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# Documentary Ethics, Para-Judicial Fantasies, and the Transgressive Desires of Lynn Crosbie's *Paul's Case*

JAMES HAHN

“I MENTION YOU,” SAYS THE NARRATOR of Lynn Crosbie’s *Paul’s Case: The Kingston Letters* (1997), “and everyone starts to shift and frown” (44). This comment, drawn from a fictional, one-sided correspondence with incarcerated murderer and serial rapist Paul Bernardo, appears to anticipate metafictionally the harsh reception that Crosbie’s book would receive. Few, if any, works of Canadian documentary literature have met with the kind of openly hostile reception that greeted *Paul’s Case*, an experimental poetic narrative about the infamous crimes of Bernardo and Karla Homolka, his wife at the time. Alongside calls for Crosbie’s book to be banned, one columnist threatened the author with assault, and another threatened to sue her publisher for libel.<sup>1</sup> The blowback against *Paul’s Case* reflects an anxiety regarding the potential for literary works grounded in actuality to inflict anew in some way the traumas that they represent, but it also raises broader questions regarding the perception that certain modes of representation are more permissible than others as far as violent crimes are concerned; some of the journalists who accused Crosbie’s book of being harmful and/or in bad taste had themselves penned accounts of the Bernardo-Homolka crimes that likewise dwelled on salacious and gory details.<sup>2</sup> The suggestion that certain forms of writing are inappropriate for the representation of violent crimes is crucial to critical considerations of documentary writing in Canada, which, because of its conventional play with notions of evidence and witnessing,<sup>3</sup> is marked by a preoccupation with the perpetrators and victims of crime. Yet, to date, sustained attention has not been given to the ethical dimensions of this preoccupation. Looking to *Paul’s Case*, in this essay I explore the ethics of documentary writing concerned not merely with taboo subjects such as the sex murders<sup>4</sup> that made Bernardo and Homolka household names but also with the broader representational problematics occasioned by the perva-

sive notion that certain cruelties exceed (or ought to be denied) artistic representation.

Discussions of documentary ethics share with other strains of ethical inquiry an attention to the fact that texts allow us “to discover relations of responsibility” (Champagne 1). However, because of the genre’s utilization of figures and events drawn from actuality and a persistent unease regarding its ability to represent the real, of particular importance in many critical writings on the genre’s ethics is the documentarian’s responsibility not to “mislead” the viewer or reader by “distort[ing] established facts” (Nichols 155). Given the fount of information regarding the crimes of Bernardo and Homolka made public by various media agents and legal authorities, I do not concern myself here with the potential for *Paul’s Case* to mislead the reader regarding relevant facts. Rather, my concern lies primarily with whether *Paul’s Case* “works,” as Mark Reinhardt says of documentary crime photography, “to extend or subvert the way of seeing it seeks both to document and to criticize” (47) — in this case, a way of seeing shaped by the desires, anxieties, and ideologies that give rise to the sort of crimes committed by Bernardo and Homolka. I am particularly interested in how, throughout *Paul’s Case*, the text’s engagement with this way of seeing hinges on the documentary crime genre’s ability to offer what I term “para-judicial fantasies” — its capacity, in other words, to imaginatively place both author and reader in the position of a jury tasked with parsing the available evidence and/or to take up fictionalized perspectives of those directly involved in a criminal case.

I am also interested in how, as *Paul’s Case* demonstrates to compelling effect, the evidence in question can itself cause ethical concerns. When Bernardo and Homolka were arrested in 1993 in connection with the rape and killing of teenagers Leslie Mahaffy, Kristen French, and Homolka’s sister, Tammy, the ensuing media circus was made all the more frenetic by a trial publication ban that obtained only in Canada<sup>5</sup> and by the revelation that Bernardo — who, DNA evidence also proved, was the “Scarborough Rapist” who had evaded capture since the 1980s — had filmed the cruelties that he and Homolka inflicted on their victims. In the press and the online forums to which the trials of both killers gave rise, there was no end of grisly speculation regarding the contents of these videotapes, with several commentators going so far as to “devis[e] tortures and humiliations . . . that even [the] killers had not pursued” (Davey 319-20). Whereas the press and certain members

of the public alike clamoured for access to the tapes, the Mahaffy and French families petitioned the court to refrain from screening them, “announcing their preference that the murderer’s views of their daughters be shared with no one — that no one should be allowed to vicariously participate in recordings that had cost their daughters’ control of their bodies and their lives” (313). Although, during Bernardo’s trial, those assembled in court were permitted to hear but not see the tapes, some members of the press “obtained clandestinely, and with dubious ethics, images available only from courtroom and police sources” (314). The contest at play in this judicial episode — between those intent on insulating themselves and their deceased loved ones from mediatized iterations of the assaults to which Mahaffy and French were subjected and those driven to narrativize crimes that test the limits of even the most macabre imagination — speaks to the conflicting desires and ethical concerns occasioned by crimes that have “enormous power to engage the public imagination through the horrific transgressions they enact” (50) and to the potential for works like *Paul’s Case* to perpetuate and abet the very harms with which they are preoccupied.

