

Moving Toward Citizenship:  
Voluntary Disability Organizations and the Disability Rights Movement in the Maritimes, 1945-  
1982

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#### **ABSTRACT**

The post-war period saw tremendous medical and technological advancements with regard to disability in Canada. With these advancements, persons with disabilities began to express a desire for greater community access, employment and educational opportunities. This period also saw a proliferation of voluntary disability organizations in Canada. Many of these groups began as national in scope, and soon had provincial affiliates throughout the country. This thesis examines the evolution of disability organizations throughout Canada and the Maritimes, from their beginnings as primarily service and support-oriented groups, through to their role as key components in the Canadian disability rights movement beginning in the 1970s. This thesis contends that the movement in the Maritimes served as an important facet of the larger national one, and that the organizations that sprung from it served as an effective vehicle through which Canadian disability rights advocates expressed a desire for a greater sense of citizenship.

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This project is dedicated to my mother, who passed away in August of this year.

Any errors to be found in these pages are mine only.

Jeremy MacDonald, October 2018

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## **Introduction: Roots of a Movement**

One of the main contributions of the “new social history” of the 1960s was its effort to democratize history and introduce a broader range of people, such as the working class, immigrants and people of various races, into the historical record. In 2003, historian Catherine J. Kudlick made the case that disability history was long overdue to be included in this process, and that doing so presented historians with a unique opportunity “to rethink what we do.”<sup>1</sup> This re-thinking meant the inclusion of disability as a category of analysis alongside race, class, and of course, gender. This point is driven home when Kudlick states that, “disability should sit squarely at the center of historical inquiry, both as a subject worth studying in its own right, and as one that will provide scholars with a new analytical tool for exploring power itself.”<sup>2</sup> Herein lies the greatest value of the study of disability history. Aside from introducing those with disabilities into the historical record, it provides a means to show how a marginalized and oppressed population, traditionally thought of as vulnerable and powerless, has organized against this oppression in an effort to gain acceptance as full and equal citizens in society.

As Kudlick notes, disability history has its roots in disability studies, “an interdisciplinary field dating from the mid-1980s that invites scholars to think about disability not as an isolated, individual medical pathology but as a key defining social category on par with race, class, and gender.”<sup>3</sup> According to scholar Simi Linton, the purpose of disability studies is to

Weave disabled people back into the fabric of society, thread by thread, theory by theory. It aims to expose the ways that disability has been made exceptional and to work

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<sup>1</sup> Catherine J. Kudlick, “Disability History: Why We Need Another ‘Other,’” *American Historical Review* Vol. 108, No.3 (June 2003): 763.

<sup>2</sup> Kudlick, “Disability History”, 765.

<sup>3</sup> *Ibid.*, 764.

to naturalize disabled people-remake us as full citizens whose rights and privileges are intact, whose history and contributions are recorded, and whose often distorted representations in art, literature, film, theatre, and other forms of artistic expression are fully analyzed.<sup>4</sup>

Gary L. Albrecht, Katherine D. Seelman, and Michael Bury, writing in the introduction to 2001's *Handbook of Disability Studies* somewhat echo Linton's description, calling disability studies

An emergent field with intellectual roots in the social sciences, humanities, and rehabilitation sciences. The theoretical and conceptual armamentia of these disciplines provide frameworks to address the persistent themes addressed in the volume, raise the critical issues in need of attention, better understand the problems of the field, and suggest integrative approaches to uniting the field.<sup>5</sup>

The three also stress the importance of including members of the disabled community in all levels of these discussions.

I have made the conscious decision to make the present work one of disability history. It relies upon primary archival sources as the main means of analysis, and I have done my best to remain within the disciplinary boundaries of historical inquiry. However, being aware that this thesis is being completed within an interdisciplinary program and in an area of research whose roots are interdisciplinary, I have done my best to retain an interdisciplinary flavour within the research. This has been done primarily by engaging with material from several different disciplines, including history, sociology, political science and philosophy. Making use of these various perspectives has allowed me to more fully analyze the topic, and has helped to augment my source material to a great degree, since historical writing on disability-related topics is still rather scarce in the Atlantic Region.

Another important facet of this thesis is regionality. Ever since Professor Ramsay Cook introduced the term "limited identities" into the Canadian historical lexicon a half-century ago, a

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<sup>4</sup> Simi Linton, "What is Disability Studies?," *PMLA* Vol.120, No.2 (March 2005): 518.

<sup>5</sup> Gary L. Albrecht, Katherine D. Seelman, and Michael Bury, Introduction to *Handbook of Disability Studies*. (Thousand Oaks, California: Sage Publishing, 2001), 2.

good many historians have attempted to examine the “regional ethnic and class identities we do have.”<sup>6</sup> J.M.S. Careless would pick up on this theme, commenting that “Canadian historiography has often dealt too wishfully with nationalism- and *ergo*- with unification-thus producing both expectations and discouragements out of keeping with realities...we are still considerably hung up on the plot of nation-building.”<sup>7</sup> The message of Cook and Careless was eagerly taken up in Atlantic Canada, a point made by Phillip A. Buckner, who wrote, “from its inception the concept of limited identities was eagerly espoused by historians interested in the Atlantic provinces, for it seemed to legitimate a historiographical revolution that was already well underway.”<sup>8</sup> This eager embrace, led by what Buckner called “a small pocket of scholars” included such things as the founding of a regional history journal, *Acadiensis*, in 1971, and Saint Mary’s University’s Atlantic Canada Studies program four years later.

Commenting on the state of Atlantic Canadian regional scholarship in 2000, Ian McKay said, “in many ways, this opening up of the infinite diversity of the past, these long suppressed voices, is a continuation of, not a break with, the social history revolution of the 1960s and 1970s and, perhaps at future Atlantic Canada workshops- other marginalized voices- of gays and lesbians, of prisoners, of the First Nations, for example- might be more strongly present than they are here.”<sup>9</sup> He further goes on to state that, “a problem for much of the new social history, from the 1960s on, in both its ‘neo-Marxist’ and ‘post-Marxist’ variants, is that it does not allow for a construction of ‘Canada’ itself as a central category of analysis.”<sup>10</sup>

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<sup>6</sup> Ramsay Cook, “Canadaian Centennial Celebrations”, *International Journal* Vol.22, No.4 (Autumn 1967): 663.

<sup>7</sup> J.M.S. Careless, “Limited Identities in Canada”, *Canadian Historical Review* Vol.50, No.1 (March 1969), 1.

<sup>8</sup> Phillip A. Buckner, “‘Limited Identities’ and Canadian Historical Scholarship: An Atlantic Provinces Perspective”, *Journal of Canadian Studies* Vol. 23, No. 1 and 2, (Spring/Summer 1988), 178.

<sup>9</sup> Ian McKay, “A Note on ‘Region’ in the Writing of the History of Atlantic Canada”, *Acadiensis*, Vol. 29, No. 2 (Spring 2000), 90.

<sup>10</sup> McKay, “A Note on ‘Region’”, 90.

Both of McKay's observations get to the heart of what I am attempting to do with this thesis. I am attempting to introduce the long-suppressed voices of Maritime disability rights and consumer movement advocates into the historiography of this region. It can also be argued that this thesis fits within a growing historiography that examines the relationship between health and place in this country.<sup>11</sup> At the same time, while I believe this thesis to be strongly regional in approach, I have not abandoned 'Canada' as a category of analysis. Instead, my intent is to position the disability movement in the Maritimes as an important and distinct facet of the larger national movement that occurred throughout the period examined. Whether it be the work of Don Curren in helping to establish and expand the presence of the Canadian Paraplegic Association on the east coast throughout the 1950s and 1960s, people like Kay Reynolds and Richard Montigny, who attended the first-ever Canadian conference bringing together disability advocates nationwide before coming home to form the PEI Council of the Disabled, or Shaun McCormick and Ron Kanary of Nova Scotia, both of whom played an integral role in efforts to persuade the federal government to include disability in the Canadian Charter of Rights and Freedoms, Maritimers with a disability played a key role in the evolution of disability organizations in this region. It is their story that I aim to tell.

Before continuing to expand on the purpose and aims of this thesis, I believe it necessary to address what I anticipate to be two of the most obvious and salient critiques it will face. The first of these was my decision to focus on solely on organizations created to serve those with mobility impairments. The simplest and most frank answer as to why this decision was made is that these people and their organizations were the easiest for me to relate to as a wheelchair user

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<sup>11</sup> For a good example of this, see the Fall 2007 Issue of the *Journal of Canadian Studies*, the contents of which explore this relationship in depth.

born with cerebral palsy. Beyond this, however, it is because of the relative dearth of study that has gone into persons with mobility disabilities and their organizations as compared to that of other types of disabilities. For instance, if one were interested in deaf history, one might read Brian H. Greenwald and Joseph J. Murray's edited collection entitled, *In Our Own Hands: Essays in Deaf History*, or Jack R. Gannon's *Deaf Heritage: A Narrative History of Deaf America*, or perhaps Susan Birch's *Signs of Resistance: American Deaf Cultural History, 1900 to World War II*.<sup>12</sup>

Similarly, the history of the blind offers Mark Peterson's, *Seeing with the Hands: Blindness, Vision and Touch After Descartes*, Zina Weygand's *The Blind in French Society from the Middle Ages to the Century of Louis Braille*, or, for a more localized context, Shirley Trites' *Reading Hands: The Halifax School for the Blind*.<sup>13</sup> The historiography of intellectual disability offers works like David Henderson and Christine Bigby's article, "We Were More Radical Back Then: Victoria's First Self-Advocacy Organization for People with Intellectual Disability", Michael L. Wehmeyer's *The Story of Intellectual Disability: An Evolution of Meaning, Understanding, and Public Perception*, or James W. Trent's *Inventing the Feeble Mind: A History of Intellectual Disability in the United States*.<sup>14</sup>

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<sup>12</sup> Brian H. Greenwald and Joseph J. Murray, eds., *In Our Own Hands: Essays in Deaf History, 1780-1970*, (Washington, D.C.: Gallaudet University Press, 2016), Jack R. Gannon, *Deaf Heritage: A Narrative History of Deaf America*, (Washington, D.C.: Gallaudet University Press, 2012), Susan Birch, *Signs of Resistance: American Deaf Cultural History* (New York: New York University Press, 2002).

<sup>13</sup> Mark Peterson, *Seeing with the Hands: Blindness, Vision and Touch after Descartes* (Edinburgh: Edinburgh University Press, 2016), Zina Weygand, *The Blind in French Society from the Middle Ages to the Century of Louis Braille* (Stanford, Calif: Stanford University Press, 2009), Shirley J. Trites, *Reading Hands: The Halifax School for the Blind* (Halifax, N.S.: Vision Press, 2003).

<sup>14</sup> David Henderson and Christine Bigby, "We Were More Radical Back Then: Victoria's First Self-Advocacy Organization for People With Intellectual Disability", *Health and History* Vol. 18, No. 1 (January 2016), Michael L. Wehmeyer, *The Story of Intellectual Disability: The Evolution of Meaning, Understanding and Public Perception* (Baltimore: Paul H. Brookes Publishing, 2013), James W. Trent, *Inventing the Feeble Mind: A History of Intellectual Disability in the United States* (Berkeley, Calif: University of California Press, 1994).



In comparison, there relatively little work that has been produced on the history of those with physical disabilities, outside of such notable examples as the superb work done by Mary Tremblay on various aspects of the history of those with spinal cord injuries, and Geoffrey Reaume's excellent history of Lyndhurst Lodge.<sup>15</sup> One is left mostly with organizational histories that are often oral and anecdotal in nature, and lack the rigour of academic history. This thesis aims to change this in a small way, which is why I chose to narrow my focus to those with physical disabilities.

The other major choice made regarding the direction of this thesis which will likely be source of some criticism was the decision to omit Newfoundland and Labrador and focus exclusively on the Maritime provinces. This was done solely for evidentiary purposes and to ensure better cohesion throughout. For instance, unlike Nova Scotia and New Brunswick, Newfoundland and Labrador lacked any CPA (Canadian Paraplegic Association) presence until the mid-1970s, about three decades into the period studied. And unlike Prince Edward Island, whose advocates became involved in the nascent consumer disability and disability-rights movements in its very early stages through the founding of the Council of the Disabled. Newfoundland and Labrador doesn't present a parallel example during the same period. Finally, the Maritime provinces each offer examples of advocates participating in the larger national activities taking place during the decades studied here. And while it is very likely that Newfoundland and Labrador also had persons who were engaged with these national groups and plugged into the informal networks of disabled persons that would spring up in places like

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<sup>15</sup> Geoffrey Reaume, *Lyndhurst: Canada's First Rehabilitation Centre for People with Spinal Cord Injuries, 1945-1998* (Montreal: McGill-Queens University Press, 2007), Examples of Mary Tremblay's work includes, "The Canadian Revolution in the Management of Spinal Cord Injury", *Canadian Bulletin of Medical History* Vol. 12, No. 1 (1995), and "Going Back to Civvy Street: A Historical Account of the Impact of the Everest and Jennings Wheelchair for Canadian Veterans with Spinal-Cord Injury", *Disability & Society* Vol. 11, No. 2 (1996).

rehabilitation centres, their lack of any kind of organizational presence- and the consequent lack of evidence-throughout much of the period studied makes this hard to determine.

This thesis looks at the evolution of voluntary disability organizations in the Maritimes between the end of the Second World War and the early 1980s. The early chapters focus on those organizations that were primarily service and support oriented and were led primarily by parents and rehabilitation professionals. These early groups can be divided into two groups: one group was those such as the Canadian Paraplegic Association and the Canadian National Institute for the Blind, whose main focus in the post-war period was the re-establishment of, and provision for, servicemen attempting to re-integrate into society following injury. The other group were often founded by parents and focused on children born with congenital conditions like cerebral palsy or those who had contracted illnesses like polio. These groups focused on issues like access to education and employment, and provision of mobility aids like wheelchairs, crutches or braces. Where the thesis goes from there is neatly encapsulated by a 2008 article by Susan Arai et. al, which states that:

The 1960s human rights movement raised consciousness about social injustice and the violation of the rights of many vulnerable individuals, including people with disabilities...where earlier decades focused on traditional rehabilitation-oriented services, the 1970s brought the emergence of consumer-driven disability organizations controlled by people with disabilities which recognized people's ability and need to be involved in decisions affecting their lives. These organizations were committed to issues of quality of life, consumer choice and control, empowerment, self-determination, and independent living.<sup>16</sup>

The aim of this work is to trace a line from these early post-war organizations through to the human rights movements of the 1960s and into the birth of consumer-disability organizations and the Canadian disability rights movement in the mid-1970s and into the early 1980s. In

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<sup>16</sup> Susan Arai et. al, "Shared Values, Networks, and Trust Among Consumer-Driven Disability Organizations", *Disability Studies Quarterly* Vol. 28, No.1 (Winter 2008), <http://dsq-sds.org/article/view/68/68>.

particular, it will focus on the role played by Maritime advocates and their organizations throughout the process. Many of the Maritime organizations discussed were local or provincial affiliates of larger national organizations which is why it is almost impossible to discuss disability rights and consumer organizations in the Maritimes without linking them to the larger national and international movements occurring at the same time. As this thesis will show, however, this part of the country was far from a peripheral player in these developments.

In addition to documenting and analyzing the evolution of these disability organizations, this thesis aims to show how this process was emblematic of a larger journey toward a greater sense of citizenship for Maritimers and Canadians with disabilities. Michael J. Prince, commenting on the lack of scholarly attention that has been paid to investigating the relationship between disability and citizenship, writes that “though academic interest in disability is increasing”, the social sciences and humanities as a whole have yet to deeply explore the topic in any depth. “The risk, of course, is that the marginal status of vulnerable groups is perpetuated through scholarly oversight and through fuzzy nostalgia surrounding the post-Second World War period of Keynesian welfare state development.”<sup>17</sup> Prince then goes on to describe the post-war consensus on social citizenship which lasted from about 1945 to the late 1970s, the central tenants of which included:

Broad support for public services of health, education, and, on a national basis, income supports for the unemployed, the elderly, and families with children; a federal government commitment to high and stable levels of employment; a basic safety net to relieve poverty and provide a basic level of support; a progressive income tax system and thus a degree of redistribution; a modest supplemental rate by governments in the provision of child care, housing, and labour market training, supported often by

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<sup>17</sup> Michael J. Prince, *Struggling for Social Citizenship: Disabled Canadians, Income Security, and Prime Ministerial Eras* (Montreal: McGill-Queens University Press, 2016), 15.

intergovernmental collaboration; and labour standards and collective bargaining in key sectors of the Canadian economy.<sup>18</sup>

Prince then asks the key question: where were people with disabilities in the post-war consensus and Keynesian welfare state? As he points out, and as will be shown in the early chapters of this thesis, certain groups of disabled people did receive consideration from Canadian politicians and public policy, particularly veterans of the two World Wars, who had access to pensions and rehabilitation services, and those injured in industrial accidents who could tap into workers' compensation programs, both of which came into existence before the rise of the postwar consensus.<sup>19</sup> And while the post-war period brought about several positive developments, including medical advancements in the treatment and prevention of disability, and the establishment of new employment, education, and training opportunities, it was also a time of such negative phenomena as "sheltered workshop, segregated schools, separate recreational camps, large residential institutions, and annual charity campaigns that used pity and tragedy in their images of people with disabilities."<sup>20</sup>

Thus was established a kind of dichotomous experience for persons with disabilities in the Maritimes and Canada that meant their "social exclusion as well as integration; marginality and stigma as well as civic solidarity; institution building as well as province or nation building; personal and family obligations as well as social rights of citizenship."<sup>21</sup> By the late 1970s, Prince notes, the post-war consensus had become disrupted, and questions had begun to mount about the efficiency and effectiveness of the welfare state.

This crisis, however, included a positive development-namely the rise of advocacy groups of people with mental and physical disabilities, who questioned past practices,

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<sup>18</sup> Prince, *Struggling for Social Citizenship*, 15.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid, 16.

<sup>21</sup> Ibid.

challenged the labels, language and depictions of disability, and called for reforms in education, work places and community environments to remove barriers, promote access and achieve inclusion. Disablement increasingly became a more politicized identity and a new social movement for change. The disabled person strove to become the embodied citizen.<sup>22</sup>

It is this process that provides both the inspiration and subject matter of the chapters to come.

What follows now is a brief breakdown of each.

The first chapter of this work covers the six years between 1945 and 1951. It examines some of the important developments that occurred in these years as it pertains to person with disabilities in Canada, including technological and medical advancements that lengthened the lives of those who suffered spinal cord injuries or had various other kinds of disabilities, and made it easier for them to re-integrate into society. Another significant development was the passing of a comprehensive set of legislation known as the Veteran's Charter, that aimed to improve rehabilitation and other services for returning veterans, many of who had acquired a permanent disability as a result of their service.<sup>23</sup> While the passage of the Charter was in many ways a positive development, it also had the effect of dividing Canada's disabled population by creating a hierarchy of sorts that privileged those who had become disabled in service of their country over those who had not.

The chapter also looks at the events that led to the formation of Lyndhurst Lodge in Toronto, Ontario in 1945. Lyndhurst was Canada's first rehabilitation facility specifically for those with spinal cord injuries, and it was here that the Canadian Paraplegic Association was formed.<sup>24</sup> The CPA would go on to be one of the country's most influential disability

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<sup>22</sup> Ibid, 17.

<sup>23</sup> Don Ives, "The Veterans Charter: The Compensation Principle and the Principle of Recognition for Service", in *The Veterans Charter and Post-World War II Canada* eds. Peter Neary and J.L. Granatstein. (Kingston: Queens University Press, 1998) 85- 86.

<sup>24</sup> Reaume, *Lyndhurst*, 45.

organizations in the second half of the twentieth century. The circumstances around CPA's formation, as well as those of other groups like Easter Seals and March of Dimes, and their eventual moves eastward, form an important component of this first chapter. Finally, it will discuss some possible theoretical explanations for the historical subjugation of persons with disabilities, including Talcott Parsons' influential theory of the 'sick-role' and Foucault's ideas around the concept of 'governmentality'.<sup>25</sup>

Chapter two begins with the opening of a Maritime Division of CPA in Halifax in the summer of 1951. It looks at the Division's first employee, Donald E. Curren, who would stay in the position for over three decades, and would become arguably the most influential leader in the Maritime disability community throughout that period. It also looks at developments involving the national body of CPA at this time, including their emerging position as an influential resource for the federal government as it pertained to issues related to disability. For example, CPA's national organization was a prominent participant in the country's first vocational conference on the rehabilitation of disabled persons in Toronto in early 1951.<sup>26</sup> This conference was the site of several important developments of the early post-war years, chief among them the passage of a cost-sharing agreement between federal and provincial governments that would come to be known as the Vocational Rehabilitation of Disabled Persons Act.<sup>27</sup>

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<sup>25</sup> For good, concise analyses of these two theories see Natalie Armstrong and Elizabeth Murphy's "Conceptualizing Resistance" *Health*, Vol. 16, No.3 (2011), which discusses 'governmentality', and Carol Thomas's "Theorising Disability and Chronic Illness: Where Next for Perspectives in Medical Sociology?" *Social Theory & Health* Vol. 10, No.3, (2012), which details the 'sick-role'.

<sup>26</sup> James Burke, "National Rehab Conference" in *The Caliper* Vol.6, No.1, (Spring 1951), 8.

<sup>27</sup> Canada. Department of National Health Welfare. *Disabled Persons in Canada*. (Rev. ed. Ottawa): Minister of National Health and Welfare, 1981, 20.

At the same time, as the fifties continued, CPA activity in the Maritimes continued as well. By mid-decade, Curren had established a relationship with the Nova Scotia government that would be both a significant source of financial support for the group, as well as a significant source of frustration for Curren. In addition, Curren was in the midst of overseeing CPA's expansion into New Brunswick, first as a "branch office" operating under the umbrella of the Maritime Division in 1959, and then as its own separate division four years later.<sup>28</sup>

Chapter two also covers the work of other disability organizations in the region in this period, including grassroots cerebral palsy organizations in both Nova Scotia and New Brunswick. Groups in both provinces were formed by concerned parents looking to provide their children with access to education and other opportunities they had been thus far denied. Finally, the chapter continues its look at examples of professionally led disability organizations like March of Dimes and Easter Seals, along with their Maritime affiliates. Particularly important is the fact that by 1963 the two groups decided to merge into one, forming the Canadian Rehabilitation Council for the Disabled.<sup>29</sup> The following year, the provincial affiliates in Nova Scotia did the same, forming the CRCDC Nova Scotia Chapter.<sup>30</sup> Aside from serving as an excellent example of the kind of professionally-controlled disability organization so prevalent in post-war Canada, CRCDC is also quite significant for the crucial-if unintended role it would play in igniting the consumer disability movement in Canada some years later.

Chapter three opens with a continued look at the activities of CPA, who by the 1960s were primarily concerned with two issues-architectural accessibility and improved pensions and

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<sup>28</sup> "Distinguished Service Citation" in *The Caliper*, Vol.39 (Dec. 1984), 6.

<sup>29</sup> NSARM, RG-72, Vol. 3, No.21, Canadian Rehabilitation Council for the Disabled, "Executive Director's Report, 1964 Annual Meeting",1.

<sup>30</sup> NSARM RG-72, Vol. 18, No.17, Report of the President of the Nova Scotia Chapter of the CRCDC, Feb.13, 1967.

benefits for war veterans.<sup>31</sup> Locally, much of the period between the mid-1960s and mid-1970s was spent with Executive Director Donald E. Curren engaged in continuous-and often contentious- negotiations with the provincial government, in which he attempts to prove the value of the work done by his organization, in an effort to maintain and increase the level of funding provided. The government, for their part, spent much of these years claiming to be implementing measures to cut spending and increase austerity, thereby making any funding increase impossible. The correspondence that exists between Curren and government officials is fascinating for what it reveals about the latter's attitude toward persons with disabilities at the time.

Elsewhere, chapter three investigates the continued work of other east coast disability groups in this era. The local cerebral palsy groups introduced in chapter two are now making an effort to expand, with the Atlantic Cerebral Palsy Association coming into being in 1972.<sup>32</sup> There is also discussion at this time of the local cerebral palsy group opening a day care centre specifically for children with physical disabilities. The documentation surrounding this included debate among government officials as to whether this specialized day care should receive any funding above and beyond that given to any other day care centre in the province. This too offers a telling glimpse into the Nova Scotia government's view of disability in the period.

Locally, the CRCDD was focused on the running of a sheltered workshop known as New Leaf Enterprises. According to Charlotte May-Simera, sheltered workshops are work settings "usually run by non-government organizations for profit, or charitable organizations, either

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<sup>31</sup> G.K. Langford, "Veterans Affairs" in *The Caliper* Vol. 23, No.2 (Summer 1968): 12.

<sup>32</sup> NSARM, RG-72, Vol. 90, No.23, "Report on the Atlantic Cerebral Palsy Association", September 1972.



private or on behalf of the state.”<sup>33</sup> Tasks in these workshops have traditionally been “carried out under the instruction of supervisors or trainers, involving the employment of persons without disabilities to support production and regulate the working environment.”<sup>34</sup> According to May-Simera, “work activities undertaken can range from clerical activities to assembling, packing, woodwork, manufacturing, servicing, sewing or sheet metal work.”<sup>35</sup> Though they are much less prevalent today, back in the 1970s, throughout North America, they were a common means of introducing the world of work to those thought unprepared for the competitive job market.<sup>36</sup> Then, as now, sheltered workshops were the cause of much debate, particularly around the issues of pay and exploitation.<sup>37</sup> The files of the NS chapter of CRCDC show that New Leaf Enterprises was no different.

