts. Part One traces the socio-historical context in which the Refuge emerged. Part Two explores three main concepts used by the Founders to legitimate their efforts to establish and sustain the Refuge: the problem of the erring female; Christian stewardship; and maternal guidance and discipline. Finally, several crucial silences surrounding the Refuge's discourse are identified: the rationales the Founders did not use, the ways of understanding prostitution they rejected; and the women they deemed beyond the pale of rescueability.

Socio-Cultural Climate and Historical Conditions of Nineteenth Century Ontario

The Refuge was launched when Canada was a collection of colonies under British rule – a colonial state in its infancy. That is not to say that governments altogether avoided questions of social welfare until the 1880s.[23] Toronto's Protestant poorhouse, "the House of Industry," was established in 1837 as a

workhouse or correctional institution to aid "deserving poor."[24] However it soon took on the role of almshouse providing outdoor relief (e.g. food) and indoor relief (e.g. shelter). Although largely a private institution maintained by subscriptions, the House received a yearly grant from municipal and provincial governments.[25]

Upper Canada in 1800 was sparsely populated and primarily agrarian. By the end of the nineteenth century immigration, urbanization, and the growth of capitalism changed the economic, political, and cultural terrain and an industrial society had taken hold.[26] Mid-Victorian York (later Toronto) had become a key locale for state formation and nation building.[27] Several feminist historians have argued that understanding the intersection between a changing socio-political climate and new economic conditions helps to make sense of the control, regulation, and punishment of errant female sexuality.[28] An influx of immigrants, growing poverty, emigration from rural areas to the cities, a rise in crime rates, and the increased visibility of prostitution contributed to the establishment of the Refuge.

Nearly 100,000 immigrants, primarily Irish and Catholic, fled to Canadian shores during the potato famine of the late 1840s.[29] Between 1896 and 1914 three million immigrants would arrive in Canada.[30] The difficulty of finding paid employment in a new land and the meager wage offered to women forced many Irish Catholic women, impoverished and socially dislocated, into prostitution.[31] As Jim Phillips has shown, during the 1850s and 1860s Irish women made up almost 90% of the females imprisoned for crimes of vagrancy, drunkenness, and prostitution.[32]

Between 1880 and 1920 Canada's urban population grew from 1.1 million to 4.3 million (from 25% to 50% of the total population).[33] The population of Toronto almost doubled from 96,196 in 1881 to 181,220 in 1891.[34] With urbanization came industrial expansion in cities and towns. Richard Splane argues that Ontario was the chief region to benefit or be affected negatively (through the proliferation of crime and disease). The number of employees in industrial establishments rose from 87,000 in 1871 to 166,000 in 1891, "the amount paid in wages went from 21.4 to 49.7 million dollars, and the industrial output mounted from 114.7 to 239.7 million dollars."[35]

As capitalist production expanded, the working class grew rapidly in urban centres, particularly in Toronto. So too did the perception of a "working class problem" among Toronto's political elite. After being elected mayor in 1886 W.H. Howland created a morality branch with sweeping powers, led by Staff Inspector David Archibald. Under the close eye of Mayor Howland, Toronto's Police Force expanded in response to growing rates of poverty, crime and vice. By the 1880s, the Morality Squad had become the most visible response to every social problem. The police played a key role in disciplining what the philanthropic elites came to understand as "the dangerous classes."

Toronto's reform minded were quick to find a scapegoat for the problems of the "City of Sins and Sorrows."[36] Although their claims of moral decay were often directed to the problems of urban life such as crime and poverty, female sexual (im)morality soon became a key target for reform.

Prostitution symbolized the growing problems of nineteenth century urban Canada.[37] While "out of control" working class male youth also captured the ire of the middle classes at this time, the "boy problem" was primarily couched in languages of aggression and masculinity and was more likely to be seen as a class issue than a gender problem. For women and girls, the temptations of the city, or its "impure sexual allure," took on a distinctly female character.[38] More houses of ill repute were established and impoverished women began soliciting on city streets, increasing the visibility of prostitution.[39] With much ease and little dispute, laypersons, members of the clergy, and politicians constructed prostitution as a female problem. The character and lifestyle of the female prostitute was seen as an offence against Christian standards of female respectability.

Until the late 1840s, North American women were in local lockups and city gaols confined alongside male "hardened criminals." Female officials in the early 1850s supervised female prisoners in makeshift wings of mixed prisons. Male prison reformers, like J.W. Langmuir, Inspector of Prisons and Asylums, and Globe editor and Commissioner George Brown, raised concerns about overcrowding and the lack of classification with regard to male prisoners.[40] Female offenders were largely considered "too few to count."[41] However, following England's Elizabeth Fry, some women became concerned about the women crowded within the walls of local gaols.[42] The idea of providing separate reformatory institutions for such women first materialized on North American soil in the American women's reformatory movement, which began in 1840 and

peaked between 1870 and 1920.[43] In Canada older methods of male control, guided by established classical liberal ideas about prostitution, did not lose ground until the mid-1870s. While the American reformatory movement influenced the role women came to play in the development of Canadian refuges, the Toronto Magdelen Asylum predated the government's establishment of the Andrew Mercer Reformatory by twenty one years. As we will see, the ideal of proper female sexuality was tied to the development of a budding Canadian nation state. The Refuge was one of the first privately sourced institutions in Canada established for the dependent, defective, or delinquent classes and also one of the earliest examples of women governing women.

Underlying the Founders' campaign was their sense of Christian duty to solve moral problems and their belief that being female provided them expertise needed to intervene in such matters. They relied on this "innate woman's knowledge" to justify their particular suitability to enter this sphere and address these issues. In this socio-cultural climate these upper-middle class, Anglo-Celtic reform-minded women founded an institution for the moral reformation of prostitutes and other working-class women whom they saw – because of intemperance, promiscuity or abandonment – as women in danger of becoming prostitutes. In effect, this project meant evaluating working class women according to their perceived distance from the female working class vice *par excellence*, prostitution. As Estelle Freedman explains, "the line that separated the pure woman from the fallen woman demarcated privilege on one side and degradation on the other."[44]

The origins of institutions like the Refuge must be located at the nexus of gender, class, and ethnic relations. In the context of widening class and ethnic divisions, new fears of social degeneration (the latter fed by declining birth rates among Anglo-Saxon Protestants versus non-British immigrants) and Victorian gendered roles and expectations the Refuge emerged.[45]

Magdalene Homes and Refuges in Europe

The search for institutional solutions for the problem of the erring female can be traced back to private institutions established overseas.[46] Although the first female penitentiary had been established in Paris during the thirteenth century, this approach was regarded with suspicion in the British Isles until the late eighteenth century.[47] At this time, prison populations rose and subsequent overcrowding led to renewed concerns about the situation of young female offenders, in particular, their "contamination" by confinement with hardened (male) criminals. As Mahood argues, this did not mean that reformers lost faith in the "reformative potential of detention; on the contrary, they fully endorsed the detention of 'fallen' women, provided that they were not incarcerated with 'criminals.'"[48] In response, a group of clergy, businessmen, and local state representatives (with only the peripheral assistance of upper-middle class women) established separate, non-statutory institutions called "magdalene homes." Their main purpose was to divert young women away from prisons and poorhouses.

Gradually, reformers across Europe created similar institutions, such as refuges, reformatories, and intermediate prisons (to receive women released from convict prisons) to confine and train working-class women. The first female penitentiaries in England appeared during the late eighteenth century. The first Magdalene Hospital opened in London in 1758, followed by a lock asylum in 1787, the London Female Penitentiary in 1807, the Maritime Penitent Refuge in 1829, and the London Society for Protection of Young Females and Prevention of Juvenile Prostitution in 1835.[49]

A predominantly male organization established Scotland's first female penitentiary, aptly called the Edinburgh Magdalene Asylum, in 1797. The institution was originally designed for women of all ages recently discharged from prison.[50] In its second year of operation, a Ladies Committee was formed to oversee inmates' work, dress, and conduct. In 1815 Scotland's second women's institution, the Glasgow Asylum, was built to accommodate 34 inmates.[51] Here a formal Ladies' Committee was not established until 1861 and women were not permitted to sit on the Board until 1913.

Between 1840 and 1870 working class women in the British Isles were, according to Dobash, Dobash and Gutteridge, subjected to a "wide interlocking carceral network."[52] By 1900 there were 70 female refuges in the UK, and at least twenty in Scotland. The Scottish and British strategy involved persuading women to "voluntarily" incarcerate themselves in a magdalene asylum, where they would undergo a strict regime of moral education and industrial training. With the image of Mary Magdalene as their guide, "churchmen" set out to reclaim

fallen women. Mahood argues that male Scottish moral reformers used their roles *as professionals* (doctors, lawyers and ministers) to legitimate their participation in the public discourse on prostitution.

The story of the Canadian Refuge is one of beginnings and borrowings. By 1853, the women who would become the Founders of the Toronto Industrial Refuge had developed a similar, yet distinct, rescue and reform strategy on Canadian soil. That is, they borrowed ideas from Scotland and England, but they also fashioned the institution for the specificities of Toronto.

The Emergence of the Refuge: Humble Beginnings to Institutionalized Rescue

Religion played a key role in all forms of nineteenth century humanitarian action. From the earliest days of European settlement, the Roman Catholic Church in Canada developed health and welfare institutions to serve the Catholic community. Paula Maurutto, who examined the role of the Catholic Church in charity provision from 1850 to 1950 in Toronto, found that a highly developed and increasingly bureaucratic complex of Catholic services had emerged by the twentieth century.[53] However, the majority of citizens in Ontario were Protestant.[54] Many different Protestant denominations, eventually working together, provided similar services for Protestants.

Internal documents at the Refuge trace its roots back to the 1830s and the unease of male physicians, such as Rev. Dr. Robert Burns, (who would later become an advisory board member) about the discharge of "poor outcasts" from

prisons and hospitals "homeless and friendless."[55] He was concerned about their anticipated return to a "life of vice and misery."[56] This initial spark of the reform impulse was soon followed by the initiative that led to the establishment of the Refuge, which can be attributed to a little known moral entrepreneur, Elizabeth Dunlop.[57]

In the winter of 1852, this upper middle class woman and wife of a prominent Toronto businessman, moved by pity for women who had drifted downward or were dragged there by others, argued that ways needed to be found to reform "that class of women, outcasts from society, [who] infest our streets."[58] Dunlop and her supporters asserted that "numerous female outcasts" wandered the streets in "hopeless wretchedness," only to crowd the police court and prison, "corrupting and being corrupted."[59] "Determined in the strength of God to provide a refuge for them," Dunlop believed it her duty "not only to rescue the early victim of the destroyer, but to reclaim the more obdurate and hopeless of that unhappy class."[60]

Dunlop organized a group of like-minded women including Robert Burns' wife, Elizabeth.[61] Mrs. Elizabeth Burns appears to have had extensive knowledge of the Magdelen homes in Scotland and England. "Remarkable efforts in London, England, to rescue fallen women" were cited to enlist sympathy and gain legitimacy for their plan.[62] She and Dunlop recruited Mrs. Jane Ewart Mowat, the wife of Sir Oliver Mowat, long-term Liberal Premier of Ontario.[63] The women then secured the support of politicians and interested philanthropists; they began to

find homes for "fallen" women and to secure employment as servants with private families.

Soon thereafter, the small group declared such efforts inadequate, and embarked on a more ambitious plan to meet the "wants of this class and relieve their distress."[64] In the name of their Christian belief in saving lost souls, they asked: "can nothing be done on a more enlarged scale to save them from present misery and everlasting ruin?"[65] These events were later reconstructed by Mrs. James Lesslie, one of Mrs. Elizabeth Burns' oldest friends:

> On my arrival in Toronto, April 1853, Mrs. Burns called on me, and asked my co-operation in *Christian work*, especially that of prison visitation and the formation of a Magdalen Asylum. At that time there were no visitors to the jail, and everything there was in a very bad state. We recommended the appointment of a matron by the County Council, and were allowed by them to make the choice of one, who retained that position for seventeen years ... Quite a number of female prisoners, of *very bad character*, were removed to the Madgalen Asylum from time to time, some of whom are monumental in the grace of God, and are now members of Churches in the city.[66]

The group of women met at the Toronto home of Rev. Sanson, the pastor of Holy Trinity Anglican Church.[67] Here they decided to form a Society for the purpose of "bringing back many a hopeless wanderer to the parental or domestic home, to virtue, industry and comfort and some to the hope and blessedness of the Christian life."[68] The "Friends of the Magdalen Asylum" came together in the

summer of 1853 with the goal of providing institutional care and rehabilitation to would-be prostitutes and those likened to them. The Founders, many with Scottish roots, argued that the efforts and successes "in the mother country to root out the social evil" motivated their own.[69] Like their Scottish counterparts, the Founders drew on Christian and Victorian discourse to construct a "cult of sentimentality" around the prostitute, seeing her as more sinned against than sinning.[70]

Together they interested their prominent husbands. The Friends quickly elected an all male "Board of Gentleman," drawn from Toronto's upper-middle class business, religious, and political elite, and appointed an all female "Committee of Ladies" from Protestant churches in the city.[71] The first Ladies Committee included Mrs. Dunlop, Mrs. Dr. Burns, Mrs. Lesslie, Mrs. Arnold, Mrs. Brett, and the Hon. Mrs. De Blaquiere (wife of Justice Blaquiere) and 23 others, all but one were married women.[72] The Board of Gentlemen[73] included prominent Toronto citizens and politicians such as George Brown and Chief Justice Haggerty (also a proponent of the failed industrial school movement of 1860s), clergy such as Rev. Dr. Burns (also a well known professor at Knox College) and Rev. Sanson,[74] plus medical authorities like Dr. Francis Badgley.[75] Several other husbands were members of the Board, including James Lesslie, R.H. Brett, and John Arnold. Arnold, a prominent lawyer in Toronto's business community was named president of the new institution.[76]

On 20 March 1854 these men and women held the first Annual Meeting for the "Friends and Subscribers of the Toronto Magdalen Asylum" in the Hall of

the Mechanics' Institute. John Arnold was called to Chair the meeting. In keeping with the religious underpinnings of the institution, the proceedings opened with a prayer. The object of the meeting, in Arnold's words, was "to give an expression of opinion as to whether the measure of success already vouchsafed was to warrant the Board's taking steps to place the institution on a more permanent footing."[77]

Shortly thereafter the Society rented a small two-story house at 112 Richmond St., one of Toronto's principal streets – also known as the location of infamous houses of ill fame.[78] On 13 May 1853, they admitted the first inhabitants, and the work of the Toronto Magdalen Asylum began. During the first decade the Refuge "took on very much of the character of an experiment."[79] Several months went by with only two inmates, but by year's end nineteen women lived in the Refuge.[80] Of the original nineteen women eleven remained the next year: one ran away, one was expelled for breaching the rules, two were returned to live with friends, one was sent to the House of Industry, and three were placed as domestic servants in upper-middle class homes. By the summer of 1860 the Refuge was sufficiently well-established to move to a large building – capable of accommodating 50 – on three acres of land in what is now Yorkville (a more desirable area of town). In 1861 the residuary legatees of the late Dr. Burnside, a medical practitioner in Toronto, purchased the property and gave it to the charity as a gift.[81]

During the 1850s and 1860s, the Refuge received minimal public monies, however it often requested funds from the Toronto City Council. Under the name

Female Protection Society the Board presented a petition on 8 May 1854, and on 4 September 1854 the Council recommended giving the Society 50 pounds. Almost every year thereafter John Arnold and others sat at city council meetings "praying for renewal of [a] grant in aid of the society."[82] In addition, on 30 March 1857 the female Committee made their first application, signaling their readiness to play an active public role in garnering support. In response to pleas from Mrs. McCutcheon, Dunlop, and Wilson the institution received an additional grant of 50 pounds. In addition, on 8 June 1857 the Standing Committee on Police and Prisons approved the Lady Directresses' request for a grant of 5 acres of land on the outskirts of Toronto, purchased by the City for an industrial farm, and gave them "a lease for 999 years at a rent of one penny/annum."[83] The approval came with the following conditions: "1st that the institution continued under management as at present ... and for purpose mentioned [that is, with women at the helm]...; 2nd that the institution be non-sectarian in its character but Protestant in direct and management" [that is, retaining its religious emphasis].[84] The Founders had achieved their first major success, indicating the importance of Christian women in rescue work.[85]

During its first decades of operation the Refuge relied on volunteer workers, public support, and charitable donations obtained through door-to-door canvassing. The Ladies Committee of Management, comprised more than 20 female members, supervised the day-to-day operation of the Refuge. The Committee sought advice from the male board on finance, fund raising, construction, and other areas related to the overall management of the institution.

But in 1857, the Committee began to nominate "female directresses," which replaced the male board of Directors. The male members became a liaison committee whose primary role was financial and the Directresses assumed direct control over the Refuge. After hiring a matron and staff in the 1860s, the Ladies Committee took on a more administrative and organizational role. The institution itself began to take on a more bureaucratic tone than in previous years.

The Founders continually debated the appropriate name for the institution. In 1857, they proposed to change the name to "female reformatory," but holding onto their Scottish roots they determined to retain the name Magdelene Asylum. In 1858, the Refuge became incorporated as the Toronto Magdalen Asylum and Industrial House of Refuge.[86] They added the phrase "Industrial House of Refuge" to Magdalen Asylum because this name offered the Committee more discretionary power over admissions (i.e. women who were not penitents), and because it better described the class of women who entered the institution (which included those arrested for crimes such as theft and drunkenness). This name change was also strategic. According to Secretary Burns, "as the size of the city and the limited number of penitents would not warrant a separate institution."[87]

Throughout this period the Committee primarily determined policy, raised funds, and developed recruitment strategies. Although they oversaw the internal affairs of the institution, these pursuits distanced them from the day-to-day work of reforming erring females. For this task they hired female matrons.

To recruit prospective inmates the Members of the Ladies Committee regularly visited jails and detention centres. In this they led the way. An

alternating Visiting Committee attended the Don Jail regularly to meet with incarcerated women and try to induce them to enter the Refuge upon their release.[88] According to internal records, "[t]he visitation of the prisoners in the jail became an important duty to find the victims and outcasts requiring its aid."[89] One faithful visitor, Mrs. Lesslie, recorded in her diary many of the visits she made with Mrs. Topp and Mrs. Burns. Entries began with phrases like "five women promised to enter the Refuge when they left the jail" or "three women" or perhaps "one woman." In her own words:

> They who express such a desire are waited upon by the matron of the Institution on the day of their release, and conveyed to the Refuge, as the monsters who trade in female dishonor and suffering, are too frequently waiting to lead the poor homeless outcast into the paths of the destroyer.[90]

In the early years the Refuge faced no competition from other organizations for inmates; rather, their competition were those "monsters" who led unwilling victims to the street and into prostitution. In the early years, a "good candidate" for admission was one who was willing to voluntarily enter the Refuge and be subject to its governance. According to Rule for Management #3:

> Great care must be exercised in decided upon applications for admission: guarding, on the one hand, against receiving those who, from caprice or from the temporary advantages afforded, seek only a temporary lodging; and, on the other, endeavoring to afford the means of reformation to every fallen woman, without reference to creed or origin, who seriously desires to amend her life.[91]

The Visiting Committee saw many women imprisoned not only for prostitution related offences, but for theft, drunkenness, and other crimes. While they viewed some of these as "hardened in vice," others they deemed rescueable: still young, they had "taken the first step to destruction."[92] The Ladies contended that such women "could not with propriety be taken to a magdalene asylum yet their degraded status barred them from "situations of responsibility."[93] They decided that such women required protection and admitted them. However, in 1857 the Founders added a clause to the constitution that stipulated only "degraded and fallen women" could be received, clarifying and narrowing their mandate.[94] For the Founders this meant that the Home would accommodate only those women whose situation arose from external circumstances – that is, from no fault of their own. The official change in name better reflected their practice of allowing such women the possibility of entry.[95]

With non-statutory female penitentiaries now well established in England and Scotland, Toronto's Christian female elite not only had grounds to justify a separate institution for erring females, but a model to follow. Although they saw the institution as reformatory in nature, the Founders distanced it from the punitive taint of a reformatory or penitentiary, emphasizing the Refuge as a benevolent, Christian home.[96] Their strategies yielded positive results: from its humble beginnings in reformers' private homes, they launched a reform project that would last 86 years and would house approximately 3000 women and girls.

Reformers' Claims to Establish the Refuge

This section examines the claims the Founders made to establish the Refuge in 1853 and to ensure its survival through the Era of Origin (1853-1879). Their claims to legitimate the institution centred on three themes: 1) prostitution and the problem of the erring female; 2) Christian stewardship; 3) maternalism. The following discussion explores how each theme was interwoven in the Founders' argument on behalf of the Refuge and demonstrates how the Founders positioned themselves as authorized knowers.

Prostitution and the Problem of the Erring Female

"Vice pollutes the moral atmosphere, then, is the call for an antidote."[97]

The Founders presented the Refuge as a solution to what were widely viewed as the linked problems of prostitution and intemperance. The Founders did not focus their attention on the *causes* of crime and poverty in the city, but on one main *consequence:* namely, the presence of working-class women on the streets, in houses for prostitution, and in gaols. Given that the Founders made sense of the problem of prostitution as a problem of female vice, it is not surprising that they argued that intervention should be directed at female prostitutes themselves (or at those girls they presumed, by their dress or demeanor, to be heading down a path of vice). While they inferred manifestations of poverty, crime, and destitution from women's appearance, dress, behaviour, and attitude, these only mattered insofar as they signified the moral character of each woman.

The Founders saw the problem of the erring female as inextricably linked to the changes in broader social and economic context. They exclaimed: "It is a sad startling fact that as population and prosperity increase so do vice and crime."[98] The Founders presumed that a "sea of misery, degradation and sin" existed in Toronto.[99] To their minds, vice was not an inevitable outcome of a growing nation, but an outgrowth that could be removed. The solution was to reform the immoral characters that so many working-class women had developed. Thus, fallen women needed a home, one that could protect them from the evils of the city. While the Founders displayed more sympathy than did male law-makers to the plight of working-class women, they echoed Law's reading of prostitution and identified prostitution with the women who sold their services, not with the men who bought them. For them, the secular and moral roots of prostitution indicated only a *moral* problem, one that required a *moral* remedy. In making their claim they pointed to the small number of charitable institutions in the city.[100] Despite growing problems of crime and poverty, or as the Founders put it, "the sight of wretchedness and the great waywardness of these 'poor creatures,'" little assistance was available.[101] Surely, the Refuge could fill this gap.

The Founders believed that internal biological or mental defects were sometimes contributing factors to prostitution, but they emphasized women's characters were primarily shaped by their external environment. They believed that exposure to "evil environments" was the chief factor that contributed to a woman's downward turn. Contrary to later discourses that equated prostitution

with feeblemindedness and sexual licentiousness (Chapter Four), the Founders saw prostitution and sexual immorality not as *causes*, but as *consequences*. This does not mean that they did not buy into the dominant constructions of prostitute women as "sexually loose," (or, later as "feebleminded" or "wayward"), but rather that they emphasized that, without good moral influences, women would find opportunities to interact with loose company, take stimulants, and thereby slide or be induced into prostitution.

The Founders acknowledged that social structures and poverty compelled some women onto the streets, but stressed their lack of feminine virtue over their lack of economic or social opportunities. The erring female was problematic because she defied "proper" female sexuality according to prevailing views of femininity. Annual Reports contained vivid detail of the problems she caused to herself and society. Phrases such as a life in "abounding iniquity,"[102] "the great depth of sin and sorrow" or "great waywardness"[103] painted the women's troubles in broad strokes, but when used alongside constant attention to women's vice they failed to mask their gendered quality. It went against Christian morality to sell one's own sexuality. "We must never forget," they proclaimed, "that many girls when 'out of place' have no homes to go to, and are driven, from want of funds to pay for respectable board, into wretched hovels, which are in most cases the haunts of vice."[104]

The Founders also identified intemperance as a causal factor.[105] They considered sobriety a virtue many erring females had not found. Not a decade after the inception of the Refuge, the Secretary explained that it was a "sad truth

that a very large portion of fallen women are drunkards."[106] This "fatal habit" constituted one of the chief barriers between their ruin and their "return [from ruin] to the paths of virtue."[107] The Founders saw habits of drinking as almost "impossible to get rid of."[108] Thus, they believed that many girls were led to ruin by "a love of dress and gay company, and a love of stimulants" followed.[109] These were loose woman who stayed out at night instead of remaining chaste and submissive. While such women may have been responding to the stress and strain of marginalization (rather than intentionally bumping up against middle class sensibilities of gender and sexuality), they surely offended the standards of respectability held dear by the Founders. As Mary Odem argues, these women challenged the gendered sexual mores of the middle class.[110]

Although the Founders envisioned the Refuge "for the rescue and reformation of prostitutes," their work reached beyond those who actually engaged in sex work. They considered an appropriate candidate for reformation to be any woman of suspect character, any wayward girl likened to "the prostitute" or deemed in danger of becoming one. This suggests that the Founders were on a moral mission to rid women of their habits of sin and provide them with a more virtuous course. Annual reports and public speeches given by Board Members directed considerable attention, especially in the early years, toward constructing an "erring female" in need of rescue and reformation and a suitable candidate for the Refuge's reform programme. This distinction underlined the moral gulf between those seen as part of the problem, and those who offered solutions.

While, in their own words, "the seat of depraved habits lives in the heart," it could be renewed with the right intervention.[111] To support the claim that their work was beneficial and necessary, the Founders pointed to examples of inmates, like Sarah H. Sarah entered the Refuge in the late nineteenth century of "her own free will" at age 34. An English, single, domestic living in Toronto, Sarah had one child and was described by one Refuge staff member as "immoral." Others, like Lizzie G, similarly deemed "good hearted, but immoral" were held as exemplary candidates for reform. The Founders characterized erring females like Sarah and Lizzie as essentially good, but heading on a "downward path,"[112] of "sin and temptation" brought on by prostitution or intemperance.[113]

As will shortly be demonstrated, the Founders believed in their God-given ability to deal with the problem of the erring female through nurturance and guidance and rationalized their suitability to establish the Refuge on this basis. In this way it is easy to understand how the Founders justified their work in the context of secular concerns about the problems of the city (prostitution and the erring female). However, they also did so in the name of compassion, benevolence, and sentimental Christianity.[114]

Christian Stewardship

Although we do not pretend to reach the fountain head to prevent the evil, we are thankful for any breakwater against the flood of iniquity that is coming in. It would be a great stigma upon our Christianity if we made no provision for the fallen and the friendless.[115]

Mary Douglas' study of changes in American Protestantism traces development of a sentimental Christianity in the 1830s and 1840s that replaced a harsh

Calvinist theology and thereby changed the face of evangelistic Protestantism. A second and equally significant rationale can be located here in the Founders' insistence that fallen women needed teachings in Christianity. Not only was a good woman temperate and chaste, she was also Christian. Christian stewardship, like evangelism, operated on the principle that "fallen women" required a Christian conversion in order to correct their moral shortcomings. The former, however, focused on a more sentimental Christianity, one that softened and feminized the face of Protestantism.[116]

According to the Founders the typical erring female had a "guilty past" where she had engaged in "bad practices." They directed their work less toward "her sinful purpose" (prostitution) and more to steering her away from a "career of sin" by focusing on its alternative, that is, a god-loving life consistent with her working-class station.[117] The Christian character through which the Founders interpreted gendered behaviour is evident in their depictions of the sinful nature of prostitution, or "vice and infamy" through references to women's "past," "vicious," or "evil" courses.[118] The erring female had defied gender expectations and only by learning lessons in Christianity – particularly about piety and submissiveness – could she be saved.

Dominant religious discourse among mid-Victorian Christians (both Protestant and Catholic) reinforced the notion that those who lost the priceless jewel of virtue – chastity – were (and could only be) female. In other words, males were not held to the same standards of Christian morality or respectability as females. The Founders were concerned that the lack of religious influence in

the lives of fallen women led to their non-virtuous behaviour. Environments of "wretchedness and ruin" that contained "idleness and vice of every sort" failed to provide such women with the shield that could be found in Christianity.[119] According to the Founders such environments offered insufficient "early religious training and wholesome parental discipline."[120] Motivated by their belief in eternal salvation for repentant sinners, reforming the earthly character and behaviour of women simultaneously protected them from eternal damnation and saved their lost souls from spiritual death. The Founders argued that the Refuge was capable of rescuing fallen women and reclaiming "the more obdurate and hopeless of that unhappy class."[121]

As did Jesus Christ, the Founders believed each potential candidate was, in the image of Mary Magdalene, a repentant sinner. Their task of saving each magdalene was conveyed by their decision to name the institution "Toronto Magdalen Asylum:"

> The name of the Institution must commend its object to every Christian, benevolent heart. We have *divine and scriptural authority* to sanction our efforts – Jesus was the friend of sinners and His precious blood was shed for them, and made Mary Magdalene a pardoned sinner.[122]

The work of the Refuge, as they proposed it, was "a labour essentially Christian."[123] The Founders rationalized their work in the name of Jesus Christ who came to "seek and save that which was lost," and welcome the socially undesirable.[124] Like Christ, they articulated their task as cultivating the "most arid spot of moral desert."[125] Reformation work of this kind required "a shelter where

they will not be beset by temptations, and where they may be led to live honest, Christian lives."[126] Only the Refuge could provide the "benign influence of Christian sympathy and truth" needed to rescue and reform the erring female.[127] Their kind, Christian influence would bring fallen women to "see the error of their ways and return to a virtuous path."[128]

The importance they placed on the Christian aspect of their work can be seen in their reliance on the tract, "The City, Its Sins and Sorrows," written by Dr. Thomas Guthrie, a long-time supporter and friend of the Refuge.[129] In this book Dr. Guthrie expressed the fears and concerns of the women who established the Refuge, arguing that the proposal for a Refuge was exactly the preliminary step required to respond to what he referred to as "the depths of a city's sins and a city's sorrows."[130] He described the Refuge as "a new effort for the reclamation of fallen women, and the protection of such, as are willing, Magdalene like, to bathe Christ's feet with tears, and wash away their deep sins in his blood; we have procured accurate statistics of the extent of this great sin and sorrow of our large cities."[131]

The Founders saw their work as attempting to bring the erring female back under a father's, husband's or matron's control.[132] They based their claim to authority on their belief that as good, moral Christian women they possessed the special knowledge and skill needed to create virtuous characters out of fallen women. Their rhetoric presents their self-proclaimed expertise as the basis for their claim to legitimacy. However, their status as authorized knowers was not merely bolstered but largely granted as a result of their connection to male elites

and their upper-middle class privilege. That is to suggest, that not only patriarchy but class held significance here. In addition, they based their knowledge claims on religious authority. Not only did the Founders believe they had the moral authority for reform, they also possessed a spiritual power that entitled them to exercise considerable autonomy in a public sphere and religious community largely dominated by males.[133]

The Founders also used more secular grounds, when necessary, to justify the inherently Christian nature of their work. They argued that, by working to reclaim the erring female as a Christian, they were also working toward rooting out the social evil for the city. As the discourse of maternalism held, "good" Christian women did not prostitute themselves.

Maternalism

Maternalism constituted the gendered grounds through which the Founders legitimated their claims on behalf of the Refuge. The discourse of maternalism implies that women have a natural capability specific to their biological sex to care for others.[134] According to Kelly Hannah-Moffat maternalism refers to the "mobilization of a particular image of motherhood in combination with other rationalities."[135] Other authors such as R. Bloch argue that, during the mid-nineteenth century, evangelical perspectives of motherhood stressed the religiosity and moral superiority of women.[136] In line with this, the Founders also drew on evangelical images of motherhood that epitomized such Christian values and feminine graces as purity, as well as domestic skills.[137]

As in Britain, the role of women as housekeepers of the state gained prominence in nineteenth century Canada.[138] While the logic of maternalism was not pervasive in social governance of women until the late nineteenth and early twentieth centuries in Canada, we can see its origin with the Refuge, as reform-minded women recognized their role not as sisters equal to the "fallen of their sex," but as superior "mothers."[139] The Refuge was premised largely on women's superior ability and obligation to mother and nurture those in need of protection. As they put it, they were: "those who have been chosen for their strong Christian womanliness."[140]

Feminist authors have drawn out the connection between maternal feminism and the notion of Christian stewardship. Wendy Mitchinson argues that the Woman's Christian Temperance Union (WCTU) molded their political activities after the Protestant church and justified their role as 'social housekeeper' in terms of their role as guardians of the home.[141] Similarly, medical missionaries in Veronica Strong-Boag's study of being female during the twenties and thirties in Canada were guided by a belief in their racial, religious and overall cultural superiority over people from China and India.[142] The cultural and social imperialism of the British Protestant way of life is demonstrated in Barbara Roberts' work on the emigration of female domestic servants.[143] Roberts argues that the Protestant ethic provided support for maternal reformers' emigration work. Similarly, Joy Parr examines child emigration work as moral rescue derived from evangelical beliefs, arguing that the operation of Christian stewardship can be found in the principle that children needed personal and

experiential conversion to correct the moral failings of their upbringing.[144] Nicole Rafter aptly describes this process when she argues that the very concept of an institution dedicated to the rescue and reformation of women over 18 was rooted in the perception of women as child-like creatures.[145] In the case of the Refuge, working-class women were infantilized, while the upper-middle class women engaged in the work of rebuilding their characters adopted the role of mother. As we will see, The Founders invoked maternalism to make specific claims about why their special role as mothers gave them the duty and the right to participate in the public sphere.[146] They also emphasized the need for gendered strategies based on the feminine values of domesticity, purity, and chastity to define and legitimate their reform initiatives and institutional techniques.

The unique role maternalism played in the Canadian context had much to do with the role of women in building a nation of white, Protestant citizens.[147] Recall that in the British Isles male elites organized the first refuges, with women playing only a peripheral role. According to Linda Kealey, maternal feminism in Canada arose from a middle-class milieu in which women came to question, on the one hand, the viciousness and misery of working-class existence and, on the other, the frivolity of upper-class social life.[148] To reformers like Dunlop, working-class women were not themselves a moral menace, but had for various reasons become entangled in urban decay.

The cult of domesticity, an idealized version of home and family life, became a recurring image in Victorian perceptions of femininity.[149] For the Founders (lack of) domesticity was a key explanatory factor in a woman's fall and

(teaching her about it was) pivotal to her redemption. Because she had not been taught the virtues of a domestic life she could be influenced by the vices outside the home. Not only would lessons in domesticity afford her protection from temptation, her seclusion inside the domestic unit would serve to shield her from sinful desires. Following the tenets of maternalism, the Founders claimed that the domestic training provided by the Refuge would contribute to character building; that is, it would change habits in vice into habits of virtue by reforming the women's fallen characters. The Refuge would provide a site for domestic training intended to uplift the fallen of their sex.

An appeal to domesticity gave weight to the argument that providing working class women with an alternative to ending up on the streets or in gaol comprised the Founders' moral duty. The metaphor of motherhood along with the notion of women's role as moral housekeeper informed the Founders' claim that first, as Christians, and second, as respectable women they were "best suited to reform the fallen and degraded of [our] sex."[150] The Founders invoked maternalism to justify this unique, albeit restricted role, for upper-middle class women in public life. The 1875 Annual Report is indicative of the tone of others the Founders' belief in their own expertise: "reclaiming of many from the paths of sin and from a depth of degradation which only those who take a deep interest in the class for whose benefit the charity exists, can have any idea of."[151] Because they were mother figures they imparted lessons in a particular form of femininity guided by Christian morality.[152] As the Founders put it: "no sooner is a fallen sister across the threshold of the home than she is within grasp of the helping

hand of mercy and encouragement; she inhales a purer atmosphere, and the moral waste may be repaired or restored."[153]

In these ways, then, the Founders constructed a female underclass whose sexual behaviour (prostitution and other sexual immorality), habits (intemperance) and overall anti-feminine character offended maternalist standards for the sexual and vocational propriety of working class women, on the one hand, and Christian sensibilities of moral goodness, on the other.

External Audiences

From the beginning, the Founders faced a real challenge in their efforts to convince external audiences about the need for an institution to help "fallen and degraded women." Gaining public patronage was a gradual process that began with relying on the support of "benevolent friends." Throughout the initial period the Founders solicited subscribers from the ranks of the clergy, business, politicians, and other citizens. The Founders appealed to these audiences on three levels: Christian faith, philanthropic compassion, and fear of crime.

The Founders directed appeals for monetary assistance and symbolic support (for example, recommending the Refuge as a place to find domestics) at the Christian public of Toronto. They realized that their plea for support could not rely on public sympathy or benevolence alone because those for whom their work was intended did not merit assistance by virtue of "innocence, or providential dealings, or mental weakness, or bodily infirmity or sickness!"[154] In

other words, the Refuge was not directed at those the public held in sympathetic regard, but at a group of women widely viewed as ignorant or depraved.

The Founders acknowledged that the Refuge occupied a very different place from hospitals for the sick, asylums for the aged, or homes for orphans. The Founders' claims upon Christian compassion were quite peculiar in that they challenged prevailing beliefs that only those who required assistance because of misfortune were worthy. They called upon Christians to be sympathetic to the plight of the erring female, in a society that surely wasn't.[155] Their special authority, they believed, granted them understanding of the "wretchedness and misery from which many of those victims of the great destroyer have been rescued."[156] As such, they could be trusted with the responsibility of dealing with her.

The Founders appealed to Christians' faith. They called on their subscribers to recall the compassion of Jesus Christ and take a similar interest in "such unfortunate cases."[157] Early annual reports boldly state that it was the manifest duty of a Christian community to "afford every facility for the penitent's return to virtue and happiness."[158] Their appeals to Christian benevolence typically called on the general sympathy and cooperation of Christians of all denominations.[159] In addition to pecuniary assistance they requested "earnest prayers."[160]

Another way that the Founders attempted to garner support was to appeal to philanthropic compassion. They justified their claim for money from philanthropists by calling attention to the unique contribution the institution made

to the City of Toronto. Although the Secretary asserted "continued and enlarged support received from the benevolent is a sufficient testimony to the place it [the Refuge] now holds among charities of the city," reports repeatedly contained requests for *more* pecuniary assistance. Similarly, they often called for a "deeper interest – a giving of time as well as means."[161]

Their pleas consistently expressed gratitude for assistance received while simultaneously requesting more. In one breath the Founders extended grateful thanks to the Christian public of Toronto and the "many kind philanthropists" who readily and liberally contributed to its support.[162] In the next, they asked the public to help, "for we need money, we need sympathy, we need much prayer."[163] The Founders encouraged the benevolent public to recognize the successes of, or "great good to be sown and reaped by" the Refuge.[164] They also drew attention to the increasing prosperity of Toronto's privileged in hopes of accruing donations. They encouraged their supporters to make the work of the Refuge known, and zealously urge and commend it.[165]

Finally the Founders presented a vision of the institution as a way to stem the tide of vice, crime and immorality. By appealing to people's *fears,* they sided with government authorities like J.W. Langmuir (Inspector of Prisons) who raised concerns about the potential for moral contamination and the corrupting influence of confining otherwise reformable women among hardened offenders in gaols. The current state of affairs, they argued, would only exacerbate the problem by spreading vice and crime to those "not yet fallen," and to future generations. Without their intervention, this moral virus would only intensify and lead to more

crime and misery. The Refuge would provide "separation, employment and instruction."[166] By rescuing even one prostitute or potential prostitute, the Founders rationalized, they would spare Toronto much vice and crime. They told external audiences that as the institution prospered, the amount of crime in the city would decrease, and much more would be prevented. Consequently, expenses for prosecution and punishment would be diminished.

In these ways the Founders constructed this gendering strategy, the rescue and reform of fallen women, as simultaneously moral/religious and social/secular. Thus, they appealed to some individuals on the grounds of Christian compassion and others with a social utility rationale.

The Silences

In this section I consider what remains absent from the Founders' claims, or what I refer to as "the silences." I am not here referring to the calm, stillness, or tranquility oft associated with silence, but to factors and individuals the Founders did not acknowledge. Put simply, a silence is a gap, an omission or exclusion. What is not said or what remained outside the Founders' claims speaks volumes. In particular, *who* was left out says much about the class and race/ethnic biases of the Founders.

First, although they spoke of a woman's environment the Founders did not examine structural explanations or social causes of prostitution. They spent very little time debating why women became "erring females" or examining psycho-social and environmental factors surrounding this "choice." Nor did structural

explanations carry much weight, particularly once a woman became an inmate of the Refuge. The Founders explained, "[i]n dealing with 'these women' it is perhaps wise not to dwell much on the past – minute details cannot be healthful (morally) to the narrator, nor edifying to the listener. Oh, that in each case it were a forgotten past! Let fall over the dark record, *not a veil but a thick curtain.*"[167] Although the Founders viewed prostitution, intemperance, and poverty as contributing to women's troubles outside of the Refuge, once inside talk of one's individual path or circumstances was taboo. As Rule #2 of the Rules and Duties of the Inmates stated, "any illusion to past character" was strictly forbidden.[168] Rather than examining the social context, they directed attention squarely on women's personal characters, something they presumed they could control. Once inside, it was assumed that these external factors could be overcome, countered with good moral influences and the development of each girl's "character." Thus the fallen woman would be equipped to withstand temptation. While the outward signs of immorality, and its *causes* – prostitution and intemperance – helped the Founders to construct the problem of the erring female, once admitted their emphasis shifted to *consequences* – a woman's fallen soul or her immoral character.

Second, their approach ignored male clients. Again, while they found it problematic that men were almost exempt from punishment, the Founders did little to contest these facts.[169] They recognized the erring female was "crushed by public sentiment, while the notorious seducer and profligate [was] received into

respectful society," but men's culpability in prostitution remained marginal.[170] Yet, the male client seldom appeared in the written record.

Third, the Founders limited the range of acceptability in potential inmates, thereby including some types of women while regarding others as unreformable. Resisting dominant social skepticism about the possibility of reforming prostitutes, the Founders constructed a reformable subject, the socially tolerable female prostitute. But in defining "the reformable subject," they reinforced the gulf between white working class women, seen as rescueable, and the unreformable "other." The Refuge did not question, but rather reproduced the gender, class, ethic, and religious order of Toronto. Although the Founders emphasized that the doors of the Refuge were open to all "fallen and degraded women," they did turn some candidates away. Notably, admission records for the period show no Black and Aboriginal women were admitted. This focus on the working-class white woman (and so considering Black and Aboriginal women beyond the pale of reformability) underlies the class and race dimensions implicit in the Founder's approach to reform. By excluding such women, reformability was equated with whiteness.

