

## INTRODUCTION

Strict sobriety and clean living is not only essential to business success, but also worthwhile citizenship. —LCBO *Annual Report* 1928–29

In the years between 1927 and 1975 — beginning just at the end of prohibition in the province — tens of thousands of people across Ontario received what were probably quite unwelcome letters from their Liquor Control Board. They were told that their privilege to purchase liquor had been revoked. Specifically, the letters informed the addressees that they were being “interdicted,” and that any purchase or possession of alcohol on their part would now be considered a criminal act.

Although the people in receipt of these letters would most likely have known next to nothing about the complex bureaucratic process that had led to the arrival of this particular piece of mail, the messages sent from the Liquor Control Board of Ontario (LCBO) carried with them serious consequences — singling the receivers out for distinctive social and legal treatment within their homes and community. In essence all of these many people were being officially granted a new status in society: that of known drunkard. Unbeknownst to them, other copies of the same letter were also circulating the province — delivered to every police station, bar, beer store, and LCBO outlet in their region — and their names and descriptions were being added to a provincewide circulated “drunk list.” Had they been able to look into the practices of the LCBO, they would most likely have been surprised to discover that Board employees had all along been tracking and reviewing their purchases, checking to see if they were purchasing beyond their financial means, noting whether or not they were receiving government financial aid. In all likelihood someone they knew had contacted the LCBO and requested that they be cut off from “drink.” Perhaps an LCBO investigation had conducted detailed interviews with their employers, local police, bar owners, and even their relatives concerning their drinking habits. As time went by, also unbeknownst to most of those affected, at the LCBO head office in Toronto a relatively new technology of punch cards would serve to control their fate and status as social misfits.

In 1927, when the LCBO was established under a provincial *Liquor Control Act*, the process of purchasing liquor was already highly bureaucratic, involving a number of forms, documents, and permits, all designed by the

head office to ensure proper oversight and management of citizens' drinking habits and experience. From 1927 to 1962 a Liquor Permit was required for the legal purchase of alcohol in Ontario — licensing the holder to drink in the same way as a driver's licence permitted an individual to drive. The official records contained in these books enabled the Board to track each and every person's purchases and facilitated the disciplining of those who drank too much. Forms scrupulously filled out at the point of purchase recorded the date, type of liquor, and the name, address, and permit number of the person making the purchase as well as the name and store number of the LCBO employee who sold the liquor. These documents had to be filled out every time alcohol was sold. The LCBO reviewed the forms at its head office to keep track of “exactly who is drinking and how much” (Ferguson 1926). The Board created and circulated its list of known drunkards — the “Interdiction List” — distributing it to all stores and bars in the province along with a warning to keep an eye out for those dangerous drinkers and not to sell them liquor. Ontario was not alone in using these technologies. In Canada nearly every province and territory included similar permits within their post-prohibition liquor control legislation (see Fig. Intro-1). In the United States the jurisdictions of Washington, Ohio, Iowa, Montana, Idaho, and Virginia also employed nearly identical systems; and the United Kingdom, Australia, France, Germany, Austria-Hungary, and Tasmania enacted similar legislation (under various licensing and inebriates acts).

At first the Board concentrated its ambitious efforts on evidence-based decision-making using a largely manual and continuous system of surveillance that required a long string of human assessments of data from local LCBO vendors, police, inspectors, and head office staff. It worked at controlling all liquor purchases in the province through the manipulations of various types of lists — Cancellation, Prohibited, Preventative — moving towards a more focused review of targeted groups and the reconstruction of specified individuals' purchase histories upon demand. Over time, employing the new technology of punch cards, tabulation sheets, and machine-sorting the work shifted into more abstract and advanced pre-emptive efforts to eliminate populations of those *punched drunk* based on categorical suspicion and internally generated profiles.

