

Book Note

FEMINIZED JUSTICE, by Amanda Glasbeek¹

JENNIFER CHARLES

THE TORONTO WOMEN'S COURT (TWC) was established in 1913 by the Toronto Local Council of Women. Beginning in 1911, the Council had lobbied for the establishment of a separate police court for women as a solution to the criminalization and victimization of women in the regular police court system. In *Feminized Justice*, Amanda Glasbeek examines the TWC over two decades, from its creation in 1913 through to its demise in 1934.

In chapter 1 Glasbeek tracks the development of the court as an institution and in chapter 2 argues that its genesis and development were underpinned by a comprehensive political agenda. While the court was the first of its kind in Canada, it was part of a larger maternal feminist movement across North America that advocated for women-specific justice.² However, as a feminist intervention into the criminal justice system, the TWC was fraught with complexity. The very court created to provide a protective, woman-friendly environment became a site for coercion, disempowerment, and the implementation of a moral and political agenda.

Chapters 3 to 5 provide an overview of women's crime rates and an in-depth qualitative look at the routes of individual women into the court over two decades. Glasbeek demonstrates that the punitive treatment, and indeed the very existence, of recidivist and "unreformable" women posed a challenge to the legitimacy of the court. Through an exploration of the multiple significances of the TWC, Glasbeek ultimately argues that the court was neither a paradox nor a failure. Rather, it was paradigmatic of feminized justice, defined as the "triangular relationship between morality, sexual equality, and the criminal terrain."³

1. (Vancouver: UBC Press, 2009) 181 pages.

2. *Ibid* at 13.

3. *Ibid* at 50.

The Toronto Women's Court was an arena where different groups of women, from different social locations, met and struggled with the law.⁴ As Glasbeek vividly describes in Chapters 3 to 5, for the marginalized and criminalized women whom the court routinely punished, the TWC was an institution that disciplined them for exercising agency and autonomy. Her use of multiple sources such as jail registers, reformatory files, media coverage, and crime statistics provides a glimpse into the impact of the court on the women who were sentenced there. This approach, as Glasbeek intends, returns a degree of agency to the criminalized and recidivist women who challenged the justification of the women's court as a successful maternal feminist project. In contrast to the experiences of these marginalized women, the white, middle-class reformers of the Toronto Local Council of Women considered the court to be a tremendous success. The TWC was an exercise in "white, middle-class women's politicization of the criminal justice system,"⁵ and was thus an ideal reflection of the feminist reformers' complex conservative feminist ideology.

Situating the court within its political roots, Glasbeek argues that despite its multiple meanings, the court was a successful manifestation of feminized justice. The placement of women in positions of power in the criminal justice system was seen as essential to the formal legal change sought by the Council. In chapter 6, Glasbeek focuses on the appointment of Dr. Margaret Patterson as the first female Magistrate of the Toronto Women's Court in 1922. Patterson and the reform-minded women of the Council actively sought the kind of disciplinary power that they eventually exerted in the TWC, and Glasbeek argues that these exercises of power are what made the court a successful feminist achievement.⁶ The highly politicized power structure of the TWC brought the women reformers' ideological and practical vision of justice to life.

In *Feminized Justice*, Glasbeek gives the reformers their due and situates their accomplishment within the broader feminist ideology and political agenda of the time. She also returns agency to those women who experienced feminized justice as a coercive and punitive force. As Glasbeek posits, the Toronto Women's Court had multiple functions and meanings for the different groups of women who encountered it as part of their struggle with the law. This complexity is what makes it such a compelling piece of women's legal history.⁷

4. *Ibid* at 5.

5. *Ibid*.

6. *Ibid* at 13-14.

7. *Ibid* at 26.