

Able to Lead

Disablement, Radicalism, and
the Political Life of E.T. Kingsley

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E.T. KINGSLEY was a master on the platform – simple, direct phrases – master of repartee. This one instance that comes to mind – out of many, and one will be enough. Whenever an election took place at that time, in Vancouver, the Vancouver local of the party ... organized a debate or meeting between candidates. Almost always the other parties agreed to this. The boys organized the meeting, ushered it, did everything, took a collection, and thus got some funds to carry on their work.

This particular year I have in mind, there was a Conservative, was named Cowan, I think the Liberal was Joe Martin, and there was an independent running, besides E.T. Kingsley[,] for the Socialist party. This independent was a young lawyer with a good shock of curly hair and as they drew lots as to the order of speech, this fellow drew the first one and Kingsley was number two. Well the meeting opened and this boy took it upon himself to tell the crowd that he would not attempt to deal with questions of history and economics and these deep matters. “I leave that,” he said, “to my bald-headed friend.”

Well the old man, and he got up, he had artificial legs, they’d been cut off on the railroad on this side of the line, and he would stand holding onto a chair, and he said, “Ladies and gentlemen, I’ve addressed hundreds of meetings on this side of the line and the other side of the line, and I’ve never found it necessary to refer to the physical characteristics of any of my opponents.” But he says, “This young squirt has taken it upon himself to make reference to my baldness, which is very obvious. I want to tell him that there are two kinds of baldness. Bald on the outside,” and he points to his head ... Then he pointed to the fella and said, “and bald on the inside. You can see my kind of baldness every time I take off my hat. His kind of baldness is evident every time he opens his mouth.”

That was old Kingsley. And I could tell you all kinds of stories about him.¹

– W.A. PRITCHARD

1

Kingsley in Context

Labour History, Legal History, and Critical Disability Theory

This interdisciplinary work examines the forgotten and important story of Eugene Thornton Kingsley (1856–1929), a double amputee, railroader, printer, and immigrant who transcended the considerable barriers that he faced as a person with a disability to stand out as a leading light of the political left in turn-of-the-century western Canada and the United States. Various descriptions by socialist comrades as the “Old Man” or “Old War Horse,” by the bourgeois press as “the legless wonder of social economics,” by Canada’s chief wartime press censor as “an out-and-out red Bolshevik Socialist of pronounced literary capacity and unquestionably one of the most dangerous men in Canada,” and by the Winnipeg labour press as “the best exponent of scientific Socialism on the American continent,” Kingsley described himself in the frontispiece to his magnum opus, *The Genesis and Evolution of Slavery* (1916), as “An Uncompromising Enemy of Class Rule and Class Robbery.”¹ Bill Pritchard, a comrade of Kingsley’s in the Socialist Party of Canada (SPC), described his oratorical approach: “He was very forceful – a very forceful fellow. That was his line – simple propaganda laced with these similes of his. They’d come out quick, right in the middle of things. There’d always be a good crowd when he spoke in those early days.”²

In the pages that follow, we combine legal history, labour history, and critical disability theory – three usually distinct fields – to illuminate the hitherto (and unfairly) obscure political life of Kingsley. Born in the antebellum United States, he was radicalized after becoming a double amputee in a railway accident and joined Daniel De Leon’s Socialist Labor Party

(SLP) in California, where Kingsley fought for free speech and ran twice for the US House of Representatives. In 1902, he moved first to Nanaimo, where he worked as a fishmonger, and then to Vancouver, where he operated a printshop and became a leading member of the Socialist Party of Canada, editing its newspaper, the *Western Clarion*. Kingsley ran for the House of Commons and Legislative Assemblies of Alberta and British Columbia no fewer than six times. In this book, we trace his life story through the prisms of history, critical disability theory, and law, illustrating how tort law, immigration law, and national security law deeply regulated his life while also providing him with opportunities to transform the world. In the process, we provide an original window into the experience of a disabled worker – and the radical movement that he joined and led – connecting one man’s life experiences on North America’s corporate industrial frontier with the wider currents of disablement, industrialism, and radicalism that shook the continent at the turn of the twentieth century.



On 15 October 1890, Eugene T. Kingsley’s life changed dramatically and irrevocably. The political trajectory of the North American working class would change as well, even if Kingsley was not cognizant of his destiny. He was working as a brakeman on the remote Spring Gulch line of the Northern Pacific Railroad (NPR) in rural Montana, which had just been admitted to the United States as a state in November 1889.³ Sparsely populated, this was frontier country, and the NPR transcontinental line had been completed through Helena only in 1883.⁴ Kingsley, nearly thirty-four and a married father of two young boys, was injured when he fell between two moving cars.⁵ He was rushed to the NPR hospital in Missoula, and his left leg had to be amputated between the knee and hip and the right leg between the ankle and knee.⁶ During his recuperation in the Missoula hospital, Kingsley began to read the work of Karl Marx. Parallels between his own life circumstances and the dangers of capitalism might have propelled Kingsley toward the left, but unfortunately evidence of his political awakening is scarce.