For close to a half-century, then, from 1927 until well into the 1970s, when the system was finally dismantled, the LCBO enjoyed enormous legal and extralegal powers in implementing a vast bureaucracy of administrative surveillance to “control” drinking in the province and to review the purchases of all Ontarians availing themselves of liquor. Working in conjunction with other levels of government, police forces, and social agencies, the Board transformed private interests into public matters. In the process its actions reclassified individuals and in extreme instances drastically converted their

Figure Intro-1. Post-Prohibition Government Control in Canada 1873–2009

	Prohibition Legislation	Post-Prohibition Government Control		
		Government Stores	Licensed Establishments	Individual Permits
Ontario	1916–27	1927–present	1934–present	1927–62
Alberta	1916–24	1924–93	1924–present	1924–57
British Columbia	1917–21	1921–present	1925–present	1921–47
Manitoba	1916–23	1923–present	1928–present	1928–56
New Brunswick	1917–27	1927–present	1961–present	1942–46
Newfoundland Labrador	1917–25	1925–present	1925–present	1929–66
Nova Scotia	1916–30	1930–present	1948–present	1930–65
Prince Edward Island	1901–48	1948–present	1964–present	1948–67
Quebec	1919 <sup>1</sup>	1919–present	1921–present	1944–46 <sup>3</sup>
Saskatchewan	1917–25	1925–present	1935–present	1931, 1942–47 <sup>4</sup>
Yukon Territory	1918–21	1921–present	1925–present	1943–46
Northwest Territories	1873–39 <sup>2</sup>	1939–present	1939–present	1939–63
Nunavut	-	2005–present	1999–present	-

*Notes: 1. Under wartime national legislation full prohibition was to be enforced starting in May 1919; due to political opposition in Quebec, only spirits were fully prohibited there, until that restriction was also lifted in 1921. 2. Prohibition in the Northwest Territories resulted in a complex mix of legislation involving individual liquor licences that legalized particular individuals for possession, and were also transferable with the sale or trade of the alcohol to non-“Indians.” 3. Permits were issued to control the purchasing of spirits only. 4. In 1946–47 regulations were changed to only require permits for the purchase of Scotch whisky.*

social and legal status (for instance, the conversion of private residences into public places gave police unimpeded powers of investigation into private lives, allowing them to target neighbourhoods and create social control districts). To ensure proper control the LCBO developed and modified complex administrative categories, classifications, regulations, procedures, and technologies aimed at keeping targeted populations from exercising the privilege of purchasing alcohol.

Luckily for any interested researchers of this subject, the Board’s specific geometrical arrangement of forces is readily available in the vast array of evidence it left behind — of internal communications, handbooks, regulations, and technologies. The theoretical relevance of this history lesson in surveillance lies precisely in the extraordinary transformations made possible in terms of social identity construction, manipulation, and the social

consequences of disciplinary control; the sphere of activities leads us into a vast array of subjects, including moral regulation, classification, and the development of stereotypes and gender construction. Indeed, the LCBO's surveillance technologies played *the* central role in shaping social relations regarding alcohol in Ontario between 1927 and 1975.

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Interdiction — the process of listing “risky” individuals and groups found or believed to have intemperate drinking behaviours — officially ended in Ontario only in 1990.

Without by any means adopting the stance of technological determinism — the belief that technology in itself has the ability to control human action — we would argue that technologies play a central role in developing mediating contexts in which individuals act (Timmerman 1999; Torpey 2000; Hasselbladh and Kallinikos 2000). From the standpoint of the social mediating processes of technology, the LCBO technologies of liquor permits, accounting forms, statistical machines, and lists of known drunks are crucial to questions of how social relations regarding alcohol were shaped in Ontario.

Within the LCBO's world, technology and documentation were fundamental to the functioning of everyday business. The Board adopted a bureaucratic response — a centralized hierarchical organizational structure with standardized sets of procedures — to the perceived lawlessness of alcohol as experienced during the earlier prohibition period. The government turned to the rational bureaucracy of industry in an attempt to break from the previous patronage-based and corruption-riddled liquor licensing systems of the pre-prohibition period (Malleck 2005: 62-63). The Board set out to establish a system of control based on universal regulations, procedures, and processes. To attain this rationalized control the LCBO adopted the complex surveillance technologies of technologically savvy auditors from the railway industry, people who were already well versed at governing from a distance and using paper-based surveillance and tracking systems to manage large numbers of employees and consumers and oversee complicated equipment and production. In turn the Ontario government drafted prominent business leaders onto its Control Board.

