

Free Trade and the Expense Account Set

# New Maritimes

November/December 1988

\$2.50



## Children and the Public Trust

*Andrea Currie*

## Death and the News

*Dawn Leavitt*

## Rural Community, Rural Power

*Don Grady Ian McKay*

*Erik Kristiansen*

IND				NEWGR
REQ	DGT/NN		DGT/PS	DGT/REP
LW	C/P		R/i	
MN	MC			



### i: Staying Afloat

The economic reality of alternative publishing in the Maritimes is a stern one. Each year, *New Maritimes* counts on its readers to help with the difficult chore of seeing that our income is, at least roughly, equal to our out-go. The 1987-88 Fund Campaign succeeded in raising almost \$6,000, and our 1988-89 Campaign will soon be launched. These annual Campaigns have shown us that there are many, many people across the region, and beyond, committed to the idea of *New Maritimes*, and willing to demonstrate that commitment in a concrete way. It gives all of us involved in producing the magazine a heightened sense of the responsibility we share.

Our thanks go out to the following people who contributed to the 1987-88 Fund Campaign recently:

Bob Collicut	Mill Village, N.S.
Bessie Dalrymple	Stewiacke, N.S.
John deRoche	Sydney, N.S.
Tom Good	Fredericton, N.B.
Sandra Harder	Glace Bay, N.S.
Florence Larkin	Guelph, Ont.
Charles W. MacDonald	North Sydney, N.S.
Dr. F. David Millar	Halifax, N.S.
Nancy O'Brien	Halifax, N.S.
Lorraine Peever	Brantford, Ont.
Pat & George Schuyler	Halifax, N.S.
Perry Shearwood	Montréal Qué.
Glenn Wanamaker	Québec, Qué.

**Irene Larkin, Coordinator,  
1987-88 Fund Campaign**

### ii: Casting Our Net, Broadly

The New Maritimes Editorial Council, the non-profit body that owns *New Maritimes*, held its Seventh Annual Meeting in Halifax on October 2nd. Perhaps the most important issue discussed was that of a new structure — and the creation of a new position, Associate Editor — for the organization.

The previously existing bodies of the Council will continue in their duties: the Editorial Board will look after the short term, day-to-day business of putting out an

Editorial Board: Mike Earle, Ian McKay and Scott Milsom.  
Associate Editors: Lorraine Begley, Rusty Bitterman, Marie Burge, Sue Calhoun, Andrea Currie, Ellison Robertson and Rick Williams.

Board of Directors: Lorraine Begley, Gary Burrill, Roger Burrill, Brian Crawford, Miriam Dares, Mike Earle, Gregg Lambert, Ian McKay and Scott Milsom.

Circulation and Promotion: Lorraine Begley, Kathy Clare, Brian Crawford, Doug Milsom, Lynne Milsom, Scott Milsom, Roger Burrill.

Artwork: Lynne Milsom

Photo developing: Gary Burns

Design: Ken Clare and Scott Milsom

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Special thanks to Jeanne-Mance Robichaud.

Cover photo, of Minister of Community Services Tom McInnis and friends, courtesy Nova Scotia Department of Community Services.

alternative regional bi-monthly; and the Board of Directors, at its quarterly meetings, will be responsible for planning in the medium term, between annual meetings.

The Associate Editors — there are seven of them, listed in the box on this page — will all have ongoing responsibility to uncover important issues and to find the right people to write about them for *New Maritimes*. This will broaden the network of our writers, and increase the scope of issues dealt with in our pages. We're happy to have all our new Associate Editors with us.

There have been a few other changes. Lorraine Begley, after serving on the Editorial Board since the very beginnings of *New Maritimes* in 1981, is taking a half-step back by leaving that position. But we are very happy that her involvement with the magazine will continue, as she accepts her new position as an Associate Editor. As well, she will serve as Vice-Chairperson of the Council.

Other positions were filled on the Editorial Council: Brian Crawford will take over as Chairperson; Roger Burrill and Mike Earle will continue as Secretary and Treasurer respectively; Scott Milsom, who replaced Gary Burrill as Managing Editor last May, will continue in that position for the coming year.

If you're interested in receiving a copy of the 1987-88 Annual Report, which contains detailed analyses of the magazine's finances, circulation, and administration, and is prepared each year in connection with the Council meeting, just send \$6 (to cover copying, binding and postage) to Roger Burrill, New Maritimes Editorial Council, Enfield, N.S. B0N 1N0.



# New Maritimes

*A Regional Magazine of Culture and Politics*

November/December 1988

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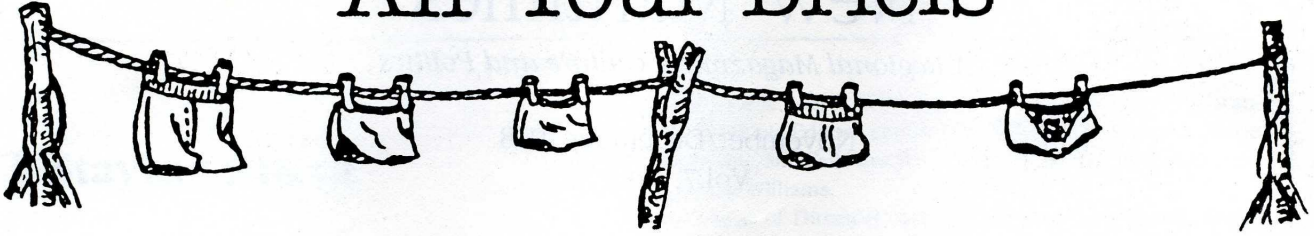
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# Air Your Briefs



## Spray Defence

Today (September 21st), in Tatamagouche Provincial Court, I am pleading guilty to a charge of damage to property. This charge was laid against me by the RCMP on September 9th, as a result of an incident which took place during the culmination of a 36-day round-the-clock blockade of a proposed spray site near my home on the New Truro Road.

Despite North Colchester Forestry Co-op Manager Randy Fulton's statement to media that his company did not want a confrontation with the people on the blockade, the government-sponsored group went ahead and sprayed, with the support of the local police. The residents of the New Truro Road were force-fed a toxic chemical called Roundup.

This forced feeding took place despite many efforts by local residents to have the spraying called off. Some of our efforts included a week-long afternoon picket outside the Co-op office, personal pleas to the Truro residents who own the land and petitions to the Ministers of Lands and Forests and Environment. These petitions went unanswered, as did a request to then local MLA Jack Coupar by some residents asking his intervention.

Fulton admitted in the September 10th issue of the *Chronicle-Herald* that his company had knowingly violated the Environment Department's spraying guidelines by failing to notify residents living within one-half a kilometre of the spray area as to when spraying would take place. Despite this admission, no charges are being laid against the Co-op, as is the Department's responsibility.

While spraying was taking place that morning, June Daley, Bernadette MacDonald and I were held prisoner in the back of an RCMP vehicle. We were held for one-and-a-half hours on a

charge of mischief. When I requested that I be released in order to make a citizen's arrest with regard to the violation of another spray guideline (spraying was taking place while winds were in excess of ten kilometres per hour), I was refused. Shortly after this, the three of us were driven by Const. Rick Singer to a nearby farm that borders on the spray area and "unarrested," even though I had made it clear to the officer that I would return to the site upon release.

We did return, and were eventually re-arrested on the charges before the court today.

My actions speak for themselves and I will not deny or defend them in a court that I feel is already prejudiced against me by the evident class structure of the system. The lack of charges against the Co-op for its spraying violations proves again that there is one law for the rich and powerful and one for the rest of us.

Residents living near spray sites must defend themselves against spray assaults. Struggles against herbicide spraying and other environmental abuses will be forced to become more militant each year, as the public realizes that there are no legitimate means of challenging government departments that will not fulfill their mandate.

Stop clear-cutting. Stop the spray.

**Judy Davis,  
Tatamagouche, N.S.**

## Too Much Protest

In a note to "long-standing readers" of the "old" *New Maritimes*, the editors say they are seeking "a higher profile on the region's newsstands." However, a change in form is one thing; a change in content, another.

The seeking out of the middle class

"liberal" reader has led to the corruption of such magazines as *Mother Jones* and *This Magazine*. That *New Maritimes* would follow in their footsteps is disappointing.

To cite but a couple of examples, let's first look at the "resurrection of Alden Nowlan as some kind of "progressive" writer. If my memory serves me well, I have read, in an issue of the "old" *New Maritimes*, Gary Burrill asking Milton Acorn if he considered Nowlan to be a "workingman's poet." Milton answered "no." I also remember Burrill reviewing one of Nowlan's books and he criticized it for being typically humanistic, or words to that effect.

And now, in the "new" *New Maritimes*, we have Paul Robinson, of the National Book Festival, describing Nowlan, as Al Purdy has done, as a writer of "the lives of ordinary people in ordinary circumstances," and the best writer of "realistic fiction to be found anywhere in the country."

But I was even more surprised to see Rick Williams, in his article, advocating the liberal plank of the guaranteed income. This guaranteeing of poverty is already in the plans of the capitalist vanguard. Reduced administration costs, with the poor having to pay for everything out of their meagre incomes is what makes such a system so appealing to the welfare state. Indeed, the government could assure payments for services by deducting them from their income. Instead, people have to have control of the production from *their* resources.

Alas, when the editors of the "new" *New Maritimes* brag of once being described as "a bunch of troublesome reds," me thinks they doth protest too much.

**Larry Fyffe,  
Fredericton, N.B.**



## Soundings

# The Life of the Care-free Free Trader

## A Comment on High Life in the "Free" Market

Free trade, free enterprise, the free market: we're hearing a lot about "free" things these days. And we will hear yet more, as the debate over the proposed Canada-U.S. trade agreement comes to a boil. A belief in the "discipline" of the marketplace is as much behind moves to deregulate and privatize parts of our economy as it is behind the thoughts of those waiting expectantly for free trade with the Americans. This kind of thinking is widespread in the business community — including Boards of Trade — of our region. But do such people really believe in subjecting *themselves* to the constraints of a market economy? It seems to me that the peculiarity of the Maritime economy exposes the soft underbelly of free market enthusiasm in a very direct way.

If we examine the pattern of personal economic activity of the typical business executive or manager, a number of inconsistencies become quickly apparent. These are people who profess a belief in the free-market economy and support our pro-free trade politicians. While their personal activities might escape notice in the large metropolitan centres of Upper Canada, here in the Maritimes — where chronic underemployment and underconsumption are almost routine — it's a different story. Let's examine, for a moment, the family economy of a typical executive. He might be a manager from Ontario transferred to the Maritimes for a three-year stint to gain experience in a depressed region. Or our young up-and-comer might be a native Maritimer, but be subjected to occasional transfers between, say, Halifax, Moncton and Saint John. How does such a person (let's call him Gordie) cope with the usual economic problems of transportation, employment, housing and consumer purchases?

When it comes to a personal car, Gordie is spared the headache of finding the cash to buy a vehicle at the

### F.K. Donnelly

relatively high prices we're used to in the Maritimes. Instead, he gets the use of a company car. This is a big, new vehicle without any company markings and Gordie can drive it home after work and use it as his own. In almost every way it is his car — except he didn't have to pay for it. And after a couple of years Gordie's company offers to sell it to him at a discounted price. So, Gordie is able to avoid the pitfalls of both the new and used car markets. As well, he avoids the necessity of dealing with a bank to borrow money for the car. Half-hearted attempts of various governments to tax this economic windfall have been less than successful. Gordie's in the driver's seat, and the price is right.

Gordie's company has a preferential hiring policy for relatives of their executives, so he easily arranges summer jobs for his children. They have an easier time getting through college than most of their classmates, some of whom have to drop out because there aren't any summer jobs for them. Gordie's company is a big one, and its work force is unionized, so his kids benefit from the relatively high wage rates. Gordie himself is part of a managerial structure that is opposed to high wage settlements and would prefer to see the union out on its ear. Gordie's kids do fine out of this deal, and cruise happily through their MBA programs. They never have to face the stern realities of the regional labour market.

The time may come when Gordie must move on and accept a transfer. This happens to all sorts of people in our society, but for folks like Gordie it occurs in a special way. First, he tries to sell the family home in the usual manner, through a real estate agent. But after a while, Gordie hasn't found a purchaser, so his company steps in and

buys it from him. Gordie is never forced to become that fixture of the true market economy, the desperate seller. Instead, Gordie's company has created a safety net for him that offers protection against the fluctuations of the local property market. Gordie can invest in his own housing with a confidence and assurance not shared by others out there in the real market economy. Gordie really likes his job.

One of the most important perks of any executive position is the expense account. Under our generous tax laws Gordie can use his to buy everything from restaurant meals to gasoline for the company car to hotel accommodations. Personal and business expenditures are often confused with (and are perhaps inseparable from) one another, and so Gordie's expense account really constitutes a hidden source of income for him. As well, the nature of an expense account purchase is very different from the ordinary consumer's transaction — it isn't made according to the dictates of the true market economy. Gordie isn't spending his own money and so is not too concerned about price. He's more interested in the quality of the goods and services he acquires. Gordie loves his expense account.

Not every pro-free trade executive has it quite as soft as Gordie, but it's clear that those most keen on the "market economy" are quite able to protect themselves from its actual operation. The personal economic decisions of executives bear no resemblance to the tough choices required in the kind of economy they so strongly advocate. So, when I hear them go on about the joys of the "free market," I wonder what they really mean. Perhaps a market economy for us, but not for them?

*F.K. Donnelly teaches History and lives in Saint John.*



## How The News Gets Made: A Case Study

# A Dying Man, A Fatal Bullet

President Napoleon Duarte of El Salvador is dying of cancer. He is 62. Xionix Arevalo died in El Salvador from a bullet to the head. She was 13. According to conventional wisdom, the first fact is news. The second isn't. Why?

Mainstream media types will argue that Duarte's illness has political implications, while the death of an unknown girl, though tragic, does not. So, Duarte, not Xionix, gets the ink. But her death is a truer reflection of life in Salvadoran society than is the health of an ailing leader.

Few journalists dispute the public's need to know what government leaders are doing, but in today's foreign news coverage, many voices are not being heard. Most news reporting relies on official American attitudes to Third World nations, or looks at countries through the eyes of a local elite.

Here, most people tend to accept world news as more or less factual information, provided by a free and independent press. The majority have little or no first-hand experience upon which to base independent judgments about international socio-economic and political affairs, and so rely on the media for information about what is happening beyond our borders.

The picture they see isn't intentionally distorted, but standard news practices have a way of obscuring reality. Some researchers argue that the procedures used to define "news" are inherently class-, race-, and gender-biased, acting by their very nature to reinforce society's dominant ideological values.

Journalists don't write in a vacuum. Like everyone else, they are a product of the society of which they are a part, with all the ideological baggage that goes with it.

Thus the media present us with a range of implicit assumptions, and ask the same worn questions after every Third World social upheaval or revolution: "Are they communists?"; "If they aren't communists, when will they hold

## Dawn Leavitt

elections to prove it?"; "They say they aren't communists, but why are they so friendly with the Soviet Union?" These hackneyed queries get asked time and again, as the genuine issues get pushed to the background.

Central American coverage is perhaps the worst in this regard. Countries fade in and out of the headlines at the whim of influential decision makers in New York and Washington, briefly "sexy," then old hat. El Salvador was



"sexy" when Archbishop Romero died at the altar, then fell out of favour as the *contras* hit the limelight.

What factors determine which region is hot news at any particular time? Logic might suggest that what is happening to the people there should be the primary factor, but this is rarely so.

