

THE RISE OF THE ASYLUM IN UPPER CANADA, 1830-1875:
AN ANALYSIS OF COMPETING PERSPECTIVES ON
INSTITUTIONAL DEVELOPMENT IN THE NINETEENTH CENTURY

by

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The Rise of the Asylum in Upper Canada, 1830-1875: An Analysis of
Competing Perspectives on Institutional Development in the

Nineteenth Century

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ABSTRACT

In this thesis, competing perspectives on the rise of the insane asylum are assessed in terms both of their utility in the study of institutional reform in general, and of their applicability to the study of institutional development in nineteenth century Canada in particular. The thesis explicated the arguments regarding the origins and development of nineteenth century mental institutions, or insane asylums, reflected in the writings of Gerald N. Grob, Ruth B. Caplan, Norman Dain, Thomas S. Szasz, Michel Foucault, David J. Rothman, and Andrew T. Scull. Through explicating the arguments advanced by these authors it was shown that the rise of the insane asylum has been viewed both from a "conventional liberal" perspective, which holds that the institution owed its existence primarily to the humanitarian reform efforts of early psychiatrists and lay reformers, and a "social control" perspective, which basically argues that the insane asylum, like the penitentiary and the house of industry, was created in order to impose social control on a special category of deviant individuals. Significantly, it was also demonstrated that there exist several distinct variations of the social control perspective.

The method used to assess the utility of the competing perspectives was to examine materials relating to the origins and development of the insane asylum, the penitentiary, and the

house of industry, in one historical setting - Upper Canada from 1830 to 1875. It was hypothesized that if the historical evidence derived tended to support one perspective over another, then the proper course would be to seriously question the utility of the unsupported perspective, and consider the utilization of the more fruitful perspective in future studies. Alternatively, it was proposed that if none of the competing perspectives was supported by the data, then it would be proper to suggest the need for theoretical innovation in the study of institutional development in Canada.

The major conclusion reached by the author was that, on their own, none of the competing perspectives adequately accounts for the rise of the insane asylum in Upper Canada. On the basis of evidence which showed that common threads paralleled the rise of the insane asylum, the penitentiary, and the house of industry in Upper Canada, it was concluded that the "conventional liberal" perspective was far too narrow in its scope to serve as an adequate guide to historians. Similarly, it was concluded that, with the exception of the "macro-sociological" perspective advanced by Andrew T. Scull, each of the social control perspectives suffers from such serious inadequacies that they are of only limited utility in the study of nineteenth century institutional development.

The research implications which stem from this thesis are potentially far-reaching. As a result of the conclusions

reached, it was proposed that future studies of the rise of the insane asylum in Canada may greatly benefit from adopting a "comparative macro-sociological" perspective. This perspective takes into account the possibility that the rise of the insane asylum was but one manifestation of a general process of institutional reform which occurred in nineteenth century Canadian society. In addition, the perspective recognizes that developments in the areas of mental health, corrections and public welfare occurred on an international scale during the nineteenth century. In the final analysis, it was observed that the "comparative macro-sociological" perspective may serve a dual function, in protecting historians against the possibility of overlooking important facts, and in aiding sociologists in the eventual formulation of an encompassing theory of institutional development.

To Sarah

"At this festive season of the year, Mr. Scrooge," said the gentleman, taking up a pen, "it is more than usually desirable that we should make some slight provision for the poor and destitute, who suffer greatly at the present time. Many thousands are in want of common necessities; hundreds of thousands are in want of common comforts, sir."

"Are there no prisons?" asked Scrooge.

"Plenty of prisons," said the gentleman, laying down the pen again.

"And the Union workhouses?" demanded Scrooge, "Are they still in operation?"

"They are. Still," returned the gentleman, "I wish I could say they were not."

"The Treadmill and the Poor Law are in full vigour, then?" said Scrooge.

"Both very busy, sir."

Oh! I was afraid, from what you said at first, that something had occurred to stop them in their useful course," said Scrooge. "I'm very glad to hear it."

Charles Dickens, A Christmas Carol, 1843

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The interest shown by the members of my supervisory committee, professors Neil Boyd, Paul Brantingham and Hugh Johnston, as well as their constructive comments and criticisms, are greatly appreciated. In addition, I owe a very special tribute to my senior supervisor Dr. Simon Verdun-Jones, who introduced me to the study of criminal justice history, encouraged me in my writing, and ably guided me through every phase of my graduate education.

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I. Introduction

Contemporary interest in the study of Canadian social history has reached an unprecedented level. Within the history, sociology, and criminology departments of various Canadian universities, academics are increasingly turning from other topics of inquiry to the study of our social past.¹ One of the most striking indications of this recent trend is a burgeoning interest in the historical origins and development of the "insane asylum" during the nineteenth century.

Owing to the availability of well preserved archival materials, contemporary Canadian social historians have the potential to contribute immensely to our understanding of both the unique socio-historical factors which influenced the establishment of Canada's earliest mental institutions, and the process of institutional development in general. Unfortunately, however, the growth of a coherent body of knowledge on the historical origins and development of the insane asylum has been seriously hindered by a hesitancy on the part of researchers to undertake primary historical research, and a concomitant reliance on arguments advanced both by early Canadian medical

¹The increase of interest in social history among Canadian academics is discussed in Michael Horn and Ronald Sabourin, eds., Studies in Canadian Social History, (Toronto: McClelland and Stewart, 1974), p. 7-18; and in Tom Brown, "Architecture as Therapy," Archivaria 10 (Summer 1980): 99-123.

historians and more recent foreign academics. Indeed, Canadian academics have yet to seriously question the utility, and general applicability, of the "competing perspectives" on institutional development reflected in the contemporary historical literature concerned with the origins of the insane asylum.

The aim of this thesis is to provide a critical assessment of contemporary literature concerned with explaining the historical origins and development of the insane asylum in the nineteenth century. This task is approached in the following chapters through an examination of historical evidence on institutional development in the province of Upper Canada during the mid-nineteenth century. The primary objective of this thesis, therefore, lies in assessing the usefulness of existing "theoretical" perspectives for the analysis of institutional development. Thus, even though most of the data found herein are historical, the thesis may better be viewed as being either sociological, or criminological.²

²In that the study is not concerned solely with the presentation of previously unexamined historical data, it would be inappropriate to classify it as an historical thesis. Rather, in its emphasis on using historical data for accessing social scientific theory, it shares a close affinity to Kai Erikson's Wayward Puritans: A Study in the Sociology of Deviance (New York: John Wiley and Sons, 1966), wherein the author used the historical setting of Puritan New England to examine certain ideas on how a society comes to define deviant behavior. Another comparable work is Joseph Gusfield's, Symbolic Crusade: Status Politics and the American Temperance Movement (Urbana: University of Illinois Press, 1963).

The format of the thesis is intended to reflect its interdisciplinary nature. In the first chapter, four separate concerns are addressed. First, the major reasons for selecting Upper Canada as the setting within which to examine existing perspectives on institutional development are presented. Following this, a review of the literature concerned with the origins and development of early Canadian mental institutions is provided. In the third section of the chapter, attention is devoted to explicating the competing "theoretical" perspectives on institutional reform advanced by previous authors. Finally, in section four, some of the methodological issues associated with conducting interdisciplinary historical research are considered.

Chapter two is primarily concerned with presenting historical data relating to the origins and early development of the first insane asylum in Upper Canada. For the purpose of providing background information, the chapter begins with a brief consideration of the manner in which insane persons were cared for in Upper Canada during the first three decades of the nineteenth century. Separate sections are then devoted to investigating the origins of the movement towards the institutionalization of the insane in Upper Canada in the 1830's, and the nine year history of the province's first

"temporary" asylum which was established in Toronto in 1841.

The task of tracing the historical development of the organized system of mental institutions which emerged in Upper Canada, and later Ontario, is undertaken in chapter three. Here, attention is given to describing the events and circumstances which lead to the reorganization of asylum administration in the 1850's, and the contributions made by leading reformers in the development and expansion of government-funded institutions for the insane to 1875.

In chapter four, attention is turned to considering the broader social context within which Upper Canadian asylum development occurred. Specifically, the chapter contains sections describing the events, circumstances and ideas which lead to the creation of the province's first penitentiary which was established in Kingston in 1835, and its first "house of industry" which was established in Toronto in 1837.

In the final chapter, the perspectives on institutional reform advanced by previous authors are analyzed in light of the historical evidence presented in the preceding chapters. As a preliminary step in this analysis, common threads which appear to have paralleled the development of the insane asysum, the penitentiary, and the house of industry in Upper Canada are identified. Subsequently, the most influential perspectives to have emerged in contemporary asylum literature are assessed in terms both of their utility in the study of institutional reform

in general and of their applicability to the study of institutional development in nineteenth century Upper Canada in particular. Finally, the thesis concludes with a note on the research implications which, foreseeably, may stem from the present study.

II. Chapter 1

The Historical Setting - Upper Canada, 1830-1875

The province of Upper Canada, now Ontario, provides an ideal setting for examining the utility of contemporary perspectives on institutional reform. For the English-speaking historian, there exists an abundance of secondary source material relating to the early social history of the province.¹ Also, owing to the efforts of Ontario-based academics and archivists, primary source materials, including government documents, institutional records, and the public and private letters of the province's leading nineteenth century social reformers, are readily available. Of further importance, the great bulk of available historical literature points to the fact that in the period from 1830 to 1875 the economic and social

¹ Important secondary sources include: A.R.M. Lower, Colony to Nation, 5th ed. (Toronto: McClelland and Stewart, 1977); G.P. deT Glazebrook, Life in Ontario: A Social History (Toronto: University of Toronto Press, 1968), The Story of Toronto (Toronto: University of Toronto Press, 1971); Gerald M. Craig, Upper Canada: The Formative Years (Toronto: McClelland and Stewart, 1963); Richard B. Splane, Social Welfare in Ontario, 1791-1893: A Study of Public Welfare Administration (Toronto: University of Toronto Press, 1965); and, J.M.S. Careless, "Some Aspects of Urbanization in Nineteenth Century Ontario," in Aspects of Nineteenth Century Ontario, ed. F.H. Armstrong et al. (Toronto: University of Toronto Press, 1974), pp. 65-79.

structure of the province underwent a dramatic transformation.

Beginning in the decade of the 1830's, Upper Canada entered into a period of unprecedented social reform that affected the structure of society and the nature of its social institutions. Within the space of less than half a century, a varied assortment of social institutions, which were previously thought unnecessary, came to characterize the landscape of the fledgling Canadian province. Whereas at the beginning of the period, in 1830, there existed few facilities for housing the deviant and dependent residents of the province, by 1875, Ontario could boast of having kept pace with social developments in most other countries. Indeed, by that time, advocates for social reform in Ontario claimed to have a system of mental institutions of equal or better quality than those in either the United States or England,² a correctional system modeled on the most progressive ideas in penal reform,³ and an expanding system of welfare institutions supported largely by public funds.⁴

Before entering into an investigation of this series of interrelated developments, we must first delineate the distinguishing features of the perspectives on institutional development, reflected in the writings of both Canadian and

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Splane, Social Welfare in Ontario, p. 206.

³ Ibid., p. 136.

⁴ Ibid., pp. 79-88.

foreign historians of the nineteenth century insane asylum. In addition, since the type of interdisciplinary endeavor proposed in this thesis raises some rather complex methodological issues, it is also important that they be discussed at the beginning.

Canadian Historians and the Birth of the Asylum

Interest in the historical origins and development of the insane asylum in Canada is not entirely new. As early as 1898, in a presidential address presented before members of the Royal Society of Canada, the eminent Canadian psychiatrist, Dr. T.J.W. Burgess proudly reviewed the triumphant "progress" made in the care and treatment of the insane during the nineteenth century.⁵ Like many other medical personages of the period, who lived to witness the emergence of psychiatry as a recognized branch of modern medicine and the establishment of an elaborate system of mental institutions in all but a few Canadian provinces, Burgess believed that the factors underlying the development of the Canadian asylum system were readily discernable. For the most part, such changes as did occur in Canada were viewed as being the result of an unprecedented increase in the prevalence of insanity in the various provinces, the growth of medical knowledge regarding the causes of insanity and its treatment,

⁵-----
T.J.W. Burgess, "A Historical Sketch of Our Canadian Institutions for the Insane," Transactions of the Royal Society of Canada, Section IV, 1898, pp. 4-117.

and the humanitarian "reform" efforts of a few Canadian doctors who devoted their life's work to lessening the plight of the unfortunate insane. Noteably, then, Burgess appears to have accepted the expressed rationale of nineteenth century reformers at face-value, and interpreted the rise of the asylum as a product of their well-intended benevolence.

Beyond this interpretation, it is evident from Burgess' work that he saw little need to explain the origins of the insane asylum in the nineteenth century. Indeed, for him "progress" in the manner in which society treated its insane was intimately tied to the inevitable upward "moral progress" of the society in which he lived:

Saved by virtue of her youth from participation in the horrible cruelties which stain the annals of the history of the insane from the fall of the Roman Empire to the beginning of the present century, Canada has yet no reason to be proud of her early treatment of this unfortunate class. With her, as in nearly all countries, the care of the insane has shown a gradual process of evolution. We find, first, an era of neglect; then, one of simple custodial care with more or less restraint; and finally the present era of progress, in which various provinces of the Dominion... have accepted the maxim... that the dependent insane are wards of the state, and as such to be cared for in special government institutions. In which epoch also, in the construction of such buildings, the idea of detention is subordinate to that of cure, or failing cure, that the hospitals for the insane should no longer be a prison but a home.⁶

In the years following the publication of Burgess'

⁶-----
Ibid., p. 4.

characteristically Whiggish⁷ perspective, his lengthy essay became widely recognized as the standard definitive work on asylum development in the Canadian provinces. For example, H.M. Hurd, in his 1917 The Institutional Care of the Insane in the United States and Canada, included a virtual carbon copy of the historical sketch produced by Burgess.⁸ Similarly, J.J. Haegerty, in his 1928 book entitled, Four Centuries of Medicine in Canada, admitted to having "freely abstracted and in great part transcribed" the work of the earlier author.⁹ Even more illustrative of the influence Burgess has had on shaping our contemporary understanding of asylum development is Gifford Price's widely cited 1950 M.S.W. thesis entitled "A History of the Toronto Hospital for the Insane."¹⁰ Indeed, in his sketch of the Toronto "hospital" for the insane, Price unmistakably

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⁷ Herbert Butterfield, The Whig Interpretation of History (London: G. Bell and Sons, 1963), pp.1-8. Butterfield used the term "Whig" historians to refer to writers who interpreted history simply as a struggle between those who advocated "progress" and those who opposed it. From the point of view of Whig historians, the advocates of "progress" are always the winners, since it is assumed that social reform is an integral part of the "inevitable" upward moral progress of society. Here the term Whiggish is used in the same sense as it was used by Butterfield.

⁸ H.M. Hurd, ed., The Institutional Care of the Insane in the United States and Canada (Baltimore: John Hopkins, 1917).

⁹ J.J. Haegerty, Four Centuries of Medicine in Canada (Toronto, 1928), Vol. 2, p. 246.

¹⁰ Gifford Price, "A History of the Toronto Hospital for the Insane" (M.S.W. thesis, University of Toronto, 1950).

adhered to the Whiggish perspective, in showing the "gradual evolution" of the insane asylum from a place of custodial care, to a place of medical care and treatment.¹¹

Nor have more recent medical histories and historical theses diverged significantly from the perspective advanced by Burgess. For instance, J.E.H. MacDermot's One Hundred Years of Medicine in Canada, as well as C.M. Godfrey's most recent Medicine for Ontario, each devote a few pages to the "progress" of psychiatry in the nineteenth century, and the contributions made by the discipline's leading thinkers.¹²

While not nearly as superficial as the above mentioned recent surveys of Canadian medical history, contemporary historical theses concerned with the origins of the asylum have diverged only slightly from the perspective reflected in earlier medical histories. In this regard, Harvey Stalwick's 1969 thesis entitled "A History of Asylum Administration in Canada Before

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Other early studies of the origins of the insane asylum in Ontario, which reflect the perspective of Burgess include: Fred Landon, Western Ontario and the American Frontier (Toronto: The Ryerson Press, 1941), Chapter 9, pp. 128-43; and Alfred E. Lavell, "The Beginnings of Ontario Mental Hospitals," Queen's Quarterly 49 (Spring 1942): 59-67.

12 J.E.H. MacDermot, M.D., One Hundred Years of Medicine in Canada (Toronto: McClelland and Stewart, 1967); C.M. Godfrey, M.D., Medicine for Ontario (Belleville, Ontario: Mika Publishing Company, 1979). Of related interest is E.L. Margetts' equally unsatisfactory "Indian and Eskimo Medicine, With Notes on the Early History of Psychiatry Among French and British Colonists," in World History of Psychiatry, ed. J.G. Howells (New York: Brunner/Mazel, 1975).

Confederation", is most illustrative.¹³ Stalwick's interpretation of asylum development in Canada differs from earlier interpretations in that he did recognize the ultimate failure of the Canadian asylum system to achieve its objective of providing a "home" for the unfortunate insane. In spite of his having recognized the tragic state of Canada's nineteenth century mental institutions, however, the author never fully investigated the possible reasons for their failure.¹⁴

At present, the perspective on asylum development, first advanced in the writings of early medical historians, continues to be reflected in the ongoing work of leading Canadian historians of psychiatry.¹⁵ As well as having published a number of journal articles on the "pioneers" of Canadian psychiatry and the progress of the discipline in the nineteenth century, Dr. J.

¹³-----
¹³Harvey Stalwick, "A History of Asylum Administration in Canada Before Confederation" (Ph.D. dissertation, University of London, 1969).

¹⁴Stalwick attributed the failure of Canada's nineteenth century asylums almost entirely to economic considerations, such as the hesitancy on the part of the government to provide adequate funding. Another study of the nineteenth century insane asylum, which provides a similarly questionable explanation of its demise, is Daniel Francis' "The Development of the Lunatic Asylum in the Maritime Provinces," Acadiensis 6 (Spring 1977): 23-38.

¹⁵See for example, Cyril Greenland, "Three Pioneers of Canadian Psychiatry," Journal of the American Medical Association 200 (June 1967): 833-842; John D. Griffin and Cyril Greenland, "Psychiatry in Ontario in 1880: Some Personalities and Problems," Ontario Medical Review 47 (June 1980): 271-274; and, "The Asylum at Lower Fort Garry," The Beaver (spring 1980): 18-23.

Griffin and Professor Cyril Greenland, two of the leading non-professional historians of psychiatry in Canada, are now in the process of compiling a "documentary" history of psychiatry in Canada from its earliest times to the present. This publication, like the historical articles they have previously published, will undoubtedly further serve to support the standard medical interpretation of asylum development in Canada.

The adherence to the traditional interpretation of asylum development displayed by the previously mentioned authors, however, cannot be said to pervade all Canadian academic circles. In fact, one has but to inspect the post-1970 literature concerned with the early history of the insane asylum in Canada, to notice a movement away from the ostensibly narrow Whiggish perspective evident in much of the earlier historical literature and standard medical histories. For example, rather than following the approach of earlier historians, Rainer Baehre, in his 1976 thesis entitled "From Pauper Lunatics to Bucke: Studies in the Management of Lunacy in Nineteenth Century Ontario", turned to the study of "ideas on the nature of madness" which during the nineteenth century inspired the movement toward the institutionalization of the insane in Ontario society.¹⁶

¹⁶-----
Rainer Baehre, "From Pauper Lunatics to Bucke: Studies in the Management of Lunacy in Nineteenth Century Ontario" (M. Phil. thesis, University of Waterloo, 1976).

Baehre's investigation of the London Lunatic Asylum, under the superintendance of the prominent Canadian psychiatrist, R.M. Bucke, was among the first academic theses that went beyond the study of the triumphant "progress" made in the care and treatment of the insane by psychiatrists, to look at the more general socio-historical factors that influenced the emergence of the insane asylum in the nineteenth century. Distinctively, Baehre's work reflected the notion that the rise of the asylum in Upper Canada was but part of a larger process of social reform, fostered in the early decades of the nineteenth century, by the acceptance of the ideas advanced by leading American and European social reformers, and the unique social pressures generated within the province after 1830. Indeed, at one point, he argued:

The concern for social welfare which resulted as a consequence of continuing social crises is manifested in the growth of various government legislation and institutions throughout the nineteenth century. It is no coincidence that the groundwork for the care of the poor, correctional programs, health services, and child and public welfare was enacted during the nineteenth century. The Lunatic Asylum represents one important aspect of this development, from the earliest provisions for the destitute insane during the 1830's, to comprehensive laws governing the rights, restrictions,¹⁷ and management of the insane by the end of the 1890's.

Like Baehre, Carl B. DeLottinville, in a 1976 research report on the historical development of the "custodial asylum"

¹⁷Ibid., p. 16.

in nineteenth century Ontario, considered the emergence and perpetuation of the insane asylum, within a broader social context.¹⁸ According to this researcher, the tremendous influx of immigrants to Canada during the "colonial period" (from 1820 to 1850), created "staggering social problems" for the established colonial citizens. Increasingly, after 1820, the "average citizen" began to recognize the ineffectiveness of traditional mechanisms used to cope with the deviant and dependent members of the community, and began to search for new solutions to deal with the "epidemic of social problems" that plagued the apprehensive community.¹⁹ The solution, as DeLottinville saw it, came in the form of institutions of confinement. The fact that the insane asylum, along with other institutions of confinement such as the penitentiary and the house of industry emerged simultaneously was indeed no coincidence. From the beginning public authorities recognized the social control utility of the asylum and began to lobby strongly for its establishment. That, in fact, the insane asylum had long been intended as a mechanism of social control, was demonstrated by DeLottinville, in his analysis of the first one hundred admissions to the Hamilton Lunatic Asylum, in 1875. Long

¹⁸-----
Carl B. DeLottinville, "The Asylum for the Insane: A Study of the History of Institutional Care and Treatment of the Mentally Ill in Ontario, 1820-1900," (M.S.W. research report, McGill University, 1976).

¹⁹Ibid., p. 11.

after the asylum's ineffectiveness as a therapeutic institution was recognized, by DeLottinville's analysis, it continued as an effective and sanctioned mechanism for the confinement of economically and socially dependent persons in nineteenth century Ontario society.²⁰

Recently, the phenomenon of institutional development has gained the attention of historically-minded Canadian sociologists. Though interested in studying the unique development of the insane asylum and other social institutions which emerged in the nineteenth century, this circle of academics is even more concerned with showing how the study of Canadian social development contributes to our understanding of social development in general.²¹

The concern shared by contemporary Canadian historical-sociologists, with explaining institutional development through the employment of a "theoretical" perspective, is most pointedly illustrated in the ongoing work of Bruce Curtis and Barry Edginton. In their 1979 article entitled "Uneven Institutional Development and the "Staple" Approach: A Problem of Method", the authors dealt with the

²⁰-----
Ibid., p. 64.

²¹Robert J. Brym, "New Directions in Anglo-Canadian Historical Sociology," Canadian Journal of Sociology 4 (Summer 1979): vii.

development of social welfare institutions in Upper Canada to 1851.²² The attempt to explain institutional development in Canada, the authors argued, necessitated more than merely looking at the peculiar character of nineteenth century Canadian society. More importantly, it was argued that in order to understand why various social institutions emerged in Canada, prior to 1851, it was necessary to consider Canadian developments within the context of "the structure of capitalist development" that was emerging in other countries, and which had a direct influence on institutional development in Canada. In turning to this broadly based "Marxist" perspective on institutional development, recent Canadian historical-sociologists reflect the foreign trend, away from conventional interpretations of institutional reform, and toward a more "critical" perspective.

Competing Perspectives on Institutional Reform

In both Europe and America, the last two decades have witnessed the burgeoning of a vast body of asylum literature.²³

²² Bruce Curtis and Barry Edginton, "Uneven Institutional Development and the "Staple" Approach: A Problem of Method," Canadian Journal of Sociology 4 (Summer 1979): 257-273.

²³ Representative of this body of literature are the American studies of Ruth B. Caplan, Psychiatry and the Community in the Nineteenth Century (New York: Basic Books, 1969); Norman Dain, Concepts of Insanity in the United States, 1789-1865 (New Brunswick, New Jersey: Rutgers University Press, 1964); Gerald N. Grob, Mental Institutions in America: Social Policy to 1875

Despite this proliferation of literature, however, foreign academics have yet to produce a coherent body of knowledge which Canadian academics might refer to in their search for an informative understanding of asylum development in Canada. Instead, reflected in the literature produced by European and American authors over the last two decades are a number of competing perspectives on the historical origins and development of the insane asylum in the nineteenth century.

