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How Janey Canuck Became a Person

ABSTRACT

This essay argues that a confrontation with the materiality of feminist discourse calls for self-reflexive historicization and critique. If this historical and critical venture is to unsettle the ground of the feminist critic in her present moment, it should not be possible to know in advance how, and indeed whether or not, to organize the elements of this history into a systemic patriarchal capitalism. Following Deleuze and Foucault, the essay proposes the machinic assemblage as an alternative metaphor for the organization of power, and argues that a micro-analysis which acknowledges the dispersion of power and the unique histories of power's various techniques is better equipped to enable work on the past that will challenge the present. In order to unravel the history of an informal, individualizing, and ostensibly "caring" exercise of power that Henderson calls maternal authority, the second half of the essay turns to an analysis of the career of Emily Murphy, the first female magistrate in the British empire. Murphy's correctional work with "wayward" girls and "foreigners" in the newly-settled Canadian West was a form of normative person-making that doubled as an argument for the middle-class white woman's own legitimate claim to personhood, as Canadian women struggled for this status during the same period. Understanding this specific conjuncture of do-gooding and subjectification, Henderson suggests, can put into critical perspective a more recent deployment of maternal authority in the late 20th-century interface of New-Age liberal feminism and neoliberal managerial discourse (Henderson 1997).

RÉSUMÉ

Cet article démontre qu'une confrontation avec la matérialité du discours féministe demande une critique et une historicité réflexive. Si cette démarche critique et historique devait bousculer les bases de la critique féministe actuelle, il ne devrait pas être possible de savoir par avance comment organiser les éléments de cette histoire en un capitalisme patriarcal systémique. En s'inspirant de Deleuze et de Foucault, cet article propose le concept de dispositif machinique comme métaphore alternative pour l'organisation du pouvoir. D'autre part, cet article démontre qu'une micro-analyse qui reconnaît la dispersion du pouvoir et le caractère unique de l'histoire de chaque technique de pouvoir est mieux apte à développer une approche au passé qui puisse se poser comme défi au

présent. Afin d'exposer l'histoire d'un exercice de pouvoir informel, individualisant et ostensiblement "affectif"—l'autorité maternelle—la deuxième partie de cet article analyse la carrière d'Emily Murphy, la première femme magistrate de l'empire britannique. Le travail correctionnel de Murphy envers les "filles désaxées" et les "étrangers" dans un Canada de l'ouest nouvellement colonisé fut une forme de façonnage de la personne dans un mode normatif qui devint un argument pour revendiquer la légitimité de la femme blanche de classe moyenne en tant que personne, alors que les femmes canadiennes luttaient pour ce statut à la même époque. En comprenant cette conjoncture spécifique entre les bonnes oeuvres et un processus de subjectification spécifique, nous pouvons développer une perspective critique par rapport au déploiement de l'autorité maternelle dans la conjoncture de la fin du XXème siècle au carrefour d'un féminisme libéral nouvel âge et d'un discours managérial néolibéral (Henderson 1997).

The Micro is the Material

This essay proceeds from the assumption that one of the important tasks of a materialist feminism is a confrontation with the materiality of feminist discourse itself. By materiality I mean the sense in which that discourse is never proper to feminism, but rather a set of rules and procedures for making sense which derive from some other time and place, and nevertheless come to represent, even define, feminist interests. The transformative project of feminism cannot but be articulated in borrowed "names, battle-cries, and costumes;" it cannot escape the dilemma that Marx described in terms of men making their own history under circumstances not of their own choosing (Marx 1977: 300). A confrontation with the materiality of feminist discourse in this sense calls for reflexivity, for historicization and critique of our knowledge forms themselves, with a view to understanding the implications of their unoriginality for our current ways of framing problems and imagining solutions, even our current ways of being subjects. What have been the local effects of our "borrowed names, battlecries, and costumes" in particular sites of social and political contestation? What problematic forms of complicity has this inescapable condition of discursive implicitly entailed? Given that transformative projects must be draped in the figures and phrases of an inherited language, the work of such reflexivity would be to recognize those occasions when "the phrase went beyond the content" in unpredictable and dangerous ways (Marx 1977: 302).

This understanding of materiality primarily in terms of a critical, historicizing stance towards present standpoints that is wary about grounding itself in transcendent values, is different from a more common understanding of materiality and materialism in critical feminist discourse, as roughly synonymous with analysis of the system of patriarchal capitalism. Perhaps, then, it makes sense to begin by asking where this more common understanding of "materialism" would take feminist work that was interested in the "processes whereby feminism appropriates and reformulates its concepts" (Hennessy 1993: xiv). Rosemary Hennessy's *Materialist Feminism and the Politics of Discourse* will carry the burden of exemplarity here: not just because Hennessy is concerned, as I am, to re-problematize liberal feminism by plotting its historically contingent limits, but also because her book prescribes a specific methodology for any feminist historiography that wishes to understand the relation between its historical object and the subject of praxis in the present.