The perpetual focus on "Sandinista repression" in Nicaragua demonstrates how well the American administration has succeeded in setting the agenda for discussion. In Peter Raymont's film *The Whole World is Watching*, a European journalist sums it up: "Coverage of Central America has become a Washington-Managua tennis game, and Europe has been perceiving it like that as well."

The film opens with Ronald Reagan telling reporters, "You must keep watch on the progress of democracy in Nicaragua. Train all your investigatory abilities, all your skepticism, on the Sandinista government." The Western media responded to an amazing degree, focussing on "sexy" Nicaragua, while ignoring events in Guatemala and El Salvador.

In the latter countries, it was busi-

ness as usual for death squads and army thugs — torture, murder, disappearances — while reporters filed endless stories bemoaning the occasional closure of *La Prensa* (a Managua newspaper that gets much of its funding from north of the Rio Grande). Here, surely, is a story that's been played to death (excuse the expression). The *New York Times* has mentioned *La Prensa* 236 times in just the last four years (rarely, though, mentioning the large sums of money flowing south to it).

This focus on Nicaragua has cast events in El Salvador into shadow, giving the public the mistaken impression that all is well — more or less — as "democracy" unfolds in Central America. Except of course, in "Marxist Nicaragua" (as at least one wire service reporter for UPI was told to always describe the country).

This system of mainstream news gathering and reporting leaves Central America's poor without even the dignity of naming their dead. Duarte's ill health makes headlines, while the poor die nameless, numerous and uncounted. Which brings us back to Xionix Arevalo.

Mila Garay came to the Maritimes as a refugee several years ago. She lives in Antigonish. Xionix was her niece. Of Duarte, she says, "Really, who cares about him? But my niece, and the hundreds like her, people should be told about them." She holds the military responsible for the child's death. "The guerrillas are careful to try not to shoot when civilians are around, but the army, they don't care who they kill."

Last year, Mila's brother applied to come to Canada as a refugee, but Immigration authorities turned him down. Two days after her 13th birthday, his only child died in a schoolyard from a bullet to the head. Her name was Xionix Arevalo.

And she mattered.

*Dawn Leavitt studies journalism at King's College in Halifax.*



# Children of the State

## A Critical Look at Child Protection in Nova Scotia

*Chief Justice Lorne  
Clarke (second from  
right) and the  
former Minister of  
Social Services  
Edmund Morris  
(second from left) at  
a 1987 swearing in  
ceremony for Nova  
Scotia Family Court  
judges.*





**A young woman** sits next to her lawyer, just a few feet in front of me in a Halifax courtroom. Her blanket of calm covers a mixture of powerful emotions — fear, anger, frustration, hope. This is, in official terms, a “hearing,” but it’s really a trial, and its verdict will decide the future of this mother’s relationship with her daughter.



Four-year-old Amanda was taken away from Gail on October 28, 1987, a day after she lost her temper and hit her child across the face. Gail found out about it when she arrived at the daycare centre to pick Amanda up at the end of the day. The staff wouldn't tell her anything about Amanda, but advised her to call her social worker. It was late evening before she learned that the Halifax Children's Aid Society was initiating a “wardship proceeding,” that would make them, not Gail, Amanda's legal guardian.

Gail is not a child abuser, and the Children's Aid Society has never claimed that she is. She has provided for her child as well as her limited resources allow. But neither is she a saint. She bitterly regrets making a mistake with her daughter in a moment of anger and frustration.

This was not the first time Gail and Amanda had been separated by the state. In February, 1985, they were living in Montréal. Gail left her child with an aunt, and told her when she would be back. Gail's aunt took Amanda to the hospital to check on a minor respiratory problem. When hospital staff discovered that the aunt didn't know where Gail was at the moment, they called in the local Children's Aid Society, who promptly whisked Amanda away. (“Apprehended” is the bureaucratic buzzword.)

Amanda spent four months in a Montréal foster home, and Gail was allowed occasional visits. She was afraid, though, that she would never get Amanda back. Finally, in April, she picked Amanda up for “a visit” and they boarded a train for Halifax.

A few months later, Children's Aid caught up with Gail and re-apprehended Amanda — not because there were any apparent problems with Gail's parenting, but simply because she had defied the apprehension by the Montréal agency.

After a four-month court process in Nova Scotia Family Court, the judge decided that Gail could have regular visits with Amanda while she worked on her “parenting skills.” By March, 1986, Gail had satisfied all the court's conditions and Amanda came home. This second separation had lasted eight months.



A worker from Halifax Children's Aid made occasional visits to Gail's and Amanda's home, but the only really helpful form of support Gail received from the agency during this time was the provision of a sitter, with whom she could leave Amanda for a weekend to give herself a break. Gail took frequent advantage of this service in the summer of 1987; it made her feel much less trapped in her situation. She would look forward to seeing Amanda at the end of the weekend.

Now, on a cold winter morning near year's end, lawyers and a judge will argue and decide this family's future.

**Gail spent most of her own childhood in foster homes,** in the the Nova Scotia Home for Coloured Children, and with various relatives. She had her first child in 1982, while still herself a ward of Children's Aid; because of her young age and limited means, her son was also made a ward of the agency and was placed for adoption. When Amanda was born in 1984, Gail did her best to be a good mother to her.

She has made mistakes in her life, such as her flight from Montréal and, more seriously, hitting her daughter too hard in a moment of anger. Mistakes in disciplining children are made by a great many people, but only some can expect to go on trial for their errors.

Gail loves her daughter and is capable of taking good care of her. But, as a black single mother on social assistance, Gail's life is often very difficult. Her mistake of hitting Amanda can't be explained away, but, if every parent were punished for such errors, there would be very few families in Nova Scotia left intact.

**Gail sits in the courtroom, exposed, humiliated,** and terribly afraid. Afraid that she doesn't really have a fair chance to get Amanda back. Afraid that she, with less education than others gathered here, will not be able to get her good points across as well as the agency will impress the judge with her bad points. Afraid that she will lose her daughter for good.

The hearing begins. The first item to be addressed is me. Child protection proceedings are conducted in a closed courtroom, and the agency's lawyer objects to my presence. Gail's lawyer tells the judge that it is reasonable for his client to have a friend there for moral support. Fortunately, in what I am later to learn is an unusual gesture of sympathy, the judge overrules the objection and I am permitted to stay.

Witnesses for the agency are called to the stand. Now and again, Gail's lawyer raises a technical challenge, which often prompts long and involved discussions in complicated legal language. Gail doesn't understand a lot of it. Once or twice, she leans back and asks me if I know what they're talking about. Sometimes I do, sometimes I don't.

The witnesses for the agency — a psychologist who spent an hour with Amanda and did an assessment, and the foster mother — call up a strange assortment of details to try to paint an ugly picture of Gail as a mother: Amanda's interest in the anatomy of her dolls; her fear of sleeping in the dark with her door closed; her short attention span; Gail's experience with an unreliable

baby-sitter. Taking these facts out of context and piecing them together by design, the agency orchestrates a litany of Gail's supposed failings. The intensity increases as the hearings roll along. The agency lawyer is smugly confident. Gail sits through all of this, doing her best to maintain some dignity as the agency mounts an attack that goes on for hours.

Later, we file out of the courtroom. We huddle together with her other friends who aren't allowed inside because they will be called as witnesses for Gail. We try to figure out just what has happened and what Gail's chances are. It is a time of anguished uncertainty.

Down the hall walk the Children's Aid worker and the lawyer. They seem absorbed in measuring their success in the proceedings, and in mapping out their strategy for the next round.

Family Court hears lots of cases, and there is no more time allotted to Gail and Amanda. The judge sets the next court date for late January, and suggests that Gail be allowed to see her daughter sometime before Christmas.

### **I was outraged at seeing my friend humiliated.**

I wondered how it could possibly be in Amanda's best interests for the court to set out to destroy her mother's self-esteem and public image like this. I also wondered how Gail's case fit into the broader pattern of Nova Scotia's profoundly troubled system of child protection.

Gail's case, I have since learned, is by no means typical. For all its troubling features, it in fact shows the system in one of its better moments. As he made plain when he let me into the proceedings, the judge had an unusually compassionate understanding of the stresses felt by a parent under attack. And, some months after the December, 1987 hearing, he disagreed with the caricature of Gail the courtroom had been given. He gave Amanda back to her, on certain conditions that give Children's Aid the right to "friendly supervision" over problems it perceives in Gail's parenting. Gail might well take care of Amanda until Amanda can take care of herself.

So Gail's story is a comparatively happy one. Still, it represented a horrible experience for her and revealed how destructive that machine so ironically called "child protection" can be.

But Gail and Amanda are not the only family in Nova Scotia to have suffered from the excessive zeal of a Children's Aid worker. A second story comes from the other end of the spectrum of the Children's Aid stories that are told in working-class homes throughout Nova Scotia. This time, there's no happy ending.

### **Patricia Lyons has lived in the Annapolis Valley**

all her life. Her father was not a presence in her early childhood and her mother struggled desperately to keep her own life together. After her third birthday, Patricia spent the next nine years being shunted in and out of one foster home after another. Like many children in this situation, Patricia preferred being raised (in extremely difficult circumstances) by her own mother to being brought up by a succession of strangers. When she was twelve, she moved back home.

She found she had come back into a very troubled



household. Her mother was regularly beaten up by alcoholic and violent boyfriends. When Patricia was fifteen, she ran away to the house of a male friend of the family. This, though, turned out to be a costly haven, and the sexual favours demanded of Patricia led to her becoming pregnant.

To avoid having an abortion, Patricia ran away again. When her pregnancy had advanced enough so no one could pressure her to abort, she moved back home with her mother. In her seventh month of pregnancy, her mother's boyfriend kicked her in the stomach, and she had to be hospitalized. While she was there, her mother dropped in for a visit. She told Patricia that her boyfriend didn't want Patricia about the house any longer, and that she was now on her own. This upset her, and a nurse gave her a sedative to calm her down. When she awoke,



Katrina Swendseld

*Gail: her story revealed how destructive "child protection" can be.*

there were two social workers from Kings County Family and Children's Services there to see her. They told her, that she was, once again, a ward of the state, and placed her in a foster home when she was released from hospital a few days later. After a couple of weeks, Patricia's mother had a change of heart and welcomed her home again. Together, they planned and prepared for the baby.

Social workers visited them at home, once, before Patricia's daughter was born, and asked a few questions. They gave no indication of any grave concerns. They did not remind Patricia that she was still, legally, a ward of the state.

In January of 1981, Patricia's first daughter was born. On the morning she was getting the baby ready to take home from the hospital, two social workers showed up and presented her with an ultimatum: give the baby up and go back to her mother, or keep the baby and go into a foster home. Patricia, painfully torn between losing her child and losing her mother, opted for her child and went to the foster home.

Once there, however, the agency informed her that they intended to apprehend the baby because Patricia was an unfit mother. They told Patricia that she could agree, or she could meet them in court.

After a lengthy legal battle, during which Patricia met every condition set for her by the court, the judge ruled that the agency be awarded permanent care and custody of her child. Patricia had lined up a home for herself and the baby, but this arrangement fell through when the agency told the prospective foster parents that their pensions would be cut off if Patricia moved in. The judge

refused to give her more time to put something together. Her child was now a ward of the state.

When Patricia went to file an appeal, she could not find a legal aid lawyer who would agree to represent her. Although she had a legal limit of 30 days in which to appeal the court's decision, she found out that her baby had been placed for adoption within one week of the wardship hearing.

A year went by. When she got pregnant a second time, Patricia, a resourceful and determined woman, again made plans to provide for the child she was carrying. She got a job as a live-in nurse for an elderly woman and upgraded her educational qualifications through correspondence courses. Through Family and Children's Services, who were still her legal guardian, she obtained mother's allowance and began buying things the baby would need.

In April of 1982, Patricia's second daughter was born. This time, the agency informed her the day after the birth that they were going to take the baby away from her. Their case against her was based, not on things she was alleged to have done, but on predictions of what she might do in the future. She was judged guilty until proven innocent.

Again, Patricia fought in court. This time she was supported by several witnesses, including a psychiatrist she had approached on her own to give an assessment. This evidence of her potential fitness as a mother impressed the judge. He did not find she was an unfit mother. Instead, he had her child apprehended because of difficulties she had in obtaining good accommodation.

Again, Patricia tried to appeal. Again, the baby was placed for adoption — this time, only three days after the hearing.

Since then, Patricia has had ongoing health problems. She had surgery in 1985 for the removal of an ovarian cyst. This year she discovered that, apparently because of the overzealousness of a doctor, she has been sterilized, with neither her knowledge nor her consent. She has been given this final verdict on her right to have children that even someone as determined as she cannot appeal. She is now 23, engaged to be married, and almost certainly childless for the rest of her life.

**Patricia and Gail: children of the state.** Products of a state-controlled child protection system that later came to collect the next generation.

Those who are raised by the state, and those who are poor, know more about state involvement in their lives than middle-class people can possibly imagine. As Rollie Thompson, Professor of Law at Dalhousie University, has written: "No less than welfare or public housing, child protection plays a critical role in 'regulating the poor.' The poor are to be inspected, exhorted and disciplined when they fail to measure up to middle-class norms. The apprehension of their children is but one more coercive tool to keep them quiet, submissive and insecure."

If, like many parents who lose their children, you are on welfare, the possibilities for controlling your behaviour are almost limitless. Your sexual habits will become



common knowledge, if, for example, you are a single mother and a zealous social worker finds a man's shoes under your bed. You may feel uncomfortable with a particular psychologist, but if the agency has appointed him, your discomfort will count against you in court. ("The client was not cooperative in trying to solve her problems...")

After your child is taken away, your conversations during regular visits will be closely monitored and noted by a social worker, whose standards for evaluating your skills as a parent will never be made clear to you. On these notes, which you will never be allowed see, rests your future and that of your entire family.

**Although systematic child protection can be** traced back over a century in Nova Scotia, it has not always been so dominated by the state. In the 1800s, the Society for the Prevention of Cruelty (whose mandate included both animals and human beings) intervened forcefully in many working-class families, making particular use of Police Court to prosecute parents for cruel treatment of their children. The early twentieth century saw the beginnings of consistent state involvement, with the establishment of the Department for Neglected and Dependent Children, which co-ordinated the efforts of various local societies. Then, as now, the stated intent of such activities was to respond to the needs of children in need of protection — those, in the words of the current Children's Services Act, whose "life, health, or emotional welfare is endangered."

Child protection today reflects a balance of government and private interests, although state funding means that local agencies conform fairly closely to the provincial pattern. Child welfare falls within the mandate of the Family and Children's Services Section of the provincial Department of Community Services. This section is responsible for such services as child protection, adoption, the care and custody of children, and aid to single parents. In four counties and in Dartmouth, these programs are provided directly by the department's staff. In the rest of the province, private agencies carry the child protection ball: Pictou Children's Aid Society, Halifax Children's Aid Society, Kings County Family and Children's Services, and so on. Such a patchwork of structures makes uniform enforcement of a vague piece of legislation all the more difficult.

On March 31, 1987, a grand total of 1,208 children were in the care and custody of the various provincial agencies. A total of 724 were in foster homes, 132 were in other kinds of homes, 63 were in "adoption probation homes," 56 were living with their own parents, 34 were self-supporting, while most of the remaining 199 were in various institutions across the province.

Some of these children are in very real need of protection from abusive or negligent parents. They are children whose very lives are endangered by violent parents. In such instances, social workers need to respond quickly and effectively, and when they do, they have done something to be proud of.