By the early 1970s, the national office of CRCDC was an organization struggling to find its way amid the proliferation of disability organizations that now existed in Canada. This group, who held the same antiquated view of disability that it had for decades, was at a loss as to how to differentiate itself in a crowded landscape.<sup>38</sup> The group decided that perhaps it was finally time to listen to those with disabilities themselves, and sponsored a four-day conference bringing together sixty-five delegates from across the country to Toronto in November of 1973.<sup>39</sup> The conference, which focused on subjects like housing, transportation and education, proved to be the spark that ignited the disability-rights and consumer disability movements in Canada.

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<sup>33</sup> Charlotte May-Simera, “Reconsidering Sheltered Workshops in Light of the United Nations Convention on the Rights of Person with Disabilities (2006)”, *Laws* Vol. 7, No. 1 (2018), 2.

<sup>34</sup> May-Simera, “Reconsidering Sheltered Workshops”, 2-3.

<sup>35</sup> May-Simera, “Reconsidering Sheltered Workshops”, 3.

<sup>36</sup> Robert Evert Cimera et al., “Do Sheltered Workshops Enhance Employment Outcomes for Adults with Autism Spectrum Disorder?” *Autism* Vol. 16, No. 1 (2012), 88.

<sup>37</sup> May-Simera, “Reconsidering Sheltered Workshops”, 3.

<sup>38</sup> RG-72, Vol.18, No.6, “Questions Raised Regarding the Previous and Future Status of the Health Organization”- Appendices to the Minutes of the Annual Meeting of the CRCDC, May 1967, 1.

<sup>39</sup> NSARM, Vol.103, No.23, President’s Report-CRCDC NS 1973 Annual Report.

Chapter three concludes by looking at a number of different examples of consumer groups that sprung up in the wake of the Toronto conference. While the heaviest concentration of activity occurred in western Canada, Maritimers in attendance at the conference also used it as a springboard to start new organizations as well. The most notable example of this comes from Prince Edward Island, where delegates Kay Reynolds and Richard Montigny returned home in late 1973 to immediately begin work on forming a new organization to serve disabled Islanders. This group, which would come to be known as the PEI Council of the Disabled, held its first official meeting in January of 1975.<sup>40</sup> Their activities in these early years are expanded on in chapter four.

Chapter four opens with a re-introduction of the concept of consumer organizations, who by 1976 had begun to gain a strong foothold throughout various parts of the country. Regional groups originating in the Prairies had come together and expanded to form, the Coalition of Provincial Organizations of the Handicapped (COPOH)<sup>41</sup> The chapter then shifts to a discussion of how the new consumer movement had begun to influence more traditional organizations like CPA, both in terms of their outlook and the issues they were concerned about.

This thesis then moves to an analysis of the activities of Maritime consumer organizations in their early years of existence. In particular, it focuses on the work of the Council in PEI. As it shows, the Council's early years, though productive and exiting, were not without challenges or controversy. In fact, in its first years, the Council would, at various times, find itself at odds with both the provincial government and sections of the public. Eventually though,

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<sup>40</sup> Joel Meggs, "30 Years and Counting: A History of the Prince Edward Island Council of the Disabled". [www.peicod.pe.ca/admin/userfiles/30years.pdf](http://www.peicod.pe.ca/admin/userfiles/30years.pdf), (accessed Feb.3, 2018), 2.

<sup>41</sup> Fraser Valentine *Locating Disability: People with Disabilities, Their Movements, and the Canadian Federal State*. (MA Thesis. Carleton University, 1996), 66.

the group would overcome these obstacles and go on to initiate several successful projects in the latter half of the 1970s and into the 1980s. This section also includes a discussion of consumer activities in Nova Scotia, including the formation of groups such as the Disabled Individuals Alliance (DIAL) in Halifax and Community Involvement for the Disabled (CID) in Sydney. The two would eventually merge to form the Nova Scotia League for Equal Opportunities (NSLEO) in 1978.<sup>42</sup>

Next comes an analysis of several national and international events significant to persons with disabilities in the Maritimes and Canada. One of these events was the 1980 Rehabilitation International World Congress, held in Winnipeg in June of that year. This event was particularly important because it marked a break between international disability advocates and Rehabilitation International, a decades-old group run almost exclusively by rehabilitation professionals. Tensions arose at the conference when several delegates, who were themselves disabled, began pushing RI for greater representation of persons with disabilities within RI national delegations.<sup>43</sup> When RI balked at the suggestion, a decision was made by several of the Congress's attendees to break off and form their own international organization, which would come to be known as Disabled People's International (DPI).<sup>44</sup>

The other major international development of this period was the United Nations' declaration of 1981 as the International Year of Disabled Persons. The seeds of this had been sown a number of years earlier, with the passage of a resolution entitled, 'Declaration on the

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<sup>42</sup> National Department of Health and Welfare. *Disabled Persons in Canada* (Ottawa: Minister of National Health and Welfare, 1981), 32.

<sup>43</sup> Diane Driedger, *The Last Civil Rights Movement: Disabled People's International* (New York: St. Martin's Press, 1989): 33.

<sup>44</sup> Henry Enns and Allan Simpson, "Decade of Destiny of and for Handicapped People" 1980 Disabled People's International Development Files, Winnipeg 1980. Quoted in Driedger, 35.

Rights of Disabled Persons'.<sup>45</sup> The International Year brought unprecedented attention to persons with disabilities and the issues and challenges they faced around the globe. In a Canadian context, the International Year prompted the federal government to place greater attention on the lived realities of disabled Canadians than ever before. Research was undertaken, and several reports, which would collectively come to be known as the *Obstacles* reports, were produced throughout the decade. More locally, groups like CPA and the PEI Council used the International Year as an opportunity to increase awareness and educate the able-bodied public about the lives of those with disabilities. This section illustrates how these years served as the catalyst for the globalization of the disability-rights movement.

The final subject for analysis in this chapter is the Canadian government's passage of the Charter of Rights and Freedoms, and the push by consumer-disability groups and disability-rights activists to have disability included as a prohibited ground for discrimination in the Charter alongside others such as race, gender, or religious affiliation. Arguably the Canadian disability rights movement's greatest victory, this section looks at the process from its beginnings, as astute advocates recognized the importance of having disability be included, through to the end, when the government finally made the decision to include the disability clause. Throughout, it details the government's resistance to the idea, and the ways in which CPOH and its advocates reacted to this resistance and formulated strategies to counter it, eventually changing the government's mind. It also highlights the important role played by Maritimers like Shaun McCormick and Ron Canary. Their involvement drives home the argument put forward throughout this thesis that the movement in the Maritimes was a distinct

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<sup>45</sup> *The Caliper*, "Declaration on Rights," Vol. 31, No.2 (Summer 1976): 10.

and crucial component of a larger one throughout Canada, and seems a fitting place to conclude this work.

## **Chapter 1:** **Beginnings: 1945-1951**

The years during and directly following the Second World War represent a period of rapid change and significant progress for Canadians with physical disabilities. Prior to this, disabilities like spinal cord injury almost always significantly shortened the life expectancy of those who suffered them,<sup>1</sup> and those with other forms of disability- such as polio, spina bifida or cerebral palsy- were often treated with a toxic mixture of shame, pity, and charity by those around them and the communities to which they belonged. Indeed, it can be said this era served as a definite beginning for important strides made in several areas by disabled Canadians, and helped to lay the groundwork for what would later come to be known as the disability rights movement.

In documenting the change and progress of this period, this chapter will proceed as follows: For the purposes of context, it will begin with a discussion of several crucial developments that laid the groundwork for the formation of voluntary disability organizations in Canada. These developments varied in nature, some being medical, others political, and still others reflecting subtle changes in the way society viewed disability. They included the passing of a comprehensive set of legislative measures meant to aid in the rehabilitation and re-establishment of returning veterans that later came to be known as the Veteran's Charter; significant advances in the fields of medicine and technology that not only allowed newly injured veterans to survive and live much longer following injury, but also made it possible for them to be active and important members of the community; and a society seemingly more interested in

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<sup>1</sup> For a detailed discussion of the evolution of the treatment of spinal cord injury, see William H. Donovan, "Spinal Cord Injury-Past, Present and Future," *The Journal of Spinal Cord Medicine* Vol. 30, No.2 (2007), 85-100.

the care and support of its disabled than it had been in the decades preceding the Second World War.

From there, it will shift toward an analysis of the historical subjugation of persons with disabilities in Canada and the Western world, and offer some possible theoretical explanations for its origins. One factor that has been cited is the shift toward a capitalist economy that commodified the body and placed great value on one's capacity fitness for physically demanding labour.<sup>2</sup> Other historically significant theories that will be covered include Michel Foucault's theory of "governmentality", and Talcott Parsons' widely influential idea of the "sick-role." Finally, the chapter will introduce some of the important organizations formed in Canada in the postwar years, and will look at their origins, organizational structures, and what made them unique.

In exploring the development of disability organizations in Canada in this period, I will attempt to differentiate between the various types of groups that came into being in the era. The first kind of organization to be discussed are those founded by and for the disabled themselves. For this, I will focus primarily on the Canadian Paraplegic Association, (CPA) which came into being on May 1, 1945.<sup>3</sup> It is worth noting, though, that in contrast to later groups founded by those with disabilities, ones which had a rights-based and overtly political stance, the CPA focused its efforts more on services like rehabilitation and vocational opportunities for its members.

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<sup>2</sup> Jeanne Hayes and Elizabeth "Lisa" Hannold, "The Road to Empowerment: A Historical Perspective on the Medicalization of Disability," in *JHSA* (Winter 2007), 353.

<sup>3</sup> Mary Tremblay, "The Canadian Revolution in the Management of Spinal Cord Injury," *Canadian Bulletin of Medical History* Vol. 12, No. 1 (1995), 141.

Other kinds of disability groups that came into existence in this period did so largely by virtue of the efforts of either medical and rehabilitation professionals or concerned parents, and therefore operated largely without the input of the disabled themselves. Consequently, these groups tended to have a much more paternalistic and medicalized view of those with disabilities. As an illustration of these types of groups, the chapter will look at examples like the March of Dimes, a group that focused on providing resources and support for those affected by Poliomyelitis, and the Canadian Council for Crippled Children and Adults, which spearheaded the annual national Easter Seals campaigns in Canada. In fact, these two organizations would join forces in the early 1960s to form a group called the Canadian Rehabilitation Council for the Disabled, (CRCDD) which will be examined in detail in later chapters of this work. As we will come to see, however, although the CRCDD often operated without the direct involvement of the population it purported to serve, actions it would take in the mid- 1970s inadvertently gave rise to a new generation of disability advocates and organizations, ones that recognized persons with disabilities as distinctly marginalized population, and laboured tirelessly to have their voices heard and their interests recognized. Now that the chapter and its subject matter have been introduced, attention will now turn to a discussion of the many important developments that made possible the formation of early disability groups in Canada.

In the years after the First World War, there was a profound sense of disillusionment among Canadian veterans. Issues such as poorly equipped vocational schools staffed with under-qualified instructors, and a government that adopted an approach to pensions that could be characterized as stingy, led to anger among those who had served that lingered for years after the conflict ceased. As such, the government became determined that such a scenario would not be repeated. As historian Jeff Keshen remarked:



Of considerable concern to the key mandarins and government ministers, as well as to countless soldiers and civilians were the years immediately following the Great War- years that, rather than witnessing the arrival of a new and progressive era, as promised during the conflict- saw the emergence of economic and social instability to which poorly organized and penurious government support programs for veterans contributed. This time around, things would be different.<sup>4</sup>

As part of the effort to avoid duplicating the mistakes of the past, the Canadian government, acting on the advice of Ian Mackenzie, the Minister of Pensions and National Health, began planning for demobilization soon after the outbreak of the Second World War.<sup>5</sup> The first tangible evidence of these efforts came into being on December 8, 1939, with the establishment of the Special Cabinet Committee on the De-mobilization and Re-establishment, with Mackenzie as chair.<sup>6</sup> This group took it upon itself to create several sub-committees to work on various issues. An effort to streamline this work was made in October of the following year, when the General Advisory Committee on Demobilization and Rehabilitation was created and put under the direction of Robert England, himself a veteran of World War One.<sup>7</sup>

One year later, the work of the General Advisory Committee came to be seen when the Liberal government rolled out its Post-Discharge Re-establishment Order. Among the features of the order were larger pensions and post-discharge cash payouts , employment guarantees, free

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<sup>4</sup> Jeff Keshen, "Getting it Right the Second Time Around: The Reintegration of Canadian Veterans of World War II" in *The Veterans Charter and Post-World War II Canada* eds. Peter Neary and J.L. Granatstein. (Kingston: Queens University Press, 1998), 62.

<sup>5</sup> Keshen. 65.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

university education and vocational training.<sup>8</sup> This act was later amended, repealed and re-issued, and in its final form became the Veterans Rehabilitation Act, passed in 1945.<sup>9</sup>

Along with this Act, several other pieces of legislation aimed at veterans were passed in this period, and together they became known as the Veterans' Charter. As historian Don Ives notes, the legislation could be divided into several different categories, including re-integration, compensation, life insurance, and physical rehabilitation.<sup>10</sup> Together, these Acts can be seen to represent the sum of the Canadian government's efforts to prepare and provide for the return of those who served Canada in the Second World War. According to Mackenzie, who served as Minister of Veteran's Affairs between 1944 and 1948, the Charter was conceived and crafted "in the same high spirit of service which inspired Canadians to fulfill their obligation in the crucible of war."<sup>11</sup>

Initially, provision for the needs of disabled WWII veterans were handled via the Sub-Committee on the retraining of Special Casualties, under the auspices of the Department of Pensions and National Health.<sup>12</sup> The DPNH, it must be said, enjoyed a less-than stellar reputation among many of those who came under its care.<sup>13</sup> One of the central issues faced by the department was the struggle to find adequate medical staff equipped to care for the newly disabled veterans, as the majority of those qualified were either in military hospitals overseas, or

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<sup>8</sup> Keshen, 65-66.

<sup>9</sup> Don Ives, "The Veterans Charter: The Compensation Principle and the Principle of Recognition for Service", in *The Veterans Charter and Post-World War II Canada* eds. Peter Neary and J.L. Granatstein. (Kingston: Queens University Press, 1998), 86.

<sup>10</sup> Ives, "The Veterans Charter," 85-86.

<sup>11</sup> Ian MacKenzie, Foreword to *The Veteran's Charter: Acts of the Canadian Parliament to Assist Canadian Veterans*. Ottawa: King's Printer, 1946, 7, quoted in Ives, 86.

<sup>12</sup> Mary Tremblay, "Going Back to Main Street: The Development of Casualty Rehabilitation for Veterans with Disabilities, 1945-1948" in *The Veterans Charter and Post-World War II Canada* eds. Peter Neary and J.L. Granatstein. (Kingston: Queens University Press, 1998), 161-162.

<sup>13</sup> Mary Tremblay, "The Right to the Best Medical Care: Dr. W.P Warner and the Canadian Department of Veterans Affairs, 1945-1955." *Canadian Bulletin of Medical History* Vol. 15, No. 1 (1998), 6.

on the battlefield itself.<sup>14</sup> This, combined with the often-poor state of DPNH-run hospitals, frequently made life difficult for those who found themselves patients there. The biggest of these hospitals, Toronto's Christie Street, was particularly dilapidated, and was described by one doctor as "old, cockroach-infested and rat-ridden."<sup>15</sup>

In addition to the poor quality of care provided by DPNH hospitals, other issues such as difficulty in accessing pensions and employment frustrated many veterans. One such example was the case of John Counsell, a spinal cord injured veteran and recipient of the Military Cross, who would later go on to play an invaluable role in helping to improve the quality of life of those with disabilities in Canada. Writing on behalf of Counsell to Robert England, Secretary of the General Advisory Committee on De-mobilization and Rehabilitation, Defence Minister J.L.

Ralston wrote:

Lt. Counsell's pay was withheld under some regulation which is probably a pay and allowance regulation (I'm going to look this up) but the point is that he had no information as to what his pension would be so that he could make his plans. It seems to me that there should be somebody from the Department of Pensions and National Health to make personal contact with the man.<sup>16</sup>

This reality, as experienced by Counsell and many others, eventually led the Canadian Legion to exert significant pressure on the government to establish a new department that would "be responsible for the administration of all legislation benefitting veterans of all wars relating to their rehabilitation to civil life, their hospitalization, and their social security and future

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<sup>14</sup> Tremblay, "The Right to the Best Medical Care", 6.

<sup>15</sup> N.A. , Mackenzie Papers, Vol. 49, File 508-45(A), Dr. Minerva E. Reid to Mackenzie, 5 August 1944, Quoted in Tremblay, "The Right to the Best Medical Care", 7.

<sup>16</sup> N.A., Robert England Papers, Vol. 3, Ralston to England, 11 March 1943, quoted in Tremblay, "Going Back to Main Street", 164.

welfare.”<sup>17</sup> The Legion’s efforts soon proved effective, and the Department of Veteran’s Affairs came into being, with the aforementioned Ian Mackenzie named its first Minister on 13 October 1944.<sup>18</sup>

One of the earliest examples of the importance of DVA to the rehabilitation and re-establishment of disabled veterans occurred in January of 1945 when Mackenzie enlisted Brigadier Wilfred P. Warner, Deputy General of Medical Services, to study the medical care received by those in military hospitals.<sup>19</sup> Not surprisingly, Warner’s findings reflected negatively on the conditions of many DPNH treatment facilities, and he soon produced a detailed plan aimed at their improvement. By the end of the year, Warner’s ideas had led to the recruitment of a number of new physicians- many of whom held joint appointments with universities- who led highly effective new rehabilitation programs.<sup>20</sup> In commenting on this development, Mackenzie stated, “Our attitude is that the men and women who have contributed so much to the winning of the war must have the very best of medical treatment-and this new scheme will provide it.”<sup>21</sup> In fact, one of the areas cited by Mary Tremblay as benefitting most from this new arrangement was the treatment of spinal cord injured veterans, a topic that will be expanded upon later in this chapter.<sup>22</sup>

For all the success of Warner’s work in treatment services, he and others in the field realized that there was more to effective rehabilitation than the purely medical aspect. As a result, they soon developed a close working relationship with DVA’s Casualty Rehabilitation

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<sup>17</sup> “A Great Legion Achievement: Government Adopts Legion’s Proposal for Department of Veteran’s Affairs”, *The Legionary*, 19 (1944): 8. Quoted in Tremblay, “The Right to the Best Medical Care”, 8.

<sup>18</sup> Tremblay, “The Right to the Best Medical Care,” 8.

<sup>19</sup> “Tremblay, “Going Back to Main Street,” 165.

<sup>20</sup> Ibid.

<sup>21</sup> N.A., Mackenzie Papers, vol. 53, file 519-536(4), DVA news release no.139, 18 Oct. 1945, quoted in Tremblay, “Going Back to Main Street”, 165.

<sup>22</sup> Tremblay, “Going Back to Main Street”, 165.

Section, whose focus was on the economic and social aspects of rehabilitation.<sup>23</sup> This section was administered by Edward Arunah Dunlop, a former member of the Queen's Own Rifles, who was blinded and lost three fingers as a result of an accident while leading a training exercise in Scotland.<sup>24</sup> One of the things that made Dunlop such an important member of DVA's rehabilitation brain trust was his enlightened and progressive approach to rehabilitation. As Peter Neary describes:

Dunlop had a clearly articulated philosophy of disability and rejected obsolescent approaches to the employment problem of disabled veterans. These were the approaches that sought to schedule or reserve certain jobs for disabled persons (elevator operator and night watchmen were examples) and the approach that sought to list jobs suitable for disabled persons with a specific disability. Instead of training disabled veterans for job ghettos, Dunlop wanted to equip them to return to the general labour market and to jobs that were right for them but had hitherto seemed impossible. In Dunlop's program there was no place for sheltered workshops, home industries

An excellent example of DVA programming from this period is seen in a December 1947 article in *The Caliper*, the quarterly journal of the CPA. The piece describes the building of houses for two World War II veterans from Saint John, New Brunswick, Bob Bishop and Don Barnes.<sup>25</sup> The construction of the two houses is described as being a result of the combined efforts of the Citizen's Rehabilitation Committee, the Department of Veterans Affairs and the Canadian Vocational Training, and were built by students of the Milledgeville School of Civil Vocational Training. Moreover, it is worth noting that the houses were financed through the Veteran's Land Act, another piece of legislation included in the Veteran's Charter, which helped

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<sup>23</sup> Ibid.

<sup>24</sup> Neary, Peter. *On to Civvy Street: Canada's Rehabilitation Program for Veterans of the Second World War*. (Montreal: McGill-Queens University Press, 2011.)

<sup>25</sup> "Saint John Veterans Solve Housing Problem" in *The Caliper*, Volume 2, No.4, December 1947. P.14

to provide Canadian veterans with affordable land on which to settle.<sup>26</sup> Indeed, the story provides an excellent illustration of a number of Veteran's Affairs programs coming together at once.

One of the most significant developments of the period was the opening of Lyndhurst Lodge in Toronto, Ontario. Lyndhurst, which opened in January, 1945, and became the first facility in the world specifically aimed at the rehabilitation of spinal cord injured patients. One of the men who acted as a driving force in its creation was the aforementioned Lt. John Counsell. As discussed earlier, Counsell's post-injury transition back to civilian life was not an entirely smooth one, as he often found himself the victim of government red-tape. As Geoffrey Reaume speculates in his book on Lyndhurst Lodge, "whether his experience of bureaucratic negligence left any lasting impression on John Counsell is impossible to say, though it is intriguing to speculate on whether it gave him ideas about the need to create an effectively run service for paraplegics with a minimum of delay."<sup>27</sup>

Whatever the reason, it seems clear that Counsell's own experiences had a significant influence in terms of showing what was possible in the area of rehabilitation for the spinal cord injured. Of course, it should be mentioned that Counsell's circumstances were exceptional, in that, "his financial independence, constant nursing care, and awareness of the physical needs of paraplegics allowed Counsell to effectively pursue a private rehabilitation program at a time when no such programs existed."<sup>28</sup> In addition, he was also able to secure for himself an Everest and Jennings folding wheelchair, which at the time represented the pinnacle in wheelchair technology and was a far cry from DVA's standard-issue wood and wicker chairs.<sup>29</sup> In

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<sup>26</sup> "Saint John Veterans", P.14.

<sup>27</sup> Reaume, 22.

<sup>28</sup> Reaume, 23-24.

<sup>29</sup> Tremblay, "Going Back to Main Street", 164.

Counsell's view, the chair, combined with the new hand controlled vehicles being rolled out by automobile companies for use by disabled veterans represented the key to independence and re-integration into the community for these people.

It should be mentioned that not everyone saw value in Counsell's innovative and independent approach to rehabilitation and life with a spinal cord injury. Dr. Charles McMane, the Toronto District Administrator for DPNH, for example, wrote " obviously this man should be in an institution or, if not in an institution, he should be provided with a helplessness allowance and make his own arrangements for his care, because if a number of patients similarly afflicted should demand this same sort of care, it would make a rather difficult situation."<sup>30</sup>

McMane and others like him notwithstanding, Counsell soon began to press the government to provide disabled veterans with some of the same supports he had managed to secure on his own. He was aided in this by L.M. (Lewis) Wood, a wealthy Toronto businessman and friend of Counsell's mother, who had long been a supporter of veterans with disabilities in his position as president of the CNIB.<sup>31</sup> In early December 1943, Wood used his influence in the community to arrange a meeting with DPNH officials about Counsell's new folding wheelchair. Officials were impressed with its potential to make lives easier for injured veterans. Counsell and Wood, sensing that they now had the attention of officials, quickly followed this meeting up with another two days later, this time between Counsell and R. Wilson, the Toronto District Superintendent of the Orthopedic Division of DPNH, in which Counsell took the opportunity to express his view that Canada needed a new approach to rehabilitation.

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<sup>30</sup> Reaume, 23.

<sup>31</sup> Reaume, 25.

Wilson and others in his department must have been sufficiently impressed by his vision, because a plan to implement it came together rather quickly. By the end of May, 1944, DPNH requested that Toronto officials inspect a three-story stuccoed brick house on three acres of wooded land. By early July, the Wartime Committee on Hospitalization for DPNH approved a request to obtain it, and on December 9<sup>th</sup> all parties agreed to the sale, which became final on New Years Day, 1945.<sup>32</sup>

Lyndhurst Lodge accepted its initial cohort of patients on January 15, 1945. Very soon after, during a meeting of the Paraplegic Committee, L.M. Wood suggested that there should be an association formed by and for those with spinal cord injuries similar to that of the War Amps organization for amputees.<sup>33</sup> All in attendance agreed with the idea and things moved fairly quickly, with the association being incorporated on the 10<sup>th</sup> of May 1945 and holding the first meeting of its directors less than two weeks later.<sup>34</sup> John Counsell was unsurprisingly named the first president of the Canadian Paraplegic Association, and by the following month, its members decided that he could be more effective in this role if he focused on it full-time, rather than dividing his time between the presidency and his position as an assistant rehabilitation officer for DVA.<sup>35</sup> The Department of Veterans Affairs eventually agreed to this arrangement, and to pay for any potential expenses incurred as Counsell travelled the country promoting the Association and establishing branches in other regions.

It has been evident throughout this chapter thus far that almost all attention and resources given to the rehabilitation and re-establishment of the disabled in Canada during these years went

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<sup>32</sup> Reaume, 28.

<sup>33</sup> Reaume, 45.

<sup>34</sup> Ibid.

<sup>35</sup> Reaume, 55.



toward those injured in combat. To their credit, however, the founders of the CPA intended the association to eventually serve all regardless of the circumstances of the circumstances of their injury, and included this provision in their founding charter.<sup>36</sup> Despite their noble intentions, it is hard to deny that in the early years following the end of the Second World War, there was a definite hierarchy among Canadians with disabilities that strongly privileged veterans.