More so than the corporeal cruelties at the heart of the Bernardo-Homolka narrative, the desires and problematics discussed above are the focus of Crosbie’s text. In *Paul’s Case*, a woman obsessed with Bernardo spends a year writing to him during his ongoing incarceration. The book is composed of fifty-two “letters” — one for each week of the year — though many do not take the form of a letter per se; the unnamed narrator<sup>6</sup> tries her hand at various genres, including lyrical verse, found poetry, collage, drama, graphic novel, amateur pornography (of the “Dear Penthouse” variety), postcard, and even literary/film criticism, all while taking on an array of different narrative personas. The unrequited correspondence is framed as a scholarly effort to understand better the appeal of sexual psychopaths, an appeal amplified by the celebrity status that the media bestowed on Bernardo and Homolka.<sup>7</sup> To this end, the narrator explores how, via the deployment of tropes drawn from Gothic fiction and pornography, journalistic and true crime writings pertaining to the Bernardo-Homolka crimes are shaped by the same transgressive desires at play in the crimes themselves and how such writings can promote a kind of vicarious participation in the killers’ misdeeds. But the narrator’s critique of the representational problematics at play in her own source materials is complicated by how the text figures the narrator as a kind of proxy for the media; she joins them in treating evidence

presented in court as fodder for sensationalistic writing and even deploys the same Gothic and pornographic tropes. That she does so while compelling the reader to think critically about the potential for writing reliant on these tropes both to normalize violent sexual urges and to further traumatize the survivors of Bernardo and Homolka's crimes is key to the often ambiguous ethical thrust of *Paul's Case*, a book that calls for the ethical documentation of sex murder while suggesting that the generic conventions of the documentary are responsible to some extent for the morally transgressive bent of its own narrative.

From the outset, *Paul's Case* attempts to insulate itself against charges of representational impropriety by framing its engagement with the crimes of Bernardo and Homolka not as a response to those crimes but as an attempt to process and make sense of the sensational media coverage to which the attendant trials gave rise. In the book's preface, Crosbie claims that, though the fictional correspondences that follow entail "an exploration of the crimes of Paul Bernardo and Karla Homolka," they are "designed as imaginative and analytical responses to extant portraits of these individuals." "This," she contends, "is a critical enterprise" (viii). With these remarks, she effectively credits the book's fixation on the horrific to the press and true crime writers whose efforts gave rise to what *Toronto Life* contributor James Chatto once termed "[t]he Bernardo industry" (qtd. in Davey 46) while suggesting that her own contribution to this industry, relative to such efforts, is both intellectually elevated and necessary. Crosbie's erudite narrator surely has in mind the fact that, as Paul Crosthwaite has observed, "'Crisis' and 'criticism' . . . both have their roots in the Greek *krinein*: 'to separate, judge, decide'" (1). *Paul's Case*, then, is positioned as an intervention in the crisis of media representation generated by these heinous crimes, one that, as a documentary work, fittingly "possess[es] numerous parallels and compatibilities with [criminal] trials" (Bruzzi 276). Addressing Bernardo, the narrator of *Paul's Case* makes such parallels explicit: "All of these voices and false/true documents. As if you are in court again, drawing question marks on a legal pad" (25). The narrator also buttresses Crosbie's prefatory assertion that the text, first and foremost, is a response to prior representations of those involved in the Bernardo-Homolka crimes and subsequent trials. Recalling her own attendance at Bernardo's trial and other efforts to make sense of his crimes, the narrator claims that "The surfeit of information and documentation has freighted [her] imagination," which, in a chilling nod to how Mahaffy's body was disposed of by Bernardo

and Homolka, “is sinking, like a cement casket” (20-21). Both the publication ban to which Homolka’s trial was subjected and the surplus of evidence explored in court during Bernardo’s trial (and imaginatively supplemented by reporters) are credited with fuelling the narrator’s fascination; whereas the former has resulted in the narrator being drawn — in another allusion to the discovery of corpses — “to the smell of what is concealed” (23), the latter has transformed the Bernardo-Homolka narrative into an alluring sensation via “headlines” that resemble the titles of “pulp paperbacks” (17). The authors of true crime books do not escape the narrator’s judgment; in an early letter to Bernardo, the narrator muses, “Maybe you have read the three books about you, though I doubt it. I mean, I don’t think you’re allowed to read *pornography* in jail” (25; emphasis added). What the narrator intends to effect with her own writing, ostensibly, is “[s]ome makeshift repair of the event” that will transform Bernardo into “a pure object of study” (17, 25).