But, even though there are children who do need protection, it is undeniable that the extraordinary power wielded by the state over many families has led to grave

abuses of human rights. Apprehensions and other *unnecessary* interventions often bring both children and parents more pain and suffering than the family problems they are intended to alleviate. Somehow a system that draws upon the energies of many idealistic young social workers, and that claims to represent the fine ideal of protecting the weak against the strong, often looks like a machine for enforcing the will of the strong over the weak. Established to prevent cruelty, the child protection system seems, in many cases, to perpetrate it.

**The best place to start in trying to understand** this complicated tragedy is The Children's Services Act itself.

This Act — the basic law governing child protection in Nova Scotia — is like a ramshackle house, built over the years without a blueprint or an architect. It is a mish-mash of original statutes, empty spaces where clauses have been repealed, and amendments added since the Act came into force in 1976. Few would dispute that it is a provincial law which is badly in need of repair. A full-scale review of the Act has been commissioned by the Department of the Attorney-General.

The things the Act doesn't do are as startling as those it does. The most gaping omission is the absence of any clear standard for defining or measuring child neglect or abuse.

A "child in need of protection" under the Children's Services Act means "a child who is without proper supervision or control," "a child who is living in circumstances that are unfit or improper for the child," "a child in the care or custody of a person who is unfit, unable or unwilling to exercise proper care over the child," "a child whose life, health or emotional welfare is endangered," "a child who is in the care or custody of a person who refuses or fails to provide or obtain proper medical or other recognized remedial care or treatment necessary for the health or well-being of the child," ... and the list goes on.

Under the Act, the agencies' officers can apprehend your child if they suspect he or she falls into any one of these extremely imprecise categories. From there on, the child remains in their custody until you prove your fitness as a parent. Legally, there's nothing requiring that they do anything further, such as to try to fix whatever problem they thought was there in the first place.

(In contrast, other provinces, such as Alberta and Ontario, have laws that are much more specific about the child's best interests. Ontario legislation spells out very specifically what the factors are that must be considered in determining what is in the best interests of the child. Included in the list are the child's need for a positive relationship with a parent, the child's cultural background, and the effects on the child of a long court case. The first clause in one section of the Alberta law states that "the family is the basic unit of society and its well-being should be supported and preserved.")

In Nova Scotia the agencies, social workers, lawyers, and judges are free to determine the standards of "proper supervision or control" and "unfit or improper" circumstances as they go along. Individual judges, agencies, and workers apply different standards and, when faced



with similar situations, make completely different decisions.

The definitions section of the Act fails to clarify its authors' favourite words: words like "proper" and "unfit." ("Proper," in particular, has strong upper-class connotations.) Social workers are free to fill in the lacking definitions. One Halifax social worker sums up the nebulous language of the Act this way: "The Act defines what a child in need of protection is. A child in need of protection is a child without 'proper supervision and control' — and what's that?" The Children's Services Act is shrouded in fog.

If your family gets in trouble, it is a matter of chance whether you get a social worker that is willing to go that extra mile to keep your family together, or one more than ready to take your children. If your child is apprehended, it is a matter of chance whether you are told the reasons for the agency's action. Parents often find out why their children were taken only when they go to court. Nor are workers required by law to give parents any other information. If your child is taken away, you have no legal right to know how long the process will take, what the court proceedings will entail, or what the agency's options are.

Once your child is apprehended, you will be intimidated into doing what the agency wants. Most lawyers will urge you to cooperate with agency demands, because failure to do so will lengthen the odds against getting your child back. Your rights and options are left almost completely undefined.

Out of all this confusion emerges one stark reality: child protection workers wield extraordinary power over their clients. No matter what they intend, they become feared policemen rather than trusted advisers. As one social worker in north-end Halifax comments, "Ninety percent of the workers will tell you that they really care about families and they're trying to help them and they can't understand why people hate them. For some reason, they don't deal with the fact that they represent a lot of power and they call all the shots and their clients are scared of them."

There are many sensitive social workers who compensate for this imbalance of power by treating their clients with dignity and respect. In certain agencies, and for certain workers, apprehension is a last resort, a step justifiable only if all others have failed. No fair treatment of the child protection system can paint all social workers with the same brush, or overlook those who apprehend children only after painstaking attention to all possible alternatives.

The trouble, however, is that the system provides no structural protection to parents against the activities of those other social workers who do not have a deep intuitive sense of the magnitude of a decision to take away a child. If professional pride is offended when a parent disregards an instruction, such social workers might respond by moving the child from a foster home the parent can visit to an inaccessible home. This punishment to parent and child was given one mother who was seen in public with her husband after being advised by the agency that they stay apart.

Almost no checks and balances are built into the

system to limit such abuses of power. In one agency, one half-day a week is spent by several workers consulting each other for input and advice on specific cases. This effort to minimize bad judgements and abuses of power is, however, limited: the worker herself decides if she needs to discuss a case. "I'm not an aggressive person," one social worker remarks, "but there are people here who are the Rambo-type of child protection worker."

Because the worker does not have to give particular reasons for an apprehension, he can change the basis of his case during court proceedings. If your child is apprehended because you are alleged to be an unfit parent,



Katrina Swendseld

and you manage to disprove this contention, the agency can come back with different reasons for its action.

This happened to Patricia in fighting the apprehension of her second child. The agency's "unfit" mother argument was disproved in court. The agency obtained a recess, and then won the case on the grounds of Patricia being unable to provide suitable accommodation for her child. This seems to contradict the general principle of justice that a person only be tried for one thing at a time.

It is generally conceded that the Children's Services Act gives child protection workers an enormous amount of power over their clients. Some advocates of the agencies argue, however, that the scope for serious abuse of power is limited by the social workers' professional training. Unfortunately, there is a simple answer to the question, "How does their education prepare social workers to be good child protection workers?" By and large, it doesn't.

**Last winter, Brenda Thompson, who had become well-known throughout Nova Scotia for taking Community Services Minister Edmund Morris to court when he released confidential material from her file, was asked to speak to a class of third-year students in the Bachelor of Social Work program at Dalhousie's Maritime School of Social Work. The professor wanted her to talk about her experiences working with Mothers United for Metro Shelter and other low-income groups, and about her success in getting Community Services Minister Edmund Morris convicted for his crime.**

Expecting that the social work students would live up to their public image as sensitive and caring reformers, Brenda was shocked by what she found at the Maritime School. Question after question from the students was



based on hostile mythologies about welfare recipients: "Why don't they get jobs?" "Why so many children?" This, after three years at a school for social work.

"These students had no idea of the way poor people are treated and what we go through," Brenda remembers. "They didn't understand why people on welfare didn't just get a job, and they thought that women on welfare should just stop having babies.... I shocked the students with my stories, and they shocked me with their ignorance."

Concerned that these students were just one year away from completing their Bachelor of Social Work (BSW) degrees and from dealing directly with the poor people they held in such low regard, Brenda asked the professor if this was not perhaps an unusually bad class. The professor told her that this class was no different in its attitudes from any other, and this was why she had asked Brenda to come speak.

Years ago, child protection work was carried out by volunteers. Now, "qualified professionals" dominate the system. When hiring workers, agencies require that applicants be either social workers or social service workers. (Social workers have a degree in social work; social service workers have Grade XII and six years related experience. There is no distinction made in their respective caseload responsibilities.)

Ten years ago, a teacher wanting a career change could become a child protection worker. In 1987, The Report of the Task Force on Family and Children's Services urged "that the Department of Social Services and the Nova Scotia Civil Service Commission set the entry level qualifications in children's services at the BSW level, or beyond, for field offices and agencies."

Although the intent of this recommendation is that child protection workers be well qualified and prepared to do their jobs, the BSW program falls far short of this goal. Its most fundamental shortcoming is that it does not successfully challenge the prejudices of its mainly middle-class students.

One of the basic requirements of a child protection worker is to be able to communicate with the members of a family in crisis, to figure out what's going on. Middle-class workers who go into these crises having never been exposed to poverty will put everything they see in a certain framework of interpretation. The families they visit will see the social workers as representatives of a higher social class. It is a mixture — of condescension and ignorance on the one hand, and embarrassment and self-consciousness on the other — that makes for bad communication. An awareness of this problem is essential if effective work is to be done, but it is the very rare BSW student who understands this.

**John Courtland's office in a metropolitan Halifax agency is a mess, a five-foot-square space piled high with phone messages, files, and miscellaneous papers literally spilling out of it. It lies at the heart of a maze-like labyrinth of desks and dividers that can only have been designed by someone trying to cram as many workers as possible into the least amount of space. John shares a phone with another child protection worker, who has an identical work-space only an arms-length away from his.**

He is out of the office frequently, but when he returns, he can never be sure he can make the phone calls that could decide a family's future.

John Courtland and Richard Peterson (who works for another organization in metropolitan Halifax), along with David Rice and Bob Aucoin (child protection workers in rural Nova Scotia), are all social workers who agreed to talk frankly about their working conditions, with the understanding that their real names would not be used — their employer, the provincial government, might not be too happy with their observations.

All four are all intensely committed to fairness for parents and care for children. But, to varying degrees, they are influenced by inadequate prior training, primitive work conditions, gross under-funding, limited staff training, and crushing caseloads. Their predicament, and their reflections on the education they received to prepare them for their work, are important clues to the tragedy of today's child protection system in Nova Scotia.

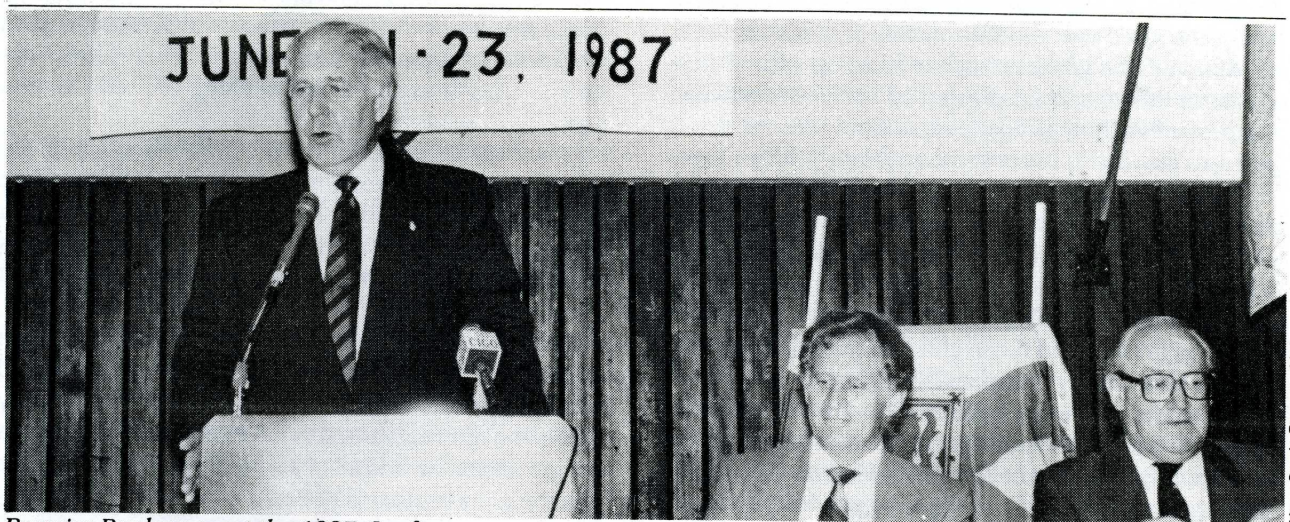
**Some social workers, like David Rice, have a good grasp of the problems of effectively communicating with clients, because they themselves come from working-class backgrounds and have a critical perspective on society.** "The only real way to develop a class analysis if you didn't grow up in a working-class situation — so you have some working-class understanding — is to just go out and get experience and try to understand that," he comments. "And to ask yourself, 'Would you really want to be in that situation?'"

John Courtland in metropolitan Halifax agrees with David. "I worked picking up garbage and shovelling snow and digging ditches, so I know what it means to be the working poor. And I don't resent (these) people... I did all that stuff too... going to the (Maritime) School, as far as I was concerned, was a bit of a joke. Just getting your ticket, just to get a piece of paper. What you learn while you're getting the piece of paper has got nothing to do with being here. They teach you about 'structural functionalism' and 'the power of the client.' Well, where in the world is anybody less empowered than when somebody else is taking their kid away?" What you learn once you are in the field, adds Richard Peterson, is mainly how to go into a family crisis and manipulate people into doing what you want them to do, based on your perceptions.

For the majority of child protection workers, who lack first-hand knowledge of working-class realities, their preconceptions and values are rarely challenged by what they see. Simplistic categories of blame are all too easily brought to bear. "People need to be taught how to reflect on the operation of their own biases," says Richard.

Add racial to class bias and you have a prescription for a lack of cultural understanding when, as is so often the case, white social workers are intervening in black or native families. Social workers graduating from the Maritime School before 1988 were ill-prepared for inter-racial dealings — very little of their course time focussed on minority social issues. There is now a "Cross-Cultural Issues" course worth one-half credit (out of the twenty





Nova Scotia Bureau of Information

*Premier Buchanan at the 1987 Conference on the Family: re-telling stale Scottish jokes. Edmund Morris is at right.*

needed for a BSW degree) — the result of ten years of hard lobbying by the School's Committee on Racial and Ethnic Affairs. Before that, students learned about social work practice as if all of their clients would be white, or, at best, as if racial and cultural issues did not require serious attention in their training.

Another problem with the BSW program is the fact that it deals with social work practice in only a general way. According to Bob Aucoin, "the BSW program is so generalized that you can get a social work degree and never do child welfare types of issues." This puts the onus on the agencies to give the workers they hire a thorough orientation once they're on the job.

Unfortunately, the agencies generally pay lip service to this duty. "They just give you stuff to read. They sit you at a desk... I was anxious to go out and get my feet wet," says John of his professional orientation. Usually, new recruits work alongside more experienced workers for a while, which gives them the benefit of the wisdom of a worker who has had the same, inadequate training as they have had.

Inadequate training, and the enormous amount of power given child protection workers by the Act, is a dangerous combination. Marilyn Peers is the Executive Director of the Children's Aid Society of Halifax. She sees the power to intervene quickly as one of the strengths of the Act. "From our point of view, that means that we can act quickly, which we see as a good thing, although I know on the other side of the coin, having that kind of power can have its dangers, if we don't know what we're doing," she notes. Sadly, making sure workers "know what they are doing" is something that has received very little support within the child protection system.

According to the 1987 provincial Task Force on Family and Children's Services, seven of the thirteen Children's Aid Societies had training budgets of less than \$1,000.00 in 1985-86, and the others, with the exception of the Children's Aid Society of Halifax, had training budgets of less than \$2,600.00. How highly most agencies rate training in their priorities can be seen in a single statistic: the majority of agencies under-spent that year even their sparse training budgets. As the Task Force reported, it all suggests a "serious lack of commitment to staff training."

**The same government that starves its social services** broadcasts its humanitarian concern for families and children. In 1984, for example, the Department of Social Services spent thousands of dollars on a massive multi-media campaign (in conjunction with Health and Welfare Canada) to raise public awareness about child abuse and to encourage people to report known cases. There was, consequently, a rapid increase in the number of reported cases, from 65 in 1982, to 180 in 1984 and 268 in 1986.

