

emerged: large-scale specialized farms that hired labour, and small scale diversified farms sustained by families and wage-labour off the farm. Part III analyzes the division of labour and relations of power in farm families through extended personal narratives. Family patterns varied considerably; in some men held the off-farm jobs, while women cultivated the land, and in other families these roles were reversed. Yet whether on or off the farm, women continued to participate in income-producing labour, and they exercised considerable power and influence as business managers, and in making decisions about the intergenerational transfer of the enterprise. Immigrant (Ukrainian, Czech) families purchased small scale farms, and Osterud interviewed women from these as well as “native-born” families. All found ways to create “partnerships characterized by mutuality rather than marginality” (p. 170). A commitment to the family farm counteracted the “gender divisions and hierarchies of power that seemed to prevail outside their rural culture” (p. 169).

Part IV deals with how rural men and women organized to solve the economic and social problems they faced. They rejected capitalistic solutions and business models, in favour of producers’ cooperatives, drawing on the strong tradition of the Grange, and undertaking new forms of collective action. The result was a revitalization of rural society. The influx of newcomers of varied ethnicities and religions was accommodated through new and old forms of social organization that accommodated diversity while avoiding controversy. Gender integration continued to be a characteristic of farm organizations, and the foundations of cooperative work and mutuality remained secure, as did the mutually beneficial ties between generations. All of this had changed however, by the mid twentieth century, when the mutual –aid ethos and male-female partnerships collapsed, along with the economic viability of small-scale farming.

Osterud makes a compelling case that gender flexibility and integration, reciprocity, mutual aid, social equality and collective action were the core values of the rural way of life in the Nanticoke Valley for generations. The personal narratives provide fascinating evidence of this. It would be interesting to compare this community with others in the U.S. and North America. In many respects it echoes the situation in Western Canada for example, but in other ways it seems worlds away. Farm women on the Canadian prairies made common cause with farm men on many issues, but departed from and challenged them on others. Women contributed to market-oriented production, but only men legally profited from that production. They coped with profound legal inequalities, and fought for the vote to acquire dower, married women’s property, homestead and other rights. Western Canadian activists sought legislation that would recognize farm women’s labour as central, not subsidiary. It is striking that there are few signs of such activism in the Nanticoke Valley of the early 20th century. It was a world of great harmony and accord, inclusiveness and cooperation.

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RAY, Arthur J. — *Telling it to the Judge: Taking Native History to Court*. Montreal & Kingston: McGill-Queen’s University Press, 2011. Pp. 260.

The pursuit of history, it seems, involves greater self-awareness now than a generation ago. Autobiography, whether in book form or in the pages of leading journals, is a recognized

form of communication, especially for senior figures in the discipline. Closely related, though more specifically focused, is the recounting of courtroom experiences by historians – or, in the case of Arthur J. “Skip” Ray, a historical geographer – who have been called to testify in legal cases. Most such cases have involved aboriginal and treaty rights, and Ray’s extensive experience encompasses the crucially important *Delgamuukw* case as well as an extended series of other First Nation and Métis proceedings in locations stretching from British Columbia to Ontario. His memoir is a welcome addition to a specialized but growing historical *genre*. A doctoral graduate of the University of Wisconsin, supervised there by the magisterial Canadian historical geographer Andrew Hill Clark, Ray testified first in the *Horseman* case in Alberta in 1985. The final case to be covered in the book is another tried in Alberta, this time in 2009, that of *Hirsehorn and Jones*, meaning that Ray’s experience spans a crucial era during which the roles of the courts and of academic expert witnesses underwent a profound transition.

The considerable strengths of Ray’s book include a succession of astute observations on the way the courts work and the extent to which they form an arena in which any academic witness needs to make an enforced adjustment in order to be effective. Lawyers and judges, Ray notes, tend to take a “textual rather than contextual approach” to evidence (p. 14). A document, in this view, can be taken to be “plain on its face” (p. 72) – that is, free of the nuances and at times the contradictions that historians would routinely identify in, say, treaty texts. And, correspondingly, historians themselves may have to be forceful in their testimony as interpretive scholars in order to avoid the presumption that they are “little more than highly-educated clerks ... [with] the special ability to ferret out relevant documents for the courts to interpret” (p. 34). Cross-examination is another facet of the trial process with which Ray deals extensively and revealingly. It is, he observes, “an inquisition” (p. 30) and an often-painful experience – notably in *Delgamuukw* – far removed from the ambience of a PhD defence, where at least the inquisitors hope at some level that the candidate will succeed. In a cross-examination, the purpose of the opposing lawyer is to discomfit and even to discredit, and, as Ray indicates, a witness who has published extensively has to be especially wary, as earlier works can be mined for the inevitable contradictions that arise in an extended body of evolving scholarship (p. 37). Yet, all cross-examinations are not the same, and Ray documents some that were downright friendly. The most intriguing account he gives is of a searching cross-examination in *Hirsehorn and Jones*. Here, Ray consistently uses the first person plural to encompass himself and Thomas Rothwell, the Crown prosecutor – “our exchange” (p. 136), “we returned to the subject” (p. 140), and so on. A cross-examination, among other things, is a dance that takes two partners.

