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Law and Abuse: Representations of Intimate Partner Homicide in Law Procedural Dramas

Jaime A. Campbell, *The University of Western Ontario*

Supervisor: Sasha Torres, *The University of Western Ontario*

A thesis submitted in partial fulfillment of the requirements for the Master of Arts degree in Media Studies

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Abstract

In the early 1970s, feminists began to raise awareness about intimate partner violence (IPV), transforming it from a private family matter into a social problem. Popular media representations of IPV, which exposed the extent and severity of the problem, played a key role in this transition. Surprisingly, however, there has been very little research on media representations of IPV or intimate partner homicide (IPH). This thesis conducts a critical discourse analysis on recent media representations of abused women who kill their abusive partners in law procedural dramas, a genre of television that both commands a wide prime-time audience and impacts viewers' understanding of the legal system. I argue that the common representational tropes used in these episodes actively harm abused women by constructing only abuse narratives that reinforce misogynistic tropes as valid and by suggesting that the legal system meets abused women's needs.

Keywords

Intimate Partner Violence, Intimate Partner Homicide, The Burning Bed, Francine Hughes, Representation, Cultural Studies, Discourse Analysis, Hall, Television Studies, Law Procedural, Domestic Violence, Self-Defense, Battered Woman's Syndrome.

Acknowledgments

First thanks, of course, must go to my supervisor, Dr. Sasha Torres, for helping me to piece together what often felt like an unending project. From the early days of grad school when I came to your office to tell you I wanted to radically change my thesis from Marxist theory to something about the relationship between media and intimate partner violence through to applying for my MSW, your guidance and support have been invaluable. Thank you for being patient with me as I worked through several major transitions in my academic work and in my personal life.

I would also like to thank many of the other incredible professors that I have had the great pleasure of working with and learning from at FIMS. Special thanks go to Dr. Warren Steele for being an integral part of my academic and moral development throughout my undergraduate and graduate degrees at FIMS and for his many kind and encouraging words about my work. I must also extend my sincere thanks to Dr. Nick Dyer-Witford for supporting a mostly clueless third-year undergrad in their attempts to struggle through volume 1 of *Capital* and for his many kind letters of recommendations.

Thank you to my parents, Kelly and Michael, for loving me endlessly and supporting me through the many, many changes that have occurred in my life over the past few years. I would not be where I am today without you. Thank you also to my younger sister, Nicole, for loving me and trying to understand me in spite of our many differences, and to my grandparents, Jack and Maggie.

To my cohort (and to those informally part of our cohort): I could not have asked for a better group of friends and colleagues to drink and bemoan the perils of grad school with. I will miss you all dearly. To my friends outside of academia: I love you too. I would like to thank Tania in particular for her love, companionship, and support as I progressed through this degree and other major transitions in my life. Thank you also to my Ways2Raise family for their friendship, love, and commitment to helping the trans community.

Finally (and you all knew this was coming): I would like to thank my cats for their companionship, soothing purrs, and silly antics. You bring so much joy to my life.

Table of Contents

Abstract.....	i
Acknowledgments.....	ii
Table of Contents.....	iii
List of Figures.....	v
Chapter 1.....	1
1 Introduction: Setting the Stage.....	1
1.1 Theoretical Framework and Research Questions.....	5
1.2 Chapter Breakdown.....	6
Chapter 2.....	8
2 What We Know About IPV: A Review of the Literature.....	8
2.1 Statistics About IPV.....	9
2.2 The Etiology of IPV.....	16
2.2.1 Psychological Theories.....	16
2.2.2 Sociological Theories.....	18
2.2.3 Feminist Theories.....	21
2.3 Who Says That She Stays?.....	25
Chapter 3.....	36
3 <i>The Burning Bed</i> : IPV, BWS, and the Media.....	36
3.1 A History of Misogyny.....	41
3.2 <i>The Burning Bed</i>	46
3.2.1 An <i>NBC</i> Original.....	52
3.3 Self-Defense and Battered Woman’s Syndrome.....	60
3.3.1 Self-Defense Laws.....	60
3.3.2 The Battered Woman’s Syndrome.....	64
3.3.3 Expert Testimony.....	67
Chapter 4.....	73

4	The BWS Effect: Law Procedurals and IPH	73
4.1	Methodology.....	74
4.2	Analysis	76
4.2.1	Tropes About Abused Women	77
4.2.2	Tropes About Abusers	87
4.2.3	Tropes About Law Enforcement and the Legal System.....	93
4.3	Discussion.....	96
	Chapter 5.....	100
5	Conclusion.....	100
5.1	Limitations and Directions for Future Research.....	103
	Bibliography	105
	Curriculum Vitae	124

List of Figures

Figure 1. Source: Hall 1999, 510.....	37
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Chapter 1

1 Introduction: Setting the Stage

Common parlance would suggest that there are two types of abused women: those virtuous and strong enough to pack up their belongings, pluck up their courage, and leave their abuser, often with their children in tow, and those pathetic enough to remain with their abuser in spite of his violence. Often, these tropes and the admonishments or praise that accompany them constitute our prevailing discourse about intimate partner violence (IPV). As Nancy Berns accurately observes, “domestic violence has become a social problem *about the victims*” rather than about their abusers (Berns 2004, 2–3).

For anyone familiar with the effects of abuse and trauma, it is evident that focusing on the victim rather than perpetrator is problematic. IPV has developed within a social context that fosters violence against women by teaching men (and women) that it is a woman’s role to prevent violence rather than a man’s responsibility not to perpetrate this violence in the first place. In this discourse, any woman who fails to prevent male violence is “asking for it” and must be held accountable for her alleged “crime.” Meanwhile, the dependence, love, terror, and helplessness that the abuser creates in order to render his victim subservient to his will glides under the radar.

In this thesis, I will discuss IPV in this social context of sanctioned male violence. Although some studies have suggested gender parity in IPV—that is, that women perpetrate IPV as often as men—these studies fail to take the significant markers of context, severity, intention, and consequences into account (Kimmel 2002). Accordingly, such studies are unable to distinguish the pervasive “pattern of control and fear” characteristic of IPV from violence perpetrated in self-defense or violence as an isolated expression of anger. Studies that do take such factors into account consistently demonstrate that women constitute the overwhelming majority of victims of IPV. As Michael Kimmel aptly notes, this asymmetry betrays men’s sense of entitlement to control women and to use violence to reassert their masculinity. IPV is therefore

intimately tied up in the social context of gender inequality and the link between masculinity and violence.

Having established that women are far more likely to be the victims of IPV than men, I turn to the most extreme form of IPV: intimate partner homicide (IPH). Likewise dominated by men—IPH accounts for one third of all female homicide victims while accounting for only 4% of male homicide victims—IPH often represents one partner's (most often the male partner's) final effort to assert domination and control over their (ex-)partner (Kimmel 2002). Accordingly, women are at greatest risk of IPH after leaving their abusive partner, a factor often implicated in abused women's rationalizations to remain with their abusive partner. This statistic problematizes the aforementioned narratives about abused women that either demonize her for staying or glorify her for leaving. Often, a woman is forced to stay in an abusive relationship for fear of her own life or the lives of her family members.

The chilling fear that a woman will not be safe even once she has left her (ex-)partner is what drives some women to the ultimate resolution to their problem: killing her (ex-)partner before he kills her. Nancy Jurik notes in her summary of research on male versus female homicide that women most often commit homicide against intimate partners after enduring years of physical, emotional, and sexual abuse with little to no outside assistance in spite of multiple attempts to resolve the situation peacefully. Accordingly, IPH by battered women tends to increase in areas where victim services are lacking. IPH becomes the ultimate act of self-defense for an abused woman who, having tried every other option that she can think of, can find no other way out of her situation.

While IPH appears as an act of self-defense for a battered woman, however, legal statutes often do not classify it as such. Based on the standard of a conflict between two men, a self-defense plea usually requires the defendant to demonstrate that:

she honestly believed herself to be in imminent danger, and thus it was necessary to kill the deceased in order to save herself from death or bodily harm... [that her] belief was reasonable in that the circumstances as they appeared to her at the time were sufficient to create such a belief in the mind of a reasonable person... [and that she] did not use more force than was necessary or reasonably appeared to be

necessary under the circumstances to protect herself from death or great bodily harm (Russell 2010, 119).

Since abused women frequently attack their abusers outside of the context of an immediate conflict—for example, when the abuser is asleep, drunk, or has his back turned—or using seemingly disproportionate force, IPH by abused women often falls outside the legal definition of self-defense. Although some courts have expanded their definitions and jury instructions to recognize that battered women are often at a physical, psychological, and financial disadvantage to their abusers, legal precedent is often unclear, leaving abused women uncertain how well a plea of self-defense will serve them.

In a verdict of self-defense, much hinges on the jury's perception of how "reasonable" the defendant's actions were. Since abused women have been worn down by years of brutal physical, psychological, and sexual abuse, the "reasonableness standard" can be problematic. For this reason, courts frequently admit evidence of past abuse and, particularly, expert testimony on Battered Woman's Syndrome (BWS), which is used to explain the defendant's impaired psychological state preceding and at the time of the murder. Coined by Lenore Walker, BWS is categorized as a subset of post-traumatic stress disorder wherein the victim experiences a number of additional psychological disturbances stemming from her history of abuse. The most infamous and often cited of these disturbances in expert testimony is the concept of "learned helplessness," which describes a battered woman's inability to predict whether her behaviour will have the desired outcome. Because she has learned that that no amount of placating behaviours will prevent her partner's abuse, the abused woman learns that all she can do is develop strategies to cope with the consequences of his abuse. In other words, BWS explains how an otherwise resourceful woman may feel that the only possible way to stop her partner's abuse is to kill him. It can be applied to influence the jury's opinions about what a "reasonable person" would have done in her situation and state of mind.

BWS and other forms of expert testimony, however, have often been vilified in the media as an excuse for women to get away with murder (Jones 2009). Marianne Noh, Matthew Lee, and Kathryn Feltey's (2010) study of newspaper portrayals of battered

women who kill, for example, found that the newspaper articles they surveyed often used this characterization, second only to their use of a medicalized model along the lines of BWS. In *Framing the Victim* (2004), Nancy Berns also briefly discusses magazine portrayals of battered women who kill their abusers, writing that the articles often return to an “individual responsibility” framework that, sympathetic or not, frames the battered woman as personally responsible for her situation and actions. Not only does this vilification negatively impact public understanding of battered women and the plight that they face, but in doing so, it can also affect legal policy and the actions that legal actors¹ take vis-à-vis abused women, particularly abused women who kill their partners. The result is that abused women continue to be driven to kill their partners by lack of available help and continue to be convicted on murder charges and sentenced to significant jail time.

Because media representations of IPH and BWS can have both interpersonal and legal ramifications for abused women, this thesis examines media representations of battered women who commit IPH against their abusive partners. Not only is this an area of great significance to the lives and freedom of many women, but it also represents a significant gap in the scholarly literature: indeed, Noh et al.’s article was the only study I could find that discussed media representations of abused women who kill. There are no studies that examine non-print media such as television, which I contend is an extremely significant gap, since image-based media like television act as one of the dominant means by which many people receive information and thus formulate their beliefs about the world. Indeed, as Rapping (1994) argues, television may hold a particularly influential role in the relationship between media and social issues because the lower budget of television productions make it a less risky medium for directors interested in engaging with social issues.

¹ The term “legal actors” encompasses the full range of individuals who participate in the legal system, including—but not limited to—juries, lawyers, police and other law enforcement personnel, judges, and policy makers

This thesis intends to begin the work of filling this gap by examining televisual representations of IPH in a particular television genre. The research that follows will specifically consider the way that American law procedural dramas (e.g. *Law and Order*) represent abused women who kill their partners. I contend that this genre of television is uniquely situated to help us examine the wide range of effects that media representations of IPV may have on abused women because law procedurals intervene not only in social expectations about abuse and abused women, but also in the way that viewers (including potential and actual legal actors) understand how the legal system copes with the complicated issues of abuse and self-defense. This is not to suggest, of course, that law procedurals are viewers' only sources of information about IPV, IPH, and the legal system—viewers will draw their information about all of these topics from a wide variety of sources, including other visual media such as film. However, I argue that law procedurals provide a significant piece of the puzzle and that, as such, they are worth examining.

1.1 Theoretical Framework and Research Questions

As I will detail in my third chapter, this thesis relies on the idea(s) that underlie cultural studies research—namely, the belief that cultural and representational practices affect our lived realities and are fundamentally linked to the operation of power. Specifically, this research applies Stuart Hall's foundational theories about encoding, decoding, and the corresponding relationship between representations and social reality in order to get at the relationship between media representations of IPV and the lived experiences of abused women. Moreover, while Hall's theories include a consideration of power, I adopt an explicitly feminist analysis not only of the law procedurals that I analyze, but of IPV more generally. I explain the empirical reasoning for and the importance of a feminist perspective on IPV in my second chapter. Finally, in my fourth chapter, this project employs the theoretical framework and methodologies associated with critical discourse analysis (CDA). Like Hall's work, CDA explores the relationship between discourse and social reality, but I contend that its explicit focus on the operation of power through discourse is a valuable addition to Hall's theories.

The questions that will guide my research are threefold. First, what common tropes are present in representations of abused women who commit IPH? Second, how do these common tropes either perpetuate or resist existing stereotypes about abused women and misogynistic stereotypes more broadly? And finally, how might these representations affect abused women in their interaction with the legal system?

1.2 Chapter Breakdown

This thesis consists of three major chapters (Chapters two, three, and four) bracketed by an introduction and conclusion. Each of these chapters will tackle a different element of the question(s) that I wish to answer.

Chapter two offers a broad overview of the literature about IPV. In this chapter, I delineate the major conflicts and schools of thought within the field and demonstrate why IPV remains a feminist issue in spite of claims to the contrary. I debunk the argument that IPV affects men and women equally by critically examining the methodology used by studies that find gender parity, particularly the use of the Conflict Tactics Scale. I further critically examine theories about the etiology of IPV in order to demonstrate the role that misogyny continues to play in IPV. Finally, I review the research about leaving an abusive relationship. I explain the real risks that abused women face in their efforts to leave abusive partners and explore the personal and systemic barriers to leaving. This chapter provides the empirical basis for the remainder of my thesis.

In my third chapter, I turn my attention to the relationship between media representations of IPV and IPH and the law. I begin by explaining Stuart Hall's theories about encoding, decoding, and the relationship between representation and social reality before delineating the way that I will apply these theories in my work. I then review the existing research on media representations of IPV in order to understand the common representational tropes that have been found in other forms of media. A close reading of *The Burning Bed* follows this section. As a prominent made-for-TV film that centres on IPH and prominently includes the relationship between IPV and the legal system, my analysis of this film acts as a foundation for my analysis of law procedurals in the next chapter. I close this chapter by reviewing the research on the relationship between the

legal system and abused women who commit IPH. Reviewing this research provides a solid base not only for examining the tropes about abused women common in the legal system (such as the stereotypes associated with BWS), but also for comparing the differences and similarities between law procedural's depiction of the relationship between abused women the law and abused women's lived experiences of dealing with the law.

Chapter four consists of a critical discourse analysis of media representations of abused women who commit IPH in law procedurals. I divide this chapter by representational tropes rather than by episode analyzed, examining tropes about abused women, abusers, and the legal system respectively. I draw conclusions about the ways that representational tropes about abused women, abusers, and the legal system affect abused women's interactions with the legal system and their lived experiences more broadly. Finally, I argue that media representations play an important role in creating a more equitable future for abused women.

Chapter 2

2 What We Know About IPV: A Review of the Literature

Intimate partner violence—along with its more commonly used sibling, domestic violence—is a term that often lacks clear definition. Some say that IPV encompasses a wide variety of abuse, from emotional to sexual to financial, while others argue that IPV is strictly limited to instances of physical violence. Although this project focuses primarily on instances of intimate partner homicide (IPH), which necessarily involve deadly physical violence, it will define IPV along the former lines—that is, as a phenomenon that encompasses physical, sexual, and psychological violence. Moreover, I will understand IPV not as discrete events of any given form of violence, as it is often understood by the legal system, but as a “pervasive pattern” of violence and control that negatively impacts its victim (Kimmel 2002, 1353). Such a definition not only mirrors the definition set for researchers by the Center for Disease Control (Breiding et al. 2015), but also recognizes that the dynamics of IPV are not limited to one, two, or even many acts of violence, but are omnipresent in the relationship, influencing victims’ lives in myriad subtle ways. The consistent, unshakeable nature of IPV in the relationship is more traumatizing for its victim than any individual act of violence ever could be (Walker 2009, 54).

This definition of IPV is essential if we are to understand IPH. An abused woman who kills her partner is not reacting to one or even multiple acts of violence, but to a pattern of violence and control that has marked her relationship often for many years and often in spite of her best efforts to acquire outside help from friends, family, social services, and the criminal justice system. Ample evidence indicates that women tend to kill their partners only as a last resort, when they have tried every other possible avenue to escape his violence and have found that nothing will protect them (Browne 1987; Jurik and Winn 1990; Walker 2009). When a woman kills her partner, her act is thus based both in the history of the relationship—its continuous and often escalating violence—as well as an understanding, albeit perhaps unconscious, that the violence will continue and likely worsen in the future. To understand IPH as a response to a discrete act of violence

would thus do a tremendous injustice to victims of IPV, whose response is often viewed as disproportionate to the situation when examined through such a lens. Viewing IPV as discrete acts thus risks casting the victim as irrational, crazy, or overdramatic—often the very traits that the abuser ascribes to her over the course of their relationship. In other words, denying that IPV is a pattern of control and violence constitutes gaslighting and pathologizing its victims.²

The understanding of IPV as a pattern of coercive control is also crucial when deciphering studies that examine the prevalence of IPV and the demographics of its victims. In a debate that has been raging for decades, experts in the fields of family violence and violence against women continue to thrust data from opposing studies at each other. Using family conflict studies, scholars of family violence insist that IPV is equally perpetrated by men women, while scholars of violence against women, using crime victimization studies, counter that family conflict studies fail to capture the essence of IPV and that men primarily perpetrate IPV against women. In the coming section, I will summarize and synthesize the claims made and the empirical data used by both sides of this hotly contested field. In doing so, I will build the framework through which I will understand IPV throughout this project.

2.1 Statistics About IPV

While there are several fundamental differences between scholars of family violence and scholars of violence against women, the most notable difference—at least when it comes to determining the prevalence and demographics of IPV—is methodological. These two types of researchers tend to use dramatically different study designs. Kimmel (2002) broadly categorizes the two study types as crime victimization and family conflict, with scholars of violence against women primarily relying on the former study type and scholars of family violence primarily relying on the latter.

² Gaslighting is a term used to describe an abuser’s attempts to make the victim doubt herself, her memory, and her perceptions, often by telling her that the abuse didn’t happen as she remembers it happening. The abuser thus implicitly or explicitly casts her as “crazy” and “overdramatic.”

As per their name, crime victimization studies draw on large scale, national American survey data about crime victimization, such as the results of the National Violence Against Women Survey and the National Crime Survey, and on police, shelter, and emergency room data. They have large, representative sample sizes, and they often involve interviewing each member of a household about their experiences of crime victimization (defined in this case as physical or sexual assault that the person perceived as a crime) by current or past partners, regardless of age or marital status. Crime victimization studies often find fairly low prevalence rates of IPV: around 1% to 3% of the national population. For the 1% to 3% who report experiencing IPV, crime victimization studies overwhelmingly find that women are primarily the victims and men are primarily the perpetrators of IPV. Crime victimization studies also find that violence in a relationship escalates over time (Tjaden and Thoennes 2000; Kimmel 2002; Catalano 2012; Truman and Langton 2015). In short, crime victimization studies tend to support more common sense notions about IPV wherein a male partner terrorizes a passive female victim.

By contrast, family conflict studies tend to wildly contradict common sense understandings of IPV. Based on much smaller—but ideally, still representative—sample sizes, family conflict studies interview one or both members of a cohabiting couple about their experiences with violence in their current relationship. Because they inquire about all incidents of violence rather than only those experienced as a crime, family conflict studies unsurprisingly find higher rates of IPV: about 16% to 25% of all couples report using some form of violence in their relationship. In stark contrast to the findings of crime victimization studies, family conflict studies also find that women and men use violence equally in their relationships and that the severity of violence tends to remain constant over time (Kimmel 2002; Straus 2008). Family conflict studies thus paint a picture of mutually violent couples expressing anger and frustration at each other without significant harm to either partner.

At first glance, it seems odd that two types of studies purporting to measure the same phenomenon can find such different results. However, as Kimmel points out, crime victimization studies and family conflict studies produce divergent findings in large part

“because they are measuring two different things” (Kimmel 2002, 1337). Crime victimization studies focus on instances of IPV that the victim experiences as a crime; in other words, instances where the victim felt that her rights were violated. Family conflict studies, by contrast, focus on a couple’s use of violence in moments of conflict. Although the latter framing may seem to capture more instances of IPV, I contend along with Kimmel that, by placing violence in the context of arguments and conflict, family conflict studies fail to capture the pervasive pattern of violence and control that distinguishes IPV.

Family conflict studies almost universally use the Conflict Tactics Scales (CTS), a measure developed by Murray Straus to determine how couples use psychological and physical violence as a means of expressing frustration and resolving conflicts. Following conflict theory, the CTS understands violence as a tactic that may or may not be used to deal with conflict in a relationship. The CTS thus sets out to measure discrete instances of violence being used as a conflict tactic in an intimate relationship over a period of 12 months (Straus 1996). In essence, it counts the number of violent tactics that a couple uses in the context of intimate conflicts.

Critics of the CTS highlight its failure to measure how violence is used in abusive relationships. The CTS understands violence expressively—that is, as a way of expressing anger and frustration with a partner and of resolving conflicts. The scale is introduced to participants as follows:

No matter how well a couple gets along, there are times when they disagree, get annoyed with the other person, want different things from each other, or just have spats or fights because they are in a bad mood, are tired, or for some other reason. Couples also have many different ways of trying to settle their differences. This is a list of things that might happen when you have differences. Please circle how many times you did each of these things in the past year, and how many times your partner did them in the past year (Straus 1996, 310).

As Kimmel and other critics argue, such a framing is fundamentally at odds with how violence is used in abusive relationships, as abusers use violence instrumentally rather than expressively. Unlike violence used exclusively in conflict situations, abusers use violence as part of a pattern of coercive control that characterizes the relationship. Although violence may intensify during a domestic conflict, it frequently comes at

unpredictable moments in order to frighten and exert control over the victim (Kimmel 2002; Dobash et al. 1992; DeKeserdy and Schwartz 1998). Indeed, the random, unpredictable nature of IPV is a crucial aspect of learned helplessness and Battered Woman Syndrome (BWS) in abused women, as victims learn that nothing they do can prevent further violence. The CTS thus fails entirely to account for the motive of IPV by framing violence as tactic used only in times conflict.

The CTS further ignores context and severity in its assessment of violence. Because it simply “counts” discrete acts of violence, the CTS is unable to differentiate between violence used to control and frighten a partner and violence used in self-defense or frustration. It is equally unable to account for how the violent acts are experienced by the victim. Given that significant research demonstrates that men and women not only use violence under different circumstances and for different reasons, but also experience violence differently, this failing seems to be particularly glaring. While men are more likely to use violence in relationships in order to control their female partners, women more often use violence in self-defense or to express frustration (Browne 1987; Dobash et al. 1992; M. P. Johnson and Ferraro 2000; Hamberger and Guse 2002; Malloy 2003; Muftić, Bouffard, and Bouffard 2007; Walker 2009; Bair-Merritt et al. 2010; Hamberger 2015). Similarly, differences in size and strength mean that women often experience violence differently than men. While a woman’s violence towards her male partner is more likely to be experienced as comical or hysterical instead of threatening, a man’s violence towards his female partner is almost always experienced as threatening and frightening (Kimmel 2002; Loseke and Kurz 2005; Hamberger and Guse 2002; Hamberger 2015). No statistic illustrates this difference more clearly than comparing rates of injury. Even studies that assert gender symmetry in IPV support that women are far more likely to be seriously injured psychologically and/or physically by IPV (Archer 2000; Hamberger 2005; Straus 1996; Stets and Straus 1990; Straus 2008).

Critics have further argued that the CTS’s severity ranking fails to account for the differential damage inflicted by certain acts depending on their perpetrator (DeKeserdy and Schwartz 1998). For example, an updated version of the CTS, the CTS2, ranks items such as “threw something at my partner that could hurt,” “twisted my partner’s arm or

hair,” “pushed or shoved my partner,” and “slapped my partner” as minor physical assault, while it ranks “punched or hit my partner with something that could hurt,” “kicked my partner,” “slammed my partner against a wall,” and “beat up my partner” as severe physical assault. Although such a ranking may be valid amongst partners of equal size and strength, a man is perfectly capable of inflicting severe damage, including broken bones, on his female partner by twisting her arm, throwing something at her, or pushing or shoving her. By comparison, a woman punching or kicking her male partner is much less likely to inflict severe damage. Indeed, Cantos et al. (1994) found that men tend to engage in acts that the CTS classifies as “minor” yet do great damage while women tend to engage in acts the CTS classifies as “severe” and only do significant damage when weapons such as knives or guns are involved. Although family conflict studies often find that women commit an equal if not greater number of violent assaults on their male partners as men do on their female partners, female-perpetrated assaults rarely inflict significant damage on men. The CTS thus draws false equivalencies between male and female-perpetrated violence: even if they are equal in number, they do not share the same context or consequences.

Finally, critics of the CTS contend that ideas about gender and violence influence participants’ self-reports. Proponents of the gender symmetry view often argue that we hear less about “battered men” because men are ashamed to admit that their female partners have victimized them, let alone report this victimization to the authorities. In fact, research finds that men are as or more likely to report their female partner’s violence against them to the police (Rouse 1988; Felson et al. 2002; Rennison and Welchans 2000), and Straus himself finds that men significantly under-estimate their violence against their partners on self-report measures such as CTS (Stets and Straus 1990; Edleson and Brygger 1986; Claes and Rosenthal 1990)—perhaps, Kimmel (2002) theorizes, because hitting a woman is considered emasculating. Women, on the other hand, tend to over-estimate their violence against their partners, as using violence is a transgression against typical femininity and is thus memorable (Kimmel 2002). The CTS’ technique of “counting” acts of violence thus does not account for the framing, context, severity, and gendered attitudes informing IPV. As a result, family conflict studies are

unable to paint an accurate picture of IPV. I contend that this failure explains why only studies that rely on the CTS find gender symmetry in IPV (Loseke and Kurz 2005).

Although studies reliant on the CTS are thus unable to paint an accurate picture of IPV as I—and other feminist researchers—understand it, they evidently paint a picture of something. Self-reporting issues aside, the equal levels of violence that the CTS consistently finds clearly illustrates a pattern of some kind. I argue that, rather than painting a picture of IPV, family conflict studies paint a picture of what Johnson and Ferraro (2000) call “common couple violence” (CCV). The traits that family conflict studies find regarding IPV—that it is equally perpetrated by both partners, occurs in the context of an argument, does not escalate over time, and does not generally involve severe violence—in fact precisely mirrors Johnson and Ferraro’s description of CCV. Johnson (1995) further finds that the partner violence reported in general samples is almost exclusively CCV, as women currently cohabiting with an abusive partner are unlikely to be willing to talk about their experiences of abuse either for fear of retribution or because they want to protect and defend their partner. The equal perpetration and high prevalence of IPV that family conflict studies find is thus illustrative of CCV rather than IPV.

By contrast, the data drawn from shelter populations; legal, police, and medical records; and from self-report measures that include former partners and focus on the experience of crime victimization—in other words, the data that crime victimization studies often use—indicate an entirely different form of partner violence, which Johnson and Ferraro (2000) term “intimate terrorism” (IT). Unlike CCV, which is equally perpetrated by both men and women, IT tends to be “rooted in basically patriarchal ideas of male ownership of their female partners” (Johnson 1995, 283) and consists of:

the combination of physical and/or sexual violence with a variety of non-violent control tactics, such as economic abuse, emotional abuse, the use of children, threats and intimidation, invocation of male privilege, constant monitoring, blaming the victim, threats to report to immigration authorities, or threats to “out” a person to work or family (Johnson 2011, 290).

Although women occasionally perpetrate IT against male or female partners, Johnson (2011) is clear that the majority of IT perpetrators are men and that misogyny is often implicated in IT.

