

VIOLENCE AGAINST WOMEN IN THE NEWS: PROGRESS WITHOUT JUSTICE

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By

Nicholas J. Chagnon

Dissertation Committee:

Meda Chesney-Lind, Chairperson

Katherine Irwin

David T. Johnson

Patricia Steinhoff

Kathy Ferguson

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Dedication

This dissertation is dedicated to all of those who know that a more just world is possible, and fight for it. It is also dedicated to my parents, James E. Chagnon and Maryann McNamara, who knew that I could do this decades before I ever considered it.

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Abstract

Violence against women is a pervasive global issue. It crosses various social boundaries such as class, race, ethnicity, and nationality. This has been widely recognized in Western nations since feminism's second wave in the 1960s and 70s. One major reason for such awareness has been media coverage of the issue. However, feminist media critics have shown that media coverage also perpetuates inaccurate and misleading ideas about violence against women. For instance, media reports often blame women for being raped and/or beaten by their partners. Some research, though, indicates that the media have recently become more sensitive in their coverage of this issue. This study examines coverage of rape and domestic violence in major news outlets over approximately two decades (1992-2013). Data come from print coverage in the New York Times, television coverage from major broadcast networks (NBC, CBS, and ABC), and online coverage from popular news sites, such as FoxNews.com and NYTimes.com. Keeping in mind the profound cultural shift caused by neoliberalism since the 1980s, the analysis identifies key themes in this body of coverage, as well as major changes over these two decades. This study finds that though the media integrate feminist insights in their coverage to some degree, news reports overwhelmingly apply a criminal justice paradigm, which drowns out other perspectives. Much coverage also includes discourses that perpetuate misleading and mystifying notions about social hierarchies such as race, class, and gender. Overall, this study concludes that media coverage constructs an ideological framework for understanding the issue of violence against women that both reflects and furthers the values and interests of neoliberalism. Moreover, it is argued that such a neoliberal framework is a generalizable concept for understanding how the media today cover social justice issues that rise to prominence.

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Introduction- Progress Without Improvement

The Problem

Social progress is a conceptual pitfall. It creates all kinds of definitional problems, and conjures the teleological assumption that inevitably ‘things get better’ as time goes on (Ferguson 2014). However, when it comes to gender equality in the US, gains have surely been made since the beginning of the 20th century, even if calling this progress might raise some objections. Once relegated to the domestic sphere and granted little social capital, women now have more legal freedom to make their own political, economic, and medical choices and they also occupy major spaces of power in government, the economy, and civil society. Such an assessment is vague at best, but there is surely a defensible argument to be made that over the past century or so, a substantial social shift towards greater gender equity has happened.

One particular measure of gender equity is the presence of violence against women in our society. Beating and/or raping one’s wife was once a legally protected right of men (Dobash and Dobash 1979). Of course this is no longer so in our society. Western governments have passed major legislation criminalizing violence against women and erecting a substantial infrastructure to respond to it (US Congress 2013). Furthermore, publicized cases of crimes against women are often occasions for public figures, both conservative and liberal, to decry such violence and voice their support for gender equity (Charen 2014; Kutner 2014). Some crime statistics even indicate that rates of rape and domestic violence fell sharply in the 1980s and 90s after feminism’s second wave (Laughton and Truman 2015).

Yet, violence is still a regular part of lived experiences for a frighteningly large proportion of women. It is pervasive both domestically in the US and globally (Black et al. 2011; Garcia et al. 2013; Jewkes 2002; Krug et al. 2002; Tjaden and Thoennes 2000). Over the

duration of their lifetimes, about one in five women are raped in the US, while about 1 in 3 are victims of partner violence (Black et al. 2011). One nationally representative victimization study found that 1.9 million women are physically assaulted each year in the US (Tjaden and Thoennes 2000). In 2013 alone, there were 79,770 rapes reported to law enforcement (Federal Bureau of Investigation 2014). Moreover, rapes reported to the police constitute only a minority of cases, as the vast majority go unreported to authorities (Koss and Harvey 1991). Global estimates are equally dire. The World Health Organization recently found that, worldwide, 35 percent of women suffer violence at the hands of partners and/or some form of sexual violence (Garcia et al. 2013). Essentially, despite any drops in the rate of this violence, it still persists to a troubling degree. Furthermore, this violence has a distinctive character that sets it apart from other forms of violence. Women are often targeted for violence because of their gender and/or the nature of their relations with men (Brownmiller 1975a; Burt 1980; Dobash and Dobash 1979; Dragiewicz 2011; Schwartz and DeKeseredy 1997). Rape and partner abuse are forms of violence motivated by attitudes governing the identities of the genders, and the relations among them. It is worth pondering then how this violence persists to such a degree in the midst of a turn towards greater gender equality.

While one could posit diverse answers to this question, many of them comprise two key types—structural and cultural theories. A structural orientation would hold that, were they on equal structural footing with men, women could garner social controls that effectively eradicate gender violence. However, in actuality, women still occupy a disadvantaged position relative to men, in a variety of ways. One might posit that because women's positions afford them less social capital, they are inadequately served by society and, thus, unable to bring about an

effective collective response to violence against women. For example, research has shown that women (and children) disproportionately suffer poverty in American society (Goldberg and Kremen 1990; Starrels, Bould, and Nicholas 1994). As the lower classes tend to be poorly served by the government, and the criminal justice system more specifically, one might argue that the persistence of violence against women is a byproduct of feminized poverty. Relatedly, women generally have less political capital than men. There are fewer women in top government posts and they are often either ignored or treated paternalistically by politicians. Because of this, one might argue they have less power to force political agendas that seek to eliminate gender violence. Such explanations surely have some merit, but they are incomplete. They put enormous faith in the ability of formal institutions, and implicitly Western Liberalism, to force fundamental change and solve key social problems. They fail to sufficiently acknowledge the degree to which individual behaviors and thoughts are beyond formal institutional control.

On the other hand, many feminists ascribe the prevalence of violence against women not to structural disadvantages but to the retention of patriarchal values in our culture (Burt 1980; Dragiewicz 2011; Koss and Harvey 1991; MacKinnon 1991; Sanday 2007; Schwartz and DeKeseredy 1997). This line of thinking holds that since it comprises values and norms that position women as less important and meritorious than men, Western culture dehumanizes women. Moreover, Western culture implies women should be subjected to male control and domination, often through various forms of symbolic and physical violence. For example, for centuries, many men and women have believed that wives should be subservient to husbands. If they do not, many believe, they are at least to some degree inviting violence at the hands of their

partners. The persistence of these attitudes, many feminists argue, is a contributing factor in most acts of violence against women today (Burt 1980; Dragiewicz 2011; Lonsway and Fitzgerald 1995; Sanday 2007; Schwartz and DeKeseredy 1997). More broadly than that though, patriarchal ideas cloud our understanding of violence against women, by limiting perceptions of its scope and blaming the victims (Meyers 1994). Thus, they obstruct a holistic response to the problem.

Quite clearly, structure and culture are deeply intertwined and dialectically related (Alexander and Smith 2001). Explanations of any social phenomenon that invoke one and not the other are surely partial. However, that does not mean that specifically delving into the roles of structure or culture is a useless or unproductive endeavor. This study is primarily concerned with the former rather than the latter.

The news media are a central element in the formation of contemporary culture, particularly attitudes on social issues such as violence against women. While the media play at best a highly mediated role in the actual perpetration of criminal acts, they are a key element of the construction of criminal social problems (Greer and Reiner 2012; Jewkes 2010; Surette 2006). They are the major source informing how we make sense of these phenomena, and they shape our societal responses in a variety of ways. Indeed, news media played a central role in problematizing violence against women in the second half of the 20th century (Chermak 1995; Kozol 1995; Lowney and Best 1995). It is also worth noting that at about the same time they were also a driving force in a turn towards punitive justice politics in the West (Surette 1996; Wacquant 2009). Moreover, news on social issues like violence and crime inform cultural assumptions about broader social relations, such as race, gender, nation, etc. This study departs

from the assumption that media influence is central to how society comprehends and addresses social problems, examining media discourses in an effort to better understand how they have shaped popular conceptions of and responses to violence against women throughout the 1990s and 2000s.

Foundation for This Study

Culturally oriented studies concerned with violence against women may have various foci. Many feminist researchers have examined the personal attitudes of men and women that promote sexual assault and other gender violence; often they are referred to as rape myth acceptance studies (Burt 1980; Lonsway and Fitzgerald 1995; Suarez and Gadalla 2010). Others focus on how entertainment media, such as video games or pornographic films, promote violence against women (DeKeseredy and Schwartz 1998; Dietz 1998; Hald, Malamuth, and Yuen 2010). Such studies have provided important insights into the cultural milieu that gives rise to violence against women. However, as stated earlier, one of the most vital objects of cultural inquiry when it comes to social problems is the news (Best 1990; Surette 2006).

Many people have little to no direct experience with criminal social problems and how they are processed by the criminal justice system (Jewkes 2010; Surette 2006). Thus, they rely on media, particularly media claiming to be informative, to form their sense of reality in relation to such phenomena. Essentially, news media are a major, sometimes monopolistic, influence on collective understandings of social problems. Specifically regarding violence against women, the news is especially important in understanding how a set of behaviors can be popularly regarded as heinously unacceptable, yet still widely persist (Berns 2004; Dragiewicz 2011).

Feminist scholars have produced a significant body of research criticizing how the news covers violence against women (Benedict 1993; Berns 2004; Chancer 1994; Gillespie et al. 2013; Howe 1997; Kozol 1995; Meyers 1994, 2004; Taylor 2009; Websdale and Alvarez 1998). This body of work has generated some key insights into the selective nature and other faults of such coverage. News tends to underplay the pervasiveness of violence against women (Gillespie et al. 2013; Howe 1997); it tends to blame victims (Benedict 1993; Meyers 2004); it treats marginalized victims and offenders with little sympathy (Benedict 1993; Chagnon 2014; Meyers 2004); it treats powerful and privileged ones with great sympathy (Benedict 1993; Meyers 2004); and it often fails to make linkages between different forms of violence against women (Howe 1997; Websdale and Alvarez 1998). Essentially, these scholars have illuminated how press coverage conceals the prevalence of violence against women, and mystifies the inequitable social relations that give rise to it. Thus, many claim it constitutes an intersectional patriarchal ideology, which intermingles racist and classist discourses with gendering ones (Dragiewicz 2011; Meyers 1994; Websdale and Alvarez 1998).

On the other hand, scholars have acknowledged the role played by the news media in bringing violence against women to public attention in recent decades (Chermak 1995; Lowney and Best 1995). Stalking, sexual assault, and domestic violence have all been problematized in the press for some time. For example, copious media coverage of the OJ Simpson case fostered a wide-ranging discussion of domestic violence in the mid-1990s (Kozol 1995). Further, some studies have found that recent coverage has become more contextualized than previous reporting and become less blaming of the victim (Fairbairn and Dawson 2013; Gillespie et al. 2013; Richards, Gillespie, and Smith 2011; Taylor 2009). Indeed, the above might lead some to

conclude that media coverage is vastly improving when it comes to violence against women. More broadly though, such findings demonstrate the important point that, like any other phenomenon, media coverage is far from static. The press changes with shifting social currents.

With that in mind, this study builds on previous research by examining press coverage of domestic violence over approximately two decades, from 1992-2013. I began this longitudinal analysis with the objective of investigating dynamic and static patterns within coverage, and particularly with the intention of better understanding how it has changed in an era marked by two key processes—increasing corporate concentration of news media and the emergence of the Internet as a paramount technology. Much has been made of the impact these two processes have had on the news media recently (Bagdikian 2004; Herman, McChesney, and Herman 1998; McChesney 2013). For instance, countless critics and scholars have decried the ownership of nearly 90% of mainstream US media outlets by six enormous corporations, such as Rupert Murdoch’s Newscorp, Viacom, and Disney, as a harrowing obstacle to the dissemination of critical, democratic discourse in the press (Bagdikian 2004). In addition, scholars have heatedly debated whether or not new information technologies, especially the Internet, offer hope for democratizing the media or simply act as mechanism to further the social permeation of corporate media discourses (Barabasi 2003; McChesney 2013; Shirky 2011).

Relatedly, substantial scholarship focuses on how US criminal justice has changed over this time frame, which many refer to as the neoliberal era, characterized by hyper-individualism, crushing inequality, corporate dominance, and coercive and imperial Western states (Harvey 2007; Steger and Roy 2010; Wacquant 2009). More specifically, criminologists have noted how neoliberalism has brought about a reduction in state social welfare services, and a coincident

expansion of the criminal justice system, often referred to as the carceral state (Garland 1993; Gottschalk 2014; Simon 2009; Wacquant 2009). Among other things, these scholars have shown how the use of enhanced policing and incarceration has emerged as the primary response to the poverty and other social problems exacerbated by a highly unequal neoliberal economy.

Feminist scholars have also added to this discussion, arguing that the movement to end violence against women began by second-wave feminists has been coopted, aiding the expansion of the carceral state (Bernstein 2012; Bumiller 2008).

However, little scholarship has focused on how this relates to media coverage of crime, never mind news on violence against women. Thus, I seek here to further such a research agenda by integrating classic feminist critiques on news coverage of violence against women with work on neoliberalism and the carceral state. With the assumption in mind that the current neoliberal atmosphere powerfully colors cultural discourse I ask two basic research questions:

1. What does the mediated social construction of violence against women look like today?
2. How has it changed over approximately the last 20 years?

The Study Design

To answer these questions, I will spend considerable time examining television, newspaper, and online coverage of sexual assault and domestic violence produced by major mainstream outlets such as NBC, CBS, Fox News, and the New York Times, entailing an analysis of nearly 2,000 print articles, editorials, blog posts, letters, and TV transcripts. Essentially, I analyze the content of this news to map what Hall (1974) would call, the ‘discursive form’ of news, aiming to

identify major parameters and themes in coverage, trace trends or changes over time, and decode content to illuminate encoded messages, both latent and manifest.

More specifically, I use a content analysis approach, somewhat akin to Altheide's (1996) ethnographic content analysis, engaging in two interrelated analytical projects. First, I perform a hybridized quantitative and qualitative content analysis of New York Times (NY Times) newspaper coverage of rape, female partner abuse, and femicides. Second, I use qualitative analysis methods to scrutinize television news coverage of three high-profile cases—the 1992 rape of Desiree Washington by boxing champion Mike Tyson; a 2007 wrongful accusation case against three Duke Lacrosse players; and the 2013 rape of a 16-year-old acquaintance by three high school football players in the town of Steubenville, Ohio.

Each of these separate projects produces different insights about how the media report on violence against women. Findings from NY Times data provide a general overview of routine coverage, while case studies document more specific narrative discourses about particularly prominent cases. Taken together though, they produce conclusions that are greater than the sum of the parts, which shed light on a deep ideological structure that contours media coverage.

The Argument

My answer to this study's research questions rests on two basic propositions. One, for the most part, classic feminist critiques of news on violence against women, which have been circulating for over 30 years, still hold true. For example, discourses blaming women for their own suffering still occupy a significant place in media coverage. The persistence of such issues is troubling, especially since they might be remedied with reasonable ease. Two, however, classic feminist critiques do not adequately incorporate a more general, but complementary,

argument—that news on violence against women is increasingly less about the actual phenomenon itself and more about the general machinations of state institutions, especially the criminal justice system. News on violence against women, as other scholars have pointed out, tells the public little about this violence as a social problem (Websdale and Alvarez 1998). Instead, like other crime news, it provides an overabundance of routine, but mostly supportive, discussion about what the police, courts, and corrections systems do. Thus, though it has surely functioned to problematize violence against women to a degree, the emergence of violence against women as a social problem in the media also augments the power of oppressive social institutions—the state and its concomitant criminal justice system.

The notion that crime news tells us more about the state than crime itself is not novel. However, I push that idea here by considering how such coverage is reflective and supportive of the current neoliberal age. I will argue essentially that coverage problematizes violence against women in a selective way, which enhances coercive state power, while negating discussions of how inequality, oppression, and injustice articulate with violence against women. Hall et al. (1978) made a similar connection between state power and crime discourse in the classic *Policing the Crisis: Mugging, the State, and Law and Order*. However, much contemporary research fails to engage this thinking. I return to such a line of thought in this study, with an updated take, which posits that this selective coverage reflects and does important work to sustain the current neoliberal social regime. Moreover, I argue that the neoliberal logic employed by the news media performs a troubling hegemonic trick. It absorbs progressive critiques concerning social problems in a way that both neutralizes demands for social justice and strengthens the dominance of neoliberalism.

Structure of This Dissertation

In the following chapters, I begin by discussing two relevant literatures—the extant feminist literature and scholarship on neoliberalism and the carceral state. I acknowledge that previous feminist scholarship comprises a robust and important corpus of work. Specifically, feminist analyses have documented the ways that news on violence against women misleads the public on this issue, and by extension works to support hegemonic class, race, and gender regimes. However, more research is necessary that engages in longitudinal analysis and includes multiple forms of media. As the above discussion illustrates, perhaps most needed is work that considers the connection between social reactions to violence against women and the broader neoliberal project currently underway in the US, particularly in regards to the punitive/coercive criminal justice elements of that project (Bumiller 2008; Wacquant 2009). Thus, I also review several key literatures on neoliberalism and criminal justice.

After discussing my methodology in Chapter Three, I explain how my analysis of NY Times coverage illuminates the basic parameters and patterns in reporting over the past roughly two decades. The discussion of these findings is split into two chapters. Chapter Four catalogues the various frames used by journalists while reporting on violence against women, and discussing their broader significance. Overall, this chapter shows that, rather than framing it as a complex social issue, the vast majority of coverage individualizes the issue, and covers it in a manner that is largely supportive of the state and overall social status quo. Chapter Five is dedicated to chronological patterns in coverage and the correlations between racializing and class-based discourses and reporting that problematizes this violence or excuses it in various ways. In general, these patterns point to a similar conclusion to the one reached in my analysis

of news frames—that contextualizing and critical social commentary, while present, is exceptional. Additionally, my analysis of these points suggests that coverage constructs victims and offenders from marginalized and privileged groups in very disparate ways.

After discussing findings from the NY Times data, in the following three chapters I examine TV and Internet coverage of three high profile cases—the rape of Desiree Washington by Mike Tyson, the false accusation of three Duke lacrosse players by Crystal Mangum, and the rape of a 16-year-old female acquaintance by two high school football players from Steubenville, Ohio. Each of these cases distinctly crystallized issues of justice, gender, race, and/or class in complicated, yet revealing ways. In fact, such cases are highly paradoxical—they both challenge and perpetuate dominant constructions of violence against women. For example, the Tyson case shows how African Americans, both as perpetrators and victims are framed dualistically, as symbols of American values, and nearly at the same time as stigmatized others. The Duke case is somewhat similar, but is particularly interesting in that it shows what happens when wealthy white men are framed as the victims of injustice in such cases. Essentially, it is a powerful study in the reaffirmation of privilege and the suppression of social critical perspectives. Chapter Eight offers perhaps the most hope that media coverage of this issue is improving. However, Steubenville also generated some troubling narratives. In particular, narratives both celebrating and decrying the influence of the Internet helped to divert the media’s attention away from broader rape culture.

In my conclusion, I begin by reviewing the key elements of my findings, and consolidating them into several key takeaways from the aggregate of my analysis. I then discuss how these findings support the overall thesis of this study—that mainstream news coverage of

violence against women creates an ideological framework that is both reflective and supportive of the broader neoliberal cultural climate that dominates the US today. Then, I proceed to discuss the theoretical implications generated by this thesis. Most importantly, I argue that it is one instance of a generalizable social concept, which I call neoliberal problem construction. Neoliberal problem construction may be a transposable concept for understanding media constructions of additional issues that are popularly associated with progressive or social justice politics, such as climate change or warfare. Most troubling, the reframing of these concerns threatens to strengthen the dominance of neoliberalism by promoting responses to the issues that actually further neoliberal interests.

Chapter 2: Literature Review

Introduction

Though he or she lives in a nation with a crime rate higher than many other developed nations, the average American has relatively little personal experience with crime (Best 1990; Surette 2006). Because of this lack of experience, most Americans rely primarily upon the media, particularly news media, to construct their personal constructed reality of crime. Accordingly, media representations of crime have been objects of sociological concern for some time, at least since the 1970s.

Over these nearly 50 years, sociological analyses of crime media have supplied a set of findings that paints a troubling picture. Put most simply, these studies have continually shown that news about crime in Western nations is highly misleading. The thematic parameters of crime news construct a snapshot of crime that is almost diametrically at odds with its empirical reality (Surette 2006). Crime news tends to exaggerate the threat posed by violent street crime; vilify the poor and marginalized; ignore the crimes of the powerful; and eschew discussing the complex social relations that have given rise to the crime problems we face today.

While much crime media research focuses on how the press covers crime in general, an abundant body of feminist research on crime media exists, which has added important contributions to the sociological conversation about such media content. More specifically, by adding a gendered, and often intersectional lens to media analyses, feminist research has documented how media coverage is deeply flawed when it comes to matters of gender and

gender violence, and further, issues of class, race, and gender simultaneously (Chancer 1994; Meyers 2004).

At the same time that many media sociologists have deeply scrutinized media content, illuminating flaws in coverage of crime, others have been investigating the social influence of neoliberalism, an economic-political philosophy that has come to predominate Western nations since the 1980s, both in regards to the media and criminal justice (Bagdikian 2004; Bumiller 2008; McChesney 1999; Wacquant 2009). While little research has accounted for how neoliberalism has specifically shaped media reporting on crime, this body of scholarship is theoretically vital for understanding crime news today.

In this chapter, I discuss both of these literatures more deeply. I begin by reviewing the sociological literature that crime media scholarship has been founded upon, particularly from the social constructionist tradition. I then examine more carefully how feminist media studies have added to that literature in regards to violence against women. After that, I briefly address neoliberalism and how it has affected the media industry and criminal justice, concluding by engaging the literature that specifically deals with neoliberalism and gender violence.

Social Construction and the Foundations of Crime Media Research

A great deal of crime media research departs from the social constructionist perspective on social problems. Constructionists hold that social problems do not materialize on their own but are subjectively defined categories assigned in a truth-making marketplace, inhabited by various parties known as claims makers (Best 1990; Blumer 1971; Schneider 1985; Spector and Kitsuse 1973; Surette 2006). While social problems generally spring from empirical phenomena, any particular social problem does not become a public issue until someone successfully

promotes it as a topic of importance and consequence. In other words, the empirical phenomena that become recognized as social problems are not always seen as problems immediately. Instead, collective recognition of social problems is achieved through deliberate communication and social cognition. Thus, the process by which perceptions are shaped and a problem is collectively recognized, as well as ideational end product of that process, is referred to as ‘social construction.’ This theoretical postulation is particularly important for understanding social problems because it illuminates that social issues are as much a matter of perception as they are of empirical reality.

In contemporary Western society, one principle way through which claims about social problems can be disseminated, and thus gain public recognition, is through the mass media (Altheide 2002; Best 1990). Moreover, mass media are particularly important in the process by which crime is socially constructed. As the average citizen has little personal experience with crime and/or criminal justice, media are the main conduit for informing the public on crime (Surette 2007; Sacco 1995). Further, media products quite frequently feature content relating to crime, in both news and entertainment. Thus, media research conducted from a social constructionist perspective has illuminated important characteristics of and patterns in crime media content.

As stated earlier, social constructionists aptly point out that ideas on social problems are based on shared perceptions, and of course, human perceptions can be flawed (Altheide 2002; Best 1990; Surette 2006). Because of this, social constructions often diverge from empirical reality. Scholars often refer to this as ‘distortion.’ Such is generally the case in mediated constructions of crime. Many scholars have pointed out the various ways in which crime media,

and particularly crime news is highly distorted (Altheide 2002; Best 1990; Dowler, Fleming, and Muzzatti 2006; Dowler et al. 2006; Fishman 1978; Greer and Reiner 2012; Hall 1978; Mason 2006; Reiner, Livingstone, and Allen 2003; Sacco 1995; Surette 2006). Indeed, the most general criticism that might be levied at crime media is that it does a very poor job of communicating the reality of crime to the wider public. Much of the distortion in crime news is manifest in the way news addresses the social context of crime, the types of crime presented, and the ways in which victims and offenders are portrayed.

One of the most frequently levied criticisms of crime news is that it treats crime in a simplistic manner that ignores the social relations that give rise to it. Numerous scholars argue that crime coverage has taken on an increasingly decontextualized manner and fear-mongering, punitive tone in the past several decades (Altheide 2002; Barlow 1998; Chibnall 1973; Dowler et al. 2006; Fishman 1978; Gilliam and Iyengar 2000; Reiner et al. 2003; Sacco 1995; Surette 2006). Crime news generally uses an ‘episodic format,’ which treats each crime as an isolated incident, rather than one part of a larger social pattern (Jewkes 2010; Surette 2006). This format leads crime news to be decontextualized, failing to socially locate individual acts of offending. Moreover, when they do provide some context by exploring the causes of crime, the news media generally pose crime as a result of individual pathologies and/or moral failings. For instance, in one study tracking changes in crime news since WWII, Reiner, Livingstone and Allen (2003) found that it has increasingly ascribed crime to individual shortcomings among offenders, such as moral bankruptcy. On the other hand, only on exceptional occasions do the media delve into social factors, such as poverty and inequality, that contribute to criminal offending (Jewkes

2010; Reiner et al. 2003; Surette 2006). Put simply, the news does a poor job of covering the ‘social’ aspect of this social problem.

Many scholars have also documented how crime news tends to feature uncommon types of crime quite frequently, while it rarely features the most common types of crime (Altheide 2002; Greer 2012; Greer and Reiner 2012; Jenkins 1994; Jewkes 2010; Surette 2006). While news outlets generally relay specific pieces of information accurately, the aggregate themes appearing in crime news convey an overall idea of crime that is at odds the actual occurrence of crime. This generally means that the media focus on the most violent and outrageous crimes occurring, such as serial homicides, despite the fact that they are relatively rare crimes. Of course, a focus on the most serious types of crime, as compared to say petty thefts, seems very justifiable in many ways. For example, it may very well be more in the public’s interest to know if there is a serial rapist on the loose, rather than being informed that bikes are quite often stolen if left unlocked. Yet, even the ways in which serious crimes are covered tends to emphasize the unusual. In particular, the news tends to cover stranger homicides more often than those in which the victim and attacker know each other (Lundman 2003; Surette 2006). Yet, stranger homicides are quite rare compared to acquaintance homicides.

