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## Constance Backhouse, *Reckoning with Racism: Police, Judges and the RDS Case* (Vancouver: UBC Press 2022)

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J.K. Gibson-Graham). Cette dernière proposition détonne avec les autres perspectives du livre, car elle ne repose pas sur la planification ni un modèle global visant à remplacer le capitalisme. Elle s'appuie plutôt sur « une démarche expérimentale de recherche sur les expériences collectives susceptibles de contribuer à la construction d'un futur postcapitaliste » (181). Gibson-Graham proposent de déconstruire l'imaginaire du « capitalocentrisme » en mettant de l'avant une « diversité économique » au-delà de l'entreprise privée, le travail salarié, l'échange marchand et la finance capitaliste : entreprises publiques, coopératives, bénévolat, monnaies alternatives, fiducies foncières communautaires, finance solidaire, etc. La transformation de l'économie s'effectue d'abord par le bien-être de la communauté : « la réappropriation du travail, des organisations, de l'échange, des usages et de l'investissement se conçoit à l'intérieur de la définition de ce bien-être » (202).

Dans l'exposition détaillée de ces différents modèles, Laurin-Lamothe, Legault et Tremblay-Pepin expliquent de façon pédagogique les rouages et forces de chaque proposition, mais également leurs limites, problèmes et angles morts : enjeu de l'innovation, oubli des connaissances tacites, trop de réunions, inefficacité, dépolitisation, excès de centralisation, localisme, prise en compte insuffisante de l'environnement, etc. Cela permet de nourrir le débat entre ces modèles via des objections, réponses aux critiques et nuances permettant de bonifier ces propositions. Cela dit, cela contribue aussi à laisser un certain flou sur le « bon » modèle à choisir, les auteur-e-s préférant ne pas privilégier un système parmi d'autres. « La diversité des modèles que ce livre a tenté de présenter permet d'adapter la proposition postcapitaliste à chacune des sociétés » (228).

Somme toute, cet ouvrage possède les défauts de ses qualités. Son style très didactique offre une lecture claire et pédagogique, mais qui souffre d'un manque de prise de position, à l'instar d'un manuel scolaire. Ensuite, si le livre met en lumière la diversité des économies postcapitalistes, on ne voit pas du tout comment assurer une transition du monde actuel vers celles-ci. « Le présent livre n'est pas un ouvrage de stratégie politique, il ne propose pas non plus de théorie du changement social » (226). Néanmoins, l'ouvrage a le mérite d'offrir un espace fécond pour élaborer de nouvelles stratégies anticapitalistes : « les modèles de planification démocratique de l'économie constituent un point de départ et non un point d'arrivée. Ils ouvrent des pistes de réflexion plus qu'ils n'offrent de dogmes à suivre » (228).

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**Constance Backhouse, *Reckoning with Racism: Police, Judges and the RDS Case* (Vancouver: UBC Press 2022)**

THE SUPREME COURT of Canada heard *R. v. RDS*, the first judicial racial bias case to reach the country's highest court, in 1997. This youth criminal justice appeal involved a claim that the country's first Black female judge raised a reasonable apprehension of bias by acknowledging the propensity of police officers to overreact when dealing with racialized people. This criticism of Justice Corrine Sparks' indirect allusion to racism in policing drew into question whether racism can be acknowledged and addressed in legal proceedings. The targeting of Canada's first Black female judge with claims of racial bias in a case involving police use of force against a Black youth revealed deep divisions within Canadian law and society. In *Reckoning with Racism: Police,*

*Judges and the RDS Case*, Constance Backhouse delves into the controversy the case evoked, providing a detailed account of the social and historical context in which it was decided and the race and gender dimensions that influenced *RDS*' path through the courts.

Backhouse's account of *RDS* begins with a description of the arrest, use of force, and criminal charges against Rodney Small, a Black fifteen-year-old boy in Halifax's North End. Drawing on trial transcripts and the testimony of the accused, the white arresting police officer Donald Stienburg, and Justice Corrine Sparks herself, Backhouse describes how the trial unfolded, ultimately leading to Small's acquittal. Backhouse further describes how Justice Corrine Sparks' oral decision included an acknowledgement that police officers have been known to overreact when dealing with racialized people, comments that were challenged on appeal as raising a reasonable apprehension of bias and which led to unfounded complaints to the Canadian Judicial Council against Justice Sparks.