A gap or inconsistency between the construction of a rescueable subject and reformable subject indicates that the two were not mutually exclusive. While some women were considered unacceptable candidates for entry, others were believed less capable of reforming once inside the Refuge. In other words, those who gained admittance were also divided into more and less reformable. The reform programme was tailored to women presumed capable of character

reformation. In the first years of operation they deemed women of advanced age (40 or over) as prime candidates for rescue, but in time the Founders began to prefer young women. The Founders soon believed that the young were more easily "brought to see the error of [their] ways" and more likely to "return to the paths of virtue and happiness."[171] This preference for the young over the "hardened" offender was consistent with practices in other institutions.[172]

Finally, the Founders refused (or were unable) to interrogate their own role in the construction and perpetuation of the erring female. Given their elite position, it is perhaps not surprising that the Founders believed they had a God-given ability and duty to assist the "erring female" to see the error of her ways. These upper-middle class female reformers articulated a problem out of working class female sexuality (and their own version of anti-femininity) and fashioned their response along not only gendered, but through class and ethnic lines. The Founders, primarily of the dominant Anglo Celtic majority, occupied a privileged place in Toronto society compared to the women they governed. In practice, they attempted to minimize the gap between keepers and kept (at least in rhetoric); in reality, their project reinforced it.

Conclusion

The movement in Canada to create special refuges for women was, if not the sole design, the particular project of pioneering Protestant women whose considerable wealth, providence, and influence enabled them to convince politicians, clergy and the lay public that Toronto needed an institution to reform

"fallen women." The growing cultural and social emphasis on female delinquency served to bolster the Refuge's claims about the erring female. Claiming that the Refuge offered a place of safety from immoral influences, and could provide a program of moral, religious and domestic training to teach lessons of feminine goodness and Christian morality the Founders positioned the institution as – if not itself a panacea at least – a necessary response to the prostitution problem. In retrospect, we can see that those who founded the Refuge anticipated by several decades the major period of moral panic which peaked in Canada in the 1890s. They responded to the problem of crime and vice long before moral panics around prostitution, intemperance, and poverty roused the public's ire and the organized social purity and temperance movements of turn-of-the-century Canada.

Their intimately gendered strategy was based on remaking a working-class femininity consistent with Protestant values of chastity and piety. The goal was simple: to replace the destructive influence and teachings in vice, crime, and immorality with those of virtue, industry, and morality. In the context of social-cultural shifts, economic developments, and during a period of Canadian nation building that pitted the working classes and racialized women as obstacles to nationalism these pioneers established and preserved a "Home for Fallen Women."[173]

By constructing the "erring female" as a moral/religious rescueable subject, Dunlop and her followers located a social problem in woman's fallen soul. "Othering" the women they saw as candidates for reform, whether

intentional or as a function of the power relations between them, justified their position as authorized knowers. They distanced themselves from those they sought to reform. That is, gender had an anomalous position in that the Founders were oppressed by their gender yet privileged by it. The privilege their class afforded them was vital in their struggle to claim only women could reform working-class women. Their position in Toronto society enabled them to persuade prominent elites and a skeptical public that only Christian, upper-middle class women, such as themselves, could deal with the problem of the erring female. As such they developed a mission of moral rescue and social reform based on their unique capabilities as Christians, as women, and as moral upper-middle class mothers.

The Founders and their charges had little in common beyond gender. The former were privileged by not only class position but by ethnicity, while the latter were scrutinized and stigmatized on both counts. The niche they carved for the institution and themselves would be reestablished and reinvented in ways that challenged purely punitive solutions to prostitution while simultaneously legitimating the institution's place in Toronto's network of social service agencies and correctional facilities. In this process they also reinforced the dependency of working class women – their chosen candidates – on them as suitable guardians to save and protect them. These years set the stage for the Refuge to operate as a site for the governance of a troublesome female population guided by the overlapping discourses of maternalism, Christian stewardship, and prostitution.

Chapter Two will show how the Refuge worked in practice – its day-to-day operation. It examines the process through which the Founders translated their claims and ideas about prostitution into practical strategies, and how these ideas were implemented from 1853 to the late nineteenth century.

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[1] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1880.
[2] In Victorian consciousness the image of the fallen woman reflects ideals about sexuality, gender and class and is represented as "the prostitute" and those likened to her.
[3] The institution will be referred to as the Refuge throughout the chapter, unless otherwise stated.
[4] Estelle Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930*, Ann Arbour: (The University of Michigan Press, 1981); Nicole Hahn Rafter, *Partial Justice: Women in State Prisons, 1800-1935*, (New Brunswick, Transaction Publishers, 1985a).
[5] Police had huge discretion over all laws during this period, unless propertied and powerful were involved.
[6] An Ordinance for establishing a system of Police for the Cities of Quebec and Montreal. 2 Vict. (1) (1839), c. 2 (lower Canada).
[7] 32 and 33 Vict. (1869) c. 28, s. 1 (D.C).
[8] Valverde argues that since sexuality has been constructed as belonging to the exclusively familial sphere the notoriously public quality of prostitution makes it problematic. Of course, given women's presumed place in the private sphere the woman who sells sex in the public sphere is beyond the confines of heterosexual femininity. Valverde, *Age of Light, Soap and Water.*
[9] Mercer Reformatory. Case Files. Ontario Archives.
[10] Valverde argues that the Canadian government was a "reluctant partner" in adopting the 1864 English CDA, as seen in lax enforcement over the 5 year period the Canadian legislation was in place. Valverde, *Age of Light, Soap and Water.*
[11] McLaren, John. "Chasing the social evil"
[12] Winnifrith, Tom. *Fallen Women in the Nineteenth-Century Novel.* (St. Martin's Press, 1994).
[13] Walkowitz, J. *Prostitution in Victorian Society: Women, class and the state,* (London: Cambridge University Press, 1980). Page 39.
[14] Working class heterosexual men were not so stigmatized, but working class boys certainly were, though not for their sexuality.
[15] Constance Backhouse, *Petticoats and Prejudice.*
[16] D. Garland, *Punishment and Welfare*, 153; Chunn, *From Punishment to Doing Good*; Splane, *Social Welfare in Ontario*
[17] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1880, Page 7.
[18] New Testament. Luke 8:2.
[19] According to the Secretary, "some have objected that such an institution only encouraged vice and shields the guilty, [and] we reply in words of Apostle- "where sin abounded grace did much more abound." Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge, 1871, Page 8.
[20] According to the New Testament, Matthew 28:1-8 it was Mary Magdalene who went to Jesus' tomb, heard the voice of the angel that Jesus was resurrected and went to tell his disciples.
[21] Foucault, Michel, "The Subject and Power."
[22] As Littlewood and Mahood put it: "the 'prostitute' and the 'magdalene' were characters constituted insignificant part by the discourses in circulation and by the apparatuses designed to control them." Littlewood, B. and Mahood, L. "Prostitutes, Magdalenes and Wayward Girls: Dangerous Sexualities of Working Class Women in Victorian Scotland. *Gender and History*, 3 (1991)2: 160-175. Page 163.

[23] Paula Maurutto, in her study of the origins of the Catholic benevolent enterprise argues that during the 1830s and 1840s, in particular after the depression of 1837, the common perception of poverty as a temporary condition was challenged by the realization that a permanent class of paupers had developed, which led, in turn, to a demand for a public response to social distress. Maurutto argues that: "It was through such movements that the definition of public responsibility for social welfare was reconfigured. Governments and charitable organizations would henceforth be increasingly called upon to play a stronger regulatory role in social questions." Maurutto. Paula. *Philanthropic Governance: Church and State in Toronto's Catholic Archdiocese, 1850-1950.* PhD thesis. York University, Department of Sociology, 1998.

[24] The House of Industry was a workhouse for the indigent poor and infirm developed from special grants. In addition, York had a general hospital, a jail and an asylum. See Speisman, S. "Munificient Parsons and Municipal Parsimony: Voluntary vs. Public Poor Relief in Nineteenth Century Toronto," *Ontario History,* LXV (March 1973)1: 41-43. For more on poverty in Toronto at the time see Noble, J. "'Class-ifying' the Poor: Toronto Charities, 1850-1880," *Studies in Political Economy*, 2 (1979): 109-128.

[25] Their work was appreciated by those in authority and in 1858 the city gave them a grant of 75 pounds. Private charitable institutions receiving provincial grants were inspected by the Inspector of Prisons, Asylums and Public Charities, beginning in 1859. According to Splane, "there is no evidence that the inspectors sought the right to bring the voluntary institutions under their scrutiny." The Refuge received its first grant in 1860 of $480.00. In comparison, the Toronto General Hospital received $11, 2000 and the House of Industry $2, 400. During the period the government allotted funds to private charitable institutions on a piecemeal and unsystematic basis. The system of inspection for private charitable institutions, according to Splane, was less extensive than the system used for prisons, asylums and hospitals. John Woodburn Langmuir took his appointment in June 1868 and would remain inspector until 1881 with the appointment of Robert Christie. In 1892 a third inspector, James Nixon, was appointed. Splane, *Social Welfare in Ontario.* Page 40.

[26] The social implications of industrialization have been taken up by authors such as Bettina Bradbury, whose book, *Working Families: Age, Gender and Daily Survival in Industrializing Montreal*, demonstrates how the organization of industrial production and the nature of industrial work reshaped the social geography of Victorian Montreal. *Working Families. Age, Gender and Daily Survival in Industrializing Montreal* (Canadian Social History Series, McClelland and Stewart, 1993).

[27] Jarvis describes Toronto during the period as an urban society undergoing a troubled time of distress and recovery with a population between 45, 000 and 55, 000. After the railway boom in the 1850s Toronto experienced a period of expansion and prosperity, which was short lived by the Panic of 1857 when an economic downturn hit of mid-Victorian Toronto – as seen in debt, tax rates up, cutbacks in all branches of municipal service, increased destitution – that did not wane until the mid 1860s. Strain on private charities overseeing relief corresponded with this crisis. Jarvis argues that between 1858 and 1866 city services were drastically cut, poverty engulfed the streets, and applicants overwhelmed charity organizations. Certainly, the time was ripe for another charitable organization could ease the already cumbersome burden of already pressed charity organizations. By the 1870s the city had a renewed sense of prosperity and set of municipal services and functions until another panic in 1873. Jarvis, Eric. *Mid-Victorian Toronto Panic, Policy and Public Response, 1857-1873.* PhD thesis. University of Western Ontario, 1979.

[28] Strange, Carolyn. Toronto's Girl Problem; Chunn, From Punishment to Doing Good, Splane, Social Welfare in Ontario; K. Dubinsky. Improper Advances. Valverde, In the Age of Light, Soap and Water; Valverde, M. "When the mother of the race is free': Race, reproduction, and sexuality in first-wave feminism." In Gender Conflicts: Essays in Women's History, Iacovetta, F. and M. Valverde (eds.), (Toronto: University of Toronto Press, 1992).

[29] For a discussion of Irish immigration to Canada during the mid nineteenth century see, Duncan, K. "Irish Famine Immigration and the Social Structure of Canada West," *Canadian Review of Sociology and Anthropology*, 1 (1965): 19-40.

[30] McLaren, John and John Lowman. "Prostitution law and law enforcement, 1892-1920: Unraveling rhetoric and practice." *Canadian Journal of Law and Society.* 1 (1990):125-165.

[31] Almost in contradiction to concerns about the immorality of Irish prostitutes was an interest in the safety and protection of foreign born females. This can be seen in the establishment of agencies such as the Female Protection Society in 1854, whose principal object was "the prevention of systematic attempts to ruin young females by rescuing the young and unprotected female from those who are anxious to seduce her from the path of virtue." Annual Report. Female Protection Society, 1855, Page 1.

[32] For more on the overrepresentation of Irish women in jail, see Cross, Michael S. "Violence and Authority: The Case of Bytown" In Bercuson, David Jay and Louis A. Knafla eds., *Law and Society in Historical Perspective* (Calgary, 1979); Phillips, Jim. "Poverty, Unemployment and the Administration of the Criminal Law: Vagrancy in Halifax, Nova Scotia, 1864-1890," In Philip Girard and Jim Phillips, *Essays in the History of Canadian Law*, 3 (Toronto, 1990); and Weaver, John. "Crime, Public Order and Repression: The Gore District in Upheaval 1832-1851" *Ontario History*. 78 (September 1986) 3: 189-204. For more on the Canadian dimension to the experience of Irish immigrants see Nicolson, Murray W. "Peasants in an Urban Society: The Irish in Victorian Toronto." In *Gathering Place: Peoples and Neighbourhoods of Toronto, 1834-1945.* (Toronto, 1985).

[33] In 1850 the population of Canada was 952,000, from 70,000 in 1806, a steady and dramatic increase. Canada, *Department of Agriculture*, Census of Canada, 1931. For more details see McNab, J. E. "Toronto's Industrial Growth to 1891," *Ontario History,* 47 (Spring 1955) 2: 59-79.

[34] Canada, *Department of Agriculture*, Census of Canada, 1891.

[35] Canada, *Department of Agriculture*, Census of Canada, 1871, 1891. Splane, *Social Welfare in Ontario.* Page 8.

[36] Canadian evangelical reformers had yet to establish rescue agencies as a way of saving lost souls. The Salvation Army would later become prominent in this move when, after its emergence in 1865 in England, Canadian branches opened in Toronto and London, Ontario in 1882.

[37] Strange, Carolyn and Tina Loo, *Making Good.*

[38] For a discussion of the boy problem see Bryan Hogeveen, "Can't You Be a Man?" PhD thesis. University of Toronto, 2003. For a discussion of the girl problem see Strange, *Toronto's Girl Problem* and Alexander, R. *The Girl Problem: Female Sexuality Delinquency in New York, 1900-1930*, (Ithaca: Cornell University Press, 1995). Ciani, K. "'Problem Girls': Gendering Criminal Acts and Delinquent Behaviour," *Journal of Women's History*, 9 (1997): 203-213.

[39] For more about the urbanization of York, now Toronto, see Rutherford, P. *Saving the Canadian City: The First Phase, 1880-1920,* (Toronto: University of Toronto Press, 1974).

[40] Brown Commission, (second report) Journal of the Legislative Assembly for Upper Canada, 1849, Appendix bbbbb, PAA, Annual Report, 1884; "Reformation not Revenge," *Globe*, September 17, 1887.

[41] Adelburg, Ellen and Claudia Currie. (eds.) *Too Few to Count: Canadian Women in Conflict with the Law.* (Vancouver: Press Gang Publishers, 1987).

[42] In the meantime the would-be Founders shifted their attention from classification to finding a way to convince women leaving the gaol to enter the Refuge.

[43] Freedman, Estelle. *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930,* Ann Arbour: The University of Michigan Press, 1981. Nicole Hahn Rafter, *Partial Justice: Women in State Prisons, 1800-1935*, (New Brunswick, Transaction Publishers, 1985a).

[44] Freedman, *Their Sister's Keepers.* Page 20.

[45] For a discussion of the interrelationships between race, gender and class in turn-of-the-century Canada see Valverde, *The Age of Light, Soap and Water* and Strange, *Toronto's Girl Problem.*

[46] I found one American institution to share a similar name and purpose. See Ruggles, S. "Fallen Women: The Inmates of the Magdalen Society Asylum of Philadelphia, 1836-1908," *Journal of Social History,* (1983): 65-82.

[47] Mahood, L. The Magdalenes: Prostitution in the Nineteenth Century, (London: Routledge, 1990).

[48] Ibid.

[49] Ibid.

[50] After a four year trial period, the institution's backers concluded that many were too old and intractable.

[51] The Asylum was called a Madgalene Asylum until 1840 when it was converted into a House of Refuge for Females by the reformatory school movement, and then reincorporated as the Glasgow Magdalene Institution in 1860. Mahood, *The Magdalenes.*
[52] Dobash, R.E. Dobash, and S. Gutteridge. *The Imprisonment of Women* (London: Basil Blackwell, 1986). According to Linda Mahood, in the United Kingdom by 1900 there were 70 female refuges, and at least twenty in Scotland, its first being the Edinburgh Magdalene Asylum. The second to open was the Glasgow Magdalene Asylum in 1815. Notably, at 1840 the name was changed to the House of Refuge for Females and taken over by activities of the reformatory movement until it was later reincorporated in 1860 as the Glasgow Magdalene Institution. Mahood, *The Magdalenes.*
[53] Paula Maurutto. *Philanthropic Governance: Church and State in Toronto's Catholic Archdiocese, 1850-1950.* PhD thesis. York University, Department of Sociology, 1998.
[54] Canada, *Department of Agriculture*, Census of Canada, 1871 showed that 274, 162 persons were classified as 'Catholics,' out of a total provincial population of 1, 620, 851.
[55] Although his wife would later play a more prominent role in the Refuge, early recorders credited her husband with recognizing the need for intervention. Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Page 10.
[56] Ibid.
[57] Dunlop, the first woman associated with the Refuge, was later known for leading a group that demanded reform of the property law affecting married women and petitioned the Legislature of Upper Canada in 1857 that laws transferring property and earnings of a wife to the absolute power of the husband occasioned "manifold evils." She would serve as one of the Refuge's directresses, chief fund-raiser and member of the jail visiting committee for years. Also see Backhouse. *Petticoats and Prejudice.* Page 179.
[58] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1880. Page 7.
[59] Ibid. Page 8.
[60] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 7.
[61] Mrs. Elizabeth B. Burns [nee Elizabeth Bell Bonar] died on August 22nd 1882 at the age of 71. She came to Canada in 1845 with her husband Dr. Robert Burns. In 1869 when her husband died she returned to Scotland. In 1877 she returned to Canada again and she worked with several benevolent institutions in the city. In particular, she took an active interest in the Magdalen Asylum – she was largely instrumental in establishing and was one of its most active workers and office bearers. Elizabeth Strathearn Burns would later take her mother's place.
[62] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge, 1860. Page 10.
[63] Oliver Mowat continued to head the Reform ministries until 1896. Oliver Mowat's sister in law, Catherine Seaton (Ewart) Skirving, served as the secretary of the Asylum from 1863 and as its president from 1891 to 1895. See Backhouse, *Petticoats and Prejudice.* Page 306.
[64] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Page 10.
[65] Ibid.
[66] Emphasis Added. Mrs. Elizabeth B. Burns passed away 22 August 1882. Her obituary notice was among various archival materials from Belmont House. Printed for the Murray-Mitchell Auxiliary of the Woman's Foreign Missionary Society of the Presbyterian Church in Canada. Page 26.
[67] Notably, other accounts suggest it was held at the church possibly suggestive of the religious underpinnings of their work.
[68] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Page 11.
[69] Perhaps the idea for a Female Protection Society came from the Society for Protection of Young Females, for which Tait was secretary. The evangelical approach that they held in common is typified in William Tait's Magdalenism, a tract circulated in the British Isles in the nineteenth century.
[70] Edward Bristow, *Vice and Vigilance: Purity Movements in Britain Since 1700* (Dubline, 1977).

[71] Many of the men involved with the Refuge were associated with the evangelical movement within the church of England, including Samuel Blake and William H. Howland.
[72] This group included: Mrs. Wilson, Mrs. J. Baldwin (also a member of the Female Protection Society), Mrs. Wickson, Mrs. J.H. Richardson, Mrs. L. Robinson, Mrs. Freeland, Mrs. James Shaw, Mrs. Carr, Mrs. W. Reid, Mrs. Barress, Mrs. E. Baldwin, Mrs. Clark, Mrs. Blake, Mrs. Mulholland, Mrs. Badgley, Mrs. Rome, Mrs. Telfer, Mrs. J.H. Robinson, Mrs. R. Gilmor, Mrs. Thompson, Miss R. Rankin, Mrs. Perkins and Mrs. Dunlop. Notably, the women's first names were absent in the records.
[73] Tibb, Isabella. *Three Quarters of A Century*. Industrial House of Refuge for Females, 1928.
[74] Some of these same men were associated with a short-lived effort involving Andrew Mercer to assist "by advice and otherwise, young females who arrive friendless in Canada," namely the Female Protection Society. See Female Protection Society, Annual Report, 1855. Not only did the Refuge have the same Chairman, John Arnold, as the Female Protection Society, but others including Rev. Sanson, Rev. Dr. Burns and Judge Haggarty were also members.
[75] Tibb. *Three Quarters of A Century*.
[76] These names were recorded in The first Annual Report of the Toronto Magdalen Asylum as published in the Globe 28 May 1855.
[77] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1855.
[78] Brothels or houses of ill-fame were distributed widely across Toronto on Queen, Richmond, Yonge, Bay, College, Church, Adelaide, Stanley and Parliaments streets. For more details see Jarvis, *Mid-Victorian Toronto*.
[79] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1854. Page 9.
[80] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860.
[81] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874.
[82] *City Council*, Minutes of the Proceedings.
[83] Ibid.
[84] On Monday 30 November 1857 the Lady Directresses came back looking for more money. This practice of petitioning City Council for assistance continued during the period. For instance, under 'special appropriations' $200 was given to the Female Protection Society and $300 to the Magdalen Asylum in 1858 and 1859. On 30 December 1858 the petition from the Lady Directresses of the Magdalen Asylum for pecuniary assistance was considered and the Committee recommended that an additional grant be made of $100, to make the yearly total $400. In 1858 they received a grant of 75 pounds, which was increased to $600 in 1863.
[85] *City Council*, Minutes of the Proceedings.
[86] The Act of Incorporation listed the following names as the founding women: A.E. Badgley, Ann Baldwin, Frances Jane Baldwin, C.H. Blake, Sarah J. Brett, Christian Dick, Elizabeth Dunlop, Amelia Gilmour, A.E. Hagerty, Frances R. Hodgins, M. McCutcheon, Jane Mowat,[86] Ann Mulholland, Mary Richardson, Ann Thompson, Caroline Watson. An Act to incorporate the Toronto Magdalen Asylum and Industrial House of Refuge" 22 Vict. (1858) c. 73 (P.C).
[87] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857. Page 1.
[88] This is in stark contrast to the Scottish experience where a formal Ladies Committee for the Glasgow Magdalen Asylum was not established until 1861 (46 years after its opening) and women were prohibited to sit on the Board of Directors until 1913.
[89] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Page 11.
[90] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 9.
[91] Rules for Management. Toronto Industrial Refuge, 1876.
[92] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857. Page 7.
[93] Ibid.

[94] Soon this practice was challenged. On November 10th 1858 a 'poor, wretched, diseased creature' was sent to them, but was later sent to hospital as she was too diseased to remain. Meeting Minutes, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858.
[95] Tibb, *Three Quarters of A Century.* Page 13.
[96] There is little direct evidence that they drew on the American Reformatory. As we will see the reform programme they adopted was remarkably similar to women's reformatories.
[97] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 7.
[98] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 7.
[99] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1870. Page 8.
[100] One exception was county houses of refuge and poor houses.
[101] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1870. Page 8.
[102] Annual Report, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 8. Also see 1861.
[103] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867. Page 7.
[104] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 8.
[105] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1863. Page 7.
[106] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 9.
[107] Ibid.
[108] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 8.
[109] Annual Reports. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[110] Odem, M. *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920,* (Chapel Hill: University of North Carolina Press, 1995).
[111] Annual Report, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857. Page 10.
[112] Annual Reports Toronto Magdalen Asylum and Industrial House of Refuge for Females 1861, Page 7. Also see 1863, and 1871.
[113] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1872. Page 7.
[114] Douglas, Ann. *The Feminization of American Culture* (New York, 1977).
[115] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 7.
[116] Douglas. *The Feminization of American Culture.*
[117] Annual Reports. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859, 1861, 1858 and 1873.
[118] Annual Reports. Toronto Magdalen Asylum and Industrial House of Refuge for Females 1869, 1872, 1868, 1862, 1867 and 1873.
[119] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Pages 7-8. Also see 1860.
[120] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 7.
[121] Ibid.
[122] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 7. Emphasis Added.
[123] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 8.
[124] Ibid.

[125] Ibid.
[126] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females,1896. Page 7.
[127] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 7.
[128] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 11.
[129] Thomas Guthrie (1803-1873) was a Scottish preacher, social reformer and founder of the Free Church in Edinburgh. The book, *The City, Its Sins and Sorrows* came from one of his sermons taken from Luke 19:41. For more information see: www.newble.ca.uk/guthrie.
[130] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 9.
[131] Ibid.
[132] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860.
[133] Snider, "Constituting the Punishable Woman." Also see Hannah-Moffat, *Punishment in Disguise*.
[134] Roberts, Wayne. "'Rocking the Cradle for the World': The New Woman and Maternal Feminism," Toronto, 1877-1914 In Kealey, Linda. *Not an Unreasonable Claim.* (Toronto: Women's Press, 1979).
[135] Hannah-Moffat, *Punishment in Disguise*. Page 24.
[136] Bloch, R. "American Feminine Ideals in Transition: The Rise of the Moral Mother, 1785-1815," *Feminist Studies* (1993):19. Also see Weiner, L.Y. "Maternalism as Paradigm: Defining the Issues," *Journal of Women's History,* (Fall 1993): 96-115.
[137] For more on the connection between domesticity and womanhood see Valverde, M. "Giving the Female a Domestic Turn," *Journal of Social History,* 21 (Summer 1988): 619-34.
[138] Koven, S. "Borderlands: Women, Voluntary Action, and Child Welfare in Britain, 1840 to 1914." In Koven, S. and S. Michel (eds.) *Mothers of a New World" Maternalist Politics and the Origins of the Welfare State.* (London: Routledge and Kegan Paul, 1993).
[139] Hannah-Moffat, *Punishment in Disguise.*
[140] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1914. Page 13.
[141] Mitchinson, W. "The WCTU: For God, Home, and Native Land." In L. Kealey (ed). *A not unreasonable claim: Women and reform in Canada, 1800-1920s.* Toronto: The Women's Press, 1979a).
[142] Stong-Boag, Veronica. *The New Day Recalled: Lives of Girls and Women in English Canada, 1919-1939.* (Markham: Penguin Books, 1988).
[143] Roberts, Barbara, *Whence They Came: Deportation from Canada 1900-1935* (Ottawa: University of Ottawa Press, 1988).
[144] Parr, Joy "'Transplanting from Dens of Iniquity': Theology and Child Emigration," in Linda Kealey, *A Not Unreasonable Claim.*
[145] Rafter, *Chastizing the Unchaste.* Page 299.
[146] Kealey, Linda. *Not an Unreasonable Claim.* (Toronto: Women's Press, 1979). Page 7.
[147] Valverde, *In the Age of Light, Soap and Water.*
[148] Kealey, *Not an Unreasonable Claim.*
[149] Gorham, Deborah. *The Victorian Girl and the Feminine Ideal.* (Bloomington: Indiana University Press, 1982.) Victorian idealization of femininity was concerned with its manifestation by adult women in their roles as wives and mothers. It was believed that exposure to the vicissitudes of the public sphere would make women hardened.
[150] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1872. Page 7.
[151] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1875. Page 7.
[152] Female prison reformers of the 1870s and those who followed adopted a similar rationale. See Strange, Carolyn. The Velvet Glove: Maternalist Reform at the Andrew Mercer Reformatory, 1872-1901. Unpublished master's thesis, University of Ottawa, 1983.

[153] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1881. Page 8.
[154] Ibid.
[155] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 8.
[156] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 7.
[157] Ibid.
[157] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1881. Page 9.
[158] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857. Page 8.
[159] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 8.
[160] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1863. Page 9.
[161] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 8.
[162] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1862. Page 8.
[163] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 9.
[164] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1854. Page 8.
[165] Ibid.
[166] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 9.
[167] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1881. Page 8. Emphasis added.
[168] Rules for Management. Toronto Industrial Refuge. 1876.
[169] Chapter Three goes into more detail about white slavery discourse.
[170] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 11.
[171] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 10.
[172] As Wendy Reumper argues with respect to the Mercer Reformatory, there was a preference for young, single, white females who were Protestant, Canadian born or British in origin, literate, temperate and with some experience in domestic service. Ruemper, W. "Locking Them Up: Incarcerating Women in Ontario, 1857-1931." In L. Knafla and S. Binnie, eds. *Law, Society and the State: Essays in Modern Legal History.* Toronto: University of Toronto Press, 1994). Page 371.
[173] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1880. Page 8.

Chapter Two
Voluntary Prisoners?:
To Rescue, Reclaim and Restore Through Reform and Restraint, 1853-1879[1]

Introduction

Making good on her promise to the Visiting Committee at the Don Jail, Jane W. entered the Refuge on 14 December 1859. Erring females like 29 year-old Jane, a prostitute, were prime candidates for the Refuge. The Admission Committee asked Jane her motive, country of origin, and requested information about her parents and friends. Jane, it turned out, was an Irish immigrant whose life in Canada was marked by economic and social deprivation. More importantly (to them), the Committee asked Jane how long she had been leading "an abandoned or dissipated life."[2] She explained that she had arrived in 1856 and became involved in prostitution soon after that. Next, Jane listened to the rules of the institution and the conditions under which her entry would be granted. Like all prospective inmates Jane had to promise to remain in the institution for 12 months, "be obedient, industrious, clean and tidy" and refrain from "all bad language, and improper conduct."[3] Jane expressed her desire to reform and pledged that she would stay for one year. With a signed order from the Committee, Jane met the matron who found her a room in an open dormitory.

What happened to Jane and women like her inside the Refuge? How did the Founders translate their objectives into practice? How did they institute a moral reform programme during the Refuge's first two decades? What techniques of rescue and reform did they employ? What discourses did they draw upon to legitimate such practices? To what extent was the institution

successful in its reform efforts to make fallen women chaste, temperate, and Christian and suitable for a working class position in domestic service?[4] Like the hundreds of women who followed her, once inside the Toronto Industrial Refuge Jane was subjected to a reform programme meant to rescue, reclaim, and restore her as a good, feminine working-class Christian woman. Recent studies of statutory and non-statutory female institutions by Ruth Alexander, Linda Mahood, Carolyn Strange, and Nicole Hahn Rafter (among others) have demonstrated that nineteenth century penal institutions developed a variety of social-control strategies intended to "domesticate inmates" – make them into submissive domestic servants.[5] Like them, turning fallen women into good Christian domestic servants was the central aim of the Refuge.

This chapter explains the programmes the Founders employed to deal with subjects they saw as unfeminine, unchaste, oversexed and non-Christian.[6] It shows how the Refuge's interrelated goals – to rescue, protect, and bring to moral strength again – were carried out between 1853 and 1879. The Founders, in conjunction with the Managing Committee and staff, prescribed a three pronged reform programme, which combined moral/domestic instruction, religious training and a combination of benevolent restraint and maternal discipline. Drawing on annual reports, meeting minutes, and case records this chapter examines the operation, management, and practices of the Refuge, the discourses that supported the Founders efforts and the claims of distinctiveness through which the Founders articulated their reform programme.[7]

The chapter is organized into three parts. Section One outlines the pathways through which women entered the Refuge and describes their social characteristics. Section Two examines the institution's reform programme and the day-to-day management practices employed. Section Three interrogates the claims of distinctiveness through which the Founders maintained the Refuge and inscribed a niche for themselves. This was not easy: few resources were directed towards lifting up the fallen (and even fewer on downtrodden women) at this time, and few women held public space or influence. The Chapter reveals a key contradiction around the use of discipline and the voluntary nature of the institution. I argue that because their claims distanced the Refuge from the punitive mission of a prison or asylum and because their claims focused exclusively on women and on the voluntary nature of the Refuge, they were able to gain symbolic and instrumental support.

"The class without for whose benefit the institution exists"[8]

Each one has a black page in her history, that each one has a sad tale to tell, that all have in one degree or another gone astray.[9]

The Founders declared the door of the Refuge open to any woman who "earnestly desire[d] reform."[10] However in reality they negotiated a fine line with every admission: to guard against "fostering vice by too great leniency" on the one hand, and preventing reclamation by "too great strictness and severity" on the other.[11] Ideal candidates were those who wanted to abandon their evil courses, free themselves from "evil associates," and seek "to lead a new life."[12] "While the lamp holds on to burn," the Admittance Committee declared, "the

greatest sinner may return."[13] A woman's *voluntary* entry to the Refuge signified that she accepted the institution's legitimacy and believed in its mission.[14] Moreover, it signaled that she had willingly placed herself "under the care of the friends of the Institution."[15] In records and reports the Founders used phrases like "various shades of character" to describe their charges. Initially, the Founders informally used five categories of classification.[16] Women were seen as penitent, tempted, ignorant or wanderer, outcast or degraded. As Secretary Burns put it: "a refuge has been provided and a door opened ... for the outcast, the wanderer, the tempted, as we trust, we may add, in not a few instance, the penitent."[17] However, this scheme was little more than rhetorical, since they had no method of segregating inmates on the basis of age, conduct, or character. These categories do, however, illustrate the understandings of the erring female that guided the reform programme at the Refuge. The Founders referred to their task as to "reclaim the degraded – to instruct the ignorant – to encourage the penitent and restore the wanderer."[18]

The Founders gave the label *penitent* to candidates they considered novices in crime. The Admission Committee preferred girls who could be rescued after their first downward step. In some cases these were young girls, "poor forsaken ones," whose parents or guardians requested entry to prevent the girls from falling into lives of prostitution and vice. The Founders preferred penitents like 19 year-old Marilyn W., described as "clean, nice looking, cheerful, liked to work and gave very little trouble."[19]

The Founders considered the next best candidate the *tempted*, an "unhappy victim" of temptations such as drunkenness, seducers, or wicked companions.[20] Marie R., for example, who entered the Refuge via the Morality Department at age 31, was described as very easily led. Tempted girls were seen as "followers of evil" and "lost sinners."[21]

Especially in the first decade under the auspices of the Female Protection Society, the Founders accepted many women they labeled *wanderers and ignorant.* For example, women like 23-year-old Donna R., a Scottish Protestant woman who entered in 1860, was described as an "immigrant of irreproachable character," and May. C., a homeless shop girl, was seen as a "young stranger" with "dark and depraved."[22] The Founders considered such women "restless minds," and "poor, hopeless, lost or idle" females.[23]

Finally, the Committee reluctantly accepted women who were more heavily involved in prostitution or related offences, who they aptly designated *outcasts.* Outcasts, "the most hardened and deeply dyed transgressor," were poor, homeless and despairing victims.[24] Eva J, whose mother was dead and father was in prison, was characteristic of this class, a classic "outcast from all respectable society."[25]

While the Committee preferred the penitent or the tempted – girls of chaste character who had not yet become prostitutes, typically the type of female who requested admission was an outcast. Like Eva, these were women considered to have "fallen very low through dissipation and other vicious habits,

brought on by hardship of various kinds incident to human life."[26] The Founders used the phrase "those of affecting character" to describe such inmates.[27]

To the Founders, those admitted all had one thing in common: they had fallen and required rescue and reformation *for their own protection*.[28] Mary O. was the first name to appear on the institution's surviving register. A 30 year old Roman Catholic woman from Ireland, Mary entered on 24 November 1855 after living what the Founders referred to as "an abandoned life."[29] During the first decades of operation, many women of Irish decent, like Mary, came before the predominantly British and Scottish Admission Committee. Another early inmate was Helen J., a 27-year-old Irish woman who came to the Refuge on 29 April 1858. Like those who would follow her, Helen was deemed a likely candidate for entry because her "scantily clad dress" and "disheveled physical appearance" afforded her the label "prostitute."[30]

Between 1853 and 1879 1142 females entered the Refuge. By the end of the period the vast majority (1064) had left; however six percent remained at the start of era two.[31] At any given time an average of 24 women lived at the Refuge. Who were they, and how did they get there, in the eyes and records of the Founders? Most candidates came from working-class or impoverished backgrounds, many were recent immigrants and many came directly from jail. However, the circumstances leading to admission were many and varied.[32]

Officially, admittance was voluntary, women "found their [own] way" or "sought its refuge."[33] The forms used during the 20th century for admittance formally recognized the "voluntary nature" of a woman's entry. They read:

> "I, the undersigned, of my own free will and accord, hereby made application for admittance to the Toronto Industrial Refuge, Belmont Street, Toronto, and agree to remain there for the period of two years from this date... I consent to my detention in the Refuge for the period named and further consent that the matron of the Refuge or the Board may require my departure therefrom at any time should they desire." [34]

Approximately 40-50 percent of the inmates entered "on their own accord."[35] The phrase left "on her own accord" or entered "on her own accord" is scattered throughout inmate case records. The Founders used it to signify the women came and went on their own volition. While they were pleased when women entered "on their own accord," they expressed much disappointment and consternation that women or girls would exit the Refuge before their probation time was completed and without the permission of the Committee. Katia, a Scottish girl "of irreproachable character," for example, formerly a mistress in a Sabbath school in Scotland, came to Canada in 1857.[36] She found a position as a domestic servant, grew lonely and was "tempted to indulge in the liquors in the house until she was known as a drunkard."[37] After moving to Toronto, she found companions for her drinking until one day she finally understood "the sense of danger in her course."[38]

While the Founders' official rhetoric around admissions emphasized their *voluntary* nature, women were often "induced" into the Refuge at the request of police, magistrates, doctors, family, and/or friends. Approximately 20-25 percent of the inmates entered from gaol at the invitation of the Prison Visiting

Committee.[39] The Refuge received many inmates from the Don Jail and (later) the Mercer Reformatory.[40] Women like Bertha T., who married young and *respectably* raised her children, ended up in jail. After frequent spells of incarceration she heard about the Refuge from Prison Visitors and requested admission. Notwithstanding doubts about her willingness to reform, the Admission Committee received her. But Bertha was a "success" in the Founders terms. She gained their confidence and proved to be a very industrious inmate.[41] After a year and eight months in the Refuge, the Founders arranged a position in domestic service for her. Years later Bertha donated money to the Refuge, an act interpreted by the matron as Bertha's way of expressing her gratitude for the benefits she received.[42]

Another common point of entry in the early years, for approximately 10-15 percent of the women, was via police or magistrates. The importance of police in facilitating the transfer from prison to Refuge was not lost on the Founders, who suggested: "there be more careful watching over the egress of the prisoner. She cannot be driven, but she may be invited, encouraged, and protected to a place of safety."[43] In some cases police officers made requests on behalf of concerned parents, husbands or friends. Emma D., a 12 year-old American girl, was afforded a home in the Refuge after living for one year with her sisters in a bawdy house where they were "training her for a life of infirmity."[44] Her sisters brought her from the United States to Toronto after her mother's death. Police eventually broke up the house and sent the sisters to gaol. Not wishing to imprison a girl so young the chief magistrate requested that the Refuge receive her. Records

indicate she became a dutiful and affectionate inmate who abhorred her sisters' mode of life and wished to learn, to work, and become respectable. After 12 months, she was placed in domestic service in the country, far from the influence of her sisters. At first the employer spoke very highly of her, but after eight months the arrangement became unsuitable and she returned.[45] Unusually, she left daily to attend school. Eventually, she became a seamstress and lived with the Matron until she satisfied her 12-month probation period.

In some 10 to 15 percent of cases, working-class families admitted daughters or wives. Parents, for example, sought shelter and discipline for wayward daughters whom they described as "on the verge of ruin."[46] Mr. M., a father of "respectable character," applied through clergy for the admission of his unfortunate daughter who had gone astray. At his request Wanda M. entered on 2 March 1858 at the age of 14, and remained for two years.

Others like Shae C., age 22, who ran away from home at 12, were admitted because they refused to submit to the restraint of parents. Others still "gave way to extravagance in dress, amusements, or indulged in stimulants."[47] Consequently, their parents deemed them incorrigible and, in Shae's case, "immoral."[48] This is consistent with the findings of feminist historians like Tamera Myers, Franca Iacovetta and Ruth Alexander, who report that some working-class parents used the institutions in the criminal justice system to discipline their wayward daughters.[49] In addition, husbands sometimes called upon the Refuge to discipline their "uncontrollable" wives. Such men contested their wives' lack of

submission and unwillingness to stay within the gendered boundaries of the patriarchal home and family.

For the Founders, whether she came on her own or entered screaming on the arms of mothers or police officers, was less significant than the safety, support and lessons she would receive at the Refuge. Once inside, inmates were expected to stay.

Operation and Management Practices

In the early years the Management of the institution was hierarchical with a group of Lady Founders on the bottom and a male Board of Directors at the top. Management included an Advisory Board of Gentleman, Directresses, Committee of Ladies, Prison Visitors, Matrons, and other workers.[50] Despite this, the Founders were solely responsible for developing and implementing the reform programme.

The Committee elected six directresses, a treasurer, and a secretary annually by ballot.[51] The Committee held meetings led by the Directresses the first Wednesday of each month at 3:30 pm. They inspected the institution, examined the financial accounts, ordered payments, and handled other business.[52] Each month they appointed a sub-committee of eight visitors. Visitors were expected to meet with the Secretary and one Directress every Wednesday to arrange for visitation on at least three days each week at the Refuge, as well as visits to the female inmates at the prison. The monthly Members of the Visiting

Committee also alternated as the "Admission Committee," to receive and discharge inmates.

Visitors also supervised the internal affairs of the institution, enforced the rules and provided religious counsel or moral instruction to the inmates. Given the institution's reliance on voluntary subscriptions and support, all Committee members spent a lot of time canvassing for donations and doing community work to garner support.

A matron's position was established late in 1853. In the first few years several women held the post. The first, Miss Grey, lost her position in 1855 for neglecting to take care of her charges on Christmas night. She left the inmates unprotected in the house and, in contravention of the Refuge's aims, brought in liquor. Miss Rankin succeeded Miss Grey, and was later replaced by Mrs. Dunlop and then Miss Aikens.[53] The matron held one of the most important roles in the management of the institution. The Founders argued that superintendence of an institution of this particular kind required a "combination of such qualities and capabilities as are rarely to be found but in those long accustomed to the charge of similar institutions."[54] They identified tact, judgment, and energy as essential attributes of a matron.

From the perspective of the Founders, the matron's kindness and guidance was the key to success at the Refuge. The matron provided inmates with their proper employment for the day and ensured due diligence and correctness in the performance of their tasks. They characterized the matron's treatment in a similar tone as the Refuge generally; that is, "extreme tenderness

and kindness, combined with great firmness."[55] For example, in 1871 the Secretary wrote that "Mrs. Aikens' calm Christian bearing and constant attendance in the workroom have had a very happy influence there."[56] Of Miss Rankin, the Founders stated: "her tender and judicious management ... has proved that the class of persons whom this Society seeks to reform can be governed by a system of discipline which combines strict obedience to the rules of the Institution with the cultivation of self-respect, sympathy and love."[57]

After 1855 the matron kept a log recording the name of everyone admitted, the date of admission, age, religious denomination, place of birth, and her own remarks regarding "the character and conduct of those received while in the Refuge" and the time and circumstances of their discharge from the institution.[58]

In 1876 the Committee of Ladies implemented a set of rules and regulations to guide the operation of the Refuge. Seventeen rules – hereafter designated The Rules – directed institutional conduct on everything from when meetings would be held to who controlled admission procedures.[59] For example, Rule #1 of the Rules and Duties of Inmates read: "the inmates are to wear such a dress as may be thought proper and becoming by the Committee; the hair to be plainly confined in a net or by a comb."[60] In this way inmates would resemble – but still be distinguished from – their keepers. These symbols of clothing and manner said much about proper activities for women.