More generally, crime news also tends to portray risks of victimization as higher than they actually are (Reiner et al. 2003). One way this often happens is when crime stories cite spurious statistical evidence that exaggerates crime problems both in severity and breadth (Best 1990; Cavender 1981; Thompson, Young, and Burns 2000). Media outlets frequently ignore the fact that statistics are social products, affected and sometimes distorted by the processes involved in their creation (Best 1990). Journalistic ethical standards hold that media practitioners attribute

information to sources, but journalists tend to focus on the truth of the attribution, not the truth of the actual evidence. Consequently, information coming from trusted official sources is seldom subject to independent verification, though it may be in such sources' interests to exaggerate crime statistics. The fact that media practitioners must rely heavily on official sources in crime news exacerbates this issue. Further, after reporting supposed spikes in certain crimes, news outlets often ignore or downplay further research or stories that dispute previous claims due to waning public interest (Roberts and Indermaur 2005). In aggregated, these patterns have led scholars to argue crime news exhibits a 'law of opposites,' or 'backwards law'—essentially that it presents various ideas the are the reverse of patterns in actual criminal offending (Sacco 1995; Surette 2006).

Impacts of Crime News

The media's tendency to exaggerate the severity and threat of crime has some very troubling upshots. Most obviously, media critics have argued that crime media inflames public fear (Altheide 2002; Gerbner 1998; Greer and Reiner 2012; Jewkes 2010; Surette 2006; Websdale 1996). In fact, Altheide (2002) argues that crime news is a major factor that has led to a massive expansion of fear in the everyday experiences of people in the US. The exact mechanisms through which media fear-mongering happens and the directness of the relationship has been the subject of hot debate (Gerbner 1998; Jewkes 2010). However, few would argue that the relationship is nonexistent. The logic of this is not hard to follow. As they saturate Western culture, mass media that exaggerate the risk of being victimized make the average citizen more worried than he or she probably should be about crime. However, this does not simply cause people to look over their shoulders or avoid dark alleyways more often.

It is quite obvious this enhanced fear has policy implications. Specifically, many critics assert that crime news has played an integral role in the punitive turn in US justice politics seen over the closing decades of the 20th century (Garland 2002; Surette 2006; Wacquant 2009; Whitman 2005). People who are more fearful of crime are more likely to support a more robust response to crime. Moreover, considering that media often not only exaggerate the threat and extent of crime but also portray the justice system as overly lenient, it is not hard to imagine how they have pushed the US public to support more punitive responses to crime (Best 1990; Mendelberg 1997; Surette 2006).

Perhaps the best case illustrating how the media have exacerbated punitive public sentiment is that of three strikes laws in California (Page 2011; Surette 2006). Before the kidnapping and murder of Polly Klaas, a 12-year-old white girl, by Richard Alan Davis, an ex-convict with a lengthy record of violent crime, three strikes laws had been unpopular with the public (Surette 1996). A ballot measure in Washington to implement three strikes a few years earlier had resoundingly failed. However, after the media furor over the Klaas murder, legislators easily implemented three strikes in California.

The tale of three strikes in California is just one particularly illuminating case. However, media coverage has clearly played a role in the adoption of other similar laws, often known as memorial legislation (Wood 2005), as well as the establishment of sex offender registries, expansions of various prison systems, the war on drugs, and the adoption of stop and frisk searches by police in various cities, among other measures that have comprised the punitive turn (Bumiller 2008; Greer 2012; Greer and Reiner 2012; Griffin and Miller 2008; Page 2011; Reinerman and Levine 1989; Surette 2006; Wacquant 2009; Wood 2005). In summary, the

exaggerative aspects of crime news do not just translate to a more fearful public, but have translated to a more punitive society overall.

Crime News, Class, and Race

Beyond the general extent of crime, the backwards law holds true in many ways for the presentation of victims and, at times offenders, in crime news (Altheide 2002; Lundman 2003; Surette 2006; Wood 2005). Those groups least likely to be victims of crime are most prominently featured in the news, while those most often victimized by crime are often ignored (Entman and Rojecki 2001; Lundman 2003; Wood 2005). This is perhaps best illustrated by coverage of missing persons. It is well documented that the media are quick to react with outrage when young white females, especially children are abducted and/or murdered (Wood 2005). As well, the crimes of poor and non-white young men are abundantly featured in the news, while the crimes of the rich are much less often featured (Chiricos and Eschholz 2002; Entman and Rojecki 2001; McMullan 2006; Reiman 2007; Russell-Brown 2008).

Such patterns have led many to argue that overall, crime news demonstrates class and race bias. Class bias in crime news is relatively simple to detect and understand. Crime journalism exhibits a determined focus on street crimes perpetrated by the poor (Herman and Chomsky 2002; Leishman and Mason 2003). News reports are rife with tales of burglaries, robberies, rapes, and murders occurring in the streets, and far more often than not someone in poverty or the working class perpetrates these crimes. On the other hand, white collar crimes are all but ignored when considered in reference to their extent and the harm they cause (Herman and Chomsky 2002; Reiman 2007). Few, if any, scholars would argue against these assertions.

The racial bias inherent in crime news is perhaps a bit more complex, though no less abundant or important. Results of studies quantitatively examining racial bias in crime news has been mixed (Chiricos and Eschholz 2002; Entman and Rojecki 2001). Some studies have found that African Americans appear as offenders in the news disproportionately, yet others have found they do not. Such studies depart from a desire to investigate clear-cut selection bias on the part of news outlets—they are looking into whether journalists choose to do stories about minority offenders a number of times disproportionate to their actual shares among criminal offenders. However, others alternatively have examined whether non-whites are more likely to appear in the media as criminals compared to appearing in esteemed roles, such as doctors, teachers, etc. Studies researching this question have found that indeed, blacks and Hispanics are much more likely than whites to be presented in criminal roles in the news, and media more generally (Chiricos and Eschholz 2002; Entman and Rojecki 2001; Russell-Brown 2008). For instance, examining the proportionality of race representations in crime news, Chiricos & Eschholz (2002) found that news typifies blacks as criminals. Though their appearance in crime news is not disproportionate to their rates of arrest compared to whites, they are far more likely to appear as criminals rather than law-abiding citizens.

More generally though, one must acknowledge that political discourse in the US, which circulates widely in mass media, often conflates race and crime so much so that each can be code word for the other (Barlow 1998; Chiricos and Eschholz 2002; Mendelberg 1997; Russell-Brown 2008). Barlow (1998) has traced the evolving construction of crime in US national media since the 50s. The media, she asserts, have adopted a frame that characterizes poor urban black men as the prime perpetrators of American crime. In fact, she states, this framing has been so successful

that media need not explicitly mention race. Similarly, Dowler (2004) claims that media promote both 'overt and covert' racism in America by disseminating enormous amounts of stereotypical images of criminal blacks. Crime has become a code word for race. The public knows that when the media mention crime, they really mean black and/or brown crime. Finally, non-whites are not just treated differentially when they are offenders, but also when they are victims. Dowler (2004) argues that non-white crime victims receive less press coverage and less sympathy than white ones. He states, 'essentially, the motto 'it bleeds it leads' still rings true for many newscasts, but is not entirely accurate. It really depends on who is bleeding" (94).

Crime News, Gender, and Patriarchal Violence

Like much other criminological research, crime media scholarship often lacks a gendered component. Many of the studies discussed above examined crime news in general without parsing apart, or even considering news that deals with female offending or victimization. Even the literature that examines the class- and race-based patterns in crime news often lacks a gender component. However, as they have done with more general criminological research, feminist criminologists have made a seminal contribution to this literature by asking the question, 'what about women's experiences?'

Unsurprisingly, women do not often appear in the news as offenders. However, when they do, the media are quick to express shock and dismay at female offending, especially when it is violent or otherwise violating gender stereotypes (Chesney-Lind and Irwin 2007). Prominent cases of female killers perhaps illustrate this tendency best. Cases like the Eileen Wornous, Casey Anthony, Jodi Arias trials are prime examples. Some would argue that women are often given paternalistically lenient treatment when they commit crimes. But, when they commit

violent crimes, the vitriol directed at them in the media and by the public is greater than all but that directed at the world's most hated criminals. While appalled reactions to female violence from the media are nothing new, consternation over particularly girls' offending has intensified recently (Chesney-Lind and Irwin 2007). In fact some have called concerns over girls' offending a moral panic, pointing out that they are based in spurious assumptions about gender equality giving rise to more antisocial female behavior, and 'new' forms of female offending such as female gang crime (Chesney-Lind and Irwin 2007; Chesney-Lind and Jones 2010; DeKeseredy 2010).

The literature on how the media treat female offending is substantial enough that much space could be spent discussing it. However, for the purposes of this study, that space is probably better spent focusing on how the media cover violence against women, and there is much to talk about. For at least three decades, feminist criminologists and other critical scholars have been illuminating the serious issues in news coverage of rape and domestic violence. The most general concern levied has been that the press under-problematizes this violence (Benedict 1993; Chancer 1994; DeKeseredy 1999; Dragiewicz 2011; Howe 1997; Kozol 1995; Meyers 1994; Websdale and Alvarez 1998). Like other crimes, media reports often treat incidents of rape and domestic violence as singular events, providing little or no information to situate them as part of a pervasive problem (Bullock and Cubert 2002; Websdale and Alvarez 1998). Moreover, coverage of partner violence, particularly femicides (when a woman is murdered by her partner), rarely situates the crime as patterned, long-term domestic abuse, often instead implying the crime was simply an unforeseeable tragedy (Websdale and Alvarez 1998). When they do directly engage the topic of gender violence, journalists often display shock at such

crimes, as if they were not an obviously historically persistent phenomenon (Howe 1997; Kozol 1995). For instance, after the OJ Simpson trial, many media outlets dedicated copious coverage to the issue of domestic violence. However, at times coverage implied that domestic violence was somehow a novel problem faced by the US (Kozol 1995).

Some specific features of reporting clearly illustrate the media's insensitivity to violence against women. For example, much reporting on femicides employs a routinized and technical format that focuses on minute details of incidents, such as the positioning of dead bodies, the caliber of bullets, locations of wounds, etc., generally at the cost of providing social context. Some call this 'forensic reporting' (Websdale and Alvarez 1998) or the 'police frame' (Bullock and Cubert 2002). Either way, the consequence is the same, as Websdale and Alvarez (1998) state, the public learns 'more and more about less.' In other words, such journalism bombards the public with technical bits of information that tell them very little about the social problem in question, but quite a bit about the fine details of individual events. In addition to their tendency towards forensic reporting, news reports often use passive voice to describe acts of violence against women, especially in headlines (Henley, Miller, and Beazley 1995; Katz 1999). To use an illustrating example often cited by Katz (1999), journalists are more likely to state that, 'Mary was raped by John,' rather than making John the focus of discourse by saying, 'John raped Mary.' Troublingly, studies have shown the use of passive voice leads media consumers to interpret these crimes as less harmful or serious (Henley et al. 1995). Making a similar, but broader argument, Berns (2004) has argued that the general focus of most news stories covering domestic violence is on the victims not perpetrators, obscuring men's culpability in these crimes.

All of these commonly used reporting techniques hold in common that they work to obscure the extent and nature of violence against women, effectively concealing that from the public.

In addition to concealing many aspects of gender violence, news coverage often works to dismiss it by blaming victims. Crime media have a history of blaming female victims of crime, especially when they are attacked by those who know them, or powerful men (Benedict 1993; Berns 2004; Brownmiller 1975a; Meyers 1994). Long-standing patriarchal tropes that are a mainstay of Western culture work to frame victims of domestic violence and rape as somehow instigating their own suffering (Brownmiller 1975a). For instance, many people believe women secretly enjoy being raped and/or that battered women ‘nag’ their partners so much so that they are picking ‘fights’ (Benedict 1993; Brownmiller 1975a; Dobash and Dobash 1979). Research has long documented how the press disseminates and perpetuates such ideas in coverage of these crimes. Media reports often blame victims by including discussions of themes such as:

- the attire worn by rape victims;
- the sexual histories of victims;
- infidelity by battered wives;
- victims’ levels of intoxication;
- language that suggests an incident was mutual combat, such as referring to a beating as a ‘fight;’
- victims’ criminal records;
- victims’ psychological problems or mental illness;
- victims returning to an abuser or not reporting the abuse;

- providing an inconsistent account to authorities;

Though much research exists that documents these patterns in news stories, some research suggests it is becoming less publicly acceptable to use victim-blaming language or themes (Fairbairn and Dawson 2013). Yet, much victim blaming is subtle, or indirect. In fact Taylor (2009), differentiates between what she calls direct and indirect blaming. Direct blaming consists of the themes like those mentioned above. However, indirect blaming, which generally consists of narratives that mitigate blame on offenders, is often used in coverage of domestic violence. Indirect blaming includes themes such as “using sympathetic language to describe the perpetrator” as well as “emphasizing the perpetrator's mental, physical, emotional, and financial problems”¹ (21). Ultimately though, while it may be decreasing or becoming more subtle, victim-blaming is still a consistent presence in news about rape and domestic violence (Berns 2004; Chagnon 2014; Richards et al. 2011)

When trying to understand the way the press constructs violence against women, it is important, as third-wave feminists long ago pointed out, to consider how class and race intersect with gender narratives (Chancer 1994; Meyers 1994). The media do not treat all crimes against all women monolithically; women from marginalized social groups generally receive far less sympathetic coverage in the media. Various studies have shown that compared to wealthy white ones, non-white and/or poor women are more frequently and intensely stigmatized in the news when they are victims of male violence (Benedict 1993; Chagnon 2014; Chancer 1994; Kozol 1995; McDonald 1999; Meyers 1994, 2004). Conversely, compared to privileged white men, marginalized men tend to be more vilified in press coverage as well (Benedict 1993; Chagnon 2014; Chancer 1994; Grover and Soothill 1996; Meyers 2004). Given these patterns, one can

conclude that the media essentially construct disparate frames for privileged and marginalized victims and offenders (Berns 2004; Chagnon 2014; Schwartz and DeKeseredy 1993).

On the other hand, the media are not entirely insensitive to gender violence. The media should be given credit for drawing public attention to forms of violence against women, such as wife abuse and stalking, especially over the 1980s and 90s (Benedict 1993; Dragiewicz 2011; Lowney and Best 1995). Yet now, this progress may be reversing. For instance, Schwarz and Dekeseredy (1993) argue that coverage of domestic violence is decreasing, and only the most sensational crimes are not given adequate press treatment. More generally, many scholars have implicated the press in an anti-feminist backlash (DeKeseredy 2010; Dragiewicz 2011; Faludi 1991).

Anti-feminist backlash often engages a range of gender-related topics. However, in reference to male violence, backlash discourses function to minimize the pervasiveness and gendered nature of domestic abuse and rape. For instance, backlash groups, often referring to themselves as ‘men’s rights’ groups argue that women are domestic abusers quite frequently as well. In fact, these groups draw upon scholarly research using the Conflict Tactics Scale (CTS), that suggests women are nearly as violent as men in relationships (Strauss and Gelles 1990). This assertion has been deemed the ‘gender symmetry’ hypothesis. Gender symmetry research has been highly criticized by feminist scholars. For example, they have shown that the CTS used by gender symmetry scholars does a poor job of capturing the context in which violent incidents happen and equate relatively mild aggressive behavior, such as throwing a pair of socks, with serious violence, such as strangling (Chesney-Lind 2006; DeKeseredy 1999; Kimmel 2002; Schwartz and DeKeseredy 1993). Despite the glaring weaknesses in the gender symmetry

argument, media outlets continually give voice to those advocating for this perspective, as well as others asserting that the idea of violence against women as a pervasive social problem is a product of inappropriately political and scientifically invalid feminist research (Chesney-Lind 2006; DeKeseredy 1999; Dragiewicz 2011).

Hegemonic Ideology and Patriarchies

Critical media scholars have for decades decried crime media as hegemonic ideology (Hall 1978; Herman and Chomsky 2002; Mason 2006; Reiman 2007). From this perspective, crime media function as legitimation for the state and/or capitalist system. All of the findings discussed in the previous section lead many feminist critics to the same conclusion (Dragiewicz 2011; Meyers 2004; Websdale 1996; Websdale and Alvarez 1998). Media coverage of violence against women clearly works in many ways to promote an approving vision of the status quo. Feminists though, conceptualize hegemony in more complex way than the original Marxist sense that prioritizes class domination over other forms. Hegemonic ideology from a feminist view involves the intersection of various regimes of power, including class, race, and, of course, gender (Dragiewicz 2011; Meyers 2004). At the theoretical heart of this conception is the idea of patriarchy. Patriarchy, as I will discuss shortly is somewhat difficult to define. However, it is surely fair to characterize it as a system of hierarchal gender relations in which the male is superior. When discussing rape and domestic violence (as well as stalking) the media surely provide discourse that perpetuates this system of relations. Thus, its role as an organ of patriarchy is a defining element of the hegemonic nature of this discourse.

As I stated, patriarchy is difficult to define. However, given the fact that it is one of the major theoretical building blocks of this study, and that I will discuss implications for

understanding it generated by my findings, it is necessary to provide a definition of patriarchy at some point. Here is as good a place as any. Feminist scholars, and others, have struggled to define and theorize patriarchy for some time (Chesney-Lind 2006; Messerschmidt 1986; Ogle and Batton 2009; Schwartz and DeKeseredy 1997). In fact, Schwartz & DeKeseredy (1997) posit that there really is not any one definition of patriarchy. However, some scholars have provided concise but useful definitions of patriarchy. Walby (1989) defines patriarchy as, “a system of social structures and practices in which men dominate, oppress, and exploit women” (214). Though perhaps it is pithy to the point of simplicity, this definition provides some insight into the nature of patriarchy. Clearly, patriarchy entails the priority of men over women. This subordination of women happens in various spheres of society, Walby adds, such as the economy, government, and family. Beyond that, it is a ‘system’ that includes both structure and action.

Chesney-Lind (2006) provides a more comprehensive, and theoretically sophisticated, definition. She writes, “patriarchy is a sex/gender system in which men dominate women and what is considered masculine is more highly valued than what is considered feminine. Patriarchy is a system of social stratification, which means that it uses a wide array of social control policies and practices to ratify male power and to keep girls and women subordinate to men.” Later, Chesney-Lind adds that patriarchy also entails sexual control over women, usually in the form of heteronormativity. This definition clearly has commonalities with Walby’s. However, Chesney-Lind expands the definition in some key ways.

First, Chesney-Lind (2006) refers to patriarchy as a ‘sex/gender’ system. This illuminates that patriarchy involves some biological elements. For example, the penis, perhaps

the most obvious biological indicator of maleness, is celebrated in patriarchal societies through abundant phallic symbols. Every year, while visiting the Washington monument, countless numbers stare in awe at a phallic memorial of George Washington. I am aware of no such equivalent commemoration of femininity anywhere in the US. Clearly, patriarchy at least uses biological elements as resources upon which to build a social order. However, the socially constructed *gender* elements of patriarchy are likely far more important and powerful (Burt 1980; Schwartz and DeKeseredy 1997). For instance, men's value of control and competition are socially constructed values, arising out of an inherently hierarchical Western society (hooks 1984). Thus, patriarchy is a system that is built upon what might be considered 'natural' (e.g. the presence of reproductive organs) but more so on what sociologists would argue is anything but natural—socially constructed gender norms.

The paramount status of socially constructed gender is apparent when Chesney-Lind (2006) mentions the priority of the masculine over the feminine. Patriarchy does not merely grant greater power and privilege to men, but also prioritizes those attributes, behaviors, and ideas that are associated with maleness. For example, physical strength is associated with masculinity in Western society, and it is highly valued. We can see this clearly in the exorbitant salaries paid to professional athletes and fighters (who are nearly all, not coincidentally, male). On the other hand, empathy and emotional competency are less valued, if not devalued in Western society.

Finally, Chesney-Lind (2006) refers to 'social control policies and practices,' which 'ratify male power' and subordinate women. Two of these policies and practices, though implicit in the above definition, are important for a discussion of patriarchy and its connection to

male violence against women. First, one of the key elements of patriarchy is ideology. The material reality of patriarchy is created, perpetuated, and supported by a vast ideology which justifies male privilege and power, and denigrates that which is feminine (Ogle and Batton 2009). This ideology is a powerful form of social control, which structures men and women's thinking on appropriate social positions, behaviors and values. One of the key functions of patriarchal ideology is its justification of male violence (Burt 1980; Dragiewicz 2011; Schwartz and DeKeseredy 1997). Male violence, scholars argue, is a product of patriarchy in various ways, such as the way men are socialized to compete, dominate, and aggress (Brownmiller 1975b; Messerschmidt 1986; Sanday 2007; Schwartz and DeKeseredy 1997). However, it is important to acknowledge male violence is not just a product of patriarchy, but it is a *functional* product of patriarchy. Male violence acts as a form of social control that maintains the patriarchal order both through violence against women and policing of men by other men (Brownmiller 1975b; Connell 2002; Connell and Messerschmidt 2005; Schwartz and DeKeseredy 1997).

Thus, one can think of patriarchy as a hierarchal social system based on gender domination, which elevates the male over the female, consisting of structure and ideology, and accomplished through performative action, such as male violence. This is a somewhat useful way of thinking about patriarchy on a systemic level. However, to more finely understand the components of patriarchy, one might think of various categories of patriarchal relations or different patriarchies (Fraser 1987; Schwartz and DeKeseredy 1997).

In their book on college sexual assault, Schwartz and Dekeseredy (1997) theorize rape culture in part by distinguishing what they call 'familial' and 'courtship' patriarchies. Familial

patriarchy they state consists of the ideas that organize social relations among the nuclear and extended families in Western society (e.g. the oldest male patriarch is at the head while younger males are in an elevated by still subservient position to that). Courtship patriarchy establishes the values and expectations that govern sexual relations between men and women (e.g. men should be sexual aggressors while women should demonstrate chastity by providing symbolic resistance). This discussion is helpful in that it shows these are two relatively distinct sets of relations and concomitant ideologies that translate into discrete forms of social control, which are sometimes accomplished through violence. Familial patriarchy promotes women's subordination in the home sphere, and when it is challenged, the use of violence to maintain that control. Courtship patriarchy promotes men's control over sexual relations, and violence to assert that control at points.

While discussing the gendered nature of the US welfare system, Nancy Fraser (1987) quipped that the development of truly feminist public policy must “avoid both the Scylla of private patriarchy and the Charybdis of public patriarchy” (158). For those unfamiliar with the expression as I was, she basically means that public and private patriarchies constitute the proverbial ‘rock’ and ‘hard place.’ Esoteric metaphors aside, Fraser's remark helpfully adds to the discussion of different patriarchies. The private patriarchies she invokes surely correlate with courtship and familial patriarchies. On the other hand, the ‘public’ patriarchy she refers to is an important complement to the others. One might think of public patriarchy as the subordination of women in the public sphere, such as in relation to occupation and pay, politics, etc. (Walby 1989). However, a complementary way to read that might focus more specifically on the relationship between the state and women. Surely the state engages in relations with women that

are patriarchal in nature, in many ways shadowing the classic patriarchal arrangements of the family (MacKinnon 1991). For instance, states assume control over women's reproductive rights, maintaining that they have the right to regulate them. Moreover, states engage in patriarchal relations with the population writ large. Most obviously, states maintain their right to use violence to ensure their control over the populace and reassert their authority when challenged. Moreover, they demand deference and subservience.

A comprehensive discussion of public patriarchy or what I will later refer to as state patriarchy is beyond the scope of this document. However, the preceding supplies the necessary preface to grasp the importance of and conceptualization of patriarchy in this study. To briefly review, three basic points are paramount. One, patriarchy is a social system, which relies on ideology for its perpetuation. Two, patriarchies drive male violence, which is committed generally as a social control mechanism. Three, patriarchy can usefully be thought of in terms of constituent parts with distinctive features. Specifically in this study, the nature of and changes in familial, courtship, and state patriarchies are theoretically important, as I will discuss in my conclusion.

The Media Industry and Neoliberalism

As I stated earlier, feminist criminological scholarship was a fundamental inspiration for this research. Literature on changes in the media industry during the neoliberal era were as well. Media in the US, and worldwide, are increasingly coming under the control of multi-national corporate conglomerates (Bagdikian 2004; Herman and Chomsky 2002; McChesney 1999). As of 2012, six firms owned approximately 90 percent of US mass media (Lutz 2012). These firms exist in a gentlemanly symbiosis, which limits competition among them and maintains an

oligopolistic order. A small class of super-wealthy business executives, who generally adhere to right-wing neoliberal politics, controls these firms. Furthermore, there are multiple interlocks among the boards of these firms and major corporations, such as military contractors, agribusiness, and investment banks. Though competitors challenge these corporations' dominance on a global scale, the conglomeration process is winning over worldwide as well (McChesney 1999).

Critical scholars argue that this corporate conglomeration has undermined the press' ideal-typical democratic role of producing an informed and participant citizenry (Bagdikian 2004; Herman and Chomsky 2002; McChesney 1999). For example, these executives have increasingly advocated for business departments of news outlets intervening in editorial decisions (Bagdikian 2004). Perhaps the most glaring example of this is Rupert Murdoch, founder of Newscorp, the parent company of the Fox network and Fox News, who has used his controlling interest in the firm to openly advocate for conservative politics, thinly veiled by a claim to acting as a counterpoint to 'liberal' mainstream media. As well, McChesney (1999) argues that increasing commercialization of the media has resulted in overwhelmingly vacuous content, that fails to inform the public of serious issues, while distracting them through consumerism. Further he states, the symbolic world of media products has grown exponentially, yet the range of perspectives in such media has narrowed and is typically apolitical. This accomplishes the hegemonic trick of creating the illusion of diverse perspectives, while hiding any alternatives to the status quo. Bagdikian (2004) even accuses the press of hiding the correlation between the rise of neoliberalism as a dominant economic paradigm and increases in a host of social problems, such as homelessness. Herman and Chomsky (2002) also point out that

media content is no longer the product being sold by these firms, pacified audiences-as-consumers are. And advertisers insist that such audiences are exposed to content that puts them in the buying mood, which excludes content on serious social and political issues.