CCV and IT can thus be understood as the “two different things” that family conflict studies and crime victimization studies respectively measure. Although these two study types are often framed in terms of a debate about the “true” nature of IPV, Johnson argues throughout his work that the two studies measure important, but different, aspects of IPV and that sampling biases prevent either study type from accurately representing the opposite type of IPV (cf. Johnson 2011). I concur with Johnson that family conflict studies and crime victimization studies measure separate phenomenon and that both are valid; I do not wish to dismiss decades of data generated by family conflict studies out of hand. However, family conflict studies and CCV are not relevant to the type of IPV I am concerned with in this project, which is primarily perpetrated by men against women and which causes severe and consistent psychological and physical damage to those women. Because terms like IPV and domestic violence are often used to denote IT rather than CCV—and because including CCV in IPV has the political consequence of marginalizing the predominantly female victims of IT—I will continue to use IPV throughout this project to describe the pattern of coercive control characteristic of IT.

Along with scholars of violence against women, then, I understand IPV as a phenomenon that is deeply gendered in its victims and perpetrators. I contend that it is a pattern of coercive control most often perpetrated by men against women and that this pattern cannot be adequately understood by counting discrete acts of violence. Such a methodology fails to capture the magnitude of abuse that abused women endure and sometimes even paints them as equal perpetrators rather than victims. In order to further unpack the gendered nature of IPV, however, it is similarly essential to understand the etiology of IPV, as the risk factors stratify along gendered lines. As Walker poignantly writes in *The Battered Woman Syndrome*, the most common risk factor “for men... is the exposure to violence in their childhood home... and for women, it is simply being a woman” (Walker 2009, 3).

2.2 The Etiology of IPV

Just as there are multiple theories about the prevalence and demographics of IPV, there are myriad theories on the causation and etiology of IPV. Brenda Russell (2010) identifies three major schools of thought on the etiology of IPV: individually-oriented (or psychological) theories, family-oriented (or sociological) theories, and feminist theories. While some of these perspectives include gender in their analysis, others fail to do so or do so only incompletely. In this section, I will endeavor to not only explain each of these perspectives, but to explain why an analysis of gender is necessary in order to fully understand the etiology of IPV regardless of a researcher's theoretical perspective.

2.2.1 Psychological Theories

Psychological theories focus on the psychology of perpetrators and victims of IPV. Researchers in this tradition attempt to pinpoint common personality traits or disorders that lead an individual to either perpetrate or become a victim of IPV. Many early practitioners of this theory laid particular emphasis on the victims, suggesting that they were masochistic, while they attributed the abuse to psychopathology (Russell 2010; Dutton 2006). Modern adherents of psychological theories have long since disproved and abandoned the idea that victims of IPV are masochists, instead finding that IPV contributes to the cause of mental illnesses and substance abuse problems among victimized women (Ali and Naylor 2013). However, prominent psychological researchers like Dutton (e.g. 1994, 2005, 2006) continue to attribute the perpetrator's abuse to psychopathology such as personality disorders and disturbances (particularly borderline personality disorder and antisocial personality disorder), paranoia, substance abuse, and attachment problems. A number of studies (see Ali and Naylor 2013 for a review) have indeed found correlations between personality disturbances and IPV, finding that higher rates of abusive men exhibit personality disturbances than non-violent control groups. Similarly, other researchers have found that abusive men are more likely to exhibit insecure attachment styles and thus experience difficulties communicating and feeling secure in the relationship, resulting in jealousy and dependency (e.g. Bond and Bond 2004; Henderson et al. 2005). However, no study has found a causal connection between psychological factors and IPV perpetration, and a significant portion of abusive men

(ranging from 20% to upwards of 60%) fail to exhibit any kind of psychopathology (Ali and Naylor 2013; Hamberger et al. 1996; Gondolf 1999). Contrary to Dutton's (2006) assertion that, "Because IPV occurs in a minority of relationships, it cannot be explained by social norms," then, there must be other relevant factors that determine why certain relationships are characterized by IPV and others are not (8).

Other more nuanced psychological theorists have shifted their focus away from psychopathology, recognizing that pathologizing abusers actually alleviates them of responsibility for their abuse. Instead, these researchers attempt to find common clusters of personality traits and behaviours among abusive men in order to develop typologies of abusers, which can in turn be used to predict risk of violence, homicide, and receptivity to treatment.

Holtzworth-Munroe and Stuart (1994) proposed one of the first and arguably most influential of such typologies, which divided abusive men into three subtypes—family-only, dysphoric/borderline, and generally violent/antisocial—based on personality traits, generality of violence, and severity of violence. Hamberger et al. (1996), applying a similar methodology to a larger sample of 800 abusive men, found that their results closely mirrored Holtzworth-Munroe and Stuart's results, lending validity to the typology. However, Hamberger et al. caution that "it would be premature to 'diagnose' men in [the borderline/dysphoric] cluster as 'borderline personalities,'" as their data demonstrated that the men in this cluster generally scored below the clinical cut-off for such a diagnosis (288; see also Monson and Langhinrichsen-Rohling 2002). Indeed, Hamberger et al. found that the majority of the 800 men in their study did not meet the criteria for a personality disorder diagnosis, though those in the borderline/dysphoric and generally violent/antisocial clusters did show elevated symptomology compared to the family-only cluster. The men in the borderline/dysphoric and generally violent/antisocial clusters additionally reported greater frequency and severity of violence and had a more significant police record than men in the family-only cluster. These findings, particularly regarding the large percentage of abusers who are non-pathological, have also been replicated in other studies (e.g. Monson and Langhinrichsen-Rohling 2002). While personality disturbances and disorders do not cause abuse, then, they may interact with it

to increase severity and frequency of the violence. These typologies can thus help clinicians and other professionals who work with victims and perpetrators of IPV to develop appropriate safety and treatment plans for victims and perpetrators respectively, but they cannot explain the underlying causes of IPV.

I contend that gender is essential to understanding the underlying causes of IPV—and indeed, psychological research has borne this out. Researchers have found that the psychology of IPV perpetrators differs according to gender. Preliminary investigations into female abusers—or those labeled as such by the criminal justice system—find that these women have experienced high levels of violence, abuse, and trauma, unlike abusive men, and that many have experienced this directly from male partners (Hamberger 1997; Abel 2001; Walker 2009; Smith-Acuna, Metzger, and Watson 2004; Miller 2005; Hamberger and Guse 2002; Hamberger 2005; Spidel et al. 2013). Even when women use violence against a non-violent partner, then, they are often doing so because they feel they need to protect themselves from further abuse. In other words, abuse perpetrated by women is often a response to trauma.

2.2.2 Sociological Theories

By comparison, sociological theories focus on understanding the characteristics that cause certain families to be violent and not others. Sociological theorists understand the family as a unit and posit that certain characteristics of this unit may lead to increase likelihood of future violence. Straus' (1973) article, "A general systems theory approach to the development of a theory of violence between family members," was arguably the first cohesive explanation of this school of thought. In this paper, Straus hypothesizes that family violence is related to a number of different factors including "normative expectations [of the family], personality traits such as aggressiveness, frustrations due to role-blockages, and conflicts" (1973, 114). Notably, Straus finds that gendered expectations can play into the likelihood of violence. Families where the wife was dominant experienced greater levels of violence, Straus hypothesizes, because the husband feels emasculated by being unable to fulfill his role and exert power as the family's provider and primary decision-maker. In order to compensate, he is more likely to resort to violence to exert his power.

Gendered resource theory researchers make a similar assumption about the gendered nature of power and dominance. Resource theory suggests that the partner that possesses greater social and economic resources in a relationship holds greater power in the relationship. Gendered resource theory researchers refine this idea by adding gendered notions of power to the equation: normatively, men are expected to hold greater power in the relationship, while women are expected to hold less. When this order is reversed, they contend, women are at greater risk of violence—and indeed, this assumption has been largely supported by research (Macmillan and Gartner 1999; Atkinson, Greenstein, and Lang 2005; Fox et al. 2002). Gendered expectations of power within the family thus play a significant role in IPV.

Straus further proposes that children learn “stereotyped imagery of family violence... from parents, siblings, and other children,” effectively following the lineage of social learning theory, which posits an intergenerational transmission of violence (1973, 115). Bandura et al. (1962) found that the children of violent and abusive parents tend to reproduce their parents’ violent and abusive behaviour in their own relationships. They further found that the gender of the violent parent and the gender of the child influenced the child’s reproduction of violent behaviour: children, regardless of their gender, were more likely to imitate violence if the father was the violent parent, and male children in particular were more likely to model their father’s violent behaviour. This was particularly true of physical aggression, leading Bandura et al. to posit that children were more likely to imitate behaviour linked to their gender.

Stith et al.’s (2000) meta-analysis of 39 studies regarding the intergenerational transmission of violence validated Bandura et al.’s findings, noting that living in a violent family significantly increased the risk of perpetrating IPV later in life and that men growing up in violent homes were significantly more likely than women to perpetrate IPV (Lavoie et al. 2002; Roberts et al. 2010). Similarly, Stith et al. (2000) found that women who grew up in violent families were significantly more likely to become victims of IPV later in life than men who grew up in a similar environment (see also Desai et al. 2002; Renner and Slack 2006). They suggest that this difference may result from gendered socialization practices: while violence and aggression are reinforced for boys,

obedience and deference are often reinforced for girls. While other studies (e.g. Swinford et al. 2000; Temple 2013) contradict Stith et al.'s (2000) findings about gender—finding, for example, that women are more likely to perpetrate IPV against their male partners after experiencing child abuse or witnessing interparental violence than are men—such studies also often use community samples and the CTS, meaning they may fail to distinguish between common couple violence and IPV as intimate terrorism. In short, research supports the idea that gender is an integral aspect of the intergenerational transmission of violence.

Walker's (2009) work offers a more nuanced view of the etiology of IPV in abusive men. Indeed, Walker found that many of the male partners of the women in her study experienced similar patterns of parenting. Not only were 81% of them exposed to spouse or child abuse in their homes—and 63% exposed to their father abusing their mother—but she specifically found that many of the abusive men had “a strict father and an inconsistent mother” who “alternated between being lenient—sometimes in a collusive way to avoid upsetting her own potentially violent husband—and strict in applying her own standards of discipline” (16). Walker posits that this combination of seeing their fathers getting what they want through abuse and violence while simultaneously being soothed by their mother sets the abusive man up to expect that his partner should be there to soothe him when he is upset and that, if she fails to do so, violence and abuse are an effective way to get his needs met. Black et al. (2010) and Ehrensaft et al. (2003) validate Walker's contention, finding that if children observe “more functionally positive than negative consequences of interparental violence,” they develop an expectation that IPV is an effective means of resolving conflicts and meeting their needs, and thus are more likely to use it later in life (Black et al. 2010, 1023).

Walker (2009) and other researchers particularly emphasize the role of childhood physical discipline in later IPV. As Walker writes:

When we teach children that it appropriate to hit them for disciplinary purposes, we also teach them that the people who love them the most have the right to physically hurt them if they do something wrong. It should not be a surprise, then, that the men say they have the right physically hit the women they love if they do something wrong (2009, 115).

Indeed, Walker found that nearly 90% of her sample of abused women had been spanked as a young child, and nearly 80% had been hit by an object. Other researchers have found a similar correlation between the use of physical discipline and later being involved in an abusive relationship as a perpetrator (Lavoie et al. 2002; Simons, Burt, and Simons 2008; Swinford et al. 2000) or victim (Renner and Slack 2006; Gover, Kaukinen, and Fox 2008) and have noted that this division frequently splits along gendered lines, with men more likely to perpetrate by abuse and women more likely to be abused. Men in particular, then, seem to pick up on the positive functional consequences of violence at a young age. Although social learning theory provides an essential component of our understanding of IPV, then, there is evidently information that it still fails to provide. Why, for example, do men tend to learn violence as a conflict resolution skill more than women? Answering this question requires a feminist analysis of gender.

2.2.3 Feminist Theories

Feminist theories of IPV emphasize the importance of gender and patriarchy in understanding IPV. Theorists in this tradition understand IPV as an example of the structural violence that the patriarchy perpetrates against women at both macro and micro levels. Feminist theory is the original interpretive tradition for understanding IPV, as it was feminists—particularly the battered women’s movement—who brought IPV to the forefront of public awareness and opened battered women’s shelters in the 1960s and 70s. Although they may make use of work from other traditions, such as social learning theory, feminist theorists fundamentally presume that IPV “cannot be adequately understood unless gender and power are taken into account” (Yllö 2005, 19).

Feminist analysis has its root in the study of the historical subjugation of women in the family, institutions, and society as a whole. As many feminist theorists have noted, Judaeo-Christian religions perpetuated a patriarchal family structure, providing men both the freedom and justification to violently abuse their wives under the guise of enforcing “appropriate” feminine behaviour. These beliefs were then codified into English common law. Under English law, wives were considered to be their husband’s “property”—legally, rape was treated as a crime against the woman’s husband or father—and husbands were permitted to beat their wives according to the infamous “rule of thumb.”

Women were not allowed to own property separate from their husbands, enforcing a system whereby women were economically dependent on men (Dowd 1992).

As Dobash and Dobash (1981) further note, women who dared to invert the patriarchal order by being domineering towards or physically hitting their husbands were often subject to forms of community justice and humiliation through charivari.³ Such rituals served to prop up the patriarchal order by mocking and shaming marriages that inverted it. By comparison, husbands who beat their wives were rarely subject to such rituals. Only in cases of extreme, repetitive, and severe violence were husbands chastised by their communities. Even in these cases, however, the community acted to prop up the patriarchal order: “patriarchal domination, like other forms of domination, must be seen to be just. A moral order based on an ideology emphasizing loyalty, responsibility, just ministrations and unswerving compliance from subordinates... is threatened by abuse of the prerogatives of superiors.” As Dobash and Dobash write, then, community rituals that chastised extremely violent men provided “symbolic support for the patriarchal order itself through condemnation of excessive violence” (1981, 568).

The wives of these violent men, by comparison, often had little recourse to the law even when their husbands’ actions obviously fell outside legally accepted definitions of wife beating. Abused wives were saddled with the burden of proof that their husbands had severely and repetitively assaulted them to the point that it had damaged her health. Only when she had proven this would the courts convict the husband of assault and allow the wife to legally divorce him while maintaining custody of the children. This process was expensive and time-consuming, meaning that it was almost entirely inaccessible to working-class women, and police were unlikely to do anything to help an abused woman unless her husband was attempting to murder her (Dobash and Dobash 1981). When women resorted to striking back against their husbands forcefully, however, they were prosecuted swiftly (Dowd 1992). As practices of community justice declined in the 19th and 20th centuries and the split between public and private became more pronounced,

³ Charivari was a French folk custom in which community members engaged in raucous noise-making and parades directed at those who transgressed community norms.

abused women were increasingly isolated within the nuclear family with little protection from either their neighbours or the criminal justice system (Dobash and Dobash 1981).

Although the feminist movement has made great strides since in the 1970s in providing resources for abused women and changing public perceptions that IPV is a private issue, feminist theorists argue that the underlying patriarchal attitudes evident in old laws and beliefs remains today and that it influences both why and how men abuse. This perspective is informed by decades of on-the-ground work with abused women, and it derives its theoretical framework from, on one hand, patterns identified by abused women and those who work with them, and historical analysis on the other (Shepard and Pence 1999; Yllö 2005)

The coercive control model of IPV, exemplified in the “Power and Control Wheel” developed by the Domestic Abuse Intervention Project in Duluth, Minnesota, is the primary framework that feminists use to understand IPV and its etiology. The coercive control model understands IPV as a pattern of control tactics—including the use of coercion and threats, intimidation, emotional abuse, isolation, minimization and denial, and economic abuse as well as the exploitation of male privilege—that function to keep the abused woman under the abuser’s control even when he does not use physical or sexual violence. These control tactics exist as part of a broader pattern that includes the use of physical and sexual violence. Indeed, these control tactics often form the first line of coercive control, which may then escalate to physical violence if the abuser does not achieve his desired ends using control tactics alone (cf. Shepard and Pence 1999). This model’s essential contribution to feminist theory is that it points out that control tactics and physical and sexual violence stem from a common motive: the abuser’s desire for power and control (Yllö 2005).

The desire for complete domination of one’s partner is deeply gendered, based in a male sense of entitlement that is historically, culturally, and institutionally supported by patriarchy (Dobash et al. 1992; Dowd 1992; Shepard and Pence 1999; Yllö 2005). Abusive men do not develop in a vacuum; they are inevitably influenced by patriarchal ideologies in their development. All men in Western society are taught socially that it is

appropriate and indeed proper for men to use violence to resolve their problems and to express negative emotions through anger. When these ideological leanings are combined with circumstances such as lack of resources compared to a female partner, exposure to violence in childhood, personality disturbances, substance abuse, and others, the risk of perpetrating IPV escalates (Walker 2009).

Indeed, multiple researchers have found that gender roles and stereotypes are an important element of abusive relationships. In a meta-analytic review, Sugarman and Frankel (1996) found that, compared to non-abusive husbands, abusive husbands were more likely to endorse violence against women, including in relationships, and were more likely to hold traditional gender attitudes. Interestingly, Sugarman and Frankel found that the men themselves were not necessarily more masculine than non-abusive men; rather, it was their attitude towards women that separated them from non-abusive men. In a review of the literature on associations between masculinity and IPV, Moore and Stuart (2005) similarly found that the scales most predictive of IPV were those related to attitudes towards women and towards displays of masculinity in relation to women. They found that abuse was significantly predicted by a desire to gain or maintain control over their female partner, particularly in situations that challenged masculine gender roles, and by the belief that abuse was justified. In a later study, Moore et al. (2008) further found that different types of IPV—psychological, sexual, and physical—were differently predicted by different challenges to masculine gender roles—performance failure, physical inadequacy, and intellectual inferiority, respectively. These results seem to mirror the predictions of gendered resource theory, mentioned above. It is not necessarily masculinity proper, but masculinity vis-à-vis women, that plays the greatest role in IPV. Patriarchy, as a system that both enacts male superiority and teaches men that they are superior to women, is thus significantly implicated in IPV.

Although feminist analysis alone may not fully explain IPV—as previously mentioned, patriarchal ideologies interact with other elements of socialization and psychology, such as social learning theory and personality disturbances—a consideration of gender is essential to a nuanced understanding of IPV. With that in mind, we can proceed to the most frequently asked question about IPV: Why does she stay?

2.3 Who Says That She Stays?

Abused women are often told that the solution to their problem is simple: just leave. However, this allegedly simple solution presents a catch-22 for the abused woman. Unless she tries to leave, she's unlikely to receive any sympathy or support from friends, families, and social agencies. However, leaving puts her at tremendous risk, particularly if IPV resources in her area are sparse, and may impinge upon her ability to care for herself or any children she may have. If leaving an abuser was easy, very few women would stay with one for any length of time. Abusers are, however, expert manipulators. They are uniquely skilled at eliciting guilt, fear, and hopelessness from the women they abuse, and they will often force them into a situation where leaving is almost impossible. The trials that face abused women attempting to leave an abusive relationship are thus not to be taken lightly. To simplify the immensely complex circumstances that she faces in the phrase "just leave" does a disservice to the bravery that abused women exhibit daily in trying to escape and survive abuse. We will first examine how abusive relationships begin before proceeding to consider the many factors that prevent women, once ensnared, from leaving the relationship.

On first meeting, abusive men seem just like anybody else. Abusive relationships in fact often begin very positively, with the abuser showering his partner with love, attention, and gifts. He may seem instantly smitten with her, want to spend lots of time with her, and quickly want to become exclusively committed. For his partner, this can seem like a dream come true. Taken in by his displays of love and generosity, she may quickly fall for him, believing herself to have found the perfect partner.

Although the abuser may not be doing it intentionally, this part of the relationship serves a purpose: it ensnares the woman. She comes to understand this version of her partner as the "real" man, so when his abuse begins later, it seems like something has simply gone wrong, and if only she can figure out what it is, she can fix it and bring the "real man" back (Bancroft 2003; Walker 2009). This aspect of the relationship is crucial to hooking the woman into what Walker calls the cycle of violence.

As coined by Walker, the cycle of violence refers to the cyclical pattern of violence that often occurs in abusive relationships. The cycle of violence consists of three distinct phases: the tension-building phase, the acute battering incident, and the loving-contrition phase. The first phase entails an escalation of tension and anger on the part of the abuser. Although the abuser does not yet explode into extreme physical and/or sexual violence, this phase is often rife with verbal and emotional abuse and sometimes comparatively minor acts of physical violence. The abuser's partner, sensing the escalating hostility and becoming increasingly frightened of the impending explosion, will often try to placate him in this phase or at the very least try to avoid aggravating him further. Because she often succeeds in temporarily putting off the explosion of abuse and violence, this phase reinforces her belief that she can control and regulate her partner if only she behaves appropriately.

In the second phase, when the acute battering incident occurs, the escalating tension and hostility becomes unbearable. Afraid of setting him off, the abuser's female partner may withdraw from him physically or psychologically, or realizing that an explosion is inevitable, she may purposefully set him off to get the abuse over with or to control where and when it happens so as to minimize injury. When he inevitably explodes, the abuser "unleashes a barrage" of verbal, physical, and/or sexual aggression on his partner, often leaving her injured and traumatized (Walker 2009, 94). This is the phase where the risk of severe (including lethal) injuries and police involvement is highest.

The third phase is perhaps the most contentious of Walker's cycle because not all women experience it all the time. In this phase, the abuser shows remorse and kindness towards his victim, sometimes showering her with promises and gifts like he did in the beginning of their relationship. He may swear that he will never hurt her again and that he will change or get help. Walker's results indicate that this phase is most common early in the relationship when the woman is less likely to be deeply invested. The loving-contrition phase thus serves to re-engage in the woman in the relationship by reminding her of the courtship period; the abuser seems to become the man that she fell in love with again, and she may genuinely believe that he will change, that the abusive incident was

an anomaly, or that it was her own fault for “provoking” him. As the relationship goes on and the abuser finds other ways to keep the woman in the relationship (e.g. marriage, children, control of finances), this phase may instead become characterized simply by the absence of hostility or tension typical of the tension-building phase, or it may cease to occur at all.⁴

Walker’s cycle theory of violence enjoys widespread acceptance and usage among clinicians and researchers working with abused women, as it appears to fit well with abused women’s experiences. The cycle theory of violence crucially helps to explain how even moments of love and contrition are part of the violence and abuse of the relationship, as the loving-contrition phase helps to keep the woman engaged in the relationship, particularly early on. Rather than being evidence of the “real man” behind the abuse, cycle theory explains that the loving-contrition phase is an extension of the abuser’s manipulation. The cycle theory of violence thus helps abused women and the clinicians who work with them to understand the relationship as a whole that is always characterized by abuse and manipulation even when it may not seem to be.

However, cycle theory has been criticized on empirical grounds. Faigman (1986) points out that a significant portion of Walker’s (1979) sample did not experience all three phases of the cycle. He further contends that Walker’s study design may have subjected her results to experimenter bias because it failed to use now typical standards like blind experimenters. She has also been criticized for her failure to use a control group and for using a convenience sample that over-represents white middle-class women. Walker has defended herself, arguing that the initial (1979) study was an exploratory study (and the first of its kind on IPV) and that, at the time, their methodology of using each woman as her own control group by comparing her responses about her abusive and non-abusive relationships was considered innovative. In the current edition of *The Battered Woman Syndrome* (2009), she has made an effort to diversify the sample by working with researchers and women in a wide variety of countries. The

⁴ According to Walker, however, the complete absence of a phase with a lower level of tension indicates that the risk of a lethal incident is very high.

current diversified sample of women largely replicates Walker's initial results. Although Walker's study may have methodological weaknesses, it nonetheless usefully describes the various stages of many intimate relationships characterized by IPV. Cycle theory thus constitutes an important framework for understanding how IPV functions to keep women in an abusive relationship.

Walker's cycle theory can also be used to understand why women stay in abusive relationships through a cost-benefit lens. Herbert et al. (1991) found that women who remain in abusive relationships are more likely to make positive attributions about their relationships. These positive attributions seemed to be facilitated by being in an abusive relationship where frequency and severity of abuse as well as amount of love and affection expressed remained static over time. Indeed, Herbert et al. found that an increased in frequency or severity of abuse and a decrease in love and affection expressed often preceded women leaving the relationship. In short, women were more likely to leave the relationship when there was an increasing imbalance between the first two phases of the cycle of violence and the final loving-contrition phase—when the cost of remaining in the relationship outweighed the benefits.

Cost-benefit analysis extends beyond cycle theory, however. Applying an investment model to abusive relationships, Rusbalt (1995) further found that women were more likely to remain in or return to abusive relationships when they felt a higher degree of commitment to their partner and had fewer alternatives to the relationship. Commitment level was informed both by satisfaction in the relationship and the resources invested in the relationship; women who had been in the relationship for a long time, who had children with their partner, and who shared material possessions with their partner—particularly if the partner controlled the financial resources for the family—have more of their life and resources tied up in the relationship, making the relationship more difficult to leave. When combined with a lack of alternatives to the relationship, Rusbalt hypothesized and found that women were unlikely to leave an abusive relationship. They characterize this phenomenon as “nonvoluntary dependence.” Although women may be dissatisfied with the relationship, the costs of leaving often still outweigh the costs of staying.

The costs of leaving an abusive relationship can stretch far beyond losing invested resources. A glib “why doesn’t she leave?” fails to capture the danger often inherent in separating from a violent intimate partner. Because IPV is fundamentally about control, abusers will often escalate their usual tactics during separation in order to regain control over their partner. They may begin with promises to change or to get help, as in the loving-contrition phase, but if these tactics fail, they may quickly switch to threats of extreme violence or homicide against the victim or her loved ones, stalking, and actual physical or sexual assault (Mahoney 1991; Wilson and Daly 1993; Johnson and Sacco 1995; Fleury, Sullivan, and Bybee 2000; Kimmel 2002; Zeoli et al. 2013). Alternately, abusers may simply switch their tactics in order to better exert control over the woman when she is no longer with him. Sev’er (1997) developed a separation-oriented Power and Control Wheel to reflect the different forms of violence an abuser may engage in during a separation period: escalated intimidation, use of children or loved ones, economic and legal abuse, and explosive violence and coercion. More recent research has verified Sev’er’s (1997) model, finding that abusive men use a variety of violent and controlling techniques that are unique to the separation period in order to maintain control over their victim (Domestic Abuse Intervention Program 2013; Zeoli et al. 2013; Toews and Bermea 2015).

Perhaps most disturbingly, separating from a violent partners places women at dramatically increased risk of being murdered by their partners. Browne (1987) and Walker (2009) both found that more than three quarters of their sample believed that their abuser could or would kill them at some point in the future. Most of the women in Browne’s sample were further convinced that they could not escape this danger by leaving. Unfortunately, these fears are not unfounded. In a review of the literature on IPH, Campbell et al. (2007) found that separation (either temporary or permanent) increased the risk IPH approximately four to six times over—and the more controlling the abuser was, the greater the risk to the woman. Even when the women were not currently separated from their abuser, previous efforts to leave still elevated homicide risk. Notably, researchers have found that the risk of assault is many times greater for separated women than married women even where there does not appear to be a history of IPV (Spiwak 2005; Brownridge et al. 2008; Catalano 2012). This suggests that

separation always carries the risk of elevated violence and homicide, even if the abuser's violence was not previously extreme or lethal.

Access to help and other resources also plays a tremendous role in a woman's ability and decision to leave an abusive relationship. Contrary to the common idea that abused women simply sit back and accept their abuse, researchers have consistently found that, as IPV escalates, women are increasingly likely to reach out for help if they perceive that help is available, and to do so repeatedly (Mahoney 1991; Liang et al. 2005; Bennett Cattaneo et al. 2007; Walker 2009). However, the help-seeking process involves a number of steps affected at each phase by the availability of resources, which is in turn dependent on factors such as socio-economic status, race, immigration status, ability, location, and the presence or absence of children. Moreover, as Liang et al. (2005) note, the process of help-seeking is not linear: the woman may vacillate between various phases based on the response that she receives from potential helpers, which in turn shape how she understands her predicament and potential options for escape.