The plight of paraplegic civilians (and their resilience) has been well documented by Mary Tremblay, whose work cites several examples of disadvantages faced by spinal cord and other disabled civilians in mid twentieth-century Canada, including access to resources like hand controlled vehicles and folding wheelchairs, a lack of available housing, and little or no access to secondary education. In fact, disabled civilians were sometimes denied admission to institutions that had previously admitted veterans, on the basis that they were not physically accessible.<sup>37</sup>

Despite these circumstances, CPA and officials like Counsell remained committed to taking advantage of the momentum created in Toronto and helping the organization spread across the country. Though a “Maritime Division” of the CPA is mentioned as early as 1949 in *The Caliper*, it wasn’t until 1951 that the doors of the Maritime Division officially opened, with an office in the Administrative Building of the Camp Hill Hospital in Halifax, Nova Scotia.<sup>38</sup> In the chapters that follow, the story of the CPA in the Maritime Provinces will be covered in depth. For now, though, the focus will shift to the presence of other kinds of disability organizations that were present in Canada and the Maritimes in this period, those run primarily by parents and medical professionals.

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<sup>36</sup> Tremblay, “Canadian Revolution”, 142.

<sup>37</sup> Tremblay Campbell & Hudson, “When Elevators Were for Pianos: An Oral History Account of the Civilian Experience of Using Wheelchairs in Canadian Society, the First Twenty-Five Years, 1945-1970” in *Disability and Society* 20:2 (2005): 107-109.

<sup>38</sup> Don Curren, “CPA in the Maritimes”, in *The Caliper* Vol. 35, No.3 (Autumn 1980), 12.

While the CPA and the people and circumstances surrounding its formation have been the major focus of this chapter thus far, it should be said that it was only one part of a larger proliferation of disability-related support and service groups in Canada in the post-war period. Groups that focused on all manner of disability, both physical and intellectual, began to form and rise to prominence at the same time.

Unlike CPA, however, whose leadership and direction was often determined by those who were themselves disabled, these other kinds of groups were in many cases created and run by some combination of concerned parents or medical and social welfare professionals. As a result, the voice of those with disabilities within organizations that purported to work on their behalf was almost nonexistent.<sup>39</sup>

This should come as no great surprise, and can be seen as a by-product of the dominant societal perception of those with disabilities that prevailed in this period, ones which held that persons with disabilities were often incapable of providing life's necessities for themselves, and needed it to be done for them. Indeed, the social, political and economic disparities faced historically by those with disabilities, Jeanne Hayes and Elizabeth "Lisa" M. Hannold explain, have been identified by numerous scholars as, in large part, a result of the shift from a feudal to a capitalist economy, and the consequent "emergent capitalist production, dependent upon the commodification and classification of the body."<sup>40</sup>

Other theories have been developed over time in an attempt to explain the subjugated position of the disabled in Western society. One of these is Foucault's theory of 'governmentality', or the rise of new forms of knowledge production within various institutions

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<sup>39</sup> Jeane Hayes and Elizabeth "Lisa" Hannold, "The Road to Empowerment," 356.

<sup>40</sup> Hayes and Hannold, "The Road to Empowerment", 353.

such as those related to the medical and penal systems.<sup>41</sup> Foucault argued that each of these systems had their own discourse used to regulate the body, and that those who were members of these institutions quickly adopted these discourses and incorporated them into their own behaviour.<sup>42</sup> The body soon came to be seen as an object that could be controlled and improved, which likely goes some way to explaining the rise of rehabilitation professions in the early and middle decades of the twentieth century. The internalization of medical and rehabilitative discourses (in addition to their obvious desire to improve themselves physically and therefore improve their quality of life) also explains why so many spinal cord and other disabled person so willingly submitted to the control of medical professionals.

It is worth noting, though, that Foucault never saw power relations between individuals and institutions as exercises in domination devoid of the possibility for resistance. Rather, he argued that there need always be the possibility of resistance within these relations, for without the possibility of resistance there would be no relations of power at all.<sup>43</sup> For instance, in looking at the actions of John Counsell as discussed earlier in this chapter, we can see resistance to the established medical and rehabilitative orthodoxy of the day. The issue of resistance will come to the fore again in subsequent chapters of this work, as the nature of disability organizations began to evolve and their leadership became contested.

Another theory that has been used to analyze the relations of power between those with disabilities and medical and rehabilitative professionals was Talcott Parsons' theory of the 'sick role.' First articulated in 1951's *The Social System*, it held that the vacating of social roles by the

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<sup>41</sup> Ibid, 354.

<sup>42</sup> Ibid

<sup>43</sup> Armstrong and Murphy, "Conceptualizing Resistance", 315-316.

ill represented a form of social deviance that needed to be ‘fixed’ or ‘corrected.’<sup>44</sup> Parsons believed that the role of medical professionals was to act as arbiters of the ‘patient’ status, to ensure its legitimacy and that its holder was taking the necessary steps to treat their condition and return to full capacity. According to sociologist Carol Thomas, one of the main means of doing this was to ensure that patients observed the rights and obligations inherent in the role, namely:

“Rights: (i) To suspend social roles whilst ill (ii) To avoid blame for dropping duties due to illness.

Obligations: (i): To strive to get well. (ii) To seek out medical assistance and then to comply with doctors’ orders.”<sup>45</sup>

One of the keys to making the role work, in Parsons’ view, was effectively monitoring the patient’s motivations for suspending their social obligations, and ensuring that they stayed on course to be ‘cured’, after which they could be resumed. As Thomas notes, “It is clear, therefore, that Parsons saw the chronically ill and disabled, like the acutely ill, as people who had a social duty to overcome their limitations by complying with medical dictates.”<sup>46</sup> The application of the ‘sick-role’ theory becomes somewhat problematic when applied to those with physical disabilities, however, in that a person with a physical disability cannot be made ‘whole’ again in the strictest sense, and often the obstacles standing in the way of their assuming greater social obligations are societally constructed to begin with, such as lack of access to education and employment. Nevertheless, Parsons’ ‘sick-role’ theory has historically been a staple of sociological work related to disability.

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<sup>44</sup> Thomas, “Theorising Disability and Chronic Illness”, 216.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid, 217.

A fitting example of organizations created on behalf of persons with disabilities- but operating largely without their input- is the Canadian Foundation for Poliomyelitis, (CFP) more commonly known as “The March of Dimes.” Formed in 1948 in response to a succession of polio outbreaks across the country, the CFP was in large part modelled on the successful and influential U.S.-based National Foundation for Infantile Paralysis (NFIP).<sup>47</sup> Unlike the NFIP, however, historian Christopher J. Ruddy notes that the organization’s scope was much more limited, writing:

By the early 1950s the CFP played a considerably smaller role than its American counterpart, its focus was limited to providing support for orthopedic appliances and rehabilitation of individual polio victims, particularly adults not covered by provincial polio policies. Moreover, the CFP had to carefully manage its turf relations with other voluntary organizations and some provincial governments already helping the disabled in Canada.<sup>48</sup>

Whatever the scale of its work and influence, the importance of the “March of Dimes” here is more in its use as an example of one of the many organizations formed in Canada in the mid-twentieth century to provide support and services to the disabled. Even more importantly for the purposes of this work is that the CFP was involved as one half of a merger that would later come to form the Canadian Rehabilitation Council for the Disabled, which, as previously noted, would go on to become a major-if unintentional- catalyst for the Canadian disability rights movement beginning in the 1970s.

The other half of that merger was the Canadian Council for Crippled Children and Adults, Formed in 1937, the Council operated as part of the vast international network of

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<sup>47</sup> Christopher J. Ruddy, “Conquering the Crippler: Canada and the Eradication of Polio,” *Canadian Journal of Public Health* 96:2 (Mar-Apr. 2005), I-5.

<sup>48</sup> Ruddy, “Conquering the Crippler”, I-5.

“Easter Seals” organizations, which began with Rotary clubs in Ohio in 1920 before going nation-wide the following year and international the year after that.<sup>49</sup> The organization has historically been most visible and widely-known for its fund-raising campaigns, in which a mobility-disabled child, (known as a “Timmy” or “Tammy”, depending on gender) would be selected as a poster child for all others like them. Campaigns like this often took inspiration from and ideas from American telethons, which as disability historian Paul K. Longmore has noted, were invented just after the Second World War by “private voluntary health charities as a fund-raising mechanism designed to tap into the emerging mass medium of broadcast television.”<sup>50</sup> As Longmore astutely points out, the legacy of telethons for disabled people lay not in the funds they raised, but in the way in which they helped to shape the common perception of the disabled in North America. As Longmore writes:

The model for this infantilized image was Tiny Tim in Charles Dickens’s *A Christmas Story*. Telethons borrowed and Americanized the traits of the Dickens character. The disabled person as perpetual child, sweet cheerful and brave; the disabled person as invalid, helpless, dependent, fundamentally different from “normal people.”<sup>51</sup>

As this chapter has shown thus far, early organizations related to disability in this country were almost exclusively concerned with the provision of services and supports to those with disabilities, and the idea of a “disability rights movement” in Canada was still very much in the offing. It is also quite interesting to consider that in these early days, one begins to see two very distinct types of organizations in regard to their philosophies and the make-up of their leadership. Organizations like CPA, CNIB, and the War Amps not surprisingly counted the disabled heavily

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<sup>49</sup> Barbara Floyd, “The Boy Who Changed the World: Ohio and the Crippled Children’s Movement,” in *Ohio History* Vol. 118 (2011), 85-86.

<sup>50</sup> Paul K. Longmore, “The Cultural Framing of Disability: Telethons as a Case Study,” in *PMLA* Vol. 120, No. 2 (Mar. 2005), 502.

<sup>51</sup> Longmore, “The Cultural Framing of Disability”, 506.

among their leadership, while those that were created to aid those affected by an epidemic or congenital disability often operated with little or no input from the disabled themselves. Though the agenda of the CPA was and is very much different from the rights-based disability organizations that would come along later, it can be argued that served as a kind of forerunner to them in the sense that they insisted that their leadership must come from those whose interests were to be served by the work of the organization-the disabled themselves.

While this chapter has included discussion on many of the positive developments of the immediate post-war period as it pertains to those with physical disabilities-medically, technologically, and politically- it is important to remain cognizant of the uphill battles that remained- battles against a lack of access to education and employment, against government's and their officials, who in many cases still thought it preferable to warehouse the disabled in institutions rather than to help them to find ways to achieve and enhance their independence. Against a society and its tendency to pathologize and infantilize those with disabilities, and to rank them, privileging those who had acquired their disability in service of their country above those who had not.

In chapter two, the discussion will move from the national context to the establishment of Maritime chapters of the organizations that have been discussed here. It will trace the process as they begin to move eastward and establish a presence in the region. It will focus on the establishment of these branches, their key figures, and the issues they focused on in these early days. It will focus on their steady and sometimes rapid growth, as well as the challenges and growing pains they faced. Additionally, it will also begin to tease out the very real connection between these Maritime chapters and the national organizations they grew from. Despite its

diminutive size and population, the east coast of Canada was far from a bit player on this particular stage.



## **Chapter Two: Organizations Move Eastward, 1951-1965**

As the 1950s dawned, developments in support and services for physically disabled Canadians-as well as the organizations formed to provide them both- continued to grow. The Canadian Paraplegic Association, now more than five years old, had expanded successfully to almost all parts of the country, with a summer 1949 article in *The Caliper* making mention of Quebec, Central Western, and Western Divisions.<sup>1</sup> The Maritimes were the last new territory to be established, a process that would culminate with the opening of the Maritime Division office in Halifax in August of 1951. Elsewhere, grassroots organizations led by parents and professionals, like those discussed in chapter one, also began to gain a greater foothold as well.

This chapter will analyze the beginnings of the Maritime Division of CPA, and will introduce Donald E. Curren. Curren establish himself as a highly influential and indispensable figure in the Maritime disability community and who served as the Executive Director of the Maritime (and later Nova Scotia) Division of the CPA from 1951 to 1984. It will also include a discussion of the beginning of a long-standing-and often tumultuous- financial relationship between the division and the Nova Scotia government as well as the expansion of the Association throughout the region. This expansion included the creation of a New Brunswick Board of CPA in 1958, their hiring of a full-time vocational counsellor two years later, and the beginning of services to Prince Edward Island.<sup>2</sup> It will also cover the establishment of a full New Brunswick division of CPA in 1963.<sup>3</sup>

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<sup>1</sup>“Editorial Page” *The Caliper* Vol. 4, No.3 (Summer 1949), 14.

<sup>2</sup>Curren, “CPA in the Maritimes”, 12.

<sup>3</sup>“Distinguished Service Citation” *The Caliper* Vol. 39 (Dec. 1984), 6.

In addition to the activities of the CPA in the region, this chapter will continue its look at disability organizations run primarily by parents and professionals as they too began to establish a presence on the east coast. Included will be a discussion of the establishment of local cerebral palsy groups in Cape Breton and Saint John, spearheaded in both cases by concerned parent's groups and focused primarily on providing their children with access to education, something they were not receiving from government-run school boards in the area.<sup>4</sup> It will also continue to chronicle the activities of the Canadian Foundation for Poliomyelitis and Easter Seals, and analyze the connection between the national offices and their counterparts in this region. Importantly, it was in the first half of the 1960s that these groups merged into the CRCDC, a development that occurred nationally in 1962 and provincially in 1964.<sup>5</sup>

As the 1950s began, it can be said that the outlook of the Canadian Paraplegic Association-both nationally and locally-remained largely apolitical, and that the concept of rights for the disabled had yet to assume a prominent place in their agenda. Despite this, one can detect a subtle shift in their thinking at both levels as their influence began to grow. Evidence of this shift included the undertaking of activities such as a continued push for the expansion of rehabilitation services and supports for persons with disabilities at the national level, or the beginning of a concerted effort to highlight and address the lack of physical accessibility in many Halifax buildings as undertaken by the CPA's Maritime Division in the late 1950s and early 1960s<sup>6</sup>. Indeed, these examples show that at all levels, the Canadian Paraplegic Association was

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<sup>4</sup>Nova Scotia Archives and Records Management, RG-72 Vol.90, P.3, "Part B: - A Brief History of the Cape Breton Cerebral Palsy Association" in A Brief Submitted to the Nova Scotia provincial government by the Association, 1972.

<sup>5</sup>NSARM, RG-72, Vol. 18, No.17, Board Meeting of the Canadian Rehabilitation Council for the Disabled, July 18, 1967 "Report of the President of the Nova Scotia Chapter of the CRCDC", Feb. 13, 1967.

<sup>6</sup>Beth Tolson, "Step Entrance Hazard to Both Healthy and Handicapped," *The Caliper* Vol. 14, No.3 (Autumn 1959), 5-6.

slowly beginning to move beyond focusing strictly on providing supports like mobility aids and vocational training, and were beginning to bring attention to some of the many glaring instances of inequality experienced by the physically disabled in Canadian society.

Evidence of this can be seen as early as February 1951, when the first Vocational Conference on the Rehabilitation of Disabled Persons was held in Toronto.<sup>7</sup> As Aldred H. Neufeldt writes, CPA played an important role in getting both federal and provincial governments to the table to participate in the conference.<sup>8</sup> An article appearing in the Spring 1951 issue of *The Caliper* confirms this, as it notes that the Hon. Paul Martin, Minister of National Health and Welfare, Labour Minister Milton F. Gregg, and Veterans Affairs Minister Hugues Lapointe were all in attendance, along with four Deputy Ministers and the Premier of Ontario.<sup>9</sup> In his keynote address to those in attendance, Gregg touched upon the gap in service created by the unspoken hierarchy of disability:

Canada needs a well-rounded plan for aiding persons physically handicapped other than by industrial accidents or war wounds. There is no co-ordinated plan in effect in Canada today for the benefit of those who have a handicap brought about by some event not connected with industries or war service. There is a great gap to be filled.<sup>10</sup>

Indeed, the sentiments expressed by Gregg echo the reality of life for many disabled civilians in mid-twentieth century Canada. This very issue was the focus of an oral history written by Mary Tremblay, Audrey Campbell, and Geoffrey L. Hudson. In reading this history, entitled *When Elevators Were for Pianos*, one gets the sense that perhaps the reason for the lack of co-ordinated planning for disabled civilians lay in the way disability itself was perceived in

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<sup>7</sup> Burke, "National Rehab Conference", 8.

<sup>8</sup> Aldred H. Neufeldt, "Growth and Evolution of Disability Advocacy in Canada," in *Making Equality: History of Advocacy and Persons with Disabilities in Canada*. Deborah Stienstra and Aileen Wright-Felske eds. (Concord, Ontario: Cactus Press, 2003), 19-20.

<sup>9</sup> Burke, "National Rehab Conference", 8.

<sup>10</sup> Ibid.

Canadian society. In this period, disability was viewed squarely on the level of the individual, with the disabled person and their families responsible for making life work. As the authors note, “a person’s disability and use of a wheelchair was considered the obstacle to participation, and individuals and their families were expected to adapt to the community as they found it.”<sup>11</sup> This rehabilitation conference at least hints at the beginning of change in this regard.

Perhaps one of those most pertinent speeches of the conference came from Minister Martin. The first point he spoke to was the need for greater co-ordination of rehabilitative services, stating:

I suggest that the most useful accomplishment of the conference would be to encourage the integration and co-ordination of existing sources in order to ensure that the considerable monies now being expended for Canada’s disabled are used to best effect. We might find some way in which to bring existing programs and personnel and services in to a close working relationship. At the same time, we might also correlate our planning so that our rehabilitation programs can achieve maximum coverage and effectiveness.<sup>12</sup>

Even more interesting is when Martin switched the focus of his speech to discuss disabled Canadians not as a population that needed saving but as a potentially untapped source of labour and productivity. As James Burke wrote in *The Caliper*: “During the sessions Mr. Martin revealed that the recent health survey showed that there are 900,000 Canadians afflicted with some form of permanent or extended disability and that these reclaimable people constitute an immense reservoir of available manpower which is so urgently needed in these days.”<sup>13</sup>

The high level of unemployment among the disabled that Minister Martin discusses is not difficult to understand when one considers the numerous obstacles that confronted many

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<sup>11</sup> Mary Tremblay, Audrey Campbell & Geoffrey L. Hudson, “When Elevators Were for Pianos”, 104.

<sup>12</sup> NSARM, RG-72, Vol. 76, No.4, CRCD 1969 Annual Meeting, Mr. Joseph A.P. Clarke, President’s Remarks, 2.

<sup>13</sup>Burke, “National Rehab Conference”, 8.

physically disabled Canadians wanting to join the workforce in this era. As Tremblay, Campbell, and Hudson point out, “in seeking employment, (disabled) civilians reported that they often encountered employers who neither welcomed nor hired them. Workplaces were usually inaccessible and individuals, realizing the difficulty they had in gaining employment, hesitated to ask for modifications to the workplace.”<sup>14</sup> It is also important to note that Martin frames the problem of disabled unemployment in purely economic terms, without any discussion of the wider potential impacts of employing greater numbers of Canadians with disabilities, both societally and for the individuals themselves. These impacts could include a more positive perception of disabled people within Canadian society, as well as a greater sense of purpose and self-worth within those who secured employment.

At the same time, it should come as no surprise that Minister Martin chose to focus on the question of disabled employment in this way. According to disability scholar Jerome E. Bickenbach, “the economic model is the dominant model of disablement policy throughout the world”, and one that predates the “younger and more revolutionary” social-political model.<sup>15</sup> Bickenbach points to the emergence of rehabilitation as a medical specialty, as well as the “legitimation of ‘physiatrists’”, as having had a profound effect on the shape of disablement policy in the post-war years.<sup>16</sup> The connection between rehabilitation and the economic model of disablement makes sense when one considers that one of the primary goals of rehabilitative medicine is to restore the patient to a physical capacity that will allow them to return to the world of work. Unsurprisingly, the most prominent method used in determining the effectiveness of

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<sup>14</sup> Tremblay, Campbell & Hudson, “When Elevators Were for Pianos”, 111.

<sup>15</sup> Jerome E. Bickenbach, *Physical Disability and Social Policy* (Toronto: University of Toronto Press, 1993), 93, 135.

<sup>16</sup> Bickenbach, *Physical Disability and Social Policy*, 97.

disablement policy in the economic model is that of cost-benefit analysis. Cost-benefit analysis reduces social issues such as disability down to questions of cost, and then evaluates potential options on those terms. Efficiency is the characteristic prized above all others in these considerations.<sup>17</sup> Bickenbach very closely echoes the central theme of minister Martin's speech when he writes, "the principal objective of the economic strategy towards disablement has always been to reduce the social costs of disability by increasing the level of employability among people with disabilities."<sup>18</sup>

Apart from providing a forum for politicians in attendance to discuss disability, several important developments also arose from the conference. Among them were the creation of the Civilian Rehabilitation Branch of the Department of Labour later that year, the appointment of a National Rehabilitation Co-ordinator in 1952, and the introduction of a Medical Rehabilitation Grant in 1953.<sup>19</sup> Perhaps the most important development was the Federal-Provincial Vocational Rehabilitation of Disabled Persons Program (VRDP). It began in 1952 as an Order-in-Council and was brought into legislation as the Vocational Rehabilitation of Disabled Persons Act in 1961.<sup>20</sup> Under the agreement, the federal minister responsible was authorized to enter into agreements that would allow individual provinces to recover up to 50% of the costs of vocational programming, including the salaries of staff and support personnel.<sup>21</sup> The idea behind this, of course, was to enable provinces to more easily return disabled person to return to the workforce, thereby tapping into the labour pool mentioned by Minister Martin in his speech.

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<sup>17</sup> Bickenbach, 102.

<sup>18</sup> Bickenbach, 107.

<sup>19</sup> *Disabled Persons in Canada*, 20.

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

In 1951, the Maritime Division of CPA opened its doors. The first office of the newly constituted division was made available courtesy of the federal government and was housed in the administrative building of Halifax's Camp Hill Hospital.<sup>22</sup> The first Chairman of the Maritime Division was C.B. "Clint" Havey, Q.C., of Stewiacke, Nova Scotia.<sup>23</sup> Havey was part of the first board of management for the division, constituted in early 1952, and served as chair for a dozen years. During his time in rehab, Havey also spent time in the same room with the Maritime Division's first Executive Director, Donald E. Curren.<sup>24</sup> Curren would prove to be one of the most influential and long-standing members of the disability community in Atlantic Canada.

Donald E. Curren was born on January 21, 1923 in Bedford, Nova Scotia. The eldest son of R.H. Curren, M.C. and Mary Roche Curren he attended elementary school in Bedford before moving on to high school at Bloomfield High School in the Halifax's North End.<sup>25</sup> Following completion of his secondary education, Curren enlisted in the Royal Canadian Air Force in 1941, and received his wings in August of the following year at #13 Service Flying Training School in Saint Hubert, Quebec.<sup>26</sup>

Curren's life would be altered in November of 1943 when his plane crashed en route to North Africa. As a result of the accident, he suffered a spinal cord injury that rendered him paraplegic.<sup>27</sup> Following a period of intensive rehabilitation, Curren commenced his long-standing relationship with the Canadian Paraplegic Association, serving as the east coast representative of

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<sup>22</sup>Curren, "CPA in the Maritimes" 12.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup>NSARM, Donald E. Curren Fonds, 2000-044/001 #1, "Biographical Sketch", 1.

<sup>26</sup>Ibid.

<sup>27</sup>Ibid.

the organization on a volunteer basis beginning in January of 1947.<sup>28</sup> Curren graduated from Dalhousie Law School in 1950, and became the first full-time paid employee of CPA in the region when he was hired as the Executive Director of the Maritime Division following his admission to the Nova Scotia Bar.<sup>29</sup> The incredible impact of Curren on the disability community in the Maritimes, as well the realities of life for many newly disabled persons in the region during this era, was summed up well in a 1983 letter written by Arthur H. Shears, the Medical Director of the Nova Scotia Rehabilitation Centre:

One can better realize the extent of what had to be done if one considers the situation in that era when a person became disabled. In those days, he did not automatically get a pension, whether it was from paraplegia from accident or other causes. A proof had to be made of disability and hardship. It often meant that one had to find out who best could influence those groups of bodies or departments of government who might be persuaded to provide such services. It was then necessary to find out what information they required, how it could be obtained, how it could be best laid in their hands, and how it could best be supported. It was often necessary for someone to assist the person making the application in getting these things done...wheelchairs were not provided automatically at that time, and funds had to be found for them. Also, funds had to be found for surgical supplies, dressings, and medications. Many people have forgotten that in those days there was no universal health insurance program when a person required hospitalization, either as an out or in-patient. It was necessary for some responsible body such as a municipality or philanthropic organization to make financial arrangements. In the case of spinal cord patients this was another task that fell to Don Curren.”<sup>30</sup>

Men like Curren and Clint Havey, both of whom would go on to earn the designation of Queen’s Counsel attorneys, are typical of what I would call the “disabled elite”, men who acquired their disability in service of their country and therefore occupied a place at the top of the hierarchy of disability in Canada. Both of these men enjoyed access to things like quality rehabilitation programming, state-of-the-art folding wheelchairs, hand-controlled vehicles, and affordable post-

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<sup>28</sup>Ibid.

<sup>29</sup>Ibid.

<sup>30</sup> NSARM, Letter from Arthur H. Shears on Donald Curren, October 24, 1983. Donald E. Curren Fonds, 2000-044/001 #1, 1-2.



secondary education, privileges that many mobility-impaired Canadians of the era lacked, as noted by Minister Gregg in the earlier quoted speech. In reading early issues of *The Caliper* magazine, each of which contains an article penned by Curren and titled “East Coast Comment”, it is interesting to note that he tends to focus heavily on things like completion of post-secondary education courses, employment, engagement, and marriage among the spinal cord injured of the region. It is likely that this was an attempt on his part to distance physically disabled Maritimers from the image of the ‘sick-role’ patient as theorized by Parsons<sup>31</sup> and to show society as a whole that the goals and aspirations of the physically disabled were not at all different from those of the non-disabled.