One of the greatest consequences of corporatization has been the cutting of funding for news departments (Bagdikian 2004; McChesney 1999). This has led to sharp decreases in investigative reporting, to the point that it has nearly disappeared in mainstream media (McChesney 1999). Accordingly, shorthanded news departments looking to fill ever widening ‘news holes’ use simple, incident-based crime news as filler (Sacco 1995). These strained news departments are also under the pressure of greater competition among outlets, which exacerbated the use of sensationalism to attract viewers and readers (Sacco 1995).

Another important change to the media industry that occurred around the same time as corporate media conglomeration was the ascendance of the Internet as a socially central technology. Decades before the Internet, Marshall McLuhan turned a pithy phrase, which greatly changed the way scholars think about media influence, by stating, ‘the medium is the message’ (McLuhan and Lapham 1994). McLuhan felt that critics were often preoccupied with the content of media to the point that they ignored the profound impacts that changes in *types* of media can have. Some media and technology scholars and experts look hopefully to the Internet and other new media to re-democratize mediated discourse and counteract the homogeneity and vacuousness accompanying media corporatization (Bagdikian 2004; Herman and Chomsky 2002; McChesney 1999). More optimistic scholars have argued that, as a uniquely interactive medium, the Internet offers a democratizing challenge to the supposedly ironclad corporate control of mass media (Sey and Castells n.d.; Shirky 2010). Some of the most persuasive

evidence for this argument is apparent when examining the role of the Internet in facilitating contemporary social movements and protests. Movements like Occupy Wall Street and anti-globalization protests, such as those surrounding the 1999 World Trade Organization meetings in Seattle, relied heavily on Internet media for organizing and public relations (Bagdikian 2004; Caren and Gaby 2011). Others have noted the role of citizen journalists (particularly while reporting on protests and other forms of resistance) in providing an alternative to mainstream news (McChesney 2013). Most recently, the role of social media in facilitating the Black Lives Matter movement is unmistakable (Stephen 2015). Those who argue that the Internet is a democratizing force essentially posit that the Internet is a decentralized network, which creates equal opportunity for anyone to share information (Barabasi 2003). This argument, however, may be overstated.

Even the most alarmist critics of media corporatization stipulate that the Internet does offer some democratizing promise. Yet, this potential is limited in at least two clear ways. First, network theorists argue that the Internet is anything but democratic due to its topology (Barabasi 2003). The Internet is far from a decentralized, even network, but is highly clustered, dominated by hubs—network nodes with thousands of times more links than average nodes². These hubs tend to be owned by media conglomerates or other large corporations (McChesney 2013). For example, CNN.com is one of the most popular news websites on the Internet today. This means that despite the existence of various other websites, nearly all Internet traffic is funneled towards a small number of (mostly) corporately owned webpages. After network-mapping the Internet, Barabasi (2003) has argued that non-hub sites are effectively invisible. Such a topology makes it unlikely that the Internet facilitates a challenge to corporate dominance of news.

In addition to its network structure, aspects of Internet access belie Internet-as-democratizing arguments. Journalism scholars point out that large media conglomerates are not only closely allied with telecommunications companies but also share interlocking board members (Bagdikian 2004). This may allow for collusion to funnel traffic to corporately-owned hubs and simultaneously slow down traffic to other websites, making it less likely users will habitually access non-corporate news sites (McChesney 2013). This is intensifying through efforts to further de-regulate media and telecommunications industries. Moreover, the rise of the Internet is not just contemporaneous with media corporatization, it is also complementary. Hypothetically, the Internet offers a space for challenging corporate media dominance. However, in practice it has really provided a new social space for media conglomerates to make profit and spread hegemonic discourses (McChesney 2013). Ultimately, both perspectives surely have substantial validity. The Internet offers both the promise to disrupt the status quo, and the threat to facilitate the further decline of a democratic, free press.

As I alluded to several times in this section, media corporatization and conglomeration have occurred during a seminal cultural shift called the 'neoliberal' era. In fact, changes in the media industry are a product of neoliberalism, at least in part. For example, media concentration took a huge step forward with the passing of the 1996 Telecommunications Act by Bill Clinton (Bagdikian 2004). The bill, which alleviated limits on media ownership concentration, paving the way for more oligopolistic markets, is just one example of the economic deregulation that is called for by neoliberal economic philosophy (Harvey 2007; Steger and Roy 2010).

Much like patriarchy, neoliberalism is a very broad concept. In both can be used in a relatively narrow economic sense, and in a very broad sense to describe vast cultural shifts

occurring in since the 1980s (Harvey 2007). Because of that, a truly intensive discussion of the concept is not possible here. However, at least a brief theoretical sketch is necessary here to demonstrate how neoliberalism is operationalized in this study. At its root, neoliberalism is a political-economic theory, rooted in a cult of hyperindividualism, that holds individual freedoms are best ensured and enhanced by the protections of free markets, free trade, and private property rights (Brown 2006; Harvey 2007; Klein 2008; Steger and Roy 2010; Wacquant 2009). It holds that state interventions in markets are inherently destructive as they interfere with the ‘natural’ rules of markets that distribute resources fairly and effectively. Thus, neoliberalism entails a distrust of the state and desire to limit its size, scope, and power as much as possible. Because it occupies the intersection of the economic and political, neoliberalism has social influence that goes far beyond the economic sphere. The ideas of neoliberalism interact with values and beliefs about (of course) politics, family, gender, and race, just to mention a few (Bernstein 2012; Brown 2006; Bumiller 2008; Giroux 2003; Grewal 2006). Brown (2006) points out aptly that neoliberalism does not just involve the economic bleeding into other areas of the social, but that it really entails the imposition of economistic logic into cultural tropes that shape various social spheres.

Perhaps the defining political impact of the neoliberal turn has been the paring down of state institutions. As stated earlier, neoliberal doctrine holds that state intervention and involvement in economic activity is inherently destructive and undesirable. Yet, as many point out, this is not completely true, at least in practice (Brown 2006; Harvey 2007). As implemented in Western nations, neoliberalism has entailed austerity in regards to social welfare provision and regulation of large-scale corporate activity by the state. Yet, neoliberalism has expanded the

state in various ways as well. Most importantly in regards to this study, neoliberalism has involved the expansion of the criminal justice system and military in many nations. The nature of that expansion and function it performs is important, and I will return to it shortly. However, it is also important to acknowledge here because it illustrates the point that neoliberal praxis exhibits some important contradictions with ideal-typical neoliberal theory. It is that compromised and contradictory manifestation of neoliberalism I am primarily concerned with in this study, rather than pure neoliberal economic ideology.

Another important contradiction in contemporary neoliberalism, as pointed out by Brown (2006), is the interaction between neoliberalism and neoconservatism in the US. She points out that each is a distinctive ideology, and that though they share commonalities, they also contradict each other in key ways as well. Perhaps most importantly, each ideology has conflicting ideas on the role of the state and religion. Neoliberalism is explicitly anti-state and amoral, while neoconservatism values a strong state and traditional religious moralism. Yet, conservative US politics effectively constitutes an assemblage combining the two, which blends neoliberal economic ideas with the powerful moralism of neoconservatism. Brown calls the union between neoliberalism and neoconservatism a democratic ‘nightmare,’ discussing its consequences in stifling popular democratic action.

The various implications Brown makes deserve careful consideration, but I would like to highlight two rather limited points here for the sake of brevity. First, when considering the neoliberal era in regards to its overall cultural climate, one must acknowledge the role played by the moralism of neoconservatism. Neoconservatism’s valuation of strictly traditional moralism (which is highly patriarchal) and association of morality with power are powerful contributors to

wide ranging support for expressive justice (meaning in the simplest sense punishment and control for its own moral worth) and militaristic imperialism (most glaringly illustrated by the recent war on terror). Second, and more simply, the blending of neoliberal and neoconservative ideologies is a paramount compromise in contemporary US neoliberal praxis³. It defines a great deal of the nature of the contemporary US cultural atmosphere. Throughout the rest of this dissertation, I will often refer to various factors as elements of neoliberalism, which could under more precise consideration be characterized as elements of neoconservatism. However, in the interest of parsimony, rather than continually having to distinguish between the two, I would like to merely acknowledge that my own conceptualization of neoliberalism is really a contradictory assemblage combining the two ideologies.

While criminologists may be only now catching up with work on neoliberalism done recently, an important body of criminological literature that engages neoliberalism is growing. Much of this work examines the massive expansion of the criminal justice system and its connected institutions under the neoliberal era, often called the ‘carceral state’ (Gottschalk 2014; Wacquant 2009). Some of these books, such as *Punishing the Poor* (Wacquant 2009) engage neoliberalism quite directly, while others such as *Culture of Control* (Garland 2002) and *Governing Through Crime* (Simon 2009) do so much less directly. However, they have generated insights that are key to understanding what has happened to criminal justice over the past thirty-five or so years, and the connection of these changes to neoliberalism.

Garland (2002) provides an essential argument for understanding the cultural evolution of the carceral state. He asserts that, due to upheaving social changes occurring since the WWII era, such as the decline of the traditional patriarchal family and economic restructuring, Western

justice systems have seen a turn from a welfare-based model to a punitive one. Moreover, he points out, this change is reflective of a larger cultural shift, entailing a preoccupation with risk, security, and control. Two important contributions Garland makes are establishing the link between a broad cultural shift and specific changes in the administration of justice, and, though he never explicitly invokes neoliberalism causally, the role of deindustrialization and other forms of economic restructuring in shaping not only criminal offending, but broad-based anxieties over general social wellbeing.

Simon (2009) provides a similar take on the carceral state, citing heightened fear and insecurity leading to changes in crime control and justice administration in recent decades. However, Simon adds to the discussion by showing that the carceral state is expanding beyond the boundaries of the criminal justice system itself, affecting new and seemingly unlikely social spheres, such as the workplace, family, and schools. A vitally important aspect of the carceral state, Simon argues, is how crime justifies not just the expansion of police powers or prisons, but also more broadly the expansion of state power into new domains.

Finally, Wacquant (2009) brings neoliberalism most clearly into the literature on the carceral state. He argues that the carceral state performs a vital function for neoliberal interests, by combating and mediating the social insecurity caused by neoliberal economic policy. Essentially, he argues that prisons house individuals shut out of the legitimate economy, as well as many of those who threaten or challenge the legitimacy of the economy or state. Moreover, he posits, aggressive policing stifles unrest among the urban poor who have been essentially discarded by mainstream society under the new economy. Of vital import here is Wacquant's point that the carceral state did not simply coincide with neoliberalism, nor is it just a latent

consequence, but it is a functional part of neoliberal society. Taken together, these works persuasively show that the carceral state has come about both during and because of the cultural and material shifts brought about during the neoliberal era. Furthermore, the carceral state is essential to the maintenance and propagation of the neoliberal state.

Another thing the three books discussed above have in common is that they all engage gender relations, though to varying degrees. Garland (2002) notes that changing familial values and relations have played a role in increasing social anxiety. Additionally, both Simon and Wacquant acknowledge that sexual violence and other gendered forms of crime have functioned as partial justifications of the carceral state. Also, Wacquant argues that under neoliberalism the state has gone from being a more ‘feminine,’ nurturing institution, to a coercive and punitive ‘masculinized’ one, a point I will return to in my conclusion when discussing state patriarchy. However, feminist scholars concerned specifically with gender violence have begun a more focused conversation about neoliberalism and violence against women. In two particularly helpful works, Bernstein (2012) and Bumiller (2008) have better brought into focus the relationship between neoliberalism, crime, and gender by showing how movements to end gender violence have served neoliberal interests.

Bernstein (2012) examines the movement to end sex trafficking, arguing that it is dominated by a specifically middle-class white female version of feminism, which seeks to end sex trafficking through punitive action, what she calls ‘carceral feminism.’ Bernstein argues that such feminism is no longer about liberating women, but punishing ‘bad men.’ Most often these bad men are poor and non-white. Such a movement she points out, works to justify an increased carceral state domestically and increased militarism abroad. Furthermore, partially because of

the involvement of Evangelical Christians in the movement, it often invokes conservative religious ideas on ‘family values,’ which idealize the patriarchal family as a site of security and stability.

Bumiller (2008) makes a very similar argument, but focuses on the anti-rape and anti-domestic violence movement occurring in the US since the second-wave feminist era. Bumiller argues that due to particularities in its efforts to define violence against women, neoliberal forces have been able to coopt the movement. For instance, second-wave feminists’ efforts to position gender violence as a ‘universal’ threat to women helped justify exaggerated fears concerning rapes of white women committed by black and brown strangers in public places. The consequences she outlines are quite similar to those discussed above. This cooptation has swept up the feminist anti-violence movement, essentially incorporating it into the vastly expanding criminal justice system of the 1980s and 90s, helping to justify increasing prison populations, augmented police powers, greater criminal justice spending, etc. This comes at the cost of the social services essential to empowering women in the contexts that make them most vulnerable to gender violence, meaning this process works to threaten women’s welfare as much as it does to protect it. However, Bumiller goes beyond this by illuminating the real-life experiences of victims and the professionals that must work inside the institutions responding to violence against women, showing how neoliberalism has resulted in responses to this violence that are highly controlling, punitive, panoptic, and ultimately patriarchal.

Indeed, Bumiller (2008) makes an argument very similar to my own, so much so that it is necessary to differentiate the two before discussing my own study’s methods and findings. Bumiller’s work is similar to my own in that she is concerned with the relationship between

violence against women and neoliberalism, and she believes as I do that neoliberalism has come to dominate social reactions to it. Furthermore, both she and I think the way that violence against women has been used to justify expansion of the carceral state is very important. And, we both acknowledge how racist logics applied to violence against women in foreign cultures work to justify militarism abroad. Finally, both of us are very skeptical of the promise to end gender violence offered by current efforts. However, our studies and ideas differ in many ways. Some of them are relatively minor. For instance, Bumiller implicates feminist definitions of this issue in its cooptation by neoliberalism, while I will show that media constructions of the problem exhibit a dearth of feminist voices. She also seems less concerned with patriarchy than I am, and more concerned with a less gendered conception of domination. As well, her work is more of a social movement study, which only partially engages media portrayals of gender violence, while I clearly am focusing solely on the media. However, one might consider these middling differences if we arrive at very similar theoretical conclusions.

Yet, perhaps the most important difference between this work and my own lies in the major conclusions each arrives at. Bumiller is very focused on material experiences and the implications neoliberal cooptation has for the movement to end gender violence. I too consider such implications here. However, Bumiller spends far more time examining institutional reactions to violence against women than showing how the issue is defined, particularly regarding the nuanced ways neoliberal ideas creep in. Because of that, her analysis and conclusions do not prioritize the powerful cultural resonance (Connolly 2008) between discourses about violence against women and broader neoliberal ideology. Much of the analysis that I will discuss in the coming chapters dwells upon and works to uncover that resonance.

Because I prioritize this broad cultural resonance, I build on Bumiller's cultural analysis by considering the implications not just for a movement to end gender violence, but social justice politics at large. In fact, I will argue that the discourse I scrutinize in the following chapters is indicative of a more generalizable mode of social problem construction, which works to further the overall neoliberal social project and neutralize the politics of social justice.

Thus, my study departs from the contributions made by the two literatures I have just discussed—criminological research on crime and violence against women in the news, and scholarship on neoliberalism, the state, and gender violence. I seek to integrate these two literatures and illuminate neoliberal cultural ideology has shaped media constructions of rape and domestic violence, creating an ideological framework⁴ that has troubling implications for not only how we collectively understand violence against women, but social problems more broadly. Thus, in what proceeds I will lay out my evidence and arguments, but not before discussing the methods I used for gathering and analyzing my data in the next chapter.

Chapter 3: Research Design and Methods

Methodology

Two primary methodological strands served as the basis for this project's methodology. First, feminist methodological perspectives were a formative epistemological influence, specifically in regards to a critical, yet not dismissive, wariness of positivistic research that relies heavily on quantitative data, and a complimentary emphasis on the use of mixed methods and data triangulation (MacKinnon 1991; Reinharz 1992; Sprague 2005). One of the most fundamental critiques generated by feminist theorists has been to debunk the reified notion of scientific objectivity, especially in regards to the social sciences (MacKinnon 1991; Reinharz 1992). These scholars have argued that totally divorcing oneself from individual values and prejudgments while conducting research is not possible. Instead, they posit that an emphasis on rigor and systematic analysis, which acknowledges and accounts for the researcher's values, can generate more critical and valid social insights. Further, feminists have pointed out that any one method or form of data is inevitably partial, and can only produce 'truths' specific to a particular perspective (Sprague 2005). Thus, using various methods and data types produces more holistic findings. Relatedly, feminist methodologists have criticized the positivistic tendencies of social scientists who, seeking to produce ostensibly objective findings, sometimes quantify factors that are better analyzed through focused qualitative analysis (Patton 2002; Reinharz 1992; Sprague 2005). Yet, feminist researchers do not simply dismiss positivism. Instead, they recognize it as a legitimate, though partial, mode of inquiry, which can be applied usefully in appropriate contexts.

Such methodological notions formed my own epistemological foundation for this study. I sought to balance my inquiries between quantifying positivism and qualitative ‘thick description’ (Geertz 1977). To do so, I used quantifying analysis for those components of news coverage that I found to be suitable for such analysis, while I relied on more thematic qualitative analysis for other components. For example, the length of news stories is something that is easily quantified—one need only count the number of words. Furthermore, one can get some measure of the prominence of a print story from its location within a paper (e.g. page number, section). Thus, I kept numeric variable fields for these data points. On the other hand, the use of racializing language is often diverse and subtle, and not easily quantified. Thus, I analyzed racialization through systematically taking notes and writing research memos as I progressed through the data. Additionally, I used multiple forms of data to enhance the validity of my findings. Acknowledging that print, television, and online news coverage are distinct, I analyzed all three together to more thoroughly examine news content on violence against women. Finally, though I used a singular method, content analysis, for this research, I performed two distinctly different modes of content analysis. To examine NY Times data, I performed a broad, often quantifying, representational analysis to track the major features of routine news coverage of violence against women. On the other hand, when analyzing TV and Internet case study data, I performed a more thematic and focused investigation, to more deeply interpret the discursive material of such news coverage.

In addition to feminist methodological theory, the ethnographic content analysis methodology originally developed by Altheide (1996) served as a framework for my analytical

approach. While feminist theory provided an epistemological foundation for this study, Altheide's work informed the more technical, applied methodological aspects of the study. This approach emphasizes iterative coding, emergent themes, and representative analysis coupled with focused case studies. Altheide's 'ethnographic' approach mandates an inductive approach, in which the researcher begins with a few theoretically informed analytical categories. Immersing him/herself in the data, the researcher then lets the data drive further emergent categories. Furthermore, the use of large-scale representational analyses is complemented by deeply interpretive case study analyses, which allows for a conversation among the data that refines findings through multiform analytical approaches. Altheide's approach is quite similar to grounded theory methodology, which employs many of the same techniques, for example an inductive approach and iterative coding. However, this approach does not take the same agnostic approach that grounded theorists do when engaging the data without using extant literature on the topic of inquiry to inform their analyses (Altheide 1996; Patton 2002).

As stated earlier, the data for this study came from three different media—newspapers, television, and Internet news. Coverage from the New York Times provided data used to conduct a representative analysis, which identified major trends and themes in coverage. Additionally, network television news and online coverage from major mainstream outlets were used to conduct three in-depth case studies, which provided deeper interpretive analysis. The following sections provide a detailed discussion of data gathering and analysis for each data type.

Content Analysis-Representative Analysis

Data- The first phase of analysis examined coverage of rape, domestic violence, and femicide in the New York Times. The New York Times is considered the ‘newspaper of record’ for the US (The New York Times 2013). Thus, it theoretically is loosely representative of routine coverage of violence against women generated in national US newspapers. With this in mind, I used these data to conduct a representative analysis of news of violence against women, which illuminated some of the major trends, themes, and prominent cases in coverage. New York Times data from 1992-2012 was sampled using the LexisNexis academic database. To identify appropriate articles, I searched the LexisNexis New York Times print news archive for several key terms for each type of crime limiting the time period to January 1 1992 to December 31, 2012. Unsurprisingly, this search yielded voluminous data. However, searching merely the body of the text generated thousands of seemingly false returns. Thus, in order to make the sample more manageable, I used a selected sample of these data, specifically all articles from even-numbered years during the time period, with keywords in the headline. This produced a sample of 1223 articles. Table 3.1 provides the number of articles analyzed for each year.

Table 3.1- Number of articles per sample year

Year	Sex Assault/Rape
1992	97
1994	119
1996	162
1998	113
2000	95
2002	129
2004	144
2006	130
2008	60
2010	55
2012	119
Total	1223

Furthermore, I included all article types in my search, instead of focusing solely on news stories reporting on singular criminal incidents. Thus, my analysis included editorials, letters to the editor, policy/trend pieces, and even entertainment reviews, in addition to incident-based hard news. These other articles were included because, while incident-based hard news makes up the vast majority of coverage, other types of coverage, including ‘soft’ human interest news, may illuminate collective social reactions to crimes as social issues, rather than singular episodes

of deviance (Greer and Reiner 2012; Hall 1978; Innes 2004; Sacco 1995). Table 3.2 provides the frequencies of article types by year.

Table 3.2- Number of articles by year, by type

Year	Incident-level	Issue/policy	Editorial	Letter	Entertainment	Other ⁵
1992	68	16	1	6	6	0
1994	70	28	4	14	1	0
1996	101	36	3	9	5	8
1998	82	22	2	4	1	2
2000	56	18	2	18	0	1
2002	101	19	2	6	1	0
2004	109	26	0	4	0	5
2006	107	19	2	1	0	1
2008	44	9	2	5	0	0
2010	34	15	1	3	0	2
2012	80	26	5	7	0	1
Total	852	236	24	77	14	20

Analysis- While analyzing these data, I took an inductive approach, employing an iterative coding strategy, informed by an initial pilot study (Altheide 1996; Patton 2002). The first step I took was to perform a pilot analysis, using the Microsoft Access Database software package to code 120 articles in the NY Times from 1993. In accordance to the approach outlined

by Altheide (1996), I began this pilot study with several key variables, such as story frame, offender and victim characteristics, sources cited, etc. I then carefully read and coded each story, paying particular attention to important themes and components of stories, adding variables for those elements that seemed particularly prominent or common. For example, I added fields relating to the discussion of drug use by victims and/or offenders, and added fields to document the presence of multiple offenders in cases of gang rape. I continued to code articles for this pilot analysis until I was confident that I had a coding scheme that encompassed all of the appropriate elements of coverage that I encountered thus far.

After this, I began the actual analysis, coding NY Times data with the scheme that I developed through the pilot analysis. I performed the primary wave of coding by reading each article carefully twice. First, I read each article, highlighting prominent or theoretically relevant themes in articles. Then, I read the article a second time, adding highlights and/or making notes. I then entered each article in an entry creation form for the database.

In addition to the primary wave of coding, several other waves of coding were necessary. In the process of conducting my primary coding, several key themes emerged, making it necessary to create additional variable fields in the midst of performing primary coding. For example, I added a memo field for racializing markers included in coverage, and dummy variables for international news and the presence of pro-feminist discourse. Instead of recoding previously coded articles as soon as I added such fields, I returned to these stories and recoded for the additional variables after the primary wave of coding was complete. Furthermore, some

of the codes that I developed needed to be refined in the course of the analysis process. This was particularly true in regards to coding for story frames. I began my analysis with eight distinct story frames to code from. However, as novel story frames emerged, I added new frames. However, before I developed these novel frames, I coded some similarly framed stories under 'other.' After primary coding was complete, I went back through all stories coded 'other' to ascertain if these stories now fell under established frames. Additionally, I coded for multiple frames in some stories. Such entries were entered initially as 'multiple' in the categorical variable field designated for frame coding, the multiple frames were then listed in a textual data field. In order to simplify my analysis, after primary coding was complete, I returned to stories coded 'multiple' to determine the dominant frame in that story⁶. I made this determination by examining the proportion of article text that applied to each frame, and the content of the headline and story lead.

All told, this analysis comprised a primary wave of coding, and at least six additional partial waves of coding. The unit of analysis was each article and analysis entailed coding for approximately 65 data points per article (X 1223 articles= 79495 possible data points⁷). The data collected included quantitative (numeric and categorical) and qualitative variables (see Appendix A for a complete coding scheme) generating diverse findings that illuminated the general parameters and characteristics of routine newspaper coverage of violence against women during the sampling time frame.

Though much of the findings from these data are quantitative, I performed only rudimentary statistical analyses in order to present them. Specifically, I used simple frequencies to present many of the findings relating to the proportions of coverage that incorporate various story frames and components. Additionally, as Chapter Six will demonstrate, I used a moving three-year average to present chronological patterns in the data. Compared to basic frequencies, a moving average better displays longer-term patterns by smoothing out minor, shorter-term variations. Thus, it was a more effective tool for illustrating the general patterns in coverage that these analyses uncovered.

Content Analysis- Case Studies

Data- In addition to the broadly representative analysis of NY Times data, I performed three case studies, which provided more focused analyses of televised coverage of prominent cases. While identifying broad trends and themes in coverage is important, in-depth analysis of highly visible crimes is equally important, for several reasons. First, prominent media cases may constitute ‘critical cases’ (Snow and Trom 2002). Copious media coverage allows for the expression of competing ideas and elaboration of key theoretical themes, which might not be as prominent or pervasive in more routine coverage. Indeed, on average, TV data reflected news coverage that was a bit more reflexive, engaging various explanations and analyses of social factors that related to the cases in question. However, as I will discuss in my findings section, this reflexivity was quite partial and selective. Second, as Innes (2004) argues, highly visible criminal events, or ‘signal crimes,’ play a special role in the social construction of crime. They are often profoundly influential in the public’s understand of crime, regardless of whether they

are representative of the broader empirical reality. Highly covered cases of violence against women surely constitute such visible, ‘signal crimes.’ Third, these case studies add methodological value to this study, providing data triangulation. Analyzing television data in addition to print and Internet news produced more valid and representative findings than analysis of only one data type, though the differences between routine and exceptional coverage must be accounted for. Furthermore, some scholars argue that, as the most popular mass medium, television news is more influential in the formation of public opinion on crime than print news (or perhaps Internet news) (Entman and Rojecki 2001; Gilliam and Iyengar 2000; Sacco 1995). Thus, studies concerned with news influence on cultural understandings of crime should pay special attention to this influential medium.