Liang and her colleague's work builds on the earlier work of Jody Brown, who applied the Transtheoretical Model of Change to abused women's behaviour (1997). The Transtheoretical Model maps the stages involved in behaviour change, progressing from the pre-contemplation stage, where the person believes they do not need to change, to the contemplation stage, where the person contemplates changing but does not do it, to the preparation stage, where the person plans how they will change, to the action phase, where the person takes concrete steps to change, and finally to the maintenance phase, where the person maintains changes and combats the urge to relapse. The model moreover explains that this progression is non-linear; relapse is an essential element of the Transtheoretical Model. It expects that anyone trying to make a significant change in their lives will move back and forth between stages of change and often attempt the action phase several times before successfully progressing to the maintenance phase. Brown (1997) found that this model fit well with abused women's behaviours and thoughts vis-à-vis leaving their relationship, as abused women generally progress through and vacillate between different phases of readiness vis-à-vis leaving their relationship. Even once they have decided to take action by leaving, they often go back to their

abusers several times before leaving them for good. Liang et al. (2005) modify this model by placing greater emphasis on the role that social supports play in the process of an abused woman seeking help, considering how the selection of a helper may impede or assist an abuse victim in progressing through these stages, which they re-classify as problem definition, decision to leave, and support selection to more accurately reflect the realities of women experiencing IPV.

The first stage in the help-seeking process, definition of the problem, involves the woman recognizing that her situation constitutes IPV. Although this may seem like a fairly straight-forward process, recognizing that one is a victim of IPV is often fraught and complex. As Liang and her colleagues note, any one woman's definition of IPV is influenced by ideas around gender, race, culture, and class. Women who subscribe to more traditional views about gender may be more likely to justify their partner's abuse as simply his masculine role (Mahoney 1991). Similarly, women who are financially dependent on their partner may be unwilling to accept that his actions constitute abuse, since she may have no other viable alternatives to support herself (Liang et al. 2005; Brown 1997). Even the abuse itself may impact the victim's understanding of her situation: because emotional abuse often involves gaslighting and diminishing the victim, she may believe that her perceptions of and feelings about the abuse are not valid. When considering the help-seeking process, it is essential to remember that even defining the problem is often difficult because IPV occupies a conflicting space of love and violence—as explained in Walker's cycle theory of violence—that in turn interacts with socio-cultural expectations about relationships, gender, race, culture, and class. (Lempert 1997).

In the initial stages of defining the problem, victims are also influenced by their community and support network. As Lempert (1997) argues, disclosing IPV to others in her support network allows an abused woman to test her perception, or definition, of the relationship. If those in her support network respond supportively and validate that the abuse is not her fault, the abused woman is more likely to define the IPV as a problem caused by her abuser rather than her own faults. By comparison, if others are aware of a woman's victimization and ignore the abuse, doubt or downplay the severity of the abuse,

or blame her for the abuse, the abused woman is more likely to feel lower levels of mastery over in her own life and higher levels of self-blame for the abuse (Liang et al. 2005; Sylaska and Edwards 2014). Equally, if a member of the woman's support network attempts to push their own definition of the situation onto her—for example, by insisting that it is abuse and that she needs to leave when she is not yet ready to do so—the abused woman is likely to resist this definition. By attempting to define the situation for her, well-intentioned members of her support network take on the same relationship to the abused woman as her abuser. At home, the abuser defines the relationship for the woman by casting the blame for the abuse onto her. It is thus essential to the help-seeking process for the woman to take back this power by defining the situation for herself, which will in turn motivate her to seek help (Brown 1997; Lempert 1997).

The decision to seek help often comes from a place of exhaustion. Emotional resources depleted by abuse and private attempts to manage the abuse—such as altering her own behaviour to try to keep him happy—exhausted, an abused woman decides that this is a problem that she cannot solve on her own (Lempert 1997). Even once she acknowledges that the abuse is a problem she cannot solve, however, obstacles remain to deciding to seek help. An abused woman has to determine first if appropriate and accessible help is available to her. Those who ask, “Why doesn't she leave?” take the existence of services such as shelters for granted; however, the reality is that shelters and other services for victims of IPV can be both difficult to find (e.g. in rural communities) and unsuited to meeting the needs of minority women (e.g. immigrant women). While some women may be able to access informal supports or private resources (such as a therapist) easily, others face greater barriers to accessing help. Separated from their support network and often lacking the language skills and independent financial or cultural resources necessary to access formal resources, immigrant women may feel trapped in their situation (Huisman 1996). Similarly, women of colour may worry that they or their partners will experience racist violence or microaggressions from potential helpers, particularly if the criminal justice system is involved (Liang et al. 2005; Russell 2010). Helping resources are not equally available to all abused women.

Abused women also have to weigh the potential costs or risks of reaching out for help. Reaching out for help may meet with rejection and disbelief from informal supports, and formal supports may not be well-suited to handling the woman's unique circumstances or may even engage in harmful stereotyping and other microaggressions. The legal and criminal justice systems in particular often fail to adequately help victims of IPV. At best, these systems often offer only temporary solutions to the problem, such as arresting the abuser or granting a restraining order (Bennett Cattaneo et al. 2007). At worst, these systems may ignore or actively hurt the victim by treating her as hysterical and irrational, by arresting her as the abusive one, or by taking her children away (Liang et al. 2005). Calling in these sources also risks prompting violent retaliation from the abuser (Fleury et al. 1998). Deciding to reach out for help is thus a risky process for abused women. If an abused woman perceives that members of her support network and community will not or cannot support her—particularly if she has children to care for as well—she is less likely to reach out for help because remaining in the relationship still seems like the most viable option (Mahoney 1991; Brown 1997; Liang et al. 2005).

Having decided concretely to seek help, the abused woman proceeds to the third stage of the help-seeking process: selecting a source of support. An abused woman's choice of support depends not only on her definition of the problem and the resources available to her, but also on individual psychological elements, such as coping skills and relational style; interpersonal elements, such as quality and type of interpersonal relationships; and socio-cultural elements, such as beliefs about gender and the family (Liang et al. 2005). It is essential to remember that the effects of abuse can interact with each of these elements, limiting potential sources of support. Because abuse whittles away at a woman's self-worth and coping skills and often isolates her from important interpersonal relationships, an abused woman may have only a small number of potential sources of support at her disposal. Depending on her readiness to leave the relationship—in Brown's (1997) model, the state of change that the woman currently occupies—an abused woman may also not be ready to make use of some of the limited resources available to her. An abused woman who has not yet defined her situation as IPV, but who realizes that her partner's behaviour is a problem, for example, is likely unwilling to contact a shelter or other services for victims of IPV because she does not understand

herself as such. In this situation, she would be more likely to choose to reach out to an informal support; however, if she has been isolated from these informal supports or if the informal support reacts unhelpfully, the abused woman may find herself adrift, unsure where to turn for help. Alternately, she may wish to access formal supports such as shelters or legal services but feel unable to do so without the help of informal supports, who often serve as vital resources during a draining and traumatizing process (Goodman, Bennett, and Dutton 1999). Selecting a source of help is thus a multi-faceted and complex process that varies according to the woman's needs and is crucial to the remainder of the help-seeking process.

Although I have presented this as a linear model, as Liang et al. (2005) note, the help-seeking process is seldom as straight forward and linear as it seems. Abused women often interact with potential sources of support throughout the help-seeking process, and informal supports in particular are often intimately involved in both of the previous two steps in that they help the abused woman to define the problem and to determine if seeking help is appropriate. Rather than forming a linear progression, then, these three elements of the help-seeking process form a feedback loop, with each stage influencing and interact with the others.⁵

The question to ask about an abused women is thus not, "Why doesn't she leave?" As I have demonstrated in this section, leaving an abusive relationship is an immensely complex process that poses a number of risks to the abused woman and those that she holds dear. Rather, the appropriate question to ask is, "How can we help her escape the violence?" While considering the entirety of this question is outside the scope of this project, in the following chapter I will consider the role that the media play in helping and hurting women who attempt to escape abusive relationships. Specifically, I will consider the role of media in influencing public opinions regarding IPV, and in turn how

⁵ As an example: an abused woman may initially define her problem not necessarily as abuse; however, after deciding to speak to an informal support about her situation, her definition may change to incorporate the informal support's feedback, which will in turn influence further choices of help. This can also have a negative effect: if an abused woman has a poor experience with one source of support, she may be less likely to reach out for further support.

these public opinions interact with the legal treatment of abused women. I will use *The Burning Bed* as a case study to discuss the relationship between media representations of abused women and their legal treatment, specifically focusing in on the use of BWS as part of a criminal defense.

Chapter 3

3 *The Burning Bed: IPV, BWS, and the Media*

In “Signification, Representation, Ideology,” Stuart Hall helpfully reminds us that “knowledge, whether ideological or scientific... is not the reflection of the real in discourse” but instead “the production of a practice” (1985, 98). The knowledge-producing practices that Hall speaks of here are practices of representation enacted by, amongst others, cultural institutions such as the media. Cultural institutions claim to teach us about “reality;” they claim to show us the world “as it really is.” Hall argues that, in pretending to represent “the real,” cultural institutions are in fact an integral part of its construction. Representations provide the framework through which we interpret the otherwise unintelligible mass of human experience; they tell us how “the real” works, its rules and boundaries, and they contextualize disparate events into knowable framework. Representations give us a way to talk about and know our world. As Hall succinctly puts it, any “event must become a ‘story’ before it can become a communicative event” (1999, 509). Representation is thus an inextricable element of human experience. One does not go “beyond” representation to “uncover” the real: representations define the parameters of the only real that we can know.

The corollary to this is that representations are innately ideological. Because representations define the rules of the game, they also define, uphold, and naturalize the power relations that come with it. Representations (attempt to) say, “That is what it means; it doesn’t mean anything else” (Jhally 1997). They attempt to fix a particular meaning to a particular word, sound, or image in order to naturalize this relationship. As Hall argues, “That’s what ideology tries to do, that’s what power in signification is intended to do: to close language, to close meaning, to stop flow” (ibid).

This naturalization happens down to the most basic form of representation, language, and extends through to more complex mediated forms of representation, as in mass media productions. And although this would seem to imply a singular ideological system that representations feed into and naturalize, Hall (1985) argues that such a

conception fails to adequately describe the interplay of multiple, often contradictory ideologies. Instead, he contends that systems of representation and ideology are in fact plural, with “anyone nodal representation or idea... immediately [triggering] off a whole chain of connotative [ideological] associations” (104). For example, television coverage of the trial of a black woman accused of killing her abusive male partner sets off a wide variety of ideological associations about blackness, femininity, abuse, and deviance. Each of these discourses have their own connotations and logics, but they also intersect in a variety of places to form particular ideological pictures. Rather than being an aspect of one overarching ideological system, then, “ideological representations connote—summon—one another” (ibid).

Hall (1999) explains the complex process through which televisual representations are ideologically encoded and then decoded by viewers. Following a quasi-Marxist model, Hall argues that the process of communication can be most usefully theorized as a “complex structure in dominance... produced and sustained through the articulation of linked but distinctive moments—production, circulation, distribution, consumption, [and] reproduction” (1999, 508; see figure 1). These “distinctive moments” of communication both rely on and maintain a separation from each other: the process of communication cannot be effectively completed unless the product moves through each step, but because each step has its own “specific modality and conditions of existence,” each step also offers the opportunity for an interruption or break in the process (ibid).

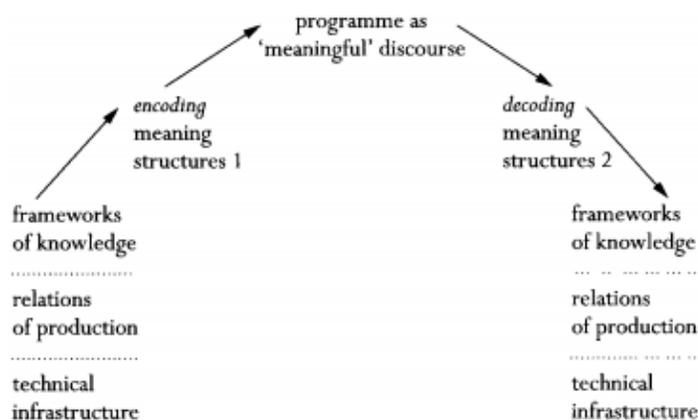


Figure 1. Source: Hall 1999, 510.

As the first step in the communication process, production technically “constructs” the message of a given piece of media. In this regard, the message is partially determined by the mechanical nature of the medium itself: the technical and professional infrastructure of television broadcasting with its regulation and organization. However, as Hall points out,

the production process is not without its ‘discursive’ aspect: it, too, is framed throughout by meanings and ideas: knowledge-in-use concerning the routines of production, historically defined technical skills, professional ideologies, institutional knowledge, definitions and assumptions, assumptions about the audience and so on frame the constitution of the programme (1999, 509).

Moreover, as Figure 1 illustrates, the production process is informed not only by this technical infrastructure, but also by the relations of production and by frameworks of knowledge. Television production inevitably draws its content and agenda from sources outside of the production process, and it draws them most often from those sources that occupy a prominent, official position in the relations of production—for example, government sources and corporations.

Not only does the production process directly use highly placed sources, as in news reports, but more importantly, it draws on the frameworks of knowledge supported by these sources. Because government and corporate sources occupy a dominant position in the relations of production, their way of understanding the world is often already heavily naturalized through prior representations. This operation of power produces “‘maps of social reality’ [which] have the whole range of social meanings, practices, and usages, power and interest ‘written in’ to them” and “hierarchically organised into dominant or preferred meanings” (Hall 1999, 513). In creating content designed to appeal to the masses, televisual media inevitably draws on these “maps” in order to be intelligible to its viewers, who are likewise embedded in these same ideological

frameworks of knowledge.⁶ Both the form and content of televisual media thus tend to be imbued, or in Hall's terms, encoded, with dominant ideological messages.

This is not to suggest that the media is somehow directly controlled by the State or by capital, or that the State or capital has "forced" their ideology onto the populace. As Hall (1985) writes, "ideological reproduction can no more be explained by the inclinations of individuals or by overt coercion (social control) than economic reproduction can be explained by direct force" (101). Journalists and content producers reproduce dominant frameworks of knowledge quite free of direct State or corporate control because they are similarly embedded within these frameworks of knowledge. Through the complex operation of hegemony, content producers absorb the "maps of social reality" with their dominant meanings as natural, and so reproduce these maps spontaneously. Even when a new event seems to problematize the existing social maps by challenging our common-sense understandings of social structures, the problematic event is often re-absorbed by being mapped onto a different discursive domain in the existing map. As I will discuss later in this chapter, we see this happen repeatedly with media representations of IPV: when one explanation becomes untenable, representations are instead mapped onto different discursive domain that still serves to maintain male privilege and power. The operation of hegemony cleverly conceals the ideological and oppressive nature of these representations, instead insisting that this is just "how things work for all practical purposes in this culture" (Hall 1999, 513).

The argument that media productions are encoded with the dominant ideology is not a revolutionary argument. What Hall crucially distinguishes, however, is that the encoded meanings themselves do not have or even guarantee a particular effect. Rather, the meaning(s) that audience members take from any given television production produce(s) its social effects. Hall refers to this process as "decoding" and, as illustrated in Figure 1, he argues that these decoded meanings feed back into the technical

⁶ However, it is important to note that while all viewers are likely familiar with dominant ideological frameworks, not all viewers will privilege these frameworks. Some viewers will bring their own experiences and ideological frameworks to bear on these representations, as I will discuss below.

infrastructure, relations of production, and frameworks of knowledge that in turn feed the production, or encoding, process. The transmission of dominant meanings is thus not “a one-sided process which governs how all events will be signified. It consists of the ‘work’ required to enforce, win plausibility for and command as legitimate a decoding of the event within the limit of dominant definitions” (ibid., 514).

The emphasis on decoding is crucial because, depending on the “decoder-receiver’s” position in relation to the “encoder-producer,” the encoded and decoded messages may not be symmetrical or even similar (ibid., 510). While content producers certainly endeavour to transmit dominant messages without distortion, this requires the encoder and decoder to share the same social map, or codes. When the decoder occupies a structurally different position from the encoder, they are more likely to decode representations according to a set of codes that better fits their own experience and thus their own social map. As a result, the decoder may take a non-dominant meaning from the representation.⁷

Hall outlines two non-dominant decoding positions: negotiated and oppositional. A negotiated reading accepts the legitimacy of dominant readings at a general, abstract level while imposing its own readings at a local level. Negotiated readings “operate through what we might call particular or situated logics... sustained by their differential and unequal relation to the discourses and logics of power” (ibid., 516). They are able to challenge dominant readings at the local level because they treat the negotiated position as the exception to a rule rather than as a contrary, or oppositional, position. The friend of an abused woman who generally agrees with representations arguing that women can easily leave abusive relationships, but who also thinks that her friend is constrained by unique circumstances, would be performing such a reading.

⁷ For example, a person of colour is more likely to decode a representation dealing with race in a way that’s opposed to the common-sense understandings of white people. Similarly, an abused woman is more likely to decode a representation about abuse according to codes that stem from her own personal experience, and thus thwart dominant meanings about IPV.

By comparison, a viewer who takes an oppositional position is aware of and understands the dominant position's signification, but opposes dominant meanings at both a global and local level. An oppositional viewer decodes representations in order to situate them within a contrary framework of knowledge. An abused woman who reads a dominant representation that argues women are at fault for remaining in abusive relationships as indicative of the misogyny that has informed dominant understandings of IPV for centuries, for example, would be performing an oppositional reading.

Decoding is essential because, as per Figure 1, it directly feeds back into the production process and shapes further representations. Negotiated and oppositional readings, when they occur on a wide enough scale, are thus integral to the process of change: only when the dominant or preferred reading loses validity can a new meaning begin to take its place. In this chapter, I will cover the history of media representations of IPV and IPH and their decodings. Using *The Burning Bed* as a case study, I will consider how representations of IPH—and the legal issues inherent in it—have been encoded and decoded, and how these representations have affected public attitudes and social structures vis-à-vis IPV and IPH. Finally, I will review current legal structures for handling IPH before, in my third and final chapter, examining contemporary media representations of IPH.

3.1 A History of Misogyny

In *Framing the Victim: Domestic Violence, Media, and Social Problems* (2004), Nancy Berns contends that media representations of IPV “frame” victims of IPV by centering discussions of IPV around the victim's actions. By focusing on victims of IPV, she further argues, media representations not only implicitly (and sometimes explicitly) blame victims of IPV for the abuse they have suffered, but also suggest that the solution for IPV revolves around victims (see also Consalvo 1998). Specifically, Loseke (1992) writes, media representations of IPV suggest the need for battered women's shelters as the solution for IPV.

Berns (2004) outlines “four frames of responsibility” that media representations use when discussing IPV. Each frame assigns responsibility for IPV in a different place:

(1) individuals, i.e. the victims and/or abusers involved; (2) institutions, such as the legal and medical systems; (3) cultural and structural factors, such as societal attitudes, gender role socialization, and the economy; and (4) an integrated analysis focusing on the interaction among individual, institutional, cultural, and structural factors (56).

Berns' analysis of magazine articles on IPV from 1970 to 2002 found that the individual frame was by far the most common way of framing IPV, particularly in more mainstream media (see also Maxwell et al. 2000). Approximately two-thirds of articles surveyed focused on individuals as the locus of responsibility for IPV, with 97% of these articles specifically focusing on the victim. The use of what Berns terms the "victim empowerment perspective," which "tells 'it happened to me' stories that show how the victim got herself into the situation and how she solved it," was exceedingly common amongst these articles and, she argues, is the dominant perspective used in mainstream media (*ibid*).

Although these stories aim to empower victims of IPV to change their own lives by telling them that they "have the power to end the abuse," they also have an explicit or implicit undertone that victims "allow" abuse to happen to them. The abuser is relieved of responsibility; when he is brought into the equation, it is usually in reference to the abuse that he faced as a child or his drinking/drug problems, both of which effectively relieve him of responsibility for the abuse that he perpetuates (see also Consalvo 1998). These articles eschew consideration of institutional or cultural and structural factors that may prevent a woman from leaving an abusive relationship because, as one magazine editor explains, "she, and others at the magazine, thought readers would be overwhelmed by reading about all the cultural and structural forces related to a problem like [intimate partner] violence" (*ibid*, 88). Media representations that focus on institutional, cultural, and structural factors contributing to IPV are thus cast as "depressing"—and "depressing" media, as Berns contends, does not fit well with for-profit media outlets' reliance on advertisers for income.

Articles that used the institutional, cultural and structural, and integrated frames, Berns found, were most common in not-for-profit or privately-funded political magazines. These articles tended to polarize into feminist analysis and anti-feminist

analysis depending on the political orientation of the magazine. Progressive political magazines often used a “social justice perspective” when discussing IPV, attributing IPV to structural factors such as institutionalized misogyny and racism and institutional factors such as inadequate access to social service assistance (e.g. welfare and citizenship) for victims. Berns found that a small handful of mainstream articles took a similar perspective; however, these articles were primarily published in the 1970s and 80s when IPV was first becoming a prominent social issue, and thus the public lacked any coherent framework through which to understand it. With the idea that IPV was a “private matter” swept aside, feminist and battered women’s activists were able to step in to provide a new framework through which the public could understand IPV and the needs of abused women.

Unfortunately, as Berns explains, the work of these activists was taken out of its context. Because resources for abused women were scarce to non-existent at the time, advocates for abused women emphasized the need for shelters and adequate social assistance for abused women. Although the movement was feminist at its roots, and although it situated IPV within patriarchy, activists’ feminist message got lost in the pressing needs for services for abused women. IPV thus solidified as an issue about its victims, and any question about abusers or the environments that fostered abuse were lost, relegated largely to liberal political magazines unless a particularly high-profile IPH case engaged public attention. For example, in an effort to boost reader- and viewership in the midst of the O.J. Simpson trial, many mainstream media outlets actually did engage in detailed discussions of IPV and IPH with feminist activists (McCarthy 1995; Maxwell et al. 2000; Berns 2004). However, Maxwell et al. (2000) found that this coverage was short-lived, as mainstream media outlets returned to victim-focused coverage following the conclusion of the O.J. Simpson trial. In the absence of a high profile case involving IPH, then, contemporary mainstream media rarely take a progressive approach that highlights the broader institutional, cultural, and structural factors that contribute to IPV.

By contrast, Berns found that conservative political magazines often used an anti-feminist perspective in their coverage of IPV. After IPV rose to prominence as a social

issue in the 1970s and 80s, conservative political media outlets used a range of anti-feminist responses to counter the strides made by activists for abused women. These magazines worked to “[degender] the problem and [gender] the blame” (122)—or in Hall’s terms, to decode sympathetic media representations in anti-feminist ways and to encode fresh representations with anti-feminist messages. Drawing on the field of family violence research, conservative media argued that IPV was an issue of “human violence” rather than “men’s violence” and that women’s violence (and male victims) are not taken seriously (ibid, 106). They further contended that men are victimized by the legal system vis-à-vis IPV and IPH. When women such as Francine Hughes were acquitted of murdering their abusive partners, conservative commentators decried that it would be “open season on husbands” if such acquittals were allowed to stand, framing BWS as an “abuse excuse” that allows violent women to act as vigilantes (Downs and Fisher 2005; Jones 2009). Conversely, men who murdered their abused wives were framed as victims of overwhelming passion, driven crazy by, usually, their wife’s perceived abandonment (Meyers 1994). As one cop proclaimed after responding to a domestic disturbance call in an episode of *Cops*, “It’s the same thing over and over again; boy meets girl, boy drinks beer, girl leaves boy, boy goes crazy” (Consalvo 1998, 67). This double standard belies the antifeminist frame’s true agenda: far from caring about male victims of IPV and IPH, conservative media push stories about women’s violence and male victims as a political backlash against feminist progress (Berns 2004; Jones 2009).

Media representations of IPV and IPH thus have a complex and fraught relationship with the reality of IPV and IPH—a complexity that I argue is best described using Hall’s (Figure 1) model. As Berns and others argue, media representation of IPV and IPH often embody, or are encoded with, the ideological position(s) of the structure(s) that produce them. One such example of this is the overwhelmingly individual focus of many representations of IPV. These representations are in turn decoded depending on the viewer’s world view, and the decoded messages feed back into the representational system, including the structures that support it, and either reinforce old frames or produce new frames, as with the social justice and antifeminist perspectives. Along the way, these media representations can influence policy and legal decisions as well as public opinion.

The Burning Bed, I will argue, is one particularly prominent example of the way that this process can occur. In the next section, I will unpack the details of the Francine Hughes case based on Faith McNulty's (1980) account in her book of the same name. Of course, this book is itself a representation and is accordingly both constituted by and constitutive of discourse about IPV more broadly and the Francine Hughes case specifically. Because this text made the Francine Hughes case knowable in a comprehensive way for the first time by turning the many disparate events of Francine's life into a narrative, it holds tremendous power over what we understand as the "reality" of her case. This is all the more true because the film version of *The Burning Bed* is based on McNulty's text—and while the film certainly deviates from the text in many ways to construct its own definition of Francine's case, it inherently points back to the text as its source of "reality." McNulty's account, in short, effectively defined the parameters of the "real" vis-à-vis Francine Hughes, and in doing so, helped to constitute what we understand as the reality of IPV.

This is not to suggest that McNulty's text is filled with falsehoods, however. As Hall reminds us, we cannot actually engage with unmediated reality: we need the narratives that representations of all forms provide in order to make sense of our social world, and this is exactly why it is so important to examine representations. McNulty's book is the most comprehensive account of Francine's case, formed out of extensive interviews with Francine with and with her lawyer, Aryon Greydanus, and it has held a tremendously influential role in defining what we understand as the reality of Francine's case. Accordingly, it is the most suitable source to reference for the sake of this project, which aims to understand how the social construction of IPV materially affects abused women.

Examining the ways that *The Burning Bed*, both as a film and as a book, has materially impacted abused women will be the later focus of the next section. I will consider the relationship between McNulty's narrative and concepts later introduced to explain the behaviour of abused women such as learned helplessness. I will then conduct a close reading of the film and consider its critical reception (i.e. decodings) in order to pull out the material impacts that viewing the film may have had on/for abused women.

3.2 *The Burning Bed*

On March 9, 1977, a sobbing Francine Hughes and three of her children pulled up to the Ingham County Sheriff Department in Michigan, U.S.A. in the family's blue sedan. At first too distraught to speak, Francine finally forced out a strangled "I did it!" When asked what she had done, she responded that she had set the bedroom of her house on fire while her husband, Mickey Hughes, slept; immediately after, she pressed the cap of a gasoline can into the hand of an officer. Police officers and the fire department rushed to the family's house to find the back half of the house engulfed in flames and Mickey Hughes' parents and two of his brothers, all of whom lived close by, hysterical on the front lawn. Once the blaze was under control, firefighters uncovered Mickey's burned body amongst the charred remains of the living room.

Francine Hughes was questioned, and the sordid details of the day's earlier domestic dispute came spilling out of her: Mickey, recognizing that attending a local college was giving Francine hope and life again, had forced her to burn her school books in the backyard after viciously beating her. When Francine sent her oldest daughter, Christy, to call the police, Mickey had stopped beating her, knowing that, legally, the cops were not allowed to arrest him unless they saw an assault occur. After the police left and Francine had made dinner for the couple's children, Mickey resumed his abuse, sweeping the food and dishes off the table and forcing Francine to clean it up. Once Francine had finished, Mickey returned to the kitchen and dumped the food and dishes onto the floor again and told her, "Now, bitch, clean it up again." He took a handful of food and smeared it into Francine's hair before resuming hitting her.

Finally, Mickey grew tired and told Francine he was going to the bedroom and that Francine was to fix him something to eat. Once he had eaten, he forced Francine to have sex with him before falling asleep. Francine's children, when questioned separately, added that Francine had brought them downstairs again after Mickey had fallen asleep, where they sat and watched television together for roughly half an hour. During this time, Francine went to the garage and pulled out the can of gasoline she would later use to start the fire. The family then sat together for several more minutes as they waited for Francine's youngest son, Dana, to return home from a friend's house. Eventually,

Francine decided that she could not wait any longer. Christy, her oldest daughter, explained that her mother hurried the kids into the car, went back into the house, and a couple of minutes later came running out crying “Oh my god! Oh my god!” to herself while starting the car and barreling off at high speed.

In combination with the evidence found at the scene—Mickey’s dead body, the can of gasoline missing its lid—the children’s testimony that Francine had not only waited after the incident, but had pulled out the can of gasoline and then waited even longer, was enough to convince the detectives that Francine’s story was an open-and-shut case of first-degree, or pre-meditated, murder. Francine was charged with this and one count of felony murder, since the murder had been committed in the course of committing arson.

A young attorney named Aryon Greydanus was appointed as Francine’s public defender. Appalled by the horrors that Francine recounted to him, Greydanus set out to demonstrate that any woman in Francine’s situation could have been driven to murder. Although Francine’s actions constituted a form of self-defense, there was no legal precedent at the time for such an argument. Legally, self-defense is used in the context of immediate danger and it justifies the use of appropriate, proportional force against an attacker. Mickey was sleeping when Francine set the fire; not only was she not in immediate danger, but her response would seem wildly disproportionate to the force Mickey had used against her earlier in the day. To the protests of the Francine Hughes Defense Committee,⁸ Greydanus thus decided to pursue a “not guilty by reason of temporary insanity” defense.