The Board's purpose was twofold: first, to rationalize and control the vast and geographically diverse liquor distribution system; and second, as its first annual report of 1927 put it, to stimulate “temperance and home training” rather than simply prohibiting (LCBO *Annual Report* 1927: 7) — in other words, to counteract the supposed failure of prohibition. LCBO surveillance technology was designed to shape social action by developing in alcohol drinkers a sense of moderation and control. As the Board noted two

years later: “While free people may be led along moral paths, they cannot be driven” (LCBO *Annual Report* 1929: 11). Those who could not be “led” along the moral path of temperance and moderation were to be cut off from liquor and placed on the Interdiction List. The solution to the challenge of ending prohibition was surveillance.

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The birth of the LCBO occurred at a very particular juncture in the province’s history. Its conception, development, and social control mandate — and thus its justification for surveillance and discipline — came about as the result of a complex mixture of political conservatism, temperance mortality, and business acumen that emerged from the politics of the time. The issue of temperance played a crucial role in the moral landscape of 1920s Ontario. The province had recently entered prohibition, and although not all people believed that alcoholic drinks should remain illegal, booze was presented as a social ill, and the liquor trade was still considered by many as the exploitation of poor and weak-willed people. The province had also elected a conservative government on the promise of balancing the budget — and for whom liquor taxation was considered a necessary means to that end. What resulted was an LCBO created by a business-focused conservative party that relied upon the knowledge and abilities of the business elite for the so-called proper running of the liquor trade, not to mention the ability to launch an extensive promotional campaign to create and maintain support for what soon became a necessary means of balancing the provincial budget.

In temperance discourses profit from alcohol signified exploitation of the poor; but under moderation discourses, profit from alcohol sales, while politically necessary at one level in terms of budgeting, was a sign of lax liquor sales regulation and presented an opening to impose greater liquor consumption restrictions (see chapter 1). The discourses of temperance and control thus made alcohol and drinking bodies appear in different ways — and we use “discourses” in the sense of “practices that systematically form the objects of which they speak,” as Foucault (1972: 49) put it, and to signify how such objects are managed across multiple surfaces of emergence. In this we are not so much discovering an entirely new set of objects as looking at how new general rules and regularities and central relationships are put into place and reorganized in “a tangle of continuities and discontinuities” (Foucault 1972: 172–76).

Due to the strength of the temperance discourses, the key word that the government wanted to be associated with the Board was “control” — a designation that remains in place to this day. In numerous speeches given by Ontario’s premier of the time, Howard Ferguson, the Board’s role was plainly defined as to “know exactly who is drinking and how much and

what disposition is being made of it” (see Ferguson 1926). That is where surveillance and the theory of panoptic power enter the picture (chapter 2). This power does not emanate from a person or central source but is, rather, critically grasped as a set of relations of force distributed and arranged by means of complex disciplinary technologies that capture alcohol consumers by being embedded in the purchase process. The Board’s permit books, for example, not only allowed for a constant and all-seeing gaze (pan-optic) into the permit holder’s liquor use, but also instilled in the holder of a permit a need for self-discipline and control of “unwanted” behaviours. In this way the cluster of strategies — policy and technologies and the expectations of the result — mirrored exactly the type of social dynamics explained by Foucault: that subjected individuals would fall into a pattern of self-discipline and conformity. The use of the permit books and subsequent technologies of containment reveal how surveillance was heightened with disciplinary consequences. Moreover, the surveillance system was also directed towards LCBO employees and the owners of licensed establishments — and was met with some resistance on the part of those affected.

The Board’s early ambitious efforts to control by seeing everything pertaining to alcohol sale, distribution, and consumption resulted in an immense surveillance apparatus, its “faceless gaze” transforming “the whole social body into a field of perception” (Foucault 1977: 214). It was central to the LCBO’s mandate to ensure that no individuals deemed “unfit” to drink were ever served in their stores. What this meant for the province was a massive social-sorting program designed to identify who could and could not employ self-control — that is, demonstrate sufficient self-control through the panoptic social forces of the Liquor Permit Book (chapter 3). Later on, especially after the opening of standard hotels and other licensed establishments, the Board’s regulatory mechanisms became even more invasive, pushing outwards — employing interdiction legislation — and forming bonds with police, the federal Department of Indian Affairs, city relief offices, and non-governmental organizations to ensure that those deemed unworthy of the permit “privilege” would be unable to purchase liquor within the province. In a fundamental shift the LCBO’s conception of control moved from rendering visible and reviewing every purchase of alcohol in the province to a procedure that was more flexible, more able to apply discipline upon demand by means of “reconstructing” fragments of evidence and extrapolating from them. The key here was a powerful new technology: the Hollerith punch-card system. The LCBO continued to make visible drinking subjects in order to produce knowledge about them, and discipline them when necessary, but it became more selective and creative with this knowledge and began to share it with the decoding gazes of other institutions.