This placed tremendous stress on the child welfare system, but while the province was pouring money into this high-profile child-abuse awareness campaign, funding for staff training in Children's Services agencies was actually being cut. The Task Force Report states that "The Staff Training section of the Department of Social Services has traditionally provided the major portion of the training for both Department staff and staff of Family and Children's Services Agencies. Due to staff vacancies and scarce resources in recent years, the Department has been unable to meet the increasing demand for training in the child welfare area. Staff involvement in external endeavours, such as conferences, has been decreased due to budgetary restraints and travel restrictions." This lack of commitment to training, combined with the problem of under-staffing of agencies, suggests a government interested in appearing to respond to concern over child abuse with flashy awareness campaigns, but unwilling to make the investment in training and social programs that a real response would require.

Caseloads are routinely double what authorities describe as the "maximum desirable figure." The Task Force recommended "that average caseload sizes be reduced to 30 within a three-year period, beginning in 1988-89, with particular attention to child protection." (The average child welfare caseload in Nova Scotia was estimated at 55.4 per worker in 1980, almost double the Ontario average.) Many workers refer to 70 and 80 cases on their desks at any given time. "If I had 35 cases," John remarks sardonically, "I'd think I'd died and gone to heaven." He is sincerely committed to helping parents — he does "extras" for them, like making runs to food banks when his clients call because they're out of groceries. He sees such services as pressure-reducing, preven-



tive services. But he finds it hard to keep providing them and at the same time meet the demands of his caseload.

Although the government has come up with 30 new positions this year, to be divided up somehow between the province's thirteen agencies, nobody believes this is going to make a real dent in the problem. Marilyn Peers of Halifax Children's Aid is concerned. "We still don't have the staff we would like, to be able to get caseloads down to a reasonable size. We've had workers here who might have 40 families [a low estimate of the typical caseload] with multiple problems, of whom 15 children might be in care, and those children in temporary care are still that worker's responsibility. And those 15 children could conceivably be in 15 different foster homes, and since 60% of our foster homes are outside the City of Halifax, anywhere in the County of Halifax — which is the largest county in the province — you have 15 foster parents needing support from that one worker as well as all those families, plus the other 25 families that are in some difficulty and need the social worker's support."

The child protection workers interviewed for this article all spoke frankly about the files they have never had time to open, and about others that get only minimal attention. The priority list is established by a hierarchy of crises — only the worst cases get dealt with. In John's case, he has never had an opportunity to look at two or three of the files he was given when he took the job well over a year ago. If something happened in any one of these cases, he remarks, "the finger would be pointing right at me." Child protection workers in Nova Scotia are sitting on a time bomb.

Inadequately trained child protection workers are given caseloads nobody could possibly handle effectively. If problems suddenly arise, workers' judgements must be quick, and these may well carry life-long implications for the families involved. It would be difficult to imagine a more dangerous situation.

Visits between parents and apprehended children suffer because of these heavy caseloads. Even with aides to supply transportation — because the child usually has to be brought in from the foster home to the agency office so the visit can be supervised — it's hard to fit visits into a worker's busy week. Needless to say, scheduling is at the workers' convenience, not the parents'. A potentially tragic result of this is the damage done to the bond between parent and child. With such complex factors at work — the child's adjustment to a foster home, and the parent's level of frustration and despair — the number and regularity of visits can influence the ultimate outcome of the case.

Many parents have difficulty getting in touch with their workers to get names of agency-approved counselors and programs, and to get their court-ordered conditions met by the next court date. Although it's not their fault, this reflects negatively on them when they get to court and the judge discovers that these things have not been done. This means that the parent, in many cases a single mother on social assistance, is subjected to unreasonable expectations that she will pull everything together with no support. The system sets her up for failure.

The lack of time to investigate thoroughly each of

their cases means that child protection workers must rely on the assessments of others in the system, such as intake workers and financial aid officers. This allows the middle-class biases of those working in social service agencies to reinforce each other.

This class bias also prevents workers from using the supports that might exist in the extended family of the people involved. "When I was a worker and was in a situation where I knew I had to take a child," remarks Richard, recalling working in another province, "the first question I would ask them was, 'Do you have a relative, your mother, an uncle, or anyone who could give you some help, to take the child, if we [the agency] paid them?' They don't do that here. I had a situation recently where the mother wanted to have the child placed with the grandmother, and all of a sudden you have to prove that the grandmother is not an evil person!"

**In rural communities, situations may be dealt** with differently. Social workers interact with relatives or with the families themselves, when they meet them at the grocery store or community gatherings. There is also a different attitude toward the use of extended family support outside the city. As Bob explains, "Everybody has an extended family in rural Nova Scotia. They have aunts, uncles, or they have neighbours or whatever. If things get really bad, there's an 'out,' there's a place to go, or someone to take over, to look after the kids for a day. From what I've heard, people in the city are more apprehensive about getting involved." The role of extended family in rural Nova Scotia actually reduces the number of cases that get to the stage of being referred to a child welfare agency. With that support in place, crisis situations tend to arise less often.

Some workers in rural communities seem to take a larger role in dealing with family needs than do their urban counterparts. This can work in the interests of parents, or against them. Social workers in small towns naturally develop contacts that cut across the lines between various social programs. As one rural worker commented, "In many ways, my job is to help troubleshoot in the system. If a client goes to a municipal assistance worker and asks for help, and the municipal worker says 'no,' in a small office shared by different branches of the Department, I can play the role of an advocate. In a large city centre, the job is far more specialized. The job is to go out and find out if the child is being abused. Whether or not the person has enough money to live on is an incidental."

Child protection workers in the city find it harder to make contacts across departments. On a typical day in a rural child welfare office, workers in different parts of the social services system can make each other's work easier and more effective. In the city, this kind of working together is seen as a difficult extra that already overburdened workers are reluctant to take on.

But the closer working relationships in rural areas between social services like financial aid, Family and Children's Services and legal aid can also sometimes work against parents. In some counties, complementary judgmental and punitive attitudes of workers in different branches of the system form the brick and mortar of a



wall that becomes impossible for parents needing support to break through. The way the child welfare system is structured in Nova Scotia leaves a great deal to the character of individual workers and agencies.

**The result of all these different factors — the students' lack of awareness of poverty, budget cuts and impossible caseloads — is a system that is mainly reactive.** It puts the emphasis on responding to crises as they come up, not on preventing crises and helping families steer clear of them.

Parents and social workers agree that many crises stem from poverty. As Gail puts it, "A lot of these parents' anxiety and frustration comes from not having financial stability to bring their children up or to keep food on the table." Little attention is paid to helping families survive in a harshly competitive society.

Because the agencies' essential role is seen as being protection and not prevention, a poor perspective gets built right in to the system. Rather than working with families to help them survive, agencies move in when these families are locked in crisis. Even agencies that want to do more face a critical lack of resources. And as the agencies become more and more identified with apprehending children rather than with teaching coping skills or helping families, other social welfare bodies, reluctant to get involved in the court process, become unwilling to deal with them.

Social workers find this a frustrating dilemma. Many are convinced that preventive work is, in the long run, far more rational and humane than apprehending children, but they face a policy that downgrades preventive work to the status of an incidental frill. "I think much more energy has to go into keeping children in the home," Richard remarks. "I think the majority of cases, where kids are taken from their families, it's more neglect, not outright, severe physical abuse." Because the provision of services that might help keep families together is not seen as a basic part of the agencies' mandate, good social workers find themselves taking on this responsibility themselves, simply because such help is not provided by anybody else.

Services for adolescents are, according to these social workers, deplorably inadequate. There is such a lack of services to deal with situations of unmanageable teenagers that workers and parents often have to wait until the young person commits an offence before they can act.

The system has a deeply implanted bias against making preventive work the priority, and apprehension the last resort. The impact of this on individual lives can be profound. In Gail's case, agency support for baby-sitting on the weekends helped control the pressures she felt in coping as a single mother. It was after this preventive safety-valve was removed that Gail struck her daughter. And in Patricia's case, no supportive services were offered whatever. All the system could give her were the apprehensions. These, themselves, became the "preventive action."

**The centrepiece of Nova Scotia's child protection system is the Family Court.** The stages a case passes

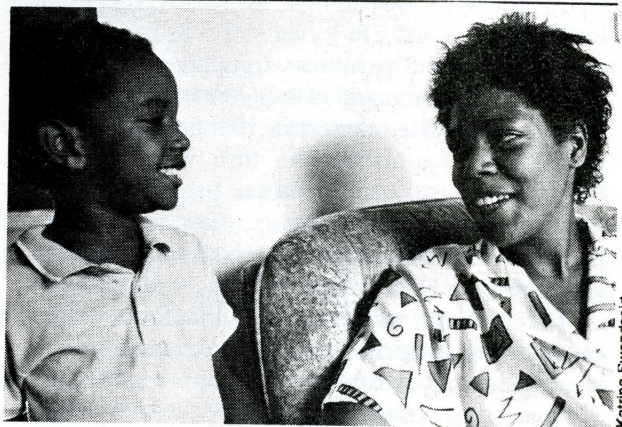
through are fairly simple. The first court date is just to look after some documentation and set a date for a hearing. It usually takes about ten minutes. By law, it has to happen within 21 days of a child's apprehension. The focus is on the technicalities of the case — who has been apprehended, under what section of the Act, and what steps need to be taken before the next court date.

The next stage is the hearing itself. There are typically two or three "pre-trials" — little meetings — in the middle of it. The judge sits down with the agency's and the client's lawyers, and they all discuss what they want to see happen.

Finally, the judge then has six months to make a "finding" (what in a criminal court would be a verdict of guilty or not guilty), and a year to decide what he wishes done. He can return the child to the parent, make her a ward of the state, or place her under the "friendly supervision" of the agency (which, in this case, maintains legal guardianship), making the parent's continuing custody dependent on her meeting certain conditions that the judge specifies.

This three-step system sounds simple but is, in fact, complex and cumbersome. Court dockets are overburdened and judges spread too thin in a chronically underfunded system. There is no provision for cases that demand a rapid response. A year and a half can go by before the court comes up with a decision — and by then, as one agency worker remarks, "The process itself becomes the outcome."

Another factor behind the system's sluggish perform-



*Gail with a friend.*

ance is the deliberate use of court delays as an agency strategy. "Stalling is a common tactic," remarks Karen Richards (not her real name), a legal aid lawyer. "If the agency wants to stall, they'll just walk out of the building. In that situation, the judge should say, 'Alright, this is the next available date, is that okay with you?' — but they don't. They wait until Gordon Kelly [one of two Agency lawyers in the metro area] has [been] consulted. He can put it off for two weeks if he wants, if it suits his strategy. It's astounding how many of the practical details can become problems, can become part of a strategy."

A more important flaw than such mechanical problems, though, is the underlying approach of the whole system. It sets the agency and the parent up as adversaries. As in most courtroom proceedings, there emerges from the dust of the battle a winner and a loser. Lawyers, naturally, try every procedural and rhetorical trick in the



book to obtain a favourable verdict. The question that even the agencies' supporters cannot help asking themselves as they watch a skilful lawyer pin an intimidated parent to the wall, is whether these legal contests bear any relation to the purpose of protecting children and helping families.

Both supporters and critics of the system agree that it has become far more adversarial over the past two decades, as legalities have come to dominate almost all of its aspects. Ten or fifteen years ago, Marilyn Peers reflects, child welfare workers went before the judge with a basic understanding of the Children's Services Act. "In the 1960's, when you didn't have lawyers and we took all our own cases to court, it was very much more informal. When I had families, I prepared the whole court hearing in advance and wrote it out. I'd go to the home and spend the afternoon and we'd go over every question I was going to ask. There were no surprises." Because parents were not subjected to unexpected questions, she adds, "they went in and they knew exactly what was there and there was a feeling of trust. We guarded that [feeling] very carefully because our role was extremely difficult if we were having to take children into care and at the same time maintain trust with the parents and be able to continue to work with them after the court process."

Over the years, however, agency lawyers began introducing references to other Acts, and more recently to the Charter of Rights. In response, parents themselves wisely turned to legal counsel. Now, lawyers dominate Family Court.

Lawyers spend years mastering the adversarial approach. Their command of it is central to their professional success. Their careers also depend on making the right political contacts. The firm which holds the Children's Aid contract in Halifax has a reputation for having excellent political connections. Lawyers who are particularly successful, in "winning" cases, might even get to become Family Court judges.

The legal professionals' command of the law often far exceeds their grasp of social conditions; in Family Court, legal technicalities frequently swamp social insights. With as many as four or five lawyers involved in some cases, and with a vast battery of legal precedents and arguments being bandied about, proceedings easily become completely mystifying for anyone who is not legally trained — and, of course, most parents who find themselves in Family Court haven't managed to get through law school.

Before the hearing, lawyers can use their training to make it more difficult for parents to conduct their defence. One of the most important tactics is to disclose as few of the details of the case as possible to parents and their counsel. Disclosure is vitally important if the other side is to understand what information the agency has and how best to prepare its own presentation, which is why it is required for fairness in the legal system.

Agencies often meet the legal requirement that they disclose the facts at their disposal at the bare minimum level prescribed by the rules. Many legal aid lawyers say they actually see less disclosure in child protection hearings than in criminal proceedings, and this in a court

that is supposed to be less formal and "non-adversarial."

As one lawyer remarks, "One of the problems with disclosure, sometimes we don't even know what the problems are until our pre-trial conference, which is two weeks before the court date, and then we have to start getting our experts together. We can't get an expert and get a report within two weeks. So we don't have the proper disclosure soon enough. And when we get the disclosure, usually we get an order that the social worker's notes be made available to us and then usually we get the notes on the night before the case opens."

What has happened, as the Family Court has become a full-fledged court of law trying the innocence or guilt of parents, is that many of the aspects of due process that might pose a problem to the state have been conveniently omitted. The right to a public trial is an elementary principle of justice, but there is no such right in a child protection hearing. This removes the check of public opinion that helps limit gross violations of justice in criminal courts. (One Family Court judge in Colchester County, for example, was fond of quoting the Bible to persuade women who came before him of their duty to obey their abusive husbands.) Lawyers can savage parents without public scrutiny. Parents are assumed to be guilty — and they are punished by having their children taken away from them — until they are proven innocent. Parents in Family Court lack the rights that people normally enjoy in almost every other sphere of the justice system.

Jean Swantko, an American-trained lawyer who acted on behalf of a parent in one recent case, remembers how astonished she was when she first looked into the Nova Scotia legislation. "I went down to the government bookstore in Halifax and paid my money for a copy of the Children's Services Act. And I started reading this law and thought, this is incredible. There are no protections here. Nothing's clear. You can't tell how many hearings there are, you can't tell when the hearings are supposed to be. It was strange to me because I'm used to a much more clearly defined thing."

The 1987 Report of the Task Force on Family and Children's Services noted that in, earlier years, Family Court was designed to provide a service "that could counsel people while helping them find solutions to their problems," as part of the "treatment process." However, the Report observes, the Court is now mainly directed "toward the judicial determination of matters and the enforcement of maintenance orders. Its role, then, is primarily a legalistic one where parties present themselves to the Court with certain legal issues to be determined." The Task Force nonetheless held that the Family Court still has a role in helping troubled families.

But it is difficult to see how the Family Court could have any part to play in counselling, because genuine counselling is surely based on a mutual trust that legal attacks can only undermine. The changes in Family Court in recent years have not only wiped out any counselling possibilities for the Court itself, but have also eroded the effectiveness of social workers on the ground. "It becomes very blatant when you work here, how afraid of you people are just because of what you represent," says John. "I like to think of myself as



friendly, not a very intimidating person, and I like to get along with people. Which is one of the reasons I have such a difficulty doing this job. It just comes home to you time and time again — it doesn't matter who you are or who you think you are, what you represent is what people see." What people see, correctly, is that talking to the social worker can be the first step toward being shredded in the courtroom.