But this effort to distance the narrator’s writings from the salacious media coverage of the Bernardo-Homolka crimes ultimately rings false, as the narrator is repeatedly aligned with the true crime writers and journalists in question. For example, she is revealed to have acquired illicit documentation pertaining to Bernardo’s trial in an underhanded manner that meaningfully echoes the lengths to which certain members of the press were willing to go to get the inside scoop. The narrator claims to have purchased “a transcript of Cassette Tape Exhibit Numbers 352 and 353,” and, like an intrepid reporter, she proceeds to transform this evidence into an original piece of writing, in this case “a poem” (35). She also concedes that she has “always wanted to own” the sort of pulp paperbacks mentioned above (17), and she offers a curious defence of *Toronto Star* crime reporter and true crime novelist Nick Pron, who had “the audacity,” she sarcastically remarks, “to suggest that Kristen French may have been aroused” by the sexual assault to which she was subjected. Likening the criticism that Pron received to “[a] different press ban” (74), the narrator tacitly endorses a position taken by many journalists, who reacted to Justice Kovacs’s controversial court order by “casting themselves as victims” whose “rights” had been “violated” (Davey 61). Notably, such journalists tended to articulate their own perceived victimhood by using language suggestive of the indignities perpetrated by Bernardo and Homolka; in their discussions of the press ban imposed by Kovacs, these journalists depicted themselves as “variously gagged, shackled, muzzled, and violated” (92). Yet the narrator’s defence of Pron

— and, by extension, of her own writing — does not emphasize the sort of clichés pertaining to free speech or to public interest favoured by certain members of the press. Rather, Crosbie’s narrator frames the ire occasioned by Pron’s writing as a symptom of the same patriarchal denial of “female sexuality” that “offer[ed] Homolka the well-documented and political option to deny her participation in the rapes, all visual evidence to the contrary” (74). Herein lies another parallel drawn between the media and the narrator: by framing the act of writing about these crimes as part of a broader, para-judicial effort to seek justice for the victims of Bernardo and Homolka, the narrator gestures toward “how much like one another the police and the media” became as the investigation unfolded, with the police seeking to “‘mediatize’ their investigation” by soliciting the help of certain media outlets and the media (Davey 14), in turn, “becoming more investigative, second-guessing the police, . . . and suggesting lines of inquiry the police should follow” (15). However, through her identification with the media’s efforts to seek justice for the victims of Bernardo and Homolka, the narrator also gestures toward the fact that, as Smaro Kamboureli has observed, “a turn to ethics can easily give way to its own negation” (940).

If the narrator of *Paul’s Case* fails in her efforts to wring some critical positive from the Bernardo industry, then this failure might be explained, at least in part, by the fact that her writing relies on the same “inherited tropes” favoured by the media (Crosbie 20), tropes themselves bound up in the potential for writing concerned with sex murder to exacerbate or even perpetuate the trauma involved. Although conventionally it is “permissible for journalists to record all the details” of violent crimes “because they are believed to be . . . getting at the truth,” conspicuously artistic representations of such crimes are often scrutinized for what is held to be their dangerous ability to provide “momentary identifications with the perpetrators” (Scott). *Paul’s Case* offers more than “momentary identifications” with the killers at the heart of its narrative, each of whom speaks in the book through Crosbie’s deployment of what Stephen Scobie calls the “forged signature” — the documentary author’s utilization of a historical voice/persona (119). However, through its echoing of particular tropes deployed by the media, the text also asks us to consider how journalists and true crime writers promote a more insidious form of identification with Bernardo and Homolka. To this end, Crosbie’s narrator explores how the already dubious “line” demarcating “‘journalistic’ truth and ‘imaginative’ art” was effectively obliterated

ated by much of the media coverage of the Bernardo-Homolka crimes (Scott), which tended to rely on conventions drawn from the Gothic — a genre known for “assuaging and intensifying the anxieties with which [it] engage[s]” (Little 405). In *Karla’s Web*, Frank Davey notes that “almost all narrators of the Mahaffy-French story told it as a Gothic story” (55), with Bernardo typically occupying the role of the Gothic villain or monster who in some way is outside society and Homolka “in some accounts . . . fill[ing] the role of the evil ‘dark woman’ who in Gothic plots frequently works to deceive and betray the heroine and to punish her for having intruded upon her own relationship with the villain” (57). This framing of the Bernardo-Homolka narrative as a kind of Gothic tale has a profound impact on writers’ relationships with the figures and cruelties involved; in “the reportorial construction of the Mahaffy-French deaths,” contends Davey, writers “reveal their own fascination with and erotic involvement in the event. Their words linger too long on the victim’s body and on the details of the assault, they protest too strongly their grief and tears” (167). So much, then, for the responsibility of journalists and true crime writers, as Reinhardt would have it, to “say ‘no’” to the violent and decidedly patriarchal “way of seeing” at play in the crimes that they document (46).