I used the LexisNexis TV news transcript database to gather data for these case studies. The archive contains content from NBC, MSNBC, CNN, CBS, and Fox newscasts. However, I used data only from NBC, CBS, and ABC because data on all cases was not available for all outlets. Data were collected for coverage of three cases; the 1992 Mike Tyson rape of Desiree Washington, the 2006 Duke Lacrosse rape scandal, and the Steubenville High School rape case of 2012. Below is a brief description of each case:

1. Mike Tyson- On February 10, 1992, after inviting her to a party, Mike Tyson raped Miss Black Rhode Island, Desiree Washington in his Indianapolis hotel room. Tyson was convicted by a jury and sentenced to six years in prison, though Tyson claimed

the sex was consensual and his lawyer claimed that Washington had made a false rape accusation before.

2. Duke Lacrosse rape scandal- After a Duke Lacrosse team party on March 13, 2006, Crystal Gail Mangum, a college student working as an exotic dancer hired by some Duke lacrosse players, accused three players of raping her. The case was dropped in 2007 by North Carolina Attorney General Roy Cooper, who publicly declared the accused innocent. The lead prosecutor in the case, Durham County District Attorney, Mike Nifong, was disbarred and sentenced to one day in jail because of his misconduct in the case, including ignoring and suppressing exculpatory evidence.
3. Steubenville rape case- on August 11, 2012 two Steubenville High School football players engaged in sexual acts with a severely intoxicated 16-year-old girl at multiple locations. The case provoked nation-wide outrage when video of the incident and social media posts by the offenders were disseminated by a local blogger and the hacker group Anonymous (Bennett-Smith 2013). The case spurred an (on- and off-line) national conversation about youth deviance, rape, and technology. Furthermore, this case was somewhat novel considering it was broken on the Internet, by Internet-based activists, rather than by traditional journalism.

In all, I analyzed 411 TV news transcripts in the course of these case studies. However, I did not analyze an equal amount of coverage for each case. In fact, I analyzed far more data for the Duke case than I did for either the Tyson or Stuebenville cases. This is because there was far

more coverage of the Duke case than the other two, the possible significance of which I will discuss in subsequent chapters. Table 3.3 provides the number of TV stories for each case.

Table 3.3- Number of articles per case study

Case	Articles
Tyson	97
Duke	260
Steubenville	54

These three cases were chosen for several reasons. First, they are not the focus of contemporary, prominent works of feminist criminology⁸. Using under-researched cases probably increases the likelihood of generating novel findings. Second, these cases represent particularly risky situations for victims (e.g. parties featuring alcohol); and represent high-risk offender pools (e.g. privileged college males, prestigious athletes) (Brownmiller 1975a; Koss and Harvey 1991; Schwartz and DeKeseredy 1997). For example, the Mike Tyson rape case is one in which a prominent athlete committed acquaintance rape. Several scholars have argued that elite athletes are more likely to commit rape than the general population (Benedict 1998; Sanday 2007; Schwartz and DeKeseredy 1997). Finally, among the prominent cases of violence against women covered by national media, these cases received some of the most copious coverage. Because news producers must be highly selective, even many prominent cases receive relatively little coverage in national television newscasts (Gans 1979).

Internet case data- As I discussed in the literature review, the Internet has caused significant changes in the media industry and media consumption, inspiring lively scholarly debate about the nature of this change and its consequences (Bagdikian 2004; Barabasi 2003; McChesney 2013; Sey and Castells n.d.). Therefore, examining Internet news is an integral element in studying contemporary media coverage of crime. Additionally, these three cases constitute a theoretically informed sample in reference to the role of the Internet. One might characterize these cases as covered before the Internet (Tyson), covered on the Internet (Duke Lacrosse), and broken by the Internet (Steubenville) (Johnson personal communication). These cases are distinct from each other in that there was no Internet coverage of the Tyson case; there was ample coverage of the Duke case; and there was not only Internet coverage of the Steubenville case, but it became news *through* the Internet. Thus, comparison among the cases, and between Internet and TV coverage, would theoretically provide insight into the influence of Internet news. With that in mind, I analyzed case study data for each case, both TV and Internet news, intending to examine any evidence of differences in coverage among the cases; between TV and Internet coverage for each case; and between the bodies of data from the Duke and Steubenville cases.

I used a small probability sample of this online data as a supplement to the television data. Specifically, I used a random number table to selected articles among those covering the Duke and Steubenville cases (20 each⁹) from five of the top mainstream news websites¹⁰, as ranked by Alexa.com. These five sites are the web pages for the New York Times, Fox News, the San Francisco Gate, ABC news, and the New York Post.

Analysis- Like the newspaper analysis, I used each story as the unit of analysis when examining this data. Furthermore, I used a similar inductive coding strategy, starting with key variables and expanding my coding scheme as analysis progress and novel themes emerged (Altheide 1996; Charmaz 2006; Patton 2002). However, these data were stored in a separate set of data tables within the Microsoft Access database created for this study.

On the other hand, coding these data was different from analyzing news data in several ways. First, though the unit of analysis was each article, I did not treat each article like a singular narrative body, as I did with newspaper stories. Instead, when conducting this analysis, I conceptualized each story as a small part of a larger narrative. That is, when performing coding I deliberately considered the relations among the various articles on each case, what is often called ‘intertextuality’ (Reimers 2007). Because of this, I looked to identify the major themes featured in coverage of each case, not necessarily each article. Relatedly, though I did use some measures that could be used to quantify some aspects of coverage (e.g.s story length, frame usage), I focused more on qualitative consideration of recurrent themes and how they related to other elements of coverage than I did on ascertaining quantitative parameters of coverage. Essentially, the primary thrust of my case study analysis was illuminating the major narrative strands used to tell and frame the stories, and considering how they fit with each other.

Second, for these case studies, I used external materials to enhance my understanding of the context of news coverage. Numerous scholarly and journalistic works have been generated that addressed these cases. For example the book, *Until Proven Innocent*, a New York Times

bestseller, is a comprehensive (though politically tinged) discussion of the Duke case and its implications (Taylor and Johnson 2008). I used these materials to inform my analysis, much like I used general scholarship on the media, crime news, and violence against women to inform my analysis of the NY Times data. However, in the instance of my case studies, this material was less abstract and/or theoretical. For example, at times, these materials helped me to understand which elements of the case were covered by the media and which elements were ignored. Though I wasn't conducting my analysis with the intent of systematically uncovering media selection bias, I did consider the partiality of coverage in relation to what one might consider the empirical reality of the case. This is markedly different to my approach with the NY Times data, in which I used supplementary materials only to abstractly inform my understanding of the partiality of coverage. There were two reasons for this difference in my approach. The first is pragmatic. It would have constituted an effectively impossible labor for me to have researched each case covered by New York Times data through supplementary materials. This would have entailed acquiring and reading through hundreds of thousands of pages of additional data in the form of police reports, government documents, and other accounts, then comparing them with the NY Times coverage. The second reason is more theoretical and analytical. The purpose of the NY Times analysis was not to examine news coverage in relation to a separate empirical reality, as some crime scholarship does (Chagnon 2014; Doyle 2006; Sacco 1995). Instead, I sought to map a universe of coverage, which would illuminate the discursive materials used to construct the symbolic frameworks through which the news tells crime stories. For my case

studies, I wanted not only to map what was said about the case, but also more deeply interpret the relations between media coverage and the actual case.

Third, the case study analysis was an interactive process between findings from NY Times and case study data. I used findings from my NY Times analysis to inform my case study analysis. For example, while analyzing NY Times data, I noticed that the use of DNA evidence was a prominent theme in coverage. This sensitized me to the discussion of DNA evidence in coverage of the Duke case. Conversely, I used findings and hypotheses generated during case study analysis to refine my findings from the NY Times analysis. For example, though two different sets of frames emerged during analysis of each data set, I compared these two frame typologies to refine each set. Basically, since the case studies were performed after the NY Times analysis, I was able to conduct them in a dialectical manner that improved the findings of both separate analyses.

Finally, the analysis of Internet data was nearly identical to the analysis of TV data, with one key difference. I used the same coding scheme to analyze these data, and coded for essentially all the same variables. However, Internet coverage often featured visual components, either photographs or video¹¹. I did not perform a thorough visual discourse analysis that would constitute a systematic visual media study (Rose 2011). But, I did examine these visual components and consider them while coding for story framing and prominent themes.

Ultimately, this case study analysis was quite a different process from the newspaper data analysis, and it produced fundamentally different results. Instead of identifying basic features of

routine coverage, this analysis delved deeply into the qualitative elements of exceptional coverage of violence against women. It was a far more interpretive than descriptive task. In the end it produced findings that illuminated some of the major ways in which media employ fundamental social narratives (e.g. relations of class, race, and/or gender) in (albeit somewhat superficial) attempts to explain and analyze prominent cases of violence against women. In the following chapters, I will discuss the findings of both of these analyses, and attempt to tie them together in a cohesive framework, which facilitates a better understanding of how the press covers violence against women in this contemporary age.

Chapter 4: Discursive Groundwork- Mapping Frames in NY Times Coverage of Violence Against Women

Introduction

This chapter provides a general, but extensive mapping of the frames employed in NY Times coverage of violence against women. More specifically, in what follows I will catalogue and discuss all of the recurrent frames that I identified while analyzing this body of news. Frame analyses are among the most important components of media research. The conceptual use of framing is pervasive in media research and such analysis is often central to these studies (Johnson-Cartee 2005). Though, there is no standardized definition of framing, most researchers would agree that framing consists of the basic characterizations made in a news story, which tell readers what category of phenomena a story belongs to and sets the boundaries of discussion relating to said event (Goffman 1974; Hall 1974; Iyengar 1994; Johnson-Cartee 2005). Essentially, in regards to news events, framing informs readers' answers to three questions—what is this a case of; what are its causes; and what can/should be done to address it (Iyengar 1994)?

For the purposes of my study, I conceptualized framing as the overarching discursive structure within which each story was set, meaning the vocabularies, discursive strategies, and narratives that predominated each story. For example, many stories were largely about legal matters relating to the adjudication of cases of violence against women. These articles primarily focused on matters such as trial strategies or verdicts, generally using pseudo-legal vocabularies to communicate such themes. Thus, I identified this framework as the 'legal' or 'courts' frame.

A thorough mapping of the framework present in this body of news entails not only discussing the main features of this framework, but also its supplementary constituent parts. Thus, not all of the frames discussed here were used frequently in the data. In fact, several of them were so seldom used that they may seem to be of tertiary importance. However, as I will show, two frames related to criminal justice made up a near majority of coverage. Another, somewhat oppositional frame, made up approximately 10 percent of coverage. The rest of the coverage was spread over about nine other frames there were not necessarily common, but are significant in that the aggregation of these lesser used frames, though fractured, comprises a substantial portion of overall coverage. Moreover, many of these less common frames were generally employed in more prominent or lengthy stories than were more common frames. Additionally, several of these frames articulate with well-established critiques in the feminist and critical literature on violence against women in the news, and thus, are of theoretical significance. For example, coverage employing a false accusation frame relates directly to scholarship on rape myths, specifically the widespread idea that a large proportion of rape claims are false allegations (Benedict 1993; Burt 1980; Lonsway and Fitzgerald 1994).

Going forward, the discussions of each frame, their frequency and prominence (or lack thereof), as well as their significance, will begin to illuminate the framework constructed by the NY Times for classifying, explaining, and addressing violence against women. I will show that many of the major frames present in coverage focus on routine processes of the criminal justice system and the activities of its principal agents (e.g. police, prosecutors), resulting in the dominance of criminal justice logic over reporting on violence against women. Moreover, minor

frames, though far less common, supply complementary discourses that buttress this criminal justice paradigm, and link it to other institutions that are cornerstones of state power, for instance the military. On the other hand, I will discuss frames, some of them relatively common, which supply discursive challenges to dominant assumptions concerning violence against women. Yet, I will argue that the net result of this overall framework is that news coverage is supportive of a criminal justice paradigm applied to violence against women, and, ultimately reflects and legitimizes a neoliberal cultural orientation not only towards violence against women, but the social in general.

A Catalogue of Frames

Table 4.1 provides a list of the frames identified and their frequencies. I identified 12 distinct frames in all. However, these frames were not mutually exclusive. Some stories featured more than one frame, and the elements of one frame might be included in other frames. For example, stories using the politics frame (see below) often used legal language just like the courts frame. However, these stories were not about legal cases but about political struggles within the US government (and sometimes others). Some articles, especially lengthy ones, employed multiple frames. But, the vast majority of articles employed one frame that dominated the story. Because of this, I derive my main findings regarding framing from what might be called the primary story frame—the frame most apparent in each story. The following is an in-depth discussion of each primary story frame.

Table 4.1- Frame frequencies and average words per story

Frame	N (%)	Average words
Routine Crime/Policing	346 (28.2)	248.3
Courts	200 (16.4)	564.4
Domestic Social Problem	120 (9.8)	635.1
Predatory Crime	76 (6.2)	617.8
Deviant Culture/Subculture	74 (6.1)	634.0
Aberrant/novel crime	56 (4.6)	545.8
Celebrity/Official Scandal	53 (4.3)	547.9
System Failure	52 (4.3)	677.3
Institutional Problem	41 (3.4)	711.5
Politics	34 (2.8)	654.4
Tragedy Tale	31 (2.5)	789.1
False Accusation	24 (2.0)	379.8
Other	116 (9.5)	582.0
Total	1223 (100.0)	504.7

Routine Crime/Policing Framing

By far the most common frame employed in this sample, present in 28.2 percent of articles, was what I call the ‘routine crime/policing’ frame. Though it was the most common frame, articles employing the routine crime/policing frame tended to be the shortest in this sample, averaging just over 248 words per article. One might conclude that this frame was very frequently occurring, but seldom included much information. Accordingly, the routine crime/policing frame, as its name implies, entailed relatively unceremonious reporting on police

investigations of crimes committed by an intimate partner or of a sexual nature. Such reporting generally exhibited what Websdale and Alvarez (1998) call forensic reporting. Stories provided essentially a ‘who, what, where’ and little else. They focused on minute, but mundane details of crimes, for example crime locations, the addresses of victims and/or offenders, weapons used, etc. Additionally, they often updated readers on what progress police had made in apprehending a suspect or solving the crime. The following story excerpt, from an article titled, “Charges in Rape after Tip to Police,” provides an exemplary instance of the routine crime/policing.

The story begins, “A man was arraigned Sunday on charges stemming from the rape and robbery of a 21-year-old woman in Upper Manhattan last week, police said” (Anon 2010). This lead sets the tone for the rest of the article, tipping the reader off that this story is about a single crime incident and the successful apprehension of the offender by police. It continues,

The police said the man, Lawrence Elliot, 47, followed the woman into her apartment building near St. Nicholas Park about 1:30 pm on Thursday and, claiming he had a gun, forced her into her apartment, where he sexually assaulted her. A bank card and a cellphone were reported stolen...

This proceeding material gives greater detail and context, but it is limited to mundane bits of information about the crime, such as items stolen from the victim, and the time of the incident. Finally, adding a small amount of individualizing context, the story concludes by discussing the offender’s criminal record,

The police said Mr. Elliot had a criminal record that included arrests on charges of rape, possession of a weapon and property crimes; some of the arrests were in Syracuse. A police spokesman said Sunday that the dispositions of the earlier cases were not clear.

Such reporting gives the reader a good amount of information about what exactly happened in this incident, but provides no social context about it. Furthermore, the police are the main source of the story, and their actions are an implicit focus of the story.

Two versions of this frame were actually present. Some stories employing the routine crime/policing frame did explicitly acknowledge victim/perpetrator relations or the sexual nature of crimes. Though the discussion was quite limited, the status of such crimes as acts of violence against women was clear in these stories. While the analytical value of such coverage is probably meager, these stories do arguably spread some public awareness of the pervasiveness of violence against women.

On the other hand, the majority of stories employing this frame treated the event in question mostly as a street crime with little discussion of the relations between victims and perpetrators or the sexual nature of crimes. This was usually the case in stories that covered a sexual crime that had been perpetrated in the course of another crime such as robbery or burglary.

The difference between the two ways in which reporters employ the routine crime/policing frame is not insignificant. Stories that, at least implicitly, acknowledge crimes as acts of violence against women are paying some notice to the role of gender in structuring and

motivating criminal violence. On the other hand, stories that do not do so risk leaving readers with the impression that gender is an insignificant factor in acts of violence against women, or more general street violence. Still, the basic mode of reporting employed across these two types of stories was fundamentally similar, relying on official sources, mainly relating the minutiae of crime incidents, and focusing on the routine machinations of the police. Moreover, the frequency of this frame's usage is profound. It suggests that over a quarter of the coverage in the NY Times devoted to violence against women tells readers little about social problems, instead providing readers with detailed accounts of what the police do in responding to such crimes. Furthermore, this mode of reporting conflates street crime with acts of violence among intimate relations or acquaintances. By treating these crimes very similarly, the news supplies a framework that assumes that dominant crime control strategies (e.g. routine policing measures) used on street crime are also appropriate responses to violence against women. This is a fundamental element of the criminal justice logic that I will discuss throughout this chapter and following ones. Essentially, it functions to grant ownership of this issue to the criminal justice system, and often supplies the implication that this is an effective response to the problem.

Courts Framing

The second most common frame employed in this sample was the 'courts' frame. Much like the routine crime/policing frame, the name of this frame is somewhat self-explanatory. The courts frame was used to discuss judicial proceedings relating to acts of rape, domestic violence, and femicide. The courts and routine crime/policing frame share many commonalities. Both involve routine reporting on the routine actions of the criminal justice system. Both entail a

focus on minute detail. And, neither provide significant social context. However, the courts frame differs in at least two key ways.

One, courts articles were over twice as long on average (564.4 words). There are two likely explanations for this discrepancy. This first is obvious. Cases that have progressed to the arraignment and trial stage provide journalists with more information. Police and courts documents presented at trial, as well as additional sources (e.g. defense attorneys) allow journalists to delve more deeply into stories, and thus, write longer stories. Additionally, there were a significant number (e.g. there were 26 courts articles of over 1,000 words) of courts articles that reported on legal sagas involving high profile cases, such as the Kobe Bryant case. Such articles often provided a detailed account of the facts of the case, as well as a history of the legal twists and turns that had occurred so far. One might contend that such articles are not examples of routine courts reporting. In some ways that is true—high profile crimes are quite different than low-profile ones and come with more far-reaching implications attached (Chancer 1994; Innes 2004). However, I coded these as courts reporting because, though they reported on somewhat spectacular cases, these specific articles predominantly focused on issues of legal strategy, court process, and individual guilt or innocence, while almost always completely ignoring the wider social significance of the case. Essentially, these stories communicated the same types of information as those covering low-profile cases for the most part, though they provided more of it and more detail.

The other key difference between the courts and the routine crime/policing frame is that the courts frame focuses on judicial matters rather than policing. While the two institutions are closely related, they do have significant differences. For example, police focus more on apprehending offenders, while prosecutors are focused on convicting them. Thus, I found it worthwhile to conceptualize stories focusing on each branch of the system as framed separately. The following excerpt, which discusses a dispute over evidentiary rules in a rape trial, from a story titled, “Evidence is Reinstated in a Brooklyn Rape Case,” illustrates the courts frame and its distinctiveness.

Acting Justice David Friedman of State Supreme Court maintained that in allowing the evidence, he was not reversing his earlier ruling, because that ruling had been correct under state law, given the information he had at the time...

Deputy District Attorney Michael F. Vecchinone told the judge that his office had not initially challenged the erroneous information provided by the defense because of a failure of communication between a prosecutor and a police officer...

The case is the sort that normally receives little, if any public attention, but it attracted notice because of a general debate in New York over suppression of evidence by the courts (Fried 1996).

As the excerpt shows, the story focus is largely on issues of legal procedures and statutes. The central conflict within the article is among attorneys and the judge. Little attention is paid to the actual crime, or its social significance. Readers are helped to understand some nuance concerning the suppression of evidence, but are given no information about violence against women as a social problem. Generally, the courts frame principally communicates to readers elements like charges, verdicts, criminal sanctions handed down (or not handed down), and/or the perspectives of attorneys. In some ways, the courts frame provides more context than the routine crime/policing frame. Attorneys, at times, may do more interpretive work in relation to criminal incidents, speculating about motivations of offenders, communicating the importance of cases, making appeals to public punitive sentiments, etc. Thus, journalism covering the work of legal actors can provide more depth than policing journalism. However, this depth is limited in that it articulates with social issues based on how they are codified and institutionalized by the judicial system. Since prosecutors are a dominant source in such stories (present in 71 percent of courts stories), coverage is largely based on official perspectives. Broadly speaking, the courts frame seemed to supply a bit more intellectual depth than the routine crime/policing frame, yet that heft is still situated within the same criminal justice paradigm.

The routine crime/policing and courts frames share fundamental similarities that locate them in the same category of frame, what might be called criminal justice institutional frames. These institutional frames give readers little information about the crimes in question as instances of social problems, but individualize events while strongly suggesting their resolution is solely the province of the criminal justice system. Other scholars have pointed to this

phenomenon in regards to more general crime coverage (Iyengar 1994; Surette 2006). However, it is important to note that this is true not just for general street crime, but also for crimes of violence against women, a crime category which has only been socially constructed in the past few decades (Chermak 1995). Since they are the most common frames, employed in nearly half of all articles relating to rape and domestic violence, one could conclude that institutional frames are the principle way in which journalists communicate to the public about violence against women. The implications of this dominance are important and far-reaching. They are best understood in relation to the usage of other frames.

Domestic Social Problem Framing

The third most common frame employed in these data (9.8% of articles), the domestic social problem frame, is somewhat of a counterweight to the CJ institutional frames. Considering it constituted nearly one in ten articles, and was longer than the average article (635.1 words per story), it is a significant counterweight. The domestic social problem frame discussed instances of domestic violence in a contextualized and/or relational manner that acknowledged the pervasiveness of violence against women; the relations among its various forms; and/or the social, rather than individual, roots of the problem located in mainstream American society. The following passage from a piece on a rape awareness program titled, “Rape Worn Not on a Sleeve, But Right Over the Heart,” illustrates domestic social problem framing.

That T-shirt was one of a few that Ms. Baumgardner had considered, and rejected, as a key component of a multimedia rape awareness project she has initiated...

Abortion and rape are subjects that are secreted away and are also surprisingly common, Ms. Baumgardner said. One in six women is a victim of sexual assault, according to the Rape, Abuse and Incest National Network, a nonprofit sexual assault prevention and education group. According to the Department of Justice, 60 percent of sexual assaults go unreported...

Eliminating the hushed tones that surround the subject might help more women talk about their experiences (and possibly seek prosecution of their attackers), she said (Dominus 2008).

As this excerpt indicates, the domestic social problem frame characterizes violence against women as a pervasive but under-recognized social problem, often by citing contextualizing materials such as statistics and expert knowledge. Instead of merely focusing on criminal justice efforts to solve individual cases, by using a more socially-oriented approach to reporting, articles employing this frame implied that violence against women is an issue that requires a collective response. This finding mirrors those from previous studies on media coverage of femicide, which also concluded that social problem framing was a significant part of contemporary media coverage of violence against women (Berns 2004; Gillespie et al. 2013). The presence of this frame is encouraging in that it suggests the press does, at times, communicate to the public about violence against women in a contextualized and critical manner. It suggests, as other scholars have pointed out, that feminist perspectives have made inroads to the popular collective consciousness (Bernstein 2012; Best 1990; Chermak 1995; Gillespie et al. 2013). However, this

is a qualified success considering it seems that the press only employs this frame one in ten times, and, as I will discuss later, the usage of such framing has declined since the mid 1990s.

Predatory Crime Framing

The next most common frame was the ‘predatory crime’ frame, present in 6.2% of articles. The predatory crime frame entailed a focus on the viciousness or fear-inducing aspects of an incident. Such stories often remarked on elements such as the wantonness of the crime, the insidiousness of the offender, and/or the fear it has induced in the community. For example, one story about an Arizona serial killer, titled, “Parolee Investigated in Arizona Rapes and Killings” remarked

A parolee has been arrested in connection with two sexual assaults last year and is being investigated in a series of rapes and killings that have terrorized residents across a wide swath of Phoenix and its suburbs for the last year, police officials said Thursday...

A year later, last Aug 4, was the start of a series of crimes by a man the police have named the Baseline Killer...

Many victims have described the criminal as approaching them and speaking in a friendly manner before drawing a gun (Giblin 2006).

Such stories painted a fear-mongering portrait of these crimes as nearly unspeakable atrocities committed against women. Though it was not especially common in this sample, such reporting is not unusual. There is abundant literature on fear-mongering in crime news and the disproportionate focus of journalists on heinous crimes (Best 1990; Greer and Reiner 2012;

Surette 2006). Regarding such reporting employed in relation to violence against women, one can raise particular concerns. Such reporting can fuel specifically gendered ‘stranger danger’ sentiments, which distract from more pervasive forms of violence against women (Websdale 1996). This reporting often paints public space as dangerous to women, juxtaposing it with the presumably safe home sphere. This not only obfuscates the actual prevalence and structure of violence against women, it also cultivates support for aggressive crime control in public spaces, a social control cornerstone of the neoliberal state (Wacquant 2009). Thus, the predatory crime frame works similarly to the police and courts frames in that it legitimizes the criminal justice paradigm applied to this issue. This theme will be further explored in the next chapter, when I discuss patterns in the victim/offender relations featured in the sample.

Deviant Sub/culture Framing

The fifth most common frame is what I call the ‘deviant sub/culture’ frame. This frame was not terribly common, present in only 6.1 percent of cases, but did tend to be longer than the average article (634.0 words per story). It was most often used to report on violence against women in Islamic societies and/or African nations. However, it was also employed to discuss violence against women in particularly poor, urban areas, though rarely. The deviant sub/culture frame is similar to the social problem frame in that it poses violence against women as a collective, rather than individual, issue. Furthermore, it borrows from feminist wisdom about such violence, linking it to fundamental cultural features. However, it is principally different than the social problem frame in that it links violence against women to the cultures of non-Western nations or particular subcultures within the US. Most often, the deviant sub/cultural

frame linked pervasive violence against women to Islamic religious practices. The following excerpt, from an article titled, “Seeing No Justice, a Rape Victim Chooses Death” illustrates this.