Though the process would become much more deliberate as physically-disabled Canadians involved in the disability rights movement became increasingly politicized in the 1970s, what Curren is doing here might be considered an early example of what scholar Evelyn Kallen called, “de-labeling”, whereby a stigmatized minority attempts to distance themselves from an undesirable label that has been thrust upon them.<sup>32</sup> In this case, by highlighting the marriages, engagements, and professional accomplishments of the Maritimes' spinal-cord injured, I would argue that Curren is attempting to counter common perceptions of the time of the disabled as helpless, unproductive, and in need of government support or charity for survival. In other words, he is attempting to assert their place as citizens within a wider society.

The next significant development that took place for the Maritime Division of CPA did so in 1956 when, for the first time, they were able to secure funding for their operation from the provincial government of Nova Scotia. The initial payment occurred on April 10, 1956, in the

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<sup>31</sup> Thomas, 216.

<sup>32</sup>Evelyn Kallen, *Label Me Human: Minority Rights of Stigmatized Canadians*.(Toronto: University of Toronto Press, 1989): 138.

amount of \$6,000.<sup>33</sup> And while the funding relationship between CPA and the Nova Scotia government would remain crucial to the organization's growth and survival, as time went on the relationship would become increasingly contentious, with Curren constantly agitating for greater amounts of funding while having to prove the Association's work was essential and not simply a duplication of services already offered by the province's Social Services Department. CPA Nova Scotia was certainly not alone in this regard, however. Indeed, one consistent feature of most disability organizations at both the national and provincial level is that they were (and still are) often heavily dependent on government funds for their survival.<sup>34</sup> While many commentators have historically viewed this as a necessary and non-problematic aspect of the operation of a volunteer organization in Canada, scholar Fraser Valentine notes that there are some that have come to view the close working relationship between governments and volunteer organizations with suspicion, believing that governments use funding as a means of influence that can be used to co-opt and control the agencies to whom they give money.<sup>35</sup> As the burgeoning disability-rights movement grew in later decades, this issue would become an important point of contention.

Also in 1956, the first step in a multi-phase opening of a new rehabilitation centre for the physically disabled in Nova Scotia was taken when an out-patient department for children was opened in August.<sup>36</sup> Adult out-patients were being accepted by November, and a formal opening occurred in January of 1957, with in-patient services being offered by November of 1957.

According to the Spring 1958 issue of *The Caliper*, the centre was serving 20 in-patients while

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<sup>33</sup>NSARM, RG-72, Vol. 35, No.2, "Grants to CPA", 1.

<sup>34</sup>Fraser Valentine, "Locating Disability: People with Disabilities, Their Movements, and the Canadian Federal State." (M.A. thesis, Carleton University, 1996), 98.

<sup>35</sup>Valentine, "Locating Disability", 99.

<sup>36</sup>Frank Campbell, "Nova Scotia Rehabilitation Centre" *The Caliper*, Vol. 13, No.2 (Spring 1958): 15.

treating upwards of 50 out-patients daily.<sup>37</sup> The opening of this facility represented another step in the developing infrastructure for the disabled in the region.

Though an analysis of the existing source material does not offer any clear reasons why, disability groups like CPA were slower in coming to Prince Edward Island. Possible explanations could include a relatively small disabled population in the province, a lack of willing leadership, or perhaps the heavily rural nature of the Island's population at the time. (Most divisions or branches of CPA were located in cities like Fredericton or Halifax). Whatever the reason, The first instances of CPA involvement on the Island began in 1956. According to Don Curren, "service to the paras and quads of PEI was started in 1956 from the Halifax office of the Division. The Executive Director and rehab counsellors made regular field trips to 'the Island' until the mid-seventies."<sup>38</sup> It would not be until the 1970s, however, when Island disability advocates, galvanized by activities elsewhere in the country, began to undertake significant organizational activity.

The later years of the 1950s also saw increased CPA activity in New Brunswick through efforts to establish a separate New Brunswick Division. Work on this project began as early as 1953, but did not gain significant traction until six years later, when a "branch office" was established in the city of Fredericton. Under this arrangement, operations in New Brunswick were not yet fully independent, as the board still operated as an extension of the Maritime Division based in Halifax.<sup>39</sup> Indeed, the creation of a second stand-alone division in the Maritimes was still some years away.

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<sup>37</sup>Campbell, "Nova Scotia Rehabilitation Centre", 15.

<sup>38</sup>Curren, "CPA in the Maritimes", 12.

<sup>39</sup>Ibid.

The establishment of the board can nevertheless be seen as part of a larger flurry of activity taking place in New Brunswick at this time, another aspect of which was the opening of the Forest Hill Rehabilitation Centre-also in Fredericton-in May of 1958. The facility was running at full capacity by the following winter, with the chairman of the facility's Board, Stanley Cassidy, already making calls to expand its bed count from 20 to 60.<sup>40</sup> A third positive development that took place for the physically disabled of New Brunswick in this period was the appointment of a full-time rehabilitation field officer. *The Caliper* reported that New Brunswick had proposed this possibility as early as their 1958 annual report, and it became a reality in January of 1960 when Michael Harling was appointed to the post.<sup>41</sup>

The end of the 1950s also provides early evidence of the CPA in both Nova Scotia and New Brunswick growing beyond its purely service oriented role and becoming somewhat more politically engaged, particularly concerning the issue of physical accessibility. An article reprinted from the *Chronicle Herald*, and appearing in *The Caliper*'s Autumn 1959 issue details the lack of accessibility of several Halifax buildings. Some of the examples it cites include a number of the buildings on the campus of Dalhousie University, as well as the Halifax Memorial Library.<sup>42</sup> All was not negative, however. The article also describes "a lively campaign being waged by the Canadian Paraplegic Association", and that "Mr. Curren believes that the Maritimes are taking the lead in initiating this program in Canada."<sup>43</sup>

A similar article appeared a year later, this time written by Joanne MacArthur and focusing on buildings in Fredericton. MacArthur points out the absurdity of the fact that newly

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<sup>40</sup>Joanne E. MacArthur, "A Year of Progress at Forest Hill"*The Caliper*, Vol. 14, No.3 (Autumn 1959), 14.

<sup>41</sup>Joanne E. MacArthur, "CPA Board Appoints Rehabilitation Officer" *The Caliper* Vol 15, No. 1 (Spring 1960), 9.

<sup>42</sup>Tolson, "Step Entrance", 5.

<sup>43</sup>Tolson, 6.

constructed buildings in the city were built almost completely devoid of consideration for physical accessibility. “A new Canadian Legion was built a year ago”, she writes, “the Legion, where more than any other place you are likely to find paraplegics and amputees, is a two-storey structure with no floor at ground level.”<sup>44</sup> At both the University of New Brunswick and the city's public schools, MacArthur explicitly tied the lack of accessibility of these buildings to the implicit denial of the right to an education of those with physical disabilities.<sup>45</sup> Indeed, the issue of physical accessibility, and these articles in *The Caliper*, represent some of the earliest attempts by the CPA in this region to galvanize its readers and offer vocal resistance to the lack of consideration for their needs. It is also interesting that this is the first time that we see these arguments couched in the language of rights, a strategy that would be employed more often, and to greater effect, in decades to come. This early use of the concept of ‘rights’ here is perhaps all the more noteworthy given the fact that, according to sociologist Dominique Clement, “Human rights, as many historians have argued, played virtually no role as a protest language in the decades after the Second World War. Not until the 1970s did human rights become an integral component of international politics.”<sup>46</sup>

By 1962, New Brunswick's CPA office was once again preparing to expand. As Joanne MacArthur details in an article on the national office's annual convention, “The New Brunswick delegation returned home with more money! This increased grant from head office means that the work in N.B. is to be expanded and an executive-director will be appointed in the near future.”<sup>47</sup> Also noted by MacArthur in the piece is that the Chairman of the New Brunswick

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<sup>44</sup>Joanne E. MacArthur, “Steps and Be Darned”, *The Caliper* Vol. 15, No.3 (Autumn 1960): 10.

<sup>45</sup>MacArthur, “Steps and Be Darned”, 10.

<sup>46</sup> Dominique Clement, *Human Rights in Canada: A History* (Waterloo, Ont: Wilfred Laurier University Press, 2016), 97.

<sup>47</sup>Joanne E. MacArthur, “CPA Convention, June 1962” *The Caliper* Vol. 17, No.3 (Autumn 1962), 13.

board, Ernest Allen, felt that the person hired should themselves be disabled.<sup>48</sup> This came to pass in 1964, when MacArthur herself was named to the position. She would remain there until returning to school to complete her law degree five years later.<sup>49</sup> Even after commencing a career with the provincial Department of Justice in 1970, MacArthur (later MacLeod) remained one of the most prominent and consistent members of New Brunswick's disability advocacy community. The MacArthur hiring completed the process of turning the New Brunswick office from a separate board still operating under the aegis of the Maritime Division into an independent division of its own.

CPA was not the only disability organization endeavouring to expand its reach throughout the country as the 1950s began. Another example is the Canadian Society for Crippled Children and Adults. By 1955, it had been determined by the group's leadership that a national office would be a useful tool to help facilitate communication and the exchange of ideas between the various provincial organizations under its umbrella.<sup>50</sup> One of the provincial affiliates for the organization was the Nova Scotia Society for the Care of Crippled Children, which oversaw Nova Scotia's local Easter Seals campaign. Though it is difficult to ascertain from the records available exactly when this affiliation began, we do know that the Nova Scotia Society for the Care of Crippled Children was incorporated in 1931, but remained largely inactive until being reorganized in 1951.<sup>51</sup> Though we do not know for sure, it is safe to assume that the partnership commenced with this reorganization.

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<sup>48</sup>MacArthur, "CPA Convention", 13.

<sup>49</sup>Curren, "CPA in the Maritimes", 12.

<sup>50</sup>NSARM, RG-72, Vol. 3, No.21, Canadian Rehabilitation Council for the Disabled, "Executive Director's Report, 1964 Annual Meeting", 1.

<sup>51</sup>NSARM, RG-72, Vol. 76, No.2, Canadian Rehabilitation Council for the Disabled, "Board Members Manual- Canadian Rehabilitation Council for the Disabled".

In terms of its own internal structure, the board of the Nova Scotia Society for the Care of Crippled Children met 3-4 times a year, and contained some 21 members. The members would be drawn from local service clubs, such as Lion's Clubs, which had franchise agreements with the organization. Under these agreements, each club would retain 50% of the funds it raised during the annual Easter Seals campaign, with the other 50% being given to the organization's central office.<sup>52</sup>

The National Foundation for Poliomyelitis, or "March of Dimes", had its own provincial affiliate in Nova Scotia during this period. March of Dimes Nova Scotia chapter was very similar to Easter Seals in terms of its relationship to both local service clubs and its national body. The only discernible difference was that its local board contained 17 members as opposed to the 21 of the Nova Scotia Society for the Care of Crippled Children.<sup>53</sup> Some of the services rendered by the Nova Scotia March of Dimes included the maintenance of a registry of the physically disabled children it served, the operation of a mobile clinic throughout the province in both the Spring and Fall of every year, as well as the provision of mobility aids such as boots, braces, and wheelchairs.<sup>54</sup>

While these two organizations are examples of the types of voluntary parent and professionally-driven organizations operating in the Maritimes in this period, they were not alone. Other community-based groups formed in region around the same time as well. Unlike Easter Seals and March of Dimes, which benefited from the presence of a national office and agreements with local service clubs, these organizations were distinctly grassroots and independent, with no affiliation to a larger group. Like many small organizations of the post-war

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<sup>52</sup>Ibid.

<sup>53</sup>Ibid, 5.

<sup>54</sup>Ibid.

era, these groups owed their beginnings to concerned parents of children with disabilities, who were worried that their children's needs would fall through the cracks of government bureaucracy.

One such example of this kind of community organizing can be seen in the opening of the Colby School, a specialized school founded specifically for children and young adults with cerebral palsy. Located in industrial Cape Breton, the origins of the Colby School date back to December, 1954, “when a number of concerned parents of children with cerebral palsy met at the Sydney YMCA with the hopes of obtaining something for their children.”<sup>55</sup> Soon after, a meeting was arranged between the parents and the Sydney School Board, at which it was decided that the group would be permitted to hold classes in the auditorium of the empty Colby School. The school opened in September of 1955 with one class and one teacher.<sup>56</sup>

At the same time, a very similar initiative was being undertaken in Saint John, New Brunswick. A report from the Third Annual Meeting and Conference of the Atlantic Cerebral Palsy Association, held in Saint John in June of 1975 details its beginnings:

This year might well be called an anniversary for us. It will be twenty-one years this July since a school was opened here in Saint John for the cerebral palsied children. Through the hard work of families and a financial project of the Main Brace Naval Veterans' Association, a little school house (2 rooms), no longer then in use as a regular school, was obtained.<sup>57</sup>

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<sup>55</sup>NSARM, RG-72 Vol. 90, No.23 'Part B: A Brief History of the Cape Breton CP Association'. Brief Submitted to the Nova Scotia government by the Cape Breton CP Association. 3.

<sup>56</sup>“A Brief History of the Cape Breton CP Association”, 3.

<sup>57</sup> NSARM, RG-72, Vol.114, No.26 Proceedings of the Third Annual Meeting and Conference-Atlantic Cerebral Palsy Association. “Cerebral Palsy School Report”, 1.



The speaker goes on to say that despite all of the work done by parents on behalf of their children, the quest to find suitable accommodation was not an easy one, with cerebral palsied children often having to make do with buildings discarded by the mainstream school system.

But down through the years the parents would work unceasingly hard to give their handicapped children a chance to do all of those things any child wants to do- to go to school and be a part of the community. However, we remained segregated from the regular school system-moving from one small, discarded building to another larger one (also given up by the regular school system) to another building which had been partially burned and pupils relocated in other buildings. For a year we remained there in the renovated part, but the windows were either boarded up or had plastic coverings.<sup>58</sup>

As this chapter has shown thus far, with the establishment of a Maritime presence for the Canadian Paraplegic Association, the creation of a network of voluntary organizations that extended down from national offices of organizations like March of Dimes and Easter Seals to their provincial affiliates, and through them to community-level service clubs, and the work of grass-roots, parent-driven groups like the ones just discussed, the 1950s were a period of much expansion and growth for disability organizations in the Maritime provinces. As has also already been established, Maritime organizations, though very much committed to the service of their local client base, were at the same time still very closely attuned to developments that occurred nationally. This trend would continue in the next decade, when the Nova Scotia chapters of Easter Seals and March of Dimes followed the lead of their parent organizations and came together in an attempt to consolidate and streamline their services. In fact, the national merger of these two organizations proved to be one of the most far-reaching developments in the country with regard to the evolution of disability organizations.

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<sup>58</sup> Ibid.

Indeed, when March of Dimes and Easter Seals made the decision to come together beginning in 1963, it represented the consolidation of two of the oldest and most established groups of their kind in Canada. The new organization would be called the Canadian Rehabilitation Council for the Disabled.<sup>59</sup> Speaking at the organization's annual meeting in 1964, Dr. Keith Armstrong called the meeting, which brought together representatives from provincial organizations nation-wide, "the fulfillment of the purpose for which the two organizations decided to join forces."<sup>60</sup>

But while this development signalled continued growth for voluntary disability groups in Canada, Armstrong's address also gives ample evidence as to just how little the perspectives of the disabled themselves were taken into consideration. In looking at Armstrong's comments, it is obvious that the possibility of persons with disabilities themselves playing any kind of significant role in the growth and direction of the CRCDC had not even been considered. The following passage illustrates this well:

Also, during this 12-year period, there has been a growing acceptance of society's responsibilities to give more than just physical care to its disabled citizens. The growth of rehabilitation facilities, physical medicine departments in hospitals, sheltered employment and other facilities to assist the disabled person has been phenomenal. And finally, during this period of time, the participation of government, both provincial and federal, not only in financial support but in the development of services, has been substantial...<sup>61</sup>

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<sup>59</sup> NSARM, RG-72, Vol. 3, No.21, Canadian Rehabilitation Council for the Disabled, "Executive Director's Report, 1964 Annual Meeting"1.

<sup>60</sup> Ibid

<sup>61</sup> Ibid.

Armstrong then goes on to discuss disabled adults in particular, putting forward the argument that instead of focusing on those “who can be rehabilitated into a life of economic self-sufficiency” they should instead

help and guide those individuals who are so severely disabled that they cannot reasonably be expected to take advantage of the ultimate benefits of complete rehabilitation in life other than their remunerative employment...the challenge of the voluntary agency in the future will be the fields of sheltered employment, recreational activities and in assisting this group of citizens to find creative activities in living which may not be remuneratively profitable.<sup>62</sup>

These particular quotations not only highlight the vast changes that had occurred with regard to services and supports for Canadians with disabilities over the preceding dozen years, but they also underscore the lack of consideration that still existed for persons with disabilities as *citizens*, as persons with agency and autonomy when it came to decisions affecting the many organizations that purportedly laboured on their behalf. Rather than frame the relationship between those with physical disabilities and government and voluntary agencies as one of partnership, I would argue that it attempts to position it as one of dependence, with the organizations gravely assuming the burden of care for the disabled.

As alluded to earlier in this chapter, provincial branches of national disability organizations operating in the Maritimes in this era often closely patterned their development after the actions of the parent group. This happened again when the Nova Scotia Chapter of March of Dimes merged with the Nova Scotia Society for the Care of Crippled Children to form the Canadian Rehabilitation Council for the Disabled, Nova Scotia Chapter.<sup>63</sup> The new chapter

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<sup>62</sup> NSARM, RG-72, Vol. 3, No.21, Canadian Rehabilitation Council for the Disabled, “Executive Director's Report, 1964 Annual Meeting” 2.

<sup>63</sup> NSARM, RG-72, Vol. 3, No.21, “Executive Director's Report”, 3.

was established on August 1, 1964 with F.R. MacKinnon as its President and Roy Power of March of Dimes serving as Vice-President.<sup>64</sup> In a President's Report from a 1967 board meeting of the CRCDD N.S. chapter, President MacKinnon detailed the beginnings of the Nova Scotia merger. Once again, it shows the extent of the connection between provincial organizations in the Maritimes and their national counterparts.

I am not sure of the exact time but the initial discussions leading to the amalgamation began in Montreal at the first national meeting of the combined Easter Seals and March of Dimes organizations. Roy Power was there representing March of Dimes. I was representing Easter Seals and we met at the Mount Royal Coffee Shop to discuss the possibilities of our two organizations coming together.<sup>65</sup>

The merger of these two groups into the CRCDD at both the federal and provincial levels has received significant attention in this chapter due to the critical, if unintended role it would play in acting as a catalyst for the burgeoning disability rights movement in this country some time later. As we can see from the Executive Director's comments, though, however altruistic were the motives of the CRCDD, its leadership was largely oblivious to the perspectives of the disabled themselves, something future activists would point to as a key reason that they needed to start organizations of their own.

Although there was rapid growth and expansion of voluntary disability organizations both in the Maritimes and nationally throughout the 1950s and the first half of the 1960s, they also faced some adversity. It should come as no surprise that any organization looking to carve out new territory is likely to face some difficulties throughout the process, and this is exactly what happened to the fledgling New Brunswick chapter of the Canadian Paraplegic Association.

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<sup>64</sup> NSARM, RG-72, Vol. 3, No.21, Canadian Rehabilitation Council for the Disabled, "New CRCDD Chapter", 3.

<sup>65</sup> NSARM RG-72, Vol. 18, No.17, Report of the President of the Nova Scotia Chapter of the CRCDD, Feb.13, 1967.

As noted earlier in this chapter, New Brunswick split from the Maritime Division to form its own in 1963, but quickly ran into significant financial trouble and was close to closing its doors only two years later.<sup>66</sup>

Community volunteers were integral to the process of keeping the division afloat in those early years. One such example is Bob Jones, a career employee and Past Chairman of the New Brunswick Worker's Compensation Board, as well as a Past President of the Association of Worker's Compensation Boards of Canada, Jones was asked by Don Curren to serve as one of the original board members of the Maritime Division in the mid-1950s.<sup>67</sup> Profiled in a 1984 *Caliper* article that discusses his decades of service, it is noted that Jones volunteered to chair the Division in 1965 when it appeared to be close to closing, playing a key role in finding new funds and helping to stabilize the situation.<sup>68</sup> What is perhaps most interesting about the article outlining Mr. Jones' efforts, however, is this paragraph which discusses his forward-thinking opinions on persons with disabilities:

In addition to helping the New Brunswick Division to survive and grow, Bob has spoken out on issues long before they became popular. He promoted integration when few would listen and he called for active participation in society by disabled people before the concept of rights was widely recognized. He has hired the disabled and he has convinced many employers to follow his lead.<sup>69</sup>

As this paragraph illustrates, Jones, himself able-bodied, adopted a very progressive position on the disabled, their rights, and their place as citizens in Canadian society, one that stands out as far ahead of its time when contrasted with the viewpoints of many other able-bodied volunteers of disability organizations. This can perhaps be attributed to the fact that, as a volunteer of the

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<sup>66</sup> "Distinguished Service Citation" *The Caliper*, Vol.39 (Dec. 1984), 6.

<sup>67</sup> Ibid.

<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

Canadian Paraplegic Association, and a high-ranking official within both provincial and national worker's compensation organizations, Jones often found himself working directly with highly accomplished and motivated persons with disabilities.

As we have seen in this chapter, the years between 1951 and 1965 saw significant growth and change as it relates to disability organizations in Canada, whether they be national, regional, or local in scope. The presence of these organizations within the Maritimes was a notably positive development for the disabled of the region, and, along with the opening on both in-and out-patient rehabilitation facilities and the growth of rehabilitation related professions, helped to create burgeoning infrastructure of services and supports where none had existed before. Still, these developments did not come without difficulty, whether it be financial (as in the case of CPA New Brunswick), structural (the lack of physical accessibility in many public buildings, or the lack of access to appropriate educational facilities for cerebral palsied students) or attitudinal (the continued belief on the part of many government officials, rehabilitation professionals, and disability organizations that those with disabilities could succeed only with their guidance and support)

Organizations both national and regional stood on the brink of some important changes, changes that would later come to be seen as key to the continuing story of their evolution. Among the topics to be discussed in the next chapter are the impact of the various rights-based movements of the 1960s on the disability community in Canada, as well as the difficult, often contentious relationship between government funding agencies and the voluntary disability organizations they funded. In the case of this thesis, this phenomenon will be illustrated primarily through an analysis of correspondence between Don Curren of CPA and the Nova Scotia government. Also discussed will be a very important development in changing the culture

of disability organizations in this country, the first conference organized exclusively for disability advocates who were themselves disabled. This conference, held in Toronto in 1973, was groundbreaking in that it “provided the vehicle for disabled people from across the country to meet for the first time.”<sup>70</sup> This conference, in turn, galvanized many of its attendees, often young disabled Canadians, to return to their home provinces and create a new kind of community disability organization. Unlike any of its predecessors, these new organizations would be less concerned with the provision of services and supports, and instead focused on the issues of participation, integration, and rights. In short, a greater sense of citizenship.

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<sup>70</sup> Rene R. Gadacz *Re-Thinking Disability: New Structures, New Relationships* (Edmonton: University of Alberta Press, 1994), 149.

### **Chapter Three: Changing Tides, 1965-1976**

By the mid-1960s, voluntary disability organizations had been present on Canada's east coast for almost a decade and a half. In that time, many of the groups that existed had undergone significant change and expansion. The Canadian Paraplegic Association, for instance, grew from one Maritime Division office (located at Halifax's Camp Hill Hospital) which opened in 1951, to two separate divisions, with the other located in Fredericton, New Brunswick (with partial services available to Prince Edward Island as well) just over a decade later.<sup>1</sup> Similar growth and expansion also occurred within other disability organizations in the region, most notably when the Nova Scotia Society for the Care of Crippled Children, the organization that oversaw Easter Seals campaigns in the province, merged with the provincial chapter of March of Dimes to form a Nova Scotia chapter of the Canadian Rehabilitation Council for the Disabled, a process discussed in detail in chapter two.<sup>2</sup>

This chapter examines the years between 1965 and 1976 and contains a story that is arguably more compelling than those told in the previous two. This is because, unlike the two decades between 1945 and 1965, which I've shown were characterized by great growth and expansion of existing disability groups, the years between the mid-1960s and mid-1970s contained something different within the disability community—a change in philosophy. This change began in the first half of the 1970s and was manifested through a new kind of voluntary disability organization. This new kind of organization adopted a decidedly more political stance

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<sup>1</sup> Curren, "CPA in the Maritimes", 12.

<sup>2</sup> NSARM, RG-72, Vol. 3, No.21, Canadian Rehabilitation Council for the Disabled, "New CRCDC Chapter", 3.



than their predecessors like CPA and CRCDD, and in their capacity as advocacy organizations did not “directly provide hard or technical services (for example, equipment or devices), prosthetics, pharmaceuticals, transport systems, career training, or housing.”<sup>3</sup> Rather, they saw their role as being, “to enable individuals to perceive themselves as causal agents in achieving their own solutions to independent living and community integration.”<sup>4</sup> These new groups were part of a burgeoning movement within voluntary disability organizations in North America, one that came to be known as the consumer movement. Robert F. Drake defines a ‘consumer’ as “a person who has the condition to which a voluntary agency is addressed and who uses the services or facilities of that agency.”<sup>5</sup> The origins of these new consumer groups, as well as their policies and aims, will be analyzed in this chapter.

Existing organizations continued to be active. During the late 1960s and early 1970s, the national office of CPA was concerned with two main issues: architectural barriers, and the work of the “Woods Committee”, which was formed to study pensions and benefits for Canadian war veterans. In 1965 the National Building Code of Canada added Supplement No.7, which offered cities and municipalities a set of guidelines to improve architectural accessibility.<sup>6</sup> The latter, a three-person committee struck in the winter of the same year, would eventually produce a 1300-page report, that analyzed the work of the Canadian Pension Commission and made suggestions to improve it based on recommendations it received from various sources, including organizations like CPA.<sup>7</sup>

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<sup>3</sup> Gadacz, 129.