What we do know is that Kingsley soon became an active member of the Socialist Labor Party, led by Curacao-born immigrant Daniel De Leon.⁷ Known for their rigid politics and relentless opposition to the capitalist

system, the De Leonists had a pronounced influence on Kingsley's political outlook and conceptual universe. The party encompassed a strong commitment to the complete transformation of the capitalist state while showing an aversion to the day-to-day trade union battles that Kingsley and his De Leonist co-thinkers perceived as hopelessly reformist. Kingsley was soon engaged in public speaking on the street corners of San Francisco, where he had migrated to after growing estranged from his family. In due course, he became a party organizer and ran for the US House of Representatives on the SLP ticket in 1896 and 1898 and ran municipally in San Francisco and San Jose. His meandering personal and political paths would take him first to Seattle, where he became active in the Revolutionary Socialist League (RSL), then to Vancouver Island in 1902, and finally to Vancouver, where he became a founder and leader of the Socialist Party of Canada, running three times for the House of Commons and three times for the Legislative Assembly of British Columbia. One of the most prominent socialist intellectuals of his day, Kingsley merits scholarly attention beyond the glimpses that he has been accorded to date. We hope that this book serves to rectify this omission, illuminating Kingsley's contribution as well as the tenacious capacity of people to rise above adversity and demonstrate an ability to lead within an environment systematically designed for able-bodied people.

Challenging History

Historian Peter Campbell identifies Kingsley in the second sentence of his invaluable book *Canadian Marxists and the Search for a Third Way* but chooses other figures for the four biographies that structure the work.⁸ This methodological choice is symptomatic of the general marginalization of Kingsley within the scholarship on the North American left. He is a character who appears frequently on the stage only to be consigned a cameo role as the spotlight shines on others. The preponderance of Kingsley appearances in dozens of existing works on the history of labour and the left amply demonstrates his substantial contribution to the political landscape of turn-of-the-century North America – and hence the need for our study focusing on his atypical life story and his eclectic political life.

Historian Ian McKay identifies Kingsley as “the pivotal theorist in the Socialist Party of Canada,” and Ross McCormack identifies him as “the

real founder” of and a central ideological influence in the party, which enjoyed considerable influence in British Columbia and Canada in the first decade of the twentieth century.⁹ McCormack notes how Kingsley, known by his nickname the Old Man, edited the SPC organ, the *Western Clarion*, from 1903 to 1908 and continued supporting the paper, at enormous personal cost, both physically and financially, until 1912. He was also one of the most popular SPC speakers and travelled widely in western Canada and occasionally beyond to stump for socialism and the abolition of capitalism, nurturing what would come to be known in some quarters as “the British Columbia School” of socialism.¹⁰ Political scientist Paul Fox describes Kingsley as “a brilliant speaker and writer” and “a devoted Marxist” under whose “pugnacious direction” the *Western Clarion* “quickly became a resounding Marxist trumpet, blasting out revolutionary marches to more than two-thousand wage-earning subscribers every week.”¹¹

Much of the historiography of the Canadian left has focused on the tradition of social democracy of the Co-operative Commonwealth Federation (CCF)/New Democratic Party or the official communist history of the Communist Party of Canada. The earlier Canadian left, or what McKay aptly calls the “first formation” left of the early twentieth century, has received relatively little scholarly attention.¹² Yet as McKay elegantly demonstrates, this first formation left had a deep influence on early-twentieth-century Canadian culture. One of its central ideas was that social evolution would see the emergence of socialism from the self-destruction of the capitalist monopolies.¹³ In this book, we offer a corrective to the dominance of social democracy and communism in the scholarship on the Canadian left while contributing to legal history and disability history through a historical and legal analysis of the political life of one man.

Kingsley was one of the most influential physically disabled¹⁴ intellectuals of the left in North American history. The story of this American-born radical and double amputee who mobilized socialist forces along the Pacific Coast highlights a distinct and compelling contribution to political life in Canada and the United States during the era of capitalist consolidation. Alongside our treatment of this socio-political context, we consider the history of prosthetics and how this emerging technology provided options to men such as Kingsley – who lived more than half of his life as a double amputee – to participate fully in political life despite an

environment that imposed significant barriers, in terms of both physical ability and expectations, to physically disabled people. We also employ a critical reading of tort cases to understand the opportunities and constraints for a worker who lost his limbs in light of Kingsley's lawsuit for \$85,000 in the Minnesota state court.