Although this defense carried its own risks—namely, being found guilty but mentally ill—it fit well with Francine’s narrative of the night, where she described being

⁸ The Francine Hughes Defense Committee was a group consisting of law students and feminist activists. It was formed not only to advocate for Francine’s acquittal, but to draw attention to the plight of abused women generally. The committee hoped to use Francine’s case to advocate for better social and legal assistance for abused women, which included setting precedent for using self-defense as a legal defense in cases of IPH where the abused woman kills her abuser.

in a trancelike state as she set the fire. Greydanus enlisted a prominent psychiatrist and a psychologist to examine Francine and provide expert testimony on her mental state generally and at the time of the murder. Both found that Francine had suffered essentially a psychological breakdown the night she set the fire wherein the “emotions she had suppressed for so many years overwhelmed her... [and] she experienced a breakdown of her psychological processes so that she was no longer able to utilize judgment... no longer able to control her impulses.” They found that this breakdown had occurred because years of abuse had conditioned Francine to develop strong “feelings of vulnerability and powerlessness” and deficits in her “sense of competence, self-confidence, [and] autonomy,” which had made it “easy for her to be overwhelmed, tremendously threatened, and easily controlled” by Mickey. Her fear that he would kill her was consequently “vividly real, and... constantly reinforced by his beating her if she dared even to visit a friend or her family” (McNulty 1980, 254–5).

The term did not exist at the time, but Francine’s psychologists effectively described what would later become known as learned helplessness, a key component of BWS. Coined by Martin Seligman in the late 1960s, learned helplessness describes the loss of the ability to predict that one’s behaviour will have a desired outcome and thus the corresponding loss of self-efficacy. Seligman and his colleagues were conducting experiments on dogs using electrical shocks as negative reinforcement when they accidentally discovered that dogs who were shocked randomly and who were unable to stop the shocks with good behaviour were later unable to perceive an escape to the shocks even when one was offered to them. Dogs who had been able to terminate the earlier shocks with good behaviour or who had not been exposed to shocks at all, on the other hand, quickly learned how to escape the later shocks. After replicating this behaviour in a number of different animals, Seligman (1975) proposed that this learned helplessness was a core component of clinical depression, in which sufferers often similarly feel helpless to change their circumstances or their feelings of hopelessness.

Walker and her colleagues later applied this term to abused women. In the context of IPV, learned helplessness describes an abused woman’s loss of the ability to determine if a particular behaviour will help her escape the abuse. After learning through constant

battering and abuse that her actions ultimately have little to no influence over her batterer's violence—that the violence occurs no matter how hard she tries to please him—Walker proposes that the abused woman learns that she cannot escape his violence and, for her own protection, must learn simply to weather the storm. In place of attempting to escape, the abused woman develops and learns to implement sophisticated coping strategies to survive the violence and minimize damage. These strategies can aim to minimize external damage, such as working to placate the abuser or sheltering children from harm, or to minimize internal psychological damage, such as dissociating, minimizing the severity/extent of the abuse to herself, or repressing negative emotions about the abuse.

Learned helplessness, when pushed to its extreme, can also manifest in homicidal retaliation. Abused women who are experiencing learned helplessness may use seemingly disproportionate force against their abuser because they are convinced that nothing short of their abusers' death will stop the abuse. Indeed, many women who strike back against their abuser with deadly force remain convinced even after killing him that he can still hurt them. Walker (2009) offers an illustrative anecdote of a woman named Miriam Grieg who, after shooting her husband six times, warned "police to be very careful when they entered, as she was sure her husband was still alive and angry enough to shoot them" (346). The belief in their abuser's omnipotence and their own powerlessness is an integral element of learned helplessness and BWS.

This belief, moreover, is not detached from reality. When an abused woman kills her abuser, it is almost always because she has exhausted every other avenue for help and has become convinced that nobody is willing to help her or even take her seriously. Often, she has faced repeated scorn, indifference and an inability/unwillingness to help from officials, including police officers and social service agencies; family members; and friends and neighbours (Wilt et al. 1977; Browne 1987; Jurik and Winn 1990; Walker 2009). She knows that leaving her abusive partner places her and maybe even her loved ones at tremendous risk. A comparative study of abused women who had killed their partners against a community sample of abused women found that over 90% of the women who killed their abusers had received specific death threats from their abuser

indicating the time, method, and/or location of their murder. In comparison, only 15% of abused women in the community sample had received such threats from their abusers. Abused women who killed their partners were thus likely to be facing specific, actionable death threats from their abuser which made the fear of imminent death very real (Roberts 1996; see also Browne 1987; Walker 2009).

In contrast to her abuser's specific death threats, an abused woman often does not make a conscious decision to use deadly force against her abuser. As Walker (2009) explains,

Most women who killed their batterers have little memory of any cognitive processes other than an intense focus on their own survival. Although, retrospectively, it can be seen where her defenses against denial of her anger at being an abuse victim are unraveling, the women do not have any conscious awareness of those feelings. Their descriptions of the final incident indicate that they separate those angry feelings by the psychological process of a dissociative state and thus, do not perceive them (135).

Walker's description closely mirrors Francine and her psychologist's assertions that Francine entered a trancelike state where all she could think about was her desire to leave everything associated with her current life behind in order to escape inevitable death. Although the Hughes trial did not use BWS proper in its defense, then, Francine did exhibit (and thus participate in the social construction of) a number of its symptoms. This is not to say, of course, that learned helplessness was applied to abused women because of Francine Hughes. Rather, I am suggesting that Francine exhibiting these symptoms may participate in the way that readers (and viewers of the film, as I will discuss below) understand terms like learned helplessness and BWS if they come across them. In this way, *The Burning Bed* becomes an integral part of the way that they understand the reality of IPV and its effects, including learned helplessness and BWS.

The Hughes trial quickly became a media spectacle. Although Francine was far from the first abused woman to kill her abusive partner, the dramatic nature of Mickey's death captured public attention. In a time period where public awareness of and concern about IPV was on the rise, the Hughes trial became a locus around which to focus discussions of IPV and the struggle of abused women (Dowd 1992; Russell 2010). In

spite of the horrifying nature of Mickey's death, Francine Hughes represented an ideal victim: a poor, white mother who had been severely abused and yet had dedicated everything to keeping her children safe and who had attempted every possible escape route. In Reddy et al. (1997)'s terms, Francine represented a "Cinderella-type character... a caring mother and a long-suffering wife," while Mickey was easily classified as an "unreasonable, volatile, and dangerous man" (143). The Hughes trial thus represented a simple good-bad dichotomy that, while not representative of the majority of IPH cases, made it excellent media fodder. As Berns (2004) explains, media are apt to cover only victims of IPV who are palatable to the public—victims who will not be blamed for provoking the violence against them or otherwise be considered "deserving" victims (e.g. women of colour, sex workers, drugs users, "bad" mothers/wives, and so forth). Francine Hughes was one such palatable victim, and her acquittal set the stage for the book and, more importantly, the television movie that would spread her story even more widely.

Starring Farah Fawcett, the film adaptation of Francine's story as detailed in Faith McNulty's *The Burning Bed* attracted over 75 million viewers, making it one of the most-watched television movies ever aired (Rapping 1985). While the Hughes trial and later, McNulty's book, had an impact, the film catapulted IPV and the plight of abused women into the public eye in a way that nothing had before. As one activist explains, "after Francine's trial... it was like activists were simply talking to one another. After the movie, everyone was willing to listen" (Knott Ahern 2009). In other words, the widespread decoding of the film in a way that was sympathetic to abused women contributed to altering a number of social institutions. The film's impact has endured to this day: a number of Bern's participants identified *The Burning Bed* as one of their first and most formative introductions to IPV.

What about this film allowed it to produce such a widespread change in the way that people thought and talked about IPV? And just as importantly, what were the film's limitations? Below I will offer a brief case study of the content (encoding) and reception (decoding) of *The Burning Bed* in order to fully explore these questions, and thereby set the stage for the project I will undertake in my final chapter.

3.2.1 An *NBC* Original

The Burning Bed first aired on NBC on October 8, 1984 in conjunction with that year's National Domestic Violence Awareness Week. It was not the first made-for-television movie that the network had produced on the subject of IPV, but its "based on a true story" narrative—particularly appealing given the spectacular nature of Mickey Hughes' death—and its star power immediately allowed it to attract a wider audience than your average made-for-television movie. However, these alone would not have produced the film's lasting impact. What distinguished *The Burning Bed* from previous films about IPV, rather, was its empathetic portrayal of a woman who otherwise would have been understood as a deviant, immoral woman. As Ann Jones argues in *Women Who Kill* (2009), violent women, and particularly women who commit murder, have always been understood to contradict acceptable norms of femininity. Indeed, early theories of criminology identified the root of female criminality in "un-lady-like" behaviours. Women who committed crimes, then, were understood as inherently deviant: they were bad wives, bad mothers—cruel, heartless women who defied their "rightful role" in society. When they killed their partners, it was out of greed or vengeance, and their partners were understood as innocent victims sucked in and tricked by an immoral, seductive, remorseless woman.

The Burning Bed sharply contradicted stereotypes of women who kill, humanizing Francine and largely demonizing Mickey. Fawcett's portrayal of Francine was designed to evoke empathy from its audience. The film portrays her as a long-suffering, passive victim of her husband's abuse who prioritizes her children's well-being over all others, even her own. She endeavours time and time again to pursue non-violent solutions to Mickey's abuse: she divorces him, contacts the police and the prosecutor's offices for protection, goes on welfare in order to support herself and her children, flees to her mother's house repeatedly, and even pleads with Mickey's parents to commit him so that he can get help to manage what Francine perceives as his uncontrollable anger. Each time, she is rebuffed by officials or family members who either do not care or who cannot or will not help her. And each time she leaves, Mickey forces her to come back through manipulation and, when that doesn't work, violence and threats, until finally he

begins preventing her from leaving by removing her means of transportation or threatening to kill her. After viciously beating Francine in front of her children, Mickey attempts his usual apology routine, telling Francine that he loves her and he's sorry; when Francine does not buy it, angrily telling Mickey, "don't you ever hit me in front of my kids—or anyone. I'll leave you. I'll take the kids and go," Mickey grabs her by the throat and furiously whispers, "You're not going any place... Wherever you went, I'd find you... You're gonna stay right here, or those kids ain't gonna have no mother."

Towards the end of the film, we see a now desperate Francine going from office to office seeking any means of protections for herself and her kids against Mickey's escalating violence. The prosecutor's office tells her that a probation officer will pick Mickey up for violating his probation (by assaulting a police officer) but is unable to give her any time frame for when this will happen in spite of her repeated pleas that Mickey is going to kill her and she needs someone to pick him up immediately. When, in sheer desperation, Francine appeals to the welfare office in hopes that they will have Mickey thrown out, as him living with her violates the terms of the Aid for Dependent Children that she receives, the case worker tells Francine that the only person they could prosecute for this violation is her. She does, however, suggest that Francine could "throw away all [of Mickey's] clothes and lock the door." In this way, *The Burning Bed* encodes a commentary on the inadequacy of government bureaucracy to protect abused women—something that public at large had very little knowledge of at the time.

Even Francine's mother offers her daughter little in the way of help. Though Francine comes to her house multiple times during the film to escape Mickey's abuse, each time she is profoundly unhelpful. The first time Francine flees to her mother's house—early in the marriage, after Mickey repeatedly beat her because she was allegedly looking at other men or wearing clothes that were "too sexy"—her mother parrots the wider societal attitude that it is a woman's job to "put up with [her] man." In spite of Francine's visibly bruised face, her mother advises her that Mickey's jealous response is "only natural" and that it would be irresponsible for her to leave Mickey now that she's pregnant. She grimly tells Francine, "If you make hard bed, you have to lay in it."

Francine's mother is no more helpful later in the film when Francine makes it clear that her life is in danger. When Mickey shows up to the house and begins pounding on the door, screaming that he needs to see the children, Francine's mother quickly crumbles under the stress, letting Mickey in and allowing him to take the children back to his mother's. A day later when Mickey repeatedly calls telling Francine that he is going to kill himself—to which Francine responds, “Send the kids over to your mother's, go into the bathroom, and lock the door”—Francine's mother pleads with Francine that “he really sounded sorry.”

Flossie and Berlin, Mickey's parents, are even less helpful. While they attempt to help Francine when Mickey first begins beating her and occasionally even call the police on Mickey, they endlessly enable his abusive behaviour by refusing to hold him seriously accountable—a practice, the film implies, they have likely engaged in all of Mickey's life. The film sets up Flossie in particular as Mickey's ally from her first meeting with Francine: moments after we hear Mickey urging Francine to marry him, Flossie comments to Francine that she was not much older than Francine is not when she and Berlin got married. Although she acts kindly to Francine in the beginning, this lasts only as long as Francine is supporting Mickey.

Following the birth of Francine and Mickey's third child—which occurs shortly after Francine divorces Mickey—Flossie and Berlin come to visit Francine at the hospital. Immediately, Flossie starts in on Francine:

“Ain't you gonna ask about Mickey? Well he's just fine. He's got himself all straightened out. He's working. Now when you two gonna get back together and be a family like you ought to?... Don't you love him no more, Francine? A woman's got to take the bitter with the sweet you know. Mickey loves you, Francine. Something awful... It's wrong to keep a father from his children.”

Flossie knows exactly how vicious Mickey is to Francine. Indeed, Francine flees to Flossie's house next door throughout the film in order to escape Mickey's beatings. Mickey almost always follows shortly thereafter, pounding on the door and screaming to let him in so that he can get to Francine. Flossie has seen Francine's bloodied and bruised face, but in spite of this, she constantly urges Francine to return to Mickey whenever they

are separated. After fleeing to her mother's house for the final time, Flossie and Berlin drive up to the house with Mickey and the kids ostensibly because the kids wanted to see Francine. However, Mickey uses the opportunity to manipulate Francine into coming back to him, telling her, "I quit drinking. I'm going to church. I did all those things to you because of the drinking. It'll never happen again." When Francine initially refuses to return, Flossie chimes in, "Well I guess you've made up your mind. Got your reasons, but it's a crying shame because he's doing his best."

In the face of the common reproach of "why don't you leave him?" *The Burning Bed* encodes a detailed explanation as to why Francine could not leave, despite her very best efforts. At a time when abused women were often understood to be masochistic, Francine Hughes' story was a revelation about the difficulties abused women face in attempting to leave violent relationships. This is perhaps best encapsulated in one small, yet poignant, scene. The camera shows us an outside shot of Mickey and Francine's house and we hear the sounds of violence emanating from within: Francine's screams, the sound of material possessions shattering. Suddenly, the film cuts to a shot of their next-door neighbour's open window. Silently, the neighbour walks to his window, latches it shut, and disappears. This short scene encapsulates one of the primary encoded messages of the film: abused women cannot expect help from anybody.

The Burning Bed also put a spotlight on the development of abusive relationships. At the time, very few people outside of advocacy and feminist circles were aware that abusive relationships often begin with a "honeymoon phase" of sorts. The lack of awareness about the early dynamics of abusive relationships contributed to perceptions that abused women enjoy the abuse: after all, the logic went, she married the monster, so she must like it. Similarly, lack of awareness about abusive relationship dynamics prevented women from noticing the signs of abuse early. Francine has reservations about Mickey, who continually pushes Francine to have sex and then to marry him, from the very beginning of their relationship, but ignores these reservations after her friend Gaby urges her not to "be so hard on him" and to "take him back." When Francine complains that Mickey will not leave her alone, that he is always talking about getting married—possessiveness that is an early warning sign of abuse—Gaby responds, "That doesn't

sound so bad to me. He really loves you.” Immediately after this conversation, the film cuts to a scene of Mickey and Francine in Mickey’s car when Francine finally gives in and has sex with him—a fatal decision that eventually leads to their marriage.

As the film proceeds, we see Mickey begin to get gradually more possessive of and abusive towards Francine. Shortly following their marriage, Francine buys a new outfit from the store to surprise Mickey. When he gets home from a day of fruitless job hunting, Francine eagerly bounds up to kiss him and asks him what he thinks. Mickey coldly surveys her and tells her to take it off and get him a beer. When Francine softly protests, Mickey repeats his message more forcefully; upset, Francine responds that he can get the beer himself and walks off. Furious, Mickey storms after her, yelling, “You made a fool out of me, sassed me in front of my family!” He pushes open the bedroom door in spite of Francine’s efforts to hold it closed and pushes Francine back onto the bed, grabbing at her clothes and trying to rip them off and yelling, “You know how to behave!” Francine, shrieking, finally manages to pull herself away and huddles against the wall, where she begins to cry. At the sight of her tears, Mickey immediately seems to feel bad; he apologetically tells Francine that she just looked “too sexy” and that he just loves her “so much [that he] can’t stand to think of [her] dressing up for anybody else.” Still crying, Francine apologizes—and we begin to see her previously vibrant personality crumbling under Mickey’s thumb.

The film shows the couple as they go through a number of cycles of violence of this kind: something Francine does infuriates Mickey, he beats her, and then he increasingly pathetically apologizes. Shortly after the birth of their first child, Mickey slaps Francine at a party because she went into town without him to get her nails done. A concerned Gaby follows Francine into the kitchen after the incident, saying she does not know how Francine puts up with Mickey. Francine quickly responds, “It was just as much my fault as his. We’re a family now, I gotta try to be a good wife, gotta figure out what he wants and what he’s thinking... It’s not easy for him too, you know. Hard being a good husband, good father. He’s doing the best he can.” The film thus shows viewers how abuse and the cycle of violence that often accompanies it can twist a person’s perception of blame and responsibility—something that culminates in the responsibility

that Francine feels for Mickey after he gets in a nearly-lethal car accident. Even though the couple is divorced at the time of the accident, Francine stays by Mickey's hospital bed for days and then agrees to move into the apartment next to Flossie and Berlin's home in order to nurse Mickey back to health in spite of Gaby's vehement protestations. This turns out to be an equally fatal decision: shortly after, Mickey moves himself into Francine's apartment and begins beating her again. *The Burning Bed* neatly illustrates how the cycle of violence keeps abused women trapped in abusive relationships.

Because abuse was so ill-understood in the 1980s, the educational material encoded in *The Burning Bed* had an incredible impact on public awareness and concern about IPV (see e.g. Rapping 1997; Knott Ahern 2009). Many reviewers were empathetic towards Francine after seeing the film. Howard Rosenberg (1984) for the *Los Angeles Times* comments, "you want to strike the match for her," while Kenneth Clark (1984) for the *Chicago Tribune* describes Mickey as, "one of life's losers, who at least after his death no longer was able to beat his wife to a pulp and terrorize his children every time the knowledge of his failure as a human being washed over him." Even more notably, many reviewers explicitly and positively linked the film back to feminist issues. Jack Thomas (1984) for the *Boston Globe* writes, "The movie dramatizes what feminists have been complaining about since the '60s: that bureaucracy is indifferent to battered women and their need to escape violent marriages." Similarly, Marc Gunther (1984) for *The Hartford Courant* explains,

The... message of "The Burning Bed" is that wife abuse is a crime in every way as serious—and, in some ways, much more awful—than assaulting someone on the street. The message is one that needs to be spread, if only because so many people continue to believe that the victims of wife abuse are at least partly to blame for what is happening to them.

The Burning Bed thus succeeded for the most part in communicating its encoded sympathetic messages about Francine and abused women, something that was revolutionary at the time.

Although a small number of critics decoded the film in an oppositional way, arguing that *The Burning Bed* would encourage other wives to violently murder their

husbands (see e.g. Rose Goldenberg's comments in Gunther 1984), most critiques of the film in fact centered on the film's limitations. Specifically, many reviewers pointed out the film's failure to engage with the legal issues surrounding IPH and abused women in any depth (Clark 1984; Gunther 1984; Rosenberg 1984; Thomas 1984). *The Burning Bed* offers only one brief scene in which Greydanus discusses his legal strategy with Francine. Greydanus mentions self-defense only in passing, telling Francine that he was unable to find a precedent to support a plea of not guilty by reason of self-defense and that they should pursue a verdict of not guilty by reason of temporary insanity instead. For a previously uninformed viewer, this throwaway scene fails to convey the importance or complexity of the self-defense debate, which I will discuss in detail in the next section.

Similarly, *The Burning Bed* fails to explore the social, political, and cultural determinants of abuse. In spite of offering a thoughtful commentary on the system's failure to help abused women, the film offers no "messages about why [abuse] occurs, or how to prevent it" (Bayles 1984). Aside from hints about Flossie coddling Mickey and condoning his abusive behaviour, there is little consideration of how abusers become abusers. As Martha Bayles (1984) for *The Wall Street Journal* notes, "the characters are, if anything, too opaque—as baffling and disturbing as the sound of strangers screaming in the night." The film never mentions systemic misogyny and its role in abuse, minimizing *The Burning Bed*'s transgressive impact as a feminist film.

With the exception of Bayles, who as a conservative commentator considers the lack of "sanctimonious generalization[s] about the plight of all wives" to be a positive element of the film, popular critics failed to consider the film's failure to explain the determinants of abuse. Indeed, many speak of Mickey as though he were a sick, deviant man, failing to recognize that Mickey, like Francine, is only one particularly extreme example of a group of people. As Bayles points out, the film includes "no reference, sanctimonious or otherwise, to a world outside [Francine's] awful isolation." The singular focus on Francine fundamentally limits the efficacy of the film by failing to impress on its viewer the scope of the problem of IPV or the vastly different narratives of abused women, many of whom do not fit the film's simple good-bad dichotomy. This

failure to capture the complexity of IPV will be particularly important in the next section when considering the similarly simplified view of abused women that BWS offers.

Moreover, *The Burning Bed* fails to teach viewers about the complexity of a legal system that makes it incredibly difficult for abused women to avoid jail time for defending themselves. Viewers may come away assuming that all abused women have a lawyer like Aryon Greydanus instead of understanding that that way the legal system deals with abused women is deeply misogynistic. Even more dangerously, viewers may come away with an assumption of what abused women—and their abusers—are like. As I will discuss in the following section, these assumptions may impact juror decision-making in cases where an abused women kills her abusive partner, resulting in women who do not fit the stereotype receiving harsher verdicts.

In spite of *The Burning Bed's* encoding and popular decoding in line with feminist messages about abused women and a bureaucratic system's failure to protect them, then, the film fails to capture the complexity or scope of IPV; the social, cultural, and political determinants of abuse; or the legal issues faced by abused women who kill their partners in self-defense. While the film was thus able to contribute to some degree of change in the way that government agencies, such as the police, deal with abused women, it failed to challenge the systemic misogyny that is often implicit in abuse in the first place or the legal system's failure to protect abused women who commit IPH. Although destroying stereotypes about masochism, *The Burning Bed* imposes other stereotypes about IPV by portraying Francine as a "Cinderella-like" character and Mickey as a brute. These limitations are important because, if the film is widely decoded in a way that does not acknowledge the existence of these limitations, the structures that produce them will not change. In the next section, I will examine self-defense law as an example of a problematic structure—one that *The Burning Bed* failed to critically interrogate.

3.3 Self-Defense and Battered Woman's Syndrome

The law has been slow to change in favour of abused women.⁹ Although the law, in many countries, has allegedly offered protection against IPV for hundreds of years, courts regularly denied abused women any protection against their abusive partners well into the 1900s. As Russell (2010) explains, “it was believed that charges against a husband for assault and battery against a partner would ‘open the doors of the courts to accusations of all sorts of one spouse against the other’” (30). IPV was understood to be a private matter, and women were largely held to be responsible for provoking their own abuse—or they were at least expected to live with it. Women who fought back against their abusers, meanwhile were swiftly and strictly punished (Dobash and Dobash 1981; Dowd 1992). Although these laws began to change in the early 1900s as women began organizing to advocate for their rights, significant legal change did not occur until the 1970s when the feminist movement made IPV a central focus of its work (Dowd 1992; Russell 2010).

3.3.1 Self-Defense Laws

The nature of self-defense laws proved to be one of the primary issues that activists for abused women had to confront in their fight for justice. Self-defense laws are almost universally constructed around the idea of two parties, assumed to be men, of equal size and strength fighting. In this case, the use of deadly force is justified only when one party reasonably believes that the use of such force is necessary to avert imminent death or seriously bodily harm and the force used is proportional to the threat (Donovan and Wildman 1980; Crocker 1985; Gillespie 1988; Dowd 1992). In some jurisdictions, for example, using a weapon against an unarmed assailant would violate self-defense laws.

The problems with self-defense law vis-à-vis abused women hinge on the requirement of “reasonableness,” and more specifically, the legal fiction of “the

⁹ This section will focus on American law both because the United States has the most extensive legal case history of IPH committed by abused women and because the law procedurals I analyze in my 4th chapter are produced and set in the United States. My review of self-defense law and the use of BWS below is thus not an accurate representation of the law vis-à-vis abused women in other countries, including Canada.

reasonable man.” Essential to both self-defense and provocation laws, “the reasonable man” is an abstract figure against which the jury compares the defendant’s behaviour. He stands in for the community’s morals and norms: he acts as they would hope an individual of average intelligence, caution, and self-control would act. He is permitted to have flaws, but only insofar as these flaws embody community norms. Most importantly, while “the reasonable man” is meant to embody a classless, sexless, universal, value-free standard of reasonable behaviour, the legal fiction of “the reasonable man,” embodies white, male, and middle-class sensibilities (Donovan and Wildman 1980; Crocker 1985). Because the white, male, and middle-class standard of “reasonable behaviour” is also assumed to be universal and value-free—it is hegemonic, “common-sense”—the abstract “reasonable man” takes on these characteristics by default.

The reasonable man standard thus tremendously disadvantages abused women, and women generally, by its failure to account for the unique circumstances and limitations that they face. As I discussed in the previous chapter, women in general and abused women in particular experience violence very differently than men. As women are generally physically smaller and weaker than men, an act of violence that may not seem threatening to a man may be extremely threatening to a woman, particularly if that violence is coming from a partner who has a history of inflicting extreme harm on the woman. In this case, even non-physically violent acts like threats or a crazed look in the abuser’s eyes may create a reasonable fear of imminent death or serious bodily harm in the abused woman’s mind (Schneider 1980; Crocker 1985; Dowd 1992). However, if the court instructs the jury to apply an objective standard of reasonableness¹⁰ to a case wherein an abused woman killed her abusive partner, the jury would be required to evaluate the abused woman’s behaviour against the proposed behaviour of an abstract

¹⁰ Courts apply an objective standard of reasonableness when they instruct the jury to consider what a person of average intelligence and caution in the defendant’s circumstances would have done in the same situation—in essence, comparing the defendant’s behaviour against the standard of “the reasonable man.” The objective standard of reasonableness is more commonly used than the subjective standard, which requires the jury to consider what the defendant themselves reasonably and honestly believed was necessary to protect themselves from harm. Although the subjective standard on its face seems more helpful for abused women, the necessity of determining reasonableness continues to be an issue (cf. Crocker 1985).

man. Although traditional self-defense laws do allow the jury to consider the circumstances surrounding the crime, including a past history of abuse, the reasonable man standard still ignores the physical differences between an abused woman and her abuser as well as the psychological effects of that history of abuse (Donovan and Wildman 1980; Schneider 1980; Wimberly 2007; Jones 2009).

Even women who kill their abuser in the context of a direct confrontation, then, may face difficulty being acquitted on grounds of self-defense. If her attacker is unarmed, the use of a knife, gun, or other weapon in self-defense can appear to the jury as a disproportionate, or unreasonable, use of force, particularly if the abused woman continues to use the weapon after disabling her abuser—for example, if she continues to shoot her abuser after he is on the floor (Schneider 1980; Mather 1987; Gillespie 1988; Finkel, Meister, and Lightfoot 1991; Maguigan 1991). The rule of proportional force can thus create tremendous problems for abused women, who are often forced to use a deadly weapon to fend off their much larger and stronger abusers and who, because of their history of abuse, have often come to believe that their abuser is omnipotent and that nothing short of overkill will protect them. As Walker (2009) and Browne (1987) illustrate, many women remain convinced that their abuser will get up and kill them even after he is dead.