In line with the overall objective of this thesis, in this section, the most influential perspectives to have emerged in the literature are subjected to careful explication. For only after the distinguishing features of the various perspectives on institutional reform are made clear, can one then move on to assess their usefulness in the study of the insane asylum in Canada.

²³-----
(cont'd) (New York: The Free Press, 1973); and, David J. Rothman, The Discovery of the Asylum: Social Order and Disorder in the New Republic (Boston: Little, Brown, 1971); and, Conscience and Convenience: The Asylum and its Alternatives in Progressive America (Boston: Little, Brown, 1980). Significant European contributions to the literature include Michel Foucault's Madness and Civilization: A History of Insanity in the Age of Reason (New York: Random House, 1965); Richard Hunter and Ida Macalpine, Psychiatry for the Poor: A Medical and Social History (London: Dawsons of Pall Mall, 1974); Andrew T. Scull, Museums of Madness: The Social Control of Insanity in Nineteenth Century England (London: Allen Lane, 1979); and Vieda Skultans, Madness and Morals: Ideas on Insanity in the Nineteenth Century (London: Routledge and Kegan Paul, 1975).

The Conventional Liberal Perspective

The conventional liberal perspective is that which perpetuates the explanation of asylum development which originated in the writings of early medical historians. Though considered by many to be distinct from the traditional Whiggish perspective, in its degree of objectivity and sophistication,²⁴ its adherents continue to maintain that, in large part, the nineteenth century mental hospital owed its existence to the humanitarian reform efforts of early psychiatrists and lay-reformers, whose primary concern was that of "uplifting the mass of suffering humanity."²⁵ For instance, one of America's leading conventional liberal historians of the insane asylum, Gerald N. Grob, argued in his 1973 study on Mental Institutions in America: Social Policy to 1875, that:

Demographic changes, a growing sensitivity to social and medical problems, a surge of philanthropic giving by elite groups and knowledge of significant medical and psychiatric developments in France and England all combined to give rise to a movement to establish mental hospitals.²⁶

Among the numerous factors which are considered to have contributed to the advent of the insane asylum in the nineteenth century, conventional liberal historians have tended to

²⁴-----
See for example, Tom Brown, "Architecture as Therapy": 106-109; and Jacques M. Quen, M.D., "Book Review," Journal of Psychiatry and Law 2 (Spring 1974): 105.

²⁵Grob, Mental Institutions in America, pp. 109-110.

²⁶Ibid., p. 35.

emphasize the importance of European medical and psychiatric developments. Most illustrative of this tendency, is Norman Dain's 1964 study entitled Concepts of Insanity in the United States, 1789-1865. To Dain, the image of Pinel freeing the insane from their chains at Salpetriere, in 1793, and of Tuke establishing his celebrated "Retreat" for the mentally ill at York, in 1792, inspired a virtual revolution in the theory and practice of psychiatry.

By unchaining the insane in 1793, Pinel helped inaugurate the era of modern psychiatry. With his contemporary William Tuke, Pinel replaced prevailing medical and lay practices with a psychological and humanitarian approach. The founders of the new point of view, called moral treatment, emphasized psychological factors. They believed that insanity could be cured and based their therapeutics on kindness and the consideration of each patient's physical and emotional needs. The ideal regimen included placing the patient in a mental hospital where he would receive considerate treatment, occupational therapy, entertainment, mild exercise, good food, and comfortable lodgings.²⁷

To the inventors of moral treatment insanity was rooted in moral as opposed to medical causes. Foremost among the moral causes of insanity were lack of moderation, and excesses of all kinds, which inhibited the ability to reason properly.²⁸

Increasingly in the nineteenth century, psychiatrists and lay reformers came to accept the notion that unbridled passions, including drinking to excess, uninhibited sexual practices,

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Dain, Concepts of Insanity in the United States, pp. 4-5.

²⁸Skultans, Madness and Morals, p. 2.

undisciplined wills, luxurious habits, and desultory life were among the prime causes of insanity. It followed from this belief, that insanity could be alleviated if insane individuals were placed in an environment free from precipitating causes and instructed in the virtues of good habits, perseverance, will and character.²⁹

According to Vieda Skultans' study of ideas on insanity in the nineteenth century, moral management, as it was first proposed by Pinel and Tuke, was directed towards extinguishing undisciplined passions and returning individuals to reason through teaching habits of self-control. This approach to insanity, Skultans further argued, was an integral part of a much broader Victorian ethos, in which the philosophy of individualism reigned supreme. Characteristically, those who lived during the Victorian era translated social problems into moral terms. Thus, while insanity came to be viewed as being the result of personal defects, medical and lay reformers were confident that in the end reason could be made to prevail.

Consequently, in the early decades of the nineteenth century, there emerged what conventional liberal historians have termed the curability myth.³⁰ Inspired by the reports of overwhelming success in the treatment of the insane in France

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Ibid., pp. 2-3.

³⁰Caplan, Psychiatry and the Community in Nineteenth Century America, p. 10.

and England, American medical practitioners adopted the view that insanity was the most curable of all diseases. Instead of prescribing medicinal and surgical techniques, however, practitioners turned zealously to moral management, whose basic objective was that of creating an environment in which the pernicious habits associated with mental derangement would be broken, while correct and socially acceptable patterns of thought and behavior would be fostered.³¹ For the successful administration of moral treatment, mental hospitals were considered indispensable.

In its concern with treating those who were afflicted by insanity, conventional liberal historians have contended that the mental hospital was entirely unique in its origins and objectives. For instance, in a review of David Rothman's controversial 1971 study entitled Discovery of the Asylum: Social Order and Disorder in the New Republic, Gerald N. Grob argued that it was absurd to compare the origins and development of the insane asylum to other institutions of confinement that emerged in the United States during the nineteenth century.³² For while jails, almshouses and other institutions, admittedly, had "superficial resemblances", the mental hospital was, first and foremost, intended as a place of medical care and treatment.

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Ibid., p. 28.

³²Gerald N. Grob, "Book Review," Political Science Quarterly 87 (June 1972): 325-326.

Or as Grob stated:

A mental hospital - whatever its failures and shortcomings - did care for sick individuals, since its patient population included substantial cases of general paresis and senile psychoses (both of which were clearly of organic origin). To identify jails, almshouses, and mental hospitals as variations of one species is ³³ inaccurate, even though they had much in common.

As to the eventual failures and shortcomings of the insane asylum, Grob and his contemporaries further maintain that the demise of the moral treatment approach, and the rise of the custodial asylum in the later part of the nineteenth century, was an unfortunate event prompted by socio-historical factors that were beyond the control of the early advocates of the asylum. From the beginning of their modern existence, in the early decades of the nineteenth century, American asylums were plagued by overcrowding and insufficient staff. Increases in the number of patients requiring accommodation in asylums led to the establishment of larger and supposedly more cost-efficient institutions. As a result of the increasing demands placed on the asylum, the idealist reformatory goals of the early advocates of the asylum were eventually sacrificed to the administrative demands of order, discipline, regularity, and efficiency.

The conventional liberal perspective on the historical origins and development of the insane asylum, as reflected in

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Ibid., p. 326.

the works of Grob, Dain, Caplan and others, has, in recent years, been subjected to intense critical scrutiny by adherents of what has been broadly termed the "social control" perspective on institutional development.

The Social Control Perspective

Adherents of the social control perspective purport to offer a radical reinterpretation of the origins of the asylum in the nineteenth century. While many distinct variations of the perspective exist, the basic proposition common to all is that the insane asylum was created in order to impose social control on a special category of deviant individuals in society. Another of the perspective's foremost features is its emphasis on the need to consider the origins and development of the insane asylum within the context of the development of other nineteenth century institutions, and the wider society in which they flourished. By focusing on society at large, and the variety of institutions it promoted and supported, adherents of the social control perspective profess a greater understanding of the socio-historical factors underlying the movement toward the institutionalization of deviant and dependent persons, which occurred in the nineteenth century.

One of the first contemporary academics to subject the history of the insane asylum to intense critical scrutiny was the American psychiatrist, Thomas S. Szasz. In a series of

seminal articles written over the past two decades, Szasz has argued that the growth of American psychiatry in the late eighteenth century was but part of a "vast ideological conversion" which descended upon society during that period.³⁴

The metamorphosis of the medieval into the modern mind (Szasz argued) entailed a vast ideological conversion from the perspective of theology to that of science...The conditions or behaviors we now call mental diseases were not discovered...Instead, they had formerly been known by other names, such as heresy, buggery, sin, possession, and so forth - or had been accepted as customary and natural - and therefore not designated by special names. In the eighteenth and nineteenth centuries a host of such phenomena - never before conceptualized in medical terms - were renamed or reclassified as illnesses.³⁵

The process of recasting religious and moral concerns in medical terms, according to Szasz, ultimately led to the "creation of modern psychiatry". Descriptions and explanations of human behavior and social control advanced by leading members of the fledgling discipline, rather than being based on newly acquired medical knowledge, were merely the subtle expression of shared religious and moral beliefs. Individuals who displayed

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³⁴Since the early 1960's, Szasz has written extensively on the history of psychiatry and its relationship to the legal process. Over the years, however, his overall thesis has remained essentially the same. His most popular works include: The Myth of Mental Illness: Foundations of a Theory of Personal Conduct (New York: Hoeber-Harper, 1961); Law, Liberty and Psychiatry: An Inquiry into the Social Uses of Mental Health (New York: Macmillan, 1963); and The Manufacture of Madness: A Comparative Study of the Inquisition and the Mental Health Movement (New York: Harper and Row, 1970).

³⁵Szasz, The Manufacture of Madness, p. 137.

socially unacceptable patterns of behavior came to be labeled by the "new manufacturers of madness" as being insane, or mentally ill. From the point of view of early psychiatrists, the insane asylum was the ideal vehicle for bringing about conformity to a uniform system of morality.

Szasz's interpretation of history closely agrees with the views expressed by other contemporary authors. Among them, Michel Foucault, the French philosopher, has forced a reconsideration of the actual intent of early psychiatric reformers. Rather than regarding the late eighteenth century reform efforts of Pinel and Tuke as having marked the beginning of an era of unprecedented progress in the treatment of the insane, Foucault argued that the introduction of moral treatment constituted merely a change in the tactics of social control. Freeing the insane from their chains and imposing upon them social responsibilities, as did Pinel and Tuke, was viewed by Foucault as having acted only to replace physical restraint with a more repressive form of psychological control: the aim of which was to compel individuals into conformity with bourgeois morality.³⁶

In the American context, the writings of the American social historian David J. Rothman have been most closely associated with the social control perspective. Rothman's

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Foucault, Madness and Civilization, p. 259.

concentration on the history of the asylum in the United States, to the exclusion of developments in other countries, however, separates his work from that of other critical authors. For example, in his study of the "discovery of the asylum" in the Jacksonian era of American history, Rothman claimed:

The response in the Jacksonian period to the deviant and dependent was first and foremost a vigorous attempt to promote the stability of society at a moment when traditional ideas and practices appeared outmoded, constrictive, and ineffective. The almshouse and the orphan asylum, the penitentiary, the reformatory, and the insane asylum all represented an effort to insure the cohesion of the community in new and changing circumstances.³⁷

Central to the perspective advanced by Rothman, is the argument that in the period after 1776, "Americans", as a whole, began to perceive the deviant and dependent members of society as posing a threat to the stability of the new republic. This perceived threat to society, combined with the emergence of novel ideas regarding the causes of non-conformity, and a recognition of the ineffectiveness of traditional mechanisms of social control, led directly to the discovery of the asylum.³⁸

One of the new ideas to emerge, in the aftermath of the American Revolution, was the belief that the behavior of individuals was shaped by external environmental influences. Owing to the rise of increasingly "environmentalist

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Rothman, Discovery of the Asylum, p. xviii.

³⁸Ibid., p. xix.

explanations" of deviance, Americans assumed the optimistic belief that if a social environment conducive to fostering social conformity could be created, there was hope for the perfectability of both man and society. Or as Rothman argued:

The asylum was to fulfill a dual purpose for its innovators. It would rehabilitate inmates and then, by virtue of its success, set an example of right action for the larger society. There was a utopian flavor to this first venture, one that looked to reform the deviant and dependent and to serve as a model for others. The well-ordered asylum would exemplify the proper principles of social organization and thus insure the safety of the republic and promote its glory.³⁹

In the final analysis, Rothman recognized that the model institutions created in the nineteenth century fell miserably short of meeting the idealist objectives set by early social reformers. By 1870, in the United States, the degeneration of the insane asylum, from a place of rehabilitative treatment to a place of custodial care, had neared completion. The overcrowding of asylums with incurable lunatics, paupers, and immigrants, combined with the unwillingness of legislatures to provide enough funding to facilitate the maintenance of reform-oriented institutions, all contributed to the final demise of the insane asylum envisaged by the early advocates of moral treatment. From Rothman's viewpoint, however, long after the asylum's promise dissolved it continued to be perpetuated and supported by society because it was an efficient "method for controlling the

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Ibid., p. xix.

deviant and dependent population."⁴⁰

Most recently, the English historian of psychiatry, Andrew T. Scull, has put forth yet another variation of the social control perspective. Convinced of the "grossly distorted" and "misleading" pictures of institutional reform presented by both conventional liberals and other proponents of the social control perspective, Scull sought to develop a "structurally based" explanation of the rise of the insane asylum as a mechanism of segregative control.⁴¹

According to Scull's research, the genesis and subsequent development of the insane asylum in England was intimately tied to the growth of a capitalist social order. Beginning in the late eighteenth century, so the argument goes, the structure of the English economy witnessed a profound transformation. Within the space of a few generations, the old paternalist social order, which was characterized by a high degree of tolerance toward the insane and other types of deviants in the community, gave way to a full-blown capitalist social order, in which the traditional non-institutional response to deviance came to be

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Ibid., pp. 265-295.

⁴¹Scull, Museums of Madness 1979. Scull's historical research first appeared in the form of a Ph.D. dissertation (Princeton University, 1974). Also, prior to the publication of his 1979 book his perspective was put forth in "Madness and Segregative Control: The Rise of the Insane Asylum," Social Problems 24 (February 1977): 337-351.

viewed with increasing dissatisfaction.⁴² From the point of view of the rising industrialist bourgeoisie the traditional system of household relief which provided equally for the able-bodied, aged, and infirm, acted only to encourage non-productivity and to interfere with the labour supply required in the operation of factories. In a society whose economy was becoming increasingly oriented toward capitalist production, and increasingly dependent on a well-disciplined labour force, institutional responses to deviance held out the promise of numerous advantages.

The establishment of workhouses, asylums and other institutions of segregative control, Scull argued, would serve to enable the labour dependent English ruling class to distinguish far more carefully between the able-bodied, whose labour was in demand, and the non-able-bodied, who were an obstacle to the efficient functioning of the capitalist economic system. Those who were deemed able but not willing to conform to the rigours of discipline demanded by a wage labour system were to be assigned to workhouses, or houses of industry, where they would be taught the virtues of hard work and discipline. Indeed, as a mechanism for dealing with individuals who were able yet ill-disposed to entering into the industrial labour force, the workhouse seemed especially suitable:

⁴²Ibid., p. 34.

...for it appeared to provide the opportunity for the most intensive and thorough-going control over the lives of its inmates. The quasi-military authority structure which it could institute seemed ideally suited to be the means of establishing 'proper' work habits among those marginal elements of the work force who were apparently most resistant to the monotony, routine, and regularity of industrialized labour.⁴³

While in theory the highly regimented English workhouse might well serve as a training ground for industrial workers, in actual practice, its success could not be hoped for unless provision was made for the separate confinement of those who posed a threat to the order and regularity of the institution. The attempt to inculcate habits of industry and thrift in the lower classes, so thought the English ruling class, would never succeed in an institutional setting unless those unable to conform, such as the insane, were removed. For, as Scull argued:

A single mad or distracted person in the community produced problems of a wholly different sort from those the same person would have produced if placed with other deviants within the wall of an institution. The order and discipline of the whole workhouse were threatened by the presence of a madman who, even by threats and punishments could neither be persuaded nor induced to conform to the regulations.⁴⁴

Thus, the stage was set for the emergence of the nineteenth century insane asylum, and the rise of the psychiatric profession. In order for the capitalist economy to thrive, the mad and distracted had necessarily to be removed from the

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Ibid., p. 35.

⁴⁴Ibid., p. 40-41.

community, and the institutions created to instill a work ethic in the lower classes, and placed in a specialized institution of segregative control where they would no longer pose a threat to the social order. Increasingly, in the nineteenth century persons who could not conform to the dictates of the workhouse were consigned to live out their lives in asylums for the insane. The psychiatric profession, on its own, Scull argued, had little to do with bringing about the rise of the insane asylum. Rather, the emergence in the nineteenth century of what became the psychiatric profession was promoted by the powers that be, in their attempt to add scientific legitimacy to the process through which various categories of deviants were being defined and institutionalized.

From Scull's perspective, then, the insane asylum was but one of the specialized institutions of segregative control whose origins could be traced to the changing economic structure of English society. The nineteenth century insane asylum was not simply a product of the "reform" efforts of humanitarian social reformers, or the emergence of new "environmentalist" ideas about deviance. Rather, it was inherently bound up in the rise of capitalism.

Methodological Issues

Given the seemingly contradictory conclusions reached by representatives of the variously discussed perspectives, one is immediately confronted with the question of how the usefulness of such perspectives is to be determined. In addition, since the type of study proposed in this thesis is interdisciplinary in nature, it is necessary briefly to consider the relation between history and the social sciences. Further, owing to the emphasis placed on the potential value of using an a priori theoretical framework in undertaking historical research, one must touch on the inherent issues involved in this type of endeavor.

Traditionally, historians and social scientists have been characterized as being guided in their academic pursuits by opposing research interests and methods. According to an honoured tradition of scholarship, the historian is one whose interest lies in the study of how unique, particular, or non-recurrent events which occurred in the past helped to shape the character of a given age. The closeness of the academic to his data, as evidenced in the fact that virtually identical historical records may be interpreted differently by different individuals, is thought to rule out the possibility that history can ever be an objective enterprise. For historians who are satisfied with this "idealist" conception of what history is all about, the task becomes that of describing reality as it is

perceived to have existed.⁴⁵

In contrast, it has been argued that the social scientist is concerned with the search for ordered, repetitive, or recurrent events in contemporary society, so as to enable him to formulate generalizations and abstract theories. Distinctively, then, by examining events that occurred in society, the social scientist constructs models of reality, which he hopes will possess both contemporary relevance and theoretical significance.⁴⁶

Over the years, the alleged fundamental antithesis between history and the social sciences, however, has been subjected to serious questioning by a number of interdisciplinary-minded academics.⁴⁷ For instance, in their chapter on the use of historical analysis in the social sciences, Williamson, Karp and Dalphin maintained that the artificial distinctions made between disciplines have prevented academics from developing a "comprehensive, whole image of social life". Further, the

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Patrick Gardiner, "The Philosophy of History," in International Encyclopedia of the Social Sciences 6, David L. Sills, ed. (New York: Macmillan and Free Press, 1968), pp. 428-443.

⁴⁶John H. Goldthorpe, "The Relevance of History to Sociology," in Sociological Research Methods: An Introduction, ed. Martin Bulmer, (London: Macmillan, 1977), pp. 178-181.

⁴⁷See for example, Werner J. Cahnman and Alvin Boskoff, eds., Sociology and History (New York: Free Press, 1964), and Seymour Martin Lipset and Richard Hofstadter, eds., Sociology and History: Methods (New York: Basic Books, 1968).

authors submitted that:

...the members of one discipline ought not avoid using the concepts, methods, and modes of analysis of another discipline when these could contribute to an understanding of a particular problem under investigation.⁴⁸

In recent years, the opinion that traditionally distinct academic disciplines may with justification be viewed as being complementary has transcended national boundaries. In Canada, the arguments advanced by the historian, Michael Horn, and the sociologist, Ronald Sabourin, perhaps best illustrate the fact that history and the social sciences may well be viewed as being mutually supportive. Influenced by the work of the noted sociologist S.D. Clark, and the historian, A.R.M. Lower,⁴⁹ Horn and Sabourin contend that just as the sociologist may find it valuable to look at historical facts in order to enhance his understanding of the process of social development in general, so to may the historian find it useful to use some "theory or model as a tool to insure himself against the possibility of overlooking some important facts."⁵⁰

⁴⁸ John B. Williamson, David A. Karp and John R. Dalphin, The Research Craft: An Introduction to Social Science Methods (Boston: Little, Brown, 1977), p. 259.

⁴⁹ S.D. Clark, The Developing Canadian Community, 2nd ed. (Toronto: University of Toronto Press, 1968); and A.R.M. Lower, Canadians in the Making (Toronto: Longmans, 1958).

⁵⁰ Horn and Sabourin, eds., Studies in Canadian Social History, p. 14.

While it is recognized that traditionally historians have been disinclined to allow their research efforts to be guided by an a priori "theoretical model", the argument of Horn and Sabourin cannot be easily ignored. Indeed, it would be difficult to deny that historians, either implicitly or explicitly, have long been guided in their efforts by research "questions" or "hypotheses", that aid in the selection of materials, and in determining the utility of contradictory historical interpretations. As the historian Robert J. Shafer has noted:

...at the very beginning of a research effort the investigator needs to develop questions or hypotheses to apply to his material. If he does not, it will be impossible to know which facts to collect. In practice, what happens if no preliminary hypotheses or questions are adopted is that the researcher makes selections either helter-skelter and with little discrimination, or he uses poorly defined or even unacknowledged criteria.⁵¹

Assuming the acceptance of the above arguments, the question of which "theoretical model" one would be best to choose in the study of institutional development in Canada remains to be addressed. Essentially, the view reflected in this study is that the question of whether some occurrence was productive of more far-reaching changes than another is an "empirical question", which can be answered by way of historical investigation. If it is found that the historical evidence

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Robert J. Shafer, A Guide to Historical Method, revised edition, (Homewood, Illinois: The Dorsey Press, 1969), pp. 163-164.

presented in the following chapters tends to support one perspective over another, then one must seriously question the usefulness of the unsupported perspective, and consider the utilization of the more fruitful perspective in future studies. Alternatively, if it is demonstrated that none of the existing perspectives is supported by the data, then it would be proper to suggest the serious need for "theoretical innovation" in the study of institutional development in Canada. Ideally, therefore, the following historical investigation of the rise of the insane asylum in Upper Canada will cast light on the utility, and general applicability, of the theoretical perspectives on institutional development advanced by previous authors.

III. Chapter 2

Early Care of the Insane in Upper Canada

From the date of the province's inception in 1791, until the third decade of the nineteenth century, sparse attention was paid to the plight of the "insane" in Upper Canada. Concerned with more pressing social problems associated with establishing "a military colony in the wilderness",¹ and influenced by the laissez faire attitude that "members of families should look after each other",² early Loyalist and British settlers to the province displayed little formal concern for such unfortunates as the non-violent insane and the harmless idiot. Rather, in the early period of colonial settlement, the relatives of the mentally infirm were by and large left with the responsibility for providing them with sustenance and shelter. That insane persons "were dealt with in an informal and largely ad hoc manner by their families",³

¹R. Louis Gentilcore and David Wood, "A Military Colony in a Wilderness: The Upper Canadian Frontier," in Perspectives on Landscape and Settlement in Nineteenth Century Ontario, ed. J. David Wood (Toronto: McClelland and Stewart, 1975), p. 32.

²Glazebrook, Life in Ontario, p. 100.

³Brown, "Architecture as Therapy": 110.

is suggested in the writings of the British traveller John Howinson. Following his travels in the backwoods of Upper Canada between 1818 and 1820, Howinson, somewhat dramatically, reported an instance in which an insane young man was supported by an informal system of home care.

