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The 'Savage Indian' and the 'Foreign Plague': Mapping Racial Categories and Legal Geographies of Race in British Columbia, 1871-1925.

Renisa Mawani

**A thesis submitted in conformity with the requirements
for the degree of Doctor of Philosophy
Centre of Criminology
University of Toronto**

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The ‘Savage Indian’ and the ‘Foreign Plague’: Mapping Racial Categories and Legal Geographies of Race in British Columbia, 1871-1925

Renisa Mawani (2001)

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ABSTRACT

This dissertation explores how the myth of British Columbia as a white settler society was socially, legally, and spatially constituted from 1871-1925. Drawing from a wide range of archival sources, including government and missionary correspondence, police court records, trial transcripts, maps, and photographs, I examine how the exclusion of Aboriginal and Chinese peoples - two communities who were racially marked in distinct ways and subjected to unique forms of regulation - enabled state and religious administrators to assert a “pure” British identity in the province.

Throughout the late nineteenth and early twentieth centuries, the desire for white supremacy in British Columbia was largely constituted geographically. Government officials, I contend, relied on a variety of segregationist strategies in their efforts to carve up the province into racially marked districts. This process commenced with the enactment of reserves and was followed by the initiatives of government and non-government administrators who in various ways supported the social and legal creation of racialized spaces. In much the same way that Indigenous peoples were managed through the reserve system, Chinese immigrants came to be governed through the formal and informal spatial confines of Chinatowns. Racism was not only about keeping whites up and the “lower orders” down. Instead, it was also about placing whites and communities of color in their “proper” *spaces*.

The making of distinct racial geographies was never a forgone conclusion, however. Racialized areas were not entirely closed off from white society, nor was segregation always a desired goal at all times and by all colonizers. To begin with, the boundaries that separated reserves, Chinatowns, and white cities were porous and permeable. Although government authorities and missionaries enacted a series of legal and quasi-legal policies through which to police racial borders, spatial governance was often frustrated. While Native and Chinese peoples sometimes overtly resisted spatial boundaries and at other times simply ignored them, the competing and contradictory colonial agendas of state, church, and capital meant that many whites also challenged the making of particular racialized geographies. The spatial organization of race proved to be a constant struggle for government and religious authorities in Canada's most westerly province.

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INTRODUCTION

In September 1900, a “Lady Correspondent” wrote about the “Opening of Kincolith Church” in *The New Caledonia Interchange*, an Anglican newspaper in Northern British Columbia.¹ The Anglican Church in Kincolith, a Nisga’a village in the Nass Valley, had been destroyed by a fire in 1893. After seven years, a new and imposing eighty foot structure was built by Kincolith’s Indigenous residents under the guidance and supervision of the Archdeacon. The much anticipated church opening was commemorated by a lavish two-day celebration to which mission workers invited nearby Indians as well as “white men from the neighboring canneries.” On the first night, all the “visitors in the village were feasted throughout by the Volunteers and Firemen in their respective halls.” The following day, “the mission-house party received invitations to a six o’clock supper” which the woman described in the paper as follows:

One might almost have imagined oneself in an *English* restaurant to see the waiters in their white coats, and the many small tables at which the guests were seated. During the meal we were entertained by songs from the waiters, also by a funny Indian who, dressed as a Chinamen [sic], acted his part splendidly, and added greatly to the amusement of all by joining in the songs, and giving his own squeaky solos from time to time.²

The “Lady Correspondent’s” chronology of the festivities reveals several important

¹“The Opening of Kincolith Church” (September 1900), *The New Caledonia Interchange*, 8-9. CHIM P04502-002727.

²*Ibid.*

insights into the racial state of affairs in post-Confederation British Columbia. First, her description of the minstrel show suggests that racial relations between Native peoples, Chinese immigrants, and whites in the province were both messy and complex. That a Native man would burlesque a Chinese to entertain white onlookers tells us something about the ways in which racial categories and racist practices simultaneously overlapped to bolster and contradict each other.³ Perhaps more importantly, the minstrel show reveals that whites did not assert their Englishness or their superiority in a monolithic and linear way. Nor did they make their own individual and collective identities in relation to one racialized group alone. Rather, in late nineteenth and early twentieth century BC, white hegemony was constituted, affirmed, and undermined through a tangled articulation of race and racisms.

The complexities of race and racisms that I highlight in the quote above exemplify a central theme of this dissertation, that the myth of BC (and Canada) as a white settler society was constituted through a *multiplicity* of racist inclusions and exclusions. In the late nineteenth and early twentieth centuries, British Columbians envisioned their own subjectivities, their racial superiority, and their visions of the province and nation against a number of racial Others. Aboriginal and Chinese peoples were the largest of these groups and at different historical moments were perceived to be the most threatening to the project of building a civilized white society. But the exclusion of these distinct racialized communities did not unfold in a simple or straightforward way as the “Lady Correspondent’s” account

³On minstrelsy and white working class formation see Eric Lott, *Love and Theft: Blackface Minstrelsy and the American Working Class* (New York: Oxford University Press, 1995); David Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (London & New York: Verso, 1991) especially chapter 6.

reveals. On the contrary, efforts to construct BC into a racially homogeneous white province were structured by a deep ambivalence: a simultaneous desire for and disavowal of racial Otherness.

Symbolically, government authorities, missionaries, and other colonists sought a racialized reference point through which they could create themselves. Since the making of white superiority was accomplished through constructions of the colonized as racially inferior, Aboriginal and Chinese peoples - two groups who were racially marked in dissimilar ways - enabled white British Columbians to imagine their own individual and collective identities.⁴ At a material level, Indigenous land and cheap racialized Chinese labor were integral to the emergent provincial infrastructure, meaning that Native peoples and Chinese immigrants could never be entirely expunged from the nation. This metaphorical and material desire for racial Otherness demanded that British Columbians find other ways to manage the province's Indigenous and Chinese presence. Spatial strategies of exclusion prevailed as the preferred way to displace and dispossess these colonized populations and became integral to the processes through which government and religious authorities constituted BC as a white society.

Although colonization took many forms, the seizure of Native land was the cornerstone of conquest and white settlement.⁵ Cole Harris points out that European control

⁴Toni Morrison makes this point in the US context. She argues that African-Americans were the racial shadow that enabled Americans to know themselves. *Playing in the Dark: Whiteness and the Literary Imagination* (New York: Vintage Books, 1990) 6-7.

⁵On this general point see Edward Said, *Culture and Imperialism* (New York: Vintage Books, 1993). On colonization and the seizure of land in British Columbia

over land was central to the making of BC. “Land was the new opportunity; life here was about occupying it, controlling and managing it, about establishing who could do what where.”⁶ While struggles over land were undoubtedly economic, there were important cultural factors at stake. As Edward Said reminds us, European control over land was also about “ideas, forms, about images and imaginings.”⁷ In other words, the conquest and regulation of space was symbolically linked to the ways in which whites imagined themselves and their surrounding territories.

Throughout the late nineteenth and early twentieth centuries, racial power in BC was largely expressed geographically. Government authorities relied on a variety of segregationist strategies in their efforts to carve up the province into racially marked districts. This process commenced with the enactment of reserves and was followed by other federal, provincial, and municipal policies, as well as the initiatives of some missionaries, who in different ways and with distinct objectives supported the social and legal creation of racialized spaces. Similar to the spatial management of Indigenous peoples through reserves, Chinese immigrants came to be governed through the confines of Chinatowns. Racism was not only about keeping whites up and the lower orders down. Instead, it was also about placing whites and communities of color in their “proper” *spaces*.

The making of distinct racial spaces through segregation was never a forgone

see Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver: University of British Columbia, 1997) xii.

⁶Harris *ibid* at xiv.

⁷Said *supra* note 5 at 7.

conclusion, however. Racialized districts were never entirely closed off from white society, nor was segregation always a desired goal at all times and by all colonizers. To begin with, the boundaries that separated reserves, Chinatowns, and white cities were porous and permeable. Whereas middle and lower class whites could traverse these borders with little state interference, government and religious administrators developed a litany of distinct legal and extra-legal techniques through which to regulate the movements of the province's Aboriginal and Chinese communities. Despite these strategies however, spatial governance was often fruitless. Native and Chinese peoples sometimes overtly resisted spatial boundaries and at other times simply ignored them.

Since the colonial agendas of state, church, and capital were often conflicting and contradictory, many colonial elites challenged the making of geographical boundaries. Because of their desire for a cheap racialized labor force, private capitalists did not support racial segregation, for example. Similarly, many missionaries expressed ambivalence about the effects and implications that separate racialized quarters would have upon the future well-being of whites, Indians, and Chinese. While Protestant and Methodist missionaries often directly and indirectly supported the creation of racial districts, others feared that by separating these "heathen" populations from white society, their civilizing missions would become more difficult. Thus, the spatial organization of race proved to be a constant struggle for government and religious authorities in Canada's most westerly province.

British Columbia offers an interesting landscape on which to investigate racial formations and geographies of race. First, the late-nineteenth and early twentieth centuries

marked a period of immense social reform and growth in BC. Between 1871 and 1929, social reformers in the province embarked on a large-scale campaign aimed at both workplace and social betterment. As Jean Barman explains, the “proponents of social reform were determined to remold society into their largely middle-class Anglo-Canadian image of respectability.”⁸ Second, compared to other places in the country, the province was populated by a diversity of racialized groups. To begin with, the west coast was home to a large Indigenous population. At the time of first contact between Europeans and Aboriginal peoples, approximately half of all Native communities in Canada resided in what is now known as BC. A strong Native presence continued until the late nineteenth century. According to the 1880 census, Aboriginal peoples still made up the majority of the province’s population, but by 1891, they constituted less than one third.⁹

In addition, the largest Chinese community in the country resided in BC. The Fraser River Gold Rush, the Canadian Pacific Railway, as well as other industries both attracted and created a demand for cheap labor from China. By the late nineteenth and early twentieth centuries, BC’s Chinese community made up the largest group of “foreigners” in the province.¹⁰ This period of profound social change combined with the racial heterogeneity of

⁸Jean Barman, *The West Beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1996) 2.

⁹Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver: University of British Columbia Press, 1977) 201.

¹⁰In 1891 for instance, 98% of all Chinese immigrants in Canada lived in BC. Although this number decreased significantly - with many laborers returning to China and others moving further East - by 1911, 70% of Canada’s Chinese population still resided on the west coast. See James W. St. G. Walker, “Race,” *Rights and the Law in the Supreme Court of Canada* (Wilfred Laurier Press, 1997) 57.

BC's population provides a rich context in which to explore the interconnections between different forms of racialization and racisms.

Notwithstanding the fact that many other racialized populations resided in BC during this period, I have chosen to focus on Native peoples and Chinese immigrants for the following reasons. First, as I point out above, these two differently racialized groups made up the largest communities of color in the province. Second, they were racially marked in very distinct ways. While Aboriginal peoples were generally believed to be "savages" who needed to be civilized and reformed by colonial authorities, racial inferiority was inscribed onto Chinese immigrants through their "foreignness." Third, these two populations were most frequently targeted by racist laws and policies enacted at the federal, provincial, and municipal levels.¹¹ Fourth, both the Presbyterian and Methodist Churches aimed to civilize these groups through their Foreign Missions.

Finally and perhaps more importantly, unlike other racialized communities in the province (including Japanese, South Asians, and Doukhobors, for example), Aboriginal and Chinese peoples were also the targets of explicit spatial segregation, through the state's creation of reserves and the informal and quasi-legal patrolling of the borders around Chinatowns. By focusing on these two racially marginal communities, I am able to explore the ways in which government authorities endeavored to affirm white supremacy through the deployment of distinct racialized categories. In addition, because Indigenous and Chinese peoples were spatially governed, I can also examine the spatialization of race: how racist discourses were geographically inscribed onto BC's landscape.

¹¹*Ibid* especially 12-36.

It is important to note that BC society was not constructed through an Aboriginal and Chinese presence alone. Rather, there were simultaneous racial projects underway during the late nineteenth and early twentieth centuries, and the racialization and spatial exclusion of these groups was only one part of this process. As several scholars have noted, Canadians also constituted themselves against the United States, for example. Carl Berger and more recently Robert Shields have pointed out that the Northernness of Canada was often constructed in opposition to the Southernness of the US.¹² However, this was a racial process, since Canadians imagined themselves as a Northern race distinct from their American neighbors. Moreover, Berger elaborates that certain immigrants - particularly those from Northern Europe - were believed to be more acclimatized and likely to survive Canada's harsh weather and rugged landscape.¹³ While keeping in mind that these other racial projects did indeed exist, in this dissertation I have chosen to trace how the presence of two groups who were racialized in specific ways informed the assertion of white supremacy in BC.

I. A Theoretical and Methodological Note

Answering questions about how white supremacy is spatially organized in relation to

¹²Carl Berger, "The True North Strong and Free," in Peter Russell, ed., *Nationalism in Canada* (Toronto: McGraw-Hill, 1966) 3-26; Robert Shields, *Places on the Margin: Alternative Geographies of Modernity* (New York & London: Routledge, 1991).

¹³Berger argues that Canada's Northern climate ensured that Canada would not attract the same sorts of people nor would it have the racial problems that characterized the US. *Ibid.*, at 8.

different racialized communities requires both an understanding of colonialism and imperialism in BC. Since the most interesting ideas have been put forth by postcolonial scholars, I approach this study with their insights in mind. Postcolonial studies have flourished over the past few decades providing us with fresh and exciting approaches to understanding colonial and imperial processes. In particular, Edward Said's seminal work *Orientalism* has shifted the study of colonial relations and has "single-handedly inaugurate[d] a new area of academic inquiry" - what Patrick Williams and Laura Chrisman call colonial discourse.¹⁴ Rejecting a purely economic model and emphasizing instead the cultural aspects of imperial and colonial power, Said and others have insisted that the consequences of colonialism and imperialism move far beyond politics and economy. For example, imperial civilizing missions also involved the importation of European languages, knowledges, religions, and cultures. Focusing on these cultural practices, postcolonial scholars working across a wide range of disciplinary boundaries have asked new questions and developed innovative methods for understanding colonial and imperial relations between "the 'West' and the 'Rest.'"¹⁵

Since literary and cultural studies have been instrumental in the development of postcolonial theory, a powerful trend has been to emphasize the discursive dimensions of colonial power. Drawing largely from literary criticism, postcolonial scholars have furthered

¹⁴ Patrick Williams and Laura Chrisman, "Colonial Discourse and Post-colonial Theory: An Introduction," in Patrick Williams and Laura Chrisman, eds., *Colonial Discourse and Post-colonial Theory: A Reader* (New York: Columbia University Press, 1994) 5.

¹⁵ Stuart Hall, "The 'West' and the 'Rest'," in Stuart Hall and Bram Gieben, eds., *Formations of Modernity* (Cambridge: Polity Press, 1992).

our understanding of the mutually constitutive relations between colonizer/ colonized, center/ periphery, and metropole/ colony.¹⁶ Because of this vast scholarship, it is now generally accepted among many academic circles, that the racialized conceptions of self and Other that have been central to colonial and imperial processes do not exist in some tangible and fixed way, but rather, have been constituted in and through representations and discourse.

While these theoretical considerations have deeply influenced the questions I have asked and the approaches I have taken in the mapping of racial categories, my goal is to move beyond a methodology that prioritizes the discursive over the material. A more recent direction taken by many postcolonial theorists has been to emphasize *both* the discursive *and* the material.¹⁷ Following their lead, I am interested in how racist discourses influenced practice, and how these processes were affirmed and contested on the ground. While I do explore how the racial categories “Indian,” “Chinese,” and “white,” were differentially constituted in the often competing social and legal discourses of late nineteenth and early twentieth century colonial administrators, I am more concerned with how they influenced the deployment of social and legal policies and the spatial organization of race. Specifically, I examine how white authorities drew upon popular and scientific ideas about race to legitimize the creation of separate racialized spaces, and how other whites and people of

¹⁶Ali Rattansi, “Postcolonialism and its Discontents,” (1998) 26:4 *Economy and Society* 481.

¹⁷See for example Kay Anderson, *Vancouver’s Chinatown: Racial Discourse in Canada, 1875-1980* (Montreal & Kingston: McGill-Queen’s University Press, 1991); Jane M. Jacobs, *Edge of Empire* (New York & Routledge, 1996); Sherene Razack, “Making Canada White: Law and the Policing of Bodies of Color in the 1990’s,” (1999) 14:1 *Canadian Journal of Law and Society*, 159-184.

color used and adapted these racial assumptions in efforts to undermine them.

By emphasizing the discursive, few postcolonial theorists have interrogated the ways in which the rule of law has both upheld and undermined colonial and imperial relations.¹⁸ While the focus of this dissertation includes federal, provincial, and municipal laws, I also explore the ways in which government authorities, missionaries, and private capitalists constituted and resisted the creation of racialized spaces through extra-legal and quasi-legal procedures. What becomes apparent through this broader focus is that state officials were not the only ones who participated in the creation and subversion of racial geographies. Whereas many business owners and religious authorities denounced segregation for different reasons, others implicitly and explicitly assisted in the construction of racialized districts. Perhaps most importantly, by focusing on legal and extra-legal regulatory initiatives, the contested and contradictory articulation of white supremacy and the competing interests of state, church, and capital can be foregrounded.

Although this project emphasizes race and racisms, my intention is not to ignore or discount the importance of other social relations. As many postcolonial scholars have pointed out, imperial and colonial processes gained their strengths and weaknesses through the ways in which race often overlapped with class, sexuality, and gender. Anne McClintock reminds us that, “race, gender, and class are not distinct realms of experience, existing in splendid isolation from each other; nor can they be simply yoked together retrospectively like armatures of Lego. Rather, they come into existence *in and through* relation to each other - if

¹⁸For a critique of the absence of law in postcolonial theory, see Eve Darian-Smith and Peter Fitzpatrick, eds., *Laws of the Postcolonial* (Ann Arbor: University of Michigan Press, 1999).

in contradictory and conflictual ways.”¹⁹ In light of these insights, it is impossible to understand race as separate from other social relations. Using race as my point of entry, I am interested in how class, sexuality, and gender supported and undermined the ways in which white supremacy was organized. Whereas private capitalists often exploited racial tensions in efforts to secure profits, government and religious officials vigilantly policed heterosexuality - especially the sexuality of racialized women - in their elusive endeavors to assert racial and spatial purity.

II. Sources and Interpretation

This study draws on a wide range of archival documents maintained by the National Archives of Canada (NAC), British Columbia Archives and Records Service (BCARS), Vancouver City Archives (VCA), and the United Church Archives (UCA). This research draws most heavily on correspondence between the federal, provincial, and local governments, including letters to and from the BC Attorney General as well as to and from the Department of Indian Affairs. These sources, produced by various state agencies and departments, are particularly revealing with respect to how government agents thought about Native and Chinese peoples, and also whites. At various historical moments, conversations about these “racial threats” revealed a deep-seated colonial ambivalence about white subjectivity and provincial identity. These discussions illustrate - often graphically - the enormous amount of ideological work that underpinned governmental efforts to constitute

¹⁹Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York & London: Routledge, 1995) 5.

Aboriginal and Chinese communities as inferior and whites as superior.

These records also tell us a great deal about how government decision-making and policies were influenced by a variety of factors, including financial constraints, differences of opinion, as well as the constitutional division of powers. In her study of *Vancouver's Chinatown*, Kay Anderson is correct in saying that the distribution of state power in Canada makes this jurisdiction an extremely interesting one. Unlike other commonwealth countries including Australia and New Zealand, provincial decision-making, argues Anderson, was often constrained by the federal government, which frequently struck down anti-Chinese legislation.²⁰ Inter-governmental correspondence reveals that many tensions did exist between the three levels of government. The legal and extra-legal regulation of Native and Chinese peoples was not entirely accepted by everyone and at all times. While federal administrators often disallowed discriminatory legislation, as in the case of the Chinese, local authorities sometimes refused to enforce the law and policies set out by their superiors.

Police records and criminal/ civil cases have also been important sources. Arrest and conviction records as well as depositions and trial transcripts have provided an important window into the real and perceived fears of government administrators as well as the workings of the criminal justice system. In the context of prostitution for example, police record books have been useful in confirming the deep ambivalence that characterized official responses to the “social evil” (chapter 3). Although local authorities frequently condemned the sex trade, prostitution-related laws did little to eradicate it. In addition, police records suggest that this legislation was rarely enforced by local constables, and prostitutes were

²⁰Anderson *supra* note 17 at 5.

often dealt with informally through spatial forms of regulation. For instance, many Indigenous women already subjected to segregationist strategies, and who were allegedly arrested for prostituting themselves in Vancouver and Victoria, were seldom punished by fine or imprisonment. Rather, these women were often spatially disciplined by police who ordered them back to their reserves.

Depositions and trial transcripts have also been useful in illuminating how popular and scientific theories about “race” were brought into the trial process by judges who accepted them as “legal fact.” Dominant assumptions about “drunken Indians” and the “Chinese whiskey peddler” often guided cases involving intoxication. Similarly, notions of racial degeneracy differentially underpinned various legal restrictions barring Indigenous peoples and Chinese immigrants from voting and owning property. Ultimately, as Cheryl Harris reminds us, legal assumptions of race not only enabled judicial authorities to create and assert racial difference, but also to construct whiteness as racial privilege and to protect this entitlement by deciding who is white.²¹ These racial ambiguities surrounding whiteness were again apparent in liquor cases, particularly those involving mixed-race peoples (chapter 5).²²

BC Sessional Papers, Canada Sessional Papers, the Revised Statutes of British

²¹Cheryl Harris, “Whiteness as Property,” (1993) 106 *Harvard Law Review*, 1738. See also Ian Haney-Lopez, *White By Law: The Legal Construction of Race* (New York & London: New York University Press, 1996).

²²A slightly different version of this chapter is forthcoming in *Canadian Journal of Law and Society*. See Renisa Mawani, “In Between and Out of Place: Racial Hybridity, Liquor and the Law in Late Nineteenth and Early Twentieth Century British Columbia,” *Canadian Journal of Law and Society* (December 2000) 15:2.

Columbia and the *Revised Statutes of Canada*, provided more detailed descriptions of laws and the social, economic, and political conditions in which they emerged. Since many legal reforms were debated in the House of Commons or the provincial legislature before being passed or rejected, these records also reveal the state's intended motives for specific laws, as well as their failures and unintended results. In addition, selected local and provincial newspapers presented much needed detail through daily accounts of racial concerns, police court decisions, as well as social and moral reform activities in Vancouver, Victoria, and elsewhere in the province. Perhaps most importantly, newspapers were an important venue through which ordinary "citizens" - like the "Lady Correspondent" for *The New Caledonia Interchange* - expressed their views about a variety of issues, including Indigenous people's land rights and also Chinese immigration.

Maps and photographs were also a rich addition to the many textual sources informing this research. Since space or territory is a central theme in this project, maps helped trace how government and religious authorities created and shifted racial boundaries. Maps also demonstrated how race was spatially organized. Although race-mixing between Aboriginal peoples, Chinese, and white laborers was tolerated in salmon canneries for example, maps of specific canning sites illustrate that housing was racially ordered (chapter 4). While Aboriginal and Chinese workers lived closest to the filth of cannery spaces, white working class laborers lived in cottages whereas white elites often lived on the outskirts of these areas - far removed from the dirt, odor, and "racial decay" that were allegedly commonplace in these areas. In addition, maps also illuminated territorial boundaries and the many disputes between Native peoples and whites over these arbitrary lines (see Stanley

Park, chapter 2). Photographs complemented both maps and other sources, providing important images of the social and racial order of things in the province. Photos of the Steveston canneries for instance, (chapter 3) reveal that labor - like housing - was also spatially arranged, both mirroring and reaffirming dominant racial hierarchies.

Personal manuscripts and files from the Presbyterian and Methodist Foreign Missions and the Women's Missionary Society were also vital to this study. Missionaries, many of whom lived among Native peoples and the province's Chinese residents often provided detailed accounts of daily events, as well as their religious, moral, and social concerns about these "lower races." It is evident from many of these records, that Church officials had differing apprehensions and strategies for dealing with Aboriginal and Chinese peoples, than did the state for example. Although both these communities of color were largely viewed by religious authorities as "heathen races" who needed to be Christianized, the perceptions of religious authorities were clearly influenced by specific assumptions about race. Because these two populations were racialized in different ways, missionaries had distinct goals with respect to each of these communities. Whereas Native peoples were to be "civilized" and eventually assimilated into white society, Chinese immigrants were to be converted to Christianity so they could return to China and spread the social gospel among their people back home (chapter 2).

Perhaps most importantly, Church records suggest that religious officials' including missionaries' agendas often times clashed with government authorities'. Many missionaries, albeit racist in some respects, strongly opposed coercive state policies that targeted both Native peoples and Chinese immigrants. While many endeavored to assist Aboriginal

communities in settling disputes with the government over land, others also denounced immigration restrictions directed at the Chinese (chapter 2). For example, several missionaries helped Native peoples in writing petitions to the state, contesting issues ranging from land allotments to unjust laws. In addition, some missionaries opposed the coercive head taxes targeting Chinese immigration as well as other policies including school segregation, arguing that these restrictions were not only discriminatory but also “un-Christian.”

My reliance on a broad range of sources has enabled me to tease out diverse and often opposed points of view and positions among the “colonizers” and “colonized.” Colonial agendas in BC were never monolithic, but rather, were heterogeneous, fraught with tensions, and often contradictory. Writing about colonial power, Frederick Cooper and Ann Laura Stoler remind us that “closer investigation reveals competing agendas for using power, competing strategies for maintaining control, and doubts about the legitimacy of the venture.”²³ In BC, the three levels of government did indeed have competing agendas, often expressing differing interests and concerns with respect to Native, Chinese, and white communities residing in the province. The tensions between and among the various levels of government, Church officials, and private enterprise are often clear throughout governmental and public debates.

My use of “official” correspondence - records that have been created and preserved by the state - is not unproblematic. My reliance on archival sources greatly limits the range of

²³Frederick Cooper & Ann Laura Stoler, “Introduction: Tensions of Empire: Colonial Control and Visions of Rule,” (1989) 16 *American Ethnologist* 609.

questions I can ask and the types of analyses I can undertake. Consequently, this thesis is not about how Aboriginal and Chinese communities endured and experienced racisms. Rather, it is about the various ways that whites produced it and how other whites and people of color tried to work against it. In his book *The Imperial Archive*, Thomas Richards argues that empire has been contingent upon the collection and storage of information. The British surveyed and mapped the rest of the world, took censuses, produced statistics, and created classification systems, processes which enabled them to imagine and articulate their own sense of themselves. The “Imperial archive,” he concludes, “was a fantasy of knowledge.”²⁴

Following from Thomas’ insights, I use archival records as evidence but not as self-evident truths. I question *why* at various historical moments government authorities and white settlers perceived Indigenous peoples and immigrants from China as obstacles in their efforts to make BC into a homogeneous and respectable white settler society. In addition, I probe *how* Native and Chinese peoples and their respective spaces were constructed in the white imagination, and what this tells us about the “colonizers” themselves. The ways in which white elites talked about these marginal communities, and in turn the policies and practices they used to exclude them, is particularly instructive with respect to the prevailing colonial anxieties of the time as well as the processes through which whites asserted their own subjectivities and imaginings about nation. Finally, I rely on archival records as a way to map out the *effects* of laws and policies, rather than the *intentions* of white authorities.

Throughout the project, I use the terms “Aboriginal,” “Native,” and “Indigenous”

²⁴Thomas Richards, *The Imperial Archive: Knowledge and the Fantasy of Empire* (London & New York: Verso, 1993) 6.

interchangeably to refer to Canada's First Nations. In addition, I use "Chinese" when talking about immigrants from China, "mixed-race" when referring to people of Aboriginal and European ancestry, and "white" when talking about people of Northern European descent.²⁵ While acknowledging the vast cultural, language, geographic, and class differences among these various communities, I use these classifications not to reassert monolithic colonial categories, but rather, because colonial elites who frequently espoused the racist view that, "[t]hey all look alike,"²⁶ rarely made distinctions themselves.²⁷ Thus, it is often difficult to determine who exactly government officials, missionaries, and local authorities were referring to when they wrote about "Indians," "Chinese," and "half-breeds." In efforts not to reify racial categories, I have attempted to use specific national and place names when referring to these racialized groups wherever possible. Similarly, my use of the term "white" is not an attempt to suggest that all government authorities, religious officials, and white settlers held consistent views or colonial agendas about racial Others. On the contrary, as my brief discussion of sources suggests, the "colonizers" like the "colonized" were a heterogeneous group, another point I endeavor to emphasize throughout.

²⁵There was also a hierarchy operating among white Europeans. John McLaren has documented that Doukhobors for example, although white, were also racialized. See "Creating 'Slaves of Satan' or 'New Canadians'? The Law, Education, and the Socialization of Doukhobor Children," in Hamar Foster & John McLaren, eds., *Essays in the History of Canadian Law, Volume VI* (Toronto: University of Toronto Press, 1995) 352-385.

²⁶Michael Omi and Howard Winant, *Racial Formation in the United States from the 1960's to the 1990's* (New York & London: Routledge, 1994) 22.

²⁷Cole Harris and Robert Galois note that in the 1881 census in BC, Chinese immigrants were homogenized as a group, as enumerators did not wish to make distinctions either based on language or by region. Harris *supra* note 5 at 143.

Although there is little secondary literature that looks specifically at the racialization of Native peoples, Chinese immigrants, and whites *in relation to one another*, much has been written about state responses to Aboriginal and Chinese peoples in BC.²⁸ Combined with a diverse body of secondary literature, including works on Canadian history, critical geography, as well as Canadian and international postcolonial and critical race scholarship,²⁹ I use these primary sources to trace the ways in which state and religious officials endeavored futilely to build a racially “pure” province. By carving out racialized spaces, government officials endeavored to limit social and (hetero)sexual contact between Aboriginal and Chinese peoples and more importantly, between these racialized populations and white settlers. However, as I argue, racial segregation was elusive and often difficult to enforce. Both these failures and the unintended results which followed these initiatives required constant

²⁸*Supra* note 8 and 9. See also Patricia E. Roy, *A White Man's Province: British Columbia Politicians and the Chinese and Japanese Immigrants, 1858-1914* (Vancouver: University of British Columbia Press, 1989); Bruce Ryder, “Racism and the Constitution: The Constitutional Fate of British Columbia Anti-Asian Immigration Legislation, 1884-1909,” (1991) 29 *Osgoode Hall Law Journal* 638; Paul Tennant, *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849-1989* (Vancouver: University of British Columbia Press, 1990); Peter Ward, *White Canada Forever: Popular Attitudes and Public Policy Toward Orientals in British Columbia* (Montreal & Kingston: McGill-Queen's University Press, 1990).

²⁹A few examples from this literature include David T. Goldberg, *Racial Subjects: Writing on Race in America* (New York & London: Routledge, 1997). See also Kay Anderson, “Engendering Race Research: Unsettling the Self/ Other Dichotomy,” in Nancy Duncan, ed., *Body Space* (New York & London: Routledge, 1996) 197-211; Jacobs *supra* note 17; Sherene Razack, “Race, Space, and Prostitution: The Making of the Bourgeois Subject,” (1998) 10:2 *Canadian Journal of Women and the Law* 338-376; Ann Laura Stoler, “Making Empire Respectable: The Politics of Sex and Sexual Morality in Twentieth Century Colonial Cultures,” in Anne McClintock, Aamir Mufti, and Ella Shohat, eds., *Dangerous Liaisons: Gender, Nation, and Postcolonial Perspectives* (Minneapolis: University of Minnesota Press, 1997) 344-373.

management and challenged state efforts to create a white province.

III. Chapter Outlines

This dissertation is organized thematically. Rather than explore one topic, I have endeavored to thread my arguments about racial formations and spatial technologies of racial dominance through four different sites. Specifically, I have chosen to focus on areas where concerns about Aboriginal peoples and Chinese immigrants coalesced with state and non-state anxieties about social, legal, and spatial constructions of whiteness. In the first chapter, I situate my project within the broader Canadian historiography. I discuss how my own work builds upon and departs from other histories of race and racisms in Canada. I then briefly engage with the ideas of postcolonial theorists, race scholars, as well as critical geographers.³⁰ Here, I clarify my use of various theoretical concepts and set out the ways in which they influence the four substantive chapters which come after.

The next chapter, *Cartographies of Race and Space*, looks at the spatialization of BC from the late-nineteenth century onward. The mid-nineteenth century saw the emergence of new governing strategies that emphasized geographical inclusions and exclusions.³¹ The subordination of Aboriginal and Chinese peoples I argue, was largely asserted through the social and legal creation of specific Indian, Chinese, and white spaces. However, as I point out, the colonizer's construction of degenerate spaces (reserves and Chinatowns) enabled

³⁰*Ibid.* See also Edward Said, *Orientalism* (New York: Vintage, 1978); Shields, *supra* note 11.

³¹Harris *supra* note 5 at 83.

white authorities and settlers not only to manage these undesirable populations, but also to know themselves as superior. Ultimately, spatial techniques of regulation enabled white administrators to secure their own interests in racial purity and their control over the province's territory.

In the following chapter, *Constituting Red Light Districts*, I continue to discuss the themes from chapter two. I question how the supposed degeneracy of reserves and Chinatowns and the desired respectability of white spaces was secured through the racialized and spatialized regulation of prostitution. Drawing mainly from a recent article by Sherene Razack,³² I argue that concerns over prostitution were very literally struggles over space. Building on the work of Greg Marquis and others,³³ I argue that local authorities, including police constables, tolerated prostitution as long as it could be contained in marginal spaces: on reserves and in Chinatowns and away from white spaces. Here I suggest that the bodies of Native, Chinese, and white prostitutes were used by authorities in their assertion of whiteness. In the white imagination, racialized women were assumed to embody degeneracy, thus, their presence inscribed racial decay onto reserves and Chinatowns.

While my discussions in chapters two and three reveal that racially marked spaces were never entirely cordoned off from white society, the following two chapters deal more explicitly with the traversing and transgressing of racial and spatial borders. In chapter four,

³²Razack *supra* note 28.

³³Greg Marquis, "Vancouver Vice: The Police and the Negotiation of Morality, 1904-1935," in Hamar Foster & John McLaren, eds., *Essays in the History of Canadian Law: BC and the Yukon* (Toronto: University of Toronto Press, 1995) 263.

Transgressing Boundaries and Spaces: Racial Spillage, Lawlessness, and Sexual Immorality in the Canneries, I suggest that racial segregation was not only unenforceable and unsuccessful, but was not always desired by the state or by private enterprise. In the interests of capital, some authorities encouraged race-mixing as long as it occurred and could be contained within manageable areas. Using the example of salmon canneries, which were racially diverse spaces, I question why government officials and business owners tolerated racial intermixture here and not in other places. Canneries came to be known not only as spaces of economic prosperity that linked BC to Britain - the "heart of empire" - but also as spaces of filth and decay: areas that simultaneously affirmed and threatened white supremacy. Although the different races were taught their place by cannery operators, who specified racialized work and living arrangements, I argue that these strategies did little to contain racial inter-mixture. In BC canneries, the state's ambition to secure cheap labor and profits trumped the colonial desire to keep the races separate.

The last empirical chapter, *In-Between and Out of Place*, explores the issue of race mixing and boundary crossing through a close examination of racial hybridity. Referring to marriage records, I argue that inter-marriage and inter-mixture in the province were indeed widespread. Although there is some evidence to suggest that men and women of different races lived together, married, and had children, I contend that government and religious officials were mainly concerned about inter-racial heterosexual relations between white men and Native women. In this chapter, I question why authorities were so fearful of these inter-racial relations and not others. I argue that authorities were afraid of the effect that racially-mixed progeny would have upon the order of things, as concerns about "half-breeds" were

mainly to do with securing land and territory. While mixed-race children in other colonial contexts were assimilated into Native and/ or white society, in Canada, federal authorities legislated a separate racial category under the *Indian Act*. I argue that in BC, “half-breeds” drew a penetrating colonial gaze as they threatened the boundaries between the racialized categories of white and Native, could pass as white or Indian, and in doing so could make “fraudulent” claims to land. Ultimately the legal creation and assignation of the term “half-breed” meant that mixed-race peoples were displaced; outside community, rights, and territory.³⁴

The concluding chapter summarizes the project by tying together the two central themes of racial formations and of race, space, and law that run throughout the preceding chapters. Here, I reiterate my arguments that multiple racial categories and their territorialization were crucial to the making of a white BC. I point out however, that these processes were never monolithic but rather, were contested in different ways by Native and Chinese communities as well as by various white authorities. Before concluding the chapter and the thesis, I situate my arguments in contemporary concerns about race, space, and nation in BC. I suggest that while these contemporary issues are always structured publicly as anxieties about space, they remain deeply racialized and rooted in the racist discourses, practices, and geographies of our past.

³⁴Bonita Lawrence makes a similar argument in her work on urban mixed-race Aboriginal peoples in Toronto. See Bonita Lawrence, *“Real” Indians and Others: Mixed-Race Urban Native People, the Indian Act, and the Rebuilding of Indigenous Nations* (Unpublished PhD Thesis, OISE/ UT, 1999).

**CHAPTER ONE:
RACE, SPACE, AND POSTCOLONIALITY**

Postcolonial theory is now a familiar and influential form of cultural practice in the Western academy. This diverse and disparate body of scholarship covers an array of topics including migration, slavery, representation, race, gender, and place, and yet is rooted in and bound together by the multiple experiences and consequences of European imperialism and colonialism. The persistent critiques of Eurocentrism that have emerged from this recent and vast literature represent an important shift in how we formulate questions and theorize about European expansion and its legacies. Among other things, postcolonial perspectives have destabilized the ways in which we think about the production of knowledge. Over the past two decades, a growing number of postcolonial theorists have turned their critical gaze towards deconstructing and decolonizing the canon. One of the effects has been to force a rethinking and reformulation of all academic disciplines and their continued privileging of European history and Western thought.¹

Although postcoloniality has received an unprecedented amount of scholarly attention across a number of intellectual discussions, Canadian historians have been slow to draw from these important insights.² On the one hand, this is hardly unexpected, as Tina Loo describes

¹Aamir Mufti & Ella Shohat, "Introduction," in Anne McClintock, Aamir Mufti, & Ella Shohat, eds., *Dangerous Liaisons: Gender, Nation, and Postcolonial Perspectives* (Minneapolis: University of Minnesota Press, 1997) 2, 5.

²There are some notable exceptions. See for example Kay Anderson, *Vancouver's Chinatown: Racial Discourse in Canada, 1885-1980* (Montreal & Kingston: McGill-Queen's University Press, 1991); Jean Barman, "Taming Aboriginal Sexuality: Gender, Power, and Race in British Columbia, 1850-1900," (1997/98) 115/116 *BC Studies* 237-266; Sarah Carter, *Capturing Women: The Manipulation of Cultural Imagery in Canada's Prairie West* (Montreal & Kingston:

Canadian history to be an “island of empiricism separated by a gulf of discourse from the larger sea of social theory.”³ On the other hand, however, the absence of postcolonial theory is somewhat startling given Canada’s role as both a colonial power and as a white settler nation. This is not to suggest that Canadian historians have ignored issues of colonialism, imperialism, and racism. On the contrary, many have asked important questions and written about these processes using a wide range of theoretical tools.⁴ Notwithstanding their valuable insights, I contend that Canada’s colonial history - the European colonization and genocide of Aboriginal peoples, the (mis)treatment of immigrants of color, and the long standing imperial relations between Canada and Britain - would lend itself well to postcolonial perspectives. This is not a new observation or a pioneering venture of mine alone, but is part of a recent shift in Canadian historical scholarship that has slowly gained momentum.⁵

McGill-Queen’s University Press, 1997); Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver: University of British Columbia Press, 1997); Adele Perry, “‘Fair Ones of a Purer Caste’: White Women and Colonialism in Nineteenth Century British Columbia,” (1997) 23:3 *Feminist Studies* 501-524.

³Tina Loo, *Making Law, Order, and Authority in British Columbia, 1821-1871* (Toronto: University of Toronto Press, 1994) 10.

⁴For a few examples see Jean Barman, *The West Beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1996); Allan Greer & Ian Radforth, eds., *Colonial Leviathan: State Formation in Mid-Nineteenth Century Canada* (Toronto: University of Toronto Press, 1991); Richard Mackie, “The Colonization of Vancouver Island, 1849-1858,” (1992/93) 96 *BC Studies* 3-40.

⁵In their introduction to A Special Double Issue of *BC Studies*, Cole Harris and Jean Barman point out that colonial processes in BC and Canada have been relatively under theorized. They suggest however, that many scholars have recently attempted “to take colonialism out of the closet, where it has been hidden for so long,

To date, Canadian histories of colonialism, imperialism, and racism have inspired a rich, eclectic, and influential body of scholarship. Broadly, this literature includes Native/non-Native relations, immigration, state formation, nationalism and imperialism, and more recently, work on race and law.⁶ This project contributes to, but at the same time attempts to address what I consider to be several gaps in this historiography. First, many Canadian scholars have focused on the economic rather than the cultural implications of colonization. Like postcolonial theorists and a few Canadian historians, I emphasize that colonial elites were not only preoccupied with the accumulation of capital but rather, were aspiring to transform the rugged landscape of western Canada into a civilized and white settlement.⁷ The making of BC was as much about economic prosperity as it was about the formation of a homogeneous white settler identity.

Second, colonial endeavors to construct BC (and Canada) as a white settler society

and examine it for what it was and is in British Columbia.” See Cole Harris & Jean Barman, “Editorial,” (1997/98) 115 & 116 *BC Studies* 4.

⁶This is an extensive literature, but some examples include: Constance Backhouse, *Color Coded: A Legal History of Racism in Canada, 1900-1950* (Toronto: University of Toronto Press, 1999); Ramsay Cook, *The Maple Leaf Forever: Essays on Nationalism and Politics in Canada* (Toronto: Macmillan of Canada, 1977); Barbara Roberts, *Whence they Came: Deportation from Canada, 1900-1935* (Ottawa: University of Ottawa Press, 1989); Paul Tennant, *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849-1989* (Vancouver: University of British Columbia Press, 1990); James W. St. G. Walker, “Race,” *Rights and the Law in the Supreme Court of Canada* (Canada: Wilfred Laurier Press, 1997).

⁷On colonial identity in Canada see for example Carter *supra* note 2; Loo *supra* note 3, especially chapter 7; Perry *supra* note 2; Carolyn Strange & Tina Loo, “Spectacular Justice: The Circus on Trial, and the Trial as Circus, Picton, 1903,” (1996) 77:2 *Canadian Historical Review* 159-184.

did not evolve from “a single source of ethnic superiority.”⁸ While there were a number of different racial projects underway in the province, scholars have seldom traced the linkages between them. Many have documented the ways in which different groups were socially and legally excluded from the province and nation. However, we still know little about how these processes converged, diverged, and bolstered white hegemony.⁹ Authorities, I argue, asserted their visions of European supremacy through a multiplicity of interconnected racist exclusions: white supremacy was constituted in different ways against the racial presence of *both* Aboriginal peoples *and* Chinese immigrants.

Third, much of the existing historiography emphasizes how colonial processes affected the colonized and says little about the colonizers.¹⁰ Drawing on a number of postcolonial scholars, I suggest that colonial and imperial relations were uneven two-way

⁸Kay Anderson, “Engendering Race Research: Unsettling the Self/ Other Dichotomy,” in Nancy Duncan, ed., *Body Space* (New York & London: Routledge, 1996), 208.

⁹Although Backhouse and Walker document that the state deployed a number of racist practices against various racialized groups, they do not make connections between these processes. *Supra* note 6.

¹⁰For instance, much of the literature on Native/ non-Native relations traces the ways in which the federal government endeavored to suppress Aboriginal peoples but says little about what this meant for white supremacy. See for example Robin A. Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver: University of British Columbia Press, 1977); Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montreal & Kingston: McGill-Queen’s University Press, 1990); Ken S. Coates & Robin Fisher, eds., *Out of the Background: Readings on Canadian Native History* (Toronto: Copp Clark, 1996).

processes that left their marks on *both* colonizer *and* colonized.¹¹ Whereas different communities of color were disciplined and displaced in distinct ways, colonial processes were never secure nor static, but continually shifted and were shaped in practice. In addition, racist exclusions were never an end in and of themselves, but informed the making of white identities - individual and collective.

Finally, Canadian scholars who have written about colonialism and imperialism have emphasized the uniqueness of the Canadian experience. In other words, they have written about these processes in the west and elsewhere in the country as though they were dissimilar and detached from what was happening in other parts of the world.¹² Although colonialism, imperialism, and racism had a unique flavor in British Columbia and in other parts of Canada, there were also important similarities across geographical locales that require theorization. For instance, BC experienced many of the same sorts of colonial and settlement processes that were happening (or that had already happened) in other parts of the world. As a settler colony, BC and Canada offer important points of comparison to colonial relations in other places. For example, the social, economic, and political ties between Canada and Britain, albeit similar to Australia and New Zealand, were significantly different from those in India, parts of Africa, and the Caribbean. Importantly, colonialism in Canada's west mirrored and at the same time contrasted what was happening around the world.

¹¹See for example Frederick Cooper and Ann Laura Stoler, "Introduction: Tensions of Empire: Colonial Control and Visions of Rule," (1989) 16 *American Ethnologist*, 609-621.

¹²On this point see Sarah Carter, *Aboriginal People and the Colonizers of Western Canada to 1900* (Toronto: University of Toronto Press, 1999) 101.

This project takes a fresh approach to understanding colonialism and racisms in BC. Drawing from postcolonial insights, I explore the following questions. How did colonial authorities constitute British Columbia (and Canada) as a white settler society? How was this white settler construct and white subjectivity asserted through the exclusion of Aboriginal peoples and Chinese immigrants - two of the largest and distinctly racialized groups in the province? How were these communities of color differentially partitioned off from the imagined boundaries of nation? And finally, how was white supremacy spatially organized in BC? Before elaborating on the theoretical constructs that underpin each of these questions, it seems useful and necessary to say a few words about the “postcolonial.”

I. Defining the Postcolonial

Postcolonial perspectives emerge from the colonial testimony of Third World countries and the discourses of ‘minorities’ within the geopolitical divisions of East and West, North and South. They intervene in those ideological discourses of modernity that attempt to give a hegemonic ‘normality’ to the uneven development and the differential, often disadvantaged, histories of nations, races, communities and peoples. They formulate their critical revisions around issues of cultural difference, social authority, and political discrimination in order to reveal the antagonistic and ambivalent moments within the ‘rationalizations’ of modernity.

- Homi Bhabha¹³

Edward Said's influential book *Orientalism*¹⁴ has come to signify the birth of postcolonial studies. This is not to suggest that colonialism was never analyzed prior to Said's work, it was. However, *Orientalism* shifted the focus of inquiry, drawing attention away from economic domination towards cultural formations and the intimate connections between power and knowledge. Although early postcolonial scholars like Said were initially preoccupied with literary and historical investigations that destabilized Western authority, current postcolonial perspectives have moved beyond the boundaries of literature and history and have permeated a number of other disciplines.

The growing body of scholarship which falls under the rubric of the "postcolonial" has created definitional problems for many theorists. While Homi Bhabha's interpretation of postcolonial studies above illuminates some of the distinctive characteristics of this field of criticism, his explanation masks the multiplicity and contestation that has come to characterize postcolonial theory. Much of this confusion over terminology can be attributed to the blurring of disciplinary boundaries and to contentions about whether the postcolonial distinguishes a body of theory, a historical time-period, or both. Difficulties in defining the postcolonial are also traceable to the challenges that scholars have faced in endeavoring to distinguish between "colonialism" and "imperialism." In recalling her own dilemma of defining the colonial and imperial, Jane Jacobs reminds us that these distinctions are not

¹³Homi Bhabha, *The Location of Culture* (New York & London: Routledge, 1994) 171.

¹⁴Edward Said, *Orientalism* (New York: Random House, 1978).

merely theoretical or scholarly ones, but rather, are “differentiated by the positioning within the power geography of empire itself.”¹⁵ Whether a process is imperial or colonial then, is contingent upon both place and time.

In his much cited book *Culture and Imperialism*, Edward Said provides us with a useful definition to clarify the difference between imperialism and colonialism. He defines “imperialism” as “the practice, the theory and the attitudes of a dominating metropolitan center ruling a distant territory.” Conversely he sees “colonialism” to be “almost a consequence of imperialism....the implanting of settlements on distant territory.” Said insists that while imperialism is alive and well across the globe today, “direct colonialism,” or the annexation of territory has largely ended.¹⁶

Said’s definitions suggest that colonialism and imperialism have a time-space relationship and are specifically ordered in history. Accordingly, he implies that we have moved out of nineteenth-century European colonialism into a new era or epoch which many have termed the “postcolonial.” As Ali Rattansi clarifies, the term postcolonial has been used not only in reference to a newly emerging form of cultural criticism, but also as a way to characterize the global-time space in which the former colonies of Western imperialism, both in the “Third” and “First” worlds, attained formal independence from the dominant European

¹⁵Jane Jacobs, *Edge of Empire: Postcolonialism and the City* (New York & London: Routledge, 1996) 15.

¹⁶See Edward Said, *Culture and Imperialism* (New York: Vintage Books, 1993) 9.

powers including Britain, France, and Spain.¹⁷ However, Anne McClintock and others caution that this particular usage of the term is problematic for several reasons. First, it positions colonialism as the determining marker of history and orders global histories around European time.¹⁸ Thus, Indigenous histories prior to colonization are disregarded as *real* history, positioning Native peoples and other Others “out of place in the historical time of modernity,” in what McClintock calls “anachronistic space.”¹⁹ Other scholars have also questioned whether the “post” in postcolonial is an adequate term. To begin with, all postcolonial societies, regardless of whether they have attained formal independence, are still subject in one way or another to overt or subtle forms of neo-colonialism.²⁰ Notwithstanding nationalist struggles and anti-colonial movements, the West continues to be socially, economically, politically, and ideologically hegemonic even in our present day.

In white settler nations, the term postcolonial seems largely inappropriate, as many land claims and sovereignty rights between Indigenous peoples and various nation-states have yet to be settled. For these reasons, Jane Jacobs raises crucial questions about the applicability of the term to settler nations like Canada and Australia. Jacobs cautions that for

¹⁷See Ali Rattansi, “Postcolonialism and its Discontents,” (1998) 26 *Economy and Society* 480-481.

¹⁸See Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York & London: Routledge, 1995) 292.

¹⁹*Ibid* at 40.

²⁰Bill Ashcroft, Gareth Griffiths, & Helen Tiffin, “General Introduction,” in B. Ashcroft, G. Griffiths, & H. Tiffin, eds., *The Post-colonial Studies Reader* (New York & London: Routledge, 1995) 2.

“the indigenous peoples of Australia, the ‘post’ of postcolonialism is still a long way off.”²¹

In the same respect, postcolonialism, as it characterizes a time-space relationship, is inaccurate for describing the relations between Canada and the country’s Aboriginal peoples. Throughout the nation, land claims are still pending, while Native peoples are also struggling for recognition over natural resources and self-determination. This longstanding and contested relationship is more adequately termed colonial or neo-colonial than postcolonial. While postcolonial formations do exist in settler societies, they must be historically and spatially contextualized.

Despite the many uses of the term postcolonial, I use it throughout this thesis to refer to a form of criticism that has been generated largely by subaltern groups and has emerged out of anti-colonial revolutionary movements.²² Recognizing that postcoloniality has “unevenly developed globally,”²³ and has little resonance in describing the contemporary relationship between Aboriginal peoples and the Canadian state, I use the term self-consciously and carefully to refer to the legacy of our colonial past that characterizes our present. As Jacobs explains, postcolonialism is deeply entangled within colonial formations. “Colonial constructs not only belong to a past that is being worked against in the present,” she elaborates, “but also to a past that is being nostalgically reworked and inventively adapted

²¹*Supra* note 15 at 23.

²²*Supra* note 1 at 2.

²³Anne McClintock, “The Angel of Progress: Pitfalls of the term Post-colonialism,” in Patrick Williams and Laura Chrisman, eds., *Colonial Discourse and Post-colonial Theory: A Reader* (New York: Columbia University Press, 1994) 294.

in the present.”²⁴

Although Canada cannot be characterized as a truly postcolonial nation (if such a thing exists), postcolonial perspectives are nonetheless useful for analyzing the ways in which white supremacy was historically organized in relation to Aboriginal peoples and immigrants of color. While the former endured (and still do) a colonial relationship with the Canadian government, the latter came (and presently come) to the nation already marked by their own histories of imperialism and colonialism. Furthermore, and perhaps most importantly, modern day constructions of race and racial difference as well as their spatial manifestations, are deeply embedded in our past and can best be understood when contextualized within the colonial encounter.²⁵

Late nineteenth and early twentieth century racial ideas that characterized Native peoples as “drunken Indians” and Aboriginal women as “prostitutes” remain pervasive in our present day.²⁶ Similarly, racist representations of Chinese peoples as cunning and deceitful “criminals” are also resonant in the ways in which “bogus” refugees from China have been constituted in public discourse. Moreover, these ideas continue to underpin a formal and informal system of racial segregation. Whereas reserves continue to exist across BC and Canada, new racialized enclaves have also emerged in various suburbs. The racial

²⁴*Supra* note 15 at 14-15.

²⁵See Tayyab Mahmud, “Colonialism and Modern Constructions of Race: A Preliminary Inquiry,” (1999) 53:4 *University of Miami Law Review* 1219-1246.

²⁶On racist constructions of Aboriginal women in the courtroom see Sherene Razack, *Looking White People in the Eye: Gender, Race, and Culture in Courtrooms and Classrooms* (Toronto: University of Toronto Press, 1998) 69.

taxonomies that inform the making of current laws, policies, and geographies are not new, but rather, are dependent upon late nineteenth and early twentieth century colonial constructs that are indeed “being nostalgically reworked and inventively adapted in the present.”²⁷

II. The White Settler Society Construct

Over the past thirty years, historians have produced a diverse scholarship on race and racisms in Canada.²⁸ While this work has become more and more sophisticated, influenced to some degree by developments in social theory and broader trends in history, much of this research has focused on discrimination and prejudice, that is, the ways in which racial and ethnic groups were included and excluded by the state. Given Canada’s reputation as a “tolerant nation,” this scholarship has provided us with crucial insights into how ideas about racial inferiority and superiority have influenced our national history, while also revealing how race, gender, and class hierarchies were reinforced through immigration policies, settlement patterns, moral reform initiatives, and legal practices. Despite this literature however, we still know very little about racialization - the process of racially marking distinct

²⁷*Supra* note 15 at 14-15.

²⁸*Supra* note 2 & 10. See also John McLaren, “Creating ‘Slaves of Satan’ or ‘New Canadians?’ The Law, Education, and the Socialization of Doukhobor Children,” in Hamar Foster & John McLaren, eds., *Essays in the History of Canadian Law. Volume VI* (Toronto: University of Toronto Press, 1995), 352-385; J.R. Miller, ed., *Sweet Promises: A Reader on Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1991); Patricia E. Roy, *A White Man’s Province: British Columbia Politicians and Chinese and Japanese Immigrants, 1858-1914* (Vancouver: University of British Columbia Press, 1989); Peter Ward, *White Canada Forever: Popular Attitudes towards Orientals in British Columbia* (Montreal & Kingston: McGill-Queen’s University Press, 1990).

groups²⁹ - or the ways in which racial inclusion and exclusion enabled colonial administrators to assert a white national identity and subjectivity.³⁰

Almost a decade ago, Kay Anderson cautioned us against using a “prejudice concept,” insisting instead that we should move “beyond studying white attitudes, because it is not prejudice that has explanatory power but rather the ideology of racial difference that informs it.”³¹ Many historians have been slow to take Anderson’s advice, however. Even the recently published book by Constance Backhouse, entitled *Color Coded: A Legal History of Racism in Canada 1900-1950*, continues to put forth what I would call a racial discrimination framework.³² Backhouse’s meticulously researched book makes an important contribution to our understanding of how race was constructed and asserted through law. Starting with the current day “realities of race and racism,” she disrupts the myth that Canada has been a nation accepting and embracing of racial difference.³³ Like many other Canadian scholars, Backhouse traces the legal exclusion of various racialized groups including, Aboriginal peoples, African-Canadians, and the Chinese. While she shows the ways in which our legal

²⁹I have adapted this term from David Goldberg who defines “racialized” to include “any and all significance extended both implicitly and silently by racial reference over discursive expression and practice. See David T. Goldberg, *Racist Culture: Philosophy and the Politics of Meaning* (Oxford: Blackwell Publishers, 1993) 2.

³⁰There has been a growing body of historiography which addresses the question of whiteness in Canada. See for example Anderson *supra* note 2; Carter *supra* note 2; Loo *supra* note 3; Strange and Loo *supra* note 7.

³¹Anderson *supra* note 2 at 19.

³²Backhouse *supra* note 6.

³³*Ibid* at 14.

system has been structured on and through racist discourses and practices, she tells us little about how these processes have informed the making of white subjectivity and nationhood. Yet, racism is not just about inferiorizing different groups of color, as David Roedigger reminds us. Writing about the white working class in America, he argues that racism was as much about disavowing blackness as it was about the making of white supremacy.³⁴

Heeding the advice of Roedigger and others, I think of racism not only in terms of racial exploitation, appropriation, and domination. Rather, I question how white hegemony was organized through these historically situated projects. Informed by these ideas, this thesis explores how the simultaneous racial inclusion and exclusion of Aboriginal and Chinese peoples in BC informed the assertion of European supremacy in the province. Instead of taking a historical inventory of racist practices, I begin with the premise that BC has been constructed as a white settler society and trace how this identity was projected through the presence and the spatial separation of two differently racialized groups. Writing about Canada, Daiva Stasiulis and Radha Jhappan provide an important and useful definition of what they term the “white settler society construct:”

At its base, the white settler society construct refers to the intentions of colonial administrators to build in Canada an ‘overseas extension’ or replica of British Society. Hence the dominant culture, values and institutions of the society mimic those of the ‘mother’ country: they must constantly be replenished via immigration and importation of British ideas, goods, fashions,

³⁴David Roedigger, *Wages of Whiteness* (London: Verso, 1991) 20-23.

institutions, and cultural and economic practices.³⁵

While Canada has never been an exact imitation of Britain, the official story of Canadian nationhood is one in which Britishness was (re)constituted on the rugged landscape of this Northern nation but in a uniquely Canadian way.

The idea that Canada has been constructed as a white settler society is not an entirely new insight. Rather, historians and non-historians alike have documented the diverse ways in which government authorities and social reformers attempted to facilitate a healthy white citizenry and a Canadian identity as the “The True North Strong and Free.”³⁶ Almost a decade ago, in her work on social purity and moral reform in English Canada, Mariana Valverde pointed out that the “combination of whiteness and coldness made snow an appropriate symbol not only of Canada but also of purity.”³⁷ More recently, Carolyn Strange and Tina Loo have charted the relationship between law and morality. Their work suggests that the “overriding objective in early-national Canada was to build a great nation, not just with a transcontinental railway and stout farmers, but with citizens made good.”³⁸ While these scholars and others have documented how the nation has been built on inclusions and

³⁵Daiva Stasiulis & Radha Jhappan, “The Fractious Politics of a Settler Society: Canada,” in Daiva Stasiulis and Nira Yuval-Davis, eds., *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity, and Class* (London: Sage, 1995) 97.

³⁶Carl Berger, “The True North Strong and Free,” in Peter Russell, ed., *Nationalism in Canada* (Toronto: McGraw Hill, 1966) 3-26.

³⁷Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925* (Toronto: McClelland & Stewart, 1991) 23.

³⁸Carolyn Strange and Tina Loo, *Making Good: Law and Moral Regulation in Canada, 1867-1939* (Toronto: University of Toronto Press, 1997) 8.

exclusions of race, class, gender, and sexuality, few have directly engaged with the idea of Canada as a white settler nation.

The white settler construct helps to foreground Canada's role as a colonial and imperial power. As Daiva Stasiulis and Nira Yuval-Davis explain, the "process of establishing settler societies was accompanied by varying levels of physical and cultural genocide, alienation of indigenous land, disruption of indigenous societies, economies and governance, and movements of indigenous resistance."³⁹ Adele Perry explains that while earlier historians did explore and write explicitly about colonization, albeit in a whiggish manner, present day historians have largely abandoned discussions of colonialism, focusing instead on settlement.⁴⁰

This trend has in some ways obscured the violence of colonialism while also neglecting the racialized aspects of our national and provincial identity. In other words, neither Canada nor BC can be viewed as settler colonies alone. Rather, both have been historically constructed as *white settler societies* which have been built on and through the attempted genocide and conquest of Aboriginal peoples as well as the importation and exploitation of cheap racialized labor. The white settler construct then is a useful term for several reasons. First, it highlights the ways in which race and racisms have underpinned the

³⁹Daiva Stasiulis & Nira Yuval-Davis, "Introduction: Beyond Dichotomies - Gender, Race, Ethnicity and Class in Settler Societies." In Daiva Stasiulis and Nira Yuval-Davis, eds., *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity, and Class* (London: Sage, 1995) 7.

⁴⁰Adele Perry, *Gender, Race, and the Making of Colonial Society: British Columbia, 1858-1871* (Unpublished PhD Dissertation, Department of History, York University, 1997) 26.

making of a BC and Canadian identity. Second, it enables us to critically explore Canada's colonial past and present and the uneven and contradictory ways in which the subordination of Aboriginal peoples and immigrants of color have intertwined and overlapped to both secure and in some instances unsettle white supremacy.

III. Race and Postcolonialism

A white settler identity in BC was asserted through a number of overlapping and contradictory racial projects. This process of identity-formation was an ambiguous one which required an enormous amount of ideological work and which also relied on the spatialization of social relations and on the rule of law. In light of the two founding colonial powers - the British and the French - the presence of a large Indigenous population, ongoing threats from the United States, and the racially diverse populations imported to satisfy the material aspirations of economy and capital, attempts to establish a British identity in the province posed enormous difficulties for colonial authorities and government officials.

Colonial elites did not assert their own individual and collective identities or their imaginings of a white settler society on the racialization of one specific group alone.⁴¹ In efforts to sustain the myth of Canada as a white settler nation, settlers, along with government and religious officials, used law and space to construct "outsiders" and "non-citizens." They endeavored to make their own identities by differentially excluding these racially marginal populations, most notably Aboriginal peoples and Chinese immigrants. While both groups were deemed to be "racially inferior" for distinct reasons and were disenfranchised in

⁴¹*Supra* note 8 at 208.

different ways, their presence marked the boundaries of citizenship and whiteness in BC. Although racist exclusions operated differently for Native peoples than they did for Chinese immigrants, both of these processes cemented different aspects of a racial pecking order in which whites, particularly Northern Europeans, were superior.