Hennessy's point is that feminist historiography risks reinforcing the pre-constructed categories upon which the hegemonic articulation of identity depends when it fails to consider how its own framework either contains or enhances possibilities for resistance (117). The question of the implications of our work for politics is of course crucial, but not, I argue here, a question that should be settled in advance. The present essay thus tracks the pre-emptive settling of the question in Hennessy's work and then goes on to suggest how one might read some of the same historical ground in a way that keeps the question of how and what to resist more open. I argue that the understanding of materialism that drives Hennessy's methodology—one where materialism is a synonym for system, and the system is patriarchal capitalism—is ill-equipped to contend with the current operations of a form of power that I call maternal authority. This form of power does not have a stable, predetermined, necessary function in the social relations of capitalism. However, I suggest that a micro-analysis of its unforeseeable elaboration around and through the early 20th-century figure of Emily Murphy ("Janey Canuck") better prepares us to respond critically to the appearance of the figure of the caring female manager in current managerial discourse than does Hennessy's "systemic" account of patriarchal capitalism's powers of hegemonic rearticulation. In the second half of this essay, I thus move from my critique of Hennessy's materialism to a case study of an early 20th-century woman whose contingent positioning in the newly settled Canadian West and diverse literary and legal projects made her the emblem of a form of power that we can also see being set to work in the restructured and downsized workplace of the late 20th-century new economy.¹

Hennessy critiques the liberal-feminist approach to reading historical figurations of "exceptional womanhood" and exposes the limitations of an individualist and analytically isolationist history of women by examining a recent redeployment of the late 19th-century social and literary figure of the "New Woman." In 1890s Anglo-American culture, the New Woman was an emblem of independent, unmarried, working womanhood, a woman whose rejection of domesticity and appropriation of masculine mobility and sexual freedom were often represented (in the fiction of the period) in the activities of bicycle-riding and cigarette-smoking (Mumford 1988: 540). An initially transgressive figure, the New Woman was quickly neutralized and enlisted in the legitimation of "far reaching political and economic arrangements—the relations of monopoly capitalism and imperialism" (Hennessy 1993: 123). Hennessy reads a redeployment of the neutralized, reified version of this figure in *Good Housekeeping* magazine's late 20th-century campaign to interpellate its reader as the "New Traditionalist," a kind of unironic Nigella Lawson or "contemporary woman who has made a new commitment to the traditional values that some people thought were 'old-fashioned'" (qtd. in Hennessy 1993: 108). The reproduction of social arrangements through the grafting of apparently new modes of thinking and desiring onto preconstructed categories is a process which has repeatedly turned to the site of "woman," Hennessy argues. The power to define what women want, and what they want to *be*, has long been central to a strategy of social reproduction "under the mantle of new-ness" (104). The subtle, repeated retuning of a Western ideology of femininity through consecutive 20th-century constructions of the New Woman—constructions designed to address shifts in capitalism's labour requirements—constitutes a signal instance of this problem.

Because feminist historiography, too, has been involved in reviving the emblem of the New Woman, Hennessy suggests that examining the life of this discursive figure permits us to examine the ways in which feminism can unwittingly rearticulate dominant ideologies. *Good Housekeeping* magazine's New Traditionalist campaign promotes the magazine as a space for the original and independent-minded postfeminist wife and mother by reviving the reified version of the New Woman as civilizing agent. Hennessy's point is that "woman-centred" histories of the 19th-century, in failing to read the way in which the figure of the New Woman was overdetermined by the social relations of capitalism and imperialism, risk producing a late 20th-century subject of feminist history akin to *Good Housekeeping's* New Traditionalist. This feminist subject would be ill-equipped to perceive the "continued ideological force of the nexus of discourses out of which the 'New Woman' emerged at the end of the 19th century, discourses which continue to shape both academic feminist theory and the common sense view of 'woman'" (120).

Hennessy makes the valuable argument that feminist histories must not simply reinscribe the assumptions of 19th-century liberalism; however, the approach to reading and analyzing history that she proposes as a way of avoiding such reinscription does not allow us to recognize a deeper imbrication of feminism and liberalism in the specificity of the role of *civilizing* agent that was assigned to the New Woman. As a preface to my own historical analysis in the second section of this essay, then, I want to engage with Hennessy's concerns about feminist work inflected by what she sees as Michel Foucault's pre-theoretical and apolitical empiricism. This kind of feminist work—which suspends the question of determinism—might be seen otherwise, as an ascending form of analysis that allows us to get at the question of how power is exercised, and exercised in such a way as to implicate women in power relations in unpredictable ways.