Naseem Mai told the police she would kill herself if the man who raped her was not arrested... Then before her eyes, across a cotton field, the rapist escaped from the policemen who were trying—not very hard, her family says—to arrest him...

A week later, the police did arrest the man. Then again the police here are under enormous pressure. Just one village away lives Mukhtaran Bibi, who had been raped by four men on order from a tribal council, a case that repulsed Pakistan and put a rare, harsh spotlight on the widespread incidence of rape here...

She said it was highly unlikely that a woman in Pakistan would invent rape charges.

Pakistani society, she said, places deep value on a woman’s honor and chastity, both of which evaporate as soon as she accuses someone of rape... (Fisher 2002)

While the words ‘Islam’ or ‘Muslim’ are not used, by the association of Pakistan with pervasive rape and half-hearted efforts to address it, readers are implicitly led to understand this as a problem tied to Islamic society. Reporters likely employ this frame with the intent to draw attention to global human rights abuses. Indeed, many scholars and journalists have documented particularly brutal treatment of women in some Islamic and/or African nations (Ferguson 2005). Practices identified by such parties include using rape as punishment; female genital mutilation; incarceration for sexual victimization; and open advocacy of wife battering by religious leaders. As these acts may constitute particularly heinous iterations of violence against women, attention

to such problems is appropriate. However, the use of the deviant sub/culture frame is problematic in at least two ways. First, when employing this frame, journalists never acknowledged that violence against women is a pervasive problem in the US as well. Such reporting constructs an implicit cultural dichotomy between a supposedly gender-progressive West and a violent, backward East, what has been called feminist orientalism (Eisenstein 2010). Second, though no reports in this sample made the explicit connection, violence against women in Islamic nations has been used by American politicians to justify the United States' War on Terror, which has had disastrous consequences for women in Islamic nations. More broadly, this reporting contributes to the racializing nature of news on violence against women. As I will discuss going forward, this news provides racializing and class-based discourses that shape public perceptions of violence against women, and the fundamental social relations that undergird our society. Orientalist reporting is one variety of such discourses.

Aberrant/novel Crime Framing

The aberrant/novel crime frame was the sixth most common frame employed in this sample (4.6% of articles), averaging 545.5 words per story. This frame was employed to communicate the unusualness of certain acts of violence against women. For example, one article titled, "The Tangled Web in the Murder of a Rabbi's Wife", reported on an incident in which, as the title suggests, a rabbi hired a congregant to kill his wife. It began,

For nearly four years, as the innuendo and accusations mounted about Rabbi Fred J. Neulander's role in the slaying of his wife, a burly, talkative man would buttonhole reporters, strenuously proclaim the rabbi's innocence and offer his own theories about

who might have beaten Carol Neulander to death in the living room of her suburban Philadelphia home...

Continuing,

Calling himself the rabbi's private investigator, a congregant and a close friend, Leonard Jenoff would alternately tell reporters that the 1994 murder was the work either of a bumbling burglar or an ill-trained terrorist. "Russians or Israelis," he once whispered to a reporter for a local newspaper, *The Jewish Exponent*. "That's all I can say."

Mr Jenoff told prosecutors that after confronting Ms. Neulander in the driveway of her home one evening, he choked on his fear, asked to use the bathroom and then slinked away. Instead, he told them, he paid his roommate, Paul Michael Daniels, to help carry out the killing a week later.

To those who live in the amorphous subdivisions that sprawl east of the Delaware River in Camden County, last week's revelations added yet another layer of intrigue to a sensational crime. Ms. Neulander's murder has fascinated residents and traumatized those who know the 58-year-old rabbi, a charismatic figure who guided South Jersey's largest congregation (Jacobs 2000)

The combined elements of a bizarre claim about a spy plot and the surprising act of murder committed by a clergy member in this story frame it as strangely and heinously fascinating to the wider community. Regardless of whether or not such acts were indeed uncommon (they most often were statistically rare crimes) stories employing this frame focused on elements that made

the crime seem particularly novel. The presence of this frame is unsurprising, as it resonates with classic journalistic values that prioritize unusual events over mundane ones (Gans 1979; Greer and Reiner 2012; Jewkes 2002). However, one might note that this is an individualistic frame, focusing on each crime in an episodic manner typical of the mainstream media. Such framing fails to connect what reporters see as novel crimes with what could be considered more mundane acts of violence against women. In turn, this can lead readers to categorize some instances of violence against women as quirks, thus limiting readers' comprehension of the prevalence and diversity of violence against women.

Celebrity/Political Scandal Framing

Fifty three articles in this sample reported on crimes committed by celebrities and officials, or failures of duty by public officials, usually chronicling the investigations surrounding such cases and the ensuing legal processes. These articles represent a somewhat small proportion of overall coverage (4.3%), and they were generally only of average length (547.9 word per story). However, such coverage is theoretically significant because high-profile cases involving the wealthy and prominent often serve as flashpoints for debate over broader issues (Chancer 1994). Thus, coverage of these cases reveals distinctive aspects of the media's coverage of violence against women.

Cases covered using this scandal frame included crimes by celebrities like OJ Simpson, Mike Tyson, and Kobe Bryant, as well as misdeeds by national and local (New York) politicians. Many articles reporting on these cases employed the courts frame. However, many did not intensively focus on legal proceedings but instead emphasized the impacts of accusations of (or

convictions for) acts of violence against women on the reputations and careers of prominent and powerful individuals. For example, one article, titled “Tyson Avoids Sexual Assault Charges,” which reported on how a district attorney declined to press sexual assault charges against Mike Tyson in 2002, remarked on the ensuing obstacles this created for his career. It read,

Last month, the Nevada Athletic Commission refused to give Tyson a license to challenge the heavyweight champion, Lennox Lewis on April 6 at the MGM Grand Hotel and Casino...

Tyson is searching for a fight venue. The District of Columbia Boxing and Wrestling Commission voted Tuesday to set up a March 12 hearing on the matter (Anon 2002b).

Another article, reporting on rape allegations against a New York City assembly member, titled “Harlem Assemblyman Denies Rape Allegation,” remarked on his refusal to give up his political career despite the charges. It read,

Waving the results of lie detector tests in front of a bank of microphones, Assemblyman Adam Clayton Powell IV yesterday offered his most vehement denials of a woman’s accusation that he raped her this month in a Central Park West apartment...

At the same news conference, Mr. Powell, a Democrat who represents East Harlem, said he had no intention of resigning, as some of his political rivals have insisted. Instead, he filed forms with the Board of Elections yesterday to seek a third term (Hicks 2004).

Because such articles differed from articles using the courts frame in their focus on individual people rather than the legal system, I characterized these articles as employing a ‘celebrity/official scandal’ frame. This frame generally consists of an individualizing mode of reporting that scandalizes prominent individuals for their accused (or proven) acts of violence against women. It is important to note that these articles rarely linked celebrity and official scandals to the larger phenomenon of violence against women. Instead they treated these crimes as stand-alone incidents. In fact, I performed an analysis of the frames used specifically for high-profile crimes, such as those committed by celebrities or officials. The most commonly used frame for high-profile crimes was the legal frame, followed distantly by the scandal frame. Few of these articles used more contextualizing frames. For example, only two used the social problem frame.

On the other hand, this is not true across the board. For example, some articles reporting on the OJ Simpson case did link the case to a spreading national awareness of domestic violence. Researchers have noted how particularly prominent cases, often involving prominent individuals can cultivate public concern over social problems such as violence against women (Chancer 1994, 2005; Innes 2004). Yet, at least in these data, that was the exception rather than the rule.

There is a substantial body of literature on scandal and its implications for politics and celebrities. (Garment 1992; Ginsberg and Shefter 2002). Much of this research is critical of the role of scandal, seeing it as a means to distract the public from more vital civic issues. My aim here is not to make a significant contribution to that literature. Instead, I am merely pointing to

the presence of scandal reporting in this sample, and the role it plays in illuminating, or not illuminating, violence against women for the American public. The role of the scandal frame seems somewhat contingent. It can draw attention to the issue of violence against women if complemented by contextualizing information on gendered violence. However, most often it is not employed in such a way, and is thus an episodic mode of reporting that does little to cultivate a critical discussion of this issue. Furthermore, it is worth noting that some scholars have argued that the proportion of celebrity-oriented reporting has been growing in mainstream news over the past few decades (Bagdikian 2004; McChesney 1999). This could be considered a phenomenon characteristic of neoliberal media reporting, which foments a cultural obsession with wealthy individuals in the US.

System Failure Framing

Another frame that entailed hints of scandal was the ‘system failure’ frame. This frame was used to report on instances when the criminal justice or medical systems poorly served female victims of violence. For example, one article titled, “Easing Fears of Domestic Abuse Victims,” reported on how the civil court system poorly addressed victims of abuse who filed for divorce. It read,

When a Simsbury woman could not afford to pay the more than \$200,000 in legal fees associated with the prolonged custody battles initiated by her former husband, who she said was emotionally abusive to her and her children, two legal professionals assigned to protect her children’s interest started foreclosure proceedings on her house...

Although the courts have provisions to protect children's interests in divorce and custody cases, the two women, and others who have been through the system, say that Connecticut's family court system is biased against verbally or physically abused spouses and their children (Braccideferro 2004).

Articles employing this frame were somewhat critical of various institutions, at least implicitly attacking various institutions for failing to protect abused and attacked women. This is likely appropriate and civically useful considering the fact that the criminal justice system often fails to protect women who are victims of severe abuse, even when they report said abuse by seeking a temporary restraining order (Buzawa and Buzawa 1996; Grau, Fagan, and Wexler 1984; Harrell and Smith 1996). These articles exemplified the press' role as 'public watchdog,' informing citizens on governmental failures (Surette 2006). This frame could work as a counterweight to reporting that endorses the criminal justice system as a means for addressing violence against women. However, given its limited use, it is a weak counterweight at best.

Institutional Issue Framing

A substantial proportion of articles in this sample covered violence against women on college campuses and in the military. Many of these articles constructed an 'institutional problem' frame. The institutional problem frame entailed coverage that was generally more in depth than other forms of coverage. Stories were about one and a half times as long as the average story (711.5 words per story), discussing how sexual violence and/or domestic violence was a recurrent, if not pervasive, problem within the US military and on college campuses,

particularly on the part of elite athletes and soldiers. While it was not frequently featured in this sample, the institutional problem frame does evidence the media's acknowledgement of feminist concerns over violence against women in particularly masculine social environments, such as the military and among college athletes (Benedict 1998; Kaufmann 2003). For instance, one article titled, "Military Women Reporting Rapes by US Soldiers," reported on widespread accusations of sexual violence during the Iraq and Afghanistan wars. It read,

The United State military is facing the gravest accusations of sexual misconduct in years, with dozens of servicewomen in the Persian Gulf area and elsewhere saying they were sexually assaulted or raped by fellow troops, lawmakers and victims advocates said on Wednesday...

The latest accusations are the most extensive set of sexual misconduct charges since the Navy's Tailhook incident of 1991 and the Army's drill sergeant scandal about five years later...

The issue came to a boil at a contentious hearing on Capitol Hill on Wednesday, where Senate Democrats and Republicans sharply questioned the Pentagon's top personnel official and four four-star officers for what the lawmakers said were lapses in the military's ability to protect servicewomen from sexual assaults, to provide medical care and counseling to victims of attacks and to punish violators...

Senior officials from all the services said they were reviewing and, in some cases, increasing their training. Gen. William L. Nyland, the assistant Marine Corps

commandant, told senators that beginning March 1, all newly enlisted marines will receive sexual assault awareness and prevention training. Marine officers already receive the instruction (Schmitt 2004).

Another article using the institutional problem frame reported on sexual assaults by athletes on college campuses and the lack of consequences. Titled, “Civil Rights Lawsuit in Rape Case Challenges Integrity of a Campus,” it read,

Today, Chrsty Brzonkala stands at the center of a ground breaking Federal lawsuit against the two student athletes and the university...

Her lawsuit also challenges the secret disciplinary systems used by colleges across the country to deal privately with thousands of student offenses from petty theft to gang rape...

“Because he’s an athlete he got off,” she [the victim] told the Virginia Tech student newspaper, Collegiate Times, in an article that caused a campus outcry against the administration...

Ms. Brzonkala’s story is typical of thousands of sexual assault complaints that are never made public. Some studies say more than half the women who have been sexually assaulted do not report it to anyone...

But Jeffrey R. Benedict, an author of a 1995 study on male student athletes and sexual assault at more than 20 colleges, said preferential treatment was almost inevitable.

“Provosts and presidents get into it,” he said, “if there’s an exception to be found, it’ll be found” (Bernstein 1996)

Considering that feminist critics (and others) have long argued that violence against women is pronounced in these environments, this coverage is encouraging (Dragiewicz 2011; Humphrey and Kahn 2000; Sanday 2007; Schwartz and DeKeseredy 1997). Nevertheless, the use of this framing is problematic in at least two ways.

One, not a single article using the institutional problem frame made associations between violence against women in the military or colleges and such violence in wider society. While violence against women may be more severe in these settings, it is also a persistent and significant problem throughout our entire society. While journalists and readers likely recognize this, such coverage can give rise to the impression that much violence against women springs from unique characteristics of these institutions, rather than characteristics of the institutions that are fundamental to wider society, but merely exaggerated in these environments. In other words, institutional framing leaves room for the assumption that hyper-masculinity is something unique to the military and college athletics, rather than a feature of general western culture, which is pronounced and concentrated in these environments.

Two, the press often ‘discovers’ violence against women as if it were a novel problem (Howe 1997; Kozol 1995). Throughout the twenty-year period of this sample, NYT reporters reported on these incidents, while often acknowledging how the military and colleges were actively and promptly responding to what they accepted as a significant problem. However, not

a single article pointed out that these institutions have been profoundly unsuccessful at combating this violence. There is little, or perhaps no, evidence that rape or domestic violence by college athletes and soldiers has decreased over the past few decades. Furthermore, it seems these problems periodically surface as prominent news stories, but no recognition is given to the fact that these are far from ‘new’ stories. The press’ de-historicized recognition of this issue is one example of a selective integration of feminist knowledge that will continue to be an important theme going forward in this dissertation.

Politics Framing

Though their headlines contained keywords referring to it, many articles in this sample did not really focus on violence against women at all. In some of these cases, politics was the actual focus; two percent of articles employed the ‘politics’ frame. While these articles were relatively few in this sample, they were among the longest on average (654.4 words per story). The politics frame generally consisted of reporting on how candidates’ records on violence against women policy affected their campaigns, or political struggles in the New York, or US governments, over legislation that related to violence against women. While many articles did address the substance of policies relating to violence against women, they also paid significant attention to the ensuing political ramifications for political actors or groups. For example, one article reported on how a candidate for the governorship of California possibly used her daughter’s rape to generate political capital. Titled, “The 1994 Campaign: California Governor; Mention of Daughter’s Rape is Generating Its Own Tempest,” it read,

Since the debate over Ms. Brown's remarks has centered not just on whether she stung the Governor politically and picked up some badly needed momentum for her flagging campaign but also on whether she calculatedly went after the crucial women's vote with some blatant political grandstanding that risked exposing a daughter to unwanted publicity.

Over the weekend, Mr. Wilson toned down his "moving performance" quip a bit, expressing "sympathy" for the Brown family. But he nevertheless continued to argue that the appropriateness of injecting personal pain into a political campaign 'depends on how it's done' (Ayres 1994).

One might argue that such articles are of only tangential importance to this analysis. They constitute a rather small proportion of the sample. And, such partisan struggles may seem more about the power balance between political parties than policies affecting violence against women. Still, the presence of such articles illuminates a significant point—violence against women is accepted as a problem of enough significance to justify political posturing by high-profile politicians. Furthermore, candidates' records on this issue can significantly affect their political capital. While we may not need an analysis of thousands of pages of newspaper coverage to tell us that, the point is worth noting. Concerns over violence against women are mainstream enough that they come attached to political power of substantial magnitude. Moreover, the use of this frame is additional evidence that the contemporary state is substantially

invested in the issue of violence against women and of the partial integration of feminist knowledge in the news.

Tragedy Framing

Two and a half percent of articles reported on incidents in a manner that emphasized saddening and surprising elements of cases, constructing what I deemed the ‘tragedy tale’ frame. The telling of these tragedy tales was somewhat elaborate; articles employing this frame averaged 789.1 words. This reporting tended to focus on the unfulfilled potential of victims and/or offenders or the collective pain felt by communities in which severe acts of violence against were covered. As well, such articles often framed these crimes as surprising or inexplicable in some way. The following excerpt, from an article titled “Prosecutors Say Ex-Star at Wagner Killed Wife” exemplifies the tragedy tale frame. It reports on the surprising nature of the crime and the supposedly admirable character of the killer, stating,

Terry Underwood, a standout running back for Wagner College when it won a Division III national championship in 1987 and a three time all-American, has been arrested and charged with murdering his wife...

Former teammates and coaches of Underwood, who went on to play in the Canadian Football League and in Europe, reacted with shock to the charges yesterday...

“This is a very tragic incident,” said Brian Ansell, Underwood’s lawyer. “I’m sure you can understand that he is very upset over this incident. He does maintain his innocence...”

“He was a terrific kid, good work ethic, good sense of humor, who fit in well,” said Mark Collins, the head coach at St. Peter’s College, who was an assistant at Wagner when Underwood was there. “I don’t recall a dark side or a bad temper” (Smith 1998).

The use of the tragedy tale frame is unsurprising. Journalists traditionally emphasize themes such as tragedy or triumph, as they personalize stories and bring them to life for readers (Gans 1979; Greer 2012). Surely, such reporting makes the news more interesting and poignant, perhaps making such stories more memorable to news consumers. However, the etymology of tragedy should be noted when considering the significance of this frame. Tragedy, in its classic sense, connotes a change of fortune, often effected by the Gods, which should evoke sorrow and pity for those whom it afflicts. Scholars have pointed out tragedy framing is a common mode of reporting on femicides, particularly those that are murder-suicides (Chagnon 2014; Meyers 1994). Moreover, they have criticized it as indirect victim blaming, which builds sympathy for offenders, and for mystifying acts of domestic violence by implying particularly severe ones are inexplicable. One might even be surprised that the tragedy tale frame was present in such a low proportion of these data. It is important to note, in addition to the above-mentioned critiques, that the tragedy tale is an individualizing one, like many of the other frames discussed here. Though it may humanize news on violence against women, it mostly does so in a manner that ignores the pervasiveness of this violence. While it may improve readers’ understanding of the severity of domestic violence, it does little to help them understand the causes or scope of it.

False Accusation Framing

Rape is among the most violent of crimes, and surely this violence is one of the key factors that make rapes newsworthy events. However, rape also draws public attention because of collective anxieties concerning the possibility of false rape accusations, perhaps particularly among men (Benedict 1993; Brownmiller 1975a). Two percent of articles in this sample reported on rapes using a false accusation framework. False accusation framing essentially means that the story centers on the fallacious nature of the accusation. For instance, one article reported on apparently false reports made by two 15-year-old girls to police. Titled “Police Debunk Report of Rape in Central Park,” it reads,

Two 15-year-old girls reported that they were raped by strangers in Central Park on Monday night, but the police said that the girls later changed their stories substantially, and that there had been no attack in the park. Last night, a police official said that one of the girls said she had not been attacked, but had had consensual sex.

Pressed by investigators, the girls said they were not attacked in the park, but rather at an apartment in the Bronx—and that three young men whom they knew, rather than a larger group of strangers, were involved. Later, one of the girls said that the sex was consensual (Wilson 2004).

This is what one might expect as a typical article on a false accusation—it directly blames the accusers for lying about a supposed rape, which was actually consensual sex. Following some arguments that the public is irrationally or unjustifiably concerned with false accusations, one

might hypothesize that the mainstream press would demonstrate a preoccupation with women lying about rape (Benedict 1993; Brownmiller 1975a; MacKinnon 1991). However, such a hypothesis is not supported by these data, and, reporting on false accusations exhibited some complex but noteworthy patterns. To comprehend such patterns, one must look not only at those articles using the false accusation frame, but also at those that merely included false accusations as part of the story.

There were 84 articles featuring some sort of invalid accusation in this sample. I included all cases in which someone had been accused or convicted of a rape which they did not commit as false accusations. Yet not all of these cases were the result of dishonest allegations by women. Some were due to witness misidentifications, misleading evidence, and/or police or prosecutorial misconduct. Of these 84 cases, the majority focused on problems with criminal justice proceedings or the role of DNA in exonerating the wrongfully convicted and only a minority focused on dishonest accusers. In only 24 of these 84 articles did discussions of the falseness of accusations structure the story, and only 17 of those articles focused on accuser dishonesty. Thus, it seems that the NY Times is more concerned with miscarriages of justice perpetrated by the system than dishonest women.

On the other hand, the presence of the false accusation frame is significant in relation a wider discursive constellation of victim-blaming themes in coverage, which has been well-documented by the extant literature (Benedict 1993; Chagnon 2014; Dragiewicz 2011; Meyers 1994; Taylor 2009). Those instances when the NY Times focused on the acts of dishonest

women articulate with a broader logic of selective sympathy applied to female victims that I will discuss more fully in the following chapters.

Summary and Discussion

The preceding is a lengthy and diverse catalog of frames used by NY Times journalists to report on violence against women. There is much variation among these frames, but there are also commonalities that are worth noting in summary. Two key typological distinctions can be made among these frames—distinctions between individualizing and collective frames, and between hegemonic and oppositional or critical frames. These two typologies are not comprehensive. Each leaves out a few frames. Moreover, creating dichotomies is often analytically risky. Dichotomies are an easy path to overgeneralization and reifying characterizations, but these distinctions are helpful in making sense of the aggregation of frames discussed here.

As I have mentioned several times, many scholars have pointed out how crime news, and news on violence against women tends to be episodic, treating events in a singular rather than contextualizing manner (Greer and Reiner 2012; Iyengar 1994; Jewkes 2002; Kozol 1995; Sacco 1995; Surette 1996). My findings here are essentially an extension of that argument. I distinguish between individualizing frames, which portray violence against women as an individual problem (or one shared by a small group anyway) which is ripe for resolution through individualized solutions, and collective frames, that portray violence against women as a social problem. Table 4.2 illustrates which frames fall into either category.

Individualizing frames include the routine policing; courts; aberrant/novel crime; predatory crime; celebrity/politician scandal; tragedy tale; and false accusation frames. The policing and courts frames are individualizing because they tend to address cases in a singular manner, consistent with the way they are handled by the criminal justice system. The aberrant/novel and predatory crime frames are individualizing in a similar manner, though they may provide some additional context to emphasize the novel or fear-inducing elements of the case. The scandal frame focuses on the misdeeds of one person, often as a product of moral or other personal shortcomings. The false accusation, somewhat like the scandal frame, generally tells the tale of one person inducing a miscarriage of justice, whether that be a witness, justice official, or an accuser, as does the individual justice failure frame. In fact, the implications of false accusation reporting will be vividly illustrated by the discussion of the Duke case in Chapter Seven. Overall, these frames share in common the fact that they focus on and emphasize the actions of an individual person and/or the circumstances surrounding a single event.

Collectivizing frames tend to do the opposite; they situate criminal events in a broader social context, though that context may be circumscribed in very specific ways. Collectivizing frames include the domestic social problem; deviant sub/culture; system failure; institutional problem; and politics frames. The domestic social problem frame situates violence against women in one of the most inclusive social contexts possible (a global one being more inclusive). It focuses on violence against women as a problem faced widely in US (if not Western) society, crossing class, racial, and other stratifying lines. It implies that violence against women is

culturally embedded in mainstream society, rather than a product of deviant or alien forces. The deviant sub/culture frame works in a collectivizing manner, though an arguably problematic one. It situates violence against women as a cultural product, but springing from a culture implicitly juxtaposed with a progressive, gender-egalitarian Western culture. The system failure frame generally carries no causal implications, but prescriptive ones. It illuminates how the major social institution tasked with addressing violence against women fails them. The institutional problem frame also illuminates how major elements of Western society fail to address and/or may induce violence against women, though it fails to associate such problems with wider mainstream cultural issues. The politics frame illustrates how we can collectively address violence against women through democracy, though it tends to focus more on the machinations of the democratic process than the issue of violence against women itself.

In sum, a cleavage can be made between reporting that implies violence against women is a crime that is caused by individual-level factors, and can be resolved on a case-by-case basis, and those frames that frame it as a social problem, springing from collective issues and/or calling for a collective response. However, at least one important qualification to this distinction should be noted. Collectivizing frames are often nearly as limited and/or problematic as individualizing ones. They may ascribe violence against women to deviant sectors of our society. They can be used to grant only superficial acknowledgement of the social roots of violence against women, and manufacture the perception of a truly proactive response. And, they can be used to construct cultural heroes and enemies, painted in hegemonic terms.

The other major classificatory distinction that can be made among these frames is between hegemonic frames—those that are supportive of the status quo, especially in regards to the criminal justice system—and critical or oppositional frames, which challenge such arrangements. Hegemonic frames include the routine policing; courts; deviant sub/culture; predatory crime; tragedy; politics; and false accusation frames. The routine policing and courts frames are hegemonic in the sense that they are encouraging of the use of the criminal justice system to address violence against women. The deviant sub/culture frame is hegemonic in that it paints violence against women as a cultural problem only in regards to cultures held in opposition to Western culture, for example Islamic cultures. The predatory crime frame is hegemonic in that it cultivates fear of crime, and by extension public reliance on the criminal justice system. The tragedy frame is hegemonic in that it often encourages the impression that respected and/or successful men are not the type of people to commit acts of violence against women (Meyers 1994). The politics frame is hegemonic in the sense that it frames the US democratic process, and politicians as sensitive and reactive to concerns over violence against women, even if they accomplish little towards actually ameliorating the problem. Overall, these frames supply a regular stream of news coverage that, by portraying them as well intentioned and effective, helps to legitimate the criminal justice system, the state, and more broadly the overall status quo of Western societies, while juxtaposing them with oppositional, backward societies.

Critical/oppositional frames include the domestic social problem; institutional problem; system failure; and celebrity/official scandal frame. The domestic social problem frame is perhaps the most critical of frames in this catalogue. The use of this frame encourages readers to

consider how violence against women is not limited to deviant sectors of our society, or to seemingly remote corners of the globe. Instead it implies that this violence is a problem that springs from mainstream society, which we must all grapple with. The institutional problem frame also supplies a significant criticism of mainstream society. It shows how two mainstream institutions—the US military and higher education—are pervaded by problems with sexual violence (and to a lesser degree partner violence) against women. However, as noted before, this coverage circumscribes the problem to some degree, failing to connect it with violence against women in contexts outside these institutions. The system failure frame also provides a notable challenge to the hegemony of the criminal justice system. By illuminating episodes in which the system fails victims of violence against women, it shows that the system is imperfect in regards to addressing this problem.