<sup>4</sup> Gadacz, 156.

<sup>5</sup> Robert F. Drake, “Consumer Participation: The Voluntary Sector and the Concept of Power” *Disability, Handicap & Society* Vol.7, No.3 (1992), 268.

<sup>6</sup> A.T. Mann, “Building Standards for the Handicapped” *The Caliper* Vol. 20, No.1 (Spring 1965), 8-10.

<sup>7</sup> Langford, “Veterans Affairs”, 12.

More locally, the Canadian Paraplegic Association's Maritime offices continued moving forward in much the same manner that they had been, with Curren continuing to joust with government officials about the function of the Association in Nova Scotia and the amount of funding they ought to be receiving. An analysis of the correspondence between these groups has great value, in that they reveal much about the negative and dismissive attitudes held by many of the bureaucrats, attitudes that lurked closely beneath a thin veneer of civility.

Though the available records on their activities are frustratingly incomplete, there is also evidence that cerebral palsy groups throughout the Atlantic region were increasingly active in this period. Included among this activity were two main projects. The first of these was a proposed new day care centre specifically for children with physical disabilities. While the records available do not indicate whether the facility ever actually opened, they do provide important details regarding the vision for the centre held by those involved in its planning. The other project that garnered significant attention among local cerebral palsy groups was the establishment of an Atlantic Cerebral Palsy Association. This occurred in mid-1972, and was described by its president, Richard Montigny, as, "the accomplishment of an idea advocated for for years without success."<sup>8</sup>

The records of the CRCDD during this period paint the picture of an organization struggling to maintain its place among an ever-more crowded field of voluntary disability organizations. Evidence from national executive director's reports, demonstrates that CRCDD is becoming increasingly concerned with issues such as funding sources, its relationship with the

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<sup>8</sup> NSARM, RG-72, Vol. 90, No.23, "Report on the Atlantic Cerebral Palsy Association", September 1972.

federal government, and its structure as it related to ties with provincial affiliates.<sup>9</sup> Locally, the CRCDC Nova Scotia chapter was very much invested in the growth and expansion of sheltered workshops in the province. Sheltered workshops have been defined as “facility-based day programs attended by adults with disabilities as an alternative to working in the open labor market.”<sup>10</sup> Though they are much less prevalent today, in the early 1970s they were a common means of providing employment to those who would otherwise be unable to work due to disability, whether physical or intellectual. As such, CRCDC was heavily involved in the operation of such a workshop in Halifax named New Leaf Enterprises.<sup>11</sup> CRCDC’s role in the operation of New Leaf occupies a prominent place in the CRCDC files of the early 1970s.

Without a doubt, however, the most significant project undertaken by the CRCDC in this period was its decision to sponsor a national conference of the physically disabled in Toronto, Ontario from November 4-7, 1973. Sixty-five delegates came together, representing every province.<sup>12</sup> It was this conference that served as the catalyst for the founding of the many new, consumer-driven disability organizations mentioned earlier in this introduction. Though they initially began as several individual groups spread primarily across the provinces of western Canada, by 1976 they had evolved into the Coalition of Provincial Organizations of the Handicapped, or COPOH, a national umbrella group that oversaw a network of provincial affiliates with representatives across the country. Its founding would prove to be one of the most

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<sup>9</sup> NSARM, RG-72, Vol.18, No.16, “Canadian Rehabilitation Council for the Disabled-Question Raised Regarding the Previous and Future Status of the Health Organization” from Appendices to the Minutes of the Annual Meeting of the CRCDC. Friday, October 20, 1967. 2-3.

<sup>10</sup> Laura C. Hoffman, “An Employment Opportunity or a Discrimination Dilemma? Sheltered Workshops and the Employment of the Disabled” *The University of Pennsylvania Journal of Law and Social Change*. Vol. 16, No.2 (2013), 151.

<sup>11</sup> NSARM, RG-72, Vol.76, No.2, CRCDC Board of Director’s Meeting, May 4, 1971.

<sup>12</sup> NSARM, RG-72, Vol.103, No.1.”President’s Report” in CRCDC NS Chapter 1973 Annual Report, 1.

significant developments in the history of Canada's disability rights movement.<sup>13</sup> As this introduction has shown, the decade between the mid-1960s and the mid-1970s contained myriad activities by disability groups in the Maritimes and abroad.

As was discussed briefly in chapter two, by the late 1950s and early 1960s, the issue of physical accessibility assumed a place of increasing prominence in the agenda of the Canadian Paraplegic Association, alongside traditional concerns such as procuring mobility aids and providing vocational training to the spinal cord injured. A.T. Mann, a high-ranking member of the CPA in this period, explored this issue in several articles in the *Caliper*. In the first one, Mann identifies architectural barriers as an issue that, while understood for many years to be unacceptable, was consistently pushed down the list of priorities as more urgent obstacles were dealt with. Wrote Mann:

The surprising fact, however, is not that we suddenly feel something should and can be done about it, but rather, that it should have taken so long to reach this point. We have been so busy worrying about research, treatment, appliances and the cost of welfare that we were prepared to live with a problem even though it tended to sabotage almost every rehabilitation plan.<sup>14</sup>

From here, Mann turned his attention to the "indifference" of many members of the able-bodied community to the issue:

Seldom did a schoolboard member give any thought to that flight of steps at the local school unless it happened to be his own youngster who was confined to a wheelchair or had to use braces or crutches. Nor did anyone object to the rising mound of steps at the church until the doctor took him aside to remind him that he was not as young as he used to be.<sup>15</sup>

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<sup>13</sup> Intro to Gadacz, xx.

<sup>14</sup> A.T. Mann, "Building Standards for the Handicapped" *The Caliper* Vol.20, No.1 (Spring 1965). 8.

<sup>15</sup> Mann, "Building Standards for the Handicapped", 8.

Later, he strikes a more positive note when he points to a changing tide regarding the issue in Canada, something he attributes in part to the work of the Associate Committee on the National Building Code. We learn from Mann that the Committee held its initial meetings in September of 1963 and produced the 20-page supplement in February 1965.<sup>16</sup> Mann discusses the role of Expo '67 in promoting some of Supplement No.7's provisions, but does say that overall, progress has been "slow", with implementation of the standards still optional for cities and municipalities. One jurisdiction that he does single out for praise is New Brunswick, where both Moncton and Fredericton had agreed to adopt the standards, with the premier also pledging that all future public buildings in the province would be built according to the standards it laid out<sup>17</sup> Mann's close attention to the developments in accessibility points strongly toward a broadened agenda for the national CPA.

In addition to this new concern, however, an older one once again returned to the fore. This issue was benefits for veterans. This time, it took the form of the Woods Committee, a committee of three private citizens selected to review the work of the Canadian Pension Commission.<sup>18</sup> A.C. Clarke, writing in *The Caliper*, assures readers that "officers of the Canadian Paraplegic Association were very active in the preparation and presentation of several briefs to the Committee" which were due on December 6<sup>th</sup> of that year.<sup>19</sup> One brief, which came from a body convened by CPA Managing the Director G.K. Langford, was proposed on behalf of the Multiple Disability Casualties, a coalition that includes representatives from CPA, The War Blinded, The War Amps, and the War Pensioners.<sup>20</sup> In it, they presented a proposal for a

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<sup>16</sup> A.T. Mann, "Architectural Barriers" *The Caliper* Vol.22, No.4 (Winter 1967), 8-9.

<sup>17</sup> Mann, "Architectural Barriers", 9.

<sup>18</sup> A.C. Clarke, "Veterans' Affairs" *The Caliper* Vol.21, No.3 (Fall 1966), 10.

<sup>19</sup> Clarke, "Veterans' Affairs", 10.

<sup>20</sup> Ibid.

statutory award in addition to the rate paid for a 100% pension for those pensioners whose disability, when assessed separately, total more than 100%<sup>21</sup> In the end, the Report of the Committee totalled more than 1300 pages, and put forward a number of recommendations, including the one proposed by Langford's group.<sup>22</sup> But, while the national group spent the latter part of the sixties on these two issues, the east coast branches of the organization, in particular the one led by Donald Curren, had a number of things on their own agenda.

As we know from chapter two, the Maritime divisions of CPA had been shedding light on the issue of physical accessibility at least as long as its national counterpart, with articles appearing in *The Caliper* as early as 1959. This continued into the late 1960s, and was aided by the release of Supplement No.7. In fact, this may have given the issue renewed momentum, as it prompted Donald Curren to write directly to Premier Stanfield on the issue in January of 1967. He wrote the letter on behalf of the Nova Scotia Rehabilitation Council, and says that they have "directed me to write to you on the matter of seeking legislation which would have the effect of making public buildings much more accessible to the blind, cardiacs, and those with ambulatory disabilities."<sup>23</sup> In the letter, Curren directly mentions Supplement no.7, as well as the fact that several U.S. states had passed accessibility-related legislation in recent years.<sup>24</sup> To conclude, he challenges the premier to make Nova Scotia the first Canadian province to do the same. The issue of the Maritime Division's position on physical accessibility is instructive, as it shows that sometimes, provincial or regional affiliates of national disability organizations seized upon certain issues as needing improvement at least as early-if not earlier-than the parent organization.

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<sup>21</sup> Ibid.

<sup>22</sup> G.K. Langford, "Veterans' Affairs" *The Caliper* Vol. 23, No. 2 (Summer 1968), 12.

<sup>23</sup> NSARM, RG-72, Vol. 18, No.17, Letter to Stanfield from Curren, January 20, 1967.

<sup>24</sup> Ibid.

Also like the national body, Curren was investing time in advocating for increased funding for disabled persons. But unlike the national group, whose primary focus in the period was on benefits for veterans, Curren spent his time agitating on behalf of disabled Nova Scotians of all kinds, lobbying for an increase in the province's Disabled Person's Allowance. In a letter to Gordon Tidman, the Minister of Public Welfare for Nova Scotia, Curren lays out a powerful argument as to why the monthly rate for the allowance ought to be increased:

At present many such persons have medical expenses ranging from \$25 to \$60 per month, with some even having higher costs. This means that in numerous situations, a disabled person receiving the maximum amount of social assistance (in the \$75 to \$100 range per month) has only \$25 to \$40 left over after medical expenses. Reason and intelligence tell us that these people are not able to exist on this amount, but must depend upon the charity of family or friends. Such a role, of course, is a most demeaning one, and not calculated to do much for the dignity and self-respect of the individuals with whom fate has not dealt in a kindly manner.<sup>25</sup>

Curren then continues the letter by pointing out that while some recourse did exist for disabled persons in the form of municipal relief, there was wide variance in the level available from jurisdiction to jurisdiction. Curren ends with a call for standardization in the relief offered from office to office.<sup>26</sup>

There is much to analyze in the contents of Curren's letter. Certainly his argument is made more powerful by his framing of the issue as one not of pure economic considerations, but as one of dignity and self-respect. In short, an issue of citizenship. The points being made by Curren echo many made by T.H. Marshall in his classic essay "Citizenship and Social Class". In it, Marshall explicitly links the rise of the institution of citizenship with the rise of capitalism

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<sup>25</sup> NSARM, RG-72, Vol.60, No.4, Letter to Tidman from Curren, January 29, 1970.

<sup>26</sup> Ibid.

which, as he points out, “is a system not of equality but of inequality.”<sup>27</sup> He would later write, “the more you look at wealth as conclusive proof of merit, the more you incline to regard poverty as failure.”<sup>28</sup> We can also see strong parallels between the structure of the Disabled Person’s Allowance as described by Curren and the old English Poor Law as written about by Marshall. Speaking of the Poor Law, Marshall wrote:

It offered relief only to those who, through age or sickness, were incapable of continuing the battle, and to those other weaklings who gave up the struggle, admitted defeat and cried for mercy. The Poor Law treated the claims of the poor, not as an integral part of the rights of the citizen, but as an alternative to them, as claims which could only be met if the claimants ceased to be citizens in any sense of the word.<sup>29</sup>

Indeed, like those Marshall describes when writing about the Poor Law, one gets the sense that Curren is writing on behalf of those he feels “incapable of continuing the battle”, but in so doing, is attempting to prevent them from “ceasing to be citizens in any sense of the word.”

The other important concept mentioned in Curren’s letter is that of charity. Charity, and its damaging effect on persons with disabilities, is something that has been considered in some detail by disability studies scholars. Bickenbach, for example, writes that charity exists as “undoubtedly the predominant normative understanding of the entitlements of persons with disabilities.”<sup>30</sup> He points to its stigmatizing effect in creating a chasm between the “virtuous ‘givers’ and the worthy, but utterly dependent, passive and deferential and humble receivers of alms.”<sup>31</sup> Rene R. Gadacz agrees. In *Re-thinking Disability*, Gadacz writes:

The volunteer/charity ethic has had the greatest impact on the funding and creation of various programs and services, and on the perpetuation of negative stereotypes of disabled people. Charity drives have used disabled children, usually with highly visible

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<sup>27</sup> T.H. Marshall and Tom Bottomore, *Citizenship and Social Class* (London: Pluto Press, 1992), 18.

<sup>28</sup> Marshall and Bottomore, *Citizenship and Social Class*, 20.

<sup>29</sup> Marshall and Bottomore, 15.

<sup>30</sup> Bickenbach, 192.

<sup>31</sup> *Ibid.*



neural or muscular-skeletal and motor impairments to solicit funds from the public...the relationship is probably of greater benefit to the able-bodied; guilty feelings are smoothed, social status is achieved by giving, and pleasures are derived from community group membership and participation.<sup>32</sup>

But Curren did not spend most of his time advocating for greater funding for Nova Scotia's disabled. Indeed, the majority of Curren's energies were spent simply trying to prove the worth of the association's work to those in charge of funding. In doing this, Curren was battling against a number of elements; one was a government that, at various times in the early to mid-seventies, was determined to tighten its spending; another was that this same government was becoming increasingly determined to avoid what it considered overlap or duplication of services, and so was trying to not only cap the funding the group received, but also narrow the number of services it offered; and finally, he had to contend with the attitudes and prejudices of some of the officials with whom he was attempting to communicate.

One clear example of the government's alleged move toward austerity as the 1970s began was seen in a letter to Curren from Tidman, Minister of Public Welfare. In addressing one of Curren's concerns from an earlier letter, that of abolishing the means test for persons to receive the Disabled Person's Allowance, Tidman wrote: "I can only tell you that our department is facing financial restrictions for the coming year which will make it very difficult to maintain programs at their present level. It has become quite impossible for us to think of a major increased financial expenditure on this scale."<sup>33</sup> This is a position that the government would maintain well into the decade, with Minister of Social Services Harold Huskisson writing to CPA Chairman Robert Smith at the beginning of 1976 that, "further to my letter of December 30, 1975, I would like to emphasize that the year ahead will be one of severe fiscal restraints, and

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<sup>32</sup> Gadacz, 66.

<sup>33</sup> NSARM, RG-72, Vol.60, No.4, Letter to Curren from Tidman, January 30, 1970.

that undoubtedly the restraints placed upon our department will be reflected in the level of grant we are permitted to give your organization.”<sup>34</sup>

Not surprisingly, the government’s concern with saving itself money led it to begin to more closely scrutinize its expenditures, which included grants to organizations like CPA. Consequently, one of the most commonly repeated phrases in correspondence between the organization and the government was that of “duplication of services.” Specifically, the service in question was that of field work, wherein CPA field workers would be assigned to clients in the community to help them adjust to life post-injury, and to provide vocational and other supports. The government felt that it had counsellors on staff who could provide the same service at less cost to the province.

The term appears in internal government correspondence as early as the first week of 1970 in a letter from Provincial Rehab Coordinator Frank Wellard to Gerry Matthews, the Director of Social Development and Rehabilitation for Nova Scotia.<sup>35</sup> It would continue to be sprinkled throughout government correspondence for years to come.<sup>36</sup> Curren and the CPA would counter this idea of duplication of service by arguing that because the rehabilitation officers of the CPA had greater experience with, and knowledge of, the needs of the spinal cord injured, the field work could not be performed as well by their government counterparts. In a letter to Tidman, CPA Chairman J.P. Carey wrote that field work enables many paras and quads “to arrive at the point where they are once again established in their home communities or successfully relocated in an area which has more opportunity for them to further their education

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<sup>34</sup> NSARM, RG-72, Vol.141, No.7, Letter from Harold Huskison to Robert Smith, January 7, 1976.

<sup>35</sup> NSARM, RG-72, Vol.60, No.4, Letter from Wellard to Matthews, Jan.6, 1970.

<sup>36</sup> Other examples include NSARM, RG-72, Vol.68, No.5, Letter from Matthews to F.R. MacKinnon, June 12, 1972, and NSARM, RG-72, Vol.114, No.29, Letter to Curren from Matthews, November 8, 1974.

or find employment.”<sup>37</sup> Interestingly, Carey takes the opposite position to the government in terms of the economic impact of the association’s field work, arguing that it saves the government money rather than costing it.<sup>38</sup> Support for the field work function of the association also came from W.D. Stevenson, Professor at Dalhousie University and Head of Neurosurgery at the Victoria General Hospital. In a letter to Curren dated January 18, 1971, Stevenson wrote:

With over 300 paraplegic and quadriplegic patients now requiring regular follow-up, as well as the intensive time requirements of approximately 25 new patients each year, it would seem to me in the long run more practical, more economical, and a better service for the patients for the provincial department to support the rehabilitation officers of the association.<sup>39</sup>

What is most interesting in reading both the correspondence between CPA and government, and intergovernmental correspondence regarding CPA is the negative and patronizing attitudes that are apparent on the part of government officials toward the organization and, by extension, persons with disabilities. This patronization is evident when one reads letters like one sent by G.L. Beazley, Deputy Provincial Secretary, to G.I. Smith, Minister of Finance and Economics.

Beazley wrote:

I had a visit from D.E. Curren, Executive Director of the local branch of the Canadian Paraplegic Association, who is looking for an increase in the grant given to the society. I told him he was in the wrong place, and that and that he should either see you or Mr. Donahoe, or Mr. Harding. *He seemed disappointed and inasmuch as he is a paraplegic I told him I would listen to his request and pass it along.*<sup>40</sup> (emphasis mine)

Notice that Beazley chooses not to emphasize Curren’s standing as a trained lawyer and member of the Nova Scotia Bar, or as the Executive Director of one of the largest disability organizations in the province, but as simply “a paraplegic.” These kinds of attitudes toward Curren and the

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<sup>37</sup> NSARM, RG-72, Vol.60, No.4, Letter to Tidman from J.P. Carey, December 15, 1969.

<sup>38</sup>Carey to Tidman, December 15, 1969.

<sup>39</sup> NSARM, RG-72, Vol.68, No.4, Appendix ‘F’-“A Brief on Paraplegia in Nova Scotia”- Letter from W.D. Stevenson to Donald E. Curren, January 18, 1971.

<sup>40</sup> NSARM, RG-72, Vol.35, No.2, Letter to G.I. Smith from G.L. Beazley, February 8, 1966.

association were widespread and persistent. A memo from James A. MacIsaac, Coordinator of the Provincial Welfare Council, to F.R. MacKinnon in 1972 states that, “this association possesses tremendous public support which can be attributed to the feeling one experiences when meeting a paraplegic or quadriplegic.”<sup>41</sup>

Pity and patronization were not the only attitudes displayed toward the CPA and its Executive Director. In a heavily edited letter that was never sent, F.R. MacKinnon, the Deputy Minister of Public Welfare, made little effort to hide his distaste for the group: “I have come to the end of my tether in respect to this particular organization, its Executive Director, and the grant itself,” he wrote. “The only conclusion I can come to is that I forget programming and the right and wrong of it and make a recommendation solely on expediency and let it go at that.” Concluding the letter, and speaking of Curren, he said, “he is either at your feet or at your throat.”<sup>42</sup> While there is little doubt that Curren was persistent in pushing for funds for his organization, the level of annoyance shown by MacKinnon here seems out of step with what would be expected regarding even the most aggressive of organizations. Whatever the reason for his anger, this correspondence offers a fascinating glimpse into the ways in which voluntary organizations interacted with government funding sources.

As was alluded to in this chapter’s introduction, cerebral palsy groups in the Maritime provinces continued to grow and focus on new initiatives. One of the most compelling examples was an attempt to open a daycare facility exclusively for physically disabled children in Halifax in the early 1970s. The conversation surrounding the daycare’s potential opening contains much fascinating information. A brief submitted by the Halifax Cerebral Palsy Association in October

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<sup>41</sup> NSARM, RG-72, Vol.68, No.4, Memo from James A. MacIsaac to F.R. MacKinnon, July 17, 1972.

<sup>42</sup> NSARM, RG -72, Vol.169, No.9, Draft letter to Minister from F.R. MacKinnon, March 14, 1977.

of 1972 states that the daycare's purpose is "to encourage normal growth and development of the physically disabled child" in the areas of socialization, self-care, play, communication, and pre-school skills.<sup>43</sup> Admission was predicated upon the child being between the ages of two and five, and "physically handicapped to the extent that he could not attend regular daycare." This was to be evaluated by a screening committee, the make-up of which included various healthcare professionals including a doctor, a physiotherapist, an occupational therapist, and a psychologist, as well as the daycare coordinator and a member of a "parent organization". Not surprisingly, there was no disabled person included on the screening committee, which the proposal said would have "absolute control" over admittance or refusal.<sup>44</sup>

Even more interesting than the structure of the daycare was the question of whether and how it should be funded. Some, like F.R MacKinnon, took the position that the centre deserved consideration for funding that went beyond that given to the average facility. In a letter to Gerry Matthews, he wrote, "I am not convinced that this day care centre should be treated precisely as any other. These children are severely handicapped. That makes it very different as contrasted with those centres where the children have no physical handicap."<sup>45</sup> Moreover, MacKinnon was impressed by the level of community support the centre had received, and the level of independence its organizers had shown: "the community impact with respect to this centre has been magnificent, most day care centres know only one rule, and that is to run to the government...they load up with staff, and then complain because they are inadequately funded by the province. By any reasonable standard this particular day care centre is different."<sup>46</sup>

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<sup>43</sup> NSARM, RG-72, Vol.90, No.2, "Appendix 'B' - "Plan for Day Care Centre" in "Submission of Request for Funds- Nova Scotia Government" October 2, 1972.

<sup>44</sup> "Appendix 'B' - "Plan for Day Care Centre", October 2, 1972.

<sup>45</sup> NSARM, RG-72, Vol.90, No.23, Letter from MacKinnon to Matthews, March 19, 1973.

<sup>46</sup> MacKinnon to Matthews, March 19, 1973.

Not everyone shared MacKinnon's position, however. More than once, a direct comparison was made to 'a day care centre for the mentally retarded' that was registered in Halifax in 1972. It was stated that they didn't 'receive special treatment', only that they received their facility rent-free.<sup>47</sup> Unfortunately, the troubling conflation of physical and mental impairment was all too common in this era. In the end, while the records available don't state whether the centre ever opened, it seems unlikely as the Minister's Advisory Committee on Day Care recommended rejected its application for special funding.

Another major initiative undertaken by local cerebral palsy associations in this period was the formation of an Atlantic Canadian Cerebral Palsy Association. The Association's first President, Richard Montigny of Prince Edward Island, called its formation "a major contribution to the progress of the cerebral palsied in the Atlantic area."<sup>48</sup> He went on to note that, "the four Atlantic provinces...decided that progress could better be made as a united group" with only the St. John's Parent's Council voting against the group's creation. Structurally, the group included a Board of Directors made up of seven officers and a representative from each member association. Montigny said that those involved were "confident that our association will provide one united voice for cerebral palsy in the Atlantic region and provide a stronger liaison with other groups and individuals as we seek to gain the rightful place in society for the cerebral palsied."<sup>49</sup> It seems clear that what Montigny is referring to is the group's potential role in helping the region's cerebral palsied attain a greater sense of citizenship.

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<sup>47</sup> NSARM, RG-72, Vol.90, No.23, See letter from Shirley Bradshaw, Chairman of the Provincial Daycare Advisory Board to Hon. William Gillis, Minister of Welfare, Jan. 29, 1973, and a memo from D.H. Johnson, Administrator of Family and Child Welfare to F.R. MacKinnon, March 21, 1973.

<sup>48</sup> NSARM, RG-72, Vol.90, No.23, "Report on the Atlantic Canadian Cerebral Palsy Association"-Presented as part of the minutes of the Third Annual Meeting of the Canadian Cerebral Palsy Association, September 9, 1972.

<sup>49</sup> "Report on the Atlantic Canadian Cerebral Palsy Association", September 9, 1972.

More intriguing still was the discussion beginning to appear among CP associations at both the national and the local level, particularly among cerebral palsied youth. This discussion held that young adults with cerebral palsy should be taking a more active role in associations that purported to work on their behalf.<sup>50</sup> At the time of the 1972 annual meeting of the national group, its board contained four members who themselves had cerebral palsy, including Montigny of PEI and Cecil Whitten of Newfoundland and Labrador.<sup>51</sup> At the same conference, Nova Scotia President John McMullin reported that, in addition to the already established groups in Halifax and Sydney, “another new group was formed in the city, over three meetings held by the young adult group. The purpose of this group has not yet been defined, rather it is hoped that the young people will evolve their own aims and objectives and eventually take control of their own destiny.”<sup>52</sup> McMullin also notes that the local Nova Scotia groups are affiliated with both the Nova Scotia Chapter of CRCDD and the national office in Toronto. CRCDD was soon to orchestrate arguably the single most important event related to voluntary disability organizations in Canada since the formation of CPA nearly three decades before.