According to Hennessy, the work of such feminist historians of gender and culture as Nancy Armstrong, Joan Scott and Judith Walkowitz, shares the troubling feature of an insistence on micro-analysis which precludes a commitment to producing the consciousness, in a collective feminist subject, of *systemic* oppression (1993: 122). For her, a methodology which does not regroup the various elements of a history around the form of patriarchal capitalism results in a politically disabling "neoliberal historiography" which atomizes social relations. In a novel twist, she reserves the adjective "materialist" for the *idea* of system, dismissing as "empiricism" the micro-political histories of gender and culture which fail to begin with a systemic theory connecting "signification and discourse [to] the nondiscursive—[to] relations of property, of labour, state control" (123). A necessary connection is thus established between the production of transformative knowledge and a starting point which already knows how to connect the apparently disparate elements of a history into a system. "Theory" is synonymous with "systemic analysis," and the defence of systematicity against empiricism, "localized reading[s] of culture" (123) rests upon the assumed priority of what Hennessy calls the non-discursive.²

But if discourse is a merely local and limited object of inquiry, how can it be accorded the productive force that Hennessy allows it in her argument, that feminist historical inquiry actually formulates objects and subjects, that its discourse "affects what gets to count as 'reality' through the assumptions it valorizes and the subjects it produces" (xiii)? When she insists that the selection of a particular historical

moment or way of reading that moment “has an urgency in the formation of reality in the contemporary social order” (119), Hennessy outlines the sense of the “materiality of feminist discourse itself” that I want to foreground. But whereas she is willing to allow for the productivity of discourse when it comes to thinking about the high stakes involved in deciding upon a framework for historical inquiry, when it comes to according the discourses she studies their productivity, she can only see this in terms of “reduc[ing] social relations to language” (123).

Hennessy’s identification of Foucauldian empiricism with atomization suggests an anxiety about a form of analysis that does not make an *a priori* commitment to synthesis and works instead to fragment and disperse, even to introduce distances and differences that were not previously part of the picture. Foucauldian empiricism does not work toward atomization as an end, however: It is part of an activity that can be understood in terms of the metaphor of mapping. This metaphor still carries the connotations of discovery and description that Hennessy finds objectionable, but far from serving to affirm a disengaged, transcendent subject, Foucauldian mapping (on the lookout as it is for gaps and differences) works to shift the very coordinates of the mapper’s starting point and thereby “indicat[e] the possibility of a different experience, of a change in his or her way of being a subject” (Burchell 1993: 277). Mapping thus comes closer to effecting the “disidentification” from pre-constituted identities that Hennessy calls for (Hennessy 1993: 96). A “systemic analytic” which already knows how to locate power, where to draw lines of force, and how to calculate interests and map them onto social actors, cannot grasp the unexpected forms of feminist implication in power relations, for it is unable to describe those relations in terms more immediate than “capital’s expanding markets and imperial policy” (123). In contrast, it is at the level of power’s “infinitesimal mechanisms, which each have their own history, their own trajectory, their own techniques and tactics” that the production and enlistment of feminist subjects of particular interests becomes apparent (Foucault 1980: 99). We need therefore to proceed with an image of social relations that is less static than system: Gilles Deleuze (1992) proposes such an image in the *machine* made up of autonomously functioning but coordinated parts.³

One of the crucial elements of this machine is “curves of visibility” which “distribut[e] the visible and the invisible, giving birth to objects which are dependent on it for their existence,” that is to say, producing the objects of knowledge and fields of experience that will appear to be natural within these social relations (Deleuze 1992: 160). The curve of visibility that is specific to liberal societies rests on a foundational division between the public and the private, the political and the non-political, that we can see governing even the mode of conceptualization of a sophisticated materialist feminist critic like Hennessy. The division is reproduced in her oppositions of local versus systematic, discursive (social relations “reduced” to “language”) versus non-discursive (“relations of property, of labour, state control”), with the result that the regulation of conduct falls outside of the realm of politics proper. But it is precisely in this regulatory arena that white, middle-class women, as Denise Riley would say, have been all “too thoroughly included,” as both objects and subjects (Riley 1988: 15). This “territory we already occupy in so many problematic and convoluted ways,” is also the one that raises the important question of “how, and in what manner, we’ve been made to fit” (Steedman 1995: 161).⁴