Marilyn Peers remarks that, for older social workers like herself, these changes in the Family Court have been distressing. Lawyers now represent the Society in most cases. "There are many times," she reflects, "when we as an agency wonder, 'How does a parent feel sitting in there?'" Indeed there must be many such occasions, given the harshly aggressive tactics her agency has chosen to employ, over and over again, in demolishing parents in the courtroom.

It would be inaccurate, though, to say that Family Court works the same way throughout the province. Sometimes, agency lawyers are very careful to treat parents with respect, seem to remember that the relationships between parents and children are at stake, and conduct themselves with humanity and restraint. Other times, the Court works badly. All too often, it pushes both parents and children into a terrible nightmare.

**The Children's Aid Society of Halifax uses the services of two lawyers who are under contract to the Department of Community Services. One of these is well known for his harsh and aggressive approach in the courtroom. Gordon Kelly is notably skilled at the craft of questioning witnesses. The confidence of many parents has been shaken by his sharp, persistent questions and formidable legal expertise. To my eye, watching his tactics at work in Gail's case, his undoubted courtroom talents seemed terribly out of place. His skill in painting a negative portrait of Gail seemed merely to damage her self-image without contributing anything to the welfare of her child.**

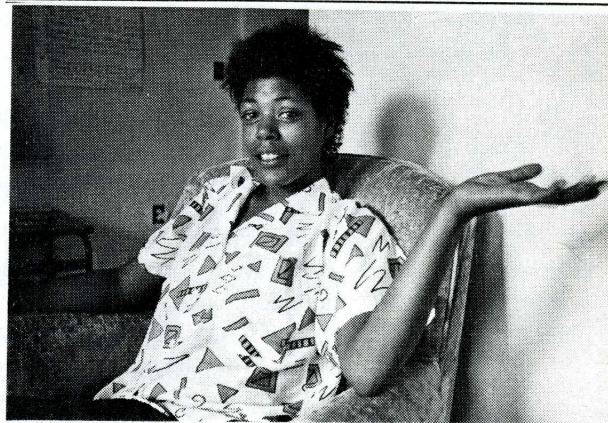
This observation turns out to be widely shared by people who have gone through the system in Halifax. "Once they've made the decision to go after wardship, their objective is to destroy the person, the parent that they're going after," one lawyer remarks. "And they do it through all kinds of, I'd like to say slander and insinuation... I've had quite a few cases where kids have been returned to their parents over the objections of Children's Aid and I just wonder what kind of working relationship is left after that really destructive proceeding. It is incredibly destructive when you see it in action."

Even apologists for the Halifax Children's Aid Society have expressed (very tactful and discreet) reservations about such tactics, without taking any strong actions to change the conduct of their counsel. Although Marilyn Peers and Gail McDougall (Director and Coordinator, respectively, of the Halifax Children's Aid Society) share moral responsibility for the activities of their lawyers, as does every individual who sits on the Board of the Society and every social worker who wins a case as a result of these legal tactics, nobody seems prepared to face up to the pain and hurt that some of the weapons used on their behalf are causing people in the commu-

nity. Everyone seems intent on shirking their moral responsibility. While the decision about the appointment of counsel for the agency rests in the hands of the provincial Department of Community Services, it is highly unlikely that the Society has no influence over its counsel or the strategies they employ.

Although repeated efforts were made to obtain Gordon Kelly's perspective on child protection proceedings, he refused to be interviewed for this article, even when written questions were given to him in advance.

**There are strong reasons to believe that the adversarial method is inappropriate, and even danger-**



Katrina Swendsen

*The courtroom odds are set against parents.*

ous, in child welfare cases. A defender of the system might argue, however, that at least the agencies and parents have an even chance in a fair legal game. This, though, is completely the reverse of the truth. Parents are usually defeated before they ever enter the courtroom door, because all the odds in the game are set against them.

The first thing they come up against is the way confidentially obtained information can be used against them. Parents who have confided to a social worker or other helping professional may well find their conversation repeated later, because the courts can issue subpoenas that compel such professionals to give evidence. If a parent goes for help to a psychiatrist or public health nurse, anything she says can be used against her.

This makes the legal battle an unequal one. If the agency has decided to go after a parent as best it can, it commands all the resources of the state to muster information from all its employees, and from medical professionals. Unless some legal guarantees are given to parents that conversations with such people will not be repeated later in a court of law, parents are taking a big risk by seeking the help they may desperately need and want. The adversarial method destroys genuine preventive counselling at its roots.

In Patricia's case, this problem caused her terrible personal anguish. The same person who had been her social worker all through her younger years was subsequently involved in taking away her child. "I felt really betrayed," she remembers. "If someone had looked after you all through your growing up and then you had a baby and this person said, 'I have the power to take this child away from you, and that's what I'm going to do,' it's like the support that you feel you had, even though it



wasn't very good, is demolished. So you're fighting your feelings. And then you feel, well, she's the only person I trust but if I reveal any of my deep, dark secrets to her, she's going to twist that around."

Both fairness and the parent's right to privacy are further undermined by the numerous connections between professionals. In one case in the Annapolis Valley, in which the agency was forced to back down after its attempted apprehension of a child was proven to have been unjustified, the social workers, lawyers, and pediatrician all clearly had prior relationships with each other and a shared social perspective. Most lawyers will urge their clients to compromise with the agency. "They say, basically, you don't get anywhere around here if you don't cooperate with social services. Not to fault them, it's just the way it works around here," legal aid lawyer Karen Richards remarks.

From her own experience, Gail sees that this sharing of perspectives builds a class bias into the system. The judge in her case made getting an appropriate job, a decent income, and better budgeting skills conditions of her getting Amanda back. She reflects: "Well, the whole problem there is that you've got the judge and all the lawyers, and they're either middle-class, or rich, or they inherited a good life from their family, and they grew up with all the necessities in life. What they don't realize is that they also grew up with a good education. And maybe they don't realize that most women who get involved with Children's Aid don't have skills or the educational background to get an 'appropriate' good-paying job."

Such professionals also often have a middle-class tendency to think that officially sponsored foster homes\* are bound to be safer, healthier places to grow up in than are working-class or poor family homes. Some judges assume as a matter of common knowledge that the agency represents the best interests of the child. Both assumptions are ungrounded. Children who are shunted from foster home to foster home often run back to the troubled families they were taken from in the first place. It is interesting that both Patricia and Gail fought so hard against the apprehension of their children partly because they had first-hand knowledge of what foster homes are like. Both grew up in such places and have no illusions about them.

There is yet another problem that sends the scales of justice tilting naturally toward the agencies' side. The Department of Community Services has built a bias right into the foundation of its funding policies. The provincial government pays most of the bill for family law practice provided by legal aid. The Department of Community Services pays the lawyers who represent the agency. Although the exact difference is not public information, it is a matter of common knowledge that the agency's lawyers are paid better and are able to devote more time to preparation.

Legal aid lawyers work under a lot of pressure and don't earn many points for concentrating on Children's Aid cases. "If you're handling a lot of Children's Aid cases, it looks like you're not carrying your load of the work," Karen observes. "And we are evaluated, to some extent, on the number of cases we handle." If they let

their other cases fall behind, they are liable to negligence suits. Typically they are credited with eight hours of preparation time for child protection cases and are expected to carry a workload based on that figure.

Karen refers to a recent appeal that was thought to require eight hours of her time. Her own estimate of the time it took her to read the transcript, research and write her argument and carry out other related tasks, is 68 hours. To some extent, clients can rely on the goodwill of devoted legal aid lawyers to prepare their cases thoroughly, but over the long term the arrangement means many lawyers give up on child welfare cases early in their careers.

After long and painful delays, and facing charges whose details they may have only had a day or two to grasp, parents come into court thoroughly intimidated. Often they have only a hazy idea of what is going to happen to them. "Nobody explained to me that it might take that long and they had to do all these different things," Gail remembers. "And they're supposed to do that. That's a person's right, to know what's going to happen and how the procedure is going to go along."

The system has their children and it has time on its side. The anguish of waiting for a decision weighs little in the balance. "Two months was a long time for me to wait until they made a decision but just imagine how other parents feel who have waited up to six months to find out," Gail says.

**Gail found it hard to meet the conditions set by the agency between January and the end of May.** She had been told to get psychological counselling, but the agency was slow in finding her a psychologist. It often proved impossible to get in touch with her social worker. Lawyers had to be contacted. Written assessments had to be prepared for the psychologist's use in court. All of these steps generated large amounts of paper and took up a great deal of time. Gail had to wait until March 6th even to hear about the verdict of her January hearing. That decision had been written two weeks earlier — but when she asked why it took that long to get it to her, she was told that the judge was on vacation.

But even *this* anxiously awaited decision was not an end to the matter. It was a "conditional court order," arranging "friendly supervision" if Gail fulfilled certain conditions (such as psychological help and counselling with regard to discipline). The next court date was set for May 30th, but Gail was unable to make any of the appointments that the Court had instructed by then. The first of the appointments was finally made for June 22nd, and the court date was shoved back to August 3rd. Each delay meant anguish and uncertainty for Gail. And her emotions and her right to know were never — and could have never — weighed in the balance. They just didn't count.

**An exceptional case took place in the Annapolis Valley last year.** Edward Dawson moved to Waterville, Kings County, in August 1987 to join fellow members of the Northeast Kingdom Community Church. Within a fortnight of his arrival, he was visited by two social workers who told him they were investigating a report



that he had physically abused his four-year-old son, Michael. (Dawson later learned that the agency had been keeping a file on his religious group since the spring of that year, months before he even came to Canada.) Dawson's trip to the hospital on September 1st, to have his son examined and satisfy the social workers' demands, was the beginning of one of the most infamous child protection proceedings in the province's history. A full discussion of the legal maze this case moved through would fill a book, but it is generally agreed that it was a true-to-life example of the worst of Nova Scotia's child protection system. The law was violated, again and again, in ways that caused harm to both father and son: when more than 21 days passed before the hearing was begun; when the child was seized by use of an invalid search warrant; when all this happened without any clear notice to Dawson outlining the allegations against him.

In its decision handed down in the Supreme Court of Nova Scotia on February 5, 1988, no justification could be found for the Family Court judge's belief that he had "reasonable and probable grounds for suspecting that a child is in need of protection." "The evidence," the decision continued, "shows nothing of Dawson's fitness unless his disagreement with Department policy on corporal punishment shows unfitness; this is hardly credible. That evidence shows no danger that would conceivably warrant the terrible sanction of finding the child in need of protection and liable to permanent separation from his father." A search warrant issued "had no foundation and was... completely invalid. Its use was certainly not redeemed by the facts that the child, screaming, was seized by police from Dawson's arms in the barn of the community where they all lived, and that the child had not been 'concealed.'" The most damaging fact from a legal perspective was that no inquiry had been started within 21 days, as required by the Act. Since, in the eyes of the Supreme Court, the judge lost jurisdiction on this matter after the end of the 21-day limit, "We need not decide whether she previously lost jurisdiction in view of the invalid seizure of the child and the failure to ensure Dawson had proper notice of the basic allegations against him."

One of the unusual aspects of this case — and certainly a factor in it being brought to light — was the inability of the agency to intimidate the parent and coerce him into cooperating with them. Dawson's conduct throughout the case was grounded in a firm belief about his rights, and in a determination not to have those rights compromised. He describes this as "just exhorting people to do what it is they're there for. If there's a good reason why they can't do it, fine, we'll challenge that reason if we don't feel it's right until we just can't go any further. And that's what we did throughout the whole thing." Dawson had the support of the community in which he lives and the legal knowledge of another church member who practiced law. In other cases, a single mother on social assistance fights alone.

**There are hundreds of people like Edward Dawson and Patricia Lyons who have been through a system supposedly set up to preserve the health and**

happiness of children. They feel that something has gone horribly wrong. And to their credit, many social workers privately confess to a feeling of being part of a machine that has long since gone out of control. The Dawson case convinced many people not directly affected by the system that something must be done to change it.

The appointment of the Task Force on Family and Children's Services, a 1987 Conference on the Family, some proposed amendments to the Children's Services Act and the recently convened full-scale review of that legislation, all suggest that the government feels it must respond to a widespread feeling of uneasiness about child protection in the province. But all this reformist noise has been accompanied by remarkably little reformist action. Little has been done to address even the top ten most urgent recommendations of the 65 spelled out clearly in the Task Force's Report. (Priority recommendations included the development of consistent standards and co-ordination of services, the reduction of caseloads, and the provision of adequate training.) Something of the low priority child welfare has in government circles became apparent at the Conference on the Family held in June last year. Although Edmund Morris, then Minister of Social Services, opened the Conference by saying, "It is the mark of a healthy society that its reach exceed its grasp," Premier John Buchanan appeared not to have grasped any of the seriousness of the situation: he used the occasion merely to retell stale Scottish jokes.

The Cabinet's recent appointment, however, of Professor Alistair Bisset Johnson, a Dalhousie law professor, to review the Children's Services Act, is testimony to this widespread feeling of public concern. Bisset Johnson has met with various groups (social workers, parents, foster parents, lawyers representing parents) and has produced a comprehensive report. Although it hasn't yet been made available to the public, Bisset Johnson's report is expected to lead to a second round of negotiations with the Department of Community Services, and a more thorough draft of amendments to the Act.

Liberal reforms along the lines of those enacted in Alberta and Ontario might alleviate a number of the gross abuses of human rights which have come to mark the Nova Scotia system, but they will not address some of the most basic questions, such as the present imbalance between prevention and protection.

Other approaches put prevention right at the centre. One has been developed by Wanda Bernard, a counsellor with the Family Service Association. At a parenting course she was teaching, she met a young couple who had had their baby taken away from them because of an injury sustained, not through intentional abuse, but due to the parents' lack of knowledge. This couple, she discovered, did not really need a course in parenting. What they needed was help with day-to-day specifics, but there was nothing in the community to provide them with it. She found volunteers, two from the couple's church and one from their neighbourhood, to help counsel the them. (She was surprised to find out how receptive people in the community were to volunteering to help out in such a case.)



Doing all this at home proved far less intimidating than if it had taken place in some agency office. Non-professional volunteers might become lasting friends, rather than remaining distant bureaucrats; parents receiving this kind of help can feel they are solving a problem, not confessing to a crime. Before Wanda Bernard tried this, the Children's Aid Society worker had been determined to press for wardship of the child; as a result of her efforts, a family that had been slated to lose their infant daughter has received her back, and the agency no longer has any complaints.

Mild and sensible as this scheme appears, it was first seen as an "interference" in an agency case and was resisted by the social worker involved, who was convinced it wouldn't work. Only an unusually open-minded judge made it possible. What sets it apart from the mainstream of child protection is that it recognizes the self-esteem and dignity of parents as essential building blocks for the well-being of a child.

**Only strong pressure will move such a strongly entrenched system away from its obsession with punishing parents.** Some of this pressure will come from a new source: the Parents' Rights Group, founded earlier this year. This group was started by parents who participated in the Parents' Resource Centre, a parenting project supported by the North End Community Clinic in Halifax, which serves the city's working-class and welfare communities.

The parents who set up the Parents' Rights Group decided that mutual support could accomplish more than relying on lawyers to battle isolated cases. One of their important accomplishments has been to dispel some of the fear the agency had instilled in the neighbourhood. "There are a lot of women who are scared to speak out because they're scared that if they say something about them, about Children's Aid, that at any moment, they can just walk in and take their child away from you," says one of the parents in the group. "I have no more fears of that because I got my son back four years ago and the Children's Aid is no longer involved with my case. I went to the group to start dealing with everything that was inside me, that I could never deal with before."