When it became dark I walked to the nearest farm-house, to inquire of its owner, if he knew by what means I could get forward to my place of destination. On my return back, and when within a few yards of the cottage, I heard footsteps behind me. I looked round, and saw a young man dressed in a white gown, hurrying along the road. He soon made up with me, and having caught hold of my arm, stared wildly in my face, and uttered some unintelligible sounds. I was shocked at his appearance, and pushed him from me, when he ran off with a maniacal laugh. On reaching the cottage, I told the old woman what a disagreeable interruption I had met with in the course of my walk, and proceeded to describe the being whom I had encountered. She looked distressed, and cried, "I know him well, for he is my son. He never has been gifted with sense since he was born - but I don't love him the less for that." The young man entered the room soon after, and his mother began to caress him, and almost seemed to rejoice in his idiotism. The exhibition of maternal tenderness and maniacal delight which ensued, was such a revolting spectacle, that I immediately left the apartment.⁴

Unlike the unfortunate but apparently harmless young man described by Howinson, the "dangerous" insane, as well as those who did not have the benefit of family support, appear to have been dealt with in a more formal manner by early Upper Canadian settlers. As early as the first decade of the nineteenth

⁴ John Howinson, Sketches of Upper Canada (Edinburgh: Oliver and Boyd, 1821), p. 217.

century, the Court of Quarter Sessions in the Home District,⁵ is known to have authorized payment for the private boarding of a destitute woman, and the committment of an insane man to a district jail.⁶ Besides this evidence, however, there exist few other documents which cast light on the incidence of "insanity" or the manner in which the insane were dealt with in the early decades of colonial settlement.⁷

Despite the paucity of statistical records, it is clear that in the first three decades of the nineteenth century the ostensibly "dangerous" and pauper insane were not treated in any significantly different manner than other individuals who were perceived to be unruly and bothersome. All shared the similar fate of being confined in the various district jails of the province.

Early in the century district jails became a common feature

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⁵Glazebrook, Life in Ontario, pp. 96-100, provides a descriptive account of the legal and administrative duties of the Courts of Quarter Sessions of Upper Canada.

⁶Alfred E. Lavell, "The Beginnings on Ontario Mental Hospitals," Queen's Quarterly 49 (Spring 1942): 61-62.

⁷Baehre, "From Pauper Lunatics to Bucke," p. 28, has argued that due to the lack of documentation it is a formidable, if not impossible, task to establish the incidence or condition of the "insane" in Upper Canada during the first two decades of the nineteenth century, since it was not until 1834 that census returns by the various districts of Upper Canada included information on the number of "insane, deaf and dumb". Further, even after 1834, officials responsible for submitting such statistics failed to accurately report on the number of insane residents in all of the various districts.

of the Upper Canadian landscape. Soon after the division of the old province of Quebec into Upper Canada and Lower Canada, legislation providing for the establishment of district jails was passed by the Legislative Council.⁸ According to this legislation the establishment of a jail and a court house was a condition for the organizing and naming of the various districts which were to make up the newly created province. Thus, early in the century each of the districts of Upper Canada may be seen to have had its own institutional mechanism for confining the undesirable members of society.

Being the earliest institutions of confinement in Upper Canada, jails soon became receptacles for a varied assortment of social misfits, including the insane, the destitute and the criminal. While the practice of warehousing "dangerous" and pauper lunatics, along with convicted criminals and debtors, dates back to at least the onset of the nineteenth century, it was not until the decade of the 1830's that documents began to provide a glimpse of what conditions were like for the captives of district jails in the period preceding the establishment of a provincial lunatic asylum.

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"An Act for building a Gaol and Court House in every District within this Province, and for altering the names of the Districts." Statutes of Upper Canada, 1792, chap. 8. Cited in Stalwick, "A History of Asylum Administration in Canada Before Confederation," p. 279. See also, Splane, Social Welfare in Ontario, pp. 68-69.

The Beginnings of Reform: Petitions, Commissions, and Official Protest, 1830-1840

In 1830, the state of the district jails, and the conditions under which the insane were generally forced to exist, became the focus of political attention in Upper Canada. Early in the year, the problem of what to do with "dangerous" and pauper lunatics arose in a petition presented to Lieutenant-Governor Colborne by the prisoners of the York (Toronto) Gaol. In response to the petition, a committee chaired by the controversial Reform politician William Lyon Mackenzie was formed to investigate the complaints of the prisoners at York.⁹ In the report, subsequently tabled in the House of Assembly on February 17, 1830, Mackenzie graphically depicted the plight of the insane inmates at York:

In the cells below the ground floor, your committee found three female lunatics confined, one of them from England, and who is understood to be the mother of a family, who became deranged on her husband leaving her; another from Ireland, a young woman, and the third a

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The name William Lyon Mackenzie has long been associated with political reform in Upper Canada. While there is considerable disagreement among his biographers regarding Mackenzie's character, he has been generally portrayed as a fiery Scots radical who denounced the privileged status of the elite in Upper Canadian society, and praised the Jacksonian democracy then operating in the United States. Mackenzie's biographers include: Charles Lindsey, The Life and Times of Wm. Lyon Mackenzie (Toronto: P.R. Randall, 1862); G.G.S. Lindsey, William Lyon Mackenzie (Toronto: Morang, 1908); William Dawson Le Sueur, William Lyon Mackenzie: a reinterpretation (Ottawa: Institute of Canadian Studies, 1979); William Kilbourn, The Firebrand: William Lyon Mackenzie and the Rebellion in Upper Canada (Toronto: Clark, Irwin, 1956).

native of Canada. It was stated by the Jailor, that they have as wholesome and nutritious food as himself and family, and there is a stove in the dungeon; but they are lodged in locked up cribs, on straw, two in one crib, and the other by herself; one of them contrived to set fire to the jail some time ago, but it was providentially discovered in time to save the building, by cutting down a door that was in flames. A gentleman confined for debt, complained that the smell from the dungeon in which these poor lunatics are confined, which below the room was almost unsupportable, and that their incessant howlings and groans were annoying in the extreme. The smell is certainly most disagreeable, and confinement in such a noisome place, will be likely to aggravate the disorder; who, were they taken to a particular ward in the Hospital, and the usual restraints put upon their persons, (of strait waistcoats), and gently treated, might either wholly recover their reason, or at least become convalescent. Their confinement is severe beyond that of the most hardened criminal, although their situation entitles them to a double portion of the favorable regard of all in whom the blessing of reason has been bestowed.¹⁰

Although it has been argued that Mackenzie dramatized his concern with the state of the prison at York,¹¹ the report does not appear to have been simply a fanciful account. Like Mackenzie, Dr. C. Widmer, in his annual York Hospital and Dispensary Report for the year 1831, commented on the objectionable nature of using the York jail for confining insane

¹⁰"Report on the Petition of the Prisoners in York Gaol." Appendix to the Journals of the House of Assembly of Upper Canada, 1830, p. 162.

¹¹Paul Rommey, "William Lyon Mackenzie and his Enemies," unpublished paper, Toronto City Archives, Toronto, Ontario, has argued that the manner in which Mackenzie handled the investigation of the conditions in the Home District jail, and the way in which he pursued this issue after becoming the mayor of Toronto, was intended as a means of causing trouble for "his adversaries of the ruling class".

persons, and the duty of the community to attempt to remedy the situation. Further, Widmer proposed that a "suitable lunatic ward" be established in the general hospital to insure that the insane were afforded medical treatment, cleanliness, security, and the chance to recover their sanity.¹² Indeed, throughout the decade of the 1830's attention was intermittently focused on the need for a separate institution for the insane.

The earliest known request that the Legislature consider establishing "an Asylum for Insane Persons" in Upper Canada was made on January 15, 1830, by the Grand Jury of the Home District.¹³ In its presentment the Grand Jury protested the deplorable state of the Home District jail and recommended the establishment of a separate institution for the insane. Within a month, the magistrates of the Quarter Sessions of the Home District followed the lead of the Grand Jury when they submitted a petition calling for the erection of a lunatic asylum to the Legislative Council of the province.¹⁴ In direct response to the concerns expressed by the Grand Jury and magistrates of the Home District, on March 6, 1830, the Legislative Assembly unanimously

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¹²"Report of York Hospital and Dispensary." Appendix to the Journals of the House of Assembly of Upper Canada, 1831, p. 4.

¹³"Recommendations of Grand Jury for Care of Insane." Upper Canada Sundries, volume 98. Cited in The Town of York, 1815-1834, ed. Edith D. Firth (Toronto: University of Toronto Press, 1966), pp. 281-283.

¹⁴Upper Canada, Journal of the House of Assembly, February 23, 1830.

passed "An Act to Authorise (sic) the Quarter Sessions of the Home District to Provide for the Relief of the Insane and Destitute Persons in that District."¹⁵

In its wording and intent, the Act of 1830 pointed out the "necessity" of using jails as receptacles for the insane in the Home District, and gave statutory approval to this practice. It stipulated, in part, that the Clerk of the Peace of the District was periodically to present the Sessional Grand Jury with an accounting of the funds required in caring for the insane who were confined in the District jail at York; that the Grand Jury was to annually determine a "reasonable" sum for supporting the said insane persons; and, that the Treasurer was to pay the amount specified by the Grand Jury.¹⁶

In spite of the ostensibly humanitarian intentions of the Legislature, the Act of 1830 was soon recognized as being seriously inadequate. Late in 1831, it was pointed out in a Grand Jury Representation that the provisions made for the care of the insane in the Home District did not extend to other districts of the province.¹⁷ The Grand Jury further recognized that the confinement of the insane in common jails was highly unsatisfactory, and recommended in the name of "humanity towards

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Statutes of Upper Canada, 1830, 11th Geo. IV., Chap. 20.

¹⁶ Ibid., s. 1-3.

¹⁷ Upper Canada, Journal of the House of Assembly, (1831-32), pp. 115-116.

an unfortunate class of their fellow beings" that a provincial asylum be built to serve the needs of all lunatics in Upper Canada.

While this demand for action did in effect prompt the Legislature to extend the 1830 legislation to cover the entire province,¹⁸ the House of Assembly did not respond favourably to the Grand Jury's request for a provincial asylum. Although the decade of the 1830's was one in which many attempts were made to effect legislative and social reform in the area of mental health services, with the exception of the legislation of 1830 and 1833, these hopes for reform were quickly dampened.

In the course of the decade no less than thirteen separate bills relative to the need for establishing a provincial lunatic asylum were proposed but were not enacted into law.¹⁹ In addition, numerous petitions and reports concerned with the need for an asylum in the province during this period, seem not to have caused the government to loosen the strings to the public purse. Indeed, even with the enactment of legislation requiring that the insane be provided for within the confines of the district jails, the conditions of their confinement do not

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Statutes of Upper Canada, 1833, 3rd Wm. IV, Chap. 45.

¹⁹General Index to the Journals of the House of Assembly of Upper Canada, 1825-1840 (Montreal: King's Printer, 1848). Under the heading of "Lunatic Asylum: Bills relative to a Lunatic Asylum" there is a list of 13 separate bills which failed to pass in the House of Assembly.

appear to have improved significantly.

Other early sources which provide a glimpse of the plight endured by the insane in district jails are the annual "Gaol Reports" submitted by the sheriffs in charge of overseeing the management of jails. For example, Sheriff W.B. Jarvis, the acclaimed "pillar of the Family Compact" and "distainer of debtors",²⁰ reported that in 1835 in the Home District:

There are four insane persons in Gaol, viz: Margaret Finch, committed in 1821, now about 40 years of age, abandoned by her husband and family, she has only temporary periods of insanity; John Long, a negro, aged 29 years, committed in 1832, dangerous to go at large; Geo. Adamson, 36 years of age, committed in 1832, religiously insane; and John Morrison, aged 47 years, committed in 1843, frequently outrageous.²¹

From the District of Bathurst, another sheriff, John A.H. Powell, reported in 1835 that:

In 1834, one insane person was in confinement a poor widow - name, and length of time insane unknown - age about 36 years - occasionally exceedingly violent and outrageous so as to render it necessary to confine her for the preservation of public peace. - Great inconvenience experienced in this District for want of a Provincial Lunatic Asylum, as the smallness of the Gaol, and difficulty of managing such persons, render it exceedingly unhealthy and uncomfortable to its inmates generally.²²

²⁰Romney, "William Lyon Mackenzie and his Enemies," p. 5; and, Robert J. Burns, "William Botsford Jarvis," Dictionary of Canadian Biography, 1871-1880, ed. Marc La Terreur (Toronto: University of Toronto Press, 1972), pp. 411-412.

²¹"Gaol Reports, as Returned for the Last Four Years, 1832-1835." Appendix to the Journals of the House of Assembly of Upper Canada, 1836.

²²Ibid., p. 2.

It seems that few district jails were spared the trouble of having to provide accommodation for the various classes of insane inmates. A third case in which it is evident that jails were being used as a substitute for a lunatic asylum is reflected in the report of Sheriff Chas T. Treadwell of the District of Ottawa. In his return for 1834 Treadwell noted that:

There is now in the prison an unknown transient female, apparently about thirty years of age, and insane at times; she said her name was Susan Heresy, other circumstances have induced me to believe that her name is Sarah Bradley...It is not known how long she has been deranged - she had committed no offence, but was in a helpless, starving, and destitute condition.²³

The district jails held not only outrageous and pauper lunatics. Indeed, even in this early period it is apparent that persons not convicted of any offence were being confined because of their inability to stand trial on account of mental illness. In this regard, Alexander Hamilton, the Sheriff of the Niagara District, related the story of one Patrick Donnally, who was committed on September 6, 1832, as being unfit to stand trial for the murder of his wife. According to Hamilton:

Patrick Donnally, aged 44 years, committed for the murder of his wife, but not tried in consequence of being insane; from the almost constantly crowded state of the Gaol, and limited accommodations, as well as for the sake of humanity to this distressed object, it would be desirable if his removal could be effected to some place where there would be at least some chance of his

²³Ibid., p. 1.

recovery, which in his present place of abode is
hopeless.²⁴

In spite of the fact that the insane had long been confined along with criminals, debtors and the poor, it was not until the 1830's that the insane began to be recognized as both a medical problem and a public responsibility in Upper Canada.²⁵ On a continuing basis, efforts were made to inform the general public of the inconvenience brought about by the maintenance of insane persons in district jails, and the benefits that a provincial asylum would have for the community. Instrumental in awakening the public to the plight of the insane were the many petitions and reports which appeared during the course of the decade.

Of the remaining documents in which the issue of the need for an asylum was addressed, undoubtedly the most interesting and informative was the Report on Asylums produced through the efforts of Dr. Charles Duncombe.²⁶ Appointed in 1831 as a member of a Select Committee to inquire into the best method of establishing a lunatic asylum in Upper Canada,²⁷ in 1834 Duncombe made a tour of "the principal Lunatic Hospitals of the

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Ibid., p. 7.

²⁵Brown, "Architecture as Therapy": 110.

²⁶Michael S. Cross, "Charles Duncombe," in Dictionary of Canadian Biography, 1861-1870 (Toronto: University of Toronto Press, 1972), pp. 228-232.

²⁷Upper Canada, Journal of the House of Assembly, November 24, 1831.

atlantic, middle, and western states." The report, tabled in the House of Assembly in 1835, pointed specifically to the recent increase of interest in the well-being of the insane in Upper Canada, dealt with the factors which necessitated the establishment of a provincial lunatic asylum, and proposed a general plan for the construction of such an institution.

Significantly, he noted that:

As the subject of mental derangement is daily acquiring additional interest and attention, the benefits of (a provincial asylum) will soon be understood and duly appreciated by the public. The insane are no longer treated as the outcasts of society or considered as unworthy of further regard than to be confined in common jails or poor houses. Their diseases are found to be curable, like other disorders of the human system.²⁸

The Duncombe report was the most forthright statement on moral treatment and asylum administration ever to appear in any of the pre-confederation provinces.²⁹ In support of his contention that insanity was the most curable of all bodily disorders, the author referred to the statements of leading American medical superintendents who claimed that given the proper "moral" environment, in most cases insanity could be cured. With apparent great enthusiasm Duncombe remarked in his report that:

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Charles Duncombe, "Report on Lunatic Asylums." Appendix to the Journals of the House of Assembly of Upper Canada, no. 30, 1836, p. 5. Hereafter cited as "Duncombe Report."

²⁹ Stalwick, "A History of Asylum Administration in Canada Before Confederation," p. 146.

A proportion amounting to ninety per cent of recent cases has been actually cured in some of the insane hospitals of the United States, and the patients restored to health, to their friends, and society. In other circumstances, when cures have been found to be impossible, either from the obstinate nature of the malady itself, or from the continuance of diseased action in the brain, so much improvement is frequently accomplished as to render the subjects of disease comparatively comfortable. But to render the treatment of insanity thus successful the patients must be entirely separated from their friends and from all objects with which they are familiar. This can only be effected by placing them in institutions for that purpose and entirely under the control of strangers.³⁰

In addition to noting the great advances witnessed in the development of mental hospitals in the United States, Duncombe also provided minute details regarding the specific architectural features a provincial lunatic asylum should possess. In order to provide maximum therapeutic benefit, the author of the report argued that the asylum be situated in an elevated location removed from easy access by families and friends. This he believed would enable patients to enjoy the beauty of the countryside, while protecting them from the detrimental influences of the "imprudent and thoughtless stranger or visitor".³¹ In terms of its architectural structure, Duncombe advocated establishment of an asylum modeled after the Massachusetts' lunatic hospital at Worcester, and incorporating the advantages of other American institutions. For, as the

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"Duncombe Report." p. 5.

³¹Ibid., p. 5.

author was careful to point out, the actual structure of a lunatic asylum had a profound influence on the effectiveness of treatment.

In the medical and moral treatment of the insane, one of the most valuable improvements consists in the judicious separation of the patients into distinct and appropriate classes. This great object should be accomplished in the Lunatic Asylum of this Province in the most perfect manner; each hall in the wings should have a separate stairway, leading into an outer court yard, containing about one third of an acre. Into those yards, each separate class will have ingress and egress as entirely unconnected with others as if they lived in different buildings, at the same time the whole body of the patients being excluded from the centre edifice, the officers of the Institution will be able to regulate all salutary visitations, while they can also protect the miserable inmates from the idle gaze of a vain and improper curiosity.³²

While impressed with the achievements of American advocates of asylum construction, Duncombe was distressed over the slowness with which asylum development was proceeding in Upper Canada. In fact it appears that in addition to informing the government about American developments, Duncombe used his report as a forum for attacking the Legislature for its niggardliness in providing suitable accommodation for the insane residents of the province. Critically, he asserted that while it was most fortunate that asylum care was being provided in virtually all other North American colonies, it was most distressing to see the insane still being confined in the various district jails of Upper Canada.

³²Ibid., p. 4.

Despite the government's failure to take action on behalf of the insane residents of the province, Duncombe, however, seemed confident in the belief that the overwhelming success witnessed in the moral treatment of the insane in American institutions, would prompt the Legislature of Upper Canada to approve the construction of an institution which would combine all the advantages of the best institutions in America.

Importantly, in concluding the report, the author exclaimed:

...how gratifying is the thought that the modern practice of the treatment of the insane, renders the recent cases as easily cured, when properly treated, as the ordinary diseases of the climate, and with less expense; for if seventy-five of the hundred may thus be cured - even though the expense of making those comfortable who are incurable, should be greater in an asylum than in the common jails of the District, where they are wretched and make everybody wretched about them, and their prospect of recovery rendered hopeless by their situation and want of proper treatment - yet lessening³³ the number three-fourths still lessens the expense.

In essence Duncombe can be seen to have based his argument in favour of a provincial lunatic asylum on both his belief in the curability of insanity, and the economic benefit such an institution would have for the community. By virtue of their ability to cure great numbers of insane persons, society would be relieved of the onerous task of providing for their support. Further, Duncombe apparently believed that the insane once recovered, could again become productive members of society.

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Ibid., p. 6.

Duncombe's promising report effected considerable attention. On March 30, 1836, on the recommendation of Duncombe, the House of Assembly resolved that a grant of 10,000 pounds be allotted to defray the cost of building an asylum. For various reasons, however, the motion failed to attract the approval of the government.

The factors underlying the rejection of Duncombe's Report in the 1830's appear to have been both economic and political. Financially, it has been argued that the strings to the public purse had been too severely strained by the fact that in the year previous to Duncombe's request for money to be set aside for a lunatic asylum, the Legislature had already voted that 20,000 pounds be allotted for the construction of Kingston Penitentiary.³⁴ At the time Duncombe proposed that 10,000 pounds be set aside for the construction of an asylum, his request was possibly considered to be too much of a drain on the public purse.

On the political side, Duncombe's credibility and motives were suspect because of his close association with William Lyon Mackenzie and the Reform Party of Upper Canada, whose platform was to undo the ruling oligarchy in Upper Canada and transplant Republican political ideas and institutions in the traditionally

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Stalwick, "A History of Asylum Administration in Canada Before Confederation," p. 146.

British colony.³⁵ It is also possible that the suggestion of constructing an expensive hospital, to operate on the theory that insanity was the most curable of all diseases, was viewed as being highly radical in a province which for decades had locked up lunatics in district jails.

Though the effect of Duncombe's political affiliation on the rejection of his reform proposals will perhaps never be known for certain, even if (as in the case of the Kingston Penitentiary) funds had been set aside for the construction of an asylum in accordance with Duncombe's recommendations in 1835, it is doubtful whether it would have been built as planned. For, along with William Lyon Mackenzie, Duncombe was to lead in the abortive Rebellion of 1837, and subsequently take refuge in the United States.³⁶

That the need for a provincial lunatic asylum was recognized by persons of various political persuasions is evident in events which occurred after 1837. In the aftermath of the Rebellion and the exodus of the Reform leaders, the issue of the need for an asylum repeatedly surfaced in the House of Assembly.³⁷ Early in 1838 a Committee was established to look into the entire matter of voting a sum of money to facilitate

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Ibid., pp. 146-147.

³⁶Cross, "Charles Duncombe," pp. 230-231.

³⁷Baehre, "From Pauper Lunatics to Bucke," pp. 46-47.

the erection of a lunatic asylum in the province.³⁸ As a result two resolutions calling for the appointment of Commissioners to superintend the construction of an asylum, the framing of rules and regulations to govern asylum management, and the funding of planning and construction costs, were adopted. Upon being referred to a Select Committee the resolutions were enshrined in a bill to be passed in the House and given royal assent.³⁹ Owing to the Legislative Council's demand that several amendments be made to the bill, however, it would not reappear in the House until the following year.

Meanwhile, the demand that separate accommodation be made for the insane continued to mount. In the period from 1838 to 1840, petitions from all parts of the province, begging that the insane be removed from the district jails and placed in an asylum, were brought to the attention of the government. One such petition was that submitted by the magistrates of the District of Ottawa to the Lieutenant-Governor in February 1839. In it, the magistrates stated:

That for a number of years past, the peace of the said District has been repeatedly disturbed and the moral feelings of its inhabitants shocked, by the appearances among them of maniacs, and insane persons, for the most part strangers to the country, or to the district.

That although the magistrates have, in every case, promptly interfered, both to protect the public, and to

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Upper Canada, Journal of the House of Assembly, January 15, 1838.

³⁹Baehre, "From Pauper Lunatics to Bucke," p. 46-47.

secure the unfortunate beings in question, yet their measures have been unavoidably attended with great public expense and inconvenience, owing to the necessity of confining and maintaining the deranged persons in the Common Gaol of the District.

Further, the respective justices forcefully expressed their belief:

...that it has become a solemn and imperious duty on the part of the Legislature to provide for the reception and accommodation of insane destitute persons in this Province, one large establishment worthy of the public character of Upper Canada, and of so just and philanthropic a cause.⁴⁰

Within a few months of having received the petition of the magistrates of the District of Ottawa, a draft of the bill proposed in the previous year, complete with amendments, was brought before the House of Assembly. On March 15, a resolution authorizing a grant of 3000 pounds was put forward and carried by a large majority. Subsequently, on April 24, an act enshrining the resolutions was passed. And finally, on May 11, 1839, "an Act to authorize the erection of an Asylum within this Province, for the reception of Insane and Lunatic persons", received the assent of His Excellency Sir George Arthur, the Lieutenant-Governor of the province.⁴¹

At the time it was enacted, the Act of 1839 must have appeared to be highly progressive. Significantly, it committed

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Upper Canada Sundries, February 16, 1839. Cited in Splane, Social Welfare in Ontario, pp. 203-204.