Liberalism, understood as a practical formula for rule instead of an abstract philosophy, achieves the reproduction of conditions of social stability by assembling “complex dependencies between the forces and institutions deemed ‘political’ and instances, sites, and apparatuses which shape and manage individual and collective conduct in relation to norms and objectives, but yet are constituted as ‘non-political’” (Rose 1993: 286). A common sense division, such as that between the public and the private, is thus internal to liberal rule; it is the effect of a curve of visibility that keeps invisible the actual operation of the machine by means of strategic relations established across the public/private divide. The liberal democratic state emerges out of a complex interplay between a “multiplicity of regulatory mechanisms and instrumentalities that give effect to government,” including the functions of authority and expertise at an apparent distance from the sphere of political contention (Johnson 1995: 22-23). This means that the invention of a new modality of authority, with its own objects, ethos and techniques—one which identifies a social problem and proposes the means for solving it, thus at the same time constituting and rendering *governable* a new social reality—can occur outside of the curve of visibility that would make it accessible to political contestation.

If we fail to grant these operations a certain autonomy, or dismiss them too quickly as merely “local” or “discursive,” we leave untouched the curve of visibility through which liberalism closes down potential political disturbances by allowing them to become visible only as problems of individual ill-fittedness. Liberalism, Bonnie Honig argues in a compelling critique, imagines itself as “after” politics, in a final state that is purely administrative, occupied solely with the “application of rules to particular cases by judges and administrators, and the following of rules by citizens generally” (Honig 1993: 135). If there are “dissonant remainders” to the “fairness” of the social contract, then, there is nothing to account for them other than “sheer perversity, orneriness, a tic of some kind, a defective character” (142), for liberalism admits its productive power neither in relation to “criminals” nor to the “normal,” rationally deliberating subjects devoted to the harmonious satisfaction of their “interests” and given to a sort of voluntary case-work in relation to their “inferiors” (150-53). It is precisely the elision of these processes of normalization in feminist analysis which can lead us to forget the importance of wariness with regard to any final settlement or end of politics.

The outfitting of white middle-class women with a maternal authority to be exercised in a domestic sphere expanded to encompass the social body at the turn of the century went hand in hand with the elaboration of new ways of judging and new procedures for shaping the self-regulating capacities of individuals.⁵ In this process, gender became an instrument in the government of conduct according to class- and race-specific norms. As the human sciences gave birth to forms of low-level coercion with their reference points in “natural” standards discovered through observation and clinical experience, the progressive encroachments of disciplinary normalization on areas associated with a discourse of sovereignty and right (the courts, for example) called for some “arbitrating discourse” (Foucault 1980: 107). The medicalization of conducts and desires supplied the “neutral” authority of science to this encroachment, but medicine itself required a *moral* supplement. As Jacques Donzelot (1979) has shown, medicine found that supplement in an alliance with middle-class mothers and feminist reformers, against the forces of racial

“degeneracy.” The function of maternal authority in this context is invisible to a historical framework that privileges formal systematization and determination by the “non-discursive.” So are the current effects of power linked to an institutionalized feminism with claims to scientificity and/or incontestable moral superiority.

I would propose, as one of these effects—and as an alternative to Hennessy’s popular culture reference point for instrumentalized feminism in *Good Housekeeping’s* image of the postfeminist stay-at-home mother—the “new” female manager of the “downsized” workplace, who currently strides through the management literature. (On the cover of *The Female Advantage: Women’s Ways of Leadership* [1990], she holds aloft a distaff, the symbol for her activity of weaving “webs of inclusion” at work (Helgeson 1990)). A blend of therapist and coach, caring and attentive to employees’ needs to be nurtured into self-realization through work, this figure is the human face put on a managerial strategy for extracting more labour from employees by means of techniques targeting the self-relation. Whereas the New Traditionalist mother simply models a social identity, the new female manager is the emblem of a way of *exercising* power, and way of exercising power which has only recently moved directly into the general workplace, although it has participated in a common circuit with relations of production since the early 20th century.

I want to turn now to a reference point which is part of a history of this present, and which calls attention more generally to the place of women’s writing in the exchange between “the rules of power and the powers of true discourse” (Foucault 1980: 94). Reading the career of the early 20th-century Canadian feminist, Emily Murphy, with the tools of micro-analysis also helps solve a riddle which has perplexed feminist readers of Canadian women’s fiction. The riddle is nicely outlined in Patricia Smart’s observation that although

[n]ations without exception have used women ... all the while excluding them from power and from public space... [s]till, says the nationalist in me (shushing the feminist, who remembers that until 1928 women were denied the status of persons in the legal discourse of this country), in Canada there has been room for a certain amount of partnership between men and women, room for Susanna Moodie and Catherine Parr Traill and Gabrielle Roy and Marie-Claire Blais and others to exist and to be recognized. (Smart 1994: 14-15)