Race and racism have been central to colonialism, imperialism, and postcolonialism. Within each of these regimes of power, race has continually (re)emerged as the principal and perpetual marker of difference, Otherness, and inferiority. This is not to say that deployments of race and racist discourses and practices have been static and unchanging. Writing about imperialism, Barbara Bush reminds us that “[r]acism and imperialism have always been inseparable, although the nature and expression of racism has changed over time and content.”⁴² Beginning with the process of mapping and naming, European colonial and imperial agendas have been intricately intertwined with the production of race. “Map-making and race-making,” to quote from Linda Martin Alcoff, “have a strong historical component as well as a conceptual relationship. The ordering and labeling of natural terrain, the classifying of natural types, and the typologies of ‘natural races’ emerged simultaneously in what Foucault called the classical episteme.”⁴³

During this era, before the emergence of nineteenth century scientific theories of race and biology, European colonizers relied explicitly on race-based policies through which to

⁴²Barbara Bush, *Imperialism, Race, and Resistance: Africa and Britain* (New York & London: Routledge, 1999), 7. See Anne McClintock on the shifts from “scientific racism” to “commodity racism” and “cultural racism.” *Supra* note 18, especially chapter one.

⁴³Linda Martin Alcoff, “Philosophy and Racial Identity,” (1996) 75 *Radical Philosophy* 5.

order and catalogue themselves (white bourgeois men) and the remainder of the world's populations. Ann Laura Stoler distinguishes between the racialized politics of colonialism before and after the nineteenth century. She argues that these early discourses about race did not need nineteenth century theories for their validation, as “[d]istinctions of color joined with those of religion and culture to distinguish the rulers from the ruled, invoked in varied measures in the governing strategies of colonial states.” Stoler points out that in “the nineteenth century, on the other hand, race becomes the organizing grammar of an imperial order in which modernity, the civilizing mission and the ‘measure of man’ were framed.”⁴⁴ Thus, social and scientific theories about evolution and race provided the imperial powers with justifications for European hegemony and a way to reconcile the glaring contradictions between Enlightenment ideals on the one hand and the violence of conquest and imperial expansion on the other.⁴⁵ However, as Jane Jacobs explains, “social evolutionary logic did more than just categorize the world’s people in hierarchical ways, it also legitimated the exercise of power through these differences.”⁴⁶ By establishing notions of racial inferiority and superiority, it became the moral duty of Europeans to civilize and govern the “lower races.”

While colonial elites racially classified colonized populations through complex (and not so complex) procedures, imperial and colonial processes simultaneously enabled and

⁴⁴Ann Laura Stoler, *Race and the Education of Desire: Foucault’s History of Sexuality and the Colonial Order of Things* (Durham: Duke University Press, 1995) 27. See also *supra* note 29, especially chapters one & two.

⁴⁵*Supra* note 25 at 1220.

⁴⁶*Supra* note 15 at 17.

undermined European identity formation. Colonialism was not a stable and secure European project. It did not simply involve the importation of bourgeois values and sensibilities from the empire to the colonies. On the contrary, as Robert Young reminds us, a “culture never repeats itself perfectly away from home.”⁴⁷ Thus, colonial rule was never absolute, but rather was fraught with frailty and contestation, requiring constant reconstitution and reassertion.⁴⁸ Although the specificities of each colonial locale were different, colonial projects were for the most part about identities: whites asserted the racial order of things through the (re)making of their own middle-class sensibilities and superiority, and through the racial inferiorization of local colonized populations.⁴⁹

It is important to note that colonial and imperial racial categories were not static and immutable, but rather, were malleable, unfixed, and unevenly applied by Europeans throughout the world. While race and racism were crucial features of the colonial encounter, Ann Laura Stoler insists that “the *quality* and *intensity* of racism varied enormously in different colonial contexts and at different historical moments.”⁵⁰ For instance the British had specific colonial agendas in places like India that differed significantly from those in the

⁴⁷Robert Young, *Colonial Desire: Hybridity in Theory, Culture, and Race* (London & New York: Routledge, 1995) 174.

⁴⁸For a review of this literature see Frederick Cooper & Ann Laura Stoler, “Between Metropole and Colony: Rethinking a Research Agenda,” in Frederick Cooper & Ann Laura Stoler, eds., *Tensions of Empire: Colonial Cultures in a Bourgeoisie World* (Berkeley: University of California Press, 1997).

⁴⁹*Supra* note 44 at 99.

⁵⁰Ann Laura Stoler, “Rethinking Colonial Categories: European Communities and the Boundaries of Rule,” (1989) 31 *Comparative Studies in Society and History* 137.

settler colonies of Australia, New Zealand, and Canada.⁵¹ While Britain awarded its white settler colonies liberal democratic principles and relative political autonomy,⁵² the colonial and imperial expectations expressed in London also differed for these nations. In settler colonies, colonization and settlement were contingent upon recognizing the land as unoccupied or as wasted space, issues that had little resonance in India and elsewhere, where the appropriation of land and the creation of a permanent white settler society were never the intended goals. Although British colonial rule in India was undeniably violent, colonialism in Canada and in other settler colonies has been structured upon the brutality of genocide, which for many Indigenous peoples is not yet over.

Even within the colonies themselves, colonial agendas and racial classifications were differentially constituted and deployed by European elites. Postcolonial theorists have well documented the ways in which Europeans imagined themselves in relation to racial Others, and how the Other changed both through time and place.⁵³ Interestingly however, few international or Canadian scholars have interrogated how European or white identities have been constructed on a *multiplicity* of racist exclusions, and how racial Others were constituted not only in relation to whites but also in relation to each other.⁵⁴ According to the

⁵¹On Colonial India see Ranajit Guha, *Dominance Without Hegemony: History and Power in Colonial India* (Cambridge: Harvard University Press, 1997); *supra* note 25.

⁵²*Supra* note 35 at 97.

⁵³See for example *supra* note 17, at 481-482; *supra* note 18 at 43.

⁵⁴There are a number of exceptions. See *supra* note 24, at 1240; *supra* note 26 especially chapter 5; Michael Omi & Howard Winant, *Racial Formation in the United States from the 1960's to the 1990's* (New York & London: Routledge, 1994).

doctrine of scientific evolution, not all of the lower orders were believed to be equal (or equally threatening). Rather, racial hierarchies as Tayyab Mahmud points out, were an integral part of what he terms to be the “modern grammar of racial difference.” He explains that through modernity, a global racial ordering was articulated “with the European at the top, followed by Asians, African[s], and Aboriginals, in a descending order.”⁵⁵

The term racial formation was first coined by Michael Omi and Howard Winant. In their book of the same name, Omi and Winant define “racial formation,” as “the sociohistorical process by which racial categories are created, inhabited, transformed, and destroyed.”⁵⁶ Focusing on the United States, they view racial formations as a series of historically situated projects in which bodies and institutions are organized and linked to hegemonic racial relations. In other words, Omi and Winant argue that society is structured and ruled according to a series of racial inequalities.⁵⁷ The importance of their work lies in their emphasis on multiplicities of racial inequity and of simultaneous and contradictory racial projects. Although racist discourses and practices may vary in nature, form, and substance, Omi and Winant point out that they work in and through each other to sustain dominant social relations.⁵⁸ Following from their analyses, I utilize a methodological approach that compares racist discourses and practices; at what points they converge/ diverge,

⁵⁵*Supra* note 25 at 1223.

⁵⁶Omi & Winant, *supra* note 54 at 55.

⁵⁷*Ibid* at 56.

⁵⁸See also David T. Goldberg, “The Social Formation of Racist Discourse,” in David T. Goldberg, ed., *Anatomy of Racism* (Minneapolis: University of Minnesota Press, 1990) 299.

and how they work together to support and/ or challenge white supremacy.

The racist discourses and practices that were constituted by Europeans and which targeted specific communities were always contingent upon distinctive scientific and popular assumptions about race. In the Canadian context, Native peoples have historically been characterized through a number of colonial categories that rendered them as primitive and backward “savages” who were thrown outside of European history and time. Informed by theories of social evolution, colonial elites used images of savagery to establish the “natural” and “inherent” differences between Native peoples and Europeans.⁵⁹ Immigrants of color on the other hand, have been historically constructed and excluded through notions of “foreignness.” Thus, as Robert Chang points out, “to be an immigrant is to be marked by the border,”⁶⁰ a marking which has little resonance and significance for Indigenous peoples. The materiality of these racial markings has meant that these groups have been dealt with in very specific ways. Because of their “foreignness,” Chinese immigrants could be deported or prohibited entry into the country, strategies of exclusion that did not apply in the case of Indigenous peoples. Despite the crucial distinctions between “savagery” and “foreignness,” these differential ideas about racial inferiority have operated in precise ways to exclude Native peoples and immigrants of color from the racialized category “Canadian.”

⁵⁹On changing constructions of Aboriginality in Canada, see Daniel Francis, *The Imaginary Indian* (Vancouver: Arsenal Pulp Press, 1992).

⁶⁰Robert Chang argues that “not all immigrants are marked in the same way. Some immigrants are able to ‘pass’ while others (and sometimes even their US-born descendants) remain perpetual foreigners.” See Robert Chang, *Disoriented: Asian Americans, Law, and the Nation-State* (New York: New York University Press, 1998) 27.

While constructions of racial Otherness and their material implications do undoubtedly differ, Paul Gilroy urges us not to think of them as separate, but rather, as part of an inter-connected process. Writing of the British context, he cautions that the “intimate association between ideas about race and the employment of unfree labor in plantation slavery, ‘debt patronage,’ apartheid, or the coercive use of migrant labor should be a constant warning against conceptualizing racial ideologies as if they are wholly autonomous.”⁶¹ Rather, Gilroy implies that these racist ideas and practices while indeed distinct, are tangled up with one another and thus, cannot be thought of as detached and dissimilar. Following the advice of Gilroy, and others, I explore how the racialization of Chinese immigrants was similar to and different from the racing of Aboriginal peoples in late nineteenth and early twentieth century British Columbia. I am not only interested in looking for the similarities and differences between these various forms of racist expression, but also, how they supported and contradicted authorities’ efforts to construct BC into a racially homogeneous province.

Postcolonial and critical race theorists have by now established that racist discourses and practices are unfixed, and shift and change in response to a number of historical, social, economic, political, and cultural factors.⁶² David Goldberg warns us that the potency of racism lies in the fact that it is not static and unchanging but rather, is fluid and malleable.

⁶¹Paul Gilroy, “One Nation Under a Groove: The Cultural Politics of ‘Race’ and Racism in Britain,” in David Theo Goldberg, ed., *Anatomy of Racism* (Minneapolis: University of Minnesota Press, 1990) 264.

⁶²See for example David T. Goldberg, *Racial Subjects: Writing on Race in America* (New York & London: Routledge, 1997) 12.

“The fact that there is no single racist phenomenon or no phenomenon to which the variety of racist exclusions could be reduced” he explains “entails that we should not expect a single explanation for racism. Different racist manifestations, racist exclusions at different times and places, will occur for different reasons.”⁶³ He adds that “[u]nless we have some idea of the commonalities among different kinds of racist expression, we cannot identify any as such; nor can we characterize what makes one kind of historically specific *racist* expression differ from another.”⁶⁴ Interestingly, Goldberg urges us not only to situate our interrogations of race within time but also space. On a similar note, Michael Keith argues that in order to understand the complexities and contradictions of race and racisms, we need to contextualize our analyses both historically and geographically.⁶⁵

In the chapters that follow, I argue that white supremacy gained its strength and resilience not through one source of racial domination, but rather, through several. Specifically, I contend that whites constructed their own superiority through the province’s Aboriginal *and* Chinese presence.⁶⁶ While these processes unfolded in a number of complicated ways, I emphasize the spatial dimensions of racisms, pointing out that racist discourses and practices were not only about keeping racialized populations down, but rather,

⁶³*Supra* note 29 at 103.

⁶⁴*Ibid* at 97.

⁶⁵See Michael Keith, “From Punishment to Discipline? Racism, Racialization and the Policing of Social Control,” in Michael Keith & Malcolm Cross, eds., *Racism, The City and the State* (New York & London: Routledge, 1993) 196.

⁶⁶Although the processes were different, both middle and working class whites in BC made themselves in relation to these racialized Others.

keeping them in their “proper” places. The following section explores the issue of space in more detail.

IV. Space, Law and the Postcolonial

Spatial metaphors have been central in postmodern and postcolonial dialogues. Since the “postmodern turn,” Michael Keith and Steve Pile observe, space has become in vogue, as terms like “position, location, situation, mapping; geometrics of domination, center-margin, open-closed, inside-outside, global-local; liminal space, third space....” have proliferated in discussions of social theory.⁶⁷ Despite the extensive use of spatial metaphors, however, Keith and Pile argue that scholars have rarely interrogated real physical geographies. Instead, much of the emerging theory on space is ambiguous as to whether the places analyzed are real or imaginary.⁶⁸ Even within the field of postcolonial theory, where literal space is so crucial, theorists have not always adequately theorized and/ or questioned how real geographies have figured in imperialism, colonialism, and postcolonialism. Yet ironically, as Edward Said reminds us early on in *Culture and Imperialism*, geographies and territories have formed the cornerstone of empire.⁶⁹

In efforts to put real space on the academic map, critical geographers have criticized social theorists for incorrectly privileging time over space. In his important work on

⁶⁷Michael Keith & Steve Pile, “Introduction: Part 1: The Politics of Place,” in Michael Keith & Steve Pile, eds., *Place and the Politics of Identity* (New York & London: Routledge, 1993) 1.

⁶⁸*Ibid* 2.

⁶⁹Supra note 16 at 7.

geography and law, Nicholas Blomley challenges critical legal theorists, arguing that their focus on law and history obscures the importance of geography. “If social and political life occurs in time *and* space,” Blomley points out, then it is “curiously restrictive” to focus on time alone.⁷⁰ Just as historical context is crucial for understanding social relations, so too is space. To elaborate briefly, nations did not have a common experience of colonialism, but rather a diversity of experiences contingent upon distinctive historical conditions. Similarly, colonialism, imperialism, and postcolonialism have not developed in the same way throughout the world.⁷¹ Even within nations including Canada, colonialism and imperialism were inconsistently organized by the colonizers and differentially experienced by Europeans and colonial Others. Whereas imperial and colonial processes need to be situated in specific moments of history, as many scholars have insisted, they also require spatialization.

By now, critical geographers have well-documented the inherent politicality of space. Space many argue, cannot be thought of as a blank canvas on which social relations merely take place. Rather, as Edward Soja urges, we “must be insistently aware of how space can be made to hide consequences from us, how relations of power and discipline are inscribed onto the apparently innocent spatiality of social life, how human geographies become filled with politics and ideology.”⁷² In the context of imperial and colonial relations, the “innocent spatiality of social life” is clearly illustrated through the deconstruction of mapping. While

⁷⁰Nicholas Blomley, *Law, Space, and the Geographies of Power* (New York & London: The Guilford Press, 1994) 25.

⁷¹*Supra* note 18 at 294.

⁷²Edward Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London & New York: Verso, 1989) 6.

the “quest to map may well be taken as an ‘innocent’ cartographic science,” explains Jane Jacobs, “the maps produced never simply replicate the environment.”⁷³ On the contrary, maps of nations and cities naturalize and normalize race and racisms. Mapping and knowing the racial Other has been about the making of European masculinities, the articulation of European dominance, and the inscription of racial inferiority onto the bodies and spaces of colonial Others.⁷⁴

Despite the attention that postcolonial theorists have given to the mutually constitutive processes of identity-formation between colonizer and colonized and to spatial metaphors, few scholars have explicitly articulated how subjectivity is constructed in relation to space and/ or how spaces acquire their meanings from the people who inhabit these areas. Radhika Mohanram emphasizes that place is not only central to the creation of identity, but more importantly, is critical to the formation of *racial* identity.⁷⁵ Thus, the meanings of racial subjectivity often resonate in specific spaces while also formative of space. A powerful example of this process can be seen in segregation.

Like many other spatial practices, the roots of racial segregation can be traced back to the colonial encounter. David Goldberg argues that throughout the colonial period, the natives were defined as having a different biology and history than Europeans. Their racial inferiority meant that they could not be allowed to live among whites and were forced to

⁷³*Supra* note 15 at 19.

⁷⁴See *supra* note 29 at 185; Richard Phillips, *Mapping Men and Empire* (New York & London: Routledge, 1997) 45.

⁷⁵Radhika Mohanram, *Black Body: Women, Colonialism, and Space* (Minneapolis: University of Minnesota Press, 1999), xii.

occupy a separate space.⁷⁶ However, as Goldberg points out, the separation between colonizer and colonized did not necessarily require the geographical displacement of persons to places far away. It merely entailed “their circumscription in terms of location and their limitation in terms of access - to power, to (the realization) of rights, and to goods and services.”⁷⁷ By the twentieth century, the division of space in western nations was articulated through segregation. Racial segregation became crucial to the (re)production of racial categories, as racial subjects were necessary for marking off degenerate areas in the city. In the context of Vancouver’s Chinatown, Kay Anderson explores this mutually formative process in more detail. She reminds us that while “[s]tate practices institutionalized the concept of a Chinese race..it was in space that the concept became materially cemented and naturalized in everyday life.”⁷⁸ Interestingly, Vancouver’s Chinatown was located within the newly emerging city and not outside. Although Chineseness was spatially configured in Vancouver’s Chinatown as the antithesis of Europeanness, Chinatown was not physically cordoned off, but rather, neighbored white spaces in the city.

Geography has not only been central to demarcating the identities of racial Others, including the Chinese, but as several scholars have reminded us, has also been crucial to the formation of white subjectivity and national identity. Sherene Razack for instance, explores how the bourgeois subject constituted himself through racialized space. Razack centers her analysis on spaces of prostitution, places of racial degeneracy that, like respectability, are

⁷⁶*Supra* note 29 at 187.

⁷⁷*Ibid* at 188.

⁷⁸Anderson *supra* note 2 at 29.

mapped out in the city. Rejecting the idea that areas of prostitution are spaces of subversion for women who work as prostitutes, Razack questions what these spaces enable for male customers.⁷⁹ She argues that a man's journey from respectability into spaces of prostitution and back again reaffirms the degeneracy of the prostitute while enabling johns to construct their own subjectivity and dominance. This process, that she and others refer to as "transgression" reaffirms bourgeois respectability in the following way. "It was not enough to seal off the disorder and disease," she explains. "It was also necessary to repeatedly affirm that bourgeois subjects could journey into those regions and emerge unscathed in order for those subjects to deny the permeability of their body politic and to position themselves as invincible."⁸⁰ Thus, by journeying in and out of spaces of prostitution, urban slums, Chinatowns, reserves, and other racialized spaces, bourgeois subjects were able to know themselves as white, respectable, and superior to the degenerate Others they encountered in their excursions.

The relationship between space and identity is not merely metaphorical, but on the contrary has serious material implications. Who one is determines where one can live and work. More importantly, space predetermines who has access to justice, economic mobility, and resources, and conversely who does not. In an attempt to link segregation to British racism, Susan Smith reiterates this point as follows; "*where* people live, within cities and regions, has a bearing on their access to services and employment; and the quality, condition,

⁷⁹Sherene Razack, "Race, Space, and Prostitution: The Making of the Bourgeois Subject," (1998) 10:2 *Canadian Journal of Women and the Law* 357.

⁸⁰*Ibid* at 362.

tenure, and location of dwellings can prevent people moving to take advantage of new jobs and benefits in a spatially restructuring economy and in a shrinking welfare state.”⁸¹

Movement is racialized: it is implicated in the (re)production of power relations and in many cases is indicative of racial, class, and male privilege.

Radhika Mohanram elaborates on this idea of mobility. In her reading of two different texts, one by Claude Levi-Strauss and the other by Alfred Crosby, Mohanram points to what she sees as a double move in both of these texts. She argues that because whiteness is unmarked (or as other scholars point out, is naturalized) it is disembodied and “has the ability to move.” Blackness on the other hand, is always signified through a mark and thus, is “static and immobilizing.”⁸² Although Mohanram’s analysis is operating on the level of discourse, the disembodied nature of whiteness and the embodiedness of blackness are also clear in everyday material practices.

The disembodiment of whiteness is exemplified in the racial and spatial organization of late nineteenth and early twentieth century BC. White men could travel to any place in the province - including reserves and Chinatowns - with few consequences; white women’s movements were somewhat restricted through fears of inter-racial sex, whereas Aboriginal and Chinese people could not easily move beyond their respective spaces. Since the construction of white settlements was predicated on the segregation of these “lower races,” the spatial governance of Aboriginal peoples and Chinese immigrants - through poll taxes,

⁸¹Susan J. Smith, “Residential Segregation and the Politics of Racialization,” in Malcolm Cross & Michael Keith, *Racism, the City, and the State* (New York & London: Routledge, 1993) 128.

⁸²*Supra* note 75 at 4.

restrictions on property and employment, and through more coercive means including violence, for example - became important strategies in the making of cities and in the assertion of colonial power.

Space was central to the making of a white British Columbia and Canada. The creation of rigid racial distinctions and corresponding spaces was particularly salient during the late nineteenth and early twentieth centuries, as questions of land, citizenship, and nation were contingent upon determining who was “Indian,” “Chinese,” and “white.” The rule of law buttressed the making of a distinct racial and spatial order in the province, enabling white authorities to spatialize these racialized legal constructs. Although not specifically discussing race, Nick Blomley observes the following; “legal categories are used to construct and differentiate material spaces which, in turn, acquire a legal potency that has a direct bearing on those using and traversing such spaces.”⁸³ Racial categories, then were visible not in some abstract sense, but rather were inscribed physically onto the ground, through the social and legal construction of certain spaces as white (cities and towns) and others as racially marked or degenerate (reserves and Chinatowns). The vigilant policing of the boundaries between these spaces, albeit often fruitless, was central to aspirations aimed at upholding power relations between white, Native, and Chinese peoples and in turn, to the social and legal enforcement of these racialized categories.

It is important to keep in mind however, that racial categories and hierarchies did not simply appear in metropole, colony, or in settler colonies.⁸⁴ Nor did these pecking orders

⁸³*Supra* note 70.

⁸⁴*Supra* note 44 at 134-161.

remain static or go unchallenged. In BC, the construction of physical space and the spatial assertion of social relations was repeatedly contested in different ways by Aboriginal peoples, Chinese immigrants, and also by some whites. State efforts to divide up the land into racially marked pockets were sometimes faced with overt and organized resistance by Native peoples, whereas widespread inter-racial drinking and BC's large population of racially-mixed peoples also suggest that spatial boundaries were more often than not ignored or transgressed. In some instances, white capitalists also contested geographies of race, considering them to be disadvantageous to their entrepreneurial and economic interests. Thus, spatial containments did not always produce the results intended or desired by federal, provincial, and local authorities. It is the creation and struggle over white and racialized places, and the gaps, inconsistencies, and contradictions that emerged out of state efforts to spatialize racial relations that I trace throughout the subsequent chapters.

CHAPTER TWO
CARTOGRAPHIES OF RACE AND SPACE: RESERVES, CHINATOWNS, AND
WHITE RESPECTABILITY

From the mid-nineteenth century onward, with the rise of modern day capitalism and colonial and imperial domination, social relations all over the globe became more formally spatialized.¹ During this period, distinct and separate racialized spaces for the middle and working classes and for whites and Natives were constructed by European authorities in metropole and colony respectively.² The tightening of colonial boundaries at this historical moment and throughout such diverse global geographies, begs a central question - why? Explanations offered by many postcolonial theorists have centered primarily on European anxieties about miscegenation and racial (im)purity in far off lands.³ Despite their

¹See for example Nezar AlSayyad, ed., *Forms of Dominance: On the Architecture and Urbanism of the Colonial Enterprise* (New York: Ashgate Publishing, 1992); Kay Anderson, *Vancouver's Chinatown: Racial Discourse in Canada, 1885-1980* (Montreal & Kingston: McGill-Queen's University Press, 1991); Alison Bashford, "Quarantine and the Imagining of the Australian Nation," 1998 2:4 *Health*, 387-402; Sarah Carter, *Capturing Women: The Manipulation of Cultural Imagery in Canada's Prairie West* (Montreal & Kingston: McGill-Queen's University Press, 1997); Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York: Routledge, 1995); Ann Laura Stoler, *Race and the Education of Desire: Foucault's History of Sexuality and the Colonial Order of Things* (Durham & London: Duke University Press, 1995).

²Drawing on race scholars I am suggesting here that although spatial arrangements in metropolitan cities were constituted based on class, during the nineteenth century, authorities addressed the working classes in racialized terms. See McClintock, *ibid* at 43.

³Ann Laura Stoler argues that the entrance of European women to the tropics "put new demands on the white communities to tighten their ranks, clarify their boundaries, and mark out their social space." See Ann Laura Stoler, "Making Empire Respectable: The Politics of Race and Sexual Morality in Twentieth-Century Colonial Cultures," in Anne McClintock, Aamir Mufti, and Ella Shohat, eds., *Dangerous Liaisons: Gender, Nation, and Postcolonial Perspectives* (Minneapolis & London: University of Minnesota Press, 1997) 351. See also Barbara Bush, *Imperialism, Race, and Resistance: Africa and Britain, 1919-1945* (New York & London: Routledge, 1999) 76.

compelling arguments, most of these scholars have focused on the “tropics” - places where European expansion was aimed at the acquisition of resources and not large-scale and long-term white settlement. Since the making of a permanent white settler society and thus control over land became the most salient concerns in settler nations like Canada, authorities in these places often used segregationist strategies for reasons that both resembled and differed from those in other colonial societies.⁴

In this chapter, I argue that colonial elites endeavored to create their imaginings of self and nation through the social and legal constitution of racialized spaces in BC. From the mid-nineteenth century onward, Euro-Canadian identity and dominance remained tenuous.⁵ During this period, the construction and tightening of racial and spatial boundaries in BC and elsewhere in Canada became commonplace and was a response to this insecurity of white self and nation. In efforts to make their own identities and to secure white supremacy, government authorities, missionaries, and white settlers aimed to map out and regulate distinct geographies of race.⁶ While the spatial articulation of European dominance was important in other colonial jurisdictions, I suggest that it took on a greater significance in settler nations. In the Canadian context, white superiority had both a discursive and material dimension: the myth of BC as a white settler nation was predicated on the territorial control

⁴Anderson for example argues that the creation of Chinatown was a European projection that enabled them to know themselves. *Supra* note 1.

⁵See Jean Barman, *The West Beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1996) 90.

⁶Kay Anderson also makes this point. See Anderson *supra* note 1.

over land and the promotion of white settlement.⁷

The making of a white BC, as I discuss in this chapter, was not contingent upon the containment of Aboriginal *or* Chinese peoples alone, but rather, was asserted against the segregation of these and other racialized communities. Space became central to the ways in which whites created themselves - through the management and exclusion of difference. Government elites and missionaries did not only inferiorize Native and Chinese peoples by legally denying them citizenship for instance, but also partitioned them off within the nation. While Native peoples were forced on to reserves - where, if they did not die off, they could be “civilized” and later assimilated - Chinese immigrants were to be kept apart from white civilization and contained in Chinatowns and other degenerate spaces.⁸ Ultimately, these racial containments enabled white authorities to construct images of self and nation through the creation of white respectable spaces.

Although government officials, missionaries, and white settlers endeavored to create Indian, Chinese, and white areas in BC, I show throughout this chapter that this process was both elusive and contested. While racialized borders in the tropics were often more rigid,⁹ boundaries between reserves, Chinatowns, and white settlements were porous, enabling

⁷See Daiva Stasiulis & Radha Jhappan, “The Fractious Politics of a Settler Society: Canada,” in Daiva Stasiulis & Nira Yuval-Davis eds., *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity, and Class* (London: Sage, 1995) 97.

⁸Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver: University of British Columbia Press, 1997) 81.

⁹Barbara Bush points out that in both rural and urban areas in colonial Nigeria, the state prescribed a policy requiring that a zone of at least 440 yards was to separate European and Native settlements. *Supra* note 3 at 76.

whites and racialized Others to easily cross and traverse them. Although the permeability of racialized spaces did present problems for the organization of white supremacy, the flow of bodies also secured whiteness in important ways. The crossing of racial borders as many scholars have suggested, does not simply disrupt the identity-making of the dominant group, but on the contrary, reinforces it.¹⁰ Just as civilizing missions required the colonizers - missionaries, Indian Agents, and other whites - to go into the colonies or the “slums” to know, classify, reform, and ultimately conquer these spaces and their inhabitants, racialized bodies - who cleaned and domesticated white areas - were needed to organize and manage white respectability.¹¹ A central focus of this chapter then is on the ways in which white subjects were able to (re)invent themselves and their ideas of nation through the creation of racialized and white respectable spaces.

It is important to note that technologies of segregation were not entirely embraced in western Canada as they were in many of the colonies.¹² Although racial separation was a preferred technique for many colonial authorities in the distant tropics of Southeast Asia and Africa,¹³ the idea of distinct racial spaces was a deeply contested notion on Canada’s west coast. Segregationist strategies in many settler colonies were often administered

¹⁰See for example Peter Stallybrass and Allon White, *The Politics and Poetics of Transgression* (Ithaca: Cornell University Press, 1990) 135; Sherene Razack, “Race, Space, and Prostitution: The Making of the Bourgeoisie Subject,” 14:1 (1998) *Canadian Journal of Women and the Law* 338-376.

¹¹Razack, *ibid* at 361.

¹²I am suggesting here that racial segregation was not as precise in Canada as it was elsewhere. Bush *supra* note 3.

¹³*Ibid.*

ambiguously and with uncertainty.¹⁴ In BC, government authorities largely agreed that the creation of racialized spaces would both strengthen and secure white supremacy in BC's racially diverse landscape. However, many missionaries and local authorities disagreed. While supporting the creation of reserves on the one hand, some religious officials and Indian Agents argued that preventing Native peoples from leaving reserves would further exacerbate the poverty that plagued Indigenous spaces. Similarly, several missionaries insisted that separating the Chinese from white society would obstruct their efforts to civilize this "heathen" race. Thus, the competing colonial agendas of state, church, and capitalism often came to the fore in discussions about racial and spatial segregation in BC.

In the sections that follow, I examine the ways that federal, provincial, and municipal officials along with missionaries and white settlers endeavored to carve up BC's landscape into distinct racial geographies. In exploring these processes, I consider the following questions. How were reserves and Chinatowns differently constituted as spaces of degeneracy? In light of the permeability of racial boundaries, how were the bodies of Aboriginal peoples, Chinese immigrants, and working class whites kept in place? And finally, how did the construction of racialized and white spaces in the province enable white administrators and settlers to assert their own individual and collective identities? Keeping in mind that racial segregation was not a strategy agreed upon by all colonizers, I pay particularly close attention to the ways in which authorities used competing ideas about race to (re)affirm and/ or challenge spatial forms of governance in Canada's most westerly

¹⁴On the ambiguity of quarantine and public health boundaries in Australia see Bashford *supra* note 1 at 390.

province.

I. Terra Nullius and the Colonization of Indigenous Peoples

To understand how authorities constructed BC as a white province and Canada as a white nation we must first begin with a discussion of conquest and colonization, specifically, the European encroachment on and theft of Aboriginal territories. Whereas colonialism in other parts of North America and elsewhere around the world often involved violent battles and bloodshed,¹⁵ the displacement of Native peoples in Canada was endeavored not through military triumph, guns and soldiers, but rather, through law. This is not to suggest that the theft of land and the colonization of Indigenous peoples in Canada was ever non-violent. On the contrary, European settlement was followed by a number of legal and cultural attempts to destroy Native communities, processes that significantly reduced the number of Aboriginal peoples living in the region from the nineteenth century onwards.¹⁶

The theft of Aboriginal land and the settlement of Europeans in Canada was accomplished through a complex interplay of colonial ideology and practice. As settlement became a desired objective for the British, Native peoples were no longer viewed as important allies as they had been during the fur-trade period, for example.¹⁷ Despite the fact

¹⁵Edward Said, *Culture and Imperialism* (New York: Vintage Books, 1993).

¹⁶*Supra* note 5; *supra* note 7 at 107. See also Ward Churchill, *Indians are Us? Culture and Genocide in Native North America* (Monroe: Common Courage Press, 1994); Ward Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas, 1492 to the Present* (San Francisco: City Lights, 1997).

¹⁷On the fur-trade era see Cole Harris, "Social Power and Cultural Change in Pre-Colonial British Columbia," (1997/ 98) 115/ 116 *BC Studies* 45-82; Sylvia Van Kirk, *Many*

that Canada was inhabited by a diverse number of Aboriginal Nations, and although white perceptions of these communities were never static nor monolithic,¹⁸ colonial elites largely viewed Native peoples as the “lower orders,” who needed to be *taught, civilized, and protected*. These discursive constructions were then integral to the European expropriation of Aboriginal land. By constituting Indigenous peoples as “inferior savages,” the British endeavored to legitimize their encroachment as just and legal, by claiming the territory to be *terra nullius* or “virgin land.”¹⁹

Dara Culhane elaborates on the ways in which discourses of “savagery” informed the administration of *terra nullius*. She explains that colonial sentiments of Indigenous peoples as racially beneath Europeans buttressed ideas of discovery by deeming populated nations to be *empty*, if the people “were not Christian, not agricultural, not commercial, not ‘sufficiently evolved’ or simply in the way.”²⁰ These ideological processes were evident on the west coast, where settlers denied Aboriginal land title by viewing the land as “unused” and “wasted” and by rejecting the humanity of Native peoples.²¹ Despite these various practices,

Tender Ties’: Women in Fur-Trade Society in Western Canada 1670-1870 (Norman: University of Oklahoma Press, 1980). On the decline of BC’s Native population see Hugh J.M. Johnston, “Native Peoples, Settlers, and Sojourners, 1871-1916,” in Hugh J.M. Johnston, ed., *The Pacific Province* (Vancouver: Douglas & McIntyre, 1996) 167.

¹⁸On changing images of Aboriginality in Canada see Daniel Francis, *The Imaginary Indian: The Image of the Indian in Canadian Culture* (Vancouver: Arsenal Pulp Press, 1992).

¹⁹The quote “virgin land” is taken from McClintock *supra* note 1 at 30.

²⁰Dara Culhane, *The Pleasure of the Crown: Anthropology, Law, and First Nations* (Burnaby: Talon Books) 48.

²¹On this point see Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver: University of British Columbia Press, 1977) 104-

imperialist myths of Canada as an uninhabited territory or an “empty space” posed a contradiction to colonial elites. The presence of Aboriginal peoples in the territory of conquest raised questions about who really owned the land, demanding that European authorities constantly manage and contain these communities in different ways.

In the region that is now Canada, Aboriginal land title was recognized to some degree through the *Royal Proclamation of 1763*. This legislation extended British sovereignty and protection over Native peoples, acknowledging that the Indigenous inhabitants continued to own the land that they used and occupied.²² In the prairies and in what is now Ontario these rights were realized and eventually extinguished through the signing of treaties. By contrast, as Paul Tennant points out, the *Royal Proclamation* was largely ignored by the colonial government in what is now BC. Nevertheless, many Native communities steadfastly saw the proclamation as guaranteeing their basic land rights. Since James Douglas only signed fourteen treaties with Indigenous communities on Vancouver Island and none on the mainland, Aboriginal land title was not formally relinquished as it was in other jurisdictions across the country.²³ Douglas evaded the question of land title altogether. Instead of signing additional treaties, he preferred to set aside reserve lands for Aboriginal peoples.²⁴

105.

²²Paul Tennant, *Aboriginal People and Politics: The Indian land Question in British Columbia, 1849-1989* (Vancouver: University of British Columbia Press, 1990) 10.

²³*Ibid* at 11.

²⁴Little argues that Douglas signed such few treaties because he disagreed with the Colonial Office about whether London or should provide the funds. By the time he became Governor, it seems that he no longer supported the principle of Aboriginal title. J.I. Little, “The Foundations of Government,” in Hugh J.M. Johnston, ed., *The Pacific Province*

Writing of the Australian context, Jane Jacobs argues that the notion of *terra nullius* was “the most unstable foundation of the nation.” She elaborates that the “tenuous and debated reality” of land unoccupied “was necessarily shored up by a whole range of spatial technologies of power such as the laws of private property, the practices of surveying, naming and mapping and the procedures of urban and regional planning.”²⁵ While the (re)naming and (re)mapping of Canada bolstered the erasure of Native peoples from the Euro-Canadian imagination and from the boundaries of nation, their spatial containment through colonial and later provincial reserve policies was also an important strategy. In what is now BC, the creation of reserves successfully separated Native peoples from the emerging white settler society. Ultimately, this displacement was integral to managing the inconsistency between *terra nullius* on the one hand and the large population of Native peoples on the other. Unlike in other places, the colonial government did not attempt to force the province’s Aboriginal population onto major reserves, but instead left them where they were. This is not to suggest that Douglas gave Indigenous peoples as much land as they wanted. Rather, he allowed them to keep the land that they were already thought to be using, as long as this use could be understood in “European terms.”²⁶ Although reserves were small, fragmented, and scattered across the territory, they successfully circumscribed, contained, and separated Indigenous

(Vancouver: Douglas & McIntyre) 79.

²⁵Jane M. Jacobs, *Edge of Empire* (New York & Routledge, 1996) 105.

²⁶*Supra* note 22 at 32.

peoples from white settlers.²⁷

A. Making and Contesting Reserve Boundaries

In BC as well as in other parts of the country, the presence of Native peoples was a constant reminder to colonial authorities and white settlers that the land was not unoccupied or unsettled, nor could whites legitimately claim it as their own. In fact, what was to become Canada's most western province was home to one of the largest Native populations in the country. During the 1770's, at the time of first European contact on the west coast, it is estimated that nearly half of all Aboriginal peoples in Canada lived in this region:²⁸ a population too large to erase and ignore. This contradiction between "empty lands" and a strong Indigenous presence was reconciled through Indian reserve policies. The (dis)location of reserves enabled state authorities and religious officials to spatially contain Aboriginal peoples, keeping them out of sight and out of mind.

The roots of this country's reserve system can be traced back to the 1830s. During this time, the British began experimenting with Indian reserves in isolated parts of the country, especially in central and eastern Canada where settlement and colonization have had a much longer history.²⁹ Colonial authorities, particularly missionaries, hoped that a separate

²⁷Johnston, *supra* note 17 at 172. See also Kenneth Brealey, "Travels From Point Ellice: Peter O'Reilly and the Indian Reserve System in British Columbia," 115/116 (1997/98) *BC Studies* 183.

²⁸On the arrival of the first Europeans to the west coast see Harris *supra* note 17 at 48. See also *supra* note 5 at 14.

²⁹John L. Tobias, "Protection, Civilization, Assimilation: An Outline History of Canada's Indian Policy," in J.R. Miller, ed., *Sweet Promises: A Reader on Indian-White*

Indian space would make civilizing the Natives an easier task. Reserves were to provide the ideal space in which Indians could be taught to farm, while also being given religious, moral, and educational training.³⁰ Conveniently however, the displacement of Native peoples eased the Euro-Canadian theft of land. By forcing Indigenous peoples onto reserves, colonial Indian policies reaffirmed Euro-Canadian superiority and Indigenous inferiority. Aboriginal peoples, colonial elites argued, were undeserving of valuable territory as they did not espouse progressive views of property (including individualism and agriculture). This logic justified European colonization as a just, rational, and legal process, and the dispossession of Indigenous communities as a necessary and natural precursor to white settlement.

In what is now BC, a white society was established much later. Consequently, reserves were not created until the 1860s, when James Douglas began setting aside specific spaces for the Indigenous peoples living on Vancouver Island. Douglas advised surveyors that Native peoples were to have as much land as they wished: all lands claimed by Aboriginal communities, including villages and cultivated fields, were to be included as part of the reserve.³¹ While Douglas' land policies remain a contentious issue among historians,³²

Relations in Canada (Toronto: University of Toronto Press, 1991) 129. See also Bonita Lawrence, "*Real*" *Indians and Others: Mixed-Race Urban Native People, the Indian Act, and the Rebuilding of Indigenous Nations* (Unpublished PhD Thesis, OISE/ UT, 1999).

³⁰Tobias *ibid.*

³¹*Supra* note 22 at 34.

³²Historians disagree about Douglas' motivations and generosity. In addition, Douglas is said to have made reference to a ten acre formula in an address to the legislature. This ten acre statement is what his successors used as Indian policy. *Ibid* at 33-34. See also Brealey, *supra* note 27 at 185; *supra* note 21 at 151-156.

many agree that while he did verbally instruct Royal Engineers and magistrates to allocate large proportions of land to Vancouver Island's Indigenous inhabitants, he was less rigorous in monitoring the implementation of these policies. Thus, the size and number of reserves was much smaller than Douglas had anticipated.

After Douglas' retirement in 1864, colonial land policies were drastically altered. His successor was Joseph Trutch, who was appointed as the Chief Commissioner for Land and Works. Unlike Douglas who envisioned the future colony as a place where Indians and whites enjoyed the same land benefits, Trutch viewed the colony's future as agricultural. Thus, he believed that Indian reserves should be made smaller and white settlers should be given as much land as they wanted.³³ Trutch perceived Native peoples as "uncivilized savages," which left a mark on how he allocated land and adjudicated jurisdictional disputes. By the time that BC entered into Confederation, only eighty reserves had been surveyed and scheduled and only twenty-three gazetted.³⁴ The lack of treaties, the aggressive expropriation of territory by the colonial and later the provincial governments, and the ambiguities of reserve boundaries meant that BC reserves were much leaner than those in other parts of Canada.³⁵ Furthermore, since many reserves remained unrecorded, settlers often encroached on Native territory. While Douglas frequently sided with Aboriginal peoples, Trutch largely

³³*Supra* note 21 at 162.

³⁴*Supra* note 27 at 185.

³⁵Sydney Haring, *White Man's Law: Native People in Nineteenth-Century Canadian Jurisprudence* (Osgoode Society for Legal History, 1998) 187.

supported white settlers.³⁶

The uncertainty of reserve boundaries meant that jurisdictional disputes over land were commonplace in BC. While Indigenous communities were away fishing and hunting, whites trapped and sometimes even settled on Aboriginal territories, claiming these areas as their own. Indigenous peoples did not sit complacently as white settlers encroached on their land, but rather, reclaimed and defended their land title in a number of different ways. As one Methodist missionary described of the Indians in the Simpson District, the “land question is unsettling the mind of the people.” He quoted as follows from one Native man who spoke at a meeting of chiefs and prominent leaders:

Our fathers possessed this country and we have inherited it, we have never heard of people here before us. *We have been placed on reserves and some people would try to take these away from us.* We know that a Christian would not think of stealing from us what is ours by right of possession, and a Christian nation recognizes the fact that there are only three ways of obtaining territory...By conquest, purchase, or treaty. We have never been conquered, we have had no war with the Queen or King or Government. Our lands have never been purchased and we have never been treated with, as have our brothers east of the mountains.³⁷

As was the case with many Native peoples, this particular individual insisted that his

³⁶*Supra* note 21 at 162.

³⁷Report from George H. Raley to T.E. Eggerton Shore (no date). UCA, T.E. Eggerton Shore Papers 1907-1912, Box 6, file 106. Acc. #78.093c. My emphasis in quote.

community had never relinquished their rights to land. Strategically, in his efforts to defend Indigenous title, this Chief or community leader argued that the European appropriation of their land was “un-Christian.” His arguments did appear to influence the Methodist missionary, who advised that the government should “deal wisely as their [Indian] claims are advanced.”³⁸

Notwithstanding Indigenous resistance to the European seizure of land, the provincial government continued to carve up BC’s geography through the creation of reserves.³⁹ Because of BC’s vast and rugged wilderness the reserve system was not fully implemented in many areas until permanent white settlements were already established. Writing of the lower Skeena region, Daniel Clayton points out that reserves in this area were assigned in a “piecemeal fashion,” rather than in any systematic way. “Native groups,” he elaborates, “waited until an understaffed Reserve Commission managed to get to their region and listen to their requests, but the timing of such trips, especially along the coast, was determined in good measure by the extent of white settlement.”⁴⁰ Thus, white settlers were often followed by Reserve Commissioners and surveyors, who were undeniably concerned with protecting their interests rather than those of Indigenous peoples.⁴¹ In cases where the government did

³⁸*Ibid.*

³⁹In BC, reserve and land policies were dealt with by the provincial government. Under the *Terms of Union* and the *British North America Act*, the provincial government had veto power, as the crown had direct title to public lands. *Supra* note 22 at 44.

⁴⁰Daniel Clayton, “Geographies of the Lower Skeena,” (1992) 94 *BC Studies* 51.

⁴¹This was not always the case. Gilbert Sproat, who was appointed under the Joint Reserve Commission in 1876, was responsible for Indian land policies from 1878-1880. Unlike Trutch, he allocated reserves as generously as he could. On this point see *supra* note

not immediately intervene in marking territorial boundaries, whites often exerted pressure on Indian Agents, missionaries and others, urging them to remove “Indians” out of newly claimed white spaces.

While provincial reserve policies enabled government authorities to steal Indigenous lands more easily, white settlers and state administrators continually offered a variety of sometimes elaborate reasons to support and legitimize this apartheid system. For the most part, Euro-Canadians agreed that Indians and whites could not live together in a civilized and respectable way. But while some claimed that Indians needed protection from white society, others argued that white settlements in the province could only be permanent and decent if Native peoples were kept far away.

Missionaries were among those who advanced the argument that segregation through reserves would help to protect “vulnerable” Native peoples from the bad influences of unscrupulous lower class whites. Reverend Knott, a Methodist minister, did not only support the reserve system, but urged that because of corrupt whites, Aboriginal spaces should be located as far away from European settlements as possible. “In places where the Reserve is close to the city limits as it is in Nanaimo,” he explained, “the work requires a much closer watch.” Because of their proximity to white society, Knott observed that the Nanaimo Indians were prone to the immoral influences of a number of undesirable characters. “Whiskey peddlers and picture makers, and silver thieves, and agents, and fellows giving away diamond rings, and gold watches, and organs, and pianos, and sewing machines, and grammophones” for a few dollars, were taking advantage of “the often fooled, yet unwary

27 at 187.

Indians.”⁴² Knott, like many of his counterparts, insisted that a rigid system of spatial segregation would enable missionaries like himself to protect the Indians from these evil influences.

Throughout the late nineteenth century, editorials about the “Indian Question” became commonplace in daily newspapers. In 1871, a settler wrote to the *British Columbian* insisting that something be done about removing Indians from the Victoria city limits. “Being removed a distance from the city” he concluded, the Indians “would spend less upon intoxicating drinks, would as a consequence have more to trade with, and...would advance materially and in sobriety and industry.”⁴³ To this colonist and others like him, the close proximity between Indians and white society, and more specifically race-mixing between these inherently different races, would promise to have a disastrous impact upon the province’s Aboriginal population. Since Native peoples were assumed to have a lower capacity for reason and self-discipline, many colonists argued that they could not safely endure the same vices. Contact with whites would simply demoralize this “vanishing race.”

Many Europeans echoed these same sentiments about the need to segregate Indians from whites, but for markedly different reasons. Ambivalent about the implications that race-mixing could have on Indian society, many colonists feared that inter-racial mingling would be harmful to the newly emerging white society. One settler from New Westminster lamented that the Indians in his area are;

⁴²“The Nanaimo Indian,” by W.J. Knott (June 3rd, 1912). UCA, T.E. Eggerton Shore Papers 1907-1912, Box 6, file 126. Acc. #78.093c.

⁴³“The Indian Question Again,” *The British Columbian* (December 19th, 1871), 3.

now encamped in considerable numbers almost in the very centre of the city, where they are permitted to make a display of their licentiousness and corruption in the blaze of day, under the gaze of respectable families - where all night long peaceful slumber is disturbed by their drunken orgies...how can we invite respectable families to take up their abode in a place where such abominable dens of filth and crime are tolerated by the authorities?⁴⁴

This logic, of protecting whites from Indians, proved far more pervasive in the minds of white settlers than did the guardianship of Native peoples. “No white colonists” insisted one source, “would be likely to settle with their families in a country where they would be liable to have Indians for neighbors on every side.”⁴⁵ The future of the province thus depended on the effectiveness of the government’s spatial containment strategies and on the erasure of an Aboriginal presence.

This pressure from white settlers did not go unnoticed by government authorities. White resentment was most evident in Victoria, where the numbers of Indians and Europeans were largest.⁴⁶ By the end of the 1850s, most of the Songhees had moved to a reserve in the inner harbor, opposite the fort in Victoria (see Figure 1). However, as Victoria became attractive to white settlers and as the city grew in numbers, whites became more and more concerned with moving the Indians as far away as possible. Although this public outcry

⁴⁴“Stabbing Indians,” *The British Columbian* (February 27th, 1872), 2.

⁴⁵“The Indian Question Again,” *New Westminster* (June 23rd, 1872), 1.

⁴⁶*Supra* note 21 at 112.

began as early as 1859,⁴⁷ it was not until the turn-of-the century that any action was taken. In 1900, the matter was brought before and debated in the House of Commons. The Department of Indian Affairs had received numerous complaints from white settlers living in Lime Bay. These objections were regarding the Songhees Indians and particularly the cemetery located on their reserve. The “cemetery in question” explained one official “is situated at a point at the entrance of Lime Bay, and the houses of the city of Victoria are across the bay, at least one hundred yards distant.”⁴⁸ Apparently, one hundred yards was an insufficient “buffer zone” for Victoria’s white residents. They insisted that the graves were located “too close” to their homes and needed to be (re)moved outside of Victoria.

The Superintendent of Indian Affairs insisted that the cemetery was not too close to Victoria as the residents had claimed. In addition, he observed that the “grounds are tidy and well kept and could hardly be considered in the light of a nuisance.”⁴⁹ Although the issue was left unresolved for the moment, public pressure on the federal and provincial governments meant that the issue was not forgotten, but would be raised again the following year. In 1901, the fate of the Songhees Indians was once more deliberated in the House of Commons. This time however, the Department of Indian Affairs succumbed to public pressure. They agreed that the Aboriginal presence, if allowed to remain in Victoria, would be detrimental to both whites and Indians. In the apparent interests of *both* races, authorities

⁴⁷*Ibid* at 114.

⁴⁸*House of Commons Debates*, Session 1900, Volume 52 (June 4th, 1900), 6625.

⁴⁹*Ibid*.

agreed to move the Songhees to Esquimalt, “on a reserve at a distance from the city.”⁵⁰



Figure 1: Songhees Reserve and Johnston Street Bridge, Victoria (189?)
Source: BCARS, Visual Records Catalogue, H-02546

Government efforts to construct reserves reconciled the contradiction of *terra nullius* or empty lands. Reserves assured the displacement of Aboriginal peoples while enabling colonial officials and later the provincial government to secure land and resources for white settlement. However, state and religious authorities contended that the creation of segregated districts would also prevent close and intimate contact between the races, interactions that

⁵⁰*House of Commons Debates*, Session 1901, Volume 1 (April 10th, 1901), 2774.

always held the potential of disrupting unstable distinctions between colonizer and colonized. But reserves were not *only* about containing Indigenous populations. Nor did they entirely succeed in accomplishing this objective. Rather, as I discuss in the following section, the territorial boundaries that provincial authorities drew around reserve spaces also enabled colonial administrators to manage racial differences and to assert crucial distinctions of self/other, white/ Indian, and citizen/ savage. In other words, the construction of reserves empowered white authorities to assert white supremacy through the making of their own individual and collective identities.

B. Constituting the White Self Through Reserve Spaces

In his seminal text *Orientalism*, Edward Said argues that European culture gained its strength by “setting itself off against the Orient as a sort of surrogate and even underground self.”⁵¹ In efforts to constitute their own identities, whites *needed* an Aboriginal presence to know themselves as racially superior.⁵² At a time when British Columbians were still creating their own imaginings of personhood and nationhood both Indians and reserves signified the boundaries between white respectability and racial degeneracy. To many colonizers, Aboriginal peoples and reserves were believed to be the antithesis of whiteness and came to symbolize everything that Europeans were not. Thus, government efforts to create these racialized bodies and spaces were also about whites constructing their own

⁵¹Edward Said, *Orientalism* (New York: Vintage Books, 1978) 3.

⁵²For a discussion of how blackness figured in the construction of America, see Toni Morrison, *Playing in the Dark: Whiteness in the Literary Imagination* (Cambridge: Harvard University Press, 1992).

subjectivities and dominance, a pattern which is clearly elaborated in the ways that missionaries, Indian Agents, and others talked about Native peoples and Indian spaces.

Although reserves were formally created through colonial and later provincial policies, in their reports and correspondence, government and religious officials continually (re)constituted these areas as degenerate, diseased, and lawless. Despite the fact that Euro-Canadians forced Indigenous peoples into these peripheral zones - which were overcrowded and lacked appropriate resources, and which destroyed traditional community structures and ways of life - to white authorities, deplorable conditions in these spaces revealed the incompetence of Native peoples. Furthermore, these circumstances legitimized the need to keep Indians far away from white society while at the same time justifying government and religious intervention into their day to day lives. In other words, reserves could only become better places if the Indians who lived there were domesticated and civilized.

In discussions about reserves, missionaries and government officials often conflated their imaginings about space with the Indigenous peoples who inhabited these places. As spatial theorists have reminded us, the relationship between bodies and spaces is mutually constitutive. To put it another way, bodies and behaviors are given specific meanings in certain spaces while at the same time defining place itself.⁵³ Whites insisted that reserves were not only degenerate areas because Native peoples resided there, but because of how they behaved in these spaces. If reserves were filthy and demoralized, argued one official from

⁵³David T. Goldberg, *Racist Culture: Philosophy and the Politics of Meaning* (Oxford: Blackwell Publishers, 1993) 197; see also Michael Keith, "Making the Street Visible: Placing Racial Violence in Context," (1995) 21 *New Community* 551-565; Razack, *supra* note 10 at 356.

the Department of Indian Affairs, it was because Indians lacked civility and could not govern themselves in the same ways as Europeans. Their conduct on reserves ensured that Indigenous peoples were “naturally surrounded by an atmosphere pregnant with superstition and ignorance.”⁵⁴

It is important to note that missionaries, Indian Agents, and white settlers did not only characterize reserves as dilapidated areas, but more specifically, as “racial slums.” “The slum,” argues David Goldberg, “is by definition filthy, foul smelling, wretched, rancorous, uncultivated, and lacking care.” He explains that the “*racial* slum,” however, “is doubly determined, for the metaphorical stigma of a black blotch on the city scape bears the added connotations of moral degeneracy, natural inferiority, and repulsiveness.”⁵⁵ In the white imagination, reserves were places plagued by a myriad of social and racial dysfunctions including drunkenness, vice, and lawlessness. These activities enabled white authorities to constitute Indian spaces as naturally inferior and repulsive. While some authorities argued that their jurisdictions were orderly and civilized, most government and religious officials insisted that the Indians in their regions engaged in a number of heathen activities - including liquor use, feasting, potlatching, witchcraft, and prostitution. All of these activities were believed to be widespread across many BC reserves and villages. Reports of these “savage” customs and behaviors are what enabled authorities to constitute Indian spaces as degenerate and demoralized.

⁵⁴Vankoughnet to Deputy Superintendent of Indian Affairs (February 25th, 1891). NAC, RG 10, reel c10193, volume 3816, reel 57,045-1.

⁵⁵Goldberg, *supra* note 53 at 192.

Efforts made by government and religious authorities to construct reserves as foul and filthy spaces had real material consequences. Many Indian Agents and missionaries remarked that notwithstanding their civilizing efforts, the physical surroundings of reserves were still unsanitary and unkept. While some agreed that the “transition from barbarism to civilization”⁵⁶ was taking place slowly, others insisted that Indian villages and their inhabitants, were still filthy and degraded. Just as the urban slums in nineteenth century London “justified the social policy maker’s voyages of enlightenment and reform,”⁵⁷ the idea of reserves as “racial slums” also legitimized the civilizing missions of Indian Agents, local authorities, and missionaries. To many colonial administrators, the disorder and decay of reserve spaces created a need for them to observe and intervene in the lives of Indigenous peoples. Missionaries in particular produced and relied on narratives of disorder, decay, and heathenism to secure their own agendas and positions as “good colonizers.”

Reverend Tate, a Methodist missionary, complained often to his diary that his attempts to civilize and Christianize Indigenous populations were not always effective. He lamented that in spite of the hard work of religious authorities like himself, the moral influences of Christianity were being undermined by “witchcraft” and other “superstitions” that were widespread in the villages that he frequented. In one entry, he wrote that, “a child died last night, and today there is a wolf dance to ‘clean the house.’” Tate’s account of the

⁵⁶GH Raley’s Report on the Simpson District (July 30th, 1910). UCA, T.E. Eggerton Shore Papers, 1907-1912. Acc #78.093c, box 6, file 106.

⁵⁷McClintock, *supra* note 1 at 121; see also Mariana Valverde, “The Dialectic of the Familiar and the Unfamiliar: ‘The Jungle’ in Early Slum Travel Writing,” (1996) 30:3 *Sociology* 493-509.

dance reaffirmed his own superiority and that of his race by likening the Natives to animals: “A lot of men dressed in wolf skins, and walking like animals they represent on all fours, a large one about twice the size of a horse, appeared to be the leader, and walked around on the beach the others circled around it.” Unwilling and uninterested in understanding the cultural practices of Indigenous peoples, Tate wrote that the dance signified the wild and beastly nature of Indian communities. He concluded disgustedly that “such heathenism there is here [on reserves]..the poor creatures are so dark.”⁵⁸

On a separate occasion, Tate’s wife made similar reports to the Women’s Methodist Missionary Society in Toronto. In efforts to tantalize her audience, she narrated sensationalist stories about the demoralizing cultural practices of various tribes in BC. While her husband focused on what he believed to be witchcraft, Mrs. Tate described practices that enabled her to constitute Indigenous women as bad mothers. Underscoring her discussion with examples of “poor innocent babies,” she explained that some Nations “compressed” the heads of newborns with boards, while others she contended, bound the skulls of babies until “they assume the shape of a sugar loaf.” Mrs. Tate did not stop there, however. She continued on about the savagery and barbarism which accompanied “heathen feasts,” during which “the cannibals bite a dead body and also bite living peoples.”⁵⁹ Her stories were so outrageous that they were printed in the *Toronto Empire*. Several Indian Agents from BC contested her narratives, claiming that through their civilizing efforts, cannibalism and other

⁵⁸C.M. Tate Diary (February 12th, 1909). BCARS, MSS 303, box 3, file 4.

⁵⁹Report in *Toronto Empire* by Mrs. C.M. Tate (October 30th, 1890). NAC, RG 10, reel c10148, volume 3842, file 72,217.

barbaric behaviors had long been eradicated from reserves in the province. In many ways however, Mrs. Tate's stories had less to do with Native peoples and more to do with making her own sense of self. Descriptions of cannibalism for instance, allowed her to secure her own position as a colonial authority, especially when her foothold was so unstable, as it often was for white feminists.⁶⁰ To Reverend Tate, his wife, and others, the alleged heathenism on reserves signified the superiority of whiteness and the degeneracy and darkness of Native peoples while at the same time urging the need for religious and state intervention.

Indian Agents also complained of what they believed to be a variety of social dysfunctions on reserves. Although many of the troubles plaguing Aboriginal communities were created and exacerbated by Euro-Canadian settlement, the placement of Indians onto reserves, and various legal initiatives including the *Indian Act*,⁶¹ these problems were thought to be widespread and again justified governmental surveillance over Indian communities. As one source described of the Alert Bay district, "the Indians are admitted by the Indian Superintendent to be the most degraded in this province and it is well known that they give more trouble to our police in Victoria than any other class of Indians." He elaborated that they "spend their time in all kinds of debauchery and it is scarcely possible to spend a week in some of these villages without witnessing scenes of drunkenness, gambling, and the

⁶⁰See for example Antoinette Burton, *Burdens of History: British Feminists, Indian Women and Imperial Culture, 1865-1915* (Chapel Hill & London: University of North Carolina Press, 1994); Nupur Chaudhuri & Margaret Stroebel, *Western Women and Imperialism: Complicity and Resistance* (Bloomington: University of Indiana Press, 1992).

⁶¹For a brief discussion of how the *Indian Act* created problems justifying state action see Carolyn Strange and Tina Loo, *Making Good: Law and Moral Regulation in Canada, 1867-1939* (Toronto: University of Toronto Press, 1997) 25.

constant strife connected with the condemned system of potlatching.”⁶² Because of these demoralized conditions, many insisted that provincial authorities should employ a greater number of police constables, not only to discipline Native peoples but also to protect white communities.

The meanings that white authorities and settlers spatially inscribed onto reserves were not only racial. Ultimately this process was about creating racialized subjects and districts that would contain the province’s Aboriginal presence while rendering middle-class whites to be superior. It is important to recognize however, that these ideological and material practices were always infused with gendered, sexual, and class meanings. At various times, government and religious officials drew upon these other sources of power which then overlapped with race to produce relations of domination and spaces of resistance.⁶³ In the context of reserves, gender and sexuality were crucial to the ways in which government and religious authorities constituted Indians and their respective spaces. While this issue is more fully explored in the following chapter, it is still important to elaborate on this process, albeit only briefly.

Gendered meanings were integral to the ways in which whites thought of Native peoples and of reserves. While constructions of Indigenous women were important to the

⁶²Albert Hall to Attorney General (May 14th, 1886). BCARS, GR-1459, box 1, file 4.

⁶³For a discussion of interlocking systems of oppression, see Sherene Razack, *Looking White People in the Eye: Gender, Race, and Culture in Courtrooms and Classrooms* (Toronto: University of Toronto Press, 1998) especially 11-16. For a discussion of how racism and gender intersect see Kay Anderson, “Engendering Race Research: Unsettling the Self/ Other Dichotomy,” in N. Duncan, ed., *Body Space* (New York & London: Routledge, 1996) 199.

ways that white authorities constituted Indian spaces, colonial administrators were ambivalent in how they perceived Aboriginal women. Authorities constructed Indigenous women as “licentious squaws”⁶⁴ who needed to be disciplined and regulated. Moreover, they frequently relied on these racialized and gendered meanings to secure the reserve as a space of filth and debauchery while simultaneously asserting their own positions of superiority. Yet, in their efforts to assert white supremacy, officials also drew upon images of Indian women as victims of Indigenous men.⁶⁵ Specifically, missionaries and Indian Agents argued that violence against women was commonplace among Native reserves. Many used these allegations as further evidence that Indians were inherently degenerate and that reserves and the bodies which inhabited them were in need of surveillance.