A Tripartite Strategy: To Reform, To Reconcile and To Restore

Throughout this period the Founders stressed that "reformation of personal character, reconciliation with parents, restoration to some position in society, the future life of virtue and happiness – these are the fruits we aim at."[61] They sought to *reform* the degraded character of the erring female, then either *reconcile* her to the parental unit or place *restore* her in a respectable working class position as a domestic servant.[62] Either way she was to be supervised and controlled. Her sexuality was particularly disciplined. In providing a home for erring females the Founders hoped their institution could "reclaim, from haunts and vice and infamy, many of the fallen and degraded of our sex."[63] The Refuge's tripartite purpose – to reform, to reconcile and to restore – aimed to "give to every woman without reference to country or creed, an opportunity of 'reforming.'"[64] To realize these goals the Founders developed several strategies. To understand the strategies employed we must first examine the goal they were meant to serve. For the Founders, the ideal woman was constituted through femininity.[65]

A growing body of literature examines how an idealized version of femininity works to structure the possibilities in women's lives. This idealized or emphasized femininity describes a normative construction against which other forms may be measured.[66] As discussed in Chapter One, maternal discourse of acceptable or emphasized femininity, based on the ideal Christian woman of the nineteenth century, guided the Refuge programme. Who was this woman against whom inmates were judged and found wanting? The ideal woman was a fluid

concept with different meanings depending upon the class and ethnicity of the group of women to whom it was applied.

The ideal working class female subject was docile, submissive, pious, religious, chaste, sober and above all obedient to patriarchal authority (the father, husband, minister/priest). Engaging in prostitution, running away, staying out late with boys, being intemperate, and vagrant were the antithesis of the truly feminine woman. The erring female was living in violation of Protestant bourgeois notions of female sexuality and vocational propriety. Thus, the Refuge sought to train inmates according to values of respectability.[67] It cannot be known whether all upper-middle class women shared the Founders' disdain for prostitution, nor can we know how many working-class women believed prostitution was the answer to their plight. What is certain, however, is the Founders believed that direct and indirect instruction in the virtues of femininity, specifically in domesticity, chastity/infidelity, and learning submissiveness, could change what they saw as anti-feminine behaviour. Toward this end they developed a gendered reform programme which permeated the entire institution. Inmates found every aspect of their daily lives controlled through a generalized, highly regimented program involving correction, regulation and other forms of control, all justified in the name of character reformation and done *for their own good*. There was a production of a particular form of identity (or subjectivity) that made is very difficult to imagine other possibilities.

Throughout the nineteenth century the daily routine varied little. A typical day began with a mandatory 6:00 am wake up call in the summer, and 6:30 am

in the winter (save for those in poor health). Before leaving her room an inmate was required to open the blinds and spread out her bed clothes. Next, she was expected to assemble with the other inmates for what was called "family worship," a Christian worship service for all inmates and staff. After the service inmates gathered for breakfast, after which they returned to their rooms to make their beds. By 8:30 am the workday had begun. Each inmate was required to report to either the laundress or kitchen matron for duty. She would stop working at 12 noon to dine, and then return to her occupation until 5:00 pm. From 5:00 pm to 6:00 pm she would meet the other inmates for the evening meal, a period called "tea and recreation." Those on kitchen duty served their fellow inmates supper. From 6:00 pm to 8:00 pm she would return to her work. At 8:00 pm another session of family worship commenced, after which all the inmates were expected to retire to their dormitory for the night.

Through this regime, reformation, reconciliation and restoration were to be achieved. What was less clear was how to evaluate whether these goals were achieved. The first step involved reformation of the fallen individual character by removing sinful vices and habits. Only if "true" reformation had taken place could an inmate be reconciled to her friends or family, especially if she was young. The final objective was to restore the inmate to a respectable place in working-class society. They directed their efforts toward reclaiming the degraded, instructing the ignorant, encouraging the penitent and restoring the wanderer.[68] Two mutually reinforcing strategies – moral and industrial training and religious

instruction and guidance – were supplemented with disciplinary practices to meet these objectives. The following discussion examines these strategies.

Reformation through Moral and Industrial Training

In this way we try to bring about a healthy state of mind and body, and at the same time fit them for doing well their part in the world at large.[69]

Of the goals the Founders had, reformation was probably the most important. What was the Founders' successful image of reform? The Founders looked for the "outward effect" of a change in the inmates' habits, such as keenly participating in religious ceremonies or dutifully working in the laundry. When the behaviour and/or demeanor of an inmate resembled this ideal, the Founders believed that she had begun to internalize the teachings received at the Refuge. In some women a "wild, excited, feverish look" gave way to "calmness, submission, and contentment."[70] Submission was central to the reformation process for without it the Founders could not be satisfied that the erring female would not fall again.

The importance the Founders placed on reformation is nowhere more evident than in their efforts at rebuilding characters through the interrelated strategies of moral and industrial training. Moral and industrial training mutually reinforced each other, simultaneously working to instill feminine, domestic, and appropriately working class moral qualities perceived to be lacking. The Founders presumed that if exposed to maternal teachings in morality and industry, inmates could develop the skills, morals, and values that would prevent

them from falling victim to vice. As the following discussion will show, the distinction between moral and industrial training was subtle, but significant.

Moral Training

Moral training comprised various attempts to persuade inmates to abide by standards of respectability set for them by upper-middle, Christian women. Inmates were encouraged to develop and/or adopt womanly qualities of femininity and domesticity associated with chastity, piety, temperance and submission. However, inmates were expected to do "their part in the world at large," though not rise above their social class.[71]

The key to reformation was routine; specifically immersion in an environment free from temptation and vice. The Rules, though they were not official policy until 1876, served to regulate the inmates' conduct and cultivate a particular moral climate from the beginning.[72] No inmate was immune from the constant reminders, as the Rules hung from the Dining Room Hall for all to see. The Rules gave explicit instructions for appropriate behaviour both in the institution and after their release. Each rule gave strict proscriptions and prescriptions that both constrained the inmates' actions and limited their ways of thinking. The Rules allowed only a modicum of flexibility, and were supplemented by one-on-one instruction and informal contact with matrons and directresses.

Industrial Training

The complement to moral training (and also covered in the Rules) was industrial training, training in the habits and skills of industry, lessons meant to equip

Refuge inhabitants for domestic service. According to Secretary Burns the majority of inmates could "scarcely use the needle, or by idleness have forgotten how to use it" when they arrived.[73] Because they lacked the skills of domesticity – and the moral values that accompanied them – industrial training was required to give inmates opportunities to develop habits of industry. Industrial training set out to "bring to industry" those whom the Founders called "lazy and incorrigible," to make them competent and skilled in various tasks understood as women's work.[74] Domestic tasks included: household work (e.g. cooking and cleaning), chores (e.g. gardening, sawing wood), and vocational training (e.g. shirt making, plain sewing, embroidery, knitting, and quilt making). In addition to domesticity, industrial training emphasized the Christian values of selflessness and pleasing others, further blurring the division between industrial and moral training. For example, the matron attempted to reinforce in her charges the moral virtues of femininity and domesticity while training them in the industrial pursuits of housekeeping and care taking.

Work formed a primary element in the system of training and reformation, but also became "essential as part of the machinery" of the institution.[75] Of the different methods used for industrial training, the most significant was work in the laundry.[76] From the 1860s on the Refuge operated a commercial laundry, which provided revenue for the institution as well as on the job training. As the Founders put it, work fit the inmates "both physically and mentally, for usefulness" as women; it also helped to defray the expenses of the institution.[77] It allowed the inmates to "form habits of industry, which shall best qualify them to

earn for themselves a suitable and honest maintenance."[78] Early reports, however, downplayed the importance of the commercial aspect of the laundry, saying: "labour and its profits is one of the secondary, not primary objects of the Asylum."[79]

The Founders argued that this "branch of female industry" was the only one within their "power to patronize."[80] The Founders continued to recommend that the public encourage such industry "by keeping the Institution well supplied with work."[81] While a commercial laundry was not the only work opportunity (as many inmates' could and did knit and make other more skilled crafts), the Founders' decision to operate the laundry as a business based on the labour of the inmates suggests that they perceived such women as only suited for a low paying, low prestige position. But for working class women this was respectable work. It could also relate to the possibility for steady profit and the fact that the laundry was something required in the home. In the words of the Founders, "the women themselves are the supply and demand, the cause and the effect, the means and the ends."[82] Developing skills in embroidery and dress making required a great amount of time and attention. Teaching the inmates how to wash clothes, by contrast, was a more useful skill, especially considering they would leave the institution to take up domestic service as a vocation. Laundry appears to have a symbolic function – offering inmates a type of cleansing ritual where they could purge moral contagion. Perhaps the Founders saw laundry work as a method of penance for past sins.[83] Valverde refers to cleanliness as a moral metaphor.[84]

Spiritual reclamation was not only implicitly linked to character reformation through moral and industrial training, it comprised a key component of the reform programme on its own. Domesticity and piety were both crucial for turning erring females into good Christian women.

Reclamation Through Religious Instruction and Moral Guidance

...what an evil and bitter thing it is to depart from the living God, and how blessed to have their hard hearts softened, their rebellious wills subdued, so that they who in time past have lived only in sin, may in time come live only to God.[85]

To reclaim, according to the Founders, involved bringing an inmate closer to God or to "come live only to God" so that their hardened hearts could be softened and "their rebellious wills subdued."[86] As Backhouse suggests, "simple faith in the power of religion to reclaim prostitutes provided a foundation for the female reform perspective throughout the century."[87] However, compared to other institutions of its day, the religious tone of the Refuge was greater. The Founders argued the original name of the institution, Toronto *Magdalen* Asylum, "must commend its object to every Christian, benevolent heart," which suggests the depth of their conviction.[88]

Real reformation involved more than a change in habits. It was only achieved with a deep transformation of spiritual character, which the Founders termed reclamation. Reclamation, then, was a form of rehabilitation achieved through religious influences. The Founders hoped to find in the inmates "a real change of heart as well as conduct."[89] Religious instruction and moral guidance was a two-fold process geared first, toward rescuing sinners "from the paths of

vice" and second, bringing them "under the benign influence of Christian sympathy and truth."[90]

In the eyes of the Founders the inmates in the Refuge were girls gone astray who had "lost their spiritual way."[91] What was the antidote to the inmates' sinful course? The Founders argued that only proper religious instruction under a kind Christian influence guided by Divine blessings could reclaim the inmates. Inside the Refuge where they could learn the teachings of Christianity girls could develop the change of heart required to find their way again. In their care the Founders insisted that inmates could "be brought to see the error of [their] ways."[92] In this way, reclaiming inmates from a life of sin and depravity required bringing those who lacked good Christian and maternal influences "to virtue."[93]

The institutional programme must be understood in the context of the "high tone of moral and religious feeling which prevail[ed] in the institution."[94] As Secretary Burns put it, none came "within these walls without hearing the gospel message."[95] Christianity pervaded the institution: from the instruction received in formal religious services on Sabbath days and bible classes every Tuesday to the "family worship" (for inmates and staff) held each morning and evening.[96] A typical day began and ended with the matron reading from the Holy Scriptures, accompanied by hymn singing and prayer.[97] How pleasant to hear the inmates "sing the hymns of Zion," one Board Member recalled, "rather than the songs of revelry and sin."[98] Ministers of several Protestant churches in the city led a regular plan of ministry.[99] Annual reports indicated that inmates attended religious services and bible classes with "an amount of interest and attention"

that the Founders found gratifying.[100] However, religious teachings only had an impact to the extent that inmates were willing to "turn from the path of the destroyer, and retrace their steps to virtue and happiness!"[101] That is, only insofar as the inmates evinced a sincere desire to change was reclamation possible.

The structure and culture of the Refuge reinforced the Founder's belief that to "depart from the living God" was an "evil and bitter thing" to do.[102] The matron, for instance, was required to recommend the religion of the Gospel to those under her charge, and to recognize that "the salvation of one is vastly more important than the mere outward reformation of many."[103] Clearly, for the Founders reforming women's character was impossible without religious salvation or reclamation.

Restraint Through Maternal Discipline

The selfish and the violent [require] control, and our only power over them is the firm hand and tender heart.[104]

Restraint, firmness, and control, what I have called "maternal discipline," also formed an integral component of the reform programme. The Founders argued that restraint was necessary to both guard the inmates against temptation and to prohibit their abuse of the institution's kindness.[105] Yet the level of restraint that characterized the institution was in tension with the Founders' claims that reformation was always guided by kindness, sympathy and a "tender heart." Maternal efforts at guidance or training were at times indistinguishable from this more punitive form of discipline. Disciplinary practices were invoked to make

reform practices work, or to respond to inmates who willfully disregarded the reform programme.

That the Refuge had no statutory power to detain inmates against their will put the Founders in a predicament, forcing them to develop other methods to ensure compliance. Probation was used toward this end. Before being granted entry candidates had to agree to submit to a 12 month probation period. In the first few years this period was two years. However, after bad publicity, and to quell concerns that women were being institutionalized for too long, the Founders changed the policy.[106]

Forbidding contact with friends or former acquaintances (either by conversation or in writing) comprised another level of maternal discipline. No "strangers" (past associations) were allowed access without the matron's approval and then only under her watchful eye. Visitations with family members were rare. And, in many cases, the matron read inmates' correspondence.[107]

Another way disciplining was achieved was to limit or circumscribe recreation. Inmates were allowed to enjoy themselves "in any innocent way" they choose as long as they remained within the grounds of the institution, which left very few opportunities for leisure.[108]

The most omnipresent form of maternal discipline was the institution's Rules and Regulations, which contained nine instructions and proscriptions specifically designed to govern inmates. According to The Rules, "every phrase, gesture, and their whole conduct, whether towards each other or those who may come into their presence, shall be regulated by kindness and propriety."[109] The

Rules warned inmates against falling back into old habits. For instance, Rule #2 stated: "Gossip, exciting or insulting language and any allusion to past character, shall be most strictly prohibited."[110] Given the Founders' disdain for intemperance the Rules explicitly forbade inmates from taking stimulants. The Founders presumed that this vice would lead the erring female back to her past associations and haunts. Inmates were also expected to maintain "due decorum and attention" while engaged in morning and evening worship. Similarly, the matrons insisted upon "peace and good order" during work hours.[111] At all times inmates were obliged to display respect and obedience.

In addition to formal and informal rules to guide inmate's behaviour disciplining involved restraints used to compel inmates to reform and punishments meted out against inmates who showed disregard for the institution. Inmates who failed to conform to middle-class notions of working-class propriety, like Annie W., who constantly talked back to the matron, were disciplined by being deprived of recreation or expelled from the institution.

The Founders' attempts to bring women to the comfort of a Christian and feminine life were fraught with difficulty. Annual reports continually charged that a specific group of women were unstable and disliked restraint.[112] In the eyes of the Founders and the matrons in charge of the day-to-day institution acts of resistance or other forms of defiance to the moral code of the Refuge warranted punishment.[113]

The Founders justified these techniques – from informal rules to restraint and punishments – arguing that the "peace and prosperity" of the institution

depended on the "tone and temper of the internal government."[114] In their view, this was "mild, but firm, compassionate but very discriminating – ever alert, never weary."[115] They believed that they could not in good conscience permit inmates to leave the Refuge until they had acquired some "degree of self-respect."[116] This could only be achieved after being immersed in "proper" moral and religious influences. Therefore, the Founders insisted that only after a probation period could an inmate be "trusted, or trust themselves beyond the place of security."[117]

The Founders also justified the use of punishments such as no leisure time or time alone as necessary for the greater good: "Those dismissed for violent conduct, insubordination and bad language – painful though to send away- it was necessary on account of the rest."[118] The Founders acknowledged that "of course among such a class, there are always some more troublesome, unmanageable, and unreasonable, than others – still there are exceptions."[119]

While they admitted to using maternal discipline and restraint in practice, their rhetoric diminished its importance. Instead they argued that restraint was the exception to the rule of kindness, and that most inmates settled down "into the pleasing arrangement of a well regulated family."[120] The Founders' use of the family metaphor is particularly salient. It conveys their conviction that social controls exercised in a family unit were more personal, private and benevolent than punishments handed out in penal institutions. Relying on the image of a well regulated family allowed the Founders a way to minimize the control they exercised (i.e. keeping inmates locked in). Looking back on the early years, one Secretary commented: "[a]lthough rules are necessarily strictly adhered to

gentleness and kindness are the only means used to enforce them."[121] The centrality of these principles is seen in the following poem, which hung on the wall of the institution through the period:

> *Speak gently to the erring one, ye know not of the power*
> *With which the dark temptation came, some unsuspected hour;*
> *Ye may not know how earnestly she struggled, and how well,*
> *Until the hour of weakness came, and sadly then she fell.*
>
> *Speak gently to the erring one, oh, do not thou forget*
> *However darkly stained by sin, she is thy sister yet;*
> *Heir of the self-same heritage, child of the self-same God,*
> *She hath but stumbled in the path thou hast in weakness trod.*
>
> *Thou yet may'st lead her back again, with holy words of love,*
> *From misery's dark and thorny path, to Heaven's bright home above:*
> *Forget not thou hast often sinned, and sinful yet may be;*
> *Deal gently with the erring one, as God has dealt with thee.*[122]

The Founders were adamant that restraints exercised were *for their own good.* Besides, in their mind, each inmate had voluntarily submitted to the reform programme. Her promise to reform on admission was her agreement to submit to its control; and her acknowledgment was that she needed protection.

Controversy about the reform programme at the Refuge was frequent. During the late 1860s Toronto newspapers such as the Globe attacked the Refuge on several occasions for being too harsh and strict in their practices (e.g. keeping inmates for two years). In the late 1860s several statements appeared in the daily newspapers calling attention to the work of the Refuge.[123] The Founders argued that such accounts conveyed "a false and injurious impression" and defended the regime's disciplinary efforts in letters to the editor:

> The experience of the past shows that the most good is done by a system of discipline which teaches the unhappy outcast that she is yet capable of regaining her lost position and becoming respected and loved. While the

> government is founded on the principle, and there is no appearance of compulsion, it is found necessary to guard against any occasion to temptation or abuse of the kindness and shelter afforded by the Refuge.[124]

Their reply also explained what they declared was a misinterpretation of the Rules.

> Though on the card with the others, and hung up in the hall of the "home," is not rigidly carried out in these two points. Inmates do not rise so early and they do not work after 6 o'clock, except for themselves. Furthermore, they have a small library and books are lent to the institution, from which some one reads to the inmates while they are at work almost every afternoon. They have Saturday almost wholly to themselves, besides every public holiday, and these last generally made feast days; while at the same time they are allowed to enjoy themselves in any innocent way they choose within the grounds of the institution.[125]

In this way, the Founders sought to reinforce their message that the Refuge was a place of safety that offered shelter and protection to the poor, female, unhappy outcast. As the foregoing discussion has demonstrated, however, their claim that within the Refuge "there is no appearance of compulsion" was more difficult to substantiate.[126]

Maternal discipline was a key part of the process of making the erring female into a submissive, gendered subject. The perpetually problematic erring female required some form of discipline to be reformed. Maternal discipline – or, as the Founders put it, bringing them "under restraint" – served as a way to

temporarily restore inmates' adherence to the Refuge's moral code.[127] Maternal discipline was the glue that held the reform programme together. It penetrated, reinforced, and maintained the practices of moral and industrial training and those of religious instruction, on the one hand and the discourses supporting them, on the other. It bridged the dissonance between protection and punishment.

Restoration: From Erring Female to Domestic Servant

We aim at making them good servants, and would deprecate teaching them any habit in the home that might seriously intervene with their usefulness as domestics.[128]

The Founders argued that the routine, habits and skills developed in the Refuge operated to fit the inmates both physically and mentally for usefulness after they left the Home.[129] In practical terms this meant that the Refuge aimed at turning the inmates from erring females into domestic servants, and returning them to parental homes. However, restoring "in favour and confidence such penitents as many have parents or relations in the country" was only possible after inmates had acquired the "habits of cleanliness and industry" and had satisfied the Committee that they were "sincerely desirous of doing well."[130]

The Founders encouraged only two options for a woman once she left the Refuge: "happy settlement" either by marriage or work in "respectable homes."[131] In other words, the Founders defined a "good, respectable life" for an erring female as living comfortably either in their husband's or father's home or under

another woman's charge in domestic service.[132] Both positions implied protection [read dependence].

Indeed, while inside the Refuge inmates were trained for a career in domestic service. No aspect of the reform program was supposed to "interfere with their usefulness as domestics."[133] Committee Members facilitated the shift from erring female to domestic servant by procuring employment for those inmates who had "given satisfaction" in the Refuge. In turn, upper-middle class women applied to the Refuge for servants. If they received a former inmate as a servant they were required to stay in contact with the Refuge and report on the "success" of the placement, which provided a quasi- parole system for the Founders.

Domestic service was valued for three main reasons. First, in domestic service women would take on womanly roles of caregiver and housemaid, roles which reinforced Refuge teachings on piety, domesticity and industry. Domestic service was appealing because of the protection, guidance [read surveillance, control and discipline] and models of respectability available in the homes of upper-middle class Protestant women employers. Moreover, it would also provide an environment far removed from the temptations of the street. Domestic service was also asexual, unlike marriage. Marriage, unlike in later time periods, was not the main goal of reformers. Perhaps they believed that although fallen women could be restored, the assumption that women were too tainted to marry belies their belief that fallen women could be restored.

Second, the Founders viewed domestic tasks as a "situation of active usefulness" most suitable for the inmates in their charge.[134] They were effective tools for keeping women reformed – that is, committed to the lessons instilled at the Refuge. By requiring employers to keep a record of the subsequent conduct of inmates and maintain contact with the institution, a placement in domestic service also allowed the Founders to "keep track" of inmates [read surveillance]. Although the Founders lost track of many inmates once they left the Refuge, some annual reports reproduce letters written by former inmates and others. In 1868 one Mistress wrote: "knowing the great interest you have felt and still feel in EM I have great pleasure in telling you that she is now, through a kind of providence, provided with a good and pleasant home for the remainder of her days. She was married on the 16th to a very worthy man."[135] Such news was exactly the kind the Founders liked to hear. All evidence suggested that EM had been brought back under control and was successfully reformed.

Finally, and perhaps more importantly, domestic service reinforced women's dependency.[136] That no matter how much help, instruction or kindness any woman was offered at the Refuge she could ultimately only save herself was lost on the Founders. The transition from Refuge to situation merely transferred the role of protector and moral mother from the women who ran the Refuge to the women who hired them as domestics and the men who headed the households. Despite the Founders' rhetoric of voluntariness it appears that the inmates were afforded very little say in where they were sent after the probation period was completed.

Recall Katia who entered the Refuge on her own volition in 1857. After her probation period the Committee sent her to work for a minister's family in the city. There (according to a letter received from her matron) she continued as a valuable servant until her marriage to a respectable man, with whom (at the time of her letter) she was living comfortably.[137] The Founders were pleased that Katia, formerly a girl they considered of abandoned character, had successfully been brought to see the error of her ways and had a change of heart. Katia's case was not typical, but her experience was of the kind the Founders hoped for all the inmates. Nonetheless, the Founders realized that not all inmates were suited to a position in domestic service upon release. Did all of the inmates successfully end up domesticated? After a stay at the Refuge did the inmates leave reclaimed and restored?

Where did they go? Removal and Exit Practices

Inmates left the Refuge in three main ways: 1) successful completion of a probation period of at least 12 months; 2) escape or exit without permission; 3) on request of the Committee, either before the probation period was completed or before reformation was deemed complete.[138] The first option, leaving at the end of the probation period inmates were judged according to whether they had been reformed. At such time if her keepers found that she could conform to the standards set for her they placed her in domestic service. The Founders would "procure a suitable situation" for her, usually in the country, and send her along "comfortably clothed."[139] She left the Refuge with the Committee's

"recommendation and under [their] protection."[140] Their promise to provide inmates with a suitable placement and send them away from the temptations and potential allure of the city is significant for the way it reinforces the gendered and class-based reform strategies employed at the Refuge.

Take, for example the first decade of operation. One hundred and thirteen women entered the Refuge between 1853 and 1860. Upon release thirty percent were sent to a position in domestic service, the most common form of exit. Eighteen percent were expelled or "left on their own accord." The Committee considered them to be "wayward ones [who] go out before their time of probation is completed."[141] Removing oneself from the protection of the Refuge before being reformed, as they did, was a "step backward."[142] As the Founders argued, "finding the 'restraints' of the Institution irksome," feeling they were restored to comparative health and thinking they could easily find employment, some inmates desired to "again be at liberty and though reasoned with, earnestly advised and urged by matron and Founders to remain, go out and speedily sink into their 'former state.'"[143]

The large number who left before their time was up or "ran off" created great difficulties for the Founders. They were seen as "restless and impatient" or "thankless and heartless."[144] Such girls, who could not "bear the restraints necessarily imposed on them, and rush back to their wicked courses,"[145] especially when noted publicly, brought discredit upon the institution. The Founders countered that such "failures" created "a very erroneous" impression, and hid their many successes.[146] Failures should not tarnish the name of the

institution, they argued, because for every woman restored, there would always be many who found their way back to the streets again. The Founders read inmates' rejection of the care of the Refuge as their "voluntary relinquishment of the benefits of the Institution,"[147] not as a sign of failure on their part.

Other inmates faced expulsion for willful and habitual violation of the Rules and Regulations. The Founders saw any deliberate offence that opposed the object and design of the institution as a cause for removal. May R., for example, entered the Refuge on 23 June 1859 at age 16. On 24 May 1860 she was forced to leave because she was "not approved by the Ladies."[148] Records indicated that disobedience was the chief reason for her removal. Similarly, 29 year-old Janet H. entered on 5 April 1859 and (over three years later) on 4 September 1862 was "sent by magistrate to jail for violence to the matron."[149] To keep order in the institution, then, inmates like Jane H. needed to be dismissed. Dismissals were also deemed appropriate for those who were "incorrigibly lazy, very foul in their language, and insubordinate."[150]

Each year a number of former inmates were "re-admitted." Typically, the Founders explained, an inmate first spends a year in the Home working faithfully. Next, she goes from the institution to a situation feeling healthy, comfortably clothed, and looking, in every respect, "such as one as you would like to see a servant in your home." After a few months of doing well she has a slight fall, but recovers, returns to her mistress and works happily again. The second fall comes more speedily than the first, at which point she gets discouraged. After one or two ineffective attempts to recover herself, she returns to the Refuge "to go

through the same experience." She is slowly improving, as can be seen in her "choice" to "return voluntarily to another year of seclusion."[151] In the early 1860s, for example, Faye G. ran away three times before she finally remained for 12 months. Once released Faye was restored to her parents. Later she married and became a respectful member of society. With reference to girls like Faye the Founders warned: "Had she been allowed to follow her own course, how different the result might have been."[152]

In other cases, we are told, inmates did not want to leave when their probation period was completed. For instance, in 1867 Estelle F, a middle-aged woman well known to the police, remained in the Refuge 12 months. At this time she "begged to be allowed to remain another year, not wishing to leave, she said, till she was quite sure there was no danger of her returning to any of her former bad practices."[153] The Founders associated the term "readmitted" with success. That Estelle found her way back to the institution proved to the Admission Committee that "she knows something of its value."[154]

Claims of Distinctiveness

"Do you really think you are doing any good?"[155] The Founders were faced with this question frequently. They answered emphatically: "Yes. We not only do think we are doing good; we know we are."[156] Yet, in 1862, a typical year by their own admission, only 17 of 81 women in their charge were "reclaimed" (or at least were deemed suitable for recommendation as domestic servants.) The majority of those sent to service were said to be "doing well," but several had "fallen" and

returned to the Refuge.[157] The Founders did not discount the benefits accrued for the remaining 64 inmates. As we will see, even if some inmates did not become respectable members of society, the 12 months spent inside the Institution, the freedom from stimulants, the regular and industrious habits required during that time – *alone* had beneficial effects.[158]

Several claims of distinctiveness were employed: voluntary admittance; reformatory character; and period of probation. By emphasizing the inmates' admission as voluntary, their entry/exit practices and probation period as unique, and the Refuge as distinctly reformatory, the Founders claimed an important niche for their work, and captured the attention of a skeptical public. In what follows I interrogate these ways that the Founders differentiated the Refuge from other institutions such as the prison, the hospital, and the mental asylum.

"The Refuge is in No Sense a Prison!"... it is "Voluntary and Reformatory"

Our establishment is <u>not</u> a prison whose bars they cannot or dare not break.[159]

Above all else the Founders resisted the suggestion that the Refuge in its disciplinary routine or reform programme was punitive. To the contrary, in their view the institution was protective. "Our institution is not a jail!"[160] This desire to distance the Refuge from the prison's taint can be traced to their belief that admission into the Refuge was not coercive, but voluntary.

While the language used to describe the Refuge, "a place of safety," "a benevolent institution," or "friendly roof," underlines the protective element they

sought to convey, the Refuge was first and foremost, in the eyes of the Founders, a reformatory institution."[161] Because admittance was voluntary the Founders claimed the character of the institution was altogether different from a prison or a reformatory. They argued that their purpose was not to force anyone to remain: "[t]hey must be willing."[162] As they explained: "whether we invite the prisoner from jail, or the outcast from the street, we can offer not only a home, but a welcome to it."[163] Furthermore, some women likely "volunteer" to come live at the Refuge. The 1874 Annual Report, declared that "daughters, deceived and abandoned, having left their home to hide their shame and grief, and having providentially seen the fingerpost point to the Refuge, have fled to it."[164]

The Founders believed that penal institutions only supplied the outward and temporary wants of the body, whereas the Refuge worked directly on the inner, spiritual needs of the soul. Since depraved habits stemmed from a depraved heart, the renewal of the soul was the only way to lasting reformation.[165] Removed from the temptations and influences of the outside world, the institution provided a safe haven – a refuge – with a home-like setting. Indeed, they deemed the brick and mortar of the institution itself a necessary component for reformation.

However, the Founders recognized that the Refuge occupied a very different place than hospitals for the sick, asylums for the aged, or homes for orphans. Unlike other charitable institutions like the hospital or children's home that could "plead their own cause, and never fail[ed] to meet with a hearty response," "a dark cloud of sin, rather than of misfortune" fell over the Refuge.[166]

Therefore, claims on Christian compassion for the Refuge were harder to achieve.

"Stop and think, reflect and resolve-believe and love":[167] Probation Period

We believe, and have had the belief strengthened by experience, that 'time' and a certain amount of 'exclusion' from outside influences in necessary.[168]

The Founders argued that achieving their desired ends of industry, femininity, chastity, piety, domesticity, and temperance required considerable effort, time, and patience. As such, "much discretion [was] necessary on the part of the Committee, in deciding on the time required and the degree of restraint necessary for the reformation of each person."[169] Stop and think- reflect and resolve-believe and love – this was the purpose of a probation period.[170] The Founders believed that before the inmates could be released a measure of self-respect must be acquired.[171] Their claims were consistent with developments in welfare penality, specifically the belief in the malleability of the offender and the practice of indeterminate sentencing. Based on the same view, that it could not be determined *a priori* just how long rehabilitation of an individual would take, indeterminate sentences popular during the rise of modern penality in Canada resemble the indefinite period the Managers presumed necessary to reform the erring female.

Recall that acceptance into the Refuge was conditional upon the promise that "being desirous to reform she will remain in the Institution for at least 12 months, and that during all that time she will be 'obedient, industrious and

faithful.'"[172] The Founders claimed that the 12 month probation period was necessary and beneficial for "undoing the past and regaining a state of mind favorable to the habits of industry."[173] To reform-minded women the probation period offered a "strong test of [a candidate's] real desire of reformation."[174] Compliance with the probationary term not only tested the sincerity of applicants but provided a guarantee to prospective employers.[175]

The Founders defended probation by pointing to those inmates with deep rooted evil habits and sincere desire to reform where "there is no wish to go out when allowed."[176] They claimed that those who stayed long past their year of probation, such as Judith D. who remained for decades in the Refuge, could be heralded as successes.

The Founders also justified the year of probation on the grounds of the gains inmates made when confined. Among these benefits were: the calming of excitement, sweetening of "foul breath," "idle hands" became industrious, "troubled eyes" began to look with subdued intelligence.[177] After a year of probation, they argued, the tinsel of vanity and rags of finery were "voluntarily" laid aside and perhaps forgotten.[178] Underlying the Founder's claims of distinctiveness was a discourse of voluntariness that explained and justified the practices employed at the Refuge.

The particular niche the Refuge filled figured prominently in Annual Reports. The Founders argued that the continued support received from the benevolent public provided "sufficient testimony to the place it now holds among charities of the city."[179] The Founders believed that the Refuge would be the first

of many similar institutions and would eventually become a model for others. "Our Institution will become the parent one," they opined, "her branches will extend, for the evil we seek to cure or mitigate has no localities, and as our cities increase so will crime."[180] The Refuge could "merit no higher title" than to have similar institutions become an essential part of every large municipality.[181]

Conclusion

Alice B. voluntarily committed herself to the Refuge on 2 March 1879 at age 16. She did not leave until 13 June 1935. Was Alice a "voluntary prisoner?" This chapter has shown how the Founders successfully created a discourse of voluntariness that served to legitimate particular programmes of reform that were in many ways coercive and punitive. As the Founders put it: "Recollect they are *voluntary prisoners,* we cannot keep them against their wills.[182] By voluntarily submitting oneself to the institution's care, the inmate was seen as acknowledging that the institution and its workers had her best interests in mind. This not only marked her as an erring female in need of reformation, but also signified her consent to submit to the strategies employed to regulate, control, and otherwise govern her, as they were all done in the name of protection.

Through a programme of instruction, training, and discipline, the Founders attempted to bring inmates like Alice back "to virtue, industry and comfort, and some to the hope and blessedness of the Christian life."[183] In theory, then, the reform programme involved the mutually reinforcing strategies of moral and industrial training, on the one hand, and religious instruction and moral guidance,

on the other. In practice, however, restraints were built into the institutional structure of the Refuge. Maternal discipline was as much a part of the institution as any formal strategy of reform. That is, these restraints and disciplinary practices conditioned the cast and tone of the institution as much as strategies aimed directly at reformation and reclamation.

Behind the rhetoric of voluntariness lies the type of governance emblematic of the Founders' programme. A key distinction between the Refuge and penal institutions is not so much how power was deployed, but how that power was rationalized and validated. The Founders defended every aspect of the reform programme, from moral reclamation to restraint, in the name of protection and Christian compassion. After constructing the erring female as worthy of pity and in need of rescue from sin and degradation, the Founders put in place a programme to reform her. Their strategies found an external audience to the extent that the "social evil" had yet to be scourged. The Founders claimed that within the walls of this new institution the erring female could find the protection from the outside world and from herself that she needed. The Refuge was distinctive: Only a *voluntary prisoner* could be "invited, encouraged and protected" to a place of safety. Only a woman *in need of protection* could require a probation period of 12 months to test for sincerity at reformation. Only in a *Christian home* could she be rescued, reformed and restored.

Interrogating the discourse of voluntariness which underpinned the Society's efforts to rescue the prostitute and those likened to her reveals a disconnect between the rhetoric of protection – *for their own good* – and the at

times punitive practices of the Refuge. Their claims of distinctivenss relied on two key assumptions – first, that inmates were reformable and second, that they both desired reformation and voluntarily consented to the reform programme. An alternate interpretation suggests that her willingness to stay at the Refuge was less about her resolve to lead a proper working class life and submit to moral, religious, and industrial training that would better suit her for it than it was about the lack of alternatives working-class women had in 19th century Canada. Characterizing inmates as "voluntary prisoners" also worked to mask the same silences they eschewed in 1853 when the Refuge opened its doors to some, and closed them to others.

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[1] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1877. Page 7.
[2] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 7 and 14.
[3] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 7.
[4] For more on domestic service as an occupation for women see Leslie, G. "Domestic Service in Canada, 1880-1920," in *Women at Work,* Acton, J. et. al. (eds), (Toronto, 1974): 71-125.
[5] Mahood, 1990. *The Magdalenes*; Strange, 1995. *The Girl Problem*; Rafter, *Unchastizing the Unchaste.* Also see Brenzel, B. "Domestication as Reform: A Study of Wayward Girls, 1856-1905," *Harvard Educational Review,* 50 (1980): 196-213; Cale, M. "Girls and the Perception of Sexual Danger in the Victorian Reformatory System," *History,* (1993): 210-17.
[6] I continue my use of the term "Founders" to refer to the women who operated the institution during era one.
[7] This analysis is also based on newspaper clippings, government and other correspondence and secondary literature.
[8] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 6.
[9] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 7.
[10] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 7.
[11] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1863. Page 1.
[12] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1873. Page 8.
[13] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 8.

[14] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Tamera Myers explores the notion of voluntariness in Myers, T. "The Voluntary Delinquent: Parents, Daughters and the Montreal Juvenile Delinquents' Court in 1918," *Canadian Historical Review*, 80 (1999): 242.
[15] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 8.
[16] Each file was not marked in this way, but rather such phrases were used in case records to describe the women. Rather than their rankings this scheme was my way of dividing the evidence.
[17] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 1 and 7.
[18] Ibid. Page 7.
[19] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[20] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Page 1.
[21] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[22] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857. Page 10. Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[23] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[24] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 8.
[25] Ibid. and Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1865. Page 8.
[26] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1883. Page 8.
[27] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874.
[28] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1855.
[29] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[30] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[31] According to statistics given in annual reports, missing for 1855 and 1856.
[32] However, record keeping during this period was inconsistent, so the exact paths of entry are unattainable.
[33] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 8 and 1873 Page 7.
[34] Private Holdings. Belmont House.
[35] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females and all Annual Reports.
[36] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857.
[37] Ibid. Page 9.
[38] Ibid.
[39] In furthering the object for which this institution was established, the 'visitation' of the prisoners in the jail became an important duty to find the victims and outcasts requiring its aid. In the discharge of this duty it was found there never had been a matron appointed to look after the welfare of female prisoners, and without whose supervision and aid little good could be anticipated. The Committee, supported by a Report of the County Council and a Resolution of the Magistrates in Quarter Session, had a "respectable Christian woman" appointed to office in 1854 (something then since regarded as a necessity.) Annual Report, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874.
[40] Ibid.
[41] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Doing her needlework very neatly and seeking the good of the institution was proof positive of her industriousness.
[42] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858.
[43] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 7.

[44] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Page 10.
[45] However, receiving the same woman more than twice was cautioned because it was thought that they were an undesirable influence on the others, "but cases occur which prove that it will not do to be too severe in dealing with those, however bad, who come begging to be received once more." Annual Report, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1865. Page 7.
[46] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Page 7.
[47] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1884. Page 7.
[48] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[49] Bryan Hogeveen, in his study of wayward boys, found that working-class parents drew upon the arm of criminal justice in order to deal with the deviant conduct of their sons. Hogeveen, *Can't You Be a Man?*
[50] Without the consent of the committee the matron could not leave the Refuge.
[51] Directresses were expected to be present at all meetings.
[52] Rules and Regulations. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876.
[53] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1863. Page 7.
[54] Ibid.
[55] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1872. Page 8.
[56] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 8.
[57] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Page 9.
[58] Rules and Regulations, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876. Before her position was established members of the Committee recorded admissions, but did so in a less systematic way.
[59] Rules and regulations for the institution were formally compiled in a document called "Rules and Regulations Toronto Magdalen Asylum and Industrial House of Refuge for Females" in 1876. The Rules will be discussed later in the Chapter.
[60] Rules and Regulations. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876.
[61] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 9.
[62] There was little talk of "marrying off" such women, only sending them back to their husbands.
[63] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1872. Page 7.
[64] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1854. Page 7.
[65] Gorham, D. *The Victorian Girl and the Feminine Ideal,* (Bloomington: Indiana University Press, 1982).
[66] R.W. Connell refers to this form of privileged discourse as "emphasized femininity." Connell, R. W. *Masculinities.* (Cambridge, Polity Press, 1993).
[67] Like U.S. reformatories like Albion, and the Mercer Reformatory in Canada.
[68] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859.
[69] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1870. Page 9.
[70] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 8.
[71] Ibid.

[72] On the enforcement of the rules at the Refuge see the Globe, 16 December 1862, 19 June 1867, 4 March 1869, and the Telegram, 16 November 1869.
[73] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[74] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[75] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868.
[76] Ibid.
[77] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1899. Page 7.
[78] Rules and Regulations, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876.
[79] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1854. Page 8.
[80] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 6.
[81] Ibid.
[82] Ibid.
[83] Here I am thinking of the long standing notion that cleanliness is next to godliness!
[84] Valverde, *The Age of Light, Soap and Water.*
[85] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1873. Page 7.
[86] Ibid.
[87] Backhouse, *Petticoats and Prejudice.*
[88] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 8.
[89] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1865. Page 9.
[90] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 7.
[91] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[92] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 10.
[93] Annual Reports. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857, 1859, 1861 and 1874.
[94] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857. Page 12.
[95] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1881. Page 9
[96] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867.
[97] Religion was also a key component of the administration. All board meetings were opened with prayer. Rules and Regulations, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876.
[98] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 7.
[99] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857.
[100] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1865. Page 9.
[101] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 8.
[102] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1873. Page 7.
[103] Rules and Regulations, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876.
[104] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1893. Page 8.
[105] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858.

[106] The escape and subsequent Police Court appearance of two 16 year old girls from the Industrial Refuge gave rise to publicity and scandal for the institution. According to an article published in 1914 in the Jack Canuck, "The Industrial Refuge is a Home for girls, who are without parents or proper guardians, and is a very necessary institution in a city the size of Toronto, but when it is conducted as this institution seems to have been conduced, instead of a blessing it becomes a menace to the well-being, liberty and prospects of the girls unfortunate enough to have been incarcerated in such a place." Crown Attorney Corley declared, "this girl has been kept practically a prisoner in this Institution because she is a good ironer. I would ask your worship to remand this poor girl for a week that I might make enquiries." Of the Home, the reporter continues: "another commissioner should be appointed at once to investigate and report upon the Belmont Home of Slaves which is managed by a number of well-meaning but utterly inefficient old women, and inspected by an inefficient and absolutely impossible Inspector, Mr. Dunlop. Jack Canuck, January 1914.
[107] Rules and Regulations. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876.
[108] They were prohibited from leaving the premises (and the internal confines of the institution during the first three months). Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1870. Page 10.
[109] Rules and Regulations. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876. Rule 3.
[110] Rules and Regulations. 1876. Toronto Magdalen Asylum and Industrial House of Refuge for Females, Rule 2.
[111] Rules and Regulations. 1876. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[112] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 7.
[113] The form of discipline in women's and men's institutions differed. As Hogeveen has illustrated in the Victoria Industrial School for boys corporal punishment was routinely administered in a context of institutional masculinity. Hogeveen, *Can't You Be a Man?*
[114] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1881. Pages 5-10.
[115] Ibid.
[116] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1878. Page 8.
[117] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 9.
[118] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 9.
[119] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 10.
[120] Ibid. Page 9.
[121] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1900. Page 8.
[122] Ibid.
[123] See Telegraph, 31 August 1868, "The Magdalene, its inmates, how they live and what they do'" and the Founders reply on 17 November 1869. Also see Annual Report 1868. Page 7-8.
[124] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 7-8. Letter to the editor.
[125] Ibid.
[126] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Page 10.
[127] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1882. Page 8.
[128] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860.
[129] Annual Report. Toronto Magdalen Asylum and Industrial Refuge for Females, 1899.