Moreover, the particular jurisdiction's definition of relevant temporal proximity to the homicide can affect the inclusion of evidence about past abuse even in cases of direct confrontation. In jurisdictions based on the standard of "immediate" danger, the jury must focus exclusively on the exact moment of the abused woman's action. As a result, defendants may be denied the right to introduce evidence of past abuse (Gillespie 1988; Maguigan 1991). Even with knowledge of the history of abuse, however, as in jurisdictions that use the "imminence" standard of danger, juries may find an abused woman's claim that she acted in self-defense disingenuous, as she did not react similarly to previous incidents abuse. In this case, abused women may still find it necessary to introduce BWS expert testimony to justify the reasonableness of her actions (Crocker 1985; Saitow 1993; Wimberly 2007). Abused women are thus often expected to exceed

standards set for male defendants, whose actions of self-defense in a confrontational situation are understood to be reasonable by default.

While abused women who kill their partners outside of a direct confrontation—as in cases where the woman kills her partner a significant period of time after a confrontation; where the abuser has threatened her but has not yet physically hurt her; and/or while the abuser is sleeping, intoxicated, or has his back turned—are a substantial minority of IPH cases, they face an entirely different magnitude of legal difficulties. The reasonableness standard affects abused women who kill outside of a confrontation tenfold. While self-defense laws in many jurisdictions do take into account the abuser's history of violence against the abused woman, and thus can sometimes excuse reacting to his violence with seemingly excessive force, it is exceedingly difficult for abused women to demonstrate that they honestly and reasonably believed that they were in danger of imminent death or serious bodily harm when their abuser was not physically attacking them at the time (Schneider 1980; Crocker 1985; Dowd 1992; Jones 2009; Walker 2009). Indeed, juror simulation studies have found that mock juries are significantly more likely to convict an abused woman of homicide if she kills her partner either when he is sleeping or after a significant delay (Finkel, Meister, and Lightfoot 1991; Cheyne and Dennison 2005; Hodell et al. 2012). In cases where the abused woman kills her partner outside of a confrontation, then, additional resources are necessary to convince the jury that she acted reasonably in self-defense.

Researchers and activists have suggested a number of possible ways to adjust the legal system to be more sympathetic to the plight of abused women who kill. Many have suggested modifying self-defense laws to change definitions of imminence and reasonableness to better fit the circumstances of abused women. One major push has focused on changing the inclusion of “the reasonable man” as an element of self-defense law. Some researchers have proposed converting self-defense law to a sex-neutral standard that focuses on the individual's unique circumstances and mental state rather than comparing their actions against an abstract standard of the “reasonable man” (see e.g. Donovan and Wildman 1980; Schneider 1980; Dowd 1992). Critics of this position have noted that applying a sex-neutral standard creates a legal dilemma because the

experiences of abused women are sex-specific. Trying to apply an individual, sex-neutral standard to sex-specific cases, in practice, results in the creation of a “reasonable battered woman” standard based on the stereotypical characteristics that individual defendants display. Instead, these critics argue for the application of a “reasonable woman” standard which recognizes the sex-specific and misogynistic elements of an abused woman’s experience without relying on stereotypes (see e.g. Mather 1987; Forell and Matthews 2000). However, as Crocker (1985) warns, the “reasonable woman” standard is beset by similar problems: because the male perspective defines not only the law, but social reality, there is no objective standard against which to measure women’s behaviour. A reasonable woman standard would thus import the same stereotypes as a sex-neutral standard.

While changing self-defense laws to make the legal system more equitable for abused women is thus an important element of women’s self-defense, it is far from a panacea. Accordingly, other researchers advocate for the inclusion of expert testimony about the effect of abuse. This testimony aims to correct popular misconceptions about abused women—for example, that they could leave the relationship at any time if they wanted really wanted to—and to explain the reasonableness of the woman’s actions (Mather 1987; Kinports 2004; Wimberly 2007; Walker 2009). Specifically, expert testimony has often revolved around the Battered Woman’s Syndrome.

3.3.2 The Battered Woman’s Syndrome

Coined by Lenore Walker in her 1984 book of the same name, BWS originally described a constellation of signs and symptoms that Walker identified in a sample of 400 women who had been in or were still in long-term abusive relationships. Based on updated research conducted while writing the second (2000) and third (2009) editions of her seminal text, Walker updated the definition of BWS to characterize it as a subcategory of post-traumatic stress disorder (PTSD), which had not yet been coined when she published the first edition of *The Battered Woman’s Syndrome*. In the 2009 edition, Walker characterizes the symptoms of BWS as follows:

1. Intrusive recollections of the trauma event(s).

2. Hyperarousal and high levels of anxiety.
3. Avoidance behavior and emotional numbing usually expressed as depression, dissociation, minimization, repression, and denial.
4. Disrupted interpersonal relationships from batterer's power and control measures.
5. Body image distortion and/or somatic or physical complaints.
6. Sexual intimacy issues. (2009, 42)

The first three symptoms are characteristics of PTSD, while the remaining three are unique to BWS. Because abuse constitutes repetitive, long-term trauma, incidence of PTSD in abused woman is high (Sharhabani-Arzy et al. 2003; Duros 2007; Peterson 2013). However, PTSD can be caused by any number of traumatic experiences; the remaining three symptoms of BWS thus distinguish the unique traumatic effects of IPV which, by its repetitive and intimate nature, is entirely different from impersonal and/or one-time traumas like natural disasters and accidents.

Although not explicitly present in the symptomatology of BWS, learned helplessness is a key component of the syndrome that fits within the context of a trauma reaction. Because IPV tends to follow a recognizable cycle, abused women become hyperaware of their partner's smallest mood changes and actions. When a woman recognizes tension beginning to build between her and her partner (essentially a trauma trigger that sets off the emotions associated with previous abusive incidents), her anxiety skyrockets to the point of hyperarousal, triggering a fight, flight, or freeze response. As she assesses the potential threat, the woman has to decide whether to cope with the problem as best she can or flee the situation physically or psychologically. If she has developed BWS, she has already learned that physically fleeing is ineffectual or too dangerous—that she cannot fully escape the violence no matter what she does. Under tremendous stress, she thus decides to try to cope with the situation at hand by minimizing the damage as much as possible. This often includes avoidance symptoms and emotional numbing as described above because they protect the abused woman from experiencing the full magnitude of the trauma (Walker 2009). In order for an abused woman to break this cycle, Walker argues, she has to overcome her tendency to sacrifice her escape skills for survival strategies. Unfortunately, if outside help cannot be found and the woman fears her life is in danger—and her assessment is generally more accurate

than other predictive measures (see Bowen 2011 for a summary of risk assessment research)—she may feel the only accessible escape skill is IPH.

As discussed above, once an abused woman commits IPH, she has a limited number of legal defenses available to her. Depending on the circumstances surrounding the murder, she will likely be charged with first-degree murder, second-degree murder, or voluntary manslaughter (Donovan and Wildman 1980; Schneider 1986; Bradfield 2002).¹¹ Although pleading not guilty by reason of self-defense or not guilty by reason of temporary insanity offers an abused woman a chance of complete acquittal, studies have found that many abused women plead guilty to a lesser charge—often voluntary manslaughter—in exchange for the prosecution dropping murder charges (Bradfield 2002; Sheehy, Stubbs, and Tolmie 2012). Because of the uncertainty of acquittal by reason of self-defense—researchers have found that only a small percentage of abused women are fully acquitted, with most being convicted of manslaughter even if they go to trial (Wells 1994; Bradfield 2002; Sheehy, Stubbs, and Tolmie 2012)—many abused women, particularly if they killed in non-confrontational situations, may be advised by their attorneys that making a plea bargain is the safer option, as first- or second- degree murder carries a far heavier prison sentence than manslaughter.

If an abused woman does take her case to trial, one of the primary elements of her defense will likely be some form of expert testimony on the effects of abuse. Although testimony on BWS was the original form of expert testimony in cases of IPH,¹² many

¹¹ First-degree murder is the most common charge in cases where there's a delay between the abusive incident and the killing, as the delay is often taken to indicate premeditation as well as an intent to kill. Second-degree murder is a common charge in other cases, as the abused woman is often understood to possess "malice aforethought" and an intention to kill her abuser based on her past abuse. Voluntary manslaughter, on the other hand, is defined by lack of malice aforethought or premeditation; a woman is charged with voluntary manslaughter when she is shown to have committed the murder only after legally adequate provocation

¹² Testimony on BWS was first admitted in 1983 in the case of *Ibn-Tamas v. U.S.* Ibn-Tamas had been convicted in 1977 of murdering her abusive husband after the trial judge refused to permit expert testimony on the effects of abuse because at the time BWS was not generally accepted in the scientific community. Several years later, with the submission of a brief from the American Psychological Association confirming the general scientific validity of BWS, an appeals court finally agreed to allow the submission of expert testimony. The case set legal precedent, inspiring other courts to admit BWS testimony.

who are critical of BWS have moved towards testimony on “battering and its effects” (see e.g. Schneider 1986; U.S. Department of Justice 1996; Schuller et al. 2004; Russell 2010). I will delineate the distinctions between these two types of expert testimony and explore the efficacy of each below.

3.3.3 Expert Testimony

BWS-based expert testimony focuses on the abused woman’s mental state at the time of the crime. It aims to explain the reasonableness of her belief that she was in imminent danger by focusing on the psychological effects of long-term abuse. Learned helplessness and the cycle theory of violence often feature prominently in this testimony, as the expert attempts to enlighten the jury about the abused woman’s reasonable belief that she could not escape the abuse, as well as the likelihood that the abuse would continue to escalate regardless of the woman’s actions (Schuller, Mckimmie, and Janz 2004; Wimberly 2007; Walker 2009). Several juror simulation studies have found that this testimony is effective in producing more lenient verdicts, as it answers juror questions as to why the abused woman did not just leave the relationship (see e.g. Finkel, Meister, and Lightfoot 1991; Schuller and Rzepa 2002; Terrance and Matheson 2003; Schuller, Mckimmie, and Janz 2004). However, as critics of BWS and its use in legal proceedings cautioned (Crocker 1985; Schneider 1986; U.S. Department of Justice 1996; Downs and Fisher 2005), BWS expert testimony has also been found to increase juror beliefs of the abused woman’s mental instability (Finkel, Meister, and Lightfoot 1991; Schuller and Rzepa 2002; Terrance and Matheson 2003; Schuller et al. 2004; Terrance, Plumm, and Kehn 2014). Thus, many feminist scholars have argued that BWS expert testimony is antithetical to self-defense claims, as BWS pathologizes the abused woman and thus suggests that she is fundamentally unreasonable.

Moreover, many researchers have suggested that BWS creates a stereotype of a passive (white) victim that all abused women are expected to fit. Those who do not fit this stereotype, researchers have argued, may actually face harsher verdicts when BWS expert testimony is applied (Schneider 1986; Biggers 2005; Russell 2010). Several studies have borne this fear out: Russell and Melillo (2006) found that mock jurors were most likely to render a verdict of not guilty by reason of self-defense when given a

scenario where the defendant fit stereotypes about abused women and had a history of responding passively to her abuser. Conversely, mock jurors were most likely to render a verdict of second-degree murder or manslaughter when the scenario involved a defendant who did not fit stereotypes about abused women and who had a history of fighting back against her abuser. Terrance and Matheson (2003) similarly found that, when BWS expert testimony was used, mock jurors viewed the abused woman as less credible if she did not fit the stereotype associated with BWS.

Assumptions about the nature of the abuse that a woman had suffered in her relationship also affect verdicts. Braden-Maguire et al. (2005) found that abused women who killed their partners after suffering emotional, rather than physical, abuse were more likely to be convicted by mock jurors, while Finkel, Meister, and Lightfoot (1991) found that severity of past abuse significantly predicted verdicts, with more severe abuse leading to more acquittals by reason of self-defense. Concerns that expert testimony on BWS will create stereotypes about abused women and thereby punish those who do not fit the stereotype are thus partially supported in the literature. As some scholars note (e.g. Russell 2010), these stereotypes are particularly problematic for women who are stereotypically considered less feminine and passive, such as women of colour, poor women, and queer women.

Critics of BWS expert testimony have instead suggested testimony on “battering and its effects,” sometimes referred to as “social agency” (SA) testimony. SA testimony focuses on the social context of abused women’s lives: the lack of police and institutional help, social attitudes towards abuse, and the difficulties inherent in leaving an abusive relationship such as the increased risk of violence. It avoids pathologizing the abused woman, since SA testimony avoids focusing on her psychological state, instead placing the blame on systemic inadequacies (see e.g. Terrance, Plumm, and Kehn 2014). Scholars such as Schneider (1980) have thus argued that SA testimony is more conducive to casting an abused woman’s actions as justifiable rather than simply excusable. While both findings result in an acquittal, there is an important ideological distinction between the two: “A finding of justification is a finding that the act was right because of the circumstances of the act. By contrast, an excusable act is one that, although wrong,

should be tolerated because of the actor's characteristics" (631). In the context of abused women who commits IPH, a justified homicide means that jurors believe she reacted reasonably and appropriately to the circumstances, thereby affirming her right to defend herself. An excusable homicide (as when one is acquitted by reason of temporary insanity), on the other hand, implies that jurors believe the abused woman simply could not control herself, casting her as emotional and irrational.

Theoretically, SA testimony should be more likely to convince jurors that the abused woman's reaction was reasonable. However, research on the topic is mixed. Schuller et al. (2004) found that jurors exposed to SA testimony were less likely to consider the abused woman mentally unstable and less likely to convict her when she killed her partner in a non-confrontational setting than jurors exposed to BWS testimony. However, when the abused woman killed in a direct confrontation, mock jurors who had heard BWS testimony were more likely to acquit her than those who had received SA testimony. Plumm and Terrance (2009) found similarly mixed results: while SA testimony did increase the likelihood that male jurors (who traditionally render harsher verdicts and are less likely to find the defendant's actions reasonable) would find the abused woman's actions reasonable, it did not increase the likelihood of acquittal. A follow-up study conducted by Terrance, Plumm, and Kehn (2014) failed to find any significant differences between juror's verdicts or perceptions of the defendant when they received BWS or SA testimony, as jurors overwhelmingly rendered guilty verdicts. Thus, while SA testimony offers a promising step forward in that it avoids pathologizing abused women and places blame for her situation where it belongs—on a faulty system that constantly fails to protect abused women—more research needs to be done to determine how the testimony can be most effective in aiding abused women who commit IPH.

However, modifying expert testimony and self-defense, I contend, is not the only angle that researchers and practitioners should consider in helping abused women charged with IPH. The problem that expert testimony seeks to solve, at its core, is the lack of public knowledge about the realities that victims of IPV cope with everyday. As I have discussed above, abused women are often seen through stereotypic lenses that cast

them as passive, irrational victims who should have already left their abusers. These stereotypes not only grossly mischaracterize abused women, who constantly fight to survive in a hostile situation with very little outside help, but also fail to address the underlying issues that contribute to IPV such as institutionalized misogyny.

It is essential to remember that representations and stereotypes do not spring from the ether. As Hall reminds us, representations are produced by a number of interlocking systems of power and interpreted in ways that either feed back into that system or work to change it. And while the media are far from the only institution that produces and normalizes certain representations, they are one of the more powerful ones, and they do have an impact on the way that the populace, including individuals who sit on who produce legal policies and sit on juries, understand the world. And while past media representations, such as *The Burning Bed*, have offered some commentary on IPV and IPH, they also have often had several key limitations that could impact jury decision-making and legal policy more broadly.

The Burning Bed, for example, legitimizes many of the limitations and stereotypes associated with BWS when decoded in tandem with dominant ideologies. Like the victims of abuse that benefit from BWS testimony, Francine Hughes is presented as a passive, long-suffering, mentally unstable white woman experiencing learned helplessness and trapped in a cycle of abuse. In the film's narrative, Francine attempts to escape Mickey's abuse repeatedly, but she eventually comes to believe that escape is impossible and attempts to weather the storm for several years before desperately resorting to killing him when he attempts to crush the last bit of hope she has left. Indeed, while Francine's case predated the use of BWS testimony, Francine Hughes is exactly the type of victim that BWS testimony is intended to serve. Although the film never mentions BWS by name, then, it implicitly participates in dominant understandings of BWS through its construction of Francine as the prototypical abuse victim, legitimizing BWS as the ideal form of expert testimony after-the-fact.

To illustrate: imagine *The Burning Bed* is one of your formative introductions to IPV—which, as Berns (2004) and Knott-Arhen (2009) demonstrate, is the case for a

significant number of people—and that you decode the film largely in accordance with its dominant encoded messages because you lack much other knowledge of IPV. How does this shape your understanding of IPV and abused women? Most likely, you are going to walk away from the film with a belief that abused women are “Cinderella-like” characters mercilessly pummeled by an obviously cruel and abusive men—a simple good-bad dichotomy in line with gendered stereotypes about saintly women and cruel, brutish men.

Similarly, you are going to understand abused women as pathetic and a bit mentally unstable—after all, Francine just snapped one night and killed Mickey with very little apparent warning, and when you see her interviewing with Greydanus in jail at the beginning of the film, she will barely look him in the eyes or speak above a whisper. The first thing Francine says in the film is that she dreamt Mickey came to the jail last night and told her everything would be alright. She then softly tells Greydanus that she loved Mickey. This scene frames her from the beginning as a character to be pitied rather than understood as reasonable, a framing again in line with gendered stereotypes about pathetic, irrational women who need to be saved by a rational man (in this case, Greydanus). These ideals of the passive, pathological woman are exactly in line with BWS testimony, which similarly frames abused women as helpless victims of both an abusive man and their own mental instability. We can thus understand *The Burning Bed* and its dominant decoding as constituted by and constitutive of the discourse about BWS and its relationship to IPV and IPH. As Hall would argue, the film can thus intervene in actual legal and policy decisions by affecting the maps of social reality and frameworks of knowledge that viewers of the film carry around in their heads.

Of course, this is not to say that the film cannot be decoded in a negotiated or oppositional way. In spite of its emphasis on Francine’s individual situation, *The Burning Bed* does nicely represent the bureaucracy’s indifference to abused women, offering a social commentary on the reasons women like Francine remain trapped in abusive relationships. Viewers with prior knowledge of IPV or feminist issues more generally may thus draw messages more in accordance with SA testimony from the film, understanding Francine’s case as simply one example of the way that the system has

failed abused women. We can see examples of this type of decoding in the previously discussed reviews that mention the film's failure to discuss the causes of abuse and the difficulties associated with using self-defense as a legal defense against IPH. Doubtless, these types of negotiated and oppositional readings were essential to the process of changing the way that government bureaucracy, including the legal system, responds to abused women. However, because negotiated and oppositional readings of the film often require prior knowledge of IPV or other feminist issues, viewers who were able to read the film in this way were likely in the minority of viewers. On the whole, then, I would argue that *The Burning Bed*, like BWS, makes it difficult to understand IPV in an intersectional way.

Having underlined the material effects of media representations, I will explore a slice of more recent media representations about IPV in the following chapter. Specifically, I will focus on media representations of abused women who commit IPH in prime-time procedural crime and legal dramas. I will read these media representations critically through the framework that Hall provides, considering how representations coincide with broader stereotypes about IPV (and BWS), how these representations have changed over time, and finally how they may affect abused women's relationship with the legal system.

Chapter 4

4 The BWS Effect: Law Procedurals and IPH

Hall reminds us that television rarely affects its viewers in a direct, one-to-one, cause-and-effect manner. This is perhaps why scholars searching for direct cause-and-effect evidence of law procedural dramas' effects on legal policy and court room verdicts such as the "CSI Effect"¹³ have failed to find much statistically significant evidence that law procedural viewing affects jury verdicts (see Podlas 2010 for a review). Rather than directly impacting viewer behaviour, the messages that each viewer decodes from any given televisual representation informs the maps of social reality that they use in order to make sense of the world around them. As Sherwin (1996) details, televisual representations specifically tend to affect "the popular images, stock stories and character types, the familiar plot lines and recurring scenarios" through which people interpret the world around them (893).

We can see an example of the interaction between televisual representations and the law in the way that lawyers choose to construct their client's case. Lawyers tap into shared dominant narratives and characters in their work, turning disparate sets of evidence into a narrative that they hope will compel the jury and turn their client into a sympathetic character. Their success is often dependent on how well they can fold their client's case into dominant narratives and stock characters. Research has found that, if a defendant's story fits what the jury understands to be "reality," they are more likely to find the defendant credible (Meyer 1995; Lin 1999; Terrance and Matheson 2003; Russell and Melillo 2006). Of course, this is not the only way that televisual representations intervene into the legal process: as Hall argues, and as I have argued in my previous chapter vis-à-vis *The Burning Bed*, media representations participate in every element of the legal process by shaping the way that we make sense of our social

¹³ Although the "CSI Effect" has been used to denote a wide range of meanings (Cole and Dioso-Villa 2009), it is most commonly used to suggest that juries now require forensic evidence in order to convict a defendant

reality, which in turn fundamentally shapes the policies we make to regulate that social reality. In other words, televisual representations play a key role in creating dominant frameworks of knowledge, which in turn feed into production processes and technical infrastructures—or as I will argue in this chapter, legal infrastructure that repeatedly fails to protect abused women. Examining the stereotypic images, narratives, and characters that televisual representations advance—and how those representations affect/affirm viewer's perceptions of social reality—is thus important to any study of the relationship between television and the law.

In this chapter, I will examine the stereotypic images, narratives, and characters that law procedurals use when the episode features an abused woman who kills her abuser. I undertake this examination in order to understand the constructed reality that legal actors may have in mind when creating legal policy or even trying an abused woman's case. While, as per Hall's model, I cannot say for certain how viewers will decode these episodes, I think it is essential that we understand the dominant messages that are being transmitted because these messages are most often implicated in the operation of hegemonic power.

For the sake of this project, then, I will assume that viewers, including legal actors, decode the episodes that I analyze in accordance with dominant messages. This is not to say that decoding is unimportant—as Hall's model tells us, viewer decoding, not encoding, is what perpetuates or alters the systems that produce representations in the first place—but that it is outside of the scope of this project. Certainly, however, examining how the public decodes messages about abused women who kill their partners is a fruitful avenue for future research.

4.1 Methodology

This research surveys a selection of episodes from law procedurals wherein an abused woman kills her abusive partner. In order to locate appropriate episodes, I referenced *TVTropes.org*'s listing of law procedurals. From this list, I focused on series that were realistic, as science fiction elements would confuse the applicability of the encoded messages to real trials; produced in the United States, as the United States has the most

significant legal history surrounding IPH; and produced after 1970, as IPV did not become a “social issue” until this time. I also excluded series that ran for 2 seasons or less, as they likely would not have had a wide enough audience to dramatically affect potential juror perceptions of IPV and IPH.

I then searched each show’s episode listing on *Internet Movie Database* using keywords such as “domestic violence,” “abuse,” “battered,” and “husband.” Using these criteria, I was able to locate six episodes of law procedurals that featured an abused woman killing her abusive partner or ex-partner. The earliest episode that I was able to locate aired in 1987, while the most recent aired in 2015. The remaining four episodes span the time period between these dates fairly evenly, with each episode roughly 5-7 years apart from the previous episode with the exception of two episodes aired in 2008.

I will conduct a critical discourse analysis (CDA) of these episodes. The cornerstone of CDA is the belief that discourse is a form of social practice that is both *constituted by* and *constitutive of* social reality. Particularly, CDA is concerned with the ways in which discourse and social power interact, and thus with how discourse reinforces dominant power structures and ideologies, such as misogyny (Fairclough, Mulderrig, and Wodak 2011). This model of analysis is an excellent fit with Hall’s model of encoding and decoding, as it similarly understands that social reality is constructed through representations and in turn feeds back into future representations. CDA’s additional focus on power structures and oppression is a useful expansion of Hall’s model which, while it considers power structures and oppression, does not inherently centre them in the same way. I will thus use CDA to consider how gendered ideologies about abuse manifest in the discourse of the episodes that I analyze. I will then consider how the discourse in these episodes is shaped by but also shapes gendered power structures as they pertain to abuse, including legal structures, in the real world.

Specifically, the analysis that I will undertake will entail looking for stereotypic images, narratives, and characters vis-à-vis abuse. I will consider the ways that abuse is constructed in these narratives, the characteristics that the abused woman and her abuser embody, and the way that law enforcement and the legal system are shown to handle

abuse. By evaluating these elements of the episode's discourse, I will explore how the encoded messages in these episodes may encourage or interrupt gendered systems of power that disadvantage abused women.

I will divide my analysis not by episode, but by common tropes. By dividing my analysis in this manner, I hope to gain a greater understanding of how these episodes together constitute a body of knowledge about IPH committed by abused women. Organizing my analysis in this manner also allows me to compare law procedural representations of IPV and IPH to representations of IPV discussed earlier in my literature review, as well as to compare the common tropes found in the episode to gendered stereotypes. In drawing these comparisons, I will be able to consider how this body of knowledge about IPH is constituted by and constitutive of the gendered power structures that organize our social reality.

4.2 Analysis

The six episodes that meet my search criteria all come from long-running, American, prime-time law procedurals that command tens of millions of viewers both nationally and abroad. While certainly not all-powerful, the characters and the narratives that these shows project exert a significant influence on the way that their viewers understand the legal system and its players—and when those players include abused women, it influences how viewers understand abuse, abused women and abusers, and potential legal options available to abuse victims. From oldest to most recent, the episodes are as follows: *L.A. Law*, “Divorce with Extreme Prejudice” (1987);¹⁴ *Law and Order*, “Mayhem” (1994);¹⁵ *The Practice*, “Baby Love” (2003);¹⁶ *Criminal Minds*, “The

¹⁴ Lauren, a woman that one of the main characters, Victor, is involved with, shoots her abusive ex-husband when he surprises her at their home. Victor defends her in court. Lauren's case is intercut with the trial of teenager named Ruben who killed his abusive father.

¹⁵ Detectives Logan and Briscoe are called to an apartment, where they find a woman named Louisa has cut off her husband, Bruno's, penis in a Lorena Bobbit copycat crime. Bruno later dies, and Louisa's lawyer later contends that she is suffering from Battered Woman's Syndrome.

¹⁶ The firm defends a woman who claims she killed her abusive husband to defend her unborn baby.

Crossing” (2008);¹⁷ *Law and Order: SVU*, “Persona” (2008);¹⁸ *How to Get Away with Murder*, “Two Birds, One Millstone” (2015).¹⁹ In this section, I will analyze the character and narrative tropes that these episodes collectively present, dividing them by the subject of the trope—abused woman, abuser, or law enforcement—in order to discern the messages they have encoded about abuse, abuse victims, the legal system, and gender (in)equality.

4.2.1 Tropes About Abused Women

In my second chapter, I discussed Battered Woman’s Syndrome and the stereotype of the passive, long-suffering, pathological, abused white woman that it presents. I analyzed *The Burning Bed* (1984) and found that its portrayal of Francine Hughes embodied many of these stereotypes. One of the primary questions I sought to answer in my analysis of common tropes, then, was whether law procedurals present abused women as nuanced characters beyond these simple stereotypes. Certainly, some elements of passivity are to be expected—fear of the abuser and learned helplessness are very common effects of long-term abuse. However, learned helplessness does not account for the entirety of an abused woman’s personality or behaviour: many abused women fight back against their abusers, and due to the incredible mental strain of surviving an abusive relationship, many are less than perfect wives and mothers. Refusing to present the less Cinderella-like elements of an abused woman’s behaviour creates unrealistic beliefs about abuse and implies that abuse is justified or excusable when a woman behaves poorly—an idea in

¹⁷ The Boston D.A.’s office asks Special Agents Hotchner and Rossi to prove that Audrey, a woman who is pleading self-defense and Battered Woman’s Syndrome after murdering her husband, does not meet the profile of a battered woman.

¹⁸ Detectives Stabler and Benson investigate the case of a woman named Mia who, after being arrested for assaulting a pharmacist who refused to give her Plan B, confesses that she was raped. They later discover that her abusive husband is the one who raped her. In the course of their investigation, they discover that the woman living in the apartment underneath Mia’s is an abused woman who escaped from jail in the 1970s after murdering her husband.

¹⁹ High-profile lawyer Annalise Keating defends her friend Jill, a transgender woman charged with killing her abusive husband.

line with old laws and beliefs that husbands and fathers had a right to physically chastise their wives and daughters for their indiscretions.

In my analysis, I found that all but one episode presented the abused women that they featured almost exclusively as passive victims of their husband's abuse—right up until they killed them. Perhaps the most striking example of this trope occurs in *Criminal Minds*' "The Crossing" (2008). When technical analyst Penelope Garcia searches for Audrey's records, she finds that Audrey lacks almost any documentation of her existence: she has no drivers license, no bank accounts or credit cards (not even shared ones with her husband), and no medical records apart from those surrounding the births of her two children. The couple's house and car are not in her name, and she is not even the beneficiary of her husband's insurance policies. Perturbed, agents Hotchner and Rossi interview Audrey. When they ask her if her husband Phillip was ever abusive to her, she responds that he never was, "not even when [she] probably deserved it," and that "he was very patient with [her]." Agent Hotchner asks Audrey why Phillip needed to be patient, and her voice immediately becomes animated with self-loathing: "Well are you kidding? Look at me. After Nathan was born, I completely let myself go. I'm *fat*, I'm a terrible housekeeper, I'm a terrible cook... believe me, I needed a husband with a *lot* of patience."