In 1886, Indian Agent Moffat wrote that it is “still a prevailing custom when an Indian gets tired of his wife he ill treats her sometimes most brutally in order that he may drive her away and take a young wife.” He gave one example in which a “poor woman sometime ago came to me and complained of the treatment she had received at the hands of her husband and for no other cause than that mentioned above. She was so abused that I thought she could have died.”⁶⁶ Other Indian Agents corroborated this story, reporting that it was both commonplace and culturally acceptable for Indians to beat their wives. In one of his reports to the Superintendent of Indian Affairs, Agent Russell wrote that an “Indian assaulted his

⁶⁴*Supra* note 18.

⁶⁵On this point see Inderpal Grewal, *Home and Harem: Nation, Gender, Empire, and the Cultures of Travel* (Durham: Duke University Press, 1996).

⁶⁶Moffat to Attorney General (May 14th, 1886). BCARS, GR-1459, box 1, file 4.

wife..and she was obliged to take refuge in a neighbor's house, and remained there all night."⁶⁷ Like discourses of dirt, vice, and lawlessness, narratives about violence against women enabled Euro-Canadians to reaffirm the degeneracy of Indigenous men, women, and reserves while constructing themselves as racially superior.

Whereas the degeneracy of Native peoples was inscribed onto reserve spaces so too was their enlightenment. Missionaries and Indian Agents determined the level of civility within a community through the physical surroundings as well as in the living arrangements of Indigenous peoples. The closer that villages resembled white society physically, the more evolved their inhabitants were believed to be. Reverend Campbell, a missionary in Ucluelet proudly reported his own progress in civilizing the Natives as follows: "The old style of big Indian houses for the accommodation of many families are giving way to small modern houses of a home-like appearance." He explained that, the "whole village is assuming the appearance of that white population, with neatly built and nicely painted houses."⁶⁸

Similarly, William Duncan's Coast Tsimshian mission in Metlakatla (see Figure 2) was deemed by the Department of Indian Affairs to be among the most successful models of Indian transformation in the province. The key to his success, many argued, was that he had shaped a landscape which differed remarkably from the social disorganization found on other reserves. Duncan built rows of single-family houses, each with glass windows, gardens,

⁶⁷Russell to Vowell (December 5th, 1901). BCARS, GR-0429, box 6, file 5.

⁶⁸Campbell to General Assembly's Foreign Mission (August 1902). UCA, Records Pertaining to Aboriginal People in Western Canada. Fonds 122 Series 12. Acc # 79.200c, box 2, file 41.

curtains, beds, and clocks.⁶⁹ This European model of living suggested to authorities that these Indians had indeed been “civilized.” Not only was the containment of an Aboriginal presence contingent upon the creation of territories and boundaries, but the success or failure of colonization was also measured and articulated through space.



Figure 2: William Duncan’s Indian village at Metlakatla signifies all the physical and architectural characteristics of European civilization (188?)
Source: BCARS, Visual Records Catalogue, G-04699

⁶⁹*Supra* note 40 at 41.

Notwithstanding provincial efforts to construct reserves, spatial containment was not always effective. Government officials did vigorously endeavor to etch racial boundaries onto the ground, however, the provincial landscape did not always reflect these divisions in neat and tidy ways. Rather, reports of widespread drunkenness and the presence of racially-mixed children in BC suggested to authorities that reserve boundaries were extremely porous. Whereas white and racialized men could easily enter into Indian spaces, Aboriginal peoples were generally free to leave reserves to secure employment, for example. Resistance from Native communities also blurred spatial boundaries, as many Indigenous peoples simply ignored the arbitrary distinctions between white and Indian spaces. Although Indian Agents and missionaries did express concerns about white and Chinese men who frequented reserves, their anxiety levels escalated when Native peoples left their communities and journeyed into white cities and towns. Despite the fact that no formal pass system was implemented in BC, as it was in other parts of Canada,⁷⁰ federal, provincial, and municipal authorities used various legal strategies to “fix” Indigenous peoples in their place.

C. Governing the Movements of Aboriginal Peoples

To help secure spatial segregation, government administrators came up with a number of regulatory strategies including the enactment of new legislation and the enforcement of existing laws. In 1877, the Mayor of New Westminster proposed the introduction of a \$3

⁷⁰See for example Sarah Carter, “Categories and Terrains of Exclusion: Constructing the ‘Indian Woman’ in the Early Settlement Era in Western Canada,” in J. Parr & M. Rosenfeld, ed., *Gender and History in Canada* (Toronto: University of Toronto Press, 1996) 30-49.

poll tax in the province. He justified the tax by insisting that inter-mixture between whites and Indians was having a devastating impact upon the latter race. The Mayor explained that the “gradual decline of the native race of this Province has engaged my attention for some time past with a desire to discover if possible some means of preventing it.”⁷¹ Clearly, by suggesting a poll tax he assumed that Native peoples would be discouraged from leaving reserves and thus could be saved or preserved from extinction. However, the tax had other implications which exacerbated the impoverishment of Aboriginal communities. First, it would directly penalize Indians who left their reserves, many of whom could not afford to pay a \$3 fee per year. Second, the fee would undoubtedly dissuade many Indigenous peoples from seeking employment in canneries, lumber mills, and in other off-reserve sites, further restricting their economic opportunities. To the Mayor and others, the poll tax would ensure segregation and thus would enable authorities to *protect* Indigenous communities from the negative influences of white settlers.

The tax, which was eventually implemented throughout the province, became the subject of enormous controversy. These disagreements between various authorities are important, revealing that colonial agendas were never monolithic, but rather, were contested, debated, and unstable.⁷² Superintendent Powell from Indian Affairs insisted that the tax would be unenforceable by his Indian Agents and would essentially be a “dead letter.” He

⁷¹Leuiban to Mills (November 27th, 1877). NAC, RG 10, reel c10115, volume 3656, file 9040.

⁷²On this point see for example Frederick Cooper and Ann L. Stoler, “Introduction: Tensions of Empire: Colonial Control and Visions of Rule,” (1989) 16 *American Ethnologist* 609-621.

added that the effects of the law would unduly impact those Indians who were gainfully employed and who were endeavoring to “uplift” themselves. Unlike the Mayor who urged that the tax apply to all Natives, Powell argued that it should only be exercised against some Indians. The “class which really ought to be taxed” he pointed out, “are those who are permitted by Municipal authorities to reside in towns - who carry on a system of prostitution and eventually carry the demoralizing effects to the distant reserves.”⁷³

Missionaries were among the most vehement critics of the poll tax. Whereas Powell disputed the levy believing it to be unenforceable, religious officials were more concerned with the well-being of the Indians in their jurisdictions. While many supported segregation, they argued that a tax of this sort would lead Indigenous communities into an even greater state of poverty and destitution. As several missionaries reported, the Indians on their reserves were already living in deplorable conditions and thus could not afford to pay the tax. One missionary explained that the “Indians each year have new necessities. These necessities are sometimes so great that some of them die and others at the end of the Winter look like walking skeletons.” He reminded federal officials that the government has “ignored the title of the Indians to their land, after it has allowed the Indians only small and poor reserves where generally they die of hunger if they are forced to remain there.” The missionary continued that the imposition of taxes and licenses upon Native peoples would be unjust and cruel, as “they go elsewhere than on their Reserves to obtain the resources to feed and clothe

⁷³Powell to the Superintendent of Indian Affairs, Ottawa (July 30th, 1884). NAC, RG 10, reel c10115, volume 3656, file 9059.

themselves.⁷⁴

With the support of missionaries, several Indian communities also joined these debates and discussions by openly condemning the tax. The Indians from New Westminster for instance, challenged the poll tax through a petition to the Indian Agent:

We the Chiefs and Indians of various Bands with our wives and children have come here today to protest as one man with one voice, but speaking for the whole of us, against the outrageous attempt by the Government to force us to pay a tax of \$3 per head. The Government has already robbed us of all our lands, now they come to our lands and shanties several collectors, and demand taxes for our labor. If we were lazy and not work [sic] as Indian are in other parts of Canada, then we would tax the government instead of the government paying us. We want you as our Indian Agent say to the Government that we want to live in peace, but if fight is forced upon us, fight we will.⁷⁵

In contesting the tax, the Aboriginal residents of New Westminster emphasized their own industriousness against that of other communities throughout Canada. They insisted that the tax would disrupt their work ethic by reducing their employment opportunities. Although the petition resembles the arguments of the missionaries above, it reveals that Indigenous peoples were unwilling to accept the theft of their land, and were prepared to challenge the state's expropriation of their territories as well as governmental strategies aimed at curtailing

⁷⁴Louis to the Minister (June 15th, 1886). NAC, RG 10, reel C10115, volume 3656, file 9059.

⁷⁵Petition to Tiernan, New Westminster (no date). NAC RG 10, Reel 10115, Volume 3656, file 9059.

their movement. This is a small yet important reminder that Aboriginal peoples were far from complacent recipients of colonial power, but rather, shaped both the administration of Euro-Canadian rule and the creation of white subjectivities and nation.

Despite resistance from both missionaries and Indigenous peoples, the Attorney General of BC responded to the petition as follows, if “an Indian lives and works off a reserve I see no reason why he should not pay the revenue tax as well as any other person in the community.”⁷⁶ He justified the tax by ignoring the desolate circumstances of Native peoples and by placing those who left reserves on an equal footing with their white counterparts. The government’s motives resembled those that underpinned the pass system in various parts of Canada. Like the pass system, the poll tax was yet another regulatory technique aimed at keeping *all* Aboriginal peoples on their reserves away from white settlements, and non-competitive with whites.⁷⁷ Since Indian labor was much cheaper than that of the white working classes many feared that if Indigenous peoples could freely leave reserves and work in canneries and in other industries that they would take jobs away from *deserving* settlers. Segregation would ensure that whites could assert a monopoly over employment opportunities and thus could retain economic domination in BC.

Government officials did not only enact new forms of legislation to keep Indigenous peoples on reserves, but also resorted to other disciplinary strategies including the

⁷⁶McLean to Vowell (September 3rd, 1907). NAC, RG 10, reel 10115, volume 3656, file 9059.

⁷⁷For a discussion of the pass system in the Canadian Prairies see Sarah Carter, *Lost Harvests: Prairie Indian Reserve Farmers and Government Policy* (Montreal & Kingston: McGill-Queen’s University Press, 1990).

enforcement of existing by-laws, such as peddling licenses. In 1916, when Chief John Titlanetza of Cook's Ferry had tried to "sell his apples and plumbs [sic] among the residences about town," he was promptly arrested by the Chief of Police. The police seized Titlanetza's forty boxes of apples and he "could not redeem them until he had paid a Peddlers license of \$25." In this particular case it was the Indian Agent who came to the Chief's defense. Outraged by these actions, Indian Agent Smith of Kamloops demanded that the Chief be refunded his money. As he put it, the money was "extorted" from the Indian, "for disposing of produce grown by him in the Town of Merrit." The Agent clarified that "an Indian is privileged to dispose of his produce in any Town or City in the Province of British Columbia without being liable for a license."⁷⁸ Smith cautioned the Department of Indian Affairs that the enforcement of licensing fees would create a dangerous precedent debarring "the Indians from disposing of their produce" and thus, having an adverse impact upon the state's civilizing efforts.⁷⁹

The City Clerk's office responded to Smith's allegations somewhat perplexed. We "fail to see any reason why the License fee should be refunded," they explained, "and should be glad if you would be kind enough to point out the ground on which the claim is made, we are unable to locate any section in the Indian Act that exempts Indians from taking out a

⁷⁸Smith to Mayor of Merritt (September 7th, 1916). NAC, RG 10, reel 10115, volume 3656, file 9059.

⁷⁹Smith to Assistant Deputy and Secretary, Department of Indian Affairs (September 13th, 1916). NAC, RG 10, reel c10185, volume 4083, file 493,555.

business License in a municipality.”⁸⁰ The Department of Indian Affairs also replied to Smith’s letter. The Department assured him that, although “no such action has previously been taken against the Indians there is no doubt that they are amenable to the by-laws of a municipality...they must in their dealings outside of the reserve, govern themselves by the general law which applies there.”⁸¹ Although Indians were not entitled to the same privileges as whites, they were still required to pay peddling licenses. Both the Indian Agent and Aboriginal peoples on nearby reserves were outraged by the responses of the City and the Department of Indian Affairs. However, the City did not refund Titlanetza’s licensing fee. On the contrary, they used the opportunity to double the fee from \$25 to \$50, emphasizing that the fee was intended to protect white merchants, who “are paying high taxes and are in legitimate businesses”⁸² from unwarranted competition from Indians.

Like the poll tax, the peddling license imposed on Chief Titlanetza was incentive for him and other Indians to remain in their place - on reserves. Although employment and industriousness were characteristics that white authorities desired among Native populations, poll taxes and peddling licenses would undoubtedly discourage those Indians who became *too hard working*. If Indians could leave their reserves and work or sell goods in white spaces, the economic domination that underpinned Euro-Canadian rule would perhaps be compromised. Since the identities and positions of colonizer and colonized were predicated

⁸⁰City Clerk to Smith (September 8th, 1916). NAC, RG 10, reel c10185, volume 4083, file 493,555.

⁸¹McLean to Smith (September 20th, 1916). NAC, RG 10, reel c10185, volume 4083, file 493,555.

⁸²*Supra* note 80.

on unstable social relations, spatial boundaries played an important role in colonial efforts to assert and secure the economic and mythic notions of white superiority and Native inferiority.

II. Constituting Whiteness through Chinatown

In much the same way that colonial elites used reserves to reconcile the contradiction between *terra nullius* and BC's large Indigenous population, separate quarters for Chinese immigrants were, in distinct ways, also integral to the making of a white province. From the mid-nineteenth to the early twentieth century, Chinese immigrants were sought out at different times by the provincial and federal governments. The relentless pursuit of cost cutting along capitalist lines meant that many Canadian authorities strongly encouraged immigration from China. On the one hand, municipal, provincial, and federal governments along with private capitalists desired cheap racialized labor for the construction of the CPR, other parts of the province's infrastructure, and the success of BC's various industries.⁸³ On the other hand, however, both the state and capitalist entrepreneurs exploited and manipulated the presence of Chinese laborers, creating a condition in which racial tensions ran high between the Chinese, whites, and other racialized workers.⁸⁴

This desire for and disavowal of a Chinese presence in BC was negotiated through both law and space. Writing of the US context, Lisa Lowe argues that citizenship and

⁸³See Peter Ward, *White Canada Forever: Popular Attitudes and Public Policy Toward Orientals in British Columbia*. Second Edition (Montreal & Kingston: McGill-Queen's University Press, 1990) 30-36.

⁸⁴I elaborate on this point in more detail in Chapter four.

naturalization laws were integral to Chinese exclusion.⁸⁵ She suggests that while the Chinese were necessary to the ideological and physical construction of America as a homogeneous and white society, they were kept from participating in the nation through immigration restrictions and racialized notions of citizenship.⁸⁶ Elaborating on Lowe's argument, I suggest here that the municipal, provincial, and federal governments, and other white authorities did not only reconcile their need for and rejection of a Chinese presence through law alone, but also through the creation of racialized spaces. Thus, the social and legal construction of Chinatowns also figured prominently in the ways that Chinese immigrants were disenfranchised in BC.

It is important to recognize that the racist enforcement of laws and the construction of Chinese districts in BC and elsewhere in Canada were not only about excluding the province's Chinese presence, as many legal historians have claimed.⁸⁷ Although Chinese exclusion was desired, particularly by white laborers, the province and nation still depended on racialized labor, and thus *managed* these "foreigners" through the creation of racialized districts. Efforts to keep the Chinese out of white society and in Chinatowns significantly

⁸⁵See for example Lisa Lowe, *Immigrant Acts* (Duke: Duke University Press, 1996).

⁸⁶*Ibid*, especially Introduction.

⁸⁷See for example Constance Backhouse, *Color Coded: A Legal History of Racism in Canada* (Toronto: Osgoode Society of Legal History and University of Toronto Press, 1999); John McLaren, "Race and the Criminal Justice System in British Columbia, 1892-1920; Constructing Chinese Crimes," in G. Blaine Baker & Jim Phillips, eds., *Essays in the History of Canadian Law: Volume VIII: In Honor of R.C.B. Risk* (Toronto: Osgoode Society for Canadian Legal History and University of Toronto, 1999), 398-441; James W. St. G. Walker, "Race," *Rights and the Law in the Supreme Court of Canada* (Osgoode Society for Canadian Legal History and Wilfred Laurier Press, 1997).

reduced the rights of these groups and their access to resources, justice, and equality.

Moreover, these spatial techniques of dominance aimed at containing Chineseness in specific areas, enabled government authorities, missionaries, and white colonists to assert white supremacy and to further myths of Canada as a white settler society.

Earlier in the chapter, I suggested that Aboriginality and the social and legal creation of reserves became important racial markers in BC's white imaginary. Racialized ideas of Europeans as "white, Christian, rational, civilized, modern, sexually disciplined and indeed *masculine*"⁸⁸ could only be articulated in a relational process which was contingent upon the presence of these colonized Others. Like Indigenous peoples, Chinese immigrants in BC also provided government and religious officials with a referent point, through which they invented their own subjectivities and ideas about nation. Whereas Indian-ness enabled colonial elites and white settlers to develop ideas about themselves, Chineseness also allowed whites to make their identities and to constitute the west as superior to China.⁸⁹ Although Native peoples and Chinese immigrants were, at various times, viewed by whites as "racial threats," there are important discursive and material differences in how these processes played out.

To white colonists, Indians were "savages," an internal threat that could potentially disrupt white settlement and who were thus in need of segregation. Conversely, the Chinese were constructed as "foreigners," a danger from without, to be contained in specific

⁸⁸Ali Rattansi, "Postcolonialism and its Discontents," 1997 26:4 *Economy and Society* 482.

⁸⁹On how the West was constructed against an orientalist presence see *supra* note 51.

racialized areas and whenever possible, sent back to China.⁹⁰ State and religious officials had differing expectations about these two racialized communities and their roles in the emerging province and nation. Whereas Indians were to be civilized on reserves and eventually assimilated, government authorities and missionaries insisted that the Chinese were temporary residents, needed only for their cheap labor. These assumptions shaped the ways in which colonial elites created and regulated Chinatowns in the province.

A. The Social and Legal Creation of BC Chinatowns

Chinatowns in BC were created through a litany of racialized discourses and practices. These social and legal processes were initiated by the three levels of government as well as by religious authorities in the province. In her much cited book *Vancouver's Chinatown*, Kay Anderson carefully maps out the strategies deployed by federal, provincial, and municipal agencies in the creation of Vancouver's Chinese enclave.⁹¹ However, she says little about the legal and extra-legal influences of other colonial elites. Protestant and Methodist missionaries, as I discuss throughout this chapter, played a crucial role in the debates about Chinese segregation. Interestingly, religious authorities often had very different views than did government administrators. While many influenced the creation of these racialized spaces through the location of Chinese missions and Churches, others

⁹⁰Deportation was never an option for government authorities who aimed to exclude Indigenous peoples from the nation. However, this strategy was sometimes used to manage the Chinese and other "foreign races." See for example Angus McLaren, *Our Own Master Race* (Toronto: McClelland & Stewart, 1991).

⁹¹Anderson *supra* note 1.

contested the presence of a Chinese district, arguing that segregation would cause more harm than good. Importantly, the construction of BC Chinatowns was the result of this conflict and struggle.

Ethnic enclaves like Chinatowns were not naturally occurring, but rather, were created through the social and legal articulation of racisms.⁹² The constitution of Chinatowns was not an end in itself, but rather, was part of a constant process requiring the careful construction and policing of social and racial boundaries. Throughout the late nineteenth and early twentieth centuries, as Kay Anderson has so insightfully documented, federal, provincial, and municipal authorities passed a series of laws and by-laws aimed at marginalizing the Chinese and relegating them to peripheral spaces.⁹³ These laws included immigration restrictions which hampered the ability of Chinese immigrants to come into the country and to bring their families. Those who did enter Canada faced a number of prohibitions. These legislative policies governed virtually every aspect of their lives, limiting their access to property, employment, and schooling, for example. Anti-Chinese initiatives, as I elaborate in this section, were not only about Chinese exclusion, but rather, enabled white authorities to manage these “foreigners” through the creation of distinct racial geographies.

Influenced largely by white labor organizations, the BC government was ruthless in legislating Chinese exclusion. Between 1884 and 1904, the province passed 22 acts

⁹²*Ibid* at 4.

⁹³*Ibid*.

restricting Chinese immigrants; including where they could live and work.⁹⁴ Provincial restrictions on crown land were a crucial strategy aimed at disenfranchising the Chinese while at the same time enabling white authorities to secure the boundaries of Chinese districts. One year after BC joined confederation, the provincial government promptly disallowed the province's Chinese population from voting. Since the federal franchise was derived also from provincial specifications, these restrictions meant that Chinese immigrants could neither vote in provincial nor federal elections.⁹⁵

The disenfranchisement of BC's Chinese communities far exceeded the privileges of voting, however. These provincial barriers meant that the Chinese could not legally purchase crown property, nor could they be employed in public works, or allowed into specific professions.⁹⁶ Obviously, these restrictions on Chinese communities limited where they could reside in the province. Their containment in racialized areas both explicitly and implicitly impeded their access to resources. Racialized space, as many theorists have reminded us, implies dislocation and displacement. However, it also circumscribes and limits the degree to which racially marginal populations can access power, property, rights, and services.⁹⁷ Legal restrictions on property and employment forced these "foreigners" into

⁹⁴Walker *supra* note 87 at 71.

⁹⁵*Ibid* at 25.

⁹⁶On this point see for example. Constance Backhouse, "Gretta Wong Grant: Canada's First Chinese Canadian Female Lawyer," (1996) 15 *Windsor Yearbook of Access to Justice* 3-46.

⁹⁷See David Delaney, *Race, Place, and the Law, 1836-1948* (Austin: University of Texas Press, 1998) 102; *Supra* note 53 at 188.

marginal spaces, thus greatly diminishing their social, political, and economic means.

The question of land, and specifically, who could own it and where, raised controversies throughout the late nineteenth and early twentieth centuries. During this period, various groups insisted that “Orientals” should not be allowed to purchase land anywhere in Canada under any circumstances. Fearing an influx of permanent Chinese residents to BC, the Creston Women’s Institute in Nelson forwarded a resolution to the Attorney General of the Province. “WHEREAS Orientals are gaining such a foothold in Canada as to be detrimental to the best development of the country,” the resolution read, “be it resolved that the Women’s Institutes request that measures be taken to exclude Orientals and to prevent those residents in the country from buying or owning land.”⁹⁸ While provincial regulations did exist with respect to crown land, the Deputy Minister of the Attorney General’s office responded to the resolution as follows: “all Governments are doing their utmost to deal effectively with the Oriental question,” the “powers of Provincial legislatures are limited and some phases of the question do not come within their jurisdiction.”⁹⁹ The Deputy Minister’s hesitations had to do with the sale of private land, which fell beyond the jurisdiction of the provincial government.

In 1910, the question of a “naturalized Chinaman acquiring land in the Province of British Columbia” came before the provincial government. Long Poyyou had purchased 160 acres in the Cassiar District. According to his lawyers, the man “built a cabin and made other

⁹⁸Resolution from the Creston Women’s Institute to the Attorney General (April 6th, 1922). BCARS, GR-1668, box 1, file 9.

⁹⁹Deputy Minister to Mrs. Townshend (April 11th, 1922). BCARS, GR-1668, box 1, file 9.

improvements and went to a considerable expense.”¹⁰⁰ However, the Provincial government notified Poyyou that he was not legally entitled to own crown land in the province. At this point, his lawyer wrote to the Attorney General stating that there “is nothing in the Land laws of this Province that I am aware of that prevents a naturalized Chinaman from acquiring Crown lands by pre-emption or purchase.”¹⁰¹ The government Agent’s Office responded that Long Poyyou’s application and purchase of the land in question was illegal, as “section 127 of the *Land Act* prohibits the sale of Crown Lands to Chinese, or the pre-emption of crown lands by Chinese.” Although his lawyer reminded provincial authorities that Poyyou was indeed naturalized, the Land Office clarified that “naturalization does not remove the disability imposed by [the] said section.”¹⁰² Despite the various expenses incurred by Poyyou, the government agent determined that he did not legally own the land in question and would be forced to move.

Although restrictions on crown lands curtailed the economic prowess of BC’s Chinese immigrants, they also buttressed the making of racial landscapes. It is important to note that the Chinese were not entirely restricted from purchasing lands. Rather, provincial authorities allowed Chinese merchants and business owners in both Vancouver and Victoria to acquire property by private sale in Chinatowns, the least desirable areas near the city

¹⁰⁰*Ibid.*

¹⁰¹Harvey and Davis to Attorney General (August 30th, 1910). BCARS, GR-0429, box 18, file 2.

¹⁰²*Ibid.*

core.¹⁰³ By 1908, Chinese ownership of houses, stores, and land in Vancouver's Chinatown was estimated at approximately two million dollars.¹⁰⁴ Land in Victoria's Chinatown was also owned predominantly by Chinese immigrants. Clearly, the *Land Act* did not apply in governing these particular racialized jurisdictions.

Provincial and municipal authorities also endeavored to limit the spaces in which Chinese immigrants could frequent and reside through restrictions on employment. During the late 1880's, the location of Chinese wash houses became the first area of governmental concern in Vancouver. In 1889, authorities estimated that ten of the fourteen Chinese-operated laundries were located outside of the Chinatown area. The medical health officer urged that the Chinese were dirty and diseased, and if wash houses were operated outside of Chinatown, they would sooner or later become a serious health concern. After very little debate, City officials agreed that Chinese laundries needed to be restricted to the Chinatown-area.¹⁰⁵ A by-law was enacted in 1893, making it illegal for Chinese immigrants to open and operate laundries outside of the vicinity of Dupont Street. However, the provincial government questioned the legality of the City's draconian measures, and after careful consideration eventually struck down the by-law.

Disappointed but unrelenting, the City of Vancouver continued its surveillance and harassment of Chinese laundries. Civic authorities implemented spot checks, while the Health and Plumbing Inspector insisted on administering compulsory small-pox vaccinations

¹⁰³On Victoria see McLaren, *supra* note 87 at 411.

¹⁰⁴Anderson *supra* note 1 at 78.

¹⁰⁵*Ibid* at 83.

to owners and operators of laundries. In December of 1900, the Vancouver Trades and Labor Council secured what they believed was a victory over Chinese laundries when a Sunday-observance law was passed, requiring all business-owners to close. And then four years later, the Vancouver city council increased the yearly licencing fee from \$10 to \$50.¹⁰⁶ Since Chinese laundries could not legally be relegated to Chinatown, civic officials used these and other regulatory techniques in their attempts to shut down these businesses altogether.

Spatial segregation and the social and legal creation of Chinatowns by civic authorities was also evident in issues of schooling. While missionaries often forcefully placed Native children in residential and day schools outside of reserves, to whiten and “save” them from their “barbaric” cultures, by contrast, municipal authorities in Vancouver and Victoria insisted that Chinese children should not attend public schools outside of Chinatown, but rather, should remain in the Chinese district with their own race.

Despite attempts to discourage school attendance, a handful of Chinese children had started attending public schools by the 1890's.¹⁰⁷ In 1914, the Vancouver School board responded by passing a resolution barring Chinese children from public schools which were deemed to be for whites only.¹⁰⁸ In Victoria, the issue of school segregation did not erupt until the 1920's. While debates were already brewing, they were exacerbated by a snowball fight which took place after hours in a Victoria public school. According to one missionary,

¹⁰⁶*Ibid*; Robert A.J. McDonald, *Making Vancouver, 1863-1913* (Vancouver: University of British Columbia Press, 1996) 87.

¹⁰⁷*Supra* note 83 at 62.

¹⁰⁸Walker *supra* note 87 at 15.

“certain of the white boys started up a snowball fight with some seven or eight Chinese and ten Japanese. During the heat of the fight - it is alleged - one of the Chinese boys took his knife and stuck it into the back of one of the white boys.”¹⁰⁹ Not surprisingly, this incident precipitated a vicious anti-Chinese outcry from parents and the nearby community. Instead of disciplining just one boy, parents and teachers used this episode to further their anti-Chinese sentiments and to encourage the exclusion of *all* Chinese children from Victoria’s public schools. As one missionary warned, the “various parent and teacher associations are threatening keeping away their children till every Oriental is expelled from the schools.”¹¹⁰

Not all whites supported school segregation, however. The Presbyterian missionaries were amongst the few who opposed it. Contrary to the pervasive racist views of Victoria’s white residents, these missionaries urged that the “Chinese are here to stay and should be, as quickly as possible, assimilated.”¹¹¹ To the Presbyterian ministers, assimilating Chinese children into schools would further their civilizing initiatives. The Victoria School Board was unswayed by their views, and followed Vancouver’s lead in passing a by-law enforcing segregated schooling. Once again, however, the provincial government denied these prohibitions. This did not circumvent the agendas of civic officials in either city. While abandoning the idea of segregation in theory, local authorities responded to the province’s decision by proposing and establishing separate school districts in the Chinatowns in Vancouver and Victoria (see Figure 3).

¹⁰⁹Smith to Noyes (February 10th, 1922). UCA, Fonds 122, Presbyterian Church in Canada Board of Foreign Missions, series 12. Acc # 7.189, reel 5, file 141.

¹¹⁰*Ibid.*

¹¹¹McKay to Smith (September 23rd, 1922). UCA, Fonds 122, Presbyterian Church in Canada Board of Foreign Missions, series 12. Acc # 7.189, reel 5, file 141.

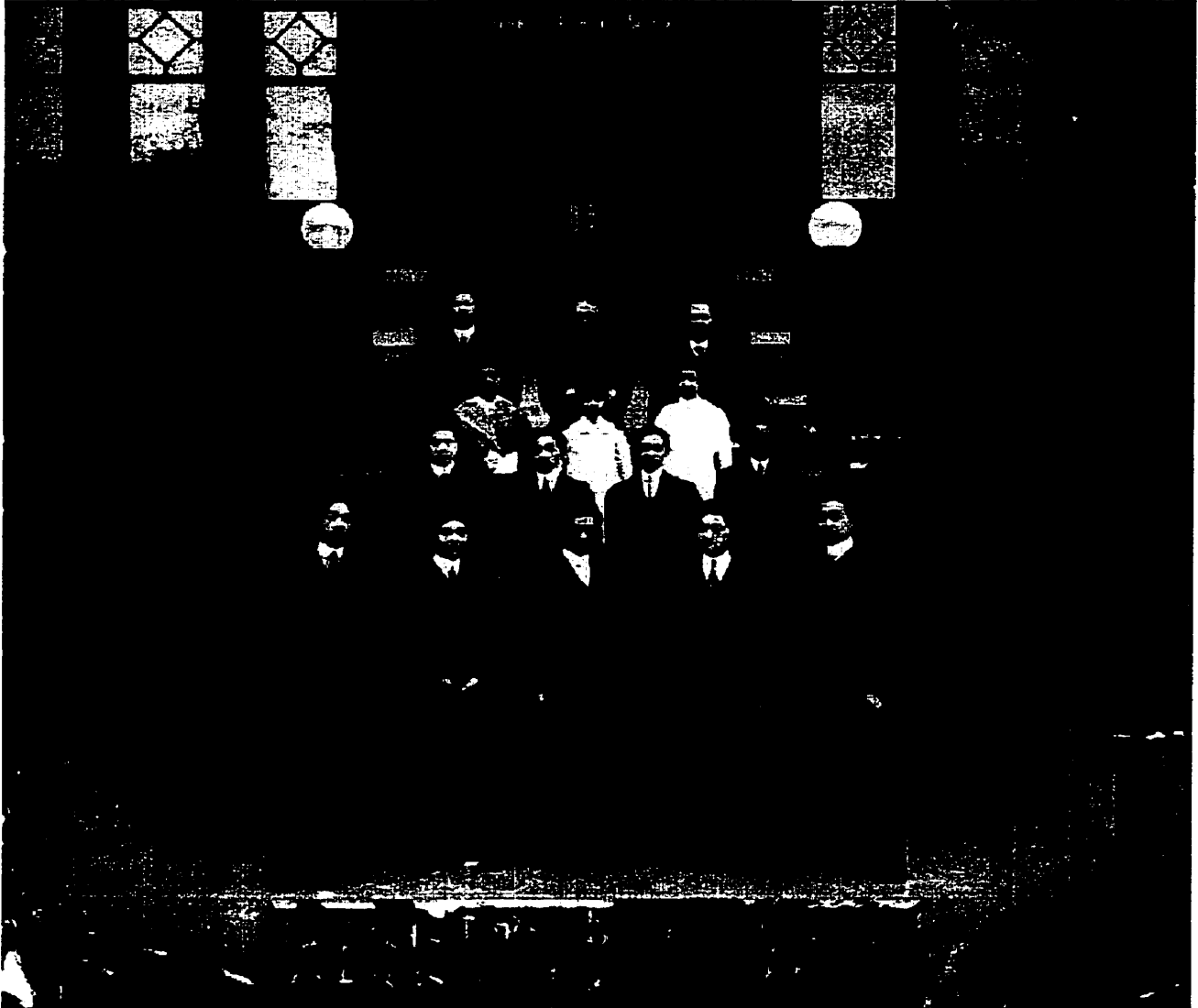


Figure 3: First Graduating Class of the Chinese Public School, Victoria (1907)
Source: BCARS, Visual Records Catalogue, D-08821

The fact that missionaries opposed segregation was not specific to schooling alone. Rather, many insisted that spatial containments would lead to even greater social and racial problems. Reverend Lascelles Ward lamented segregation of the Oriental races to the General Ministerial Association. In his address, he complained of the following:

It is possible for a Chinese and Japanese to live in Vancouver and never be expected to use the English language in engaging a room at a hotel, ordering a

taxing [sic], going into a barbershop for a haircut, buying a ticket for his own theater, or a ticket for a first-class passage on an Empress Boat to the Orient. He can, if he wishes, live in a world of his own, and speak his own language, and yet never go out of Vancouver.¹¹²

To Lascelles and others, it seemed rather unfair that Chinese immigrants could come to Canada, live in restricted districts where their money supported Chinese merchants and where they never had to interact with whites.

Some religious officials argued that by containing the Chinese in Chinatown, authorities were simply contributing to their decay. To many, Chinatown was not only a symbol of Chinese unassimability, but also constitutive of it. “In spite of the fact that thousands of these Chinese have been in British Columbia for upwards of twenty years,” explained another source, “they still remain Chinese in every respect. They live together in their own Chinese districts, in their own Oriental way, wearing their Native dress, and import their own food, supplied from their own stores; they save their money and send it to China and usually return there for their for their old age.”¹¹³ These views reconfirm that government officials and missionaries did not always agree about the effects and implications of segregation.

Although many missionaries did speak out against the creation of Chinese districts, ironically, they too influenced the making of BC’s Chinese quarters. Throughout the late

¹¹²Lascelles to the General Ministerial Association (January 9th, 1922). BCARS, GR-1668, file 9, box 1.

¹¹³Brief on Oriental Immigration (no date). UCA, Hugh Dobson Papers, reel 4, file A.

nineteenth and early twentieth centuries, both the Presbyterian and Methodist missions endeavored to find appropriate buildings for their churches and mission schools in “Chinatown proper.”¹¹⁴ Whenever possible, both Chinese prayer halls and centers for religious instruction were strategically located within Vancouver and Victoria’s Chinatowns, or near these racialized districts (see Map 1). As the map below illustrates, the Chinese Methodist Church was located within the perimeter of Victoria’s Chinese quarters.¹¹⁵

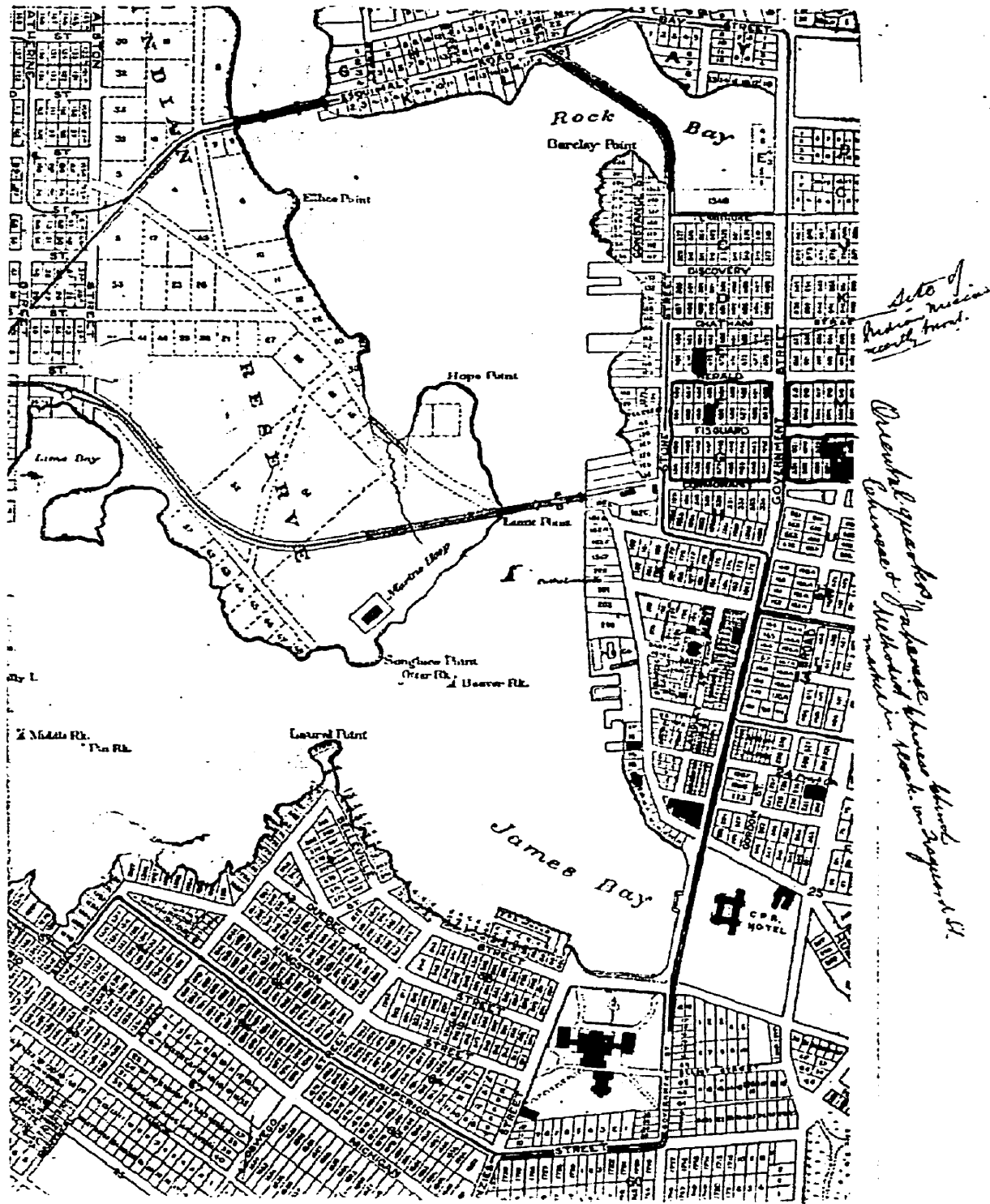
Missionaries offered a number of reasons justifying the location of churches and schools. As one Presbyterian missionary speculated, “if we had a mission in Chinatown...the work might yet grow and prosper more in the future than in the past and many Chinese be brought to know god.”¹¹⁶ Others rationalized the sites of these institutions, insisting that they needed “to be convenient to those who do not set out to come to the services.”¹¹⁷ In other words, keeping churches and schools in Chinatowns enabled missionaries to further their civilizing missions and concentrate their energies in one area. While religious authorities were ambivalent about Chinese segregation - unsure as to how it would effect both white and Chinese communities - their placement of churches suggests that many missionaries were intent on keeping BC’s Chinese immigrants in their place.

¹¹⁴Reverend A.B. Winchester, “Resolution” (May 4th, 1886). UCA, Fonds 122, Presbyterian Church in Canada, Board of Foreign Missions, series 12. Acc #79.189, reel 1, file 8.

¹¹⁵The Japanese Methodist Church was also in the Japanese quarters.

¹¹⁶Armstrong to Coleman (Marc 4th, 1907). UCA, Fonds 122, Presbyterian Church in Canada, Board of Foreign Missions, series 12. Acc #79.189, reel 2, file 41.

¹¹⁷Coleman to McKay (December 31st, 1895). UCA, Fonds 122, Presbyterian Church in Canada, Board of Foreign Missions, series 12. Acc #79.189, reel 1, file 8.



Map 1: Chinese Methodist Mission, Victoria, 1907
 Source: From A.E. Roberts to Sutherland (July 30th, 1907). UCA, Sutherland Papers, Acc. #78.092C, box 5, file 95

B. Inscribing Degeneracy onto Chinatowns

Government officials and white settlers used a paternalistic discourse about protecting whites from Indians and Indians from whites to rationalize the displacement of Native peoples and the creation of reserves. Chinatowns, although spatially separated, were frequently located in the heart of the city itself. Despite the fact that whites perceived the Chinese to be loathsome immigrants,¹¹⁸ state officials and religious authorities endeavored to contain them *within* the city and dangerously close to *respectable* white society. As one source alleged, “the existence in British Columbia of some fifteen to twenty ‘Chinatowns,’ big and little, with unsanitary housing conditions and openly advertised gambling dens, is a menace to the social and moral welfare of this province.”¹¹⁹ If the Chinese were so threatening to white society, then why were they not displaced outside of the city limits?

The fact that many whites assumed Chinese immigrants were temporary sojourners who would be expunged from the nation when their labor was no longer desired, may indeed have influenced where the Chinese quarters were located. In addition, Chinese immigrants often serviced white settlers, thus, making the short distance between Chinatown and white respectable areas materially necessary. Despite their close geographical proximity to white settlements however, Chinatowns continued to signify a peripheral space in the white imagination. Thus, Chinatown was “at once of the city but distanced from it, geographically

¹¹⁸The Chinese were the first immigrants of color to be disenfranchised in 1872, followed by the Japanese in 1895, and then East Indians in 1907. On this point see Walker, *supra* note 87 at 25.

¹¹⁹Reverend Lascelles Ward, “Report to the General Ministerial Association” (January 9th, 1922). BCARS, GR-1668, file 9, box 1.

central but spatially marginal.”¹²⁰ Just as reserves symbolized degenerate and decayed spaces, Chinatowns also became known as hubs of immorality and lawlessness. To many whites, the province’s Chinese quarters were places in which undesirable activities could and did take place, without jeopardizing white settlement.

For many, Chinatowns, like reserves came to symbolize “racial slums.”¹²¹ These areas were characterized as spaces where illegality and many undesirable behaviors could occur with impunity.¹²² In particular, Chinatowns were known as demoralized spaces where prostitution, illegal alcohol sales, gambling, and opium could be easily found. While vigilant in enforcing prostitution and other vice laws elsewhere in the province, police officers who patrolled Chinatowns in Vancouver, Victoria, and in other provincial locales, often tolerated these activities when they took place within the confines of the Chinese district. With the exception of gambling and drug laws, which were closely associated with the inherent characteristics of Chineseness and which were often enforced with vigilance,¹²³ authorities were generally ambivalent about petty crime and vice. This ambivalence suggests that government administrators were not only intent on containing Chineseness within these districts, but were also endeavoring to restrict vice and crime to the Chinese quarters, thus,

¹²⁰*Supra* note 53 at 198.

¹²¹*Ibid.*

¹²²On this point in the context of prostitution see Razack *supra* note 10 at 357.

¹²³See Greg Marquis, “Vancouver’s Vice: The Police and the Negotiation of Morality 1904-1905,” in H. Foster & J. McLaren, eds., *Essays in the History of Canadian Law Volume VI: BC and the Yukon* (Toronto: University of Toronto Press, 1995) 247; see also McLaren, *supra* note 87.

keeping the remainder of BC society pure.

Although authorities intended to segregate the Chinese and cordon off their areas from white society, the boundaries surrounding Chinatowns in BC were porous and permeable. In constituting the Chinese quarters as the province's vice-districts, government and religious officials created a condition ripe for race-mixing. The filth and immorality which was alleged to occur in the Chinese quarters attracted both lower class whites and Indians. As I discuss in the following section, the degeneracy of Chinatowns also drew the attention of middle class whites, who journeyed into these slums to civilize the "heathen Chinees."

Missionaries and local authorities made many reports of "undesirables" from different races frequenting Chinatowns to gamble, smoke opium, and purchase liquor. In their Annual Report for 1890-1891, the Methodist Women's Missionary society observed the following of Victoria's Chinese district; "one of the worst courts in the city lies beside our new Chinese Church. It is hidden from the streets by fine new brick blocks in front and rear, the old houses having been moved back. The ruined lives of white, and black, Chinese and Indian, are bound to be found here."¹²⁴ Other missionaries corroborated reports of "ruined lives," remarking that racialized Others and lower class whites - both men and women - often visited Chinatown to smoke opium, buy or sell sex, and gamble. As one source observed, "I know, from my own knowledge, that some who gamble and buy lottery tickets are not Chinese."¹²⁵

¹²⁴Women's Methodist Missionary Society, Annual Report 1890-1891, XIii. UCA.

¹²⁵Coleman to McKay (December 31st, 1895). UCA, Fonds 122, Presbyterian Church in Canada Board of Foreign Missions, series 12. Acc # 7.189, reel 1, file 8.

Lower class whites were not the only ones attracted to the allure of Chinatowns. Rather, Indian Agents and local authorities complained that Indigenous peoples were also habitual visitors to these places. In the late nineteenth and early twentieth centuries, the “Chinaman” came to be known in the public imagination as the new “Whiskey peddler,” who was now “taking the place of whitemen” in the illicit liquor trade.¹²⁶ To many whites, his alleged role in selling intoxicants to Indians meant that the “heathen Chinese” was now “among the greatest obstacles to civilizing the Natives.”¹²⁷ Law enforcers insisted that Indians who visited the city knew that they could easily secure intoxicants in the Chinese districts. Accepting ideas about Chinese immigrants, Natives, and liquor, local authorities policed Chinatowns in search of “whiskey peddlers,” as well as “drunken Indians”

In 1901, Thomas Deasy the Dominion Constable received information about an Indian woman named “Jennie” who had allegedly purchased whiskey in the Chinese district. He went promptly to Chinatown and arrested her. The woman, who had earlier been “fishing in San Juan,” apparently came to Victoria on a sloop.¹²⁸ Upon arrest, “Jennie” explained to Constable Deasy that she frequently bought liquor from the Chinese quarters in Victoria, “but not [before] from the accused.”¹²⁹ In the event that authorities like Deasy secured arrests (and they often did), local administrators used this as further evidence to confirm that the illegal liquor trade was indeed widespread in the province’s Chinatowns. Furthermore, the illegal

¹²⁶“The Chinese Problem,” *British Colonist* (June 14th, 1876), 2.

¹²⁷*Ibid.*

¹²⁸Deposition of Indian of Saanich tribe (no date). BCARS, GR-0107, box 7, file 2.

¹²⁹*Ibid.*

sale of intoxicants enabled white officials to reaffirm the immoral and indecent reputation of the province's Chinese quarters.

Authorities argued that vice was not only prevalent in the urban Chinatowns of Vancouver and Victoria, but also in the Chinese districts of smaller cities and towns. In Cumberland, where there were approximately 700 Chinese residents, drinking, opium use, gambling, and prostitution were alleged to be pervasive. Reverend Coleman, a Presbyterian Minister residing in Cumberland lamented that, "there are eight regular gambling houses which are rushed open night and day, Sundays and weekends." He elaborated on the types and frequency of betting, observing that the Chinese district had "fourteen lotteries, each of which issues tickets twice a day."¹³⁰ Coleman cautioned that this vice was so bad in his area, that a "few months ago, a Chinese man committed suicide by eating opium because he was deeply in debt on account of gambling."¹³¹ Upon approaching the provincial policeman, Coleman was told that the officer had already "raided these places, and hauled the gamblers to court, but could not get convictions that would hold because the Criminal Code required legal proof that he was unable to get."¹³²

Many agreed that notwithstanding anti-gambling legislation, little could be done to prevent this vice, as the Chinese were chronic gamblers and also a "crafty" and "cunning" race. One missionary explained that the "police force of Vancouver have been honestly

¹³⁰Coleman to McKay (March 3rd, 1920). UCA, Fonds 122, Presbyterian Church in Canada Board of Foreign Missions, series 12. Acc # 7.189, reel 2, file 120.

¹³¹*Ibid.*

¹³²*Ibid.*

trying to put a stop to gambling, but find the Chinaman knows exactly how to evade the law.”¹³³ Coleman insisted however, that the problem was not only about the elimination of gambling, but also the activities which accompanied it. Thus, he reported that the gambling dens along with “six or seven places” in Cumberland also allowed opium to be “sold or smoked.” Coleman concluded that the “evil influences” plaguing Cumberland’s Chinatown were similar to those of the urban centres. The problem in the Chinese district was not only gambling, but also “opium, drink, and bad women.”¹³⁴

Dominant narratives of Chinatown as a space of vice and immorality had *real* material implications for the province’s Chinese population. Throughout this period, the “Chinaman” came to be known to white settlers and authorities as an “inveterate gambler, drug addict, and procurer of prostitutes.”¹³⁵ Although vice and crime were largely tolerated in the Chinese districts, at many times Chinese immigrants along with the province’s Chinatowns became the objects of state surveillance. Ideas about dirt and degeneracy both legitimized and justified “slum clearance”¹³⁶ in these areas. At various historical moments, Chinatowns were raided by local authorities who were aiming to crack down on drugs, gambling, and prostitution. Victoria police records suggest that local authorities frequently made gambling raids in the Chinese quarters. Although lower class whites often went to

¹³³Roberts to Sutherland (February 1st, 1910). UCA, Fonds 14, Methodist Missionary Foreign Department, Sutherland Papers, series 2(4). Acc # 78.092, box 4, file 73.

¹³⁴*Ibid.*

¹³⁵Walker *supra* note 87 at 55.

¹³⁶See Anderson *supra* note 1; *supra* note 53 at 188.

Chinatown to gamble, these records reveal that they were rarely arrested. Not surprisingly, since officials viewed gambling as a specifically “Chinese crime,” Chinese immigrants were overwhelmingly the ones targeted by anti-gaming laws.¹³⁷

Issues of sanitation also informed other racist practices deployed by municipal, provincial, and federal authorities. Just as the Chinese symbolized vice and crime, they were also constituted by government authorities as diseased bodies; first as carriers of venereal diseases including syphilis, and then later as being infected with other forms of contagion particularly leprosy.¹³⁸ In an 1898 article in the *Dominion Medical Monthly and Ontario Medical Journal*, Hall and Nelson, two BC authors insisted that leprosy was “a common disease in the Oriental lands.”¹³⁹ So convinced of this “fact,” they explained the “introduction of this plague to the Pacific Coast of British Columbia,” by pointing to “the immigration of the Mongolian races to her shore.”¹⁴⁰ Although whites agreed that Indians were also unsanitary, Hall and Nelson insisted that leprosy did not affect these communities. “Filthy as are the lives of many of the warlike Indians who dwell along the inlets and river mouths of the coast,” they remarked, “the tribes have hitherto escaped from any such visitation of leprosy.”¹⁴¹ If any “poor Indians” did exhibit the illness, authorities were

¹³⁷McLaren *supra* note 87 at 414-415.

¹³⁸On the Chinese as a leprous race see Zachary Gussow, *Racism and Public Health: Social Policy in Chronic Disease Control* (Boulder: Westview Press, 1989).

¹³⁹Ernest Hall and John Nelson, “The Lepers of D’Arcy Island,” (1898) 11:6 *Dominion Medical Monthly and Ontario Medical Journal* 232-239.

¹⁴⁰*Ibid* 234.

¹⁴¹*Ibid*.

convinced that they contracted it from close and frequent contact with the Chinese.

Fears of diseased and degenerate Chinese bodies enabled state authorities to justify a number of coercive regulatory strategies. For instance, many residents of Chinatown were forcefully given vaccinations for small pox and other diseases by the City's medical health officer.¹⁴² In 1893, Victoria's Chinese quarters were "cleaned up" by government administrators, and many decrepit buildings in the area were destroyed because whites believed them to be full of disease. These concerns also led Victoria city officials to construct a leper colony off the coast of Vancouver Island.¹⁴³ In 1910, anxieties about disease precipitated the Nanaimo City Council to do "a thorough [sanitary] search of all houses in Chinatown, about 150 houses within the city limits."¹⁴⁴ Similar pursuits made in Vancouver and Victoria were also rationalized on hygienic grounds. Overall, anxieties about vice, crime, and disease legitimized the efforts of government authorities to keep the province's Chinese communities within specific racialized spaces.

C. Civilizing Missions and the Making of White Subjects

The construction of Chinatown was not only about containing the "yellow peril," but was also about the making of white subjectivities and nation. To white administrators, the Chinese district became yet another "racial slum," an area which they could conquer and

¹⁴²Anderson *supra* note 1 at 83-85.

¹⁴³*Supra* note 83 at 50.

¹⁴⁴Telegraph to Attorney General from Nanaimo City Council (November 11th, 1910). BCARS, GR-0429, box 12, file 1.

ultimately civilize. Missionaries and local authorities frequently went *slumming* in these districts to “save” the “heathen nation like the Chinese with so many superstitions to be overcome.”¹⁴⁵ This process, which was often fueled by altruistic motives, enabled middle class whites to reinvent themselves, Christianity, and Canada as lawful, orderly, and superior. As the Annual Report of the Women’s Methodist Missionary Society stated, “[o]ur work among these nationalities [Chinese and Japanese] in our own land, with its Rescue Home in Victoria, is like a lighthouse guiding into a safe haven, and many a weary soul has there found shelter and comfort.”¹⁴⁶ By providing the Chinese with religious and moral guidance, missionaries were able to construct their own identities through civility and goodness. Because of their racial, religious, and class positions, they knew better than the Chinese. Consequently, it was their moral duty to govern and civilize this inferior race.¹⁴⁷

Notions of Chinatown as a dangerous and demoralized area also enabled missionaries and local authorities to constitute themselves as superior. Maggie Smith, a mission teacher, described her journey into Victoria’s Chinatown in the following way. “One of the most unique experiences of the year was part of an evening spent at a Chinese concert, given by the Student Class of Chinatown in aid of the Chinese Famine Fund.” At the concert, she went on, “we were seated on one end of the platform so we had a good opportunity of looking into

¹⁴⁵Methodist Women’s Society 16th Annual Report, 1896-1897, lxvii. UCA.

¹⁴⁶Methodist Women’s Society 20th Annual Report, 1900-1901, xxix. UCA.

¹⁴⁷*Supra* note 88 at 482.

the faces of hundreds of heathen Chinese of all classes.”¹⁴⁸ Being able to go into Chinatown and to see and be surrounded by the “heathen Chinese,” gave colonial elites like Smith a reference point through which they could constitute themselves. If the Chinese were indeed heathens and thus, inferior, and if their places of residence were foul and filthy, then whites - who were their opposite - were racially, morally, and religiously, superior, and their homes, neighborhoods, and nation were pure, lawful, and clean.

White subjectivity and ideas about nation were predicated on “orientalist constructions”¹⁴⁹ of the Chinaman and of Chinatowns as degenerate. However, many argued that the dark and demoralizing characteristics associated with the Chinese and their quarters made these spaces too dangerous, especially for white middle class women. Throughout the late nineteenth and early twentieth centuries, the province’s Chinese quarters came to be known as a largely male space. Immigration laws that prohibited the entry of Chinese women were undoubtedly responsible for this condition. Federal and provincial immigration restrictions have been well-documented by a number of Canadian scholars.¹⁵⁰ While these laws did not eliminate Chinese immigration altogether, they did make it more difficult for the Chinese to bring their families into the country. In many respects, federal head taxes were especially aimed at prohibiting Chinese women from entering into Canada. As I discuss in the following chapter, many authorities feared that the entrance of these women would lead

¹⁴⁸Maggie Smith, Women’s Methodist Missionary Society, 30th Annual Report, 1910-1911, lxxxv. UCA.

¹⁴⁹*Supra* note 85 at 5.

¹⁵⁰Anderson *supra* note 1 especially chapter two and three; *supra* note 8 at 269; *supra* note 83 at 36-42; Walker *supra* note 87 especially chapter three.

to permanent Chinese settlement in the province. In addition, government authorities largely viewed Chinese women as “reproductive beings who threatened the demographic strength and integrity of White Canada.”¹⁵¹

The federal head taxes severely skewed the gender ratios of Chinese communities in BC and elsewhere in the country. According to the 1911 census, there were 279 men for every Chinese woman,¹⁵² imbalances that posed challenges and contradictions for municipal, provincial, and federal governments as well as for religious officials. Although the federal government’s immigration policies were directly implicated in the emergence of a masculinist culture in BC’s Chinatowns, the large population of bachelors in the province came to symbolize the inherent degradation of the Chinese race. Large numbers of unattached Chinese men precipitated and fueled official anxieties about miscegenation and “white slavery.” Ironically, although many whites viewed the Chinese as a *feminine race*, the presence of an almost all male population alerted authorities about the dangers that the “Chinaman” posed to white femininity, male property, and nation.¹⁵³

Several missionaries complained that many white female teachers were fearful of Chinese men, and thus, did not like visiting Chinatown or its vicinity. In 1901, Reverend Coleman wrote to his superior informing him that “complaint has been made” about the location of the Chinese Mission. The “teachers refuse to come to teach, and the parents refuse to allow their daughters to teach on account of the school being so near the [Chinese]

¹⁵¹Anderson *supra* note 63 at 201.

¹⁵²Walker *supra* note 87 at 87.

¹⁵³Anderson *supra* note 63 at 207.

quarter where the prostitutes live; and once or more times some teachers have been spoken to by strange men on their way home from the school.”¹⁵⁴ While the racialized presence of bodies and space were integral to the formation of whiteness, many authorities cautioned that *too much* contact, particularly between white women and Chinese men, would result in racial degeneration and suicide. Notwithstanding these concerns, both the Presbyterian and Methodist missions urged that to effectively civilize the Chinese, Churches and Mission schools needed to be kept in “Chinatown proper,” and many were.¹⁵⁵

Just as colonial agendas were never monolithic, discriminatory laws and policies were both unevenly applied and challenged by whites and Chinese alike. The constitutional division of powers, as Kay Anderson’s work has revealed, significantly impacted the ways in which BC’s Chinese immigrants were dealt with. At many times throughout this period, the BC government endeavored to enact legislation aimed at prohibiting immigration from China and restricting the movement of BC’s Chinese communities.¹⁵⁶ While many of these laws were struck down by the federal government, at the local level provincial judges did not often apply overtly racist legislation against the Chinese.¹⁵⁷ Constitutional struggles were also evident between the municipal and provincial governments. As I documented earlier in the

¹⁵⁴Coleman to McKay (September 10th, 1901). UCA, Fonds 122, Presbyterian Church in Canada Board of Foreign Missions, series 12. Acc # 7.189, reel 1, file 14.

¹⁵⁵Coleman to McKay (October 11th, 1918). UCA, Fonds 122, Presbyterian Church in Canada Board of Foreign Missions, series 12. Acc # 7.189, reel 2, file 95.

¹⁵⁶*Supra* note 83.

¹⁵⁷Anderson *supra* note 1; see also McLaren, *supra* note 87; Walker, *supra* note 87 especially chapter 2.

chapter, BC authorities also disallowed racist by-laws that were passed by the local authorities.

Although ambivalent about segregation, missionaries were often critical of the ways that state authorities treated Chinese immigrants. In particular, many contested the immigration restrictions and head taxes that were levied on this community. The Presbyterian Church for instance, adopted several resolutions protesting the Chinese head tax. Their discontent did not only stem from the fact that such policies appear “to be unjust discrimination,” but also because the head tax contradicted the central basis of Christianity and empire. “If Canada is to prove worthy of the traditions of the Great Empire of which she is a conspicuous member,” insisted one minister, “she must rise above the merely materialistic policy and cultivate broad, generous, and Christian relations with the whole brotherhood of man.”¹⁵⁸ The head tax and other anti-Chinese restrictions impeded this process.

The residents of Chinatown did not complacently tolerate the government’s discriminatory laws and policies, nor did they tolerate missionary attempts to convert and civilize them. As several historians have claimed, Chinese immigrants frequently and often successfully relied on Euro-Canadian law to contest racist legislation in court.¹⁵⁹ Resistance was also evident outside the legal system. Some Chinese immigrants simply defied spatial and racial restrictions, and moved outside of Chinatown into the white suburbs. Although

¹⁵⁸Presbyterian Church Foreign Mission Commission - Western Division (March 28th, 1900). UCA, Fonds 122, Presbyterian Church in Canada, Board of Foreign Missions, Series 12. Acc #79.189, reel 1, file 10.

¹⁵⁹*Supra* note 87.

these efforts were contested by white settlers and authorities both, a few still managed to live in white spaces, albeit on the periphery.¹⁶⁰ Others however, defended Chinatown from the encroachment of white missionaries. Claiming the Chinese quarters as *their* space, some Chinese insisted that missionaries were not welcome. As one missionary recalled of his visits to Chinatown, “A few times I have been told to go away, that they didn’t care to hear about Jesus.”¹⁶¹

Government and religious administrators aimed to manage BC’s Chinese presence through the creation of Chinatowns. Although these processes were sometimes challenged by missionaries, the constitution of these racialized spaces enabled government officials to reconcile the contradiction between their desire for cheap racialized labor and their imaginings of BC as a white settler society. While the construction of Chinese quarters in the province ensconced ideas about a morally depraved and degenerate Chinese population into the white imagination, it also enabled Euro-Canadians to know themselves, their religion, and their nation as superior. However, by containing the colonized in specific racialized areas, authorities were also able to establish racial hierarchies of power and to build white imperial spaces throughout the province, a point I elaborate on in the following section.

III. Imperial Spaces in the City: The Making of Stanley Park

State and non-state efforts to create reserves and Chinatowns as spaces of degeneracy

¹⁶⁰Anderson *supra* note 1 at 106.

¹⁶¹Women’s Methodist Missionary Society, 22nd Annual Report, 1902-1903, lxxxii. UCA.

in the province were part of a relational process, central to the construction of white spaces and to the assertion of white respectability.¹⁶² Just as the national myth of Canada as the “True North Strong and Free” required (and still does) an American presence, the making of white territories within the nation was also contingent upon spaces of Otherness.¹⁶³ Not only were missionaries and other whites able to constitute their own subjectivities by entering into these “demoralized” spaces as I outlined in the sections above, but the formation of these racialized areas also enabled government authorities, religious officials, and white settlers to legally and legitimately declare boundaries around spaces they claimed to be clean, pure, and *theirs*.