[130] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1876. Page 1 and 1858 Page 9.
[131] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Interestingly, "some who are incapacitated for domestic service are allowed to remain in the Institution. One who was formerly regarded as hopeless, and who has been sheltered and taught for 5 years, desires still to remain, and is 'reformed, industrious, and useful.'" See Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Female, 1860. Page 3.
[132] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1877. Page 8.
[133] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1860. Page 7.
[134] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 7.
[135] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 7.
[136] In contrast other institutions attempted to instill independence. See Knupfer, A. "'To Become Good, Self-Supporting Women:' The State Industrial School for Delinquent Girls at Geneva, Illinois, 1900-1935," *Journal of the History of Sexuality*, 9 (2000): 427-8.
[137] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857. Page 7.
[138] After running away no inmates could receive any clothes that may belong to her except at a weekly meeting. Those who ran away a second time were only re-admitted at weekly meetings.
[139] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 8.
[140] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Page 9.
[141] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1893. Page 8.
[142] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[143] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 7.
[144] Annual Report, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1893.
[145] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867. Page 7.
[146] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 7.
[147] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861. Page 7.
[148] Case Records. Toronto Magdalen Asylum and Industrial House of Refuge for Females.
[149] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859. Page 9.
[150] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867. Page 7.
[151] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1883. Page 7.
[152] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1865. Page 8.
[153] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867. Page 8.
[154] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 9.
[155] Sceptics frequently asked the Founders whether the institution was successful. Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867. Page 2.
[156] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867. Page 9.

[157] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1863. Page 8.
[158] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1867. Page 9.
[159] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1862. Page 7.
[160] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Pages 8-10.
[161] Annual Reports, Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1859, 1860, and 1858.
[162] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1868. Pages 8-10.
[163] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 8.
[164] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874. Page 9.
[165] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1857.
[166] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 7.
[167] Ibid. Page 8.
[168] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1899. Page 7.
[169] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Page 7.
[170] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 8.
[171] Ibid.
[172] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 7.
[173] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1871. Page 8.
[174] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1864. Page 7.
[175] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1881.
[176] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1858. Page 10.
[177] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1881. Page 10.
[178] For more on symbols around prostitution see Valverde, Mariana. "The Love of Finery: Fashion and the Fallen Women in Nineteenth Century Social Discourse," *Victorian Studies* 32 (Winter 1989)2: 169-88.
[179] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1862. Page 10.
[180] For example, similar institutions were being organized in Hamilton, Ontario and in Halifax, Nova Scotia.
[181] As a result of the Society's self proclaimed effort to "strike at the root of the moral evil over [their] cities," the police invaded houses of infamy. Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1861.
[182] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1877. Page 8.
[183] Annual Report. Toronto Magdalen Asylum and Industrial House of Refuge for Females, 1874.

Chapter Three
The Institution Does Good:
Responding to Competing Claims with the "Same Old Story," 1880-1904[1]

Introduction

> *Is this Institution less needful than it was a quarter of a century ago? Is immorality less flagrant? Is vice less dangerous? Have the causes and temptations been farther removed as our city extended its limits, and its suburbs have become populous? May we now close our subscription list, shut the door of our asylum, convert our building into a district school, and use the balance in our treasurer's hands to erect a monument over buried evil: an enemy conquered, and the land purified? Alas! Alas!*[2]

In the minds of the reform-minded women who managed the Refuge, the problem of the erring female was as much a concern as the twentieth century approached as it had been throughout the nineteenth century. More people and wealth in Ontario cities had only exacerbated the "onward tide of moral disease."[3] As the above quotation illustrates, the Managers' insistence that they were still the best suited to deal with the problem did not fade.[4] Chapter Three examines key developments in Toronto and across turn-of-the-century Canada between 1880 and 1904 and shows how the Refuge was affected by, and responded to, this changing socio-cultural context.

As interest in the problem of the erring female by maternal feminists, health professionals, and child welfare advocates grew, so did new ways of thinking about prostitution, sexuality, and delinquency. Beginning with groups like the Women's Christian Association in 1875, women came together to form new

organizations to govern female delinquency. Such groups adopted new languages to construct the female delinquent (for example, the occasional prostitute, a woman who supplemented her income by selling sexual favours), and different ideas on the governance of erring females (for example, industrial schools and community-based rescue work). However, some of these ways of thinking about, and responding to, female delinquency were at odds with the Refuge's approach. Consequently, as new institutions emerged and new discourses entered popular culture and political discourse the Managers found themselves with competition. Denominational competition from institutions like the Good Shepherd, competing discourses like white slavery, and institutional shifts toward welfare penality all questioned the Refuge's voluntary prisoner ideal. This forced the Managers to respond to external claims, mediate resulting tensions, and struggle for institutional survival.[5]

This chapter explores these questions, examining how the Managers responded to competition, and handled the resulting tensions from 1880-1904. It shows that the Managers relied on a combination of tactics including: restating their claims of distinctiveness; denial, apologies and justifications; and resistance, with little change in rhetoric or routine. These strategies were basically successful, allowing the Managers to reconstruct "the same old story" and survive into Era three.

The discussion is organized as follows. First, I situate the Refuge in a period of far-reaching social and cultural change and explore the significance of this ferment for the Refuge and its proponents. Next, I explore competing

institutional developments and the extent to which they threatened the usefulness of the Refuge. Finally, I examine the responses of the Refuge to the changing socio-cultural context.

Changing Socio-Cultural Context: 1880-1904

Before the Refuge was established, Canada was a largely agrarian colony based on developing and exploiting the resources of the land (such as lumber, pelts and minerals). Between 1880 and 1904, however, as the industrial base and population expanded, parts of Canada became urban and industrial. As urbanization, industrialization, and social dislocation transformed the face of cities like Toronto an increasingly interventionist welfare penality began to emerge.[6] Of these socio-cultural and economic shifts and institutional developments, the changing urban landscape affected the Refuge.

Urbanization, Industrialization and Toronto's "Girl Problem"[7]

Although Canada was confederated in 1867, it was between 1880 and 1920 that the Canadian state became firmly entrenched as a national entity and sovereign power.[8] This newly industrialized economic order transformed the socio-cultural landscape as an urban-industrial working class and an urban bourgeoisie emerged.[9] While the propertied bourgeoisie recognized the importance of the working class, they became increasingly concerned about segments they saw as drunk, idle, or incorrigible.[10] From the late nineteenth century until the 1920s middle-class reformers undertook a series of philanthropic projects to regenerate

Canadian society, and thereby consolidate class-based, ethnic, and gendered social relations. Given the tensions inherent in industrial capitalism, class divisions became more pronounced and charity workers, church officials, and (quasi-) professionals engaged in social reform, both to uphold their own interests and sustain the larger bourgeois culture. These concerns resonated with those of the Refuge; that is, reforming this newly constructed disreputable working class had broad appeal in the face of fears of race degeneration.[11]

One segment of the working-class, young single women, received special attention.[12] In cities like Toronto they comprised a key component of the newly emerging urban industrial order. During an era when less than one quarter of Canadians lived in large towns or cities, with the expansion of light industries hundreds of young, unattached women left farms and small Ontario and Quebec towns and poured into urban areas like Toronto and Montreal to seek waged employment, dramatically changing the social landscape. [13]

As Toronto became more industrialized the female-male ratio grew more pronounced. In 1851, for every 100 males there were 102.7 females, by 1901 that number had risen to 112.5. No longer was Toronto a garrison town dominated by men, it had become an industrial metropolis with large numbers of single, young female job seekers, many of them idle (unemployed) and under the control neither of husbands or fathers.

Until the late nineteenth century domestic service, the occupation most closely associated with traditional feminine skills was the single greatest source of employment for women. In 1881 almost 3,000 domestics served in Toronto's

wealthier homes, but by 1900 many of them abandoned domestic service for jobs in factories or offices offering higher wages and shorter working hours.[14] Newspapers were full of advertisements seeking women in factories and shops, and jobs in domestic service became less and less attractive.[15]

As a result, more and more women eluded the control and watchful eye of the patriarchal family and/or rural community. The presence of independent, single women on city streets and in places of leisure and amusement caused great concern among Toronto's reform minded middle class and led to their constructing a "girl problem."[16] Insofar as working-class women were deemed *beyond control*, reformers understood them as a moral problem in need of control.

Working-class women's enjoyment of amusement and recreation brought them under the gaze of Toronto reformers who "scoffed at women enjoying typically male pursuits like the "low" theatre."[17] Unlike "good daughters" who occupied themselves with good works and religious service until they became dutiful wives and mothers, "bad girls" acted outside the confines of traditional feminine morality. In response to labour unrest and concerns such as these, the Federal Government set up the 1889 Royal Commission on Labour and Capital.[18] With attention on the city's growing "prostitution problem" female sexuality was closely scrutinized. The Royal Commission attempted to quell fears and reassure bourgeois Canadians (yet working-class men and women, undoubtedly, were not without reservation). In testimony before the Commission, former Mayor W.H. Howland reinforced his belief in the gulf between disreputable

and respectable women. Howland told the Commissioners that "a good woman will die first" before turning to prostitution, but he was not surprised that some working-class women left service for a career in vice.[19] According to Howland, women who fell into prostitution were young, careless, and lacked proper moral training. The real source of the problem, as Howland put it, was "working-class women's 'rooted laziness'" and that prostitution offered an "easy living." Like the Managers of the Refuge, he saw domestic work as a morally superior lifestyle for working-class women. Such claims bolstered the need for a place like the Refuge to provide training.

Consequently, single, working-class women became a focus of concern for various members of Toronto's primarily Protestant middle-class community, among them politicians, police, and reform-minded citizens. Unattached women conjured up fears of sexual disorder, which stirred reformers to construct new categories of female delinquency. At the center of Toronto's "girl problem" was a new category of female delinquent, alternatively named the "occasional prostitute," "working girl," "new woman," or "good times girl." Such women, left with unregulated leisure time and presumed in danger of, and contributing to, the evils of the city, were exactly the kind of women the Managers of the Refuge presumed were in need of their "care."[20] But as we shall see, despite their best efforts many elite groups supported new methods of surveillance, control, and discipline (as opposed to "care" and protection) over working-class women to meet the "challenge."

Social and Moral Reform Movements and Welfare Penality

Mariana Valverde characterizes this period of reform as the "age of light and water and soap," a moral trope that emphasized the symbolism of cleansing and moral purity.[21] Social purity activists formed a loose network of organizations and individuals, from clergy to educators to doctors who launched educational campaigns aimed at instilling purity ideals into the next generation. These activities intended to "raise the moral tone" of Canadian society, and in particular of urban working-class communities, in order to build a foundation for a prosperous future. Together this loose coalition of reform groups – social purity, temperance, white slavery campaigns and others – became a powerful force. In Ramsey Cook's terms, their intent was to "regenerate" the state, civil society, the family and the individual (the human soul in the theological and intellectual sense).[22]

Many proponents of social purity shared the Refuge's interest in the problem of prostitution and the rescue of "fallen women." However, the Managers' belief that their work transcended the earthly social environment and their focus on the human soul made the Refuge distinct. The Refuge focused on religion and morality, while than other social reformers of the late 19th and early 20th centuries emphasized the social and political sphere.

While a repertoire of images characterized prostitution during the period, two images dominated – the prostitute as moral menace (e.g. Howland's Report) and the prostitute as hapless victim (e.g. white slavery).[23] The move of young

women to the cities and the urban anonymity it afforded, coupled with fears of immigration and race degeneracy, formed the basis for a new discourse around prostitution that understood it in terms of white slavery.[24] This narrative treated some women and girls (that is, white women) as hapless victims of an international conspiracy that sought to entice women to "ply the trade" and trap them in brothels in North America, England and Europe. The Methodist Church of Canada declared in 1909 that the existence of a white slave trade was the "most startling and painful feature of the year's work."[25] White slavery tracts included a message warning young women against leaving the safety of their homes to seek work in the evil city.[26] Such concerns first surfaced in Britain but by the late 1880s had been taken up in Canada. As newspapers publicized investigations such as William Stead's "Maiden Tribute of Modern Babylon" on child prostitution in London's East End the issue of procurement became an international scandal. In Canada campaigners called for increased vigilance against so-called white slavers, who became the new urban villain.[27] YWCA meetings on the "girl problem" clearly echoed this alarm.[28] This discourse portraying the prostitute as rescueable, and in greater need of protection than punishment supported the Managers' long-time conception of these women as more sinned against than sinning.

Responding to the white slavery panic the Canadian National Council, like its international counterpart, saw stopping the traffic in young women as its objective.[29] The CNC developed in 1888 out of the International Council of Women was another such organization that expanded women's purview over

matters of moral reform. Lady Aberdeen, wife of then Governor General, was inaugurated as the CNC's President on 26 October 1893 and only days later on 2 November she formed the Toronto Local Council of Women (TLCW).[30] The goals Lady Aberdeen outlined In her message to the TLCW point to the importance maternal feminists of her day placed on home, family, and women's role:

> Woman's first mission must be to her home. This does not mean women should [not] be concerned with their communities, especially with those social issues which directly affect children and the home, such as education, housing and pure food and so on. Women's special maternal concern for the home and family should be extended outside their own domestic sphere to embrace the community.[31]

This emphasis on women's "special maternal concern" recapitulated the voice of the Refuge Managers, some of whom were in the crowd.[32] The moral protection of women and children, a goal the Refuge Managers shared with the TLCW, became such a high profile issue that by 1910 the Toronto Star had allocated a weekly column to the Council for voicing their concerns.[33]

Although subsequent writings challenged the veracity of white slavery claims, it would not be long before women were the primary targets of punishment once again. Police departments across the country stepped up their campaigns to rid Canadian cities of "illegal sexuality," namely prostitution.[34] The introduction and expansion of Toronto's Morality Department (established in 1886 by reform mayor William Howland as part of his law and order agenda) is emblematical of this trend. Toronto Police adopted an official policy of intolerance

toward prostitution and encouraged officers to make distinctions between chaste and therefore respectable women and ones considered unchaste and disreputable. Doctors like C. K. Clarke joined the campaign declaring that prostitution indicated mental illness among women. In this way, campaigns against sexual immorality became part of a larger project directed toward solving the related social problems of poverty, crime, and vice.

Stories from Britain were not the only fuel for the moral panic over errant female sexuality. Progressives, as David Rothman suggests, were active in the United States during the 1890s and by the turn-of-the-century the impact of progressivism inspired an all-out assault on urban immorality in Canada.[35] This period of American-style Progressivism saw the influence of science increase its legitimacy and influence over social matters and the proliferation of, and greater authority assigned to, university trained experts. The dominance of a legal response to "urban vices" like prostitution, gambling, and the drug trade did not wane. Since the regulation of prostitution was largely the responsibility of municipalities, crackdowns on red light districts became popular across the country.

Institutional Competition

In this wider context of social welfare and moral reform other groups of women, now labeled maternal feminists, led their own campaigns against urban vice, sexual immorality, and the erring female.[36] Maternal feminism was developed through several institutions and social movements. While the Founders drew on

the discourse of maternalism decades earlier, became a more visible force from the 1890s until well into the 1920s when organizations such as the Young Women's Christian Association expanded their activities in concert with organizations devoted exclusively, or in part, to young women such as the Toronto Local Council of Women and the Salvation Army.[37] By the turn-of-the-century, the Refuge was one of a number of welfare institutions in Ontario. Toronto led the way with its "network of institutions and agencies for the monitoring, apprehension, and incarceration of young women."[38]

Responding to rallying cries of social reformers, governments across the country widened their arsenal of weapons to fight "the social evil."[39] Consequently, Toronto witnessed a flurry of institution building, including custody facilities for youth, women, and the aged.[40] The problem of the erring female was no longer a dilemma left to "good Christian women" to solve. It had become a social problem in its own right. The Managers soon became concerned that the proliferation of institutions for the control, regulation, and punishment of female sexuality threatened the usefulness of the Refuge. As we shall see, with the proliferation of maternal feminism came the development of competition to the Refuge with regard to philosophy and turf.

Institutions that stressed penality over protection or penitence provide another example of the institutional mania, as a separate, government run correctional system for females began. Growing sentiment among reform minded elites that women required a different kind of moral reformation led to the establishment of the Andrew Mercer Reformatory for Females in 1874 (Mercer

Reformatory).[41] An 1879 statute proclaimed Canada's first prison for women, primarily for first time offenders incarcerated for non-serious offences.[42] Mercer's reformatory programme was supposed to combine motherly supervision with maternal guidance. With its religious, domestic and moral training, tethered by strict discipline and restraint (at least according to institutional rhetoric), the purpose of the Mercer appeared remarkably similar to the Refuge.

In 1880 a junior wing, the Refuge for Girls (at times as young as 5), was constructed on Mercer grounds. In 1893 the Alexandra Industrial School for Girls (AIS) replaced the Girls' Refuge.[43] Although officially non-denominational, the school was in fact targeted at Protestant girls up to age 16.[44] The AIS was the only government funded prison for females under 16 until 1900, when the Sisters of the Our Lady of Charity founded the St. Mary's Industrial School, a private run training school for catholic girls.[45] The government officially closed the Refuge for Girls in 1904 and, depending on their age, religion and behaviour, transferred its inmates next door to the Mercer Reformatory, to industrial schools, or to the Refuge.

The Canadian child welfare movement and its ardent proponent J.J. Kelso also contributed to the institutional climate surrounding the Refuge during the period. Kelso's lobbying efforts led to the establishment of the Children's Aid Society (CAS) in 1893.[46] CAS was granted authority, by the province of Ontario, to take custody of minors in need of care and control without warrant.[47]

The development of social welfare institutions like Mercer for women and others directed toward young females such as industrial and training schools

inevitably led to incarceration of increasing numbers of women and girls. Several other institutions designed specifically to manage prostitutes and those likened to them also emerged during the late nineteenth century. Consequently, as we will see, they competed with the Refuge for inmates.

Given that Roman Catholics represented at least 25% of the inmate population at the Refuge, the founding of an institution for Catholics was a particular threat since religion would pay a key role in determining where a woman would be placed.[48] In response to the growing numbers of Irish, Catholic immigrants in Toronto the Sisters of the Good Shepherd founded a refuge called the Good Shepherd Refuge in 1875 at 14 West Lodge Ave.[49] They intended to provide a safe haven for "degraded and abandoned" Catholic women.[50] According to Sister Maryann, the Sisters hoped to reeducate young girls and women toward "a proper appreciation of spiritual values" and the "knowledge and practice of the Christian life."[51]

The beginnings of the Good Shepherd can be traced back to the arrival of Sister Mary Jerome Tourneux de la Galaizerie to Toronto in the early 1870s from Ottawa.[52] The Refuge officially opened under the name O'Hara House at West Lodge in June 1876 with 19 women in residence.[53] Unlike the Refuge, nuns rather than lay women managed the Good Shepherd. Like its Protestant counterpart, the Good Shepherd attempted to "reclaim the guilty" and prevent those in danger from falling further in sin.

The Women's Christian Association, whose goal was also to rescue and reform fallen women, was established by Protestant women in 1873 and shared

many members with the Refuge (one board member, Mrs. Isaac Gilmor, became the WCA's first President).[54] As the numbers of young working women in the city increased the WCA saw a need for non-penal but supervised, lodging. They responded by opening a boarding house on August 8th 1875, charging $2.50 for one week stay. During that year 143 different women (among them were 19 recorded as domestics, 29 as transient borders) entered their home. Although it too was concerned with the moral and religious welfare of young women, the WCA Boarding Home focused more on the temporal needs of the inmates (for example, short term lodging), a practice to which the Refuge strongly objected. The Managers looked upon meeting temporal needs with suspicion.[55] The women who came to the boarding home differed from those in the Refuge in terms of their employment – the former held more "respectable" jobs in service, sales or factories, while the latter were either out of work or making a living through illegitimate means such as prostitution, theft or other crimes. Yet, although the Boarding House was more discerning in its clientele than the Refuge, the Managers were certain that it was much less thorough in its provision of care. Nevertheless, both institutions shared an interest in a woman's character and each demonstrated this by requiring potential candidates to provide "satisfactory testimonials of character" before they were admitted.[56]

In contrast to the pride the Managers took in the charity offered by the Refuge, the WCA portrayed the goal of boarding house as instilling independence in its lodgers. According to one WCA Annual Report, "This Home is NOT a charity" … Neither is it a reformatory."[57] The Report goes on to explain

that the home was intended only for "those who are 'nobly and independently earning their own living, and only such are allowed to remain there ... only respectable persons can be admitted to the Home."[58] Unlike the Managers of the Refuge, their aim was to "inculcate self-dependence."[59] Between 1873 and 1878 the Boarding House accommodated 1,077 young women, while only 282 entered the Refuge during the same five-year period.[60]

In 1877 the WCA established a Prison Gate Committee for the purpose of meeting female prisoners immediately after their discharge from the Don Jail and securing lodging for them (a practice Refuge visitors started decades earlier).[61] Annual reports and meeting minutes reveal that during the late 1870s and 1880s the Visiting Committee of the Refuge worked closely with the Gaol Committee of the WCA. During this time the two institutions supported one another by transferring inhabitants between the two facilities. In 1875, for instance, WCA records indicate that they persuaded "seven women, all of them comparatively young, to enter the Magdalene Asylum at Yorkville."[62] The Prison Gate Committee found many of the women released from prison without work, support, or finances to be "unsuitable candidates" (read: not respectable enough) for their Boarding Home. Therefore, they initially encouraged "youthful offenders to enter the Magdalene, where, during twelve months of careful training, and of quiet seclusion from sinful haunts and companions."[63]

This mutually supportive relationship continued until the Association expanded into the Refuge's territory, by venturing into the world of female penality. At this point, the WCA shifted its efforts toward inducing women to

entering their own institution, the Haven. Opening on January 14th 1878 at 320 Seaton Street, the Haven also targeted "drinking women, maternity cases, girls of married and destitute children of those not eligible for Infants' Home, (for) aged women for whom there is no place."[64]

The inmates received at both the Haven and the Refuge were working-class women of Irish or Scottish descent, but the Haven did not deny entry to women because they lacked the desire to reform. Like the Refuge, the Haven deemed any women who transgressed middle-class norms of moral decency to have fallen. It too preferred a particular type of ex-prisoner – young women convicted of petty crimes or those not hardened into a life of prostitution.[65] Nevertheless, the Haven accepted women of all ages and situations with the intention of "rescuing them," provided they accepted the ladies' maternal guidance.

However, WCA records indicate that it still referred candidates to the Refuge, particularly the aged and women they deemed unsuitable for situations, untrustworthy or hardened in "evil habits." They believed that such women were better suited for charitable institutions like the Refuge. Indeed, of the eight women who passed through the Haven in its first six months of operation, 5 were "induced to enter" the Madgalene asylum.[66] By the end of 1878, 24 had been sent to the Refuge, and of this group 8 remained there one year later.[67]

By the turn-of-the-century the WCA had established three institutions for girls and women – a reformatory institution, a charitable home, and a boarding house.[68] The WCA argued that their brand of reformatory work had never been

attempted by another charitable institution.[69] These attempts to distinguish themselves from the Refuge may be due to their belief that the appeal of the WCA would be stronger if they could distance themselves from the Refuge. While their intention may have been to "*supplement* existing charities" rather than replicate them, their expanded role in female penality challenged the Refuge by taking would-be inmates from the Refuge.[70] In response the Managers of the Refuge voiced objection to the temporary stay at the Haven. The irony is as "transferring house" where inmates only stayed temporarily between other institutions the Haven actually in some cases facilitated the entry of women exiting there into the Refuge.

Yet another institution that siphoned off would-be Refuge inmates was the Salvation Army Rescue Home, opening in 1886 with the aim of "sheltering and reclaiming of fallen girls." The Salvation Army established itself in Canada in the 1870s and their Rescue Work division opened a Rescue Home on Augusta Avenue in Toronto.[71] The Salvation Army shared the Christian impetus that fuelled the Refuge, though their style of evangelism was distinctly working-class. The view of the problem and the form of Christian evangelism taken by the Salvation Army was more community oriented and not specifically focused on females. With a different class base, its workers broadcast broader messages of salvation than the Refuge.[72]

Finally, the Methodist-run (later the United Church) Fred Victor Home for Women entered the field in 1900. It too attempted to provide a "Christian home and influence."[73] Initially operating under the name the "Door of Hope" the

institution assisted unwed girls, pregnant women, single mothers and their babies.[74] The Fred Victor Mission attempted to fit such girls for earning their living as competent workers in households by training residents as domestics and homemakers. Like the Refuge, it provided future employment and homes for inmates and, in 1906, the Home opened a commercial laundry which would eventually complete with the Refuge for clients.[75]

All of these institutional developments all simultaneously provided competition and legitimacy for the Refuge. By 1888, with five institutions engaged in identical or similar work in Toronto, the Managers grew concerned about the threat they posed, particularly, the Good Shepherd Refuge, the Haven, Salvation Army rescue homes and the Victor Home, to the Refuge. Or, in their words, these institutions "threatened to deplete the usefulness of the Refuge."[76] Their concern was not unwarranted because despite the expanding population and the growing discussion over female delinquency, many would-be inmates at the Refuge did enter other institutions, as we will see in the next section.

Internal Developments at the Refuge

The perceived growth of female delinquency over the period had mixed effects on the Refuge. The result of the expansion of this penal network was to force the Managers to reconsider their reform programme. While they remained critical of sending women to jail for sexual immorality, they resisted the notion that their own one year residency was itself a jail sentence. They resented the Haven's practice of sending girls into a situation of domestic service after "only" one to

two months inside, but had still kept inmates inside the Refuge beyond their probation periods if they required further training. As we will see, external developments brought changes in the inmate population, but they had very little effect on the practices of the Refuge and even less influence over the discourses the Managers used to justify them.

Wrong Kind of Girl/Temporary Use of the Refuge

Another result of the expansion of welfarist institutions was changes in the Refuge's population. While the method of entry and the kind of training changed very little, the length of stay and the manner of exit shifted. What's more, the Refuge saw a gradual, but drastic decline in inmate population.[77]

Between 1 January 1879 and 31 December 1880, for example, 87 women entered the Refuge, making a total of 127 inmates in the home. Of this total, only 40 remained in the Refuge a year later: 25 were sent to service, 15 left on their own accord, 15 were sent to the Burnside hospital (to give birth), 10 ran away, and 2 died of natural causes. The remaining women were sent to friends, allowed to look for situations, sent to the General hospital or, on account of weakness of intellect, permitted to leave. Between 1880 and 1904, 1065 females were admitted to the Refuge and the mean number in residence over the period was 43, suggesting that the turn over rate was much more rapid.

During this period government authorities continued to send women like Jana M, a 47 year old Protestant woman to the Refuge. Jana entered on 2 March 1881.[78] Her mental status was described as "quite simple," and she was

recorded as having no education. Other women like Harriet S, who entered at age 34 on 3 September 1891 asked for admission.[79] Formerly a domestic in England, Harriet was said to be (at 34) a "bright old lady," with a problem of "drunkenness."[80] The Refuge also received women like Cecile C., whom the Managers described as "feeble-minded" from the local gaols. She arrived on 5 July 1890 at the age of 23 after being incarcerated for theft.[81] Finally, the Morality Department of the Toronto Police continued to send young girls like Warna R. With both parents deceased 18 year-old Warna had previously been in the Deaf and Dumb Institute in Belleville (although whether she was hearing impaired was in dispute) until police authorities brought her to the Refuge on 4 August 1891.[82]

Over this period the smallest annual intake ever (18) occurred in 1898. At the same time the Refuge began accepting a different class of inmate. As other institutions began to turn away those they considered undesirable, many ended up at the Refuge. As the century drew to a close the Managers accepted women they would once have rejected, described as those who had "fallen very low through dissipation and other vicious habits, brought on by hardship of various kinds incident to human life" as well as a lack of faith in God."[83] This group included very young girls who previously led "respectable lives," but had since taken "one false step on the downward path."[84]

Because they assumed they were "more susceptible to good influences than those of mature years who have traveled long on the downward course and become more or less callous" the Managers were initially optimistic about their reformation.[85] They hoped that with the "right influences" such girls could be "led

back to a virtuous life."[86] Ironically, however, many such girls had an unsettling influence on other inmates. Many left (escaped) after only a few months.

A change in name in 1877 signaled the new character of inmates. The Managers dropped "female" and added "industrial" to 'house of refuge' to their name.[87] In 1884 they successfully applied to the Legislature for power to drop the name "Magdalen" and to become the "Toronto Industrial House of Refuge." They justified the change on the basis that the term Magdalen put off potential inmates, for its exclusive application to "fallen women."[88] Thus, they argued, the name "prevents many from taking advantage of its shelter, on account of the stigma attaching to it."[89] Their objections may be explained in two ways: first, some of the women who entered the Refuge were not "good enough" to be called by the name of Jesus' companion, and second, the name stigmatized the institution and the Managers associated with it.

Increasingly, the Refuge had trouble keeping inmates for the full probation period. During this period 879 women out of 1065 left, most "on their own accord" before their probation was complete.[90] The trend in era one had reversed – during era two almost half of the women left on their own accord and only about one quarter were sent to take a position in domestic service. Of the remaining quarter, about 6% were sent to family or friends, 5% were sent to non-penal institutions and 2% were dismissed.

The Managers' Response: Mediating Internal Tensions and External Pressure

Despite social change the day-to-day practices of the Refuge and the rationales the Managers used remained remarkably stable. Annual Reports echoed the sentiment among the Managers that there is "little that is new, little variety to report."[91] The following section explores the main rationales and justifications they employed including: an insistence on claims of distinctiveness; and denial and apologies.

Repeating Old Claims

During this era popular educators, temperance activists, and pamphlet writers produced a variety of ideas and claims. Despite this, the Managers' reiterated two key claims: their conception of the erring female as a voluntary prisoner and the prostitute as a victim; and the distinctiveness of the Refuge derived from its unique combination of maternal discipline and guidance.

Of the particular type of woman who began to enter the Refuge during the 1880s they wrote, "[i]t is one that does not admit of much variety of incident, as a general thing. It is the old story."[92] Thus they continued to characterize the women as outcasts or degraded and viewed them all as fallen women. Similarly, the Managers continued to refer to the problem they sought to address – that of the erring female – in moralistic and religious terms resisting new professional languages and more secular ways of thought. Terms like moral disease, hopeless degradation and wasted lives remained a key part of their vocabulary.[93] They referred to the plight of the women they sought to help as moral

wretchedness and eternal ruin, temptation, and a false and sinful step downward, signifying their reliance on Christian metaphors of moral purity.

The Managers continued to believe that the erring female's troubles resulted from her failure to submit to the restraint of husbands and parents. This lack of supervision, surveillance, and regulation put her beyond the control of the patriarchal family. Without such control she could not be trusted to pursue a respectable living in suitable working-class jobs such as domestic service or factory work. In time, they surmised, captured by the increasing allure of the city and its immoral temptations, she would give way to extravagance in either dress or amusements. Like other maternal feminists, the Managers saw errant female sexuality as synonymous with unrestrained leisure time and "rags of finery" (scantily clad clothing), both symbols of a fallen character.

The Managers also retained their belief in the link between temperance and prostitution. The inebriated women, they thought, was likely to take the "decided false and sinful step downward" where she would be victimized and degraded.[94] By craving stimulants, she would next yield to questionable methods such as prostitution to "furnish the means necessary to pay for all this."[95] At which point she would be "galled and wounded" by others who would pretend to help and comfort her, but would send her further down where she becomes hardened.[96] According to the Managers, at this point many women conclude that there is no help. They had not seen the kindness of the Refuge. Feeling there is no way out many will attempt to "get as much pleasure and excitement out of her life as possible," engaging in prostitution, petty theft, and other disreputable

acts.[97] Some, however, with proper maternal guidance and support think of the sorrow they may bring to loving parents or kind friends and are drawn to the assistance of the Refuge. Here the seeds of a better life may be sown. The Managers regretted that such hope may be "quickly drowned by the conversation of her companions or the feeling, 'that it is too late.'"[98]

As younger girls and first time offenders – the most rescueable – were sent to other institutions, the Managers grew concerned. In 1887 the Managers complained that because of the Mercer Reformatory, the Haven, the Good Shepherd and the Salvation Army "institutions which deal more or less with the same class *though differing from us in the method* – we do not have as many of the young as we used to."[99] They claimed that their method was distinct from penal institutions like the Mercer, which they believed was too harsh. The Refuge, they argued, was the only institution with the right combination of punishment and protection. Thus, the Managers were at pains to set themselves apart from the prison taint of the Mercer Reformatory. Annual Reports continually emphasized that the institution was not a penal institution, but a *home* whereby erring females desiring a better life could be reformed. And, like a home, each woman's entry was voluntary.

The Managers' claim to distinctiveness also distinguished the Refuge from charitable institutions, like the Good Shepherd, which, they argued, were too soft. They claimed that the relatively lax regulation believed to exist at the Haven was dangerous. They rejected the view that fewer women and girls needed "the restraints of such a home" and held their own approach of requiring a probation

period as superior.[100] In their own words, they were "decidedly averse to" eliminate a period of probation or discontinue their practice of placing inmates as domestic servants only after they were "successfully reformed."[101] With regard to the continued usefulness of the Institution, and maintaining its "proper place among the moral and religious appliances of our city," the Committee strongly asserted that their approach was the best way to deal with "this class of women."[102] Only women like them had the particular authority and expertise to work with the erring female. They argued that "those who have not worked among this class could not recognize them, and those who have [like themselves], know the character of them too well."[103] In addition to special knowledge, they had experience.

Denial and Apologies

As greater numbers of poor, single women wandered Toronto streets (many of whom turned to prostitution or alcohol) the supply of potential candidates increased. Nonetheless, demand waned. The Managers responded by expressing regret that the Refuge was being underutilized.

The Managers' coined a new term, "various phrases of delinquency," to describe the different age of inmates and signify the stages the fallen women experiences. Or, as they put it, there are "varied colours and degrees," – from young to older, from just fallen to hardened in vice.[104] Because they now received far fewer middle aged women who had succumbed to drunkenness or prostitution (women they viewed as reformable under the right influences) and

many more intractable inmates, they increasingly found they were dealing with crime in its "incipient form," and with those who had learned "habit[s] of [ill] repute," or were already taken over by "confirmed hardness and almost hopeless degradation."[105] Unfortunately, the phases did not coincide with their image of the ideal inmate. The Board was faced with a problem – their image of the reformable subject was in tension with the kind of inmate entering the Refuge.

To account for the declining population of the Refuge the Managers underscored two interrelated problems. First, they argued that the "wrong kind of girl" – young recalcitrant inmates – was entering the Refuge, and, more importantly she was making only temporary use of it.[106] The Managers lamented, "We are constantly receiving girls who have no sincere desire for reformation, for they leave us in a short time."[107] They declared that their institution was not intended for, nor adapted to, such persons who come to the Home "not to reform but for convenience."[108]

Second, the Managers pointed to the increased number of refuges available. Simply, prospective inmates now had other options. Institutions such as the Haven beckoned where entrance was not contingent on their promise to reform and they were not required to promise to stay one full year.[109] The Managers were critical that inmates in other refuges had a "considerable amount of entertainment [for them] and consequent freedom."[110] And as more and more women and girls were caught up in the expanding penal system, potential inmates were committed to the Mercer for a period of two years.

The Managers also grew very concerned about the serious problem that those who were "weak minded" and "violent in temper" posed for the staff. Such girls were a nuisance for the matron, who found their presence "irritating in the extreme."[111] They argued that their admission exerts an "'unfavorable influence' on the inmates who were directly the objects of the charity."[112] Although magistrates and police deemed the Refuge "just the place for them," the Managers believed that their presence "interfere[d] with and hinder[ed] the real object of the Refuge, viz. to reform the fallen and restore them to their proper place in society."[113] The wrong type of girl, "selfish and at times violent," required more power than the "firm hand and tender heart" the Managers could provide.[114]

In these ways the Managers denied, justified or otherwise apologized for their diminishing numbers not by looking inward at their reform programme, but by pointing to external factors beyond their control. Besides, by 1891, the Managers declared that "there [were] too many refuges in Toronto to look for large numbers in any one."[115] Interestingly, this race for girls took place in a context where more girls were deemed to need reform.

Reform Programme: Changing Rhetoric or Practice?

"...to give women who, through infirmity of nature or evil environments have fallen into evil ways, a shelter where they will not be beset by temptations and where they may be led to live honest, Christian lives."[116]

Despite rapid social change and new institutional responses to wayward girls the day-to-day operation and rationales of the Refuge, like their rhetoric, remained remarkably unchanged. In February of 1881, Mrs. Burns, long-time Recording

Secretary, captures this stasis as follows: "We cannot give novelty to our reports; year after year is the same old story, now 28 times told. Our work admits no holiday."[117] The Managers' reliance on this "same old story" is continuously evident. In 1881 they declared, "during these years of experience we have learned no new way of reformation."[118] They announced two years later that "we have little that is new to tell."[119] And, towards the end of the century, they admitted "the work in the Refuge will not change much from year to year, and it is difficult to bring out any feature that will be new."[120]

Recall that, at first, the expansion of institution building for the erring female supported the work of the Refuge. The Managers' maternalist claims were strengthened by other women's organizations operating with similar assumptions. The evangelical impulse of the WCA validated their claims because it appeared to justify the Christian underpinnings of their work and the Christian sympathy on which their pleas for support relied.[121] The Y's purpose was also an "inherently Christian one."[122] Religious discourse continued to pervade the day-to-day practices of the Refuge. Family worship services and bible classes remained a staple. The Managers argued that the religious instruction and Christian Gospel message of the Refuge brought about a change of heart for many inmates. By the end of the nineteenth century the Managers still articulated their task as inherently Christian, as bringing working class women "under the moral restraint of Christian influence."[123] The erring female still required, they believed, "protection of the Refuge – to [lead] honest industrious Christian lives."[124]

From 1880 to 1904 the Managers did not invent new routines and practices to keep pace with changing times but rather adapted the reform programme to changing external conditions only insofar as the accommodations made were consistent with the original aims and rhetoric of the institution. Even in the face of their smallest admission in history, in 1898, the Refuge refused to modify its procedures, or change its rhetoric. Although the Managers recognized the existence of "new and easier methods of reclaiming the fallen and erring," adopted by other institutions (e.g. no probation period) they refused to change their practices.[125]

Similarly they continued to insist that the desire for reformation must remain a primary condition of admission. Potential inmates must "desire to break from the evil associations with which they were surrounded and strive, with the help extended to them to live a 'sober, quiet, and industrious life.'"[126] A fallen woman must both see the "error of her ways" and show a "desire to lead a better life" before she was considered for admission.[127] The more willing a woman was to be institutionalized, the stronger, they inferred, was her desire for reformation. As they put it: "[o]ur doors are always open, and any woman who shows a desire for reformation by promising to remain in the institution for at least 12 months, is admitted, regardless of nationality or creed."[128]

In the words of the Managers, their reform programme was "strengthened by experience."[129] The Managers were not reticent in expressing their belief that; "the plan we have hitherto with regard to this class of women, is one we need not hesitate to defend, as that best calculated to result in a real and lasting

reformation."[130] In 1888, they declared that, "if long experience is to be considered of value, then we claim that the record of this institution bears us out, in asserting that that class of women needs restraint and a considerable period of probation, as a necessity."[131]

Again, what they viewed as "good and useful" changed very little, as can be seen in their reliance on laundry work and teaching in other domestic tasks. They considered the willingness and manner in which the inmates did their work as one of the best indications of the good the institution was doing. For instance, the $1,531.67 earned by the laundry during 1898 became evidence of success, showing that the inmates returned "kindness for kindness, love for love."[132]

Since transforming inmates into good domestic servants remained an essential component in their restoration strategy, the Managers continued to appeal to prospective employers, women "like them." They argued:

> The greatest good can be done by individual effort. We appeal to ladies, mistresses of servants – make your servants feel that you are their friends; make it your duty to know something of their friends, and of how they spend their hours of recreation. And if they fall, help them to rise again. Do not think it will soil your hands to give them a helping hand.[133]

The Managers continued to characterize their work in terms of caring, provision of a helping hand, and maternal encouragement. That they drew on a discourse of protection to justify their existence can be seen in their conception of the Refuge as "offering an opportunity of reforming," providing a "shelter."[134] As the Managers put it:

> "No sooner is a fallen sister across the threshold of the home than she is within grasp of the helping hand of mercy and encouragement; she inhales a purer atmosphere, and the moral waste may be repaired or restored."[135]

The Refuge, they purported, could still offer a new atmosphere "under rule of kindness and patience and prayer" where erring females could be "acclimatized to what is good, and useful."[136] In light of shifting sensibilities and the rise in a more secular (penal rather than charitable) approach to governance, the Christianity and the maternalism that guided the Refuge remained relatively constant.

As time passed many women had "grown old in the Refuge."[137] The Managers decided to use a room in the Refuge to accommodate at least fifteen such women. This decision led to a new niche for their efforts. In response to the growing numbers of women of advancing years who had spent several years (some their entire adult life) in the Refuge and had nowhere else to live on 6 November 1883 the Managers opened the Aged Woman's Home intended for "indigent or aged women" of good moral character."[138]

Conclusion

This institution in existence for 30 years, and from its inception to the present moment, the object has always been the same, viz: To give every woman, without reference to country or creed, an opportunity of reforming.[139]

The diverse, fragmented and fluid social reform movements of the late 19th and early 20th centuries – and the new developments in thinking and practice that

came with them – provided a new socio-cultural context for the Refuge. The emergent welfarist rationality of governing social problems and the resulting new social movements had only indirect effects on how the Refuge conducted its business. More than anything else these new ways of thinking about and responding to female delinquency forced the Managers to invent new ways to justify old practices.

As this chapter has demonstrated, despite the changes that were brought to bear on the Refuge through increasing number of institutions doing similar work, both rhetoric and practices remained remarkably consistent with the discourses of Christian stewardship and maternalism that characterized era one. In this way, the Managers aligned the Refuge on the margins of the emergent social welfare network with considerable success, while still maintaining the niche established in the mid-Victorian era.

Despite this, to wholly accept the Managers' insistence on continuity ignores the subtle shifts in institutional practice that did occur during the final decades of the nineteenth century. The institution began to receive a different type of inmate, one who became a cause for concern for the Managers, one who would become increasingly problematic in the next era.

The Committee made two important claims about the new facet of their work with older women: it would meet a "much needed want;" and it would be entirely separate from the Refuge, "under a separate matron, separate entrance, separate grounds."[140] By August 1884 the Aged Women's Home was full to capacity and many were still applying for admission. In 1898, they opened a

"home for aged men, to be carried out along same lines but to be an entirely separate institution."[141] While this expanded their work in new directions inevitably took time, energy and resources, not to mention funds, away from the Refuge.