This moment is designed to create cognitive dissonance for the viewer. Audrey is nobody's idea of fat, and when Agents Hotchner and Rossi visited the crime scene earlier in the episode, they found the house to be absolutely immaculate. Even clothes and shoes were exactly equally spaced in the couple's closet. While this moment powerfully illustrates the way that abuse can warp its victims' perception, it also casts Audrey as completely powerless and controlled.

This characterization of Audrey is only further encouraged towards the episode when agents Hotchner and Rossi invite the D.A. into the room while they interview Audrey. The agents noticed when they visited the crime scene earlier that it seemed like some of the blood had been cleaned up prior to the police arriving. They ask Audrey if she cleaned up the blood in order to hide what she had done, and Audrey looks

immediately horrified and explains that no, she had been planning to tell her daughter what she had done as soon as her daughter got home. Confused, the D.A. asks Audrey why she cleaned up the blood if not as a forensic countermeasure. With a tear rolling down her face, Audrey responds: “Because the police were going to be coming. Phillip would have been furious if I allowed all those strangers into the house with a mess like that.” *Criminal Minds* thus demonstrates that, in spite of taking proactive action in killing her abuser, an abused woman can still be an entirely passive, controlled victim. While the fear that Audrey felt of her husband after his death is not uncommon for abused women who kill their abusive partners, the show’s characterization of Audrey as a woman controlled to the point of delusion presents abuse victims as singularly passive and weak.

Law and Order: SVU presents two similarly, albeit slightly more nuanced, passive victims of abuse in “Persona” (2008). From the very first time that Detectives Benson and Stabler visit Mia’s home, her terror of Brent, her abusive husband, is clearly visible. When he arrives home early with flowers for her (as an apology for the previous night’s incident), Mia is clearly frightened. She nervously tells him that dinner is not ready yet because she was not expecting him home until later, and when he looks visibly displeased, she attempts to placate him by telling him to have a drink while she finishes preparing dinner. Detective Benson later describes Mia’s behaviour to Linnie, her downstairs neighbour, when Linnie asks how Benson knows that Brent is abusing Mia: “The way she flinches when he comes towards her, the way she has fear in her eyes when he speaks, the way she wants to wants to jump out of her skin.” This fear initially prevents Mia from bringing rape charges against Brent. Only after Benson forces Mia to look at her bruised body in the mirror and Mia explains how Brent takes her temperature and tracks her cycle to see when she is ovulating—both of which display Mia’s powerless and passivity—does Mia agree to press charges against him. However, even this demonstration of action is short-lived: after spending a night at an abused woman’s shelter (because Brent has isolated her from anybody else that she could stay with and has frozen all of her credit cards, none of which actually belong to her), Mia recants the charges and returns home to Brent. She explains to Benson that she “made a mistake, but Brent forgave [her].” Brent kills her shortly thereafter.

Rather than attributing Mia's return to Brent to the systemic barriers to leaving an abusive relationship, such as lack of financial and interpersonal supports, Benson explains Mia's return by saying she was not ready to leave Brent yet. This explanation effectively casts Mia as a duped, passive victim rather than one suffering from a lack of external support. Her murder becomes her own fault: if only she had stayed away from Brent, she would be alive.

The show portrays Linnie as equally passive. Although we never see her relationship with her deceased abusive ex-husband, the show portrays her—30 years after her ex-husband, Vincent's, death—as constantly fearful. Indeed, Linnie initially refuses to help Detectives Benson and Stabler, citing her fear that Brent would kick them out of the downstairs apartment. When Benson does finally convince Linnie to help, Linnie tells Mia that she “had a friend” whose husband beat her and called her “stupid and worthless,” and that her “friend” came to believe that she really was those things until she met a man who would “rather die than hurt her.” It later becomes evident that Linnie is talking about herself. *Law and Order: SVU* thus suggests that Linnie is a passive victim controlled and duped by one abusive man and then saved by a non-abusive one. Jonah, Linnie's current non-abusive husband, rather than Linnie herself, is constructed as Linnie's saving grace and the bearer of agency.

As the episode's storyline shifts from Mia's story to uncovering Linnie's crimes, the show's portrayal of Linnie as a passive victim only increases. We learn that Linnie's fear of her abuser and then of being caught have shaped her entire life. Linnie describes how her ex-husband brutally raped her after finding money that she had been saving to leave him, and how after he threatened to do it again the next day, she shot him in his sleep. After she was arrested, she found out she was pregnant with her ex-husband's baby. Unable to bear the thought of giving birth to his child, Linnie called a meeting with the D.A.'s office to tell them she would plead guilty if they gave her an abortion. However, when she met the D.A.—a young, powerful, career-oriented woman—she lost her nerve, believing that a woman like the D.A. would never be able to understand her life. When she went to the bathroom and discovered a window open, she seized the

chance to escape. Although this action in one sense demonstrates agency, it was driven by her fear of giving birth to her abuser's baby and thus was dictated by her abuser.

Even after escaping jail, however, Linnie was not free of being controlled by her fears. Early in the episode, Johan reveals that Linnie has not left the city in 30 years, and describes her as being "afraid of everything." Later, Linnie explains that she was taking birth control when she and Jonah were trying to get pregnant because she feared that the police would find her and take her away from her child. Fear of her abuser and, later, fear of the consequences of killing her abuser thus rule Linnie's life, casting her as a passive victim of abuse long after her abuser's death.

The only episode that actively pushes back against the stereotype of a passive victim is *Law and Order's* "Mayhem" (1994). From the moment Detectives Briscoe and Logan arrive on the scene, Louisa is the aggressor: she shouts belligerently at the detectives that Bruno was cheating on her, that he deserved what he got, and that they should leave him there to bleed out. As the detectives and the cops working the crime scene began to search for Bruno's penis, Louisa remarks that they should get one of the other women Bruno's slept with to pick up its scent because "dogs can do that, you know."

However, "Mayhem" later suggests that Louisa was not actually abused. When Briscoe and Logan learn that Louisa's lawyer is planning to plead not guilty by reason of self-defense (from marital rape) and that Louisa was suffering from BWS, Logan incredulously asks, "Are we talking about the same woman? Her husband spread it around and she went nuts." Briscoe sarcastically answers, "Come on Mike [Logan], haven't you learned that every homicide has social and political ramifications?" Louisa's lawyer's insistence that Louisa suffered from an "irresistible impulse" to harm her husband after years of abuse is quickly undercut by the detectives' derision—and later, by Louisa herself, who tells the detectives that she wants to plead guilty and that Bruno was a good guy. This scene is the end of Louisa's story arc in the episode. "Mayhem" thus leaves the viewer with the impression that Louisa was not actually abused. Instead, it implies that self-defense and BWS are excuses used to justify murder and prove a

feminist political point. This depiction in fact reifies the stereotype of the passive abused woman by suggesting that women who are aggressive towards their husbands are not actually abuse victims. The portrayal of abused women in law procedurals can thus be accurately summed up in Carrie's statement about her response to her husband's abuse in *The Practice*'s "Baby Love" (2003): "I did what I always did: I took it."

In addition to passivity, four of the episodes portray abused women as pathological, unreasonable, and hysterical. Notably, the three episodes that explicitly mention BWS all fit into this category—and BWS is often directly implicated in the abused woman's alleged pathology. When the judge in "Baby Love" asks Carrie why she never called the police on her abusive husband, Carrie responds that she is "seeing a therapist about that now. She says it's called Battered Woman's Syndrome." Here, BWS is explicitly invoked to explain why Carrie was pathologically passive in the face of her husband's violence. Later, BWS is also implicitly invoked to explain why she used excessive force to kill her husband. When asked to explain why she shot her unarmed husband six times—"five after he lay on the floor"—Carrie responds, "my fingers, they just convulsed on the trigger, like it wasn't me shooting." This description closely mirrors Walker's description of the psychological state of many abused women who kill their partners as well as the trance-like state that Francine described in *The Burning Bed*.

The trope of the abused woman who "snapped" is common to all four of these episodes. In "Mayhem," Louisa's lawyer pathologizes her earlier aggressive behaviour by linking it to BWS, arguing that Louisa felt an "irresistible impulse" after years of abuse. Even when Louisa later tells the detectives that she wants to plead guilty, her lawyer tells Briscoe and Logan that Louisa is "confused" and reminds them that guilt is a common side effect of long-term abuse and BWS. In spite of Louisa's efforts to de-pathologize herself, her lawyer insists on depicting her as unreasonable and pathological, effectively taking away her power.

Similarly, in "The Crossing," Audrey explains that she was hanging her husband's shirts up in the closet when she looked over and noticed he was sleeping. She tells Agents Hotchner and Rossi, "I knew it had to be then, that that was my only

chance... I had to kill him.” Although the extent of the psychological abuse that Audrey endured at the hands of not only her husband, but her children as well, makes it easy to understand her act as psychological self-defense (defense of her sense of self), *Criminal Minds* frames it through the lens of pathology. In presenting his assessment to the D.A., Hotchner compares Audrey’s case to Stockholm Syndrome. While there is doubtless some truth to this comparison, the show fails to point out that Audrey’s actions thus constitute a reasonable attempt to escape her abusers. Instead, *Criminal Minds* further frames Audrey as pathological by cutting to the scene where she explains why she cleaned up the blood at the crime scene. This scene casts her as a pitiful, deluded character whose actions are excusable on the grounds of mental illness rather than justifiable on the grounds of self-defense.

Finally, Jill in *How to Get Away with Murder*’s “Two Birds, One Millstone” (2015) similarly tells Annalise that she covered up her husband Steven’s abuse “again and again” until she “just couldn’t take it anymore.” In each case, the abused woman is framed as reaching a breaking point where her self-control snaps and her rage overwhelms her rather than as making a rational decision to defend herself physically and emotionally against her abuser. Law procedurals overwhelmingly frame abused women as passive and hysterical—tropes that reinforce the stereotypes associated with BWS and women generally and thereby undermine the reasonableness of women’s acts of self-defense. These shows construct “real” abused women as women who meet the stereotypes associated with BWS.

Perhaps the most disturbing and antiquated trope I uncovered in my analysis, however, was the belief that abused women who claim to have killed their husbands in self-defense actually have a hidden agenda. Every single episode that I analyzed, at some point in the episode, cast doubt on the validity of the abused woman’s claims by suggesting that she was actually manipulating the legal system in order to get away with murder. More insidiously, however, two out of the six episodes that I analyzed conclude by actively implying that the abused woman had motives other than self-defense for killing her husband, and another two leave the suggestion that she is manipulating the system open.

The earliest episode that I analyzed, *L.A. Law*'s "Divorce With Extreme Prejudice" (1987), casts doubt on the abused woman's claims from the beginning of the episode. When Victor arrives at on the crime scene, a detective derisively tells Victor that "the 'grieving widow' is hiding out in her bedroom," and that in his experience, "a woman with nothing to hide usually doesn't mind explaining what her husband is doing shot to death in the driveway of their home." Lauren's actions surrounding the crime also do not cast in her a favourable light. Not only was she wearing gloves when she shot her husband, meaning that she did not leave any fingerprints on the gun, but she also burned the gloves after she shot him, destroying any evidence of gunshot residue. She tells Victor that she was wearing the gloves because she was at the ballet before her husband surprised her at home and that she burned the gloves because she was scared no one would believe her. However, even Victor is not entirely sure that he believes her, since destroying forensic evidence that could link her to the crime seems to indicate pre-meditation and a level of planning not consistent with self-defense.

Lauren's assertion that she was defending herself is made to seem increasingly suspicious as the episode proceeds. At her arraignment, the prosecutor contends that Lauren actually killed her husband, a very wealthy man, in order to get his money. The couple had been planning to divorce (according to Lauren, because of his abuse), and the prosecutor argues that Lauren, recognizing that she would get none of his money because of the pre-nuptial agreement she had signed, decided to have a "do-it-yourself divorce" instead so that she could maintain her wealthy lifestyle. He further argues that, being a "smart little cookie," Lauren wore gloves and then burned them in order to avoid any forensic evidence linking her to the crime. Although Victor does succeed in getting the charges against her dropped on the grounds of insufficient evidence, the episode at no point suggests that this gives her claims any validity. Victor breaks up with her because he still does not believe her. Moreover, towards the end of the episode, the lawyer who prosecuted Ruben—a teenager convicted of killing his abusive father whose trial was intercut with Lauren's—sarcastically comments that it is too bad Victor was not Ruben's lawyer. When challenged by a colleague, she responds, "Don't you think it's ironic that [Ruben] is looking at 15 years to life, and Lauren Sevilla walks away with 50 million

dollars?” *L.A. Law* thus prompts the viewer to further question the validity of Lauren’s by comparing her to the “good” victim in the episode.

The Practice’s “Baby Love” (2003) similarly leaves viewers with the suggestion that the abused woman’s story is not credible. Unlike Lauren’s story, however, which we suspect may not be credible throughout the episode, Carrie’s story initially seems to be genuine, in no small part because it plays into gendered expectations about motherhood. The first sign of trouble does not arrive until Carrie is being cross-examined. The prosecutor points out that Carrie went to visit a divorce attorney a month before the murder and that the divorce attorney told her that she would get more money out of her husband if he died than if she divorced him. Carrie, of course, protests that while she did visit a divorce lawyer, she killed her husband in to defend herself and her baby, and because the prosecutor has no convincing evidence that Carrie killed her husband to collect on his life insurance, the jury acquits her at the end of the trial.

The information that leads viewers to doubt Carrie comes at the very end of the episode. While waiting for the jury to return a verdict, Carrie goes into labour and is rushed to the hospital. When her lawyers go to the hospital afterwards to celebrate her acquittal and the birth of her baby, they approach her room to see her holding a black baby—something that should be impossible given that both she and her husband are white. As the lawyers look on in confusion, they see a black man lean into the frame to look at the baby, and they recognize him as Carrie’s neighbour, the one who acted as a primary witness to her husband’s abuse. As they turn around to walk away in disbelief, one of the lawyers comments heavily, “Now I see why she wanted the trial before she delivered.” The implication to the viewer is clear: Carrie may just have gotten away with killing an innocent man and collecting on his insurance money in order to be with another man. Combined, the message of “Divorce with Extreme Prejudice” and “Baby Love” is that women can use an “abuse excuse” in order to get away with murder and take control of their partner’s money.

While “Mayhem” and “Two Birds, One Millstone,” do not actively imply that the abused women are taking advantage of the system for external reasons, they do suggest

that it is easy to be acquitted for killing an abusive partner. In “Mayhem,” Louisa’s lawyer introduces BWS testimony as though it is an infallible defense in spite of the fact that BWS is not a defense unto itself and requires extensive proof of abuse to be considered relevant. Since the episode leads us to doubt whether Louisa was abused at all, we are meant to understand that BWS is a feminist invention that allows women to easily get away with killing their partner, even if this partner was not actually abusive.

Similarly, in “Two Birds, One Millstone,” we find out that Jill embellished the crime scene and invented witness evidence of Steven’s abuse. Upon arriving at the crime scene, Annaliese quickly realizes that Jill knocked over items of furniture and even scratched herself to make killing in self-defense seem more believable. When Annaliese begins searching for witnesses to Steven’s abuse, Jill incites one of her graduate students to lie that she saw Steven hitting Jill in the couple’s car. Jill tells Annaliese that she did both of these things because she was afraid nobody would believe her and she would be sent to a men’s prison. Although Annaliese believes Jill in spite of her fabrications and succeeds in getting the charges against her dropped, the viewer is left to question the validity of Jill’s narrative—particularly when Jill expresses no remorse for killing her husband. Jill tells Annaliese, “I don’t blame myself [for Steven’s death]. A good person would cry for him right now, grieve. But I can’t. I let him win for far too long... I’m so glad he’s *dead*.” Her anger is, of course, perfectly legitimate and healthy—but in the context of her earlier lies, this sentiment casts her as a heartless murderer rather than a healing victim. For the viewer, Jill is an ambiguous character who may be taking advantage of the system to get away with murder.

The six episodes that I analyzed thus revealed three common tropes about abused women: they are passive, pathological, and/or manipulative killers. All of these stereotypes fit neatly into gendered stereotypes about women generally, who are often portrayed as passive victims waiting to be rescued, as “hysterical” and irrational characters, or as seductive and manipulative liars. When viewers decode women in accordance with these tropes, they feed back into the systemic misogyny that permeates contemporary Western society, reinforcing its naturalization and hegemonic position. The naturalization of misogynistic ideologies has the effect of oppressing women generally,

and particularly affects women who are already victims of gendered violence by forcing them to fit certain stereotypes in order to be considered “good victims” worthy of empathy (and in the case of IPH, acquittal). These stereotypes affect abused women who attempt to plead self-defense for killing their abusive partners by forcing them to fit juror’s particular beliefs about the characteristics that constitute a “real” abused woman, most of which reflect the stereotypes associated with BWS. Women who fail to fit these stereotypes—whose narrative is a bit more ambiguous because, for example, she routinely fought back against her husband’s abuse or because she does not appear seriously traumatized—thus face the real risk of being sentenced to long prison sentences for their deviance.

My analysis also uncovered a fourth trope that needs to be mentioned, though it falls outside of the scope of my project to consider its implications fully. Every episode that I analyzed featured a straight, able, white, middle-class abused woman. This exclusive focus is deeply problematic because it inherently excludes women of colour, poor women, queer women, disabled women, and other marginalized women, who often face higher rates of violence and abuse, from fitting into the stereotypes associated with the “real” abuse victim. While those stereotypes are, as I argue above, problematic in themselves, a woman’s ability to conform to them does often play a significant role in the way that she is treated. The episodes that I analyzed thus particularly negatively impact marginalized abused women by denying the validity of their narratives.

4.2.2 Tropes About Abusers

However, tropes about abuse victims are not the only tropes that affect the way a jury perceives an abused woman who killed in self-defense. Tropes about abusers also affect jury understandings about valid abuse narratives. The law procedurals I analyzed tended to portray abusers as singularly evil and violent. Five out of the six episodes cast abusers as unequivocally and evidently cruel characters, ignoring that abusers are often good at escaping detection precisely because they appear to be good husbands, fathers, children, siblings, and friends. While a couple of episodes acknowledged that abusers have a public face that is very different from the one that they display at home, this public face is treated as a thin facade easily discernable by law enforcement. Only one episode

comments on how this public face often prevents abuse victims from coming forward for fear that nobody will believe them.

Law and Order: SVU's portrayal of abusers in "Persona" best represents several of these common themes, perhaps because it is the only episode that features a living abuser. The first time we meet Mia's husband, Brent, we already know that he raped her. Having already characterized him as abusive, it would not have harmed Mia's credibility to present Brent as abusers generally appear to outsiders—as a person that nobody would dream was abusive. "Persona" makes only a weak attempt, however, to present Brent's public façade. When Brent arrives home, he hops out of a cab bearing a bouquet of flowers for Mia and tells her that he "couldn't wait to see [his] best girl." Recognizing the danger that Mia would be in if Brent knew why they were there, the detectives tell Brent that they are investigating a string of burglaries in the area. Brent tells the detectives amicably that they do not need to worry about Mia and him because they have "a great security system... Like they say, protected by Smith and Wesson." When Stabler tells Brent to keep his guns secured, however, Brent's amicable exterior quickly melts away: "Why? So I can say, 'excuse me Mr. Criminal, could you wait a moment while I take this frigging safety lock off?'" The abuser usually concealed behind closed doors slips out with one challenge to his authority.

Brent then turns to Mia and asks her if dinner is ready yet. Mia responds nervously that it is not ready yet because she was not expecting Brent home until later—and while Brent remains restrained, his displeasure is evident from his silence and the look on his face. As Benson and Stabler walk away, Stabler comments, "if we don't stop him, that prick is going to use Mia for target practice," and Benson responds, "he's got her on a tight leash." Similarly, when Benson and Stabler interview Linnie, she characterizes Brent as "a monster. All smiles and good looks, but underneath there is only ice. He has no heart." Although Linnie certainly possesses a unique perspective on Brent as a former abuse victim herself, this may create the illusion for viewers that neighbours and others close to the abuse victim always know about the abuse. Carrie's neighbour in *The Practice* is similarly aware of her husband's abuse, and even intervened frequently to protect Carrie and to try to convince her to leave her husband. Making the abusive

dynamic immediately apparent to viewers, neighbours, and most importantly, the detectives is dangerous because it implies that it is not difficult to see past an abuser's façade. In reality, abusers generally maintain a very convincing public mask, particularly when law enforcement is involved (Bancroft 2003; Buzawa and Buzawa 2003; Walker 2009). They are often intimately aware of the danger of exposing their abuse to police and those close to them and consequently revert to a calm and even demeanor when interacting with them in order to discredit their partner's claims.

Lauren in *L.A. Law* offers the only significant commentary on abusers' skill in presenting a likeable public face. She tells Victor that she did not think anybody would believe her because her husband was a wealthy, stand-up member of the community: nobody thought of him as the type of man who hired teenage prostitutes and forced his wife to have sex with a business associate while he watched and then broke her jaw for it afterwards. The episode itself reinforces the primacy of an abuser's public face over his partner's assertions of abuse by casting Lauren's story as not entirely believable. Even if the viewer does believe Lauren, however, her commentary about her husband's public façade also serves to underline his cruelty.

Brent's cruelty only becomes more apparent throughout "Persona." Shortly after interviewing Linnie, Benson and Linnie lure Mia downstairs and confront her about Brent's abuse. Benson eventually cajoles Mia into showing them the many bruises from the previous night's incident. The visual presentation of Mia's black and blue body serves not only to underline Brent's abuse and cruelty, but also to define abuse as physical violence that leaves visible marks. Linking abuse and cruelty to visibly injurious physical violence is highly problematic given that research has shown that emotional abuse is often more damaging than physical abuse. Setting viewers up to perceive bruises and other injuries as proof of the severity of abuse can set them up to view women who killed their abusers after severe emotional abuse as less legitimate in their claims of self-defense.

Criminal Minds does, however, push back against the trope that all severe abusers are physically abusive. Phillip, Audrey's husband in "The Crossing," actually never

abuses Audrey physically; in fact, the lack of evidence of physical abuse is what prompts the Boston D.A. to contact Agents Hotchner and Rossi. While this is, on the one hand, a positive change towards recognizing the severe impact of emotional abuse, the episode still fails to present any kind of nuanced portrayal of abuse. The couple's children serve as a primary indicator of their father's cruelty. When Hotchner and Rossi interview Nathan and Sarah, the couple's teenagers, they act as a conduit for their father's beliefs about and treatment towards their mother. Nathan tells the agents that his mother, "was a lousy cook; she couldn't do the laundry right; the house was always filthy; she couldn't even grocery shop without some kind of supervision." Sarah adds that their mother was "not bright," and when Hotchner asks if she means Audrey had intellectual disabilities, Sarah responds harshly: "No, I mean she's *stupid*." In disbelief, Rossi reprimands Sarah that she's "talking about [her] mother." Equally harshly, Sarah replies, "no, we're talking about a woman who killed the only real parent we've ever had." The show demonstrates Phillip's cruelty through his brainwashed children.

When Mia presents her bruises to Benson, "Persona" does make an effort to discuss the cycle of abuse and the corollary that abusers are not awful to their victims 100% of the time. Mia weakly tells Benson that Brent "always says he's sorry, brings me flowers..." and Linnie finishes for her, "promises he'll never hurt you again—until he does." Framing the cycle of abuse in this manner casts Mia as a victim pathetically duped by a man who is, to everybody else, transparently awful. This characterization downplays the positive rewards that abuse victims often derive from the courtship and loving contrition phases of the relationship, both reducing their agency as victims and simplifying the complexity of abusive relationships. "Persona" is, moreover, the only episode to even mention the cycle of abuse; all other episodes analyzed cast abusers as uniformly and constantly abusive and cruel. While this is doubtless done to create empathy for the abused woman's situation, it creates a dangerous expectation for viewers, who may then disbelieve abused women who did experience positive rewards from their relationship.

When Brent, after being arrested and then released on bail, finally stabs Mia to death in their kitchen, his graphic murder serves not only to completely condemn him,

but also, I would argue, as a justification for Linnie killing her ex-husband. Immediately after Mia bleeds out in their kitchen, forensic investigators uncover Linnie's fingerprints, which link her back to her previous crime. As we learn about the circumstances surrounding her ex-husband's death—which involved him brutally raping her and promising to do so again the next day as a punishment for saving up money to get away from him—what happened to Mia serves as a cautionary tale. Linnie's husband is thus framed not only as a vile abuser, but also as someone who likely would have murdered Linnie if she had not killed him first. This characterization encourages viewers to feel empathy for Linnie's situation and to root for her acquittal, but also conditions them to expect that “real” abused women are victims of a near-lethal level of physical and sexual violence.

The only episode that I analyzed that did not make frequent mention of the abuser's cruelty was “Mayhem.” However, as I discussed above, “Mayhem” also casts doubt on the validity of Louisa's claims by presenting her lawyer as a feminist with an agenda taking advantage of the “abuse excuse.” *Law and Order* thus actually reinforces the importance of discussing the abuser's cruelty in order to justify killing him in self-defense. While it is certainly true that many abusers who are killed in self-defense are very violent, creating the expectation that this cruelty is all that characterizes the relationship is dangerous because it is a tremendous simplification of actual abusive relationships. Particularly when this trope is combined with the trope of the passive victim, it creates unrealistic expectations of a clear “villain” and “victim” split in the relationship. Real abused women, who are often deeply traumatized and struggle with a variety of mental health issues because of the abuse they have endured, and who consequently may fail to meet the “Cinderella-like” stereotype of abuse victims, may not live up to the expectation of sainthood. Similarly, real abusers—who often do have some positive relationships in their life and a public façade that projects a non-abusive personality—may confuse viewer expectations surrounding abusers. In short, if legal actors come to understand abuse in the black-and-white terms presented in law procedurals, they will be less likely to create policies or otherwise act towards abused women in ways that centre the complexity of abuse narratives.

The second trope about abusers that I uncovered in my analysis surrounds alcohol. In half of the episodes that I analyzed, drinking was presented as a central cause of abuse. In *The Practice*, Carrie testifies that she and her husband were happily married for 2 years—until he got stressed out at work and started drinking. At this point, their relationship allegedly switched from a loving marriage to an abusive one, eventually leading Carrie to kill her husband when he came home drunk one night and began telling her “that he was suffocating” and he did not want her baby. Carrie testifies that he then “said something about getting [the baby] out of [her],” and when he refused to back off even after she pointed the gun at him, she shot him. Alcohol is thus responsible not only for his abuse but also for his death.

Law and Order: SVU and *How to Get Away with Murder* similarly implicate drinking in abuse. Linnie explains to Benson how she met her ex-husband during the anti-war movement, but that after the movement ended, he remained angry and began to channel his anger into drinking and doing drugs. Around this same time, she testifies, he began to abuse her. Jill likewise tells Annaliese that sometimes Steven would beat her after drinking and that, on the night that she shot him, he had come home drunk. Rather than associating abuse with learned behaviour and socio-cultural attitudes towards women, as research indicates (see Chapter 1 for a review of the literature on the etiology of abuse), then, many law procedurals associate abuse with intoxication. This myth can be particularly problematic because it excuses abusers of responsibility for their behaviour by placing the blame on alcohol instead.

In my analysis, I found that abusers were primarily presented as cruel monsters. The moments of loving contrition that they display towards their victims are erased in favour of uniformly evil characters that are easy for viewers to hate. While this does allow the viewer to sympathize with the abused woman in the episode, it inhibits their ability to sympathize with abused women in real life. To everyone other than their abuse victim, abusers often appear kind and likeable. They often have genuinely good relationships with others in their life and may even appear to be good partners in public. As a result, those who know the abuser often do not believe the victim when she comes forward because the abuser seems so nice. Instead, they often think that the abused

woman is hysterical, looking for attention, or the abusive one herself. Failing to portray the nuances of an abuser's personality in favour of a simplified "bad guy" thus does more harm than good for abused women.