Kingsley left the Socialist Labor Party during a factional fight in 1900 and then played a role in leading dozens of socialists into a De Leonist splinter group, the Revolutionary Socialist League, in Seattle. In 1902, he was invited to relocate to Nanaimo, British Columbia, by Canadian radical coal miners who would go on to establish the now forgotten but once influential Socialist Party of Canada. Kingsley soon moved to Vancouver, and as editor of the SPC political organ, the *Western Clarion*, he rallied workers against the horrors of the capitalist system and encouraged them to have the confidence in their own talents and abilities to establish a new society. We use critical disability theory, which we elaborate below, to explore how the racist and ableist immigration regime of the day shaped Kingsley's ability to operate as a radical. As the First World War broke out, the national security state gathered momentum. We show how Kingsley was affected by state monitoring of his activities while participating in some of the most important political events of the day. Although now forgotten, he commented on or participated in many political crises, including free-speech battles in San Francisco and Vancouver in the 1890s and 1900s; race riots against Chinese, Japanese, and South Asian immigrants on the streets of Vancouver in 1907; a bitter coal miners' strike on Vancouver Island in 1912–14; the controversial rejection of hundreds of Sikh, Muslim, and Hindu immigrants attempting to enter Canada on the *Komagata Maru* in 1914; the First World War and conscription crisis; the eventual censorship and suppression of dissidents such as Kingsley and his comrades in the Socialist Party of Canada; and the famous Winnipeg General Strike and One Big Union of 1919.

One of our primary objectives in writing this book is to demonstrate how critical disability theory can illuminate Kingsley's life and help scholars to appreciate better how amputees have been able to make significant contributions to public discourse. The paucity of scholarship on Canadian disability history suggests that this work breaks fresh ground in our knowledge of the experience and agency of double amputees at the turn of the twentieth century.

Kingsley and the Politics of Disablement

Kingsley has presented a genuine challenge to scholars because his life spanned two countries and involved facets of labour history, left history, disability history, intellectual history, and the law of torts, immigration, and national security. What was life like for amputees in the 1890s? Much depended on the social position of the amputee. As we will explore in this book, social class and gender had significant impacts on how amputees were treated, in terms of both receiving a prosthetic limb at all and the type and quality of the limb. Among adult men in the United States, amputees were often war veterans from the American Civil War or had been injured in the large number of industrial accidents common during this period. According to one study, between 1880 and 1914, a worker died in Pittsburgh-area coal mines on average nearly every day, and many more were undoubtedly injured.¹⁵ As Edward Slavishak notes, the amputee was a powerful visible symbol of the failings of American industrial capitalism in the Gilded Era.¹⁶

What Slavishak so eloquently describes as the double logic of prosthesis is emblematic of the realities of disabled people in this time period. On the one hand, artificial limbs reminded the viewer of the realities of disablement and, in an era of intense ableism, the associated shame of impairment. On the other hand, artificial limbs offered the possibility of “mechanical transcendence,” normality, and mobility without the casual observer’s knowledge of the prosthetic user’s impairments as we shall see in the case of Kingsley, in a world filled with structural barriers faced by disabled people.¹⁷ Instead of enduring whispers and rude stares, the double amputee with artificial limbs in 1890 had the potential for normality in a world of ableism.¹⁸ Advertisements for artificial limb manufacturers of the day such as A.A. Marks and Feick Brothers promised a restoration of masculinity and a comfortable prosthetic at a cost commensurate with a working-class person’s income.¹⁹ Some prosthetics cost as little as \$15 (approximately \$450 in 2021 dollars).²⁰ Four themes associated with the prosthetic user were a person whose body appeared to be whole, prosthetics as products of American technological power, a person whose whole body allowed a potentially elevated social status, and a body that worked and could return to wage labour.²¹ Kingsley arguably rejected conventional wage labour and sought to transform capitalist exploitation

as part of his understanding that a conventional path of wage labour was closed to him.