In its move into data processing the Board developed new opportunities

for the “social sorting” of drinking bodies (chapter 4) — assigning “individuals to groups that are seen as ‘types’ on the basis of shared characteristics” (Gandy 1996: 135). It was a sorting process that opened doors for some and closed doors for others, and was thus discriminatory — rational yet contingent — and aimed at eliminating bad risks by denying them trust. Once again using its lists (Cancellation, Interdiction, Prohibited) and working with other institutions (mainly police and welfare agencies) in list-matching and file-sharing, the LCBO’s classificatory technologies moved in the direction of pre-emptive modelling (anticipating, projecting, forecasting) about those groups for which it lacked confidence in their ability to consume alcohol in a temperate manner. The LCBO became particularly fixed on certain regions and social characteristics — for example, linking class to problematic alcohol types, and race to geography (most notably Northerners and First Nations peoples).

The surviving physical archival documents reveal a complex system of classification designed to reduce LCBO contact with certain types of individuals who were to be turned away because of the unacceptable level of risk they posed to the Board’s political reputation. Those considered by the Board to be too poor, too young, too immoral, too constitutionally weak, or too “Indian” were to be denied the privilege of legally purchasing liquor. Although certain types of individuals specifically mentioned within federal and provincial laws were denied access to liquor, the Board also sought to use the powers of the Interdiction List to control unwanted behaviours such as vagrancy, sexual promiscuity in women, the social drinking behaviours of the working class, and the actions of certain racially defined groups. Most noteworthy, the LCBO head office regularly sent its local liquor store vendors warnings about serving “Indian-looking” individuals.

The LCBO became more and more attached to technologies of anticipation in the management of risk, and this reorientation progressively eased the need to focus on individuals and their acts, entailing less need for contact and empirical knowledge about actual persons. These new discursive strategies constructed and positioned subjects with ascribed identities (which are effects of bureaucratic classifications and inscriptions that arise through analytic operations and assessments) in an effort to master a future that had already arrived.

The surviving Interdiction Files at the Archives of Ontario include a vast array of personal information regarding both the individual facing interdiction and the circumstances surrounding the investigation and ruling (see chapter 5). These files are incredibly detailed and include detailed personal information: they reveal in particular which factors played into the severity of the Board’s disciplinary action. When faced with an application suggesting the interdiction of an individual, the Board could impose a range of disciplinary

actions, from no response to interdiction for an indefinite period. Since the LCBO did not respond to all applications by implementing identical disciplinary sanctions, factors concerning certain individuals influenced its decisions. Membership within the First Nations, being seen as a woman, applications made by police, judges, and male family members: these were all positive factors in the decision-making process — that is, they were predictors of more severe Board action. White-collar employment, applications by wives, and breaches of the *Liquor Control Act* were negative factors — meaning that they were predictors of less severe Board action. As it turns out, the disciplinary technology of the Board was not evenly applied. An “Indian” woman, for example, would have experienced a statistically significant greater likelihood than did her “white” counterpart of receiving severe disciplinary action from the LCBO. In this too, the Board’s actions showed a link with discourses of temperance and moderation, given that positive predictors of more severe Board disciplinary action matched those identified as problem-users within these discourses.

Through its liquor licensing policies and surveillance technologies the LCBO also played a strong role in enforcing certain gender roles (chapter 6). LCBO policy and regulations stressed that a particular type of masculine gender was contained and discouraged, while these technologies also created a particular space for female gender relations regarding alcohol to develop. The Board’s strict regulation and surveillance of drinking spaces had a major impact on gender performance and construction. In particular, bawdy and boisterous working-class male behaviours associated with pre-prohibition saloons were specifically targeted and punishable by the ejection of patrons and the cancellation of drinking establishments’ licences. Women’s public drinking experiences were confined to spaces in which they were overseen by “bona fide escorts,” while the LCBO was disinclined to permit women to serve in beverage rooms or to join clubs that were licensed to serve alcohol, and it served them with statistically greater disciplinary action when they faced the judgment of the Board for transgressions. Another important issue here is the question of women’s agency in the face of the impositions of conformity to ascribed gender performances of femininity in a fundamentally sexist society (Iacovetta and Mitchinson 1998: 10). A related question is the matter of how women interacted with the LCBO’s Interdiction List; and well-documented evidence shows that women made considerable use of LCBO disciplinary technologies, like its lists and regulatory powers, to control the drinking habits of their often violent husbands (Valverde 2003, 2004).