4.2.3 Tropes About Law Enforcement and the Legal System

Considering that various legal actors are the protagonists of law procedurals, it would be unrealistic to expect that law procedurals would offer a dominantly negative portrayal of legal actors or the legal system's ability to respond to abused women. However, given abused women face a wide variety of issues in accessing legal protection and help after killing their abusers, ignoring these issues completely is blatantly untruthful. If law procedurals are to have the relationship with so-called reality that they claim, then, it would seem necessary for them to represent at least some of these issues in some capacity.

However, I found that none of the episodes that I analyzed engaged with any of the issues that abused women face vis-à-vis the legal system in any substantive manner. By contrast, every episode except one implied that the legal system provides robust protection for abused women both before and after killing their abusers—indeed, too much protection according to some episodes. The only critiques leveled against the legal system's handling of abused women are in the past-tense—something used to be an issue but it has since been fixed—or by characters portrayed as pushy feminists. Viewers, then, may well come to the conclusion that abused women have ample opportunity to access legal protections.

"Mayhem" offers an archetypal example of the way that law procedurals characterize the legal system's relationship to abused women. After finding out that Bruno, Louisa's husband, has died, Louisa's lawyer immediately declares that Louisa is suffering from BWS even though the episode presents no evidence of abuse and even though Louisa herself never claims that Bruno abused her. In spite of Louisa's evident discomfort with her lawyer's argument—including her later assertion that she wants to plead guilty—Louisa's lawyer presses on, adamantly arguing that Louisa simply feels guilty and that she's confused. BWS is thus presented not only as a legal argument unto

itself, but as one that pushy feminists can slap on any woman's case, regardless of evidence, in order to absolve her of her crime. This portrayal vastly distorts the reality of using BWS in a legal defense. BWS is used only as expert testimony in the context of another legal defense, such as self-defense or temporary insanity, and the court requires ample evidence of abuse for this testimony to be considered admissible and relevant. It is far from the get-out-of-jail-free card presented in "Mayhem," and later "The Crossing"—the premise of which is that BWS is such a formidable defense that the D.A. needs a team of profilers to prove that the victim does not fit the profile of an abused woman. These characterizations are a stark contrast to the reality of BWS, which pathologizes victims, is only useful for defendants who fit certain stereotypes about abused women, and is far from infallible.

Even when BWS is not mentioned, however, the episodes I analyzed suggested that self-defense is unquestionably accepted as a defense when abused women kill their abusers, even if the abused woman kills her abuser outside of the context of a direct confrontation. In "Persona," Benson tells Linnie that, had marital rape been a crime when she killed her husband, she would never have even gone to trial. This type of complete acquittal without trial is far from generally accepted, particularly in cases where an abused woman kills her abuser while he is sleeping. Benson's suggestion that the legal system has since straightened out how to equitably help abused women, then, is wholly misleading for viewers, who may then come to believe that abused women can easily escape charges and jail time.

Even Benson and Stabler's engagement with Mia presents an idealized view of law enforcement in their interaction with abused women. If an abused woman refuses to file a complaint against her partner and they have no evidence of unlawful conduct, her interaction with law enforcement often ends there: officers do not typically interview the woman's neighbours in order to ascertain that the woman is being abused as Benson and Stabler did. The harsh reality is that law enforcement can often do very little help to an abused woman aside from arresting her abuser temporarily, which can place the woman at even greater risk of violence when he is released. In fact, this is exactly what happens to Mia in the episode. Furious that she reported him to the police, Brent kills Mia when

she returns home. However, the responsibility for this incident is placed not on the legal system's failure to adequately protect abused women—which Mia herself comments on when she complains that a restraining order will not stop Brent from killing her—but on Mia's decision to leave the shelter and return home. In this way, a potential systemic critique is undercut by placing responsibility, as always, squarely on the shoulders of the abused woman.

The Practice presents similarly unrealistic claims about the viability of self-defense arguments. Carrie's plea of defending her unborn child rests on the assumption that a 2-month-old fetus can be considered a person which, as the show comments, is legally problematic given rulings surrounding abortion such as *Roe v. Wade*. Carrie is, however, permitted to use this defense and acquitted on its basis. Such a straightforward acquittal, again, may create the unrealistic belief for viewers that defense of an unborn child is a legal option available to all pregnant abused women who kill their abusers when the legal precedent for such a defense is far from clear (Tsintsadze 2014; Burke 2014).

The only episode that offered any significant indication that the legal system fails to offer adequate protection for abused women was *How to Get Away with Murder's* "Two Birds, One Millstone." In this episode, Jill manipulates the crime scene in order to make the incident appear more violent than it was because she fears no one will believe that Steven was abusing her—and indeed, the detectives who report to the scene live up to her expectations. When the officers discover Jill's pre-transition driver's license, one immediately accuses her of lying "to [her] husband about what [she is]" and of killing him because "he finally found out what [she] hid from him." It hardly seems coincidental that someone who fails to meet stereotypes associated with abused women is the victim of this type of police mistreatment. Transgender women are generally understood, through a cissexist lens, to be inherently less feminine than their cisgender counterparts. Abused women, meanwhile, are often presented as hyper-feminine in their passivity and subordination to their husband's will. Under these assumptions, transgender women are inherently unable to live up to the stereotypes associated with abused women, and thus cannot benefit in the same way from the preconceptions associated with BWS.

The episode, to some extent, highlights the way that Jill is unable to benefit from ideas normally associated with abused women. While Annalise does succeed in getting the charges against Jill dropped, she is forced to use illicit methods to do so. Only after she offers evidence of another judge's corruption to the D.A. does the D.A. finally agree to drop the charges against Jill. While *How to Get Away With Murder* does thus demonstrate the ways that the system fails to protect abused women who do not fit popular stereotypes associated with abused women, the efficacy of this critique is somewhat undercut because Jill does get off and because, as I mentioned in my earlier section, Jill's validity as an abuse victim is made to appear somewhat doubtful. None of the episodes I analyzed showed an abused woman being convicted of homicide or even manslaughter, limiting viewers' ability to understand the very real consequences that actual abused women often face for killing their abusers and how these consequences often compounded when victims fail to live up to the gendered stereotypes put forth in media representations and BWS.

The episodes I analyzed, then, widely suggested that abused women who kill their abusers are well-protected by the legal system even when they fail to fit stereotypes associated with abused women. Certainly there is no hint of the protracted legal battles and lengthy sentences that abused women who are convicted face. Moreover, law enforcement and lawyers are presented as supportive and resourceful even in the face of adverse conditions. These beliefs about law enforcement and the legal system's relationship with abused women may influence legal actors and the public at large to hold unrealistic expectations about the legal options available to abused women both before and after killing their abuser. They may conclude, indeed, that abused women do not need any additional help from the legal system. Law procedurals' simplified portrayal of the legal system's relationship to abused women, then, may disadvantage abused women as they deal with legal actors in a wide variety of contexts.

4.3 Discussion

My analysis demonstrates that law procedurals rely on a number of harmful stereotypes about abused women, abusers, and the legal system in their representations of abused women who kill their abusers. Although a 45-minute television episode cannot, of course,

hope to capture the full complexity of these cases or the horror of these women's lives, the widespread reliance on misogynistic stereotypes about abused women, abusers, and the legal system possesses the potential to cause great harm to abused women if they are decoded without challenge. These representations help to constitute social reality vis-à-vis abused women, and in doing so, they intervene in material practices that directly affect abused women's lives, including those in the legal system.

The episodes that I analyzed presented abused women as either passive, pathological, or manipulative. Abused women who fail to live up to legal actors' expectations of a "Cinderella-like" character may be perceived as manipulative liars attempting to "get away with murder." As a result, legal actors may be more likely to tangibly punish your average abused women by, for example, trying to persuade her to take a plea bargain (as a defense attorney) or by convicting her of manslaughter or murder and sentencing her to a hefty prison sentence (as a juror). Even when the woman does live up to legal actors' preconceptions, however, she is likely to be understood as a pathological victim unable to help herself rather than a rational actor defending herself from grave harm. Although this may not affect the abused woman on a direct, cause-and-effect level, the belief in abused women's pathology affects all abused women by playing into the misogynistic ideologies that uphold many of the circumstances that make IPV possible and that continue to hurt abused women who do not fit the stereotypes associated with BWS. These same misogynistic ideologies also uphold the belief that abuse is, as Berns (2004) argues, an issue that revolves around victims rather than perpetrators.

Law procedural's representations of abusers further support the victim-centric nature of representations of IPV. The episodes that I analyzed cast abusers as evil, cruel men who had managed to dupe their irrational wives into staying with them through obviously insincere apologies and promises. The only explanation these episodes ever offer for the abuser's behaviour is alcohol, which as Berns argues, ultimately releases abusers of responsibility for their behaviour and distracts from the social and cultural determinants of abuse. The non-alcoholic abusive men, meanwhile, are cast as inscrutable bad apples incapable of any genuine kindness. Because they are irredeemable characters,

the responsibility is implicitly (and sometimes explicitly) placed on the victim to leave him and to be the one to change.

The dynamics presented in law procedurals are profoundly harmful to abused women because they make them, as always, responsible for preventing their own abuse. They are also harmful for abused women because they prepare legal actors to expect a clear good/bad, victim/villain split between abuse victims and abusers. The reality of abuse is often much messier than this, as abusers often seem like perfectly nice people to everybody other than their victim and abuse victims often have a complicated relationship with their abusers. The expectation of a clear good/bad split relies on misogynistic stereotypes about women as passive, fragile, and irrationally selfless wives and mothers. Similarly, expecting women to be the ones to leave the relationship—rather than expecting the abuser to change their abusive behaviour—relies on the misogynistic belief that women are responsible for cleaning up men's messes and otherwise catering to their bad behaviour. Law procedurals' portrayal of abusers, then, also serves to uphold misogynistic stereotypes about women's responsibility to adapt vis-à-vis the men in their life rather than expecting men to change their behaviour towards women. These stereotypes prevent any serious engagement with the social and cultural determinants of abuse, which include misogyny, and keep attention and responsibility focused on the abuse victim rather than the abuser. In doing so, they keep legal actors focused exclusively on providing victim services which, while important, does not address the root causes of the problem.

Finally, my analysis found that law procedurals almost completely obscure the ongoing issues abused women face in their dealings with the legal system. Indeed, the episodes that I analyzed in some cases implied that the legal system offered too much protection to abused women, allowing women to kill their husbands and get away with large sums of money and sometimes another man. Even when the episodes were critical of the way that the legal system deals with abused women, however, this critique was always bracketed by the fact that none of the women were ever convicted—a fact that vastly diverges from the reality faced by abused women who kill their partners, the majority of whom are convicted. The legal system thus appears in these episodes to

adequately protect abused women regardless of its flaws. This portrayal of legal actors and the legal system, I would argue, is particularly insidious because it can intervene in policy creation (or the lack thereof) vis-à-vis abused women. If legal actors believe that abused women already receive adequate help, this belief can manifest in the legal system's failure to correct existing problems or offer new services. Indeed, the belief that abused women do not need any additional assistance from the legal system is arguably tantamount to the ineffectual complacency that the legal system offered to abused women prior to the 1970s in that it tells abused women that their lived experiences do not matter.

In short, my analysis found that law procedurals perpetuate the discourses put forth by other media representations of IPV (e.g. Berns 2004 and *The Burning Bed*) and BWS expert testimony. This is perhaps not surprising given that these representations are constituted by existing frameworks of knowledge about IPV and IPH, but it is unfortunate because these episodes then re-constitute problematic discourses about IPV and IPH in a new light, adding information about the legal system's relationship to abused women to existing narratives about abuse and abuse victims. Law procedurals thus perpetuate the injustice and inequality that abused women face in their interactions with the legal system by perpetuating frameworks of knowledge that construct only certain narratives of abuse as legitimate (namely, those of white, middle-class women who live up to the stereotypes associated with BWS) and that suggest the problem of IPV is adequately addressed by the legal system. In turn, these frameworks of knowledge produce material practices that tangibly hurt abused women and perpetuate systemic misogyny and other forms of systemic oppression (e.g. racism, ableism, homophobia and transphobia, and so forth, since these women are often excluded from so-called "real" abuse narratives). While they are only one part of the puzzle, then, law procedurals participate in the operation of hegemonic, misogynistic power through the ways that they are constituted by and constitutive of social reality that actively harms abused women.

Chapter 5

5 Conclusion

This project explored the ways in which media representations of IPV and IPH intervene in the lived experiences and material realities of abused women. I found after reviewing existing research and conducting my own analysis that media representations of IPV and IPH overwhelmingly rely on reductive stereotypes about abused women, abusers, and the legal system's relationship to abuse. These stereotypes, I argued, are based in popular misconceptions about abuse, many of which are misogynistic at their core. I thus contended that the episodes that I analyzed perpetuate these stereotypes—or in Hall's terms, that the episodes I analyzed are both constituted by and constitutive of a social reality that understands abused women primarily through the lens of misogynistic tropes. I argued that these representations, moreover, play a role not only in public opinions about IPV, but in the way that the legal system interacts with and understands abused women. As Hall argues, discursive understandings of an issue are replicated in material policies and actions. I thus concluded that the media representations I analyzed intervene in abused women's lives in a primarily negative way.

I began this project by offering an overview of the wide body of current research about IPV in my second chapter. This chapter allowed me to underline the ongoing importance of taking a feminist approach to IPV in the face of claims that IPV affects men and women equally. The claim advanced by family violence researchers that IPV is an issue of family violence rather than systemic misogyny, as I demonstrated in this chapter, is not based on solid research. I demonstrated that IPV continues to act primarily as a form of gendered violence by men against women whose etiology is rooted in systemic misogyny. As such, I argued that it is essential to adopt a feminist perspective in order to gain any understanding of IPV. This chapter laid out the empirical evidence for the perspective on IPV that I take throughout my project.

Undertaking a broad review of the literature, moreover, allowed me to empirically contradict several common negative stereotypes about abused women. These stereotypes

include the belief that abused women can easily leave abusive relationships; the corollary belief that abused women are weak and passive victims; the belief that abusers are abusive because they have mental health problems or abuse alcohol; and the belief that abusers are uniformly awful throughout the relationship. Many of these stereotypes later showed up in the law procedurals that I analyzed. This chapter thus also served to demonstrate the distance between the social reality that law procedurals construct and the lived experiences of abused women.

In my third chapter, I attempted to contradict the common idea that media representations are simply a more or less truthful reflection of an independent external reality. I discussed Stuart Hall's theories about encoding, decoding, and representation more generally to underscore the important role that media representations play in the constitution of material reality. I then reviewed the existing research on media representations of IPV. This research indicated that media representations of IPV tend to portray the individual as the locus of responsibility for abuse. Specifically, research indicates that media representations overwhelmingly on abuse victims, blaming them for remaining in the abusive relationship or applauding them for leaving. In doing so, they distract attention from the abuser and from the socio-cultural factors that foster abuse, such as systemic misogyny.

I then conducted a close reading of the encoding and decoding of *The Burning Bed* as a particularly prominent and influential media representation of IPH. I argued that, while *The Burning Bed* encodes a number of important educational and feminist messages about the legal system's failure to help abused women, its feminist critique is ultimately undercut by its singular focus on Francine Hughes. *The Burning Bed*, similar to other media representations of IPV that other researchers reviewed, failed to offer any significant critiques of the socio-cultural factors that foster abuse in the first place. I also argued that one of the film's issues was its failure to dramatize the difficulty that abused women who commit IPH face when they attempt to plead self-defense in court.

In the final section of my third chapter, I reviewed the relationship between self-defense laws and abused women. Research indicated that "reasonableness" and

imminence standards in particular posed a problem for abused women and that courts, at the urging of feminist activists, have introduced two types of expert testimony in an effort to counteract this problem: testimony that centers around BWS and testimony that centers around the socio-cultural determinants of abuse. I surveyed the research about these two types of testimony and found that, while BWS testimony is effective in producing more lenient verdicts, it tends to pathologize victims and only benefits victims who fit the stereotypes commonly associated with the syndrome. I contended that the stereotypes associated with BWS are visible in *The Burning Bed* and that, using Hall, we can thus understand the film as intervening in the discourse about BWS, legitimizing it (and the stereotypes associated with it) as the most valid understanding of IPV.

In my fourth chapter, I conducted a critical discourse analysis on six episodes of law procedurals that featured abused women who killed their abusive partners. I unpacked common representational tropes about abused women, abusers, and the legal system and found that these representations relied on many harmful stereotypes. I found that abused women were portrayed as passive, pathological, and/or manipulative. The first two stereotypes, I argued, are in keeping with the stereotypes associated with BWS and with gendered stereotypes more generally that characterize women as weak and irrational. The characterization of abused women who kill as manipulative, meanwhile, relies on antiquated and misogynistic stereotypes about female criminality.

My analysis found that abusers, meanwhile, were portrayed as uniformly cruel and/or as alcoholics. This simplified portrayal, I argued, places responsibility on the abused woman to adapt to his behaviour by leaving and prevents any consideration of the socio-cultural determinants of abuse by making abusive men out to be irredeemable characters. This portrayal, I argued, also sets legal actors up to expect a clear good/bad split between abuse victims and abusers when abusive relationships are often much messier and more difficult to understand, particularly for an outsider.

Finally, I found that law procedurals presented the legal system as adequately prepared to assist abused women both before and after they kill their abusive partners. I argued that this is an especially problematic (mis)representation because it diverges so

vastly from the lived experiences of abused women and sets up a complacency vis-à-vis reforming the way that the legal system deals with abused women. Indeed, I found that some episodes suggested that abused women could use BWS as an “abuse excuse” to get away with murder.

Taking these three categories of representational tropes together, I argued at the end of my fourth chapter that, in their representations of abused women, law procedurals help to (re-)construct a social reality that harms abused women. The episodes that I analyzed perpetuated existing tropes abused women, abusers, and the legal system’s relationship to both of these. In doing so, I argued, they help to constitute a discourse about IPV and its relationship to the legal system (including BWS) that has and continues to hurt abused women because these problematic discourses are implicated in the creation of legal policy and action.

5.1 Limitations and Directions for Future Research

This thesis, of course, possesses a limited scope. The six episodes that I analyzed for this project are only a fraction of the media representations of IPV and IPH. They are not a representative sample of all media representations of IPV and IPH, which come vastly divergent genres and formats. As such, I am not able to make any generalizations about media representations of IPV and IPH more broadly based on my research. More extensive research on media representations of IPV and IPH, particularly televisual representations, is thus a promising direction for future research.

This research, additionally, was not able to offer much consideration to the role that interlocking forms of oppression play in media representations of IPV and IPH. The effects of race, sexuality, class, and ability in representations of abused women were left largely unexamined due to limited research on the subject and limited space. Past media studies and cultural studies research have found these categories to be highly significant in media representations generally, however. It follows that interlocking forms of oppression likely have some effect on the portrayals of IPV and IPH. I believe that this is an important direction for future research.

While this project relied heavily on Hall's arguments about encoding, it was beyond my scope to consider how viewers decode the representations of IPV and IPH presented in law procedurals and other media representations. Because decoding is the aspect of Hall's circuit that either perpetuates the existing system or works to produce change, exploring the way viewers decode media representations of IPV and IPH is an important avenue for future research. There is a great deal of work to be done here, I believe, in understanding how viewers with different levels of knowledge about IPV and different backgrounds decode media representations about IPV.

It is my hope that this thesis contributes the scholarship about the relationship between media and IPV. I hope that, in spite of its limited scope, this project has underscored the value of analyzing the relationship between media representations and social issues such as IPV not only for media scholars, but also for practitioners who work with abuse victims. As Hall argues, representations play an integral role constructing the frameworks of knowledge, production processes, and technical infrastructures through which we interact with and understand the world. Altering representations, then, can also be an integral element in re-constructing a more equitable world.

Bibliography

- Abel, Eileen Mazur. 2001. "Comparing the Social Service Utilization, Exposure to Violence, and Trauma Symptomology of Domestic Violence Female 'Victims' and Female 'Batterers.'" *Journal of Family Violence* 16 (4): 401–20.
- Ali, Parveen Azam, and Paul Naylor. 2013. "Intimate Partner Violence: A Narrative Review of the Biological and Psychological Explanations for Its Causation." *Aggression and Violent Behavior* 18 (3): 373–82.
- Archer, John. 2000. "Sex Differences in Aggression between Heterosexual Partners: A Meta-Analytic Review." *Psychological Bulletin* 126 (5): 651–80.
doi:<http://dx.doi.org.proxy1.lib.uwo.ca/10.1037/0033-2909.126.5.651>.
- Atkinson, Maxine P., Theodore N. Greenstein, and Molly Monahan Lang. 2005. "For Women, Breadwinning Can Be Dangerous: Gendered Resource Theory and Wife Abuse." *Journal of Marriage and Family* 67 (5): 1137–48.
- Bair-Merritt, Megan H, Sarah Shea Crowne, Darcy A Thompson, Erica Sibinga, Maria Trent, and Jacquelyn Campbell. 2010. "Why Do Women Use Intimate Partner Violence? A Systematic Review of Women's Motivations." *Trauma, Violence & Abuse* 11 (4): 178–89. doi:[10.1177/1524838010379003](https://doi.org/10.1177/1524838010379003).
- Bancroft, Lundy. 2003. *Why Does He Do That? Inside the Minds of Angry and Controlling Men*. REP edition. Berkley.
- Bandura, Albert, Dorothea Ross, and Sheila A. Ross. 1962. "Transmission of Aggression through Imitation of Aggressive Models." *The Journal of Abnormal and Social Psychology* 63 (3): 575–82.
doi:<http://dx.doi.org.proxy1.lib.uwo.ca/10.1037/h0045925>.
- Bayles, Martha. 1984. "TV Preview: Farrah Torches Her Fluffball Image." *The Wall Street Journal*, October 4. ProQuest Historical Newspapers.

- Bennett Cattaneo, Lauren, Jeffrey Stuewig, Lisa Goodman, Stacey Kaltman, and Mary Ann Dutton. 2007. "Longitudinal Helpseeking Patterns Among Victims of Intimate Partner Violence: The Relationship Between Legal and Extralegal Services." *American Journal of Orthopsychiatry* 77 (3): 467–77.
- Berns, Nancy. 2004. *Framing the Victim: Domestic Violence, Media, and Social Problems*. 1st ed. Social Problems and Social Issues. Hawthorne, N.Y: Aldine de Gruyter.
- Biggers, Jacquelyne R. 2005. "The Utility of Diagnostic Language as Expert Witness Testimony: Should Syndrome Terminology Be Used in Battering Cases?" *Journal of Forensic Psychology Practice* 5 (1): 43–61. doi:10.1300/J158v05n01_03.
- Black, David S., Steve Sussman, and Jennifer B. Unger. 2010. "A Further Look at the Intergenerational Transmission of Violence: Witnessing Interparental Violence in Emerging Adulthood." *Journal of Interpersonal Violence* 25 (6): 1022–42. doi:10.1177/0886260509340539.
- Bond, Sharon, and Michael Bond. 2004. "Attachment Styles and Violence Within Couples." *The Journal of Nervous and Mental Disease* 192 (12): 857–63.
- Bowen, Erica. 2011. "An Overview of Partner Violence Risk Assessment and the Potential Role of Female Victim Risk Appraisals." *Aggression and Violent Behavior* 16 (3): 214–26. doi:10.1016/j.avb.2011.02.007.
- Braden-Maguire, Jane, Janet Sigal, and Carrol S. Perrino. n.d. "Battered Women Who Kill: Variables Affecting Simulated Jurors' Verdicts." *Journal of Family Violence* 20 (6): 403–8. doi:10.1007/s10896-005-7801-0.
- Bradfield, RJ. 2002. "The Treatment of Women Who Kill Their Violent Male Partners within the Australian Criminal Justice System." PhD thesis, University of Tasmania.
- Breiding, Matthew, Kathleen Basile, Sharon Smith, Michele Black, and Reshma Mahendra. 2015. "Intimate Partner Violence Surveillance: Uniform Definitions

and Recommended Data Elements.” National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

<http://www.cdc.gov/violenceprevention/pdf/ipv/intimatepartnerviolence.pdf>.

Browne, Angela. 1987. *When Battered Women Kill*. New York : London: Free Press ; Collier Macmillan.

Brown, Jody. 1997. “Working Toward Freedom from Violence: The Process of Change in Battered Women.” *Violence Against Women* 3 (1): 5–26.

Brownridge, Douglas, Ko Ling Chan, Diane Hiebert-Murphy, Janice Ristock, Agnes Tiwari, Wing-Cheong Leung, and Susy Santos. 2008. “The Elevated Risk for Non-Lethal Post-Separation Violence in Canada.” *Journal of Interpersonal Violence* 23 (1): 117–35.

Burke, Denise M. 2014. “Pregnant Women’s Rights Must Be Fully Protected by the Criminal Law.” *National Review*. April 15.
<http://www.nationalreview.com/bench-memos/375836/pregnant-womens-rights-must-be-fully-protected-criminal-law-denise-m-burke>.

Buzawa, Eva Schlesinger, and Carl G. Buzawa. 2003. *Domestic Violence: The Criminal Justice Response*. SAGE.

Campbell, Jacquelyn C., Nancy Glass, Phyllis W. Sharps, Kathryn Laughon, and Tina Bloom. 2007. “Intimate Partner Homicide Review and Implications of Research and Policy.” *Trauma, Violence, & Abuse* 8 (3): 246–69.
doi:10.1177/1524838007303505.

Cantos, Arthur L., Peter H. Neidig, and K. Daniel O’Leary. 1994. “Injuries of Women and Men in a Treatment Program for Domestic Violence.” *Journal of Family Violence* 9 (2): 113–24. doi:10.1007/BF01531958.

Catalano, Shannan. 2012. “Intimate Partner Violence, 1993-2010.” U.S. Department of Justice, Bureau of Justice Statistics.
<http://www.bjs.gov/content/pub/pdf/ipv9310.pdf>.

- Chapman, Jane Roberts, and Margaret Jane Gates. 1978. *The Victimization of Women*. Sage Publications.
- Cheyne, Nicola, and Susan Dennison. 2005. "An Examination of a Potential Reform to the Provocation Defence: The Impact of Gender of the Defendant and the Suddenness Requirement." *Psychiatry, Psychology and Law* 12 (2): 388–400. doi:10.1375/pplt.12.2.388.
- Claes, Jacalyn A., and David M. Rosenthal. 1990. "Men Who Batter Women: A Study in Power." *Journal of Family Violence* 5 (3): 215–24. doi:10.1007/BF00980817.
- Clark, Kenneth. 1984. "Farrah Fawcett: On the Cover 'Burning Bed' a Fiery Tale of Wife Battering." *Chicago Tribune*, October 7. ProQuest Historical Newspapers.
- Cole, Simon A., and Rachel Dioso-Villa. 2009. "Investigating the 'CSI Effect' Effect: Media and Litigation Crisis in Criminal Law." *Stanford Law Review* 61 (6): 1335–73.
- Consalvo, Mia. 1998. "Hegemony, Domestic Violence, and Cops: A Critique of Concordance." *Journal of Popular Film and Television* 26 (2): 62–70. doi:10.1080/01956059809602775.
- Crocker, Phyllis L. 1985. "The Meaning of Equality for Battered Women Who Kill Men in Self-Defense." *Harvard Women's Law Journal* 8: 121–53.
- Currie, Dawn. 1998. "Violent Men or Violent Women? Whose Definition Counts?" In *Issues in Intimate Violence*, edited by Raquel Kennedy Bergen, 97–111. Thousand Oaks, Calif: Sage Publications.
- DeKeserdy, Walter, and Martin Schwartz. 1998. "Measuring the Extent of Woman Abuse in Intimate Heterosexual Relationships: A Critique of the Conflict Tactics Scales." VAWNet.
- Desai, Sujata, Ileana Arias, Martie P. Thompson, and Kathleen C. Basile. 2002. "Childhood Victimization and Subsequent Adult Revictimization Assessed in a

Nationally Representative Sample of Women and Men.” *Violence and Victims* 17 (6): 639–53.

Dobash, Russell P., and R. Emerson Dobash. 1981. “Community Response to Violence against Wives: Charivari, Abstract Justice and Patriarchy.” *Social Problems* 28 (5): 563–81. doi:10.2307/800231.

Dobash, Russell P., R. Emerson Dobash, Margo Wilson, and Martin Daly. 1992. “The Myth of Sexual Symmetry in Marital Violence.” *Social Problems* 39 (1): 71–91. doi:10.2307/3096914.

Domestic Abuse Intervention Program. 2013. “Post-Separation Power and Control Wheel.”
<http://www.theduluthmodel.org/cms/files/Using%20Children%20Wheel.pdf>.