In the next chapter we find the Refuge faced with the most significant dilemmas of its history. Chapter Four explores how two influential, interrelated developments in legal and medical practice and female delinquency drastically shaped and altered the operation of, and character of protection at, the Refuge.

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[1] Annual Report. Toronto Industrial Refuge, 1882. Page 1.
[2] Annual Report. Toronto Industrial Refuge, 1881. Page 1.
[3] Ibid.
[4] During the era of transition the term "Managers" will be used in place of the Founders.
[5] As the century drew to a close, the Refuge had become part of an emerging social welfare network. No longer was it operating as a voluntary charity under its own authority, exempt from state regulation.
In welfare penality the incapacitation, revenge and retributive characteristic of laissez-faire governance is replaced by the positive power of reform, characterized by tailor made reform programmes. In contrast, the Refuge used a generalized reform strategy, administering the same program to all inmates.
[6] Splane, *Social Welfare in* Ontario; Chunn, *From Punishment to Doing Good.*
[7] Strange, *Toronto's Girl Problem.*
[8] Chunn, *From Punishment to Doing Good* and Splane, *Social Welfare in Ontario.* Also see Wallace, E. "The Origin of the Social Welfare State in Canada, 1867-1900," *Canadian Journal of Economics and Political Science,* 15 (August 1950) 3: 383-93.
[9] See Kealey, Gregory S. "Labour and Working-Class History in Canada: Prospects in the 1980s," *Labour/Le Travailleur* 7 (Spring 1981):67-9.
[10] For a demonstration of the vast changes in the social and cultural landscape of Toronto see Strange, C. "From Modern Babylon to a City Upon a Hill: The Toronto Social Survey Commission of 1915 and the Search for Sexual Order in the City," In *Patterns of the Past,* Hall, R., W. Westfall and L. Sefton MacDowell (eds),(Toronto: Dundarn Press, 1988).
[11] Valverde, *The Age of Light, Soap and Water*: Also see McLaren, John and John Lowman. "Prostitution law and law enforcement, 1892-1920." Also see Ramsey, *The Regenerators.*
[12] For more on this discussion see Valverde, *The Age of Light, Soap and Water*:
[13] By the 1910s Toronto had caught up to Montreal as "premier urban centre." Strange, *Toronto's Girl Problem*: Page 2.
[14] Barber, Marilyn. "The Women Ontario Welcomed: Immigrant Domestics for Ontario Homes, 1870-1930. *Ontario History* 72 (September 1980) 3: 148-72; Scott, Jean. "The Conditions of Female Labour in Ontario," *Toronto University Studies in Political Science,* First Series (1892) 3: 9-31.
[15] The Toronto Star, Thursday May 2 1912 had a full column of advertisements for domestics wanted. For example, "Girl Wanted," "A Capable Domestic," and "A Maid for housework."
[16] Carolyn Strange's examination of the invention of Toronto's "working girl" by various organizations and the strategies designed to deal with the "girl problem" demonstrates how one

closely observed sector of the workforce in Toronto "came to be understood as a moral problem and an inspiration for the deployment of new regulatory, reformative, managerial, and medical techniques." Strange, *Toronto's Girl Problem*. Page 1. In the American context also see Schlossman, S. and S. Wallach, "The Crime of precocious Sexuality: female Delinquency in the Progressive Era," *Harvard Educational Review*, 48 (1976): 65-94.

[17] Ibid.

[18] Report of the Royal Commission on the Relations of Labour and Capital, (1889).

[19] What Howland shared with the Founders of the Refuge was the distinction between respectable women (working in domestic service) and disreputable women (engaging in prostitution).

[20] The "occasional prostitute" was a woman who supplemented her income by providing sexual favors for men. She blurred the boundary between the noble workwoman and the fallen woman.

[21] Cook, *The Regenerators*.

[22] Ibid.

[23] For more about white slavery and its relation to domestic service see Newton, J. "From Wage Slave to White Slave: The Prostitution Controversy and the Canadian Left," In *Beyond the Vote: Canadian Women and Politics,* Kealey, L. and J. Sangster (eds.), (Toronto 1989): 217-36.

[24] Strange, *Toronto's Girl Problem*. Valverde. *The Age of Light, Soap and Water.*

[25] In a similar vein, the National Committee for the Suppression of the White Slave Traffic, a subcommittee of the Moral and Social Reform Council of Canada, was formed in 1912.

[26] In 1885 news of an "international white slave trade" hit Canada with William Stead's investigations of child prostitution in London's East End. W.T. Stead's Maiden Tribute of Modern Babylon launched the issue of procurement into an international controversy. Back on Canadian soil campaigns against white slavery began at the turn-of-the-century and reached their zenith in the 1910s.

[27] Shearer, J.G. "Canada's War on the White Slave Trade," in E. Bell, ed., *Fighting the Traffic in Young Girls* (1911).

[28] Meeting Minutes. Young Women's Christian Association. 1880-1896.

[29] See Shearer, *Canada's War on the White Slave Trade*, which became like a "bible to anti-slavers in North America" and Shearer, J. "The Canadian Crusade," in Ernest A. Bell, ed., *The War on the White Slave Trade* (Toronto [1911] 1980): 333-64.

[30] Toronto and Area Council of Women Papers, F 805.

[31] Toronto and Area Council of Women Papers, F 805.

[32] Some Refuge Annual Reports list Lady Aberdeen as present at meetings.

[33] For more on the National Council, the Parliament of Women see Strong-Boag, Veronica. *The Parliament of Women*: *The National Council of Women in Canada* (Ottawa, 1976).

[34] Developments in Western Canada were less uniform. See James Grey, Red Lights on the Prairies.

[35] Rothman, David. *Conscience and Convenience: The Asylum and Its Alternatives in Progressive America.* (London: Scott Foresman and Company, 1980).

[36] According to Linda Kealey, "maternal feminism refers to the conviction that woman's special role as mother gives her the duty and the right to participate in the public sphere." Kealey, *A Not Unreasonable Claim.* Page 7.

[37] As of 1890 the WCA was referred to as "Young Women's Christian Association", by constitutional amendment. This association was organized as the YWCA; but at the suggestion of some of the older ladies on the Board of Directresses the word Young was dropped when they were incorporated. At a meeting held in April 1887, the original name was again adopted. WCA AR. For more details see Pederson, D. "'Building for Her': the YWCA in the Canadian City,' *Urban History Review,* 15 (February 1987) 3: 225-41; Pederson, D. "'Keeping Our Good Girls Good:' The YWCA and the 'Girl Problem,' 1870-1930," *Canadian Women's Studies,* 7(March 1986) 4: 20-4; Pedersen, D. "'Building today for the womanhood of tomorrow:' Businessmen, boosters, and the YWCA, 1890-1930," *Urban History Review,* 14 (1987) 3: 225-241 and Mitchinson, W. "The YMCA and Reform in the 19th century," *Social History,* XII. (1979b) 24:368-84.

[38] Strange, 1995. *Toronto's Girl Problem.* Page 132.
[39] Ibid. Page 91.
[40] Oliver, Peter. "To Govern by Kindness": The First Two Decades of the Mercer Reformatory for Women. In Jim Phillips, Tina Loo and Susan Lethwaite (eds.) *Crime and Criminal Justice: Essays in the History of Canadian Law.* (Toronto: University of Toronto Press, 1994).
[41] Strange, C. "The Criminal and Fallen of their Sex: The Establishment of Canada's First Women's Prison, 1874-1901," *Canadian Journal of Women and the Law*, 1 (1985): 79-92.
[42] Although in theory the Mercer Reformatory was to be reserved for first time, non-serious female offenders, soon it housed the most recalcitrant.
[43]The Alexandra Industrial School for Girls in Toronto was opened in 1891 by the Industrial Schools Association of Toronto, and received a large number of girls formerly held in the junior wing of the Mercer Reformatory. In 1904 the government closed the Industrial Refuge for Girls in Toronto at Mercer (opened in 1880) and transferred its inmates to industrial schools (which they became responsible for juveniles aged 14-16). RG 60: Children's & Youth Corrections. Ontario Archives.
[44] In accordance with the 1897 Industrial Schools Act, the province assisted industrial schools like the AIS with a grant of $0.07/day for each pupil's stay, plus $0.03/day providing that the total grant did not exceed ¼ of revenue the school received from other sources. When the Act was amended in 1903 the province was authorized to pay $0.35/day for one day's stay for each female pupil (whereas boys sent to the Ontario reformatory received $0.50/day). The Refuge did not qualify as an industrial school. See RG 60-35 for Register and Books. RG 60: Children's & Youth Corrections.
[45] Ontario Archives. RG 60: Children's & Youth Corrections. In 1900, the Sisters of the Our Lady of Charity founded St. Mary's Industrial School for Girls in Toronto. The institution, which was run by the Roman Catholic Sisters of the Good Shepherd, was located in Downsview on 3044 Dufferin Street at the corner of Lawrence Ave.
[46] Following the industrial school movement for boys (headed by William B. McMurrich, husband of Refuge founder) was the development of a children's court and two industrial schools for girls between the mid 1890s and 1910.
[47] An alternative means of industrial correction for young people was not made possible until the Federal government enacted legislation in 1931 establishing training schools. Subsequently the Ontario Training School for Girls at Galt opened in 1933.
[48] Ten years after the Good Shepherd opened, however, few Roman Catholic women were admitted to the Refuge.
[49] The Official title of the Good Shepherd Sisters was "The Congregation of Our Lady of Charity of the Good Shepherd."
[50] Girls rise at 5:50 am on days they attend early Mass and at 7:15 other days. Bedtime is at irregular time depending on evening activities. The main industry similarly is laundry, occupying 4 floors. A smaller source of income is serving industry, which produces hemmed silk scarves, for example. By the 1950s vocational training and twice weekly Home Economics Classes, Beauty Culture and Hair dressing classes were introduced. In addition, academic and commercial classes were planned to suit individual needs of pupils. Much stress is placed on personal appearance and cleanliness facilities plentiful and staff attempt to portray "a happy congenial atmosphere throughout the institution." From RG 20-16-5.7, Ontario Archives.
[51] Sister Maryan. "The Work of the Congregation of the Good Sheperd in Toronto." *York Pioneer* (1974), reprinted from York Pioneer and Historical Society, 1869 (inc. 1891).
[52] Along with five companions she was invited by the Archbishop, Rev. J.J. Lynch to establish the work of Our Lady of Charity in Toronto.
[53] By 1888, the Sisters found a need for more spacious accommodation and plans to erect a Convent. Notably the same year as the Refuge expanded in a new direction (to assisting Aged Women), the Good Shepherd expanded their work with women and girls. In May, 1893, the Ontario Legislature passed an Act by which Catholic women requiring rehabilitation services might be received in residence at West Lodge (and in the same year arranged to take into care neglected children, section of house for this purpose, which began the St. Mary's Industrial School, and was later named St. Euphrasia's. By 1898, the entire building of O'Hara house was

used for school girls and a large 3 story building was erected for erring females. Sister Maryan. "The Work of the Congregation of the Good Sheperd in Toronto."

[54] Interestingly the WCA Annual Reports take the exact same shape and lay out as the Refuge reports did. At both posts were Mrs. Robert Wilkes, Mrs. John Kerr, Mrs. Alcorn, Mrs. Freeland, Mrs. Ewart, founding member Mrs. Dunlop and Directress Mrs. W.B. McMurrich was simultaneously a director at both posts.

[55] Third Annual Report, Women's Christian Association.

[56] Third Annual Report, Women's Christian Association.

[57] Fifth Annual Report, Women's Christian Association.

[58] Fifth Annual Report, Women's Christian Association.

[59] Second Annual Report, Women's Christian Association. Other reformatories shared this objective. See Knupfer, A. ""To Become Good, Self-Supporting Women": The State Industrial School for Delinquent Girls at Geneva, Illinois, 1900-1935,"*Journal of the History of Sexuality*, 9 (2000): 427-8.

[60] In 1879, of the 259 admitted to the Haven over the year, 7 were sent to Industrial House of Refuge, 75 to situations, 65 went out and did not return, 2 sent away for misconduct, 3 left with intention to "return to evil ways." The oldest inmate was 70 and the youngest only 11 (the average age was 20). Almost half were Canadian (120 Canadian, 52 Irish, 42 English, 11 USA, 7 Scotch, 1 German) and 68% (177) were Protestant. During the year 40 visits to jail were recorded (in addition to 18 to the maternity hospital, 16 to the locked ward, 6 to police stations, 20 to "disreputable houses"). The visits made to "houses of ill-repute" were often done at the request of friends or acquaintances of young women supposed to be residents there.

[61] A public meeting was called on December 10th 1883 to take into consideration "how best to reach the working girls in Toronto who are not under the guardianship of any special church." A room on Richmond St. was rented and the first entertainment given on January 24th. A society formed, called the "Toronto Girls Friendly Society" with the aim of "mutual improvement and watchcare of its members." In 1874 the Toronto Girls Friendly Society (President Mrs. Harvie) appointed a committee of two ladies to visit the gaol. As a result of their work in 1878 the Haven or Prison Gate Mission was established.

[62] Third Annual Report, Women's Christian Association.

[63] Ibid.

[64] In July 1978 Haven moved from Berkeley St. to 150 Queen Street East.

[65] Haven, Meeting Minutes, 1881. Page 17.

[66] Haven, Annual Report, 1878.

[67] While the WCA shuffled these women over to the Refuge away from its boarding home, they opening of the Haven signifies their interest in this type of work (which goes against Valverde's claim that the YWCA was not interested in this type of work).

[68] Meeting Minutes, June 2nd 1884, "Women in Three Works" – what the WCA is doing.

[69] "The house and premises at present occupied, are much too confined, a large airy building is required with ground attached, .. indeed the work should be extended, until *every friendless, deserted, fallen woman in our city, desirous of a better life,* might find at least temporary shelter within our lodging house and these must be sought it is not sufficient that, we are prepared to receive lost ones when they come." Report of Prison Gate Mission and Lodging House Committee, 5th AR, WCA.

[70] Haven, Meeting Minutes, 1881.

[71] Social Service Commission. Annual Report, 1913. Page 15.

[72] SA the Deliverer, the international magazine, is a good source on information on Army rescue work. Sin-Chains Riven, a report on social work for 1896, is another account of their work with women and children. See Marks, Lynn. "Hallelujah Lasses: Women in the Salvation Army 1882-1892," In Iacovetta and Valverde, eds., *Expanding Boundaries*; Moyles, R.G. *The Blood and Fire in Canada: A History of the Salvation Army in the Dominion, 1882-1976*; and Booth, William. *In Darkest England and the Way Out.* 1880.

[73] City Council Papers. Toronto. 1915.

[74] Philanthropist Chester Massey donated an old parsonage of the Metropolitan church and the Methodist Church took over control of the home. In 1904 in memory of Fred Victor Massey, the

deceased child of Chester Massey, the name was changed to the Victor Home for Women. For more on the Fred Victor Mission see United Church Archives, Fred Victor Mission records. *Twenty One Years of Mission Work in Toronto 1886-1907.*

[75] Social Service Commission Annual Report, 1913. Also see www.massey.ca/newpage1.htm for "A Labour of Love: the United Church and the Massey Centre for Women, Years of Investment in Women and Children. The Massey Centre, the legacy of the Victor Home, still exists in Toronto and provides residential and community support, day-care and family resources, including job and computer training for disadvantaged young mothers. The Methodist Press ran ads for the Victor Home Household Laundry.

[76] Annual Report, Toronto Industrial Refuge, 1888. Page 4.

[77] Similarly at the Haven they owed decreasing admissions to "persevering and successful efforts of lady visitors to place those under their care in Christian homes, out of the reach of temptation." They utilized the increased accommodation for the large class of unfortunate fallen young women for whom no provision is made in Toronto. They explained that "a *few* cases of this kind admitted to 'Haven' have on application been received at the 'Refuge', but a large many remain at lodging house." (Annual Report, 1878, Women's Christian Association. p.21).

[78] Jana M. was diagnosed by C.K. Clarke in 1917 as imbecile and would remain in the Refuge for 55 years.

[79] She was in the Refuge over 20 years. Case Records. Toronto Industrial Refuge. See 17 October 1917 entry from Dr. Hincks.

[80] Case Records. Toronto Industrial Refuge. 1890/91.

[81] 39 years later she fell and broke her leg, was sent to the General Hospital on 17 May 1929, where she died.

[82] At age 59 she finally left on 18 March 1932, after having spent 41 years in the Refuge.

[83] Annual Report. Toronto Industrial Refuge, 1883. Page 2.

[84] Annual Report. Toronto Industrial Refuge, 1880. Page 2.

[85] Annual Report. Toronto Industrial Refuge, 1899. Page 6.

[86] Annual Report. Toronto Industrial Refuge, 1880. Page 2.

[87] Annual Report. Toronto Industrial Refuge, 1877.

[88] Annual Report. Toronto Industrial Refuge, 1883. Page 2.

[89] Ibid.

[90] In 1895, 13 women went to service and 8 left on their own accord. In 1899 5 women went to relatives and 4 went on own accord or to service. In both 1880 and 1897 the same number left on their own accord and went to service.

[91] Annual Report. Toronto Industrial Refuge, 1887. Page 1.

[92] Annual Report. Toronto Industrial Refuge, 1884. Page 1.

[93] Annual Report. Toronto Industrial Refuge, 1881.

[94] Annual Report. Toronto Industrial Refuge, 1884. Page 3.

[95] Ibid.

[96] Ibid.

[97] Ibid.

[98] Ibid.

[99] Annual Report, Toronto Industrial Refuge. 1887. Emphasis in original. Page 3

[100] Annual Report. Toronto Industrial Refuge, 1889. Page 2.

[101] Ibid.

[102] Annual Report. Toronto Industrial Refuge, 1881. Page 5.

[103] Annual Report. Toronto Industrial Refuge, 1890. Page 3.

[104] Annual Report. Toronto Industrial Refuge, 1900.

[105] Annual Report. Toronto Industrial Refuge, 1881. Page 1.

[106] This is an interesting contradiction in that most institutions preferred younger girls whom they could train before getting hardened in vice. Although the Managers initially shared this assumption, by era two they were decidedly against those younger inmates who did not show a real interest in reform. Annual Report. Toronto Industrial Refuge, 1880. Page 4.

[107] Ibid.

[108] Annual Report. Toronto Industrial Refuge, 1881.

[109] The Haven held its own view on this. "We find no fault with a lengthened course of training and instruction, where, by a protracted residence in some Asylum, Refuge, or Reformatory, it can be accomplished, but in this report, we are dealing with facts, and more than a score of instances might be cited of poor fallen ones picked up from the lowest depths, who, without any training, but the few weeks of kindly treatment and spiritual instruction received in the Haven, are now occupying honorable positions as house servants, nurses, seamstresses, etc. in pious families, and not a few are honest wives and mothers, close sheltered in the warmth and brightness of their own firesides." Haven and Prison Gate Misson, 2nd Annual Report. Page 25.
[110] Annual Report. Toronto Industrial Refuge, 1889. Page 2.
[111] Annual Report. Toronto Industrial Refuge, 1885. Page 3.
[112] Annual Report. Toronto Industrial Refuge, 1881. Page 1.
[113] Annual Report. Toronto Industrial Refuge, 1885. Page 3.
[114] Annual Report. Toronto Industrial Refuge, 1893. Page 3.
[115] Annual Report. Toronto Industrial Refuge, 1891. Page 3.
[116] Annual Report. Toronto Industrial Refuge, 1896. Page 1.
[117] Annual Report. Toronto Industrial Refuge, 1882. Page 1.
[118] Annual Report. Toronto Industrial Refuge, 1881. Page 2.
[119] Annual Report. Toronto Industrial Refuge, 1883. Page 1
[120] Annual Report. Toronto Industrial Refuge, 1897. Page 1.
[121] Young Women's Christian Association, Ontario Archives. Perhaps the Y was more in dialogue with the left or middle-classes, while the Managers were trying to persuade the affluent and the guilty. Nevertheless, both organizations sought assistance by calling attention to the plight of others. Also see Pederson, Diana. "'Building for Her:' the YWCA in the Canadian City," *Urban History Review* 15 (February 1987) 3 :225-41 and Pederson, Diana. "'Keeping Our Good Girls Good:' The YWCA and the 'Girl Problem,' 1870-1930," *Canadian Women's Studies* 7 (March 1986) 420-4 and Pedersen, Diana. "'Building today for the womanhood of tomorrow': Businessmen, boosters, and the YWCA, 1890-1930." *Urban History Review*. 14 (1987)3: 225-241.
[122] Haven and Prison Gate Mission. 1885. Annual Report.
[123] Annual Report. Toronto Industrial Refuge, 1898. Page 1.
[124] Annual Report. Toronto Industrial Refuge, 1889. Page 1.
[125] Annual Report. Toronto Industrial Refuge, 1888. Page 2.
[126] Annual Report. Toronto Industrial Refuge, 1895. Page 2.
[127] Annual Report. Toronto Industrial Refuge,1897. Page 2.
[128] Annual Report. Toronto Industrial Refuge, 1898. Page 1.
[129] Annual Report. Toronto Industrial Refuge, 1883. Page 1.
[130] Annual Report. Toronto Industrial Refuge, 1889. Page 1.
[131] Annual Report. Toronto Industrial Refuge, 1888. Page 2.
[132] Annual Report. Toronto Industrial Refuge, 1893. Page 3
[133] Annual Report. Toronto Industrial Refuge, 1880. Page 3
[134] Annual Report. Toronto Industrial Refuge, 1884. Page 1.
[135] Annual Report. Toronto Industrial Refuge, 1881. Page 2
[136] Ibid.
[137] They described them as "*the fruits of past years of charity.*" Annual Report, Toronto Industrial Refuge. 1884.
[138] Annual Report. Toronto Industrial Refuge, 1883. Page 4.
[139] Annual Report. Toronto Industrial Refuge, 1883. Page 1.
[140] Annual Report. Toronto Industrial Refuge, 1884. Page 4 and 1883 Page 1.
[141] This marked the further expansion of the work of the Mangers into the realm of social welfare, but much less in keeping with female delinquency.

Chapter Four
"The Chief Perplexity We Find, is the Problem of the Feeble-minded:"[1] The Changing Character of Protection in the 20th Century, 1905-1928

Introduction

When the Magdalene Asylum was started, the class it cared for was not the type we now have of feebleminded girls, but often women of mature years who had fallen through drink.[2]

Ruth was one of the "feeble-minded girls" who entered the Refuge between 1905 and 1928. The third of six children, Ruth was born in 1902. Refuge records indicate that as a girl she always played with much younger children, but could dress herself under supervision. Psychiatric tests given at the age of 20 determined that she had a mental age of less than 5 years. Ruth's case typifies what Dr. Helen MacMurchy[3] and psychiatric (psy) professionals during the early twentieth century referred to as the "mental defective" or "the higher-class mentally retarded," a woman who could be mistaken for normal.[4] At first glance the concept of the defective child seems to have little to do with female sexuality, the erring female, or the Refuge. However, the social construction of the problem of the erring female as feeble-minded – personified in the feeble-minded girl and her adult counterpart – became central to the work of the Refuge between 1905 and 1928.

Two main trends changed the character of protection at the Refuge. First, what the 1921 Annual Report identified as the "chief perplexity" – namely, the problem of the feeble-minded – changed the *type* of inmate committed to the Refuge, but more importantly, the *reason* for her admission. The growing intrusion of the psy disciplines in discussions of female delinquency was evident

as magistrates and doctors started sending women and girls diagnosed as "feeble-minded," like Ruth, to the Refuge. By the mid 1920s the Refuge seemed to have radically departed from its initial purpose as a "home for fallen women."[5] The entrance of the erring female as feeble-minded marked the beginning of the professionalization of social services, formerly carried out on a volunteer basis by women's groups and churches. It signified the arrival of the qualified expert on matters of female delinquency.[6] By 1913 prominent psychiatrist C.K. Clarke[7] called the Refuge a "Home for Feebleminded Women," a moniker that the Managers officially adopted between 1913 and 1933.[8]

Second, when the Refuge came under the aegis of the Female Refuge's Act (FRA) in 1917, the Managers lost their power over admittance to the courts. The FRA legitimated the detention of women of childbearing age, between 15 and 35 who were deemed sexually wayward or incorrigible, in institutions it called refuges.[9] Moreover, magistrates who needed a place to send apprehended girls fundamentally accepted the claim that the feeble-minded female required the sort of protection, segregation, and permanent custody that the Refuge could offer.

This chapter reveals the interrelated effect legal and medical discourses had on the Refuge's attempts to censure female sexuality. With control over the entry and exit process transferred to government authorities and medical officials and judges, the new constituencies of psy professionals, magistrates, child welfare advocates, and government officials disrupted the discourse of voluntariness. Managers confronted new challenges as they struggled, adopted and/or acquiesced to the intrusion of new knowledge claims. This chapter

explains how these interrelated developments – a gendered discourse of feeblemindedness and gendered legislation that altered admission procedures – put an end to the era of the "voluntary prisoner," but did not radically alter the Christian based reform programme of the Refuge. The Managers did not accept the eugenicists' claim that the feebleminded girl was unreformable.

By the end of this era the Refuge had accepted a more appealing censure – the *feebleminded* erring female – and a renewed sense of purpose. These changes signaled a new direction for the Refuge and expanded the censure of female sexuality. The theme of a problematic female who needed control and protection reemerged in a new form as the Refuge became a custodial institution for sexually wayward girls as well as feeble-minded women.[10] This role proved pivotal for its survival, in that it helped to establish a new niche and legitimize the Refuge as a permanent custodial institution. The Managers could rationalize their long-held practice of institutionalizing females for an unspecified duration (in some cases, for decades) on account of feeble-mindedness.[11]

The discussion is organized as follows. The chapter begins with an explanation of psychiatric narratives and expert knowledge claims, specifically the discourse of eugenics. Next, I look historically at the social construction of feeblemindedness, and then examine how the Refuge came to deal with the feebleminded female. Finally, I explore the impact of the Female Refuge's Act on the operation of the Refuge.

Psychiatric Narratives and Expert Knowledge Claims

Eugenics discourses reshaped the construction of the erring female as not only errant in soul and body, but also in mind.[12] Francis Galton, the Founder of eugenics, coined the term in 1883 to describe "the study of the agencies under social control that may improve or impair the racial qualities of future generations, either physically or mentally."[13] Claims that heredity underlay the problem of mental defect began to shift popular conceptions of the erring female in the early 1910s. The errant mind was redefined by experts in the "psy" disciplines of medicine and psychiatry as a medical category that could be known, diagnosed, and controlled.[14]

During the early decades of the twentieth century the problem of the feeble-minded was largely constructed as a problem of the uncontrolled feeble-minded female.[15] In contrast to social purity reformers of the late nineteenth century who sought to protect "innocent" women from moral ruin by male predators, twentieth century eugenicists and a new profession of social workers targeted working-class female sexuality as the source of race degeneracy.[16] Eugenic discourses emphasized race, class, and gender anxieties about female sexuality.[17] Eugenics inspired physicians to give special attention to the feeble-minded female, positing a link between the woman unruly in body and the woman defective in mind. Such arguments held that woman's role was determined by her reproductive capacity.

Medical metaphors of contagion stressing the need to segregate feebleminded women appeared in medical journals as early as 1910.[18] In 1914 and 1918 the *Public Health Journal* devoted special issues to mental health in

which prominent psychiatric experts discussed feeblemindedness and its association with prostitution, venereal disease, and illegitimacy. By describing prostitutes as feeble-minded, Clarke and other scientific "experts" associated mental deficiency with moral contagion. In a broader context of growing hysteria about race degeneration and the proliferation of feeble-mindedness, such claims were persuasive.[19] That is, cloaked in medical discourse the problem was perceived to be something that threatened the whole community.[20]

New "expert" claims arose out of several professional bodies and research sites established during this period to investigate feeble-mindedness.[21] Medical experts collected statistics on the prevalence of feeble-mindedness.[22] In 1916, for instance, prominent psychiatrist Dr. C. K. Clarke (in collaboration with Professor W.G. Smith and the department of psychology at the University of Toronto) inaugurated the Psychological Laboratory.[23] Studies at what became known as The Clinic provided "evidence" to support Clarke's claim (and reinforce growing public sentiment) that female prostitutes were purveyors of mental and physical disease, and were largely responsible for the crime and vice of the city. In a famous study, Clarke examined 178 women designated by C. M. Hincks as "sex crazy" and feebleminded.[24] The study claimed that "prostitutes of the most flagrant type," most of whom were infected with syphilis and were at large in Toronto, were "propagating moral contagion and venereal disease."[25] Hincks examined 141 young mothers had been labeled feeble-minded. He found "[a] great many of the offspring from these girls are themselves feeble-minded." Hincks rhetorically stated, "no wonder our feeble-minded population is growing

by leaps and bounds. Most of these women are still at large and future trouble can be banked upon with certainty."[26] These findings and the expert testimony that presented them, gave legitimacy to the connection between feeble-mindedness and other "female vices" of prostitution, illegitimacy and venereal disease.

These eugenicists were not alone in viewing the problem in gendered terms, equating errant female sexuality with prostitution, illegitimacy, venereal disease and feeble-mindedness. Dr. George S. Strathy of Toronto, for instance, argued that the "feeble-minded" women caused the "more important modern social evils" – including crime, poverty, illegitimacy and disease.[27] Given this discourse, she was more heavily scrutinized and governed than her male counterpart. As the 1920s approached arguments for segregation and sterilization of feeble-minded women of child-bearing age became particularly salient.[28] According to Dr. Fernald, such women needed permanent confinement: "it is just the control and training supplied by these institutions, that is the most potent factor in fitting the defective for a comparatively useful life if properly guarded as to environment and adequately supervised."[29]

If feeble-minded women became prostitutes, spread syphilis and, in turn, produced a new generation of feeble-minded offspring, as prominent medical authorities now claimed, preventing such women from indulging in procreative or recreational sexual intercourse required permanent custodial solutions.[30] The only farm colony for feeble-minded in Canada, the Orillia Institution, was "not designed or constructed to meet the demands of caring for" the feebleminded.[31]

The solution? – separation and segregation of the feeble-minded, especially women, by removing them from the community and placing them in "suitable institutions," such as the Refuge.[32]

"The Great Institutional Problem of the Day"[33]

Before medical authorities constructed psychiatric narratives on "feeblemindedness"[34] women's groups such as the National Council of Women (NCW) had already embarked on a campaign for segregating those who lacked "the mental caliber to be anywhere else" in 1886.[35] Dr. Rosebrugh drew attention to a particular class of girl who was not medically insane, nor an idiot, but belonged to "those whom the country people spoke of as 'simple.'"[36] Such girls were "mentally unable to care for themselves, and thus became easy 'prey for those evil enough to take advantage of their infirmity.'"[37] Dr. Elizabeth Shortt of the NAC argued that the "presence in every community of feeble-minded or irresponsible persons complicates most of all every other grave social problem."[38] The NCW declared the problem of the "mentally deficient" to be "more prominent than ever before."[39] "Permanent segregation of feeble-minded people" was the "only remedy."[40] The NCW associated feeble-mindedness with alcoholism, tuberculosis, epilepsy, criminal tendencies, and, not surprisingly, prostitution and illegitimacy.[41] Given the sexual double standard which normalized male promiscuity, responsibility and blame for illegitimacy rested with women. Indeed, the NCW constructed the problem of illegitimacy as a "girl problem" (as if they got pregnant alone).

The feebleminded woman needed protection from predatory men, but, in turn, society required protection from her – protection that could best be found in custodial care. In 1897 the NCW appointed a Standing Committee to gather further information and work "in every way possible to secure custodial care for feeble-minded women of child-bearing age."[42] Two years later the Council authorized locals to petition their Provincial Legislatures for custodial care of feeble-minded women.[43] Subsequently, the Hon. George Ross, Provincial Secretary (and soon to be Premier) and the Hon. Mr. Stratton arranged for Willoughby Cummings, Corresponding Secretary of the NCW, to visit institutions for the feeble-minded in the United States.[44] Upon her return she extolled the merits of institutionalizing feeble-minded women.

The Toronto Local Council of Women (TLCW), who urged the Ontario Government to investigate the incidence of feeble-minded women, argued, like the Founders, for a *home* that would intervene after release from prison as well as a home for young girls who "should never be allowed to get as far as the Mercer Reformatory."[45] In response, the TLCW appointed representatives to meet with the PAA, called upon the Provincial government to make better provisions (e.g. separate cottages at Orillia) to receive "feeble-minded women," and to enact legislation to this effect.[46] During the NCW's annual meeting on 21 May 1903, the entire group went before the Ontario Government again to request custodial care for feeble-minded women. Cummings recalled that their reception was "most kind," and the Whitney Government assured them that it would soon take into consideration the matter of comprehensive provision for the care of the

feeble-minded.[47] However, the problem of securing government funding was a long and arduous one.

In 1904 Dr. Helen MacMurchy was appointed Special Commissioner, a significant departure from the Province's reticence to act on behalf of the feebleminded.[48] In her 1906 survey, the first in Ontario, she reported that mental defectives comprised 2-3 per 1, 000 of the population, more than 5,000 men and women.[49] One of the most vehement and vocal proponents of custodial care for feeble-minded girls and women, MacMurchy was concerned that: "there are a greater or less number of girls and women in every community who will always need help, care, and supervision by reason of being 'simple' or mentally weak."[50] She estimated that "born to them now every year [are] about 100 children, most of whom will probably be feeble-minded."[51] Doing nothing until they were inmates of some penal institution, MacMurchy argued, was ill fated. Not only was the chance "for training them to lead happy, useful, honest lives" lost, but it required paying all or part of their maintenance.[52]

After attending the British Royal Commission on Mental Defectives at the Second International Congress on School Hygiene, Section on the Care of Feeble-minded in1905 she concluded that attacking the problem of the feeble-minded required training, care, and supervision that protected them from the outside world and allowed them to partially earn a living.[53] MacMurchy argued that the state neglected to make provision for the care of the feeble-minded and should be concerned with "the whole direction of charitable and philanthropic

institutions in the province and the direction of fostering of preventive efforts for the benefit of the neglected children of the province must have a first place."[54]

Meanwhile newspapers took up the theme, publishing stories on the prevalence and incidence of feeble-mindedness. For instance, a *Globe* editor in 1909 wrote that "the conscience of the community" was not "tender to the claims of these defective creatures as it ought to be."[55] The cost of such neglect, he argued, could be dire for "such weaklings leave an offspring often illegitimate and similarly defective or useless."[56] The *Globe* also urged government to act: "Of all the important reforms before the Provincial Government there is none more urgent than a reorganization of the victims of mental diseases of all forms."[57] Articles such as the *World's* 9 November 1912 piece "Government is Urged to Establish Homes for Feeble-Minded" suggest that feeble-mindedness had captured the public's attention.[58]

By the 1910s the Refuge became involved in the organized effort to garner public support and lobby government to establish institutions for the feeble-minded. The Managers of the Refuge, NCW Members, and other interested parties held a conference on 26 March 1912,[59] where Dr. Helen MacMurchy, Ms. Lucy Brooking, Superintendent of the Alexandra Industrial School for Girls, and Miss Rankin,[60] Superintendent of the Refuge, all spoke to "the horrible list of misfortune, suffering and needless expense" caused by inadequate provision for the feebleminded.[61] They hoped their proposal would ensure "adequate provision [was] made for these unfortunates."[62] On 27 May

1912, NCW president, Mrs. Torrington, declared her intention to arraign the provincial government for its inaction.

Nearly two hundred delegates gathered on 8 November 1912, including Lucy Brooking, Rev. J.E. Starr, Commissioner of the Juvenile Court and J.P. Downey, superintendent of the Hospital for the Feeble-minded at Orillia. MacMurchy's address outlined what she called, the current "deplorable condition" – and the "potentiality for public harm and private suffering and wrong in this class of the community and the dangers immediate and remote in matter time and effect."[63] During the conference, W.L. Scott, President of Ottawa Children's Aid Society and advocate for custodial care, claimed that a large proportion of habitual drunkards and girls in the white slave traffic were feeble-minded. Starr echoed his concerns about the many cases before the court, the bulk of which he argued were mental defectives age 7-16 years. Starr explained that he "had to commit several to the industrial school because there [was] no place to send them."[64]

In the fall of 1916 Drs. MacMurchy and Hincks met with the Mayor to address the issue on behalf of the Provincial Association for the Care of the Feebleminded.[65] Board Members from the Refuge, Mrs. Robert Evans and Mrs. P.D. Crerar, were among the 100 assembled. They referred to their association with rescue work for more than two decades and "how increasingly difficult the problem became where feeble-minded women and girls were concerned."[66] On behalf of the Refuge, they argued for immediate action.[67]

As the 1920s approached, feeble-mindedness had become, in the words of L.W. Brooking, then Superintendent of the Alexandra Industrial School and previous Superintendent of the Haven, "the great institutional problem of the day."[68] Notably, she argued that the work of refuges, such as the Toronto Industrial Refuge, suggested what could be accomplished "if such girls were systematically protected *in time*, and taken in charge *before* they become criminal."[69]

Finally, in 1917 the Government established a Royal Commission on Feeble-mindedness under Frank E. Hodgins, to investigate the problem of the feeble-minded and the prevalence of venereal disease in Ontario.[70] In his "Report on the Care and Control of the Feeble-Minded" Hodgins made three key claims: the lack of care for the feeble-minded; insufficient and ineffective training; and the need for some measure of control for mental defectives.[71] Hodgins argued that feeble-mindedness was "multiplying in such a way as to fill our criminal courts, gaols and penitentiaries, and even our charitable institutions, with subjects whose defects are controllable if properly dealt with."[72]

Hodgins' Report gave further legitimacy to medical discourses on feeble-mindedness, as it did to bureaucratic and governmental discourses. Relying on evidence from Clarke's Clinic, which "clearly demonstrated" the close relation between prostitution, illegitimacy, feeble-mindedness and venereal disease, Hodgins argued that properly dealing with the feeble-minded required a better understanding of the numbers affected, their locality, and the proper effort for relief and care taken.[73] He called for "an immediate, intelligent and systematic

effort to ascertain, record, educate and care for the mentally defective."[74] The Report concluded that "the feeble-minded female of child-bearing age and the feeble-minded delinquent who is a 'repeater' or shows marked criminal instincts should be detained indefinitely."[75] The Royal Commission's conclusions echoed the sentiments of medical professionals that:

> [F]eeble-mindedness is highly hereditary, and that each feeble-minded person is a potential source of an endless progeny of defect. No feeble-minded person should be allowed to marry, or to become a parent. The feeble-minded should be guarded or segregated during the child-bearing period.[76]

Hodgins called for increased funding and an enlarged facility for the Refuge. He expressed concern that the location of the Refuge was not "selected with any idea of suitability, and the buildings and plan generally are not such as would now satisfy the public as supplying what is needed for the inmates." [77] Hodgins claimed, "the time has gone by for the institution that is not making progress and represents only a benevolent impulse without sufficient means or adequate ideas of improvement."[78] It is unclear whether he included the Refuge in that category, or not. His comments do speak to the fact that an institution founded by Christian women may have been considered outdated when compared to bureaucratic government organizations.

The Refuge Takes on A New Problem: Caring and Protecting The Feeble-minded

The Industrial Refuge is a revelation of what may be done for the class known as feeble-minded, by giving them a bright and homelike environment.[79]

When Maggie J. entered the Refuge voluntarily on 19 February 1881 at age 47 the Managers recorded her mental health status as "weak intellect." Similarly, on 18 June 1891 when Annie S., an English woman of 45 years, left the Mercer Reformatory and entered the Refuge the admission book recorded her as "immoral" with a low mental status. The Founders had presumed an intimate relationship between mental defect and sexual immorality. In this sense the medical categories "feeble-minded," "mental defective" and "low grade moron" were not altogether different than the Managers' understanding of such women as "simple."[80] The construction of the feeble-minded female was not exclusively a medical creation, but rather medical categories are drawn from, interact with, and inform, the social.[81]

From 1853 to the late 19th century the Refuge steadily pursued the policy of its Founders: to provide a shelter for prostitutes and intemperate women with the goal of helping "fallen women" to rise again. However, the "class and character" of those who entered the Refuge changed between 1905 and 1928, and by 1913 the Refuge had become a "Home for the Feeble-minded." As the moral panic around feeble-mindedness grew in the twentieth century, so did these opportunities. This section will explore how the Refuge altered its practices after it became, by default, a temporary, institutional solution to the problem of the feeble-minded.

The Managers were aware of the growing concern about the feeble-minded woman and had become involved in wider discussions about what to do

about her, they were initially reluctant to volunteer their institution. Although they received women of low intellect like Maggie and Annie throughout the nineteenth century, the Managers' reticence stemmed from their belief that such women had a destabilizing effect on the institution and the other inmates. Early twentieth century annual reports documented their resistance to what they perceived as a threat to the integrity of the institution. For example, in 1901 the Secretary wrote: "I would call attention to the presence of several inmates during the year suffering from mental troubles and would warn against the acceptance of such individuals."[82] In her medical report for 1902, Dr. Guest strongly recommended that the Managers "come to some understanding with the asylum authorities by which more rapid action might be taken in such cases as are only too frequent among the class of women taken in by the Refuge."[83] No official agreement was ever reached between the institution at Orillia and the Refuge.

The written record indicates that, by 1904, the Managers had resolved their concerns about the feeble-minded girl. Referring to the inmates with mental troubles interfering with the institution's work, the Secretary wrote "[a]t one time many girls of weak intellect were committed to the Refuge, not because of wrong doing, but as a measure of 'protection.'"[84] She went on to announce that "[t]his is *no longer necessary*, as the Government has provided extensive buildings for caring for such as these."[85] Her comments reflect the Manager's satisfaction with being left to do "the work 'for which it [the Refuge] was intended' – the sympathetic care of girls who have in some way been led astray."[86] Interestingly, the "extensive buildings for the caring for such as these," were more fiction that

fact (as discussed above). The Managers' hopes of removing the "feeble-minded girl" were soon dashed. As we will see, their resistance didn't last long or amount to much.

The first sign of their acceptance of these new responsibilities came in the early twentieth century when girls like 18 year old Anne F. entered the Refuge "on account of weak intellect" for their own protection.[87] Anne had been a bright child, but through abuse in early years was said to be mentally dwarfed. She knew absolutely nothing – was sullen, silent and incompetent, refused to talk, was not interested in work or amusement. She only ate and slept. At the Refuge she learned to care for herself. She took an interest in simple work and Managers saw a glimmer of her early child-life came back. Eventually, the Managers constructed and used such examples to position the Refuge as an ideal place for feebleminded girls. Mentally weak girls, many with vicious temperaments, they came to believe would be a "'menace' to the social life of the community" if provision was not made for them.[88]

Primarily male child savers and governmental authorities – both interested in putting girls "under protection" – were among the first to recognize the Refuge as a suitable institution to deal with the feebleminded.[89] Faced with decreasing numbers of inmates, these male elites convinced the Managers to admit feebleminded girls. Soon the feebleminded girl in need of "refuge, care and protection" was foremost on the Managers' agenda. On 16 March 1904 Mr. J.J. Kelso, Superintendent of Neglected and Dependent Children brought Sadie B. a 23 year old single domestic to the Refuge.[90] Kelso considered Sadie to be "quite

simple" in her mental development and "very backward" in education. The Managers agreed, and they were now coming to believe that girls like Sadie could be saved.