Women’s interdiction applications were most often motivated by reasons of abuse or overindulgence at the hands of their male partners, and the files reveal detailed accounts of threats and violence against women. In the interdiction process women found an ambiguous avenue, but it was nonetheless

an avenue available to them that might, by removing the alcohol, be used to control the violence that they were experiencing. The files also show that women tried to wield Board mechanisms for other reasons as well. When the regulatory powers of interdiction were directed at women, a very different set of social relations emerged. Unlike the peoples of the First Nations, white women were legally allowed to drink; but the LCBO's concept of proper womanhood, informed by, and inherited from, the temperance movement, could not properly conceptualize the kind of female drinkers who appeared with the end of prohibition. The LCBO understood that liquor was a means of destroying a woman's virtue, and set itself the task of strictly controlling the women who came to its attention. Indeed, the LCBO's own policy made it difficult for women to successfully wield the interdiction process because women who applied to have their abusive spouses listed were not guaranteed anonymity.

The LCBO also played a devious role in mediating the relationship between alcohol and the First Nations peoples and those defined as "Indians" under Canadian law (chapter 7).<sup>1</sup> The LCBO in essence took an overtly racist stance towards First Nations' drinking. Board policy was primarily designed to insulate itself from prosecution for serving Indians as stipulated in both the federal *Indian Act* and Ontario's *Liquor Control Act*. However, Board policy relied on prototypical, or stereotype-based, classification as its means of determining who was in fact an "Indian." The Board also conceptualized all Indians as being *a priori* on the Interdiction List, regardless of whether or not certain individuals drank alcohol. Here we see the full effect of the discursively constructed subject position arrived at through abstraction and pre-emptive elimination. The Board accepted the enfranchisement card as sole proof of non-Indian status; such a card proves that a First Nations person had renounced his or her heritage and sole means of legally obtaining liquor. Since only those who held enfranchisement cards, and not their children, were allowed access to alcohol, only a very specific bureaucratic construction of First Nations lineage was "rewarded" with "white" rights. Even so, if on the ground in a local LCBO outlet such a person was still too much an "Indian" according to other Board criteria, then not even the enfranchisement card would guarantee access to alcohol.

The use of liquor to police racial boundaries also pushed those on the Interdicted List into "Indian" social categories. Soon after use of the Interdiction List became widespread, circa 1934, it became known in everyday speech as the "Indian list" and deviant drinking patterns became incorporated into the "Indian" prototype and a key component of the "drunken Indian" stereotype; while the strangeness of the convergence of the Indian/Interdicted List caused some whites even to question their own racial purity.

The practice of prototypical classification — a type of classification that relies on the conceptual closeness of individuals to known social categories — enabled what is called categorical convergence, the influencing of social relations by constructed categories so that the category's depiction of reality eventually becomes true. First Nations peoples were conceptualized as a priori interdicted, and this was the means of controlling their access to alcohol; but for the LCBO, defining who was an “Indian” was a matter of extreme difficulty. LCBO policy ultimately took the easiest route: denying all “Indian”-looking individuals access to alcohol and if, and only if, an applicant pressed the issue would the vendor look into the lineage of the individual in question by referring the matter to the Indian Agent or the federal department. This policy forced vendors to rely on prototypical classification, that is, to determine the race of the applicant by deciding if an individual was conceptually linked to the Indian stereotype. This tendency allowed the category to be affixed to individuals of non-First Nations lineage, and forced individuals who wanted to drink liquor and were labelled as “Indians” into forms of drinking that were considered unacceptable, perhaps drinking in public places (such as public parks or streets), and also into consuming alcohol in dangerous ways and relying on alternative substances.

In the end, many people resisted the LCBO's power of control. Yet that resistance to social control was complicated by a range of factors. Within Foucault's analysis of power — a power that comes from everywhere and catches everyone up in its flows, the observed and the observers alike — counter-power also grows, in all its guises, for power and its counters are co-dependent and not really distinct (Foucault 1989: 188).