But what of the responsibility of Crosbie’s narrator, who also takes up the Gothic formula? In her writing, Bernardo is a “MONSTROUS” figure who calls to mind “THE DEVIL” (44, 158); the murderous couple are framed as “villains” (165), and the Port Dalhousie home in which they committed the murders of Mahaffy and French is reduced to “a space cryptlooking and ghastly” (61). The narrator also claims to be “a student of psychoanalysis” (45), thereby aligning herself with a field concerned with unearthing the “deeply buried anxieties” that are the staple of Gothic literature (Edwards xvii). Furthermore, her likening of the true crime books written about the Bernardo-Homolka crimes to a type of “pornography” gestures toward the erotic thrust of the Gothic. That said, unlike the journalism and true crime books to which her own text responds, Crosbie’s narrator appears to be acutely aware of how the framing of these crimes as a Gothic narrative can result in an obfuscation of the threat posed by sexual psychopaths such as Bernardo and Homolka. Alluding to how media representations of Bernardo effectively depicted him as “not human at all but a ‘monster’ who preys on youth” (Davey 56), the narrator lists a handful of assumptions at play in and abetted by this trope, assumptions that would be exploded by



the identification and arrest of both Bernardo and Homolka: “Killers look very angry and ugly. . . . Killers are not pretty. . . . Pretty girls are not killers” (24). Journalists and true crime authors can claim, as former *Globe and Mail* justice reporter Kirk Makin does in the introduction to Stephen Williams’s *Invisible Darkness: The Strange Case of Paul Bernardo and Karla Homolka*, that delving into the horrific details of such crimes “is necessary, even laudable” (viii), because it is “[o]nly by grasping what factors give rise to [serial killers] and their mode of operating” that “we [can] hope to more swiftly catch those who follow in their footsteps” (ix). However, when paired with the tendency to depict such criminals as monsters who operate beyond the limit of social norms, this line of thinking too easily can overlook the fact that “our society . . . produced” these killers and “produced the ways of being ‘evil’ available to [them]” (Davey 58). For her part, Crosbie’s narrator alights on the role played by society’s conventional objectification and sexualization of young female bodies in the construction of the Bernardo-Homolka narrative. In one letter’s allusion to the media’s frequent characterization of the murderous couple as “Ken and Barbie” — a characterization decidedly at odds with the Gothic tropes otherwise deployed, one that emphasizes their youth, good looks, and appearance of having achieved middle-class prosperity — the title “Bernardo Remembers the Scarborough Rapes” is paired with a contact print featuring an array of Barbie dolls (60), many of which are without clothing. The numbered placards worn by each doll signal not only an auction-like commodification of young female bodies but also the fact that, because of their youth and/or desire for anonymity, many victims in the Scarborough rape case have been identified only by way of numbers. In another letter’s allusion to the role played by Homolka’s testimony during Bernardo’s trial, the title “Postcard: Witness for the Prosecution” is paired with a photograph of a beauty pageant queen and text drawn “from Polly Peterson Bowles and Barbara Peterson Burwell’s *How to Become a Beauty Queen*” (92, 180). Assaying the cognitive dissonance occasioned by the media’s often contradictory depiction of the killers as either revolting monsters or beautiful symbols of capitalist normalcy, the narrator finds in each trope a germ of the same repressed desires.

Through her one-sided correspondence with Bernardo, the narrator suggests that the media’s fascination with these killers has less to do with ensuring that such crimes are never again permitted to occur and more to do with finding a socially acceptable manner in which to act

imaginatively on the very desires that motivated Bernardo and Homolka. In "The Journalist & the Murderer," the narrator notes how Christie Blatchford's coverage of Bernardo's trial involved the articulation of violent fantasies such as "carving [Bernardo] a new asshole" (77), and she marvels at Blatchford's willingness to ponder "in print which hand [Bernardo] used to masturbate." As the narrator sees it, Blatchford's coverage is charged with the same commingling of erotic and homicidal desires at play in the Bernardo-Homolka narrative; Bernardo is "a desirable man [whom Blatchford] kills in her imagination each night" (78). Not every suggestion that prior writings on these crimes model the transgressive urges involved is made in so explicit a fashion. For example, though the reader is surely meant to assume that the narrator classifies the true crime books about Bernardo and Homolka as a type of "pornography" because each dwells on the sexual assaults to which the killers' victims were subjected, there appears to be more at stake in the deployment of this particular generic referent. In *Invisible Darkness*, Williams evinces a tendency to objectify women in a manner suggestive of the killers' own predilection for sizing up potential victims in terms of their perceived sexual appeal. He describes Bernardo's mother as "[a]n attractive blonde" who was "maybe a bit heavy in the thigh" before she "got really fat" (42, 49); he later notes that one of Bernardo's girlfriends "had ample breasts" (60) and that the rape victim known only as "Jane Doe" "looked a bit like Karla, except she had larger breasts" (149); even the mother of French is needlessly objectified, with Williams remarking that she "had gained some weight over the previous decade but . . . was still a handsome woman" (218). The writing is also steeped in the language of murder; the homeowners who sold Bernardo and Homolka the infamous Bayview house in which many of their crimes were committed are described as "bleeding like stuck pigs" because of the debt that they incurred for renovations (175), and Williams himself is characterized in Makin's introduction as a writer who wields a "blade" instead of a pen or word processor (ix). In tandem with the attention paid by Crosbie's narrator to both Pron's aforementioned interest in the possibility that one victim was brought to climax via sexual assault and Blatchford's undisguised torture fantasies, such descriptions speak to the potential for writing about sex murder to give way to a vicarious participation in the crime itself.