In 1905 Dr. R.W. Bruce Smith, Provincial Inspector of Prisons, Asylums, Hospitals and Charities visited the Refuge and commended the Managers on their work. Weeks later he returned, this time with Kelso, to speak at the annual meeting. Addressing the Board they "spoke in the strongest terms of the need for increased accommodation" for girls in need of protection.[91] They asked if it would be possible for the Refuge to receive a "considerable number" of girls then in the care of the Children's Aid Society in an enlarged Refuge. Kelso emphasized that feeble-minded girls who could not be placed in private homes had been sent to "less suitable homes" than the Refuge. The men assured the Board that such girls were "respectable" but only "weak mentally." If placed under proper care and instruction they could become capable of earning a living (in the institution) and should remain there indefinitely. The two men convinced the Board that such girls required "greater personal care and protection" than could be obtained in government homes.[92] They believed that increased accommodation was warranted to deal with the problem of the feeble-minded female.

Apparently viewing this as an opportunity to build their reputation among Toronto's powerful elites, the earlier distaste for such inmates was replaced with enthusiasm.[93] The Managers not only agreed to take such girls, but argued that only the Industrial Refuge could offer "just such care and instruction" they needed.[94] However, in her 1906 medical report, the resident medical expert

warned against admitting feebleminded girls who provided "the greatest trouble" for the institution.[95]

The feeble-minded girl became less objectionable if her entry produced increased funding and the possibility of expansion. During the first years of the new century the Refuge had seen a drop in admissions. In 1904, for example, only 14 women entered the Refuge, bringing the total to 39 inmates. After 7 left during the year, only 32 remained in the home on 30 September 1904.[96] Annual decreases continued until 1909. These two factors, institutional uncertainty and the prestige, power, and influence of backing from powerful elite men contributed to the Managers' change of heart.

Consequently, after 1905 those who entered the Refuge were younger (sometimes as young as 13 years), and more likely to be diagnosed as "feebleminded." As the Managers expected, admissions began to increase. Between 1905 and 1907 girls such as "Lois N.", "Viola G.", and "Corinne T.", came through the Refuge doors on Kelso's arm.[97] All three girls were in their twenties, single, and had formerly been employed doing laundry work. Each had become a ward of the CAS before turning 21 and continued to be so for reasons of mental defect. Corrine, for instance, had run away from home at age 12 and become "immoral." Notably, the Managers assigned each of the girls with a mental status of "sub-normal." While such categories were not the same as those employed by experts (i.e. defective mentality, imbecile, and degenerate) they illustrate how the discourse of feeblemindedness came to inform the Managers' efforts. Moreover, this mania for categorization had an important effect in that

psychiatric categories reinforced a particular image of these inmates as in need of protection (not dissimilar to the Founders' earlier beliefs about fallen women).

By 1906 the Refuge was once again filled to capacity and had "many and urgent applications," but still could house only 35 inmates. Statistics illustrate the dramatic and rapid nature of this shift. In 1908 its capacity was doubled from 35 to 72 with the opening of a new Aged Women's Home. The Aged Men's wing that was housed in the Refuge building was then transferred, leaving the entire building for the Refuge. Another increase occurred in 1909 when 30 new females were admitted, most at the request of Kelso, bringing the total population to 77. For the first time in decades the home exceeded capacity.

As early as 1910, the feebleminded female had become a major focus for the Managers and the Refuge. The Secretary articulated this change, saying that the women the Board now desired "to reach and protect are the mentally weak," because they were believed to be "easy prey for those evil enough to take advantage of their infirmity."[98] The Refuge now saw itself as offering the feebleminded girl of the 20th century "safe asylum and sympathetic care," much as it did the fallen woman of the 19th century.[99] However, the Managers were quick to state that this group was "not sentenced here for a term, long or short," suggesting that the institution was still not a prison, and that they remained committed to reformation no matter how long it took.[100]

Annual Reports portrayed a close working relationship between the Refuge and medical and government authorities. In the 1908 annual report, for example, they declared that: "we are glad to know that the work of the Refuge

has the entire sympathy and confidence of such able workers in this department as Smith, MacMurchy, Kelso, Inspector Stephens and Mr. Chapman of the morality department (whose helpful counsels have been freely given and greatly appreciated)."[101] The Managers appreciated that recognition of their work and both sides appeared satisfied with the partnership. In 1911, the Annual Report praised Bruce Smith, Provincial Inspector of Asylums and Prisons for knowing "thoroughly the problem we are trying to solve, and who is helping us solve it."[102] They even, at times, minimized their own contribution, as is evident in the following remarks made in the 1911 Annual Report:

> "We realize more and more how important this interest and sympathy is to us in our work, for this is really only a part of the larger problem with which the *best men* are trying to cope. We want out work to be in line with the best, and we gladly welcome the most careful enquiry and the kindly counsel of those who have *expert* knowledge and who administer authority in these matters."[103]

Men still dominated public matters. Although women's groups gained much prominence over the period, with few exceptions (MacMurchy) lay women were not given the prestige of the "expert" label by others. In many instances, women's groups, like the Managers, yielded to the power and authority of their male counterparts.

Government officials like Dr. Bruce Smith continued to make referrals to the Refuge, as did medical authorities like MacMurchy and magistrates like Dr. Margaret Patterson.[104] Many inmates were diverted from Mercer to the Refuge

because of this.[105] In the late 1910s the majority of the inmates were admitted through Patterson's Women's Court. Perhaps in accepting the "expert" the Managers' were not so much authentic as they were politically astute.

By this time the discourse of feeblemindedness had captured a larger public audience and interest in prostitution and female criminality grew.[106] Medical experts such as Dr. Helen MacMurchy and Dr. C. K. Clarke played key roles in this debate, which was to alter the shape and direction of the Refuge. From 1904 to 1928 up to 75% of the inmates at the Refuge were classified as feebleminded. In 1921, for example, the Managers argued that all 54 "girls under our care [were] feebleminded, though their appearance may not indicate it."[107]

MacMurchy's presence on the scene marks another significant moment in the changing character of protection. Recall that MacMurchy helped to launch Canada's campaign for control and surveillance of mental defectives. Probably the most ardent and vocal proponent of institutionalization, MacMurchy argued that institutional care was the only way to deal with the feeble-minded. Mental defectives, she argued, "should be trained and cared for in an institution for the mentally defective, and probably could in such an institution contribute something to her own support."[108] MacMurchy supported the Managers' insistence that all inmates be involved in renumerative work, such as laundry tasks.

MacMurchy's beliefs about the feebleminded led her to develop close ties with the Refuge. In a letter to Provincial Secretary Hanna in 1904 MacMurchy indicated that "[a]t least 2/3 of the inmates of the Toronto Industrial Refuge are feeble-minded, and about the same proportion can be found in the Mercer."[109]

She saw the Refuge as a useful strategy for dealing with the feebleminded and explained in several Reports that the Industrial Refuge on Belmont Street and the Haven on Seaton Street were ideal for "this class of cases." In an open letter of support, MacMurchy declared that: "few of the general public appreciates at all the 'happiness' of the 'inmates' of the Industrial Refuge."[110] The girls stand in stark contrast to the "wretched, miserable, cowed and neglected existence" they lived outside its walls where "no one understands them, and where they cannot make their way, or keep a foothold to themselves."[111] Inside the Refuge they experience the "free, happy, unrestrained feeling of home and possession."[112] In 1910 MacMurchy wrote, "[t]he Industrial Refuge has dealt with these girls in the best and most approved manner possible, by admitting them as *permanent inmates* to the establishment, where they are taught to sew, wash, iron, knit, do housework etc."[113] MacMurchy's endorsement of their institution as the best and most approved in dealing with the feeble-minded women was key to putting the Refuge on a more permanent footing during the period.

Other professionals in corrections endorsed the institution. Lucy Brooking, Superintendent of the Alexandria Industrial School, supported the Refuge, particularly its provision of domestic work for the inmates. "In the Industrial Refuge," she wrote in 1914, "nearly one hundred of this class are protected, trained and made happy, while incidentally, they earn a good part of their maintenance by doing laundry work."[114] She too, in contrast to eugenics discourse, believed that the feebleminded woman could be taught some skills. If similar institutions situated in the country (but close to the city) could offer

industries like sewing, lace making, rug weaving, chicken raising, or market gardening, as both educational and an outlet for their energy, the girls would "not retrograde, or – grow more dull and depressed and useless day by day."[115] Such work would "call out the best that is within them, work under the happy direction of a bright brain and a kind heart."[116] Nevertheless, like the Managers she agreed that institutionalization was the answer.

Accolades continued to come from Dr. Smith. In 1912 he stated, "[t]here is not in the province of Ontario any institution – government or private," he intoned, "that is better managed or more economically conducted." He extended an invitation to all citizens to visit the Refuge to "see for themselves what is being done for the feeble-minded girls who in the public interest must be protected."[117] He indicated that "if the people of this city and this Province had fully realized their obligation to society, and recognized that it was right and humane to protect feebleminded girls against the actions of unscrupulous men, there would not be the 800 or 900 illegitimate children in the Asylums of Orillia today."[118]

By 1913, then, the Refuge was being primarily used to institutionalize females diagnosed as "feebleminded," and, indeed, starting in 1913 (until 1933) the Refuge adopted the name "Home for Feeble-minded Women" in its Annual Reports. MacMurchy argued, however, that the use of the Refuge showed "[a]n encouraging beginning is being made, but, of course, it is only a beginning."[119] She explained that the institution was "dealing with cases of long-standing and already demoralized" and "treatment and instruction [must] begin at a much earlier period in life."[120] Despite the lobbying efforts of Kelso, MacMurchy, and

women's groups such as the Toronto Local Council of Women to secure government provision for the feebleminded, the Provincial Government remained unwilling to construct new institutions for them.[121] The lack of government support actually opened space for the Refuge to step in and deal with the problem. Non-state institutions remained relevant to the process of state formation.[122] Had the government invested money to build separate institutions for the feebleminded, the Refuge likely would not have played the unique role it did during the period. As we will see, the practice of admitting the feeble-minded as permanent inmates would be called into question nine years later, after the Refuge came under the regulations of the FRA.

The recognition of feeble-mindedness at the Refuge was official with Dr. C. K. Clarke's appointment as Visiting Physician to the Industrial Refuge in 1920. He held this post until 1923 when he became a consulting physician shortly before his death in 1924 at which point Ruth MacLachlan Franks filled the position.[123] Clarke (and his predecessors) subjected each girl to a psychiatric examination. His diagnoses placed most of the girls at a mental age between five and nine years old, and others between nine and twelve.[124] According to the 1929 Secretary such examinations revealed that "with scarcely an exception, they belong to the class of 'feeble minded.'"[125]

The feeble-minded female needed, according to the Managers, the "protection of a safe home," "helpful and Christian influence of an excellent Matron," an "atmosphere of a Christian home."[126] Notably, this is exactly what they said of their earlier charges. The "weak ones" must be kept "under

protection," and for some they would spend "almost their life here."[127] The Refuge, they argued, offered protection, **not** punishment for the class by then known as the feebleminded female. Most often such females are alone (either because they cut themselves loose from those who would protect them) and fall easy prey to those who make it their business to live upon the weak. However, the Managers also looked with suspicion "upon any effort to remove from the protection afforded here those who are not considered fit to take their place with safety, and [pledged to] do everything possible to prevent such removal."[128]

Rather than "the restraints of a corrective institution,"[129] they continued to emphasize home-like atmosphere of the institution:

> ... we repeat, that the Industrial Refuge is not a House of Correction – a prison where one who has sinned must suffer for her sins. It is a HOME where the erring one may have the opportunity to win her way back into rectitude, and where one who is weak may be protected.... the sole purpose – assisting these girls 'recover' their standing, and are glad when any girl is strong enough to take her out again in the world."[130]

Paradoxically, to the Managers, restoration was still possible. This view was not shared by the experts. The category of feeble-minded as a genetic condition precluded reformation.

A New Niche

Secretary Campbell explained in 1905 that "the workers change, the work goes on, and the demands upon our effort increase with each succeeding year."[131] The

character of the Refuge's work, the Secretary wrote in the 1916 Annual Report, "has greatly changed with the progress of years, and still greater changes may mark the next few years."[132] Owing to the "interest" and "demand" of the public, she argued, the Refuge must "keep pace with the movements of the time."[133] Indeed, the Managers seized an opportunity to meet an increasing demand for custodial care of the feeble-minded woman. In 1928, the Secretary captured the implication of this dramatic shift when she wrote that many changes have taken place "in the character of the work, and in the class of girls committed to our care."[134]

Rather than dramatically change the population of the Refuge, medical and social discourses on female delinquency wrapped the erring female up in a new package. Moreover, this "new element" offered a new rationale for the institution, which was significant because it granted legitimacy to the Refuge and diminished the public controversies surrounding the institution. After resisting the problem of the feebleminded at first, the Managers did a complete about face and fought to be considered the most appropriate place for them. They positioned the Refuge as the solution of choice. Through their associations with reform-minded individuals and "experts" like J.J. Kelso, Inspector, Dr. Bruce Smith and Dr. Helen MacMurchy, the Managers' reconstructed the Refuge as equipped to manage feebleminded females. The institution never did earn official legitimacy from government authorities as the most appropriate way to deal with the growing problem of female delinquency, yet given the absence of state institutions constructed precisely for this purpose, and in the face of a growing

moral panic around the propagation of mentally defective children, the Refuge became one – albeit provisional – solution. Professionals conferred legitimacy on the Refuge so the Managers gained recognition at the expense of their independent authority.

According to the document, *Three Quarters of a Century*, a lopsided, laudable history of the Refuge written by Isabella Tibb in 1928, working with the feeble-minded girl "was precisely the kind of work the board desired." This reconstruction of the institution's history conceals not only the Board's initial unwillingness to handle what they had perceived in the previous era as "the wrong kind of girl," but the tensions involved in shifting the direction of their work.

The contradiction between their initial doubts and subsequent acceptance of feebleminded females can be understood as a response to institutional uncertainty. The Refuge required support, financial and otherwise, which they could accrue through affiliation with medical and government authorities. Symbolically, this alliance was pivotal for creating a new niche during era three. The Managers had simply refashioned their reluctance into acceptance, as the following comments from a 1928 report suggest: After trying to rebuild the characters of females who had been "torn down and all but destroyed," the Board "welcomed the opportunity to safeguard those who had not been subjected to the destructive influences of the world without." In Tibb's words, the Board "welcomed a new element entered into their work."[135]

While drawing on the wider medico-legal discourse of feeble-mindedness and adopting the language of mental defect into their vocabulary legitimated their

claims about the extent of the problem and their well-positioned solution, the Managers did not accept every claim made by medical elites about the feeble-minded. In contrast to the claims of experts such as Clarke and MacMurchy, the Managers insisted that reformation of the feebleminded girl was possible. According to the Managers, "to look at them [the feeble-minded inmate] you would never suppose it possible that they belonged to the defective type!" That they believed they could "cure" the feeble-minded girl is evident in their assumption that while such girls were unable mentally to care for themselves, they could be taught physical labour. As they put it, "[i]t is the earnest desire of the board that opportunity shall be given each girl to take up some form of 'self development.'"[136] Nevertheless psychiatric diagnoses of feeble-minded did limit the kinds of tasks those labeled were assigned in the Refuge. That is, instruction in fine embroidery was limited to those of "normal" intellect, while the feeble-minded girl worked in the laundry folding clothes. The Managers thought that teaching such women even the simplest duties of the household was a "long and discouraging task."[137]

In accepting the feeble-minded female into the Refuge the Managers held fast to the Christian, maternalist tenets upon which the Refuge was established. In this way, they could continue their efforts "to rescue, reform and reclaim" even the feeble-minded female, in much the same way as they had prior to her discovery. During this tumultuous period, the Managers remained committed to the ideals of the maternalism and Christian stewardship of the nineteenth century

that underpinned early efforts to save the fallen female, but their work now took on a greater public importance.

The Sexually Wayward Girl and the Female Refuge's Act

Accompanying the anxiety around the feeble-minded female was growing hysteria about the sexually wayward girl. The boundaries between the feeble-minded girl and the sexually wayward girl were blurred, as was their governance. Subsequently, in 1919 another "new element" – the sexually wayward girl in need of care and control – officially entered the Refuge. Psychiatric claims of mental defectiveness, the medical profession's concern with venereal disease, and the church's war on immorality led to the introduction of the Female Refuge's Act in Ontario (FRA) in 1897.[138] According to the FRA, "any female between the ages of fifteen and thirty-five years, sentenced or liable to be sentenced to imprisonment in a common gaol by a judge, may be committed to an Industrial Refuge for an indefinite period not exceeding five years.[139] A coroner's inquest into the death of an inmate who tried to escape from the Good Shepherd Refuge by jumping out of a second storey window was the driving force behind the 1919 reduction of sentence length to two years.[140]

The interrelated problems of illegitimacy, promiscuity and prostitution, venereal disease and feeble-mindedness were all taken on by this legislation. However, the Act did not receive much attention until it was amended in 1919 following calls from the Protective Bureau for Young Girls.[141] The FRA facilitated the incarceration of hundreds of girls in the Refuge between 1919 and 1928.

Although the FRA was initially passed in 1897 it was seldom used. Before the amended Act of 1917 the main legislation that guided custodial care of the feeble-minded was the Houses of Refuge Act of 1912, the impetus behind which was the growing interest in feeble-minded women and the agitation for the establishment for special custodial institutions for their protection.[142] The Houses of Refuges Act was primarily concerned with county refuges intended for "[p]oor and indigent [men or women] who are incapable of supporting themselves," not sexually wayward girls.[143]

In 1917 the FRA was amended in response to the release of the Royal Commission on Feeblemindedness, which drew special attention to the lack of legislation to oversee management of refuges. Commissioner Hodgins argued: "One great defect in our laws is that admissions to refuges and such like institutions are not more carefully watched."[144] He cautioned the Government to be wary of having such women "put away out of sight in any institution without responsibility being properly assumed and treatment wisely decided on."[145] No voluntary admissions of adolescent boys or girls under the age of fourteen should be permitted, except by a petition from the person concerned, their parents or guardians, friends or of the Attorney General. Evidence should also be required, like that necessary for an application under the Lunacy Act and upon the fiat of a County, District or Supreme Court Judge."[146] The Revised Statutes of the Female Refuge's Act filled this void.

The Revised Statutes also gave judges and magistrates wide-ranging powers for magistrates to sentence females considered habitual drunkards,

prostitutes or in other ways "leading an idle and dissolute life."[147] Anyone, such as a husband, parent, or police officer, could swear before a magistrate as to the inappropriate behaviour of any female between 15 and 35. In effect, the FRA enabled any person to report on a girl's behaviour, while the burden rested upon the girl whose only recourse was to prove that she was not "unmanageable" or "incorrigible."

The FRA and the push for detention of feebleminded females were intimately connected because the FRA reinforced the medical discourse of feeblemindedness. A 1913 statute of the Female Refuges Act (FRA) empowered physicians to certify feeblemindedness in inmates, and keep them in houses of refuge after the expiry of their sentences. The narrative that defined the erring female as problematic in mind as well as body was widespread by this time. Public health journals by 1916 referred to those previously considered incorrigible, bad, and immoral as "feebleminded," meaning that they were not responsible for their actions but also that they required custodial restraint.[148] Court transcripts provide further evidence: judges and magistrates now frequently referred to the sexually wayward girl as "feeble-minded," whether or not she had been officially diagnosed.[149] While the Refuge was not originally intended as a correctional institution when it came under the regulations of the FRA in 1919, this significantly reshaped its future course.

The FRA constructed the erring female's sexuality by equating the categories of idleness and dissoluteness with promiscuity and lax working class morals.[150] The majority of FRA infractions dealt with "perceived" signs of female

immorality such as premarital sex, illegitimate pregnancy, and venereal disease. "Doctors could claim," a recent editorial wrote, that "women had sexually transmitted diseases and send them to an institution without any proof. It was an easy way for society to lock up girls who were frivolous, sinful and feeble-minded."[151] The legislation allowed the arrest of females of childbearing age for being "idle and dissolute."[152] This could mean anything from disobeying one's parents by staying out late to public drunkenness or pregnancy out-of-wedlock. Again, errant female sexuality was being governed through the Refuge.

The Refuge Responds to the Sexually Wayward Girl

In 1919 when the Lieutenant Governor officially designated the Refuge as a "refuge" under the Female Refuges Act, that is; "an institution for the care of females," the character of those who entered the Refuge changed once more.[153] Coming under the FRA, the Refuge took an expanded role in female penality, and their practices became more coercive. The Refuge became what it had always denied being, a house of correction for sexually wayward girls.[154] From 1919 on, rather than a very different type of inmate occupying the dormitories, new conditions of incarceration existed. The "feeble-minded" or "wayward" girl – as she was interchangeably known – sentenced to the Refuge for "incorrigibility" stood in stark contrast to the older inmates who had entered in a more ad-hoc and quasi-voluntary manner during the nineteenth century. The evidence suggests that the Managers were alternatively confused, conflicted, resistant and

accommodating when it came to responding to this "new element" that entered their work.

A major consequence of the Act was the shift in admission policy: the Board no longer controlled admissions. Clause 13 of FRA stipulated that "[n]o person shall be admitted to an Industrial Refuge except on warrant, signed by a Judge; of a transfer Warrant signed by the Inspector." Notes left by former Board Members indicate that by the late 1920s, the Board saw that the Industrial Refuge had become "a house of correction" and their bylaws had no force unless approved by the Lieutenant Governor.[155] Consequently, after coming under the Act the Refuge formally departed from "voluntary" admissions. Legally committed to the institution, inmates were now required to stay indefinitely to a maximum of two years. At the expiration of their term only judges and magistrates could re-commit.[156] The Managers could no longer make the argument that the Refuge was a voluntary home whose sole purpose was to provide shelter and moral instruction to unfortunate women. Instead, they were doing the official work of the state.

Let's consider what was happening in the years leading up to the change. Why did the Board agree to relinquish control over admission and exit of their inmates? In 1917 only 8 females entered the Refuge. During that year 15 were discharged, which brought the total inmates in the Refuge on 1 October 1917 to 85. The Board admitted only 3 inmates in 1918, the lowest number since the turn of the century. The numbers dropped again as 11 were discharged, leaving 77 on 1 October 1918. This pattern was exacerbated when the discharges

increased in 1919. Only 10 females were admitted between 1 October 1918 and 1 October 1919. After two died and 22 were discharged this left only 63 in the Refuge on 1 October 1919. In the face of dwindling numbers and open space in the dormitories the FRA presented an opportunity to guarantee inmates.

However, the impact of new post 1919 inmates was neither immediate nor consistent. Only 9 females were admitted between October 1st 1919 and 1920. After 13 inmates left throughout the year (and one died) only 58 inmates remained at the end of the year. The impact of the FRA on admissions and exits becomes remarkably clear after 1922. Twenty four inmates were admitted in 1922 and only 8 were discharged (and one died), leaving 68 inmates in residence on 1 October 1922. The year 1923 saw a drop in the inmate population. Yet the number of admissions increased from 10 in 1923 to 29 in 1924. By the end of the year after 15 girls were discharged 68 remained. Again, in 1925 more inmates than usual entered the Refuge. For example, between 1 October 1924 and 1 October 1925, 21 entered and 20 were discharged, leaving 80 present on 1 October 1925. By 1925, the Board boasted in its Annual Report that a total of "one hundred "unfortunate girls" were under the care of the Refuge, the majority of whom were committed by the court, on account of some infringement of 'civic law.'"[157] In 1926, this pattern of entry and exit continued leaving the total population over the year relatively stable.

Amendments were made to the FRA in 1927 and that same year the Refuge saw a slight increase in admissions – a total of 33. Since the pattern of exit stayed the same (31 were discharged) the year end numbers remained

stable. The influx of inmates sent from Magistrate Patterson made for a century high intake of 49 females, as well as a record high of 70 discharges in 1927-28. Given the turnaround on 30 September 1928 only 61 females remained in residence. This same pattern continued in 1929. "The greater number of our girls are sent to us from the Women's Court, some are transferred from the Alexandra Industrial School," the Secretary explained, and "[t]hese cases are for a term of two years."[158] Between 1928 and 1929 many of the sentences of girls who entered in 1927 and 1928 had expired.

The Refuge broke records again in 1930, when a total of 60 inmates were admitted, the vast majority sentenced under the FRA. Forty-four females, almost all of whom were sentenced in 1928, were discharged during the year. Of these, 50% (22) were transferred to other institutions for further custodial care because of "mental or physical defect" – a clear reminder of the blurred boundaries between the categories sexually wayward and feeble-minded. Notably, despite these increases in number that occurred over the 1920s, the Refuge still had fewer annual inmates than the Aged Women's Home.[159]

In the words of the Managers, the new work "has been, perhaps, the most interesting in some respects of all, though the most difficult."[160] While they had "tried faithfully to carry out the regulation as thus laid down," operating the Refuge as a correctional institution proved difficult for the Managers.[161] What were they to do, for example, when an inmate left the institution "on her own accord?" In the past, they simply anticipated her return. Now under the Act they had the authority (like any citizen) to intervene on behalf of the girl and bring her

before a magistrate and seek to get her re-committed. At first the Managers believed that when a girl ran away they had the "power to bring her back, without a warrant." They soon discovered that their application to police meant that the Superintendent had to appear in Police Court. When they worked within the law, however, they found to their chagrin that, in most cases, the girl was not returned to the Refuge. She was sent instead to the Mercer or remained at the Don Jail. The Managers had trouble recognizing that the FRA in many ways usurped their power.[162] Instead, they blamed the running away of inmates on "defective law" (i.e. a bad law in their eyes) or "the manner in which the law is interpreted."[163]

In terms of the practices at the Refuge, the Managers continued to insist that the Refuge was "just what its name implies – a place into which any girl or woman who needed sympathy and protection could come and be safe."[164] They still tried to provide the feeble-minded or wayward erring female with sympathy and protection. However, the FRA made this infinitely more difficult.

First, operating under the FRA conflicted with the values of the Board. The Refuge was intended initially not to reform females to self-control and self-direction, but to teach them to be dependent and take direction from others. The original object of the Refuge was to act as a "*home* in which every opportunity is offered to those in it to win out in the effort to make good again," **not** as a place of correction or detention.[165] The Board held to this spirit of their foremothers – the voluntary prisoner ideal – but owing to the FRA the Refuge was more a "place to which occasionally, girls who have broken the law are committed."[166] Consequently, exit practices changed. We also see a subtle shift in the way in

which the Managers portrayed their work during the late 1920s. They began to make new claims specifically about the "court cases," for whom a "measure of restraint is necessary."[167] Given their insistence on the lack of restraints and punishment, "the new element," was, in their words, "strange." Ten years later they were still "just feeling [their] way in dealing with it."[168] They claimed, however, that "kindness and patience are the unwritten laws of the institution... the lives of these young girls and women in the Refuge is anything but unhappy."[169] While they insisted that "residence in the asylum was in no sense a punishment," they also argued that "those who fail to make good will probably belong to that percentage who finally help to fill institutions of a 'sterner kind.'"[170] When placed under the FRA the inmates who entered were legally committed to their care, and consequently, those who recast the Refuge as a penal institution and those magistrates and government inspectors overseeing its operation expected a greater degree of restraint.

Second, the Board refused to accept the medical claims that the feeble-minded female was unmalleable and therefore merited punishment for her own good. In this way they never lost their latent desire to "rescue and reform," to protect not punish. However, their beliefs and assumptions reflect the contradiction in their views on what the institution could accomplish with the feeble-minded female. They saw the FRA as an avenue for parents with defective children. According to a 1924 Annual Report, "[a] child of such a class must be almost the heaviest burden that parents can be called upon to endure, and what a boon to them must be the Refuge, where such a girl can be protected

and cared for, and so far as possible, lead a useful and happy life."[171] The lines between moral and mental weakness were blurred. "Sad to say," the Managers regretted, "some will never improve either 'mentally or morally' and if left 'to their own free will' would gradually become cases for mental hospitals, and must always be under 'supervision.'"[172] In the eyes of the Managers, the feeble-minded female offender of the twentieth century, much like the fallen woman of the nineteenth century, also deemed mentally dull or "simple" in many cases, was very much in need – of rescue, protection and supervision.

Third, the change in revenue from private individuals to public support and government money brought with it a shift in accountability. No longer were the Managers answering their Lord's call alone, they were tied to government funding and increased accountability. Consequently, many established methods gave way to new procedures regulated by governmental authority. For example, a progress report of each committed girl was to be sent monthly to the Provincial Secretary's Department.

By the end of this period the Refuge housed two classes of inmates – the feeble-minded, committed by parents, guardians and reform minded individuals, and the cases committed by the court. The feeble-minded female and the wayward girl were not one and the same for the Managers, but neither did they operate as mutually exclusive populations at the Refuge. The Managers asked for funding that would have allowed them to separate feeble-minded from wayward girls, but their assertions appear to contradict the evidence, in that the girls and women referred by the court were considered by magistrates and

Managers both wayward and feeble-minded.[173] Perhaps the Managers believed that separating out the court cases from the feeble-minded would make government support more likely, given government reluctance to provide for the former.

Conclusion

Many changes have taken place in the character of the work, and in the class of girls committed to our care, but change should spell progress and we feel it has done so in this work.[174]

This Chapter has shown how the Refuge evolved from an institution designed for female morality offenders into one for the feebleminded and sexually wayward. Debate over what to do with the feeble-minded moved from the meetings of women's groups and concerned citizens to Royal Commissions, government inspections and psychiatric tests as professional and expert knowledges began to monopolize female delinquency.

The new experts, tied to a gendered understanding of deviance, equated feeblemindedness with errant sexuality and illegitimate reproduction. Professionalization, bureaucratization, and the medicalization of female delinquency had dramatic implications for the Refuge, but did not completely change the practices or rhetoric guiding the institution. As this chapter has shown, the key consequence of medical discourse on feeble-mindedness and the introduction of the Female Refuge's Act was the changing character of protection at the Refuge. Although the Refuge admitted "mentally defective" females prior to the twentieth century, in its new capacity as a "Home for Feeble-

minded Women" between 1913 and 1933 increasing numbers of *younger* girls diagnosed as feeble-minded entered the institution. After 1919, more girls entered via court orders, but they did not altogether *replace* the feebleminded or the fallen woman housed in the Refuge. Rather, many women who entered the Refuge in the nineteenth century or in the early years of the twentieth century grew old there and remained well into the new century.[175]

The Managers tried to preserve the distinctiveness of their institution even as the Refuge became, simultaneously, a facility for the permanent custody and management of older women diagnosed as "feebleminded," and a facility for indefinite incarceration of female young offenders.[176] The Managers saw the inmates as two separate groups, even though both were referred to as feebleminded. The Refuge variously reinforced, ignored, and challenged the discourse of feeble-mindedness. The social construction of feeble-minded erring female in need of refuge, care, and protection offered a new discourse on which the Board could draw, to redefine the institution's place in a changing social and economic climate. In particular, medical authority sanctioned the Refuge's ability to manage a problematic class of women. While not eschewing the Christian maternal rhetoric of protection, the reform-minded women who managed the Refuge used the language of mental defect, and the authority that "psy" professional expertise conveyed, to justify their institution.

The Managers' claim that the Refuge was a Home for feebleminded or for erring women, where they had the safeguards of a real home and as few as possible of the restraints of the place of correction was challenged in 1917 when

the admission of court cases made increased measures of restraint necessary. The institution's two purposes were at odds, but the Board attempted to reconcile the tension. Again, despite practices to the contrary, the Managers' rhetoric distanced the Refuge from the punitive prison taint. As in the nineteenth century, external pressures urged the Managers to substantiate their position as reformers and provide evidence of the veracity of their claims to account for their institution. Paradoxically, the Female Refuge's Act provided another strategy to do this. External parties drew attention to the possibilities of the Refuge, not so much its constraints. This, in effect, provided an opportunity for the Refuge to reestablish a niche, if not for the "same" class of girl, then for the "same" kind of institution.

At a time when most other institutions (gaols and county houses of Refuge) were at pains to limit the entry of the feeble-minded, the Refuge seized the opportunity to manage this "new" class of offender. With the controls set out by the FRA, the blurred boundaries between feeble-mindedness and sexual waywardness, and the Managers' growing loss of control over admission, this was a difficult challenge. Volunteer women began to lose influence over their spheres to the bureaucratic, professionalized state. The devolution of power from the lay volunteer was not confined to women's groups. Rather, the well meaning elite citizen whose money and influence once made him/her equipped to deal with social problems was displaced by the qualified expert. This process coincided with the development of positivism and the governmentalization of the state whereby science and professional discourses replaced lay governance of

morals.[177] So while the signs at this time pointed to the viability and longevity of the Refuge, as Chapter Five explains, by the end of the 1930s the Refuge had outlived its usefulness.

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[1] "The chief perplexity we find, is the problem of dealing with the feeble-minded." Annual Report. Toronto Industrial Refuge, 1921. Page 7.

[2] Ibid. Page 9.

[3] MacMurchy was the first woman in the department of Gynecology at Toronto General Hospital, and after a short time in public practice she moved to public service, working for the Ontario government from 1906 to 1919 and later for the Federal government's department of Health until 1934. She was the inspector of feeble-minded in Ontario from 1906 to 1916. She played a key role in public health (infant mortality, maternal mortality and feeble-mindedness) and was editor of the Canadian Nurse. Ontario Archives. RG 64 A-7. Box. 740. Envelope 1. (1914-1925) Correspondence General. MacMurchy. Also see McConnachie, K. "Methodology in the Study of Women in History: A Case of Helen MacMurchy," *Ontario History,* 75(1983): 161-70.

[4] Psy professionals included medical doctors, psychiatrists and psychologists with medical training, granted the authority of experts or authorized knowers.

[5] Annual Report. Toronto Industrial Refuge, 1921. Page 7.

[6] See McLaren, *Our Own Master Race.* Page. 63.

[7] Dr. Charles Kirk Clarke, Professor of Psychiatry at the University of Toronto, Dean of the Medical Faculty of the University from 1908 to 1920, was one of Canada's most prominent psychiatrists and recognized as a leader in his field across the world. Clarke first entered Ontario public service in January 1874 as clinical assistant of the Toronto Lunatic Asylum. C.K. Clarke established and headed the Provincial Association for the Care of the Feeble-minded. See Dr. C.K. Clarke for Supt. Telegram. 4 May 1911 and "Editorial. The Late Dr. C.K. Clarke." *Public Health Journal.* 5 (1924) 2. Page. 95.

[8] After 1933 the name of the institution no longer held the subtitle "Home for feebleminded," although it continued to be used as a prison for wayward girls until its closure in 1939.

[9] Records indicate both the years 1917 and 1919 as when the Refuge came under the Female Refuges Act. Intake records show 1917 as the year when girls sentenced by the courts began to enter the Refuge.

[10] Like the "fallen woman" in the early years, the "wayward girl" and the "feeble-minded female" were constructed as sexual beings. Perhaps this is another reasons why the Board eventually accepted these new classes of inmates.

[11] State entrenchment on institutional practice would continue and, as we will see in Chapter Five, eventually meant the "faux domesticity" of the Refuge almost gave way to the cold bureaucracy of the prison.

[12] For a discussion of the impact of eugenics discourse in Canada see McLaren, *Our Own Master Race.* For more on the connection between race betterment and social control see Cook, *The Regenerators.*

[13] Galton, an anti-feminist and defender of the Contagious Diseases Acts, endeavored to make eugenics a science for measuring society's hereditary make-up and a movement to lobby for "better breeding." Galton, Francis. *Inquiries into Human Faculty and Its Development.* (New York: Dutton, 1907). Page 17.

[14] Dowbiggin, I. *Keeping America Sane: Psychiatry and Eugenics in the United States and Canada, 1880-1940,* (Ithaca: Cornell University Press, 1997). Dowbiggin, I. "'Keeping this Young Country Sane:' C.K. Clarke, Immigration Restriction and Canadian Psychiatry, 1890-1925," *Canadian Historical Review,* 76 (1995): 598-627.

[15] Wayward boys did draw attention from social reformers concerned about feeble-mindedness, but they were not viewed as a threat to the sexual order of the day. See Bryan Hogeveen. *Can't You Be a Man: Regulating Wayward Masculinities in Ontario, 1860-1930.*

[16] McLaren, *Our Own Master Race.*

[17] Closely connected to the moral and medical panic around feeble-mindedness were concerns about the spread of venereal diseases. Subsequent to Hodgins' Royal Commission, the first venereal disease legislation in Canada, the Venereal Diseases Prevention Act, was passed in Ontario in July 1918. The Act gave medical officers of health power to order the detention and isolation of any person considered a menace to public health on account of venereal disease. In 1919, the Canadian National Council for Combating Venereal Disease was organized (and later became the Canadian Social Hygiene Council). See Brown, Frances. "The Social Aspects of Venereal Disease Control." *Public Health Journal* 15 (1915) 2. Articles published in medical journals conveyed the widely held connection among medical authorities between prostitution, sexual promiscuity, venereal disease and feeble-mindedness.

[18] Of course these metaphors contradicted the original purpose of the Founders which was to save those more sinned against than sinning.

[19] Valverde, *Age of Light, Soap and Water*; Garland, *Punishment and Welfare*. Also see Bacchi, C. Race Regeneration and Social Purity: A Study of the Social Attitudes of Canada's English Speaking Suffragettes, *Histoirie Sociale/Social History,* 11 (1978): 460-73.

[20] The emergence of diagnostic and detection techniques enabled the proliferation of this new deviant category. During the 1910s, the Binet-Simon intelligence test was developed. While not intended to show feeblemindedness was inherited, Binet's intelligence test was put into widespread use across the United States and Canada to detect feeblemindedness. Similarly, the Wasserman test, designed in 1911, gave doctors the tools to detect syphilis. Herstein and C. Murray. *The Bell Curve: Intelligence and Class Structure in American Life*, (New York: Free Press, 1994).

[21] Interest in the question of mental defect stemmed not only from a recognition of a "social problem," but was also tied to the growth in preventive medicine. Those at the helm, not surprisingly, were medical men who had studied psychiatry and psychopathy and those whom they have interested in their discoveries.

[22] Between 1918 and 1922 the Canadian National Council of Mental Hygiene carried out investigations in eight provinces.

[23] In connection with the Social Service Department of the University of Toronto a course in mental hygiene was first offered. Hodgins, Report on the Care and Control of the Feeble-minded in Ontario, 1918. Page 6.

[24] Dr. C. M. Hincks, a well known psychiatrist, worked with Clarke in the Psychiatric Clinic. Later he directed the movement for mental and later social hygiene.

[25] Symposium on the Feeble-minded. Paper read in the meeting held in the Section of State Medicine in the Academy of Medicine. Thursday, 31 November 1918. Reprinted for the *Public Health Journal*. 1 December 1916. C. M. Hincks, M.B. "The Psychiatric Clinic." Page 8. Around the period, many of the same professionals in medicine, including Capt. Gordon Bates and Dr. C.K. Clarke held a conference on venereal diseases in Ottawa on 29 and 30 May 1919. See "Notes and News." *Canadian Journal of Mental Hygiene*. 1 (July 1919) 2.

[26] Ibid.

[27] Strathy, George. "The Feeble Minded and Social Evil." *Canadian Public Health Journal*. 5 (1914).

[28] Not only were female delinquents cause for concern, but individuals from the "brighter morons to the lower grade who have become incurably bad, or non-social" may become "criminals of the most persistent type" and need permanent detention with "such watchfulness as will, combined with appropriate work and labour, render them innocuous so far as the public are concerned," but also enable them to be useful "in the particular institute which is appropriate for their case." Report on the Care and Control of the Mentally Defective and Feeble-minded in Ontario, 1918. Page 66. Also see McLaren, A. "The Creation of a Haven for 'Human Thoroughbreds:' The

Sterilization of the Feeble-Minded and Mentally Ill in British Columbia," *Canadian Historical Review*, 67 (1986): 129-150.

[29] Report on the Care and Control of the Mentally Defective and Feeble-minded in Ontario, 1918. Page 16.

[30] While this grandiose scheme, while advocated by many medical and lay proponents in the 1910s, was an economic impossibility. Institutional segregation of all mental defectives was not practical, as McGhie points out. McGhie, B.T. "The Problem of the Subnormal in the Community." *Canadian Public Health Journal*. (March 1937).

[31] During the 1920s with nowhere else to go the Orillia Institution began to house many patients diagnosed as feeble-minded. When it was used for war purposes after 1914 the Whitby Hospital for the Insane sent several insane patients to Orillia for temporary care. With one quarter of the space at the Orillia Institution filled with insane patients space was limited. Orillia could not accommodate the feeble-minded who were either uncared for or in the gaol, penitentiaries and reformatories. Given the lack of suitable institutions some provision had to be made. Report on the Care and Control of the Mentally Defective and Feeble-minded in Ontario, 1918. Page 4 and Page 66.

[32] The "Symposium on the Feeble-minded" held on 31 November 1918 concluded "[n]o one doubts that [segregation] is the solution." Permanent institutionalization in a "such a happy and attractive home that parents will want to send their children to it." The conference attendees recommended the establishment of at least six such homes in different parts of the Province. "Symposium on the Feeble-minded. Paper read in the meeting held in the Section of State Medicine in the Academy of Medicine. Thursday, 31 November 1918. Reprinted for the *Public Health Journal*. 1 December 1916. Discussion. Page 13.

[33] Brooking argued that her ten years of institutional experience in charge of one institution for the unfit and one for delinquent girls and that she knew "well many of their inmates, and possessing the family history of many others (because different members of the same families are often to be found in different institutions), that she was "voicing not only my own little opinion, but that of all thoughtful institutional workers." Symposium on the Feeble-minded. Paper read in the meeting held in the Section of State Medicine in the Academy of Medicine. Thursday, 31 November 1918. Reprinted for the *Public Health Journal*. 1 December 1916. L.W. Brooking. *The Problem of the Feeble-minded from the Institutional Viewpoint*. Page 6.

[34] "Feeble-minded" were created as a category at the turn of the century when education was made free and compulsory – feeble-minded children were detected in schools. Here children were subjected to common tests, examinations and medical inspections – those who met new norms of the new world were declared normal, and those who did not were labeled inadequate. See Curtis, B. *Building the Educational State: Canada West, 1836-1871*, (London: Althouse Press, 1988).