By the mid-1960s, the Canadian Rehabilitation Council of the Disabled was an organization in flux. The landscape of voluntary disability organizations had become more crowded, the competition for dollars fiercer. Dr. Keith Armstrong, the national Executive Director, reflected on this in his 1967 annual report as he spoke of the increasing difficulty in obtaining private funds, “due to a multiplicity of fund-raising appeals. This has been aggravated by the rapid increase in the number of agencies founded since World War Two.”<sup>53</sup> Given this

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<sup>50</sup> Minutes of the Third Annual Meeting of the Canadian Cerebral Palsy Association, 5.

<sup>51</sup> Ibid.

<sup>52</sup> “Report of the Nova Scotia Cerebral Palsy Association”- Third Annual Meeting of the Canadian Cerebral Palsy Association.

<sup>53</sup> NSARM, Vol. 18, No. 16 CRCDD, “Questions Raised Regarding the Previous and Future Status of the Health Organization”, 1.

circumstance, Armstrong correctly predicted that there would be a shift toward government funding as the major source of support for voluntary agencies.<sup>54</sup> Of course, this funding structure still dominates in Canada to this day. Interestingly, Armstrong makes the comment that, “it is claimed that the modern sophisticated health agency is in fact not voluntary in that its real controls are in the hands of professionals, who lack the legislative controls or the pressures of the public department.”<sup>55</sup> Though he likely didn’t know it at the time, voluntary agencies, whose “real controls are in the hands of professionals” would face a stern challenge in the coming years.

On a local level, CRCDC’s Nova Scotia chapter was focused to a great degree on the issue of vocational rehabilitation. Most of their efforts in this area were focused on New Leaf Enterprises, a sheltered workshop for both physically and mentally impaired individuals. Writing in a U.S. context, law scholar Laura C. Hoffman traces the rise in popularity of sheltered workshops to the decades of the 1950s and 1960s.<sup>56</sup> These workshops served as a means of employing disabled persons who were not ready for, or not able to, find employment in a more competitive environment. The structure of these workshops typically took the form of manufacturing or production of products, with employees being paid a small stipend, very often less than the minimum wage. Perhaps not surprisingly, the existence of these types of workshops was long a source of controversy, with many believing them to be exploitative of persons with disabilities.<sup>57</sup> The 1975 U.N. Declaration on the Rights of Disabled Persons took a similar position, stating: “disabled persons have the right to economic and social security and to a decent

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<sup>54</sup> , “Questions Raised Regarding the Previous and Future Status of the Health Organization”, 2.

<sup>55</sup> , “Questions Raised Regarding the Previous and Future Status of the Health Organization”, 3.

<sup>56</sup> Laura C. Hoffman, “An Employment Opportunity or a Discrimination Dilemma? Sheltered Workshops and the Employment of the Disabled” *The University of Pennsylvania Journal of Law and Social Change* Vol.16, No.2 (2013), 154.

<sup>57</sup> Hoffman, “An Employment Opportunity or a Discrimination Dilemma?”, 160.



level of living. They have the right, according to their capabilities, to secure and retain employment or engage in a useful, productive and remunerative occupation and to join trade unions.<sup>58</sup>

New Leaf Enterprises provides a good example of these conflicting opinions on sheltered workshops in a Maritime context. The operation received significant attention at a May 4, 1971 board meeting of CRCDC NS. The minutes of the meeting reveal that those present considered the workshop program to be very worthwhile, but that they felt that a committee consisting of CRCDC and provincial government members should be struck to investigate ways to improve motivation and incentives for workers.<sup>59</sup> The most noteworthy aspect of these minutes was when an unknown speaker expressed deep reservations about the structure of the current system:

It is not a happy thing to contemplate the wage now being paid at New Leaf Enterprises. It is my feeling that a wage below the minimum poverty line defeats in its entirety any effort being made towards rehabilitation. How can a man be rehabilitated on \$12.00 a week? Where is the dignity in receiving a welfare cheque on one hand and having his meagre earning from New Leaf deducted from it? Because success is measured in our society by the ability to earn, this man, though nicely in the process of rehabilitation on paper, is still a failure in his own estimation and the estimation of his family and friends. It is my opinion that every client working at New Leaf Enterprises should be paid a minimum living wage with added increments according to his production.<sup>60</sup>

Another striking aspect of these CRCDC documents is the degree to which they fail to differentiate between physically and intellectually disabled clients. There is little to no effort to tailor programming to a person's intellectual capacities, and those in leadership positions persisted in their belief that their leadership was essential to the best interests of the disabled.

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<sup>58</sup> Declaration on the Rights of Disabled Persons, G.A. Res 3447 (XXX) U.N. Doc A/Res/3447 at 88 (1975), quoted in Hoffman, 161.

<sup>59</sup> NSARM, RG-72, Vol.76, No.2, CRCDC NS Board of Directors Meeting Minutes, May 4, 1971, 1.

<sup>60</sup> CRCDC NS Board of Directors Meeting, May 4, 1971, 2.

Consider the following statement: “Then children grow up. The dreams and fantasies of the child must end. Their physical abilities and emotions must be assessed and then a broad and meaningful program of training must be presented to them so that they may integrate as individuals in varying degrees into the mainstream of life.”<sup>61</sup> Soon, however, CRCD and others would encounter resistance to these attitudes, and one event in November of 1973 was pivotal in creating sustained momentum for that resistance.

This event was a national conference sponsored by CRCD and supported financially by the Welfare Grants Division of the National Department of Health and Welfare. Held in Toronto from November 4-7, 1973, it included sixty-five delegates from every province of the country.<sup>62</sup> Among these sixty-five delegates were Kay Reynolds and Richard Montigny of Prince Edward Island.<sup>63</sup> The conference focused on six different areas-housing, transportation, education, financial security, culture and recreation-and featured a keynote address by Dr. B.H. Young. Young’s remarks seemed to capture the changing tide among the disabled in attendance when he said:

It is, in my opinion, society’s obligation to provide for its citizens equal (equal is not necessarily the same) opportunities to develop their maximum potential in the commonly accepted areas of living...I support this expression and would suggest that the time has come to be ashamed of knocking on doors and begging for money on behalf of the basic human needs of disabled people...if the knocking on doors is to continue, and continue it probably must for some time to come, it should be for the purpose of supporting some of the expanding needs as expressed by the disabled themselves.<sup>64</sup>

Many of the conference’s sixty-five attendees returned to their home provinces galvanized to capitalize on the momentum created by the conference. This was certainly true of

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<sup>61</sup> NSARM, RG-72, Vol.76, No.3, President’s Report-CRCD NS Annual Meeting, Feb. 18, 1972, 2.

<sup>62</sup> NSARM, Vol.103, No.23, President’s Report-CRCD NS 1973 Annual Report.

<sup>63</sup> Meggs, “30 Years and Counting”, 1.

<sup>64</sup> President’s Report-CRCD NS 1973 Annual Report.

Reynolds and Montigny, who returned to the Island with the idea to hold a similar conference there. After securing funding from the provincial government, this conference took place March 29 -31, 1974, at the Charlottetown Hotel.<sup>65</sup> Close to one hundred Islanders attended the conference, which focused on the same six areas as the national conference four months earlier. It also featured several guest speakers, including Mona Weinberg, editor of the disability-focused *Contact Magazine*, and Wilf Race, Director of CRCDC's national association. Both had a similar message of persons with disabilities taking control of their own destinies, something somewhat ironic in the case of Race, whose organizations had historically paid little attention to the perspective of persons with disabilities.

The Island conference also led to the passing of 29 resolutions that became the core of a proposal to the provincial government aimed at improving the lives of Islanders with disabilities.<sup>66</sup> Among these was a recommendation that the province introduce a new cabinet post, the Minister Responsible for the Disabled. By late 1974, future premier Catherine Callbeck was appointed to the position.<sup>67</sup> This was important because it hinted at the possibility of greater importance being placed on disability by provincial government's moving forward. Another was a resolution to create a permanent cross-disability organization on Prince Edward Island. This one was arguably the most important of the twenty-nine because it set events in motion that would eventually lead to the formation of the Council of the Disabled, which brought the consumer disability movement to Prince Edward Island. The first such event was the formation of a steering committee to put this plan in motion, one that featured both Reynolds and Montigny

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<sup>65</sup> Meggs, 1.

<sup>66</sup> Meggs, 2.

<sup>67</sup> Ibid.

(as Chair) as well as Milton Fitzpatrick, Kevin Walsh and Phil Bower.<sup>68</sup> The newly constituted PEI Council of the Disabled had its first meeting in January of 1975.<sup>69</sup>

In addition to the actions taking place on PEI, the CRCD-sponsored conference seemed to act as a catalyst for a hotbed of disabled organizing in the western part of the country as well. Very soon, groups like the Alberta Committee of Action Groups, and Saskatchewan's Voice of the Handicapped emerged to establish the first cross-disability organizations in their provinces.<sup>70</sup> Another of these groups, the Winnipeg-based Manitoba League of the Physically Handicapped, organized Canada's first-ever conference run exclusively by persons with disabilities in October, 1975. Similar to the conferences in Toronto and Charlottetown, this one focused on issues like accessible transportation, housing, education, architectural barriers, and human rights.<sup>71</sup> Perhaps most importantly, according to Fraser Valentine, the conference impressed upon its attendees the importance of networking and information sharing. Taking this a step further, they soon decided to form the Western Alliance, composed of the groups from all three prairie provinces. In January of 1976, the Alliance met in Saskatchewan to discuss such things as their structure, mandate, and objectives. Once there, they concluded that limiting their vision to the West was too narrow, and they decided to form the first ever national consumer-based, cross-disability organization, the Coalition of Provincial Organizations of the Handicapped (COPOH)<sup>72</sup>

Upon its founding in 1976, COPOH adopted a similar structure to predecessor groups like CRCD, with the national body serving as a means of information sharing and cooperation, while its provincial affiliates remained autonomous. The new organization saw itself serving a

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<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

<sup>70</sup> Valentine, 64.

<sup>71</sup> Valentine, 65.

<sup>72</sup> Valentine, 66.

number of purposes, such as: developing policies on national issues concerning persons with disabilities; acting as an advocate and lobby force at the federal level on legislative policies; providing a national information sharing vehicle; monitoring existing legislation, policies, and service delivery systems relating to the needs of disabled citizens; and ensuring that the input of disabled people be heard in the federal decision- making process, as these relate to the concerns of persons with disabilities.<sup>73</sup> With the birth of COPOH, and all of its provincial affiliates, Canada's-and by extension, the Maritimes'- consumer disability movement had been born.

The inspiration for the Canadian consumer disability movement, and its focus on the concepts of rights and citizenship, came from several similar movements that had come before, including the U.S. civil rights movement, the women's movements of the 1960s and 1970s, and the parallel disability rights movement that had begun some time earlier in the United States.<sup>74</sup> This idea is echoed by Evelyn Kallen, who writes, "during the 1970s, the influence of the burgeoning North American minority rights movements, such as the civil-rights movement and the women's liberation movement, served to generate a sense of collective awareness among Canada's disabled."<sup>75</sup> Moreover, in describing the climate in which this new consumer movement emerged, Kallen writes that by the latter part of the 1970s:

A growing number of disabled persons, in reaction against the dominance of large, established (majority controlled) total institutions in Canada were determined to control their own destinies. Further, they were banding together in an activist self-advocacy movement not only to tell each other, but also to make their voices heard by majority Canadians. The voices were expressing their demand that disabled Canadians should be accorded their fundamental human right to full participation as equal citizens in Canadian society at large.<sup>76</sup>

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<sup>73</sup> Diane Driedger, 7-8.

<sup>74</sup> Michael J. Prince, *Absent Citizens: Disability Politics and Policy in Canada* (Toronto: University of Toronto Press, 2009), 16.

<sup>75</sup> Kallen, *Label Me Human*, 147-148.

<sup>76</sup> Kallen, 148.

As previously noted, since their origin, Canadian consumer disability organizations have steered clear of the provision of any ‘hard services’, instead taking it as their mandate to “monitor service provision, not engage in it.”<sup>77</sup> The consumer movement’s philosophy is also predicated upon the idea that the disabled themselves, as consumers of services, should have the greatest influence on the way these services are offered. Members of the movement also recognize their importance in changing the political reality, as according to Rene Gadacz, “disabled individuals recognize that changes in themselves or in society will never take place without their own direct involvement in changing the conditions or circumstances of their impression.”<sup>78</sup>

As we can see from this chapter, the years between 1965 and 1976 were key to the growth of disability advocacy in Canada and the Maritimes. Existing organizations like CPA, who had up to this point concerned themselves almost exclusively with service and support provision, were now branching out to advocate for greater inclusion for disabled persons in Canadian society, particularly as it pertained to the issue of physical accessibility. At the local level, CPA was primarily concerned about obtaining sufficient funding to allow itself to maintain and grow the services it offered its clients, with a particular focus on its field work program.

Elsewhere, other disability groups like CRCD-both national and provincial- and local cerebral palsy associations began for the first time to consider the importance of the “disabled perspective.” While the parents and professionals in leadership positions still firmly believed they knew best the appropriate direction in which to steer the lives of the disabled in their own

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<sup>77</sup> From “Defining the Parameters of Independent Living” a 1987 COPOH self-published document, quoted in Gadacz, 174.

<sup>78</sup> Gadacz, 123.

organizations, the predominance of their viewpoint, largely unchallenged for decades, would soon be re-evaluated (and often rejected) by increasing numbers of Canadians with disabilities.

Despite this, there remained ample evidence that many old ideas were still very much alive in the thinking around disability issues in this country. Whether it be the continued use of facilities like sheltered workshops as a catch-all solution to employment issues, a persistent lack of nuance and understanding when it came to things like differentiating between different levels and types of impairments, or the stubborn belief that those with disabilities were unlucky victims of tragedy to be pitied and patronized. In all, there were numerous examples that proved that there was much work and education that remained to be done.

Still, a slowly changing tide-coupled with a struggle for more traditional disability organizations to find their place with it-led to some of the earliest opportunities for young, politically-minded persons with disabilities to meet and discuss the problems and issues they felt were most pertinent to their day-to day lives. This, in turn, led these advocates to create new kinds of organizations in their own image. Some of the groundbreaking work undertaken by these groups in their early years will be the subject of the next chapter.

## **Chapter Four: The Consumer Movement in the Maritimes and Abroad, 1976-1982 .**

By 1976, the consumer-driven disability organizations had become firmly established in Canada. Here we recall Robert F. Drake's definition of a consumer as mentioned in chapter three as "a person who has the condition to which a voluntary agency is addressed and who uses the services or facilities of that agency."<sup>1</sup> The Canadian Association of Independent Living Centres defined a consumer-controlled organization as one in which "all services will be controlled by a majority of PWDs (persons with disabilities) and PWDs have a high degree of choice in the individual services they receive. This principle responds to services which have historically been dominated by professionals."<sup>2</sup>

A national umbrella organization, the Coalition of Provincial Organizations of the Handicapped, or COPOH, had been formed as an extension of predecessor groups in western Canada, and provincial affiliates had begun to be formed in provinces from coast to coast.<sup>3</sup> The activities of COPOH will be a central focus of this chapter. Central among these activities included marshalling the support of these affiliates as they worked to establish themselves as a politically influential organization from coast to coast, with a particular focus on the nation's capitol. As this chapter will show, COPOH was able to use the issue of the inclusion of disability as a prohibited ground for discrimination in the newly proposed Charter of Rights and Freedoms as a galvanizing force in achieving this end. It will also discuss the work of COPOH's Maritime affiliates and other like-minded groups as they worked to solidify their presence, obtain

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<sup>1</sup> Drake, "Consumer Participation", 268.

<sup>2</sup> Canadian Association of Independent Living Centres, *A Time for Change, the Time for Choices: A Proposal for Improving Social Security Arrangements for Canadians with Disabilities* (Ottawa: CAILC, 1994):8. Quoted in Valentine, 71.

<sup>3</sup> Valentine, 66.



greater levels of funding, and improve the lives of their clients in such areas as transportation, education and employment.

Of course, any discussion of the activities of consumer organizations in the Maritimes would be remiss if it did not also include an examination of some of the important actors behind this work. One example is Kay Reynolds of Prince Edward Island, mentioned briefly in the last chapter as one of the individuals responsible for the formation of the Council of the Disabled in PEI, and one of the most widely recognized disability advocates in the province.<sup>4</sup> Another is Shaun McCormick of Halifax, one of the founders of the Disabled Individuals Alliance (DIAL), a precursor to the Nova Scotia League for Equal Opportunities, which eventually became that province's member of COPOH.<sup>5</sup> In addition to his work in Nova Scotia, McCormick was also a consistent participant in major lobbying efforts to the federal government, some of which will be analyzed later in this chapter.<sup>6</sup>

In addition, the potential influence of the consumer movement on older, more established organizations will be examined. One can begin to discern a shift in content and coverage in *The Caliper*, from the late 1970s and early 1980s. There comes to be a much greater emphasis on issues that were also of importance to groups like COPOH, particularly human rights.<sup>7</sup> Whether this was because CPA felt that in order to remain relevant they had to adapt to the changing politics of the day, or because there had been a move toward younger leadership whose vision

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<sup>4</sup> As a testament to this, Reynolds was named *The Guardian* newspaper's "Islander of the Year" in 1981. See Meggs, 9.

<sup>5</sup> *Disabled Persons in Canada*, 32.

<sup>6</sup> William Boyce et al. "The Canadian Charter of Rights and Freedoms: The Political Battle Over Four Words" in *A Seat at the Table: Persons with Disabilities and Policy Making* (Kingston: Queen University Press), 57.

<sup>7</sup> As examples, see Joanne McLeod, "Focus on Human Rights" *The Caliper* Vol.33, No.1 Spring 1978), 6-7, G.K. Langford, "Legislation" *The Caliper* Vol.33, No.2 (Summer 1978),7., and Robert Hunn, "Interview with Gordon Fairweather" in *The Caliper* Vol.34 (Winter 1979-'80), 7-8.

more closely aligned with that of consumer advocates is hard to say, but one can certainly begin to detect a shift in the thinking of older groups like CPA.

This chapter will also analyze some of the major national and international events that had a direct effect on the Maritime disabled community in this period. One of the most important of these was the Rehabilitation International World Congress, held in Winnipeg in June of 1980. It was here that disabled delegates decided to split from Rehabilitation International (RI)- an international network of rehabilitation and disability-related organizations run primarily by able-bodied professionals- and form their own consumer-driven network, which would come to be known as Disabled People's International.<sup>8</sup>

Another major international development in this period was the U.N. General Assembly's proclamation of 1981 as the International Year of Disabled Persons.<sup>9</sup> This process began in late 1975 when the U.N. adopted a resolution entitled "Declaration on the Rights of Disabled Persons", and came about as a result of the United Nations' deep concern "that no less than five hundred million persons are estimated to suffer from disability of one form or another, of whom four hundred million are estimated to be in the developing countries."<sup>10</sup>

The chapter will also discuss some the actions that the Canadian government began to undertake to get a better sense of the quality of life and the issues faced by its disabled citizens. A major part of this action was the creation of a Special Committee on the Disabled and Handicapped. The Committee's work included the conception, research, and publication of a

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<sup>8</sup> Driedger, 35.

<sup>9</sup> See, U.N. General Assembly Thirty-First Session, Resolution 31/123, 16 December 1976. [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/31/123](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/31/123) Accessed Feb. 22, 2018, and U.N. General Assembly Thirty-Sixth Session, Resolution 36/77, 8 December 1981. <http://www.un.org/documents/ga/res/36/a36r077.htm>. Accessed Feb. 22, 2018.

<sup>10</sup> U.N. General Assembly Thirty-Sixth Session, Resolution 36/77, 8 December 1981.

multi-volume report on the challenges faced by Canadians with disabilities entitled “Obstacles”.<sup>11</sup> The first volume of this report would end up containing one hundred and thirty recommendations for action across such areas as Human and Civil Rights, Housing, Independent Living, and Transportation.<sup>12</sup> The various volumes of the report would act as an important guide for the federal government in helping to shape its policy on disabled persons throughout the 1980s and beyond.

Finally, the chapter will conclude its analysis by considering what might be called the single most important victory of the Canadian disability rights movement to date, the inclusion of disability as prohibited grounds for discrimination as included in Section 15 of the Canadian Charter of Rights and Freedoms.<sup>13</sup> The discussion of this important development will include an examination of the strategy and tactics employed by disability rights advocates in protesting for inclusion; the resistance on the part of the federal government to include disability in the Charter; some of the Maritime-based advocates who were directly involved; and how the government came to relent and extend Charter protection to those with disabilities.

While the U.N. “Declaration on the Rights of Disabled Persons” in December 1975 likely went some way toward bringing attention to the issue of rights for disabled persons in this era, the simultaneous rise of the consumer movement across North America and elsewhere undoubtedly played an important role in this process as well. Moreover, I would argue that in looking at the focus of older organizations such as CPA, one can detect the influence of the

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<sup>11</sup> David Smith, *Obstacles: Report of the Special Committee on the Disabled and Handicapped* (Ottawa: Minister of Supply and Services Canada, 1981).

<sup>12</sup> Smith, *Obstacles*, 19.

<sup>13</sup> Yvonne Peters, “From Charity to Equality: Canadians Take Their Rightful Place in Canada’s Constitution” in *Making Equality: A History of Advocacy and Persons with Disabilities in Canada*. Deborah Steinstra and Aileen Wright-Felske eds. (Concord, Ont: Cactus Press, 2003), 131.

consumer movement as playing an important part in inspiring a shift in focus away from a purely service and support-oriented outlook. Evidence of this can be seen in the pages of *The Caliper*. In its Spring 1978 issue, Joanne McLeod wrote of a seminar that occurred in Fredericton, New Brunswick in November of 1977, entitled, “The Physically Disabled: Rights and Resources.” The seminar included one hundred twenty-five delegates from across New Brunswick, as well as Ottawa and Washington, D.C.<sup>14</sup> According to McLeod, “the seminar grew out of a desire of the New Brunswick Human Rights Commission and agencies concerned with the well-being of the disabled to make the public more aware of the problems faced by the physically disabled and the resources available to them.”<sup>15</sup>

The keynote address for the seminar was given by Dr. Noel Kinsella, Chairman of the New Brunswick Human Rights Commission, and was notable because, instead of choosing to focus on “hard” obstacles such as accessibility or employment, Kinsella focused his remarks on the handicapping effect of society’s perception of the disabled. He said: “there is a definite misconception of the physically disabled person as a “sick” individual, society sometimes values the handicapped as non-productive, as non-sexual, and those are the most debilitating of roles to break out of.”<sup>16</sup>

*The Caliper* would continue to produce pieces that focused on greater rights for disabled Canadian as the decade came to a close, with its Winter 1979-80 issue containing an interview with Gordon Fairweather, a former New Brunswick MLA and Attorney-General who was named the first Chief Commissioner of the Canadian Human Rights Commission on 31 August 1977.<sup>17</sup>

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<sup>14</sup> Joanne McLeod, “Focus on Human Rights” *The Caliper* Vol.33, No. 1 (Spring 1978), 6.

<sup>15</sup> McLeod, “Focus on Human Rights”, 6.

<sup>16</sup> Ibid.

<sup>17</sup> Hunn, “Interview with Gordon Fairweather”, 6-7.

The interview touches on subjects like federal human rights legislation and employment policies of employers in both the private and public sectors. Interestingly, in commenting on barriers to employment for disabled persons, Fairweather's comments, like those of Kinsella's keynote address, focused mostly on the disadvantages arising from erroneous ideas about persons with disabilities held by many employers. He remarked: "we have been anxious that employers empty their heads and their systems of preconceived barriers, preconceived attitudes and hire the person strictly on the basis of whether he or she can do the job."<sup>18</sup>

The article that speaks most clearly to the influence of the consumer movement and rights-based discourses on the CPA is one written by Managing Director Michael E. Ryan. The piece, entitled "Organizations Of, and For, the Disabled", discusses the arrival and influence of the consumer movement, but finds Ryan attempting to make the case that CPA had been embracing consumer values since its inception.

Throughout the disabled communities, for those with physical or mental disabilities, there has been an awakening to the right of the 'disabled consumer' to make demands and to have some say in the way service is received and provided. Some people would date this phenomenon to the early 70s, however at the Canadian Paraplegic Association we feel, in many respects, it can be dated from 1945.<sup>19</sup>

While the politics and philosophy of the consumer movement continued to spread throughout the Canadian disability community, consumer organizations themselves were attempting to better establish their presence throughout the Maritimes.

The last chapter briefly introduced the Prince Edward Island Council of the Disabled, a consumer disability organization formed in Charlottetown in early 1975. Formally incorporated on March 25<sup>th</sup> of that year, a good deal of the early work undertaken by the group focused on

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<sup>18</sup> Hunn, 7.

<sup>19</sup> Michael E. Ryan, "Organizations Of, and For, the Disabled" *The Caliper* Vol.36, No.3 (Autumn 1981), 2.

areas that had received significant attention at both the national conference held in Toronto in 1973, and a more recent one held in Charlottetown. Projects included pushing the government to provide funding for Pat and the Elephant, a newly created transit system for persons with disabilities, and securing a mortgage from the Canadian Mortgage and Housing Commission for affordable accessible housing.<sup>20</sup>

Just a few short years later, however, things looked bleak for the young organization. Funding for the group was scarce, and it needed money badly. Not helping matters, there was confusion between the Council and the government regarding the arrangement in place for financial support. Based on discussions that had occurred prior to the Council's opening, its leadership was under the impression that the Island government was going to provide long-term funding. They came to discover that this was not the case when they requested a grant in the amount of \$25,000 and received one only a tenth that size, with the government stating that it believed the Council should be financially self-sustaining.<sup>21</sup>

The disagreement soon became public, with local media picking up the story. Executive Director Richard Montigny was quick to voice his displeasure, stating "if the Council were to fold, we would be back to the old days where everything was done for the disabled without their advice or participation."<sup>22</sup> Perhaps not surprisingly, opposition political leaders seized on the disagreement as an opportunity to criticize the Liberal government. NDP leader Aquinas Ryan asked, "what kind of government and leader do we have that sees fit to give a large grant to wealthy race track owners, increase their own salaries, and then refuse a small grant to people

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<sup>20</sup> Meegs, 3.