What distinguishes the vicarious participation of Crosbie's narrator from that of other writers is her willingness to confront it, to explore its

root causes and ethical dimensions. Like Blatchford, the narrator fantasizes about subjecting Bernardo to knife-based torture; in one letter, she imagines “stabbing [him] over and over” (21) and suggests “carv[ing] out [Homolka’s] eyes” (19). Like Williams and Makin, she frames the act of writing about these crimes in language suggestive of the particular transgressions that they entail; she claims that, by taking up Bernardo’s story, she has effectively “abducted” him (82). Also following Williams, the narrator allows her writing to serve as a kind of ghastly pornography — made explicit in a letter titled “Pornography,” in which she writes in the persona of a female Kingston Penitentiary guard who has a violent sexual liaison with Bernardo in his cell. But, throughout *Paul’s Case*, the narrator attends to the transgressive desires at play in these imaginings and to the socially acceptable positions that mask such desires. It is no coincidence that the narrator, who functions in many ways as a kind of double for the media, imagines herself at one point to be a version of *The Avengers’* Emma Peel. Writing as Peel, the narrator ponders Thomas Middleton’s *The Revenger’s Tragedy* while on a mission to dispatch Homolka violently and later acknowledges that the assignment, for her, has a sexual element: she takes a kind of sadistic pleasure in mutilating Homolka’s genitals and plays up the associations between Peel’s “black number” and BDSM wear by “reaching for a whip” (131).<sup>8</sup> Peel might be an iconic crime fighter, but in *Paul’s Case* she functions as a kind of echo of the sexual psychopath whom she has targeted, which makes it difficult to see the punishments meted out as a form of criminal justice. That said, there is some precedent for the violence at play in this particular revenge fantasy; in her historical survey of the application of the death penalty to sex murder cases in Canada, Carolyn Strange notes that crimes “involv[ing] child victims, torture, mutilation, or multiple victims were the most likely of sex murders to arouse merciless feelings” (8). The documentary crime genre offers a further precedent; in “Reel Cruelty: Voyeurism and Extra-Judicial Punishment in True-Crime Documentaries,” Ethan Stoneman observes that documentary works often “provide a form of retributive justice” predicated on “the perverted thrill of seeing ‘guilty’ parties deservedly punished” (415, 405). But, as Crosbie’s narrator illustrates, the notion that Bernardo and Homolka deserve punishments that resemble their crimes ultimately makes possible a dubious normalization of the violent sexual urges in question. The narrator offers a compelling example of such normalization when she relates how a friend who appeared to disapprove of her decision to

write to Bernardo was nevertheless buoyed by the prospect that doing so would involve subjecting the convicted sex murderer to brutal, if figurative, assaults: "He was disquieted although he liked all the mean things I said I would write, especially the part about sticking a knife right down [Bernardo's] throat" (25).

Yet the narrator is not "the avenger" that her friend "wants [her] to be" (25), and neither, she suggests, are the authors with whom her own writing engages. Zeroing in on what she sees as the source of Blatchford's fascination with and violent reaction to the Bernardo-Homolka crimes, the narrator offers this childish taunt as an explanation: "Christie loves Paul" (78). The comment is relayed in a script suggestive of a handwritten note, like the kind sometimes passed among schoolchildren; as such, it calls to mind the tendency for youths to mask and/or sublimate erotic desires with outward displays of aggression. More broadly, it speaks to the perverse appeal of the celebrity psychopath and to how the violent imaginings of writers such as Blatchford camouflage a commingling of erotic and homicidal desire not unlike that which motivated Bernardo and Homolka. While Blatchford takes a position of moral superiority relative to such figures by constructing a fantasy scenario in which her own erotically charged violence is framed as retribution for the crimes committed by the murderous couple, Crosbie's narrator does not allow herself such a justification. She is forthright about the curious blend of "affection and loathing" that informs her own fascination with Bernardo (19), and she even suggests — in a move that undermines the pretense that her letters are meant to serve a "critical" purpose (viii) — that "It's just evil, writing to [him] this way" (23). Later the narrator implicates herself in the aforementioned connection between writing about these crimes and vicariously participating in them when she suggests, via a word game she asks Bernardo to complete, that through the act of writing the two can become "collaborators" (124).