Theory and Method

We employ a critical disability studies perspective that illustrates how structural barriers, including but not limited to legal structures, both shaped and constrained opportunities for Kingsley throughout his life. It should not be forgotten that he was politically radicalized – and consequently impelled down an entirely different trajectory in life – because of the amputation of his legs. Although this point has yet to be developed in the literature, we suggest that a critical disability studies reading of his life will deepen our understanding of his political beliefs, choices, and interventions.²² Critical disability theory – and more broadly the social model of disablement – seek to demonstrate how society handicaps people with impairments, drawing a distinction between socially created handicaps and physiological impairments.²³ At its core, critical disability theory posits that physiological impairment does not determine destiny any more than women’s physiology precludes their equality with men. It also reveals how what might be called “compulsory ablebodiedness,” or the establishment of a set of routines for tasks to be completed within given times, gradually took hold with the rise of industrial capitalism. This discourse of compulsory ablebodiedness constituted a new biopolitics.²⁴ Although there has been a dramatic growth in disability studies scholarship in recent years, Canadian disability history remains an emerging field. We will therefore apply critical disability theory to each of the themes identified above.

In the context of tort laws, we evaluate how concepts such as free labour might have encouraged railway unions and other unions in the United States to oppose tort reform that would assist their disabled coworkers.²⁵ We also consider how the language of tort law changed over time and how critical disability theory can help to reinterpret changes in tort law. Our purpose here is to shed light on the world of Kingsley and the contributions of critical disability theory to the literature on tort law.

In the context of immigration, the arbitrary use of medical classifications to admit some disabled immigrants, a matter contested by politicians as early as the turn of the twentieth century, appears to be illustrated in

Kingsley's case. However, perhaps immigration laws were enforced only sporadically, and socialists in Nanaimo might have arranged for Kingsley to work as a fish shop proprietor to avoid the restrictive immigration regime.

With respect to the security state, we probe its changing discourses and priorities during Kingsley's life. How might his impairments have influenced political organizing monitored by the state? Politically active as early as the 1890s, Kingsley was clearly monitored by Canadian authorities.

We adopt what William Fisher has described as a contextual paradigm to history in order to evaluate Kingsley's life and largely unexplored political ideas. A contextual approach situates intellectual theories within a larger framework by exploring which personal, political, and cultural factors led to the ideas. In other words, one attempts to reconstruct the context and then interpret the text in light of it.²⁶ By excavating the conceptual vocabularies of subjects and their milieus, one can obtain a deeper understanding of how the ideas were developed. Illustrations of this approach include Reva B. Siegel's analysis of how early American feminists used the discursive rhetoric of utopian communitarianism, abolitionism, and separate sphere ideology to make their case for women's property rights.²⁷ Similarly, Ian McKay demonstrates that a distinct first formation socialism was influenced by Herbert Spencer's and Charles Darwin's evolutionary theories, which helped to explain the complexity of a rapidly industrializing society and made enlightening the population about the issues of the day a key goal of socialist activists in this era.²⁸ This framework facilitates an understanding of how Kingsley might have transposed concepts that he learned while an active participant in and leader of the De Leonist left in California and later Washington to the BC context after 1902. A contextual approach to history is important because the distinctions between the reformist left and the revolutionary left prior to the 1917 Bolshevik Revolution were fluid. Moreover, his own politics changed over time as Kingsley eventually joined the Federated Labor Party in 1918 and then operated outside of formal partisan structures when he ran for Parliament one last time in 1926 at the age of seventy. His later political life has been poorly understood, and a deeper appreciation of how he interpreted the post-1917 world and the failure of the Winnipeg General Strike will contribute to a richer understanding of the dynamics of the left in that period overall.

We apply the contextualist approach to each of the three broad legal issues that we have identified to date. In the case of torts, we evaluate how the principle of negligence evolved doctrinally in the United States in the context of workplace accidents. We also consider how the concept of “free labour” influenced the ideology of American railway unions, some of which were not sympathetic to injured members.²⁹ Our purpose is not to make a contribution of comparative tort law doctrine but to probe the evolution of tort law in the part of the United States where Kingsley lived and litigated at the time of his accident. In the case of immigration, we examine how immigration regulations changed over time and how the discretion to exclude “undesirable” immigrants accorded to medical professionals was altered as conflicts between immigration officials and medical professionals emerged.³⁰ How was the legal category of ineligible immigrants contested over time as the needs of the state varied? How strong was the belief in restricting immigration to those who could be economically productive? In the case of the security state, we explore two dimensions: first, how the security state evolved between Kingsley’s arrival in British Columbia in 1902 and his death in 1929; second, how the radical press for which Kingsley wrote, such as the *Western Clarion*, the *British Columbia Federationist*, and the *Labor Star*, portrayed the rising security state.³¹ We consider to what extent and at what stage anti-communist discourse supplanted concerns about Asian immigrants as well as how Kingsley responded to the ontological shift in the political world marked by the 1917 Bolshevik Revolution.