The emergence of white cities and towns was central to the construction of a white province, allowing the colonizers to visualize a white presence while simultaneously reaffirming Euro-Canadian dominance. Jane Jacobs argues that towns were vital to the reaffirmation of colonial power in settler nations. “Towns,” she explains, “provided the home for settler ‘authority’; they were administrative hubs of colonial governmentality and orchestrated the acquisition and redistribution of material resources.”¹⁶⁴ Jacobs clarifies however, that imperial spaces were also constituted *within* cities and towns, thus, concretizing dominant European identities and power in specific places. These imprints of imperial power could be found in the layout of streets and in the architectural design of

¹⁶²For a discussion of this point in the context of prostitution see Razack, *supra* note 10 at 361-367.

¹⁶³Robert Shields, *Places on the Margin: Alternative Geographies of Modernity* (New York & London: Routledge, 1991) 162-163.

¹⁶⁴*Supra* note 25 at 105.

buildings, as she and other theorists have so convincingly argued.¹⁶⁵ What I suggest throughout this section is that imperial power and white supremacy were also expressed through landscapes, including public parks. In BC, Stanley Park was built by city officials in 1889, three years after the city of Vancouver was incorporated.¹⁶⁶ The construction of this park enabled whites to recreate themselves and their ideas of nation at a time when these identities were ambiguous, uncontainable, and unstable. To provincial officials, civic authorities, and white elites, Stanley Park came to symbolize a piece of empire, a white space which did not only mark the parameters of respectability and civility, but also bolstered the myth of BC as a homogenous white settler society.

Located near what is now the city's downtown core, Stanley Park as we know it today was created in 1889 as Vancouver's first "evergreen oasis."¹⁶⁷ Notwithstanding the park's beauty and tranquility, municipal initiatives aimed at constructing the 1,000 acre recreational space did not follow a smooth course, but rather, were continually met by conflict and contestation. Efforts to secure the region as green space, first and foremost, entailed the dispossession of Indigenous and later Chinese peoples. By declaring this space to be a military reserve and then a park, the Dominion and municipal governments respectively insisted that all racialized populations should be removed from the area. These government initiatives had long standing implications, resulting in the permanent displacement of the

¹⁶⁵*Ibid.* See also AlSayyad *supra* note 1; Michel Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage Books, 1979); Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings* (New York: Pantheon Books, 1977).

¹⁶⁶*Supra* note 5 at 108.

¹⁶⁷See www.city.vancouver.bc.ca/parks/parks&gardens/stanley.htm

Squamish and Musqueam Nations, to whom this territory was home. As I discuss later in this section, however, these strategies did not go unchallenged. While many Native peoples were relocated to nearby reserves, some decided to simply ignore these new territorial exclusions. Although the park became a park for white settlers, it remained home to one Aboriginal family. It was not until the early 1940's, that these Native peoples, legally referred to as "squatters," were finally removed from park property.

Before addressing the city's removal of racialized bodies from Stanley Park, or more specifically, the displacement of Indigenous and Chinese "squatters," I want to briefly discuss some of the governmental and entrepreneurial claims made to this territory, as well as the civic struggles which were waged over the park space. In doing so I hope to accomplish two things. First, I want to emphasize that this strategically located water front area was a very valuable and much sought after territory. And second, that despite Lord Stanley's dedication at the park opening: "To the use and enjoyment of people of all colors, creeds, and customs for all time," the park was repeatedly constituted by city officials and civic figures as a *white* space. In other words, Stanley Park was built for Vancouver's "citizens," who "on Sundays and public holidays [came to] enjoy recreation and open air in the park."¹⁶⁸

A. Claiming Territories

The territory on which Stanley Park was built, was originally inhabited by the

¹⁶⁸Pereira to Davis, Marshall, and MacNeil (February 3rd, 1899). "Correspondence and Papers in Reference to Stanley Park and Deadman's Island," 1899. *Sessional Papers*, 68A, 32.

Squamish and Musqueam Nations.¹⁶⁹ In the same ways that white settlement in Canada was commissioned through the doctrine of *terra nullius*, the Imperial, Dominion, and provincial governments relied on these same principles to ensure the erasure of the territory's Aboriginal inhabitants. Claiming the region to be "empty," the Imperial government converted the area into a military reserve to be used for national defense. In 1886, the city of Vancouver recognized the land as "wasted" and "unoccupied," and sent a request to the Minister of Militia and Defense, asking to lease the land from them for park purposes. The city's application was debated by the Imperial government in London as well as by the provincial and federal governments. City officials, who envisioned the area as "gardens of delight,"¹⁷⁰ were faced with a one year wait, a delay caused largely by legal and jurisdictional battles between the provincial and Dominion authorities over who had rights to the land. In spite of the fact that the region was reserved by the Dominion government for "military purposes," there was some question as to the legality of the federal government's claims to the area. The province insisted that all lands that had not been legally transferred to individual owners by confederation, remained the property of the provincial government as crown lands, and thus, the 1,000 acres belonged to them.¹⁷¹ Not surprisingly, there was never any mention in these discussions of either the Squamish or Musqueam Nations.

Despite growing pressure from the province, both the Imperial and Dominion

¹⁶⁹*Supra* note 106 at 5.

¹⁷⁰Robert Allison Hood, *By Shore and Trail in Stanley Park* (Toronto: McClelland and Stewart, 1929) 18.

¹⁷¹"Correspondence and Papers in Reference to Stanley Park and Deadman's Island," 1899. *Sessional Papers*, 68A. On land policies see *supra* note 5 at 126.

governments confirmed that the area was indeed partitioned as a military reserve, and the rights to this territory thus legally belonged to the Department of Militia and Defense. With this question settled, the Dominion government began deliberating on the park issue. Initially, the Dominion Government Agent responded to the city's request stating that the Commissioner of Lands and Works had "no intention at present of disposing any of the lands in this province that have been reserved for military purposes."¹⁷² The Mayor and Alderman of Vancouver were persistent however, and reacted to this refusal with a petition. Finally in 1887, the Privy Council upon agreement from the military, conditionally leased the land to the City for ninety-nine years, provided that the "Dominion government retain the right to resume the property when required at any time."¹⁷³

After two years and many improvements - including the erection of a "carriage road around the reserve"¹⁷⁴ - the park was officially opened on September 27th, 1889. City officials named the park after Lord Stanley, the Governor General of Canada, who was invited to formally open the new park. The opening was commemorated and celebrated in a big way. To begin with, municipal authorities proclaimed this day to be a holiday for all "citizens" living in Vancouver. A "grand procession" including the City Band and the City

¹⁷²Trutch to Caron (May 6th, 1886). "Correspondence and Papers in Reference to Stanley Park and Deadman's Island," 1899. *Sessional Papers*, 68A, 14.

¹⁷³Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, on the 8th day of June, 1887. "Correspondence and Papers in Reference to Stanley Park and Deadman's Island," 1899. *Sessional Papers*, 68A, 15.

¹⁷⁴Ross to Caron (March 24th, 1886). "Correspondence and Papers in Reference to Stanley Park and Deadman's Island," 1899. *Sessional Papers*, 68A, 12.

“Fire Brigade” led a parade which began on Powell Street, across from the old City Hall, and then continued along Georgia Street and to the “recently completed park road.”¹⁷⁵ These celebrations, which brought together the white middle class elites of the city, simultaneously symbolized and applauded a growing white presence in Vancouver. One white onlooker described the inauguration of Stanley Park as a “great and historic occasion.”¹⁷⁶

Unfortunately for city officials, conflicts over the newly established park property did not stop at the constitutional division of powers. Rather, even after the park had been opened, several offers were made by private companies who were interested in purchasing Deadman’s Island, a small island adjoining the main park and fondly termed by some whites as the “Isle of Dreams.”¹⁷⁷ In 1888, just several months after the celebrations commemorating the park opening, an application was made by Mr. Cooke, the principal owner of the Vancouver Iron Works Company. Cooke, a local capitalist, requested to purchase Deadman’s Island from the Dominion government to use for industrial purposes. Insisting that the island “is utterly useless,” Cooke urged the government to sell or at least lease the property to him. Although not a military man himself, he assured the state that “the shoal water never can be of the slightest use for military purposes.”¹⁷⁸

Cooke’s description of the Island as “utterly useless” implied that the land was among

¹⁷⁵*Supra* note 170 at 15.

¹⁷⁶*Ibid* at 16.

¹⁷⁷*Ibid* at 30.

¹⁷⁸Cooke to Chrisholm (March 28th, 1888). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 16.

other things uninhabited. Deadman's Island, like the mainland park region, was anything but an "empty space." The island, albeit only totaling five acres, had long been occupied by Native peoples and had often been frequented by European fishermen. As the homes in the photographs below reveal (see Figures 4 and 5), Deadman's Island was indeed an *inhabited space*, a place of residence to a number of Indigenous peoples who were believed to be the descendants of a Portuguese sailor.¹⁷⁹ The island was also allegedly a sacred grave site, where the Squamish people buried their dead following a massacre by some "Northern Indians."¹⁸⁰ While many "legends" were told of Native peoples who "buried their dead high in the trees," others insisted that the city's early "pioneers" and poor Chinese immigrants were also left there to rest in peace.¹⁸¹ Notwithstanding this long history of Deadman's Island, the Dominion government agreed with Cooke that the island was "empty" but not "useless." After careful consideration of his request, the General Commanding Military Officer refused Cooke's application, emphasizing that the island "might prove to be of immense value when the general defense [of the city] came to be considered."¹⁸²

¹⁷⁹*Supra* note 170 at 33.

¹⁸⁰"Deadman's Island," *Major Mathews Notes on Street Names and Places*, compiled by the City of Vancouver Archives.

¹⁸¹*Ibid.*

¹⁸²Major-General to Deputy Minister Militia and Defense (May 7th, 1896), 19. "Correspondence and Papers in Reference to Stanley Park and Deadman's Island," 1899. *Sessional Papers*, 68A, 23.



Figure 4: Deadman's Island, Stanley Park (no date)
Source: Major Matthews Map Collection. Map P332. City of Vancouver Archives



Squatter's Village, Stanley Park, opposite Deadman's Island, 1894. ST. PL. N. 33. P.
The long pier on extreme left is the pier of the first grandstand at the
Brockton Point Grounds. The cottage with the verandah in the centre is "Titch Pete's".
"Portuguese Joe" (Silvey) lived nearby. This photo was taken from the end of the Brockton
Point ferry wharf, a few yards west of the Nine O'clock Gun, and on holidays reached by
crowds arriving or returning by ferry from Cornwall Street. (Union S.S.C. or Andy Linton?). City Archives.

Figure 5: Squatter's Village, Stanley Park (no date)

Source: Major Matthews Map Collection. Map P96. City of Vancouver Archives

In 1899, another request was made for the purchase of Deadman's Island. This time, the offer was made by Mr. Ludgate, who allegedly represented "a number of very large Canadian and American capitalists." Ludgate proposed to build a "large lumber mill on the site," and promised to draw large profits from it, thus greatly benefitting both the city and the

province.¹⁸³ The Dominion flat out refused to sell the island, at which time Ludgate offered to lease it for \$300 per year.¹⁸⁴ In spite of the enormous profits that a lumbermill would bring to Vancouver, the Major-General once again refused: “I would consider that it would be highly inadvisable to close any lease of the nature indicated until it was made quite clear that the island in question would not be required for some portion of the defense.”¹⁸⁵ Tempted perhaps by large profits, other officials from the Department of Militia and Defense disagreed, urging that there would be “no objection to the granting of the lease.” On February 14th, 1899, a twenty-five year lease at \$500 per year was signed between Ludgate and the Honorary F. W. Borden, the Minister of Militia and Defense.¹⁸⁶

The military’s decision to lease the island “shocked” Vancouver, and “intense indignation prevailed” among city officials and citizens alike.¹⁸⁷ Although no one questioned what this lease would mean for the island’s Indigenous inhabitants, many feared what a proposed lumber mill would do to the image of Vancouver. Several civic authorities had aesthetic concerns that the “proposed conversion into an ugly mill site” would cloud the

¹⁸³Martin to Borden (January 20th, 1899). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 23.

¹⁸⁴Ludgate to Borden (February 3rd, 1899). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 23.

¹⁸⁵Hutton to McDonald (February 8th, 1899). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 24.

¹⁸⁶*Supra* note 180.

¹⁸⁷*Ibid.*

“picturesque harborial cluster in the waters of Coal Harbor.”¹⁸⁸ The city had similar fears, and disputed the Dominion’s decision on legal grounds. Municipal authorities asserted firmly that Deadman’s Island was part of the space that had been leased to them for park purposes:

it is stated that a lease has been privately granted to a saw-mill company of that portion of the park known as Deadman’s Island. The city has occupied this island and improved it by building a bridge connecting it with the main land and opening up a trail through its length. We are advised that legally our claims to the reserve for park purposes is good and that Deadman’s Island forms part of it.¹⁸⁹

Other civic officials and interest groups also rallied behind the city. The Harbor Master denounced the lease of the island, claiming that “it would be dangerous and inconvenient to ships laying at anchor.”¹⁹⁰ Similarly, the Brockton Point Athletic club promised that they would “do everything possible to prevent this action.”¹⁹¹ Eventually, this public outcry was successful, and the Dominion government agreed that the island would remain part of the

¹⁸⁸*Ibid.*

¹⁸⁹From Mayor to Dominion Land Agent (February 25th, 1899). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 26.

¹⁹⁰McLeod to McLagan (March 1st, 1899). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 35.

¹⁹¹Sweeney and Saunders to Buscombe (March 1st, 1889). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 36.

new park.

By the early twentieth century, Stanley Park had finally been removed from the ongoing power struggles between the three levels of government. However, by the 1910's the park once again became the subject of controversy. This time, civic authorities debated *which* whites could legitimately access the park. Named "Vancouver's recreational jewel," wealthy civic types involved in various "beautification movements" in the city, debated what the future of the park would be. The impetus for these discussions came in 1910, when a private company had proposed to run electric trolleys around the carriage road.¹⁹² The advocates of "city beautification" complained that the trolleys would bring lower class whites into Stanley Park. After considerable debate, the Parks Board, "discriminated in favor of the rich by allowing buggies and motor cars to reach the far corners of Stanley Park while denying the 'plain every-day people' a tramway that would carry them beyond the crowds that clustered near the park entrance."¹⁹³ While Stanley Park was indeed a white space, civic officials made it clear that it was to be used and consumed only by "respectable" whites, those from the upper classes who were worthy of being "citizens." Although the "plain every-day people" were not disbarred from frequenting the park, anxieties about the trolley car suggest that wealthy groups did not want to make access for these "ordinary" whites any easier. In the minds of Vancouver's white elite, Stanley Park was not only to be a white space, but an imperial one infused with certain class meanings.

¹⁹²*Supra* note 106 at 170.

¹⁹³*Ibid* at 172-173.

B. Displacing the Indigenous Presence

Governmental efforts to make Stanley Park into a white imperial space were accomplished through the displacement and dispossession of Native and other racialized peoples. While I've alluded to this point above, in the remainder of this section, I discuss these racist exclusions more concretely. Burrard Inlet, a vast water-front region including Stanley Park, had a very strong Aboriginal presence until as late as the 1880s. Despite the fact that the Inlet was believed to be an "isolated" and "empty space" that attracted few Europeans, the region was heavily populated by Native peoples, especially from the Squamish and Musqueam Nations. As Robert McDonald documents, these two Salish-speaking communities had resided on this water-front region for hundreds and even thousands of years. Middens found in Whoi-Whoi, or what is now Lumberman's Arch in Stanley Park (see Map 2 below), reveal that a large Aboriginal community had resided on and used this territory for approximately 500 years.¹⁹⁴

The map provides further evidence, if more is needed, that the area along Burrard Inlet, including what became park property, was not "uninhabited" or "unsettled" but rather, was home to a large Native population. Although sketched in 1932 by Major Mathews, the City Archivist in Vancouver, the map exhibits the "Indian names for familiar places" prior to European contact as well as the re-naming of these places by Euro-Canadians.¹⁹⁵ Mapping, as many scholars have articulated, is an activity laden with power. The drawing and redrawing

¹⁹⁴*Ibid* at 5.

¹⁹⁵Major Mathews Map Collection, Map P 10, Negative 8.

of borders enables the cartographer to naturalize geographies and identities.¹⁹⁶ “The ability to map a space” elaborates Nick Blomley, “seems to go hand in glove with the conceptual and material possession of that space.”¹⁹⁷ In this case, Euro-Canadian efforts to (re)name and (re)map the space which came to be known as Stanley Park paved the way for the state’s encroachment on Indigenous territories and the disruption of Indigenous customs, habits, and lifestyles. Moreover, the (re)mapping and (re)naming of the region enabled white men (since cartographers were all men) to assert their own white and masculine identities through the conquest and colonization of space.¹⁹⁸

While the displacement of Indigenous peoples is hardly surprising nor new given my discussion of reserves earlier in the chapter, what is particularly revealing in the case of Stanley Park is the ways in which Aboriginal and Chinese peoples were expunged from this imperial space. First, those racialized bodies inhabiting this green space were legally constituted by the city as “squatters.” To “squat” is to occupy an unoccupied land with the intent of gaining legal rights to it.¹⁹⁹ Based on maps and anthropological evidence, we know that the territory which became Stanley Park was not “unoccupied,” but on the contrary, had a long history dating back to pre-contact times. Nevertheless, from the late nineteenth to the early twentieth century, the city and the Dominion government constituted all racialized

¹⁹⁶On this point see Richard Phillips, *Mapping Men and Empire* (New York & London: Routledge, 1997) 45.

¹⁹⁷Nick Blomley, “Property, Pluralism, and the Gentrification Frontier,” (1997) *Canadian Journal of Law and Society* 197.

¹⁹⁸*Supra* note 196.

¹⁹⁹See the *Oxford Paperback Dictionary* (Oxford: Oxford Press, 1994).



INDIAN VILLAGES AND LANDMARKS
 BURRARD INLET AND ENGLISH BAY
 SOURCE: THE CITY OF VANCOUVER, 1932

Map 2: Stanley Park with Indian Names (1932)
 Source: Major Matthews Map Collection. Map P10 Neg8. City of Vancouver Archives

Others found in the park as illegally occupying government territory. The city in particular used various strategies in efforts to remove them. While the ejection of the Chinese squatters between 1888 and 1890 was not in itself straightforward, the city's eviction of Native peoples proved to be far more difficult.

In 1888, shortly after the city's park application was accepted by the Department of Militia and Defense, the municipal government was faced with several Chinese men who had made a home "along the shores" of what was to become Vancouver's greatest park.²⁰⁰ Between 1888 and 1890, the city used a number of techniques in attempts to rid the Chinese squatters from the park space. Their first endeavors entailed the forceful removal of these racialized bodies. In spite of virulent anti-Chinese sentiment in Vancouver however, the Attorney General's office questioned the legality of the municipality's jurisdiction and methods. Theoretically, the city was given control over the region "for park purposes" through an Order-in-Council, however, no formal lease had ever been signed between the City and the Dominion government. Consequently, there remained some confusion as to who would be accountable and responsible for governing and administering laws in the park and ultimately, for "dispossessing the squatters" in the area.²⁰¹ Due to these jurisdictional concerns, efforts to evict the Chinese were eventually "dropped owing to doubts as to the

²⁰⁰Health Inspector to the Board of Park Commissioners (June 30th, 1890). City of Vancouver Archives, Clerk's Incoming Correspondence, RG 2 A1 Volume 3, 1890. See also Anderson, *supra* note 1 at 68.

²⁰¹Borden to Maxwell (September 3rd, 1898). "Correspondence and Papers in Reference to Stanley Park and Deadman's Island," 1899. *Sessional Papers*, 68A, 22.

right of action.”²⁰² However, the matter was raised by the city once again in 1890.

With this issue of jurisdiction remaining unresolved, the City Clerk’s office attempted the following year to again remove the Chinese, but this time on health and sanitary grounds. On June 30th, 1890, the Health Inspector sent a letter to the Park Commission stating that he had already taken action under “Section 38 of the Public Health Bylaws.” He insisted that, “I have gone as far as the Section referred to allows me to go, having given them the requisite notification to leave within a specified time.” The Inspector emphasized that “any further action as you will perceive by a perusal of Section 38 would have to be taken by the Board of Health.”²⁰³ After two years of frustration, the City council advised the Board of Health to evict the Chinese by considering them a public nuisance or rather a danger to the public.²⁰⁴ Dominant narratives of the Chinese as diseased with leprosy and other illnesses undoubtedly fueled the Council’s suggestions. Finally, after much anticipation, the Board of Health used sanitation concerns to successfully remove the Chinese men from park property.

In 1899 the City attempted to resolve the issue of jurisdiction once and for all. The City Clerk, Mr. McGuigan, sent a letter to the Department of the Interior indirectly questioning yet affirming the City’s authority to govern and thus remove squatters from the park space. During “such undisturbed occupancy by the city since June of 1887” wrote the Clerk, “certain parties built shacks...particularly on that portion known as Deadman’s Island.”

²⁰²Health Inspector to the Board of Park Commissioners (June 30th, 1890). City of Vancouver Archives, Clerk’s Incoming Correspondence, RG 2 A1 Volume 3, 1890.

²⁰³*Ibid.*

²⁰⁴Anderson, note 1 at 68.

In “the opinion of the council of the city and on the suggestion of His Excellency the then Governor General” urged McGuigan, “it was considered desirable that such acts of trespass on the property by unauthorized, persons should be stopped and such persons ejected.”²⁰⁵ While there was no response to McGuigan’s letter, the City did indeed secure control over regulating the park space; first, by removing the Chinese and then, through proceedings to eject the Indians who were also seen to be trespassing.

From 1888, the time the park was officially opened, the question of Aboriginal squatters had become a topic of concern for city officials. Because of jurisdictional disputes between the three levels of government however, the park’s Indigenous peoples were not formally dealt with until 1919. The controversies surrounding the Native presence centered on approximately nine families, whose tenure could at least be traced back fifty years to 1870. By the twentieth century, the city became concerned about the possibility that these Indians would acquire title to the territory through “squatters rights,” and the park, which had become the “citizen’s chief pride,” would be jeopardized by the “presence of these intruders.”²⁰⁶

The city’s first strategy of displacement focused on questions of identity. Colonial elites assumed (as they have done in current land claims cases) that Native peoples should be “genuine” and untouched by colonization.²⁰⁷ The city and the federal government urged that

²⁰⁵McGuigan to The Department of the Interior (February 22nd, 1899). “Correspondence and Papers in Reference to Stanley Park and Deadman’s Island,” 1899. *Sessional Papers*, 68A, 32.

²⁰⁶*Supra* note 170 at 33.

²⁰⁷*Supra* note 20.

these Indians should be removed, as they were not “authentic,” and thus could make no legal claims to the land. The Chief Inspector of Indian Agencies insisted that the trespassers were not “real” Indians:²⁰⁸ he argued that of “at least eight families living on the park property, there is only one of pure Indian blood, the balance being either half-breeds or whites.” Indian Agent Perry confirmed the Inspector’s allegations, pointing out that one of the squatters was “married to a white man and that her father was a white man.” He concluded that the “family are certainly not Indians and their names are not on record in the census book of this office.”²⁰⁹

The Inspector of Indian Agencies contended however, that the Indians “through long and uninterrupted occupation of about two acres of land, have under squatters rights acquired a valuable holding, and I fail to see how they can be removed unless they are compensated.” Nevertheless, he added that the house “is dirty and untidy, and the Health Board would be within their rights in ordering it destroyed it being outside of an Indian Reserve.” He elaborated that on “visiting these Indians I informed them that their premises were a disgrace and that as they were not living on a reserve, they were subject to all the City Sanitary regulations the same as the white people and if they were forced to move away it would be their own fault.”²¹⁰

Despite the fact that the family could be removed in the same way as the Chinese

²⁰⁸Lawrence *supra* note 29.

²⁰⁹Ditchburn to Scott (July 28th, 1919). NAC, RG 10, volume 4089, file 521, 804, reel 10186.

²¹⁰*Ibid.*

some years earlier, the Inspector urged the city to force the squatters out with “kid gloves.” Since Aboriginal peoples had a different relationship with the government, and because many Nations had never relinquished their land claims through treaties, the Inspector suggested that the Indians be compensated and relocated to a nearby reserve. “I am of the opinion” he asserted, that “they would be better off if they were to sell out and go amongst their own people. They could be placed on one of the reserves up Howe Sound and the money which they would obtain could be used for their upkeep.”²¹¹ While the idea of compensating the squatters was palatable to all parties, the issue of who would do the compensating once again raised jurisdictional issues. While the Department of Militia and Defense advanced that this was the city’s problem, the city insisted that the Dominion government should finance a settlement of this sort. The financial burden resulted in a stalemate, and the Native inhabitants were, for the time being, neither evicted nor compensated.

In 1923, the issue was raised by authorities once again. As it had in the past, the squatter issue pitted the municipal, provincial, and federal governments against one another. While the City was concerned with protecting the park from “trespassers,” the Superintendent of Indian Affairs emphasized that he was anxious about the “protection of the interests of the Indians concerned.”²¹² In spite of evidence pointing to a long history of the family’s residence pre-dating the park itself, the city continued to push for their eviction. This time however, municipal officials accepted responsibility for the nine squatters and decided to take

²¹¹ *Ibid.*

²¹²Deputy Superintendent of Indian Affairs to Perry (November 27th, 1922). NAC, RG 10, reel 10186, volume 4089, file 521,804.

some legal action on the matter. In April 1923, the city of Vancouver filed a suit in the Supreme Court of BC. The case was filed against Mary Da Costa, a mixed-race woman of Aboriginal and Portugese ancestry, who married a white man and was living in the park with her son and other kin.

Interestingly, the City's legal action prompted an outcry from several white citizens. Margaret Perceval, a resident of Vancouver, wrote a letter to the Premier of the province on behalf of Mary Da Costa, a "poor Indian woman," or rather "half-breed" who was born in the park and had been residing there ever since. Perceval insisted that Da Costa could not be evicted, as she "has lived close to the nine o'clock gun for many years." She elaborated that Da Costa "has lived there all her life & her parents and grandparents before her." By describing Mary as a "very estimable woman, but quite an Indian you know, and incapable of living as we do," Perceval was able to make a bid for Da Costa while securing her own superiority. She explained to the Premier that unlike herself, who lived in a house in Vancouver, Mary "has a little shack...close to the road, & her sons have built a small four-room cottage where they live with their sister."²¹³ It seems that Perceval's efforts did little to sway the City's opinion, and a trial began in November 1923.

At the trial, it was stated that the Da Costa family's title could be traced to 1865, when a white man named "Portugese Joe" had married the daughter of an Indian medicine-man. The bride's father had "presented the young couple with a piece of his holding, on

²¹³Perceval to Stevens (April 23rd, 1923). NAC, RG 10, reel 10186, volume 4089, file 521, 804.

which they settled down beside him.”²¹⁴ Mary Da Costa was the daughter of the young couple. From the trial transcripts, it is clear that the lawyers for both the plaintiff - the Attorney General of Canada and the City of Vancouver - and also the defendant - Mary Da Costa - were intent on disproving and proving respectively, the property rights of the Da Costa family. Thus, both sides endeavored to trace the history of each family member’s residence in the park, and also to determine whether or not the Indians had any notions of property which resembled or compared to European standards.

Two issues became crucial at trial. The first was a map and the other a fence. The map had been prepared in 1863 by Corporal George Turner, for the company of Sappers and Miners. This document, which luckily was found in the Provincial Archives before the trial commenced, showed the home that belonged to Da Costa’s grandfather, thus establishing a long lineage of inheritance.²¹⁵ “To Europeans” explains Jean Barman, “land was not ‘owned’ until settled on and used for private gain. Indians simply roamed the face of the land,” and therefore could not claim ownership to it.²¹⁶ Another important focus at the trial was a fence; a boundary which was allegedly erected by Mary Da Costa’s father, in efforts to separate his property from his neighbors. The importance of the fence is clear in the questions posed to Mary Da Costa by the city’s lawyers:

Q: Where were your born?

A: In the old place.

²¹⁴*Supra* note 170 at 33.

²¹⁵*Ibid* at 34.

²¹⁶*Supra* note 5 at 154.

Q: In your father's?

A: In the old place.

Q: In your father's old place. Was that fenced in around, his place, before any other buildings were put upon it?

A: Yes, it was all fenced in for gardens, you know.

Q: Well, is the original outside fence, that it, the boundary fence that runs around the property, the same as it was then?

A: Yes, always been the same, only they repair it.

Q: You built two houses within that area?

A: Yes.

Q: And ran a dividing fence down between?

A: Yes they did.

Q: Now this house of yours was built about 35 years ago.

A: I think about forty, but since I have been there. It is an old house.

Q: Let me get this clear; there are three houses on the original Peter Smith property [Da Costa's brother], are there?

A: Yes.

Q: There is the one that Peter Smith Junior is living in, and the one your are living in, and there is another one?

A: Yes, my son.

Q: Edward Long?

A: Yes.

Q: That is all within the boundary fence of the original Peter Smith property?

A: Yes Sir.

Mary's responses about the fence, combined with the map, confirmed her ancestral inheritance of the territory in question. This evidence proved to be extremely advantageous at trial. In March 1924, the presiding judge in the case handed down a decision in favor of the "squatters." Disappointed with the decision, the city and Dominion Government quickly appealed to the Supreme Court of Canada. In 1925, a judgement was handed down in favor of the municipal and federal governments and which supported the removal of Mary and her family.²¹⁷

Although the Supreme Court's decision meant that the squatters could be legally evicted, public sentiment combined with other factors influenced the City to exert some "colonial generosity." The family was *allowed* to continue residing on the park property as they and their ancestors had done for decades before, but providing they paid twelve dollars a year as tenants-at-will.²¹⁸ An Aboriginal presence in Stanley Park was no longer viewed as a threat to the park nor to the patrons, as it had been from the 1880's onward. By the 1920's and 30's, the meanings of Indian-ness and its relation to whiteness had undergone a shift. Aboriginality was no longer viewed to be as threatening, since white settlement had been established as more secure. Thus, Mary Da Costa and her family became exotic remnants of the Imperial past and a promising addition to the "Indian Village" that had been (re)created and authenticated by totem poles and canoes, which ironically, had been donated to the park

²¹⁷*Supra* note 170 at 34, 35.

²¹⁸*Ibid* at 35.

by white settlers.²¹⁹

In 1929, one source made the following observations about the “squatters” and their “shacks:”

Now these quaint little habitations are likely to remain for many years to come, occupied peacefully by the descendants of the original owners. With outlines softened by the mellowing hand of time, they harmonize delightfully with their setting and add picturesqueness and a pleasing touch of human association, which make them far from being a detriment, a distinct acquisition to the Park.²²⁰

Although the Da Costa family was allowed to remain where they were, the City’s construction of Stanley Park as a white space, determined what the terms of their residence would be. These Indigenous peoples who were still denied land title, were instead transformed into Imperial specimens, who until their removal in the 1940’s, enriched the park’s landscape and provided an enduring reminder of white supremacy and imperial power in BC.

IV. Conclusion

In this chapter I have argued that the making of a white BC was articulated through geographies of race. Throughout, I have pointed to the differentiated and often contradictory ways in which the three levels of government along with missionaries and white settlers

²¹⁹*Ibid.*

²²⁰*Ibid* at 36.

endeavored to spatially map out racial relations in the province. “Citizens and strangers” argues David Goldberg, “are controlled through the spatial confines of divided place.” He explains that “the spatial categories through and in which the lived world is largely mapped, experienced, and disciplined - imposes a set of interiorities and exteriorities.”²²¹ In BC, the social and legal creation of “racial slums” - including reserves and Chinatowns - enabled government and religious officials to demarcate inherent racial differences between “citizens” and internal and external Others. While views about segregation were never monolithic and were frequently contested by Protestant and Methodist missionaries, I suggest that the contained racial presence of Native and Chinese communities enabled whites to construct themselves.²²²

Notwithstanding the efforts made by government and religious authorities to create Indian, Chinese, and white spaces, throughout this chapter I argue that these areas were never completely racially “pure.”²²³ The crossing of racial boundaries was tolerated by state officials and missionaries when it happened on reserves and in Chinatowns. For instance, working class whites, who were thought to belong in these degenerate spaces, frequented these racialized areas with little state intervention. Yet when Aboriginal or Chinese peoples went into white spaces, they were quickly targeted by legal and extra-legal strategies of surveillance.

Not only was segregation futile, but in many ways it was also disavowed by colonial

²²¹*Supra* note 53 at 186.

²²²See Anderson *supra* note 1.

²²³On this point see also Razack *supra* note 10 at 360.

authorities. The civilizing missions of government officials and missionaries meant that many middle class whites journeyed into these areas to proselytize and “civilize” the “savage Indian” and the “heathen Chinese.” Government and religious administrators desired these excursions, as they could only know themselves in relation to the lower orders and “home” in relation to “slum.”²²⁴ In other words, whites constituted their own subjectivities and superiority in relation to a racialized presence. Thus, the creation of racial geographies in BC was not only about securing racial purity, but was also about the management of racial difference and the making of white identities.

²²⁴On relational spaces see *supra* note 163.

CHAPTER THREE
CONSTITUTING RED LIGHT DISTRICTS: PROSTITUTION AND THE MAPPING
OF DEGENERACY AND RESPECTABILITY

On January 22nd, 1906 the Provincial Secretary of British Columbia forwarded a report to the Attorney General of the province. The lengthy report - including a wide range of correspondence between local, provincial, and federal administrators - pertained to what officials believed was a growing problem in British Columbia - "the alleged traffic in young girls by Indians."¹ The papers documented several complaints by local authorities about the "great many evils" being practiced by Native women and men on reserves in the Northern regions of the province. Frustrated by the lack of attention that the provincial and federal governments had paid to allegations from law enforcers earlier on, C.J. South, the Superintendent of the Children's Aid Society demanded that "a thorough and complete investigation" finally be made as to the "supplying of young girls, half breeds, and others, for immoral purposes to the whitemen of the various camps round the district."²

In 1914, a similar account was made by Reverend Stephens, a Methodist missionary. Whereas the Superintendent of the Children's Aid Society was concerned with the sale of young Indian and mixed-race girls to white men, Stephens lamented another problem he believed was plaguing Canada's west coast - the "white slave traffic." "For many years," he explained, "a very flourishing 'white slave traffic' has been carried on through the Ports of

¹J. Fulton to Attorney General (January 22nd, 1906). BCARS, GR-0429, box 13, file 1.

²CJ South to the Superintendent General of Indian Affairs, Ottawa (September 20th, 1905). BCARS, GR-0429, box 13, file 1.

the Pacific, including Vancouver.”³ Stephens and others contended that the “Chinese bring in young women who are sworn to be local merchants [sic] wives and daughters, whereas they are nothing of the kind, but actually imported for immoral purposes.” The “Chinaman” smuggled these women across borders to places like “New York, Montreal, and large Eastern centres, where they are sacrificed on the altar of lust.” Stephens insisted that although authorities were trying hard to suppress this shameful practice “and are sure that the Chinaman is lying, they cannot prove it, and so are forced to admit the women”⁴ into the country, often with grave moral and racial consequences.

Sensationalist tales of prostitution like the ones above had become commonplace by the early twentieth century in BC.⁵ Government and religious officials like South and Stephens made frequent, albeit conflicting complaints as to the nature and extent of prostitution and its causes. From the late nineteenth century onward, authorities constructed prostitution as largely a “racial problem.” On the one hand officials insisted that prostitution threatened their endeavors to make BC and Canada into a respectable white society. On the other hand, many urged that prostitution could potentially blur important racial and sexual

³H.H. Stephens, “The Oriental Problem,” (1914). UCA, Hugh Dobson Papers, reel 4, box A2, file B.

⁴*Ibid.*

⁵Although no one has actually pin pointed when prostitution became a problem in BC, large scale discussions of the sex trade were more prevalent from the mid-nineteenth century on. This is not to suggest that prostitution was not a concern in other parts of Canada. Constance Backhouse points out that the first Canadian statute to mention prostitution was passed in Lower Canada in 1839. See Backhouse, “Nineteenth Century Prostitution Law: Reflection of a Discriminatory Society,” (1985) XVIII 36 *Histoire sociale/ Social History* 389 especially note 4.

boundaries between whites and racialized Others. Throughout this period, inter-racial manifestations of the “social evil” along with the “white slave traffic” received enormous attention both in popular and political debates. Tantalizing headlines such as “Indian Girl Sold for 1000 Blankets” and “Chinese Brothels” scattered daily newspapers in both Vancouver and Victoria.⁶ Local authorities and missionaries generally agreed that large numbers of Indian and Chinese women were indeed “prostituting themselves” or were being “sold” by their families and by other community members. Yet, they viewed some manifestations of prostitution as being more problematic to the newly emerging white settlement in BC, than others.

Officials insisted that both intra and inter-racial prostitution was being practiced throughout Native settlements and Chinatowns in the province. However, their anxieties were expressed more passionately about the latter, prostitution involving Native women and white men, and conversely, Chinese men and white women. Although one Indian Agent described the problem in Northern BC as being one of Indian women, who were either forced by their families, or who entered voluntarily into “whoring expeditions around the logging camps,”⁷ the *Victoria Colonist* had another view. Writing about “Chinese slavery,” the daily paper declared that the problem of “that traffic in human flesh and blood” in urban centers like Victoria, was simply part of the Chinaman’s “habits and customs...born in the blood and

⁶There is a small collection of newspapers detailing prostitution involving Native women. See National Archives of Canada (hereafter NAC), RG 10, Reel 10193c, Volume 3816, File 57,045. There is also extensive newspaper coverage of Chinese prostitution in the *Victoria Colonist* 1876-1901.

⁷De Beck to Vowell (December 20th, 1905). NAC, RG 10, Reel 10193c, Volume 3816, File 57,045-1.

bone of centuries.”⁸ Although “white slavery” was an elusive term commonly used to describe prostitution more generally, in BC and in other parts of Canada, this term took on a specific anti-Chinese meaning.⁹ While the “habits and customs” of Chinese men, many argued were dangerous to all women, authorities insisted that their sexual proclivities were especially devastating to the purity and wholesomeness of white women, who were both the symbols of the nation and the property of white men.¹⁰

In this chapter, I continue the themes from the previous one. Specifically, I explore how racial degeneracy and white respectability in BC were spatially asserted through the practices of prostitution. In chapter two I argued that the social and legal construction of racialized spaces enabled whites to create their own subjectivities, ideas about nation, and ultimately their dominance. Here, I consider how these processes were also articulated through prostitution and the spaces in which this practice was tolerated. In writing about the sex trade in Vancouver, Greg Marquis has described racialized spaces like Chinatowns as “overlapped with red-light and skid row districts.”¹¹ Departing from this perspective, I argue

⁸“Chinese Slavery,” *Victoria Colonist* (February 27th, 1884), 2.

⁹On the multiple meanings of “white slavery” see John McLaren, “Chasing the Social Evil: Moral Fervor and the Evolution of Canada’s Prostitution Laws, 1867-1917,” (1986) 1 *Canadian Journal of Law and Society* 130. See also Mariana Valverde, *The Age of Light, Soap, and Water: Moral Reform in English Canada, 1885-1925* (Toronto: McClelland & Stewart, 1991) especially chapter 4.

¹⁰See Kay Anderson, “Engendering Race Research: Unsettling the Self/ Other Dichotomy,” in Nancy Duncan, ed., *Body Space* (New York & London: Routledge, 1996) 202 & 206.

¹¹See Greg Marquis, “Vancouver Vice: The Police and the Negotiation of Morality, 1904-1935,” in Harmar Foster & John McLaren, eds., *Essays in the History of Canadian Law: Volume VI: BC and the Yukon* (Toronto: University of Toronto Press, 1995) 244.

that prostitution did not just happen to occur on reserves and in Chinatowns by chance, but rather, was often forced into these racialized districts by local authorities. Ultimately, prostitution gained its meaning through these spaces while also constitutive of these “red light” areas.¹²

Much has been written about prostitution in Canada. This chapter contributes to the existing historiography in two important ways. First, historians have well established that prostitution occupied a central place in social reform initiatives during the late nineteenth and early twentieth centuries.¹³ However, few have asked *why* prostitution became a social problem at this exact moment. In her work on Aboriginal women and prostitution in BC, Jean Barman acknowledges that white men viewed Native women as prostitutes, explaining that their “sexuality had to be wilded into prostitution or possibly concubinage....in order for it to be tamable.”¹⁴ However, she does not question why this occurred in late nineteenth and early twentieth century BC and not in earlier periods for instance. I suggest that reports of wide-spread inter-racial prostitution emerged and became more vigorous in moments at which government efforts to construct a racially-homogeneous white province seemed tantalizingly in reach. While the late nineteenth century saw the rise of a new social problem, the “Native woman as prostitute,” the early twentieth century also witnessed a growing

¹²See Sherene Razack, “Race, Space, and Prostitution: The Making of the Bourgeois Subject,” (1998) 14:1 *Canadian Journal of Women and the Law* 356.

¹³See for example *supra* note 9. See also Jean Barman “Taming Aboriginal Sexuality: Gender, Power and Race in British Columbia, 1850-1900,” *BC Studies*, 115/116, (Autumn/Winter 1997/98) 242; Carolyn Strange & Tina Loo, *Making Good: Law and Moral Regulation in Canada, 1867-1939* (Toronto: University of Toronto Press, 1997) 63-69.

¹⁴Barman, *ibid* at 242.

hysteria about “white slavery” or rather, “white girls entrapped by Chinese men.”¹⁵ These narratives of sexual and racial danger, I argue unfolded when authorities believed that whiteness was being threatened by these racialized Others. Prostitution then, was constituted by white authorities as both a social problem and solution, enabling colonial elites to stabilize white hegemonic relations.

While Canadian historians have documented patterns of prostitution, few have actually interrogated the relationship between prostitution and racialized space. Mariana Valverde notes that “prostitution is notoriously public” and thus, always about space.¹⁶ Nonetheless, little attention has been given to *why* prostitution is constituted in and constitutive of racialized spaces and more importantly, how hegemonic social relations are organized through these spatial arrangements. In a recent article, Sherene Razack proposes a spatial methodology to “explore how prostitution secures a bourgeois and white social order, and conversely, the ways in which a bourgeois social order requires prostitution.”¹⁷ Critical of much of the earlier feminist theorizing, Razack asks a number of crucial questions about how prostitution reinforces white supremacy just as it does patriarchy and capitalism. A central concern that guides her analysis and which informs this chapter is how the zones of

¹⁵Valverde, *supra* note 9 at 86.

¹⁶*Ibid* at 77. Many historians have pointed out that prostitution was indeed concentrated in certain city spaces. Carolyn Strange and Tina Loo point out that in every Canadian city, urban spaces near railway terminals, rooming-house districts, and working-class areas for example, came to be known as places where men could buy sex. However, they do not offer any explanation for why prostitution was relegated to these marginal areas. *Supra* note 13 at 63.

¹⁷*Supra* note 12 at 340.

prostitution and the zones of respectability are related to one another.¹⁸ Drawing from Razack's insights, this chapter then explores the ways in which reserves, Chinatowns, and white spaces were mapped out through prostitution - where it was tolerated/ where it was allowed to exist - and how these processes strengthened white supremacy in late nineteenth and early twentieth century BC.

This chapter first explores how the "Native woman as prostitute" was constructed by government and religious administrators. Here, I reject the notion that greater numbers of Aboriginal women worked as prostitutes,¹⁹ and instead question why the figure of the prostitute emerged at this time. I suggest that authorities discursively constructed the "Native woman as prostitute" as a response to wide-spread race-mixing in the province, and that her presence enabled them to secure their own imaginings of white masculinity. In the following section, I explore prostitution in BC's Chinatowns as well as the "white slavery" panic. I contend that although prostitution was tolerated in Chinatown, as it was on reserves, anxieties about "white slavery" became more vehement when administrators feared that BC's identity was unstable. Authorities used this hysteria about Chinese men *preying* on white women to buttress anti-Asian sentiment and to enforce spatial segregation in the province, while reaffirming their own positions of dominance in the process.

¹⁸*Ibid* at 341.

¹⁹Several BC Historians have made this argument. See for example Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia 1774-1890* (Vancouver: University of British Columbia Press, 1977) 101.

I. Native Women and Prostitution on Reserves

In her influential work on French Indo-China and the Dutch East Indies, Ann Laura Stoler explores the complicated relationship between the domestic arrangements in the colonies and the politics of rule. She argues that the “regulation of sexual relations was central to the development of particular kinds of colonial settlements and to the allocation of economic activity within them.”²⁰ From the “early seventeenth century through the twentieth century,” she observes, “the sexual sanctions and conjugal prohibitions of colonial agents were rigorously debated and carefully codified.” Thus, Stoler documents how and why specific sexual arrangements like concubinage were favored by colonial elites over intra-racial marriage and prostitution at various historical moments, only later to be condemned and replaced by these other conjugal relations.²¹ Among other things, Stoler challenges us to interrogate the particularities and politics of sex in colonial societies. Heeding her advice, I endeavor here to explain why in BC, colonial administrators deemed sexual relations between Native women and white men to be acceptable during the fur-trade era, only to be censured, and I argue, replaced by prostitution in later periods.

Although European encroachment on Canada’s west coast can be traced back to before the eighteenth century,²² large-scale white settlement did not begin until after the land-

²⁰Ann Laura Stoler, “Making Empire Respectable: The Politics of Race and Sexual Morality in Twentieth-Century Colonial Cultures,” in Anne McClintock, Aamir Mufti, and Ella Shohat, eds., *Dangerous Liaisons: Gender, Nation, and Postcolonial Perspectives* (Minneapolis: University of Minnesota Press, 1997) 347.

²¹*Ibid.*

²²For a discussion of European traders on the west coast see Robin Fisher, “Contact and Trade, 1774-1849,” in Hugh J.M. Johnson, ed., *The Pacific Province* (Vancouver:

based fur-trade. As several scholars have observed, the fur-trade period, which spanned from approximately 1670 to 1870 in Eastern Canada and began much later in the west, had a profound and enduring effect upon the structure of Native-European relations in Canada.²³ While Indigenous peoples and Europeans did indeed come into contact with one another in earlier times, the commodity exchange culture of the fur-trade brought these relations to a new intensity. Alongside social contact, heterosexual liaisons also increased. During this period, sexual relations between Native women and white men were very common in BC and elsewhere in Canada.²⁴ The Hudson's Bay Company which arrived on Vancouver Island in 1843, had initially expressed little interest in promoting white settlement in the west, preferring instead to make a profit and return home.²⁵ Officials thus, encouraged company men to develop social and sexual relations with Indigenous women, as these partnerships undoubtedly provided many social, economic, and political advantages for white traders.

In her important book *Many Tender Ties*, Sylvia Van Kirk documents that fur traders

Douglas & McIntyre, 1996) 48-67.

²³Adele Perry, *Gender, Race, and the Making of a Colonial Society: British Columbia, 1858-1971* (Unpublished PhD Thesis, History Department, York University, 1997a) 6; Daiva Stasiulis & Radha Jhappan, "The Fractious Politics of a Settler Society: Canada," *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity, and Class* (London: Sage, 1995) 42.

²⁴Jennifer S.H. Brown, *Strangers in Blood: Fur Trade company Families in Indian Country* (Vancouver: University of British Columbia Press, 1986); Sylvia Van Kirk, *Many Tender Ties: Women in Fur Trade Society in Western Canada, 1670-1870* (Norman: University of Oklahoma Press, 1980).

²⁵Jean Barman, *The West Beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1996) 6; Hamar Foster, "Law Enforcement in Nineteenth-Century British Columbia: A Brief and Comparative Overview," (1984) 63 *BC Studies* 22.

- including prominent men from the Hudson's Bay Company - frequently married Native and later mixed-blood women, a practice commonly known as "marriage *`a la facon du pays*."²⁶ In BC, inter-racial heterosexual relations did not stop with the fur trade, but on the contrary, flourished throughout the nineteenth century.²⁷ The discovery of gold in the Fraser River region brought tens of thousands of unmarried men to the province. This situation, which skewed the gender and racial demography of BC's largely male and Native population even further, ensured that inter-marriage and intermixture between Aboriginal women and white men, the latter also known as concubinage, remained commonplace.²⁸ Robert McDonald notes that in Burrard Inlet, an area removed from the gold rush, these inter-racial couplings were also widespread. For "respectable" men, including managers and the wealthy classes, concubinage was a phenomenon of the 1860's and 70's. Working class men, however, continued to partner up with Native women well into the twentieth century.²⁹

Despite the fact that mixed-race domestic arrangements were indeed common throughout BC, by the mid-nineteenth century, Euro-Canadian views about Native women and inter-racial heterosexuality began shifting rapidly. Officials were undoubtedly influenced by imperialist sexual ideologies imported from the British empire, in which Native women

²⁶Sylvia Van Kirk, "The Impact of White Women in Fur Trade Society," in J.R. Miller, ed., *Sweet Promises: A Reader on Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1996) 181.

²⁷*Supra* note 13 at 248.

²⁸*Ibid.*

²⁹Robert McDonald, *Making Vancouver, 1863-1913* (Vancouver: University of British Columbia Press, 1996) 25.

throughout the colonies were constituted as “the epitome of sexual aberration and excess.”³⁰ However, government administrators gave these colonial narratives a uniquely western Canadian twist. As their interests shifted from exploiting natural resources to the acquisition of Aboriginal lands and the securing of a permanent white settlement in the province, colonial elites came to view concubinage as a moral and racial conundrum. Irrespective of their motives, Indian Affairs Agents and missionaries in BC began denouncing the prevalence of sexual relations between Native women and white men, suggesting that these relations were the result of immorality and sexual depravity on the part of both races and sexes.³¹

Specifically, as authorities began (re)inventing BC - from a transient fur-trade colony into a virtuous white settler society - Indian Affairs officials and missionaries agreed that concubinage was a growing threat to morality, respectability, and whiteness. Not surprisingly, the condemnation of these domestic arrangements by government and religious administrators did not fall evenly on Aboriginal women and white men. Rather, fur-traders who absolved themselves of all responsibility for pursuing relations with Indigenous women, came increasingly to view Native women as promiscuous and Aboriginal sexual customs as immoral.³² These views of Indian concubines intensified throughout the late nineteenth century just as colonial officials envisioned permanent white settlement in the province.

³⁰Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York & London: Routledge, 1995) 25.

³¹There are a series of letters on this topic in NAC, RG 10, Reel c10115, Volume 3658, File 9404.

³²Van Kirk *supra* note 24 at 23-24.

Writing of the Prairie West, Sarah Carter observes similar shifts. “By the late 1870's, and clearly exemplified in the late 1880's and 1890's,” she writes, “the emerging elite in the North-west, as well as the advocates of British Settlement, were anxious to establish a society that was not founded on any mingling of European and Aboriginal people and culture.” Ultimately, Aboriginal women were constituted by whites as “a menace to the emerging community.”³³ The arrival of white women both exacerbated these perceptions and changed the nature of sexual relations in BC and elsewhere in Canada. Although white women may not have brought a “more potent racism” as some scholars have claimed, their arrival certainly transformed the social and sexual nature of society, from a transitory frontier culture into a permanent white settler society.³⁴

In their attempts to transform the social and sexual nature of BC society, government officials utilized a number of differing strategies. Adele Perry's research reveals that colonial administrators encouraged assisted immigration schemes for white women, believing that their presence was not only the solution to changing the conjugal and social arrangements of BC's frontier culture, but was also necessary for the successful transformation of the province into an agricultural, industrial, and permanent colony.³⁵ By the late nineteenth century, government officials developed more coercive strategies to address the perils of inter-racial heterosexual relations in BC. As the nineteenth century approached its close, and fears of

³³Sarah Carter, *Capturing Women: The Manipulation of Cultural Imagery in Canada* (Montreal & Kingston: McGill-Queen's University Press, 1997) 5.

³⁴*Supra* note 20; Perry *supra* note 23 at 198-199.

³⁵Adele Perry, “‘Fair Ones of a Purer Caste’: White Women and Colonialism in late Nineteenth Century British Columbia,” (1997b) 23 *Feminist Studies* 504.

racial degeneration and threats to whiteness escalated, authorities became more vigilant in policing the racial and sexual boundaries between Native women and white men. Unlike their American neighbors to the South, Canadian law-makers did not pass explicit anti-miscegenation legislation, but rather, endeavored to prevent inter-racial heterosexuality through less direct means, including spatial segregation.³⁶ As white settlements were established throughout the province, Native populations were displaced and pushed onto reserves spatially separate from Euro-Canadians.³⁷ While the reserve system undoubtedly enabled whites to strengthen their tenuous control over land, it also assisted them in imposing spatial restrictions between Native women and white men.

Efforts to secure Euro-Canadian dominance in Canada's most westerly province emphasized a shift away from the earlier sexual patterns of concubinage that blurred important racial distinctions. Since there were still few white women in the province, and hence Euro-Canadian marriage was not always a feasible option, I contend that authorities condoned prostitution, which quickly came to replace concubinage.³⁸ As I argue in the following pages, the "Native woman as prostitute" was constructed by colonial officials in

³⁶As I discuss in Chapter five, there were several attempts to pass legislation criminalizing sexual relations between Native women and white men. For example, federal authorities proposed an amendment to the *Criminal Code of Canada*, making it an offence for any white man to have "illicit relations" with an Indian woman. Fearing that such a provision may provide Aboriginal women and men with a way to blackmail whites, the amendment was dropped. See proposed amendment to the *Criminal Code of Canada* in *House of Commons Debates*, Session 1921, volume 4 (May 26th, 1921), 3907.

³⁷Daniel Clayton, "Geographies of the Lower Skeena," (1992) 94 *BC Studies* 51.

³⁸Ann Stoler makes a similar argument with respect to early-twentieth century Sumatra. *Supra* note 20.

response to “racial mixing” that I discussed briefly above. While concubinage brought the races dangerously close, inter-racial prostitution enabled white men to maintain their access to the bodies of Indigenous women in red-light districts which, as I’ve already discussed, were racialized spaces.

II. Racializing Aboriginal Women and Constructing Immoral Spaces

Over the past two decades, postcolonial scholars have established that racialized narratives of sexuality have been central to the assertion of Native inferiority and European superiority in both metropole and colony.³⁹ In BC as in these other colonial locales, sexual difference, or more correctly, sexual degeneracy, was crucial to establishing racial boundaries between Native peoples and white settlers. These narratives did not only help authorities establish a racial ordering, but also legitimized the need for federal, provincial, and local administrators to *protect*, and thus, intervene in the lives of Indigenous peoples. Indian Agents and missionaries relied on racialized images of sexuality to mark the depravity of Aboriginal communities, especially Native women. Whereas the bodies of Indigenous women came to signify wretchedness and immorality in the Euro-Canadian imagination, the reserve increasingly became a space of dirt, disease, and sexual degeneracy, a process that was mutually constitutive.

Throughout the nineteenth and early twentieth centuries, government officials commonly referred to the inherent “licentiousness” of Indigenous women in debates about

³⁹Sander Gilman, *Difference and Pathology: Stereotypes of Sexuality, Race, and Madness* (Ithaca & London: Cornell University Press, 1985) 76-109; *Supra* note 30 at 113.

marriage, child-rearing, and reserve housing. Authorities often blamed Aboriginal women for the many prevailing social problems plaguing reserves, which ironically, were caused by European colonization and the creation of the reserve system.⁴⁰ Missionaries and Indian Agents commonly told sensationalist stories about the “primitive” and “savage” sexual customs practised by Aboriginal women and men on various reserves in the province. Although government officials agreed that not all Indigenous populations were equally immoral, they rarely made distinctions between communities, nor did they always identify the “Indians” or reserves they were speaking about.

At a meeting of the Methodist Missionary Society in Toronto, Mrs. Tate, the wife of Reverend Tate, described the “barbaric” marriage customs practiced among Indigenous peoples in the province. She captured her audience by speaking about “child marriages,” and polygamy which she pointed out were common habits across reserves in BC. Mrs. Tate reported what she believed was a typical instance “in which a girl thirteen years of age was forcibly taken from her home to be married to a man who already had two wives.”⁴¹ However, she spoke very generally, failing to specify exactly which Native populations practiced these rituals. Notwithstanding doubts about the authenticity of her story, which was questioned by several Indian Agents and contested by a few others, Mrs. Tate’s narrative was nevertheless a common one. Missionaries and Indian Agents across the province recurrently

⁴⁰Sarah Carter, “Categories and Terrains of Exclusion: Constructing the ‘Indian Woman’ in the early Settlement Era in Western Canada,” in Joy Parr & Mark Rosenfeld, eds., *Gender and History in Canada* (Toronto: University of Toronto Press, 1996) 31.

⁴¹Report in ‘Toronto Empire’ (no date). NAC, RG 10, reel c-10148, volume 3842, file 72,217.

described the sexual debauchery of Indians on reserves, and confirmed Mrs. Tate's story with their own reports of "child marriages" and "young girls being sold as slaves" by family members including parents.⁴² By the late nineteenth century, the alleged depravity of Aboriginal peoples which so fascinated administrators, was often used to explain the causes and prevalence of prostitution on reserves.

Local and provincial authorities including white women's organizations blamed Native marriages and customs for causing prostitution. On May 12th, 1910, the Women's Baptist Home Mission Society of Ontario, hearing of the "great evils existing on the Island of Vancouver," wrote a letter to the Department of Indian Affairs, suggesting that the "revolting marriage customs of the Indians," were closely related "to the sale of Women and girls," and thus, needed to be abolished.⁴³ The Women's Mission supported their claims with allegations about parents and families of young girls who "sold" their daughters to older men for blankets and other goods, a narrative which has been documented in other colonial regimes, most notably India.⁴⁴ Whereas white feminists in other geographical contexts were concerned about intra-racial child marriages, in BC white women's organizations along with

⁴²Memo from the Honorary Attorney General (February 19th, 1906). BCARS, Attorney General Correspondence, GR-0429, box 13, file 2.

⁴³L. Edith Staik to the Minister of the Indian Department and the Department of Justice (May 12th, 1910). NAC, RG 10, reel c10193, volume 3816, file 57,045-1

⁴⁴See for example Antoinette Burton, *Burdens of History: British Feminists, Indian Women, and Imperial Culture, 1865-1915* (Chapel Hill & London: University of North Carolina Press, 1994); Inderpal Grewal, *Home and Harem: Nation, Gender, Empire and the Cultures of Travel* (Durham: Duke University Press, 1996); Mrinalini Sinha, *Colonial Masculinity: The 'Manly Englishman' and the 'Effeminate Bengali'* (Manchester: Manchester University Press, 1995).

government officials were troubled by what they believed to be the exploitation of young girls in both its *intra and inter-racial* manifestations.

From the mid-nineteenth century onward, discussions of prostitution on reserves permeated inter-governmental correspondence, however, explanations of its causes varied. Like the Women's Mission Society, many Indian Agents blamed marriage, and more specifically polygamy, for widespread intra and inter-racial prostitution. Agent McLean from Port Alberni observed that Indian marriages were too easily dissolved, and when "it suits the man (or the woman as the case may be) he...abandons her & forthwith takes another wife."⁴⁵ Others claimed that this "very bad habit among Indians - of being allowed to take more than one wife"⁴⁶ often had serious consequences for Native women and for white society in general. Indian Agent Meason made explicit links between prostitution and polygamy, emphatically stating that polygamy and the general mistreatment of women were in fact the root causes of widespread prostitution. "In many instances," explained Meason, "the woman [prostituting herself] is the legal wife of an Indian, who has deserted her, and thus driven her to adopt that means of living."⁴⁷ Meason along with several other Indian Agents and missionaries emphasized that stronger marriage laws and the abolition of Indigenous marriage customs were necessary for the protection of Native women, the prevention of

⁴⁵H.R. McLean to Attorney General (July 4th, 1906). BCARS, GR-0429, box 13, file 3.

⁴⁶Moffat to Attorney General (May 14th, 1886). BCARS, GR-0429, box 1, file 4.

⁴⁷Meason to Vowell (August 4th, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-1.

prostitution, and the preservation of white settlement in the province.⁴⁸

Local authorities also blamed traditional Native ceremonies, such as the potlatch, for causing prostitution. As several historians have suggested, the potlatch was the ultimate sign of degradation, as it symbolized the depravity, savagery, and primitiveness of Native peoples.⁴⁹ Reverend Hall, a missionary who lived for ten years among the Indians of Northern Vancouver Island, reported that in his jurisdiction, the “wholesale migration” of young women to southern towns “was to procure by illicit intercourse property which enables their male Indians to carry on the ‘Potlatch.’”⁵⁰ He told officials that young women were forced to prostitute themselves among white men in urban areas in order to obtain goods for their families. An Indian Agent in Alert Bay confirmed Hall’s allegations, declaring that almost every Indian in his agency “who is in the potlatch is a slave dealer or sooner or later becomes one; Fathers sell their Daughters, Brothers sell their Sisters, or cousins, if the cousin has no nearer relatives, and I know of one instance where a Son offered his old Mother for

⁴⁸*Ibid.*

⁴⁹In her widely cited article “Dan Cranmer’s Potlatch,” Tina Loo argues that Euro-Canadians were deeply offended by the potlatch because it violated their deepest values and ideals. While Loo discusses the sexual sub-texts which often accompanied debates around potlatching, she does not explicitly see the potlatch as offending Eurocentric views of sexuality. I would elaborate on Loo’s arguments by suggesting that for Euro-Canadians, the potlatch also symbolized the sexual depravity of Native peoples. See Tina Loo, “Dan Cranmer’s Potlatch: Law as Coercion, Symbol, and Rhetoric in British Columbia, 1884-1951,” *Canadian Historical Review*, LXXIII, 2 (1992) 125-165. On the potlatch see also Barman, *supra* note 13 at 251-258; Douglas Cole and Ira Chaikin, *An Iron Hand Upon the People: The Law Against the Potlatch on the Northwest Coast* (Vancouver & Seattle: Douglas & McIntyre and the University of Washington Press, 1990).

⁵⁰Hall to Superintendent of Indian Affairs (October 5th, 1889). NAC, RG 10, reel c-10193, volume 3816, file 57,045-1.

sale as a slave.”⁵¹ In a letter to the Superintendent of Indian Affairs, Hall emphasized the urgency of suppressing the potlatch, claiming, “everything is sacrificed for the potlatch...Every conceivable crime is committed to acquire blankets - to pass a ritual.”⁵²

Several Indian Agents reported with horror that many elder or less scrupulous women on their reserves were also complicit in supporting the potlatch and the subordination of younger women in their communities. As several sources pointed out, both women and men participated in the potlatch (see Figure 6) and *equally* encouraged the sale of Native women and girls to acquire material goods. Indian Agent Loring agreed that potlatching and prostitution were closely linked in his agency, and that Native women were often involved in this gross immorality. “The giver in these occasions,” explained Loring, “uses all possible means to get as much money as possible together in a given time. If he has daughters, nieces, or any other female connections, he forces them to contribute their share.” He reported however, that neither a father *nor* mother will “hesitate to shout out in a boastful tone before the invited Indians: this pile of blankets, guns, etc was earned by my daughter or niece amongst the whites, or as the case may be.”⁵³

Whereas some Indian Agents and missionaries viewed prostitution as a manifestation of the “savagery” of Native cultures in which women were also implicated, others (albeit

⁵¹De Beck to Secretary, Department of Indian Affairs, Ottawa (October 22nd, 1905). NAC, RG 10, reel c-10193, volume 3816, file 57,045-1.