The Parents' Rights Group has discussed such topics as how working-class people should talk to their social workers. It's important, they feel, not to confide in him about day-to-day struggles, or to let social workers see the deep anger their own insensitivity is causing, because anything said in confidence can be used against parents in court. The women were also surprised to learn that they could suggest conditions of "friendly supervision" themselves. If they aren't satisfied with their social worker, they can ask to speak with his supervisor, and possibly get somebody else assigned.

This experience has been empowering for some women. Just having a sense of being together with others and having their support has been beneficial. "There's one woman who is in our group and we've become very

good friends," says group member Deb Jesseau. "If she's mad at the worker, she can call me.... How it helps me is to know that I'm there to help, and it keeps her from going off the deep end. That's one more person to fight the system. No doctor, no lawyer, no social worker, can give that support, like a friend. I like knowing the fact that I can make a difference." Adds another: "Being a single parent, who have you got? You've got each other." This new-found confidence has helped women speak out on their own behalf in the courtroom, and to change the whole direction of their cases.

It is a small group, taking on the injustices of an enormous system. But there are grounds for some optimism, because the child welfare system includes many conscientious people who are sickened by its abuse of human rights and its callous attitude towards the poor. It includes many others who, if they stand back and take a serious look at the parents and children whose lives are turned upside down by the state, will come to sobering conclusions about the system's effectiveness.

**On a warm day in late August, 1988, about nine months after I visited that courtroom where Gail's relationship with Amanda was placed under a microscope, I drop into the Parent Resource Centre in Halifax's Uniacke Square.** Gail is working here as an organizer of the Parents' Rights Group.

In this environment, her strengths have found a place. Her determination not to be passive in the face of injustice does not count against her here — on the contrary, she inspires others going through similar struggles. She enjoys the responsibility and feels good about what she is doing.

Comparing the resources of the Parents' Rights Group with the resources of the system it is trying to change makes the prospect of reform seem discouraging. But seeing the changes in Gail's own understanding of her rights and her power — in the face of a system that has tried to render her powerless — makes positive change seem possible, even against overwhelming odds.

Seeing Gail here, acting on her hard-earned knowledge and experience, reminds me of something she said to me a few days earlier:

"There is something happening in our group that is going to make a change — for the better. Maybe not so soon, but in the future... and we want the public to know that we're not going to give up on fighting. Just because we've got our cases settled, we're not going to give up. We're going to be there for other women. If it means going out there and using publicity to get what we have to say across, and make people listen, then we're going to do that."

"We just want everyone to know, that we're going to make a change. Some day."

*Andrea Currie is a Halifax writer. She also sings in the group Four The Moment.*



# Readings

## Rural Myths and Rural Realities

### 1/Don Grady: Rural Resources and Rural Power

**Gary Burrill and Ian McKay, eds., *People, Resources, and Power: Critical Perspectives on Underdevelopment and Primary Industries in the Atlantic Region*. Fredericton, Acadiensis Press and the Gorsebrook Research Institute, \$14.95.**

*The State is merely a frontal trench, an advance line of defence; behind it is a powerful fortress of concrete pillboxes...The Fortress consists of ways of living and thinking, ambitions, morality and habits which people have absorbed; this is what makes society resistant to catastrophic eruptions arising out of economic causes.*

— Antonio Gramsci

This volume (almost exclusively based on articles which appeared originally in the first five volumes of *New Maritimes*, from 1982 to 1987) carries out a spirited and effective assault. It penetrates the facade thrown up by compliant provincial governments in Atlantic Canada and their "higher order" authorities of the federal state in Ottawa, and enters right into the seldom-breached fortress of vested economic interests that form the basis of social control and exploitation in our region. The four major resource sectors — agriculture, fishing, forestry, and mining/energy — and their impact on the rural primary producers of the region provide the particular focus for this attack on the citadel of orthodoxy.

What emerges from a close reading of this book's fifteen chapters is a disturbing vision of how the "strategy" of regional development has been scandalously manipulated to ensure that the benefits of resource exploitation have enriched the few, while the human and environment costs of "growth initiatives" have been borne by the

many, particularly in the rural parts of the region.

In evaluating the work of Burrill and McKay, who compiled the articles and provided useful orientations to the particular historical and structural contexts of each resource section, I believe it is fair to say that, while they have accomplished two tasks very well, they have missed one important area almost entirely. They have accomplished two things — they have documented the bankruptcy of so-called "regional development strategies" and they have described the human exploitation such strategies entail. What they have failed to do is carry out a third task, that of developing a program for grass-roots opposition to the established order.

On the whole, articles in this volume deal well with documenting the social context within which our resource industries have operated since the 1880s, with an emphasis on the failed development decades since 1960. On agriculture, both Tom Murphy and Darrell McLaughlin provide lucid analyses of industrial farming and agribusiness in New Brunswick potato politics, while Marie Burge focusses on the prospects for producers' efforts to achieve "structural reform" of potato marketing on Prince Edward Island. The fishery section contains two excellent treatments by Rick Williams that lay out the essential impositions represented by the report of Michael Kirby (denounced here as "The Poor Man's Machiavelli") and dissect the mythic "restructuring" (read bail-out) of National Sea Products in 1984. In the unfortunately brief forestry portion, only Julia McMahon's short review of Nova Scotia's "New Forest" helps us understand how this resource was given to foreign multinationals. Part IV, which covers mining and energy, is well-served by four contributions that thoughtfully review the rapacious manipulation of

They have failed to develop a program for grass-roots opposition

### PEOPLE, RESOURCES, and POWER

Critical perspectives on underdevelopment and primary industries in the Atlantic region.

Edited by Gary Burrill and Ian McKay  
with an afterword by Rick Williams





A thorough  
dissection of  
problems --  
only a nod to  
movements  
acting to solve

these resources, including two thorough evaluations by Brian O'Neill of Nova Scotia's vanishing oil and gas prospects and the "resource tragedy" of the sinking of the Ocean Ranger off Newfoundland; McKay's detailed and unrelenting unmasking of the casual dissolution of Springhill, N.S., during and after the disaster of 1958, and Alan Story's tough-minded critique of the re-opening of the deadly fluorspar mines of St. Lawrence, Newfoundland. All these articles admirably achieve the book's goal of mobilizing an effective and accessible "popular political economy" of resource abuse in our region.

The editors and their authors have also done a good job of setting out the brutal dynamics of human and natural exploitation represented by corrupt "development" schemes. Eleanor O'Donnell's revealing outline of the tactics of the Sobey's Dynasty in Nova Scotia gives us a model for pursuing the profiles of other regional entrepreneurs like the Irvings and McCains of New Brunswick, the Jodreys of Nova Scotia, and their Prince Edward Island counterparts. In the same vein, Mary Boyd supplies a meticulous inventory of the deliberate efforts to marginalize Irish moss gatherers on Prince Edward Island, while articles by Christopher Majka, Aaron Schneider and Bruce Livesay give brief glimpses of herbicide degradation in our region.

Because each of the above demonstrates a commitment to a case-grounded presentation of political economy, the book achieves in substantial measure its "job of concrete analysis." Full marks to Burrill, McKay and their collaborators for being both unusually attentive to the need for efforts to recapture and redirect the energies of progressives and radicals in our region away from the sterility and irrelevance of "high theory" and "academic Marxism" and towards a method of analysis that will ultimately give us (as they put it) "not abstractions, but facts." (Few things have slowed down revolutionary social change in many societies quite so successfully as the dead weight of countless "correct theoreticians.") To the important degree that this collection of analyses grows out of the practice of "sustained political engagement," it has accomplished a good deal of its purpose.

These positive things said, I feel that it is also important to outline a significant gap in the coverage and interpretation contained in this volume. I refer to the failure of the articles selected to respond to the editors' call for the building of "some kind of practical alternative to the region's tragic impasse." At the end of their Introduction, Burrill and McKay conclude that "This collection reflects well what regional political economy has accomplished: it has documented, really beyond question, the failure of postwar regional economic strategy; and it has shown the disastrous impact of this failure upon thousands of people, both in the resource sector and outside it. It also *shows what now needs to be done: we need to think of a way to move off this bleak path of dependency and to build an alternative future for the region.*" (p.10, my emphasis).

In my view, the first radical task (orienting ourselves to action by documenting the social context of the bogus "strategy" of so-called "development") is well done. Similarly, while all of us have the option to prefer other case studies from the pages of *New Maritimes* and elsewhere, I agree that task two (mobilizing ourselves to confront economic and political hegemony in its regional format of "direct domination" by setting out the brutal dynamics of the exploitation imposed on both human and natural resources) is also clearly and thoughtfully undertaken. But when I ask myself to find where the contents of the book provide response to the third major requirement (implementing programmes of grassroots struggle whose challenge to the established order reflects the way in which ordinary working people in our region both understand and doggedly resist), I run into real difficulty.

What we have, in a sense, is a thorough dissection of regional problems, but only a nodding acknowledgement of the movements that are acting to solve them. Rick Williams provides, in his Afterword to this collection, a clear call for more work "combining worker and producer groups [so that] the strengths of both sectors would prevail". He answers the editors' call for proposals for alternative strategies with the following observations:

*The only way out of a sense of despair*



*about the future of the Atlantic region is to think of ways in which this trajectory can be changed. Any major social transformation requires a 'historical subject.' Some broad base of people with energy, organization and vision must seize hold of this crisis situation and create new ways of organizing economic activity, political decision-making, and social relations... Two things are missing: strong, broadly-based primary-producer organizations committed to popular control and real development in their industries, and effective linkages between primary producers and workers within primary industries.*

Williams goes on to outline three examples of existing producer organizations whose work he feels constitutes a basis for this level of action: the National Farmers Union, the Maritime Fishermen's Union and the New Brunswick Woodlot Owners' Association. He also praises the collaboration between primary producers and workers in primary industries represented by the Newfoundland Fishermen, Food and Allied Workers Union. But the problem with the substance of the material in the collection is that, apart from a few references to these organizations in the context of articles that concentrate on wider dimensions or particular issues in the brief introductory comments to each section, there is no substantial treatment of any of these crucial group settings for class-convergence.

Readers of the first five volumes of *New Maritimes* will know that the organizational development, the struggles with state and economic elites, and the significant successes of these groups have been documented and interpreted in the pages of *New Maritimes*.

Left to our own devices with the resources of *New Maritimes*, some of us might well have chosen to include material on additional examples of primary producer groups in agriculture, the fishery, forestry and non-renewable energy resources. For myself, I would enjoy reading again in *New Maritimes* the work of grassroots groups like the Canso fishers and plant workers, the Northumberland Inshore fishermen's asso-

ciation, and the Northern New Brunswick woodworkers. In a wider context that would reflect coalitions of producers, primary industry workers, and allies from the general population, I would support reprinting and circulating *New Maritimes'* treatments of the Lepreau opposition, the resistance to uranium exploitation, the Sprayers of Dioxin Association (SODA), and those Prince Edward Island groups challenging the rush to a fixed link.

It might well be argued that such treatments do not have the degree of salience or the level of connection to primary resources that would warrant their inclusion in this particular book. While one has the right to be critical of choices and principles of selection, one has an equal (if not higher) responsibility to recognize the fundamentally positive qualities of constructive analysis. But if I am correct in crediting the editors with a desire to take the substance of their valuable work off the "bleak path of dependency" and on to the demanding requirement of building an "alternative future for the region," then it is clear that the choices they have made leave important positive demonstrations of solidarity and struggle uncovered.

Work on the open question of alternative futures is — like everything else in life — on-going. The excellent beginnings represented by the contents of *People, Resources, and Power* are now in the hands and heads of readers who have the capacity to put this material to good use. What is needed next is a second volume of grounded reports which push forward the process of empowerment to which the best efforts of *New Maritimes* (and other progressive, critical publications) are dedicated. Such a step would also proceed beyond criticisms of what material might have been substituted for, or added to, the intensity of this framework. Getting on with the job of improving our effectiveness in implementing a popular sovereignty continues to require more and better practice.

As a friend of mine from the Eastern Shore says: "It's not enough to be a squeaky wheel these days. You have to be ready to roll over fat toes." •

*Don Grady is deeply involved in rural research and activism.*

It's not enough to be a squeaky wheel -- you have to be ready to roll over fat toes.



## 2/Ian McKay: Rural Romanticism and Small-Town Culture

There are half a dozen insightful, exciting studies in this collection

Larry McCann, ed., *People and Place: Studies of Small Town Life in the Maritimes*. Fredericton and Sackville: Acadiensis Press and the Committee for Studying Small Town Life in the Maritimes, 1987. \$12.95

"The Maritimes is a region of small towns," Larry McCann argues in his preface to this important new collection of essays. Two implicit arguments of this book, which emerges from a conference in Sackville two and a half years ago, is that rural or small-town culture — particularly the intimate, face-to-face interactions of small towns — and the sense of community lend a certain tone to daily life in the Maritimes.

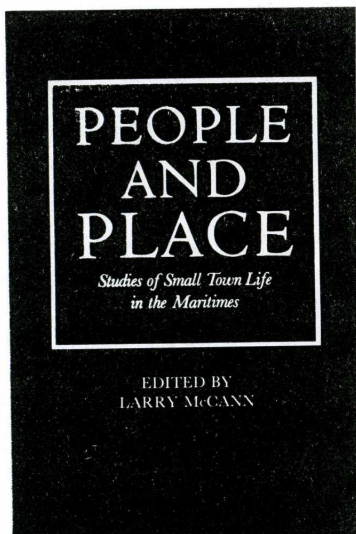
This book makes a very important contribution in restoring to regional history the complexity and vitality that got lost when the only question anyone asked was, "What went wrong with Maritime industrialization?" There are half a dozen insightful, exciting studies in this collection that will be read and re-read in the years to come as classic statements in their fields. As a whole, it reminds us that social achievement, as well as relative economic failure, belongs in a balanced approach to the region's history; that, somehow, Maritimers have succeeded, in the midst of endemic economic depression, to build strong communities and humane traditions.

Some of the best essays in this collection take us into the very specific local circumstances of Maritimers in various periods: Bill Godfrey's fascinating dissection of politics in eighteenth-century and early nineteenth-century Sunbury County, New Brunswick; Dean Jobb's tour of the cut-throat world of railway-building (in this case the coming of the New Brunswick and Prince Edward Railway); Larry McCann's and Jill Burnett's account of going from rags to riches in nineteenth-century Pictou County (a climb most easily undertaken by those connected to New Glasgow's leading families); and John Reid's fascinating study of the attempts by the Rockefeller Foundation and Carnegie Corporation to squeeze regional realities into metropolitan catego-

ries.

Perhaps the most innovative essays are those which look for patterns in Maritime literature. In an essay on "The Maritime Novel, 1880-1920," Carrie MacMillan looks at forgotten Maritime writers and finds them to be conservative and leery of social change. The Maritime setting tended to be the idealized small town prior to industrialization. In the three kinds of novels that became regional specialties — the historical romance, the international novel, and the regional idyll — writers tended to take refuge in romantic conservatism, "to turn back in time to a more 'noble' and exciting era, as a release from social change and economic uncertainty." The Evangeline myth was eminently suited to the twilight of the region's prosperity and of the world of sail. (But MacMillan also implicitly demonstrates that regional writers prior to 1920 were deeply embedded in the international market, that F.W. Wallace celebrated modern fishing methods, and that they did not develop, presumably because they did not require, the notion of the Maritimes as a pre-industrial haven). Gwendolyn Davies looks at "The Song Fishermen" of the 1920s, poets who turned to "traditional ballads, old sea chanteys, and Gaelic literary forms in an attempt to evoke what they saw as the essence of Nova Scotia." Such notable cultural figures as Andrew Merkel, Rev. Dr. Robert Norwood, Donald MacKay, Joe Wallace, Kenneth Leslie, and James D. Gillis formed a literary coterie which has been unjustly forgotten by literary historians "and by the province once mythologized by their vision of its rural and nautical character."