<sup>21</sup> Ibid.

<sup>22</sup> Meegs, 4.

who in many cases are existing with the bare necessities of life so they can help themselves?”<sup>23</sup>

In the end, all of this attention and pressure led the government to soften its position and offer the Council a three-year \$12,000 grant based on a ‘fee for service’ agreement, whereby the Council would provide the government with services relating to their work with persons with disabilities.<sup>24</sup> One example of this was conducting a survey to gauge the accessibility of various public buildings in the province. Montigny and the Council’s leadership were pleased with this arrangement, with the Executive Director declaring, “we didn’t want charity, we simply wanted the opportunity to be treated as equals.”<sup>25</sup>

Their funding issues now behind them, the Council continued to tackle various projects in such areas as transportation and housing. Additionally, they also began undertaking works designed to change societal perceptions of disability, such as having several Island politicians- including Minister Responsible for the Disabled Catherine Callbeck- spend the day in wheelchairs as part of a Disability Awareness Day.<sup>26</sup>

As the Council moved into the 1980s, it began to hone its focus toward specific, large-scale projects. The first of these a reserved parking system. In the system, registered users paid three dollars for a set of stickers which would permit them to park in reserved spaces.<sup>27</sup> However, it was not a given that businesses and municipalities would make any effort to set aside these spaces, and so it was often up to the Council to try and push them to do so. Initially, this new system met with a good deal of resistance from the able-bodied public, with many writing the local newspaper to question why spots should be reserved for a relatively small

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<sup>23</sup> Ibid.

<sup>24</sup> Meegs, 5.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> Meegs, 8.

proportion of the population. Additionally, enforcement of the system was difficult, as towns and cities could only fine vehicles parked in spaces they designated, while it was up to oft-apathetic businesses and stores to police their own parking lots.<sup>28</sup>

In 1982, the Council launched another, more successful program. The Outreach Program was designed to focus on providing training and finding employment for Islanders with disabilities. The first councillor for the program was Tony Dolan, a former chef who had become a wheelchair user following a spinal cord injury.<sup>29</sup> Dolan's next move following his injury was to enroll in an early childhood education program at Holland College, which he withdrew from at the suggestion of school administrators after the program was moved to the top floor of an inaccessible building.<sup>30</sup> Earlier research by the Council had revealed that Islanders with disabilities found that employers' attitudes were the number one impediment to their finding employment, so those involved in the Outreach Program began to work with employers to alter these perceptions. In its first year of existence, the Outreach Program helped sixteen disabled Islanders to find full-time employment, while several others were placed in training or education programs.<sup>31</sup>

Of course, the positive work done by the Council in this period would not have been possible without the efforts of those who had worked to found it. And of those people, few worked harder or longer than Kay Reynolds. Born in Dartmouth, Nova Scotia in November of 1924, she moved with her family to Saint Catharines, Ontario only three months later.<sup>32</sup> A short time later, the family lost Reynolds' father, and their mother made the decision to move the

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<sup>28</sup> Ibid.

<sup>29</sup> Meegs, 10.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.

<sup>32</sup> Daryl Rock, *Making a Difference: Profiles in Abilities*. (Toronto: Canadian Abilities Foundation, 2001), 36.



family to Ottawa. Not long after, Reynolds decided she did not enjoy living in Ottawa, and asked to move to Prince Edward Island to live with her grandparents.<sup>33</sup> Her wish granted, she settled in tiny Glenmartin, and enrolled at Prince of Wales College at the age of 18, and began studying to be a teacher. She soon decided that teaching was not for her, and switched to the school's nursing program, from which she graduated in May of 1945.<sup>34</sup> While there, she met a young man named George James "Buster" Reynolds, and the two wed on 27 September 1945. They would soon have two daughters, Elaine and Carole.<sup>35</sup>

Life changed for the Reynolds family when Kay was diagnosed with Multiple Sclerosis at the age of 25. Though she was able to remain working until age 31, the progressive nature of her condition soon forced her to leave working life behind. This didn't curtail her activity altogether however, as Reynolds helped form the Multiple Sclerosis Society of Prince Edward Island in 1955, serving as its first president. Though she remained in the family home as long as possible, she soon required more care than could be given from home and she reluctantly moved into an institution. This turn of events was extremely difficult for Reynolds, as author Daryl Rock describes: "unbeknownst to any of the family at the time, Kay's move into an institution had made Kay feel that she was no longer needed, no longer useful. She had been sent off to a warehouse for storage."<sup>36</sup> Reynolds was no doubt energized by the nascent disability rights movement that began bubbling up in the early 1970s, as she attended the conference in Toronto with Richard Montigny, and subsequently helped to organize both the Charlottetown conference and the founding of the Council.

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<sup>33</sup> Rock, *Making a Difference*, 36.

<sup>34</sup> Rock, 37.

<sup>35</sup> Ibid.

<sup>36</sup> Rock, 38.

In 1977, Disabled Nova Scotians, frustrated with a lack of assistance from traditional service agencies, decided to start one of their own. Not long after, the Disabled Individuals Alliance (DIAL) was born.<sup>37</sup> The original issue around which the group coalesced was that of accessible transportation for disabled Haligonians, and by early 1979, the provincial government of Nova Scotia agreed to institute accessible transportation systems in Halifax, Sydney and New Glasgow.<sup>38</sup> Before that, however, in June of 1978, DIAL and Community Involvement for the Disabled or CID, based in Sydney, Nova Scotia, joined forces to form the Nova Scotia League for Equal Opportunities (NSLEO)<sup>39</sup>

NSLEO was soon able to extend its reach throughout the province to places like Yarmouth, Digby and Truro, and soon began to tackle large-scale lobbying projects. One such project was a petition organized in 1979 asking the provincial government to amend the provincial Human Rights Code to extend protections to persons with disabilities. They were successful in this action, and the government announced it would introduce legislation to extend protection under the code to persons with disabilities on February 28, 1980.<sup>40</sup> At the same time, the Cape Breton contingent of NSLEO busied itself preparing a brief to be presented to the provincial cabinet asking that it include accessibility in the province's building code.<sup>41</sup>

One of the central figures responsible for the formation of both DIAL and NSLEO was Shaun McCormick. Born in Cape Breton in February 1948 and raised in New Glasgow, McCormick was the middle child of Basil, a boilermaker, and Mary, an elementary school

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<sup>37</sup> *Disabled Persons in Canada.*, 32.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*, 33.

<sup>41</sup> *Ibid.*

teacher.<sup>42</sup> McCormick was diagnosed at a young age with a disease called Cutis Laxa, and his parents were told he would not likely make it to the age of twelve.<sup>43</sup> Despite this, he was able to defy the doctor's predictions, and McCormick continued to live in the family home despite it being recommended to his parents that he be institutionalized. Even so, his life would change permanently when he was a young man. As Daryl Rock describes, "while on a trip with the Jaycees to St. John's Newfoundland, Shaun's life once again changed forever. He leaned against the rail of his hotel room balcony and stumbled backwards. He fell three stories-more than forty feet-landing on his back. He was rushed to the hospital where doctors told him he had a broken back and had a spinal cord injury at the thoracic 6 level."<sup>44</sup> Despite this, McCormick remained determined to live a full life, and returned to school at St. Francis Xavier to pursue studies in history and political science. He soon met Irene Surette, and the two married in August of 1972, eventually having three children, Mary, Anna, and Patrick. McCormick eventually settled into a career as a rehabilitation consultant with Maritime Life Assurance before becoming involved in disability rights in the late 1970s.

While both the Council of the Disabled in Prince Edward Island and NSLEO in Nova Scotia were quick to identify with the consumer movement and would each become their respective province's provincial affiliate in COPOH, New Brunswick provides a different scenario. From the pages of a government report entitled *Disabled Persons in Canada*, we hear about Centres Offering Independent Living, or COIL. Formed in Saint John in 1979, COIL is described as "a provincial organization, it prefers not to be known as a 'consumer organization', even though its membership is predominantly disabled persons. It functions, through education

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<sup>42</sup> Rock, 86.

<sup>43</sup> Ibid.

<sup>44</sup> Rock, 89.

programs and deputations as an active advocacy group on behalf of disabled persons in New Brunswick and its concerns are as broad as the needs of its constituents.”<sup>45</sup> Some of the projects pursued by COIL in this period included the development of a six-person group home for young adults with disabilities to be built in Saint John, as well as advocating for greater access to accessible recreation and leisure facilities for disabled New Brunswickers. Additionally, like NSLEO in Nova Scotia, COIL recognized the dearth of transportation options available to its constituents, and worked to launch the first accessible public transportation in the province, beginning with the purchase of a single bus. Unlike NSLEO’s initiative, however, which enjoyed government support, the bus purchased by COIL was obtained entirely through private funding.<sup>46</sup>

While the late 1970s and early 1980s were certainly a time of greater activity for new consumer organizations in the Maritimes, there were also important developments happening nationally and internationally as well. One of these occurred in Winnipeg, Manitoba in June of 1980. Held from the 23<sup>rd</sup> to the 28<sup>th</sup>, the Rehabilitation International World Congress was described by *Caliper* contributor John Lane as “essentially a huge international convention of rehabilitation professionals from governments and voluntary agencies around the globe.”<sup>47</sup> Held every four years, the 1980 event was a large one, with over four-thousand delegates paying a \$275 registration fee to attend.<sup>48</sup> Rehabilitation International was an international group of rehabilitation professionals originally formed in 1922 as the International Society for Crippled Children. A broadening of its mandate led to a name change, but not necessarily a change in

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<sup>45</sup> *Disabled Persons in Canada*, 33.

<sup>46</sup> *Ibid.*

<sup>47</sup> John Lane, “World Congress Report”, *The Caliper* Vol. 35, No.4 (Winter 1980-81), 11.

<sup>48</sup> Lane, “World Congress Report”, 11.

outlook. As Diane Driedger writes, “ this organization tended to view disabled people as sick and childlike patients who needed professionals to care for them from cradle to grave.”<sup>49</sup>

From the beginning, there was an air of tension at the conference. One of the causes of this was the fact that COPOH and its representatives at the conference were determined to “drive home the principle that disabled people were partners in planning services, and wanted the public and professionals to recognize that it had a right to equal says in decisions about disabled people’s lives.” In order to show this, COPOH believed it was necessary for them to gain membership in RI themselves. For this to happen, however, CRCD would have to consent, and this touched off negotiations that Drieger called, “frought with conflict and tension.”<sup>50</sup>

The tipping point for this simmering tension came when the Congress’s Swedish delegation put forward an amendment to an RI draft resolution. The amendment called for a definition of disabled person’s organizations, and called for at least half of the delegates in any national RI delegation to be themselves disabled.<sup>51</sup> When the amendment was defeated 61-37, the Swedes, angered at this turn of events, arrived at a COPOH-led information sharing session held on the first night of the conference and informed those in attendance what had happened. They then proposed the possibility of creating a new, autonomous organization made up entirely of persons with disabilities. This idea was met with tremendous enthusiasm by those in attendance. Canadian disability advocates Henry Enns and Allan Simpson describe the scene:

A tremendous roar filled the convention centre in Winnipeg, Canada that Monday evening June 23, 1980. The question was repeated, ‘do I hear you say you want a world coalition of citizens with a disability? The unanimous response came back echoing to every corner of the World Congress of Rehabilitation-Yes! The some three-hundred delegates who gathered there from all parts of the globe had a sense of their own

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<sup>49</sup> Driedger, 28.

<sup>50</sup> Driedger, 31-32.

<sup>51</sup> Driedger, 33.

destiny. They wanted to proclaim their right as citizens to an equal voice in the decision making of services, the policies and programs that affected them. They were no longer willing to passively accept the control of rehabilitation professionals over their lives. They demanded dignity, equality, and full participation in society. They demanded release from the yoke of paternalism and charity.<sup>52</sup>

The organization they formed would eventually come to be known as Disabled People's International.

It makes for intriguing reading to look at some of the sources that detail the events of the Congress. In addition to the writings of Driedger, *The Caliper* ran a report of the Congress written by Canadian delegate John Lane. Lane, the Executive Director of CPA's Manitoba Division, and one of Manitoba's representatives on CPA's national board, called the Congress a "tug-of-war between the establishment dinosaurs (old-fashioned rehabilitation professionals who believe that the disabled require permanent status as clients of a benevolent agency) and the consumer radicals" as typified by members of COPOH and the Swedish delegation. He went on to write that the "tug-of-war was basically over turf and power (i.e. how many areas of a disabled person's life should be considered "rehabilitation" and what should be the appropriate role for disabled consumers to play in monitoring and directing the service providers."<sup>53</sup> Lane then finishes the piece by offering CPA as a model for this new international organization writing that, "the element still exists in CPA so that we seem, in a sense, to straddle the tug-of-war; embracing elements of both service provider and consumer group...we in CPA would be wise to re-examine the role played by our membership to ensure that we nourish our consumer based roots."<sup>54</sup> Without doubt, articles such as this one lend credence to the idea that consumer organizations had begun to exert influence older, service based groups.

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<sup>52</sup> Enns and Simpson, "Decade of Destiny of and for Handicapped People", Quoted in Driedger, 35.

<sup>53</sup> Lane, 11.

<sup>54</sup> Ibid.

What was perhaps the most important international development of this era for persons with disabilities was the U.N.'s declaration of 1981 as the International Year of Disabled Persons. The process began in December 1975, when the General Assembly passed a resolution entitled 'Declaration on the Rights of Disabled Persons.'<sup>55</sup> The original declaration contained eleven specific rights to be protected, including the inherent right to human dignity', and 'the entitlement to measures enabling self-reliance', among others.<sup>56</sup> It continued the following December, when it officially declared 1981 The International Year of Disabled Persons.<sup>57</sup> Two years after that, it was decided that the theme of the year would be, "full participation and equality."<sup>58</sup> One of the points made by the General Assembly in its 1977 resolution was that it believed that "the activities undertaken by the international community in observing the International Year of Disabled Persons constituted a first essential step toward the achievement of the objectives of the year."<sup>59</sup> With that in mind, the national response, both from the government and organizations like CPA, as well as localized activities among consumer groups in the Maritimes like PEI's Council of the Disabled, will be discussed.

In the introduction to a federal government report entitled *Disabled Persons in Canada*, it was stated that the International Year, along with the 1980 World Congress of Rehabilitation International and the U.N.'s declaration of a World Assembly on the Elderly for 1982, provided Canada "with the opportunity to take an honest look at the status of disabled persons in Canada and to undertake a comprehensive action plan to prompt the full participation of the disabled in

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<sup>55</sup> *The Caliper*, "Declaration on Rights", 10.

<sup>56</sup> "Declaration on Rights", 10.

<sup>57</sup> U.N. General Assembly, A/Res/36/77 8 December 1981. <http://www.un.org/documents/ga/res/36/a36r077.htm>. Accessed Feb. 22, 2018.

<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.*

all facets of Canadian society.”<sup>60</sup> With this in mind, the government began the year by forming the Special Committee on the Disabled and Handicapped, which would go on to produce the multi-volume “Obstacles” report, alluded to briefly in the introduction to this chapter.

The information for the report was gathered through a combination of written submissions from municipalities, provincial government, voluntary organizations and individuals, as well as a series of hearings held throughout the country (including each of the four Atlantic Canadian provinces).<sup>61</sup> Submissions were received from each of the Maritime organizations discussed in this chapter, as well as from local branches of the CPA, and from individuals like Kay Reynolds. In total, the first volume of the report would see the Committee put forward one hundred and thirty recommendations for government action, fifty-six of which the government took steps to act on.<sup>62</sup> In the same year, the government also chose to appoint Gerald E. Regan, the Secretary of State, as the first Minister Responsible for the Status of the Disabled, and charged him with the task of co-ordinating the official response to “Obstacles” .<sup>63</sup>

The government of Canada was not alone in taking steps to implement change as a result of the International Year. The Canadian Paraplegic Association, which was described by Managing Director Michael E. Ryan as “anticipating IYDP for months”, quickly set about co-ordinating a number of events and projects in conjunction with the Year. One example was the first-ever Prairie Paraplegic Farmers’ Conference, held in Winnipeg on February 28 and March 1 of 1981. The conference had over 70 attendees with various types and levels of disability, who

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<sup>60</sup> Introduction to *Disabled Persons in Canada*, 1.

<sup>61</sup> For a full listing of all submissions and hearings, see the “Background” section of the “Obstacles” report, 147-177.

<sup>62</sup> Michael E. Ryan, “A Message from the Managing Director-I.Y.D.P. Fourth Quarter Report”, *The Caliper* Vol. 36, No. 4 (Winter 1981-82), 4.

<sup>63</sup> Ryan, “A Message from the Managing Director”, 4.



discussed several different aspects of farming with a disability.<sup>64</sup> Another one took place in the east, and involved Simpsons, a retail chain who, upon the urging of CPA, used three models with spinal cord injuries in its spring advertising campaign. According to Michael E. Ryan, “This breakthrough has been extremely well received and Simpsons has been deluged with congratulatory messages and positive customer reaction.”<sup>65</sup> This example is particularly important in that it is likely one of the earliest examples of persons with disabilities in Canada being portrayed in media in a manner other than helpless recipients of charity as they so often had been in film, television and telethons.

Elsewhere, the activities of the Council of the Disabled are a great example of work done by a provincial consumer group for the International Year. According to Joel Meegs:

Throughout 1981, the Council worked tirelessly to raise public awareness about disabilities and disability-related issues. A series of public meetings were held across the Island which, much like the original conference of 1974, featured guest speakers, representatives from government and people with disabilities. The idea was to bring members of the community together in discussion to better understand the needs of those with disabilities and put forward suggestions for improvements to services.<sup>66</sup>

In addition, the Council organized a Disability Awareness Week in June, with each day of the week devoted to a theme. They included transportation, education, recreation, employment, and housing.<sup>67</sup> The Council also made an effort to ensure that any momentum garnered by its IYDP activities would be sustained by forming a committee it called ‘Beyond ‘81’. Indeed, the activities of the Council illustrate the success of the U.N.’s aim that the declaration of the International Year should impact disability communities of all sizes.

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<sup>64</sup> Ryan, “A Message from the Managing Director-1<sup>st</sup> Quarter Report” *The Caliper* Vol.36, No.1 (Spring 1981), 4.

<sup>65</sup> Ryan, “1<sup>st</sup> Quarter Report”, 4.

<sup>66</sup> Meegs, 9.

<sup>67</sup> Meegs, 10.

The beginning of the International Year of the Disabled Person also served as the backdrop for what was (and arguably remains) the single-largest victory of the Canadian disability rights movement: the inclusion of both physical and mental disability as a prohibited ground for discrimination as recognized in Section 15 of the Canadian Charter of Rights and Freedoms. This occurrence did not come without significant challenges, however.

The concept of rights did not hold a particularly prominent place in Canadian culture in the first half of the twentieth century. As Dominique Clement writes, “until the mid-twentieth century, Canada’s rights culture was constitutive of only those most fundamental of freedoms: speech, assembly, religion, press, voting, and due process.”<sup>68</sup> In 1960, the Conservative government passed the Canadian Bill of rights, but it lacked any real effectiveness, being characterized by Clement as “weak.”<sup>69</sup> This assessment matches that offered by scholar Peter J. Hogg:

The enactment of the Canadian Bill of Rights did not satisfy those who advocated for a bill of rights for Canada. It was a merely statutory instrument. It did not apply to the provinces. And it had been given very little effect even in its application to the federal government. Indeed, the inadequacies of the Canadian Bill of Rights were often offered as reasons for the adoption of a more effective bill.<sup>70</sup>

As Hogg notes, “the most prominent of advocates of a bill of rights was Pierre Elliot Trudeau...it suffices to say that the Liberal government of Prime Minister Trudeau...has steadily sought to achieve provincial consent to an amendment of the British North America act, of which a major part would be a new bill of rights.”<sup>71</sup>

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<sup>68</sup> Clement, *Human Rights in Canada*, 11.

<sup>69</sup> Clement, *Human Rights in Canada*, 66-67.

<sup>70</sup> Peter W. Hogg, “Canada’s New Charter of Rights” *The American Journal of Comparative Law* Vol. 32, No. 2 (Spring 1984), 287.

<sup>71</sup> Hogg, “Canada’s New Charter of Rights”, 287.

Indeed, almost immediately upon assuming the office of Prime Minister in 1968, Trudeau launched a campaign of constitutional review that ended up producing the document that came to be known as the Victoria Charter. In the end, the proposed charter went down to defeat, primarily because Trudeau balked at the idea of giving Quebec autonomy over several important areas of social policy, such as language and unemployment insurance.<sup>72</sup> In *A Seat at the Table*, Boyce et al. note the nearly complete absence of special interests or advocacy groups from the proceedings at this time: “The first round of mega-constitutional deliberations was clearly dominated by various political elites, with the federal government exercising the lion’s share of control over the process. For the most part, advocacy groups and citizens’ groups were yet to make their appearance on the constitutional scene.”<sup>73</sup>

After the failure of the Victoria Charter, the issue of constitutional reform faded from prominence for the next half-decade. Perhaps motivated by the imminent election of the Parti Quebecois in the 1976 Quebec provincial election, in the spring of the year Trudeau sent a letter and draft proclamation to each of the premiers.<sup>74</sup> While the issue of Quebec nationalism might have been a major motivation behind Trudeau’s actions, Boyce et al. note that there were other factors as well- namely “western Canada’s newly discovered wealth in the petroleum industry, issues of aboriginal rights, and increased regional alienation.”<sup>75</sup> Despite this, Trudeau’s proposals of 1976 were largely a re-hashing of many aspects of the failed Victoria Charter, and interestingly, contain no mention of a charter of rights and freedoms.<sup>76</sup>

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<sup>72</sup> William Boyce et al. *A Seat at the Table: Persons with Disabilities and Policy Making* (Montreal: McGill-Queen’s University Press, 2001): 40.

<sup>73</sup> Boyce et. al, *A Seat at the Table*, 41.

<sup>74</sup> Boyce et al., 41-42.

<sup>75</sup> Boyce et al., 42.

<sup>76</sup> Boyce et al., 44.

While any serious consideration of the viewpoints of citizens regarding constitutional reform had heretofore been ignored by Trudeau's Liberals, this began to change by the summer of 1977 with the creation of the Task Force on Canadian Unity (also known as P  pin-Roberts). The task of this group was to travel across the country and get a sense of the viewpoints of various Canadian citizens with regard to the current state of the federation, as well as to gain ideas to improve Canadian unity.<sup>77</sup> A second action was taken when a conference was held at the University of Toronto in October of 1977 that provided interested citizens another forum in which to voice their opinions, and which eventually led to a book entitled *Options Canada*. According to Peter Russell, however, the government never seriously entertained any of the ideas in the book, believing that "constitution making was too important to be left to the people."<sup>78</sup>

At the same time, the government continued to work extensively on the issue, and by mid-1978, released a white paper entitled, "A Time for Action", which coincided with Bill C-60, produced as legislative support for their constitutional reform plans.<sup>79</sup> There were several objections to the bill, however, particularly at the provincial level, and it would eventually be defeated.<sup>80</sup>

While this was happening, politically astute members of the Canadian disability rights community were watching with keen interest. One such person was Jim Derksen, previously discussed for his role at the 1980 Rehabilitation International World Congress. In the summer of 1978, Derksen was a newly hired COPOH staff member, and was very much attuned to the

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<sup>77</sup> Boyce et al., 44-45

<sup>78</sup> Peter Russell, *Constitutional Odyssey: Can Canadians Become a Sovereign People?* (Toronto: University of Toronto Press, 2004), 100.

<sup>79</sup> Boyce et al, 45.

<sup>80</sup> Boyce et al, 46.

recent developments around constitutional reform. According to COPOH chair and co-creator Allan Simpson:

Jim Dirkson [sic] pointed out in a very sharp and analytical way that Trudeau was beginning to move on the constitution, and that if the Charter of Rights were ever to be enacted in Canada and if it defined categories of people entitled to protection from discrimination, and if that listing-a simple listing of categories of race, religion, colour, creed, sex- did not include persons with disabilities, then the court systems and the judgements in the precedent would put a priority on those categories that were defined.<sup>81</sup>

Enough of the provincial affiliates of COPOH were in agreement with Derksen's line of thinking that the group began planning its course of action immediately. Despite this, there were several of the other groups within the organization who were more hesitant to take on a political stance. Usually decades old, these groups remained firmly entrenched in a more service-oriented role, despite their affiliation with COPOH. As Derksen puts it,

They had a much older model of wanting to serve the membership with recreational opportunities, largely in a social universe where people with disabilities were segregated in one way or another from others, or isolated from one another, and their concept of change was more in the sense of role models, or public education, or general encouragement of society from a very low key, low energy way of going ahead.<sup>82</sup>

This lack of consensus speaks to a larger issue unique to disability rights movements. When compared to other right-based movements of the era such as civil rights or feminism, disability right movements often struggle to cultivate a sense of collective identity. As sociologist Sharon Barnartt notes,

Disability is not a unitary condition. It is much more variable than other conditions, such as gender or race, which although not unitary are still less variable because of differences between people with different types of impairments, as well as those among people with a single type of impairment. Mobilizing people for

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<sup>81</sup> Boyce et al, 55.

<sup>82</sup> Boyce et al, 56.

contentious political actions such as protests is perhaps even more problematic than is mobilizing other types of people for protest<sup>83</sup>

Despite this, the member groups that opposed COPOH's politicization were in the minority, and efforts to turn COPOH into an effective lobby group on the national stage were soon underway.