In this transnational study, we engage a wealth of archival records related to the history of workplace injury and litigation, railroading, and the history of labour and the left in western Canada and the United States. We scoured all known writings of or about Kingsley in more than a dozen regional and national labour and left-wing newspapers, notably the *Western Clarion*, *BC Federationist*, *Seattle Socialist*, *Winnipeg Voice*, and *Labor Star*. We also examined the daily press in Minnesota, Montana, California, and British Columbia for coverage of Kingsley’s lawsuit against the Northern Pacific Railroad Company as well as coverage of his electoral runs for public office in Canada and the United States. Aided by a large team of research assistants and archivists, we consulted court records at the University of Minnesota Law Library, NPR records at the Minnesota

Historical Society and University of Montana at Missoula, and records of the Brotherhood of Railway Trainmen in the United Transport Union Collection at Ithaca, New York. Turning to Kingsley's involvement with the socialist movement in the United States and Canada, we consulted the Socialist Labor Party of America Records at the Wisconsin Historical Society and records of the Socialist Party of Canada, Vancouver Trades and Labor Council, and kindred organizations and individuals at the University of British Columbia and Simon Fraser University archives. For national security records and government records illuminating other aspects of Kingsley's life, we consulted collections at Library and Archives Canada and British Columbia Archives. Finally, we engaged the field of oral history and listened to surviving interviews with fellow leftists such as William Pritchard who knew Kingsley personally and struggled with (and at times against) him.

This book is structured chronologically and thematically, moving from Kingsley's disablement and radicalization as a railway worker in Montana to his political (and later business) career in California's Bay Area, Seattle, and British Columbia. Following this introductory chapter, in [Chapter 2](#) we provide an account of Kingsley's workplace injury at Spring Gulch, the resulting hospitalization and litigation, and the process of radicalization whereby Kingsley became a revolutionary. We also examine the politics of prosthetics for nineteenth-century amputees and its relationship to conceptions of masculinity. In [Chapter 3](#), we explore Kingsley's activism in California as the state organizer for Daniel De Leon's Socialist Labor Party and his election campaigns for the US House of Representatives in 1896 and 1898 and for the municipal councils of San Francisco and San Jose in 1894 and 1900 respectively. Included in this discussion is a reflection on how limits on free speech shaped Kingsley's activism and an analysis of his eventual split from De Leon, culminating in the creation of a splinter group, the Revolutionary Socialist League, in Seattle. In [Chapter 4](#), we move with Kingsley to British Columbia, exploring the racist and ableist immigration legal framework of the day while postulating how he slipped across the line to serve as a propagandist for Nanaimo coal miners and later to establish the printshop that sustained him for the next decade. We consider his early organizing work in Nanaimo in the context of the coal economy, which contributed to a politically radical and industrially militant

working class on Vancouver Island. In [Chapter 5](#), we explore the transformation of the BC left in the opening years of the twentieth century, focusing on Kingsley’s role in the formation and leadership of the Socialist Party of Canada, which elected members to the Legislative Assembly of British Columbia from mining districts and pursued an uncompromising policy of “one-plank Marxism”: abolition of the wage system. Aspects of Kingsley’s political thought, polemical style, and business pursuits are also rigorously interrogated in this chapter. In [Chapter 6](#), we focus on Kingsley’s campaigns for political office and clashes with the law in British Columbia in the context of widening state surveillance and repression of radical labour activists before, during, and after the First World War. Finally, in [Chapter 7](#), we consider Kingsley’s last decade of left political militancy tied to the demise of the Socialist Party of Canada and his final run for elected office in the 1926 parliamentary elections as an independent Labor candidate. We conclude the book with a discussion of why Kingsley’s life has been marginalized in the historiography and speculate on what critical disability theory can teach us and how it can influence historical and legal research in the future.



In the pages that follow, we provide a sweeping and rare journey through an essential period of North American history – from the turbulent industrial frontier of Montana in the late nineteenth century, to the street-corner battles of San Francisco, to political intrigue in urban Vancouver from the prewar years to the “not-so-roaring twenties” – organized around the atypical but extraordinary life of Kingsley. In the process, *Able to Lead* breaks new ground in disability history, legal history, intellectual history, and labour and left political history. It challenges prevailing perceptions of the capabilities of disabled people in western Canada and the United States while forcing a rethinking of the character of the early North American left. It is our hope that this work prompts legal scholars, disability studies academics, and historians to reconsider the contributions of disabled people to public life in Canada and the United States at the turn of the twentieth century. As Kingsley’s unusual life story suggests, disabled people are able, willing, and determined to lead.

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