Eric Ross's first-person account of "The Rise and Fall of Pictou Island" is a *tour de force*, a deft description that manages to be both realistic and nostalgic. The world of its Scottish settlers "may have been limited in space but it was rich in time; it was a world where the past, the present and the future lived side by side, a world of ghost ships and of tales of people and of happenings long ago, of the events of the present day, and of forerunners telling of future occurrences, particularly of death." Families collectively





used the Island's uncleared land, demarcated by a continuous series of fences from one end of the Island to the other, as grounds for their livestock. In its heyday, Pictou Island was a happy, self-sufficient, safe place, with a strong vibrant community. The turning point in its history came after the Second World War, and since then every social change seems to have had a bad effect on the community: lighthouses were automated, gas engines removed the teamwork required by other craft, propane removed the need for collective chopping frolics, television drew people away from traditional Saturday night dances and parties, farm mechanization meant that the Island's oats could no longer find ready market, and the removal of the school meant that children had to leave for the mainland for an education. (Ross might have noted that rural decline here was merely a local instance of a process of underdevelopment that hit agricultural and fishing communities throughout the region). Now the scraped and "restored" homes of the back-to-the-landers reflect "the newcomer's fantasy of the local way of life, a way of life they were soon striving to preserve from the pressures of government, developers and, indeed, from the locals themselves. Parked beside the house might be a Volvo with university parking permits on the windshield, or a faded Volkswagen van with bumper-stickers bearing slogans of the latest causes of other places and other years." Here is a moving requiem for the world the Highlanders lost and a acerbic assessment of those who are romantically trying to retrieve it.

There is no index to this book. If there were, it would not list such words as "capitalism," "poverty," "hunger," "unemployment," "patronage," or "power." "Underdevelopment" would rate a listing or two, but only because it incidentally surfaces in discussions that otherwise generally ignore it. "Class" would be entitled to a few more mentions in this imaginary index, but only in the context of an assessment of the social origins of New Glasgow's entrepreneurial class (also referred to as the "mercantile-industrial elite"). These conceptual absences, these missing words, are symptomatic of an approach to the region which places such an emphasis on culture that it loses sight of its social and economic framework, and in particular of the clashing inter-

ests present in any functioning capitalist society. This approach can be termed "culturalism." For all the excellence of the individual pieces here, I am not completely convinced by the culturalist whole.

Is there, really, such a thing as "Small Town Life," a cultural category embracing small single-class fishing villages, mining towns dominated by one large employer, industrially diversified and sophisticated centres like urban Pictou County? No clear demonstration of the value of looking at "small towns" as a category occurs in this book. Even defining the category is difficult. After telling us that the majority of Maritimers live in small towns, George J. De Benedetti and Richard J. Price then confusingly identify 259,198 Maritimers as living in "small towns and villages," out of a total regional population of 1,663,651. As for literature, when we read novels set in rural or small-town settings, what we are in fact reading are the works of urban, indeed cosmopolitan, writers. Pictou Island, so well described by Eric Ross, is not a "small town" in any recognizable sense. There is a patronizing tinge to the very phrase "small town": one imagines Norman Rockwell paintings and Stephen Leacock's *Mariposa* and cosy church socials — and not the strikes, violent protests, hardball politics, and social problems that we find in Digby, Cape Sable Island, Campbellton or Blacks Harbour.

There are places in this book where, for the sake of developing a "small-town" image of the region, some arguments have been made that seem rather wide of the mark. Patrick L. Baker's fascinating piece on New Brunswick's regional newspapers, for example, is lumbered with the distinction between "gemeinschaft" and "gesellschaft" associated with the German sociologist Tönnies. (These words can be roughly translated as "community" and "society"; in the first, you have a collectivity living and working naturally together within a familiar, valued territory, and in the second, an individualistic society founded on the principle of self-interest).

It makes sense for Baker to appeal to this theory, but in applying it to the media in New Brunswick, he is forced to try to squeeze contemporary small-town New Brunswick into an unlikely "natural community" mould. New Brunswick towns are hardly "communities" in Tönnies's sense. He tries to argue that weekly newspapers

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This collection  
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steer clear of political controversy because they are so embedded in the "community" that reporters and editors practise a kind of self-censorship. On closer inspection, the "community" in this case means the "business community," most specifically the big grocery chains with their lucrative Wednesday advertisements. (Since advertising is the weekly newspapers' main source of revenue, with over two-thirds of the weekly newspapers devoting 70% of their space to advertising, this part of the "community" is powerful indeed!) There is very interesting research and analysis in this paper, but it is poorly served by being put in such a romantic, unrealistic perspective — it is as though even a tough-minded scholar has succumbed to the Sobeys' self-interested ideology of down-home friendliness.

Another piece which raises this kind of problem is Larry McCann's and Jill Burnett's excellent essay on social mobility in Pictou County — a study which heavily qualifies the "rags-to-riches" myth by demonstrating that industrial capitalists usually began their careers with several factors in their favour (such as a marriage into one of the elite families). What is less convincing, perhaps, is the attempt to place this finding in the context of the problem of regional development in general, when the "existing culture of a society" becomes more than just one factor in explaining the particular shape of a local economy and is instead seen as *the* crucial determinant of economic success or failure. Yet to explain the failure of Maritime industrial capitalism primarily in terms of Maritime culture seems a hazardous and difficult undertaking. It seems to raise many of the same problems as the "culture of poverty" hypothesis, which interpreted the poverty handed down generation after generation in the ghetto as a problem whose main origins lay in the culture of the poor. There are a number of problems with giving culture this position as the key to society; one of the most formidable, in the

Maritimes, would be the relative failure here of the Presbyterian Scots who elsewhere proved such worthy carriers of the acquisitive impulse. What is surely striking is that regional decline affected all of the many places and cultures found within the region, which then makes it difficult to attribute either early economic success or subsequent economic failure to the cultural characteristics of any one of the region's many peoples.

Finally, Thaddeus Holownia's very attractive photographic essay on the gas station — presented as the "corner stone of rural and small town architecture" — is remarkable for managing somehow to convey a sense of nostalgia for "multi-turret, Disneyesque-styled stations" with which the Irvings once dotted the rural landscape, without touching once on the real significance of what is being portrayed. Wrapping Irving stations up in the pastel tones of rural romanticism is surely perverse, for it was precisely such large impersonal corporations like Irving, with its urban headquarters, its waged labour, and its monopoly profits, that have increasingly made rural people as subject to bosses and time clocks as their urban counterparts.

Culture should be central in work about the Maritimes, but it cannot stand in as a "black box" explanation for patterns in regional political economy. Nor should culture and political economy ever be divorced, as they too often are here. Taken as a whole, this collection radically underestimates the ugly realities of "small-town" class and power and poverty. Some people in the "small towns" get to live in Victorian mansions and some get to live in trailer parks. This vision of regional culture refuses, for the most part, to make this distinction. This is not to detract from this collection's great merit — it has opened new vistas, some of them new and unsuspected, on a fascinating cultural realm too long unexplored. •



From Thaddeus Holownia, "The Gas Station: Corner Stone of Rural and Small Town Architecture", from *People and Place*.



### 3/Erik Kristiansen: Realism and the Crisis of Rural Community

**Janice Kulyk Keefer, *Under Eastern Eyes: A Critical Reading of Maritime Fiction*. Toronto, University of Toronto Press, 1987, \$14.95.**

In the first part of my review of Janice Kulyk Keefer's landmark study of Maritime literature [*New Maritimes*, September/October 1988] I focussed on some of the problems with her treatment of the theme of community. Here I'd like to talk about the way she approaches the region's history and the tradition of realism that forms the very foundation of historical fiction, especially that which takes the transformation of the region's rural life as its theme.

Historical fiction is the most weakly developed part of Keefer's book, even though she draws on a wide range of texts and has read Georg Lukács, the Hungarian critic whose writings on the historical novel are the most interesting and useful available. I like the way she discusses the things historical fiction can accomplish:

*...we might expect from historical fiction, with its deliberate focus on a collective past outside the writer's or reader's personal memory, a powerful manifestation of this continuum, radically restoring or freeing our notions of what really was, so that we can begin to see what is truly around us, and what might be actively brought into being.*

Historical fiction like this would bring an alternative vision of the region into being. Historical fiction, according to Lukács, often uses a "type" of character who brings the essential aspects of an historical situation to their highest level of development the essential aspects of an historical situation. Keefer argues that in Maritime fiction we cannot find this "type" of character which Lukács thought to be such a central category and, indeed, the very defining characteristic of "realist" and (to use Keefer's words) "by extension, historical fiction."

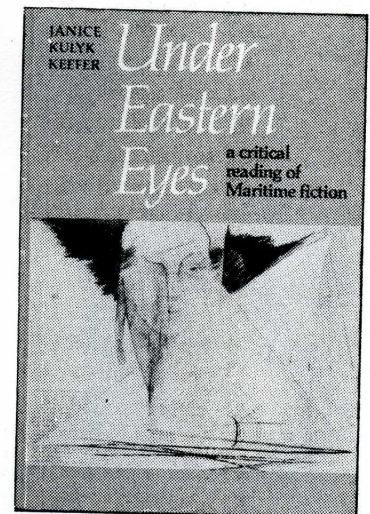
Unfortunately, to discuss historical fiction in the Maritimes requires more than a nodding acquaintance with Maritime history, and Keefer's grasp of regional history is simply inadequate. She is the victim of the "Golden Age" mythology that historians have long since undermined. Her dated approach comes through especially in one key passage:

*One historian of the Maritimes concludes that, 'for geographical reasons alone, the region was destined to be passed by or passed through' by explorers, settlers, and adventurers on their way to the productive soil and vast resources of the interior. ...Outclassed by the port cities of America's Atlantic Seaboard, bypassed by the intensive railway building that took place in the continent's interior, the Maritimes enjoyed only a brief and freakish economic boom after the decline of the region's strategic military importance during the conflicts between France, England and America for control of the continent between the beginning of the Seven Years' War and the conclusion of the Napoleonic Wars.*

After this emphatic endorsement of the superseded view of historian W.S. MacNutt, Keefer informs us that numerous commercial failures made Maritime capitalists conservative and penny-pinching. And so, after the all-too-brief "Golden Age" of mid-nineteenth-century prosperity, we were left with economic stagnation.

This rehash of dated history and discredited myths suggests that Keefer's investigations into Maritime history have not taken her into any of the recent major works of modern regional historians. She presents as historical fact a view of the past that, before the 1970s, was the prevailing orthodoxy, but which since then has found very few defenders. A score of important historical studies, particularly one very significant

Keefer is a victim of the "Golden Age" mythology that historians have long since undermined





MacLennan's cultural service to the Canadian state has involved, as Keefer pithily notes, "some cost to his native region"

article by T.W.Acheson, has undermined this Golden Age approach. We now know that from the 1880s to the 1910s the region underwent a rapid and intensive process of industrialization. Railways, factories, coal mines and steel mills all emerged within the framework of Ottawa's National Policy. Industrialization after the National Policy of 1879 also affected such port cities and towns as Saint John, Halifax, St. Stephen, and Yarmouth. Under the influence of this major thrust of industrialization, other smaller centres also enjoyed some industrial development.

However, significant though it was, this period of intensive industrialization was relatively short-lived. Maritime ownership of this industrial development was lost to Montreal and Toronto financiers. The result was the establishment, by 1914, of a branch-plant economy. Significant changes in the economic and political climate from the early 1890s onward led to a gradual de-industrialization of the Maritimes that was largely complete by the early 1920s.

Historical fiction is a serious topic for students of Maritime literature. An awareness of history is a regional trait. A mistaken or oversimplified view of history is, therefore, highly damaging for a literary scholar. Keefer misses the point of Lukács' idea that historical fiction can open a window on the deeper movements of history. She presents an offensively dismissive conclusion: "If there were a historical type native to the Maritimes, surely it would be that of the pawn or born loser..." This comment represents a complete capitulation to mainstream, central Canadian stereotypes, and sounds a strange note indeed in a book extolling the virtues of regional literature.

Keefer, in fact, never poses the question, "What is a historical novel?" She tells us flippantly that "perhaps to compensate for the sheer dolefulness of its history the Maritimes have favoured the development of the historical romance over the historical novel." All four of the "fictive histories" selected by Keefer are set in the eighteenth century. Why has she avoided historical novels centred on the Maritimes in the twentieth century? Or does only the more distant past qualify as "history"? Why neglect such twentieth-century novels as *The Channel Shore*?

In other words, for all her apparent sophistication, Keefer has merely cited Lukács and then promptly forgotten him. There can be little doubt that, from a

Lukácsian perspective, *The Channel Shore*, *Barometer Rising*, Ernest Buckler's *The Mountain and the Valley*, all of David Adams Richard's New Brunswick novels, and Alden Nowlan's *Various Persons Named Kevin O'Brien* all exemplify the historical novel more than the works Keefer has analyzed. By not dealing with them, Keefer condemns her analysis to superficiality.

Even the less interesting novels that do fall within her definition are interpreted in a problematic way. Commenting, for example, on Charles G.D. Roberts, the region's premier historical novelist, she informs us that "his mortician's touch to the body of the past seems perfectly to fit the context in which he wrote — the Maritimes' economic and political decay following Confederation and the implementation of Macdonald's National Policy." Charles G.D. Roberts has "an obsession with presenting the past as unconditionally elegant, idyllic, beatific" and all, of course, within the form of the historical romance because of the "Maritimes' economic and political decay following Confederation and the implementation of Macdonald's National Policy." This interpretation is seriously flawed. Keefer's attempt to reduce the form and content of Roberts' historical novels to a non-existent past cannot be defended. A more accurate interpretation of Roberts would see his romantic escapism as a reaction against the industrialization of the southern New Brunswick to which he was so devoted.

I think the most glaring omission in Keefer's discussion of the historical novel is Hugh MacLennan's *Barometer Rising*. (To be fair, her discussion of this novel in the chapter "Politics and Fictions" is by far the most penetrating analysis in her entire study.) Keefer rightly sees *Barometer Rising* as a political novel, written by a middle-class intellectual devoted to a new vision of society. MacLennan wanted to help build a unifying culture that would bind cultures imported by immigrants of differing national origins. (This strategy is most in evidence in his later novel *Two Solitudes*.) MacLennan's cultural service to the Canadian state has involved, as Keefer pithily notes, "some cost to his native region," whose conservative and decaying essence is given what appears to be an authoritative treatment.

But something is missing in Keefer's account. Like Macphail, MacLennan is pre-



occupied with the cultural consequences of capitalist development. His first two published novels, *Barometer Rising* (1941) and *Two Solitudes* (1945) focus on economic and social change in Nova Scotia and Quebec. I think these novels, particularly *Barometer Rising*, illustrate the social and psychological conflicts that arise from the development of wage labour and changes in the class structure, and that there is a dimension here that Keefer has missed.