Janey Canuck in a Tight Spot⁶

A reader of Canadian newspapers and periodicals in the twenties would have found it impossible to escape the pervasive pronouncements of Janey Canuck. Her material ranged from essays addressing such questions as “Drug Addiction: Is There a Cure?” (1928) and “Why Do Wives Leave Home?” (1926) to, eventually, articles urging the “Sterilization of the Insane” (1932). In Edmonton, where she resided, the ubiquity of her superintending eye was such that a reader of the daily newspaper would have encountered “The Day’s Motto, by Janey Canuck” on the front page each morning. Janey Canuck’s authority was in fact constructed on a number of different fronts. In her daily life, she was, everyone knew, Emily Ferguson Murphy: an Anglican minister’s wife, briefly, the co-owner of a mine, the author

of three bestselling collections of vignettes of Western Canadian life, and the first female magistrate in the British empire. In this last capacity, she presided over the Edmonton Women's and Children's Court where her stock-in-trade was fallen women and juvenile delinquents.

This Court was established in 1916 in response to the Edmonton Local Council of Women's demands for a separate court for women; however, its jurisdiction was immediately broadened to include unruly or neglected children (especially those of non-Anglo-Saxon parents).⁷ With this combination of jurisdictions, the feminist project to protect and reform women passing through the courts was incorporated as a "race" specialization, or as Murphy herself would come to see it, an expertise in the law of nature, "apart from the laws of God or man," "that the girl-child who is the basic material of the race must not be permitted to decay from any cause whatsoever" (Murphy 1925: n.p.).⁸ Indeed it was also Murphy who would later provide the rationale for combining cases concerning females and "foreign" youths in the same court. If the source of the trouble in female offenders was an inadequate socialization "owing to the secluded nature of their lives, [and] less opportunity of sharpening their wits or of hearing the law discussed," this problem was "particularly regrettable in a country like Canada, where so many strangers have congregated within our gates ... who are daily made to suffer an agony of soul because of their ignorance" (Murphy 1920: 57). If the search for root trouble in a truant or delinquent led to the problems of foreign parenting, helping a vulnerable and dangerous female involved addressing the pre-socialized, foreign part of her character. There was thus an exchangeability between the inadequately socialized female and the strangers, aliens, and "husky peoples" whom Janey Canuck exhorted the readers of her Western vignettes to regard as valuable raw material waiting to be "weld[ed] into a seemly and coherent whole" (Murphy 1914: 71-72).

Murphy criticized the received view of the successful magistrate as an efficient collector of fines and noted the pronounced tendency on the part of such magistrates to rush through the cases of females and foreigners, as the result of an "ignorance, both of the crime and the criminals" (Murphy 1920: 10). The Women's and Children's Court was the scene of a local transformation in the nature and exercise of judicial authority, a transformation which both individualized the criminal and humanized the magistrate, who now functioned as a potent exemplar, a source of "healing, affirming forces, and ... fine spiritual qualities" to be absorbed by the "neglected and degenerate" passing through her Court (56). The introduction of individualizing techniques ("patient and intensive study of the woman's history ... in order to rehabilitate her in the light of her disabilities, capabilities and adaptabilities" [Murphy 1926a: n.p.]) made the courtroom a space of concern and expert examination rather than debate, and pressed prosecution and defense into the work of collaborative parental advising. According to Murphy, it was feminine sympathy which led to the invention of these new solutions, for "no ordinarily decent woman could sit, day after day, coldly passing judgement upon persons of her own sex without attempting to sting them awake" (Murphy 1916: n.p.). However, she also maintained that this gendered expertise in diagnosis and the application of remedies could be generalized if all magistrates were provided with a manual providing "instruction in psychology and the sociology of criminals, [and] clinical studies in jails, asylums, and hospitals" (1920: 56). The first female magistrate in the British empire would thus be the precursor and model of the new "Magistrate-

physician” possessing a “fuller knowledge of human nature” (10). Indeed, the devices of rule elaborated through the relationship between the magistrate imbued with maternal authority and her special type of client—an individual whose lack of self-control was thought to threaten the health of the race—would eventually assume a life of their own, in, among other things, the “caring” disciplines of social work and psychology-psychiatry, which we are no longer inclined to associate with the work of race-making.⁹