Donovan, Dolores A., and Stephanie M. Wildman. 1980. “Is the Reasonable Man Obsolete?: A Critical Perspective on Self-Defense and Provocation.” *Los Angeles Law Review* 14: 435–68.

Dowd, Michael. 1992. “Dispelling the Myths about the Battered Woman’s Defense: Towards a New Understanding.” *Fordham Urban Law Journal* 19.

Downs, Donald A., and James Fisher. 2005. “Battered Woman Syndrome: Tool of Justice or False Hope in Self-Defense Cases?” In *Current Controversies on Family Violence*, edited by Donileen R. Loseke, Richard J. Gelles, and Mary M. Cavanaugh, 2nd ed, 79–95. Thousand Oaks, CA: Sage Publications.

Duros, Rachel L. 2007. “Posttraumatic Stress and Cross -National Presentation in a Battered Women Sample.” Ph.D., United States -- Florida: Nova Southeastern University.
<http://search.proquest.com.proxy1.lib.uwo.ca/pqdtglobal/docview/304717890/abstract/E99047E27A5E4234PQ/1>.

Dutton, Donald G. 2006. *The Abusive Personality, Second Edition: Violence and Control in Intimate Relationships*. Guilford Press.

- Dutton, Donald G., and Mark Bodnarchuk. 2005. "Through a Psychological Lens: Personality Disorder and Spouse Assault." In *Current Controversies on Family Violence*, edited by Donileen R. Loseke, Richard J. Gelles, and Mary M. Cavanaugh, 2nd ed, 79–95. Thousand Oaks, CA: Sage Publications.
- Dutton, Donald, and Susan Golant. 2008. *The Batterer: A Psychological Profile*. Basic Books.
- Edleson, Jeffrey L., and Mary Pat Brygger. 1986. "Gender Differences in Reporting of Battering Incidences." *Family Relations* 35 (3): 377–82. doi:10.2307/584364.
- Ehrensaft, Miriam K., Patricia Cohen, Jocelyn Brown, Elizabeth Smailes, Henian Chen, and Jeffrey G. Johnson. 2003. "Intergenerational Transmission of Partner Violence: A 20-Year Prospective Study." *Journal of Consulting and Clinical Psychology* 71 (4): 741–53.
- Faigman, David L. 1986. "The Battered Woman Syndrome and Self-Defense: A Legal and Empirical Dissent." *Virginia Law Review* 72 (3): 619–47. doi:10.2307/1072974.
- Fairclough, Norman, Jane Mulderrig, and Ruth Wodak. 2011. "Critical Discourse Analysis." In *Discourse Studies: A Multidisciplinary Introduction*, 357–78. Los Angeles, CA: Sage Publications.
- Felson, Richard B., Steven F. Messner, Anthony W. Hoskin, and Glenn Deane. 2002. "Reasons for Reporting and Not Reporting Domestic Violence to the Police." *Criminology* 40 (3): 617–47.
- Finkel, Norman J., Kristen H. Meister, and Deirdre M. Lightfoot. 1991. "The Self-Defense Defense and Community Sentiment." *Law and Human Behavior* 15 (6): 585–602. doi:10.1007/BF01065854.
- Fleury, Ruth E., Cris M. Sullivan, and Deborah I. Bybee. 2000. "When Ending the Relationship Does Not End the Violence Women's Experiences of Violence by Former Partners." *Violence Against Women* 6 (12): 1363–83.

doi:10.1177/10778010022183695.

Fleury, Ruth E., Cris M. Sullivan, Deborah I. Bybee, and W. S. Davidson. 1998. "Why Don't They Just Call the Cops?": Reasons for Differential Police Contact among Women with Abusive Partners." *Violence and Victims* 13 (4): 333–46.

Forell, Caroline A., and Donna M. Matthews. 2000. *A Law of Her Own: The Reasonable Woman as a Measure of Man*. New York: New York University Press.

Fox, Greer Litton, Michael L. Benson, Alfred A. DeMaris, and Judy Van Wyk. 2002. "Economic Distress and Intimate Violence: Testing Family Stress and Resources Theories." *Journal of Marriage and Family* 64 (3): 793–807.

Gillespie, Cynthia K. 1988. *Justifiable Homicide: Battered Women, Self-Defense, and the Law*. Columbus: Ohio State University Press.

Gondolf, Edward W. 1999. "MCMI-III Results for Batterer Program Participants in Four Cities: Less 'Pathological' Than Expected." *Journal of Family Violence* 14 (1): 1–17.

Goodman, Lisa, Lauren Bennett, and Mary Ann Dutton. 1999. "Obstacles to Victims' Cooperation With the Criminal Prosecution of Their Abusers: The Role of Social Support." *Violence and Victims* 14 (4): 427–44.

Gover, Angela, Catherine Kaukinen, and Kathleen Fox. 2008. "The Relationship Between Violence in the Family of Origin and Dating Violence Among College Students." *Journal of Interpersonal Violence* 23 (12): 1667–93.

Graham, Fred. 1991. "The Impact of Television on the Jury System: Ancient Myths and Modern Realism." *American University Law Review* 40 (August): 623–38.

Gunther, Marc. 1984. "'The Burning Bed': Searing DRama Probes Another Hot Issue on TV." *The Hartford Courant*, October 8. ProQuest Historical Newspapers.

Hall, Stuart. 1985. "Signification, Representation, Ideology: Althusser and the Post-

- Structuralist Debates.” *Critical Studies in Mass Communication* 2 (2): 91–114.
- . 1999. “Encoding, Decoding.” In *The Cultural Studies Reader*, edited by Simon During, 2nd ed. New York, NY: Routledge.
- Hamberger, L. Kevin. 1997. “Female Offenders in Domestic Violence” 1 (1): 117–29.
- . 2005. “Men’s and Women’s Use of Intimate Partner Violence in Clinical Samples: Toward a Gender-Sensitive Analysis.” *Violence and Victims* 20 (2): 131–51.
- . 2015. “Men’s and Women’s Experience of Intimate Partner Violence: A Review of Ten Years of Comparative Studies in Clinical Samples; Part I.” *Journal of Family Violence* 30 (6): 699–717.
- Hamberger, L. Kevin, and Clare Guse. 2002. “Men’s and Women’s Use of Intimate Partner Violence in Clinical Samples.” *Violence Against Women* 8 (11): 1301–31.
- Hamberger, L. Kevin, Jeffrey M. Lohr, Dennis Bonge, and David F. Tolin. 1996. “A Large Sample Empirical Typology of Male Spouse Abusers and Its Relationship to Dimensions of Abuse.” *Violence and Victims* 11 (4): 277–92.
- Henderson, Antonia J. Z., Kim Bartholomew, Shanna Trinke, and Marilyn Kwong. 2005. “When Loving Means Hurting: An Exploration of Attachment and Intimate Abuse In a Community Sample.” *Journal of Family Violence* 20 (4): 219–30.
- Herbert, Tracy Bennett, Roxane Cohen Silver, and John H. Ellard. 1991. “Coping with an Abusive Relationship: I. How and Why Do Women Stay?” *Journal of Marriage and the Family* 53 (2): 311.
- Hodell, Emily C., Emily E. Dunlap, Nesa E. Wasarhaley, and Jonathan M. Golding. 2012. “Factors Impacting Juror Perceptions of Battered Women Who Kill Their Abusers: Delay and Sleeping Status.” *Psychology, Public Policy, and Law* 18 (2): 338–59. doi:<http://dx.doi.org.proxy1.lib.uwo.ca/10.1037/a0025145>.

- Holtzworth-Munroe, Amy, and Gregory Stuart. n.d. "Typologies of Male Batterers: Three Subtypes and the Differences Among Them" 116 (3): 476–97.
- Huisman, Kimberly. 1996. "Wife Battering in Asian American Communities." *Violence Against Women* 2 (3): 260–83.
- Jhally, Sut. 1997. *Representation and the Media*. Media Education Foundation. https://www.mediaed.org/assets/products/409/transcript_409.pdf.
- Johnson, Holly, and Vincent F. Sacco. 1995. "Researching Violence against Women: Statistics Canada's National Survey." *Canadian Journal of Criminology* 37 (3): 281–304.
- Johnson, Michael. 2011. "Gender and Types of Intimate Partner Violence: A Response to an Anti-Feminist Literature Review." *Aggression and Violent Behavior, Current Controversies on the Role of Gender in Partner Violence*, 16 (4): 289–96. doi:10.1016/j.avb.2011.04.006.
- Johnson, Michael P. 1995. "Patriarchal Terrorism and Common Couple Violence: Two Forms of Violence against Women." *Journal of Marriage and the Family* 57 (2): 283.
- Johnson, Michael P., and Kathleen J. Ferraro. 2000. "Research on Domestic Violence in the 1990s: Making Distinctions." *Journal of Marriage and Family* 62 (4): 948–63.
- Jones, Ann. 2009. *Women Who Kill*. Feminist Press at CUNY.
- Jurik, Nancy C., and Russ Winn. 1990. "Gender and Homicide: A Comparison of Men and Women Who Kill." *Violence and Victims* 5 (4): 227–42.
- Kimmel, Michael. 2002. "'Gender Symmetry' in Domestic Violence." *Violence Against Women* 8 (11): 1332–63.
- Kinports, Kit. 2004. "So Much Activity, so Little Change: A Reply to the Critics of

Battered Women's Self-Defense." *Saint Louis University Public Law Review* 23 (1): 155–92.

- Knott Ahern, Louise. 2009. "The Burning Bed": A Turning Point in Fight against Domestic Violence." *Lansing State Journal*. September 25.
<http://www.lansingstatejournal.com/story/news/local/2014/10/27/burning-bed-domestic-violence/16224277/>.
- Lavoie, Francine, Martine Hébert, Richard Tremblay, Frank Vitaro, Lucie Vézina, and Pierre McDuff. 2002. "History of Family Dysfunction and Perpetration of Dating Violence by Adolescent Boys: A Longitudinal Study." *Journal of Adolescent Health* 30 (5): 375–83. doi:10.1016/S1054-139X(02)00347-6.
- Lempert, Lora Bex. 1997. "The Other Side of Help: Negative Effects in the Help-Seeking Processes of Abused Women." *Qualitative Sociology* 20 (2): 289–309.
- Liang, Belle, Lisa Goodman, Pratyusha Tummala-Narra, and Sarah Weintraub. 2005. "A Theoretical Framework for Understanding Help-Seeking Processes Among Survivors of Intimate Partner Violence." *American Journal of Community Psychology* 36 (1-2): 71–84.
- Lin, Timothy E. 1999. "Social Norms and Judicial Decisionmaking: Examining the Role of Narratives in Same-Sex Adoption Cases." *Columbia Law Review* 99 (3): 739–94. doi:10.2307/1123520.
- Loseke, Donileen R. 1992. *The Battered Woman and Shelters: The Social Construction of Wife Abuse*. SUNY Press.
- Loseke, Donileen R., Richard J. Gelles, and Mary M. Cavanaugh, eds. 2005. *Current Controversies on Family Violence*. 2nd ed. Thousand Oaks, CA: Sage Publications.
- Loseke, Donileen R., and Demie Kurz. 2005. "Men's Violence Toward Women Is the Serious Social Problem." In *Current Controversies on Family Violence*, edited by Donileen R. Loseke, Richard J. Gelles, and Mary M. Cavanaugh, 2nd ed, 79–95.

Thousand Oaks, CA: Sage Publications.

- Macmillan, Ross, and Rosemary Gartner. 1999. "When She Brings Home the Bacon: Labor-Force Participation and the Risk of Spousal Violence against Women." *Journal of Marriage and Family* 61 (4): 947–58. doi:10.2307/354015.
- Maguigan, Holly. 1991. "Battered Women and Self-Defense: Myths and Misconceptions in Current Reform Proposals." *University of Pennsylvania Law Review* 140 (2): 379–486.
- Mahoney, Martha R. 1991. "Legal Images of Battered Women: Redefining the Issue of Separation." *Michigan Law Review* 90 (1): 1–94. doi:10.2307/1289533.
- Malloy, Kathleen A. 2003. "Women's Use of Violence Within Intimate Relationships" 6 (2): 37–59.
- Mather, Victoria Mikesell. 1987. "Skeleton in the Closet: The Battered Woman Syndrome, Self-Defense, and Expert Testimony, The." *Mercer Law Review* 39: 545.
- Maxwell, Kimberly A., John Huxford, Catherine Borum, and Robert Hornik. 2000. "Covering Domestic Violence: How the O.J. Simpson Case Shaped Reporting of Domestic Violence in the News Media." *Journalism and Mass Communication Quarterly* 77 (2): 258–72.
- McCarthy, Sheryl. 1995. "Role of the Media in Domestic Violence Cases: A Journalist." *Albany Law Review* 58 (4): 1235–44.
- McIntosh, Namadhjlah R. 2013. "The Influence of Expert Testimony in Simulated Jury Trials Involving Battered Woman Syndrome." Psy.D., United States -- California: Alliant International University.
<http://search.proquest.com.proxy1.lib.uwo.ca/docview/1439923025/abstract/4B46CE3DF834D1FPQ/1>.
- McNulty, Faith. 1980. *The Burning Bed*. New York: Harcourt.

- Meyer, Philip N. 1995. "Desperate for Love II: Further Reflections on the Interpretation of Legal Popular Storytelling in Closing Arguments to a Jury in a Complex Criminal Case." *University of San Francisco Law Review* 30: 931.
- Meyers, Marian. 1994. "News of Battering." *Journal of Communication* 44 (2): 47–63. doi:10.1111/j.1460-2466.1994.tb00676.x.
- Miller, Susan. 2005. "One Size Fits All? A Gender-Neutral Approach to a Gender-Specific Problem: Contrasting Batterer Treatment Programs for Male and Female Offenders." *Criminal Justice Policy Review* 16 (3): 336–59.
- Minaker, Joanne C. 2006. "Husband Abuse: Equality with a Vengeance?" 48 (5): 753–80.
- Monson, Candice M., and Jennifer Langhinrichsen-Rohling. 2002. "Sexual and Nonsexual Dating Violence Perpetration: Testing an Integrated Perpetrator Typology." *Violence and Victims* 17 (4): 403–28.
- Moore, Todd, and Gregory Stuart. 2005. "A Review of the Literature on Masculinity and Partner Violence." *Psychology of Men & Masculinity* 6 (1): 46–61.
- Moore, Todd, Gregory Stuart, James McNulty, Jeff R. Temple, Michael Addis, and James Cordova. n.d. "Domains of Masculine Gender Role Stress and Intimate Partner Violence in a Clinical Sample of Violent Men." *Psychology of Men and Masculinity* 9 (2): 82–89.
- Muftić, Lisa, Jeffrey Bouffard, and Leana Bouffard. 2007. "An Exploratory Study of Women Arrested for Intimate Partner Violence." *Journal of Interpersonal Violence* 22 (6): 753–74.
- Noh, Marianne, Matthew Lee, and Kathryn Feltey, "Mad, Bad, or Reasonable? Newspaper Portrayals of the Battered Woman Who Kills," *Gender Issues* 27, no. 3 (2010): 110-130.

- Peterson, Kerry. 2013. "Learned Resourcefulness, Danger in Intimate Partner Relationships, and Mental Health Symptoms of Depression and PTSD in Abused Women." *Issues in Mental Health Nursing* 34 (6): 386–94.
doi:10.3109/01612840.2013.771233.
- Plumm, Karyn, and Cheryl Terrance. 2009. "Battered Women Who Kill." *Violence Against Women* 15 (2): 186–205. doi:10.1177/1077801208329145.
- Podlas, Kimberlianne. 2005. "CSE Effect: Exposing the Media Myth, The." *Fordham Intellectual Property, Media & Entertainment Law Journal* 16: 429.
- . 2010. "The Potential Impact of Television on Jurors." presented at the Impression and Pattern Evidence Symposium, Clearwater Beach, FL, August.
http://projects.nfstc.org/ipes/presentations/Podlas_tv-jurors.pdf.
- Rapping, Elayne. 1985. "MADE FOR TV MOVIES: The Domestication of Social Issues." *Cinéaste* 14 (2): 30–33.
- . 1997. "The Movie of the Week: Law, Narrativity, and Gender on Prime Time." In *Feminism, Media, and the Law*, edited by Martha A. Fineman and Martha T. McCluskey, 91–103. New York, NY: Oxford University Press.
- Reddy, Prasuna, Ann Knowles, Julie Mulvany, Marilyn McMahon, and Ian Freckelton. 1997. "Attributions about Domestic Violence: A Study of Community Attitudes." *Psychiatry, Psychology and Law* 4 (2): 125–45.
doi:10.1080/13218719709524906.
- Renner, Lynette M., and Kristen Shook Slack. 2006. "Intimate Partner Violence and Child Maltreatment: Understanding Intra- and Intergenerational Connections." *Child Abuse & Neglect* 30 (6): 599–617. doi:10.1016/j.chiabu.2005.12.005.
- Rennison, Callie, and Sarah Welchans. 2000. "Intimate Partner Violence." U.S. Department of Justice, Bureau of Justice Statistics.
http://www.popcenter.org/problems/domestic_violence/PDFs/Rennison%26Welchans_2000.pdf.

- Roberts, Albert R. 1996. "Battered Women Who Kill: A Comparative Study of Incarcerated Participants with a Community Sample of Battered Women." *Journal of Family Violence* 11 (3): 291–304. doi:10.1007/BF02336946.
- Roberts, Andrea L., Stephen E. Gilman, Garrett Fitzmaurice, Michele R. Decker, and Karestan C. Koenen. 2010. "Witness of Intimate Partner Violence in Childhood and Perpetration of Intimate Partner Violence in Adulthood." *Epidemiology* 21 (6): 809–18.
- Rosenberg, Howard. 1984. "Fiery Revenge of a Battered Woman." *Los Angeles Times*, October 8. ProQuest Historical Newspapers.
- Rouse, Linda. 1988. "Abuse in Intimate Relationships." *Journal of Interpersonal Violence* 3 (4): 414–29.
- Rusbult, Caryl E., and John M. Martz. 1995. "Remaining in an Abusive Relationship: An Investment Model Analysis of Nonvoluntary Dependence." *Personality and Social Psychology Bulletin* 21 (6): 558–71. doi:10.1177/0146167295216002.
- Russell, Brenda L. 2010. *Battered Woman Syndrome as a Legal Defense: History, Effectiveness and Implications*. Jefferson, N.C: McFarland & Co.
- Russell, Brenda, and Linda Melillo. 2006. "Attitudes Toward Battered Women Who Kill." *Criminal Justice and Behavior* 33 (2): 219–41. doi:10.1177/0093854805284412.
- Saitow, Steffani J. 1993. "Battered Woman Syndrome: Does the Reasonable Battered Woman Exist." *New England Journal on Criminal and Civil Confinement* 19 (2): 329–72.
- Schneider, Elizabeth M. 1980. "Equal Rights to Trial for Women: Sex Bias in the Law of Self-Defense." *Havard Civil Rights-Civil Liberties Law Review* 15 (3): 623–48.
- . 1986. "Describing and Changing: Women's Self-Defense Work and the Problem of Expert Testimony on Battering." *Women's Rights Law Reporter* 9 (3-4): 195–

222.

- Schuller, Regina A., Blake M. Mckimmie, and Teresa Janz. 2004. "The Impact of Expert Testimony in Trials of Battered Women Who Kill." *Psychiatry, Psychology and Law* 11 (1): 1–12. doi:10.1375/pplt.2004.11.1.1.
- Schuller, Regina A., and Sara Rzepa. 2002. "Expert Testimony Pertaining to Battered Woman Syndrome: Its Impact on Jurors' Decisions." *Law and Human Behavior* 26 (6): 655–73. doi:10.1023/A:1020933618221.
- Schuller, Regina A., Elisabeth Wells, Sara Rzepa, and Marc A. Kilppenstine. 2004. "Rethinking Battered Woman Syndrome Evidence: The Impact of Alternative Forms of Expert Testimony on Mock Jurors' Decisions." *Canadian Journal of Behavioural Science* 36 (2): 127–36.
- Seligman, Martin E. P. 1975. *Helplessness: On Depression, Development, and Death*. Series of Books in Psychology. San Francisco : New York: W. H. Freeman; trade distributor, Scribner.
- Sev'er, Aysan. 1997. "Recent or Imminent Separation and Intimate Violence Against Women." *Violence Against Women* 3 (6): 566–89.
- Shales, Tom. 1984. "Horror in The Home: NBC's 'Burning Bed': A Powerful, True Story of Domestic Violence 'Burning Bed.'" *The Washington Post (1974-Current File)*, October 8, sec. STYLE THE ARTS TELEVISION LEISURE.
- Sharhabani-Arzy, Ronit, Marianne Amir, Moshe Kotler, and Ruth Liran. 2003. "The Toll of Domestic Violence." *Journal of Interpersonal Violence* 18 (11): 1335–46. doi:10.1177/0886260503256842.
- Sheehy, Elizabeth, Julie Stubbs, and Julia Tolmie. 2012. "Battered Women Charged with Homicide in Australia, Canada and New Zealand: How Do They Fare?" *Australian & New Zealand Journal of Criminology* 45 (3): 383–99. doi:10.1177/0004865812456855.

- Shepard, Melanie F., and Ellen L. Pence. 1999. *Coordinating Community Responses to Domestic Violence: Lessons from Duluth and Beyond*. SAGE.
- Sherwin, Richard. 1996. "Picturing Justice: Images of Law & Lawyers in the Visual Media." *University of San Francisco Law Review* 30: 891–901.
- Simons, Leslie Gordon, Callie Harbin Burt, and Ronald L. Simons. 2008. "A Test of Explanations for the Effect of Harsh Parenting on the Perpetration of Dating Violence and Sexual Coercion Among College Males." *Violence and Victims* 23 (1): 66–82.
- Smith-Acuna, Shelley, Lynett Henderson Metzger, and Megan Watson. 2004. "Paradox of the Female Batterer: Exploring the Link between Gender, Personality, and Intimate Violence." *Family Violence and Sexual Assault Bulletin* 20 (1): 5–10.
- Sparks, Glenn G. 2012. *Media Effects Research: A Basic Overview*. 4 edition. Australia; Boston, MA: Wadsworth Publishing.
- Spidel, Alicia, Caroline Greaves, Tonia L. Nicholls, Julie Goldenson, and Donald G. Dutton. 2013. "Personality Disorders, Types of Violence, and Stress Responses in Female Who Perpetrate Intimate Partner Violence." *Psychology* 4 (9A): 5–11.
- Spiwak, Rae. 2005. "Separated Women's Risk for Violence" 43 (3-4): 105–17.
- Stets, Jan, and Murray Straus. 1990. "Gender Differences in Reporting Marital Violence and Its Medical and Psychological Consequences." In *Physical Violence and American Families: Risk Factors and Adaptations to Violence in 8,145 Families*, edited by Murray Straus and Richard Gelles, 227–44. New Brunswick, NJ: Transaction Publishing.
- Stith, Sandra M., Karen H. Rosen, Kimberly A. Middleton, Amy L. Busch, Kirsten Lundeberg, and Russell P. Carlton. 2000. "The Intergenerational Transmission of Spouse Abuse: A Meta-Analysis" 62 (3): 640–54.
- Straus, Murray. 1973. "A General Systems Theory Approach to a Theory of Violence

- between Family Members.” *Social Science Information* 12 (3): 105–25.
- . 1996. “The Revised Conflict Tactics Scales (CTS2).” *Journal of Family Issues* 17 (3): 283–316.
- . 2008. “Dominance and Symmetry in Partner Violence by Male and Female University Students in 32 Nations.” *Children and Youth Services Review* 30 (3): 252–75.
- Sugarman, David B., and Susan L. Frankel. 1996. “Patriarchal Ideology and Wife-Assault: A Meta-Analytic Review.” *Journal of Family Violence* 11 (1): 13–40. doi:10.1007/BF02333338.
- Swinford, Steven P., Alfred DeMaris, Stephen A. Cernkovich, and Peggy C. Giordano. 2000. “Harsh Physical Discipline in Childhood and Violence in Later Romantic Involvements: The Mediating Role of Problem Behaviors.” *Journal of Marriage and Family* 62 (2): 508–19.
- Sylaska, Kateryna, and Katie Edwards. 2014. “Disclosure of Intimate Partner Violence to Informal Social Support Network Members: A Review of the Literature.” *Trauma, Violence, & Abuse* 15 (1): 3–21.
- Temple, Jeff R. 2013. “Importance of Gender and Attitudes about Violence in the Relationship between Exposure to Interparental Violence and the Perpetration of Teen Dating Violence” 37 (5): 343–52.
- Terrance, Cheryl A., and Kimberly Matheson. 2003. “Undermining Reasonableness: Expert Testimony in a Case Involving a Battered Woman Who Kills.” *Psychology of Women Quarterly* 27 (1): 37–45. doi:10.1111/1471-6402.t01-2-00005.
- Terrance, Cheryl A., Karyn M. Plumm, and Andre Kehn. 2014. “Battered Women Who Kill: Impact of Expert Testimony Type and Timing.” *Psychiatry, Psychology and Law* 21 (1): 1–15. doi:10.1080/13218719.2013.773846.
- Thomas, Jack. 1984. “Battered Women: The Pain and Fury.” *Boston Globe*, October 8.

ProQuest Historical Newspapers.

- Tjaden, Patricia, and Nancy Thoennes. 2000. "Prevalence and Consequences of Male-to-Female and Female-to-Male Intimate Partner Violence as Measured by the National Violence Against Women Survey." *Violence Against Women* 6 (2): 142–61.
- Toews, Michelle L., and Autumn M. Bermea. 2015. "“I Was Naive in Thinking, “I Divorced This Man, He Is Out of My Life”” A Qualitative Exploration of Post-Separation Power and Control Tactics Experienced by Women." *Journal of Interpersonal Violence*, June, 0886260515591278.
doi:10.1177/0886260515591278.
- Truman, Jennifer, and Lynn Langton. 2015. "Crime Victimization, 2014." U.S. Department of Justice, Bureau of Justice Statistics.
<http://www.bjs.gov/content/pub/pdf/cv14.pdf>.
- Tsintsadze, Ketevan. 2014. "Development of Tort Liability for Injury to the Unborn." *European Scientific Journal*, 151-156, 1 (November).
- U.S. Department of Justice. 1996. "The Validity and Use of Evidence Concerning Battering and Its Effects in Criminal Trials: Report Responding to Section 40507 of the Violence Against Women Act." NCJ 160972. U.S. Department of Justice.
- Walker, Lenore E. 2009. *The Battered Woman Syndrome*. 3rd ed. New York, NY: Springer Pub. Co.
- Wells, Celia. 1994. "Battered Woman Syndrome and Defences to Homicide: Where Now." *Legal Studies* 14 (2): 266–76.
- Wilson, Margo, and Martin Daly. 1993. "Spousal Homicide Risk and Estrangement." *Violence and Victims* 8 (1): 3–16.
- Wilt, Marie G., James D. Bannon, Ronald K. Breedlove, Donald M. Sandker, John W. Kennish, and Robert K. Sawtell. 1977. "Domestic Violence and the Police:

Studies in Detroit and Kansas City.” Washington, D.C.: Police Foundation.
<https://www.scribd.com/doc/196679675/Wilt-G-M-et-al-Domestic-Violence-and-the-Police-Studies-in-Detroit-and-Kansas-City>.

Wimberly, Mary Helen. 2007. “Defending Victims of Domestic Violence Who Kill Their Batterers: Using the Trial Expert to Change Social Norms.” American Bar Association.
<http://www.americanbar.org/content/dam/aba/migrated/domviol/docs/Wimberly.authcheckdam.pdf>.

Yllö, Kersti. 2005. “Through a Feminist Framework: Gender, Diversity, and Violence: Extending the Feminist Framework.” In *Current Controversies on Family Violence*, edited by Donileen R. Loseke, Richard J. Gelles, and Mary M. Cavanaugh, 2nd ed, 79–95. Thousand Oaks, CA: Sage Publications.

Zeoli, April, Echo Rivera, Cris Sullivan, and Sheryl Kubiak. 2013. “Post-Separation Abuse of Women and Their Children: Boundary-Setting and Family Court Utilization among Victimized Mothers.” *Journal of Family Violence* 28 (6): 547–60.

Curriculum Vitae

Name: Jaime Campbell

Post-secondary Education and Degrees: University of Western Ontario
London, Ontario, Canada
2010-2014 B.A. in Media and the Public Interest

The University of Western Ontario
London, Ontario, Canada
2014-2016 M.A. in Media Studies

Honours and Awards: Ontario Graduate Scholarship
2014-2015, 2015-2016

Related Work Experience: Teaching Assistant
The University of Western Ontario
2014-2016