[35] Brooking. *The Problem of the Feeble-minded from the Institutional Viewpoint*; Cummings, W. "The Problem of the Feeble-Minded," *Canadian Public Health Journal*, 5 (February, 1914) 2: 229-230. Page 229. For more about the National Council of Women see Strong-Boag, V. *The Parliament of Women: The National Council of Women in Canada* (Ottawa, 1976).

[36] Ibid.

[37] Annual Report. Toronto Industrial Refuge, 1909. Page 9.

[38] Shortt, Mrs. Adam, M.D. "An Old Text," *Community Public Health Journal*, 5 (1914) Page 227.

[39] Ibid. Page 77.

[40] Yearbook of the National Council of Women of Canada, 1917-1918. Page 80.

[41] They argued that even normal children of feeble-minded parents should not have children.

[42] National Council of Women of Canada Report of the 20th Meeting, Montreal, 1-9 May 1913. Report of the Standing Committee on Equal Moral Standard and Prevention of Traffic in Women. Toronto Report. Page 126. It was moved and carried that the National Council of Women enforce the place of a National Committee for Canada to affiliate with the International Bureau for the suppression of the white slave traffic and an executive be authorized to confer with the executive of the Moral and Social Reform Council of Canada to form the committee. See "Care of Feeble-Minded Problem for Canada." Globe. 29 May 1912.

[43] Petitions were presented in all Provinces, except Manitoba and British Columbia "where the question seems to have been wholly misunderstood at first, for it was said that there were no 'feeble-minded' in the Province, and that there was plenty of accommodation for the insane!" Cummings, "The Problem of the Feeble Minded."

[44] It appears that Cummings minimized the lack of restraint the institution used to keep inmates in custody and rather than question whether inmates required being "locked up" she emphasized the success of the institution in segregation this problematic class of woman. Cummings, "The Problem of the Feeble Minded." Page 230.

[45] The Council also approached the Attorney General about the suppression of houses of prostitution in Toronto. For more on the Toronto Local Council of Women see Toronto Local Council of Women. *Nothing New Under the Sun: A History of the Toronto Local Council of Women,* (Toronto, 1978).

[46] To strengthen their appeal to government a petition was prepared and copies distributed to obtain signatures. Yearbook of the National Council of Women of Canada, 1917-1918.

[47] Yearbook of the National Council of Women of Canada, 1917-1918. For more information see the following articles: "A Farm Colony Best." The Mail and Empire. 25 October 1912; "Help for Feeble-minded." Mail. 20 October 1910; "Ask Government Aid: Deputation From Charities and Correction Conference." Globe. 20 October 1910.

[48] MacMurchy, Helen, M.D. "The Mentally Defective Child." *Academy of Medicine.* VI (1914)12. Page. 85. In this capacity MacMurchy wrote Reports upon Feeble-mindedness in Ontario from 1906-1918.

[49] Although the study was sponsored by the Provincial Secretary's Department the welfare of the feeble-minded was one of several issues with which the Department was concerned, including: prison reform, modern methods for studying and caring for psychiatric patients, the direction of charitable and philanthropic institutions and the fostering of preventive efforts to benefit neglected children of the province. See "Neglect Feeble-minded." Telegram 28 April 1910.

[50] Annual Report, Toronto Industrial Refuge, 1910. Second International Congress on School Hygiene – Section on Feeble-minded, Helen MacMurchy attended in London and reached such conclusions. Ontario Archives. RG 64 A-7. Box. 740. Envelope 1. (1914-1925) Correspondence General. MacMurchy. Letter to Hanna from MacMurchy, 3 October 1907.

[51] "Neglect Feeble Minded." Telegram. 28 April 1910.

[52] Letter to Hanna from MacMurchy, 3 October 1907. Ontario Archives. RG 64 A-7. Box. 740. Envelope 1. (1914-1925) Correspondence General. MacMurchy.

[53] Ibid. Dr. Auden, Chief Medical Superintendent of Public Schools, Birmingham, England, shared her concern: "the great problem we have to meet is that of feeble-minded girls, who in almost every case become moral decadents and social outcasts once they are beyond proper control." Special Schools for Feeble-Minded. Globe. 21 April 1911. Dr. Alden was in Toronto in 1911 to address the members of the Ontario Education Association at their annual meetings.

[54] "Neglect Feeble-minded." Telegram. 28 April 1910.

[55] "A Special Care." The Toronto Globe. 3 May 1909. Also see "Care of Feeble-Minded Problem for Canada." Globe. 29 May 1912.

[56] Ibid.

[57] "Treatment of Mental Diseases." The Globe. Toronto. 31 October 1907.

[58] "Government is Urged to Establish Homes for Feeble-Minded." Toronto. The World. 9 November 1912.

[59] The conference was called at the behest of Controller McCarthy and presided by Mayor Geary. Among those present was Rev. J.G. Shearer, chairman of the Vigilance Committee of the Presbyterian Church.

[60] Superintendent Rankin appears to be the same Miss Rankin who worked as a matron in the 1860s. Whether she hoped to garner symbolic support or financial resources for the Refuge is not clear.

[61] "For Better Care of Feeble Minded." The World. 27 March 1912.

[62] Toronto Local Council of Women Report, as published in National Council of Women Yearbook, 1917-1918. Page 155.

[63] "Government is Urged to Establish Homes for Feeble-Minded." Toronto. The World. 9 November 1912.
[64] "Feeble-minded Children." 14 November 1912. Canadian Statesman, Bowmanville. Ontario Archives. RG 64 A-7. Box. 740. Envelope 1. (1914-1925) Correspondence General. MacMurchy.
[65] At the request of Secretary Dr. C.H. Hincks they wrote the respective mayors of 14 cities requesting they convene for a public meeting. T. H. Wills, President of the Ontario Association for the Care of the Feeble-minded (who referred to the problem as "a moral cancer in the body politic), wrote to Hincks in April 1917 suggesting that a second letter be sent to Hamilton. The result was an invitation to wait upon the Board of Control to explain the aims and objectives of the Provincial Association and their need for local support. The matter was sent to the Legislative Committee, which in turn led to the adoption of the suggestion that a meeting by convened by personal invitation from the Mayor, on behalf of the Council.
[66] Wells, T.H. "Account of Work for the Feeble-minded in Hamilton, Ontario." *Canadian Journal of Mental Hygiene.* 1 (October 1919) 3. Page 238.
[67] This subsequently became the first meeting of the Hamilton Branch of the Provincial Association for the Care of the Feeble-Minded. From this local branch, an Advisory Committee on Venereal Diseases was formed, the Psychiatric Clinic established and a census on feeble-minded children untaken. At the local Association's request Hon. Mr. Justice Hodgins consented to hold a sitting on the Commission of Hamilton to hear evidence from authorities on the venereal disease problem. A subsequent session was held on provision for the feeble-minded.
[68] Brooking. *The Problem of the Feeble-minded from the Institutional Viewpoint.*
[69] Ibid.
[70] Venereal Disease control in Canada was at its pinnacle during both world wars. According to Gordon Bates, "[b]y 1914 scientific knowledge had progressed to a point where venereal diseases were recognized to be more prevalent, more serious, and more communicable than anyone had realized, and already steps were under way in the civilian population to get them under control." Bates, Gordon. "Venereal Disease Control in Canada. *Public Health Journal.* 25 (January, 1934). Page 60. For more about the medical problem of venereal disease see Cassel, Jay. *The Secret Plague: Venereal Disease in Canada, 1838-1939* (Toronto, 1987). For a discussion of the social production of venereal disease and the problematic woman see Buckley, Suzann, and Janice Dicken McGinnis. "Venereal Disease and Public Health Reform in Canada," *Canadian Historical Review* 63 (September 1982)2: 337-54.
[71] Key individuals who appeared before the commission included, but were not limited to: Miss Mary Caven, President of the Belmont Industrial Refuge, Mrs. B.W. Armstrong, matron, House of Refuge; Mrs. F.G. Huestis, Toronto; Miss Lucy Brooking, Superintendent, Alexandra Industrial School, Toronto; Miss Jean Smith, teacher, AIS; Miss Margaret McGowan, teacher, AIS; Dr. Alexander McKay, Inspector, Hospitals and Public Charities, Toronto; Dr. Lillian Langstaff, Women's Industrial Farm, Thornhill; Miss Margaret Carson, Lady Superintendent, Women's Farm, Thornhill; Mrs. Emma O'Sullivan, Superintendent, Mercer Reformatory, Toronto; Mr. Wm. H. Smith, Chairman, Social Service Commission, Toronto.
[72] Report on the Care and Control of the Mentally Defective and Feeble-minded in Ontario, 1918. Page 3-336.
[73] Ibid. Page 26.
[74] Ibid. Page 123.
[75] Ibid. Page 126.
[76] Report on the Care and Control of the Mentally Defective and Feeble-minded in Ontario, 1918. Page 64.
[77] Hodgins, Report on the Care and Control of the Feeble-minded in Ontario, 1918. Page 81.
[78] Ibid.
[79] Untitled. The Globe, 1911 (March).
[80] Case Records. Toronto Industrial Refuge. For more on the way in which medical categories reproduce social relations see Reuter, S.Z. 2003. *Agoraphobia, Social Order and Psychiatric Narrative.* In V. Raoul, C. Canam, A. Henderson, and C. Paterson (eds.) Unfitting Stories: Narratives of Disease, Disability, and Trauma (forthcoming); Reuter, S.Z. 2001. *"The very opposite of calm": A socio-cultural history of agoraphobia.* Unpublished PhD Thesis. Sociology.

Kingston, Ontario, Canada: Queen's University; Briggs, L. 2000. "The Race of Hysteria: 'Overcivilization' and the 'Savage' Woman in Late Nineteenth-Century Obstetrics and Gynecology." *American Quarterly* 52:246-73; Lunbeck, E. *The Psychiatric Persuasion: Knowledge, Gender, and Power in Modern America.* (Princeton, NJ: Princeton University Press, 1994).

[81] See Donzelot, *The Policing of Families.*

[82] Annual Report. Toronto Industrial Refuge, 1901. Page 8.

[83] Ibid.

[84] Annual Report. Toronto Industrial Refuge, 1904. Page 9.

[85] Ibid.

[86] Ibid.

[87] Case Records. Toronto Industrial Refuge.

[88] Case Records. Toronto Industrial Refuge.

[89] Annual Report. Toronto Industrial Refuge, 1914. Page 13.

[90] For more about J.J. Kelso, former Globe reporter, see Jones, A & L. Rutman, *In the Children's Aid: J.J. Kelso and Child Welfare in Ontario,* (Toronto: University of Toronto Press, 1981).

[91] Tibb, *Three Quarters of a Century.*

[92] Ibid.

[93] The 1908 Annual Report stated, "we are glad to know that the work of the Refuge has the entire sympathy and confidence of such able workers in this department as Bruce Smith, Dr. Helen MacMurchy, Mr. Kelso, Inspector Stephens and Mr. Chapman of the Morality Department." Annual Report. Toronto Industrial Refuge, 1908. Page 10.

[94] Annual Report. Toronto Industrial Refuge, 1905. Page 7.

[95] Annual Report. Toronto Industrial Refuge, 1906. Page 6.

[96] The annual reports for 1906 and 1907 are missing statistics.

[97] Case Records. Toronto Industrial Refuge.

[98] Annual Reports. Toronto Industrial Refuge. Page 9.

[99] Meeting Minutes. 1910.

[100] Annual Report. Toronto Industrial Refuge, 1910. Pages 9-10.

[101] Annual Report. Toronto Industrial Refuge, 1908. Page 10.

[102] Annual Report. Toronto Industrial Refuge, 1911. Pages 9-10.

[103] Ibid. Emphasis added.

[104] Gordon, L. "'Doctor Margaret Norris Patterson: First Woman Police Magistrate in Eastern Canada – Toronto – January 1922 to November 1934,'" *Atlantis,* 10 (Fall 1984)1: 95-109.

[105] Margaret Patterson was the first judge appointed to the Women's Court in 1913.

[106] A special Inspector for the Feeble Minded in 1913, Dr. Helen MacMurchy, was appointed.

[107] Annual Report. Toronto Industrial Refuge, 1921. Page 10.

[108] MacMurchy, "The Mentally Defective Child." Later research demonstrated these were overestimates.

[109] Letter to Hanna from MacMurchy, October 3rd 1907. Ontario Archives. RG 64 A-7. Box. 740. Envelope 1. (1914-1925) Correspondence General. MacMurchy.

[110] Annual Report. Toronto Industrial Refuge, 1910. Page 10.

[111] Ibid.

[112] Ibid. Page 11.

[113] Ibid. Emphasis added.

[114] Brooking, "We Pay." Page 217.

[115] Ibid.

[116] Ibid.

[117] Untitled, The Daily Star, 31 March 1911.

[118] This public address came at a time when the Refuge was in dire financial straits during a massive public campaign was undertaken in 1911 in support of the three departments of the Managers' work.

[119] An untitled flyer sent to public with quotations from prominent officials about the Refuge. Belmont House Holdings.

[120] "A Special Care." The Toronto Globe. 3 May 1909.

[121] McLaren, *Our Own Master Race*. Page. 108.
[122] Valverde, M. and L. Weir. "The Struggles of the Immoral: Preliminary Remarks on Moral Regulation," *Resources for Feminist Research*, 17 (September 1988)3: 31-5.
[123] Annual Reports. Toronto Industrial Refuge, 1920, 1921, 1926, 1925. Dr. Eric Clarke later consented to take the place of consulting physician, filled by his father, the late Dr. C. K. Clarke but ultimately did not hold it.
[124] Annual Report. Toronto Industrial Refuge. Page 4.
[125] Annual Report. Toronto Industrial Refuge, 1929. Noted several times in text.
[126] Annual Report. Toronto Industrial Refuge, 1908. Page 9.
[127] Annual Report. Toronto Industrial Refuge, 1914. Page 13.
[128] Annual Report. Toronto Industrial Refuge, 1919. Page 8.
[129] Annual Report. Toronto Industrial Refuge, 1908. Page 9.
[130] Annual Report. Toronto Industrial Refuge, 1919. Page 8. Emphasis in original.
[131] Annual Report. Toronto Industrial Refuge, 1905. Page 6.
[132] Annual Report. Toronto Industrial Refuge. 1916. Page 7.
[133] Ibid.
[134] Annual Report. Toronto Industrial Refuge, 1928. Page 7.
[135] Annual Report. Toronto Industrial Refuge, 1928. Page 7.
[136] Annual Report. Toronto Industrial Refuge, 1916. Page 7.
[137] Annual Report. Toronto Industrial Refuge, 1909. Page 9.
[138] In 1942 an amendment allowed sentenced to be appealed before the Court of Appeal, though appears used very little. In 1958 the FRA was finally deleted after the Elizabeth Fry Society mounted a campaign claiming that "these sections are already dealt with adequately in the CC and other federal and provincial statutes.
[139] R.S.O. cap. 289.
[140] Joan Sangster indicates that this escape occurred from the Belmont Home. According to the internal records and newspaper reports that I consulted, it took place at the Good Shepherd Refuge. Sangster, *Regulating Girls and Women.*
[141] See "Protective Bureau for Young Girls." Mail and Empire, 8 January 1919.
[142] In paragraph (c) of the Act, another class, namely "Feeble-minded persons not fit subjects for commitment to Hospitals for the Insane, or to Hospitals for Idiots but for whom custodial care is necessary" was introduced. For more on this see McNeillie, James, "Feeble-minded Women in Houses of Refuge." *Community Public Health Journal*. 5 (1914). Page. 225. McNeillie indicated that in one House in which he was familiar since its inception in 1906 198 persons had been received, 61 of them female. Of the 61 women, 21 at least belonged to the class known as feeble-minded. This seems to suggest (at least in some homes) the number of women barely accounted for 30% of the inmate population, but they were given the most attention.
[143] McNeillie, "Feeble-minded Women in Houses of Refuge." As stated in paragraph (a) of sub-section 1 of Section 14 of the Houses of Refuge Act, 1912, "[p]oor and indigent persons who are incapable of supporting themselves" may be committed.
[144] Hodgins, Report on the Care and Control of the Mentally Defective and Feeble-minded in Ontario, 1918.
[145] Ibid.
[146] Hodgins, Report on the Care and Control of the Mentally Defective Feeble-minded in Ontario, 1918. Page 120-21.
[147] For more on the effects of the FRA see Sangster, "Incarcerating "Bad Girls"," and Sangster, Joan. "Criminalizing the Colonized: Ontario Native Women Contact the Criminal Justice System, 1920-1960." *The Canadian Historical Review*, 80 (1999)1: 32-60.
[148] Symposium on the Feeble-minded. Paper read in the meeting held in the Section of State Medicine in the Academy of Medicine. Thursday, November 31st 1918. Reprinted for the *Public Health Journal*. December 1st 1916. Miss M.J. Clarke. The Attitude of the Neighborhood Worker. Page 4.
[149] Case Files. Mercer Reformatory. Ontario Archives.
[150] Sangster, Joan. "Incarcerating "Bad Girls": The Regulation of Sexuality through the Female Refuges Act in Ontario, 1920-1945." *History of Sexuality*. 7 (1996)2:239-275.

[151] Grebinski, Leisha. "Promiscuity" and eugenics: an Ontario senior reveals a little-known source of some of our current sexist and racist attitudes." Briarpatch, December-January 2002 volt 31 no 10. p10-11.
[152] R.S.O. cap. 289.
[153] Industrial Refuge's Act for Females.
[154] In the 1919 Annual Report, the Managers explained: "We have tried faithfully to carry out the regulation as thus laid down. We have been told that when a girl runs away we have power to bring her back, without a warrant, but in this respect we have failed. If we apply to a detective we are informed that we must get a warrant. Under these circumstances the Superintendent is obliged to appear in Police Court, and in most cases the girl is not returned to the Refuge." Annual Report. Toronto Industrial Refuge, 1919. Page 9.
[155] Found in notes from Board Members on implementing FRA in Belmont Home files.
[156] Annual Report. Toronto Industrial Refuge, 1921.
[157] Annual Report. Toronto Industrial Refuge, 1925. Page 9.
[158] Annual Report. Toronto Industrial Refuge, 1927. Page 7.
[159] For instance, the Aged Women's Home had 107 inmates on 1 October 1921, and 26 were admitted during 1921. Since only 15 were discharged, but 9 died, 109 were left at the years end. Numbers in the Refuge more closely paralleled the Aged Men's Home. 50 were in the home on 1 October 1921, and 19 were admitted.
[160] Annual Report. Toronto Industrial Refuge, 1928. Page 7.
[161] Annual Report. Toronto Industrial Refuge, 1919. Page 9.
[162] Although they didn't use such language it sounds like they figured it out!
[163] Annual Report. Toronto Industrial Refuge, 1921. Page 9.
[164] Annual Report. Toronto Industrial Refuge, 1928. Page 7.
[165] Annual Report, Toronto Industrial Refuge, 1916. Page 8.
[166] Annual Report. Toronto Industrial Refuge, 1928. Page 8.
[167] Ibid. Pages 8-9.
[168] Ibid.
[169] Annual Report. Toronto Industrial Refuge, 1925. Page 9.
[170] Annual Report. Toronto Industrial Refuge, 1928. Page 9.
[171] Annual Report. Toronto Industrial Refuge, 1924. Page 9-11.
[172] Annual Report. Toronto Industrial Refuge, 1925. Page 12.
[173] They argued that "some arrangement should be made with the government that a grant similar to that given to the Mercer Reformatory should be allowed to us." Annual Report. Toronto Industrial Refuge, 1929. Page 12.
[174] Annual Report. Toronto Industrial Refuge, 1928. Page 7.
[175] Women like Rosie W., who was sent to the Refuge at age 18 in 1891 by the Morality Department, spent most of their lifetime in the Refuge. Rosie was discharged 41 years later on 18 March 1932. Rosie was previously in the Deaf and Dumb institute and both her parents were deceased.
[176] There was much slippage in the use of these categories.
[177] For more on state formation, moral regulation and professionalization see: Alan Hunt. *Governing Morals: A Social History of Moral Regulation.* (Cambridge, Cambridge University Press, 1999); William J. Novak. *The People's Welfare: Law and Regulation in Nineteenth-Century America.* (Chapel Hill, the University of North Carolina Press, 1996).

Chapter Five
"The Future Does Not Look Promising for the Continuance of This Work": The Closure of the Toronto Industrial Refuge, 1929-1939[1]

An institution run by the Government is one thing, a Home managed by a group of Christian women is quite another.[2]

Introduction

"Picture a procession of over 3,000 women and girls, ranging in age from the teens to early adult life each one *a problem* in her own community, the Drunkard, the Inmate of Houses of Ill fame, the Feebleminded, the Homeless, the Vagrant, the Incorrigible; strangers to cleanliness, undernourished, nervous, suffering from various diseases and often wretchedly clothed. Picture this and you have some idea of the type of person the Industrial Refuge has dealt with in the last 83 years."[3] Now imagine walking up the paved entranceway to "Belmont House," a retirement centre for aged persons located at the corner of Belmont and McMurrich streets in mid-town Toronto. There you stand on its legacy; that is, what became of the Toronto Industrial Refuge. The "problem of the erring female" is nowhere to be found. On your way toward the large doors you may even miss a glimpse into its history – a small brass plaque located on the left side of the doorway set against red brick, which reads:

> *In 1852, a commitment to the care of others motivated a small group of women to open the Magdalen Asylum and Industrial House of Refuge for the shelter of homeless women in a rented house on Richmond St. After a move to this site [on Belmont Street] in 1860, a new house of refuge was constructed in 1873, followed by a second building in 1891 dedicated to the care of Aged Women. By 1908 elderly men were also taken in and*

> *Belmont House was built to provide facilities for even greater numbers of both men and women. The House of Refuge closed in 1939 and the institution devoted itself thereafter to care of the elderly. The three old houses were demolished in 1966 and the present Belmont House was opened in 1969 by his Excellency the Rt. Hon. Roland Michener, Governor General. A further addition along Davenport was completed in 1992.*[4]

The factors that contributed to the longevity of the Refuge have been extensively discussed in the preceding chapters. This chapter focuses on the circumstances that led to its closure, particularly the last decade from 1929 to 1939. From 1939 until 1966 when the former building that housed the Industrial Refuge was torn down, a sign hung below the dining hall that read, "The Girls Left Here in 1939." Why did the girls leave? Where did they go? What events led the Board to discontinue its efforts to reform the erring female and focus exclusively on a more respectable class of aging persons?[5]

Changes to the administration of the Refuge that resulted from the Female Refuges Act and the proliferation of the discourse of feeble-mindedness during the 1910s and 1920s meant that, by the 1930s, the Refuge functioned more as a quasi-prison than the voluntary, home-like place of safety originally envisaged (though never realized). During the late 1920s the Board adapted the purpose and the direction of the Refuge, to accommodate a changing social, intellectual, and political climate. As more professionals – educators, social workers, and psychiatrists – were included in the work of the Refuge the discourses that

legitimated their intervention became more entrenched. Did the religious, reform-minded sentiments of the Board begin to wane? Or did their claims become less justifiable and their status as authorized knowers more tenuous, in a climate of more secular and expert-based knowledges? To what extent can the decline of the Refuge be located in the co-optation of their work into professional, government-run and expert-based penal practice?

To understand changes occurring inside the institution we must also explore what was going on outside, in social work, social welfare, and criminal justice. As in previous eras, no one image of female delinquency dominated. The female delinquent was variously censured depending upon how far she was seen to have strayed from her conformist counterpart constituted as chaste, sober, and feminine. Veronica Strong-Boag argues that the 1920s image of the "flapper," which symbolized a sense of freedom for women [originating in the first wave women's movement] gave way to the "moppet," an image which returned girls to the innocence of young childhood, in the 1930s. Here, she argues, we see a retreat from the optimism and the essentially liberal faith that women could manage gender politics to the advantage of themselves and their daughters" of the early 1920s.[6]

Socio-cultural scripts for girls reinforced the sexual double standard of chastity for young women, sexual license for young men.[7] The constitution of a social problem through penal and professional discourse called for "training" in an expert-based morality.[8] The rise of training, which reinforced working class women's subordination and dependence, legitimized the work of the Refuge for a

time – or at least this is how it appeared. As Secretary Mrs. D. F. Palmer put it in 1937, "we must help them in every possible way to become good women, else we have failed our task."[9] However, the legitimacy of lay, non-professional women had become suspect, as working-class women, medicalized during Era three, were professionalized during Era four.[10] Rather than adopting these professional discourses, Board Members insisted on maintaining the same view of the erring female as had their foremothers; that is, she was "more sinned against than sinning, having had no advantage of proper home or decent environment."[11] They resisted that "more secular understandings of crime and vice and more professional methods of handling social problems," and valorized, as Secretary Dewitt put it in 1936, "the personal character of the enterprise."[12] Instead, the Board made concessions to modernity and notions of progress.

While the "roaring twenties" offered the prospect of survival – as seen in increasing admittance rates, a more visible presence in Toronto and a more stable public standing – the Depression and social recession of the 1930s brought changes that led to the decline of the institution. To be sure, the Great Depression altered the face of social welfare throughout North America, as the sentiments, rationalities, and basic philosophy of all institutions were questioned. Private charitable institutions like the Refuge were now under state regulation and funding.[13] Since the Refuge and its claims had always been carefully scrutinized, controversy was nothing new. However, the degree of government retrenchment was greater. Initially the Board resisted closing the Refuge, but eventually their optimism and expansionary aims gave way to resignation. On 1

July 1939 all but 18 remaining inmates were transferred to the government run Mercer Reformatory.

This chapter explores the tensions and contradictions that emerged between the Refuge, as a woman-centred institution privately run by amateur volunteers, and the Provincial Government. It shows how these relations played themselves out in the day-to-day practices of the Refuge, and ultimately led to the institution's closure. As we will see, the Refuge ultimately became redundant if not irrelevant. Three interrelated tensions contributed to the demise of the Refuge: the victory of professionals over volunteers; and of coercion/punishment and prisons over the "voluntary prisoner;" and financial pressure. The expansion of social work and the proliferation of new professional practices and discourses meant that the professional approaches to female delinquency were at odds with the founding philosophy and approach of the Refuge.[14] Moreover, the penalization of female delinquency – in particular, the salience of the bad girl concept and with it the prominence of a discourse of penality – eroded claims that the Refuge was both distinct. Finally, financial exigency during the Depression of the 1930s forced the Ontario government to cut costs, and closing an institution run by middle-class, Protestant women was by this time an easy choice. Together these contributed to the fall of the Refuge. Each of these is discussed in turn in this Chapter.

1. The Professionalization of Female Delinquency

Particularly important for female delinquency, and ultimately the Refuge, was the expansion of social work. Changes in the methods of social work came up against the long standing practices of the Refuge in several ways. On the one hand, the proliferation of clubs founded by middle-class educated women in the 1920s and 1930s "to channel energy and character of adolescents to responsible womanhood," reinforced the expertise of professional middle-class university-trained women and their right to govern other females.[15] For instance, Girl Guides came to Canada from Britain just before World War I. Guiding movement, unlike the Refuge, targeted "respectable" pre-teen and teenage girls, although auxiliary companies were founded for girls in penitentiaries and rescue homes like the Refuge.[16]

On the other hand, skills perfected or honed by housewifery and domesticity and passed from generation to generation [formerly taught by amateurs who were qualified because they were women], were transformed into sciences. A movement incorporating home economics into public school curricula took hold, and by 1920 what became known as domestic science was fully entrenched in Canada's elementary and secondary schools. Accompanying this shift was the view that only professionally trained teachers, in this instance, were equipped to offer such instruction. This movement, although it amplified the message of domesticity and female dependence, helped to make Refuge training redundant, and challenged the legitimacy of the Board and its staff.

Yet the Board did not initially perceive professionalization as a threat. By the late 1920s, the Refuge hired teachers to offer courses in domestic science. In

"household science" the girls learned how to buy food, set, and wait tables and, according to the 1938 Annual Report, they "very much enjoyed" the course.[17] In 1937-38, for instance, a public school teacher taught a class of 22 girls during the winter months. In addition, "occupational therapy," which taught girls to stitch, knit, and weave, extended the teachings in domesticity beyond the confines of the laundry. Under the direction of the Occupational Therapy Aid inmates made "all sorts of pretty things."[18]

Leisure activities were professionalized in a similar way, with similar effects inside and outside the Refuge (i.e. outdoor recreation and sports). The Board insisted that the Refuge offered both training and "fun plays its part in the wholesome life' of the Industrial Refuge."[19] While each girl had her own work to do "the play side of life [was] not forgotten."[20] Inmates had greater exposure to recreational pursuits and entertainment (i.e. radio programs, concerts or plays) than in earlier periods. For example, baseball was said to be popular among the inmates during the 1930s, suggesting the reform programme strayed somewhat from older gendered practices. During summer holidays a "field day," with races, games, and a picnic supper was held. Annual Reports portray such activities as equivalent to those of their middle-class counterparts, Girl Guides or Brownies summer camp. During the cold winter months the inmates put on concerts and debates – in the words of the Secretary – "enjoying to the full their own efforts."[21] The annual Halloween Party was said to bring out their originality [for finer costumes]. According to the matron, Christmas was "a red letter day and often the girls said 'this is the best Christmas I have ever had in my life.'"[22] Each year

Christmas was a big event with "a wonderful tree and Santa Claus played as usual by Mr. Barrington and gifts for every girl from the Board, a real turkey dinner etc. to make the girl forget for a time at least that they are separated from their friends."[23] In the evenings the girls were permitted to dance to the radio (an act which, outside the institution, warranted control since it was believed to be an expression of overt sexuality).

During the period the Board incorporated new, more professional practices in record keeping procedures and case management into their repertoire. The government insisted on greater surveillance of individual cases and more individualized documentation. Inmates were judged daily on the upkeep of their own rooms or "dormitory work," as it was called, which included clothing, cupboards and dresser drawers. The 1932 Annual Report boasted that six inmates received 100% ratings for three months, which meant their quarters were "immaculately tidy." [24] As an incentive to keep their rooms tidy a picture was given to each "perfect dormitory."[25] In addition, an honour roll was kept for good behaviour. Girls who displayed good behaviour – traits associated with femininity including timidity, modesty and dependence – was rewarded under this merit mark system with a hundred marks (a record which had bearing on the time of detention of a girl on indefinite commitment).[26] In effect, obedience and the absence of overt aggression was equated with reform.

2. The Penalization of Female Delinquency

While the female delinquent had yet to come into her own in academic criminological discourse, by the late 1920s discussions of the causes, consequences, and the best way to deal with her deviance permeated public consciousness. Although attention to female sexuality was ongoing, a major component in its salience was the rise of new knowledge claims and practices in women's penality.

An observeable shift was the influence of the discourse of modern legal governance that fostered an individualized rather than a generalized method of reform and viewed the inmate as a subject of knowledge. While the inmates were always subjects of knowledge claims, they now became subjects of *expert* knowledge. From 1925 on, the Board was required to send a weekly report on each girl committed to the Provincial Secretary's Department.[27] One way the matrons attempted to get to know girls individually was to encourage them to bring their troubles and worries to the Superintendent.[28] While such scrutiny was nothing new, it produced more thorough documentation of behaviour and an increase in the number of incidents recorded as requiring "discipline."[29]

A more careful system of supervision and maintenance after discharge, begun in Era three and consolidated in Era four reflects the growing influence of discourses of female penality over the Refuge. Now with pressure from the government to modernize their procedures (or at least keep the institution more consistent with other reformatories) the Board acquiesced. The Superintendent and matrons began attempting to track inmates after their release (like the probation system prevailing today). Despite a widening of the net of social control

over inmates, evidence suggests that the Managers treated their former charges as "friends." In 1935, for example, the Secretary cited stories of the matron going to shows, supper or accepting an invitation to visit a former inmate's home. Other evidence such as responses to letters written by inmates after their release supports the view that the Managers attempted to portray their relationship with their charges as more personal than professional.[30]

While their practices were scrutinized to reflect modernist practices, in contrast to secularization, religious principles remained entrenched at the Refuge.[31] In this, the Refuge became an anomaly. As John R. Graham has shown, by the late 1920s secular social work replaced religiously motivated volunteers in other private institutions like the Haven.[32] More importantly, Protestant women still guided the reform programme; religious laypersons remained in charge. The Board, which openly espoused Christian doctrines, continued to play a key role. In 1936, just three years before the institution closed, Secretary D.F. Palmer wrote "[t]he most vital source of all in reclaiming these girls is always help uppermost, a Christian staff, who try to live their religion."[33] Through two services each Sunday and family worship morning and evening, the girls were taught to try to "conform their lives to the principles laid down by the Friend of all wayward ones, Jesus Christ."[34]

The Christ-like understanding the matrons used in helping "their erring younger sisters" was at odds with a more secular approach to training that dominated penal practice.[35] Instead of referring to the inmates as offenders (common vernacular in penal discourse) the matrons called them "the girls," and

spoke of them as dependents, victims, and children: "[m]any of these girls have been 'cast out' from home, 'trampled upon' by so called friends, and 'left alone' with their 'problems' to sink deeper into 'misery and despair.'"[36] Despite the infantilization of the working-classes Annual Reports consistently refer to the work as a "labour of love" and living in the Refuge was likened to living in a "stable, well-knit middle class family home."[37]

"She Does not like Us or Our Ways": Dealing with the "foolish girl"[38]

While Board Members publicly maintained that "scores of girls have gone out to take their places as respectable and honorable citizens" and that former inmates look back at their time in the Refuge "as a turning point in their lives," the changing character of inmate who arrived at the Refuge increasingly troubled them.[39] Although the Board claimed that in only rare cases did they believe that "a girl [was] deliberately bad," the delinquent girl presented an increasingly serious problem.[40] Attempting to rationalize their capability in dealing with "the foolish girl," the Secretary wrote: "of course we have always had these problems and always will, for if the girls were good they would not be here."[41]

As more and more young women were admitted, the Board claimed such girls were "more sophisticated than the girl of a decade ago."[42] Higher standards of living, the motor car, the movies and many other conditions created, they believed, restlessness and a desire to "have things far in advance of [her] earning capacity."[43] In short, the new inmate was "determined to have what she calls a 'good time' and is too foolish and headstrong to count the cost."[44] In 1929

Secretary Mrs. D.F. Palmer lamented that "[i]n many instances this *foolish girl* finds her way to the court and she is sent to us for an indeterminate period not to exceed two years. For what?"[45] Palmer's colleagues echoed the frustration she expressed here with the work of dealing with the foolish girl.

The Board bemoaned teaching and training girls who had no interest in their reform programme, finding this a very difficult task. In Palmer's words, "[s]he does not like us or our ways. She is indignant with what she thinks is our 'interference with her right to do as she likes with her life."[46] Discipline and restraint to deal with recalcitrant inmates became more and more frequent. In this way, the Refuge more closely came to resemble the prison, as shown in disciplinary records, despite the Board's aims and rhetoric.

Despite these difficulties the Board insisted that many inmates did attempt to "reconstruct their lives according to the ideals placed before them," and this was reason enough to continue their work.[47] The growing professional interest in the female delinquent notwithstanding, the Board believed that it was more difficult to build up public interest *in reformation* around girls than for boys. The Board may not have been altogether wrong when they argued that "[p]ublic interest must be aroused for the delinquent girl."[48] This statement seems to capture a common gendered understanding of delinquency during this period. As the Board explained:

> "people seem to think and act as if they believe that a delinquent boy can be reclaimed and made a useful citizen, but a girl who has gone astray is to many a hopeless proposition. This is entirely wrong. There are many

> girls who are now living happy useful lives, who in times past were inmates of this Home."[49]

Popular images of the period fed this belief that the delinquent girl was both worse than her male counterpart, and of less interest to the general public. The phenomenon of the "bad girl" dominated newspaper and magazine columns. Stories such as magistrate Patterson's "Bad Girl" heightened public sensitivity to the issue, and claims of experts like Dr. MacMurchy gave them an air of legitimacy.[50] In an address at the 1928 Annual Meeting of the Toronto Industrial Refuge MacMurchy stated:

> '"Few of the general public appreciate all the happiness of the inmates of Refuge...The feebleminded girls I have sent in have improved in health, and have become much prettier and more attractive. Their smiles are now more frequent, while outside such a Home they look sullen and unhappy."[51]

Emergent penal practices and the construction of the punishable woman that guided them buttressed and came up against the original principles of the Refuge. The discourse of female penality may have at times facilitated the work of the Refuge during era three (1905-1928), but dealing with "the erring girl" became incongruent with institutional goals during era four (1929-1939). In theory, the main aim of the Refuge remained training bad girls to become good – and useful – women, but a subtle shift occurred as the Board adopted the sexualized understanding of the erring female as more problematic than her nineteenth century counterpart. For instance, Superintendent Jean Brailey

explained, in an 14 April 1937 letter to the Alexandra Industrial School, that "the incorrigible girl of 16 or 17 seems to be afraid of nothing these days and in many cases has very little honour to appeal to."[52] She expressed concern that such girls did not "consider the value of things," which she attributed to the lax social controls working class families exercised during the depression.[53] As a result, many girls in the Refuge had frequented beer parlors with boys and men or went off in a car or to their homes or rooming houses. There was "not much difference in the number of 'immoral girls.'"[54] Rather, only occasionally was a girl admitted "who has not been immoral..."[55] In direct contrast to the eugenicists, in almost every case the Superintendent presumed that something had gone wrong with the girl's environment that led to her errant sexuality.[56] The Board once again preferred to work with those not fallen too far and help them "straighten out the tangle of life in which they unfortunately have become involved."[57]

Despite the Board's emphasis on their unique combination of "kindness, consideration and ... sympathy" the Board insisted that, when required, the girls were kept in line with "firm discipline."[58] While discipline was always a feature of the institution, disciplinary practices became more frequent during this period, including locking up the refractory person or by prohibiting her from seeing visitors."[59]

That the annual reports minimized the extent of discipline and restraint, but accentuated the need to employ such intrusive practices against the erring female was a contradiction missed on judges. Judges heralded the Refuge as a site for training girls who did <u>not</u> warrant as punitive a response as sending them

to Mercer. So while the Refuge was viewed as less intrusive than the reformatory, it now was recognized as a penal institution. Beginning in the late 1920s judges began to see the Refuge as less punitive than the Mercer and the AIS. Despite their emphasis on "sympathetic understanding" over punishment, the day to day routines of girls at the Refuge bore striking resemblance to accounts of other authors of the Mercer Reformatory.[60] Although the records of the institutions indicate with few exceptions that the reform practices differed very little between the two, the subtle distinction had always been important for the Board's construction of the Refuge as something other than a penal institution.

3. Expansionary Aims Meets Financial Exigency

As the 1930s approached the Board was full of optimism and had hopes of expanding the Refuge. However, they believed that several obstacles stood in the way. First, they deemed the infrastructure for religious instruction inadequate. Morning prayers were held in the Occupational Therapy workshop, Sunday Services in the Board Room. They grew concerned about the lack of a "proper place for worship," arguing that a little chapel dedicated to God for His worship would be a better influence on the inmates than a make shift room not designed for such purposes.[61]

Second, as leisure and recreation became increasingly salient in the outside communities the Board came argued that the girls needed a proper place to play in the winter, such as a gymnasium, where surplus energy could be worked off. The 1933 Annual Report told a story of a group of girls who created a

disturbance. When questioned, they replied, "well, we just wanted some fun, then we lost our heads, and went too far, but we didn't mean any harm." [62] The Board reasoned that if such energy had been directed in physical exercise in a gymnasium or a game of basketball they "would have done good instead of harm."[63]

Third, although issues of classification plagued the institution throughout its history, by the 1930s the Board believed that dormitory quarters failed to offer sufficient solitude and separation. Thus, they sought public assistance to develop a cottage home in the country. It would also enable the Refuge to carry out a much larger programme of education and recreation away from the perceived evils of the city. By 1932 the Board decided that if a small house could be secured, with a suitable motherly matron, where well behaved girls could go in their leisure hours, stay when they were ill or out of employment and live a more natural life, then the work of the Refuge would run more smoothly. According to President Mrs. Thomas McMillian, "close quarters, and lack of suitable grounds for the girls to exercise or work in, provided an institutionalized atmosphere where it was hard to accomplish the best results from the cases in hand."[64] It is striking that the problems that beleaguered the Board appear to be concerns associated with an organization attempting to build a future, not one on the brink of shutting down.

The Board appears to have been impervious to signals emanating from the Provincial Government. The first of these came in 1928 from the Attorney General, W.H. Price. Price endorsed the work of the Refuge, believing that

"[t]oday, more than ever, home is the foundation for good, every inspiration for right living should be gained there."[65] He agreed with the Board's emphasis on home as "the centre of the life, strength and affection."[66] He argued that as children "leave the precincts of home they encounter devious paths which make necessary homes of this nature."[67] Price approved of the Board's plan to establish another home in the country for delinquent girls, but could not promise provincial aid would be immediately forthcoming. The Board still held out hope that government assistance would soon be granted.

Renewed hope came in the form of a 1930 public address by the Hon. Rev. G. Martin, newly appointed Minister of Public Welfare. Martin announced that the most important work of social welfare is "fathering and mothering dependent boys and girls, and caring for the juvenile delinquent."[68] The Board took this as a sign that the institution was about to be placed on a more permanent footing.

The 1930 Royal Commission on Public Welfare was a significant event for the Refuge, but not for the reason the Board initially expected or hoped. In response to what they perceived as "unjust criticism" from skeptical members of the public the Board gave much weight to the Royal Commission. The Report recommended a new building in a more suitable location, which gave the Board much needed solace and cause for optimism. It appears that the Board (uncritically) assumed the since the Report was commissioned by the Government, that same government would accept its recommendations. However, the recommendations of the Ross Commission (like so many

commissions) remained on the shelves of government libraries. Despite the Report's support for the Refuge there was no real government interest in sustaining a home run by Protestant women with no formal training.

Indeed, to this point the Board had much faith in a renewed and prosperous future for the Refuge. That their plans never materialized suggests that the expansionary aims of the Board were tethered to the financial exigencies of the period. In the years to follow the Board's plans for expansion gave way to their recognition of the realities of retraction and the possibility of closure.

"All this the Board Tries to Do for these Unfortunate Girls Takes Money"[69]

The financial depression of the 1930s took its toll on social welfare work across the country and Toronto was no exception. Although the Refuge began 1928 with a surplus of over $3,000, no mortgage and a steady supply of inmates, the effects of the depression were soon felt.

First, the gap between the financial support received and the cost of maintenance of inmates was widening. After 1925, in addition to the cases sent directly from magistrates, the Provincial Secretary's Department began to transfer inmates from other similar institutions like the AIS or the Mercer to the Refuge for a term not to exceed two years. Consequently, the number of inmates rose but the financial support did not. In addition, by the 1930s girls were being sent to the Refuge under the FRA from all parts of the province of Ontario. After the Refuge came under the FRA in 1917 the Provincial government provided a

grant of 10 cents per day for each female sent by the courts.[70] However, the Treasurer increasingly found the task of collecting maintenance from unorganized (and cash strapped) districts near impossible. Obtaining funding was a challenge even when girls resided in well-organized municipalities.[71] Of course, the Managers had lost the power to turn inmates away.