⁵²Hall to Superintendent of Indian Affairs (October 5th, 1889). NAC, RG 10, reel c-10193, volume 3816, file 57,045-1.

⁵³Loring to Vowell (August 12th, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-1.

few) saw Indian women as victims who needed protection from their own communities, and more urgently, from white society. Some Indian Agents and missionaries argued that inter-racial prostitution resulted from the close social proximity between Natives and whites.



Figure 6: Native men and women potlatching at Esquimalt (190?)

Source: BCARS, Visual Records Catalogue, G-04242

Justifying the need for spatial segregation, local authorities warned the Department of Indian Affairs that “vulnerable” Native women needed to be kept far away from the clutches of “immoral” white men, particularly those employed in logging camps a short distance from reserves. Reverend Hall was among those who, under the guise of paternalism, advocated racial and sexual segregation. Hall explained that white society was having detrimental effects on Indigenous peoples in general, and that these women required sheltering from the “harmful influences” of the white man. Hall, and others like him, urged that the key to preventing sexual immorality including prostitution, was to keep Native women from having

social and sexual contact with white men, and thus, far away from white settlements.⁵⁴

Others agreed that social and sexual contact between the “races” inevitably led to prostitution. Indian Agent Mackay for one, blamed prostitution on the prevalence of concubinage in the province. “A fertile source of open immorality and one which provides most of the recruits for the houses of ill-fame,” he asserted “is the habit still practiced by many white men in this Province of taking Indian girls from their homes....keeping them as concubines and after having had several children by them, turning them adrift to keep for themselves and their progeny.”⁵⁵ Native leaders also echoed corresponding concerns. From the mid-nineteenth century, anger was growing among Native communities, many of whom questioned the white man’s morality. In his letter to a Methodist missionary, the Chief from a Northern region urged the government to pass legislation to help them “keep the women straight and bad whites away.”⁵⁶ At a custody hearing, a Native man who had been fined for drunkenness made a similar request. Testifying on behalf of the Children’s Aid Society, he boldly asked the Court, “You fine us for drunkenness, why don’t you help us to keep our women out of the logging camps?”⁵⁷

While Indian Agents had conflicting agendas as to why prostitution was a problem,

⁵⁴Hall to Superintendent of Indian Affairs (October 5, 1889). NAC, RG 10, reel c-10193, volume 3816, file 54,045-I.

⁵⁵Mackay to Vowell (July 4th, 1890). NAC, RG 10, reel c-10193, volume 3816, file 54,045-I.

⁵⁶E.S. Liginiltls to C.M. Tate (February 7th, 1912). NAC, RG 10, reel c-10193, volume 3816, file 54,045-I.

⁵⁷Children’s Aid Society of Vancouver. NAC, RG 10, reel c-10193, volume 3816, file 57,045-1.

Native men's concerns were indeed distinct from those of the colonizers. During the fur-trade, many Aboriginal men recognized Indigenous women as important liaisons in dealing with Europeans.⁵⁸ Their involvement in the debates on prostitution were undoubtedly a response to the dramatic shifts in how white men came to view Indigenous women. Although some Native men agreed with Indian Agents and missionaries that something needed to be done to prevent prostitution, their concerns had more to do with contesting the image of the "Native woman as prostitute," and more importantly, preventing white men from accessing the bodies of Aboriginal women. Fearing that inter-racial heterosexual encounters left Indigenous women and their children in a destitute state and dependant upon Native communities, Aboriginal men who entered these debates were opposing the further destruction of their societies.

Perhaps not surprisingly, Indian Affairs Agents interpreted Native men's concerns about prostitution very differently. Many saw the objections made by Aboriginal men as responses to the growing "immorality" on their reserves and among their women. Colonial administrators perceived these responses as agreement from Indigenous communities that officials needed to regulate Native women. For example, Indian Agent Pidcock, the Agent for Alert Bay, reported that the "majority of the Indians in this Agency are anxious to stop the women from going away for immoral purposes," as these women rarely returned, except in diseased and dying conditions.⁵⁹ Pidcock, for one, urged the Department of Indian Affairs to

⁵⁸Van Kirk *supra* note 24 at 26.

⁵⁹Pidcock to Moffat (April 3, 1889). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

take action on behalf of the Native men in Alert Bay, as they “do not feel themselves strong enough at present to take action in this matter.”⁶⁰

Although authorities put forth a variety of reasons to explain why prostitution was a flourishing trade on BC reserves, many agreed that Aboriginal women were the ones to blame for this shameful state of affairs. In a report to the Provincial Police, Henry Jones, the local constable amongst the Indians on the Nass River denied “ever having heard of an Indian girl being sold to a white man.” Rather, he explained that, “I, and mostly everyone, will admit that Indian women as a rule are immoral and of course prostitute themselves whenever an opportunity arises.” He added that these women entered into immorality voluntarily, to acquire both monetary and material gain. As the constable stated, “I do not believe that Indian men force the women to be prostitutes or that the women give the money so came by to them to their men for the potlatch; in fact, I think they manage to spend it on dress.”⁶¹

Despite these widespread discussions of prostitution, authorities still had very little understanding as to what exactly came under its legal definition. Throughout this period, Indian Affairs officials discussed prostitution frequently, and yet continued to define it ambiguously, both in social and legal discourse. In a letter to the Superintendent of Indian Affairs in Ottawa, Indian Agent Beattie expressed typical confusion about the definition of prostitution, and asked the Department for some clarification on the matter. He questioned:

If a woman occupies a house on a Reserve and allows a man *not her*

⁶⁰Petition to Pidcock (March 8, 1895). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁶¹Jones to Campbell (December 29th, 1905). BCARS, GR-0429, box 13, file 1.

husband to come and go when he likes, to remain overnight with her and occupy the same bed, is she guilty of an offence against this Act [Section 106 of the Indian Act] providing she allows only one man to visit her in that way and if there is no financial gain in such a situation, is it adultery or prostitution.⁶²

Although there was no exchange of money or material goods - which was the defining feature of the “social evil” - these circumstances were still interpreted by the Department of Indian Affairs as prostitution. As the Superintendent explained; “A woman who allows a man to whom she is not married to occupy the same bed with her must certainly be regarded as a prostitute herself, and if he or she is already married, as committing adultery also.”⁶³ Like local Indian Agents and missionaries, it appears that the Department of Indian Affairs Ottawa was also advocating that *all* Aboriginal women were to be defined and treated as prostitutes.

By the late nineteenth century, local authorities had firmly established prostitution and the “Native woman as prostitute” as social problems on BC reserves, in logging camps, and canneries. At this historical moment, when whiteness was being threatened by the presence of concubines, mixed-race children, and other “foreigners,” discussions of prostitution pervaded official discourse. In his important work on colonial India, Kenneth Ballhatchet argues that prostitution served a specific purpose in the nineteenth century. He contends that British officials came to see prostitution as a more acceptable sexual alternative to Indian

⁶²Beattie to Superintendent General of Indian Affairs (September 10, 1891). NAC, RG 10, reel c11245, volume 2591, file 119,529.

⁶³Superintendent of Indian Affairs to Beattie (September 17, 1891). NAC, RG 10, reel c-11245, volume 2591, file 119,529.

mistresses and concubines, conjugal relations which had been pervasive in the decades earlier.⁶⁴ In BC, the body of the prostitute and the practice of prostitution protected whiteness and Euro-Canadian superiority in similar ways. Whereas the concubine blurred the racial boundaries between whites and Natives, the body of the prostitute sharpened these boundaries by demarcating racial superiority and inferiority through notions of respectability and degeneracy.⁶⁵

Prostitution ensured that Euro-Canadian men could continue their inter-racial sexual transgressions with Native women with few social, political, or economic consequences. This is not to suggest that police constables completely tolerated prostitution altogether, or that the men who used prostitutes were never punished.⁶⁶ Under concubinage however, white men could potentially lose their property, racial privilege and respectability, whereas through prostitution these relations were secured.⁶⁷ Native women, whose bodies were inscribed with sexual and racial degeneracy, could never legitimately pursue white male privilege or property. By discursively constituting Native women as prostitutes, authorities ensured that these women would not lose their “Indian status” as did concubines. Thus, the “Native

⁶⁴Kenneth Ballhatchet, *Race, Sex, and Class Under the Raj: Imperial Attitudes and Policies and their Critics* (New York: St. Marten’s Press, 1980) 10-20.

⁶⁵See also Razack on this point. *Supra* note 12.

⁶⁶For a list of bawdy-house charges in Vancouver Police Court between 1906 and 1933, see *supra* note 11 Table 7.3 at 259.

⁶⁷There was some discussion in BC about expanding the inheritance laws to include Indian concubines and mixed-race children. Some authorities believed that this type of change would deter white men from cohabiting with Native women. See for example “Report on Acts of BC Reserves” (September 25th, 1872). BCARS, RG 10, reel B0321, volume 3655, file 8983.

woman as prostitute,” while still sexually accessible to white men, could continue to be regulated by the *Indian Act* and other racially-specific legislation. This being the case, government officials could draw from a variety of legal and non-legal regulatory practices to discipline and punish her. As I discuss in the following section, the formal and informal techniques of governing prostitutes and prostitution were not aimed at eradicating the “social evil,” but rather were directed at disciplining Aboriginal women and regulating the spaces which she could inhabit and in which prostitution could occur.

III. Governing the “Native Woman as Prostitute” and the Making of White Spaces

Throughout the late nineteenth and early twentieth centuries, government officials at the federal, provincial, and local levels implemented various legal and non-legal regulatory techniques to manage prostitution and to punish the “Native woman as prostitute.” Although Indian Agents, missionaries, and local officials openly condemned both intra and inter-racial prostitution, and many emphasized the need for more “stringently applied laws,”⁶⁸ I suggest in this section that these formal and informal governing practices were aimed at *controlling* rather than eradicating prostitution.⁶⁹ This was especially evident in its inter-racial manifestations. Officials dealt with intra-racial prostitution by implicating the Native man in perpetuating the “social evil,” and by ensuring that he was punished both legally and non-

⁶⁸Mackay to Vowell (July 4, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁶⁹Other historians have made similar observations about authorities tolerating prostitution and endeavoring to control it rather than eliminate it. For a brief discussion of Eastern Canadian cities see Valverde *supra* note 9 at 81.

legally. In the case of inter-racial prostitution, however, officials were far more concerned with *where* prostitution took place, leaving white men outside of the discourse and often beyond punishment.

Because white men were not always accountable, government officials ensured that they could continue to access the bodies of Indigenous women with few consequences. Although Indian Agents and missionaries expressed their concerns about Native women prostituting themselves to working class white men, they did not explicitly discuss the need to eliminate these sexual practices. Rather, their concerns centered on keeping prostitution away from white respectable areas and in racialized spaces. One Indian Agent urged that “Indian women” should not be allowed to practice “open prostitution in the cities, towns, and settlements of the whiteman.”⁷⁰ Interestingly, he said nothing about prostitution in logging camps and on reserves, racialized places where officials reported the “social evil” was widespread.

By publicly expressing their anxieties of intra and inter-racial prostitution, Indian Agents and missionaries in BC and in other parts of the country, successfully urged the federal government to implement new laws that dealt explicitly with the problem. By 1879, a series of provisions relating to prostitution was added to the *Indian Act*. These sections of the *Indian Act* underwent several revisions, each adding more teeth to the legislation. The *Indian Act* of 1879 focused on punishing individuals who kept houses of prostitution. However, these sections were repealed and replaced in 1880 and again in 1884. The 1880 law

⁷⁰Mackay to Vowell (July 4, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

prohibited the keeper of any house from allowing Indian women who were believed to be prostitutes on their premises. The 1884 Act extended the provisions of the earlier legislation from “keepers of houses of prostitution,” to include any Indian woman *or man* keeping, frequenting, or found in a “disorderly house or wigwam.” Tellingly, federal law-makers implied that wigwams were disorderly by definition. The law was changed again in 1887, so that keepers and inmates of houses of prostitution would be equally liable to a fine of \$100 or six months imprisonment.⁷¹ These new provisions were aimed at eliminating intra-racial prostitution only. The *Indian Act* criminalized Native women for practising prostitution and punished Aboriginal men for “pimping” and “purchasing” the services of prostitutes; however, few attempts were made to punish white men. In 1892, with the enactment of the *Criminal Code of Canada*, the federal government removed all of the prostitution sections from the *Indian Act* and inserted them into this new legislation.⁷²

In spite of the amendments to the *Indian Act* and the *Criminal Code of Canada*, there is little evidence that Indian Agents and law enforcement officials secured convictions, or desired to do so, under this legislation.⁷³ The provincial Superintendent of Indian Affairs explained that, in spite of the fact that “the machinery of the law is in almost perfect working order,” it was difficult to enforce, especially in “a wild country sparsely settled and poorly

⁷¹For a clear discussion of these developments see *The Historical Development of the Indian Act*, 2nd ed., (August 1978). Treaties and Historical Research Centre, P.R.E. Group, Indian and Northern Affairs, especially chapter five.

⁷²*Supra* note 5 at 421.

⁷³To date, I have found no cases of Aboriginal convicted under the prostitution-related provisions. However, there is evidence that white women were convicted for prostitution-related offenses. This suggests perhaps that Native women were dealt with informally.

policed.”⁷⁴ In addition to problems with enforcement, it seems that the Department of Indian Affairs had little interest in securing arrests and convictions for prostitution-related offences. Upon request by one authority to implement the laws relating to prostitution in BC, the Department of Indian Affairs responded that “as far as criminal offences are concerned the Department does not recognize the responsibility for the enforcement of the law” except in the case of liquor. The Department of Indian Affairs clarified that, the liquor provisions were stringently enforced “largely because a revenue exists, and there has been a feeling that where a revenue is derived the work should be done and expenses borne by the Department which benefits from the revenue.”⁷⁵ Though these laws were seldom enforced to full capacity, Native women did not go unpunished. Rather, many Aboriginal women who were arrested for prostitution-related offences were banished from cities and towns and were forced back to their reserves.⁷⁶

Informal regulatory practices were also a common strategy for dealing with prostitution in BC. Despite the fact that no pass system was legally established in the province, Indian Agents nonetheless endeavored to regulate prostitution by restricting the mobility of the “Native woman as prostitute” and by limiting the spaces through which she could travel. Just as women arrested for prostitution-related offences were sent back to

⁷⁴Vowell to Secretary, Department of Indian Affairs, Ottawa (September 27th, 1905). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁷⁵Memorandum for the Superintendent General of BC (October 10th, 1905). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁷⁶Several Native women charged with prostitution-related offences were sent out of the city as their punishment. See Vancouver Police Court Records Charge book One (1897-1900), Series 193.

reserves, many Aboriginal women suspected of prostitution were “unofficially” prohibited from leaving their reserves. Government officials attempted to control prostitution by preventing Native women from frequenting cities and towns. These techniques of surveillance ensured that prostitution could flourish in reserve spaces where Indian Agents and missionaries could more easily regulate or ignore it.

Governing the movements of the “Native woman as prostitute” secured the reserve as “red light district” while simultaneously preserving the respectability of white urban cities and towns. Interestingly, the regulation of space was a gendered process, since restricting the mobility of Native men was debated but not fully implemented in BC.⁷⁷ While the possibility of restricting the movements of white men was never discussed, authorities did debate spatial constraints on Native men. However, Indian Agents and missionaries deemed that such measures would be problematic, as mobility for Indigenous men was essential to employment opportunities including hunting, fishing, and hop picking in fields across the border.⁷⁸

Guided by concerns of prostitution, several Indian Agents took it upon themselves to regulate the movements of Aboriginal women. In March of 1889, a number of Indian women and men were waiting for the “Sardouxy,” a steamer traveling from Alert Bay to Victoria. Pidcock, the Indian Agent in Alert Bay, prohibited six Aboriginal women from going on the steamer; two of whom were refused “at the request of their relations.” These six women

⁷⁷Several Indian Agents wrote letters to Victoria emphasizing that Native men had never been prevented from traveling off reserves via steamers. Correspondence in NAC, RG 10, reel c-10193, volume 3816, file 54,045-I.

⁷⁸Guilford to Vowell (August 22, 1890). NAC, RG 10, reel c-10193, volume 3816, file 54-045-I.

were prohibited from leaving their community, as it was believed that they had the “avowed purpose of prostituting themselves in Victoria and other places.”⁷⁹ Pidcock justified his actions by stating that he “had previously been requested by numbers of the young men to prevent if possible their wives and sisters from going to Victoria, who they know seldom return except in a diseased and dying condition.”⁸⁰ However, Captain Irving of the Sardoux was outraged by the actions of the Indian Agent, and sent a letter of complaint to the Indian Commissioner in Victoria. Irving described the Agent’s actions as “illegal and uncalled for,” emphasizing that Pidcock’s interference resulted in a “direct loss to the company.”⁸¹

The actions of Agent Pidcock in Alert Bay heated up an enormous controversy that was already brewing among the federal and provincial governments, Indian Agents, missionaries and other local authorities about how best to manage prostitution and the “Native woman as prostitute.” Over the span of several years, these authorities wrote letters back and forth debating the implementation of new laws, the vigilant enforcement of existing legislation, and use of informal and ad hoc regulatory techniques. Interestingly, throughout the inter-governmental correspondence, the Department of Indian Affairs, Indian Agents, and missionaries always discussed the regulation of prostitution in spatial terms. Spatial segregation was deemed by authorities to be crucial to the management of prostitution, and the strategies advocated by government officials were aimed primarily at containing the

⁷⁹Pidcock to Moffat (April 13, 1889). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁸⁰*Ibid.*

⁸¹Irving to Indian Commissioner (March 29, 1889). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

movements of the “Native woman as prostitute.”

Indian Agents and missionaries discussed in great detail the need for legislation to limit the movement of Native women. After careful consideration, however, most agreed that laws directed at curtailing the mobility of Aboriginal women would cause more harm than good. Indian Agents and missionaries feared that attempts to legally prevent Native women from traveling off their reserves would be unenforceable, and moreover, could potentially result in “much disquietude to all the Indians in the Province, who would make it a general grievance were their women deprived of freedom.”⁸² Others argued that the implementation of such laws would result in even greater immorality within Native communities. As Agent Todd explained, although “some of the men of different bands would at first gladly second any attempt to curtail the freedom of their women, their desire to steal each other’s wives would very soon cause them to join in smuggling women away from the control of an Indian Agent as well as from their husbands or parents.”⁸³ He and others concluded that laws of this nature would simply contribute to the “sale” of young women and girls.

In spite of these concerns, there were dissenting missionaries and Indian Agents who did request legislation to deal with prostitution. However, the Department of Justice responded to these requests rather curtly, stating that “there is not at present sufficient material on hand to permit the drawing up of a Bill fully dealing with the question” of

⁸²Vankoughnet to BC Indian Office (February 25th, 1891). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁸³Todd to Vowell (October 8th, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

prostitution. Instead, the Minister of Justice encouraged local authorities to use the Vagrant Act against “Indian women frequenting houses of ill-fame.”⁸⁴ The Department of Indian Affairs tried to pass the buck by urging the BC government to introduce a Bill in the legislature to legally sanction a pass system. Officials from Ottawa suggested that under such a Bill, steamships should “be requested to give passage to no Indian women unless they have permits from the Indian Agent to leave by the Steamer for other parts.”⁸⁵ Although no such law was passed in BC, Superintendent Vowell requested Agent Pidcock in Alert Bay to inform the owners and operators of steamships as to the immoral practices of Native women and to request them to “refuse passage on the steamer or other boats, to certain points of destination.”⁸⁶ Much to his dismay, Vowell received a letter from Captain Warren, the owner of a BC steamship, who made no firm commitment to follow these requests. Rather, Warren informed Vowell that his steamer would comply only “so far as is consistent with our carrying trade - or in other words will do the same as other steamers on the Northern route.”⁸⁷

Provincial authorities and Indian Agents also encouraged local authorities and Native communities to use their discretion and their muscle to regulate Native women. Agent Pidcock observed that Aboriginal men who complained about the immorality of their women

⁸⁴Thompson to Governor General in Council (March 18th, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57-045-I.

⁸⁵Department of Indian Affairs Ottawa to Dewdney (February 5th, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁸⁶Vowell to Pidcock (February 21st, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

⁸⁷Warren to Vowell (March 21st, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57,045-I.

“have it entirely in their power to prevent their wives and daughters from going to Victoria for immoral purposes.”⁸⁸ However, he and other Agents stated that they would happily assist Indigenous communities, by preventing Native women from leaving their reserves, as Agent Pidcock had done in Alert Bay. In addition, some authorities suggested that a local volunteer be appointed to assist Indian Agents in their efforts. Indian Agent Loring offered that a “trustworthy Indian” be appointed in each village or District to assist Indian Agents and Native communities in monitoring the movements of Aboriginal women.⁸⁹

The Alert Bay episode reveals that government officials also utilized informal regulatory practices to manage prostitution and the “Native woman as prostitute” in BC. Like the various prostitution-related provisions in both the *Indian Act* and the *Canadian Criminal Code* - these non-legal strategies also reflect an ambivalence about the “social evil.” Although government officials condemned prostitution, their legal and non-legal endeavors suggest that they were concerned with managing the spaces in which these sexual practices occurred and had very little interest in eliminating prostitution altogether.⁹⁰

Restricting the movements of Native women, as I argue throughout this section, was integral to the assertion of white supremacy in BC. Government officials and missionaries -

⁸⁸Pidcock to Vowell (April 24th, 1895). NAC, RG 10, reel c-10193, volume 3816, file 57-045-I.

⁸⁹Loring to Vowell (August 12th, 1890). NAC, RG 10, reel c-10193, volume 3816, file 57-045-I.

⁹⁰Sherene Razack offers a spatial explanation of this legal ambivalence about prostitution. She argues that, from the turn of the century onward, prostitution has marked certain spaces as spaces of immorality while identifying contrasting spaces as white and respectable. *Supra* note 12 at 367-368.

who aimed to prevent Aboriginal women from frequenting cities and towns - ensured that prostitution could flourish in certain socially constituted areas, while remaining outside the respectable city spaces inhabited by white settlers. Thus, by regulating the movements of Native women authorities were able to construct reserves as a spaces of degeneracy where white men could continue their sexual transgressions with Native women without compromising their own positions of superiority.⁹¹ In other words, efforts to contain prostitution to BC reserves and non-urban areas secured both the respectability of white urban spaces and the privileged identities of white men.

IV. Chinese Exclusion, Segregation, and White Slavery

By the late nineteenth century, fears about the “Native woman as prostitute” were followed by another social problem, growing anxieties about *over-sexed* Chinese men who were responsible for a flourishing sex-trade in the province. Although government officials continued their preoccupation with inter-racial transgressions between Indigenous women and white men well into the twentieth century,⁹² by this period, fears of prostitution in urban centres bound up with anti-Asian sentiment became the more pervasive racist discourse. During the late nineteenth and early twentieth centuries, prostitution involving Native women was scattered through BC newspapers and inter-governmental correspondence. By the 1910's

⁹¹*Ibid* at 357.

⁹²I am making this assertion based on the fact that authorities proposed an amendment to *Criminal Code of Canada*, making it an offense for any white man to cohabit with an Indian woman. This amendment was never passed. See *House of Commons Debates*, Session 1921, volume 4 (May 26th, 1921), 3907.

however, it appears that government anxieties about prostitution centered on the Chinese.

To elaborate, Native peoples were firmly (dis)placed onto reserves, and thus, no longer endangered the making of a white BC in the same ways that they did fifty years before.⁹³ Now, authorities were faced with a new and growing threat to whiteness, and specifically to white labor. As one source described it, the country was “being flooded with a Mongolian population, ruinous to the best interests of British Columbia, particularly her laboring classes.”⁹⁴ At this historical moment, the “Chinese woman as prostitute” and the “Chinese pimp” accompanied earlier fears of inter-racial heterosexuality. Kay Anderson points out that colonial elites increasingly viewed sex between Chinese men and white women as the *ultimate* political and moral transgression. While inter-racial heterosexuality in all its manifestations compromised racial purity and imperiled the myth of a white settler society in different ways, liaisons between Chinese men and white women had much higher stakes than other inter-racial couplings. As many authorities insisted, relations between Chinese men and white women deeply threatened white male property and privilege.⁹⁵

Ann Laura Stoler, as I point out earlier in the chapter, has convincingly argued that immigration restrictions were central to establishing a distinctive sexual politics in colonial Southeast Asia. Writing specifically about prohibitions on the importation of white women, she insists that white administrators did not see the establishment of European families in

⁹³Although Indigenous Nations have continued to resist colonization well into the present day, from the early twentieth century until the 1930's, there is a striking absence of Aboriginality in governmental correspondence including the *Sessional Papers*.

⁹⁴“Chinese Question,” *BC Sessional Papers* (1884), 229.

⁹⁵*Supra* note 10 at 207.

these colonial locales as politically, socially, and economically feasible. By “restricting the emigration of white women to the colonies and by refusing employment to married male European recruits,”⁹⁶ she explains, authorities ensured that concubinage between white men and Indigenous women would flourish, a conjugal arrangement which for the time being secured white supremacy in complicated ways.⁹⁷ Drawing from Stoler’s arguments, I suggest that restrictions on Chinese immigration, specifically those directed at Chinese women, also created an (un)intended sexual condition in Canada’s most western province, one which both endangered and strengthened notions of BC as a respectable homogeneous society.

Whereas the absence of white women in the colonies enabled concubinage to flourish and secured whiteness in different ways, the growing presence of white women combined with the absence of Chinese women in BC created a situation which authorities argued could potentially undermine white superiority. Since dominant narratives portrayed Chinese men as inherent “perverts,” government officials feared that in the absence of Chinese mates, they would prey on white women. Ironically, governmental policies and restrictions on Chinese immigration were deeply implicated in the racial and sexual order of things in the province. While the gender imbalances of BC’s Chinese community were perceived by state authorities as unsettling the social order, these fears also allowed them to cement white supremacy in important ways. Large numbers of single Chinese laborers in BC and the scarcity of Chinese

⁹⁶Ann Laura Stoler, “Carnal Knowledge and Imperial Power: Gender, Race, and Morality in Colonial Southeast Asia,” in Micaela di Leonardo, ed., *Gender at the Crossroads of Knowledge: Feminist Anthropology in the Postmodern Era* (Berkeley: University of California Press, 1991) 61.

⁹⁷*Ibid.*

women provided a fertile climate for images of Chinatowns as red-light districts, Chinese women as prostitutes, Chinese men as the procurers of prostitutes, and ultimately, the “white slavery panic.” As I argue throughout this section, these discourses and the material practices which ensued enabled government and religious officials to reaffirm their hold on whiteness and Euro-Canadian dominance, and ultimately, to uphold hegemonic social relations in BC.

There is little doubt that government authorities were endeavoring to build a white BC and a white Canada in the late nineteenth and early twentieth centuries.⁹⁸ While these sentiments were articulated clearly through governmental debates about Native peoples and also immigration, these racist exclusions were most apparent in state efforts to limit and restrict the entry of Chinese laborers and their families into Canada. During the late nineteenth century, thousands of Chinese workers were brought in from China and San Francisco to complete the Canadian Pacific Railway and to do other jobs that whites would not perform.⁹⁹ White labor groups and government officials at the provincial and municipal levels were especially concerned about this importation of foreign labor and what it would mean for the future of the province. The provincial secretary for instance, lamented that among other problems, the “employment of Chinese, as carried on, is practically establishing

⁹⁸I am not suggesting that this is a historical phenomenon, but rather, one which is ongoing. See for example Sherene Razack, “Making Canada White: Law and the Policing of Bodies of Color in the 1990’s,” (1999) 14:1 *Canadian Journal of Law and Society* 159-184.

⁹⁹In various parts of Canada, there was a severe shortage of female domestic workers, and Chinese men were often employed to help white middle class women in their homes. See for example Kay Anderson, *Vancouver’s Chinatown: Racial Discourse in Canada, 1875-1980* (Montreal & Kingston: McGill-Queen’s University Press, 1991) 36.

a system of slave labor in the province.”¹⁰⁰ Since Chinese workers were accustomed to being paid little money, the logic went, they were keeping wages artificially low and thus, were stealing jobs from the hard-working white laboring classes.

Anxieties about labor became a major justification for both the inclusion and exclusion of Chinese immigrants. While the state and private companies required these bodies of color to build the railway and to establish other industries in the province, white workers and interest groups were bitterly opposed to Chinese immigration. Not only did labor groups condemn the influx of Chinese workers into BC, but they also denounced efforts to Christianize this “non-assimilating race.”¹⁰¹ As Reverend Coleman pointed out, many working class whites were angered that the Presbyterian church was spending its time and money *civilizing* these foreigners. “The plea is made, by the promoters of this movement,” he explained, “that by teaching the Chinese English we are injuring the white laborers, and because of the help the Churches are giving to the Chinese mission, white men are angered and refuse to attend....”¹⁰² If Chinese men could learn to speak English fluently, many argued, they would be even more marketable to private industry and capital, and would further undermine the class and racial hierarchies that government authorities were endeavoring so hard to establish in the province.

As economic conditions worsened in late nineteenth century BC, Chinese racism

¹⁰⁰“Order in Council: Chinese Immigration,” *BC Sessional Papers* (1883), 845.

¹⁰¹*Ibid.*

¹⁰²Coleman to Mackay (September 10th, 1901). UCA, Presbyterian Church in Canada, Board of Foreign Missions, 1854-1938, Fonds 122. Series 12, Accession #79.189, reel 1, file 14.

became more virulent and coercive.¹⁰³ Anti-Asian sentiment, as with other forms of racist expression, did not follow a smooth and linear process, however. Nor were the provincial and federal governments always in agreement with respect to how Chinese labor and immigration should be dealt with. In 1884, pressure from white workers combined with provincial fears prompted the BC legislature to pass several measures limiting Chinese immigration, including a \$10 head tax and restrictions on owning crown lands.¹⁰⁴ Six weeks after the laws were passed, the federal government prohibited them. The federal government's position was reaffirmed by the courts who promptly struck down the poll tax law on the grounds that it unfairly discriminated against the Chinese race. Not surprisingly, these decisions were severely criticized by many unions and labor organizations throughout the province. The Anti-Chinese Association was among those who condemned the federal government's actions. In 1890, they sent a petition to both the provincial and federal governments urging them once again to "stop the future immigration of Chinese to this country."¹⁰⁵ Despite further provincial initiatives to legally enforce "Oriental exclusion,"¹⁰⁶ the federal government responded by disallowing provincial laws.¹⁰⁷

¹⁰³Peter Ward, *White Canada Forever: Popular Attitudes and Public Policy Toward Orientals in British Columbia* (Montreal & Kingston: McGill-Queen's University Press, 1990) 30 & 36.

¹⁰⁴James W. St. G. Walker, "Race," *Rights and the Law in the Supreme Court of Canada: Historical Case Studies* (Canada: The Osgoode Society for Legal History and Wilfred Laurier University Press, 1997) 60.

¹⁰⁵"Petition of Anti-Chinese Association," *BC Sessional Papers* (1890), 406.

¹⁰⁶See for example *Alien Labor Act*, R.S.B.C., 1897, chapt. 1.

¹⁰⁷*Supra* note 99, at 38; *supra* note 103, at 27.

Between 1884 and 1904 however, after the CPR had been successfully completed, the federal government implemented its own Asian exclusion laws including a series of head taxes. In 1923, the *Chinese Immigration Act* virtually stopped immigration from China until after World War II.¹⁰⁸ Because of the head taxes and the vociferous anti-Chinese sentiment in the province, many laborers came to Canada alone, leaving their families behind in China. While the head taxes secured a steady supply of Chinese labor into Canada, they also ensured that many of these poor workers would not be able to bring their wives and children with them. Consequently, Chinese women were largely absent from the provincial landscape. The head taxes did not only skew the gender demography of the province's Chinese communities, but also impacted domestic arrangements in China, separating husbands, wives, and families.¹⁰⁹

The head taxes, albeit aimed at limiting the numbers of Chinese in general, had a specific gendered dimension. Although authorities assumed that Chinese laborers would be able to pay the taxes and thus, would still seek work in BC, many agreed that the hefty payments would deter them from bringing their wives and children. When defending the 1885 tax to the House of Commons, John Chapleau, the Royal Commissioner for Chinese immigration argued that the tax would discourage permanent residence by ensuring that only the heads of families would come into the nation. More importantly, he argued that the tax

¹⁰⁸The first head tax was \$10 and was implemented in 1884; in 1885 the amount increased to \$50; and in 1904 to \$500. See Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver: University of British Columbia Press, 1997) 269.

¹⁰⁹*Supra* note 99 at 79.

would specifically limit the numbers of Chinese women in Canada, which ultimately, would reduce immorality. “If they came with their women,” Chapleau explained, “they would come to settle and with immigration and their extraordinary fecundity, would soon overrun the country.”¹¹⁰ It appears that the head tax was indeed successful on some levels. According to the 1911 Canadian census, the ratio of male to female Chinese immigrants was 279:1.¹¹¹ A more detailed gender breakdown for BC between 1906 and 1924 is presented in Table 1. While narratives of over-fertile Chinese women and fears about the Chinese as permanent residents both justified and bolstered the exclusion of women from Canada, these discourses also created a fertile climate in which fears of prostitution and “white slavery” could thrive.

Table 1: Male to Female Chinese Immigration to British Columbia

Fiscal Year	Males	Females	Total
1906-07 (9mths)	63	9	72
1907-08	1,719	39	1,758
1908-09	1,695	36	1,731
1909-10	1,866	58	1,924
1910-11	4,859	77	4,936
1911-12	5,776	80	5,856
1912-13	7,029	85	7,114
1913-14	5,230	89	5,319
1914-15	1,147	40	1,187
1915-16	42	18	60
1916-17	297	33	330

¹¹⁰John Chapleau, *Sessional Papers* No. 54a, Royal Commission on Chinese Immigration, at 98. Cited in *ibid* at 201.

¹¹¹*Supra* note 103 at 87.

1917-18	695	26	721
1918-19	4,095	63	4,158
1919-20	389	67	456
1920-21	2,001	135	2,136
1921-22	1,125	114	1,239
1922-23	232	59	291
1923-24	59	36	95
1924-25	---	---	---
Totals	38,319	1,064	39,383

Source: Province of British Columbia, *Report on Oriental Activities within the Province*, 1927.¹¹²

Tensions about inter-racial sex between Chinese men and white women were more pronounced in the twentieth century through sensationalist narratives of the “white slave trade.” It is important to note however, that these concerns were preceded by widespread accounts of intra-racial prostitution. Reports of Chinese slavery and concubinage enabled authorities to secure images of Chinatown as a space of prostitution, sexual danger, and degeneracy, while simultaneously allowing them to constitute Chinese women as prostitutes and Chinese men as hyper-masculinized and predatory pimps. As in the case of the “Native woman as prostitute,” these discursive constructions had serious material and spatial implications, justifying both the need for racial segregation and for social and legal restrictions on the movements of Chinese women and men, as well as white women.

¹¹²*Report on Oriental Activities within the Province*, Prepared for the Legislative Assembly, (1927), 6. UCA, Hugh Dobson Papers, Reel 48, File M.

V. Constructing Prostitutes and Pimps in Chinatown

Many historians have uncritically accepted the notion that Chinese men procured prostitutes and Chinese women worked as prostitutes in BC and elsewhere in Canada.¹¹³ Robert MacDonald writes that Chinese men “[f]aced with social isolation and the absence of family turned for recreation to prostitution, opium smoking, and gambling.” Moreover, he suggests that of the 123 Chinese women in Vancouver during 1911, many were “children, merchants’ wives, and prostitutes.”¹¹⁴ Although some Chinese did work as prostitutes, MacDonald and others fail to interrogate the ways in which colonial administrators utilized prostitution to inscribe sexual depravity onto the bodies and spaces of BC’s Chinese communities. While government and popular constructions of the “Chinese pimp” ensured that immigrants from China would continue to occupy an unstable position within the province, I argue that images of the “Chinese woman as prostitute” meant that female immigrants from China would remain unwelcome in the Canadian national space. Together, these discursive constructions marked Chinatown as a place of sexual and racial decay. In other words, colonial anxieties about prostitution further legitimized the tenuous position of Chinese immigrants; through the coercive immigration restrictions that maintained Chinese exclusion in BC, and the presence of racialized Chinese enclaves.

Throughout the late nineteenth and early twentieth century, a common assumption among government officials and white settlers in BC was that *all* Chinese women were

¹¹³*Supra* note 5; *supra* note 9; *supra* note 11 at 254.

¹¹⁴*Supra* note 29 at 215-216.

prostitutes.¹¹⁵ Broader imperialist ideals about China as a country where concubinage and slavery were practiced undoubtedly influenced public perceptions. Despite the fact that such few women resided in BC, anxieties about the “Chinese woman as prostitute” remained pervasive. One source writing for the *Victoria Colonist* cautioned his readers as follows: “It has been ascertained that Chinese women are in the habit of luring boys of tender age into their dens after dark, and several fine, promising lads have been ruined for life in consequences.”¹¹⁶ The following day, a Victoria resident wrote to the editor, corroborating this story about licentious Chinese women. “I know it to be a fact,” he explained, “that more than one youth of my acquaintance has been well-nigh ruined by falling into the snare of these moral pests to which you have alluded.” Declaring himself to be a parent, the man commended the editor for raising the issue publicly and thus, having “done good service to the cause of moral reform in this vicinity.”¹¹⁷ To protect these young lads from such debauchery, white settlers and government officials urged that Chinese women should be prohibited entry into the nation. These women were believed to be so dangerous, that the Victoria police also proposed a law to *protect* young boys from their sinister influences. Under this intended law, “any boys who, when caught on the streets after nightfall” in Victoria, were to “be taken to the barracks for safe-keeping.”¹¹⁸

¹¹⁵On this point see *supra* note 98 at 201; *supra* note 102 at 8. See also Constance Backhouse, *Color Coded: A Legal History of Racism in Canada* (Toronto: University of Toronto Press, 1999) especially chapter 5 at footnote 50 & 51.

¹¹⁶“Chinese Brothels,” *Victoria Colonist* (June 14th, 1876), 3.

¹¹⁷“Brothels,” *Victoria Colonist* (July 16th, 1876), 3.

¹¹⁸“Chinese Brothels,” *Victoria Colonist* (June 14th, 1876), 3.

Many whites argued that prostitution in Chinese society was caused or at least intricately linked to the “barbaric” marriage customs of the Chinese. In much the same way that Indian Agents and missionaries blamed polygamy and the potlatch for widespread prostitution on reserves, government and religious authorities insisted that prostitution amongst the province’s Chinese communities was also caused by the heathen practices of concubinage, polygamy, and slavery. For instance, the daily newspapers and missionary organizations made numerous accounts of Chinese women being married several times to different men. According to one resident, a young Chinese girl “was married once in Tacoma and again at Victoria, and it is presumed that she would have been married as often as circumstances demanded.”¹¹⁹ He argued that Chinese men married these young women and when they were tired of them, they re-sold them to their male friends and family members.

In their Annual Reports, the Women’s Methodist Missionary Society elaborated on the degeneracy of Chinese marriages by documenting sensationalist stories about “slave” girls. “Ling,” a Chinese woman aged nineteen or twenty, was one typical case of Chinese slavery. “When three years old she was sold by her mother to a friend, to defray her father’s funeral expenses.” At the age of fourteen “she was sold in marriage. After the death of her son and husband her mother-in-law was very unkind to her, and again she was sold, this time to a gambler, by a friend of the mother in law.” The gambler then “sold her into an immoral life.” Eight months later, “Tong Sing,” of Vancouver bought “her for his third wife” and brought her to the city. “She was detained at the immigration shed on landing, and was only

¹¹⁹“Chinese Marriages,” *Victoria Colonist* (October 20th, 1887), 4.

allowed to go on a form of marriage being undone with “Tong Sing.” In a short time however, he forced her into earning money by immoral means.”¹²⁰

On account of Chinese slavery, many whites insisted that “ministers of the Christian Churches should exercise every possible scrutiny into the intentions of the Chinese who approach them for the purpose of being married.”¹²¹ The *Victoria Colonist* pointed out that while many Chinese have been married in the province, and some may be “happy in their domestic life,” there are still “grave fears that they are nearly all consummated for the purpose of abetting the traffic in Chinese slaves.” The paper concluded that “it would be in the interests of morality, and as a preventative against the ceremony being utilized for illegal purposes, that Chinese who desire to be married should be certified by an interpreter in whom confidence can be placed as to his honesty.”¹²² All marriages among Chinese men and women in Victoria were approached with suspicion, unless they were arranged and undertaken by the Chinese mission home.¹²³

Although authorities accused Chinese men of buying and selling young girls for their own enjoyment, many insisted that women were bought in China and then brought to Canada to work as prostitutes. Writing for the *Colonist*, one source described the traffic in young girls as follows:

¹²⁰Women’s Methodist Missionary Society, *Thirty-third Annual Report*, 1913-14, xcvi.

¹²¹“Chinese Marriages,” *Victoria Colonist* (October 20th, 1887), 4.

¹²²*Ibid.*

¹²³“At the Wedding,” *Victoria Colonist* (August 24th, 1892), 5.

The methods of buying girls in China for export has many varied phases, but the usual plan is to purchase them for a specific sum when they are very young from poor women. In this case a regular bill of sale is drawn up in which it is stated that the mother being too poor to bring up the child, relinquishes all claims to the purchaser for life and the purchaser agrees to bring up the child in a proper manner and not immorally. The procuress then ships her property to America where the child is soon forced to lead a terrible life by threats and cruelty. These girls have a regular marketable value, a pretty girl at the age of thirteen years bringing from \$2000 to \$3000 in San Francisco.....Every young girl is owned by a procuress in Chinatown.¹²⁴

Although these narratives of Chinese slave girls permeated public and governmental discourse, few could conclusively determine what slavery was, who was a “slave,” and how many of them resided in the province. To begin with, authorities seemed to conflate domestic workers, who they referred to as “slaves” or “servant girls,” with “slavery” meaning prostitution. As one woman from the Women’s Methodist Missionary Society admitted, “I have met few little slave girls, or servant girls as we would call them.” However, she explained that these girls were most probably kept under lock and key as “their mistresses” would never send “their servants to school to learn English.”¹²⁵

Authorities did not only use prostitution to inscribe degeneracy and danger onto the

¹²⁴“Chinese Slavery: The Traffic in Young Girls and Methods of their Owners,” *Victoria Colonist* (December 17th, 1886), 3.

¹²⁵Women’s Methodist Missionary Society, *Nineteenth Annual Report*, 1899-1900, xcvi.

bodies of Chinese women and men, but also to engrave sexual debauchery onto BC's Chinatowns. If Chinese women were inherent prostitutes, and if prostitution was an integral aspect of Chinese male culture, as many whites thought, then prostitution must also be widespread throughout the various Chinatowns in the province. Similar to reserves and other racialized spaces, government authorities, missionaries, and white settlers insisted that prostitution was indeed pervasive in Chinatowns. While Chinatowns were described as dens of pestilence, filled with gambling, drugs, filth, and squalor, prostitution also became a central signifier of these places.¹²⁶

From the late nineteenth century onward, the areas surrounding Vancouver and Victoria's Chinatowns became known as the province's red-light districts. In both of these jurisdictions, prostitution was either tolerated inside the Chinese quarters itself, or on its periphery. Local authorities were exceptionally tolerant of the "social evil," especially when it was situated away from respectable white neighborhoods and in these socially marginal spaces.¹²⁷ In Victoria, however, residents were not as permissive as the police, and were especially concerned about how prostitution would effect their city. White settlers vigorously condemned the restricted-area, and described the Chinese brothels in Victoria as being "a blot on the fair fame of this lovely little city."¹²⁸ The proximity between Chinatown and the red-light district also caused alarm for some authorities, as Reverend Holling, of the Methodist Church, complained to his superior. He reported anxiously that "[p]rostitutes - white women

¹²⁶*Supra* note 99 at 93.

¹²⁷*Ibid*; *Supra* note 29 at 190.

¹²⁸"The Police and the Bawds," *Victoria Colonist* (June 21st, 1876), 2.

- have been found in the opium dens of Chinatown.” When asked to explain their presence they say, “that it is necessary to come under the influence of the drug for an hour or two so that they may return through the night to their life of shame.”¹²⁹

After much public outcry about prostitution in Victoria, a Commission was established in 1910 under the *Public Inquiries Act*. The Commission was intended to investigate the Victoria Police Commissioners, who many lamented, were doing little to suppress vice and crime in the Chinese quarters. Although “[n]o definite complaint was laid against the Commissioners,” accusations were circulating that “money was being collected from the professional gamblers, both Chinese and white, and from the keepers of houses of prostitution, in return for protection from prosecution.”¹³⁰ And while the allegations were rumored to be “hearsay,” provincial authorities still decided to investigate the matter in more detail.

Upon inquiry, it was established that the Commissioners had “decided to create what is now known as the restricted district.” An “order was issued to all the keepers of houses of prostitution that they would have to move into this district, which consisted roughly speaking, of portions of Chatham Street and Herald Street.”¹³¹ The red-light district was thus built adjacent to the city’s Chinese quarters. The Commissioners agreed to let the “houses run

¹²⁹Holling to Sutherland (April 20th, 1909). UCA, Methodist Missionary Society Foreign Department, Sutherland Papers incoming correspondence, 1900-1910. Fonds 14, Accession #78.092C, box 4, file 73.

¹³⁰From Lampman to Patterson, “Commission on Victoria Police Commissioners” (1910). BCARS, GR-0784, box 1, file 1.

¹³¹*Ibid.*

unmolested so long as they remained in the restricted district, and were run in an orderly manner.” Evidence from the investigation suggested that Chinese men were deeply implicated in setting up this red-light area, providing further evidence that Chinese men were both procurers and pimps. Approximately “seventy Chinamen were interested in the venture; they began in 1906 and bought some lots, and their books shew that in December 1907 they paid out for bricklayers’ wages and building materials the sum of \$20,500.”¹³² Several authorities alleged that the Commissioners were corrupt and were in some sort of partnership with the Chinese men. Sources suggested for instance, that the police were being paid off so that the prostitution trade could flourish with little state interference.

Clearly, the Police Commissioners were endeavoring to keep the “social evil” within the confines of Chinatown or close by (see Map 3). When one woman bought a house slightly outside of the red-light area, the Chief of Police informed her that “she had invaded a street outside the restricted district” and “would not be allowed to open up.”¹³³ Lampman, who had been investigating the Commissioners insisted that they had done nothing wrong. While he acknowledged that to “keep a common bawdy house is an offence by the provisions of the criminal law,” the Commissioners efforts to set up a restricted district was doing more good than bad. He explained that in “Victoria, such houses have always been allowed, and in all other cities in British Columbia they are allowed.”¹³⁴ With the emergence of this red-light district, Lampman assured the Lieutenant Governor of BC that the city is in fact improving as

¹³²*Ibid.*

¹³³*Ibid.*

¹³⁴*Ibid.*



— Red light district

— Chinese quarters

Map 3: Victoria's Red Light District and Chinatown
Source: BCARS, Cartographic Records B89.

a result. Citing Chief Langley, the Police Chief, observed that in “1900 there were 275 known prostitutes” in Victoria, whereas now there are only 88.”¹³⁵

Prostitution was also tolerated on the mainland in Vancouver’s Chinatown. From 1886 onward, the city’s red-light district was adjacent to the Chinese quarters. In 1906, when prostitutes were forced to move from their previous location, they migrated into “Shanghai Alley,” the heart of the city’s Chinese enclave.¹³⁶ Notwithstanding various protests from Chinese merchants, the police refused to deal with the matter. Since Chinatown was already constituted as a red-light district in the white imagination, local authorities simply turned a blind eye.¹³⁷ Several years later, Vancouver’s prostitutes moved out of Chinatown and to the East end of the city. Despite police inaction, the Police Commissioner quickly took credit for this movement. In his 1909-1910 report to the City Clerk, the Commissioner wrote as follows; “during the past year, 1908, all the women of ill-repute who have been living in the Chinese quarters have been driven out of the city, and the conditions in that respect are very much improved.”¹³⁸

Although local authorities expressed a deep ambivalence about prostitution and agreed to contain and tolerate it within BC Chinatowns, Chinese women (like Native women), did not go unpunished. Rather, the “Chinese woman as prostitute” was both the

¹³⁵ *Ibid.*

¹³⁶ *Supra* note 99, at 97.

¹³⁷ *Ibid.*

¹³⁸ Police Commissioner’s Report (February 8th, 1909). City of Vancouver Archives, City of Vancouver Clerk Incoming Correspondence, MCR 3, volume 27, 1909-1910.

target of civilizing missions and immigration and deportation laws. Since the police were doing little to suppress the sale of young slave girls in Victoria's Chinatown, the Women's Methodist Missionary Society decided to take the matter into their own hands. They began by passing a resolution, urging the Dominion Government to "take such steps as shall prevent the importation into British Columbia of Chinese women for immoral purposes."¹³⁹ In addition, they built a "refuge" home in Victoria, aimed at *saving* these "depraved" young girls. The home, as one source explained, was established in response to the "one to two hundred enslaved Chinese women and girls, per annum, brought into the country for purposes of sin and shame."¹⁴⁰ The mission home was described as refuge, a "place fresh from the most degraded and demoralizing influences of their native [Chinese] customs."¹⁴¹ While some of the girls "were seized [by the Missionary Society] on landing from the Oriental steamships," many more were "fished out of the haunts of vice in the Chinese quarter of the city."¹⁴²

The Women's Methodist Missionary Society reported that they saved many girls each year. However, not all of BC's Chinese women were inclined to accept their *colonial generosity*. As Miss Morgan wrote in the eighteenth Annual Report, many prostitutes were reluctant to leave their lives of shame. "During the past winter," she wrote, "I have been brought into

¹³⁹Women's Methodist Missionary Society, *Tenth Annual Report*, 1890-91, xv.

¹⁴⁰Spencer Robson, "How Methodism came to British Columbia," (1902). UCA, Spencer Robson Papers. Accession #86.226C TR, 47.

¹⁴¹"The Refuge Home," *Victoria Colonist* (October 27th, 1891), 3.

¹⁴²*Supra* note 140.

close contact with numbers of fallen women. They welcome my visits but do not seem disposed to give up their bad lives.”¹⁴³ Miss Morgan, refused to acknowledge the fact that many of these women were perhaps not in need of being saved, or rather, did not embrace the civilizing missions of these white women. Rather, she continued to put forth an explanation which hinged on Chinese women as “victims” and Chinese men as “sexual predators,” observing that “men from the different boarding-houses vigilantly watch all the boats and guard the women from my influence.”¹⁴⁴

For Chinese women, images of prostitution also meant that many were not only refused entry into the country, but in some instances, also risked deportation. Deporting women back to China was favored by authorities, as many alleged that it “helped to make the [prostitution] trade unprofitable to those engaged in it.”¹⁴⁵ Because of various legal decisions however, deportation was not as easy as authorities had hoped. In a 1910 case, two Chinese women were alleged to have recently been “imported for immoral purposes” into Vancouver. Although the Chinese man who accompanied them insisted that these women were his wives, the Immigration Department suspected otherwise. In their attempts to take precautions (and to generate a revenue), the Department collected a five hundred dollar head tax from each of

¹⁴³Women’s Methodist Missionary Society, *Eighteenth Annual Report*, 1898-99, lxxxviii.

¹⁴⁴Women’s Methodist Missionary Society, *Eighteenth Annual Report*, 1898-99, lxxxviii.

¹⁴⁵Women’s Methodist Missionary Society, *Twelfth Annual Report*, 1892-93, 50.

the women, “which could not be required from bona fide wives.”¹⁴⁶ In addition, the over zealous customs officer took an extra “bona fide five hundred dollars for good behavior,” as he thought the women may be up to no good. The Department of Immigration commended the customs officer for his thoroughness, as the women were soon after convicted in police court for being “inmates of [a] gambling house.”¹⁴⁷ Although the women were fined twenty-five dollars each, authorities alleged that upon their release, they were “back at [their] old game.”

The Immigration Department was intending to deport these women but a legal precedent in the *O'Hara* case made this process more difficult. Immigration authorities in Vancouver lamented that, because of this recent decision, “no Chinese can be deported under the general provisions of the Immigration Act.” In efforts to circumvent the law, the Immigration Agent urged the Minister of the Interior to consider this a “test case” and to “instruct immigration officers..to take deportation proceedings before these women can be concealed or leave town.”¹⁴⁸ The Deputy Minister and Chief Controller of Chinese Immigration agreed to look into the matter more carefully. They assured Immigration authorities that the women in question could indeed be sent back to China, as “in certain cases deportation can be affected merely upon the order of the Minister without further warrant and a Chinese person may, by force be compelled to return to or be taken aboard a

¹⁴⁶Roy to Minister of Interior. Ottawa (August 17th, 1910). BCARS, reel B828, Chinese Immigration, volume 121, file 23635, part 1.

¹⁴⁷*Ibid.*

¹⁴⁸*Ibid.*

vessel or railway car and to leave Canada.”¹⁴⁹ Assumed to be prostitutes, authorities recommended that the two women be returned back to China.

VI. The White Slavery Panic

Widespread images of prostitution in Chinatown set the stage for the “white slavery” panic that permeated social, legal, and political debates in twentieth century BC. Despite prostitution in its various forms, “white slavery” - an ambiguous term which was eventually used to describe Chinese men who lured *vulnerable* white women to opium dens in Chinatown - received the most media and popular attention.¹⁵⁰ Early reformers including Emily Murphy were integral in fueling these concerns not just in the west but across the nation.¹⁵¹ Murphy insisted that the Chinese and their black counterparts were endeavoring to ruin the white race by spreading both opium and prostitution across respectable white society.¹⁵² By the twentieth century, government authorities had found a new discourse to limit Chinese immigration. The Chinese were not only to be excluded for undercutting white labor, but also because they threatened white femininity, and ultimately, white masculinity.

¹⁴⁹Deputy Minister and Chief Controller of Chinese Immigration to W.D. Scott (September 9th, 1910). BCARS, reel B828, Chinese Immigration, volume 121, file 23635, part 1.

¹⁵⁰Much has been written about the white slave trade. See for example *supra* note 10; Constance Backhouse, “White Women’s Labor Laws: Anti-Chinese Racism in Early Twentieth Century Canada,” (1996) 14 *Law and History Review*; Valverde, *supra* note 9, *supra* note 114 especially chapter 5; *supra* note 103 especially chapter 2.

¹⁵¹Valverde *supra* note 9 at 86.

¹⁵²*Supra* note 103 at 67.

In a report on the “Oriental Situation,” the General Ministerial Association cautioned that the Chinese did not only pose a threat to labor, but also the family, which was believed to be the cornerstone of respectability.¹⁵³ The Association urged that “White men cannot expect to be heads of families under orientalised conditions.”¹⁵⁴ Although there was little clarification offered as to what “orientalised conditions” were, the Association alluded to their fears about large numbers of Chinese men in the province who could easily seduce white women, and thus, undermine white male privilege.

Anxieties about Chinese men corrupting white women emerged at a historical moment in which authorities believed that whiteness was being destabilized by an ominous Chinese presence. Writing about allegations of rape against white women in Colonial Southeast Asia, Ann Laura Stoler argues that concerns “over the protection of white women intensified during real and perceived crises of control - provoked by threats to the internal cohesion of the European communities or by infringements on their borders.”¹⁵⁵ In BC, efforts to protect white women were indeed compounded when the province’s Chinese presence was assumed to be most prevalent and thus, most dangerous. By the early twentieth century, as greater numbers of Chinese working-class men entered into the province, fears of white slavery permeated the provincial and national social consciousness. Whereas missionaries sent each other newspaper clippings about the dangers of “Chinese restaurants

¹⁵³Robert McDonald argues that respectability in late nineteenth and early twentieth century Vancouver was associated with “rootedness and families.” *Supra* note 29 at 35.

¹⁵⁴General Ministerial Association, *Report on Oriental Situation* (January 9th, 1922). BCARS, GR-1668, box 1, file 9.

¹⁵⁵*Supra* note 20 at 353.

freely visited...by white women,”¹⁵⁶ others questioned whether it was safe for white women to eat groceries grown by Chinese merchants or have their clothes cleaned by Chinese launderers.¹⁵⁷

In 1909, the *Victoria Colonist* printed an article warning “young women against Mission work among the Chinese.”¹⁵⁸ The story was precipitated by the murder of Elsie Siegel, a young white middle class woman who was employed as a mission worker in New York City. The sensationalist tale included the stereotypical characters; a young white respectable woman who had allegedly been killed by a foul, sinister, and predatory Chinese man. Endeavoring to save his own agenda, Reverend Mackay from the Methodist Church quickly dismissed these fears. He pointed out that there “are thousands of lady missionaries in China to-day.” Mackay then cited the example of his hometown Toronto. He insisted that in this large urban centre, there are “about 1200 Chinese and we have twenty schools in which they are taught by hundreds of young people and largely by young women.” He continued on that many of these workers themselves “testify that not only do they enjoy the work but have themselves been blessed in seeking to bless others.”¹⁵⁹ If white middle class women, or rather whites in general, could not embark on their civilizing missions to the

¹⁵⁶Mackay to Campbell (August 4th, 1909). UCA, Presbyterian Church in Canada, Board of Foreign Missions, 1854-1938, Fonds 122. Series 12, Accession #79.189, reel 2, file 41.

¹⁵⁷Walker is citing Emily Murphy here. *Supra* note 104 at 66.

¹⁵⁸Mackay to Campbell (July 17th, 1909). UCA, Presbyterian Church in Canada, Board of Foreign Missions, 1854-1938, Fonds 122. Series 12, Accession #79.189, reel 2, file 41.

¹⁵⁹*Ibid.*

Chinese, they would no longer be able to invent their own identities as “blessed,” virtuous, moral, and dominant. Although Chineseness needed to be kept at bay, young white women and other mission workers secured their own subjectivities and superiority against the presence of this racial Other.

Not surprisingly then, the Methodist missionaries did not see women’s missionary work amongst the Chinese as being a moral or sexual threat. However, Reverend Holling did urge that young women should take some necessary precautions, and should only perform their work “at stated times and places, and where other teachers are present, and not privately or in the homes of the Chinese people.”¹⁶⁰ While he acknowledged that the “danger growing out of the Elsie Siegel affair has been exaggerated,” he emphasized that the Methodist Church needed to put themselves “clearly upon record that we do not endorse or approve private arrangements by individual young women to visit the Chinese in their homes or teach in their houses.”¹⁶¹ It is unclear as to what was more frightening to Church officials like Holling. Was it that Chinese men may potentially corrupt or kill white women, or was it that consensual inter-racial heterosexual relations may possibly develop across the racial divide. In any case, the “white slavery panic” justified the need for spatial restrictions upon both Chinese men and white women.

In 1909, the provincial authorities were faced with their own racial scandal involving a Chinese man and white woman named “Evie.” Unlike Elsie Siegel and other white women

¹⁶⁰Holling to Sutherland (August 19th, 1909). UCA, Methodist Missionary Society Foreign Department, Sutherland Papers incoming correspondence, 1900-1910. Fonds 14, Accession #78.092c, box 4, file 73.

¹⁶¹*Ibid.*

who undertook missionary work, “Evie” was believed to be a disreputable character, or in other words, a “fallen woman.” Her life history contained all the tantalizing details that were believed to constitute “white slavery;” including murder, inter-racial sex, prostitution, and drugs. The woman had been arrested for some unspecified offence, and was being held in the Provincial gaol in Victoria. Although she had an aunt who lived in the city, and “who is most anxious to do everything she can for her niece and would provide her with a comfortable home,” the girl “will not remain with her aunt,” complained the provincial constable, and instead “prefers living in houses of prostitution or living with the Chinese.”¹⁶² “Ewie,” who was a twenty year old white American, was “legally married to a Chinaman” from Vancouver. She had a long and checkered past; sexual abuse by her brother-in-law, a conviction for the murder of her brother, membership in a cult called the “Holy Rollers,” prostitution, and an addiction to opium. “Evie” told the police officer that she had come to Victoria several years before, and worked as a prostitute until she married her Chinese husband. Since he would not allow her “to use any kind of drugs,” a fact which deeply contradicted dominant narratives of Chinese men, she left him and went back to the house of ill-fame. After one month, she went to live with another “Chinaman....who works at the Powder Works loading powder.”¹⁶³

“Evie” was the antithesis of the virtuous white woman. However, authorities cautioned that even when middle class white women resided among the Chinese, this is how they became. Unfortunately, “Evie” was beyond saving. She informed the provincial

¹⁶²Hussey to Attorney General (August 21st, 1909). BCARS, GR-0429, box 11, file 1.

¹⁶³*Ibid.*

authorities that upon her release from jail, she would return to Vancouver and live with her Chinese husband, explaining that he “was always kind to me and would not permit me to use any drugs of any kind.” Cases such as this alarmed authorities about white slavery. They provided further evidence that white women were indeed being corrupted by Chinese men as well an impetus for coercive legislation. Although the relationship between “Evie” and her husband appeared to be consensual, authorities insisted that the “Chinaman” had forced “Evie” to form an addiction to opium so that she would live with him and work in prostitution.¹⁶⁴

Fears of “white slavery” and miscegenation underpinned many of the laws and policies that governed the movements of Chinese men and white women. For instance, concerns about “white slavery” provided a strong incentive for provincial authorities to pass an *Act to Prevent the Employment of Female Labor in Certain Capacities*, otherwise known as the White Women and Girl’s Protection Act. The law was initially enacted in 1919, under the *Municipal Act*.¹⁶⁵ In 1923, the BC government passed a race-neutral version of the earlier law, omitting the reference to Chinese. Although similar Acts were established throughout Canada, BC was the only province to broaden the legislation to include “Indian women and girls.”¹⁶⁶ The inclusion of Native women is rather surprising, given dominant views about their morality, or lack thereof. Although Aboriginal women were believed to be immoral and depraved prostitutes as I argue earlier in the chapter, authorities feared that the “devious”

¹⁶⁴*Ibid.*

¹⁶⁵R.S.B.C., 1919, s. 63.

¹⁶⁶R.S.B.C., 1923, s. 76.

Chinese pimp could still manage to seduce her. As well, the broader provisions ensured that no women, regardless of race, would be employable in Chinese businesses.

