



Sex & the Supreme Court: Obscenity and Indecency Laws in Canada (Fernwood Basics series)

Richard Jochelson, Kirsten Kramar

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Recalling the Canadian laws pertaining to pornography and bawdy houses that were first developed during the Victorian era, this study recollects how the period perceived “non-normative” sexualities as a corruption of conservative morals, portraying them as harmful to society as a whole. The volume traces the sociolegal history of contemporary obscenity and indecency laws, contending that these policies continue to claim to protect society from harm. The analysis acknowledges how the court presently sees “non-normative” sexualities as a potential threat to liberal political values rather than conservative ones. Recognizing that reforms have been made—especially in light of feminist and queer challenges—this reference utilizes Foucault’s governmentality framework, demonstrating that the liberal harm strategy for governing obscenity and indecency continues to disguise power.

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