However, the narrator's tacit critique of those inclined to consider the Bernardo-Homolka crimes in pornographic terms is somewhat more complex, for it involves displacing the sexual violence associated with these crimes onto Bernardo himself in a scene rife with ambiguity. *Paul's Case* is replete with references to the sexual assaults perpetrated by Bernardo and Homolka, but in the "Pornography" letter Bernardo is the target of transgressive sexual urges. If he had been portrayed as an unambiguously helpless victim in this scene, then the result would have been an inversion of the crimes that he perpetrated, not unlike

that offered by Blatchford's fantasy knife play. There are undeniable echoes of the assaults to which Mahaffy and French were subjected, from how the female guard directs, via threats, Bernardo's participation in the sex acts described to her decision to urinate on him after she has achieved climax.<sup>9</sup> But the issue of consent is incredibly murky, at best, in "Pornography," which presents Bernardo as an initially enthusiastic yet ultimately powerless participant in the sexual encounter described. At first "wary" of the guard (54), he reveals his "lust" when she disrobes, but he is promptly castigated as a "little girl-killer" and denied any agency in the ensuing sex acts, some of which cause him physical harm. His ability to give meaningful consent — an ability already undermined by the considerable power that a prison guard has over an incarcerated felon — is further cast into doubt by the fact that the guard's threatening demeanour reduces him to a voiceless figure capable only of "buck[ing] against [her], his face buried in the pillows" (55). Are readers meant to enjoy, in the manner of Blatchford or the narrator's friend, the idea of subjecting Bernardo to the sort of cruelties for which he is known? The guard's "little girl-killer" comment certainly suggests that the aggressive sexual acts subsequently described are meant to serve as a form of visceral comeuppance, but this suggestion is at odds with the emphasis placed on the guard's pleasure, which is given considerably more attention in this scene than any pain or discomfort that Bernardo might be experiencing. Although some of the guard's pleasure surely derives from her ability to render submissive a criminal known for his own "notorious" acts of sexual dominance, the broadly erotic dimension of the encounter is foregrounded; the guard is responding to the call of *Lusty Letters* to "Turn [Their] Readers On!" (54). Ethically speaking, the framing of this scene as an example of the sort of "retributive justice" that Stoneman describes is problematic enough, but the fact that "Pornography" more readily scans as actual pornography troubles its ability to serve as an effective critique of true crime writing marked merely by a pornographic slant. Is the narrator underscoring her own judgment of this pornographic slant by offering a kind of grotesque, exaggerated pastiche, or has her critical position on the matter actually served, like the succession of personas deployed throughout *Paul's Case*, as another mask with which to act on the violent and transgressive sexual desires that characterize much writing on these crimes? In a book as playfully postmodern as this one — which draws metafictional attention to its own "[t]extual play, critical labour, exegesis," and "[v]arious formal

configurations" to suggest that, generically speaking, it is "[n]ot one thing or another" (Crosbie, *Paul's Case* 84) — perhaps only ambiguity is certain.

More striking than the ethical ambiguity at play in the text's representation of sexual violence is the ambivalence with which the text attends to its own capacity to traumatize further those directly affected by the Bernardo-Homolka crimes. While it might be broadly true that "true-crime documentaries" that "rely on representations of trauma . . . cannot help but perform a wounding of their own" (Stoneman 415), the fact that Crosbie's text is concerned with relatively recent crimes warrants further scrutiny in this regard. Put simply, whereas many works of documentary literature take as their subject crimes committed in a relatively distant past, thereby reducing the likelihood that such works can reinscribe or perpetuate the trauma experienced by survivors of the crimes in question, *Paul's Case* dwells on living criminals and the ongoing pain of survivors still grappling with losses already exacerbated by sensationalistic and pervasive media coverage. Although Crosbie's narrator expresses outrage at the fact that "the families [of the victims] would have to listen to / their children being raped and tortured" during Bernardo's trial (140), she imaginatively compounds this trauma by offering detailed accounts of what certain victims endured; "Kristen" supplants the prohibited visual element of the Bernardo-Homolka films by offering a first-person perspective on the torture and indignities to which Kristen French was subjected (93-94), and "Mahaffy" features a fictional diary entry in which Leslie Mahaffy becomes afraid of the fact that she has been locked out of her parents' house (on the night of her abduction) — with a line break and bold font marking the transition to what appears to be transcribed audio of the teen begging for her life (63). *Paul's Case* dwells on the very trauma that its own depictions can revivify, with "Mahaffy" also detailing the emotional ruin into which Leslie's parents are plunged by her murder (64-66) and "Whoso List to Hunt" featuring an unnamed rape victim rebuffing the narrator's interest in an assault that the victim claims to be unable to recall, all while detailing symptoms consistent with post-traumatic stress disorder, such as problems pertaining to "memory" and the sudden, seemingly "illogical," onset of "tears" (120). Throughout, the self-awareness that distinguishes the narrator's engagement with these crimes from that of certain journalists and true crime authors also underscores her willingness to exacerbate the harms done by Bernardo and Homolka.<sup>10</sup>