The celebrity/official scandal frame is also somewhat counterhegemonic, but in a highly qualified sense, perhaps so much so that it should not be characterized together with the previously-mentioned critical/oppositional frames. The scandal frame is used to expose the misdeeds of the powerful and prominent within our society. Because of that, one could argue, it is counterhegemonic by showing these individuals are not above being perpetrators of violence against women. Surely exposing a senator or famous athlete as a wife batterer challenges the legitimacy of their respective institutions and sub-cultures, though likely to a very limited degree. However, one could also argue that the news' singular focus on these individuals often distracts readers from more substantive social issues and propagates a neoliberal celebrity-obsessed culture. Ultimately, though its counterhegemonic credentials are quite limited or

contingent, I used a forgiving definition of counterhegemonic in categorizing this frame. I did so in order to decrease the risk of falling victim to confirmation bias towards an ever-implicit hypothesis in critical media research—that media coverage is generally hegemonic ideology.

Like the celebrity/politician scandal frame, the role of the false accusation frame was highly ambiguous. One would associate such framing with victim-blaming and a cultural obsession with supposedly inherent female dishonesty (Brownmiller 1975a). However, as I have pointed out, the false accusation frame often did not focus on actions of the accuser, but often highlighted the inappropriate or erroneous actions of police, prosecutors, and/or judges. Thus, it supplies some challenge to claims of the criminal justice system being an effective truth-seeking apparatus. On the other hand, for the majority of times it was applied, the false accusation frame was indeed used in a manner that focused on dishonest accusers, meaning it contributes to a victim-blaming culture. Thus, the role of this frame is even more ambiguous than the scandal frame. Because of this contradiction, I did not categorize it as either hegemonic or oppositional.

In conclusion, this frame analysis illuminated significant diversity of coverage in the NY Times. It seems reporters employ no fewer than 12 distinct frames when reporting on violence against women. Some of these frames cover violence against women in an individualizing manner, while some of them report in a collectivizing one. Some frames are supportive of the status quo, while others offer some challenge to it. Essentially, NY Times coverage of violence against women is far from monolithic.

However, that does not mean it is not patterned in any way. Table 4.2 simultaneously illustrates both of the distinctions that I have made. It shows some clear patterns regarding the proportions of coverage that are individualizing or collective and hegemonic or oppositional.

Table 4.2- The distribution of frame categories across the sample

	Hegemonic Frames	Ambiguous Frames	Oppositional/critical Frames
Individualizing Frames	<ul style="list-style-type: none"> • Routine Policing • Courts • Predatory crime • Novel/aberrant crime • Tragedy tale • N= 706 (57.7%) 	<ul style="list-style-type: none"> • False accusation • N= 24 (2.0%) 	<ul style="list-style-type: none"> • Celebrity/official scandal • N= 53 (4.3%)
Ambiguous Frames			
Collective Frames	<ul style="list-style-type: none"> • Deviant sub/culture • Politics • N= 108 (8.8%) 		<ul style="list-style-type: none"> • Domestic Social Problem • System Failure • Institutional Problem • N= 213 (17.4%)

We might draw a few conclusions from these data. The distribution of frames indicates at least three clear, illuminating tendencies in coverage, and two more conclusions that can be extrapolated from those three. First, one can see how coverage of the criminal justice system is the dominant mode of reporting for stories on violence against women. Over half of all articles (56.8%) employed frames that focused on the actions of criminal justice agents and the processes

of the system. Furthermore, many articles based on other frames focused heavily on criminal justice agents as sources. For example, even those reporting on college sexual assaults, employing the institutional failure frame, most often included details about how the criminal justice system was processing the case. These data strongly suggest that the principle way NY Times reporters communicate about violence against women is through discourse about the criminal justice system. Second, the vast majority of coverage poses violence against women in ways that suggest it is an individual problem. Seven hundred and eighty-three stories (64.0%) employed such frames, while only 26.2% of articles used collective frames. The significance of episodic coverage has been discussed earlier, but it is worth noting again that many have argued such coverage conceals the social nature of crime, in this case violence against women (Best 1990; Howe 1997; Iyengar 1994; Meyers 1994; Surette 1996). Third, a substantial majority of stories employed hegemonic frames. About 66% of articles employed hegemonic frames, though 21.7% employed critical frames. Approximately two-thirds of articles are supportive of, or at least fail to challenge, the status quo. Furthermore, the intersection of the two previously mentioned trends suggests two more general conclusions. Coverage is generally both hegemonic and individualizing. Slightly more than half of all articles employed frames that were both hegemonic and individualizing, while 8.8 percent of article frames were hegemonic, yet collective. On the other hand, a substantial proportion of coverage is frames violence against women both in critical terms and as a collective matter. About 17 percent of articles (17.4%) used frames that were oppositional and collective, and another 4.3 percent of articles were

oppositional, though individualizing. One might not call that parity, but coverage is not monolithic. There is surely a significant amount of challenging discourses among these data.

One might actually be encouraged by the finding that a significant proportion of coverage employs oppositional and/or collective frames. This news is produced by a very large corporate organization, which is largely reliant on state agencies and actors to operate (Bagdikian 2004; Herman and Chomsky 2002). It is not in their organizational interests to, for lack of a better term, rock the boat. These data show that, at the very least, the New York Times challenges the orthodoxy on violence against women, in some manner, approximately three and a half times out of ten.

However, one might also point out that hegemony works best when it is flexible enough to cultivate the perception that diverse viewpoints are allowed (Gramsci 1971; Herman and Chomsky 2002). Challenging discourses are drowned out and neutralized by the consistent reverberations of hegemonic ones. Most of the NY Times coverage in this sample was quite supportive of major social institutions, especially the criminal justice system, and, implicitly, the contemporary state. In this respect, the findings of this analysis support the hypotheses of critical scholars who have accused the press of being a mouthpiece for the powerful (Gitlin 2003; Hall 1974; Herman and Chomsky 2002; Herman et al. 1998). Thus, if using the broadest of brush strokes, one could argue that the average NY Times article on violence against women frames it in an uncritical manner, supportive of the criminal justice system, and unreflective of

the social factors that give rise to this violence. In a more ideal democratic society, we would expect that to be the exception rather than the rule.

Going into the next chapter, it is worth noting the upshots of this analysis that most directly support and articulate the conclusions that I will build throughout this dissertation. First, as I have stated, this analysis shows how the news implements a criminal justice paradigm for reporting on violence against women. Second, coverage works to legitimize not just organs of the state like the criminal justice system, but the state and state power more broadly. Third, coverage is at times inflected with racializing and victim-blaming discourse, such as the deviant sub/culture and false accusation frames. Fourth, this analysis suggests that the media incorporate feminist knowledge to some degree, but only selectively so.

Finally, it is important to note how these findings relate to my overall argument that press coverage constructs a neoliberal framework for making sense of this issue. This coverage, is essentially what one might expect from a neoliberal culture. It is generally individualized, and it is largely supportive of the state institutions most legitimized by neoliberal society (e.g. the criminal justice system). Moreover, this coverage is generally dismissive of social justice agendas, more often promoting reformist ideas, which do not challenge existing institutional structures or broad social relations. Essentially, when broadly surveying this body of coverage, it appears that NY Times coverage of violence against women supplies discourses that are both reflect neoliberal society and legitimize it.

Chapter 5: Salient Features in Coverage- Concurrence With Established Critiques, Emergent Themes, and Intersectional Analyses

Introduction

The preceding discussion has served to illuminate some of the basic features of NY Times coverage of violence against women. As mentioned earlier, this frame analysis was the principle analytical task that I undertook for this study. One might liken discursive frames to ones used in the construction of buildings. Such frames constitute the basic structure of a building, establishing its shape and boundaries. However, the frame of a building is not the entirety of its construction. There are other important features, such as the façade, inner walls, carpeting, lighting, etc. As well, while they may establish the broad parameters of stories, frames are not the only important element in news content. There are various, more specific elements of news stories that are salient, which perform sundry functions. Many of these elements supply the matter from which story frames are constructed. For example, story sourcing is a primary element that should be considered when identifying news frames. On the other hand, some of these features articulate with the story framing, but are not centrally important to it. For example, a significant number of stories discussed DNA evidence, but this theme did not play an integral role in constructing any particular frame.

With this in mind, I used the NY Times data for a set of complementary analyses, coding for a substantial set of variables in addition to story frames. These variables were essentially a way to operationalize key critiques of news on violence against women that have been established in the literature, as well as emergent categories that appeared during the course of my

analysis. For example, I coded for victim-blaming discourses in stories because this phenomenon has been a subject central to feminist concerns about news on violence against women (Benedict 1993; Brownmiller 1975a; Burt 1980; Gillespie et al. 2013; Howe 1997; Meyers 1994; Taylor 2009). As well, the aforementioned discussions of DNA evidence did not occur to me as a significant variable until well into my analysis.

This chapter is divided into two main sections. In the first section, I discuss these various story elements, as well as chronological patterns in their usage. More specifically, I outline the rationale for including each component in the analysis; interpret any apparent chronological trends and ruminate on their possible causes; and discuss how these findings articulate with others, and their significance in relation to the general thesis of this study. The latter section of this chapter is dedicated to analyses inspired by third-wave feminist critiques concerning the intersection of race, class, and gender. This section examines the correlations between some story components, such as victim blaming and racializing and/or class-based discourses. Overall, this chapter will show that feminist critiques of news on violence against women still largely hold true, but those critiques might be pushed further by considering these problematic aspects of coverage as constituent parts of the broader neoliberal framework that is the essence of my thesis.

Sourcing

Various scholars have noted the dominance of official sources in the news, both in a general sense, and in crime news specifically (Best 1990; Entman and Rojecki 2001; Gans 1979; Hall 1978; Herman and Chomsky 2002; Jewkes 2010; Mawby 2010; Sacco 1995; Surette 1996).

In relation to crime news, this is a logical phenomenon. Journalists seek to report on crime in a timely manner, thus they seek out the police who respond to and investigate crimes from the initial point at which they are discovered. In addition, when the news covers a trial, lawyers, particularly prosecutors and criminal defense attorneys, are an accessible and willing source of information. Finally, when crimes ascend to the category of major social problem, politicians looking for publicity are likely eager to voice their opinions on these problems and what to do about them. However, this can be problematic as well, since an over-reliance on official sources can result in the news being rendered a mouthpiece for the powerful, some scholars assert (Gitlin 2003; Hall 1978; Herman and Chomsky 2002). Furthermore, criminal justice sources, such as police, may not be the best ones to educate the public on the social significance of some issues—they are often immediately concerned with pursuing the case at hand rather than addressing social problems broadly when engaging with reporters (Chancer 1994; Websdale 1996). Thus, I found it a basic, yet important, analytical task to examine sourcing in NY Times coverage.

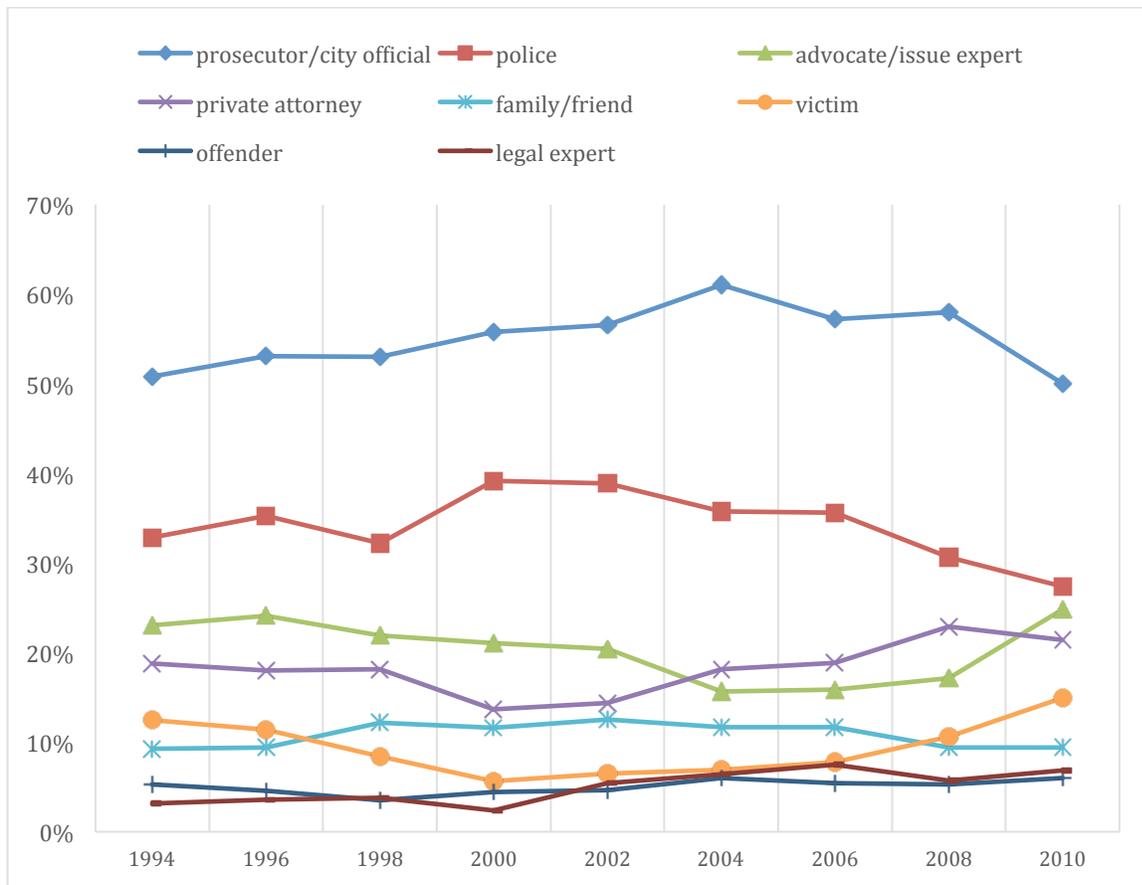


Figure 5.1- Moving three-year averages for article sourcing (% of articles citing source)

As I stated in Chapter Three, I used moving-three year averages to examine chronological patterns in my data, as they more clearly show such trends than year-by-year frequencies. Figure 5.1 provides the moving three-year averages for article sources. As this figure is relatively straight forward, it is unnecessary to ruminate about these data intensively. However, a few points that can be drawn from Table 5.1 should be discussed. First, it is apparent that a diverse range of sources is regularly used in news on violence against women. Official sources are clearly quite common, but academic, advocacy, and other expert sources are present in

significant numbers as well. Unsurprisingly, attorneys are also cited regularly, in nearly 2 out of 10 articles. Less often family and friends, victims, and offenders are given voice in these articles. Finally, legal experts¹² are cited in about one article in twenty.

Figure 5.1 shows that official sources are clearly the most dominant source in these data; they were present in 87.5 percent of all articles. It should be noted though that the police are not the most commonly used source in these data, prosecutors and other city officials, for example the New York City mayor, were. This finding challenges the idea, often put forth by media scholars, that police are the most dominant source in crime news (Chibnall 1973; Jewkes 2010; Mawby 2010; Surette 2006). One might wonder if sourcing in crime news on violence against women is somehow different than sourcing for more generic crime news. Perhaps this is a product of the fact that high-profile crimes against women are some of the most politically charged crime episodes, but it is impossible to draw a firm conclusion from the data presented here. Overall though, this finding still supports the contention that official sources dominate crime news. Furthermore, private attorneys as sources can be considered as a complement to official sources. Though these attorneys are not agents of the state, they are key agents in the criminal justice system. This means that officials or criminal justice agents are present in over 90 percent of articles in this sample. Various spheres of state power clearly dominate this news in terms of sourcing.

Interestingly, the next most common source category was advocates and issue-based experts (e.g. social scientists). Expert and advocate sources were present in 21.1 percent of

articles overall. Other studies have found that academic and expert sources are seldom used in news on violence against women (Bullock and Cubert 2002; Websdale and Alvarez 1998). However here, it appears that NY Times journalists make significant efforts to include the voices of advocates and experts in rape and domestic violence news, though they are not used nearly as often as criminal justice professionals and other officials.

Since most of the sources in this category were advocates and activists, for example shelter workers, rather than academics, Bumiller's (2008) arguments concerning victim advocates, social workers, and medical professionals should be considered here as well. As I noted in my literature review, Lisa Bumiller has pointed out that many advocates and other professionals attending to victims of gender violence are caught up in the machinations of the neoliberal state. As employees of organizations dependent on state funding, they often perpetuate and expand state power, particularly in regards to the criminal justice system. Furthermore, they often apply a technical/clinical paradigm to violence against women that comprises expanded surveillance of women's bodies and lives, while eschewing considerations of gender violence as a problem rooted in long-standing social relations such as patriarchy. Thus, while the NY Times is giving significant voice to advocates and experts dedicated to this issue, that does not necessarily mean they are giving voice to critical feminist perspectives. In fact, following Bumiller's arguments, one could hypothesize that the sourcing of these experts does not supply a counterpoint to official perspectives, but another complement to them. The data do support such an assertion in some ways. For instance, advocates cited in these articles were often supportive of a coercive/punitive criminal justice response to violence against

women. For example, one article discussing Mayor Rudolph Giuliani's domestic violence policy initiatives cited one advocate, who stated,

'The principles are right on target, but implementation has a long way to go,' said

Dorchen Leidholt, director of the Center for Battered Women's Legal Services, a private group offering legal representation to victims throughout the metropolitan area.

'Giuliani's mandatory arrest policy is a step forward' (Krauss 1994),

In another piece, an executive for the National Organization for Women wrote an letter to the editor endorsing the passage of the 1994 Omnibus Crime Bill. She states,

Under a major section of the law called the Violence Against Women Act, funds totaling more than \$1.6 billion are designated to prevention and education programs including financing for rape and domestic violence shelters; training of police, prosecutors and judges to better identify, understand and respond to violent crimes against women, and financing for a national domestic violence hotline (Ellis 1994).

Such passages illustrate the alliance between violence against women advocates and the criminal justice system. It must be noted that Bumiller's argument did not hold true across all cases where an advocate was cited; many advocates were cited making more general feminist arguments, such as those concerning power relations involved in domestic violence or the prevalence and diversity of violence against women. On the other hand, these data provide many examples of how professionals and activists involved in combating violence against women

promote a criminal justice paradigm for addressing this issue and a neoliberal crime control agenda more broadly.

In terms of patterns in sourcing over time, Figure 5.1 shows relatively little change over time. It seems that the proportions of articles featuring each source type have remained consistent over the sample time frame. On the other hand, these data suggest there are a couple of significant changes. Since the early 2000s, it seems the use of official sources has decreased. The moving average for the use of prosecutors as sources dropped from 61.0 percent in 2004 to 50 percent in 2010. The average for use of police sources demonstrates a similar pattern, dropping from 37.9 percent in 2002 to 27.4 percent in 2010. However, these drops really are returns to the levels at which these sources were used in the early 1990s. For instance, the three-year average for the use of prosecutors as sources in 1994 was also 50.0 percent. Ultimately, it seems these are modest changes at most, and the data most strongly suggest that little has changed over time.

The most significant conclusion that can be drawn from these numbers regards the centrality of the criminal justice system and other state agencies in news on violence against women. These groups clearly constitute the most common sources for such news stories. Furthermore, other source categories supplement the official perspective on this issue. This may be an obvious point, but it supports an element of the thesis asserted in this document—that by applying a criminal justice paradigm, news of violence against women does more to educate the

public about the operations of state agencies than it does to educate the public on the nature and extent of this problem.

Varieties of Crime

This study touched on a relatively wide category of crime, comprising articles on crimes such as date rape, stranger rape, domestic assault, partner homicides, and serial rapes, among others. However, through the course of coding these data, it seemed that some crimes were far more frequently featured than others. Specifically, various types of sexual assaults were more commonly featured in the data than domestic violence incidents, and, among sex crimes, stranger crimes were more common than ones among parties who knew each other. Because this pattern seemed so stark, and considering that it articulated well with the literature on the crimes most commonly featured in the news, I found it a useful task to test this hypothesis. Thus, I compared the frequencies of sexual assaults to domestic violence incidents in the sample, and similarly compared the frequencies among various victim-offender relations in sex crime coverage.

Figure 5.2 provides the moving averages for articles covering domestic violence incidents and sexual assaults across the sample. It indicates that sexual assault incidents are far more frequently featured in the NY Times. On the whole, sexual crimes (56.2 percent of all articles) were about 2.5 times more commonly featured than domestic violence crimes (22.3 percent of all articles). And, it shows this pattern is remarkably consistent over time.

There are, of course, some logical hypotheses that might be posed to explain this. First, the cynical media analyst might find the explanation simple—sex is among the most sensational

of topics, and sex crimes sell newspapers (Greer 2012). Though, if one were inclined to be more sympathetic to journalists, he/she would note that most rapes would be considered more newsworthy than most domestic violence incidents. Rapes are likely considered more serious than simple assaults, which likely make up the majority of domestic violence incidents (Tjaden and Thoennes 2000). However, the vast majority of domestic violence present in these data entailed intimate partner homicides, an arguably more newsworthy crime than rape. Yet again, homicide is less common than rape, so there is surely a smaller pool of incidents upon which journalists can report for homicides compared to rapes. Another way to consider this is the likelihood of victims of each crime reporting it to law enforcement. However, both varieties of crime (excluding femicides) are notoriously underreported crimes—neither rape nor domestic violence are highly reported crimes (Tjaden and Thoennes 2000). Furthermore, it should be noted that patterns in news coverage are largely untethered from empirical crime patterns (Fishman 1978; Surette 2006). In fact, one might recall here, Surette's (2006) law of opposites—the patterns of crime apparent in the media are generally opposite what they are in reality. Because of all this, it is ultimately impossible to parse apart the exact reasons that sex crime is so much more frequently featured in the news. Press sensationalism, classic news values, and the availability of information likely all contribute to this. Yet, the implication of this is unchanged and significant: on at least an incident-level basis, the press keys the public up to be far more concerned about sex crime than domestic violence, and as I will show going forward, they are overwhelmingly exposed to certain types of sex crime.

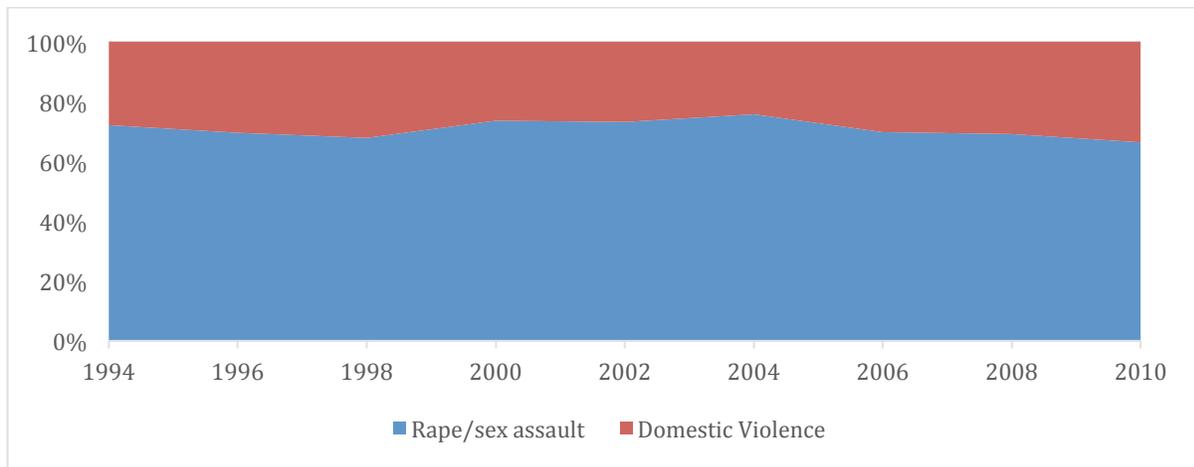


Figure 5.2- Moving three-year averages for crime type¹³

One often-voiced criticism of general crime news is that it overemphasizes the danger posed by random street crime, what has been called ‘stranger danger’ (Best 1990; Greer and Reiner 2012; Scott 2003; Surette 1996; Websdale 1996). This is distinctly troubling in the case of violence against women in that it conceals the relative lack of safety women face in the home sphere, and among men they know (Meyers 1994; Websdale 1996). Thus, I sought to examine the way relations between victims and offenders were presented in the NY Times. Supporting these well-established findings, I found that stranger crimes did dominate NY Times coverage of rape and other sexual assaults against women.¹⁴ Of 688 articles on incidents of sex crime in this sample, 399 (58.0%) featured stranger crimes. Two hundred and twenty-three (32.4%) featured sex crimes committed by an acquaintance of the victim, and fourteen (2.0%) featured attackers from the victim’s family. Astoundingly, only 10 articles (1.5%) featured a sexual attack committed by the victim’s current or former partner. Such proportions are in stark opposition to scholarly findings regarding victim-offender relations in sex crimes. Fisher, Cullen, and Daigle

(2005) argue that the percentage of sexual assaults committed by someone known to the victim is somewhere between 84 and 90. Earlier, a National Institute of Justice study found that intimate partners were the attackers in approximately three quarters (76%) of cases where women were assaulted physically or sexually assaulted. The Bureau of Justice Statistics (BJS) reports similar numbers. In 2008, the National Crime Victimization Survey 62.7 percent of rape and/or sexual assault victimizations of women were at the hands of non-strangers, while only 32.2 percent were perpetrated by strangers (Rand and Robinson 2011). Figure 5.3 below provides a visual comparison of the BJS statistics from 2008¹⁵ to the proportions of victim-offender relations featured in NY Times coverage, both in 2008 and throughout the sample time frame. It clearly illustrates the discrepancies between actual victim-offender relations in sex crimes and the way they are portrayed in the press. In 2008, the divergence between official statistics and NY Times coverage was quite outstanding—80 percent of rapes featured were committed by strangers. For the overall sample, the differences are less sharp, but still substantial. Fifty-eight percent of rapes featured in the overall sample were committed by strangers. Given these disparities, it seems that NY Times coverage overall does a poor job of thematically communicating victim-offender relations in sexual attacks against women. Moreover, it seems this pattern, like the one discussed above, has been somewhat stable over time. Figure 5.4 shows the frequencies and proportions of victim-offender relations over time.