Second, and most significant, however, the viability of the institution began to be questioned by its own Board. During this time "the words caution and carefulness loom[ed] large in the thoughts of the Finance Committee, of the Board."[72] In their annual report the Secretary referred to 1929 as the "waiting year" primarily because the Board was waiting on a decision about the future of the institution. By this time the Board was convinced that it deserved a government grant similar to that received by the Mercer Reformatory which received more than 10 cents/day with per diems from the municipalities from which the girls were sent. The ongoing practice of transferring inmates from similar institutions for sentences not to exceed two years not only tied the Refuge more to the growing penal network around female delinquency, it exacerbated the institution's financial problems.

The Board's rhetoric escalated in 1933. Secretary Mrs. D.F. Palmer explained that because the work of the three homes had been "eminently satisfactory," each had been operating as a separate institution in financial terms.[73] She lamented, that while the homes for the aged "seem to touch the hearts and the bank accounts of many friends, so that even during these last few depressing years we have had no financial worry ...[it was] Not so with the

Refuge."[74] With declining public contributions the Refuge became increasingly dependent upon Government and city grants, maintenance paid for girls sent by outside Municipalities, and the work of the laundry.

Appeals to the public through door to door canvassing (the most far reaching campaign came in 1911) became increasingly desperate. The Board argued "[w]e do need more money if we are to keep the Homes up to the high standard that the Board would like them kept."[75] Attempting to end the 1933 Annual Report on an uplifting note, the Secretary Mrs. D.F. Palmer noted a deficit of $2,940.05, but, added that this was "not as bad as it sounds."[76] Her rationale was that the Provincial legislature was committed to changing the entire system of maintenance for the girls committed to the Refuge. The lengthy and trying process of examining records to determine legal residences for girls in their care had resulted in no maintenance for city girls sent to the Refuge. The Secretary, on behalf of the Board, remained hopeful: "when the cheque comes in, our deficit will be wiped out, and though it will not benefit us this financial year, we feel that the new plan will work out in the future to our advantage."[77] Her predictions turned out to be incorrect.

With proposed expansions on hold, the operation of the Refuge itself became the most pressing matter. Appeals to the public became more desperate. When they were unsuccessful, a sense of urgency replaced them. Between 1935 and 1938 the financial situation became even more severe. "If the public, so kind and generous to two Homes," they explained, "could see the constructive work that is being done in the Refuge, we feel sure that here too

help would be forthcoming, and we would not have to close another year with a deficit."[78] But the deficit on the Refuge continued to increase, from $2,000 in 1937 to $3,861.83 at the end of the 1938 fiscal year.[79]

The collapse of the laundry was the last straw. Viable though auxiliary for seven decades, by the 1930s it could not compete with commercial laundries.[80] With fewer customers and smaller bundles, revenues fell.[81] By 1938 the Board acknowledged its failure, but put the blame on labour lamenting that: they had only use of "just whatever girls come in, some of whom know nothing of cleanliness, [and] must be taught even the rudiments of good honest work."[82]

4. The Final Days

By the end of the decade a "much graver question" – institutional survival – absorbed the Board and had, in their words, "given many of the ladies hours of difficult thinking."[83] While the Refuge was no longer the "private institution for the reclaiming of fallen women" it had been 85 years earlier, the Board realized that unless additional financial support could be found "the future [did] not look promising for the continuance of [their] work."[84] This section will explore the ways in which the Board responded to the financial crisis. In many ways they fell back on claims of distinctiveness and necessity coupled with appeals to private supporters. However, the women who operated the Refuge were not the "new female professionals" working in *en vogue* disciplines like social work deemed "experts" on the girl problem. Given that they were amateurs and outsiders and

so perceived by the new professionals in social work, their status as authorized knowers was insecure, which led to the closure of the Refuge.

"The Method of Dealing with Girls is not one of Punishment"[85]

The Board's most familiar and oft made claim was that their method of dealing with girls was distinct in its emphasis on reformation and rehabilitation over punishment. According to Superintendent Miss Brailey, the matron and her staff aimed to "help the young girls to forget the past" and work with them to create "a vision of a worthwhile life."[86] To this end the matrons took a personal interest in their charges, seeking out "the good in them, loving and encouraging them."[87] They argued that even the refractory girl was "not always punished but talked to, and whatever seems to be the best for her is done."[88] During the 1930s the Board still emphasized that a "home atmosphere" was being sustained and claimed "our Industrial Refuge is one of the very few institutions that strives to surround the delinquent girl with a 'real home atmosphere,' rather than that of a 'penal institution.'"[89] Despite its "locked doors, guarded windows and high brick walls with no access to the outside world for the period of two years, ... it is Home."[90] An anecdote, the story of Carrie S. illustrates this claim. Carrie S. left to give evidence at a trial and when she returned after several weeks "she rushed to the Superintendent, threw her arms about her and said, 'oh, I'm so glad to come back home!'"[91]

The Refuge offered what the erring female needed – "love, sympathy, training and discipline" – that is, protection.[92] Many of those who left the Refuge,

the Board Members argued, have filled a "respected and useful place in the world."[93] They also pointed to evidence of their necessity such as the eagerness of the discharged girl to return to have tea on Sunday afternoons and to talk over her problems with the Superintendent. In their estimation such acts speak "volumes for the home atmosphere created, we might say, under truly adverse conditions."[94] Since many of the inmates never had what middle class observers would see as a real home, it is not surprising that some found the atmosphere in the Refuge appealing.[95]

However, the Board's claim that "the method of dealing with girls is not one of punishment" became increasingly difficult to legitimate as inmates entered and stayed as non-voluntary prisoners; that is, were transferred from penal institutions, and committed to the Refuge by a magistrate under the FRA or by the Provincial Secretary to serve 1-2 year sentences. Their rhetoric remained consistent even though any "voluntary" nature of the Refuge had been lost in 1917. Although they felt compelled to insist that "there has been no letting down"[96] in discipline, they still maintained that the Refuge was "a place for the development of the 'good' that is in each girl, and for implanting of a desire to get rid of bad habits and to try new and better ones."[97] And they insisted that without their unique combination of discipline and support, young women would "slip back into wrong ways."[98]

Public Support

Another way the Board searched for legitimacy was through links forged earlier with broader publics and the legal community. Annual Reports frequently referred to accolades received from judges. Consider this, a letter received in 1933 from Judge McKinley, Chairman of the Ontario Board of Parole:

> It has been the writer's experience to interview hundreds of 'unfortunates' and never have I visited a female institution where I have seen reflected in those entrusted to its care so much hope and such a general desire to reform. I am strongly of the belief that this is but a reflection of care of your able and sympathetic Superintendent Miss Brailey ... the Board is indeed grateful that the Institution, started so long ago, is living up to the noble tradition of the past. [99]

Annual Reports also continually made public acknowledgement of ties the Refuge had to prominent citizens and experts.

A statement made in the 1938 Report is particularly significant in understanding the Board's need to externalize the decline of the Refuge. This is how the Managers saw it: "[p]ublic opinion now is that is it wrong to keep people shut up in an institution."[100] However, what they missed was anti-institutional discourses were much more salient for males than for females. Shifting values about what to do with the sick, criminal or insane populations notwithstanding, the expansion of training schools, reformatories and the growth of the penal complex around girls belies the notion that the public at this time was against incarcerating females. The general public and governmental agreed that the work

of dealing with the erring female should be left to professionals in criminal justice rather than a group of Protestant women and their volunteer, private institution.

In May 1938 the all-female Board asked the male Advisory Board to assume responsibility for the crisis by meeting with the Government to explain the institution's plight.[101] They obliged, but the Government refused to provide assistance. In a Memorandum dated 24 November 1938, Hon. Mr. Nixon indicated that "the Government recognized the work which had been done by the ladies in connection with the Industrial Refuge, and that his [own] attitude ... was not one of antagonism to its administration."[102] However, he explained, the Refuge was "the only institution remaining [in Toronto] where people were placed in private custody by the public authorities," and the Government was now ready and equipped to take care of all the cases.[103] The Advisory Board gained the impression that "the Government would not force the issue, but that [it would] not make a grant to a private institution" under these circumstances.[104] This, as it turns out, was the government's official rationale for closing the Refuge: the argument that public bodies should only commit to public, not private institutions. In a final letter, dated 19 December 1938, they reiterated that "there is a feeling that the work of the Industrial Refuge should not be a matter for private charity."[105] The Board believed that since the Government had "sufficient room in *their own institutions* to house the Court cases, ... there was no need to give [us] a larger grant to carry on a work which they felt that they were *better fitted to do*."[106]

By 1939, after months of correspondence, the Board finally accepted its fate: "increasing deficit," "the condition of the building expense," and no increase in Government assistance given that "the Government ha[d] facilities for looking after the committed girls themselves."[107] After sending out questionnaires to its Members the Board came to the conclusion that the Aged Women's Home and Aged Men's Homes could no longer carry the deficit from the Refuge. A motion that "the Board of Management of the Toronto Industrial Refuge take the necessary steps to come out from under the Industrial Refuge Act and that the Toronto Industrial Refuge be relieved of the committed girls" was passed.[108] The Board had acquiesced to the Government's decision that public carceral facilities were sufficient in number and function to deal with the FRA cases. On 16 June 1939 an Order-in-Council revoked "the designation by Orders-in-Council, dated the 9th of May, 1917, and the 7th of May 1919 of the Industrial Refuge for Females, Belmont Street, Toronto, as an institution to which females may be committed and the same is hereby revoked and from the 1st day of July, 1939."[109] The "redemptive work" of the Board came to an end on 1 July 1939.[110]

With a demand for accommodation of the aged, a vacant building and a group of 18 women ranging from 50-75 years in need of care (all sent to the Refuge before the FRA) the Board decided to use the Refuge building as another Aged Women's Home. With its stronger appeal, public support was forthcoming for work for the aged.[111] A statement that appears in the second last annual report is both compelling and illustrative of the complex relations between the Refuge and Government: "An institution run by the Government is one thing, a

Home managed by a group of Christian women is quite another."[112] The Board understood their attempts to make "a real contribution of Christ like understanding and help to their erring younger sisters, who have never had a proper chance" in the context of their religion."[113] However, this Christ like *understanding* was emblematic of a different form of caring provision, one that was guided by the evangelic and maternalist social reform sentiments of lay women, rather than the fiscal, economic or political rationalities of a male administrative body situated in the twentieth century. Their unique blend of Christian stewardship and maternalism that had once been their stamp of legitimacy was at odds with the bureaucratic, administrative, paternalistic approach adopted by the Conservative Government and an obstacle to institutional survival. This statement, and all it signifies – a crisis in legitimacy, was the beginning of the end for the Toronto Industrial Refuge.[114]

Conclusion

The passing years brought changed conditions and changed ideas.[115]

On Wednesday, 7 November 1928 at 3:00 pm the Founders held public celebration in honour of the seventy fifth Anniversary of the Toronto Industrial Refuge. As Mrs. Tibb read a short history, called "Three Quarters of a Century," prominent Toronto citizens looked on with delight. The Attorney General of Ontario, W.H. Price, gave a speech eloquently praising the Refuge. Just a decade later the Refuge closed its doors forever. This chapter explored the reasons for the demise of the Refuge: financial restraint and the conflicts

between the government and the Refuge, state rationalization of social services and social control, and the victory of professionals and expert discourses. All of these contributed to a crisis of legitimacy that led to the closure of the Refuge.

Since its initiation on 13 May 1853, women and girls were sent to the Refuge for various reasons. While homelessness, intemperance, and prostitution constituted the primary reasons for entry of women during its first decades, by the early twentieth century one of the chief reasons for admission was "because of mental deficiency they were not able to live decent lives in the outside world."[116] Over the years the methods of work, of admittance, and of discharge changed. The locked doors, guarded windows, and high brick walls that characterized the Industrial Refuge of the twentieth century bore little resemblance to the Home that the Founders occupied on Richmond Street three quarters of a century before. After several attempts to hold onto past practices the Board came to realize that they must adopt new measures if they were to keep pace with changing times.

The Founder's belief in their ability to rescue and reform the erring of their own sex remained but could no longer be substantiated.[117] Competing claims of social work and professionalization and the prestige and legitimacy of those claims (wrapped in the gloss of science, modernity, and progress) made the Refuge operated by volunteer, privileged women appear out-dated. While the Boards' struggles to sustain their niche during era two and three succeeded, their legitimacy to speak on behalf of the erring female was increasingly called into question during the 1930s.

The Founders of the Refuge had appointed themselves protectors of morality during the 19th century, but new authorized knowers had emerged. Familiar claims of distinctiveness no longer gained social currency. The claims of moral rescuers, journalists, social surveyors, medical and psychiatric experts, and government officials deployed around the erring female during the twentieth century began to divest the 1930s Board of its remaining authority to define the problem their predecessors had created based on their knowledge as upper-middle class, Christian women. The expert-knowledge based discourse of social work and practices of penality eventually won out over volunteerism and women's lay knowledge. By 1 July 1939 46 girls had been transferred to the Mercer Reformatory and the 18 women who remained were taken into the care of the Aged Women's Home. With a lack of enthusiasm, a growing distrust of the government and without any new developments the Board choose to avert its crisis of legitimacy by closing down the institution for which they had built, defended and sustained for eighty six years.

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[1] Annual Report. Toronto Industrial Refuge, 1938. Page 8.
[2] Ibid.
[3] Annual Report. Toronto Industrial Refuge, 1936. Emphasis added. Page 10.
[4] Notably, those who made the plaque replaced "erring female" with the more socially acceptable "homeless woman."
[5] In this Chapter I refer to the "Board" or Board members rather than Managers to indicate the more bureaucratic and administrative position they held during this period. Unlike past years where those who directed the institution played a key role in the management of the institution, during the 1920s and 1930 the day to day practices of the institution operated under the direction of the Superintendent much the same way other women's reformatories like the Mercer were run. By the late 1920s, the Refuge had a staff of 13 women – the superintendent, night supervisor, an occupational therapist and ten matrons.
[6] Strong-Boag, *The New Day Recalled.*
[7] Strange, *Toronto's Girl Problem;* "Incarcerating 'Bad Girls'"; Myers, *Delinquent Daughters.*
[8] Increased attention to female sexuality was not the cause or even the result of these new discourses, but rather was imbricated simultaneously in the constitution of a social problem.

[9] Annual Report. Toronto Industrial Refuge, 1937. Page 20.
[10] Strong-Boag. *The New Day Recalled.*
[11] Annual Report. Toronto Industrial Refuge, 1932. Page 13.
[12] Annual Report. Toronto Industrial Refuge, 1936. Page 7.
[13] Strange, *Toronto's Girl Problem;* Valverde, *The Age of Light, Soap and Water;* Chunn, *From Punishment to Doing Good.*
[14] Pitsula, J. "The Emergence of Social Work in Toronto," *Journal of Canadian Studies,* 14 (Spring 1979)1: 35-42. For more on how social work discourses redefined the erring female see Kunzel, R. Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work, 1890-1945, (New Haven: Yale University Press, 1993).
[15] Strong-Boag, *The New Day Recalled.* Page 28.
[16] In 1917, the Canadian Girls in Training was founded, according to Strong-Boag, "as an explicitly Canadian and Christian response to the needs of adolescent girls and, incidentally, to the appeal of Guiding, which was distrusted as too competitive, authoritarian, secular, and British." Although girls in auxiliary companies could not be recruited as leaders or supervisors. Strong-Boag, *The New Day Recalled.* Page 29.
[17] Annual Report. Toronto Industrial Refuge, 1938. Page 19.
[18] Annual Report. Toronto Industrial Refuge, 1936. Page 9.
[19] Ibid.
[20] Annual Report. Toronto Industrial Refuge, 1933. Page 16.
[21] Annual Report. Toronto Industrial Refuge, 1934. Page 13.
[22] Ibid. Consider what this says about girls' lives outside.
[23] Annual Report. Toronto Industrial Refuge, 1930. Page 13.
[24] Annual Report. Toronto Industrial Refuge, 1932. Page 12.
[25] Ibid.
[26] The Mercer Reformatory later adopted a similar merit system. Another strategy matrons at Mercer borrowed from the Refuge was the clean living club, which encouraged girls to refrain from using foul language or risk losing privileges. Mercer Case Files.
[27] Annual Report. Toronto Industrial Refuge. 1934. On this the Secretary explained, "this is a great help towards maintaining discipline for naturally they all want good reports!"
[28] Annual Report. Toronto Industrial Refuge, 1936.
[29] For more on this form of discipline see the writings of Michel Foucault and his interlocutors.
[30] Annual Report. Toronto Industrial Refuge, 1935.
[31] Graham, John R. "The Haven, 1878-1930: A Toronto Charity's Transition from a Religious to a Professional Ethos." *Social History.* XXV (November 1992) 50: 283-306.
[32] Ibid.
[33] Annual Report. Toronto Industrial Refuge, 1936. Page 11.
[34] Ibid.
[35] Annual Report. Toronto Industrial Refuge, 1938. Page 8.
[36] Annual Report. Toronto Industrial Refuge, 1933. Page 11.
[37] Annual Report. Toronto Industrial Refuge, 1936.
[38] Annual Report. Toronto Industrial Refuge, 1929. Pages 13-14. The Board explained that "with changing years the problem of the delinquent girl becomes more and more difficult."
[39] Annual Report. Toronto Industrial Refuge, 1935.
[40] Annual Report. Toronto Industrial Refuge, 1930. Page 13.
[41] Meeting Minutes. Toronto Industrial Refuge.
[42] Annual Report. Toronto Industrial Refuge, 1931. Also see Strange, *Toronto's Girl Problem* on growing leisure pursuits that warranted attention.
[43] Annual Report. Toronto Industrial Refuge, 1929. Page 12.
[44] Ibid.
[45] Ibid. Page 13.
[46] Ibid. Page 14.
[47] Ibid. Page 15.
[48] Annual Report. Toronto Industrial Refuge, 1930. Page 12.

[49] Annual Report. Toronto Industrial Refuge, 1930. Note the signifiers "prettier" and "attractive" that MacMurchy used as evidence the inmates were being reformed.
[50] Patterson, Margaret. "Bad Girl." *Chatelaine*. 1925. Patterson explains, "many were lazy, but only a few were 'bad' in the sense that they were lacking good qualities and were wicked, unprincipled, immoral, pernicious, unwholesome, corrupting and noxious." She goes on to add, however, "I put the army of girls, the sex delinquents, commonly known as 'bad girls' under the class of defective, incompetent and lazy. Many of these girls are unmoral." Also see C.K. "Occupational Wanderers." McLeans. 1930.
[51] Annual Report. Toronto Industrial Refuge, 1928. Page 7. After 1934 the Refuge was no longer referred to as a Home for Feebleminded.
[52] Refuge/Mercer Reformatory Correspondence. Ontario Archives. Belmont House.
[53] Ibid.
[54] Ibid.
[55] Annual Report. Toronto Industrial Refuge, 1934.
[56] Ibid.
[57] Annual Report. Toronto Industrial Refuge, 1937. Page 17.
[58] Annual Report. Toronto Industrial Refuge, 1939.
[59] "Refuge is 75 Years Old." Telegram. 8 November 1928.
[60] Oliver, "To Govern by Kindness"; Hannah-Moffat, *Punishment in Disguise.*
[61] Annual Report. Toronto Industrial Refuge, 1937. Page 18.
[62] Ibid. Page 19.
[63] Annual Report. Toronto Industrial Refuge, 1933.
[64] "Refuge is 75 Years Old." Telegram. 8 November 1928.
[65] "Value of Good Home Emphasized By Price." Star. 8 November 1928.
[66] Ibid.
[67] Ibid.
[68] Annual Report. Toronto Industrial Refuge, 1930. Page 7. Emphasis added.
[69] Annual Report. Toronto Industrial Refuge, 1938. Page 8.
[70] From 1919, officially, the Superintendent not only answered to the donating public, but also was directly responsible to the Government.
[71] Annual Report. Toronto Industrial Refuge, 1934.
[72] Annual Report. Toronto Industrial Refuge, 1930. Page 11.
[73] Annual Report. Toronto Industrial Refuge, 1933. Page 9.
[74] Ibid.
[75] Annual Report. Toronto Industrial Refuge, 1937.
[76] Annual Report. Toronto Industrial Refuge, 1933. Page 9.
[77] Ibid.
[78] Annual Report. Toronto Industrial Refuge, 1935.
[79] Annual Report. Toronto Industrial Refuge, 1938. Page 8.
[80] According to a letter written by the Board to C.F. Neelands, Provincial Secretary on January 25th 1939, the work of the Refuge is hampered by the deficit and in particular, the prospect of having to replace laundry equipment. Belmont Holdings.
[81] Annual Report. Toronto Industrial Refuge, 1933.
[82] Annual Report. Toronto Industrial Refuge, 1938. Page 7.
[83] Ibid.
[84] Ibid.
[85] Annual Report. Toronto Industrial Refuge, 1936. Page 10.
[86] Annual Report. Toronto Industrial Refuge, 1933. Page 16.
[87] Ibid.
[88] Annual Report. Toronto Industrial Refuge, 1935.
[89] Annual Report. Toronto Industrial Refuge, 1930. Pages 10-12.
[90] Annual Report. Toronto Industrial Refuge, 1936. Page 8.
[91] Annual Report. Toronto Industrial Refuge, 1933. Pages 7-8.
[92] Annual Report. Toronto Industrial Refuge, 1937. Page 10.
[93] Ibid.

[94] Annual Report. Toronto Industrial Refuge, 1936. Page 8.
[95] Annual Report. Toronto Industrial Refuge, 1938. Pages 7-8.
[96] Annual Report. Toronto Industrial Refuge. 1932.
[97] Annual Report. Toronto Industrial Refuge, 1932 and 1935.
[98] Annual Report. Toronto Industrial Refuge, 1935.
[99] Annual Report. Toronto Industrial Refuge. 1933. Judge McKinley also wrote, "Why Slander Youth?" November 1935. Judge J. McKinley 10-11, Chatelaine. 75.
[100] Annual Report. Toronto Industrial Refuge, 1938. Page 7.
[101] Mr. W.S. Hodgens, Norman Summerville, C.E. Edmonds, F.J. Coombs, Gordon Lindsay, William Hastie, Crawford Gordon, Cecil Moore.
[102] Memorandum, November 28th 1938 regarding the Advisory Board's meeting with Hon. Mr. Nixon of the Provincial Secretary's Department. Belmont Holdings.
[103] Ibid.
[104] Ibid.
[105] Correspondence between Mrs. H.N DeWitt and the Federation for Community Service of Toronto, 19 December 1938. The government's approach is in direct contrast to contemporary Federal Government that is embracing a privatization agenda.
[106] Annual Report. Toronto Industrial Refuge, 1938. Emphasis added.
[107] Annual Report. Toronto Industrial Refuge. 1939. Page 9.
[108] Resolution Re: The Industrial Refuge. Internal documents. Belmont Holdings.
[109] Executive Council Office. Copy of an Order-in-Council. June 16th 1939. Belmont Holdings.
[110] Their work directed to the aged continued.
[111] Annual Report. Toronto Industrial Refuge, 1939.
[112] Annual Report. Toronto Industrial Refuge. 1938. Page 9.
[113] Ibid. Page 10.
[114] Ibid. Page 10.
[115] Ibid.
[116] Ibid.
[117] Annual Report. Toronto Industrial Refuge, 1932.

Conclusion:
The Protection/Punishment Complex

While a 'new element' has been introduced during recent years, and new responsibilities have faced the Board, still the main purpose of the Refuge remained to protect the weak, to assist the fallen to rise again, to encourage beaten ones to make another effort, and to do all this by surrounding them with every helpful influence and personal sympathy, rather than imposing restraint and punishment.[1]

> On arrival at an immense house I was shown my quarters in a 6-bed dormitory. I was also shown the toilets and told which ones to use, and not to use the one for girls with venereal disease. The girls I met were sentenced to 18 months definite and six months indefinite. They were 14 to 24 years old. Most of the girls worked in the Home's commercial laundry. My job was dry-mopping the hardwood floors, and folding sheets with another girl as they came ironed out of the mangle. There was no pay, just bed and board. When I had been there about six weeks we became alarmed when girls started disappearing. I was among the last batch to be sent to the Mercer Reformatory. The Home was closing down.[2]

The Toronto Magdalen Asylum and later Toronto Industrial Refuge was one of the first institutions in Canada to develop from private and religious sources, by citizens dedicated to the service of others. At a time when governments are offloading responsibility for the care and control of citizens to the community and private agencies its story holds great significance. As an early example of women governing other women in Canada it also reveals dimensions of gender and power in women's penality. Thousands of working class women and girls were

institutionalized in the Refuge, a quasi-penal institution, between 1853 and 1939. Yet very little has been written about the institution, its inhabitants, or the pioneering efforts of its Founders. This thesis has focused on the work of a small group of upper-middle class, Anglo-Celtic women who established the Toronto Magdalen Asylum and in so doing occupied a significant position in the public sphere at a time when opportunities for women were severely limited. The Founders of the Refuge, then, were one of the first female groups to move into areas of social life – the church, philanthropy and penality – traditionally reserved for men. For this, their work is ground-breaking.

The central story of governing the erring female told here is understood through the claims of the women who founded and operated the Toronto Industrial Refuge. By 1939 the women who ran the Refuge were no longer authorized to speak on behalf of the erring female. In other words, expert knowledges contested their claims. Yet, the construction of the erring female remained salient in the public consciousness. As many social historians have argued, there is never a clear and decisive fit between what is said about the problem and what is actually done about it. My examination of the Refuge, its programs, the strategies, rationalities, and the women who operated it demonstrate the complex relations of power at work when women govern other women. As we have seen, the gendered governance at the Refuge is telling about wider social meanings about sexuality, gender and power. A changing social context and cultural landscape simultaneously – from the late nineteenth century to the 1930s – empowered and restricted the institution and its Founders.

However, despite some changes in practices and institutional structures the Managers continued to operate the Refuge basically the same way they had always done and to justify its existence in familiar terms.

Through this case study we have seen how a particular set of claims about gender and sexuality were legitimated and the consequences such claims had on the lives of thousands of women. This concluding chapter presents an opportunity to reflect on a number of issues that have particular theoretical and practical relevance.

First, the semi-penal governance practiced at the Refuge is itself a gendering strategy. Gender played itself out in complex and contradictory ways at the Refuge. The Founders and their charges shared little more than gender.[3] Their lives, however, *as women* were conditioned and contoured by other factors. The Founders' socialization into and acceptance of bourgeois morality and Protestantism not only guided their values, beliefs and attitudes but provided the lens through which they constructed a gendered, classed, and ethnic social problem. Like other measures directed towards socializing females to be "good girls," the reform programme at the Refuge did not question the assumption that there was something wrong with women having sex outside the confines of marriage. In combination with their privileged class and ethnic position, the Founders used their gender to carve a niche for themselves and establish a new role, status, and social importance for women in the public sphere. They relied, however, on the influence, prestige, and power of prominent male elites to facilitate both their position and their institution.

Second, the intersection between ethnicity, religion, class and gender is especially significant in the Founders' claims about the erring female, when they were heard, taken up, and used to justify her censure. The Founders judged the propriety of working class women through their own privileged standards. Such standards were not necessarily shared among all middle-class men and women, nor were they foreign to their working-class counterparts. Certainly, though, upper-middle class women had much to gain by accepting a moral gulf between good women (like them) and bad women (they could save). When new discourses such as feeblemindedness and the Female Refuges Act entered the fray they did not challenge these assumptions about the erring female. However, professionals repackaged the erring female and made sense of her with expert language.

Third, the relationship between authorized knowers and knowledge claims is made visible at the Refuge. In the mid 1850s the Founders of the Refuge invested themselves as authorized knowers, relying on their knowledge as women.[4] While the ideology of separate spheres, wherein white middle-upper class women occupied different social space than their male husbands, sons and fathers was prominent, the overlapping discourses of maternalism and Christian stewardship gave their claims considerable weight. They claimed that *as Christians* it was their duty to save society's lost souls. Maternalism legitimated their claim that *as women* they had the God given ability, nurtured by their own mothering, to act as guardians for "fallen women."

Finally, the discourse of protectionism that underlay the Refuge may have had some reality in the day-to-day realities of life at the institution. A former inmate, Sarah, stated: "I never knew there were so many beautiful things in the world till I came to the [Refuge], I never knew what peace and happiness was till I came here and no one nags on me all the time."[5] If the reform programme at the Refuge was inherently punitive could someone subject to it be happy? Perhaps during her stay in 1939 Sarah did feel "protected" within the walls of the Refuge, a place she saw as home even though she arrived on court order, sentenced to two years. If her earlier counterparts who "voluntarily" entered the Refuge made similar remarks would they mean the same thing? While answers to these questions are beyond the scope of this project and Sarah's words cannot be taken as representative, they draw attention to a key contradiction illuminated by this research, what I have referred to as "the protection/punishment complex."

In direct contrast to penal institutions and the dominant discourses of the 1850s or those of the 1930s, the Founders continually defended the reform programme in the name of protection, not punishment. A discourse of voluntariness was central from the establishment of the Refuge in the Founders construction of candidates as voluntary prisoners. From the mid to late nineteenth century, the Founders' external claims to members of the Christian community and the philanthropic-minded public of Toronto also distanced the Refuge from the punitive taint of the prison. The contradiction between their rhetoric and their reform programme was revealed in starkest form when state and medical authorities made use of the Refuge to incarcerate "feeble-minded"

and "sexually wayward" females. While the day-to-day operations of the Refuge changed very little, its claims of distinctiveness became harder to substantiate.

The FRA and the discourses around errant sexuality underlying it served to legitimate the Refuge as a permanent custodial facility not only for the feebleminded offender, but also the sexually wayward girl. However, coming under the FRA removed two central tenets of the Refuge – the "voluntary prisoner" and the institution as protective. Although the language of voluntariness was always more a façade than reality, the fact that magistrates now sentenced women and girls to the Refuge made the rhetoric of voluntary commitment difficult to support. The assumption that each woman entered with a desire for reform was also lost. The familiar claims of distinctiveness could no longer garner social currency or government assistance. While the discourse of volunteerism could no longer be used, with women entering the Refuge on court order, the Founders never gave up the rhetoric of protectionism. This contradiction suggests that while the Refuge was a site for replicating gender relations – women's dependency and the double standard around sexuality – the institution was neither inside, nor outside the dominant punitive approach to prostitution. That is, the punishment/protection dilemma remained a tension in the practices and claims of the Refuge.

David Rothman reminds us that rhetoric is seldom matched by practical implementation. In other words, it is important not to let the claims of reformers overshadow their actual practices. I have argued that, under the guise of protection, punitive practices were sometimes used to deal with the problem of

the erring female. This statement draws attention to debates in the literature about discourse and practice, specifically, what should have primacy, language or material reality. My intention throughout this project has been to both. It is important that the one does not mute the other. The punishment/protection complex necessarily complicates neat dichotomies between lived realities and how those are understood and interpreted.

In this instance what holds more salience, the practices or the language which defines them? That is to say, what makes something punitive: its intent, its consequences, something inherent in the process or practice? The distinction between protection and punishment is perhaps too simplistic; the divide between discourse and practice far too arbitrary. Where does one end and the other begin? Would the analysis be any different if the practices were protective but justified as being for punishment? If the end result is the same does it make any difference? What about the process itself? Does it depend on how it was experienced by those subject to it? This line of inquiry raises thorny issues of power. If power is relational, then, whether something *is* (or can be understood as) punitive or protective depends on the parties involved and the dialectical relationship between them.

When the Refuge emerged, state involvement in social welfare was just beginning. The expansion of social welfarism, philanthropy, and a growing interest of the Canadian state in the lives of individuals and families were among the developments that altered the definitions and responses to social problems throughout this period. Despite these wider shifts the reform programme at the

Refuge remained relatively intact for decades in rhetoric and, as far as we can tell, in practice. Eventually, however, the growing interest in women's penality, and the expansion of organizations and institutions dealing with Toronto's "girl problem" dramatically changed the face of the institution.

Although initially established as an alternative to the then nascent punitive approach to prostitution the Refuge may be conceptualized as displaying a continuum of penality. In other words, the Refuge was a site in which protection and punishment converged in practice if not in rhetoric. As we have seen, with the advent of more punitive discourses around female criminality and other legitimating discourses, the Refuge facilitated the incarceration of the erring female. As a result, more women and girls were entangled within the web of the women's penality – a web in which women who lived outside the boundaries of female respectability were continually caught.

Kelly Hannah-Moffat argues that, since the late 1990s, a neo-liberal conception of the self-governing subject, which constructs the individual as a rational, free, responsible consumer capable of managing risk, is at work in women's penality.[6] Its emergence coincides with what she describes as a responsibilization strategy, whereby non-government agencies are increasingly called upon to participate in offender reform strategies. Governing of women prisoners is no longer the sole responsibility of federal government; it has become the collective responsibility of community and offender. This shift back to community agencies represents a dramatic shift away from the state dominance that led to the closure of the Refuge in 1939.

While the Founders never used the language of empowerment, a parallel can be drawn to recent developments in women's penality when those in power have championed empowerment to subtly govern marginalized populations in ways that encourage the marginalized to participate in their own reform. Similarly, the inmates of the Refuge were encouraged to desire reform. Once inside the Refuge the reform programme encouraged dependency on men rather than women's empowerment. Yet what Hannah-Moffat refers to as an "empowerment model" may not be as new and unique as we first thought. The discourse of volunteerism offers a historical complement to the "will to empower" of contemporary discourse in that they are both legitimating labels.

Final Thoughts on the Protection/Punishment Complex

The members of the Board have made a real contribution of Christlike understanding and help to their erring younger sisters, who have never had a proper chance.[7]

The women who found themselves objects of philanthropic scrutiny between 1853 and 1939 are in some ways like those girls caught up in the criminal justice system today. Today dominant regimes of meaning – from courts to corrections to social services – still treat *her* as problematic. When the Refuge was operating, various discourses, from Christianity and maternalism, to medicine and law, to social work and penality defined the erring female as problematic and prescribed ways to deal with her. Although the institution has disappeared, the erring female remains a prominent figure in contemporary discourse and practice on female delinquency. She can be seen in contemporary debates over the

"welfare mother," the "addicted woman," or the "HIV affected prostitute." She represents the problematization of a specific form of Woman, one whose femininity and sexuality is called into question and censured. Today, as in 1853, real women are portrayed, judged and punished as if they were erring females and a discourse of protection is still closely connected to contemporary strategies employed to correct, control or deal with female deviance.

Despite numerous changes in culture and law, the prostitute continues to be the quintessential "erring female." The term "prostitute" conjures up images of immorality, promiscuity and disreputability and is historically associated with such synonyms as fallen woman, whore, street walker, and white slave. Moral, legal, and medical definitions of prostitution have always been drawn out of their social, cultural and historical contexts. Today the focus has switched from the adult prostitute to females under eighteen. In the twenty first century, the alternatively named juvenile, teenage or child prostitute, understood through a discourse of victimization, has become a new figure believed in need of protection, punishment or both. Since the 1990s legislation directed at "child victims" of prostitution and social programs aimed at assisting young women and girls off the streets have proliferated across the country. Alberta was the first province in Canada to implement an Act for the Protection of Children Involved in Prostitution, legislation akin to Ontario's Female Refuge's Act. Despite skeptics, controversy, and court challenges the Revised Act currently allows for the detention of children under 16 suspected of involvement in prostitution in "safe houses" for up to 72 hours. In contrast to the Refuge, today's institutions are run

by trained professionals, justified as social work practice and sanctioned by state authorities. What remains the same is a female constituted as needing protection and errant female sexuality that requires punishment and control.

In 2001 Velma Demerson sued the Ontario Government for $11 million, seeking compensation for illegal confinement and an apology for the cruelty she experienced at the Andrew Mercer Reformatory. She claims that she was unlawfully confined under the Female Refuge's Act, not for any criminal code infraction, and at Mercer endured abusive genital examinations, violence, and harsh treatment.[8] In January 2003 Demerson formally received an apology from the Ontario government, but still waits for financial compensation.[9]

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[1] Annual Report, Toronto Industrial Refuge, 1928. Page 7.
[2] Newsletter of the Council of Elizabeth Fry Societies of Ontario. The Female Refuges Act Spring 2001. Reprinted speech of Velma Demerson at AGM in 1991.
[3] The question of an undivided rule gets raised here as the women in charge of the day to day operations – the matron and other workers – did not have the same privileged position as those who established and managed the institution's affairs. Evidence is unavailable to decipher the relations of power between the "keepers."
[4] As the years went on many of the Founders died or retired. Succeeding generations replicated the class, gender, ethnic and religious composition (and biases) of the Founders.
[5] Sarah, an inmate of the Refuge. Annual Report. Toronto Industrial Refuge, 1939.
[6] Hannah-Moffat, Kelly *Punishment in Disguise: Penal Governance and Federal Imprisonment of Women in Canada.* (Toronto: University of Toronto Press, 2001).
[7] Toronto Industrial Refuge. Annual Report. 1938. Page 8.
[8] A recent Supreme Court ruling, however, stated that the province cannot be sued for incidents that took place prior to 1964. Legal scholar and advocate Constance Backhouse is assisting Velma plead her case, which at the time of writing was still pending. As Velma put it "women do not know their history, if you know what happened before, you can follow the threads of history, right until the present time, and you can know why there's violence against women today. It's because of the legislation passed years ago. It stays." Grebinski, Leisha. Briarpatch, December-January 2002, vol. 31, no. 10. pp. 10-11. According to David Midair, Demerson's lawyer, "Ontario didn't have the right to pass a law which was essentially a piece of criminal legislation – something only Ottawa can pass." Woman sues over 1939 jailing. Wojtek Dabrowski. The Canadian Press. no date.
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APPENDIX A
Toronto Industrial Refuge Statistics for Era One, 1853-1879

YEAR	number admitted	# in home previously	# remain year end	majority exited by	# left this way	total leaving
ERA 1 1853-79						
1854	19	0	11	service	3	8
1857	40	11	7	service	11	34
1858	31	7	7	service	12	25 (26)
1859	23	7	7	service	8	25 (23)
1860	47	10	20	restored	13	37
1861	62	20	26	service	22	57
1862	81	26	18	own accord	29	63
1863	69	18	22	own accord	24	61
1864	66	22	23	service	26	65
1865	91	23	30	service	34	84
1867	61	30	31	own accord	26	60
1868	40	31	26	own accord	20	45 (44)
1869	30	26	26	own accord	14	30
1870	41	26	29	own accord	21	38
1871	20	29	9	service	15	20
1872	54	9	38	ran off	30	54
1873	31	38	36	ran off	20	42
1874	33	36	30	ran off	20	39
1875	37	30	33	own accord	18	41
1876	56	33	21	own accord	23	54
1877	62	21	36	service	20	47 (50)
1878	63	36	35	own accord	23	64 (68)
1879	76	35	40	own accord	27	71
23 years	**1133 (49)**					**1064 (46)**

*missing years 1853, 1855, 1856, 1866

APPENDIX B
Toronto Industrial Refuge Statistics for Era Two, 1880-1904

YEAR	number admitted	# in home previously	# remain year end	Overall Total	majority exited by	# left this way	total leaving
ERA 2 1880-1904							
1880	87	40	40	127	service	25	77
1881	75	40	43	115	own accord	36	72
1882	70	28	32	98	own accord	34	66
1883	69	32	34	101	own accord	46	67
1884	57	34	30	91	own accord	26	54
1885	69	30	27	99	own accord	30	72
1886	58	27	27	85	own accord	35	58
1887	42	27	24	69	own accord	?	45
1888	40	24	20	64	own accord	19	44
1889	28	20	15	48	own accord	18	33
1890	39	16	24	55	own accord	18	31
1891	37	23	28	60	own accord	15	32
1892	23	28	26	51	own accord	13	25
1893	27	26	23	53	own accord	13	30
1894	32	23	23	56	own accord	19	33
1895	31	23	27	54	service	13	27
1896	20	27	29	47	own accord	7	18
1897	18	19	28	47	service	7	19
1898	21	27	30	48	own accord	9	18
1899	18	30	30	48	restored	5	18
1900	15	29	27	44	ran off	9	17
1901	11	26	28	37	ran off	4	9
1902	12	28	32	40	discharged	7	8
1903	11	32	25	43	service	4	15
1904	14	25	32	49	discharged	7	7
25 years	**924 (37)**				*own accord*		**895 (36)**

APPENDIX C
Toronto Industrial Refuge Statistics for Era Three, 1905-1928

YEAR	number admitted	# in home previously	# remain year end	Overall Total	total leaving
ERA 3 1905-1928					
1905	8	31	35	39	4
1908	11	38	47	49	2
1909	30	47	71	77	5 (+ 1 died)
1910	16	71	72	87	15
1911	6	72	74	78	3 (+ 1 died)
1912	9	74	76	83	7 (+ 1 died)
1913	55	76	77	131	33 (+ 1 died)
1914	19	77	86	96	8 (+ 2 died)
1915	10	86	84	96	11 (+ 1 died)
1916	10	84	92	94	2
1917	8	92	85	100	15
1918	3	84	77	87	11
1919	10	77	63	87	22 (+ 2 died)
1920	9	63	58	72	13 (+ 1 died)
1921	11	58	54	69	15
1922	24	54	68	78	8 (+ 2 died)
1923	10	68	63	78	12 (+ 1 died)
1924	29	65	68	94	15
1925	21	79	80	100	20
1926	29	80	81	109	28
1927	33	81	83	114	31
1928	49	83	61	124	70 (+ 1 died)
22 years	**410 (19)**				**350/364 (17)**

*missing 1906 and 1907

APPENDIX D
Toronto Industrial Refuge Statistics for Era Four, 1929-1939

YEAR	number admitted	# in home previously	# remain year end	Overall Total	majority left by	# left this way	total leaving
ERA 4 1929-39							
1929	49	61	75	110	discharge	35	35
1930	60	75	90	135	restored	23	44 (+ 1 died)
					transfer re: mental defect	22	
1931	49	90	86	139	return home	26	53
					service	5	
					transfer re: mental defect	8	
					sent for treatment	6	
1932	42	86	78	128	discharge	50	50
1933	57	78	72	135	discharge	63	63
1934	48	72	70	120	Return home	16	50
					service	15	
					mental hospital	6	
					city hospital	5	
					hospital baby → Mercer	3	
					Mercer	1	
					escaped	2	
					deported	1	
					held, remand	1	
1935	47	70	59	117	service	68	68 (+ 1 died)
					making good	48	
					slipping back	14	
					not heard of	6	
1936	44	59	61	103	discharge	42	42
1937	56	61	57	117	discharge	60	60
1938	69	57	67	126	discharge	59	59
1939	57	67	18	124	transfer	46	105 (+ 1 died)
11 years	**578**						**570 (3)**

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