One of the ways that COPOH went about this process of politicization was to secure representation for one or more of its members on various committees, such as those related to transportation or employment. This would allow COPOH's membership to not only have a say on whatever issue the committee happened to be focused on, but also it allowed them the opportunity to gather information and engage in some side lobbying on the constitution issue while there. A good example is when Jim Derksen was asked to serve on the Obstacles Committee in 1980. "Most of my time was spent resourcing the parliamentary committee that wrote the 'Obstacles' report", he commented, "however, in the background and on my own time, I was busy gathering information on the political lie of the land in Ottawa around the charter issue and feeding that through to the COPOH executive and board and staff."<sup>84</sup>

It was likely due to the presence of Derksen and other COPOH representatives in Ottawa that it was invited to be one of three national disability advocacy groups that presented in front of the newly formed Special Joint Committee of the Senate and the House of Commons on the Constitution of Canada, also known as the Hays-Joyal Committee. Between October of 1980 and the beginning of January 1981, members of COPOH, the Canadian National Institute for the Blind (CNIB), and the Canadian Association of the Mentally Retarded (CAMR) all made presentations before the Commission in an effort to show why disability should be included as a

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<sup>83</sup> Sharon N. Barnartt, "Social Movement Diffusion? The Case of Disability Protests in the US and Canada" *Disability Studies Quarterly* Vol. 28, No.1 (Winter 2008) <http://dsq-sds.org/article/view/70/70>.

<sup>84</sup> Boyce et al, 57.

prohibited ground for discrimination in any proposed charter.<sup>85</sup> Among the members of the Council to present briefs before the Committee were Yvonne Peters, a vision-impaired attorney an employee of the Saskatchewan Human Rights Commission, Ron Kanary of Sydney, Nova Scotia, one of the leaders of CID and NSLEO, and Derksen.<sup>86</sup> Peters describes the presentation process:

You made your very brief, ten-minute presentation. You then answered questions, so that part of the process was very carefully organized. There were those of us who appeared before the Committee, and there were long discussions into the night about how to frame the argument...we wanted to frame it in not a totally emotional kind of argument, but we wanted to almost kind of reassure people that including people with disabilities was not going to be a traumatic thing to do.<sup>87</sup>

Despite their best efforts, the Committee remained unconvinced. The government's principal objections to the inclusion of disability centred around the fact that they believed that provincial human rights codes rendered it unnecessary, that disability rights as a concept had not yet "matured" in Canadian society, and also that, according to Yvonne Peters, "the government appeared to be worried that inclusion of disability in the Charter would somehow expose it to large lawsuits that would bankrupt the government coffers."<sup>88</sup>

Beyond this, however, I would argue that it also had to do with the fact that the government of the day likely viewed disability as a condition located strictly within the individual, where "disability is a consequence of individual functional abilities and capabilities."<sup>89</sup> According to Rioux and Valentine, there are two main formulations of disability

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<sup>85</sup> Boyce et al, 52.

<sup>86</sup> Boyce et al, 57.

<sup>87</sup> Boyce et al, 60.

<sup>88</sup> Peters, "From Charity to Equality", 130.

<sup>89</sup> Marcia H. Rioux and Fraser Valentine, "Does Theory Matter? Exploring the Nexus Between Disability, Human Rights and Public Policy" in *Critical Disability Theory: Essays in Philosophy, Politics, Policy and Law*, eds., Dianne Pothier and Richard Devlin (Vancouver: UBC Press, 2006), 51.

that take disability as an individual pathology as their starting point, one biomedical and one functional in nature.<sup>90</sup> They argue that the two share a number of common characteristics, including, “portraying the inclusion of people with disabilities as a private responsibility”, “using the individual as a unit of analysis for research and policy purposes”, and “distinguishing disability and its attached costs as an anomaly and social burden.”<sup>91</sup> The government’s conception of disability as a phenomenon located primarily with the individual also helps to explain why they might have struggled to acknowledge it as a source of collective identity in the same way they did race, religion or gender.

Whatever the reasons for the government’s ambivalence, COPOH and its allies began formulating a strategy to lobby Trudeau’s Liberals. Their first move was to involve the press, which was done by quickly preparing and distributing a press release.<sup>92</sup> Then, in a move perhaps inspired by the disability rights movement in the United States, they decided to organize a demonstration on Parliament Hill. This event took place on November 3<sup>rd</sup>, 1980 and included fourteen members of COPOH.<sup>93</sup> Nova Scotia’s Shaun McCormick was one of those fourteen, and describes the lead-up to the event:

I remember very strategic meetings we had in Ottawa planning how we were going to approach this issue, sitting in the Delta Hotel for hours and hours. Finally, somebody said, ‘It’s time to stop talking about this goddamn shit and get up and get the placards. My memory is of us making placards in the room at the hotel, buying Bristol board and going up the hill to march- the people with seeing eye dogs and people in wheelchairs- and that caught the press.’<sup>94</sup>

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<sup>90</sup> Rioux and Valentine, “Does Theory Matter?”, 50.

<sup>91</sup> Ibid.

<sup>92</sup> Boyce et al, 60.

<sup>93</sup> Peters, 120.

<sup>94</sup> Boyce et al, 60.



Following this, the group continued to aggressively lobby the Liberals in the ensuing months, even going so far as to follow Justice Minister Jean Chrétien to the washroom.<sup>95</sup> This aggression paid dividends, as it won several sympathetic MPs from all parties to their side. More than once during committee meetings, these MPs pressed Chrétien on the issue of including disability in the Charter.<sup>96</sup> On several of these occasions, Chrétien revealed that he himself was somewhat sympathetic to the idea of including disability in the Charter. When asked whether he would go back to his advisors and give the issue more consideration, he responded: “Yes, I will go back to my advisors...there is nothing that would please me more than to add that word there. But I have at the same time to make sure that we are not creating a problem that will be very difficult for the administration of the law, the judgement of the court, the legislature and so on.”<sup>97</sup>

On January 12<sup>th</sup> 1981, the debate took another turn when the Liberals revealed a package of amendments they were prepared to accept. Unfortunately for disability advocates, they had not wavered in their decision not to include disability. Finally, on January 28<sup>th</sup>, after over two weeks more of intense pressure from lobbyists, the government abruptly decided to reverse their position and accept an amendment that included disability in the Charter.<sup>98</sup> Though it was never explained why they were compelled to change their minds, Yvonne Peters suggests that it likely had something to do with a protest being arranged by COPOH, which the group coordinated so that it would coincide with the official launch of the government’s activities planned in conjunction with the International Year. Chretien commented, “I was very anxious that we

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<sup>95</sup> Boyce et al, 61.

<sup>96</sup> Boyce et al, 53-54.

<sup>97</sup> *Hansard* 1981 1<sup>st</sup> session, 32<sup>nd</sup> Parl. Issue no. 36, 22. Quoted in Boyce et al., 53.

<sup>98</sup> Peters, 133.

should proceed tonight. They were preparing to have a big group tomorrow.”<sup>99</sup> When reflecting on the historical importance of such a momentous victory for the disability rights movement in Canada, Peters stated:

First, it solidified the establishment of a national disability rights movement that remains active today. As Laurie Beachell (COPOH and CCD Chairman) puts it, “the Charter lobby was the coming of age for the disability rights movement. Second, it symbolized the shift from disability as a charity concept to legitimizing disability as a status entitled to rights. Third, it provided a legal framework and another mechanism to enable people with disabilities to continue fighting for justice and equality.”<sup>100</sup>

It is important to note, however, that not all people viewed the successful Charter lobby and the increasing organizational sophistication of COPOH as an entirely positive event. Halifax’s Shaun McCormick, one of COPOH’s key members in the era, held the opinion that COPOH had done its best and most important work during the weeks and months leading up to January of 1981. After the campaign ended, McCormick noticed what he considered to be two negative developments within COPOH. The first one was that “everybody and their dog, disabled or non-disabled, came to the conclusion that everything that we ever needed to take care of for the disabled was happening. Let’s all go home, you know. I think that’s the worst think that ever happened to the disabled.”<sup>101</sup> The second development, according to McCormick, was that COPOH changed as a result of increased federal funding it came to receive in subsequent years. He believed that its activism soon became blunted, that its leadership had lost, “the fire in the belly.”<sup>102</sup>

Before concluding this chapter, it is important to point out that the developments in the disability rights movement in Canada in this period did not occur in isolation, but were in fact

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<sup>99</sup> Ibid.

<sup>100</sup> Peters, 134.

<sup>101</sup> Boyce et al, 64.

<sup>102</sup> Ibid.

part of a larger international movement taking place in various locales throughout the world. Evidence of this includes the 1975 UN Charter on the Rights of Disabled Persons, and the formation of Rehabilitation International, both of which were discussed earlier in this chapter. What is interesting to note about the international disability rights movement is how different jurisdictions contributed to its growth in different ways. Canada, for instance, led the way legislatively by becoming the first country in the world to offer a constitutional guarantee of equality of rights to its citizens with disabilities.<sup>103</sup> As Rachel Hurst points out, the U.S.- whose disability rights activists often relied on picketing and other forms of demonstration- provided a blueprint for grassroots protest by disability rights activists with the use of its “pragmatic response to the rights struggle” which ““seems to have resulted from an American culture which acknowledged individual freedom and the right to take political action”, while in the U.K.

Where disabled people were gaining a similar understanding of disability as a rights issue, the disabled activists took a different route. The prevailing culture of Britain in the early 1970s did not support rights-based activity, and the idea that disabled people might be able to organize their own services was completely contrary to the elitist views of charity and patronage. As a result, disabled people in the U.K. worked together to discuss disablement and were among the first to produce coherent theories of the politics of disability.<sup>104</sup>

And while these Western nations may have been among the first to organize around the issue of disability rights, the movement continues to grow. By 1998, Rehabilitation International had grown to over 110- member nations from 40 at the time of its founding.<sup>105</sup> A quick scan of relevant literature shows articles discussing the topic in locales as diverse as Turkey, Uganda, and Portugal.<sup>106</sup> Indeed, the work done by disability rights activists in Canada in this era,

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<sup>103</sup> Boyce et al., 50.

<sup>104</sup> Rachel Hurst, “The International Politics of Disability” *Transformation* 15:4 (Oct. 1998), 18.

<sup>105</sup> Hurst, “The International Politics of Disability”, 18.

<sup>106</sup> For example, see Dikmen Bezmez, “Urban Citizenship, the Right to the City and the Politics of Disability in Istanbul” *The International Journal of Urban and Regional Research* Vol. 37, No.1 (Jan 2013), 93-114, Trudy Owens and Samantha Torrance, “I Know My Rights, But Am I Better Off?: Institutions and Disability in Uganda”

including Maritimers like Shaun McCormick, Kay Reynolds and Ron Kanary, was at the crest of a much larger wave of protest and activism which has spread around the globe.

This chapter has traced the activities of consumer disability groups and their members in the Maritimes in the six years between 1976 and 1982. It has shown how these groups were active and important parts of national and international networks of disability advocates, and how they-by themselves or in concert with these other networks-used international events like the R.I. World Congress and the International Year of Disabled Persons as an opportunity to enact substantive change. It has also illustrated the progress and maturation of the disability-rights movement in Canada, as it moved from a group of fragmented and underfunded individuals struggling to establish a political presence to an organized and effective lobby capable of influencing government policy at the highest level. Finally, it has demonstrated that these five years were crucial in proving disabled persons in Canada as a population worthy of greater respect and recognition.

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in *The Journal of Development Studies* Vol. 52, No.1 (2016), 22-35, and Paula Campos Pinto, "At the Crossroads: Human Rights and the politics of Disability and Gender in Portugal" in *Alter: The European Journal of Disability Research* Vol.5, No.2 (2011), 116-128.

## **Conclusion:**

### **Onward After '82**

Before beginning a brief discussion about the realities of life for Canadians with disabilities in the post-*Charter* era, it is necessary to reiterate some of the key findings of this work. Firstly, the research revealed that the consumer and disability rights movements which arose in post-war Canada took shape gradually and were made possible by organizations that were in large part outgrowths and evolutions of older, more traditional service and support-oriented groups like March of Dimes and Easter Seals, or of groups like CPA that formed in the immediate aftermath of the Second World War.

A second, related observation is that voluntary disability organizations in the Maritimes and elsewhere did not exist in isolation. While there may not have been direct partnerships between voluntary disability organizations and those of other rights-based movements in Canada, evidence abounds that the various North American rights-based movements had a profound effect on Canadian disability advocates, especially from the early 1970s onward.

Perhaps most importantly, it bears repeating that the Maritimes were an indispensable part of the rise of the consumer and disability-rights movements in this country during the years surveyed. This statement is true at both the organizational and individual levels. As proof of this, one need look no further than individuals like Donald Curren. A true pioneer in the region's disability community, Curren was for decades the leader of the Canadian Paraplegic Association in Nova Scotia and a staunch champion for its members. Other examples include Shaun McCormick and Ron Kanary of Nova Scotia, both of whom were on the front lines of the battle to get disability included in section 15 of the Charter.

On a more local level, one can point to the tireless work of Prince Edward Island's Richard Montigny, who was instrumental in founding the Council of Persons with Disabilities (formerly the Council of the Disabled), and who was a vocal leader in both cross-disability and cerebral palsy-specific organizations for decades. Lastly, it must be noted that not all disability leaders from the Maritimes in these years were male. Both Kay Reynolds, who, along with Richard Montigny helped to form the Council, and Joanne MacArthur (later McLeod), the first E.D. of CPA's New Brunswick Division and later the leader of its national body, are evidence that women played an active and important role as well. Of course, it should be mentioned again that this thesis focused almost exclusively on these movements through the lens of physical disability, which is but one aspect of a much larger and multi-faceted story.

This thesis has examined the history and evolution of voluntary disability organizations in the Maritimes between the years of 1945 and 1982. In addition, it has analyzed the role they played in the disability rights movement both within this region and as part of the larger movement throughout Canada. As it has shown, the movement in the Maritimes was a distinct and integral facet of the larger national one, with its organizations-and the advocates who founded them-often playing central roles. This work also argued that the movement, both regionally and nationally, served as a crucial vehicle through which disability advocates demanded a greater level of citizenship for Canadians with disabilities.

While this thesis concluded with the Canadian disability rights movement's landmark victory in getting disability included in the Charter, developments did not stop there. This conclusion will look at some of the major changes-locally, nationally and internationally- in subsequent years. It will also briefly discuss the continued work of those organizations profiled

throughout, and how they have continued to operate and evolve in the nearly four decades since 1982.

But while there has indeed continued to be a great deal of progress within the disability rights movement and its organizations in this country, life for Canadians and Maritimers with disabilities is still far from equal to our able-bodied counterparts in many respects, particularly with regard to such areas as education and employment. This conclusion will touch upon these areas in some detail, in an attempt to show that the journey to full citizenship is still far from complete.

Lastly, this conclusion will discuss some possibilities for further research in the field. This thesis provides an introduction to disability history, but there remains a relative dearth of historical scholarship on those with physical disabilities and their organizations, particularly in the Maritime context. It is hoped that scholars of disability and social historians of the Atlantic region in general might come to see the value of studying Atlantic Canada while using disability as a lens of historical inquiry and identify areas in need of further critical scholarship.

Most of the organizations analyzed throughout this thesis continue to operate today. The Canadian Paraplegic Association has re-branded as Spinal Cord Injury Canada, with many of its provincial affiliates following suit. (Nova Scotia's division is still called CPA Nova Scotia).<sup>1</sup> Provincial affiliates exist in eight provinces, including Nova Scotia and Prince Edward Island. One notable exception to this is in New Brunswick, where the former CPA New Brunswick re-branded in 2011 and became Ability New Brunswick, a decision the group says was made to "better reflect the people we represent", which likely has to do with the fact that Ability NB is

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<sup>1</sup> "Spinal Cord Injury Canada", [www.sci-can.ca](http://www.sci-can.ca). Accessed June 29, 2018.

now a cross-disability organization. No longer affiliated with Spinal Cord Injury Canada, the group's website describes it as an "autonomous community-based provincial non-profit organization governed by a volunteer Board of Directors."<sup>2</sup>

COPOH, like CPA, has also re-branded, changing its name to the Council of Canadians with Disabilities (CCD) in 1994. This was done, according to the group's website, because it was "more in keeping with current disability terminology and the organization's new membership structure, which admitted national organizations of persons with disabilities as members."<sup>3</sup> Some of the issues pursued by CCD in more recent years includes an "accessible federal transportation system, through law reform and test case litigation", "accessible banking by working with the Canadian Banker's Association to develop more accessible banking machines", and "better access to pensions by participating on the Canada Pension Plan Disability Benefit Roundtable".<sup>4</sup>

COPOH's affiliates in the Maritimes, NSLEO and the PEI Council of People with Disabilities, are both still in existence and serving their respective jurisdictions, with the Council celebrating its 40<sup>th</sup> year of operation in 2014, while NSLEO is set to achieve the same milestone next year. As was made clear throughout this thesis, both organizations have been-and continue to be- an invaluable resource for persons with disabilities in their respective provinces.

In the years since 1982, there has been continued progress on the international disability rights front, none more important than the U.N.'s Convention on the Rights of Persons with Disabilities, presented to the General Assembly on 5 December 2006. It was unanimously adopted eight days later. After being ratified by several states, the Convention officially came

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<sup>2</sup> "Ability New Brunswick-About Us-Our History", [www.abilitynb.ca/about-us/](http://www.abilitynb.ca/about-us/). Accessed June 29, 2018.

<sup>3</sup> "History", [www.ccdonline.ca/en/about/history](http://www.ccdonline.ca/en/about/history). Accessed June 29, 2018.

<sup>4</sup> "History"



into force on 3 May 2008.<sup>5</sup> Scholar Paul Harpur writes that, “the existence of the CRPD means that persons with disabilities do not need to assert they have rights and to argue for an inclusive society. The United Nations and those states that have ratified the CRPD have accepted the non-radical social model and that persons with disabilities are entitled to all the same human rights as other members of the community.”<sup>6</sup>

In addition to the CRPD, several nations have introduced their own important legislation regarding persons with disabilities. One example is Australia’s 1992 Disability Discrimination Act. The three objectives of the act are a) “to eliminate, as far as possible, discrimination against persons on the grounds of disability; b) to ensure, as far as practicable, that people with disabilities have the same rights to equality before the law as the rest of the community; and c) “to promote recognition and acceptance within the community of the principle that people with disabilities have the same fundamental rights as the rest of the community.”<sup>7</sup>

Arguably the most high-profile piece of legislation passed by any nation in regard to disability is the United States’ Americans with Disabilities Act, passed in 1990. According to Michael J. Prince, the ADA’s stated aim is to “provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities, including people with physical, mental, and intellectual disabilities.”<sup>8</sup> The act covers both the private and public sectors, and includes four mandate areas: employment protection (Title I), public service (Title II), accessibility and non-discrimination in public accommodations (hotels, restaurants and

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<sup>5</sup> Paul Harpur, “Embracing the New Disability Rights Paradigm: The Importance of the Convention on the Rights of Persons with Disabilities”, *Disability and Society* Vol.27, No.1 (Jan. 2012), 1.

<sup>6</sup> Harpur, “Embracing the New Disability Rights Paradigm”, 11.

<sup>7</sup> Michael J. Prince, “What About a Disability Rights Act for Canada? Practices and Lessons from America, Australia, and the United Kingdom”, *Canadian Public Policy* Vol. 36, No.2 (June 2010), 205.

<sup>8</sup> Prince, “What About”, 201

in services offered by private entities (Title III), and telecommunications services, such as those offered to the deaf and speech impaired (Title IV).<sup>9</sup> Despite its sweeping mandate, the act has faced criticism with regard to its effectiveness, both in terms of specific areas such as employment protections, as well as the ways in which it underserves specific groups such as those with psychiatric conditions.<sup>10</sup> This led to the passage of the ADA Amendments Act of 2008, which aimed to strengthen the act in several areas, including “moving away from judicial interpretations of disability as a severe restriction to reaffirm the concept of disability endorsed by Congress as a substantial limitation on a person’s activities as the standard” and “considering the role of uninformed beliefs and social myths and stereotypes as factors in any adverse actions against an individual with an actual or perceived impairment.”<sup>11</sup> It should be noted that Canada still does not have specific legislation in place to protect persons with disabilities. Its website states that “the main federal laws which protect people with disabilities from discrimination include the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act.”<sup>12</sup>

Locally, there have also been important recent developments in terms of legislation dealing with persons with disabilities. In late June 2018, the government of Prince Edward Island, after persistent lobbying from a young student with a disability, was moved to update the language in five of its acts to remove the antiquated term ‘handicapped’. The acts amended were the Employment Standards Act, the Labour Act, the Mental Health Act, the Engineering Profession Act, and the Public Health Act.<sup>13</sup> Meanwhile, in Nova Scotia, 2017 saw the passage

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<sup>9</sup> Ibid.

<sup>10</sup> Ibid, 202.

<sup>11</sup> Ibid, 204.

<sup>12</sup> “Disability Rights in Canada”, <http://www.canada.ca/en/canadian-heritage/services/rights-people-disabilities.html>.

<sup>13</sup> “Why the Word ‘Handicapped’ Has Been Removed from PEI Legislation,” *The Guardian*, 25 June 2018. [www.cbc.ca/news/canada/prince-edward-island/pei-hannah-bill-more-1.4718678](http://www.cbc.ca/news/canada/prince-edward-island/pei-hannah-bill-more-1.4718678).

of the Accessibility Act, whose purpose, among other things, is to “achieve accessibility by preventing and removing barriers that disable people” with respect to such areas as education, employment and the built environment as well as to “facilitate the timely implementation of accessibility standards with a goal of achieving an accessible Nova Scotia by 2030.”<sup>14</sup> While these changes undoubtedly signal continued progress for Maritimers with disabilities, it is important to remember that persons with disabilities here and throughout Canada are still at a significant disadvantage in several areas when compared to able-bodied citizens.

One of these areas is poverty and income security. A report issued by CCD in 2010 states that:

In terms of financial and human costs, Health Canada (2002) has estimated that the annual indirect financial cost to the Canadian economy in terms of lost productivity stemming from the non-employment of people with long-term disabilities was 32.2 billion in 1998, which translates to 40.2 in 2008 dollars...lack of labour force participation has a major effect on the likelihood of low income and people with disabilities are at significant risk of low income due to their lesser likelihood of employment. Financially less tangible human costs of non-participation can include poorer health, premature mortality, psychological distress and suicide, criminal behavior, loss of human capital and family breakdown.”<sup>15</sup>

The report also goes on to state just how much more likely persons with disabilities in Canada are to live in poverty. In New Brunswick and Prince Edward Island, for instance, they are 2.3 times more likely to live in poverty than are able-bodied citizens.<sup>16</sup>

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<sup>14</sup> Nova Scotia Government, “An Act Respecting Accessibility in Nova Scotia” <https://nslegislature.ca/sites/details/files/legal/statutes/accessibility.pdf>.

<sup>15</sup> Cameron Crawford, “Disabling Poverty and Enabling Citizenship: Understanding the Poverty and Exclusion of Canadians with Disabilities.”, [www.ccdonline.ca/en/socialpolicy/poverty-citizenship/demographic-profile/understanding-poverty-exclusion](http://www.ccdonline.ca/en/socialpolicy/poverty-citizenship/demographic-profile/understanding-poverty-exclusion).

<sup>16</sup> Crawford, “Disabling Poverty”

Another area where Canadians with disabilities still trail significantly behind the able-bodied is in educational attainment. According to a 2014 report, “working age people with disabilities are more likely to have no formal educational certification-not even a high school diploma-than those without disabilities (27.4% and 18.3% respectively) and are also less likely to have a university degree or certificate (13.2% vs 20.7%).”<sup>17</sup> The report goes on to further state that “regardless of the level of education obtained, people with disabilities are still about twice as likely to live on low incomes as people without disabilities”, with 28.7% of those with disabilities who have not graduated high school living in low income households compared with 14.2% of the able-bodied.<sup>18</sup> This roughly two-to-one ratio holds for those who have graduated high school (20.2% to 11.1%), trades (17.8% to 9.2%) and college (17.0% to 8.3%).<sup>19</sup> The gap improves slightly when discussing those who earn a university degree, where those with a disability are only about 1.5 times as likely to live in a low-income household (12.4% to 8.2%).<sup>20</sup> Though this thesis has shown many instances where voluntary disability organizations and the consumer and disability-rights movements have helped to improve the lives of Canadians with disabilities and move them closer to full citizenship, the above two examples illustrate that this process is still far from complete.

As has been stressed throughout this work, this thesis provides an analysis of persons with disabilities, their organizations, and the movements that sprung from them in this region but it is intended only as a starting point for further studies. Indeed, myriad possibilities exist to build

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<sup>17</sup> “Trying to Make the Grade: Education, Work-Related Training”, [www.ccdonline.ca/en/socialpolicy/poverty-citizenship/demographic-profile/trying-to-make-the-grade](http://www.ccdonline.ca/en/socialpolicy/poverty-citizenship/demographic-profile/trying-to-make-the-grade).

<sup>18</sup> “Trying to Make the Grade

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

upon this foundational effort. For example, an in-depth study of the same topic in any one of the four provinces of Atlantic Canada would prove valuable. Also, more research is needed on the lives of those with disabilities in this region in the decades before World War II. How were persons with disabilities treated in these years? What kinds of organizations existed to deal with them? Studies of the realities of persons with other types of impairments such as intellectual disabilities or psychiatric conditions are also needed. Finally, research looking at the intersection of disability and other categories of analysis such as gender, race, or religion could yield immensely important clues as to the lived experience of persons with disabilities in this region, both in the era studied here and in previous ones as well. Assuredly, the topics suggested here represent only a small slice of the potentially fruitful topics yet to be explored with regard to disability and Atlantic Canada.

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