National Crime Victimization Survey 2008



NYT 1992-2012



NYT 2008



Figure 5.3- Victim-offender relations: Official statistics compared to NYT coverage

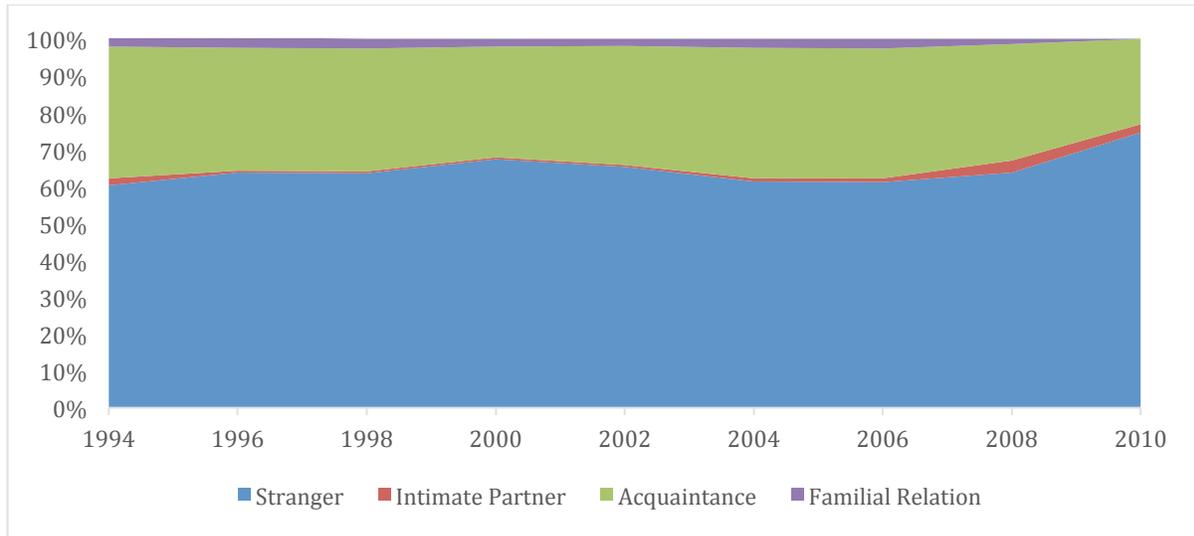


Figure 5.4- Moving three-year averages for victim-offender relations

Figure 5.4 shows that stranger crimes make up the majority of coverage across the sample time period. Additionally, it seems acquaintance crimes make up about a fifth to a third of coverage, while familial and intimate partner sexual attacks are very minor presence. One dynamic pattern is apparent in these data. The proportion of coverage dedicated to stranger sexual assaults in the NY Times has climbed, while the proportion dedicated to acquaintance sex assaults has fallen over the sampling time frame. Three-year averages for stranger and acquaintance rapes have gone from 60.2 percent of articles to 74.6 percent and 35.8 percent of articles to 23.0 percent of articles respectively.

The lack of correlation between these patterns and one particularly noteworthy historical pattern is worth discussing here. In the 1990s and 2000s the US saw an astounding drop in crime, often referred to as the ‘great crime decline.’ Moreover, New York City saw an even

more dramatic drop than the rest of the US. This was the subject of Franklin Zimring's (2013) book, *The City That Became Safe*. In the book, Zimring explores the possible explanations for the intensified crime decrease in New York, but before doing so, he documents this precipitous drop in the rate of various crimes. Of note for the purposes of this study, Zimring points out that as of 2009, rape declined 77 percent from its peak level in 1990. In that time, homicide and assault also declined by 82 and 67 percent respectively. Considering this, something becomes apparent that is either remarkable or depressingly unsurprising, depending on what one assumes about the nature of crime news. There seems to be no stable decrease in the number of stranger sexual assaults (the crime variety in this sample that best represents street crime) featured each year in the NY Times. In fact, its proportion of violence against women coverage overall increased. Despite a stark decline in these crimes, and significant variation overall in the frequency with which violence against women was covered, NY Times journalists were actually covering stranger sex assaults with greater intensity. It would also be reasonable to suspect that the same pattern held true for all street crime featured in the NY Times.

One might argue that the current level of stranger sex crimes, and street crime overall, has not fallen to an 'acceptable' level, and thus this focus is more than justified. On the other hand, the continuing prominence of stranger sex crimes in NY Times coverage should be seen as additional evidence of a focus on street crime that is largely untethered from actual crime trends, but misleadingly cultivates the perception of 'out of control' street crime, justifying the aggressive and punitive agenda characteristic of contemporary US criminal justice (Simon 2009; Wacquant 2009).

Regardless of any modest changes over time, the overall pattern seems quite significant. The NY Times devotes a great deal of attention to stranger sex crimes. It dedicates less, but still a significant amount to acquaintance attacks and it devotes little to no coverage to intimate partner and familial sex crimes. Of course, victims are less likely to report sexual attacks in which they know the offender, perhaps particularly so in intimate partner and familial relations cases (Fisher et al. 2005; Tjaden and Thoennes 2000). Because of that, such cases are less likely to come to the attention of reporters. On the other hand, the disparity between the proportions of articles featuring stranger cases and those featuring cases in which the victim knew the offender is rather striking. This is unlikely to be solely a product of the availability of information. Instead, it is most likely a form of selection bias spurred by news values. Stories of stranger attacks are more fear-inducing in the general public, and thus, more likely to sell papers. Thus, just as in the case of the disparity between coverage of sex crime and domestic violence, a variety of factors likely influence this pattern, some of them defensible, some of them cause for concern.

Regardless of the cause of the selection biases outlined above, they have some troubling implications. This biased reporting creates a distorted social construction, which artificially inflates the problem of street crime in general. More specifically though, it conditions the public to think of violence against women primarily in terms of sex crimes, and not simply sex crimes, but stranger sex crimes. Downplaying partner and acquaintance violence and stoking fears of stranger sexual attacks cultivates public concern in a selective way. First, it diverts public attention from the danger faced by women in the home, and from the men they know (Websdale

1996). Second, it inflames fear of anonymous strangers in public spaces. The ideological implication of this is profound. Public problematization of sexual violence eschews considerations of it as a result of diffuse unequal power relations between men and women (e.g. in the home, at work, in the economy), instead framing it as the purview of dangerous faceless deviants roving the streets. Further, the appropriate party to address this is a group of armed protectors vigilantly pursuing these deviants—the police—and the institutions that can keep predators away from the public once they are apprehended—prisons. This is quite consistent with neoliberal logics concerning social problems. Exacerbated fear of stranger sex crime in public spaces helps to justify the coercive/punitive crime control project that serves as an important source of stability for Western neoliberal regimes (Wacquant 2009). And, as well, the diversion of attention from the gendered danger of the home sphere averts a discussion of domestic violence that further problematizes contemporary heteropatriarchal familial relations. Otherwise, such a conversation would offer a challenge to the reinvigorated celebration of the heteropatriarchal family as the principle site for care and reproduction, which has been necessitated by the dissolution of the state's welfare obligations under neoliberalism (Grewal 2006). Simply put, these findings support not only my contention that NY Times coverage applies a criminal justice logic to violence against women, they also indicate it does so in a way that emphasizes the street crimes that have been the major focus of policing and punishment under neoliberalism.

Forensic Reporting

As was discussed in my review of the literature, one sometimes overlooked, yet important critique of news on violence against women, is that it engages in what Websdale and Alvarez (1998) call “forensic reporting.” Forensic reporting consists of a routinized mode of reporting, in which reporters focus on minute details of criminal incidents, for example the caliber of a gun used in a homicide or an exact timeline of events, and provide little or no contextual material. As I showed in the previous chapter, such a mode of reporting sometimes constitutes a news frame. However, with the objective of a more nuanced analysis, I operationalized this reporting technique as potentially both a frame and as a more limited story component. When forensic reporting dominated the entire article, the story was coded as employing the routine policing frame and forensic reporting as a component within. However, other stories may not have been dominated by forensic reporting, but still contained it as a significant story component. Such articles were coded with another frame, but also as employing forensic reporting.

The extant literature on forensic reporting and policing frames focus on ‘front end’ crime reporting—news on police investigations (Bullock and Cubert 2002; Surette 2006; Websdale and Alvarez 1998). In my analysis, I identified an analogous form of reporting in courts reporting. As I discussed in the section on the courts frame, many articles discussed court proceedings in a routine manner, which focused on somewhat minute legal details. I conceptualized this as legal forensic reporting. It is nearly identical in form to the previously mentioned form of forensic

reporting. Yet, matters of central police concern are replaced by matters of central judicial concern in the article.

Forensic reporting of both varieties was a significant presence in this sample. Nearly half of all articles (47.5%) employed some manner of forensic reporting. My preceding discussion of the routine policing frame provides a good illustration of what forensic reporting consists of. However, those features are worth reviewing here as well. For example, one article reporting on a serial rapist in New York City read,

In the eight incidents since May 30, Mr. Holmes followed women through the streets and into their buildings, where he would demand oral sex and money, and would usually flee if the women screamed, investigators said. In one case, on July 27 at 12:40 pm, he followed a woman into her building on East 93rd Street. In the hallway, he touched her breasts and forced her to have oral sex, then stole her wallet and fled, officials said (Finkelstein 2000).

Note the details provided and what they consist of. There is an exact time for one of the crimes, a fairly exact location, and an even more exact description of what the perpetrator did. Such reporting enables readers to understand the event in question quite well. They might even be able to visualize the crime in their minds. As I and others have previously pointed out, this mode of reporting gives readers insight into police investigations (Bullock and Cubert 2002; Websdale and Alvarez 1998). However, what such reporting does not do, is contextualize the incident in a

way that ties it to other incidents of similar violence, and, more broadly, features of mainstream society (e.g. various masculine types).

Providing an illustration of legal forensic reporting, one article on the rape trial of a former college basketball star, stated,

Teddy Dupay, who played on the Florida team that lost to Michigan State in the 2000 NCAA tournament title game, made an initial court appearance on charges of raping and kidnapping a woman at a Utah ski resort. Dupay did not enter a plea. Dupay, 29, is charged with felony rape, aggravated assault and aggravated kidnapping. In court documents, Dupay denied raping the woman (Associated Press 2008).

One might expect reporting on such a crime to employ a scandal frame, telling the story of a person who had fallen from sports stardom to being charged with a felony. However, that is not the case here. In fact, this quote constitutes the totality of the article. Like the previous passage, the reporting in this one focuses on minute and/or technical details, such as where the crime occurred, the age of the accused, and the exact charges against him. While such details are relevant to the case in question, the totality of reporting here does not leave readers with any greater understanding of why men harm women so often.

In regards to the presence of forensic reporting over time, figure 5.5 provides three-year moving averages for forensic reporting across the sampling time frame.

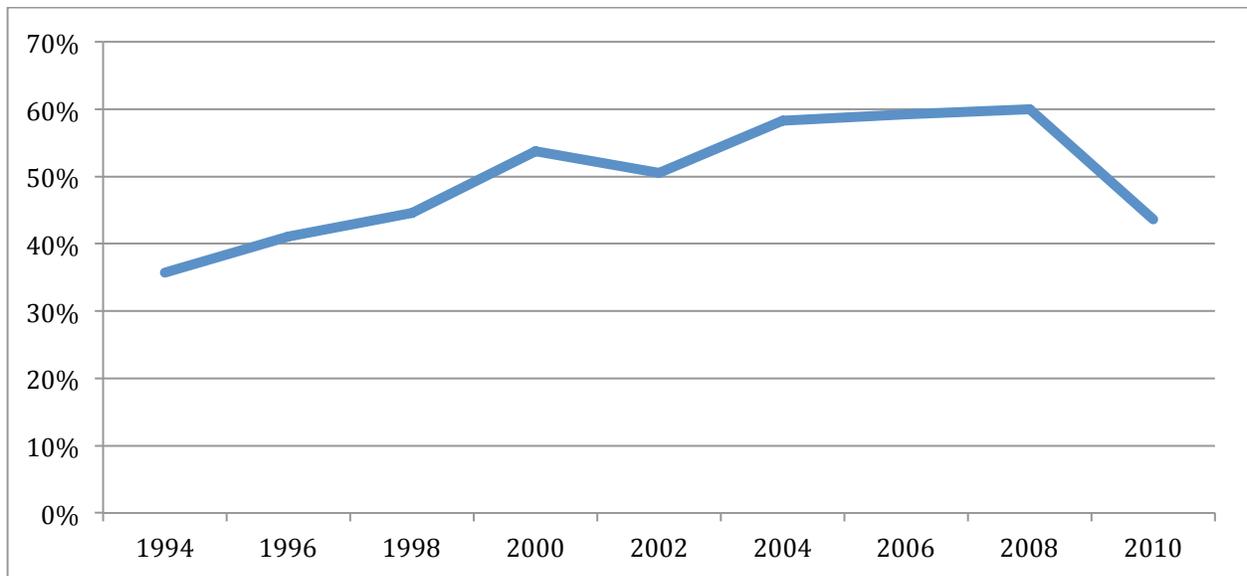


Figure 5.5- Moving three-year averages for forensic reporting

Figure 5.5 shows that forensic reporting was consistently a significant presence over this time period. For most years, the amount of articles engaging in such reporting was anywhere between 35 and 60 percent. Moreover, over this time frame, the average proportion has increased from 35.7 to 43.6 percent. On the other hand, it seems that while the proportion of articles employing forensic reporting increased steadily through the 1990s and most of the 2000s, it seems to have decreased substantially at the end of the 2000s. It is impossible to extrapolate a cause for that pattern from these data. However, I can offer one possible explanation.

Significant political debate about policy concerning violence against women occurred in the years at the very beginning and end of the sampling time frame for this study, the years for which the three-year averages are the lowest. For example, the first Violence Against Women Act was passed in September of 1994, and this was the subject of several articles in the New

York Times. The policy debate may have helped to frame the issue as a social problem in the minds of many reporters, spurring them to engage less often in forensic reporting. Additionally, the 2012 presidential and congressional elections entailed much discussion about candidates' stance on political issues associated with gender equity. Recall the derision directed at former Massachusetts Governor Mitt Romney after making a comment about having 'binders full of women' from which he could pick executive appointees (Parker 2012). Other candidates faced intense criticism for their stances on reproductive rights, wage equality, and sexual assault. For example, Missouri Congressman Todd Akin was publicly skewered for referring to 'legitimate rape' in comments regarding his stance on abortion (Moore 2012). One might also point out that there was significant anticipation concerning the 2013 renewal of the Violence Against Women Act during the 2012 election. While much of the rhetoric and criticism concerning 'women's issues' during the 2012 election was not directly about violence, it may have still cultivated an effect among the press similar to that which I hypothesized happened in 1994. Clearly this explanation is speculative, but it is plausible.

Overall though, what Figure 5.5 most clearly shows is that forensic reporting is and continues to be a very common element in reporting on violence against women. A great deal of NY Times coverage of violence against women tells the public, as Websdale and Alvarez (1998) put it, 'more and more about less and less.' The presence of forensic reporting, with its focus on basic matters of policing and prosecution, is one more finding that illustrates how a criminal

justice paradigm dominates this news coverage. Furthermore, as the next section will illustrate, forensic reporting resonates well with the technical logics that are emphasized in neoliberal culture.

Discussions of DNA evidence

Forensic reporting need not necessarily entail a focus on sophisticated technical analyses of evidence. However, sometimes it does. While considering the extent and nature of forensic reporting in this sample, I noticed that a substantial number of articles discussed the role of DNA evidence in rape and femicide cases. In fact, it appeared that mentions of DNA evidence became more common throughout the sample time frame. Figure 5.6 provides the three-year averages for DNA discussions by year.

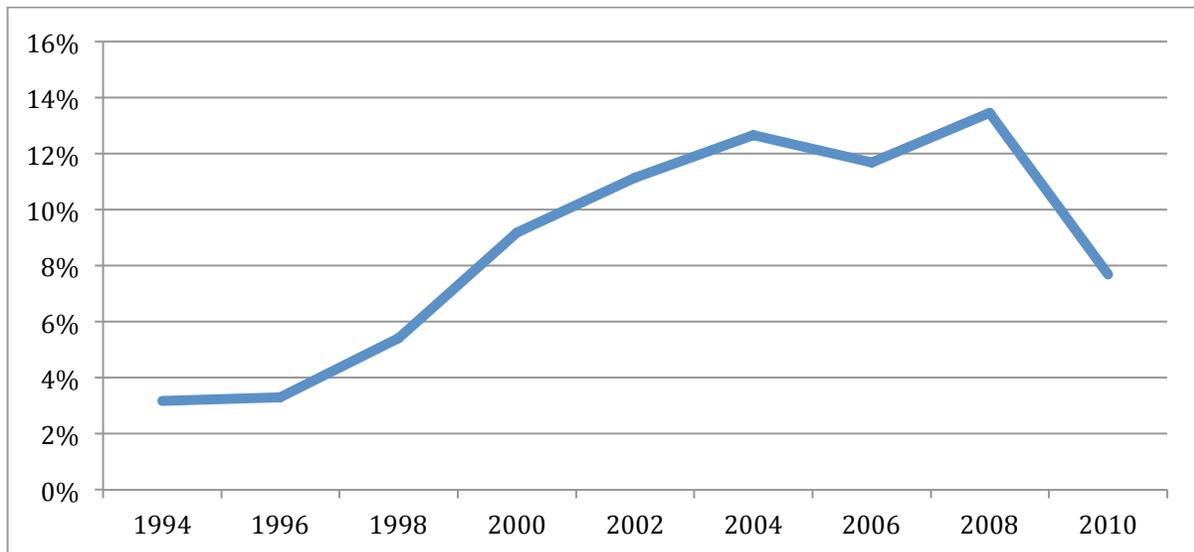


Figure 5.6- Moving three-year averages for DNA discussions

Figure 5.6 shows that over the course of the sampling frame, averages for discussions of DNA rose from 3.3 percent of articles to 7.7 percent of articles. Moreover, they rose as high as 13.5 percent of articles. This rise in the discussion of DNA evidence might be partially a product of the emergence of organizations dedicated to reversing false convictions with the use of DNA evidence, for example Barry Scheck and Peter Neufeld's Innocence Project, which was founded in 1992 (Anon n.d.). Indeed, discussions about DNA evidence often arose in the context of articles reporting on exonerations of the wrongfully convicted. However, many articles citing DNA evidence also reported on how DNA had solved 'cold' cases that had stood unsolved for an extend period of time. A more general hypothesis to explain the increase in attention paid to DNA evidence is the increasing centrality of technology in contemporary neoliberal society. Scholars have noted that under neoliberalism, various stakeholders tend to advocate for the use of various technologies, such as computerization and bioengineering, to solve not just technical problems, but also social ones (Bumiller 2008; Wacquant 2009). The discussion of DNA evidence in this sample, and its increasing frequency since the 1990s seem to support this notion. For instance, a similar pattern to that exhibited in the overall sample is apparent when examining policy- and issue-based articles. Before the year 2000, there were zero policy-based articles referencing the role of DNA evidence. From 2000 onward, there were 13 articles (11.8% of this category of articles) discussing the use of DNA evidence to improve the justice system. It seems that NY Times reporters are increasingly attentive to the role DNA technology plays in redressing flaws and failures of the criminal justice system, such as false accusations and unsolved cases.

On the other hand, like proportions of articles employing forensic reporting, those discussing DNA fell substantially at the very end of the sampling frame. One possible explanation for this was that the novelty of DNA was wearing off after a decade of it being prominently displayed in the media. However, this could also have been a temporary trend. In fact, during 2010, 12.7 percent (the actual frequency, not three-year average) of articles included discussions of DNA. Ultimately, it is not possible to determine the veracity of this decreasing trend without further years of data.

Journalistic attention to DNA is entirely appropriate—DNA evidence is (or at least was) a novel technology, and the delivery of unexpected justice is an appealing narrative. Furthermore, this is not an overwhelming theme in coverage. It is not as if NY Times reporters are referencing the capacities of DNA evidence nearly every time they report on violence against women. On the other hand, two points concerning the importance of this theme should be considered. First, while discussions about DNA constitute a small subsample of these data, DNA is just one technology among several that were referenced by reporters as possible remedies for failures and flaws in the justice system. Computerization of police records, use of digital cameras to document evidence, and forensic medical exams were also discussed multiple times¹⁶. Thus, while DNA discussions only occurred in 7.7 percent of articles overall, general assertions of technology as a remedy for justice were more common. Second, while calls for increased criminal justice attention toward violence against women (33.0% of policy/issue-based articles), and more services for battered women (19.1% of policy/issue-based articles) were more prominent than technological discussions, no articles in this sample considered serious changes

to the criminal justice system as remedies for its failings (e.g. an end to mass incarceration), or broad-based cultural shifts (e.g. a shift away from traditional masculine socialization) as a possible solution to violence against women. To be clear, my point here is not to indict the NY Times for being sociologically unimaginative. It is to point out that a) while expansion of state services (especially crime control) are the principal reforms asserted in the NY Times, b) technology-as-justice-remedies also comprise a significant theme, and c) such discourse resonates well with a neoliberal logic that promotes technological expertise and the expansion of coercive/punitive state power to redress social issues such as failures of justice and interpersonal violence (Bumiller 2008). The centrality of technology and its social significance in reporting on violence against women will be increasingly apparent in following chapters, particularly chapters seven and eight, when I discuss the Duke Lacrosse and Steubenville cases.

Deviant Sub/culture frames and Orientalist News

As mentioned in the previous chapter, reporting employing a frame that associated violence against women with foreign cultures (or deviant subcultures) was a significant theme in this sample, present in 6.1% of all articles. This was the fourth most common frame employed in these data. However, the deviant sub/culture frame was not consistent throughout the sample. More specifically the deviant sub/culture frame was seldom used early in the sample, but then increased throughout, particularly after 2001. Figure 5.7 illustrates this pattern.

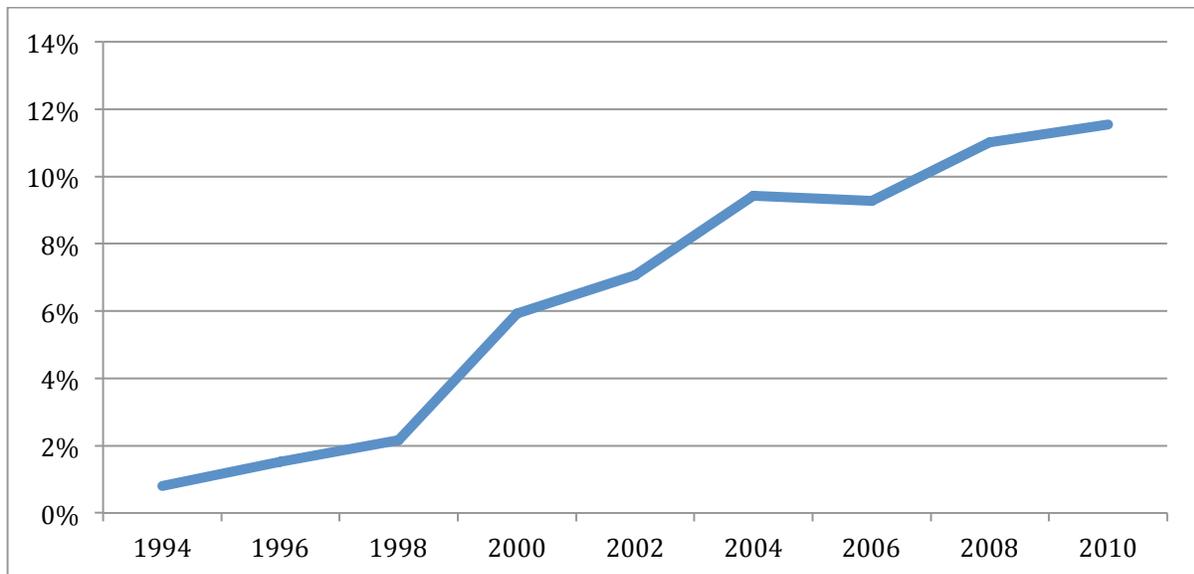


Figure 5.7- Moving three-year averages for deviant sub/culture frame

Figure 5.7 shows a clear and consistent upward trend for the use of this frame. This is perhaps the clearest chronological trend in these data. However, the moving three-year average flattens one very sharp change that is apparent when looking at the actual frequencies, which is quite important to note. While Figure 5.7 seems to show a steady increase over the entire sample frame, there was a sharp increase in the frequency of this frame in 2002. In 2000, the deviant sub/culture frame was present in only 3.2 percent of articles, and in 2002 it was used in 10.9 percent of articles. Unsurprisingly this increase roughly correlates with the 9/11 terrorist attacks. It seems quite clear that the NY Times began paying far more attention to violence against women in Islamic nations after 9/11. This phenomenon is not a coincidence. The George W. Bush administration used appeals for gender equity among Islamic nations as a partial justification for the invasions of Afghanistan and Iraq, as well as the overall war on terror

(Ferguson 2005). And, the frequency of violence against women in these countries was an element in these arguments concerning gender equity. While none of the articles here directly referenced US military actions, the use of this frame clearly adds legitimacy to such claims about violence against women in Islamic states. By reporting on allegedly rampant violence against women, while linking it to Islamic culture, NY Times reporting gave credence to the claims of the Bush administration, neoconservatives, and others when they argued that the war on terror is needed (partially) to free women from the burden of such violence. To be fair, not all of these articles reported on violence against women in Islamic countries with which the US was at war. Many of these articles were dedicated to covering violence in Pakistan, a US ally. Furthermore, multiple articles were dedicated to violence against women in the Democratic Republic of the Congo, a majority Christian nation. However, the argument I am making here is not restricted to the US War on Terror, but regards a broader imperialism.