Enforcement of the White Women and Girl's Protection Act was left to the discretion of the local police. Owners and operators of businesses could only obtain an operating license if police were satisfied that there would be no threat to the morals of white or Indian women.¹⁶⁷ While the law was implemented sporadically in BC, authorities became more vigilant after several high profile cases, in which white women were allegedly murdered by Chinese men.¹⁶⁸ The Chinese community in BC and elsewhere did not sit complacently, but rather contested these restrictions on their freedoms. While the law was formally challenged in Saskatchewan courts,¹⁶⁹ in BC, the over zealous policing of Chinese restaurants and cafes was vigorously protested by Chinese owners, and ironically, by white working class waitresses, who demanded the right to choose their own places of employment.¹⁷⁰

Although the White Women and Girl's Protection Act was successfully challenged in BC and elsewhere,¹⁷¹ fears of "white slavery" which underpinned this legislation influenced the spaces that Chinese men and white women could inhabit. While discursive constructions of Chinese men as pimps and procurers of prostitutes severely limited their business and

¹⁶⁷*Supra* note 103 at 113.

¹⁶⁸*Supra* note 99 at 159; Scott Kerwin, "The Janet Smith Bill of 1924 and the Language of Race and Nation in British Columbia," (1999) 121 *BC Studies* 83-114.

¹⁶⁹*Supra* note 104 at chapter 2.

¹⁷⁰*Supra* note 99 at 162.

¹⁷¹*Supra* note 104 at chapter 2.

residential alternatives by keeping them inside Chinatown, images of the vulnerable white woman being seduced by the over-sexed opium fiend also restricted the employment and social opportunities available to white women. In other words, the “white slavery panic” enabled government and religious authorities to assert a hegemonic social order in BC in which white men would always be on top.

VII. Conclusion

In this chapter I argue that white respectability and racial degeneracy were spatially reified in BC through fears of prostitution. Anxieties about the “social evil,” in its various intra and inter-racial manifestations became more intense in the province at moments when white supremacy was believed to be on shaky ground. In the late nineteenth century, for instance, fears of widespread inter-racial heterosexual relations between Native women and white men heightened tensions among government administrators and missionaries about racial (im)purity and the future of white settlement in the province. Although concubinage had been tolerated in decades earlier, by the mid-nineteenth century, prostitution became a more socially and politically acceptable domestic arrangement. Whereas government and religious authorities constituted *all* Native women as prostitutes, reserves came to be known as red-light districts; areas where prostitution was tolerated and kept away from white respectable spaces, and places where white men could continue to access the bodies of Aboriginal women without compromising their own subjectivities and property.

In the twentieth century, BC’s mythical identity as a white settler society was once again endangered, this time by Chinese “foreigners.” Fears of prostitution and “white

slavery” permeated social, legal, and political debates, yet again securing white supremacy and racial degeneracy, but in distinct and disparate ways. Just as authorities had constituted the “Native woman as prostitute” and the reserve as “red-light district” in the late nineteenth century, by the turn-of-the century, state authorities and missionaries added several new figures to the provincial landscape; the “Chinese woman as prostitute,” the “predatory Chinese pimp,” and the “vulnerable” white woman. Fears of prostitution again enabled elites to assert a hegemonic social and spatial order in the province.

To summarize briefly, narratives of Native and Chinese women as prostitutes and Chinese men as pimps, enabled government and religious authorities to enforce segregation and to safeguard the porous boundaries of racialized spaces. Whereas white men could go where they pleased, accessing the bodies of racialized women with impunity, fears about prostitution buttressed state attempts to regulate the movements of Indigenous women and Chinese men, while also underpinning immigration laws excluding Chinese women from the nation. Moreover, fears of “white slavery” ensured that white women would remain in their respective and respectable spaces. Thus, colonial anxieties about inter-racial prostitution spatially reinscribed the boundaries between colonizer/ colonized and respectability/ degeneracy onto BC’s landscape.

**CHAPTER FOUR:
TRANSGRESSING BOUNDARIES TRANSGRESSING SPACES: RACIAL SPILLAGE,
LAWLESSNESS, AND SEXUAL IMMORALITY IN THE CANNERIES**

On August 1st 1904 Thomas Deasy, the Dominion Constable, sent a report to A.W. Vowell, the Superintendent of Indian Affairs in BC. The document concerned his “recent visit to the City of Steveston,” a rapidly growing fishing village located on the Fraser River. At Vowell’s request, Deasy left Victoria to inspect the disorder that reportedly plagued a number of the salmon canneries at Steveston as well as the nearby Indian encampments. His report was as follows:

On the night of the 29th, 30th, and 31st, I visited the Chinese gambling houses. Found a number of Indians therein on my first visit. Ordered them out. Informed the Chinese that Indians were not permitted to visit their dens and also directed the attention of the City Police to the houses: On my second visit warned all of the Chinese and made periodical visits to the houses until I left Steveston. During my stay visited all the Indian camps in the vicinity of Steveston. At night ordered the Indians to keep off the streets. Arrested one Chinaman for supplying liquor to an Indian woman. Worked with the City Police at all hours. Arrested a number of Indians for various offences and trailed a number of suspicious characters.¹

From Deasy’s account, two things become clear. First, despite the efforts made by government and religious authorities to spatialize racial relations, racial segregation in BC remained elusive: the canning settlements at Steveston and elsewhere were racially diverse

¹Deasy to Vowell (August 1st, 1904). BCARS, GR-0429, box 11, file 4.

places. Second, although inter-racial co-mingling was necessary to BC's emerging salmon canning industry, racial mixture created deep discomfort for white authorities and marked the canneries as spaces of degeneracy. The course of his stay at Steveston led Deasy to conclude as follows: "From information received, and after spending the whole of Saturday night on duty, I found Steveston the most *demoralizing place* that I have ever seen."²

In chapter two, I documented the ways in which government officials utilized civil and criminal law and non-legal forms of governance to racially order Aboriginal, Chinese, and white bodies spatially onto BC's emerging landscape. In this chapter, I consider the racially heterogeneous place of salmon canneries that Thomas Deasy alludes to above. I use these spaces to confirm a central point of this chapter and dissertation, that racial segregation was not always desired by all colonial authorities at all times and in all places. Beginning here, I question why government officials tolerated inter-racial mingling in these spaces when segregation was believed to be central to carving out a provincial identity, as I've shown in the previous chapters. At a time when the containment of Aboriginal, Chinese, and other racialized communities was sought by administrators in their efforts to construct BC and Canada as a white settler nation, why did government authorities allow and even condone race-mixing in cannery spaces? How was racial degeneracy inscribed upon and contained within these industrial settlements? In what ways did cannery owners and operators exploit racial tensions to secure their own class interests? And finally, how were these spaces legally and non-legally managed?

Spatialized techniques of regulation, which were assumed to be integral to the making

²My emphasis, *ibid.*

of a white BC, never fully delivered the much desired goals of racial purity as authorities had hoped. While the state did successfully remove Chinese and Native communities from BC's social fabric and thus inscribed the "ethos of separation between 'us' and 'them,'"geographically onto the ground,³ race-mixing between whites, Chinese, and Native peoples was nonetheless immanent and inevitable. Notwithstanding the myriad legal and non-legal initiatives aimed at preventing inter-racial sociability and heterosexuality, racial seepages and spillages frequently occurred across boundaries. As I discussed in the previous chapters, reserves and Chinatowns were never completely "impure" spaces nor were white places absolutely "pure." Although undesirable bodies and places were kept at bay across a real or imagined border,⁴ this boundary needed to be repeatedly crossed or transgressed, a process that as many scholars have pointed out, is integral to the formation of subjectivity and national identity, and materially necessary to the making of the nation.⁵

Despite colonial aspirations to build BC into a homogeneous white province, and notwithstanding the legal and non-legal efforts made by authorities to spatialize BC's racially diverse population, racial transgressions and race-mixing were also encouraged by many colonial elites. In particular, BC's salmon canneries reflect an ambivalence that scholars

³Kay Anderson, *Vancouver's Chinatown: Racial Discourse in Canada, 1875-1980* (Montreal & Kingston: McGill-Queen's University Press, 1991) 106.

⁴On real and imagined borders see Renato Rosaldo, "Foreword," (1996) 48:5 *Stanford Law Review* 1037-1045.

⁵Peter Stallybrass and Allon White, *The Politics and Poetics of Transgression* (Ithaca: Cornell University Press, 1986); Sherene Razack, "Race, Space, and Prostitution: The Making of the Bourgeois Subject," (1998) 10 *Canadian Journal of Women and the Law* 362.

have also observed in other contexts.⁶ On the one hand, colonial elites desired a racially-mixed labor force to maximize profits and thus build a solid economic base for their visions of a civilized society. The export of tinned salmon linked the Pacific Northwest to world markets, holding enormous potential for economic prosperity. As I discuss in the following section, the province's canning industry was built and flourished upon the labor of white working class men, Chinese men, and Native and Japanese women and men, all of whom performed racially-specific and gendered tasks, and who were equally indispensable to the canning industry. Thus, at Steveston and in other canning establishments, inter-racial contact was necessary for the expansion and prosperity of BC's salmon export market.

Government authorities and private entrepreneurs viewed racial inter-mixture in BC canneries as a necessary tradeoff for economic wealth. Although work and living spaces were racially segregated,⁷ racial inter-mingling was widespread, inevitable, and overlooked by capitalists and by government and religious authorities. Yet cheap labor came at a high price. The race-mixing that became characteristic of cannery spaces raised important questions about the future of BC as a white settler society. As Deasy's brief description of Steveston reveals, racial boundaries were porous and permeable; the "different races" not only gambled and drank together, but also transmitted their racially specific vices to one another. In the ultimate racial and political transgression, cannery workers could cultivate

⁶On colonial ambivalence see for example Homi K. Bhabha, "Of Mimicry and Man: The Ambivalence of Colonial Discourse,"(1984) 28 *October* 125-133.

⁷See Daniel Clayton, "Geographies of the Lower Skeena," (1992) 94 *BC Studies* 29-58; Alicja Muszinsky, *Cheap Wage Labor: Race and Gender in the Fisheries of British Columbia* (Montreal & Kingston: McGill-Queen's University Press, 1996).

inter-racial friendships and sexual relationships. Through the former they could potentially unite against cannery owners and disrupt the rigid race and labor aristocracies that were enforced. Through the later, cannery workers could unsettle racial categories by producing racially-mixed children. Although canneries in many ways secured the race and class interests of European hegemony, racial spillage in these places simultaneously threatened colonial visions of BC as a racially “pure,” respectable, and stable society.

I. The Canning Industry in BC

The emergence of BC’s salmon canning industry must be understood within the broader social, economic, and political relations that have characterized Western imperialism. To adequately understand how salmon canning began and flourished in the province, we need to consider whose land was stolen, who was dispossessed, whose labor was exploited, and who benefitted in the process. The rise and prosperity of the canning industry, and correspondingly, the making of the province, was not *only* dependent upon the displacement and colonization of the province’s Native peoples (the theft of their land, resources, and labor), but was also contingent upon a racially ordered and gendered labor force, the ranking of which both mirrored and reaffirmed colonial narratives in BC. While this is by no means intended to be a history of the canneries, in this section I will briefly map out how race and racism were organized within gender and class relations found in cannery spaces.

From the time of first European contact in BC, fish - especially salmon - was deemed an invaluable and exploitable resource by the newly arrived colonizers. At the outset of his 1892 report, Samuel Wilmot, the Chairman of the BC Fisheries Commission, observed and

remarked on this early European fascination with fish: “Ever since the first explorers and travelers visited the country,” he explained, the fish in the province have “been noted for their wonderful extent and richness...the annual migrations of the salmon in such immense numbers, up the rivers from the sea to the spawning grounds, have been a source of never failing interest to travelers and others.”⁸ Although Wilmot suggests here that the early colonial preoccupation with fish was perhaps motivated by aesthetic rather than economic desires, fish had always been perceived by Europeans as an important commodity; first for their own consumption and survival, and then for profit and export. In the early nineteenth century, for instance, the success of the Hudson’s Bay Company’s fur trading operations relied on the salmon provided to them by Native peoples.⁹ Similarly, the long history of Native-non-Native contestation and struggle over the control of the fisheries - which erupted centuries ago and which continues in the present day - suggests that economic control over fish, and salmon in particular, was (and still is) a paramount concern for the state and for private entrepreneurs. Euro-Canadians recognized from early on that BC’s fisheries were indeed an immensely profitable enterprise. Like land, the water and its inhabitants were to be conquered, controlled, and commodified, and Native peoples dispossessed in the process.

From the mid-nineteenth century onward, as European interests and control over land and natural resources increased, growing tensions began mounting between Natives and non-Natives in the province. These pressures, which often led to violent encounters, were

⁸*BC Fisheries Commission Report, 1892. Sessional Papers, 1893, 10(c), v.*

⁹Dianne Newell, *Tangled Webs of History: Indians and the Law in Canada’s Pacific Coast Fisheries* (Toronto: University of Toronto Press, 1993) 47.

precipitated by colonization and Indigenous resistance to large-scale European encroachment. These struggles were not only articulated over land, but increasingly over fish. By the 1860's, as salmon canning became more prevalent, Euro-Canadians and Aboriginal peoples began to question who had rights to fish and who could manage and control the fisheries. Sydney Haring asserts that, disputes over land in BC - more so than in other provinces - were deeply intertwined with conflicts over fish, as salmon was integral to the organization and subsistence of the province's Aboriginal societies.¹⁰ Then, it is important to note that colonization and the dispossession of Native peoples was not only achieved through the appropriation of land but also through Euro-Canadian domination over Native fisheries. "Following the gradual [white] settlement of the country," recollected Wilmot, "fishing operations, more or less extensive, were inaugurated, and the white man's ingenuity taking the place of the crude methods of the Indians." He continued that, "advantage was soon taken of this great source of wealth and food which the rivers of the province, and especially the Fraser River, provided at their [European] doors."¹¹

Euro-Canadians certainly did take advantage of the "great source of wealth" provided by the fisheries. Displacing Indigenous fishers as "crude" and "uncivilized," Europeans developed elaborate techniques to exploit fish for profits and established a number of industries, the most dominant of which was salmon canning. Although "herring, halibut,

¹⁰Sydney Haring, *White Man's Law: Native People in Nineteenth Century Canadian Jurisprudence* (Toronto: Osgoode Society for Legal History, 1998) 189.

¹¹*Supra* note 8 at vi.

oulachon [sic], sturgeon, and rock cod were also of prime importance”¹² to the BC fisheries, salmon was the most profitable of all. By the late nineteenth century, salmon canning became a flourishing enterprise and a major industry driving the fragile economy of the newly formed province. Whereas the commercial fisheries in Atlantic Canada were based on salted and dried cod, the BC fisheries, relied primarily on canning sockeye salmon.¹³ By 1879, the industry had developed a monopoly in the province, as canned salmon, which was a less perishable commodity than salted or smoked fish, accounted for approximately 95 per cent of fish exports from the Fraser River area.¹⁴

The emergence of BC’s salmon canning industry can be dated back to the mid 1860’s, when early entrepreneurs began utilizing methods from the Hudson’s Bay Company (or more appropriately, techniques adapted from Indigenous peoples) to salt and barrel salmon.¹⁵ Since start up costs were relatively low, many canneries emerged soon after, expanding the enterprise along the banks of the Fraser River. The first successful canning site was established at the mouth of the Fraser in 1871. Over the next few decades, canneries sprung up along the Fraser, Skeena and Nass Rivers, and in various sounds and rivers on Vancouver

¹²*Ibid.*

¹³Dianne Newell, “Dispersal and Concentration: The Slowly Changing Spatial Pattern of the British Columbia Salmon Canning Industry,” (1988a) 14 *Journal of Historical Geography* 23.

¹⁴Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver: University of British Columbia Press, 1997) 95.

¹⁵*Ibid* at 93.

Island.¹⁶ Many of these sites were to become major centers for seasonal employment, transportation, and storage,¹⁷ transforming canning into a very prosperous industry. In 1889, for instance, over four hundred thousand cases of salmon were exported to Europe and valued at over two million dollars. This was the product of thirty canneries, sixteen of which were operating on the Fraser River.¹⁸ By 1902, the number of canneries had increased to 67,¹⁹ and by the mid-century, there were over 220 individual cannery sites scattered across BC.²⁰ Not all of these canneries were in operation, however. As Dianne Newell points out, fires, ice storms, and other disasters combined with intermittent activity meant that only a third of the canneries that existed in the early twentieth century were functional in any given year.²¹ Nevertheless, salmon canning proved to be very prosperous.

Despite fluctuations in weather and in numbers of salmon, the BC canning industry grew rapidly throughout the twentieth century. This exponential growth can be explained partly through the increased exportability of canned salmon, which unlike salted and smoked salmon, found an enormous market in Britain. Canned salmon became the link between the settler society in Britain's empire, and between London, the heart of empire itself.

¹⁶For a Chronology of the BC Salmon canning districts see *supra* note 13 at 29.

¹⁷*Ibid* at 23.

¹⁸*Supra* note 8 at vi.

¹⁹Muszinsky *supra* note 7 at 114.

²⁰Dianne Newell, "The Rationality of Mechanization in the Pacific Salmon Canning Industry Before the Second World War," (1988b) *Business History Review* 631.

²¹*Ibid* at 632.

Increasingly favored among the British working classes, tinned salmon was popularized as “the working man’s feast.”²² In addition to the growing palatability of BC salmon in Britain and elsewhere in Europe, the growth of the canning industry was also partially due to industrialization. Although canning was extremely labor intensive, by the early twentieth century, it changed from being an entirely manual process to becoming the earliest factory operation of the Pacific Northwest.²³

Even after mechanization, however, canneries remained labor intensive work places which relied extensively on and exploited local racialized labor forces. In 1876 two small canneries on the Fraser employed over one hundred people each. By 1891 this number had exploded, as over 6500 peoples were employed “directly by the canneries, and the number of other persons indirectly benefitted [was also] correspondingly large.”²⁴ As several historians have noted, the canneries had much in common with BC’s mining and logging camps, which also hired a racially-mixed labor force on a season to season basis.²⁵ Unlike these other industries however, many canneries were open for more extended periods, even as long as thirty to fifty years.²⁶ Furthermore, logging and mining camps did not rely as heavily on a gendered labor force. Although Chinese men frequently worked as cooks and washermen,²⁷

²²Muszinsky *supra* note 7 at 14.

²³*Supra* note 20 at 633.

²⁴*Supra* note 8 at vi.

²⁵*Supra* note 13 at 23; *supra* note 14 at 92-98.

²⁶*Supra* note 13 at 23.

²⁷*Supra* note 14.

Native and Japanese women who were invaluable to the canning industry were not generally employed in logging camps or mines. In some ways then, canneries were more similar to the land-based fur-trade economy than to mining and logging camps. While the former were mixed spaces inhabited by men and women of different races, the latter were predominantly male places.

The labor of Chinese, Japanese, Native peoples, and working class whites was crucial to BC's canning industry. Each of these groups was employed to perform specific racialized and gendered tasks. Annually, large numbers of men and women from each of these racialized communities, with the exception of whites, migrated to canning settlements to be seasonally employed. While a new labor force was hired by cannery operators each year, white working class men had more stable positions and were employed by the canneries for several years at a time. Of all of these groups, Native peoples in particular, were integral to Euro-Canadian profitability in both the fisheries and in the canneries.²⁸ Increasingly displaced by Euro-Canadian control over land and the fisheries, which was then further exacerbated by the sudden boom in salmon canning, Indigenous communities became largely dependant upon the canning industry for their own economic well-being. Contractors, promising large financial gains, often visited Indian reserves, recruiting entire villages to work in the canneries; men working as fishers and women and children laboring in the canneries on shore. Chinese and later Japanese workers also became crucial to the profitability of the salmon canneries, as "Oriental labor" was imported from China and Japan and secured at much lower rates than that of white, and even Native workers.

²⁸*Supra* note 9 at 54.

Racialized categories and hierarchies were crucial in the emergence and maintenance of the salmon canning industry. David Goldberg explains that, “modes of social exclusion and segregation throughout maturing capitalism and modernity have been effected in terms of racialized discourse, with its order and values and its ways of ‘seeing’ particular bodies in their natural and social relations.”²⁹ In BC canneries, “seeing” racialized bodies as white, Indian, Chinese, and Japanese, determined where one could work, what the job description was, how much money one could make, where one could live, and under what conditions. White men were generally permanent laborers, while Chinese and Native peoples were employed seasonally. Not surprisingly, Aboriginal women and children were the lowest paid followed by Chinese men. One source suggests that Indian women were paid from 70 cents to \$1.00 per day, white boys were paid \$2.00 per day and Chinese men were given 1 cent per can of fish.³⁰ Japanese fishers were also paid very little. As one witness testified to the BC Fisheries Commission, Japanese men were paid 4 cents per fish. These are “starvation wages even for them,” he explained, “but they will stick to it like glue. The little Japs are most preserving fellows.”³¹ In other words, cannery jobs and wages were not determined by skill, but rather, were contingent upon dominant ideas about race.

Alicja Muszinsky observes that, “canners used race and gender as ways to assign jobs

²⁹David Goldberg, *Racist Culture: Philosophy and the Politics of Meaning* (Oxford: Blackwell Publishers, 1993) 187.

³⁰*Supra* note 8 at 17 & 81.

³¹*Ibid* at 75.

and pay different wages.”³² This highly racialized and gendered labor process mirrored and reaffirmed racial formations in BC at large. Colonial relations were replicated in the canneries, as white men were at the top, overseeing cannery labor and monitoring the “less civilized”; Native women, children, and Chinese men. Not surprisingly, white men had the securest positions and earned the highest wages, while Native women and children were near the bottom of the ladder, receiving both low wages and little security in conditions of employment.³³ Chinese men occupied the lowest position in the labor hierarchy, earning both the least amount of money and holding the most tenuous position. Whereas Native peoples were never sure if they would have a job in the following year, anti-Oriental sentiment meant that laborers from China and Japan were often targeted with racist violence. In addition, changing immigration provisions meant that the Chinese could be restricted entry into Canada or deported at any given time. By the 1920's, many Chinese laborers were prohibited entry under the *Chinese Exclusion Act*.³⁴

The racial ordering and gendered nature of cannery labor clearly reveals the shifting and unstable relations of gender, race, and class, what Anne McClintock refers to as “articulated categories.”³⁵ McClintock suggests that while the rhetoric of gender was used in specific historical contexts to make distinctions between “races,” gender has been crucial to

³²Muszinsky, *supra* note 7 at 14.

³³*Ibid* at 133.

³⁴*Supra* note 14 at 269.

³⁵Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (New York & London: Routledge, 1995) 5.

maintaining racial hierarchies, used at various moments to masculinize and feminize different racial groups. Whereas whiteness has been synonymous with manliness, racial Otherness has in different historical and spatial contexts been constructed as effeminate.³⁶ In the canneries, racialized categories and corresponding forms of employment were always infused with gendered meanings. Fishing was constituted as a male and masculinist enterprise, reserved for “real men,” while cleaning and butchering fish was seen as “women’s work.” Masculinity was always articulated through specific racial meanings, as “fishermen” could only be white, Native or Japanese. Chinese men, who were integral to the canneries were not - according to popular and scientific racial theories - believed to be “real men,” and thus, were unfit to be fishers. They, alongside Native, Japanese, and later white working class women, were relegated to cleaning and preparing fish for consumption, which was degraded as “feminine” work (see Figures 7 and 8).³⁷

Until WWII, Chinese men, most of whom were under labor contracts, were integral to performing “women’s work” in the canneries.³⁸ Representations from the Royal Commission on the BC Canneries insisted that Chinese men were well-suited to these menial inside jobs, as the Chinese were an inherently “feminine race.”³⁹ The feminization of Oriental labor was specific to the Chinese, however, as fishery and cannery officials agreed that Japanese men were “manly” enough to work as fishers. Despite the fact that Chinese men and Native

³⁶*Ibid* 55.

³⁷Muszinsky *supra* note 7 at 4.

³⁸*Supra* note 9 at 8.

³⁹Cited in Muszinsky *supra* note 7 at 20.

women performed similar tasks in the canneries for instance, cannery owners did not allow them to work together in the same spaces. Ironically, labor was segregated by both race and sex, as owners and government officials alike worried that the Chinese were masculine enough to debauch and corrupt Aboriginal women. Butchering and can-making often took place in separate buildings.⁴⁰

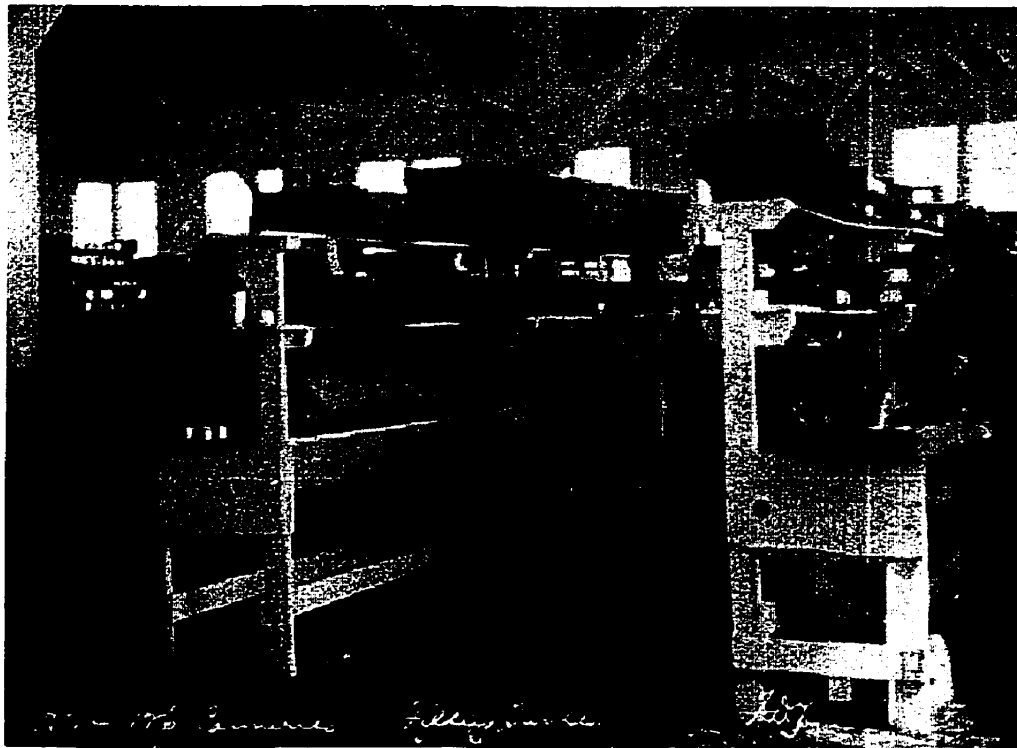


Figure 7: Native Women Filling Tables at BC Canneries (1913)
Source: BCARS, Visual Records Catalogue, E-02995

⁴⁰*Supra* note 20 at 635.



Figure 8: Chinese Workers performing “inside labor” filling cans (190?)
Source: BCARS, Visual Records Catalogue, A-04437

The growing salmon canning industry in the province had a devastating impact upon BC’s Aboriginal peoples. More and more, Native communities became dependent upon fishing for the canneries and on cannery labor for their own well-being and subsistence. Although Indian labor was vital to the profitability of the canneries, government officials were ambivalent about cannery labor, particularly its influences on Native peoples. Many authorities from the Department of Indian Affairs and some religious officials believed that by laboring in the canning industry, Indians would develop an “industrial character,”⁴¹ and

⁴¹Powell to Indian Office (November 8th, 1877) NAC. RG 10, reel 11048, volume 3655, file 8983.

hence, would become more civilized. Unlike the various other resource based businesses in the province, authorities viewed fishing and canning as the most suitable and beneficial form of employment, for both the province and for Aboriginal communities. While the province required the skills of Indigenous people, authorities used racial ideals to rationalize their reliance on Native communities. Many insisted that Indians were “well suited” to this type of work. The “scheme of salting and canning fish” explained the Superintendent of Indian Affairs in BC, “commends itself to one as being exceedingly profitable and well adapted to the habits and resources of our coast Indians.”⁴²

Not all officials agreed with the Superintendent’s views, however. Several missionaries urged that labor in the canneries took the Indians away from agriculture and from cultivating their reserves. Although much of the reserve land allocated to Indians was insufficient for farming,⁴³ cultivating the land remained an integral part of “civilizing” and “saving” Aboriginal communities. Thus, missionaries often argued that salmon canning and fishing would simply take attention away from agriculture, and would thwart colonial endeavors to transform and assimilate Native peoples into white society. In addition, religious officials feared that the demoralizing influences of race-mixing in canning settlements would further avert their civilizing efforts. Many Indian Agents also espoused these paternalistic views. They argued that Native peoples should be kept on their reserves and away from the canneries so they would be *protected* from the corrupting effects of vice,

⁴²*Ibid.*

⁴³See for example Kenneth Brealey, “Travels From Point Ellice: Peter O’Reilly and the Indian Reserve System in British Columbia, (1997/ 1998) 115/ 116 *BC Studies* 227.

alcohol, gambling, and inter-racial sex.⁴⁴ Indian Agents were especially concerned about Native women. Many warned that women should not abandon their gardening and other economic activities on reserves for cannery labor.⁴⁵ However, as I discuss later on in this chapter, concerns about Native women's economic activities ranged well beyond employment considerations. Rather, officials feared that if Indian women lived and worked in canneries, they would be demoralized by, or in turn would seduce men of the various races. Authorities argued that by preventing Indian women from working in the canneries, they would be one step closer toward racial purity. However, these restrictions were never imposed, as cannery owners reaped profits through exploitative labor practices in which Aboriginal women figured prominently.⁴⁶

Despite the racialization of employment, BC canneries did not run as smoothly as authorities and owners had hoped. To begin with, competition between different canning companies was often fierce. Disquietude among laborers, and between them and cannery managers, was also commonplace throughout this period. In fact, cannery spaces were fraught with labor tensions which were often created and exacerbated by cannery owners themselves. For instance, many entrepreneurs viewed Aboriginal peoples as both integral to the success and failure of the salmon canning industry. While most cannery owners relied on and exploited the skills of Native fishers, others argued that Indigenous communities posed an obstacle to their profits. From the outset of BC's canning boom, many owners perceived

⁴⁴Muszinsky *supra* note 7 at 130.

⁴⁵*Supra* note 9 at 53.

⁴⁶*Ibid.*

Native people's commitment to preserving their fishing practices and their ceremonious relationship to salmon as barriers to securing profits.⁴⁷ Thus, Native peoples were often demonized by private capitalists. Their fishing techniques were described in the BC Fisheries report as "improvident and reckless," while they themselves were caricatured as wasteful.

Disputes over territorial boundaries exacerbated the antagonistic relations between cannery owners and Indigenous peoples. Since land title and reserves were not clearly articulated during the late nineteenth century,⁴⁸ many private businesses tried to exploit Native peoples into surrendering their land. Some Aboriginal communities accused cannery owners (and rightfully so) of encroaching upon and selling land that belonged to their communities.⁴⁹ The late nineteenth century boom in the salmon canning industry also aggravated Native/ non-Native contestations over land. As more canneries emerged throughout the province, Indian reserves became smaller and smaller. Moreover, reserves were often relocated. In some instances, government authorities moved these areas further away from, and in some cases, closer to these industrial settlements.⁵⁰

Job competition and racial tensions also divided fishers and laborers. In efforts to secure the lowest wages possible, cannery owners deployed a divide and conquer strategy by exploiting racial anxieties. In particular, cheap "Oriental labor" which was sought out by

⁴⁷*Ibid* at 47.

⁴⁸*Supra* note 43 at 185.

⁴⁹*Supra* note 7 at 61.

⁵⁰*Ibid* at 47.

cannery operators created rifts among white and Native fishers as well as cannery workers. As the 1892 BC Fisheries Commission Report revealed, white fishers were extremely resentful of Chinese labor. In 1902, similar sentiments were expressed about the Japanese in Canada's Commission on the Salmon Fishing Industry in BC. In the latter report, witnesses testified angrily that because they worked for less, cannery operators preferred Japanese fishermen over both Indians and whites.⁵¹ These tensions were exacerbated in the early twentieth century, when Japanese women especially in the Steveston area began to replace Indian women in the canneries.⁵² Capitalist demands for cheap labor created many conflicts between Native and Japanese communities. Aboriginal fishers and Native women were not only losing their jobs to Japanese fishers, but many argued that Japanese fishing prevented Indigenous communities from securing salmon for their own use.⁵³

In spite of these tensions, white fishers and canners were most emphatically opposed to Chinese labor. Although Chinese workers did not compete directly with white fishers, white workers protested their employment. In their testimony to the BC Fisheries Commission, white fishers articulated anti-Chinese sentiments over and over again. While the Chinese at Steveston were denied fishing licenses and their labor was regulated through municipal by-laws,⁵⁴ many white fishermen irrationally blamed Chinese workers for their

⁵¹*Ibid* at 83.

⁵²*Ibid* at 85.

⁵³*Ibid* at 90.

⁵⁴On anti-Chinese regulations in the Steveston canneries see L.J. Ross, *Richmond: Child of the Fraser* (Richmond, 1979).

own inability to obtain licenses. One white resident of Steveston blamed the Chinese for government restrictions on licensing. He stated angrily that, “the Chinamen are spoiling this country.”⁵⁵ However, not all racialized labor was equally condemned. Rather, another witness explained that Indian labor was acceptable in the fisheries because “these Indians are the bone and sinew of this country and they spend their money in the country too.”⁵⁶ Although Chinese labor dominated during the 1880s and 1890s, growing anti-Chinese sentiment (which by the twentieth century underpinned restrictions on Chinese immigration) combined with Chinese demands for higher wages meant that many Chinese laborers were replaced, although not altogether, by other racialized groups and by machinery.⁵⁷

The first major innovation in the salmon canning industry was the “Iron Chink,” a fish butchering machine that was developed in Seattle by a Canadian. The machine - bearing a slightly revised version of the racial epithet used by white society to name the province’s Chinese population - was introduced in BC canneries between 1903 and 1906. The “Iron Chink” was built to replace Chinese butchers, a group of semi-skilled workers who began demanding higher wages, and who industry leaders believed would become scarce over time due to the growing threat of immigration restrictions.⁵⁸ As the following flyer reveals, Chinese exclusion became a crucial selling feature of this new machine: “1909, THE BIG YEAR, THE BIG OPPORTUNITY. ARE YOU PREPARED? CHINESE LABOR WILL

⁵⁵*Supra* note 8 at 24.

⁵⁶*Ibid* at 47.

⁵⁷Muszinsky *supra* note 7 at 12.

⁵⁸*Supra* note 20 at 649.

BE SCARCE. CONTRACT PRICES WILL BE RAISED. THE IRON CHINK IS YOUR ONLY RELIEF.”⁵⁹ As the illustration below reveals (see Figure 9), this machinery did not altogether replace Chinese labor. Until the 1920's, Chinese men were often the ones operating this butchering device. Nevertheless, the “Iron Chink” captured the ambivalence, or in other words, the colonizer’s desire for and disavowal of Chinese workers. Signifying an “innate Chineseness,”⁶⁰ the “Iron Chink” became an enduring reminder to cannery owners and white laborers of the Chinese workers whom they so despised for threatening their labor, industry, and nation. The Oriental Otherness that Euro-Canadians expelled, expunged, and eventually endeavored to forget was permanently captured and embodied in this new fish cutting machine.

⁵⁹Smith Cannery Machines Co., cited in *ibid*.

⁶⁰*Supra* note 3.



Figure 9: Chinese men operating the “Iron Chink” (1913)
Source: BCARS, Visual Records Catalogue, E-05036

Racial formations did not only order cannery labor, but were also articulated and inscribed onto the physical geography of cannery spaces. Cannery housing for example, was rigidly segregated by race, a process which was as much about cementing racial relations as it was about keeping the races physically apart.⁶¹ In racially-mixed and “immoral” spaces like salmon canneries, white supremacy was contingent upon class and spatial formations. The white working classes, who to differing degrees had a tenuous hold on whiteness, became white in relation to other racialized cannery workers.⁶² Residential segregation combined

⁶¹See David Delaney, *Race, Place, and the Law, 1836-1948* (Austin: University of Texas Press, 1998) 183.

⁶²On how the white working classes made themselves, see Eric Lott, *Love and Theft: Blackface Minstrelsy and the American Working Class* (New York: Oxford University Press,

with the type and quality of housing buttressed this process, enabling working class whites to know themselves as racially superior. Living quarters in canning settlements ranged from nice homes and adequate housing to decrepit conditions that barely resembled shacks. White workers lived in private bungalows or cottages, whereas Chinese and Japanese men lived in bunkhouses that one source describes as “reminiscent of the overcrowded conditions found in Nazi concentration camps.”⁶³ Aboriginal peoples, on the other hand, were pushed to the periphery of the canneries, where they resided on nearby reserves or in village groupings at the outskirts of these settlements.

Racial superiority and inferiority were not only established through residential segregation, but rather, through the *quality* of housing in which racialized groups resided. In many cannery towns, the white residential elite, including store owners and cannery officials, lived in large homes fenced off and distanced from “the noise of the canneries and the smell of offal.”⁶⁴ White working class men may not have resided in “large homes,” however, they lived in quarters that were markedly better than those of racialized Others. For instance, Alicja Muszinsky contrasts white and Chinese living spaces in the canneries. She points out that white working class men had the best accommodation in cottages, whereas Chinese bunkhouses were small and overcrowded, the toilets generally being holes in the ground.⁶⁵ Although racialized labor was necessary in the canneries cannery owners and government

1995) especially 64-68; David Roediger, *Wages of Whiteness* (London: Verso, 1991) 13-14.

⁶³Muszinsky *supra* note 7.

⁶⁴Clayton *supra* note 7 at 49.

⁶⁵Muszinsky *supra* note 7 at 164.

officials created and spatialized racial categories in efforts to assert white supremacy. White working class men came to know themselves as white in relation to these other racialized groups.⁶⁶ Moreover, they could imagine themselves as inherently superior through their place on the labor hierarchy and in the living quarters they inhabited. The racial inferiority of Chinese, Japanese, and Native peoples was also enforced through segregated labor and housing. In these racially mixed spaces, racial dominance and subordination was constantly performed and articulated through the hierarchization of labor and in the physical inscription of race onto cannery landscapes.

II. The Degenerate Spaces of Salmon Canneries

The boom in BC's salmon exports closely linked the province's emerging white settler society to England, the imperial center. Yet, the commodification of tinned salmon and the resulting flow of capitalism did not only create a flourishing economy, but also a local politics fraught by racial tension and race-mixing. In the minds of government and religious officials as well as white settlers, canning settlements were not only places of industry, but also "zones of transgression." The same canneries which brought immense profitability to the province and linked BC to international markets also came to be known as spaces of degeneracy. Authorities constituted canneries as decaying spaces characterized by physical and moral filth; including unsanitary conditions and inter-racial social and (hetero)sexual mixing. Although a racialized labor force was integral to the prosperity of the salmon canning enterprise and was thus desired by local capitalists, for government

⁶⁶Roedigger *supra* 62 at 136.

administrators and missionaries, inter-racial mingling between these different groups raised questions about the future of BC as a white settler society. Whereas many argued that race-mixing threatened white superiority, it is important to keep in mind that canneries also secured the material and discursive parameters of European hegemony in important ways. First, by economic wealth; second, by containing racial degeneracy in specifically marked areas; and finally, by providing middle and lower class whites with another racialized point of comparison through which they could make themselves.

From the late nineteenth century onward, canning settlements and other industrial camps came to be known in the same way as modern “slums,” filthy, diseased, and morally aberrant spaces. In her work on Vancouver’s Chinatown, Kay Anderson argues that from the late nineteenth to the early twentieth century, Chinatown came to be known in the white imagination as a “celestial cesspool,” and an “unsanitary sink.”⁶⁷ Like Chinatown, BC salmon canneries were characterized by very similar meanings but for markedly different reasons. While the “Chineseness” of Chinatown was the basis for its degeneracy, the racial diversity of and intermingling in the canneries, combined with widespread vice and lack of adequate sanitation, led authorities to construct these spaces as “black blotch[es] on the cityscape.”⁶⁸ In spite of the great profits that cannery owners and the province were reaping from this industry, many argued that “vulnerable” (Native) populations should not be exposed to the demoralizing influences of these places. The conditions of canneries were assumed to be so disgraceful, that in 1914 the Anglican Archdeacon in Yale cautioned the

⁶⁷*Supra* note 3 at 82.

⁶⁸*Supra* note 29 at 192.

Department of Indian Affairs against encouraging Indians to work in these places. He explained that Indians should be kept away, as “the surroundings are not generally healthy or sanitary, the morality is almost a minus quality [and the] drinking is bad.”⁶⁹

The depravity of cannery spaces was partially conceived in terms of the physical surroundings of these places. Large-scale pollution, the vile odor of rotting fish, slime, and filth became the *real* properties of these industrial areas. Few authorities disputed allegations that BC’s canneries were plagued by dirt, pollution and unsanitary conditions. However, opinions about the causes of this “unsanitary sink”⁷⁰ were varied. Many government officials blamed the unhygienic conditions of the canneries onto the lack of adequate facilities for the disposal of offal; the unused body parts, comprised mainly of the heads and tails of fish. According to one source, the offal was dropped into a hole which takes it “down to a crib below the cannery - it goes off the table into a hole and if there is no boat underneath it falls into the river.”⁷¹ After numerous complaints from nearby white settlers and others, the BC Fisheries Commission investigated these inadequate disposal strategies, fearing that such methods would inevitably pollute the rivers and have a detrimental impact on future salmon. The wretched smell of offal was also a concern for the Commission. As one fisher described, “the stench from under the canneries is something frightful.”⁷² Since the smell of rotting fish

⁶⁹Pugh to Department of Indian Affairs (April 14th, 1914). NAC, RG 10, reel c10178, volume 4045, file 351304.

⁷⁰*Supra* note 3 at 82.

⁷¹*Supra* note 8 at 152.

⁷²*Ibid* at 60.

was uncontainable within the cannery itself, many of the white settlers living along the Fraser River also “complained bitterly of the pollution caused” by the “offal and of the stench which arises therefrom.”⁷³

Government authorities and white settlers became especially concerned about the spillage of smell and pollution from the canneries into nearby white residential areas. More specifically, many feared the effects that these unsanitary conditions would have upon the quality of water and thus, on the health of fishers and white settlers. One source reported that many of the fishermen were “in hospital as a result of drinking the water” adjacent to canning settlements. According to other reports, some of these men who had drunk bad water were believed to be diseased with typhoid fever.⁷⁴ However, it was the white settlers residing near canneries who voiced the greatest concerns about the long and short term implications of smell and pollution. At an 1892 town meeting, the residents of Ladner’s Landing formally protested the dumping of offal into the Fraser River. They signed a petition on the matter which read as follows:

We the undersigned residents of Ladner’s Landing and vicinity, do hereby vigorously protest against the action of the canners in casting the fish offal into the river and vitiating the water which we drink, and not only is the water rendered impure, but the tide casts the offal on the low lying lands along the sloughs, which decaying causes a most disgusting odor, making our locality unhealthy and undesirable to live in and depreciating the value of our

⁷³*Ibid* at 1.

⁷⁴*Ibid* at 64.

property.⁷⁵

As the petition suggests, the offal was not only harming the salmon, polluting the water and creating a stench in the cannery space, but rather, the dumping of fish heads into the river meant that the pollution and physical decay of the canneries was spreading to nearby places. The impurity from the canneries was now seeping into the white respectable space of Ladner's Landing, and according to residents, was compromising their health and lowering their property values in the process.

Not everyone agreed about the decaying effects of fish offal, however. While few authorities denied that offal was indeed dumped into the water, private capitalists in particular insisted that it had little negative effect on either the environment or on human health. Rather, many of these individuals had different explanations for why the canneries were such filthy and unhygienic places. One cannery manager from New Westminster urged that he had never before heard of any diseases being spread from waste. "In 1882," he explained, "I had camps with four or five hundred persons in it, and Indians you know, are not generally very clean - whitemen were there too, but I didn't see any sickness resulting from it."⁷⁶ Despite the uncleanliness of the Indians, and the close proximity between Indigenous workers and whites, this man insisted that there was still no sign of disease among his men.

Others developed more elaborate theories to explain the unsanitary conditions of cannery spaces. Some argued that the presence of racialized Others and not the offal was to

⁷⁵*Ibid* 229.

⁷⁶*Ibid* at 144.

blame for the much lamented contamination. The BC Fisheries Commission questioned Mr. Jenns, a barrister and resident of the province about the effects of the offal. His response was that it is “not so bad.” When authorities asked whether he would live near the canneries, he responded, “I would not [mind] except for the Chinamen.” The problem of sanitation in the canneries was not the result of rotting fish, offered Mr. Jenns, but rather was caused by the Oriental menace. In his opinion, the Chinamen were “a good deal worse than the offal.”⁷⁷

While the entire physical space of canneries was deemed to be problematic, ideologies of disease, degeneracy, and race, meant that some places were considered to be more unsanitary than others. Indian Agents and missionaries were especially concerned about the foul and wretched conditions of the Indian encampments. Indian cabins on the periphery of the canneries were described by observers as filthy, overcrowded and dilapidated, conditions which mirrored canning establishments in general, but which according to whites, said very specific things about Native peoples (see Figure 10). While some argued that Indians themselves were the cause of these demoralizing conditions, others insisted that the foul and filth of the physical surroundings had detrimental effects on Native workers.

Thomas Deasy, the Dominion constable maintained that the unhygienic conditions of the canneries made it difficult to civilize the Indians. “At the canneries, where the fish offal

⁷⁷*Ibid* at 174.



Figure 10: Indian Quarters, Richmond Canneries, (1913)

Source: BCARS, Visual Records Catalogue, E-0570

is thrown into the rivers, and where the residents are under no sanitary laws,” he expressed, “it is impossible to teach the Indians cleanliness. The cannery men do all they can, for the comfort and convenience of the employees; but the people living nomadic lives, especially Indians, are not cleanly in their habits.”⁷⁸ While he never contested the view that Aboriginal peoples were dirtier than whites, he contended that their uncleanliness was further exacerbated by the filthy and foul conditions in the canneries and by the insufficiency of the

⁷⁸Deasy to Scott (August 12th, 1916). NAC, RG 10, reel c10178, volume 4045, file 351304.

Indian quarters. On his visit to the Prince Rupert Cannery, the Inspector echoed similar concerns about cannery spaces. After visiting “three cabins in use by Indian families having six members in each family,” the Inspector described the conditions at Prince Rupert as being severely overcrowded. “The entire family” he complained, “was living in a single room. The room was dark, having one small window.” The Inspector insisted that the surroundings were so bad that “[t]he Indians themselves complain of the insufficient room.”⁷⁹

In spite of these poor living conditions, government and religious authorities contended that Indian spaces were wrought with dirt and contagion, and that Native peoples were diseased bodies who, if not properly contained, would spread tuberculosis and other illnesses amongst their own communities and among whites and Others living in cannery spaces. The Deputy Secretary of Indian Affairs pointed out that, “the Provincial Sanitary Inspectors find a large percentage of the Indians infected with tuberculosis, and that owing to the unsanitary and overcrowded condition of the houses, the chances of contagion are exceptional.”⁸⁰ He informed all of the Indian Agents and inspectors in BC that “the Indians should be notified not to take their sick with them to the hop-fields and canneries, but leave them at home whenever it would be possible to give them proper care and treatment.”⁸¹

The Deputy Secretary of Indian Affairs advocated stringent measures to prevent against the spread of tuberculosis within canning settlements. “Since the disease is highly

⁷⁹Perry to Department of Indian Affairs, Ottawa (August 7th, 1915). NAC, RG 10, reel c10178, volume 4045, file 351304.

⁸⁰McLean to Buson (May 27th, 1914). NAC, RG 10, reel c10178, volume 4045, file 351304.

⁸¹*Ibid.*

contagious,” he put forth, “expectoration on the floors of the house should never be allowed; unnecessary visiting of houses containing tubercular patients should be avoided; and every house in which a death from consumption has occurred should be thoroughly cleaned cut, fumigated and *whitewashed*.”⁸² Interestingly, there were very few reports of TB in cannery spaces. In one case, where an Indian woman at the “Inverness Cannery on the Skeena River” was believed to have TB, the Indian Agent urged that she should be sent to Metlakatla at once, as her “condition of health must be a menace to Indians in the cannery, where it is not likely she will be properly looked after.”⁸³ Fearing the spread of contagion the woman was promptly removed from the cannery and sent to Metlakatla.

To white authorities, the racialized bodies that inhabited cannery spaces, and more importantly, the social and heterosexual mixing between them, also signified the immorality and degeneracy of these places. The relationship between bodies and spaces in the canneries did not stop at assumptions about these places as immoral and lawless settlements. Rather, as spatial theorists have argued, relations of domination and subjugation are always articulated and organized within physical space.⁸⁴ Cannery spaces and the bodies within them were intertwined in a complex set of power relations. While the bodies signified the spaces as degenerate, the organization of cannery spaces also defined its inhabitants in racialized ways

⁸²*Ibid.*

⁸³McLean to Perry (July 17th, 1915). NAC, RG 10, reel c10178, volume 4045, file 351304.

⁸⁴See Nicholas Blomley, *Law, Space and the Geographies of Power* (New York & London: Guilford Press, 1994); Razack, *supra* note 5; Edward Soja, *Postmodern Geographies: The Reassertion of Space in Critical Social Theory* (London & New York: Verso, 1989) 6.

and ordered specific hierarchical relations between them.⁸⁵ Like other “slums,” canning establishments came to be known as spaces not only bearing physical problems, like stench and pollution from offal, but also containing social problems constituted by and constitutive of racial strife. In other words, it was not only the conditions of the real space that defined canneries as “zones of transgression,” but also, what happened in these spaces. As police records reveal, constables frequently responded to calls from cannery managers and owners about vice and crime within various cannery encampments.⁸⁶ Many of these allegations were concerning “inter-racial” problems including violence, illegal liquor sales, and worst of all, sexual immorality.

At the Steveston canneries, police constables were confronted with all of these problems, particularly inter-racial violence. Racial and labor tensions in cannery spaces were common place and the hiring practices of cannery owners and operators only worsened this problem. From the late nineteenth century onward, labor tensions between Indian and white fishers at Steveston ran high. These issues were only exacerbated with the arrival of Japanese fishers and cannery workers. Working for very low wages and described by cannery owners as the “most dependable and cooperative” of all workers, Japanese laborers eventually came to dominate in the salmon canneries along the Fraser River district,⁸⁷ especially at Steveston. Rather than subdue the racial tensions which accompanied their arrival, cannery operators often played upon these racial antagonisms to maintain control over their fishers and

⁸⁵Razack *supra* note 5 at 356.

⁸⁶See BCARS GR-107, GR-399, GR-419, GR-445.

⁸⁷*Supra* note 8 at 67.

especially their demands for higher wages.⁸⁸ However, these techniques sometimes backfired as they did in July 1900, when the Steveston fishers began a major strike.

Although the fishers' strike was directed at cannery owners, protesting the rate they paid out per fish, anti-Japanese sentiment soon surfaced, and racial violence was often aimed at these newcomers. Over the course of the strike, "five men had attacked two Japanese and threw about a hundred fish into the water."⁸⁹ The Canner's Association played a pivotal role in fueling and aggravating these tensions, as many managers used Japanese fishers as "scabs," sending them out to work while the strike was on. Richard Lister, the Chief Constable, reported that the "Manager of the Precise Canning Co sent out two boats to fish, evidently to test the attitude of the strikers."⁹⁰ Clearly, the strikers were not pleased with Japanese labor. Although whites and Indians also fished during this period of labor unrest, they were rarely met with or threatened by the same degree of violence as that directed at Japanese fishers.

Labor tensions did not fall neatly across racial lines. Because cannery workers and fishers of different racial backgrounds were drawn into a complex set of social, economic, and race relations, labor conflicts were often more complicated than white/ non-white. In the case of the Steveston strike, it is important to note that Japanese fishers were not only attacked by whites but also Natives. In a telegram to the Attorney General of the province,

⁸⁸Muszinsky *supra* note 7 at 7.

⁸⁹Chief Constable to Attorney General (July 11th, 1900). BCARS, GR-0429, box 6, file 1.

⁹⁰Lister to Attorney General (July 21st, 1900). BCARS, GR-0429, box 6, file 1.

the Chief Constable informed him that, “large numbers of whites presumably foreigners and indians [sic] in patrol boats attacked Japanese fishermen at mouth of Fraser. Seven Japanese badly clubbed, about three hundred dollars worth of injury done to nets.”⁹¹ Anti-Oriental sentiment about “coolie labor” undercutting white and Native workers, combined with the “divide and conquer” agenda of the cannery owners both underpinned and incited racist attacks against the Japanese.

Labor tensions from the canneries often spilled into after-work hours and into social spaces including saloons and bars. During the strike at Steveston, racist violence did not go unchallenged. Rather, Japanese fishers reciprocated these attacks in social places, rather than on the water or at the docks. One Saturday night, two “white men were stabbed and beaten by a number of Japanese in [the] Star Hotel at about midnight.” Four “Japs” were arrested by the police Chief in the incident, and were put in jail.⁹² A few weeks later, two white men retaliated, and were arrested for “stealing a Japanese net with violence.” And a few days following the net incident, another white man “shot a Jap” and was taken to Vancouver with the police Chief “for safe keeping.”⁹³ Racist violence was not only characteristic of the canneries at Steveston. Rather, constables in other canneries along the Skeena and Nass Rivers also made similar reports. While a Japanese presence was greatest in the Steveston area, Chinese laborers, Natives, and whites far outnumbered Japanese in canneries along the

⁹¹CPR Telegraph from Hussey to Eberts (July 3rd, 1900). BCARS, GR-0429, box 7, file 3.

⁹²Constable Notebooks (July 31st, 1904) BCARS. GR 0399, 32.

⁹³Constable Notebooks (July 31st, 1904) BCARS. GR 0399, 75, 81.

Skeena and Nass. In these more Northern regions, racist violence still maintained its anti-Oriental dimension, as the Chinese were most frequently the ones targeted by racist violence from white and Native workers.

Illegal liquor sales and drunkenness in cannery spaces further contributed to these places' reputations as decayed and lawless. Authorities assumed that drinking, or more specifically drunkenness, was widespread across the canneries. BC's predominantly male and racially-mixed society had long since been characterized by a high demand for liquor, inter-racial sex, and other "morally questionable" leisure activities - including gambling.⁹⁴ However, by the late nineteenth century, government and religious officials endeavored to dismantle this "homosocial racially plural world of the back woods,"⁹⁵ and perceived these recreational activities as deeply threatening their efforts to establish a white settler society. While drunkenness, prostitution, and gambling were tolerated within certain areas on the periphery of white cities and towns,⁹⁶ inter-racial drinking and sex were becoming less acceptable in "respectable" white spaces. Rather, authorities aimed to contain these "morally questionable" activities within the parameters of degenerate spaces including reserves, Chinatowns, and canneries.

Although alcohol consumption was legal for whites, Japanese, Chinese and people of

⁹⁴See Greg Marquis, "Vancouver Vice: The Police and the Negotiation of Morality, 1904-1935," in Harmar Foster & John McLaren, eds., *Essays in the History of Canadian Law: Volume VI: BC and the Yukon* (Toronto: University of Toronto Press, 1995), 248; Adele Perry, "'Fair Ones of a Purer Caste': White Women and Colonialism in Nineteenth Century British Columbia, (1997) 23:3 *Feminist Studies* 509.

⁹⁵Perry *ibid* at 503.

⁹⁶Marquis *supra* note 94.

mixed-race, under the *Indian Act* Native peoples were prohibited from buying, selling, and consuming liquor. In spite of these and other restrictions, liquor use among Aboriginal peoples was believed to be pervasive, particularly in cannery spaces. In a 1903 report, Indian Agent Hussey wrote to the Indian office that, “[t]here has been only seven convictions for selling liquor to Indians at Steveston this summer; there has probably been an average of that many offences every day during this season.”⁹⁷ As Hussey’s report suggests, Native peoples were continually supplied with intoxicants and authorities had enormous difficulty in preventing this state of affairs, since the administration of liquor regulations was an onerous task. In most cases, constables were forced to travel for long periods of time and to remote areas to apprehend suspects. By the time they reached their destination, the whiskey peddler was usually long gone. The Superintendent of the Provincial Police observed that drunkenness was pervasive among the Indians, but explained that “it is impossible for the Provincial Police to effectively deal with this matter without incurring great expense, which I am afraid, would not meet with the approval of the government.”⁹⁸ Considering the close proximity between Indians and the “other races” in the canneries, and notwithstanding problems with enforcement, local and provincial administrators remained concerned about the impact that liquor use would have upon Aboriginal peoples.

At Steveston, several additional provincial constables were appointed “to assist the local police in preserving law and order” and to protect the Indians from being victimized by what Superintendent Vowell described as, “those worthless characters, who there abound,

⁹⁷Hussey to McLean (October 20th, 1904) BCARS. GR-0429, box 10, file 4.

⁹⁸*Ibid.*

and, who are ever on the alert attempting to demoralize and rob the Indians by illegally supplying intoxicants.”⁹⁹ In spite of the additional police presence, however, drunkenness among Indians remained widespread. Drunkenness became a strong indication to local authorities that inter-racial sociability was indeed pervasive. Government officials argued that in these racially-mixed spaces, Indians were easily able to access liquor as they bought whiskey and beer from Chinese cannery workers, and from Japanese and white fishers. This was confirmed by local constables, who made daily reports of drunk Indians, and of men and women suspected for supplying Native peoples with alcohol.

Authorities, cannery owners, and settlers did not only fear drunkenness per se. Rather, most were concerned about the consequences of inter-racial drinking. Cannery owners and operators lamented that drinking and socializing between the races may lead to the forging of friendships and alliances across racial boundaries that could potentially disrupt their quest for economic prosperity. Government authorities and religious officials had different fears, however. Many argued that inter-racial drinking would encourage the spread of vice, the mixing of blood, and the contamination of white society. While inter-racial drinking at its worst would undoubtedly lead to other social and sexual transgressions, at best, close social contact meant that the “vulnerable races” would inevitably be corrupted. Government officials and missionaries believed that inter-racial sociability, and drinking in particular, would lead the different races to transmit their *racially specific* vices to one another. Interestingly, the transmission of vice was a two-way process. Just as white men

⁹⁹Vowell to Attorney General (August 3rd, 1904). BCARS, GR-0429, box 11, file 4.

could be demoralized and could “go native”¹⁰⁰ by drinking and socializing with Indians and Chinese, they could just as well transmit their bad habits to these lower orders. Missionaries were most concerned about the degrading influences that white men would have upon “impressionable” Aboriginal communities. Since many believed that the Indians could indeed be assimilated into white society, albeit never as equals, the spread of degeneracy to these “child-like” populations would inevitably hold disastrous results. Reverend Raley, a missionary from the Simpson District maintained that the “[s]ocial conditions [among Indians] are improving but perhaps not so quickly as one might desire, due to the White man’s vices.” He added, “[h]istory shows clearly that in our work with the Indians we are combating the *wickedness* of the white man, rather than that of the Indians.”¹⁰¹

Not everyone agreed with Raley’s sentiments, however. Rather, many argued that Natives were being demoralized by the liquor supplied to them not only by “bad” whites, but more accurately by the province’s “Chinamen.” Thomas Deasy reported as follows with respect to Steveston: “When the Indians have money the vagrant whites and Chinese make every endeavor to supply them with intoxicating liquor. A large number of the Indians are sober and industrious; but the demoralizing sights and temptations in Steveston are a disgrace to our so-called modern civilization.” Because of the immoral conditions at Steveston, he explained, a “number of Indians will not camp, or work, in the canneries at that place,

¹⁰⁰Ann Laura Stoler, “Making Empire Respectable: The Politics of Race and Sexual Morality in Twentieth Century Colonial Cultures,” in Anne McClintock, Aamir Mufti, & Ella Shohat, eds., *Dangerous Liaisons: Gender, Nation, and Postcolonial Perspectives* (Minneapolis: University of Minnesota Press, 1997) 344-373.

¹⁰¹G.H. Raley’s Report on Simpson District Indian Work, July 30th, 1910. UCA, T.E. Eggerton Shore Papers, Acc# 78.093c, Box 6, file 106.

preferring outside canneries” instead.¹⁰²

Several officials echoed similar concerns, but which implicated Chinese men more directly. As one source pointed out, many of the Chinese men, who were unemployed in the province were subsisting on criminal activities, including illegal liquor sales. Constable Lewis lamented, “since the advent of so many Chinese to this province and the completion of the railroad work having thrown a great number out of employment, the poor class, amongst these people have largely resorted to supplying intoxicants for Indians in the shape of Chinese Whiskey.”¹⁰³ *The British Colonist*, Victoria’s daily newspaper, reiterated these sentiments two years later, but emphasized that the duplicity of the Chinese race, rather than poverty and unemployment, was to blame for this condition. According to the *Colonist*, the “evil” Chinaman was sure to be “taking the place of the whitemen” in the illicit liquor traffic, only “to become the greatest obstacles to civilizing the Natives.”¹⁰⁴ Interestingly, few were concerned that white or Aboriginal peoples would transmit vice to Chinese laborers. This was just not possible in the white imagination. By the early twentieth century, the “Chinaman” became the perpetual symbol of evil and the antithesis to whiteness and to Western civilization.¹⁰⁵ He was so corrupt, whites assumed, that nothing and no one could make him any worse.

In Port Essington (see Figure 11), which eventually was to become the major

¹⁰²Deasy to Vowell (August 1st, 1904). BCARS, GR-0429, box 11, file 4.

¹⁰³Lewis to Lomas (January 29th, 1884). BCARS, GR-0419, box 1, file 7.

¹⁰⁴*British Colonist* (June 14th, 1876), 2.

¹⁰⁵*Supra* note 3 especially chapter 2.

distribution point and salmon canning headquarters for Northern BC,¹⁰⁶ white residents dreaded that drinking and socializing between the different races would have a detrimental impact upon the morality of their space and more importantly, on white civilization overall. Although residential areas in Port Essington were racially segregated, as they were in other cannery towns, the “citizens” lamented that inter-racial co-mingling was still pervasive. In a petition from the white residents, the town was described as a “peculiar” place. On one side, they explained, was an Indian settlement, “a special reservation on which are located some one hundred and fifty Indians,” while the other side had “two hotels licenced to sell liquor, one of them being less than a hundred yards from the reservation.” While the physical proximity between the saloons and the Indians was a problem in and of itself, the residents were more concerned that these short distances exacerbated racial intermixture. “With the exception of a small number of reputable citizens,” the petitioners explained, “the balance of the population of this fishing centre is composed of Chinese, Japanese, half-breeds, and whites of almost every possible European nationalities, such as ordinarily resort to the cannery centres.” Racial mingling between these distinct types inevitably meant that there would be trouble “both thro [sic] supplying liquor to Indians and thro [sic] other misdemeanors.” The petitioners emphasized that something needed to be done to “stringently enforce the laws at this place,” or in other words, to protect the future of racial purity and white superiority in Port Essington and in the province at large¹⁰⁷.