Although she is aware that *Barometer Rising* takes a conservative position towards the working class, Keefer interprets the conflict between the central character, Neil Macrae, and the representative of nineteenth century merchant capital, Geoffrey Wain, strictly as a family affair. And, in fact, theirs is indeed a family conflict, while it is at the same time a clash between the traditional Nova Scotian ruling class and an emergent professional middle class. Although Keefer is also aware that fishermen are in conflict as a class with the merchants, she ignores one of the novel's central themes: the death of the small producer and the craftsman. Simon Perry, trained in the traditional craft of building ships from his own models ("miniatures exquisitely carved out of a soft wood and complete to the last detail") is a wage labourer in Wain's shipyard. He is confronted with incomprehensible blueprints for motor-driven vessels he cannot intuitively understand. Even Penny, Geoffrey Wain's daughter, a university-trained marine architect, finds the new ships "strange," and resists building them according to such rigid plans. "The idea of building ships this way appalled her," MacLennan notes. "The worst aspect of it was that the principle was sensible. What was the use of quality in a world like this?...If the war continued much longer they would be forced to build like this here, and what was left of the old Nova Scotia tradition of shipcraft would disappear entirely. It was going fast enough as it was....The real skill of the future would be the manipulating of men, and ever-increasing dexterities would be developed to fit the masses of men into the moulds produced by the designers." The conclusion to Penny's train of thought is particularly interesting, as she foresees the complete standardization of the labour process, when not only would the production of material products be standardized, but that workers would also be subjected to social engineering to ensure their powerlessness. MacLennan, like

Macphail, was convinced that this transformation was central for understanding the history of our region.

For many Canadians, MacLennan is viewed primarily as *the* nationalist novelist. "The subtitle of *Barometer Rising* could well be 'Birth of a Nation,'" Keefer remarks sardonically. It is, she notes, a portrait of the apocalyptic collapse of a colonial society and the birth of a vision of Canada as a 'central arch' linking the old British Empire with the new American one. This vision requires that MacLennan turn his back not just on England, but on his native region. Keefer might have added that MacLennan was also engaged in a dialogue with the forces of a new regional identity as they developed in the 1920s and 1930s.

Although *Barometer Rising* appears to be a realist novel, a close reading of the text reveals that MacLennan had rejected realism in favour of naturalism. While realism permits the active participation of people in the process of historical change, naturalism argues that human behaviour is determined by heredity and/or environment. In an essay written in 1948, "The Future Trend in the Novel," MacLennan identifies his earlier novels, which include *Barometer Rising*, with an economic determinist variety of naturalism. MacLennan's future novels would be largely psychological, rather than social or economic, in their orientation. MacLennan's new psychological individual fits quite well within an ideology of middle-class individualism.

The rapidity of historical change can create the illusion that our everyday world is unreal. MacLennan, in the middle of the 1930s responded to this transformation of perception by visualizing our everyday world as "unreal," and women and men as merely the playthings of remote and uncontrollable historical forces. Reality for MacLennan had moved beyond the world of our lived experience to the ultimate "reality" of abstract historical forces.

Something more needs to be said about the deeper roots of MacLennan's nationalism. In the pre-capitalist mode of production in rural areas, meaningful lived experience depended on religion. In the twentieth century, with its large anonymous cities, this no longer holds: even such experiences as death lose their significance. The Halifax Explosion prompts Angus Murray in *Barometer Rising* to reflect that "Death in a great city seemed... much like death in the war, an atomic life extinguished finally by

The rapidity of historical change can create the illusion that our everyday world is unreal

Janice Kulyk Keefer.





MacLennan became the ideologist of the new Canadian nationalism, undermining the traditional "community"

an enormous process which had always been its enemy." Nationalism provided MacLennan with an alternative structure of meaning to religion, at a time when society was rapidly transformed. He became the ideologist of the new "society" and of the new Canadian nationalism undermining the traditional "community" and its widely accepted values.

The crisis of community which, in MacLennan, is resolved through nationalism, is paralleled in other writers by a deeper crisis of realism itself.

Alden Nowlan, in *Various Persons Named Kevin O'Brien*, and especially Ernest Buckler in *The Mountain and the Valley*, suggest that modern capitalism has undermined the writer's confidence in being able to describe social reality, particularly when what is being described is a rural culture rapidly being undermined by social change.

Realism is a specific way of living in and knowing the world, rooted in the social, economic, and cultural foundations of our collective existence. The novels at the very centre of the Maritime experience are pre-occupied in one way or another with the lived experience of a fundamental change in our dominant regional modes of production. Realism expresses a confidence in the knowability of the external world. The collapse of this knowable world finds its echo in a failure of language.

Keefer's approach to realism starts out from Lukács. She begins her exploration of realism with his suggestion that realism is a search for that deeper, hidden essence of reality. Once again, the theoretical insight is short-circuited. The relations between the "text" and its "context" are inadequately explored. Keefer does tell us new things about how historical conditions shaped the content of realist narratives. In marked contrast to most contemporary critics, Keefer questions the autonomy of the imagination and its textual productions. What she doesn't do, however, is go a step further to investigate the relationship between realism as a form that came about at a specific time and the general historical circumstances which account for its rise and decline. She does not ask, "Under what specific conditions is realism historically produced and what are the historical conditions that will lead to its gradual replacement by another aesthetic form?"

One possible answer to this question would go something like this. The "essence

of reality" in social formations dominated by capitalism is its appearance of "unreality." The rapid and continuous change in technology, patterns of work, cultural fashion, consumption, and fundamental values, all associated with the capitalist mode of production, leave us with the impression that there is no coherent, external "reality." There is only a process of continuous change. As Gerald Graff urges, people who experienced a large part of their lives in pre-capitalist social formations "could perceive the incursion of this capitalist reality as a profound change". Anti-realistic theories of literature are cultural reactions to the loss of a sense of underlying reality. The "isolated" individual, the consumer of continual innovations, emerges as the centre of her/his social and cultural world.

Keefer comes close to seeing this. In one passage, she quotes Ernest Buckler to substantiate her argument about the confidence Maritime writers have in realism:

*Maritime writers would seem to share a confidence foreign to modernist and anti-modernist alike, a belief in the reality and significance of the accessible world of human experience common to reader and writer. That which is actual, to hand, and meaningful by virtue of association with established patterns of thought and action; that which is richly particular — Sam Slick's clocks, Anne Shirley's red hair, Kezia Barnes's tinder-box, Ellen Canaan's rug, is the prime stuff of Maritime fiction.... Nova Scotia is a place where so many inanimate things take on a living quality because of an intimacy nearly personal with the man amongst them. His grasp on the implement. His way of life hewn to the shifting seasons... Scarce anything around him but touches, in some way closer than the mere retinal, on his work and wonderment....*

Buckler, however, is more convincingly seen as an example of a waning of confidence in a realist tradition.

Like Macphail and Bruce, Buckler's *The Mountain and the Valley* (1952) examines the transformation of power in the modern Maritimes. His *Ox Bells and Fireflies* (1968), a portrait of the Annapolis Valley of his youth, reveals Buckler to be disillusioned



with the world of wage labour and with urban industrial capitalism, and romantically nostalgic for the dying lifestyle of the traditional farmer. *The Mountain and the Valley* is in many ways an elegy for this lost rural world, for the time when a farmer (in this case, the father of David, the pivotal character) could say, "this is my own land," and confidently predict that "someone of my own name will always live in my house." It can also be read as a type of political novel, if we mean by "the political" the production, organization, and distribution of power in a particular society. Buckler describes a political conflict between two quite distinct lifestyles, two very different modes of production.

David Canaan, the pivotal personality in *The Mountain and the Valley* is the kind of character who (as the critic Fredric Jameson puts it) acts "as the vehicle and recording apparatus for a complex new and as yet unnamed feeling about things..."

David is an odd figure in Buckler's imagined community of Entremont. He seems to be the stereotype of the artist as "outsider": intelligent, introverted, and, particularly during the last part of the novel, lonely and alienated from his community. He is, nonetheless, so loyal to this rural world that he chooses to remain there and make it the centre of the novels he hopes to write. His precocious intellect and his sensibility alienate him from the down-to-earth values of the barely literate farming families who, for generations, have made up this community.

Keefer is aware that Buckler's world, as well as David's fictional world, is undergoing change and that *The Mountain and the Valley* depicts the penetration of the Valley by modern capitalism. She fails to notice the connections between these massive economic changes and the early death of David, and does not make capitalist transformation a central part of her interpretation of the novel.

Echoes of economic and social transformation in the Valley are to be heard throughout the novel. David Canaan, describing the land surrounding his family farm tells us that:

*A big American company had bought these farms solely for their timber. The company had no interest in the houses or the fields. The people had moved to town. Their doors were open and their windows broken out by*

*hunters. The walls were still upright; but the kitchen floors sagged towards the cellar, the plaster had warped and crumbled.*

Under capitalism, the land has become simply one more commodity for sale in an impersonal marketplace.

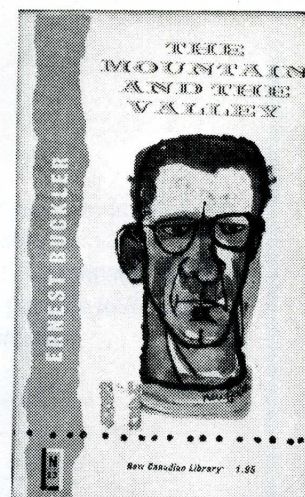
What needs to be stressed is that this massive social transformation has brought changes to David's perception of the world, has undermined his certainty in the reality of the world as enclosed by language. Realism, we have seen, is the attempt to penetrate below the surface of the social world in which we live, which in turn assumes that language is able, when carefully used, to represent (re-present) the world of our activities and experiences.

Keefer says that Buckler distrusts language because he is aware of the solitariness of individuals and their separateness from the natural world, and because he is so committed to a rural way of life in which an integration between being and the world was possible, a natural world of wordless labour, gesture, and touch. She sees Buckler as being trapped in an insurmountable contradiction: he is trying to put in words a "wordless" culture, trying to be a philosopher, while at the same time distrusting abstraction. Leaving such contradictions unresolved condemns Buckler's fiction to a kind of schizophrenia.

It seems to me that Buckler's contempt for urban intellectuals, and for the social, economic and cultural foundations of their lifestyle, is of a same piece with his rejection of industrial capitalism as of a mode of living. Capitalism, he sees, is undermining the traditional farming communities of the Annapolis Valley. There is a strong connection between the alienation of people from both their natural and social worlds and their faltering sense that words describe an external reality. The contradiction lies not in Buckler's supposed philosophical position, but in the real clash between two modes of life and their associated lifestyles.

This crisis in realism is the very problem that David Canaan is preoccupied with in the novel's "Epilogue." The non-verbal values that Buckler believes to be the fundamental characteristic of pre-industrial small farming communities cannot provide the artist/novelist with the language to accurately represent the fabric of that world. How could David recreate the "single core of meaning" manifested in all

Under capitalism, the land has become simply one more commodity for sale in the marketplace





the different voices of this world? Shortly before David dies, he despairs of ever being able to realize such meaning in language:

*He didn't consider how he would find it. (The words he'd put in the scribbler before now had never fallen smooth over the shape of the remembrance, or enclosed it all. But the minute he put the scribbler away the perfect ones seemed surely possible to be found the next time.) Nor how long it might take. (If you took a hundred years then — though neither this thought was explicit nor reason's denial of it, for the swelling moment to transcend — he would live a hundred years.) He knew only that he would do it ... It would make him the greatest writer in the whole world.*

However, several pages earlier, David, thinking about the multitudes of "things" which he could capture in language, realizes that the world of reality contains so much diversity that it "swarms": "And the frightening clarity..I could realize the whole content of everything there is, he thought, if they didn't swarm so."

Buckler, it seems to me, is pointing out a double weakness of language as he perceived it. First, the indigenous speech of the rural farming community could not be used to capture the complex reality of this mode of living. And second, the "sophisticated" language of the urban intellectual is not only alien to this lifestyle, but it appears unable to penetrate the reality of either his or David's childhood. Buckler questions the very underpinnings of literary genius.

There doesn't appear to be any connection in *The Mountain and the Valley* between David's crisis with realism and the transformation of the economic, social and cultural life of the Annapolis Valley. However, it seems reasonable to suggest that the rapidity of change in Buckler's own world contributed to his personal crisis with language in general. Buckler's second novel, *The Cruellest Month*, attacks the language of intellectuals. Indeed, Paul Creed, the central character, destroys his writing at the end of the novel. We have another potential artist/novelist who not only destroys his writing but isn't expected to live for more than a year or so. Is Buckler's nostalgia for his "promised land" so overwhelming that language simply cannot re-capture what he has lost? Is death, permanent silence, the

only way out of what he perceives as an intolerable situation? Although Paul Creed chooses to live in the Annapolis Valley, he does so by operating a tourist resort for psychologically disabled urban intellectuals. Paul's decision to close the tourist inn, combined with the destruction of his notebooks, and his union with the largely illiterate Letty, would seem to indicate a complete rejection of modernity — including its language of modernity — on the part of Buckler. While David Canaan still desires to achieve realistic writing at the end of *The Mountain and the Valley*, Paul Creed, in the ultimate expression of Buckler's despair, dismisses writing as a complete waste of time. Although realism has hardly disappeared in Maritime literature since Buckler (and one can only hope it will regain its lost influence), he captured with brilliance the very moment of its postwar eclipse by ways of seeing.

The understanding of Maritime literature is vitally important for a renewal of our regional culture. Keefer has done an excellent job of reading works which have been unjustly relegated to obscurity. Far more than most contemporary critics, she has been willing to ground her literary discussion in its historical context. Frederic Jameson has pointed out that when we make a distinction between cultural texts that are social/political and those that are not, we confirm the "social and the psychological, or the political and the poetic, between history or society and the 'individual,'" and this separation maims our existence as individual subjects and alienates us from our speech itself.

Keefer has bravely opened a debate about regional history and literature. She deserves full credit for packing a wealth of fascinating detail into her book. Her mistakes, many of them fairly serious, will not stifle debate, but fuel it. In being brave enough to have a go at synthesizing a wide and difficult field, Keefer has given regional scholarship a new impetus and direction. The debate about closing the gap between the literary and the political in the discussion of the literature of our region is only just beginning. It promises to be both fascinating and inspiring.

*Erik Kristiansen teaches English and History in Halifax and is writing a general study of Maritime Literature.*

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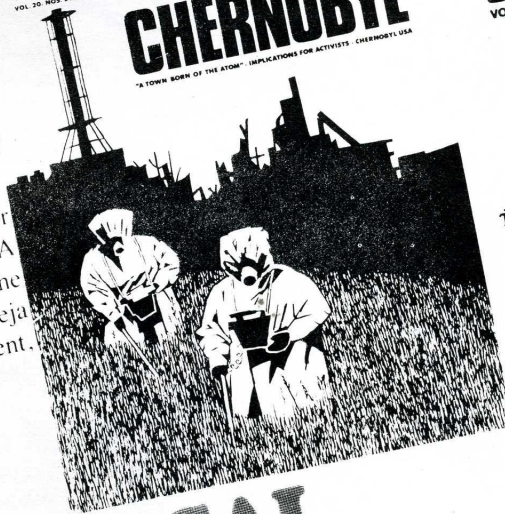
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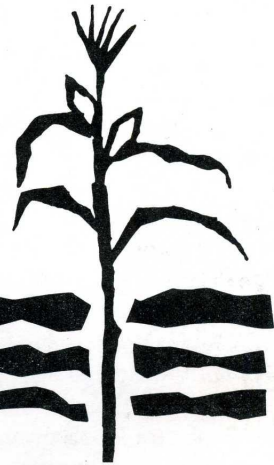
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