A further strength of *Telling it to the Judge* is the scholarly framework within which Ray consistently situates his account. Some courtroom memoirs can gravitate into war stories told for their own sake, but this one never does. Ray’s archival work, notably in the records of the Hudson’s Bay Company, is highlighted throughout, and two substantial appendices exemplify the sources on which his testimony was based. The relationships between evidence and interpretation, and between primary and secondary evidence – as explicated by, among others, Edward Hallett Carr – are given their due, and other reflections on the nature of evidence both scholarly and legal give thought-provoking insights. For example, because historical testimony in court is often based on new research that has not yet made its way into print, the expert witness may have to swim against a tide of antiquated but nevertheless established and peer-reviewed orthodoxies that strike a judge as tried and true to a degree that an innovative argument can never be (pp. 154-5). Ray also deals sensitively with the decision made by the legal team of the Gitksan-Wet’suet’en in *Delgamuukw* to lead with the testimony of the elders and then use the academic experts for support – regardless

of the integrity of this approach, it did not prevent British Columbia Chief Justice Allan McEachern from defining life in traditional Gitksan-We'swet'en societies in Hobbesian terms as "having been 'nasty, brutish, and short'" (p. 41).

This is, therefore, a reflective book and one of substance. It also necessarily raises debatable questions. The notion that the role of an expert witness is to educate the court – with "only one 'student' – the judge" (p. 145) – is prominent in the concluding chapter. Yet, education can take place, arguably, only when the student recognizes the authority of the educator. While qualification of an expert witness implies recognition of a sort, the greater reality is surely that an expert witness is a witness – no more, no less – and that aspiring to be an educator of the judge may make presumptions that are unlikely to be shared by the court. Secondly, Ray's treatment of the perennial dilemma of the expert witness as to how to resist being drawn into explicit advocacy in the context of an adversarial process is insightful, but disappointingly brief (pp. 155-6). In such areas it might well have been helpful to engage with others who have written about the courtroom experience – James Axtell and, more recently, William Wicken come to mind – and compare approaches. Finally, considering Ray's long involvement in the "intensifying struggles" of Aboriginal participants in the legal process, we gain more understanding of the how than the why of his commitment and stamina over so many years. That taking an important role in proceedings through which "major gains" were realized, and winning recognition by the elders for doing so, "made the very stressful aspects of being an expert witness-educator so worthwhile" (pp. 158-9) is undoubtedly true and laudable, but the equation through which personal stress and the expenditure of scholarly time and energy are balanced with the quality of the goal is passed over lightly.

Nevertheless, to try to edge a fine and successful courtroom narrative too far in the direction of autobiography may be to risk ingratitude for what is, as it stands, an acute and invaluable piece of testimony. For historians and those in related disciplines, bearing witness in court proceedings can be an important dimension of scholarship, and from Arthur J. Ray's experience and his lucid telling of it we can gain both insight and invigoration.

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ROCHE, Daniel — *La gloire et la puissance. Histoire de la culture équestre, XVI^e-XIX^e siècle*, Paris, Fayard, 2011, 495 p.

Après avoir, dans un premier volume intitulé *Le cheval moteur*, abordé le rôle fonctionnel du cheval, du début des temps modernes jusqu'à l'ère de la mécanisation, en mettant en lumière les divers aspects de l'utilisation de l'animal dans la vie quotidienne et dans l'univers du travail, l'auteur, avec ce deuxième volume, centre son propos sur la place que le cheval a occupée, durant la même période, dans le genre de vie et dans la culture des élites. Le champ chronologique dans lequel s'inscrit cette réflexion, intégrant l'Ancien Régime, la Révolution et l'avènement d'une société de notables, sur fond de révolution industrielle, est le cadre de changements profonds qui induisent une évolution marquée de la culture équestre. Le rôle du cheval de travail est, à terme, voué à s'estomper et à disparaître, tandis que la possession de montures ou d'animaux d'attelage, la maîtrise de l'art équestre, le recours à une équitation récréative deviennent des marqueurs sociaux.