While this book focuses on the *RDS* case, Backhouse's description of the trial and subsequent appeals is only part of the story told. Drawing on trial transcripts and extensive interviews with lawyers, judges, and members of the African-Nova Scotian community, including most notably the accused, Rodney Small, and Justice Sparks, Backhouse provides a fascinating history of the case rooted in the personal reflections of those most affected. Her narrative draws on the diverse perspectives of those interviewed, carefully examining the racial and gender dynamics that shaped their experiences and understanding of the facts. Furthermore, Backhouse situates her narrative in its historical and social context by describing the history of slavery and anti-Black racism in Nova Scotia. She provides essential historical

context for readers less familiar with the racial discrimination faced by Halifax's African-Canadian community, including a history marked by overpolicing and police violence. Her account also addresses historical and ongoing racism and sexism within the Canadian legal system that shaped the case's outcome through the decisions and actions of the lawyers and judges involved.

While much has been written on *RDS*, Backhouse's book provides a unique account of the case because of its detailed attention to the key players' backgrounds, informed by the extensive interviews the author undertook. Backhouse's account is, as the title suggests, focused on racism. Those primarily interested in the *RDS* case for its impact on the law of bias will not find a detailed discussion of the decision in light of Canadian case law. Nor does the book address in detail the evolution of judicial consideration of racism since *RDS*, although subsequent cases have acknowledged the importance of judges considering the social context of racism in their decisions. Backhouse does dissect the appeals in some detail, however, including the four judgements rendered by the Supreme Court. Her description provides information on what was decided and context on the decision-makers' backgrounds. For example, she describes how the "Gang of Five," (141) Chief Justice Lamer, and Justices Sopinka, Cory, Iacobucci, and Major's judgements differed from the concurring judgement of Justices McLachlin and L'Heureux-Dubé. Providing biographical information on the latter judges' experiences of sexism, she considers how this may have contributed to their supportive opinion of Justice Sparks.

This book will interest law and society scholars concerned with racism and legal history and anyone interested in critical race theory, feminist legal studies, intersectionality, or the study of

misogynoir in Canadian law. Backhouse's legal expertise and extensive knowledge of Canadian legal history allow her to explain the importance of *RDS*, both legally and socially. It is written in a clear and accessible style to enable those from diverse academic disciplines or interested members of the general public to follow the narrative and learn about *RDS* and racism in Canadian law.

Backhouse's analysis of *RDS* is especially timely in the current Canadian legal and social climate, when judges increasingly acknowledge anti-Black racism in their judgements, and there is increasing social recognition of anti-Black racism in policing. Many of the themes in this book continue to have pressing social importance. For example, Backhouse's account of *RDS* highlights the continued importance of diversity in the legal profession and the bench, as she describes how the backgrounds of the lawyers and decision-makers involved influenced the outcome of *RDS*. Her narrative describes how the *RDS* trial dealt with unnecessary police use of force against a Black youth partly because Small's lawyer, Burnley "Rocky" Jones, a Black anti-racism activist, could recognize the issue and raise it before a Black judge. Backhouse's account can be read as a rebuttal to those who would suggest that judicial objectivity is possible or that Canadian courts should adopt a colour-blind approach, refusing to acknowledge and consider the realities of racism. Furthermore, her description of Rocky Jones' work to defend Rodney Small and the efforts of anti-racism activists, intervenors, and African-Nova Scotian community members to support Justice Sparks provide evidence of the power and importance of community organizing and legal clinic advocacy to shine a light on racism and injustice.

Ultimately, *Reckoning with Racism: Police, Judges and the RDS Case* is a thoroughly researched historical account

and critical appraisal of a landmark case concerning racism and sexism in the law. It provides an essential new vantage point to consider *RDS* and reflect on historical and current discrimination in Canadian law.

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**Sean Carleton, *Lessons in Legitimacy: Colonialism, Capitalism, and the Rise of State Schooling in British Columbia* (Vancouver: UBC Press 2022)**

IN THE PAST several years, and especially since the release of the Truth and Reconciliation Commission (TRC) report in 2015, there has been a surge of literature on residential schools. Books relating to histories, memoirs, trauma recovery, and the report itself detail the history of the policy, of specific schools, and of personal experiences, all lending towards a better understanding of those histories and their legacies. Adding to this growing store of literature is Sean Carleton's *Lessons in Legitimacy*.

A book inspired by a commitment to personal learning and allyship, *Lessons in Legitimacy* ambitiously seeks to unveil the hidden connections among colonialism, capitalism, and the rise of state schooling in British Columbia (BC). Focusing on the years between 1849 and 1930, Carleton takes us through a history of state schooling in BC, covering missionary, public, common, and Indigenous schooling. He ultimately endeavours to show that state schooling was a tool for legitimizing colonial authority. He does so by examining both Indigenous and non-Indigenous schooling to provide a different perspective than previous works and to draw out the overlapping impetus of public and residential schools.

The book is organized chronologically into three sections, divided into