⁴¹Statutes of Upper Canada, 1839, 4th Vic. 2, Chap. 11.

the government to taking action on behalf of the insane persons confined in district jails, and at large in the community. In part, the legislation required that the Court of Quarter Sessions in each district of the province levy an assessment to produce funds for the erection of an asylum for the insane, and that the Lieutenant-Governor appoint Commissioners, one of them being an experienced medical practitioner, to superintend the construction of the asylum. Further, the legislation stipulated that as soon as the institution was "sufficiently completed", the Lieutenant-Governor was to appoint a Board of Directors, composed of twelve or more members, whose duty was to include hiring a resident medical superintendent and other asylum staff. Importantly also, the legislation implied a fundamental change in the procedures governing the commitment of insane persons, by providing for the admission of patients to the institution upon certification of insanity by three medical physicians.⁴²

The enactment of the 1839 legislation by no means solved the problem of what to do with the "dangerous" and destitute insane who were languishing in provincial jails. Indeed, more than a decade was to pass before a permanent lunatic asylum was established in Upper Canada. In the meantime, efforts directed at prompting the government to provide separate accommodation for the insane continued. On February 8, 1840, the perceived

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Ibid., ss. 2-5.

urgency of the situation was expressed by Allan N. MacNab, the Speaker of the House of Assembly of Upper Canada. In an address presented to Charles Poulett Thomson, the Governor-General of British North America, MacNab stated:

We, Her Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will be pleased to direct that a suitable building be provided forthwith as a temporary asylum for the many unfortunate persons afflicted with lunacy in this province, and beg leave to assure Your Excellency that this House will make good the expence that may be incurred thereby, and in affording relief to such objects of distress.⁴³

On February 10, 1840, the Governor-General responded positively to the wishes of the House of Assembly, claiming he would give his attention to the best means of carrying into effect the establishment of a temporary lunatic asylum in the province. Despite this encouraging response, however, it was not until January 1841 that that a "temporary" asylum was established.

The Temporary Asylum: Politics, Patronage, and Treatment,
1841-1850

The first "temporary" asylum for the insane in Upper Canada was the old York jail, which after being declared unfit for the reception of prisoners was scheduled to be closed. Once

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Upper Canada, Journal of the House of Assembly, February 8, 1840. Cited in Burgess, "Canadian Institutions for the Insane," p. 19.

it was determined that the prisoners were to be transferred to new facilities, a decision regarding the fate of the seventeen insane inmates being held in the jail's basement cells had to be made. Hesitant about assuming the duties attendant upon the organization of a temporary asylum,⁴⁴ Robert S. Jamieson, the chairman of the Board of Commissioners appointed to oversee the erection of a provincial asylum, advised W.B. Jarvis, the Sheriff of the Home District, to leave the insane inmates where they were.⁴⁵ In the absence of further government instructions, Jarvis, having secured the old jail at a rent of 125 pounds per year, had the insane inmates moved to ground level quarters. Upon this having been done, Dr. William Rees, a Toronto medical practitioner and long time advocate for the establishment of a mental hospital in the province,⁴⁶ was entrusted with the responsibility of providing the original seventeen "patients" with medical treatment.

While from the onset Rees' attempts at lessening the plight of the insane were hindered by the conditions within which he worked, the government of the day heartily approved of his reform endeavors. After visiting the asylum on June 10, 1841, a

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Appendix to the Journals of the Legislative Assembly of the Province of Canada, (L.L.), 1841.

⁴⁵Burgess, "Canadian Institutions for the Insane," p. 20.

⁴⁶William Ormsby, "William Rees," in Dictionary of Canadian Biography, 1871-1880, p. 610.

Grand Jury praised Rees "for the manner in which he availed himself of the limited means at his disposal, and the general conduct of the Establishment".⁴⁷ While the Grand Jury sorrowfully noted that initially the temporary asylum served also as a lockup for disorderly persons awaiting examination and committment, it commended Dr. Rees for bringing much relief to the twenty-seven patients then in the institution.

The view that the insane were comparatively better cared for after the establishment of the temporary asylum is also reflected in a report on the state of the institution authored by Robert S. Jamieson. Written in response to an inquiry from the Governor-General of the newly created Province of Canada, concerning the conditions at the temporary asylum, the report commented most favourably on the changes introduced by Dr. Rees. With gratitude it noted that once the doctor had assumed the position of medical superintendent:

The patients were taken from the cells in which they were closely confined, and where they had long, from the dire necessity of the case, been permitted to remain in filth and nakedness and impure air, all confirming their maladies, and placed in the now purified and airing debtors' rooms - carefully washed, clothed, and placed under Medical care... The effect of this new course of life was soon apparent; many who had long been confined as confirmed Lunatics were found to be labouring, not under mania, but under derangement arising from physical causes and yeilding to physical remedies. Several have completely recovered, who but for this treatment would

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Appendix to the Journals of the House of Assembly of Upper Canada, (L.L.), 1841.

probably never have exhibited another gleam (sic) of reason.⁴⁸

Whatever the physical improvements brought about by Rees, the unqualified enthusiasm expressed by officials who visited the asylum soon after its establishment appears in retrospect to have been unfounded. Almost immediately after Rees became medical superintendent conflict over who was to manage the institution began to develop between the doctor and the Directors appointed to oversee the management of the asylum. The decision to vest control of the institution in a Board of Directors rather than in the Crown created a situation where the medical superintendent had no control over the hiring of institutional staff or the maintenance of order and regularity in the asylum. The increasing frustration felt by Rees as a result of the interference of the Directors in the administration of the asylum was expressed most pointedly in a letter to the Honourable W.H. Draper, the Attorney General of the province. Dated April 14, 1845, the letter lamented that:

The impotent state in which the medical officer, who has the greatest responsibility and I may say all the work, is kept is truly ridiculous; he has no power of controlling the subordinate persons, and the Institution, in the absence of the Commissioners, it may be said, has been left to itself; they, the Commissioners, having declared in their Report that they did not deem it necessary to surrender the power of controlling the keepers and nurses, or transferring it

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Ibid., n.p.

to other hands.⁴⁹

In the four years that Rees presided as the medical superintendent of the temporary asylum the conflict over the management of the institution continued unabated. Soon after his dismissal, in 1845, the doctor summed up his views on proper asylum administration with the following quotation gleaned from his reading of European authorities of the "highest medical repute". In line with contemporary European thought, Rees argued:

It is absolutely necessary that a judicious arrangement of authority and subordination be established, and that the Physician should be superior to all in respect to every thing that concerns the patients. The greatest importance is attached to the selection of Inspectors and Attendants in Lunatic Asylums. The moral treatment requires the greatest judgment and determination in all its relations. Active and incessant inspection of both patients, and attendants, is imperatively required.⁵⁰

In Rees' view, the vesting of control of the institution in the hands of the Directors allowed abuses committed by asylum keepers and nurses to go unattended. Indispensable to the proper administration of the asylum and the implementation of an effective system of medical and moral treatment was the

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Rees to Draper, 4 April 1845. Cited in "Copies of all Correspondence between the Commissioners of the Temporary Lunatic Asylum and the Government, during the Medical Superintendence of Dr. Rees, and between him and the Government, and him and the Commissioners, in possession of the Government, and all other documents relating to the appointment and dismissal of Dr. Rees." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (F.F.F.), 1849.

⁵⁰ Ibid., n.p.

principle that the medical superintendent have unquestioned authority. Indeed, it appears that Rees was fully cognizant of the benefits that asylum life could have on individuals if a proper moral environment were created. This seeming familiarity with the latest methods in treating the insane undoubtedly stemmed in part from Rees' tour of European insane asylums, which he made before taking up his duties at the temporary asylum in 1841.⁵¹

In many respects, Rees stands out as a transitional figure in the development of nineteenth century psychiatric thought and practice in Canada. Interestingly, his pivotal position is illustrated in the mechanisms he employed to bring about the restoration of reason in his patients. On the one hand, the asylum doctor advocated the utilization of "medical" treatment which involved blood-letting, blistering and the use of purgatives. The critical assumption underlying this approach to the treatment of insanity was the eighteenth-century medical belief that insanity was a physical disorder. Regardless of the patient's specific mental condition, those who adhered to the traditional "somatic view of insanity" argued that no mental illness could occur in the absence of physical malfunctioning.⁵² Thus, it followed, that in order to alleviate insanity what was

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Ormsby, "William Rees," p. 610.

⁵²Dain, Concepts of Insanity in the United States, p. 10.

needed was the administration of "medical" treatment.

Although the "medical" treatment of insanity was clearly rejected by Tuke and Pinel some thirty years earlier, Upper Canadians continued to justify the practice on the basis of its therapeutic efficacy and practical necessity. For instance, in a report filed by Dr. W.R. Beaumont, one of three medical physicians appointed by the Governor-General to inquire into the system of treatment employed at the temporary asylum, several European and American authorities were cited as supporting the view that in certain cases the use of various forms of "medical" treatment was justified. Among others, Beaumont quoted the famous English authority on medical jurisprudence Dr. Pritchard as stating that "whenever there is rather a tendency to stupor (sic) than excitement, blisters in the head are frequently of service." On the basis of such authority Beaumont went on to claim:

Blisters rarely produce any constitutional disturbance, or local irritation save in the most vesicated. I believe that few maniacal patients, are likely to be injured by them, but that many may be benefited, if moderate caution be employed.⁵³

Beaumont's cautious acceptance of "medical" treatment by no means implies that he was opposed to "psychological" treatment. Rather, the acceptance of the practice seems at least in part to

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W.R. Beaumont, M.D., "Report on the System of Treatment Generally Pursued at the Temporary Lunatic Asylum at Toronto." 15 October 1844. Griffin and Greenland Collection, Toronto, Ontario.

have been a pragmatic decision, based on the fact that facilities were not yet available within which to implement a program of moral treatment modeled on European and American precedents. As the medical physician noted:

With regard to moral treatment, it can be adopted, in the Temporary Asylum, only to a very limited extent, the premises permitting little or no classification of the patients, and there being neither workshops, nor grounds in which to cause the patients to undergo the proper amount of muscular exertion, and to maintain that occupation of the mind with the present, which prevents a recurrence of the memory to the past, maniacal hallucinations usually referring to the latter... So far therefore as moral treatment is concerned, the medical superintendent labours under great disadvantage.⁵⁴

In contrast to Dr. Beaumont's sympathetic report, those submitted to the Provincial Secretary by doctors Wm. Hamilton and W. Telfer were highly condemnatory.⁵⁵ According to both medical physicians, recourse to frequent bleeding, blistering and saline purgatives to remove disease, was injudicious and unpardonable, since the majority of cases in the Temporary Lunatic Asylum were of long standing. Further, Dr. Hamilton specifically argued that the theory of insanity being a physical

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Ibid., n.p.

⁵⁵Wm. Hamilton, M.D., "Report on the System of Treatment Generally Pursued at the Temporary Lunatic Asylum at Toronto." 15 October 1844. W. Telfer, M.D., "Report on the System of Treatment Generally Pursued at the Temporary Lunatic Asylum at Toronto." 14 October 1844. Griffin and Greenland Collection, Toronto, Ontario.

disorder was not supported by "anatomical investigations".⁵⁶

Somewhat paradoxically, it appears that while Rees utilized "medical" treatment on a wide-scale, he also fully endorsed the implementation of a system of moral treatment. In each of his annual reports the importance of providing patients with amusement, recreation, exercise and constructive employment was stressed.⁵⁷ While moral treatment was posed as an ideal to be obtained, Rees' annual reports, like the reports of the medical physicians, and other related correspondence,⁵⁸ also reflect the obstacles which prevented the doctor from utilizing the system on a much broader basis.

Whatever little success Rees had in introducing moral treatment, the temporary asylum reverted to functioning as a warehouse for housing the insane, after his dismissal in 1845. In the years subsequent to Rees having been relieved of his duties, the conflict between the Directors of the institution and attending medical superintendents repeatedly surfaced.⁵⁹

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Ibid., n.p.

⁵⁷ Wm. Rees, M.D., "Toronto Lunatic Asylum: Rees' Report to the Commissioners." 1 September 1844. Griffin and Greenland Collection, Toronto, Ontario. Also published in the Montreal Medical Gazette, 1 (March 1845): 9-12.

⁵⁸ "Copies of all Correspondence... relating to the appointment and dismissal of Dr. Rees." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (F.F.F.), 1849.

⁵⁹ Graphic and detailed accounts of the administrative difficulties encountered in the operation of the temporary asylum at Toronto were provided in contemporary newspapers and

From the summer of 1845 through to the appointment of Dr. Joseph Workman as medical superintendent of the permanent Toronto Lunatic Asylum, in 1853, there was a rapid turnover of five medical superintendents; each of whom contributed to creating an atmosphere of immeasurable political turmoil.⁶⁰ Tragically, the result of such squabbling and mismanagement was the neglect of the patients. Indeed, Mr. J.H. Tuke, a visitor to the asylum in September 1845, wrote in his diary:

Visited the lunatic asylum. It was one of the most painful and distressing places I ever visited. The house was a terribly dark aspect within and without, and was

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(cont'd) journals, such as: "The Toronto Lunatic Asylum," The British American Journal of Medical and Physical Science 4 (February 1849): 280-282; "The Government - The House of Assembly - The Lunatic Asylum," The British American Medical and Physical Journal 7 (August 1851): 181-187.

60 The extent of the political scandal wrought by the Directors of the temporary, and later permanent, lunatic asylums at Toronto and succeeding medical superintendents is reflected in: "All papers and correspondence relative to the removal from office of Dr. Telfer, the late Medical Superintendent of the Lunatic Asylum at Toronto." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (G.G.G.), 1849; and "All the Correspondence between the Commissioners of the Temporary Lunatic Asylum, at Toronto, and the Provincial Secretary, relating to their complaints against Dr. Park, the Superintendent of the said Asylum; and also, all communications from Dr. Park to the Provincial Secretary, on the subject of his complaints against the said Commissioners, and all other documents or papers in any way relating to the dismissal of Dr. Park, from the situation of Superintendent of the Temporary Lunatic Asylum, at Toronto; and also copies of all correspondence between Dr. Park and the Provincial Secretary, relating to the issuing of a Commission to examine and inquire into the causes of difference between the said Commissioners and Dr. Park; and also, a copy of the Commissions appointing the said Commissioners and Dr. Park." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (M), 1849.

intended for a prison. There were, perhaps, 70 patients, upon whose faces misery, starvation, and suffering were indelibly impressed. The doctor pursues the exploded system of constantly cupping, bleeding, blistering, and purging his patients; giving them also the smallest quantity of food, and that of the poorest quality. No meat is allowed.

The temples and the necks of the patients were nearly all scarred with the marks of former cuppings, or were bandaged from the effects of more recent ones. Many patients were suffering from sore legs, or from blisters on their backs and legs. Everyone looked emaciated and wretched. Strongly-built men were shrunk to skeletons, and poor idiots were lying on their beds motionless, and as if half-dead. Every patient has his or her head shaved. One miserable court-yard was the only airing-court for the 60 or 70 patients - men or women. The doctor, in response to my questions, and evident disgust, persisted that his was the only method of treating lunatics, and boasted that he employs no restraint, and that his cures are larger than those in any English or Continental asylum! I left the place sickened with disgust, and could hardly sleep at night, as the images of the suffering patients kept floating before my mind's eye in all the horrors of the revolting scenes I had witnessed.⁶¹

As a result of the obvious need for better accommodation and increases in the number of insane being committed, in 1846, a decision was made to open two satellite institutions, one in the old parliament buildings in Toronto, and another in a private dwelling house.⁶² Increases in the number of persons being committed to the temporary institutions in the mid-1840's, further prompted the government to begin the actual planning and

⁶¹ Daniel H. Tuke, The Insane in the United States and Canada (London: 1885), p. 215.

⁶² W. Telfer, M.D., Annual Report of the Medical Superintendent of the Temporary Provincial Lunatic Asylum at Toronto (Toronto: Scobie and Balfour, 1847), p. 8-9.

construction of a permanent asylum. Impressively, the Commission appointed to superintend the erection of what was to become one of the largest buildings in British North America included some of the most prominent figures in Upper Canadian society, while the Honourable John Beverly Robinson, the Chief Justice of the province, presided at the laying of the asylum's cornerstone.⁶³ After five years of construction, in January 1850, the Toronto Lunatic Asylum finally opened its doors, admitting 211 patients. Without doubt, the advent of the permanent Asylum at Toronto symbolized the end of an era of asylum difficulties and the beginning of an organized system of institutionally based therapeutic care in Upper Canada.

⁶³Burgess, "Canadian Institutions for the Insane," p. 26.

IV. Chapter 3

The Organization of Therapeutic Confinement after 1850

To the promoters of institutional care for the insane in Upper Canada, the opening of the Provincial Lunatic Asylum in 1850 promised the beginning of an era in which the dreaded disease of insanity would be eradicated from society. Modelled after the popular "Kirkbride plan" which had come to dominate asylum design in the United States,¹ both public and professional groups assumed that the Toronto Asylum would serve to create the "therapeutic" milieu needed in the treatment of insanity brought about by the "moral" stresses experienced by individuals in their every day environment. Both in the attention paid to architectural details, and in the authority which was to be entrusted in the institution's medical superintendent, it is apparent that by the mid-nineteenth century, the Upper Canadian promoters of the insane asylum had fully embraced the ideal of moral treatment. As the third quarter of the nineteenth century was to prove, however, attempts to bring about the realization of this ideal were to confront numerous obstacles.

¹ Brown, "Architecture as Therapy": 111.

During its first three years of existence the Toronto Asylum was beset by difficulties. Under the medical superintendence of Dr. John Scott, the institution suffered both in terms of its internal management and in terms of its public image. Scott, who was appointed superintendent because of his personal association with with one of the Asylum's influential Directors,² was soon found to be an arrogant and ill-tempered individual.

Within a year of the opening of the institution, John Coppins, one of the Asylum's keepers, charged that Scott was ruining the morale of the asylum staff and the image of the institution by issuing harsh orders and abusing the patients.³ Specifically, in a petition to the Board of Directors, Coppins noted that, among other improprieties, the asylum doctor had unruly patients placed on diets of bread and water, employed one of his charges as his personal servant, and persistently ridiculed both asylum staff and patients by referring to them in the most unsavory terms. As a result of Coppin's petition, the

² Reverend John Roaf, Dr. Scott's father in law and long time Commissioner appointed under the the Asylum's Act of 1839, had tried for years to have Dr. Scott appointed as medical superintendent. He finally succeeded in 1850.

³ "Copies of the petition of John Coppins to the Board of Directors of the Provincial Lunatic Asylum, containing various charges against the management of that Institution, and all of the evidence taken relative to said Petition, together with the Report of the Directors thereon..." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (M), 1851.

Board of Directors of the Asylum formed a Committee to investigate the allegations. Upon completing its investigation, the Committee informed the House of Assembly that:

In reference to the general demeanor of your superintendent as wanting in kindness and consideration towards the officers and servants under his control, your Commissioners have to report that this complaint is borne out by the prevailing evidence before them. They find that the medical superintendent, giving way perhaps to a natural infirmity of temper, has on some occasions permitted himself to indulge in remarks, which they conceive to be injudicious, and to use expressions unbecoming the dignity of his position, and calculated to weaken the respect which it is important he should command. While constrained to admit the fact, and record their opinion on the subject, the Committee are sensible that occasions may arise to test the patience and forbearance of your Superintendent. They would therefore regard it but fair to make due allowances under the circumstance, particularly for an officer who has attained as yet but a limited experience of the duties of his situation.⁴

Though acknowledging the medical superintendent's "natural infirmity to temper", the investigating Committee was strangely silent on other charges pertaining to Scott's activities in the institution. Somewhat evasively, the Committee members concluded that there was no evidence to support the charge that Scott was "capricious and arbitrary" in the exercise of discipline, and that the other charges raised by the Asylum's keeper were too frivolous to warrant serious attention.

Despite the fact that Scott had been cleared of serious improprieties, the public image of the institution did not

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Ibid., n.p.

improve during his superintendency. For, despite the Directors decision to tolerate Scott's propensity toward authoritarianism, they could not, without great public outcry, refuse to admonish the asylum doctor for his other nefarious activities. It seems that throughout the time he was superintendent Scott had maintained a practice of having suicidal patients placed under the care of other asylum inmates.⁵ As if this were not enough, late in 1851 a local newspaper alleged that the doctor had turned the Asylum's "deadhouse" into a dissecting room, wherein he carried out the most abominable practices. In terms befitting a horror story, the Upper Canada Journal reported:

A patient in the Provincial Lunatic Asylum, named Andrews, died on the 11th November. An inquest was held on the body on Sunday the 12th, and the remains in their supposed integrity were sent to the grave-yard for interment on Monday the 13th. In assisting the grave-digger to remove the coffin, a gentleman remarked its lightness (sic), which led to investigation, and the disclosure that the body was minus its head and neck, and right superior and inferior extremities. On the following Wednesday, doubtless in consequence of the rumors about, and popular excitement, the missing members were sent to the graveyard in a (steel) box, and at a second inquest held on the following Saturday, they were identified as parts of the same body, and in Dr. Lyon's language, presented the following appearances: "the head had been sawn in two, and put together again - the sinews of the neck were gone - the arm, head, and leg had been partiallyly dissected, and the leg had been taken off, apparently for the purpose of practising amputation at the thigh bone."⁶

⁵"The Government - The House of Assembly - The Lunatic Asylum," The British American Medical and Physical Journal, 7 (August 1851): 184.

⁶Cited in "The Provincial Lunatic Asylum, and the U.C. Journal," The British American Medical and Physical Journal, 8 (January

Scott's exploratory autopsies' undoubtedly aroused considerable suspicion about the institution, and his competence as medical superintendent. The affair was widely discussed in newspapers and professional journals of the period, and ultimately culminated in his dismissal. Thus, by 1853, as a consequence of a series of disreputable and image shattering events, the stage was set for the reorganization of asylum administration in the province.

On the eve of Scott's dismissal in 1853, significant administrative changes were in the making. Well versed in the history of politics, patronage and nepotism which plagued the operation of both the former temporary asylum and the new institution at Toronto, Dr. John Rolph, then Cabinet Minister in the Hincks-Morin Reform Government, secured the enactment of legislation aimed at improving the management of the Toronto Lunatic Asylum in June 1853.⁷ Significantly, the Act of 1853⁸ effectively established the pattern of asylum administration which was to guide the operation of lunatic asylums in Upper

⁶ (cont'd) 1852): 404-407.

⁷ G.M. Craig, "John Rolph," in Dictionary of Canadian Biography, 1871-1880, p. 688.

⁸ "An Act for the Better Management of the Toronto Lunatic Asylum." Statutes of the Province of Canada, 1853, 16 Vic., Chap. 188.

Canada for several decades.⁹ In effect, the legislation vested control of the Toronto Asylum in the Crown, abolished the Board of Directors, placed the Asylum's financial business affairs in the hands of an appointed bursar, and gave the medical superintendent control over the hiring and dismissing of regular institutional staff. To replace the Asylum's Board of Directors, a smaller inspectorate consisting of four government appointed officials was established to "visit" the institution and report on its condition.

The impact of the legislation of 1853 on the internal management of the system of mental institutions, which later developed in Upper Canada and Ontario, cannot be overstressed. When Dr. Joseph Workman was appointed as the temporary medical superintendent of the Toronto Asylum in July 1853, he had at his disposal legislatively sanctioned powers enjoyed by none of his predecessors. While seemingly pleased with the general condition of the institution and the ample funding provided to it during the first few weeks of his temporary appointment,¹⁰

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Stalwick, "Asylum Administration in Canada Before Confederation," p. 187, notes that the Act of 1853 continued to be the primary legislation governing the management of asylums in Upper Canada prior to confederation, with no major changes until 1873 when an act "to make further provisions as to the custody of insane persons" was enacted by the Government of Ontario.

