



# FRONTIER CENTRE FOR PUBLIC POLICY

Profile Series

*Profile of:*

## NELLIE MCCLUNG

*"I grew indignant as I read the history and saw how little the people ever counted, and longed for the time when I would be old enough to say something."*

Nellie McClung was one of the "Famous Five" who asked the Supreme Court of Canada to legally recognize women as persons under the British North America Act. The Supreme Court ruled against the petitioners but in 1929, the British Privy Council overturned the court's decision, effectively declaring women to have the legal rights of "persons," thereby making them eligible to vote and run for office.

McClung was born Nellie Letitia Mooney October 20, 1873 in Chatsworth, Ontario. She was the youngest of six born by her good-natured Irish Methodist father John Mooney and mother Letitia McCurdy,<sup>1</sup> a Scottish Presbyterian characterized by her seriousness. Even as a child Nellie showed an independent spirit and a great ability to do impersonations. Her first emulations were of her mother's aunts—much to her displeasure.<sup>2</sup>



*Nellie McClung with her child*  
Courtesy of B.C. Archives: Call#G-04011

Her family moved to a homestead in Manitoba's Souris Valley in 1880. The family lived too far away from a school, so she did not attend any until the age of 10. From then on, she poured herself into her studies. Even as a child, she felt indignation over unjust politics in the land as she later recalled in her book *Clearing in the West*, which she penned in 1935.

*"The fires of rebellion in my heart were fanned by the agitation going on now about the railways, and the men at Ottawa giving away our railway rights without consulting the people of Manitoba...Ottawa had prom-*

*ised the Canadian Pacific Railway Company that no other railway would be allowed to come into Canada for twenty years. American companies were ready to come, but they could not get permission. We wanted them, and needed them. It was our country! We were doing the work, but we were powerless! We were the common people! I grew indignant as I read the history and saw how little the people ever counted, and longed for the time when I would be old enough to say something."*<sup>3</sup>

McClung received her certification to teach in 1889 at the age of 16.<sup>4</sup> She taught for seven years, right until she married Robert Wesley McClung in 1896. Her husband practiced pharmacy in Manitou, Manitoba while her mother-in-law was provincial president of the Woman's Christian Temperance Union. At her mother-in-law's encouragement,<sup>5</sup> McClung wrote the novel *Sowing Seeds in Danny* in 1908. The portrayal of a small western town became a national bestseller and was followed up by numerous short stories and articles published in Canadian and American magazines.<sup>6</sup>

In 1911, the McClungs moved to Winnipeg where they had their fifth child. Nellie used humour to win audiences as part of the women's rights and reform movement. On January 27, 1914 of that year, a large delegation of men and women appeared before the Legislative Assembly of Manitoba to ask that women be granted the right to vote in provincial elections.

"Have we not the brains to think? Hands to work? Hearts to feel? And lives to live?" asked McClung. "Do we not bear our part in citizenship? Do we not help build the Empire? Give us our due!"<sup>7</sup>

In reply, Conservative premier Sir Rodmond Roblin said, "Most women don't want the vote." He said that when women were given the right to vote in Colorado, "they shrank from the polls as from a pestilence." Roblin insisted women's suffrage "would be a retrograde movement ... it will break up the home ... it will throw the children into the arms of servant girls." He offered that "the mother

that is worthy of the name and of the good affection of a good man has a hundredfold more influence in shaping public opinion around her dinner table than she would have in the marketplace, hurling her eloquent phrases to the multitude."<sup>8</sup>

McClung and others responded by organizing a mock Parliament at a theatre to debate the question, "Should men have the right to vote?" The event was a smashing success thanks to McClung, who received uproarious applause for impersonating the premier and using his arguments.<sup>9</sup>



Nellie McClung

Photo Courtesy: Glenbow Museum (NA-1514-3)

In August of 1915, the Liberal government of T.C. Norris took power. He said he would be willing to give women the vote if they could demonstrate their desire to want to. Organizers gave him a petition of 39,584 signatures. Ninety-four-year-old Mrs. Amelia Burritt gathered another 4,250 names by herself. Norris drafted a bill that would have given women the right to vote but not sit in the legislature. However, a telephone campaign to all members changed the wording to allow women to be elected as well. The law passed on 28 January 1916, making Manitoba the first province to grant women the vote.<sup>10</sup>

