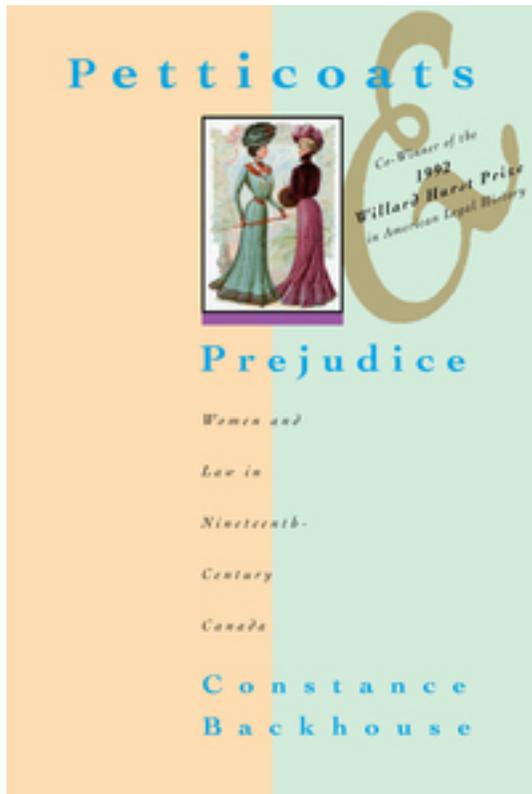


Petticoats and Prejudice

Women and Law in Nineteenth-Century Canada



Euphemia Rabbitt, who courageously resisted a vicious rape attempt, and Clara Brett Martin, the first woman admitted to the bar in the British Empire, were widely admired in their own time. But Ellen Rogers, a prostitute who believed that all women should be protected by law from sexual assault and was viciously maligned for her ideas, and Nellie Armstrong, whose attempt to wrest her young children from her estranged and violent husband went down to defeat, were independently minded women hidden, until now, from historical records.

Each of these women's stories lends a new meaning and dimension to the word heroism. *Petticoats and Prejudice* explores the legal status of women in nineteenth-century Canada by examining the cases of these and other individual women who were swept up into the legal process as litigants, accused criminals, or witnesses.

This book was co-published with [The Osgoode Society for Canadian Legal History](<http://www.osgoodesociety.ca/>).

Author Information

Constance Backhouse
Constance Backhouse is Distinguished Professor and Research Chair in the Faculty of Law at the University of Ottawa and co-founder of the Feminist History Society.

Reviews

"These richly textured and grippingly recreated trials - battered women who fought back, self-respecting prostitutes and saleswomen beaten down, trailblazers ostracized, defiant daughters subdued, domestic servants commodified and mothers denied their children or compelled to let their newborns die - will both fire and break your heart. In weaving nineteenth-century social history with the seamless fabric of laws and legal institutions that enforced the reproductive, sexual, racial and occupational inequalities shaping women's oppression today. Professor Backhouse raises provocative questions about the limits of reformers and reformism. Whether to discover lost heroines come alive or to confront the maleness of law, curl up with *Petticoats and Prejudice* for a memorable read."

Sheila McIntyre, Faculty of Law, Queen's University

"These richly textured and grippingly recreated trials — battered women who fought back, self-respecting prostitutes and saleswomen beaten down, trailblazers ostracized, defiant daughters subdued, domestic servants commodified and mothers denied their children or compelled to let their newborns die - will both fire and break your heart. In weaving nineteenth-century social history with the seamless fabric of laws and legal institutions that enforced the reproductive, sexual, racial and occupational inequalities shaping women's oppression today. Professor Backhouse raises provocative questions about the limits of reformers and reformism. Whether to discover lost heroines come alive or to confront the maleness of law, curl up with *Petticoats and Prejudice* for a memorable read."— *Sheila McIntyre, Faculty of Law, Queen's University*

Subjects

History
Criminology and Gender
Criminology and Police Studies
Gender, Sexuality, and Women's Studies

482 pages

6 x 9 inches

May 1991

ISBN: 9780889611610

Available at:

To request a review copy:
info@canadianscholars.ca
416-929-2774

Table of Contents

Foreword - *R. Roy McMurtry and Peter N. Oliver*
Acknowledgments
Introduction

PART I: THE REGULATION OF MARRIAGE, COURTSHIP, AND SEXUAL VIOLENCE

1. The Ceremony of Marriage
2. Seduction
3. Rape

PART II: FERTILITY

4. Infanticide
5. Abortion

PART III: THE NINETEENTH-CENTURY FAMILY

6. Divorce and Separation
7. Child Custody

PART IV: WOMEN'S WORK IN THE PAID LABOUR FORCE

8. Prostitution
9. Protective Labour Legislation
10. Lawyering: Clara Brett Martin, Canada's First Woman Lawyer

Conclusion
Notes
Selected Bibliography
Index

Within the Confines
Jennifer M. Kilty