¹⁰ Edward Jarvis Papers, Workman to Jarvis, 20 August 1853. Countway Library, Harvard University. Typescript copy obtained from, Griffin and Greenland Collection, Toronto, Ontario.

in the months following his reappointment as permanent medical superintendent, it became readily apparent that Dr. Scott had left the Asylum in a deplorable state.¹¹

In the first of his annual reports to the Legislative Assembly, Workman noted that the general health of the establishment was entirely unsatisfactory.¹² Distressingly, he pointed out that because of the asylum builder's failure to construct a proper drainage system for the Asylum, in the course of its four years of operation a mass of kitchen sewage and human waste had accumulated under the building. Consequently,

¹¹It is widely acknowledged that Workman's original appointment in 1853 was secured through the influence and support of his close friend and colleague Dr. John Rolph. It was partly through Rolph's influence also that in 1854 Workman was appointed as permanent medical superintendent. Prior to taking up this position, Workman, who was 48 years old at the time, was actively involved in private medical practice, educational reform, municipal politics, and as a lecturer at John Rolph's Medical School in Toronto. His career is further discussed in: C.G. Stogdill, M.D., "Joseph Workman, M.D., 1805-1894: Alienist and Medical Teacher," The Canadian Medical Association Journal 95 (October 1966): 917-923; Cyril Greenland, "Three Pioneers of Canadian Psychiatry," Journal of the American Medical Association 200 (June 1967): 833-842; John D. Griffin, M.D., and Cyril Greenland, "Psychiatry in Ontario in 1880: Some Personalities and Problems," Ontario Medical Review 47 (June 1980): 271-274; and, Rainer Baehre, "Joseph Workman (1805-1894) and Lunacy Reform: Humanitarian or Moral Entrepreneur?," Paper presented to the Annual Meeting of the Canadian Historical Association, Learned Societies Conference, Montreal, 7 June 1980.

¹²"Report of the Medical Superintendent... of the Provincial Lunatic Asylum, Toronto, as required by the Act 15 & 16 Vic. cap. 188." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (H), 1854

Workman argued that the absence of a proper drainage system caused an unbearable stench throughout the institution and posed a serious threat to the health of its patients. Had this been the only problem at the Toronto Asylum, Workman's first annual report would have been much less condemnatory.

Among the other serious problems identified by the medical superintendent was the lack of proper classification of lunatics. Evidently, because only the central edifice of the contemplated design had been completed, by 1854 three hundred and seventy-three unfortunate inmates were being confined in one half the space originally intended for two hundred and fifty patients. In Workman's view, the overcrowded state of the Asylum was a major obstacle which had to be overcome before the institution could hope to serve as a curative establishment.

The present building being only the trunk of the contemplated plan, is so defective in arrangements for the proper classification of Lunatics, as to render the Institution comparatively inefficient as a curative institution.

The whole of the patients of each sex are provided with only three corridors, or divisions, in each half of the house. It must be manifest to anyone acquainted with the organization and management of Lunatic Asylums, that this division of over One hundred and ninety insane persons, of every degree and form of mental alienation, must be almost useless for sanitive purposes; and cannot, even under the most vigilant and discreet supervision, fail to be attended with disagreeable, and, occasionally, untoward consequences.

Until the Wings, originally designed to constitute an indispensable portion of the Asylum, shall have been erected, it must be regarded as quite unfit for the

purposes for which it was intended.¹³

While the theme of persistent overcrowding was to be repeatedly turned to in subsequent annual reports, the remainder of the report of 1854 was largely devoted to the problem of criminal lunatics. With the rhetoric of an outraged politician, Workman condemned the existing law which allowed for the transfer of insane penitentiary and jail inmates to the Toronto Asylum, and the devastating effect the practice had on attempts "to preserve that salutary discipline and mild management, which are indispensable to the successful operation of the institution." Expressively, the report argued that:

An evil of inconceivable magnitude, and distressing results, in the working and present condition of this Institution, has been the introduction into it, of criminal Lunatics from the Provincial Penitentiary and County Jails. It is an outrage against public benevolence, and an indignity to human affliction, to cast into the same house of refuge with the harmless, feeble, kind-hearted and truthful victims of ordinary insanity, those moral monsters, which nature some times seems to have formed, for the purpose of teaching us the inestimable value of the constitution with which the species has been blessed, or, yet worse, those villains who affect insanity as a means of evading the just punishment of the most atrocious crimes.¹⁴

Faulty asylum design, overcrowding and criminal lunatics were by no means the only sources of irritation for Workman during the early years of his tenure. For it was during this period also, that his position as medical superintendent was to

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Ibid., n.p.

¹⁴Ibid., n.p.

be seriously challenged.

In the early months of 1855, persons displeased with the management of asylum affairs launched a campaign to have Workman removed from office. While the actual persons involved in this attempt are not known, it is evident that they had enough political influence to have the question of Workman's credentials brought before the Provincial Legislative Assembly. As the medical superintendent's correspondence with the now aged William Lyon Mackenzie was to reveal, the question of whether or not Workman should be removed from office was heatedly debated in the House.

During the legislative session of 1855, Mackenzie, having been pardoned for his participation in the 1837 Rebellion, was sitting as a member in the Assembly in Montreal. From the correspondence that transpired between the two men in the early months of 1855,¹⁵ and later in the year,¹⁶ Workman evidently respected the politician for his ideas and intelligence, and knew him well from having watched him in the Canadian political arena for some twenty-six years. Ostensibly at least, Mackenzie held a similarly favourable opinion of Workman, for when the issue of his competence was raised in the House the elder statesman staunchly defended the asylum doctor against his

¹⁵ W.L. Mackenzie Papers, Workman to Mackenzie, 8 March 1855; 31 March 1855. Archives of Ontario, Toronto, Ontario.

¹⁶ Ibid., 6 July 1855; 6 August 1855; 1 December 1855.

detractors. Apparently, Mackenzie's speech in defence of Workman's handling of asylum affairs proved successful, since, in expressing his gratitude, Workman wrote:

I thank you for defending the right, and vindicating the cause and character of the persecuter, I regard as almost a equivocal (sic) compliment. I knew I should have at your hands exactly that measure of justification which your honest convictions might dictate. I would opinion (sic) to solicit, as I am convinced you would come to concede, any other protection than that to which my official merits entitle me - I felt at ease; for I had the consciousness of having zealously, fearlessly, honourably and to the best of my ability performed all my duties and even though from want of correct and full knowledge of any case, and a very trying position, not a man had opened his mouth in my defence, I should still have had consolation in the testimony of my own conscience, and support from Him whose eye beholdeth the darkness as well as the light.

My peace rests not in an Assembly's vote - yet I thank you - I thank you in the name, and on behalf, of many a child of affliction here, whose tongue directed by the heart's warm feelings, - thought denied the guidance of an undisordered brain - would corroborate your statements - God bless you I shall work not without hope of sympathy - May this be the dawn of a better and brighter day to the hitherto neglected victims of mental disease.¹⁷

In spite of Mackenzie's efforts to consolidate Workman's superintendency, in 1855 his authority over the institution had not yet been secured. In a report dated April 5, 1855, and directed to the Visiting Commissioners of the Asylum, Workman alluded to accusations of gross mismanagement which had been leveled against him in the local press, and requested a thorough investigation of the charges.

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¹⁷ Ibid., 8 March 1855.

The character of every Lunatic Asylum, is identified with that of the Medical Superintendent. Its public usefulness must be determined by his administrative capacity, zeal, and industry. If my conduct merits censure, or removal from Office, the less delay, the better for the interests of humanity. If I have acted rightly, and judged correctly, it is due me that I should be vindicated and sustained by those in whom the visitorial function of the Institution has been vested. The proper Witnesses in the case of Eliza Ward, are all residents within the establishment, and their presence may be commanded by Your Board at any moment.¹⁸

The specific allegations surrounding the case of Eliza Ward were not explicitly outlined in either Workman's report, or in the Visiting Commissioners subsequent investigation of the matter. However, based on the available documents, it is evident that the Commissioners did not consider the charges to be sufficiently serious to warrant further action.¹⁹ Such however was not the case with future allegations of mismanagement that were to be directed at the medical superintendent.

Early in 1857, accusations of a scandalous nature were again advanced in the Toronto press. On January 11th, a certain James Magar, the porter, and self-styled "moral Sentinel of the Asylum", published a letter to Dr. Workman in George Brown's Globe. In the letter, the porter alleged that the steward of the Asylum had seduced one of the patients, and that it was through

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"Report of the Medical Superintendent, April 5, 1855."
Appendix to the Journals of the Legislative Assembly of the Province of Canada, (H), 1854, n.p.

¹⁹"Fifteenth Report." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (H), 1854, n.p.

Workman's neglect of duty that this was able to occur.

Specifically, Magar publicly addressed Workman by stating:

Sir - I beg leave to inform you that the unnatural conduct of the man claiming the title of Steward of the P. L. Asylum, has come to my knowledge. The fact is clear that he has been guilty of seducing and having illicit communication with a patient under your charge, there is sufficient proof; and I have known the conduct of the man to be so notorious that I trust you will dismiss him immediately, otherwise, Sir, I will produce a catalogue of his different offences before a tribunal where he will not escape from justice, and the disapprobation of the country at large, as the whole community depend on the virtue of the unfortunate lunatics being protected by you...²⁰

Workman speedily responded to the damaging allegations.

Shortly following the publication of the letter, on January 17, he wrote Magar informing him that his services in the asylum were no longer required.²¹ Subsequently, steps were taken to have the steward of the asylum dismissed, and to initiate a law suit against George Brown for allowing the slanderous letter to surface in his newspaper. As in the earlier controversy concerning Workman's management of the Asylum, William Lyon Mackenzie was to become embroiled in the scandal of 1857.

Unlike the previous occasion in which Workman sought Mackenzie's support, in 1857 the medical superintendent condemned the politician for his stance on the issue. In a letter to Mackenzie dated March 2, 1857, Workman chastised his

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Globe, 11 January 1857. Cited in Appendix to the Journals of the Legislative Assembly of the Province of Canada, (12), 1857.

²¹Ibid., n.p.

former friend for suggesting that he publicly respond to Magar's charges by publishing his own version of the story concerning the steward in Brown's newspaper. At one point in his letter, Workman denounced both Brown and Mackenzie. Passionately, he claimed:

Brown admits in his columns - after being informed by one of the Commissioners of this asylum whose veracity he had no reason to doubt - one of the grossest compilations which ever befouled a Canadian Journal, - assailing me in terms which no gentleman should have tolerated - and, now you say I should have - Irishman-like, tossed off my coat and fought with James Magar - and George Brown would act an honest scorn to both boxes - My dear Mackenzie, I have already had experience of Brown's love of truth, and spirit of fair play...²²

In defence of his position on the matter, Workman went on to inform Mackenzie that:

I hold myself ready at all times to furnish, through legitimate channels, the fullest information as to every act of my superintendence - I instantly brought under the attention of the Commissioners of the Asylum the charges made by three servants against the Steward - At my request they investigated the affair - The result of that investigation was the dismissal by the unanimous advice of the Commissioners, of the parties concerned, in the accusation - Should not the fact of such a dismissal alone have been adequate premonition to Brown?²³

While in subsequent correspondence between the Asylum doctor and the aging politician no mention was to be made of the

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²²W.L. Mackenzie Papers, Workman to Mackenzie, 2 March 1857. Archives of Ontario, Toronto, Ontario.

²³Ibid., n.p.

outcome of the reputed libel suit,²⁴ Workman was undoubtedly satisfied with the manner in which the affair was concluded. As was alluded to in his letter of March 2, in the investigation carried out by the Visiting Commissioners of the Asylum, it was found that "the charges made were utterly without foundation and completely void of truth".²⁵

With the support of newly founded legislative authority and the favour of the Visiting Commissioners, by the end of the 1850's Workman had assumed ascendancy over the management of the asylum. During this period also, the medical superintendent emerged as a world reknowned authority on all matters relating to the treatment of the insane, and a leading advocate of asylum expansion and development in Upper Canada. Before turning to the development of the province's system of mental institutions, however, attention must be devoted to a further consideration of the legislative context within which such developments occurred.

In the autumn of 1857, the Act governing the management of the Toronto Lunatic Asylum was superseded by legislation which established a Board of Inspectors of Asylums, Prisons, and other

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Ibid., 10 March 1857; 19 March 1857. It is fascinating to note that in these letters, Workman devoted considerable attention to discussing the health of Mackenzie's daughter, who, on account of being "unmanageable" at home, was confined in the Toronto Asylum.

²⁵Appendix to the Journals of the Legislative Assembly of the Province of Canada, (12), 1857, n.p.

charitable institutions in the Province of Canada.²⁶ In accordance with the Act, in 1859 the Board of Inspectors submitted its preliminary report.²⁷ Intended as a vehicle for explicating the nature and extent of the duties of the Inspectors, the report provided a list of sixty-one Public institutions which the five officials appointed under the Act were regularly required to visit, as well as a detailed account of their other administrative duties.

Although the advent of the Board of Inspectors may have appeared at the time as a departure from the previous system of asylum management, essentially, the Inspectorate was to function within the pattern of asylum administration which had been established by previous legislation, and which would continue to operate until confederation.²⁸ With the transfer of authority over health services to the province of Ontario in 1867, a provincial system of asylum inspection was created.²⁹

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"An Act respecting Inspectors of Public Asylums, Hospitals, the Provincial Penitentiary of Canada, and of all Common Gaols and other Prisons." Statutes of the Province of Canada, 20 Vic., Chap. 21. Also contained in, Consolidated Statutes of Canada, 22 Vic., Chap. 110.

²⁷"Preliminary Report of the Board of Inspectors of Asylums, Prisons, &c., 1859." Sessional Papers of the Province of Canada, No. 32, 1860.

²⁸Stalwick, "A History of Asylum Administration in Canada Before Confederation," pp. 193, 297.

²⁹"Prison and Asylum Inspection Act." Statutes of Ontario, 31 Vic., Chap. 21.

From this point forward in Ontario's history, asylum development was to proceed under provincial auspices.

Asylum Development in the Workman Era, 1853-1875

As with the reorganization of asylum administration, the expansion and development of Ontario's nineteenth century system of mental institutions can be directly traced to the reform efforts of Dr. Joseph Workman. From 1854 through to his retirement in 1875, Workman campaigned incessantly to bring about the completion of the Toronto Asylum and the establishment of a network of branch asylums. As a result of Workman's concern with asylum development and his penchant for minute detail, the official reports and private correspondence which flowed from the asylum doctor's pen constitute a veritable storehouse of information on the process of "lunacy reform" in Ontario during the nineteenth century.

The evils identified by Workman in his first annual report of 1854 were to receive considerable attention in subsequent years. In his 1855 report to the Visiting Commissioners, Workman turned once more to the necessity of completing the Asylum at Toronto.³⁰ Owing to the obviously inadequate state of the institution, a request was put forth that the Visiting

³⁰"Report of the Medical Superintendent, April 5, 1855."
Appendix to the Journals of the Legislative Assembly of the Province of Canada, (H), 1854, n.p.

Commissioners focus the Government's attention on the problems which stemmed from overcrowding. In accordance with the request, the Commissioners promptly petitioned the Governor-General, Sir Edmund Walker Head, praying that "an appropriate sum of money" be provided for the completion of the Asylum.³¹ Although the requested funds were not made available until a much later date, Workman nonetheless had reason to be satisfied that his reform efforts were not fruitless.

By March 1855, steps were already under way to solve the problems attendant upon the confinement of insane penitentiary and jail inmates in the Toronto Asylum. In likely response to Workman's earlier demand that criminal lunatics be disassociated from ordinary insane patients, the Governor-General instructed the Provincial Secretary to have the Kingston Penitentiary prepared for the reception of "criminal lunatics". For the next two years, until the opening of the "Rockwood Asylum" near Kingston, such unfortunate persons were held in the basement of the Provincial Penitentiary.³²

The transfer of insane criminal offenders to the Kingston Penitentiary brought temporary relief from the persistent

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Ibid., "Petition for Legislative Grant for Erection of Wings to Asylum."

³²For a more detailed history of the "Rockwood Asylum," see Simon N. Verdun-Jones and Russell Smandych, "Catch-22 in the Nineteenth Century: The Evolution of Therapeutic Confinement for the Criminally Insane in Canada, 1840-1900," Criminal Justice History: An International Annual 2 (forthcoming 1981).

problem of overcrowding. Appreciatively, in his report of February 18, 1856, Workman noted that in consequence of the removal of criminal lunatics, there were enough vacancies in the Toronto Asylum "to grant prompt admission to nearly every male Lunatic on behalf of whom application has since been made."³³ However, as was further made apparent in the report of 1856, the vacancies which had arisen from the creation of alternative accommodation for the criminally insane, were almost immediately exhausted.

In addition to remarking that the Asylum was as crowded as ever, and that further accommodation was required, Workman used his 1856 report as a forum for bringing into question the validity of the statistics which had been used in the early years of the Institution to support the claim that a large proportion of asylum inmates had been cured. Essentially, Workman argued that while from early statistics it appeared that the proportion of discharges to the total number of admissions was indicative of a high cure rate, previous medical superintendents had failed to consider in their calculations, the number of persons who were readmitted to the institution after being prematurely released. Contrary to the arguments of his predecessors, Workman claimed that of the 370 patients then

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"Report of the Medical Superintendent of the Provincial Lunatic Asylum, at Toronto." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (2), 1856.

under his care, a great majority were "confirmed incurables" - who had accumulated in the institution over a period of fifteen years.

It is not surprising that the leading advocate of asylum development in Upper Canada during the 1850's would express disbelief in the statistics compiled by earlier reformers. Being a member of the Association of Medical Superintendents of American Asylums, in May, 1855, Workman visited several American asylums, and travelled to Boston to attend the Association's annual reunion.³⁴ At the meeting in Boston, Workman, for the first time, became personally acquainted with the medical superintendents of American asylums, and participated in lengthy discussions on issues of concern to all asylum officials.³⁵ As Workman hoped would be the case, the tour of American asylums, and attendance at the Association's annual reunion of 1855, provided him with "valuable knowledge" on how the problems associated with the operation of the Toronto Asylum could be solved. Interestingly enough, it was only upon his return from the United States that Workman began to question asylum statistics and to launch a campaign to have incurable lunatics removed from the Asylum.

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"Supplementary Report." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (H), 1854, n.p.

³⁵"Proceedings of the Association," American Journal of Insanity (July 1855): 59-66.

Despite the pessimism engendered by the inability of the fledgling psychiatric profession to cure the great majority of patients, the notion that "asylum residence" would benefit the insane nonetheless prevailed in the writings of Canada's leading "alienist". In his "Notes of a Visit to Lunatic Asylums in Great Britain and Ireland", published in 1859, Workman commented extensively on the "universal comfort, cleanness, and good order" of most English asylums, and the need for further reform in Upper Canada.³⁶ While acknowledging the generally superior quality of the asylums he visited, however, the well travelled doctor noted with dismay that in certain localities the ideal of establishing small scale institutions based on moral treatment principles had been sacrificed to the dictates of efficiency and economy.

When not travelling to foreign countries Workman zealously promoted the cause of asylum expansion and development in Upper Canada. Indeed, it was largely due to his "energy" and "perseverance" that, in July 1856, a building on the grounds of

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Joseph Workman, M.D., "Notes of a Visit to Lunatic Asylums in Great Britain and Ireland," American Journal of Insanity, 16 (1859-60): 281-290. Also published as, Report of the Medical Superintendent of the Provincial Lunatic Asylum, Toronto, on British and Irish Asylums. Printed by Order of the Commissioners, Hamilton, 1859.

University King's College was converted for use as a branch asylum.³⁷ With the opening of the so-called University Branch, some 55 female and 6 male patients, the majority of whom were incurable lunatics from the Toronto Asylum, were transferred to the renovated facilities.³⁸ Though in later years contributors to the prestigious American Journal of Insanity were to argue that the establishment of the University Branch was a "miserable expedient" adopted by a "penny wise and pound foolish" government,³⁹ in 1856 Workman greeted the provision of additional accommodation for the insane with great satisfaction, since it "afforded much relief to the numerous applicants pressing for admission."⁴⁰

That Workman was pleased with the government decision to open a branch asylum on the University grounds is further reflected in his 1858 report to the Legislative Assembly. While distressed with the fact that 397 patients were being crowded into the half finished Toronto Asylum, the medical

37"Report on American Asylums," American Journal of Insanity 16 (January 1860): 310.

38"Report of the Medical Superintendent of the Provincial Lunatic Asylum at Toronto." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (12), 1857, n.p.

39"Provincial Lunatic Asylum, Toronto, C.W.," American Journal of Insanity 22 (October 1856): 266-267; "Summary," American Journal of Insanity 23 (July 1866): 259-260.

40"Report of the Medical Superintendent..." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (12), 1857.

superintendent argued that in addition to completing the structure, it would be efficacious to establish a network of branch asylums modeled after the University Branch.

Encouragingly, he pointed out:

The experiment of the Branch Asylum, in the University Building, has succeeded admirably. The patients lodged in this auxiliary institution are as comfortable as it is possible to render persons in their mental condition, and though I cannot state with certainty the comparative cost per head for maintenance in the Branch, and in the chief Asylum, I doubt not that on economical grounds the result has been advantageous. I would, therefore, recommend the opening of an additional Branch Asylum in this city, or within a convenient distance from it, adequate to the lodgement of 150 or 200 of the quiet and long resident patients of this institution. By the adoption of this measure a great boon would speedily be conferred on the large number of afflicted individuals and families. The perpetuation of these Branch Asylums, and the completion of the Chief Asylum will be found alike indispensable, as it is my belief that in this way sufficient provision for the insane of Western Canada, for the next eight or ten years, will be best and most economically effected.⁴¹

The necessity of making further provision for the insane in Upper Canada was undoubtedly accepted by the Legislative Assembly. Once the temporary relief brought about by the establishment of the University Branch had been exhausted, a decision was made to have the military barracks at Fort Malden, near Amherstburg, converted for use as another branch asylum. In accordance with government dictates, in the summer of 1859, Dr. Andrew Fisher, one of Workman's assistants, was appointed as

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"Report of the Medical Superintendent of the Provincial Lunatic Asylum." Appendix to the Journals of the Legislative Assembly of the Province of Canada, (9), 1858.

medical superintendent of the Malden Asylum, with instructions to have it refitted to accommodate patients from the Toronto Asylum. By 1860, in excess of 200 "quiet chronic patients" had been received in the institution. Under similar circumstances, in 1861, a third branch asylum was created "for the express purpose of housing chronic and incurable lunatics", when an unfinished hotel at Orillia was purchased by the government and fitted for asylum use.⁴²

The advent of three branch asylums by 1861, greatly reduced the strain being placed on the "Chief Asylum" at Toronto. In Workman's estimate, the creation of such institutions served admirably in providing insane persons with the care they required. Indeed, in his report for the year 1860, the medical superintendent of the main Asylum left a glowing account of the success of the satellite institutions then under his control. Proudly, Workman reported:

From all that I have read and observed, I am led to believe, that there is no country in christendom, excepting perhaps the State of Massachusetts, in which so large a proportion of the insane is provided with Asylum lodgement, as in Western Canada. This has been accomplished chiefly by the establishment of Branch Asylums, for quiet incurables, - a measure which, in consequence of the non-completion of this building, and the increased numbers of claimants for admission, had become a public exigency not to be disregarded...The success of our University Branch, and of the more recently established Malden Branch, has not been a matter of accident. The former has been conducted as a

⁴²Burgess, "The Institutional Care of the Insane in Canada," p. 33.

neighbouring appendage of the chief Asylum, and has been under the immediate charge, of a humane and experienced Steward, who learned his duties in the chief Asylum...The latter has been organized by Dr. Fisher, a gentleman eminently qualified for the duties of Superintendent, and from his intimate acquaintance with nearly all the patients, acquired during his residence in the chief Asylum.⁴³

Being the person in charge of the "Chief Asylum" and the mentor of other provincial medical superintendents, Workman considered his duties to extend beyond that of governing his own institution. To the doctor it was of "vital importance" that he maintain strict supervision over the medical appointees sent out to establish and manage the branch asylums. Much to his reluctance, as the decade of the 1860's progressed, Workman would give up his authoritarian control over the rapidly expanding system of Upper Canadian asylums, by delegating it to other medical superintendents.

Like the delegating of authority to the medical superintendents of the auxiliary asylums, the advent of the Board of Inspectors of Asylums, Prisons and Public Charities is symbolic of the increasing bureaucratization of asylum administration which occurred in the 1860's. Although on many issues, the government appointed inspectors were to display the comradeship which had characterized the relationship between

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"First Annual Report of the Board of Inspectors of Asylums, Prisons, &c., Report of the Provincial Lunatic Asylum at Toronto." Sessional Papers of the Province of Canada, No. 24, 1861, p. 10.