The fact that Murphy had no legal qualifications whatsoever but a only reputation as a “wonderful personality” embodying “the very best spirit of Canadian life” and capable of making her readers feel that they had been “out in the ozone of the West” permits us to consider the possibility that the authority of this first female magistrate might have been derived from a *literary* practice.¹⁰ Before Murphy’s appointment, Janey Canuck was the narrator of three collections of descriptive sketches of life in Western Canada, beginning with *Janey Canuck in the West*, published in 1910 in Toronto. I want to suggest that in Murphy’s case, what substituted for the missing manual of the Magistrate-physician was the amateur ethnography of Janey Canuck. In a very real sense, it is the narrator of these sketches who is appointed as magistrate in 1916, and whose superintending eye those passing through the Women’s and Children’s Court discovered as their own conscience, when (as the archives reveal) they wrote letters to “Mother Murphy” from the reformatory reporting on their progress, sometimes continuing this correspondence even after their release to report the existence of suspicious or endangered individuals in the neighbourhood, thereby demonstrating that a full rehabilitation consisted in replicating the function of Janey Canuck in the open sphere.¹¹

These books contributed to the representation of the West in this period as the wheat-fed, vital body of the Dominion and the Britain of the West which would differentiate itself from the American frontier through an advanced moral and social life. *Janey Canuck in the West* immediately distinguishes itself from an earlier, impersonal, “ragged and stumbling” masculine literature of exploration (Warkentin 1993: xix), by means of an intimate second-person address, a flirtatious solicitation to join in witty repartee and rousing apostrophe. Foregrounding the presence of Janey Canuck herself, the text also makes the human landscape of the newly-settled West its focus. The narration functions like a time machine, assigning specimens to different evolutionary tenses. If adult First Nations people are relegated to what Fatimah Tobing Rony (1996) has called the “taxidermic time” of ethnography, their children share what might be called the future anterior of Canadianization with such assimilable foreigners as the Doukhobors, who elicit the “forgiving smile over ethical idiosyncracies” remarked upon by one of Janey Canuck’s reviewers. In the contradictory racial logic of *Janey Canuck in the West*, adult First Nations people define the limits of a progressive sense of race as acquireable character, and call into play the competing sense of race as an essential, biological difference. Already imagined as “[t]hey will exist for posterity[,] only as waxwork figures” (Murphy 1910: 77), adult First Nations people challenge the racial logic which is later put to work in Emily Murphy’s Women’s and Children’s Court—the sense of the merely *temporal* difference of inferior or backward races who could be brought along under the influence of a progressive white woman—a logic which especially recommended the *juvenile* foreigner to this enculturating

influence. But the competing logic of biological, inheritable race is also at work in *Janey Canuck in the West*, in the text's way of figuring the white woman's diffusion of her racial superiority. This figuration takes place in the insistently corporeal terms of porosity and transfusion.

The marked and repeated exclusion from the narration's intimate deixis of a vaguely ridiculous relic of out-moded Eastern Canadian patriarchy, Janey's husband, "The Padre," grants Janey access to the inner reaches of the new settlements through which they travel together. The innermost reaches of these settlements turn out to be those spaces in which Janey can gain access to the women of the community, the point from which norms of conduct were seen to be introduceable into foreign family life. In these scenes, the relation between Janey and what will become the object of her expertise in the Women's and Children's Court is represented in terms of the porous boundaries of an intimate, women-only space: "They took off my head-gear, fur-coat, and gold-jacket, and finally tackled my footgear.... My hatpins afforded them especial amusement. They pushed them in and out of my cap many times" (1910: 40-41). This porosity opens the channels necessary to the exertion of influence. Thus, recounting a moment shared with her Doukhobor hostesses while undressing in the bedroom, Janey tells the reader that "[t]hey seemed much pleased with the ribbons running through my underwear, but were shocked and, at the same instant, amused by my corsets.... Then they showed me what they wore" (43-44). The peeling away of clothing links the perforation of the body to the penetration of a different spatial arrangement, the communal Doukhobor settlement which was seen as a potential breeding ground for communism and other aberrances, rigorously interiorized as "moral weaknesses" not just in Janey's ethnography but in the discourse of good Canadian citizenship of the period generally. This penetration of enclosed foreign space by a woman whose action could be represented in the benign terms of feminine porosity, also organized the white woman's practice of "zenana visiting" in India.¹² But even aside from its insistent gendering in feminine terms, the corporeal figuration effects the translation of politics (the difference of the Doukhobors' collectivism and atheism) into biology, reorganizing a cultural group into uncivilized stock, and in such a manner as to call forth the individualizing solution of normalization.

What Janey's ethnography demonstrates, then, is an ability to access sensitive areas and to win the trust and affection of the human material under observation. In this sense, it anticipates the effectivity of power in Murphy's courtroom, especially as it is described in the 1921 Report of the Alberta Department of Dependent and Delinquent Children. Under a photograph captioned, "A fully organized Court, with no man present," the description reads:

[Women commissioners] naturally take a greater interest in the members of their own sex who get into difficulty, and are able to exercise a motherly influence over them. Not infrequently they gain the confidence of the girl as a male commissioner could not hope to do. In this way they glean from them their full life history and are able to make a much more satisfactory adjustment of the difficulty than would otherwise be possible.