This willingness might explain the ambivalence with which the text handles the narrator's desire to put the Bernardo-Homolka narrative to rest. Despite her contention that by reducing Bernardo to "an object of study" the narrator can banish him from her imagination — can make him "no longer valuable," someone whom she is "[n]ever to speak or dream of . . . again" (166) — the book itself resists such efforts to cast aside the Bernardo-Homolka crimes. The closing letter in which the above statement appears is succeeded by the book's "Legend/Appendix," which provides a broad sketch of the figures and events involved in the Bernardo-Homolka narrative, and by the "Bibliography," "Notes," and "Acknowledgements" sections, each of which directs the reader to further writings on the figures and events in question. In other words, even as the speaker endeavours to "leave to rest" the "dead girls" whose victimization unfolds anew in so many writings on these crimes (166), Crosbie's paratextual efforts compel the reader to keep the Bernardo-Homolka narrative alive by responding to the documentary genre's conventional invitation "to repeat the poet's research and engagement with the facts" (Scobie 123). I do not see this apparent contradiction simply as evidence of a failure by Crosbie or her narrator to achieve the goals laid out in the book's opening pages; rather, I see it as instrumental to the book's thematization of the abiding appeal of narratives concerned with a subject as shocking and sensational as sex murder.

Adding to this appeal, as the narrator has it, is the documentary aspect of the Bernardo-Homolka narrative itself, particularly "the videotape evidence" at the heart of Bernardo's trial that served as "an unprecedented assault on the Not Guilty plea" (100). By the mid-1990s, the rise of so-called reality TV had positioned the "[v]ideotape" as "the guarantor of authenticity" (Davey 144) because of its apparent ability "to define and verify 'reality'" (147). In this tape- and reality-obsessed milieu, the films made by Bernardo held considerable sway over the public imagination because of both their ability ostensibly to confirm as reality otherwise unimaginable horrors and the court's decision not to screen them during Bernardo's trial.<sup>11</sup> As the spate of print and online speculation regarding the contents of these tapes made plain, the mere existence of such films invariably will affect any consideration of the Bernardo-Homolka crimes; they "provide the locus," as Crosbie's narrator puts it, "for the (compounded) narrative" (101). Gesturing toward the archival function of the video document, the narrator also suggests that the tapes themselves ensure a prolongation of the Bernardo-Homolka



narrative, for “The actors/victims are imprisoned [in]” — that is, unable to escape — “the documentary” fashioned by Bernardo (102). And, though the tapes were still in existence at the time of Crosbie’s writing — they were not destroyed until 2001 (CBC) — I do not believe that their material existence has any bearing on the narrator’s contention that “The scene of the crime . . . cannot be destroyed” (100). Because “the original filmic document provides the foundation for all subsequent narratives” (101), the horrors captured by Bernardo’s films are preserved in all writings pertaining to his crimes, including the narrator’s. Of course, one cannot overlook the fact that, as I have noted, *Paul’s Case* itself compels the reader to view such writings with a critical eye on the problematics involved and their potential to do harm; the filmic documentary’s ability to turn the viewer into what Stella Bruzzi terms an “audience-jury” amounts here to tasking the reader with the burden of judging not merely the crimes committed by Bernardo and Homolka (267) but also the traumas caused and abetted by writers drawn to those crimes. That Crosbie’s narrator has invited the reader to judge the harms potentially wrought by her own writings might explain why, in her closing letter, she remarks that *Karla’s Web* — a book that attends soberly to the potential for writing on the Bernardo-Homolka crimes to encourage imaginative participation in the horrors involved — “makes [her] wish that [she] could draw thick black lines through all of [her] letters, leaving one phrase: *I’m sorry*” (165). This *mea culpa* does not cancel out the tacit invitation to take up Crosbie’s research, but it does add a noteworthy complication, for it warns that readers who do so might find themselves confronting what Davey called “The Murderer in the Mirror” (161).

*Paul’s Case* demands consideration of another ethical concern highlighted by Davey in his “The Murderer in the Mirror” chapter: namely, that the dearth of attention paid in works of Canadian literature to how society produces killers such as Bernardo and Homolka has resulted in “a culture poorly equipped to read its own crimes” (163). Crosbie’s book might fall short of the narrator’s goal “to make the bad bleed and the tragedy good” (19), but its focus on how we participate in and potentially promote sexual violence via writings on that subject nevertheless represents a significant effort to address the myopia that Davey describes. While the narrator’s attention to the Gothic and pornographic conventions featured in prior writings on the Bernardo-Homolka crimes underscores the transgressive desires at play in such texts, it is also part of a broader effort to explore how we, as a society, make sense of violent



crime and how we might do so differently. To this end, *Paul's Case* tacitly calls for a more ethical approach to the documentation of sex murder, but the book does not actually model such an approach; rather, through its ambiguous handling of the fantasies and desires mobilized by the Bernardo industry — and by the documentary genre itself — the book charts the difficulty with which one might endeavour to document salacious crimes without perpetuating in some way the harms associated with them. Although Crosbie's narrator takes a critical stance on how writers drawn to the Bernardo-Homolka crimes perpetuate the tropes and drives that informed those crimes, she does so by modelling the very problematics at the heart of the book's critique, often in an extreme or overblown manner. Some readers might think that no critical good can be wrung from the book's various imaginative transgressions and that — in fashioning a text in which narrator and reader alike participate vicariously in the crimes of Bernardo and Homolka — Crosbie has crossed an ethical line. As I see it, the critical value of *Paul's Case* lies in the force with which it troubles this line by compelling us to confront — in and beyond a documentary context — the generic and rhetorical strategies with which we navigate our own complicity in cruelties both real and imagined.