Workman and the Visiting Commissioners appointed under previous legislation, in the 1860's the interests of the emerging psychiatric profession and those of the government diverged significantly. In December 1863 Workman wrote his close friend and professional associate Dr. Edward Jarvis in Dorchester, informing him that:

I am in need of assistance in the cause of humanity - Our province is blessed with an incompetent Board of Inspectors of asylums and prisons - men pitchforked into office by political influence and as ignorant before appointment - as dogmatical after it...⁴⁴

The hostility toward the Board of Inspectors apparently stemmed from the ignorance of asylum matters reflected in its third report. In the report, authored by the Chairman of the Board of Inspectors, Dr. J.C. Tache, a recommendation was put forth that, in light of the "present want of accommodation in the Toronto Asylum", it should be required to facilitate 400 patients.⁴⁵ Being a traditional practitioner of moral treatment, Workman believed that purposefully turning the Toronto Asylum into a large-scale institution, devoid of therapeutic amenities, would effectively dissolve any hope of making it a curative establishment. It was this belief which prompted the writing of letters to Jarvis and other foreign "authorities" on asylum

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⁴⁴ Edward Jarvis Papers, Workman to Jarvis, 17 December 1863. Griffin and Greenland Collection, Toronto, Ontario.

⁴⁵"Third Annual Report on Asylums, Prisons, &c., 1862." Sessional Papers of the Province of Canada, No. 66, 1863.

management.

In the letters he wrote, Workman solicited the opinion of various medical superintendents on what they considered to be the optimal "receiving capacity" that a curative asylum should boast. While from this endeavor the medical superintendent of the besieged Toronto Asylum undoubtedly derived useful statistics to support his argument against increasing the capacity of the institution, the Board of Inspectors remained steadfast in its opinion that the interests of the insane were secondary to those of society at large. As the Board was to note in its report for 1863:

Dr. Workman looking at matters from the extreme point of view of a lunacist, and of a lunacist who makes the interest of his institution take precedence of all other interests, expresses himself very strongly against recommending that the maximum population of the Toronto Asylum should be raised...

They appreciate entirely the warm feelings which they know Dr. Workman to entertain for the good of the unfortunate class of whom he has the care, but the Inspectors have to consider also at the same time the interests of society in general, and the best manner of promoting those interests with the material aid afforded by Parliament for that purpose.⁴⁶

Fortuitously, it seems that the debate over increasing the capacity of the Toronto Asylum was resolved in 1864 through the intervention of the Secretary of State for the Colonies. In a dispatch concerning "Colonial Hospitals and Lunatic Asylums", it

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"Annual Report of the Board of Inspectors of Asylums, Prisons, &c., for the year 1863." Sessional Papers of the Province of Canada, No. 39, 1864.

was noted that according to modern standards, no asylum in Upper Canada provided sufficient space for its patients.⁴⁷ This dispatch served to convince the Board of Inspectors of the legitimacy of Workman's argument.

Unabashedly, in its report for 1864, the Board of Inspectors admitted that the space allotted each patient in the Toronto Asylum, even in 1863, was far below what was then held "by the best authorities" to be the proper average.⁴⁸ With the number of patients having increased considerably in 1864, the Inspectors further concurred in Workman's opinion that both the Toronto Asylum and its branches were again "dangerously overcrowded". In the face of this alarming state of affairs, the Inspectors urged upon the government "the pressing necessity of completing without delay" the wings of the Toronto Asylum, and issued a special memorandum concerning the need for additional asylum accommodation throughout the province.⁴⁹

Besides requesting the completion of the Toronto Asylum, in its memorandum of 1864 the Board recommended that immediate steps be taken to have the Rockwood Criminal Lunatic Asylum

⁴⁷ Baehre, "From Pauper Lunatics to Bucke," p. 110.

⁴⁸ "Report of the Board on Inspectors of Asylums, Prisons, &c., for the year 1864." Sessional Papers of the Province of Canada, No. 14, 1865, p. 9.

⁴⁹ Ibid., "Substance of a Memorandum submitted to the Government by the Board on the subject of the urgent necessity for additional Asylum accommodation for Lunatics in Upper and Lower Canada." Special Appendix - B, pp. 35-36.

completed and declared a "General Asylum for the eastern section of Upper Canada." Though this specific demand had been advanced in earlier reports, by 1864 the necessity of having Rockwood officially declared a provincial asylum for the eastern counties was deemed imperative, since it had already unofficially begun to serve as such an institution.

Even though the Rockwood Asylum was intended solely for the confinement of the "criminally insane", soon after it opened in 1857 it began to receive "ordinary lunatics". This unauthorized practice arose as a consequence of legislation which permitted Justices of the Peace to issue a warrant for the custody of any person who was deemed to be "dangerous to be at large".⁵⁰ Disappointedly, in their report for 1864, the Inspectors remarked that the legislation relating to the confinement of "lunatics dangerous to be at large" was being flagrantly abused by relatives of the wretched insane, who wanted them committed for treatment. Since the Toronto Asylum was overcrowded, and the cost of visiting insane persons transferred there from the eastern portion of the province was often prohibitive, it became common practice to have the insane committed to Rockwood on the pretense that they were "dangerous lunatics".⁵¹

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"An Act respecting the confinement of Lunatics whose being at large may be dangerous to the public." Statutes of Upper Canada, 1851, 14 & 15 Vic., Chap. 83, ss. III and V.

51 Verdun-Jones and Smandych, "Catch-22 in the Nineteenth Century," pp. 31-34.

The Board of Inspectors felt that "there would be no longer any inducement to evade the provisions of the law" if their recommendation concerning the future of the Rockwood Asylum was accepted. Within the next four years, Rockwood was completed, and legislation was enacted which allowed for the confinement of some 100 to 150 "ordinary lunatics" in the institution.

The steps taken toward establishing Rockwood as a general asylum for the eastern portion of Upper Canada in the mid-1860's were complemented by other attempts at "lunacy reform" in the province. Although, since the beginning of his career Workman persisted in his efforts to provide the insane with a system of institutionally based care, the recommendations contained in his report for 1865 pay eloquent testimony to the nature of his reformist ideas. Perhaps expectedly, even though the government had just recently ordered the appropriation of funds to complete the wings of the Toronto Asylum,⁵² Workman lamented that:

It is my belief, not based on very defective data, nor arrived at before mature consideration, that the extent of provision required for all the insane in Upper Canada is very large, and I am very doubtful if any increase of this provision likely to be conceded by our Government⁵³ or Legislature will ever approximate the requirement.

⁵²"Fifth Annual Report of the Board of Inspectors of Asylums, Prisons, &c., for the year 1865." Sessional Papers of the Province of Canada, No. 6, 1866, p. 12.

⁵³Ibid., "Report of the Medical Superintendent of the Toronto Asylum for 1865." p. 30.

In support of his dismal prediction Workman argued that, even with the completion of the Toronto Asylum, there were several factors operating that would serve to impede the progress of lunacy reform in the province. Rather ironically, he noted that while in the Toronto area the "want of Asylum lodgement" was constantly increasing, University and City authorities were endeavoring to have the University branch emptied of lunatics. Similarly, it was contended that even if the Rockwood Asylum were opened to ordinary lunatics, the number of cases sent there would far outstrip available space. Added to these problems was the fact that the branch asylums at Malden and Orillia were both full to capacity.

Though in his report for 1865 Workman continued to maintain that the initiation of a system of branch asylums in the 1850's brought about "a vast improvement in the condition of the entire body of the insane", he also recognized that the subject of future provisions demanded "serious and discreet consideration". Although only sparse attention has ever been devoted to considering the basis of Workman's concern, it is reasonable to suspect that it stemmed from his belief that efforts at moral treatment in Upper Canadian asylums were being seriously hindered by the presence of "loathsome incurables", who by reason of uncontrolled indulgence in "immoral" and "pernicious" habits, such as illicit sex and masturbation, had doomed themselves to a wretched life of insanity. Indeed, like the vast

majority of his European and American contemporaries, Workman seemed convinced that masturbation was a leading cause of incurable insanity.⁵⁴ In connection with this deeply important social problem, Workman commented in his seminal reports of 1865 and 1866 that the "moral contamination" wrought by "unavoidable association of the pure and with the impure" largely accounted for the failure of attempts at creating a therapeutic environment in Upper Canadian asylums.⁵⁵ In order to safeguard against the spread of "enshrouded moral pestilence", it was strongly recommended that persons "discovered to be addicted to this vice" be isolated from both the treatable insane and society in general.

Workman's claim to expertise in diagnosing masturbatory insanity and preventing its spread to the impressionable youth in Upper Canadian society, was wholly accepted by others. According to the doctor's own account, the "leading journals of the Province" published extracts from his report of 1865, in

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On this point see, Vieda Skultans, English Madness: Ideas on Insanity, 1580-1890 (London: Routledge and Kegan Paul, 1979), pp. 69-76; R.P. Neuman, "Masturbation, Madness, and Modern Concepts of Childhood and Adolescence," Journal of Social History 8(Fall 1974): 1-27; and, Michael Bliss, "'Pure Books on Avoided Subjects': Pre-Freudian Sexual Ideas in Canada," in Studies in Canadian Social History, pp. 326-346.

⁵⁵"Annual Report of the Provincial Lunatic Asylum, Toronto, for 1865." Sessional Papers of the Province of Canada, No. 6, 1866; "Annual Report of the Provincial Lunatic Asylum, Toronto, for the year 1866." in Sixth Annual Report of the Board of Inspectors of Asylums, Prisons, &c., for the year 1866. Printed by Order of the House of Commons, Ottawa, 1868.

which he expressed his views on the causes of incurable insanity.⁵⁶ Significantly also, it is known that the esteemed doctor's 1865 observations "found a prominent place in one of the most popular post-Civil War American sex manuals" and was reprinted in this form until after the turn of the century.⁵⁷

Besides popularizing the notion that masturbation was causally related to insanity, the famous report of 1865 is significant in terms of the specific institutional reforms it advocated. In order to disassociate the "pure" from the "impure", and at the same time meet future demands, Workman argued that "three curative asylums" for the treatment of recent cases of insanity were indispensable. In addition to relegating the existing Toronto and Rockwood asylums to the status of "curative establishments", Workman recommended that a third be erected at London, to facilitate the treatment of the curable insane in the western section of the province. To provide for the recent glut of "hopeless incurables", it was further proposed that a system comprising of six "secondary residences", each capable of holding 400 incurable lunatics, be established at designated points throughout the province. Futuristically, Workman envisaged that:

Six secondary asylums, each built for 200 inmates, but
⁵⁶"Annual Report of the Provincial Lunatic Asylum, Toronto, for the year 1866." p. 93.

⁵⁷Bliss, "Pre-Freudian Sexual Ideas in Canada," p. 333.

capable of extension to 400, would be capable of accommodating those chronic cases which at present paralyse our primary asylums... The staff of administration would not require to be numerous or expensive, nor would buildings of a costly nature be called for. The success of the system would depend mainly on judicious primary organization; and once it had made a good start, it would not, under a careful governmental supervision, be found to retrograde... On no other plan could efficiency, perfect subordination, and general harmony be secured...⁵⁸

With his demand that "curative" institutions be placed on a separate footing from less expensive "secondary residences" for hopeless incurables, Workman was greatly to influence the direction of asylum development in the post-Confederation era.

Although the Confederation of the provinces in 1867 had a profound impact on the future of Canada, it had little effect on the direction of asylum development in the new province of Ontario. In the immediate post-Confederation period, a provincial system of asylum inspection modelled after the now defunct Board of Inspectors of Asylums, Prisons, and Public Charities was introduced. Under the provisions of "The Prison and Asylum Inspection Act" of 1868, Mr. John Woodburn Langmuir was appointed to the important post of Inspector of Asylums, Prisons and Public Charities for Ontario. In his capacity as provincial Inspector of asylums, until 1875, Langmuir was to work closely with Workman in the development of Ontario's system

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"Annual Report of the Provincial Lunatic Asylum, Toronto, for 1865." p. 33.

of mental institutions.⁵⁹

In his first report issued in 1868, the recently appointed Inspector praised Workman for his undaunted reform efforts, and urged upon the government the pressing need for increased asylum accommodation for the insane.⁶⁰ With the closure of the University Branch in 1869, and the inadequate accommodation afforded the insane in the branch asylums at Malden and Orillia, Langmuir argued in the second of his annual submissions to the Provincial Legislature that the need for new institutional facilities was paramount.⁶¹ The recommendations advanced in Langmuir's early reports undoubtedly influenced the opinion of provincial legislatures, since in 1869 a sum of \$100,000 was appropriated toward the erection of a new asylum in the western portion of the province near London.⁶²

Built to facilitate 500 patients, by November 1870 the London Lunatic Asylum was ready for the reception of patients. On November 18, a contingent of 119 patients from the branch asylum at Orillia took up residence in the London asylum, and

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⁵⁹ Splane, Social Welfare in Ontario, p. 206.

⁶⁰"First Annual Report of the Inspector of Asylums, Prisons, &c., for the Province of Ontario." Sessional Papers of the Province of Ontario, No. 3, 1868, p. 18.

⁶¹"Second Annual Report of the Inspector of Asylums, Prisons, &c., for the Province of Ontario." Sessional Papers of the Province of Ontario, No. 4, 1869, p. 31.

⁶²Burgess, "Canadian Institutions for the Insane," p. 34.

five days later, another 244 mostly incurable patients arrived from the Malden branch. Despite having created the province's first large-scale institution, Langmuir was not yet satisfied with the manner in which the insane of the province were being cared for. Rather, he argued for the further development of the system, on the grounds that:

Dr. Workman, whose knowledge of the treatment of insane is the result of twenty years' active practical experience, has, time and again, shewn the necessity of early treatment, and has given figures to prove that the expectation of recovery is lessened proportionally by delay in placing under treatment.

These facts and figures conclusively prove that it is wise economy on the part of a Government to provide such an extent of Asylum space as will furnish sufficient beds for every acute case of insanity that presents itself. In this way alone will the number of chronic cases be brought to bear a proper proportion to the entire number of insane, and the undue accumulation of that class in our Asylums be stopped and confined to a minimum. When this is done, and only then, urgent and acute cases of insanity will receive an equitable allotment of the beds in our Asylums.⁶³

Appreciative of the serious problem of overcrowding which resulted from the confinement of the "chronic insane" in "curative" asylums, Langmuir inaugurated a "cottage system" similar to that proposed earlier by Workman. In line with the ideas of his contemporary, Langmuir's plan envisaged the extensive provision of economical facilities for the chronic insane, and emphasized the importance of allowing recent cases

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"Fifth Annual Report of the Inspector of Asylums, Prisons, & for Ontario." Sessional Papers of the Province of Ontario, No. 2, 1872-73, p. 14.

early admission and treatment.⁶⁴ In accordance with the plan, in the decade of the 1870's several small buildings were constructed on the grounds of the London Lunatic Asylum, while other institutions, specifically intended for incurables and idiots, were established at Hamilton and Orillia.⁶⁵

By 1876, Langmuir, who was invited to speak at the thirtieth annual meeting of the medical superintendents of American asylums, could reflect proudly on the fact that nearly all aspects of his plan for asylum development in Ontario had been carried into effect. While the honour of speaking at the Association's annual reunion was usually reserved to medical specialists, the Inspector took the opportunity to comment on his own accomplishments. Somewhat pompously, he informed the Association's members that:

From what I have heard of the organization and powers of your (American) Boards of State Charities, I do not think that these Boards stand exactly in the same position as the Inspector of Ontario. I think the control and power of the inspector is more direct for instance, if I report a structural defect, and recommend that it be remedied, it is attended to immediately, provided the money has been previously voted by Parliament, which we have no difficulty getting, when proper representation is made. The Province has already spent upwards of two million dollars in providing

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"Third Annual Report of the Inspector of Asylums, Prisons, &c., for the Province of Ontario, 1869-70." Sessional Papers of the Province of Ontario, No. 6, 1870-71, pp. 36-38.

⁶⁵"Tenth Annual Report of the Inspectors of Asylums, Prisons, and Public Charities for the Province of Ontario, for the year ending 30th September 1877." Sessional Papers of the Province of Ontario, No. 4, 1878, pp. 32, 35.

structural accommodation for her insane, and before we will have completed our additions to augment the accommodation of twenty-five hundred beds that amount will be increased to three million dollars... I think I may state without exaggeration that the Province of Ontario is fully up to, if not in advance of most countries of the world in the care they take of their physical and mental defectives.⁶⁶

In the decade after Confederation, Inspector Langmuir emerged as the real architect of the Ontario's asylum system. Gifted with the ability to convince the Legislature of the need for additional accommodation for the curable insane, and cognizant of the need to provide for incurable lunatics in cheaper non-therapeutic facilities, Langmuir was instrumental in creating the system of mental institutions which dominated the care of the insane in Ontario for the remaining decades of the nineteenth century. Though ostensibly such individuals as Workman and Langmuir may be regarded as the promoters of the movement toward the institutionalization of the insane in nineteenth century Ontario, for the purposes of this thesis, it is necessary to consider their contributions within the broader social context of reform. As we shall soon see, there were many other forces operating in nineteenth century Ontario society, which contributed to the rise of the asylum.

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"Proceedings of the Association of Medical Superintendents,"
American Journal of Insanity 33 (October 1876): 207.

V. Chapter 4

The Social Context of Reform

It was no accident that penitentiaries, asylums, workhouses, monitorial schools, night refuges, and reformatories looked alike, or that their charges marched to the same disciplinary cadence. Since they made up a complementary and interdependent structure of control, it was essential that their diets and deprivations be calibrated on an ascending scale, school-workhouse-asylum-prison, with the pain of the last serving to undergird the pain of the first.¹

From the perspective of recent critical historians, the insane asylum was merely one in a series of interrelated institutions of social control to have emerged in the nineteenth century. Guided by the hypothesis that the rise of the insane asylum was integrally related to the development of other institutions of segregative control, various proponents of the social control perspective have sought to present evidence in order to substantiate their theoretical position. In that the insane asylum has been viewed by critical historians as but one manifestation of a general movement towards the institutionalization of deviant and dependent persons in the

¹ Michael Ignatieff, A Just Measure of Pain: The Penitentiary in the Industrial Revolution (New York: Macmillan, 1978), p. 215.

nineteenth century, it is necessary that the rise of the insane asylum in Upper Canadian society be considered within the context of other social reform movements - such as those which affected the development of both penal and welfare institutions. For, only upon gaining a cognizance of the extent to which such social developments were in fact interrelated, can one then move on to assess the utility, and general applicability, of the competing perspectives on institutional development which prevail in the contemporary literature.

Concern over providing insane persons with an institutionally-based system of therapeutic care, was but one of the social concerns which grasped the attention of Upper Canadians in the 1830's. Almost simultaneously, after 1830, the problems of crime, poverty, and insanity became the focus of unprecedented public attention. Consequently, within the space of less than half a century, a varied assortment of social institutions were established to deal with deviant and dependent members of society, in addition to the insane asylum.

The Advent of the Penitentiary in Upper Canada: A Consideration of Formative Influences and Ideas

The first penitentiary in Upper Canada was opened "near the town of Kingston" on June 1, 1835, when six convicts were received at its gates. Pre-dating other large institutional buildings such as asylums and workhouses, when planned in 1832,

the Kingston penitentiary was to be the largest public building in the province.² Designed on a massive scale, and incorporating the advantages of the best American penitentiary buildings of the period, in the decades following its inception the penitentiary at Kingston remained one of the most impressive institutional creations in Upper Canadian society. Though remarkable in both its original design, and provisions for further expansion, the influences and ideas which prompted its establishment are even more noteworthy.

In recent years, a wealth of historical documents relating to the origins and early operation of Ontario penal institutions has been amassed by Canadian historians.³ While often differing in their interpretations of the significance of specific ideas

2C.J. Taylor, "The Kingston, Ontario Penitentiary and Moral Architecture," Social History XII (November 1979): 385.

3 J. Edminson, "The History of Kingston Penitentiary," Historic Kingston 3 (November 1954): 26-35; Splane, Social Welfare in Ontario, pp. 128-153; J. Jerald Bellomo, "Upper Canadian Attitudes Towards Crime and Punishment," Ontario History LXIV (March 1972): 11-26; Susan E. Houston, "Victorian Origins of Juvenile Delinquency: A Canadian Experience," History of Education Quarterly XII (Fall 1972): 254-280; Rainer Baehre, "Origins of the Penitentiary System in Upper Canada," Ontario History LXIX (September 1977): 185-207; J.M. Beattie, Attitudes Towards Crime and Punishment in Upper Canada, 1830-1850: A Documentary Study (Toronto: University of Toronto, Centre of Criminology, 1977); Donald G. Wetherell, "To Discipline and Train: Adult Rehabilitation Programmes in Ontario Prisons, 1874-1900," Social History XII (May 1979): 145-165; C.J. Taylor, "The Kingston Ontario Penitentiary and Moral Architecture," Social History XII (November 1979): 385-408; Bryan Palmer, "Kingston Mechanics and the Rise of the Penitentiary, 1833-1836," Social History XIII (May 1980): 7-32.

and events, the works of these Canadian authors consistently point to the fact that the problem of how to deal with criminal behavior was of utmost concern in the minds of Upper Canadians after 1830, and that the penitentiary represented a solution to this problem.

According to Splane's early account, the creation of a penitentiary at Kingston was closely linked to the restricted use of the death penalty in Upper Canada during the early part of the nineteenth century. The increasing reluctance on the part of juries and the judiciary to see the death penalty imposed on convicted criminals, and the common use of the prerogative of mercy by the lieutenant-governor, were facts used by the advocates of penal reform in Upper Canada to make a case for the establishment of a penitentiary.⁴ One of the most vocal supporters of this argument was H.C. Thomson, the founder and editor of the Kingston-based Upper Canada Herald, and a member of the Provincial House of Assembly from 1825 until his death in 1834.⁵ As early as 1826, Thomson presented the idea of

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⁴ Splane, Social Welfare in Ontario, p. 129.

⁵ Thomson's public life is discussed in H. Pearson Gundy, "Hugh C. Thomson: Editor, Publisher and Politician, 1791-1834," in To Preserve and Defend Essays on Kingston in the Nineteenth Century, ed. Gerald Tulchinsky (Montreal: McGill-Queen's University Press, 1976), pp. 203-222.

constructing a penitentiary in Upper Canada to the House of Assembly.⁶ However, at the time the idea was set aside. Upon re-introducing the matter five years later, his argument respecting the failures of the old English criminal code and need for new departures in penal practice found formal expression. In January 1831, Thomson, who had already visited a number of penal institutions in Britain and the United States, was made chairman of a select committee appointed to inquire into "the propriety of establishing a penitentiary" within the province.⁷ In the report of the select committee, issued in the following month, Thomson reflected on what he believed to be the factors which necessitated the establishment of a penitentiary within the province and expressed his opinion on what "ought to be" the objectives of such an institution. At length, he reported that:

The necessity of a penitentiary in this country must be obvious to everyone who has ever attended a court of justice in this province, whether the penal code as at present exists is too severe or not, it is not necessary to enquire, the fact is enough for us that even when juries find a verdict of guilty, and judges pronounce sentence of death in any case of less atrocity than murder, the person administering the government will not allow the law to be carried into execution...

A Penitentiary, as its name imparts, should be a place to lead a man to repent of his sins and amend his life, and if it has that effect so much the better, as the cause of religion gains by it, but it is quite

⁶ Taylor, "The Kingston, Ontario Penitentiary and Moral Architecture": 386.

⁷ Ibid.

enough for the purpose of the public if the punishment is so terrible that the dread of a repetition of it deters him from crime or his description of it (to) others. It should therefore be a place which by every means not cruel and not affecting the health of the offender shall be rendered so irksome and so terrible that during his after life he may dread nothing so much as a repetition of the punishment and, if possible, that he should prefer death to such contingency. This can all be done by hard labor and privations and not only without expense to the province, but possibly bringing it a revenue.⁸

Within two years of the writing of Thomson's initial report, the number of crimes punishable by death in Upper Canada was substantially reduced, and as a substitute for the death penalty terms of imprisonment were introduced into law. Noteably also, in 1832 Thomson along with a well educated and prominent Kingston businessman, John Macaulay,⁹ were appointed to a Committee responsible for procuring "plans and estimates" for the building of a provincial penitentiary, and gathering information respecting the "system of management" to be adopted on its completion.

Upon their appointment in 1832, Thomson and Macaulay departed on a tour of American penal institutions. After visiting prisons in New York State and Connecticut, the

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"Report of Select Committee on the Expediency of Erecting a Penitentiary." Appendix to the Journals of the House of Assembly of Upper Canada (1831), pp. 211-212. Cited in Beattie, Attitudes Towards Crime and Punishment in Upper Canada, pp. 80, 82.