In the Women's Court, the promise held out to the female suspected of feeble-mindedness or charged with vagrancy, sexual immorality, drunkenness, theft, child

abandonment or neglect, is always that, having saved herself by emulating Janey Canuck, she might herself one day accede to the position of a girl-saver. This was a position validated by the discourse of “race regeneration” which looked to women as the “organs of the future” (Saleeby 1911: 35) and the crucial agents of a eugenic strategy for the revitalization of the race in the wide open, cold and rugged space of the Canadian West.

One of the photographs of Emily Murphy in Byrne Hope Sanders’s 1945 biography, *Emily Murphy, Crusader*, shows her on her way to the 1919 Edmonton horse show, in the “drag” of a spear-wielding, wing-helmeted, sheepskin-cloaked Valkyrie, a warrior-princess figure from Scandinavian mythology whose precise provenance may not have registered widely in that context, but whose costume more than likely communicated membership in a virile northern European tribe in the lineal heritage of Anglo-Saxon character. It is tempting for an early 21st-century feminist to use this costume as evidence against Murphy, in one of those dismissals of powerful conservative women as would-be men, betrayers and fakes who fail to bring a difference to politics. This kind of retrospective retraction of the feminist identity card would explain away Murphy’s generation of maternal feminists as a historically circumscribed case of hijacked feminism, a case of the feminist project having been stolen away by the class and professional interests of upwardly mobile white women—something, therefore, which has nothing to do with us. But this critique of the corruption of feminist ideas by class interests is an only nominally materialist analysis carried out within the terms of liberalism insofar as it presumes a fundamental antimony between freedom and subjection. By way of conclusion, I want to return to the problem of “borrowed clothes” in order to calculate the extent to which Murphy’s feminism (which was representative, not exceptional, in her time) was compromised by the necessity of what she called women’s “latent capacity” assuming some outward form, a meaningful costume, as it entered the historical stage. For Judith Butler, this tight spot is the dynamic of subjection itself, our “fundamental dependency on a discourse we never chose but that, paradoxically, initiates and sustains our agency” (Butler 1997: 2).

In the years which roughly match the span of her career as magistrate, Murphy also lobbied for the legal recognition of Canadian women as full persons, in a campaign with a legendary stimulus in a male defence lawyer’s challenge, on her first day in court, to the jurisdiction of a magistrate who was not a person under the terms of the British North America Act.¹³ The thirteen-year struggle sparked by this challenge, a struggle which culminated in a victory for Murphy and her feminist supporters at the British Privy Council, turned on a non-inclusive interpretation of “persons” in a section of the Act regarding appointments to the Canadian Senate. The content of personhood thus amounted to qualification for public office, and Murphy’s crusade established this qualification as a matter of moral character and racial capacity, instead of a right. The crusade for recognition by an *outsider* to personhood required a demonstration of qualifications in the form of an exemplary embodiment of normativity. This demonstration occurred in the context of the Women’s and Children’s Court, precisely in Murphy’s work of *person-making* and in her self-government as the embodiment of the Canadian government, as Janey Canuck.

When Murphy staged the campaign for women's legitimate claim to personhood, it was from the proving-ground of the Women's Court and her position as the first female magistrate in the empire. It was not, as the liberal feminist biographies of Murphy suggest, that the authorship of the bestselling Janey Canuck books, the appointment as magistrate, and the recognition as person were consecutive victories in a career of firsts. Rather, these should be seen as the autonomously-functioning but strategically-coordinated parts of a machine, to return to the Deleuzian metaphor for the social apparatus. Just as Janey Canuck's feminist charting of the human resources of the West was put to work in the Women's and Children's Court, the crusade for "person" status fed back into the work of this clearing-house for the unfit and unruly, as the campaign against sexist discrimination inflected the work of the female magistrate as a challenge to arbitrary patriarchal authority.

The figure of the crusading feminist at such an apparent distance from political rule (such a distance as to be denied personhood by it) answers the liberal requirement for a type of authority which lays out the norms of individual conduct, but at a remove from political rule, in such a way as to detach truth from power. The long struggle against the arbitrary male authority that withheld the recognition of women as persons was staged, therefore, from within an apparatus which appropriated the struggle for its own purposes. The relation between the extra-curricular fight of the model citizen-crusader and the day job in the court of morality is the relation between a sphere in which Murphy struggled to be a subject and the sphere in which she in fact subjected others. I am suggesting that these spheres were strategically connected. The stimulation to prove qualifications for person status in the courtroom had the return-effect of involving Murphy in defining the norms of the personhood to which she would lay claim and thus, in a second return-effect, also be subjected. The norm thus became both the condition and the limit of feminist challenge to the established order in this case, converting the challenge into a demand to belong. In order for Emily Murphy to be a person, she had first to uphold the norms of personhood.