McClung had already moved to Edmonton by then where her writing and activism continued.<sup>11</sup> Saskatchewan gave women the right to vote on March 14, 1916, and Alberta followed on April 19. In Ottawa, the Robert Borden government extended the ballot to women on May 24, 1918.<sup>12</sup> However, as a ploy to get the pro-conscription vote, this privilege was only

extended to women with close relatives in the armed forces. However, this distinction was removed in 1920. By 1925, every province had granted women the vote, except for Quebec which did not do so until 1940.<sup>13</sup>

McClung gained fame in Britain in 1921 for speaking at the Methodist Ecumenical Conference and elsewhere. She also toured as a speaker throughout Canada and the United States.<sup>14</sup>

In 1921, McClung was elected as a Liberal MLA for Edmonton and worked on issues of health care, education, matrimonial property rights, child protection, prohibition, factory safety legislation and other reforms.<sup>15</sup> This included dower rights for women where a spouse had legal rights to occupy the "homestead," or shared home during the marriage, as well as rights to use household contents.<sup>16</sup> McClung was narrowly defeated in the 1926 election. She returned to writing novels, short stories, and a syndicated news column—all while continuing to give speeches.

In 1927, Emily Murphy asked McClung to sign a petition to ask that Canadian women be recognized as persons. She did so, as did Louise McKinney from Claresholm, a leader in the influential Women's Christian Temperance Union. Joining them were Irene Parlby from Alix, a Minister in the Alberta legislature and Henrietta Muir Edwards, the convenor of laws for the National Council of Women. The petition of the Famous Five was considered by government departments and legal experts and wound its way to the Supreme Court of Canada.<sup>17</sup>

The Supreme Court ruled that Canadian women did not have all the legal rights of persons and could not, for example, be appointed to the Senate. On the basis of the British North America Act, the Famous Five took their request to the British Privy Council. The council ruled in their favour on 18 October 1928. The Council declared women with the full rights of "persons," and declared that the exclusion of women from all public offices was "a relic of days more barbarous than ours."<sup>18</sup>

In the early 30's, the McClungs moved to Van-

couver Island.<sup>19</sup> There Nellie completed her autobiography and also wrote short stories and a syndicated column. In all, she published 16 books. She remained active in her latter years as part of the Canadian Authors Association, an inaugural board member of the Canadian Broadcasting Corporation, and as a delegate to the League of Nations in 1938. She also continued public speaking.<sup>20</sup>

### Eugenics

Observers in more recent decades decried the Famous Five for their support of eugenics, the idea that the human population could be improved by controlling reproduction. Other influential Canadians, including J.S. Woodsworth and Dr. Clarence Hincks, supported eugenic ideas in the early 1900s. They promoted the “positive” eugenics that promoted the breeding of “fit” members of society as well as “negative” eugenics which discouraged procreation by those considered “unfit”.<sup>21</sup>

Eugenicists argued that “mental defectives” and the “feeble-minded” were prone to alcoholism, promiscuity, mental illness, delinquency and criminal behaviour, and thus threatened the moral fabric of the community. These concerns led to increasing support for eugenic legislation, including the sterilization of “defectives.”<sup>22</sup>

McClung believed that women made a valuable contribution to politics due to their natural maternal instincts. By extension, they were interested in the health of mothers and children. She and other maternal feminists positioned women as both the mothers and guardians of their “race.” To this end, they championed legislation aimed against prostitution, alcoholism and “mental defectiveness.” McClung articulated this in her 1915 book, *In Times Like These*:<sup>23</sup>

*to bring children into the world, suffering from the handicaps caused by ignorance, poverty, or criminality of the parents, is an appalling crime against the innocent and hopeless, and yet one about which practically nothing is said. Marriage, homemaking, and the rearing of children are left entirely to chance, and so it is no wonder that humanity produces so many specimens who, if they were silk stockings or boots, would be*

*marked “seconds”.*

McClung and her close friend, Emily Murphy, were two of the most prominent and influential supporters of Alberta’s Sexual Sterilization Act. This legislation, passed in 1928, authorized the involuntary sterilization of the “mentally deficient.” Thousands of people who were considered “psychotic” or “mentally defective” were sterilized before the law was repealed in 1972.

### Legacy

McClung died in Saanich, British Columbia, on 1 September 1951. She received renewed attention as feminism advanced in the 1960s. Although her maternalistic support of the traditional family structure was at odds with the ethos of second-wave feminism, most credited her with advancing the movement in her time and for promoting not only the political participation of women, but also their economic independence. Her tenacity matched the motto she espoused: “Never retract, never explain, never apologize. Get the thing done and let them howl.”<sup>24</sup>



**Endnotes**

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