⁹Macaulay's public life is also discussed by S.F. Wise, "John Macaulay: Tory for All Seasons," in To Preserve and Defend: Essays on Kingston in the Nineteenth Century, pp. 185-202.

commissioners returned convinced that the system of prison discipline employed in the penitentiary at Auburn, New York, should be adopted in the establishment of an Upper Canadian penal institution.¹⁰ In their report to the House of Assembly, the authors described the essential features of the Auburn system, and commented most favorably on the manner in which an institution based on the Auburn model would effectuate the punishment of crime, if it were established in Upper Canada.¹¹

Although Thomson did not live to witness the opening of a penitentiary in Upper Canada, he would undoubtedly have been satisfied with the product of his reform endeavors. By 1832, it had been decided that a penitentiary modeled on the plan proposed by Colonel William Powers, the Deputy Keeper of the Auburn Prison in New York, would be built in Upper Canada. As the planning of the penitentiary progressed, John Macaulay, then Commissioner in charge of overseeing the erection of the prison edifice, was to correspond frequently with the officers of the Auburn Prison, requesting their opinion with regard to the site of the building, and the specific architectural features it

¹⁰ Splane, Social Welfare in Ontario, p. 130.

¹¹ "Report of the Commissioners Appointed... for the Purpose of Obtaining Plans and Estimates of a Penitentiary to be Erected in this Province." Appendix to the Journals of the House of Assembly of Upper Canada (1832-3) pp. 26-41. Cited in Beattie, Attitudes Towards Crime and Punishment in Upper Canada, pp. 86-92.

should boast.¹² Significantly also, under the auspices of Macaulay, William Powers was appointed to superintend the construction of the Kingston Penitentiary in 1833. Indeed, most Upper Canadians seemed enthused with the prospect of having an institution dedicated to the protection of society and the reformation of criminal offenders.¹³

Popular concern for the protection of society appears indeed to have been one of the influences which motivated Thomson, Macaulay and others to seek the establishment of a provincial penitentiary. According to Bellomo's study of Upper Canadian attitudes towards crime and punishment, in the 1830's a "collective alarm" permeated society over the unprecedented "increase in crime" that had supposedly taken place. Also popular was the belief that violence was on the increase because of the "influx of criminal elements" from outside the country. With the increase in the number of violent criminal offences being committed, there apparently occurred a corresponding increase in the severity of punishments for assault. These

¹²Macaulay Papers, J.W. Macaulay to B.C. Smith (Chaplain, Auburn Prison, New York), 12 March 1833; B.C. Smith to J.W. Macaulay, 30 March 1833; Wm. Powers to J. Macaulay, 11 May 1833. Archives of Ontario, Toronto Ontario.

¹³Bryan Palmer, "Kingston Mechanics and the Rise of the Penitentiary": 7-32. According to Palmer, the only segment of society which voiced any opposition to the building of a penitentiary in Upper Canada seem to have been laborers and tradesmen involved in construction trades, who feared that the availability of cheap convict labor would increase unemployment in and around Kingston.

factors, it is thought, contributed to the general overcrowding of district jails, and made the construction of a penitentiary a legislative priority.¹⁴

On the philosophical level, Bellomo argued that Upper Canadian promoters of the penitentiary were influenced in their endeavors by a blend of religious humanitarianism and utilitarian rationalism. Though it is difficult to assert with absolute certainty which of the two intellectual influences predominated, there is evidence to suggest that, at least implicitly, Upper Canadian penal reformers were staunch adherents of the principles of punishment espoused by the founder of utilitarian philosophy, Jeremy Bentham.

The essence of Bentham's philosophy was embodied in his Introduction to the Principles of Morals and Legislation (1823). In it, Bentham expounded his famous "principle of utility" which recognized that the activities of mankind were governed by considerations of "pain" and "pleasure", and devised his "felicific calculus" with which to calibrate the amount of "pain" needed to deter unacceptable behavior.¹⁵ The general theoretical notion underlying the principle of utility - that one's behavior was ultimately governed by his want of pleasure

¹⁴ Bellomo, "Upper Canadian Attitudes Towards Crime and Punishment": 16.

¹⁵ Jeremy Bentham, Introduction to the Principles of Morals and Legislation, ed. J.H. Burns and H.L.A. Hart (London: Athlone Press, 1970), p. 11.

and fear of pain - was also used by the legal philosopher to justify his position regarding the circumstances in which society ought to impose criminal sanctions. Society, Bentham argued, should subject the criminal to no more punishment than was necessary to outweigh the pleasure he derived from committing the offence, and to deter others from following his example. Punishment, without purpose, and without the chance of it bringing some benefit to the offender himself, or society, was viewed as being an intolerable evil.¹⁶ Thus, the end product of Bentham's argument was that punishment was justified only if it served to bring about "the greatest happiness for the greatest number".¹⁷

Although Bentham is mostly remembered for his contribution to legal philosophy, his influence extended beyond philosophical circles. At the age of thirty years, in 1778, the versatile philosopher published his first tract on penal matters, and later embarked on a major project concerning prison reform and design.¹⁸ Apparently, both Bentham's tract of 1778 and his later obsession with the "Panopticon", were largely influenced by his dislike for the ideas on prison reform advanced by the esteemed

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Ibid., p. 166.

¹⁷ Leon Radzinowicz, A History of the English Criminal Law: The Movement for Reform, volume 1 (London: Stevens and Sons, 1948), p. 378.

¹⁸ Ibid., p. 380.

English philanthropist, John Howard. Whereas Bentham realized that the "value of a prison system depends equally on broad regulations and on countless provisions touching upon every detail of prison life",¹⁹ Howard was inspired by the religious and humanitarian conviction that the prison inmate should be treated with kindness and compassion.²⁰ Given the diversity of Bentham's reformist ideas and the international reputation he gained during his lifetime,²¹ it is certain that his influence was felt in Upper Canada. Indeed, as Bellomo further revealed, the penitentiary in Kingston both incorporated architectural features suggested in Bentham's "Panopticon" and utilized a system of convict labor in the effort to achieve economic self-sufficiency and thus bring about the greatest happiness for the greatest number.²²

Similarly, Rainer Baehre, in his consideration of the "ideological origins of the penitentiary", provided an assessment of Bentham's impact on Upper Canadian penal reform.

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Ibid.

²⁰Rod Morgan, "Divine Philanthropy: John Howard Reconsidered," History 62 (October 1977): 388-410.

²¹Radzinowicz, The Movement for Reform, pp.355-357. In 1828 Bentham was eighty years old and at the height of his reputation. In his fifty odd years of writing and teaching he became surrounded by disciples of his philosophy and gained international repute for his ideas.

²²Bellomo, "Upper Canadian Attitudes Towards Crime and Punishment": 22.

According to Baehre, the Upper Canadian penitentiary system was intended as an instrument for "the ordering of punishment to quell criminal behavior in a colonial society".²³ While pointing once again to the deplorable state of the district jails, as being a cause for concern to Upper Canadians, Baehre, however, noted that:

The impetus towards reform stemmed, however, not only from the public's recognition of the inadequacy of the province's gaols, but also from changing attitudes towards crime and punishment in England. The overall principles and procedures of English law had been closely followed in the province. The ideas of Bentham and Brougham on the nature of the prison system, in face of what was "industrial misery and disorders... demanding reform on the criminal side", indirectly extended their presence to the colony...the question considered by the provincial legislators was whether to simply reform the existing system of punishment or to find new alternatives. The catalyst to change proved to be the dramatic increase in population, especially in the Home District, in the years 1827 to 1835...The answer, as it appeared to the House of Assembly, in Upper Canada, was the construction of a penitentiary.²⁴

As well as pointing to the influence of Bentham on the advent of the penitentiary in Upper Canada, Baehre argued that the idea of "moral reformation" was implicit in the nature of the penitentiary itself.²⁵ Ostensibly, this interpretation seems well founded, as Upper Canadian penal reformers were also exponents of the belief that the determinants of crime were

²³Baehre, "Origins of the Penitentiary System in Upper Canada": 186.

²⁴Ibid., p. 189.

²⁵Ibid., p. 197.

grounded in environmental factors.²⁶ Significantly, at about the same time that Charles Duncombe issued his 1835 Report on Asylums, he also authored a Report on Prisons for the Upper Canadian House of Assembly. In the report, the versatile social reformer graphically depicted what he believed to be environmental determinants of deviant behavior.

Every person that frequents the streets of this city must be forcibly struck with the ragged and uncleanly appearance, the vile language, and the idle and miserable habits of numbers of children. The parents of these children are, in all probability, too poor, or too degenerate to provide them with clothing fit for them to be seen in at school. Accustomed to witness at home in the way of example, but what is degrading; early taught to observe intemperance, and to hear obscene and profane language without disgust; obliged to beg, and even encouraged to acts of dishonesty to satisfy the wants induced by the indolence of their parents what can be expected, but that such children will in due time, become responsible to the laws for crimes which have thus in a manner been forced upon them.²⁷

Duncombe's emphasis on the family as a mechanism of social control is suggestive of yet another factor which may have influenced the advent of the Upper Canadian penitentiary system, as well as its welfare and mental health systems. In recent years, various theorists have postulated the hypothesis that, when there is a decline in the effectiveness of informal systems of social control (such as the family and the church), there

²⁶ Bellomo, "Upper Canadian Attitudes Towards Crime and Punishment": 22-23.

²⁷ "Duncombe Report." Cited in Bellomo, "Upper Canadian Attitudes Towards Crime and Punishment": 15.

will be a corresponding increase in society's reliance upon such governmental control systems as the criminal justice, welfare and mental health systems.²⁸ Reflecting on Duncombe's statement with regard to the breakdown of informal methods of social control in lower class families, and the evidence which suggests that the 1830's was a tumultuous decade in terms of family dislocation caused by immigration, intemperance and poverty,²⁹ at the level of speculation this hypothesis seems rather promising. While the extensive testing of this hypothesis is beyond the scope of the present study, it is nonetheless deserving of further discussion.³⁰ At the present time, however, it is most important to appreciate that to the Upper Canadian promoters of the penitentiary, an individual's behavior was seen to stem from environmental influences.

Since environmental factors shaped human behavior, it logically followed that by creating an environment conducive to

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R. Pound, Social Control Through Law (New Haven: Yale University Press, 1942); R. Schwartz, "Social Factors in the Development of Legal Control," Yale Law Journal 63 (February 1954): 471-491; D. Black, The Behavior of Law (New York, 1976).

²⁹G.P. deT Glazebrook, The Story of Toronto (Toronto: University of Toronto Press, 1971), pp. 86-88; J.M.S. Careless, "Some Aspects of Urbanization in Nineteenth Century Ontario" in Aspects of Nineteenth Century Ontario, p. 70; Patricia E. Malcolmson, "The Poor in Kingston, 1814-1850" in To Preserve and Defend: Essays on Kingston in the Nineteenth Century, pp. 281-297.

³⁰This theme will be returned to in the next chapter, in my analysis of competing perspectives on institutional development.

"moral reform", the ostensibly "immoral" could be transformed into law abiding productive members of society. In the attention paid to architectural details, as in the system of prison discipline which was adopted, it is evident that the Upper Canadian penal reformers were convinced of the idea that the creation of a penitentiary was indispensable, if efforts to bring about the "moral reformation" of convicted criminals were to succeed. As J.M. Beattie revealed in his documentary study:

From the beginning the aim of penitentiary discipline was to eliminate crime by dealing with its root causes, rather than by terrorizing potential criminals into lawful behavior by the bloody example of the gallows. This older system of law and punishment had arisen in a simpler and more personal society in which crime had been viewed as arising from the weaknesses or sinfulness of a few individuals. By the 1820's - in England, the United States and in Canada crime, especially crime in the cities, was rapidly becoming a more frightening phenomenon. It had come to be seen as arising from a class of men outside the law and untouched by moral influences who were the products of drunken and neglectful parents, of idleness, of ignorance and of the hundreds of taverns and grog-shops that tempted them daily. These were not isolated individuals, but a whole class suffering from a moral disease, a disease that they would surely pass on to others until in time the whole working population would be infected.

To maintain social order in the face of this fundamental threat required a change in the criminal law and penal measures. The example of a man being hanged could not touch this diseased population: indeed it could only brutalize them further. What was required - as with any infectious disease - was the isolation and treatment of the patient. Social order could only be re-established upon new foundations of morality and new forms of discipline and obedience. And this could only be achieved by new penal methods. Out of this deep conviction came the Kingston experiment of 1835.³¹

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Beattie, Attitudes Towards Crime and Punishment, p. 34-35.

The conviction of early Upper Canadian penal reformers, that the moral fabric of the fledgling province could best be strengthened by isolating and treating society's depraved classes was undoubtedly shared by others. Like the founders of the Kingston Penitentiary, early advocates for the establishment of public welfare institutions in Upper Canada were deeply motivated by the belief that an institutional response to deviance was required in order to insure the "progress" and regulation of society.

The Institutional Response to Poverty in Upper Canada after 1830: The Toronto House of Industry as a Microcosm

During the first three decades of the nineteenth century, persons found to be suffering severe economic hardship in Upper Canada were cared for "through a series of unrelated measures and procedures", ranging from indentured apprenticeship to confinement in district jails.³² According to various historians, the disparate manner in which the poor were cared for in the early decades of the nineteenth century stemmed, at least in part, from the fact that when the province was formed

³²Glazebrook, Life in Ontario, pp. 100-101; J.C. Levy, "The Poor Laws in Early Upper Canada," in Law and Society in Canada in Historical Perspective, ed. D.J. Bercuson and L.A. Knafla (Calgary: University of Calgary, 1979), pp. 35-38.

in 1791, a decision was made not to adopt the English law, in which provision was made for the maintenance of the poor.³³ What ever the actual basis for the rejection of the English poor law, the visible consequence of the decision was a situation in which the poor, along with the insane and the criminal, found themselves confined under similar conditions, and treated to similar deprivations.

The response of Upper Canadians to the conditions of the poor, however, was radically altered by events which occurred in the 1830's. After 1830, established citizens in the province increasingly began to favour the idea of establishing organized "workhouses" or "houses of industry", in which the poor could be taught habits of discipline and thrift, and be forced to provide for their own maintenance.³⁴ The idea of responding to the problem of poverty by creating formal institutions was discussed in several Upper Canadian communities during the 1830's.³⁵ In addition, in 1837, the Executive Council of the province endorsed the idea of compelling the poor to provide for their

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³³ Splane, Social Welfare in Ontario, pp.65-68; Levy, "The Poor Laws in Early Upper Canada": 25-26. Both authors touch on several possible reasons why the English poor law was not adopted in Upper Canada at the time of its creation in 1791. However, an elaborate discussion of the circumstances surrounding this decision seems beyond the scope of the present study.

³⁴ Curtis and Edginton, "Uneven Institutional Development and the "Staple" Approach": 258.

³⁵ Splane, Social Welfare in Ontario, p. 70.

own maintenance by passing an act authorizing "the erection and maintenance of houses of industry" in each of the province's districts.³⁶ Concomitantly, in the same year, the first institution specifically intended for the "discipline" and "correction" of destitute persons was founded in Toronto.

In the midst of an economic depression, in December 1836,³⁷ citizens of Toronto gathered to consider the plight of the poor in their city. While sparse material remains with which to determine the agenda pursued at the general citizens' meeting, those who attended are known to have endorsed the idea of erecting a "house of industry" in which "the poor could be made to support themselves".³⁸ Within a few weeks of the gathering, a general committee, consisting of some seventeen members, had been appointed to lead in the effort to secure a facility for the "relief" of the city's impoverished poor. At the first meeting of the general committee of the Toronto House of Industry, attending members discussed both the necessity of securing an institution for the poor, and the manner in which this could best be accomplished. By the end of the meeting, two major resolutions encompassing the committee's motivating concerns and proposed plans were passed. Indicatively, the

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Ibid., p. 71.

³⁷Glazebrook, The Story of Toronto, p. 80.

³⁸Splane, Social Welfare in Ontario, p. 70.

committee initially resolved:

That as one of the most important means of limiting the present amount and preventing the increase of pauperism in the City, means should without delay be adopted to establish a House or Houses of Industry whence the poor of both sexes who are unable to work may be provided with employment, to enable them to provide for their own support and that of their families...³⁹

Being composed of some of Toronto's most industrious and prominent citizens, the general committee of the House of Industry displayed great organizational ability. In order to accomplish their stated objectives, it was further proposed at the meeting that the general committee be "divided into five subdivisions" to cover each of the city's wards. According to a proposed plan, it would be the duty of these sub-committees:

...to visit all the poor within their respective wards... ascertain the number of the real objects of charity... (and) also take copies of the subscription paper already in circulation for the purpose of soliciting donations from the inhabitants of said wards...⁴⁰

Throughout the early months of 1837, and well into the summer, the citizens of Toronto worked incessantly towards establishing a permanent House of Industry. On January 4, at the second meeting of the general committee, it was resolved, however, that until such time as a permanent facility could be erected:

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Minutebook, Toronto House of Industry, 29 December 1836.
Toronto City Archives, Toronto, Ontario.

⁴⁰Ibid., n.p.

...a temporary house of refuge be established for destitute females and children and others who may be in a state of destitution from sickness or want of employment, that they may be sheltered during the inclement season and supplied with food, and if possible provided with employment.⁴¹

Without doubt, the need for a "temporary house of refuge" was widely recognized. Shortly following the general committee's motion to secure a temporary facility, the Toronto City Council "authorized the expenditure of 40 pounds to fit up the old courthouse on Richmond Street as an almshouse".⁴² Thus by the end of January, 1837, the citizens of Toronto had succeeded in establishing the city's first charitable institution.

From the onset, the House of Industry in Toronto provided outdoor as well as institutional care.⁴³ According to the institution's registration book, in its first year of operation some 306 "pensioners", 102 men, 167 women, 601 children, 14 orphans, and 75 "widows and deserted women" were provided with either "indoor" or "outdoor" poor relief.⁴⁴ While it is not known how many of these people were cared for on a strictly institutional basis, from 1837 onwards, emphasis was certainly placed on the need for permanent institutional facilities.

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Ibid., 4 January 1837.

⁴²Glazebrook, The Story of Toronto, p. 88.

⁴³Splane, Social Welfare in Ontario, p. 72.

⁴⁴Register, Toronto House of Industry, 19 January 1837 to 29 October 1837. Toronto City Archives, Toronto, Ontario.

The reasons for the need for "indoor", as opposed to "outdoor", poor relief were poignantly discussed by Toronto citizens. On April 10, at the weekly meeting of the general committee of the Toronto House of Industry, attending members signed a petition calling for the erection of a permanent institutional facility.⁴⁵ Addressed to "the Mayor, Alderman and Commonally of the City of Toronto", the petition read in part:

That the circumstances of the poor and destitute of the City and neighbourhood, required that some provision should be made for them, consistent with the general welfare of the Community; and judging from the limited trial which under the direction of your petitioners has been made within the last few months, and the success which has attended the mode of relieving the poor, as generally adopted in (the House of Industry) they, deem it is of importance to suggest, that some steps (should) immediately be taken to secure the early and permanent establishment of a similar Institution for this City.⁴⁶

With regard to the benefits that would be entailed in the establishment of a permanent House of Industry, the petition further stated that:

The chief object to be subserved by the (provision) suggested for the relief of the poor will be the total abolition of streetbegging, the putting down of wandering vagrants, and securing an asylum at the least possible expense for the industrious and distressed poor; objects which are admitted to be highly deserving the consideration of the public authorities and essential to the comfort and happiness of the Community

⁴⁵ Minutebook, Toronto House of Industry, 10 April 1837.

⁴⁶ "Petition of Wm. McDonough and others. Praying the Corporation to apply to the Executive Governor for a Lot of Land whereon to erect a House of Industry." Toronto City Council Papers, 4 May 1837.

at large.⁴⁷

Undoubtedly, the general committee's petition was warmly received by the Mayor and aldermen of Toronto. By the summer of 1837, the Mayor and Common Council of the City had responded to the petition by applying to the Executive Council of the province for a grant of land on which to build a permanent House of Industry.⁴⁸ Having previously endorsed the principle of institutional care, the Executive Council welcomed the application. Encouragingly, it recommended that the City of Toronto instruct the Surveyor General of the province "to assign them a piece of land in the Park Reserve to the East of the City to the Extent of four acres for a house and gardens for the House of Industry."⁴⁹ Though seemingly pleased with the City Council's effort "in procuring the recommendation for a Lot of Land to the House of Industry", adjacent to the City's Hospital,⁵⁰ the general committee of the institution soon recognized that more than four acres of land was needed in order

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Ibid., n.p.

⁴⁸"Copy of a Minute in Council approved by His Excellency The Lieutenant Governor and the Petition of the Mayor and Common Council of the City of Toronto applying for a grant of land near the City for the Establishment of a House of Industry." Toronto City Council Minutes, 17 August 1837. Toronto City Archives, Toronto, Ontario.

⁴⁹Toronto City Council Papers, 17 August 1837.

⁵⁰"Communication from the House of Industry." 28 August 1837. Toronto City Council Papers, Toronto City Archives, Toronto, Ontario.

to provide suitable relief for the poor. In likely response to a request of the committee, the Grand Jury of the City of Toronto petitioned the Executive Council of the province requesting "that an additional grant of 50 acres may be made for the benefit of the House of Industry."⁵¹ Unfortunately, on this occasion the Executive Council felt that since the appropriation of the requested land would impinge upon the needs of the City Hospital, the petition of the Grand Jury had to be rejected.

While perhaps seemingly incidental, the Executive Council's decision not to extend a further grant of land for a House of Industry may well be indicative of the fiscal conservatism shared by the Upper Canadian supporters of institutional poor relief. It seems that while most Upper Canadians accepted the notion that the poor could be best provided for in an institutional setting, they were also acutely aware that this should be done in the most efficient manner possible. For instance, on November 15, 1837, "a general meeting of the Inhabitants" of Toronto was held to promote the interests of the House of Industry and consider "the most efficient means of

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"Copy of Minute in Council approved by His Excellency the Lieutenant Governor on the petition of the Grand Jury of the City of Toronto praying that an additional grant of 50 acres may be made for the benefit of the House of Industry." Toronto City Council Papers, 19 October 1837.

relieving the poor and the destitute" of the City.⁵² At the meeting, which was attended by leading clergymen, politicians and public servants,⁵³ several resolutions aimed at promoting the interests of the House of Industry and reducing the amount spent on poor relief by the City were put forth. With regard to the House of Industry, one Toronto clergyman, Reverend Harvard, moved:

That it is the duty and the privilege of Christians to provide for the wants of the poor, and as a means of so doing, so far as this city is concerned, it is important every (effort) should be made to render the House of Industry a permanent institution.⁵⁴

Pointing to the costs incurred by Toronto residents, from having to provide for the displaced poor from outside the city, alderman John Powell followed by resolving:

That in as much as this City is the general resort of the poor, and has to relieve the destitute from every part of the District, it is expedient that an application be made both to the Provincial Parliament, and the Home District generally for aid in support of this Charity.⁵⁵

As a consequence of the perceived need for an organized system of institutional poor relief, in the years subsequent to 1837, the Toronto House of Industry was to receive both

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⁵² Minutebook, Toronto House of Industry, 15 November 1837.

⁵³ Ibid. Some of the more prominent figures present were the Mayor, the Honourable Wm. H. Draper and Sheriff Wm. Jarvis.

⁵⁴ Ibid., n.p.

⁵⁵ Ibid., n.p.

provincial and municipal support. Impressed with the idea that the most economical manner of dealing with the poor was through "a regulated system of Charity", the general committee of the Toronto House of Industry never hesitated in requesting operating grants from the City. Towards the end of 1838, for instance, the committee wrote the Mayor of Toronto, informing him of their recent meeting, and submitting a request for financial support. Informatively, the communication stated that:

It seems on all hands to be admitted that the continuance of an Institution such as the House of Industry has much to do with, not only the well being of the Poor but the peace and well ordering of the City...Street Begging and its attendants, fraud and vice are in a great measure obviated. To provide for the Poor of a City is equally with the maintenance of order and suppression of vice, the province of a Civic Body. Your early acquiescence in the wishes of your Constituents is to us a sufficient proof of the importance you attach to this part of your duty and we beg leave respectfully to urge a further grant towards the support of this Institution.⁵⁶

The inhabitants of Toronto were not alone in their recognition of the importance of private charity in the "relief" of the "deserving" poor and the maintenance of social order. From 1839 onwards, the government of Upper Canada was to issue annual grants in support of the Toronto House of Industry,⁵⁷ and extend aid to similar charitable institutions in other areas of

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"Communication from House of Industry to the Mayor of Toronto, for continued support." Toronto City Council Papers. 31 December 1838.

