

## BOOK REVIEW

***Carnal Crimes: Sexual Assault Law in Canada, 1900-1975.*** Constance Backhouse. Toronto, Ontario: The Osgoode Society for Canadian Legal History, 2008; v + 445 pages; ISBN 978-1-55221-151-9; \$55.00 (cloth).

Canada's preeminent feminist legal historian, Constance Backhouse, has published yet another significant and noteworthy text that advances our understanding of the law, gender, and discrimination in Canadian history. Her recent *Carnal Crimes: Sexual Assault Law in Canada, 1900-1975*, expertly builds on and expands her earlier influential research and scholarship. This text is a must read for students and researchers in Women's Studies, History, and Law. It analyzes and explores how legal issues such as credibility, cross-examination, police investigations, consent, corroboration, the doctrine of recent complaint, plea-bargaining, physician testimonies, and the media have impacted and affected the history of sexual assault trials across Canada. It further highlights how race, class, age, gender, sexuality, and disability influenced both the court proceedings and the verdicts.

Backhouse uses a micro-history approach to delve into nine sexual assault cases that were heard in multiple locations across Canada between 1900 and 1975. The cases were chosen to be illuminating examples representative of sexual assault perpetrated against women rather than for their uniqueness or exceptionality. In this way, Backhouse skillfully paints a detailed picture of the nature of sexual assault and the ways in which the legal system has repeatedly failed women. The nine case studies investigate the tragic stories of women from diverse backgrounds and diverse locations. Those profiled include a working class woman assaulted in her home by a teamster, a teen gang raped by eight working class men, a female sales clerk date raped by a male medical student, a woman repeatedly assaulted by a doctor while forcibly confined at a reformatory, a deaf woman discriminated against while trying to seek legal justice for being assaulted, a 5-year old girl assaulted by her mother's live-in partner, Canada's first trial against a women charged for assaulting another women, the assault and subsequent death of an Aboriginal teen by a group of white men, and the harassment and assault of a female employee by her hairdressing manager.

Backhouse's unique and compelling way of writing history makes for a stimulating read, both for its well-researched case studies and its engaging narrative style. Indeed, the text is written in such a way that you could believe you were reading historical fiction. Unfortunately for the women and girls profiled, however, their circumstances and trials were all too real. The plethora of legal documents and archival data used to illustrate and historically situate the chosen case studies are well documented in her 135-pages of

detailed footnotes.

In addition to the significant contribution that this text makes to feminists and legal scholars alike, Backhouse has made public her in-depth research into sexual assault legislation from the ratification of Canada's first Criminal Code in 1892 through to the year 2000. Available on her website at [www.constancebackhouse.ca](http://www.constancebackhouse.ca) , this extraordinary resource is highly accessible for a diverse audience of academics and the general public.

Emily van der Meulen  
York University