## NOTES

<sup>1</sup> See Crosbie ("Shapeshifter") and Huffman.

<sup>2</sup> In *Karla's Web: A Cultural Investigation of the Mahaffy-French Murders*, poet-critic Frank Davey notes that — by way of "salacious media evocations of exquisite pain, ruptured taboos, and violently broken bodies" — the victims of Bernardo and Homolka "were changed into exploited sexual bodies as surely by journalists as they had in more horrifying ways by their killers" (344). In the acknowledgements of *Paul's Case*, Crosbie remarks that she is "indebted" to the writings of figures such as Christie Blatchford and Rosie Di Manno (185), the very journalists who, respectively, later threatened the book's publishers with litigation and the author herself with physical assault for producing such a work; see Huffman.

<sup>3</sup> Documentary materials are conventionally characterized as "evidence," albeit with the attendant awareness that, as Manina Jones remarks, "This is evidence whose 'sources' cannot be objective; they are, inevitably, positioned subjects whose particular positioning needs to be taken into (the historical) account" (8). I have in mind the juridical connotation of "witnessing" favoured by documentary crime discourse — which pertains to how the genre "invites listeners, readers, and viewers . . . to participate vicariously in the workings of the criminal justice system" (Stoneman 405) — not the commingling of juridical and "sacrificial" connotations that marks much critical work on the ethics of witnessing (Spargo 144), though both approaches share an interest in the witness's relation to trauma. Also, as

I have discussed elsewhere, the act of writing documentary literature is sometimes framed in terms suggestive of criminality; see Hahn (86-87).

<sup>4</sup> I borrow the term “sex murder” from Carolyn Strange, who, in *The Death Penalty and Sex Murder in Canadian History*, notes that, though this “is not a term that appears in historic Canadian criminal statutes,” it nevertheless represents a useful means of categorizing “homicides that involved rape or sodomy as well as killings motivated, in the eyes of contemporaries, by perverted sexual desires or attempted assaults of a sexual nature” (6).

<sup>5</sup> The ban, which applied only to the court proceedings of Homolka’s trial, was lifted after the conclusion of Bernardo’s trial; see Canada.

<sup>6</sup> Throughout *Paul’s Case* are suggestions that the narrator is meant to be read as a version of Crosbie herself; she signs one letter as “Lynette” (55) and elsewhere mentions a “black rat insignia” (23) that might be an allusion to Crosbie’s poetry collection *Queen Rat*. But “Lynette” appears to be a persona briefly adopted by the narrator, who also takes on identities drawn from actuality and popular culture. In light of such efforts to obfuscate the narrator’s identity, I choose to think of this figure as “unnamed.”

<sup>7</sup> Davey devotes significant attention to how the mediatization of the Bernardo-Homolka crimes made both killers “into celebrities” (248); he draws a parallel between the media circus that surrounded their trials and that of the O.J. Simpson trial.

<sup>8</sup> Peel’s famous “catsuit” is broadly suggestive of BDSM attire, but Crosbie’s narrator might have in mind the more salacious “Queen of Sin” outfit worn by Peel in the 1966 episode “A Touch of Brimstone.”

<sup>9</sup> In *Life Sentence: Stories from Four Decades of Court Reporting — Or, How I Fell out of Love with the Canadian Justice System (Especially Judges)*, Blatchford relates how “Bernardo urinated on” one victim before killing her (314).

<sup>10</sup> Crosbie has addressed her own willingness to compound the trauma of the Mahaffy and French families; in a 1997 *Taddle Creek* profile by Kerri Huffman, Crosbie remarks that, “when I’m accused of being a cruelty mongered [sic], I’ll accept that. And I’ll accept that because I know that any mention of these girls will hurt their parents and that is unavoidable. That is something I live with and I live with that with sadness.” Referring to media portrayals that hewed toward victim blaming, she adds this justification for her own embrace of the ethical problematic at hand: “I felt that at the very least I was writing against things that were critical of the conduct of Leslie and her parents.”

<sup>11</sup> The video evidence central to Bernardo’s trial might also have contributed to the inclination of some members of the press and the public to frame the Bernardo-Homolka crimes as a Gothic narrative. As Janine Mary Little observes about another sex murder case in which video evidence of the still-living victim captured the public’s attention, our awareness of the screen victim’s eventual fate lends to the recorded image “a haunting presence” (399).

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