⁵⁷Splane, Social Welfare in Ontario, p. 77.

the province.⁵⁸

Thus, despite its beginning as a privately funded charity in the 1830's, as the decades progressed the efforts of established citizens, combined with municipal contributions and annual provincial grants, would act to ensure the growth of the house of industry in mid-nineteenth century Upper Canadian society. In addition to obtaining a cognizance of the process by which institutions of poor relief developed in Upper Canada, however, it is also necessary to appreciate the importance of foreign influences and ideas on the movement towards the institutionalization of the impoverished in Upper Canada after 1830.

The English Experience

The changing response to the problem of poverty in Upper Canada during the 1830's, was more than a product of colonial thought. In fact, there are striking similarities in the manner in which both the Upper Canadian promoters of institutional poor relief, and their English counterparts, organized their efforts to combat the widespread existence of poverty and strife. Although a decision had been made early in the history of Upper Canada to reject the English Poor Law which made "outdoor"

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Glazebrook, Life in Ontario, p. 101.

relief essentially a "poor man's right",⁵⁹ as the nineteenth century progressed changes which occurred in both countries followed a similar path.

During the first three decades of the nineteenth century the traditional English system of poor relief was subjected to increasing criticism. Alarmed with the phenomenal expense incurred by the practice of supporting both the "able-bodied" and "non-able-bodied" poor, magistrates, landowners and legislators argued that a drastic change in the Poor Laws was long overdue.⁶⁰ As a consequence of the widespread dissatisfaction with the traditional non-institutional response to the indigent, in 1832 a Royal Commission on the Poor Laws was appointed to report on the application of the law and recommend needed legislative reforms. Having begun its investigation in the year of Jeremy Bentham's death, it is not surprising that his ideas dominated the Commission. As the English historian Norman Longmate noted:

Dominating the Commission were the ideas of the famous political thinker Jeremy Bentham, who died in 1832, and his disciples, known as "the philosophic radicals". Bentham believed that normally the citizen could best serve both his own needs, and those of society, by pursuing a policy of self-interest, but that in some areas government must take a more positive role, as in caring for the sick or insane. He thus made a sharp distinction between the able-bodied who not merely could

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Norman Longmate, The Workhouse (London: Temple Smith, 1974), p. 34.

⁶⁰Ibid., p. 44.

but should be left to support themselves, and the "impotent poor", on whose behalf the government must intervene...⁶¹

Perhaps expectedly, upon completing its two year investigation in 1834, the Commission emphatically recommended that poor relief be greatly restricted. Indeed, among its major recommendations was the proposal that "all relief whatever to able bodied persons and their families" only be provided within the confines of "well-regulated workhouses".⁶² Cognizant of the mounting opposition to the old Poor Laws and the recommendations of the Commission, the English Parliament quickly moved toward introducing legislative reforms to restrict poor relief to those confined in workhouses. Consequently, on August 14, 1834, legislation aimed at abolishing outdoor relief, creating a system of organized "Union workhouses", and providing a centralized inspectorate to ensure that institutional relief was properly administered, was introduced into law.⁶³

While the repressive legislative reforms adopted in England were never formally accepted by Upper Canadians, the principles espoused by Bentham and others appear to have gained popularity in the province. Indeed, from as early as the date of the inception of the Toronto House of Industry, emphasis was placed

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Ibid., pp. 48-49.

⁶²Cited in Ibid., p. 55.

⁶³Robert Pinker, Social Theory and Social Policy (London: Heinemann, 1971), p. 55.

on the need for separating the "deserving" from the "able-bodied" poor, with treatment for the former and discipline for the latter.⁶⁴ The presence of Benthamite thinking is further reflected in the efforts made by the trustees of the Toronto House of Industry to guard against the possibility of providing relief to the undeserving. Throughout the 1840's, and even later, the trustees repeatedly noted in their annual reports that the utmost care was being taken in selecting recipients for relief.⁶⁵ For instance, in one of their annual reports, the trustees defended the manner in which poor relief was being administered on the grounds that:

The utmost discrimination is exercised in granting relief, and too much praise cannot be given the Superintendent and his wife, for their unwearied exertions to further the interests of the Institution, by preventing imposition and economising its funds... All parties seeking relief, are either recommended by respectable householders, or visited at their homes; and the annexed schedule will convince the most incredulous that the parties assisted are not the idle, or depraved, or those able to labor for their own support.⁶⁶

Although in many respects the Upper Canadian response to poverty was strikingly similar to that which was adopted in England, it would be remiss to conclude that the movement towards the institutionalization of the impoverished in Upper

⁶⁴Curtis and Edington, "Uneven Institutional Development and the "Staple" Approach": 259.

⁶⁵Reports of the Toronto House of Industry, 1849, 1857, 1859, 1866. Toronto City Archives, Toronto, Ontario.

⁶⁶Ibid., 1849.

Canada was due to the slavish, acceptance of the English approach. As we shall observe in the concluding chapter, the endeavor to account for the rise of the Upper Canadian system of poor relief, along side the development of other systems of social control such as the insane asylum and the penitentiary, requires a rather more complex explanation.

VI. Chapter 5

Recurrent Themes in Upper Canadian Institutional Reform

By the third quarter of the nineteenth century distinct institutions had emerged to order the fate of the insane, the criminal and the poor. Although this thesis does not purport to offer a definitive explanation of the rise of these institutions, it is possible, on the basis of the historical evidence already presented, to identify recurrent themes in the history of institutional reform in Upper Canada. Upon examining these themes, in the first section of this chapter, the author then proceeds with an analysis of existing perspectives concerning institutional reform to determine the extent to which they might assist in explaining the movement towards the institutionalization of specific populations which were perceived by Upper Canadians to be problematic.

First and foremost, this thesis has demonstrated that beginning in the decade of the 1830's Upper Canada entered into a period of unprecedented social reform. Within the space of a mere decade (from 1835 to 1845), there emerged on the landscape an asylum intended for the "moral treatment" of the insane, a penitentiary intended for the "moral reformation" of the

criminal, and a house of industry intended for the express purpose of inculcating habits of industry and thrift in the "depraved" lower classes. Whereas previous historians have noted that the notion of moral treatment was important in the rise of the insane asylum, it is evident from the present study that Upper Canadian social reform was intimately bound up in moral reform.

The suggestion that Upper Canadian social reformers were indeed interested in creating a uniform system of morality is implicit in the pronouncements they made regarding the need for new methods to bring about social prosperity and social order. From the perspective of the early advocates of the insane asylum, the separate confinement of the insane was indispensable if they were to be saved from the vice and debauchery which transpired in district jails. Only upon isolating the insane from debilitating moral influences would they have a chance to recover their sanity and become productive members of society. To Upper Canadian penal reformers, the creation of a penitentiary was imperative if efforts to bring about the "moral reformation" of convicted criminals were to succeed. Similarly, the supporters of the house of industry were convinced of the belief that the establishment of a well-ordered institution would contribute as much to the "maintenance of order and the suppression of vice" as it would contribute to the well-being of the poor. The moral self-righteousness implicit in the

statements of Upper Canadian social reformers in general, lends credence to the argument that the advent of the insane asylum in the province was influenced by more pervasive concerns than merely that of providing the insane with a place of medical care and treatment based on humanitarian principles.

In addition to adhering to the belief that institutions could serve as a vehicle for inculcating proper moral habits, the proponents of institutional reform appear to have held similar views regarding the economic benefits entailed in the establishment of separate facilities for the deviant and dependent members of society. By virtue of the insane asylum's alleged ability to cure great numbers of patients, it was believed that society would be relieved of the onerous task of providing for their maintenance. Most explicitly, the Upper Canadian penitentiary was founded on principles which emphasized the importance of bringing about the greatest happiness for the greatest number. This could be achieved by utilizing a system of convict labour and by requiring that the institution be operated in the most economical manner possible. Analogously, the confinement of the poor in houses of industry was influenced by the argument that the poor should be provided for through "the most efficient means" available.

The establishment of separate institutions of confinement for deviant and dependent persons in Upper Canada further appears to have been the result of conscious decisions made by

an identifiable segment of the province's population. As was demonstrated in a previous chapter, the movement towards the institutionalization of the insane in the province was largely inspired by a series of petitions, commissions and official protests issued and sponsored by members of the upper-class echelon in Upper Canadian society. During the early years of the lunacy reform movement in the province there cannot be said to have existed a psychiatric profession concerned with improving the plight of insane persons. Rather, the inspiration for reform apparently stemmed from the pronouncements of local magistrates, grand juries, sheriffs, and prominent lay persons who were critical of the state of existing provisions for the care of the insane. The earliest Upper Canadian penal reformers were also closely linked by name and position to the educated, wealthy and influential sector of the provincial population - that is, the sector of society which held the greatest interest in preserving the existing social order and ensuring its regulation and prosperity. As in the areas of asylum and penal reform, the movement towards the establishment of the province's first house of industry was initiated by industrious and prominent Toronto citizens, including the Mayor, local clergymen, politicians, and law enforcement officials. Significantly, the persons affected by the creation of the various institutions of segregative control had no voice in the decisions made to order their fate.

While the concern with uplifting the moral standards of society may well have influenced the institutional response to deviance and dependency in Upper Canada after 1830, this thesis has also demonstrated that the movement towards the institutionalization of specific problem populations was not unique to Upper Canadian society. From the inception of the temporary insane asylum in the 1840's, persons appointed to report on the system of treatment generally pursued within the institution referred frequently to the statements of "leading European authorities" on asylum management. After the advent of the province's first permanent insane asylum in 1850, the institution's long time superintendent demonstrated an acute interest in both British and American asylum developments. Similarly, in search of a model upon which to establish a provincial penitentiary, Upper Canadian penal reformers visited several American penal institutions. The rationale used by these same reformers to justify the establishment of a penitentiary seems also to have been shaped by foreign ideas. Further, the changing response to the problem of poverty in Upper Canada during the 1830's was shown to have been influenced by the English experience. Unmistakably, even the most preliminary investigation indicates that incredible developments in the areas of mental health, corrections, and public welfare occurred on an international scale during the nineteenth century. However, it remains to be seen how contemporary perspectives on

institutional development might assist in dealing with these recurrent themes.

Analysis of Competing Perspectives

A mental hospital - whatever its failures and shortcomings did care for sick individuals...To identify jails, almshouses, and mental hospitals as variations of one species is inaccurate, even though they had much in common.

Gerald N. Grob (1972)

If Grob is the leading voice of the anti-revisionist school, then we have here a great vote of confidence in the new interpretations of the rise and fall of the asylum. The shrillness of his attack on those writers is testimony to his felt need to differentiate, in however marginal a fashion, his work from theirs. It is like putting a few touches of chrome on an automobile and saying that now a product differs from that of its competitors. Such a tactic may do well in the marketplace, but it has less relevance, one would hope, in the world of scholarship.

David J. Rothman (1976)

Like the sociological tradition upon which they draw, the work of men like Szasz and Rothman portrays those consigned to asylums as caught up in some largely arbitrary scapegoating process...But this is grossly to oversimplify and distort what happened. It romanticizes those incarcerated as crazy, and plays down the degree to which their behavior was (and is) genuinely problematic. Even worse, by way of response to the central question of why an institutional approach to madness emerged in the first place, these writers can offer little more than either crude conspiracy theory; or an account pitched in terms of a nebulous cultural angst - arising one knows not whence - about the stability of the social order.

Andrew T. Scull (1979)

With the increase in the number of competing perspectives on institutional reform over the past few decades, there has occurred a corresponding increase in the rhetoric of opposing writers. Generally aimed at denigrating the views of authors who do not adhere to a similar view of history, the personal manifestos of the proponents of competing perspectives (reflected mostly in critical book reviews) are of minimal use to scholars interested in assessing the practical value of a given interpretation of institutional development. Despite the uncompromising and critical appraisals, exemplified in the preceding quotations, it is nonetheless possible to approach the assessment of competing perspectives on institutional reform in a less impassioned and more objective manner.

In this section, the most influential perspectives to have emerged in contemporary asylum literature are assessed in terms both of their utility in the study of institutional reform in general and of their applicability to the study of institutional development in nineteenth century Upper Canadian society in particular. Upon examining the important features of selected perspectives, the author moves on to discuss in more general terms the state of knowledge concerning the process of institutional development and change. Finally, this thesis concludes with a note on the research implications which, foreseeably, may stem from the present study.

The Conventional Liberal Perspective

According to the adherents of the conventional liberal perspective, the emergence of the nineteenth century "mental hospital" stemmed from a diverse number of socio-historical forces. Most notably, the American historian Gerald N. Grob has argued that demographic change, a growing sensitivity to social and medical problems, a surge of philanthropic giving by elite groups, and an increased knowledge of European medical and psychiatric developments all contributed towards the establishment of mental institutions in the United States.¹ By broadening his research base to offer a more sophisticated "multi-causal explanation" of the origins of the insane asylum in America, Grob's thesis appears at first glance to be a distinct improvement over the traditional Whiggish perspective, which viewed the rise of the asylum as simply the result of the triumphant progress of psychiatry in the nineteenth century. On one important aspect, however, the perspective advanced by Grob and his contemporaries appears quite similar to that advanced by early medical historians. Importantly, like the traditional Whig historians, the proponents of the conventional liberal perspective have argued that the early advocates of asylum development were, first and foremost, concerned with lessening

¹ Grob, Mental Institutions in America, p. 35.

the plight of the unforunate insane.² Distinctively, of the contemporary perspectives on institutional reform, the conventional liberal perspective is the only one which continues to accept the "expressed rationale" of early reformers at face-value, and continues to attribute the rise of the asylum primarily to their well-intended benevolence. In light of these distinctive features, the perspective must be viewed with caution.

If one is primarily interested in obtaining a cognizance of the "expressed rationale", or the justifications offered by the early advocates of the asylum for their actions, then the conventional liberal perspective is of potential value. Despite the assertions of crude conspiracy theorists such as Szasz,³ the rise of the asylum was not the product of a conspiracy to have deviant individuals placed under control. Rather, given the evidence presented in previous chapters, it would be difficult to deny that the early advocates of asylum development in Upper Canada acted, at least in part, out of deeply held religious and humanitarian motives. On the negative side, however, the present study has also demonstrated that the perspective does not adequately deal with the recurrent themes which seem to be associated with institutional reform in Upper Canada. By

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Ibid., p. 109.

³Szasz, Manufacturers of Madness, p. 137.

focusing solely on the development of the insane asylum, conventional liberal historians remain ignorant of the common threads which paralleled the development of penitentiaries and houses of industry, as well as insane asylums. Therefore, if one is to develop a broadly based explanation of institutional reform, one must necessarily turn to considering the potential usefulness of the various "social control" perspectives which have emerged in the recent literature.

Social Control Perspectives

Just as it is simplistic to portray the rise of the insane asylum as being the result of a conspiracy, it is equally inappropriate, from the point of view of an historian, to explain the rise of the asylum solely in terms of the history of ideas. Michel Foucault, in his influential work on the creation of asylums,⁴ discusses the emergence of institutions intended for the confinement of the insane from the point of view of an ideologue - not an historian. Although admittedly the early arguments advanced by Foucault contributed immensely in prompting historians to reconsider the history of asylums,⁵ it cannot be said that his work has contributed significantly to the present "historical" knowledge regarding the process of institutional development and change. However, this is not to

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Foucault, Madness and Civilization

⁵Brown, "Architecture as Therapy": 105.

say that recent critical historians have provided far more significant contributions.

To uninformed historians and social scientists, the perspective on institutional reform offered by the American historian David J. Rothman may well appear inviting. Ostensibly, Rothman has produced a general perspective with which to view the rise of interrelated institutions of social control.⁶ However, on closer inspection, it is evident that the perspective suffers from numerous weaknesses. Most noticeably, the findings of the present study indicate that in developing his perspective Rothman failed to take account of the fact that developments in the areas of mental health, corrections, and public welfare occurred on an international scale in the nineteenth century. Having chosen to ignore the development of institutions in countries other than America, the interpretation of institutional reform advanced by Rothman is highly questionable. Essentially, the author created an image of reform which implies that the rise of penitentiaries, workhouses and the like, were the result of unique cultural peculiarities which characterized individual countries. Owing to the questionability of this interpretation, the overall perspective advanced by Rothman is at best only of minimal usefulness in the study of institutional development. Of somewhat greater utility, however,

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Rothman, The Discovery of the Asylum

is the perspective advanced most recently by Andrew T. Scull.

The "macro-sociological" perspective advanced by Scull is the most cogent perspective on institutional reform produced to date.⁷ While one need not agree with his "Marxist" interpretation of the origins of the insane asylum, the outline of Scull's perspective may well assist in enhancing our knowledge of both the general process of institutional development and the influences which affected institutional reform in specific historical settings. Indeed, as in the case of the development of the public asylum in England described by Scull,⁸ there also occurred a most dramatic shift in the response to insanity in Upper Canada during the first half of the nineteenth century. Besides providing comparative material on the development of the insane asylum in England, Scull points to another development which seems to have occurred in both England and Upper Canada - namely, the redefinition of madness as a "uniquely and essentially medical problem".⁹ As in England, the movement towards the establishment of the insane asylum in Upper Canada preceded the emergence of a distinct profession of psychiatry. In both countries, it was only after the movement towards the establishment of asylums had already begun that

⁷ Scull, Museums of Madness

⁸ Ibid., pp. 13-14.

⁹ Ibid., p. 14.

medical specialists assumed a role in their operation. Despite the argument of the opponents of various "social control" perspectives, to the effect such perspectives seek to explain away the humanitarian sentiments of early advocates of the asylum, such cannot be said to be true for Scull. Rather than seeking to deny the existence of humanitarian sentiment on the part of early reformers, Scull sought in his work to place humanitarianism within the context of more pervasive economic and social changes which affected society and the outpouring of humanitarian rhetoric by elite groups.¹⁰

Although it would be self-defeating to allow oneself to be guided by a perspective which viewed the rise of the asylum solely in terms of pervasive economic and social changes, one must seriously consider the influence of economic concerns on the rise of formal institutions of segregative confinement. Indeed, one of the central themes which stemmed from the study of institutional development in Upper Canada was the finding that social reformers widely assumed that the establishment of separate institutions for the insane, the criminal, and the poor, would in the long run be of economic benefit to society. Further, it has been convincingly argued by other writers that, even though Upper Canada was not nearly as advanced as England in terms of industrialization, it would be useful to consider

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Ibid., p. 15.

the extent to which Upper Canadian institutional developments were affected by the rise of capitalism in Britain.¹¹ Though arguing the position that historians should devote considerably more attention to determining the impact of economic and social change on institutional development, the author does not however reject the possibility that individuals also played an important role in the creation of nineteenth century social institutions.

In that the conventional liberal approach seeks to present the "expressed rationale" of reformers, and that adherents of the "macro-sociological" perspective are more concerned with determining the impact of economic and social structure on institutional change, it is not fruitful to argue that one perspective directly contradicts the other. More beneficially, from the point of view of persons interested in obtaining knowledge instead of advancing their own ideology, competing perspectives may best be viewed as being complementary. Even with the advent of more sophisticated perspectives of institutional development and change, our knowledge of the process remains sparse and fragmented.

¹¹ Curtis and Edington, "Uneven Institutional Development and the "Staple" Approach": 268-270.

Research Implications

Given the present fragmented state of knowledge regarding the origins and development of our modern mental health, corrections, and public welfare systems, it would be appropriate to conclude this thesis with some suggestions for future research. Whereas the present study was restricted to investigating the circumstances surrounding the rise of one institution in one historical setting, it may well be worthwhile to conduct a more broadly based historical study of the manner in which the major formal systems of social control developed across Canada. It is quite possible that a nationwide study of Canadian institutional development, focusing on the origins of our modern social control systems, would contribute substantially to both historical and social scientific knowledge.

Preliminary evidence suggests that while formal institutions for the care of the insane developed with great rapidity in nineteenth century Ontario, the same did not occur in the adjacent province of Quebec.¹² Similarly, it is known that developments in the area of mental health did not even begin to occur in western Canada until nearly the end of the

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Verdun-Jones and Smandych, "Catch-22 in the Nineteenth Century", pp. 21-25.

nineteenth century.¹³ While undoubtedly numerous alternative hypotheses could be advanced as a basis for explaining this uneven institutional development, there are a few which seem most promising.

As was alluded to in a previous discussion of the advent of the Upper Canadian penitentiary system, various theorists have postulated the hypothesis that when there is a decline in the effectiveness of informal systems of social control (such as the family and the church), there will be a corresponding increase in societal reliance upon such governmental social control systems as the criminal justice, welfare, and mental health systems. Interestingly, one can speculate that perhaps one of the reasons public asylums did not emerge in Quebec, in the same manner as they did in Ontario, was that there existed less formal methods whereby the church and charitable organizations provided for the care of the insane. Although this hypothesis may in the course of future investigations be found to be lacking in empirical support, it may nonetheless serve as a guide to future researchers. Importantly, it would awaken researchers to the possibility that there exists an inverse relationship between the strength of informal and formal systems of control.

A second hypothesis of potential usefulness is that which

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Ibid., pp. 25-29.

postulates that once formal systems of social control have been established, if a change occurs in one system of control, it will affect the operation of related systems. The utility of this hypothesis has already been demonstrated by contemporary investigators in the area of mental health administration. For instance, evidence suggests that as a result of the movement to decarcerate patients from American mental institutions in the 1970's, there occurred a corresponding increase in the frequency with which former mental patients came into contact with welfare workers and law enforcement officials.¹⁴ In terms of historical research, awareness of this hypothesis may serve to prompt historians to consider the possible interrelationships among developing formal systems of social control, such as those which emerged in Canada and in other countries during the nineteenth century.

An important point which requires reiteration is the fact that institutional development occurred on an international scale during the nineteenth century. Owing to the possibility that developments in foreign countries may have influenced the direction and product of institutional reform in Canada, it would be remiss to conduct a nationwide study without also

¹⁴Alan A. Stone, Mental Health and Law: A System in Transition, (Rockville, Maryland: Centre for Studies of Crime and Delinquency, 1976), pp. 9-14; Andrew T. Scull, Decarceration: Community Treatment and the Deviant - A Radical View, (Englewood Cliffs, New Jersey: Prentice-Hall, 1977).

considering related developments in England, Europe, and the United States. The suggestion that future researchers ought to adopt a "comparative macro-sociological" perspective, however, is not meant to imply that the rise of related systems of social control in different countries stemmed solely from pervasive changes in the economic and social structure. Such a conclusion must be viewed with suspicion. For, while previous studies combined with the present study suggest that the Upper Canadian insane asylum developed along similar lines as that in England,¹⁵ it is also known that developments in France proceeded along a different path.¹⁶ By orienting researchers to consider the relationships among various institutions of control, as well as awakening them to the international dynamic of institutional reform, it is the author's contention that a "comparative macro-sociological" perspective will serve a dual function, in protecting historians against the possibility of overlooking important facts, and in aiding sociologists in the eventual formulation of an encompassing theory of institutional development.

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Scull, Museums of Madness

¹⁶Harvey Mitchell, "Politics, Power and Psychiatry: A Review of L'Ordre Psychiatrique: L'Age d'Or de l'Alienisme by Robert Castel," International Journal of Law and Psychiatry 2 (1979): 257-258. Interestingly, Mitchell noted that, unlike in England where lay reformers led in the movement toward the establishment of insane asylums, in France the movement was headed by an already thriving psychiatric profession.

Adherence to such a broadly based perspective does not necessarily rule out the possibility of conducting studies aimed at determining the events and circumstances which surrounded the origins and development of specific institutions in specific historical settings. In fact, and as has already been demonstrated by other authors,¹⁷ the study of the "internal" history of an institution may indeed be valuable. In conducting their broadly based studies, previous historians have tended largely to ignore the wealth of primary historical material available in the form of government documents, institutional records, and the correspondence of leading nineteenth century social reformers. Indeed, well conducted "micro studies", which place emphasis on the use of these materials, may well serve as a preliminary step towards establishing a clear and coherent perspective concerning institutional development in the nineteenth century.

¹⁷ Jamil S. Zainaldin, and Peter L. Tyor, "Asylum and Society: An Approach to Institutional Change," Journal of Social History 13 (Fall, 1979):23-48.

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