¹⁰⁶*Supra* note 9 at 61.

¹⁰⁷Petitioners to the Attorney General of BC, Port Essington, BC (December 16th, 1905) BCARS. Gr-0429, box 13, file 1.

The sentiments of the petitioners were repeated by a number of local authorities who complained that the Indian Agents did little to manage such racially diverse spaces. As the residents of Port Essington lamented, “the town is wholly without magisterial authority,” and thus, remains unsupervised. They urged that this “demoralizing condition” has led to the proliferation of lawlessness within the town, which in turn has dealt a devastating blow to white respectability. In one instance, the petitioners explained, a “drunken violent white man” was “using abusive and threatening language to a respectable woman who with her child was defenseless in their home during the absence of her husband.”¹⁰⁸ This narrative of imperilled white womanhood did not only underscore the urgency of law enforcement, but highlighted the devastating implications of race-mixing. Clearly, this white man had spent far too much time mixing with the degenerate races, adopting their “uncivilized” ways in the

¹⁰⁸ *Ibid.*

process. The petitioners and authorities in Port Essington loudly denounced race-mixing fearing that too much contact between white men and the lower orders was having a detrimental effect on white masculinity. Inter-racial contact, they assumed, was transforming



Figure 11: Port Essington (189?)

Source: BCARS, Visual Records Catalogue, A-04170

white men from “respectable” and civil to immoral and racially defective.

The ultimate racial transgression in BC and in other colonial settings was inter-racial sex, or more specifically, miscegenation. While inter-racial drinking raised concerns among government and religious authorities about the transmission of vice and white men “going native,” their anxieties were also fixed upon sexual transgressions across racial boundaries.

Not all types of sex were equally threatening, however. Rather, as Robert Young explains, hybridity always comes with “an implicit politics of heterosexuality.” Since inter-racial heterosexuality resulted in racially-hybrid children, it held different social, political, and racial implications than same-sex relations, which produced no physical evidence equivalent to bi-racial progeny.¹⁰⁹ Although homosexuality was thought to cause degeneracy, and in doing so did endanger whiteness, inter-racial heterosexuality and the resulting mixed-race progeny deeply threatened “middle class morality, manliness, and motherhood.”¹¹⁰

Whereas the labor forces in the canneries were racially diverse, including men of different racial origins as well as Japanese and later white working class women, government and religious officials were mainly concerned about inter-racial heterosexual relations between white men and Native women. In other words, missionaries and local administrators were most anxious about those inter-racial heterosexual relations that endangered the discursive and material parameters of whiteness. As I discuss in chapter five, Native-white sexual liaisons were, until the early twentieth century, assumed to be the most threatening to white racial purity, the securing of land and resources, and ultimately to colonial rule. To elaborate briefly, the hybrid progeny of Native-white sexual encounters I argue, were especially feared as officials assumed that they defied simplistic racial taxonomies and could easily pass as both Indian and/ or white. Since the allocation of land was contingent upon the mutual exclusivity and vigilant policing of these racial categories, “half-breeds” were

¹⁰⁹Robert Young, *Colonial Desire: Hybridity in Theory, Culture, and Race* (London & New York: Routledge) 25-26.

¹¹⁰*Supra* note 100.

perceived to be the most dangerous of all. Preventing inter-racial sex between Native women and white men became a central concern throughout the province, and yet surprisingly was tolerated within the canneries. For many whites, entrepreneurs in particular, the prospect of economic success meant that inter-racial sex could indeed be acceptable in cannery spaces.

Canneries were known in the white imagination as spaces where inter-racial sex was both common place and widespread. In most cases, however, sex between white men and Indigenous women in canneries and other industrial settlements was interpreted by white authorities in terms of prostitution. Throughout the late nineteenth and early twentieth centuries, missionaries and Indian Agents made frequent reports about young Indian and half-breed girls being procured by undesirables and also prostituting themselves to “whitemen of the various camps around the district.”¹¹¹ These allegations were especially fierce in Cape Mudge and Port Simpson, two towns which hosted salmon canneries.¹¹² In other jurisdictions including Alert Bay, Indian Agents alleged that the women in their agencies frequently left reserves and went to logging camps and canneries “for the evident purpose of getting whiskey from the employees” and also to prostitute themselves.¹¹³ Some of these women reportedly resided on reserves, while many others worked and lived at local canneries, where

¹¹¹From C.J. South to the Superintendent of Indian Affairs, Ottawa (September 20th, 1905). NAC, RG 10, reel 10193, volume 3816, file 57,045-1.

¹¹²*Ibid.*

¹¹³Vowell to De Beck (October 3rd, 1902). NAC, RG 10, reel 10193, volume 3816, file 57,045-1.

they supposedly obtained liquor and sex from male employees.¹¹⁴ Interestingly, although Europeans set up these circumstances by prohibiting Indigenous peoples from purchasing liquor and by constituting *all* Native women as prostitutes, it was most often Aboriginal women who were the ones blamed and regulated.

In some canning towns, authorities protested that sexual immorality, and more importantly, inter-racial heterosexuality was exacerbated by the presence of local dance halls and other legal and illegal venues. Dance halls challenged the segregationist strategies that cannery owners and local authorities tried to enforce in these places, as there were no restrictions as to who could attend. At the Steveston canneries, Thomas Deasy observed that, “a dance house is permitted on the main thoroughfare, which is frequented by Indian women, half-breeds and white men, and is kept open until midnight.”¹¹⁵ On his visit, he recalled seeing about “forty Indian women” who were “dancing with half-drunken white men, and leaving with them when the place closed.” Although he did not know where they went to, Deasy speculated that they were “up to no good.”¹¹⁶ The dance halls were not the only problem at Steveston. Rather, Deasy recalled that the “Chinese gambling houses” are wide-open to all as are the saloons which “harbor men who are notorious whiskey -vendors.” He continued that racial segregation was rarely enforced, as “Indian women sit down, and loiter,

¹¹⁴From C.J. South to the Superintendent of Indian Affairs, Ottawa (September 20th, 1905). NAC, RG 10, reel 10193, volume 3816, file 57,045-1.

¹¹⁵Deasy to Vowell (August 1st, 1904). BCARS, GR-0429, box 11, file 4.

¹¹⁶*Ibid.*

on the corners, after dark.”¹¹⁷

While authorities were concerned that inter-racial mixing would occur in the canneries, many also feared that white men would go to nearby reserves to take advantage of vulnerable Native women, whose husbands were away fishing. In 1896, a white settler, John Grice from Clayoquot, wrote to the local missionary complaining of these circumstances. He explained that while Indian men were away fishing on schooners, they left their women and children alone on the reserve. This was especially a problem in Clayoquot, where the reservation “is in close proximity to the Cannery which began last year.” Grice explained that when “the Cannery was started it meant the introduction into the district of a number of men,” whom he described as “some old hypocrisy [sic] of the cities of the United States.” He continued that as “soon as some of these men came in contact with some of the young Indian women whilst their Husbands and Fathers were absent last year, the evil results were soon apparent.” These women, who Grice described as “fine types...are now miserable wrecks of humanity swelling the number of unfortunates that swarm the streets of Victoria and the Sound cities this year.”¹¹⁸

Grice had a difficult time determining who was more to blame for these conditions: was it white men or Indian women? He described one of his encounters as follows: “I paid a visit to the cannery and the Indian reservation and found my worst fears realized [as] these same men who were the cause of the ruin of the women last year [were] already at work on

¹¹⁷*Ibid.*

¹¹⁸Grice to Swartout (August 10th, 1896) UCA. Fonds 122, Records Pertaining to Aboriginal Peoples in Western Canada, series 14. Acc #79.200c, box 1, file 12.

some young defenseless and ignorant women going on to their reservation and entering their houses and enticing them to acts of immorality, partly by threats and partly by persuasion.”¹¹⁹

While undoubtedly condemning the actions of the men, Grice quickly added that Native women also frequented the canneries, for purposes “other than employment.” Nevertheless, he complained that the Catholic clergyman in Clayoquot was doing little to prevent this state of affairs: “On the Sunday following these same men came down from the cannery went over on to the Indian Reservation at Clayoquot and on pretense of attending divine worship at the Catholic Church entered the houses of these young Indian women and enticed them to return to the Cannery.” Grice continued that “two of these young women were girls one of them only about sixteen years of age actually left the village in their canoe and accompanied the men back to the cannery and before the very eyes of the Clergyman without a single word of remonstrance the other left again the following day.”¹²⁰ He urged that the Methodist Church do something to prevent this immorality, adding that he had “conclusive evidence that these women have become victims to the lusts of these inhumane monsters.”¹²¹

Notwithstanding concerns about heterosexuality and mixed-race progeny, authorities were also faced with other sexual transgressions. On September 27th, 1915, Constable Broughton from Bella Coola went to a nearby Cannery to investigate what he believed to be an “indecent assault by Chinamen on two little [Indian] boys.” In efforts to follow up this story about the Chinese sexual predators (which resonated striking similarities about Chinese

¹¹⁹*Ibid.*

¹²⁰*Ibid.*

¹²¹*Ibid.*

men and white slavery), Broughton and another constable went to the cannery. After interviewing the boys for several hours, they still had little idea as to what had transpired and why. They left late in the day concluding that, “on account of their [the boy’s]age it was impossible to learn anything from the youngsters.”¹²² Yet, they did agree that if racial segregation was enforced as it should be, or better yet, if young boys and girls were prohibited from frequenting the canneries, incidents of this sort would never again occur. However, cannery owners and operators disagreed. Insisting that Native labor was crucial to the canneries they - along with some government officials and missionaries - advocated the implementation of other legal and non-legal strategies to contain degeneracy within cannery spaces. In the following section, I consider these governing techniques in more detail.

III. Regulating the Canneries

In the eyes of government officials and other authorities, images of cannery camps as spaces of vice and debauchery legitimized the need for legal and extra-legal forms of surveillance. Since racial inter-mingling was assumed to be widespread and dangerous, cannery owners, government agents, and missionaries all agreed that something needed to be done to ensure that the different races would know their respective places. To many, liquor use and miscegenation - which were assumed to be pervasive - were also the most problematic activities of all. Both alcohol and inter-racial sex challenged the effectiveness of colonial civilizing missions (especially aimed at Aboriginal communities) and disrupted

¹²²Daily entry into police record book (September 27th, 1915) BCARS. GR-0445, box 2, file 11.

whiteness in different ways. Although white settlers and authorities urged that the degeneracy of canneries required some form of management, few agreed on what strategies would be most efficient and least disruptive to the productivity of salmon canning in BC. The Dominion constable insisted that “the Canneries should provide a police man in each locality where Indians are engaged, to prevent the sale of liquor.”¹²³ However, others were less hopeful. Since canneries and other industrial settlements were “privately” owned spaces, the Department of Indian Affairs feared that Indian Agents and constables would have little or no jurisdiction over the behavior of Indians in these places.

The regulatory strategies aimed at governing the canneries did not apply evenly to all racialized groups. Aboriginal bodies and spaces were more rigidly regulated than were the Chinese and Japanese. Native peoples, many argued, could be “saved,” “civilized,” and assimilated through employment and moral training. In the case of Chinese and Japanese, however, government authorities and missionaries viewed them as unassimilable and as merely temporary inhabitants of the Canadian national space. A constable and several assistants were thus employed in Port Essington, “in order to keep a rigid watch over the Indians.”¹²⁴ The Department of Indian Affairs took the surveillance of Native peoples one step further, recommending that Indian encampments in canneries be designated as “special reserves.” As the Inspector of canneries urged, “I think it would be a good thing if the Indian quarters were, in fishing seasons when occupied by the Indians, given the status of special

¹²³Deasy to Vowell (August 1st, 1904). BCARS, GR-0429, box 11, file 4.

¹²⁴Laucoth to Scott (April 23rd, 1914). NAC, RG 10 reel c10178, volume 4045, file 351304.

Indian reserves.” He complained that as “they now stand they are private property and an Indian Agent has no jurisdiction.”¹²⁵ These sentiments were also echoed by a number of Indian Agents who oversaw other industrial settlements. Agent Graham explained that in the Agassiz and Chilliwack Hop-yards:

The Indians gather at these yards in large numbers (last year 1914 there was nearly one thousand Indians at Aggasiz yards and over two thousand at Chilliwack) and they do not regard the encampments or yards as Special Reserves and they claim they do not come under the provisions of the laws governing reserves, therefore our difficulties are greatly increased, especially owing to the low class of white men, Chinamen, Hindoos and half-breeds, that frequent the Indian encampment and yards.¹²⁶

Officials assumed that if their quarters were not defined as “reserves,” Native peoples would be free to break the law with impunity. Not only could they drink and gamble, but they could associate with other racialized groups, like “Chinamen, Hindoos, and half-breeds”¹²⁷ who would exert immoral influences upon them, would try and turn them against whites, and would corrupt them in the process.

The idea of special reserve status was debated by officials from the Department of Indian Affairs, Indian Agents, and missionaries. After considerable discussion, the

¹²⁵Perry to Department of Indian Affairs (August 7th, 1915). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹²⁶Graham to Assistant Deputy and Secretary, Department of Indian Affairs, Ottawa (August 30th, 1915). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹²⁷*Ibid.*

Department of Indian Affairs in Ottawa explained that “it would not be possible to act upon your suggestion to give Indian quarters in connection with the canneries the status of special Indian reserves, unless the said quarters are within an Indian reserve.”¹²⁸ Since canneries were private property, designating them as reserves would mean that the cannery owners would have to surrender their land to the government. This was completely out of the question. However, in some cases, reserves were moved closer to canneries, while in other instances canneries were built close to reserves. In Port Essington for instance, the Native encampment was in fact deemed to be a “special reserve,” meaning that Aboriginal peoples could continue to work in the canneries while residing on reserve space where they were still subject to the *Indian Act*.

Missionaries had their own ideas on how to regulate the canneries, however. Many complained that seasonal migration to the canneries and logging or construction camps undermined their efforts to civilize both the Indians and the Chinese. Although Fisheries officials, especially during times of labor shortage, encouraged Native peoples to work in the canneries, some missionaries argued that Native women in particular, should not leave their reserves. Native women and children most often became the targets of the *protective* and punitive techniques advocated by religious officials. In 1912, Reverend Tate, a Methodist Missionary made a written complaint about these matters to his superior, Reverend Moore of the Department of Temperance and Moral Reform in Toronto. He lamented that the Indians on the Skeena River were being corrupted by the men employed nearby on the Grand Trunk

¹²⁸McLean to Perry (August 25th, 1915). NAC, RG 10 reel c10178, volume 4045, file 351304.

Pacific. As he explained, the men are “not all in sympathy with the Missionary and his work, and many of them are doing their utmost to upset the work of past years.” More specifically, “[l]iquor is being smuggled into the Indian houses, and when all are pretty well intoxicated the women are ravished, and general demoralization is the result.” He advocated lowering the age of consent from sixteen or eighteen which “protects the rascals who are thus engaged,” and instead, classifying Indian women as children “no matter what their age.” In doing so, he explained, “any white man found cohabitating with them” could be given “six months with hard labor, without the option of a fine.”¹²⁹

McLean, the Assistant Deputy of Indian Affairs responded to Tate’s concerns in a letter to Reverend Moore. He criticized Tate’s anxieties about white men allegedly corrupting Indian women, questioning why “should only poor navvies be punished for immoralities which hundreds if not thousands of white men all over Canada are practicing practically unmolested with women of all nationalities.” He explained that “these Indian women in British Columbia are not surrendering themselves to these navvies for mere amusement, but for gain or hire.” For McLean, these women were simply prostitutes who voluntarily gave themselves to white men for financial benefit. He insisted that section 220 of the *Criminal Code*, which made it “an indictable offence for the keeper of a house, tent, or wigwam, who suffers any unenfranchised Indian woman to remain therein with the intention of prostituting herself” could easily be evoked to deal with the problem. If this was insufficient, McLean suggested that Section 216 of the *Criminal Code* could also apply.

¹²⁹C.M Tate to T.A. Moore (February 17th, 1912). NAC, RG 10, reel 10193, volume 3816, file 57,045-1.

Under section 216:

Everyone is guilty of an indictable offence and liable to two years imprisonment with hard labor who applies, administers to, or causes to be taken by any woman or girl any drug, intoxicating liquor, matter or thing with intent to stupefy or overpower so as thereby to enable any person to have unlawful carnal connection with such woman or girl.¹³⁰

While this section appears to have emerged out of anxieties over “white slavery” and the protection of white femininity, McLean suggested that it could also be used to prosecute white men who were attempting to seduce Native women. But since Indian women were prostitutes in McLean’s opinion, enforcing this section was a moot point.

In Port Simpson, Native men also complained that an Indian Agent was needed to deal with the gross immorality that white men were committing against the women in their communities. The Aboriginal men lamented that there is “no Indian Agent here on the ground to assist us.” They explained that while he “comes occasionally to make short visits but is not here sufficiently long to assist us in the enforcement of law and maintenance of the peace.” The men were concerned about the “lawlessness and consumption of liquor on the reserve.” While government officials were anxious about Native people’s liquor consumption, Native men were referring to the problem of drunken white men. They alleged that none of the authorities in the area are defending us “against the oppression of the reckless drunken white men to whose lust our young men and women are often sacrificed.

¹³⁰J.W. McLean to T.A. Moore (April 18, 1912). NAC, RG 10, reel 10193, volume 3816, file 57,045-1.

We are helpless in these matters and turn to the Government for assistance.”¹³¹ They encouraged the provincial Attorney General to send Reverend Osterhout back to Port Simpson, urging that since his departure, “the consumption of liquor has increased to an alarming extent on this reserve,” as has sexual immorality.¹³²

Fears of Indian women in the canneries did not only center on sexual immorality and miscegenation, but provoked further anxieties about hygiene and cleanliness in the minds of government officials. As I discussed in the previous section, Indigenous women were regarded as diseased bodies within the colonial imagination. Authorities complained incessantly that Indian women should not be allowed to go to the canneries, nor should they take their children with them. As one official from the Department of Naval Service explained: “In British Columbia, the objectionable practice of the Indian women taking their infant children with them, and of the younger children of the families trailing around their mothers, exists to a large extent.”¹³³ An Act was proposed by the Naval Service, stating that “No children of employees, nor dogs, shall be allowed in any cannery.”¹³⁴ The logic of this by-law, which lumped Native children and dogs in the same category, was that by removing the “lower orders” and animals from cannery spaces, authorities would be able to more easily

¹³¹Native men to the Attorney General of BC, Port Simpson, BC (August 24th, 1900) BCARS. GR-0429 box 5 file 4.

¹³²Petition to the Honorable Attorney General, Port Simpson, BC (November 9th, 1899). BCARS. GR-0429 box 5 file 4.

¹³³Department of Naval Service to Scott (July 11th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹³⁴*Ibid.*

promote cleanliness, sanitation, and orderliness in canning establishments.

Others lamented that the unsanitary conditions were not because of children, but rather, due to the presence of Native elders, especially women. As the Agent from Alberni reported, “[o]n my last visit to the Esquimalt Cannery, I did not see any children, but there were several old women, whom I would consider more detrimental to sanitation than children.”¹³⁵ He did not elaborate as to why older women were unsanitary, however, prevailing assumptions of Indian women as sinister, diseased and degraded undoubtedly influenced his views. One source added that, “Indian women, suffering from consumption and other diseases, handle fish, placing the food in the cans,” they “work in buildings where the sun never enters, in water and slime.”¹³⁶ The Agent from Alberni argued that the restrictions should be broadened to “exclude old women, children, and dogs from the Canneries, from a sanitary point of view, and also in the interest of the Indians.” He explained that such provisions will not only limit disease, but will also prove to be a good way “of keeping the old people and women with several children on their reserves, where in the majority of cases they are a great deal better off.”¹³⁷

The unsanitary conditions of the canneries was also used by some Indian Agents to justify restrictions on Aboriginal children. Indian Agent Perry from Metlakatla insisted, “I do

¹³⁵Indian Agent from Alberni to Scott (August 11th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹³⁶Deasy to Scott (August 12th, 1916). NAC, RG 10 Volume 4045, file 351304, reel c10178.

¹³⁷*Ibid.*

not like to see very small babies lying in the atmosphere of the canneries.”¹³⁸ While he did not think that children should be banned from canning establishments altogether, he suggested that “some age limit should apply to children of Indians working at canneries.” He asserted that, “often, children far too young are engaged by the canners. While the work set for these children is not arduous and the children seem to enjoy it, it is thought that long hours, inadequate footwear, wet floors and draughts are not calculated to make healthy children of them even though their earnings may be a consideration.”¹³⁹ Others argued that Indian women and girls should not be employed in the cannery towns as it “is not for their good, morally.”¹⁴⁰ After visiting the Queen Charlotte Islands, Constable Deasy further rationalized the removal of women and girls through fears of miscegenation. As he pointed out: “The [Indian] men go out in boats, leaving the women in the cannery towns, among Chinese, Japanese, and Whites.”¹⁴¹ In his view, these men easily preyed upon and corrupted Native women.

Missionaries agreed with the proposed restrictions on children. Many insisted that young Indian children should be kept away from the canneries not only because of the demoralizing influences of these places, but because the canning season disrupted their schooling. It was commonplace for Aboriginal communities to take their children out of

¹³⁸Perry to Scott (August 10th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹³⁹*Ibid.*

¹⁴⁰Deasy to Scott (August 12th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹⁴¹*Ibid.*

residential and day schools and to the canneries for the entire season. Missionaries argued that such a disruption in moral, religious, and educational training would inevitably frustrate their civilizing efforts. It was bad enough that entire Native communities migrated to canneries for months at a time. However, many drew the line at children, arguing that canneries were spaces of immorality and lawlessness, where children did not belong. On the advice of the Anglican Archdeacon of Lytton, the Inspector of Indian Agencies stated in his “reports to the Department that school children should not be allowed out on holidays during the canning season,” as he “did not consider that any of the canning centres are fit places for children to go.”¹⁴² Recognizing that the labor of Indigenous peoples was invaluable to the canning industry, the Department of Indian Affairs disagreed. The Inspector of Canneries argued that he did not think it was advisable to prevent “the grown up Indians from going to the canneries for work...unless the Department or the Churches are prepared to offer a due amount of compensation in lieu of the amount of money earned by the Indians at these centers of employment.”¹⁴³ However, he encouraged that a residential school be built, explaining, “it would keep the children from going to the canneries and after the season is over it would hasten the return of the parents to their homes in order that they might then take their children to the reserves.”¹⁴⁴

In spite of widespread fears of disease and sexual and social contamination, cannery

¹⁴²Ditchburn to Secretary of Department of Indian Affairs (May 5th, 1914). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹⁴³*Ibid.*

¹⁴⁴*Ibid.*

managers strongly opposed regulations on Native women and children. Since these vulnerable groups were easily exploited by cannery officials, many insisted that the legal and quasi-legal measures proposed by Indian Agents and missionaries “would result in the exclusion of Indian woman labor to a large extent.”¹⁴⁵ Similar concerns were also expressed by several Indian Agents. Indian Agent McCallum for one, pointed out that “Indian women, I am informed are experts at cutting and packing and it seems to me it would be a distinct loss to the canners to lose [sic] their services.”¹⁴⁶ He suggested that “a clause be inserted in the Act obligating the cannery and fishing companies to furnish a spacious room at each of the places where Indians are employed” so that the older Indian women could be paid for looking after the children during working hours.¹⁴⁷ Another Agent reported that some of the canneries “have a rule by which all children of employees are kept in a certain unused portion of the building, in which canning operations are carried on...The place where the children are kept is enclosed by an open fence and gate and in view of the parents while at work. The gate is kept locked and the key is placed in charge of the foreman of that department.”¹⁴⁸

Concerned about profits and Indigenous resistance, Indian Agents and others were reluctant to impose any further restrictions upon Native women and on Aboriginal

¹⁴⁵Department of Naval Service to Scott (July 11th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹⁴⁶McAllam to McLean (July 28th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹⁴⁷*Ibid.*

¹⁴⁸Indian Agent to McLean (July 28th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

communities in general. As Indian Agent Halliday from Alert Bay pointed out, the state had already restricted Indian fishing rights, and any other regulations would simply result in disquietude. He explained that:

The Indians generally feel that they have a just grievance against the department of Fisheries, on other grounds, the chief of which is that they are not allowed the same privileges as white men with regard to fishing. No Indian at present in District No 2 can get an Independent license and as the number of attached licenses are limited many of them can get no chance whatsoever to fish, and if any further legislation is passed which curtails their chances of earning a livelihood, it will have attendance to breed more discontent.¹⁴⁹

In light of concerns about Native uprising and of securing the profits of the canning industry, Indian Affairs officials eventually reached a compromise about how to effectively deal with Indian women without compromising their labor. Their proposal did not address concerns about inter-racial sex or miscegenation, but rather, focused on sanitation and hygiene. Thomas Deasy insisted that concerns about filth and contagion could be corrected if Native women were “provided with white cotton caps, gloves, and some kind of over-all apron.” These articles, which were “to be the property of the cannery,” would further the goals of cleanliness and sanitation. As one Indian agent clarified, this policy was not only to discriminate against Indian women, but was to apply “to all [racialized] persons engaged in

¹⁴⁹Inspector of Indian Agencies to Scott (August 2nd, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

putting fish in cans....Japanese women and Chinamen were engaged at this work.”¹⁵⁰ While he observed that many of the “Indian women wear gloves which they make themselves from flour sacks,” the gloves are “usually the property of the Indian women and have been around their homes for some time, and while they are no doubt washed clean enough, they are not properly sterilized.”¹⁵¹ As many historians have noted, the labor of Aboriginal women was integral to the profitability of BC’s salmon canneries.¹⁵² Thus, colonial fears about contamination, degeneracy, and miscegenation were trumped by profitability. For Deasy and others, the promise of economic wealth meant that inter-racial sex was tolerable. The physical degeneracy of the canneries on the other hand, was easily corrected through little white gloves, caps, and aprons.

IV. Conclusion

In this chapter I argue that spatial segregation was not always a desired goal for all white authorities. Despite their efforts to carve up the province into racially marked pockets, I suggest that cannery owners, and to a lesser extent government authorities and missionaries - many of whom were also concerned about the economic growth and profitability of the BC canning industry - condoned and even encouraged race mixing in cannery spaces. BC’s salmon canneries illustrate that the colonial agendas of church, state, and capital were never

¹⁵⁰Deasy to Scott (August 12th, 1916). NAC, RG 10 reel c10178, volume 4045, file 351304.

¹⁵¹*Ibid.*

¹⁵²Jean Barman, *The West Beyond the West: A History of British Columbia* (Toronto: University of Toronto Press, 1996); Muszinsky, *supra* note 7; *Supra* note 9.

monolithic but were often competing and contradictory. While all three groups envisioned the province as a white settler society, each had different visions on how to secure their goals. Although race-mixing in cannery spaces threatened colonial visions of European hegemony it also strengthened white superiority in several ways. First, through the production of a valuable and exportable commodity, and second, by providing whites with yet another racialized space through which they could constitute themselves.

Although cannery owners built their profits on the backs of a much needed racialized labor force, they along side government elites and religious authorities constantly feared that close and intimate contact between the races would disrupt their civilizing efforts. To begin with, social mixing could encourage Native, white, Chinese, and Japanese cannery workers to build alliances with one another. Racial inter-mixture also raised the possibility that inter-racial heterosexual relations would flourish, only to unsettle the racial categories that were so crucial to colonial rule. Not surprisingly then, cannery owners frequently exploited racial tensions to secure their workers at the cheapest price while at the same time ensuring that there was little chance of unity between them. While many white authorities attempted to order cannery spaces by racially segregating labor and living areas, inter-mingling across racial boundaries remained pervasive. Thus, government administrators and missionaries proposed and in some instances implemented other forms of regulation. Once again, these efforts to secure white supremacy came down most heavily on the bodies of Indigenous women.

**CHAPTER FIVE:
IN BETWEEN AND OUT OF PLACE: MIXED-RACE HETEROSEXUAL RELATIONS,
RACIAL HYBRIDITY, AND THE LAW**

On October 21st, 1880, Indian Agent Phair of the Lillooet District wrote a letter to the Attorney General, complaining of the state of affairs among the Indians in his jurisdiction. His letter described the lamentable death of an Indian woman just outside the town limits. Alleging that she was poisoned and bruises were “visible on the body,” the Indian Agent described the circumstances of her death as follows:

On the evening of the 19, an Indian and a half-breed accompanied the deceased woman outside the town; having a bottle of whiskey which the half-breed bought at a Chinese store here, and also a small bottle of brandy. After they had finished drinking the brandy at about eleven o’clock at night the boys carried the woman a considerable distance off the road and left her there. The Indian returned the next morning and threw her into a hole about three feet deep. He was seen by an Indian whom he requested not to tell any person about her. The boy however, reported the circumstances and the woman was found in the hole with her head down and her feet up.¹

Agent Phair’s report to the Attorney General went beyond narrating the tragic death of the Aboriginal woman. While undoubtedly concerned with her murder, he used the circumstances surrounding it to notify the provincial government of the unscrupulous and criminal offences being committed by the “half-breeds” in his district. In this specific instance, observed Phair, the half-breed was able to legally purchase liquor from a Chinese

¹Phair to Attorney General (October 21st, 1880). BCARS, GR-1459, box 1, file 9.

merchant. His racial predisposition to degeneracy, drunkenness, and violence then also led him to kill an innocent woman, all the while corrupting an unsuspecting Indian in the process. Whereas the Indian confessed to his own involvement in the crime and was quickly brought to justice, the deceitful half-breed denied killing the woman, and as the Indian Agent pointed out, was already “out on bail.”²

In this chapter, I explore the colonial anxieties surrounding inter-racial heterosexual relations and the resulting imperial gaze that authorities fixed upon mixed-race peoples in BC. While the previous chapters have differentially focused on the ways in which government officials, employers, and missionaries drew racial boundaries physically onto the ground and then aimed to enforce them, this chapter provides further support for my broader contention that racial segregation was elusive in BC. Here, I examine governmental efforts to displace racially-mixed peoples outside of white and Indian society, and the spatial forms of regulation - most notably provincial and federal liquor laws - that were used to accomplish this objective. In addressing the social, legal, and political debates about racially-mixed peoples and their *place* in the province, I consider the following questions. How did government administrators and missionaries assert racial hierarchies when spatial and racial boundaries were blurred through inter-racial heterosexuality? Why were they only preoccupied with certain inter-racial transgressions and the progeny resulting therefrom, and not others? Why was the in-between-ness of “half-breeds” so unsettling for white authorities? And finally, in what ways were mixed-race peoples legally and non-legally regulated and displaced by the state?

²*Ibid.*

Notwithstanding the many segregationist strategies deployed by authorities throughout the late nineteenth and early twentieth centuries, government and religious officials, like Indian Agent Phair, feared that race-mixing was widespread throughout the province's rugged landscape. While inter-racial social and heterosexual liaisons between men and women of different races was tolerated and even promoted by provincial and local administrators in certain instances, as I have argued throughout the preceding chapters, the progeny or rather proof of these affinities elicited a deep seated uneasiness from colonial authorities. Specifically, federal, provincial, and local administrators were concerned that the sexual state of affairs in the province was giving rise to a large class of what they termed to be "half-breeds." Rendering racial boundaries to be ambiguous and arbitrary, mixed-race peoples were constructed by government officials and missionaries as being a foul and sinister race.³ Importantly, when state and religious authorities spoke of "half-breeds," they were not addressing any and all people of mixed-race ancestry. Rather, they were referring to a very specific type of mixed-blood person, one who was selling liquor to Indians and was thwarting their efforts to build BC into a respectable white society.

Notwithstanding the province's diverse racial geography, state and religious officials were primarily concerned with mixed-race progeny who were the product of sexual relations between Native women and Euro-Canadian men. Although legislators did express concerns at various times about Chinese men seducing white women, and responded to these fears by imposing legislation and spatial restrictions, as I elaborated on in chapter three, they

³On constructions of mixed-race peoples in BC see Adele Perry, *Gender, Race, and the Making of a Colonial Society: British Columbia, 1858-1971* (Unpublished PhD Thesis, History Department, York University, 1997) especially 168-174.

articulated their apprehensions more emphatically about people of Aboriginal and white ancestry. This is not to say that the possibility of Eurasian children did not preoccupy authorities. It certainly did. Because the “white slavery panic” was more imagined than real however, authorities could only hypothesize on the disasters that would follow inter-racial heterosexuality.⁴ With people of Aboriginal and European descent, and their growing numbers in the province, authorities were able to gauge the effects of racial hybridity more concretely. Unlike the progeny of other inter-racial co-minglings, who obscured important racial differences between whites and Others, BC’s mixed-race population, as I elaborate throughout, challenged both the discursive and material parameters of whiteness. It is hardly surprising then that “half-breeds,” as many colonial administrators predicted, would “in course of time become dangerous members of the community.”⁵

Canadian historians have put forth a variety of reasons to explain *why* the state was so frightened by mixed-bloods. While some have argued that governmental distrust and fears of mixed-race insurgence against the state intensified after the Red River Rebellion,⁶ others, drawing from the work of Ann Laura Stoler have argued that mixed-race peoples straddled

⁴See Scott Kerwin, “The Janet Smith Bill of 1924 and the Language of Race and Nation in British Columbia,” (1999) 121 *BC Studies* 84.

⁵Extract of letter from His Honorable Alex Anderson (April 30th, 1873). NAC, RG 10, reel c10115, volume 3658, file 9404.

⁶On this point See Sarah Carter, “Categories and Terrains of Exclusion: Constructing the ‘Indian Woman’ in the early settlement era in Western Canada,” Joy Parr & Mark Rosenfeld, eds., *Gender and History in Canada* (Toronto: University of Toronto Press, 1996) 30-49; Perry, *supra* note 3 at 173.

the divide between colonizer and colonized.⁷ In this chapter, I suggest that racially-mixed progeny did ambiguously and dangerously bridge the imperial divide by blurring the differences between Native and white. While Stoler sees *metissage* as a “powerful trope for internal contamination” and *métis* as the embodiment of degeneracy,⁸ I contend that fears about mixed-bloods were not merely symbolic or metaphorical, but on the contrary, were deeply imbricated in material concerns about physical space, or in other words, land. Whites feared that the emergence of this large class of “half-breeds” in the province would destabilize the “racial order of things”⁹ not only because they defied racial categorization but because their presence posed *real* geographical implications.

Edward Said and others have reminded us of the materiality of empire, pointing out that imperialism is at “some very basic level” about “settling on, [and] controlling land that you do not possess, that is distant, that is lived on and owned by others.”¹⁰ Although the crossing of racial and sexual boundaries always held the promise of disrupting racial hierarchies, I suggest that race-mixing in the BC context potentially jeopardized the state’s colonial agenda to settle on, control, and possess Indigenous lands. In late nineteenth and

⁷Adele Perry, “‘Fair ones of a Purer Caste’: White Women and Colonialism in late nineteenth century British Columbia,” (1997) 23 *Feminist Studies* 505.

⁸Ann Laura Stoler, “Sexual Affronts and Racial Frontiers: European Identities and the Cultural Politics of Exclusion in Colonial Southeast Asia,” (1992) 34 *Comparative Studies in Society and History* 516.

⁹I have adapted this phrase from the title of Ann Laura Stoler’s book, *Race and the Education of Desire: Foucault’s History of Sexuality and the Colonial Order of Things* (Durham: Duke University Press, 1995).

¹⁰Edward Said, *Culture and Imperialism* (New York: Vintage Books, 1993) 7.

early twentieth century BC, governmental power was contingent upon determining who was “Indian” and “white.” Race had everything to do with who would be included within the nation and without, and who had legitimate access to land and how much.

The blurring of racial boundaries then, compromised issues of land and white settlement.¹¹ If mixed-race children were legitimately and legally counted as white, they could potentially pre-empt land like other white settlers. However, if they were included in the province’s Native population, they would be entitled to reserve lands and various other rights that state officials awarded to Indigenous communities.¹² Even worse, authorities feared that mixed-race peoples could disrupt the racial order of things by attempting to claim the privileges of *both* whiteness and Indian-ness. Whereas postcolonial scholars have insightfully documented the multiplicity of ways in which colonial elites endeavored to protect their own identities and claims to power,¹³ here, I suggest that BC authorities were not only concerned with containing the category white, but were also anxious to maintain distinct

¹¹On the point of mixed-race peoples and land see Bonita Lawrence, “*Real*” *Indians and Others: Mixed-Race Urban Native People, the Indian Act, and the Rebuilding of Indigenous Nations* (Unpublished PhD Thesis, OISE/ UT, 1999).

¹²In BC, Indian reserves were determined by “need.” What I am suggesting is that the larger the population, the greater the need for more land. On the size and allocation of reserves in BC see Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890* (Vancouver: University of British Columbia Press, 1977) 155. On the issue of land and hybridity in Washington see Alexandra Harmon, *Indians in the Making: Ethnic Relations and Indian Identities Around Puget Sound* (Berkeley: University of California Press, 1998) 132; *Ibid.*

¹³*Supra* note 10. See also Catherine Hall, “Missionary Stories: Gender and Ethnicity in England in the 1830s and 1840s,” in Lawrence Grossberg, Cary Nelson, & Paula Treichler, eds., *Cultural Studies* (New York & London: Routledge, 1992) 240 - 270; Ann Laura Stoler, “Rethinking Colonial Categories,” (1989) 13 *Comparative Studies in Society and History* 154.

boundaries around the category Indian. By cordoning off Indian-ness *and* whiteness from the “false claims” of mixed-race peoples, and by legislating the “half-breed” as a new and distinct racial type, state authorities endeavored to restrict and invalidate the land claims made by mixed-race peoples.

Although authorities relied on a variety of techniques to govern and displace racially-mixed peoples, federal and provincial liquor laws were integral to this process. Because mixed-bloods were not “Indians” by law, and thus, did not fall under federal jurisdiction, provincial and local administrators feared that their ability to transgress race and space meant that racially-hybrid peoples could potentially undermine federal and provincial initiatives to control land, civilize Native peoples, and build a white settler society. Mixed-race peoples - who in the eyes of Indian Agent Phair and others were believed to be responsible for supplying Indians with intoxicants - became the targets of the state’s endeavors to enforce liquor laws. Since the regulation of liquor was largely about space: who could drink, where, and with whom, federal and provincial intoxicant prohibitions became central to the elusive goals of maintaining racial and spatial boundaries, and to keeping racially-mixed peoples in their place: or in other words, *out of place*.¹⁴

¹⁴The provincial governments passed a series of legislation prohibiting the sale of intoxicants to Aboriginal peoples. In British Columbia, the first law was enacted in 1854 and was followed by a number of other Acts and amendments. After Confederation, when the federal government assumed responsibility for Native peoples, it too enacted a number of prohibitions. For a summary of provincial and federal liquor laws see Constance Backhouse, “‘Your Conscience Will be Your Own Punishment’: The Racially Motivated Murder of Gus Ninham, Ontario, 1902,” in G. Blaine Baker & Jim Phillips, eds., *Essays in the History of Canadian Law, Volume VIII* (Toronto: Osgoode Society for Canadian Legal History and the University of Toronto Press, 1999) notes 74 & 75.

I. Inter-racial Heterosexuality and the “Racial Order of Things” in BC

From the time of first-contact, and continuing well into the twentieth century, mixed-race heterosexual relations of various configurations were an important aspect of the social and cultural climate of the “contact zone”¹⁵ in Canada’s west. Although we know little about “who bedded and wedded with whom”¹⁶ in later periods, inter-racial sexual relations between Native women and white men - from first contact throughout the fur-trade era, and into the late nineteenth century - have been particularly well-researched and documented by Canadian historians. Sylvia Van Kirk and others have established that colonial elites frequently cultivated diverse sexual partnerships - ranging from permanent and stable ones including marriage, to casual, temporary and even coercive relations - with local Indigenous women.¹⁷ While these relations were undoubtedly fostered within complex social, cultural, and economic circumstances, there is little doubt that the racial and gender demography of BC’s

¹⁵Mary Louise Pratt defines “contact zones” as “social spaces where disparate cultures meet, clash, and grapple with each other, often in highly asymmetrical relations of domination and subordination - like colonialism, slavery, or their aftermaths as they are lived out across the globe today.” *Imperial Eyes: Travel Writing and Transculturation* (New York & London: Routledge, 1992) 4. On sexual relations between Native women and White men see Jean Barman, *The West Beyond the West: A History of British Columbia* Second Edition. (Toronto: University of Toronto Press, 1996) 33-34; Jennifer S.H Brown, *Strangers in Blood: Fur Trade Company Families in Indian Country* (Vancouver: UBC Press, 1986); Perry, *supra* note 7, at 502.; Sylvia Van Kirk, *Many Tender Ties: Women in Fur Trade Society in Western Canada, 1670-1870* (Norman: University of Oklahoma Press, 1980).

¹⁶Ann Laura Stoler, “Making Empire Respectable: The Politics of Race and Sexual Morality in Twentieth Century Colonial Cultures” in Anne McClintock, Aamir Mufti, & Ella Shohat, eds., *Dangerous Liaisons: Gender, Nation, and Postcolonial Perspectives* (Minneapolis: University of Minnesota Press, 1997) 347.

¹⁷Sarah Carter, *Capturing Women: The Manipulation of Cultural Imagery in Canada’s Prairie West* (Montreal & Kingston: McGill-Queen’s University Press, 1997) 5; Perry, *supra* note 7; Van Kirk, *supra* note 15.

population also influenced these cross-race couplings.

The nineteenth century was characterized by a very large Indigenous presence in Canada's west. At the time of first European contact, it is estimated that over half of the country's Native population lived in what is now BC. Notwithstanding a steady decline in the province's Indigenous communities, by 1871 when BC joined Confederation, the population remained predominantly Aboriginal and "mixed-blood."¹⁸ In 1881, ten years later, Aboriginal Nations continued to outnumber all other racialized groups; there were approximately 26,849 Native peoples in the province, compared to 19,069 whites, 4,195 Chinese, and 274 "Africans."¹⁹

Albeit racially diverse, the populace was also largely male. Thousands of non-Native men came to the province during the land-based fur-trade and later the gold rush. The Fraser River Gold Rush attracted large numbers of unmarried Black, Chinese, and white men to BC further skewing the racial and gender demography, as later did various natural resource-based industries and the Canadian Pacific Railway.²⁰ Since many of these early colonists anticipated their stay to be temporary, white women were virtually absent from the early colonial landscape.²¹ By the end of the nineteenth century, for instance, there was still only

¹⁸Barman, *supra* note 15 at 6.

¹⁹Cole Harris, *The Resettlement of British Columbia: Essays on Colonialism and Geographical Change* (Vancouver: University of British Columbia Press, 1997) Table 5 at 140.

²⁰*Ibid.* See also Barman, *supra* note 15 at 246.

²¹Jean Barman, "Taming Aboriginal Sexuality: Gender, Power, and Race in British Columbia, 1850-1900," (1997/98) 115 & 116 *BC Studies* 246; Van Kirk, *supra* note 15, at 180.

one non-Aboriginal woman for every three non-Native men in the province.²² The scarcity of European women in Canada's most westerly province made it unlikely that white women and Native men would couple, however, it significantly raised the odds that both longstanding and transient relations would develop and continue between Native women and white men - and they did.

Before discussing the social and political conditions surrounding inter-racial sexual relations between Aboriginal women and white men in more detail, it is important to make several observations about mixed-race sexual relations in BC. From pre-confederation on, as I point out above, BC's population included a broad mixture of races and a skewed gender demography, opening up possibilities for other heterosexual and homosexual partnerships. To begin with, inter-racial sexual relations were not only possible between Indigenous women and white men but also between women and men of other races. The large male population also made homoerotic intra and inter-racial relations in the province likely. Interestingly however, none of these sexual possibilities received the same degree or type of attention as inter-racial sexual liaisons between Native women and white men.²³

My preliminary analysis of marriage records provides a clear indication that mixed-race unions between men and women of various races did indeed exist in BC. It is important to keep in mind however, that these records present a narrow view and a conservative

²²Adele Perry, "“Oh I'm Just Sick of the Faces of Men’: Gender Imbalance, Race, Sexuality, and Sociability in Nineteenth Century British Columbia, (1995) 105/06 *BC Studies* 27.

²³Adele Perry's research points to concerns about homosexuality. However, I have not found any discussion of homoerotic relations in BC. See Perry, *supra* note 3 & 7.

indication, including only those relationships that were formally acknowledged by the state. Furthermore, the records can only be searched by name, place, and date, and do not specify the race of either the bride nor groom. Since many Chinese and Native peoples were given Christian names by missionaries, a conclusive racial identity is difficult to determine in many cases, although not impossible.²⁴ In addition, Aboriginal and Chinese peoples were initially excluded from the *Births, Deaths, and Marriages Act* of 1872. This legislation was amended in 1897 to include all races,²⁵ but was followed by another amendment in 1899 which once again excluded Indigenous peoples.²⁶ The law remained unchanged until 1916,²⁷ which means that many marriages among and between Native peoples, whites, and other Others were never officially recorded.

Despite the legislative restrictions on recording marriages as well as the other methodological problems with these sources, the BC marriage index does provide some evidence that inter-racial marriages did take place between the province's Aboriginal, Chinese, and white populations.²⁸ After inputting 48 different Chinese surnames for both

²⁴Aboriginal peoples were frequently listed by their traditional names, by first name only, or as "unknown." Although many Chinese brides and grooms had Christian first names, many still kept their surnames or family names.

²⁵*RSBC* 1897, c.33, s.c.

²⁶*RSBC*, 1899, c.8, s.3.

²⁷*RSBC*, 1916, c.73, s3.2.

²⁸A comprehensive index of marriage records for BC for the years 1872-1923 can be found on line at www2.bcarchives.gov.bc.ca/cgi-bin/www2svm.

bride and groom,²⁹ I was able to find a total of 306 marriages. The table below provides a summary of my findings.

Table 2: British Columbia Marriages by Race 1872-1923

<i>Race of Bride</i>	<i>Race of Groom</i>	<i>Total</i>
Chinese	Chinese	211
Chinese	Aboriginal*	16
Chinese	Non-Chinese**	22
Non-Chinese	Chinese	49
Aboriginal	Chinese	8
Total		306

*The Aboriginal brides and grooms either had identifiable Native names or were listed as “unknown”.

**The category Non-Chinese is comprised of brides and grooms with Anglo names and could include some Native peoples whose names were changed by missionaries.

Several scholars have also documented inter-marriages across other racial boundaries. For instance, Robert McDonald’s research on Vancouver reveals that Native peoples commonly inter-married with Kanakas, workers who came to the province from the Hawaiian Sandwich Islands.³⁰ Moreover, Adele Perry’s work on the 1871 door-to-door census in Victoria reveals that inter-mixture was ordinary in the province’s capital. She observes that 10% of the 581 family households visited included one Native woman and white man, whereas another 3.8% were mixed-race family households of different racial compositions.

²⁹I used Chinese surnames as they are easier to identify than Aboriginal names which were often changed by missionaries.

³⁰Robert McDonald, *Making Vancouver, 1863-1913* (Vancouver: University of British Columbia Press, 1996), 22.

Interestingly, her analysis suggests that when broken down by street, the majority of mixed-race families were clustered in the poorer areas and on the outskirts of the city.³¹ Although we don't know the actual extent of inter-marriage and inter-mixture, this data taken together suggests that race-mixing went beyond the domestic arrangements of the fur-trade. While Native women and white men did indeed partner up, so did Chinese men and non-Chinese women, as well as Chinese women and non-Chinese men.

In light of the fact that inter-racial heterosexual relations were diverse in BC, state and religious concerns about Aboriginal women and white men require further explanation. These sexual liaisons have undoubtedly had a far longer history than other forms of inter-racial heterosexuality in the province. In addition, sexual liaisons between white men and Native women gave rise to a large mixed-blood population who threatened whiteness and colonial rule at a time when the assertion of a homogeneous European identity and of white supremacy were crucial to the making of a respectable settler society in BC. Although intermixture between Natives and Chinese for instance did not endanger European identity or hegemonic power relations in the same way, as they did not threaten the parameters of whiteness, fears about heterosexual relations between Aboriginal women and white men and the offspring they produced cannot be explained in terms of racial identity alone. I suggest throughout this chapter that mixed-race relations between Indigenous women and white men were politicized precisely because they produced politically dangerous offspring. "Half-breeds" became the subject of social, political, and legal debates in the late nineteenth and early twentieth centuries as their presence challenged not only the discursive borders of

³¹Perry, *supra* note 3, at 124.

whiteness, but also the material basis of rule. The presence of a large mixed-race population in the province forced colonial administrators to make arbitrary decisions upon questions of land and resources: who could have access to the provincial geography, and how much.

II. Managing Sex and Racial Hybridity

The shifting imperial agendas of colonial administrators helps to explain why mixed-race relations between white men and Indigenous women were tolerated and encouraged, only later to be condemned. In western Canada, white settlement began much later than it did in the central and eastern regions of the country. Although Europeans first reached the Fraser River district at the close of the eighteenth century, they did not advance large scale colonization until approximately seventy years later.³² As settlement had not initially been envisioned by the British Government or the Hudson's Bay Company, inter-marriage and inter-mixture between whites and Natives was deemed by authorities to be acceptable. Until the mid-nineteenth century, when Europeans began asserting control over the area, sexual partnerships between Native women and white men served specific social, cultural, and economic functions. The Northwest Company, for instance, encouraged its men to build relations with Aboriginal women, "realizing that an Indian mate could be an effective agent in adding to the trader's knowledge of Indian life."³³ Like the Northwest Company, the Hudson's Bay Company, missionaries, and other authorities did little to explicitly prevent heterosexual relations between white men and Native women, making inter-marriage and

³²*Supra* note 19, at 68.

³³Van Kirk, *supra* note 15, at 13-14.

inter-mixture commonplace in Canada's most westerly province. Estimates as late as the 1858 Gold Rush reveal that one in ten Aboriginal women lived with a non-Native man at some point in her lifetime.³⁴

Official anxieties over racial categorizations and race-mixing intensified when Europeans began asserting control over land, and when the "making of Canada" began.³⁵ As I elaborated on in chapter two, it was not until the mid-nineteenth century, when white immigration to and settlement in BC increased, that colonial elites expressed apprehension about the need for distinct racial and spatial boundaries between Indigenous peoples, white settlers, and other racialized populations. At the historical moments in which white settlement and hence racial purity became the primary goals, state and religious authorities began articulating the need for clearer boundaries differentiating whiteness and Otherness. Many came to realize however, that the parameters of racial superiority and inferiority were not natural or pre-existing, nor could they be easily established.³⁶ Racialized borders in all imperial cities and their colonies were porous to begin with. However, the land based fur-trade in BC and in various parts of Canada left a large population of mixed-bloods, which meant that boundary-making in Canada's most western province was even more perilous.

While the Hudson's Bay Company and then the provincial and local governments had

³⁴*Ibid* at 248.

³⁵Kay Anderson, "Engendering Race Research: Unsettling the Self/ Other Dichotomy," in Nancy Duncan, ed., *Body Space* (New York & London: Routledge, 1996) 201.

³⁶*Supra* note 16, at 345.

allowed and even invited mixed-race heterosexual relations in earlier times,³⁷ by the mid-to-late nineteenth century, Canadian officials began to fear the consequences of widespread “race-mixing.” The social and political benefits of inter-racial heterosexual arrangements were out weighed and replaced by more long-term dreams of a homogeneous and respectable white settler society. And since a strong Euro-Canadian identity and firm hold on power were the cornerstones of this goal, defining racial boundaries and maintaining them through the management of heterosexuality became paramount. As European interests shifted from exploiting natural resources to the acquisition and (re)distribution of Native lands among white settlers, authorities came to see mixed-race conjugal relations as “illicit,” and the racially-hybrid progeny arising from them as undermining the homogeneous white society they were endeavoring to build. At the time when white settlements began emerging slowly and sporadically throughout the province, the imposition of racial distinctions and the policing of sexual and spatial boundaries became increasingly vital.

Although no explicit anti-miscegenation laws were ever passed in Canada as they were in the US,³⁸ the municipal, provincial, and federal governments managed inter-racial heterosexuality through the spatialization of racial relations and through various forms of legislation. In efforts to prevent inter-racial sexual liaisons across racial boundaries, federal and provincial officials invested enormous amounts of time asserting segregationist strategies, including widespread fears of the “Native woman as prostitute” and a quasi-pass

³⁷Van Kirk *supra* note 15.

³⁸For an excellent discussion of anti-miscegenation laws in the USA see Ian Haney-Lopez, *White By Law: The Legal Construction of Race* (New York & London: New York University Press, 1996).

system aimed at keeping Native women on reserves. While similar strategies were motivated by racial purity and legislated against the Chinese, authorities were far more aggressive in their efforts to prevent race-mixing between white men and Aboriginal women. Aside from these spatial restrictions, state officials also enacted a number of other policies and laws.

On an informal level, authorities attempted to prevent relations between white men and Native women by ensuring that marriages could only be performed by certain missionaries and not others.³⁹ For the most part however, state authorities relied on the strength of the law. The federal government, for instance, made amendments to the legal definition of “Indian” and to the inheritance provisions of the *Indian Act* in efforts to punish Native women who married non-Native men.⁴⁰ To many, however, these provisions were not strong enough to dissuade Indigenous women and white men from coupling. Furthermore, these amendments only dealt with marriage and not with the more serious problem of concubinage. In 1878, the Superintendent of Indian Affairs wrote about “stringent prohibitory laws” that were aimed at curtailing concubinage and were passed in “the neighboring territory.”⁴¹ While he never clarified where this legislation was passed, he was quick to point out that under this law, “persons who had previously cohabited with Indian women have been compelled to separate from them, under the risk of very heavy penalties or

³⁹For a discussion of whether unordained missionaries were allowed to perform marriage ceremonies in BC see UCA, Fonds 122, Records Pertaining to Aboriginal Peoples in Western Canada, Series 14. Acc #79.200C, box 1, file 1.

⁴⁰See for example *supra* note 11.

⁴¹Superintendent of Indian Affairs to Anderson (February 12th, 1878). NAC, RG 10, reel c10115, volume 3658, file 9404.

to legalize their unions of marriage.” Since authorities assumed that white men could and would never *want* to marry Indian women, threats to legally recognize their relations as marriages were thought to be a good deterrent. Many Indian Agents urged that similar laws be passed in BC, or at least “some clause might be put in the Indian Act”⁴² to prevent concubinage in the province. Although these provisions were vigorously debated by missionaries and the three levels of government, no such laws were ever enacted.

In their most overt and coercive attempt to prevent inter-racial heterosexual relations between Aboriginal women and white men, federal officials proposed an addition to the *Criminal Code of Canada* that closely resembled anti-miscegenation laws in other parts of the world. In 1921, parliament debated section 6 which was entitled, “illicit connection with Indian women.”⁴³ This provision was to “make it an offence for any white man to have illicit connection with an Indian woman.” The proposed amendment was “in response to the strong urge of Indian agents and persons responsible for conditions on reserves.”⁴⁴ Many complained that the “illicit connection between the squaw and the white man which....is reported as being exceedingly prevalent, are most disastrous upon the reserves and to the tribes.” Although there was little elaboration as to what these disasters were, authorities continuously questioned who was an “Indian,” and whether this legislation included only “Indians” or all those persons residing on reserves. Clearly, administrators who proposed this

⁴²Meason to Powell (March 26th, 1884). NAC, RG 10, reel c10115, volume 3658, file 9404.

⁴³*House of Commons Debates*, Session 1921, volume 4 (May 26th, 1921), 3907.

⁴⁴*Ibid.*

section were concerned largely with racial hybridity, or the effects of “illicit connection.”

Upon further consideration however, the section was eventually dropped. Authorities agreed that the *Criminal Code* provision “provides an inducement for blackmail.” As one member of parliament explained, we “do not want to give the buck Indian an opportunity, by such legislation, to take money out of white people’s pockets.”⁴⁵

Despite these various strategies to eliminate inter-racial heterosexuality, concubines and especially mixed-blood children remained a problem for the provincial and local governments. Throughout the late nineteenth and early twentieth centuries, Indian Agents, missionaries, and local authorities wrote numerous complaints to the Department of Indian Affairs and to the provincial government about Indian women cohabiting with white men, and the degraded and degenerate progeny arising therefrom. Many colonial administrators lamented that if allowed to continue, miscegenation would only produce an even larger class of undesirables, who would continue to thwart the state’s illusory goals for racial purity and their endeavors to colonize and classify the province’s inhabitants and geography. “For many instances, of which I am cognizant,” wrote the Superintendent of Indian Affairs in 1884, “Indian women who have been concubines with white men have subsequently been deserted and with their illegitimate offshoots compelled to return to and become a burden upon the tribe.” Although the financial issue of supporting Indian women and mixed-race children was a problem in and of itself, the Superintendent emphasized that “the children of such

⁴⁵*Ibid*, 3908.

parentage grow up to be the most disreputable characters.”⁴⁶

Government and religious administrators expressed concerns that the crossing of racial and sexual boundaries would complicate the racial hierarchies that they were aspiring to construct. As many insisted, the mixing of blood blurred important biological and cultural distinctions between various racial identities, making it increasingly difficult to determine who was Euro-Canadian and who was not.⁴⁷ As in many other geographical locales, BC authorities determined race through unstable physical signs including skin color and facial features. Not entirely convinced of these racial indicators, authorities dreaded that mixed-bloods, who exhibited watered-down racial characteristics, could easily pass or be mistaken as white.

These fears were realized in 1890 with the “alleged capture of a white girl by Indians.” The little girl, who was believed to be nine years old, was supposedly seized “during a raid made by the Indians on the other side of the line, in which her father, an American officer, was killed.”⁴⁸ The story had initially been covered by the *Gazette*, but was so disturbing that it was soon after discussed and debated by members of parliament in the House of Commons. After much public outcry about the case, it was finally established that the girl was in fact not white but rather mixed-race. “Upon enquiry made, and from information obtained from the Indians on the reserve where the white girl is supposed to be”

⁴⁶Powell to Superintendent General of Indian Affairs, Ottawa (March 28th, 1884). NAC, RG 10, reel c10115, volume 3658, file 9404.

⁴⁷*Supra* note 16, at 335.

⁴⁸Exert from the *Gazette*, cited in House of Commons Debates, Session 1890, volume 1.

explained Mr. Dewdney, “it appears that the child is the daughter of the woman with whom she is now living.” While others were fooled about her race, Dewdney insisted that he was not. “I had seen the child myself,” he explained, and “while she appears to have white blood in her veins, it never struck me that she was a white child.”⁴⁹ For many whites, however, this case raised serious concerns. If federal authorities could not even tell the difference between whites and mixed-bloods, the racial ordering in BC and elsewhere in the country was definitely in jeopardy. This situation served as an urgent reminder to all colonial elites that mixed-race relations needed to be suppressed, as “half-breeds” could too easily confuse racial boundaries.

Through their assertion of racial typologies, state officials were endeavoring not only to prevent inter-racial sexual liaisons, but more importantly, to protect the discursive and material privileges of whiteness and Indian-ness from “half-breeds,” who on the one hand could invent themselves as “fabricated Europeans”⁵⁰ and on the other could easily pass as “fraudulent Indians.” Differentiating between Indian-ness, whiteness, and everything in between, was not only necessary for protecting the identity, privilege, and property of whites as was the case in other colonial locales,⁵¹ but was also central to dividing up land and resources. Because of their racial “superiority,” white middle class men in BC were entitled to property (they could pre-empt 160 acres of unoccupied and unsurveyed land and then

⁴⁹*Ibid.*

⁵⁰Frederick Cooper & Ann Laura Stoler, “Introduction,” in Frederick Cooper and Ann Laura Stoler, eds., *Tensions of Empire: Colonial Cultures in a Bourgeoisie World* (Berkeley: University of California Press, 1997) 26.

⁵¹Harmon *supra* note 12, at 154.

purchase 480 more),⁵² the franchise, and all the other privileges which accompanied full citizenship. If racially-hybrid peoples could *pass* as white, officials feared that they may illegitimately access these rights, and in the process, would undermine Euro-Canadian dominance.

Protecting the boundaries between “Indians,” and mixed-race peoples was also essential to asserting white supremacy. While there was no formal acreage policy implemented in BC as there was in other parts of Canada, some authorities did rely on a ten acre minimum or maximum per family.⁵³ Thus, distinctions between “pure bloods” and “mixed-bloods” became vital, enabling state authorities to protect their interests in land even further, by distinguishing between “legitimate” and “illegitimate” claims to resources and territory.⁵⁴ These initiatives are apparent in the state’s responses to mixed-race peoples. In 1890, “Sally,” a “half-breed” non-treaty Indian applied to the Indian Agent for annuity payments. “Sally” claimed the compensation on behalf of her “illegitimate child,” contending that “the father of the boy was an Indian of the Band.”⁵⁵ By law, “Sally” was entitled to the payments and also to reserve lands. However, the Indian Agent denied her request.

⁵²Barman, *supra* note 15, at 154. See also Paul Tennant, *Aboriginal Peoples and the Politics: The Indian Land Question in British Columbia, 1849-1989* (Vancouver: University of British Columbia Press, 1990) 35.

⁵³Joseph Trutch for example, used a 10 acre maximum to reduce the size of reserves in the Interior. Tennant, *ibid* at 42.

⁵⁴For an elaboration of this argument see Harmon *supra* note 12.

⁵⁵Anderson to McCall (October 8th, 1890). NAC, RG 10, reel c10193, volume 3847, file 74,174.

The Agent began his evaluation by discrediting the woman's character. He described "Sally" as being "as corrupt in her morals as vice can make her." Second, he observed that she did not live on the reserve, but rather with her parents, who were also non-treaty Indians. And finally, the Indian Agent alleged that because of her lax morals, there was no way of knowing the father's true identity. "When the loose habits of the woman is taken into consideration," he explained, "it is impossible to decide apart from her own statement, the man being dead - who the father of her child really is."⁵⁶ Based on these questionable characterizations, "Sally's" request for annuity payments was rejected.

Since the symbolic and material boundaries of whiteness and Indian-ness in BC were being imperilled by race-mixing, and more specifically through the presence of mixed-blood populations, federal, provincial, and local governments responded quickly and forcefully. From the late nineteenth to the early twentieth century, authorities reacted to these exigencies by legally encoding racialized distinctions and aspiring to enforce them through a litany of legal and spatial restrictions. The federal government's concerns about hybridity and land are exceptionally clear in their attempts to construct a narrow definition of "Indian" in law as well as in their efforts to legislate the "half-breed" as a separate legal category.