Instead of finger-pointing, the point of this exercise is to open an angle on first-wave maternal feminism which would allow it to be linked up to the "New-Age" liberal feminism currently being instrumentalized in the transformation of the management function into a therapeutic one. To return to the questions with which I began—how to produce feminist knowledge which does not simply reinscribe the given in the guise of the new, what kind of analysis forges a connection between historical moments to open the way for dis-identification from hegemonic categories and truths—the point is that there are no useful lessons to be drawn from the career of Emily Murphy if it is not approached with a microscope. It is the scrutiny of the Women's Court as a singular event and a multiply-constituted scene—instead of simply a moment in the reiteration of patriarchal capitalism—which makes visible the tight spot from which our feminist politics proceed.

Notes

1. For an analysis of the figure of the female manager and tropes of healing and recovery in managerial discourse, see Henderson (1997).
2. This becomes clear when Armstrong's *Desire in Domestic Fiction* (1987) is offered as an example of the "isolat[ion of] cultural practice in 19th-century Britain from its overdetermined production by and through economic as well as cultural and political practices" (123). In fact, the argument of *Desire and Domestic Fiction* is that domestic fiction translated the terms of class struggle into those of sexual relations, on behalf of the emergent British middle-class. It is all about the empowerment and self-authorization of this class through the vehicle of the rigorously individualized domestic woman, removed from social relations and equipped with a set of virtues that initially legitimated claims to moral superiority in relation to the aristocracy, and eventually authorized aggressive interventions into working-class life. Armstrong's is a case study in the securing of hegemony through consent.
3. On "mapping" and "machinic assemblage" as metaphors for Foucault's philosophy and the sort of diagrams of knowledge, power and subjectivity that it draws, see Deleuze's "What is a dispositif?" (1992). Deleuze suggests that Foucault's "social apparatuses" have three dimensions: "machines which make one see and speak," a dimension of power which holds these machines together through lines of force and processes of individuation which operate at the level of the self's relation to itself, and which constitute means of both suturing and escape.
4. Steedman's "we" is an exclusive first person plural, for clearly not all women were enlisted as agents of regulation in the way I shall describe below. But as Anita Levy points out, retelling the history of white, middle-class, European women in such a way as to *rematerialize* the authority and mechanisms of power which have since vanished into commonsense norms is no less pressing a task than is the retrieval of excluded women (1991: 5).
5. See Anna Davin (1978); Anita Levy (1991), especially Chapter 2, "Sociology: Disorder in the House of the Poor;" Denise Riley (1988), especially Chapter 3, "'The Social,' 'Woman,' and Sociological Feminism;" and Carolyn Steedman (1985).
6. For a longer version of this reading of Emily Murphy's career, see Chapter 3 of Henderson (2003).
7. For accounts of the establishment of Emily Murphy's court, see Christine Mander (1985) and Byrne Hope Sanders (1945). These liberal feminist, heroic biographies are examples of "women's history" that fails to take account of the materiality of feminist discourse itself, thereby risking the reinscription of norms anchored in the self-evidence of exemplary white womanhood.
8. My use of "race" in this essay, as something both more and less than a visible difference, is an attempt to recall the sense in which this term floated ambiguously between human race, a nation or group descended from common stock, and one's distance from/proximity to a middle-class, European norm of moral fitness in this period. It was precisely this ambiguity which equipped the term to exclude as it included.
9. But see Jacques Donzelot (1979) and Nikolas Rose (1996).
10. These citations are from reviews of Emily Murphy's *Seeds of Pine* (1914), excerpted by her Toronto publisher (Hodder and Stoughton) for use in promotional materials. MS 2 File 60, E. G. Murphy Papers, City of Edmonton Archives.

11. For some of these letters, see the E. G. Murphy papers in the City of Edmonton Archives.

12. See Ruth Compton Brouwer (1990: 101, 188-89). Anita Levy's discussion of the perforation of dangerous working-class dwellings and "combinations" by the new gaze of sociology has been helpful to my interpretation of this passage in Janey Canuck's ethnography (Levy 1991: 28-35).

13. It is this front which has inspired a five-minute "Canadian Heritage" moment (with Kate Nelligan as Emily Murphy), as well as monuments in Calgary and Ottawa commemorating the British Privy Council decision in favour of female Canadian persons.

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