III. Legislating Race

State responses to the transgression or pollution of social borders, suggests David Goldberg, are generally twofold; "first by conceptualizing order anew, and then by

⁵⁶*Ibid.*

reproducing spatial confinement and separation in the renewed terms.”⁵⁷ In BC, governmental efforts to protect racialized boundaries between whites and Indians and to sustain Euro-Canadian control over land was asserted through federally enacted law. Although the reserve system had been in place unofficially since 1860, a series of legal initiatives was passed, each of which attempted to define racial differences and to entrench them through spatial practices.⁵⁸ From the mid-nineteenth century onward, authorities made disparate and contradictory efforts to legally define and codify racial differences. Whereas whiteness was an “empty category,”⁵⁹ and was never explicitly defined in law, white settlers came to know themselves through what they were not, a process to which Indian-ness was central.⁶⁰ Just as an invented Africanist presence was integral to the formation of an American identity, as Toni Morrison argues, Indian-ness underpinned the discursive and material borders of whiteness, especially in western and northern Canada.⁶¹ Native peoples

⁵⁷David Goldberg, *Racist Culture: Philosophy and the Politics of Meaning* (Oxford: Blackwell Publishers, 1993) 187.

⁵⁸See Kenneth Brealey, “Travels From Point Ellice: Peter O’Reilly and the Indian Reserve System in British Columbia,” (1997/98) 115/116 *BC Studies* 185. On the reserve system elsewhere in Canada see John L. Tobias, “Protection, Civilization, Assimilation: An Outline History of Canada’s Indian Policy,” (1976) 6 *Western Canadian Journal of Anthropology* 14.

⁵⁹David Roediger, *Toward the Abolition of Whiteness* (London: Verso, 1994), 13.

⁶⁰For an excellent discussion of how whiteness was constructed in American Jurisprudence through decisions about who was not white, see *supra* note 38.

⁶¹Toni Morrison, *Playing in the Dark: Whiteness and the Literary Imagination* (New York: Vintage Books, 1993) 6. For a similar argument in the Canadian context see Sherene Razack, “Making Canada White: Law and the Policing of Bodies of Color in the 1990s,” (1999) 14 *Canadian Journal of Law and Society* especially 161.

were not only inscribed symbolically into the colonial imagination, but more importantly, were stamped onto the landscape. Reserves, created and normalized through colonial and later provincial policies, mapped out the geographies of “respectable” white settlements. While Indians were assumed to *naturally* belong on segregated reserves, white settlers constructed themselves as the *real owners* and administrators of the “empty ‘space.’”⁶²

Although government officials, missionaries, and white settlers frequently articulated and institutionalized what they viewed to be the racial characteristics of Indians - as “heathen,” “savage,” and “immoral” - constructing a *legal* definition was much more difficult than authorities anticipated. Legislating Indian-ness posed numerous problems for federal, provincial, and local governments well into the twentieth century. Since limiting Indigenous claims was a primary motive for constituting the “Indian” in law, it is hardly surprising that there was little consensus among state officials and religious authorities about who should and should not be included in this category. In efforts to clarify these questions, law makers made numerous attempts to codify Indian-ness. Unclear on how racial identity was to be ordered, the federal government see-sawed between the importance of “blood” and “culture.”⁶³

The 1850 *Act For the Better Protection of the Lands and Property of Indians in Lower Canada*, was the state’s first effort to legislate “Indian-ness.” Under the guise of

⁶²Robert Shields, *Places on the Margin: Alternative Geographies of Modernity* (New York & London: Routledge, 1991) 165.

⁶³For a discussion of the government’s confusion over legally defining “Eskimo” see Constance Backhouse, *Color Coded: A Legal History of Racism in Canada, 1900 - 1950* (Toronto: Osgoode Society of Legal History by University of Toronto Press, 1999) especially chapter 1.

“protecting” the land of Aboriginal peoples in Lower Canada from the encroachment of non-Indians and trespassers, this Act entrenched the land ownership rights of the colonial government by limiting Native peoples to the restricted spaces of reserves. For the first time, this Act also defined and legislated who was an “Indian” by law. The legal definition of “Indian” was a sweeping one, based on one of five factors including blood, intermarriage, residence, and adoption.⁶⁴ Dissatisfied with such a broad categorization however, the federal government continued to agonize over their interpretation of Indian-ness, revising it almost every year between 1850 and 1869.⁶⁵

The *Lands and Enfranchisement Act of 1869* was another state attempt to legislate a definition of Indian.⁶⁶ Unlike the earlier law and its subsequent revised versions, the federal government’s definition of “Indian” under this Act was narrower, relying more heavily on blood quantum. In addition, this statute made definitive links between lineage and land, specifying that an “Indian” was, “....no person of less than one-fourth Indian blood.” The law specified that only an “Indian” who met the blood requirements “shall be deemed entitled to share in any annuity, interest or rents, after a certificate to that effect is given by the Chiefs or Chief of the band or tribe council, and sanctioned by the Superintendent of Indian Affairs.”⁶⁷

⁶⁴*An Act for the better protection of the lands and property of the Indians in Lower Canada*, S. Prov. C, 1850, c. 42, s.5.

⁶⁵*Supra* note 63 at 21.

⁶⁶For a summary of this legislation see Treaties and Historical Research Centre, PRE Group, Indian and Northern Affairs, *The Historical Development of the Indian Act* (August 1978) at 53.

⁶⁷*Ibid* at 54.

This legislation gave the Superintendent final say as to who qualified as an “Indian” by law. The Superintendent’s veto power and the blood quantum rule reveals that the federal government was increasingly preoccupied with protecting its own stakes in land by defining “Indian” more rigidly here than in the earlier statute. Defining “Indian-ness” through “pure blood” enabled the state to exclude land claims made by all peoples of Aboriginal descent who had “less than one-fourth” Indian blood.

In 1876, the federal government tackled the definition of “Indian-ness” once again. Under the newly formed *Indian Act*, all the federal Indian laws and treaties were merged into one statute.⁶⁸ Blood quantum remained central to the way in which Indian-ness was constituted, but was revised from the earlier wording of the *Lands and Enfranchisement Act*. Tellingly, the new legislation linked blood with *real* property and citizenship. An “Indian” was no longer determined through definitive gradations of blood, however. Rather, a “Eurocentric patrilineal principle of descent”⁶⁹ replaced the one-fourth rule and became the new doctrine for determining “race” in Canada. The definition of “Indian” was decided largely through a person’s relationship with a Native man. Thus, an “Indian” was defined as; “Any male person of Indian blood reputed to belong to a particular band..Any child of such person...[and]..Any woman who is married to such person.”⁷⁰ Legislators did not believe that *any old blood* was sufficient for determining Indian-ness. Although the

⁶⁸*Supra* note 11.

⁶⁹Daiva Stasiulis & Radha Jhappan, “The Fractious Politics of a Settler Society: Canada” in Daiva Stasiulis & Nira Yuval-Davis, eds., *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity and Class* (London: Sage, 1995), 114.

⁷⁰*RSC*, 1876, chapter 18, at 3(3).

Canadian census continued to delineate Indian status through matrilineal descent,⁷¹ male blood became necessary for one to be an “Indian” in law.

The provisions which set out who was *not* an “Indian,” reveal more clearly both the emphasis on male blood as well as the state’s impetus for legislating Indian-ness rigidly. Under the 1876 Act, the list of non-Indians included: illegitimate children, Native peoples who continuously lived outside of Canada for five years or more, Indian women who married “any other than an Indian or a non-treaty Indian,” Indian women who married non-treaty Indians, and finally “half-breeds.”⁷² The inclusion of non-Aboriginal women and the exclusion of Native women, points to the connections between racism and patriarchy that underpinned the state’s decision-making about racial distinctions.⁷³ Excluding Native peoples who resided in a foreign country for five years, as well as “half-breeds” (who had Indian blood from their mother) further illustrates the government’s underlying economic motivations. In their efforts to control and limit access to property, officials used the *Indian Act* to decide racial identity in a fixed and parochial way.

These federal initiatives, each one narrower than its predecessor, were precipitated by

⁷¹James W. St. G. Walker “Race,” Rights and the Law in the Supreme Court of Canada: Historical Case Studies (Canada: The Osgoode Society for Legal History and Wilfred Laurier University Press, 1997) at 18.

⁷²*Supra* note 70.

⁷³On racism and patriarchy under the *Indian Act* see Lawrence, *supra* note 11; Patricia Monture-Angus *Thunder in My Soul: A Mohawk Woman Speaks* (Halifax: Fernwood Publishing, 1995). On racism and patriarchy see, bell hooks, *Feminist Theory: From Margin to Centre* (Boston: South End Press, 1984); Sherene Razack, *Looking White People in the Eye: Gender, Race, and Culture in Courtrooms and Classrooms* (Toronto: University of Toronto Press, 1998) especially chapter 3; Adrien Katherine Wing, ed., *Critical Race Feminism: A Reader* (New York & London: New York University Press, 1997).

efforts to limit the “fraudulent” Indigenous land claims put forth by racially-mixed peoples. Since authorities agreed that Indians were to be “authentic” and untouched by colonization,⁷⁴ only “pure bloods” could have access to reserve spaces. As Bonita Lawrence has argued, the definition of “Indian” under the *Indian Act* placed many Native peoples outside of land allotments, thus making the Euro-Canadian acquisition of land easier. She points out that the law also created deep divisions between and among Indigenous communities,⁷⁵ a “divide and conquer” strategy which, in its differential manifestations, has been integral to colonial rule around the world. Government officials reinforced these divisions among Aboriginal communities even further by creating a separate racial and legal category for mixed-race peoples. In many European colonies, colonizers rejected the idea of a separate legal category for métis.⁷⁶ Rather, mixed-race children who could *pass* were often absorbed into the European population while those who were *too dark* were counted as Natives. In French Indo-China, racially-mixed children who were given French names, lived in a European environment, and most importantly, whose facial features and skin tone made them white enough, were either assimilated into the European population,⁷⁷ or were sent to European communities in other colonial regimes.⁷⁸ In BC, this was not the case.

⁷⁴Dara Culhane, *The Pleasure of the Crown: Anthropology, Law and First Nations* (Burnaby, Talon Books, 1998) 197.

⁷⁵*Supra* note 11 at 115.

⁷⁶*Supra* note 8 at 516.

⁷⁷*Ibid*, at 532-533.

⁷⁸See Barbara Bush, *Imperialism, Race, and Resistance: Africa and Britain, 1919-1945* (New York & London: Routledge, 1999) 73. Bush points out that mixed-bloods from

Despite their disagreements about racial origins and their inability to define whiteness, local, provincial, and federal authorities agreed that “whites” were racially pure, and since mixed-race children were tainted by Indian blood, they could never be absorbed into the ranks of Euro-Canadians as they were in other places. However, they also agreed that racial-hybrids were not “Indians,” and could not be entitled to the same benefits as Native peoples. In endeavoring to protect whiteness and Indian-ness from the clutches of mixed-blood peoples, authorities created a new racial type. The racialized category “half-breed” first appeared in the 1876 *Indian Act* under the list of non-“Indians.” While the federal government vigorously debated the meaning of “Indian-ness,” they spent little time contemplating the definition of “half-breed,” nor did they specify who constituted a “half-breed,” or what the legal status of this category was to be. Rather, federal legislators simply determined a “half-breed” was anyone of European and Indian heritage who was not an “Indian” by law.⁷⁹ The ascendancy of a new racial type at this precise historical moment, suggests that law makers in Canada were preoccupied with racial (im)purity and the ideological and material consequences of miscegenation. By creating a separate category - rather than classifying mixed-race populations as “white” or “Indian” - state officials were once again endeavoring to protect their own property interests by legally excluding racially-mixed peoples from the categories white and Indian.

Notwithstanding the federal government’s efforts to codify the meaning of Indian-

French Indo China and the French West Indies were often sent to help in the “civilizing missions” in French West Africa.

⁷⁹*Supra* note 70 at section 3(e).

ness and to legislate a separate category for hybridity, mixed-race peoples continued to attract state attention well into the early twentieth century. Although federal authorities had successfully constituted a new racial category and thus a new racial type, local authorities viewed the “half-breed” as an unruly thorn in their side. Racially-hybrid populations both revealed and produced the colonial hysteria of boundary making and maintenance. Mixed-race peoples embodied white anxieties of inter-racial sex and were a constant reminder that spatial and racial boundaries between colonizer and colonized were not easily drawn nor maintained. The historical “anxiety about hybridity,” explains Robert Young, “reflected the desire to keep races separate, which meant that attention was immediately focused on the mixed-race offspring that resulted from inter-racial sexual intercourse, the proliferating, embodied, living legacies that abrupt, casual, often coerced unions had left behind.”⁸⁰ The large racially-mixed population in BC did indeed attract a penetrating colonial gaze, as state officials and missionaries maintained their preoccupation with regulating inter-racial heterosexuality and eliminating mixed-race progeny from the symbolic and geographic spaces of both Indian-ness and whiteness.

Yet, by excluding racially-mixed peoples from the legal category “Indian,” the federal government created a number of contradictions and dilemmas for itself. First, and perhaps most importantly, because mixed-race peoples were not “Indians” by law, they could not be legally regulated in the same ways as “full-blooded” Indians. Second, their racial ambivalence meant that racially-mixed peoples could not be confined to specific spaces like

⁸⁰Robert J.C. Young *Colonial Desire: Hybridity in Theory, Culture, and Race* (New York & London: Routledge, 1995) 25.

reserves, but rather, were free to settle wherever they pleased. Fearing that mixed-bloods would confuse their legal and spatial articulations of race, government and religious authorities lamented about the “notoriously bad character” of mixed-race peoples and their sinister influences upon whites and Natives in the province.⁸¹ Although many racially-mixed peoples appeared white in skin color and features, lawmakers, local authorities, and missionaries insisted that they were racially inferior, not only to whites but also to “pure blooded” Natives.

A pervasive Euro-Canadian assumption was that Aboriginal peoples were “savages,” however, many whites regarded “half-breeds” as being much worse in character.⁸² In an 1871 report, the Earl of Kimberley cautioned British and Canadian officials that the proliferating “race of half-castes” on BC’s mainland, will eventually “prove a curse to the country in the next generation.”⁸³ Local administrators echoed similar concerns, admitting that mixed-bloods “combine[d] the worst qualities” of both races who grew up to be immoral, lawbreakers, and habitual drunkards.⁸⁴ Yet, by creating the category “half-breed,” authorities

⁸¹Robert Young notes an ambivalence about constructions of hybridity throughout history. On the one hand, he suggests that mixed-race peoples were symbols of degeneracy and on the other hand, they were often evoked as the most beautiful human beings in the world. See Young *ibid* at 76. In BC, the former, images of the half-breed as criminogenic and degenerate were most common.

⁸²For a discussion of how Native peoples have been represented in Canadian culture, see Daniel Francis, *The Imaginary Indian* (Vancouver: Arsenal Pulp Press, 1992). For half-breeds as immoral see, Perry *supra* note 7 at 506.

⁸³Earl of Kimberley Report (1871). British Columbia Archives and Records Service [hereinafter BCARS]. GR-0419, box 10, file 1871/23.

⁸⁴*Ibid* at 25.

had few legal strategies for disciplining this “immoral” class. Many feared that the alegal status of racially-hybrid peoples meant that they could neither protect white settlers nor Indians from the demoralizing influences of these populations.

Authorities dreaded that because “half-breeds” did not have a specific place, they could easily pass and live as whites, Indians or both. The captivity narrative I discussed earlier reveals that mistaken identities did in fact occur. Furthermore, there was nothing in law saying that mixed-bloods could not settle in white spaces. On the contrary, the *Indian Act* stipulated that “[n]o person, or Indian other than an Indian of the band, shall settle, reside or hunt upon, occupy any [reserve] land or marsh.”⁸⁵ If racial-hybrids could not legally settle on reserves, authorities feared that they would leave Aboriginal communities in droves, only to overrun white settlements. The racial ambivalence and pale complexions of many mixed-bloods meant that those with white skin could easily *pass* among whites, undermining Euro-Canadian superiority and rule in the meantime. Others feared that “half-breeds” would blur the spatial and racial distinctions between whites and Indians by traveling freely between white towns and Aboriginal spaces, contaminating each in the process. While obscuring racial and spatial boundaries was a concern in and of itself, the materiality of these transgressions is what caused alarm. Authorities urged that if proper safeguards were not taken, “half-breeds” could easily gain access to the material privileges of whiteness *and* Indian-ness, benefitting illicitly from both.

Although peoples of mixed-race were not legally prohibited from white spaces, material deprivation combined with racism from white settlers and the state often limited

⁸⁵*Supra* note 70 at section 11.

their opportunities to access white settlements. Despite official concerns about hordes of “half-breeds” invading “respectable” towns and cities, the social and racial climate in the province forced many mixed-race peoples back onto reserves.

Several years before the *Indian Act* was passed, “destitute halfbreeds” were already believed to be a pressing problem in BC. In 1874, on the advice of Chief Justice Mathew Begbie, the BC government drafted a Bill to provide “for Indian concubines and destitute half-breed children of persons dying intestate and leaving property in the province.”⁸⁶ Begbie explained that when concubines and their children were deserted by white men, they were “thrown to the charity of their neighbors for support, the [Indian] community are put to undue expense and the children are exposed to physical and moral deterioration to the further misery of the community.”⁸⁷ The wording of this Bill suggests that the BC government was endeavoring to hold white men accountable for their sexual transgressions while simultaneously protecting state interests. If white men were financially disciplined for having inter-racial sex and producing mixed-race progeny, authorities anticipated that these liaisons would stop, and more importantly, the burden of supporting “half-breeds” living on reserves would be lifted off the federal government. For whatever reason, the BC government never passed this Bill. Thus, many Native women and children who were deserted by white men and unwelcome in white spaces were forced back to reserves. A “Half-Breed Census” commissioned by Vowell, the Superintendent of Indian Affairs, reveals that large numbers of

⁸⁶To Department of Justice (March 26th, 1874) NAC. RG 10, reel c10104, volume 3599, file 1520.

⁸⁷*Ibid.*

mixed-race peoples did in fact reside on reserves well into the twentieth century.⁸⁸

While federal and provincial officials did not want peoples of mixed-race parentage to reside among white settlers, they also deeply resented the fact that so many racially-mixed peoples were “living as Indians” on reserves. Authorities acknowledged that “half-breeds” lived legally as Indians in “other provinces and in the Northwest Territories,” nevertheless, they urged that racial-hybrids should be sent off BC reserves.⁸⁹ The close physical proximity between legally defined “Indians” and mixed-bloods exacerbated deep seated anxieties about racial purity and decline. While authorities feared that immoral “half-breeds” would take advantage of white society, others argued that these “degenerates” would inevitably corrupt vulnerable “Indians” by supplying them with liquor and other vices. Ultimately, government administrators argued that their ability to transgress race and space meant that racial-hybrids could potentially undermine state initiatives to control land, civilize Native peoples, and build a respectable white society in BC. Mixed-race peoples then, became the targets of the state’s various regulatory strategies, especially the enforcement of federal and provincial liquor provisions.

IV. Intoxicant Laws and the Governance of Mixed-Race Peoples

Notwithstanding state efforts to carve up BC’s landscape into racially marked

⁸⁸There is series of correspondence addressing the large numbers of mixed-race peoples living on BC reserves between 1892 and 1913. See NAC, RG 10, reel c11063, volume 3867, file 87,125.

⁸⁹From Loring to Vowell (February 25th, 1892) NAC. RG 10, reel c11063, volume 3867, file 87,125.

pockets, inter-racial social and heterosexual contact remained widespread and pervasive. While racially-hybrid peoples embodied the permeability of racial boundaries and the ineffectiveness of spatial segregation, liquor and drunkenness especially among Native communities was also indicative of race-mixing. Although alcohol was a crucial aspect of what Adele Perry aptly describes as BC's "homosocial racially plural world of the backwoods,"⁹⁰ to local and religious authorities, it symbolized the tragedies of intermingling across racial boundaries. In spite of their efforts to prohibit drinking among Indians, through the enactment of various provincial and federal statutes,⁹¹ liquor flowed freely on and off reserves. Officials argued that working class whites, "half-breeds" and "foreigners" blatantly disregarded the spatial restrictions explicitly or implicitly imposed upon them and on Indigenous populations. Ignoring the importance of place, these "undesirables" allegedly supplied Native men and women with liquor and in many cases, drank and got drunk together. While local constables and missionaries feared that inter-racial drinking would result in the transmission of vice across place and race, they dreaded that drunkenness would ultimately lead to racial decline and miscegenation.⁹²

Throughout the mid-nineteenth and early twentieth centuries, local authorities

⁹⁰Perry *supra* note 7 at 503.

⁹¹*Supra* note 14 at note 74 and 75.

⁹²Robert Campbell's research on public drinking in Vancouver beer parlors suggests that in the 1940's, even when inter-racial drinking was tolerated, mixed-race couples (especially when the woman was White) were the targets of social censure from patrons, owners, and operators of establishments the latter two who refused to serve them. Robert A. Campbell, *Hotel Beer Parlors: Regulating Public Drinking and Decency in Vancouver, British Columbia 1925-1954* (Unpublished PhD Dissertation, Simon Fraser University, 1998) especially chapter 4.

vigilantly policed racial categories through the enforcement of liquor laws.⁹³ Although the sparsely populated rugged terrain of BC's landscape made the administration of alcohol laws somewhat difficult,⁹⁴ local constables traveled long distances to apprehend non-Native suspects who allegedly supplied intoxicants to "Indians."⁹⁵ Many believed that by vigorously policing liquor, they could also eliminate inter-racial contact and eventually achieve their desired goals of racial and spatial segregation. These objectives are clear in an 1865 Ordinance passed in the province and aimed at regulating the sale of intoxicants to Indians. Any person found with liquor on a reserve was "liable under this Ordinance to be deemed *prima facie* to be in such a house, tent, or place of abode, for the purpose of giving such intoxicating liquor to Indians."⁹⁶ Although the provincial courts often had difficulty obtaining convictions against women and men who supplied intoxicants to Indians, they did manage to secure some convictions against whites, Chinese, Japanese, and mixed-race women and men.⁹⁷ White men were also sometimes arrested for being in possession of intoxicants on reserves. Other restrictions on alcohol reveal that racial segregation was

⁹³Brad Asher's work in Washington state reveals that liquor laws were stringently enforced, generating enormous fines and punishing Indigenous peoples in the process. He found liquor offences to be the third most common felony in the state, trailing behind violent assault and larceny/ fraud. Brad Asher, *Beyond the Reservation: Indians, Settlers, and the Law in Washington Territory, 1853-1889* (Norman: University of Oklahoma Press, 1999) 84.

⁹⁴J.S. Hussey to McLean (October 20th, 1904) BCARS. GR-0429, box 10, file 4.

⁹⁵Deasy to Vowell (August 1st, 1904) BCARS. GR-0429, box 11, file 4.

⁹⁶British Columbia, NO. 16, An Ordinance to Prohibit the Sale of Intoxicating liquors to Indians. *BC Government Gazette* (March 6th, 1865). Cited in *supra* note 3 at 279.

⁹⁷According to the BC Provincial Court Records for 1890-1924 there were 42 convictions for supplying liquor to Indians. BCARS, GR-0605 (1890-1924).

indeed a motive underlying many legal provisions. For instance, Robert Campbell's work in Vancouver documents that Native women and men were prohibited from entering into drinking establishments well into the twentieth century.⁹⁸

Notwithstanding these efforts to enforce racial segregation through liquor control however, intoxication among Indigenous communities remained a pervasive problem. Although white men and other racialized groups were implicated in perpetuating drunkenness among Natives, many officials argued that "fraudulent Indians" were the ones ultimately responsible for these conditions. In 1876, the Mayor of New Westminster reported a typical case. He wrote a frustrated letter to the Attorney General, reporting that a man named "Jim" had been charged with supplying malt liquor to an Indian named "Suzie." The Mayor explained that the "charge was proved" and "Jim" was sentenced to "three months in jail with hard labor." However, the decision was appealed by the accused's lawyer on the basis that "Suzie" was married to a white man, and thus, was not really an "Indian" in the legal sense of the word. The Mayor reported that, on the basis of these facts, the judge was forced to quash to conviction, and "Jim" went free. Frustratedly, he added that, he was "not aware at the time that an Indian woman marrying a white man ceased to be considered any longer an Indian woman in the eyes of the law."⁹⁹

In 1895, the Methodist Missionaries sent a petition to the Attorney General with respect to the "worsening" problem of half-breeds selling liquor. They lamented that "there

⁹⁸*Supra* note 92.

⁹⁹McGinnis to Attorney General (January 21st, 1895). BCARS, GR-0429, box 3, file 3.

are large numbers of white men and Indian women who are living in unlawful concubinage throughout the province. As a result of this unlawful union there are numbers of illegitimate children who are a standing menace to the laws of our land and the well being of our communities...” The missionaries explained that when “it suits the convenience of White men they leave both women and children, who naturally return to the Indian camp, --- the women to become the wives of Indians, the children to act as the part of go between in carrying liquor form the Whites to the Indians.”¹⁰⁰ Like many others, the Methodists feared that unruly mixed-race children could straddle the boundaries between whiteness and Indian-ness. The government’s inability to govern them, also meant that “half-breeds” could easily subvert white supremacy by endangering the Church’s civilizing missions. It was bad enough that these depraved individuals could access liquor for their own use, but as the missionaries pointed out, they aggravated the “liquor problem” among Indians by supplying them with intoxicants as well. The Methodist missionaries asserted that “half-breeds” were solely responsible for this “crisis,” and their petition demanded that something be done to suppress, or at least curtail this ongoing predicament.

Indian Agents and local authorities made similarly disheartened accounts about mixed-bloods selling liquor to Indians. In 1903, the Indian Agent from Hope complained about a “half-breed” named “Joe.” “This old bum” wrote the Agent, “has hung around the town of Hope for years. He toils not, neither does he spin. Every man, woman, and child, white and dark, will tell you he has lived by furnishing the Indians whiskey. The present mail

¹⁰⁰From Methodist Missionaries to Attorney General of BC (January 21st, 1895). BCARS. GR-0429, box 2, file 5.

carrier (half Spanish and half Siwash) never is without a stock of liquor at his house and the Indians can get it out of him and do almost daily.”¹⁰¹

Unlike other vice laws, state officials enforced federal and provincial liquor provisions to the best of their ability,¹⁰² yet local authorities observed that drunkenness remained prevalent on reserves. Many agreed that it was the large numbers of “half-breeds” living with Indians or within short distances of Aboriginal spaces who were to blame for this problem. One Indian Agent from the Kamloops-Okanagan Agency explained the conundrum as follows. A “young man,” he complained;

has kept up a steady traffic in spiritous liquors. For the past five years he has been driven from one reserve to another. Lately he ostensibly pre-empted a plot of land on the Similkameen, where he and his brother...go through the form of cultivating a small patch of ground; at every convenient opportunity he makes his appearance at some Indian encampment, where there may happen to be no constable handy and in a very short time supplies intoxicants enough to create a riot.¹⁰³

The Indian Agent’s report illustrates all of the government’s worst fears, underscoring the need for authorities to police the borders of whiteness and Indian-ness, and to protect these

¹⁰¹From Indian Agent to Attorney General (June 24th, 1903). BCARS, GR-0429, box 11, file 4.

¹⁰²Memorandum for the Superintendent General of BC (October 10th, 1905) NAC. RG 10, reel c10193, volume 3816, file 57,045-I. See also *supra* note 14 at 263.

¹⁰³McKay to Vowell (September 24th, 1892) NAC. RG 10, reel c11063, volume 3867, file 87,125.

communities from “half-breeds.” As the Agent’s account suggests, this mixed-blood man *passed* as Indian, living on different reserves for a number of years. When compelled to leave, he simply *passed* as white, pre-empting land to which he was perhaps legally but not morally entitled. Moreover, his racial ambivalence enabled him to access liquor freely, and his close proximity to Aboriginal spaces meant that he could easily supply Indians with intoxicants, polluting Native communities and undermining white rule in the process.

Since racial-hybrids were not “Indians” by law, they had no specific legal status and thus, could not be legally regulated in the same ways as Native peoples. Thus, it was completely legal for mixed-race persons to purchase alcohol, a situation which created deep discomfort for governmental elites and religious authorities alike. Assumptions about the racial inferiority and inherently “bad character” of “half-breeds” fueled this panic even further. Superintendent Vowell summarized the perilous combination of racial-hybrids and liquor as follows, the “selling or supplying of intoxicants to such creatures [half-breeds] is a source of much evil and is often times dangerous to life, property, and the public peace, by affording opportunities of obtaining liquor for the Indians.”¹⁰⁴

Indian Agents, missionaries, and local authorities frustratedly reported that racial-hybrids throughout the province were selling liquor and causing trouble. A local constable from the Okanagan Reserve wrote to the Attorney General’s office about a “half-breed” who was an illegal resident on the reserve. He described this mixed-blood man as a “criminal by act and intent, the cause of most of the friction within the band and much of the crime committed within the reserve.” The constable reported that this man maliciously encouraged

¹⁰⁴Vowell to Attorney General (August 29th, 1892). BCARS. GR-0429, box 2, file 5.

“drunken dances on the reserve, invited lumbermen engaged in camps to come to these dances, and when drunkenness and riotousness followed,” he underhandedly gave information to the police and “sided in the prosecution of the people he prostituted.”¹⁰⁵ Because this man was classified as a “half-breed” rather than an “Indian,” as he should be, the constable complained that there were no laws available to punish him, and consequently, very little he could do.

It seems that the legal and racial ambivalence of hybridity was distressing for both Indian Agents and missionaries. At various historical moments, government and religious authorities suggested different strategies to deal with the growing problem posed by persons of mixed-race descent. The first approach, as I discussed earlier in this chapter, entailed the suppression of inter-racial heterosexuality through legal and spatial techniques of governance. However, others preferred less punitive strategies, embracing the idea of importing “respectable” white women from Britain to BC.¹⁰⁶ Each of these “solutions” was intensely debated through extensive letter writing between the Department of Indian Affairs, local Indian Agents, and religious authorities. And while government officials and missionaries deemed anti-miscegenation laws and segregation to be largely unenforceable, they sanctioned the importation of white women, but with few positive results and much disappointment.¹⁰⁷ For many, including the Mayor of New Westminster, the only acceptable

¹⁰⁵From F.H. Christie to Pedley (August 4th, 1909). BCARS. GR-0429, box 17, file 1.

¹⁰⁶Perry *supra* note 7.

¹⁰⁷*Ibid.*

solution to this issue was to expand the legal definition of “Indian” to include racially-mixed peoples. Although this proposal received widespread attention from the various levels of government, like the other suggestions, it elicited little agreement and was eventually abandoned.¹⁰⁸ Since designating “half-breeds” as Indians would require the state to acknowledge their land claims as “legitimate,” many authorities agreed that this strategy would undermine Euro-Canadian governance in BC.

Despite various state initiatives, distinctions between “Indians” and “half-breeds” remained blurry, especially in the context of liquor. The lack of adequate guidance from the state caused continual confusion for Indian agents and other officials. In endeavoring to elicit further clarification from the provincial government on this issue, an Indian Agent from Kamloops wrote an angry letter to the Superintendent of Indian Affairs. He requested some explication as to whether or not “half-breeds” were “Indians” and whether they could be treated as such. The agent wrote as follows: “considerable diversity of opinion is shown by the local magistrates of my agency, respecting the application of the Indian Act to the illegitimate progeny of Indian women, the results of illicit intercourse with white men.”¹⁰⁹ The Indian Agent claimed that while he had “always treated them as Indians” in the past and felt justified in doing so, he was becoming increasingly confused about the legality of his decisions. He explained that a “short time ago a Justice of the Peace at Yale is said to have addressed from the bench one of these unfortunate said half-breeds; to the effect that the half-

¹⁰⁸From McGinnis to Attorney General of BC (January 21st, 1895) BCARS. GR-0429, box 3, file 3.

¹⁰⁹From McKay to Vowell (August 22nd, 1892) BCARS. GR 0429, box 2, file 5.

breed has as much right to buy intoxicants at the licensed marts as the worshiped magistrate himself.” The Indian Agent urged that if they are “the illegitimate offspring of Indian women but not Indians in the legal sense of the word...so long as they keep up their connection with the Indians it is my opinion that they should be treated as Indians in every respect.”¹¹⁰

Fearing the consequences of such actions, the Attorney General’s lawyers responded quickly to the Indian Agent’s queries. They insisted that efforts to define “Indian-ness” in law was “a question of blood” and not morality. As one lawyer explained, “Indians” were to be legally determined as follows: “The word ‘Indian’ must I think mean a person whose father and mother were Aborigines. It cannot I think be interpreted as including Half-breeds - the expression is defined in Webster’s Dictionary as ‘One of the Aboriginal inhabitants of America’ - I think the question rests on a question of ‘blood’ not a ‘moral distinction.’”¹¹¹ Interestingly, the Attorney General’s legal consultant relied on the American Webster Dictionary’s definition of “Indian” to determine the boundaries of racial identity. He added that although “a person with the slightest trace of Indian blood or even without it but of degraded habits might be considered to be an Indian,” the uncertainty of determining racial identity would make this difficult to legislate. The lawyer clarified, albeit disappointedly, that “the expression Indian in the Indian Liquor Ordinance 1867 does not include an individual who is a half-breed by percentage.”¹¹²

Although the regulation of “half-breeds” by federal, provincial, and local authorities

¹¹⁰*Ibid.*

¹¹¹Indian Liquor Ordinance (1867) BCARS. GR-1459, box 1, file 18.

¹¹²*Ibid.*

would have been more straightforward had they placed racially-mixed peoples into the category “Indian,” this idea was promptly discarded. A broader definition of Indian-ness would have enabled authorities to discipline and punish mixed-race peoples for their racial and spatial transgressions, but the state also had much to lose by doing so. (Re)constituting racial-hybrids as “Indians” meant that the provincial government would possibly be required to assign additional reserve lands to BC’s Native population. Since Euro-Canadian rule and the creation of a strong white society in the province was contingent upon the acquisition and control of land and the displacement of Native peoples, redefining “half-breeds” as “Indians” was an enormous social and political risk, one which governmental elites were not willing to take. Instead, state officials’ fears of liquor and vice governed mixed-race peoples, pushing them away from reserves and into the periphery of white society.

V. Out of Place: (Dis)Placing Mixed-Race Peoples

Questions of what to do with BC’s mixed-race population invoked a series of responses from Indian Affairs officials, missionaries, and local authorities. Despite the fact that “half-breeds” were to be dealt with as a separate racial and legal category, administrators still had much difficulty determining who was mixed-race and where their acceptable place in the province and the nation was to be. In 1892, BC’s Superintendent of Indian Affairs aimed to assess the nature and extent of the “half-breed problem.” He requested that all BC Indian Agents physically count the number of “half-breeds” in their jurisdictions. He asked local authorities to record the following details: “what side the Indian descent is [on] in each case, the circumstances of the Half-breed, and why he or she should not be required to be removed

from the reserve.” Most importantly, the Superintendent emphasized that Indian Agents should report “what his or her personal character for morality is, and especially with reference to influences in intoxicants” and in “giving them to the Indians.”¹¹³

Indian Agents across the province responded to the Superintendent’s request with a list of names and a diverse range of responses. While some reported that the mixed-race peoples in their areas were lawful and had resided on the reserve since birth, others told sensationalist stories of “half-breeds” with “drunken habits” who purchased liquor from a variety of sources and “are supplying intoxicants to the Indians.”¹¹⁴ In reply to the latter, Vowell sternly advised the Indian Agents that “unless there is a marked change for the better in their conduct,” these undesirables should “be ejected from the Reserves.” In addition, he instructed local authorities that they should “keep a sharp oversight as to the future conduct of these parties,”¹¹⁵ legitimizing the state’s (over)surveillance of mixed-race populations.

Since assumptions of “half-breeds” as debauched, sinister, and as “go-between,” carrying intoxicants from whites to the Indians, were both pervasive and resilient, authorities used these rationalizations in their attempts to force mixed-race peoples out of Aboriginal spaces. As one Indian Agent reported, “there are no half breeds living on any of the reserves belonging to this Agency. I took upon myself the responsibility of dealing with the only case

¹¹³From A.W. Vowell to various Indian Agents (March 17th, 1892) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

¹¹⁴Mackay to Vowell (September 24th, 1892) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

¹¹⁵Vowell to unknown (November 9th, 1892) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

of the kind that has recurred here and I declined to allow a half breed to remain on the Shuswap Reserve: the reserves being in my opinion for the Indians and for the Indians alone.”¹¹⁶ Many racially-mixed peoples were also convicted under the liquor provisions of the *Indian Act* and were fined for supplying intoxicants to Indians.¹¹⁷ In some cases, individuals were taken off reserves and to local gaols, where they were incarcerated for either fine default or for breaking the intoxicant provisions. For instance, a “Negro Half-breed” who was found drunk and disorderly in “the domicile of an Indian” was convicted for vagrancy and also for “supplying liquor to an Indian.” He was compelled to leave the reserve, fined fifty dollars and in default, was sent to the local jail for three months hard labor.¹¹⁸

Regardless of state efforts to push racially-mixed peoples away from Aboriginal reserves, the intense racism in white society meant that many continued to reside among Native communities. Because of the ambiguities of racial indicators like physical features and skin color, authorities did not only have difficulty distinguishing between mixed-race peoples and whites, but also between mixed-bloods and Indians. These classifications were even more troublesome as the mobility of Native populations and the fact that many lived

¹¹⁶Phillips to Vowell (April 11th, 1892) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

¹¹⁷The BC Provincial Court Records and the Police Court records reveal that mixed-race peoples were charged, fined, and often imprisoned for liquor infractions. These numbers are most likely conservative, as race was recorded by constables and court officials, many of whom categorized “half-breeds” as “Indians.” See BCARS, GR-0605, Provincial Court Records, Volume 1.

¹¹⁸BCARS, GR-0589, BC Police Court, Savona’s Ferry, Volume 1.

both on and off reserves made Indian status even more difficult to determine.¹¹⁹ Thus, Indian Agents could not always distinguish between which residents of reserves were full-blooded and entitled to be there, and who was mixed-race. Local authorities also encountered other problems in identifying and then removing racially-hybrid peoples from Aboriginal spaces. As one source pointed out, banishing “half-breeds” from reserves would be futile, “as they have been in the Band since infancy - and all their relations and friends are Indians of the reserve” making it “impossible to keep them away.”¹²⁰

In response to various complaints of this sort, the Department of Indian Affairs created an unofficial three tiered system of band membership. Individuals deemed to be “Indians” by law were given full membership in Band affairs as were “half-breeds” who “have been occupying and cultivating the land on the reserve for a large number of years”; some mixed-race peoples who lived on reserves for a large portion of their lives were entitled to stay, but with few or no rights to decide band affairs; and finally, “half-breeds” who were not brought up in Native communities from infancy and were not “cultivating land on the reserve” were not permitted to vote in Band affairs and nor were they entitled to reside on reserves.¹²¹ Whereas these policies were undoubtedly difficult to enforce, racial-hybrids were disciplined and excluded from Indian and white society in other equally coercive ways.

In BC, many children of mixed-race parentage were denied access to education.

¹¹⁹On this point see Harmon *supra* note 12.

¹²⁰Report on the Half-breeds residing on certain reserves. Loring to Vowell (no date) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

¹²¹McLean to unknown (May 6th, 1913) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

While status Indians were taught by missionaries in day and residential schools, authorities insisted that “half-breeds” were not legally entitled to government education, as they were not “Indians” by law. In 1913, the Inspector of Indian Agencies wrote to the Department of Indian Affairs in Ottawa, claiming that two children belonging to a “member of the Chiet Band of Indians [were] placed in the Alberni School.” Upon admitting the children, the Inspector was informed by the Indian Agent that the father “is a half-breed and that his children are not eligible as grant earners in the school.”¹²²

The Departmental secretary responded by confirming the Indian Agent’s position. He wrote that the “child of an Indian mother by a white man, or by a half-breed not accounted an Indian, has no legal right to membership in the band,” unless that person was “brought up on the band’s reserve since infancy and ‘reputed’ to belong to the band.”¹²³ The secretary added that “a letter on file” from an Indian Agent in BC stated that half-breeds were always seen “as being on the same footing as those who do not reside upon reserves, and they are allowed to purchase liquor openly as well as the latter. They are also allowed to vote.” The Secretary of Indian Affairs stated emphatically that “half-breeds who claim and exercise these privileges have no just right to be accounted as Indians or to live on an Indian reserve,” nor are they entitled to schooling.¹²⁴ Reverend McKay, the Secretary of the Presbyterian Missions also wrote to the Secretary of the Department of Indian Affairs on behalf of a BC residential

¹²²Ditchum to Department of Indian Affairs Ottawa (February 19th, 1912) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

¹²³McLean to Ditchum (February 29th, 1912) NAC. RG 10, reel c11063, volume 3867, file 87, 125.

¹²⁴*Ibid.*

school. He requested that the missionaries be allowed to enrol some “half-breeds” so that the school’s enrollment would reach full capacity. Although the school had space for more children, the Department of Indian Affairs denied McKay’s request with no explanation.¹²⁵

Not all missionaries agreed with the state’s position on schooling. Rather, some argued that “half-breeds” did in fact have redeeming qualities, that could only be embellished through education. As one source remarked, “the half-breed has played a most important part in the advance of mankind,”¹²⁶ and thus, in the least deserves to go to school. Others insisted that educating half-breeds would yield very desirable results, and allowed mixed-race children to attend their schools, permitting that enough resources existed to accommodate them. The Principal for the Coqualeetza Industrial Institute (see Figure 12) remarked that “eight [of the thirteen] on this list are half-breed children for whom the government allows no grant.” In his opinion, “no better use could be made of Missionary money than to equip an Industrial School for half-breed children who are in many cases growing up without a chance to become anything but criminals.” Because of financial constraints, however, he “had to refuse nearly twenty applications of this class of pupils...In few cases parents have offered to pay small amounts if the children were admitted.” He added that, because of the “present state of the labor market, it would be a splendid investment for the State to undertake to pay

¹²⁵From the Secretary of the Department of Indian Affairs to Reverend McKay (November 3rd, 1902) UCA. Fonds 122 Series 14, Presbyterian Church in Canada: Records Pertaining to Aboriginal Peoples in Western Canada. Accession # 79.199C, box 4, file 43.

¹²⁶John Reade, “The Half-Breed.” Transactions of the Royal Society of Canada, Volume III, Section II (Montreal: Dawson Brother’s Publishers, 1886), 21.



Figure 12: Children at Coqualeetza School (19?)
Source: BCARS, Visual Records Catalogue, I-51772

for this work on the same basis as the Indian educational work.”¹²⁷

Regardless of the views of Methodist missionaries, state authorities insisted that because of their legal status (or lack thereof), half-breeds were not entitled to attend schools. The state’s reluctance to educate mixed-race children was underpinned by both material and discursive concerns. Instructing mixed-race children would pose an enormous and

¹²⁷Cairns to Sutherland (July 1st, 1907). UCA, Fonds 14, Methodist Missionary Society Foreign Department. Sutherland Papers, incoming correspondence, series 2(4). Acc #78.092c, box 4, file 89.

unnecessary financial burden on the state. In the eyes of white elites, extending rights to mixed-bloods would also encourage, promote, and condone these “illicit” relations. Perhaps most importantly, authorities feared that if “half-breeds” were educated, they would become the ultimate colonial mimics. Not only could they *pass* as white through skin color and diluted features, but by way of education, could also learn and thus espouse the mannerisms of the colonizer. As Homi Bhabha and others have argued, *too much civilizing* could always potentially erase the ambiguous differences between colonizer and colonized, disrupting colonial rule in the process.¹²⁸ For government officials, these possibilities were just far too dangerous to risk in a newly emerging white society. Consequently, mixed-race children continued to be legally excluded from government funded education.

While authorities were clear that racially-mixed peoples should not be living on reserves, they were also unwelcome in white spaces. To buttress their exclusion of “half-breeds,” officials constantly emphasized their degraded and degenerate nature. Relying on prevailing assumptions about their involvement in the illicit liquor trade, authorities argued that mixed-bloods were uncivilized and could never be assimilated into white society.¹²⁹ In response to this virulent racism, some light skinned (and materially privileged) peoples of mixed-race ancestry successfully concealed their Native lineage, and lived as whites among white settlers. As Sylvia Van Kirk’s work suggests, mixed-blood women who were married to prominent white men in Victoria *passed* as white, by hiding their Aboriginality and

¹²⁸Homi Bhabha, *The Location of Culture* (New York & London: Routledge, 1994) 85-90; *Supra* note 50 at 7.

¹²⁹*Supra* note 100.

adopting “all the trappings of British fashion and mores.”¹³⁰

In the case of mixed-race children who had light skin, some were forcefully taken away from Native communities. In one instance, an “illegitimate” girl of a mixed-race liaison¹³¹ was taken from her home in Cape Mudge and placed in the custody of the Vancouver Children’s Aid Society. The girl was apprehended after she had been found with an “immoral” Indian woman who was selling liquor and prostituting herself to white men around the district. The girl’s mother and father, with the help of a local missionary, wrote several letters to the Department of Indian Affairs, pleading for them to assist in getting their daughter back. Responding to Superintendent Vowell’s inquiry of the matter, the Indian Agent for the District wrote as follows: “Since it is not apparent whether the girl is the daughter of the ‘Seatons,’ or if not the nature of the relationship in which she stands with regard to them...the Department does not feel itself to be in a position to form any opinion relative to the matter.”¹³² The Indian Agent contended that the girl was “said only to have one-quarter inter-mixture of Indian blood,” and yet, the Seatons, who were “Indians” claimed that she was their daughter.

After getting little help from the Department of Indian Affairs, the girl’s parents petitioned to the court for custody. However, their request was promptly denied. For one, authorities argued that the girl should not be living among the Indians, as she was *too white*

¹³⁰Sylvia Van Kirk, “Tracing the Fortunes of Five Founding Families of Victoria,” (1997/98) 115 & 116 *BC Studies* 161.

¹³¹From the records it is unclear as to whether one of her parents was white and the other Native or mixed-race or some other combination.

¹³²McLean to Vowell (August 1st, 1905). NAC, RG 10, reel c10193, volume 3816, file 57-045-1.

to do so. “This little girl in her ways, traits, living, and aspirations is entirely white” described Mr. South, the Superintendent of the Children’s Aid Society. Although the Indian Agent was skeptical as to whether the “Seatons” were indeed her parents, South insisted that he knew both her father and grandfather, and that the girl took after them “both in manners and appearance, so much so that she passes as a Scotch child.”¹³³ A little girl who looked so white and yet who lived among Indians was bound to raise questions and anxieties. As an “eighth or a sixteenth breed,” South observed, she is “entirely out of place among the Indians, and being a white child should not be returned to their care or custody.”¹³⁴ Since the girl was mixed-race and thus, a non-treaty Indian, the judge acquiesced to the Superintendent’s requests, refusing to send her back to what he termed to be a life of “moral destruction.”¹³⁵ Taken from her family and community, the little girl who looked *too white* became a ward of the government and was placed in the Vancouver Children’s Aid Society Home (see Figure 13).

¹³³C.J. South to Superintendent General of Indian Affairs (September 20th, 1905) NAC. RG 10, volume 3816, file 57,045-I.

¹³⁴*Ibid.*

¹³⁵*Ibid.*



Figure 13: Children's Aid Society Home, Vancouver (1897)
Source: BCARS, Visual Records Catalogue, G-02215

VI. Conclusion

In this chapter, I have both traced and questioned the deep anxieties that mixed-race peoples posed to the state during the late nineteenth and early twentieth century. What I suggest throughout is that racial classifications were fundamental to the ways in which state officials constituted a provincial identity and affirmed Euro-Canadian rule. More concretely, establishing who was “white,” “Indian,” and mixed-race was crucial for determining who belonged where, and who had rights to land and to citizenship. While the federal government endeavored with difficulty to legislate these distinctions into the *Indian Act*, a large mixed-race population in the province made codifying and regulating these racial boundaries even more challenging. Whereas in other contexts, colonial elites endeavored in various ways to

insulate whiteness from the potential demands of mixed-race peoples,¹³⁶ here I suggest that authorities were equally concerned with protecting Indian-ness from the “fraudulent” claims of “half-breeds.” Since the parameters of Indian-ness and whiteness were materially about who had access to land and how much, government officials exercised vigilance in safeguarding these categories well into the twentieth century.

In their efforts to preserve whiteness and Indian-ness and to assert a racial order in the province, state officials forced mixed-race peoples into what Ann Laura Stoler has called the “gray zones along colonial divides.”¹³⁷ In other (post)colonial contexts, peoples of mixed-race parentage who fell in-between the categories white and Native were sometimes successful in slipping through or subverting dominant power relations. For instance, under apartheid in South Africa, racially-hybrid peoples had an unstable social position and fewer rights than whites, but for the most part, experienced better living conditions than black Africans.¹³⁸

In the BC context, the “gray zones” meant that racially-mixed peoples had fewer rights than Aboriginal peoples. The federal government’s decision to legislate the “half-breed” as a separate legal category translated into an erasure of identity, rights, and territorial claims. In efforts to protect their own identities and their claims to BC’s terrain, the state relied on various strategies, including the enforcement of liquor laws, to discursively and materially dispossess racially-mixed populations from whiteness and Indian-ness alike. The

¹³⁶*Supra* note 11.

¹³⁷Ann Laura Stoler uses this term to describe the large numbers of illegitimate mixed-race children in the colonies. See *supra* note 16 at 361.

¹³⁸David T. Goldberg, *Racial Subjects: Writing on Race in America* (New York & London: Routledge, 1997) 68

in-between status of many mixed-race peoples enabled government officials to deprive them of their Aboriginal rights to land and community, while displacing them to the margins of white settler society. Robert Young remarks that “the repressive legacy of the desiring machine of colonial history is marked in the aftermath of today’s racial categories that speak of hybrid peoples, yoked together.”¹³⁹ In BC and elsewhere in Canada, this legacy is also materially evident in the struggles by racially-mixed peoples to reclaim their Native ancestry and their real and symbolic spaces in the nation.¹⁴⁰

¹³⁹*Supra* note 80 at 174.

¹⁴⁰*Supra* note 11; See also *R. v. Steve Powley and Roddy C. Powley* [1998] O.J. No. 2 (Ontario Provincial Court).

CONCLUSION

A national narrative is born in and from chaos. Its purpose is to restore or imitate order and to minimize confusion about what is at stake and who will pay the price of dissension....The *raison d'être* of this narrative may vary, but its job is straightforward: the production of belief. In order to succeed it must monopolize the process of legitimacy. It need not "win" hands down: it need not persuade all parties. It needs only to control the presumptions and postulates of the discussion.

- Toni Morrison¹

A chain of events in 1999 threatened to destabilize British Columbia's "national narrative," forcing the province's residents and all Canadians to reassess, reinvent, and reassert our official story as a white settler nation. These anxieties began in the summer months, with the arrival of four boat loads of approximately 600 women, men, and children from the Chinese province of Fujian. Their arrival sparked a number of national and provincial debates spanning issues of immigration, border control, and also provincial/national identity. Immigration - or rather, the entrance of "desirable" and the exclusion of "undesirable" immigrants to Canada - has been central to our historic national story as a white settler society and to contemporary versions in which Canada is constituted as a multicultural, generous, and civilized nation. The perceived flood of "illegal" migrants and "bogus" refugees from China has simultaneously ruptured and strengthened this official

¹Toni Morrison, "The Official Story: Dead Man Golfing," in Toni Morrison & Claudia Brodsky Lacour, eds., *Birth of a Nation 'hood* (New York: Pantheon, 1997), XV-XVI.

narrative in several ways.² While the arrival of the Chinese migrants prompted some critics to raise human rights concerns about Canada's immigration and refugee policies, the state's incarceration and deportation of the migrants has been rationalized and legitimized through mainstream media reports of "human smuggling" and "cue jumping."³ These narratives of equality and justice are central to Canadian mythologies and have worked to strengthen the white settler construct and notions of Canada as an innocent, generous, and tolerant nation.⁴

In December 1999, the federal government made an initial attempt to address the issue of Aboriginal sovereignty in BC. After centuries of genocide, erasure, and blatant disregard, the government finally recognized the Nisga'a Nation's territorial rights, settling only one small part of many pending land claims that have been long overdue. Like the arrival of the Fujianese migrants, the Nisga'a treaty also provoked fierce opposition from politicians as well as from the public. The Reform party did everything possible to try and fight the treaty - including the drafting of 471 amendments and demands for a recorded vote

²On distinctions between "good" and "bad" immigrants and the ways in which they secure borders and national myths, see Sherene Razack, "Making Canada White: Law and the Policing of Bodies of Color in the 1990's," (1999) 14:1 *Canadian Journal of Law and Society* 161.

³These views have been explicit in media reporting. On August 19th, 1999, some headlines in the "Letters" section of the *Toronto Star* included, "Canada is the 'Great White Cow,'" "Send Illegal Migrants Home with a Stern Message," "Illegal Entry Should Mean Deportation," and "What Does Canada Need - Cheaters or People who get in Legally?"

⁴On the Canadian national mythology in international peacekeeping see Sherene Razack, "From the 'Clean Snows of Petawawa': The Violence of Canadian Peacekeepers in Somalia," (2000) 15:1 *Cultural Anthropology* especially 127-130.

on each one.⁵ In addition to racist public outcry, Indigenous peoples in the province have directly and indirectly faced other consequences. Notwithstanding attempts to educate young people about Indigenous histories in Canada, several parents of Grade 7 students at New Hazelton Elementary School refused to allow their children to attend a mandatory Gitskan course taught by Native elders: “because they thought it was teaching a theory of native superiority over non-natives.”⁶ Despite the few gains that have been made by Aboriginal nations including the Nisga’a, these incidents reveal that there is still a deep-seated reluctance on the part of many Canadians to view Native peoples as the country’s first inhabitants and original owners of the land. Likewise, these continued efforts to suppress and discount the histories of Indigenous peoples - particularly the history of their dispossession as colonized subjects - have enabled Canadians to sustain our national narrative as a white settler nation through the erasure of genocide, colonialism, and the European appropriation of Indigenous territories.

The white settler construct that has been so integral to national identity has been historically constituted. As a celebrated myth of origins, imaginings of Canada as a white settler nation have been absorbed into the political and juridical institutions of this country, framing contemporary debates about national space, land ownership, citizenship, and

⁵Laura Eggertson, “Treaty Offers New Beginning for BC’s Nisga’a Nation,” *Toronto Star* (December 10th, 1999), A7.

⁶Sarah Papple, “Board, Parents to Meet on Mandatory Gitskan Course” (November 12th, 1999), *Vancouver Province*, A3.

sovereignty.⁷ This project has isolated a key period and pivotal place in that process. The aim of this dissertation has been to deconstruct Canada's white settler mythology. In other words, I have endeavored to trace the ways in which this national narrative was historically constituted through a multiplicity of racist exclusions in late nineteenth and early twentieth century British Columbia. During this period, I argue that British Columbians envisioned their own subjectivities, their racial superiority, and their visions of a white settler province and nation against a number of racial Others. Aboriginal and Chinese peoples were the largest of these groups and at different historical moments were perceived to be the most threatening to the project of building a civilized white society. However, the state's capitalist desire for land and racialized labor meant that these communities of color could not be entirely removed from the nation. Instead, colonial authorities instituted a complex and often ineffective system of segregation through which to manage these racial Others.

Canadian historians have well-documented the racist inclusions and exclusions that have long characterized our country's past. To date however, most Canadian historical race research has utilized a "racial discrimination framework." While this work tells us a great deal about racisms, it has provided us with fewer insights into how processes of racialization enabled colonial administrators to assert a white national identity and subjectivity.⁸ As I

⁷On the legacies of the "white settler construct" see Daiva Stasiulis and Nira Yuval-Davis, "Introduction: Beyond Dichotomies - Gender, Race, Ethnicity and Class in Settler Societies," in Daiva Stasiulis & Nira Yuval-Davis, eds., *Unsettling Settler Societies: Articulations of Gender, Race, Ethnicity, and Class* (London: Sage, 1995) 8.

⁸There are some notable exceptions. See Kay Anderson, *Vancouver's Chinatown: Racial Discourse in Canada, 1875-1980* (Montreal & Kingston: McGill-Queen's University Press, 1991); Sarah Carter, *Capturing Women: The Manipulation*

discuss in chapter one, this project has both drawn and departed from this literature in important ways. Influenced by recent developments in postcolonial theory, I have aimed to provide a more textured understanding of the history of racisms in Canada by emphasizing the ways in which white supremacy is organized through a number of competing racist discourses and practices. By comparing the distinct processes through which Native and Chinese peoples were partitioned off from the imagined nation, I point to the ways in which these practices enabled white authorities to put forth dominant ideas of BC as a white settler society. Unlike many postcolonial scholars who have taken a purely discursive approach to understanding colonial and imperial processes however, I focus on the materiality of colonialism and imperialism by tracing the spatial dimensions of racism. Throughout the chapters I argue that racism was not only about securing a racial ordering in which middle class whites were at the top, but one where whites and racial Others were spatially sorted through a complex interplay of racist ideas and spatial practices.

Throughout the late nineteenth and early twentieth centuries, Aboriginal peoples and Chinese immigrants were subjected to a number of territorial exclusions. Whereas Indigenous peoples were displaced onto reserves, far away from white settlements, Chinese immigrants were relegated to the province's emerging Chinatowns. As I document in chapter two, spatial forms of regulation were integral to the ways in which these racialized groups

of Cultural Imagery in Canada's Prairie West (Montreal & Kingston: McGill-Queen's University Press, 1997); Tina Loo, *Making Law, Order, and Authority in British Columbia, 1821-1871* (Toronto: University of Toronto Press, 1994); Adele Perry, "'Fair Ones of a Purer Caste': White Women and Colonialism in Nineteenth Century British Columbia," (1997) 23:3 *Feminist Studies* 501-524; Carolyn Strange and Tina Loo, "Spectacular Justice: The Circus on Trial, and the Trial as Circus, Picton, 1903," (1996) 77:2 *Canadian Historical Review* 159-184.

were governed. The construction of reserves, Chinatowns, and other racialized districts did not only allow white authorities to keep the races physically separate, but more importantly, gave middle class whites a reference point against which they could imagine their own individual and collective identities.

Despite their attempts to partition the province into racialized districts, the borders between these areas were fluid and permeable. Fearing the idea of race-mixing, government and religious officials drew on a number of governing strategies through which to secure the boundaries between reserves, Chinatowns, and white settlements. Prostitution, as chapter three reveals, was one strategy through which government and religious officials endeavored to secure racialized borders. Authorities used narratives of prostitution to inscribe degeneracy onto reserves and Chinatowns. More importantly, administrators constructed *all* racialized women as prostitutes, and affirmed their aspirations of white supremacy by regulating the movements of Indigenous and Chinese women. Whereas Native women were disciplined for leaving their reserves, fears of prostitution enabled government authorities to deny Chinese women from entering into the country.

Almost a decade ago, Kay Anderson reminded us that “European hegemony is not a formation without boundaries, limits, or cracks.”⁹ More recently, many postcolonial and race scholars have made similar observations, pointing to the fractured and fragmented nature of white supremacy.¹⁰ In keeping with these insights, an important theme I emphasize

⁹Anderson *ibid* at 252.

¹⁰See for example Richard Dyer, *White* (London & New York: Routledge, 1997); Abbey Ferber, *White Man Falling: Race, Gender, and White Supremacy* (Lanham: Rowman & Littlefield, 1998); Ruth Frankenberg, *White Women, Race*

throughout is that white superiority was never monolithic nor did it go unchallenged. As I point out in chapter two, three and four, white authorities were often driven by competing colonial agendas and espoused differing assumptions about race and nation. Whereas government officials largely agreed that segregation would buttress their goals to make BC into a homogeneous and respectable province, some religious authorities disagreed. Although many Protestant and Methodist missionaries directly and indirectly supported the creation of separate racialized spaces through their placement of churches and mission schools, many insisted that segregating the different races would thwart their goals of religious and cultural assimilation. In efforts to maximize profits, private capitalists along with some government officials also denounced the spatialization of race. These processes are best illustrated in chapter four, where I map out the opposing interests of state, church, and capital in BC's salmon canneries. Because racialized labor was so integral to this booming industry, the colonial desire to keep the races apart was often trumped by the economic ambitions of government and private interests.

Racial segregation was also contested by Native and Chinese peoples and by "unruly" and middle class whites. Whereas Indigenous communities often resisted European encroachment on their lands, the province's Chinese residents also defended the borders of their districts by challenging missionaries who proselytized in these areas. Likewise, lower class whites subverted the efforts of government administrators and missionaries by frequenting reserves and Chinatowns. As illustrated in chapters three, four, and five, many

Matters: The Social Construction of Whiteness (Minneapolis: University of Minnesota Press, 1993).

missionaries complained that unscrupulous white men journeyed into these districts to drink and have “illicit” relations with especially Aboriginal women. The discussion of racially-mixed peoples in chapter five confirms my contention about the permeability of racial boundaries. The large population of mixed-race peoples in the province reveals that spatial and racial segregation was often illusive and that racial purity was indeed an intangible goal.

Although much has changed over the past hundred years, it is hard to ignore the fact that space still informs the organization of race and racisms in BC. While reserves continue to exist throughout the province and are plagued by a litany of social problems including violence, alcoholism, and suicide, imaginings of Vancouver and Victoria’s Chinatowns have shifted in the white imagination to become major tourist attractions. However, other Chinese enclaves have emerged outside of Chinatowns, scattering various suburban spaces. The racing of BC’s suburbs has not gone unnoticed by whites, but on the contrary has become the most recent focus of spatial struggles. From conflicts over Chinese signs to contestations over house sizes and trees, these territorial conflicts are still very much about race and space.¹¹ Likewise, public and governmental reactions to the Chinese migrants and to the Nisga’a treaty suggest that racial politics in BC are still articulated geographically. These current debates over who has access to full-citizenship, to land, and to nation reveal the resilience of the white settler construct. More importantly however, they emphasize the urgent need to historicize and destabilize this mythology and to recreate a more just and inclusive national narrative in Canada.

¹¹See for example Brian Ray, Greg Halseth, and Benjamin Johnson, “The Changing ‘Face’ of the Suburbs: Issues of Ethnicity and Residential Change in Suburban Vancouver,” (1997) 21:1 *International Journal of Urban and Regional Research* 75-99.

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Abbreviations

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CVA	City of Vancouver Archives
NAC	National Archives of Canada
UCA	United Church Archives, Victoria College, Toronto

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