This frame, which implicates foreign cultures in astounding amounts of violence against women, supplies what Edward Said called an ‘Orientalist’ gaze—one which creates a dichotomy between Western and Eastern nations¹⁷, posing the West as progressive and egalitarian against a backward and oppressive East (Said 1979). Clearly, the pattern that I am identifying here does not explicitly create such a clean dichotomy. For instance, no articles explicitly asserted that the US had successfully combated violence against women while it runs rampant in other states. However, when considering the finding discussed earlier—that the majority of these data comprise coverage reporting on how US state agencies are actively combatting violence against women—in conjunction with the pattern identified here, one can see how readers might often

draw the conclusion that Eastern nations lag far behind the US in fighting for gender equality. Furthermore, following such logic, it is easy to see how the extended conclusion can be drawn that liberating women is a legitimate element of the war on terror, and other US imperial operations in countries characterized by such backward cultures.

I will return to this theme in the conclusion of this section, as well as the concluding chapter, when I will further consider the implications of this finding, but again here it is valuable to acknowledge two points. First, like the dominance of criminal justice logic in this coverage, the use of the deviant sub/culture frame legitimizes state power, though less directly. By supplying moral cover for military forays into other nations, such coverage justifies the use of militaristic force by the US state. Second, the increasing use of this frame is further evidence of the racializing character of this variety of news coverage. These data indicate that not only does NY Times coverage supply racializing themes in relation to violence against women occurring domestically (as I will discuss further shortly), it also does so in regards to such violence abroad.

Social Problem Framing

Increases in the use of the deviant sub/culture frame interestingly correlate with a reduction on the use of the domestic social problem frame. As I discussed in the previous chapter, the use of this frame was far more common during the 1990s than it was after 2000 it seems. Figure 5.8 provides three-year averages for the usage of this frame throughout the sample.

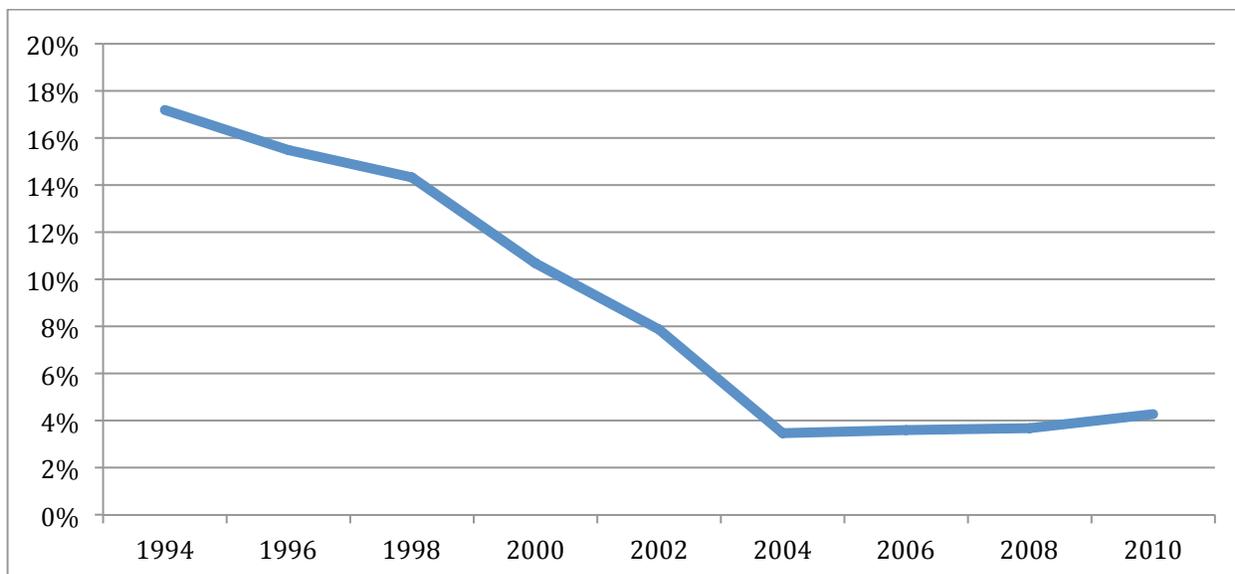


Figure 5.8- Moving three-year averages for social problem frame

This pattern is somewhat remarkable when taken in consideration with the previously discussed trend regarding the use of the deviant sub/culture frame. While the use of the social problem frame was relatively common during the early- to mid-1990s, its use has since decreased substantially. The 1994 three-year average for the use of this frame was 17.2 percent, while the 2010 average was 4.3 percent. During roughly the same time period that reporters began less frequently framing such violence as a product of US culture they began more frequently framing violence against women as a product of foreign cultures. While reporters are doing more to cultivate public awareness of this social problem abroad, they are passively concealing it domestically. This reduction in use of the domestic social frame likely strengthens Orientalist reasoning then, as it reduces the visibility of this social problem domestically at the same time the media are encouraging enhanced public concerns regarding the issue abroad.

Victim-blaming

Perhaps the most touted and widely-known feminist criticism of the news is that it tends to blame victims of rape and domestic violence for their own suffering (Benedict 1993; Brownmiller 1975a; Chagnon 2014; Chancer 1994, 2005; DeKeseredy 1999; Dragiewicz 2011; Gillespie et al. 2013; Howe 1997; Meyers 1994, 2004; Taylor 2009). Numerous scholars have pointed out how the press tends to question women's behavior, or sympathize with their attackers in ways that imply women are somehow culpable for acts of rape and domestic violence. The findings of my analysis add support to such critiques. Approximately 20 percent of NY Times articles in this sample (20.1%) included victim-blaming discourses. Such discourses were diverse both in their forms and intensities. Victim-blaming discourses included themes such as remarking on rape victims' intoxication unnecessarily (e.g. if it was not clear that this enabled the rape); discussing a victim's sexual background; implying that a domestic violence incident was mutual combat; or using negatively connoted language (e.g. nag, drunken, etc.). Some of this victim blaming was quite subtle. For example, one article, reporting on a femicide, described the crime by stating, "The authorities said that shortly before 7:30 pm, Mr. Ayala and Ms. Rivera got into an argument that turned violent, and that Mr. Ayala slashed Ms. Rivera's throat" (Anon 2008). In some ways, this description is not entirely unfair. It is possible that the two partners did start arguing, and it seems that the argument did lead to violence. On the other hand, such a description conceals underlying patterns of domestic violence. For example, if we were to hypothesize that this crime is one that replicates the general patterns illuminated by domestic violence researchers, the characterization quoted above eschews a key

fact—that this argument was only one culminating event in a long pattern of controlling and abusive behavior by Mr. Ayala. One might not too harshly fault a crime reporter for leaving out that type of context. Perhaps it was unavailable at the time the article went to press. Still, the persistent presence of such descriptions of domestic violence over time can resonate, leading readers to the assumption that femicides often ‘just happen,’ that they often consist of arguments between two people who are hostile to each other at the moment, which escalate too rapidly for each person to control their behavior. Such an assumption is quite contrary to the established knowledge on how femicides happen.

Other articles contained more forceful and direct forms of victim blaming. This was often the product of reporters quoting defense attorneys, officials, or spokespeople trying to explain away violence against women or a failure to properly address it. For example, one story about a State Farm Insurance policy rescinding coverage for domestic abuse victims stated,

Earlier this month, when that policy was still in effect, Ms. Eynatten said, “It wouldn’t be prudent of us as a company to insure someone we knew was being abused, any more than it would be to insure a diabetic not taking their medication” (Seelye 1994).

In this passage, the State Farm spokesperson applies the ludicrous logic of analogizing personal medical maintenance with leaving an abusive partner, as if injecting oneself with insulin daily were tantamount to escaping a batterer. One might point out the irony in such a logic, considering battered women are most likely to be killed when they leave an abuser (Dragiewicz 2011; Harrell and Smith 1996). To be fair, the New York Times covered this policy and the

ensuing remarks by the spokesperson, as a controversy for which State Farm was being criticized widely. However, giving a platform for such perspectives is arguably inappropriate. It likely springs out of the journalistic norm that each story has two sides, and objective reporting gives voice to each side. This convention, however, greatly simplifies complex issues and often lends at least some credence to discourses and perspectives that are verifiably inaccurate (Chancer 1994; Hall 1978; Herman and Chomsky 2002).

One other form of victim blaming should be noted in order to appropriately illuminate the diversity of victim-blaming discourses present in these data. As I previously discussed, Taylor (2009) has argued that victim-blaming can be both direct and indirect. Both forms of victim blaming were present in this sample. Indirect victim blaming was most often present in articles on murder-suicides. For example, one article on murder-suicide reported,

For the elder Mrs. Quezada, who now faces the task of raising her daughter's two young boys, the shootings were tragic in every way. The couple's relationship had been stormy, she had thought highly of her daughter's husband, who like her and her daughter, had come from the Dominican Republic.

"He was a good father," Mrs. Quezada said. "But he was jealous and didn't want her to leave with the children" (Treater 1994).

In this passage, the offender's behavior is not simply excused. However, one could argue that the blame is greatly mitigated. First the quote used in the article implies that this crime is a 'tragedy,' the significance of which I have remarked in the previous chapter. Second, it frames

the offender as a somewhat redeemable character in that he ‘was a good father.’ Third, the victim blaming culminates in implying that he was motivated by his love of his children, and the threat that his partner would take them away from him. This is a far different way of explaining a crime than pointing out how one partner seeks to control the other, and kills when he cannot.

Figure 5.9 presents the three-year averages for the presence of victim blaming across the sample. It shows a decrease in victim blaming across the sample, though it remains a somewhat common element of this news. Across the sample, the moving average for the presence of victim blaming decreased from 24.9 percent of articles to 13.7.

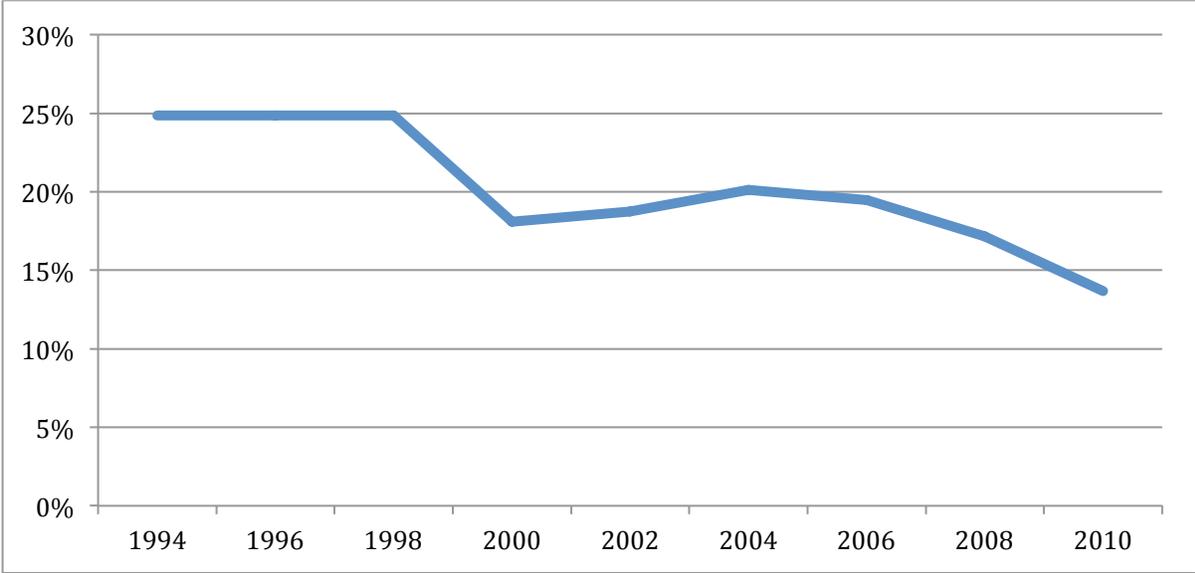


Figure 5.9- Moving three-year averages for victim blaming

This decreasing trend is an encouraging finding. It seems that over the past decades, the press has less often included discourses that blame women for their own victimization. It suggests that feminist critiques are having a significant influence on this reporting. On the other hand, one might point out that nearly 15 percent of articles still employ such tactics, and this is a somewhat troubling finding given that scholars and pundits have criticized journalists for including victim-blaming discourses for half a century (Brownmiller 1975a). While it seems journalists have heeded criticisms to some degree, these findings suggest they have not entirely digested them either. The upshot of this, many would argue, is that the continued inclusion of victim-blaming discourses will support the persistence of rape myths in American society, preventing more total public comprehension of this crime. In fact, the next three chapters will show how victim-blaming logics are still central elements in high-profile cases.

Anti-feminist Backlash

One objective I had when starting this project was investigating the presence of the anti-feminist backlash (Chesney-Lind 2006; DeKeseredy 1999; Dragiewicz 2011; Faludi 1991). Explicit anti-feminist backlash was not a dominant, or a particularly prominent, theme in this sample. It was, however, a significant one. Sixty-two articles (5.1%) featured some sort of anti-feminist discourse. Such discourses ranged from advocating for a gender symmetric approach to understanding violence against women to outright arguing for the irrelevance or inaccuracy of contemporary feminist perspectives. For example, reporting on a new scientific text about rape, one article read,

Rape is primarily a crime of violence and power, not sex. Or so a generation of social scientists and feminist scholars have argued...

But in a forthcoming book, two evolutionary scientists say this view is born of ideology, not science, and is 'based on empirically erroneous, even mythological, ideas about human development, behavior, and psychology...'

All of which, given the current passion for pulling Darwin into the domain of human sexual affairs, is not particularly new. But the scientists go further: If rape prevention programs are to be successful, they contend, evolution must be taken into account (Goode 2000).

In this account, which essentially argues rape is a product of evolution, objective 'science' is juxtaposed with feminist 'ideology.' Such an argument is a clear attack on feminist insights. And it is one that has long been rebutted by feminists and other social scientists (Ward and Siegert 2002). This is among the most direct and forceful examples of anti-feminist discourse. Other instances of anti-feminist backlash were less direct and less harsh. For example, one article touching upon the role of abuse allegations in divorce proceedings read,

In many ways, the case points up the tensions in abuse cases between the legal rights of the accuser and those of the accused. In some cases involving custody fights, lawyers for the men complain that the women can make up outrageous charges of abuse in a bid to get sole custody (Verhovek 1998).

Clearly, the indictment of feminism in this passage is indirect. However, the complaint by men's lawyers about the ability of women to 'make up outrageous charges of abuse,' is an implicit argument that the legal pendulum has swung too far towards women's rights, so that men are being poorly served by the courts. Perhaps that is true in some respects. However, considering the fact that the vast majority of abuse cases are still unreported, one could argue that far more men are getting away with abuse, than there are women creating false allegations of abuse. Furthermore, various men's groups have been decrying the unfairness of feminist legal reforms for decades, perhaps beginning with their arguments against the establishment of marital rape as a crime (Benedict 1993; Brownmiller 1975a; Dragiewicz 2011). Thus, while the reporter in this story may be giving voice to a relevant perspective in many respects, the article also serves as a platform for an established tactic for neutralizing feminist perspectives and reasserting patriarchal arrangements.

To summarize the above, anti-feminist backlash discourses were not common among this sample, yet they were a significant presence, and were present in diverse forms. The frequency of anti-feminist backlash discourses in the sample, however, was not constant over time. Figure 5.10 illustrates this, demonstrating a rather clear pattern. It seems anti-feminist backlash was a somewhat common theme in coverage during the early to mid-1990s, but its inclusion dropped steadily throughout the late 90s and early 2000s, before sharply increasing again towards the end of that decade.

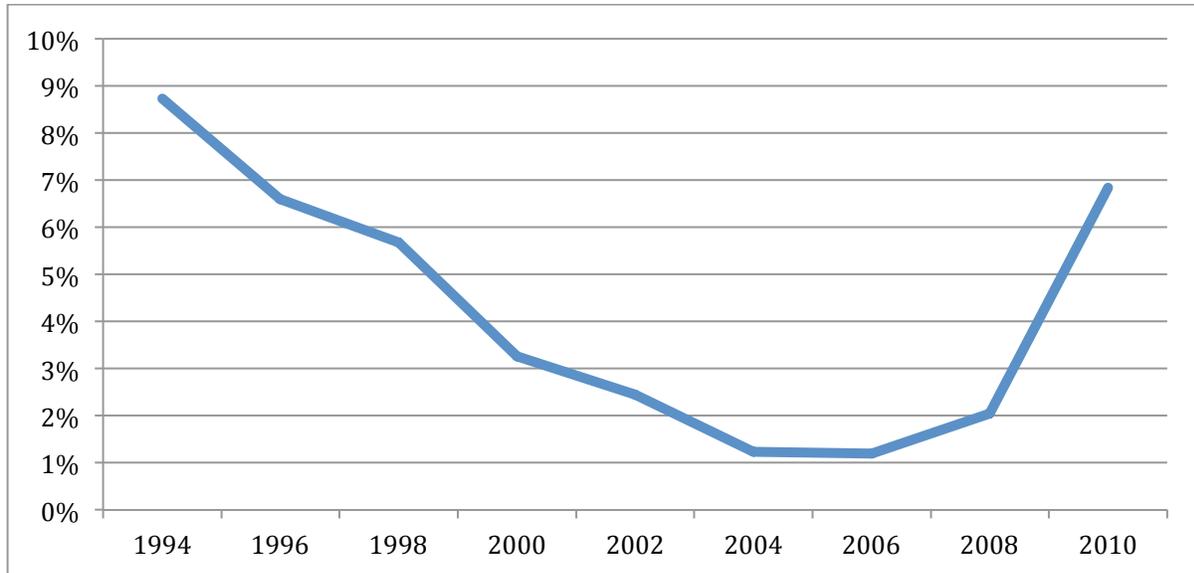


Figure 5.10- Moving three-year averages for anti-feminist backlash

The pattern shown here might be somewhat troubling for those advocating or agreeing with a feminist perspective on violence against women. It seems that anti-feminism in this coverage was disappearing at the turn of the millennium, but has made a comeback recently. Clearly some of the recent actions by state legislatures, such as new restrictions on access to reproductive medicine, and comments by conservative politicians during the last two elections, such as those discussed earlier, add credence to such a hypothesis. On the other hand, these patterns in press coverage are not accurate reflections of actual changes in the form, tone, and intensities of political speech. They are reflections of journalistic interest in such speech. Thus, I would ponder whether the pattern shown in Figure 5.10 is a result of violence against women being a subject of more popular debate during the early 1990s and during the late 2000s.

To be sure, I am not arguing that anti-feminism is an insignificant presence in American society. Indeed, it is likely that it is significant and consistently influential. However, these findings suggest that the press gives voice to such perspectives more often when violence against women is a more prominent issue. This is not a surprising phenomenon. Anti-feminist discourses are inherently contrarian, and thus provide conflict. Conflict sells newspapers. Yet, one might indict the press in this case for manufacturing conflict over the nature of violence against women by giving voice to perspectives that have little evidence to back up their claims, as men's rights groups often do (Dragiewicz 2011). On the other hand, in defense of the press, again, this anti-feminism is not common in NY Times coverage. Furthermore, I would argue that the larger problem relating to anti-feminism and the news is not the presence of this discourse in the press. Instead, one might be more concerned with the ways in which the aggregate body of coverage allows for the impression that the state (particularly the criminal justice system) has incorporated feminist concerns into its agenda by seriously addressing the problem. Such a conclusion can make further feminist critique seem unnecessary, irrelevant, or unreasonable, and make critical feminists seem like mere malcontents. Further the association between state agencies and some feminists may result in some assuming feminism in general to be an oppressive force, given the oppressive characteristics of contemporary neoliberal states (Bumiller 2008). I will discuss this theme further in my conclusion when I consider how the findings of this study suggest possible changes in patriarchal relations today, especially regarding the enhanced patriarchal power of the state.

Pro-feminist Discourse

While these data included some anti-feminist backlash, they also contained explicitly pro-feminist discourse. Approximately 10 percent of articles (9.4%) included pro-feminist discourses. This discourse was substantively similar to the domestic social problem frame, though it was formatively different in that it was a story component, rather than an overarching theme. Pro-feminist discourse entailed claims about violence against women as a pervasive, yet diverse phenomenon, its social causes, and/or the need for collective/cultural responses to it. For example, one letter to the editor criticizing the mis-framing of domestic violence by the NY Times read,

The article, “After 3 Murders, A Neighborhood Worries” (Feb. 24) completely missed the point by not calling these domestic violence crimes.

These cases are not about boogey men hiding in bushes, where safety is assured with a locked door and an alarm system. The domestic violence offender is after his current of former partner, not you or me (Anon 2002a).

In this passage, the letter’s author points out that NY Times coverage of a domestic violence incident gave credence to unreasonable fears of crime. He/she aptly argues that neighbors likely need not worry that about being victimized by an abuser if they are not intimately involved with the abuser (though perhaps that fear would be more reasonable if they were a relative of the victim). Moreover, this letter implicitly criticizes NY Times reporting for treating domestic

violence as if it were a random street crime and failing to properly identify it, thus eschewing a consideration of the gender dynamics that are at the heart of domestic violence.

Another article, which featured an interview with an anti-violence advocate, discussed a cultural approach to combating violence against women. The reporter quoted the advocate, writing,

To society my message is a little different. I say to men that they have to hold their brethren accountable for abusiveness. Men have to make battering socially unacceptable. One woman can't stop one man, and women as a class can't stop men as a group. Men need to step in (Greene 1998).

Such discourse is more directly feminist than the previous passage. The quote entails a clear argument that a cultural change is the only way to stop partner abuse. Furthermore, it employs sociological feminist language about women and men as separate 'classes' of people, implying that men are the more empowered class. Finally, it makes the argument, popularized recently by the 'It's On Us' campaign (Somanader 2014) but asserted for decades by feminists, that only men can stop violence against women, since they hold the majority of power in society, and are the perpetrators of this violence. Figure 5.11 provides the frequencies of pro-feminist discourse for each year of the sample, revealing quite a wide range of variation in the presence of pro-feminist discourse across the sample time frame.

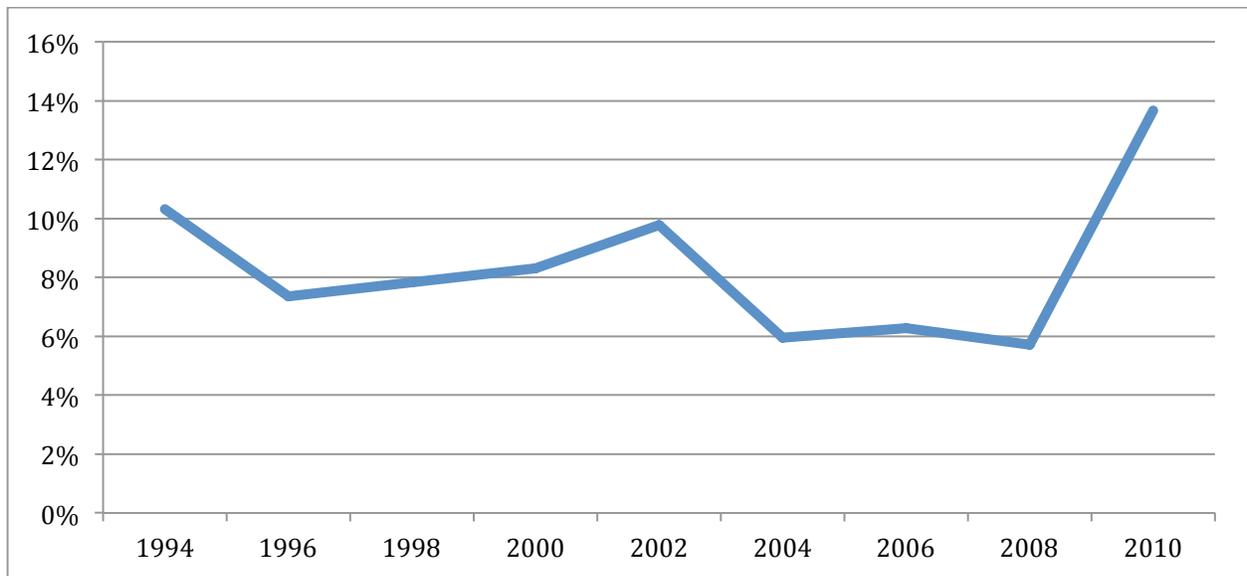


Figure 5.11- Moving three-year averages for pro-feminist discourse

It seems the inclusion of pro-feminist discourse has varied substantially across the sample. The moving average for this story component stays between roughly seven and a half and 10 percent until about 2002, when it falls to around five percent before rising sharply to almost 14 percent at the end of the sample. Since these variations are modest, one should not read too much into them. However, interestingly, this pattern loosely follows the pattern exhibited in the frequency of anti-feminist backlash across the sample time frame—they both roughly follow a U-shaped pattern (though for pro-feminist discourse it is more of a W). While there was no outstanding direct correlation between the presence of both in the same (16.1% of articles featuring anti-feminist backlash also featured pro-feminist discourse, while anti-feminist backlash was present in 8.7% of those featuring pro-feminist discourse), the chronological correlation may be a

product of a general pattern—perhaps journalists become more interested in both feminist and anti-feminist ideas when the issue is being more actively debated in the civil sphere.

Yet, perhaps the increase in pro-feminist discourse during the middle of the sample is not mere noise. Looking at the actual frequencies for each component, there are three years (1998, 2004, 2010) during which there were substantial increases in pro-feminist discourse but no such corresponding increases in anti-feminist discourse. Furthermore, pro-feminist discourse is roughly twice as common in the sample as anti-feminist discourse. Given this, one might hypothesize that changes in pro-feminist discourse are independent from changes in anti-feminist discourse. Perhaps both ideas are true—these two discourses are correlated in some ways, but independent in others. In respect to how they might be independent, one might speculate the higher proportion of pro-feminist discourse and the somewhat common usage of sources such as anti-violence advocates and feminist academics are more evidence to support my assertion discussed several times so far, that NY Times reporters have internalized some feminist ideas, to some degree, and thus raise (relatively) feminist assertions at times without providing the anti-feminist counter-perspective¹⁸.

Race, Class, and Intersectionality

The preceding sections in this chapter have illuminated presence of various story components, many of which are problematic in that they obstruct a nuanced understanding of violence against women. More specifically, story components such as victim blaming and anti-feminist backlash tend to perpetuate ideologies that defer blame for sex crimes and violence against women from men and patriarchy, often onto women themselves. Further, elements like

forensic reporting divert public attention from social problems and focus it increasingly on narrow technical matters. The discussion so far has demonstrated the overall presence of such components. However, many feminists critics of crime news have pointed out the need to examine these texts using an intersectional perspective that accounts for the ways in which women who belong to stigmatized social groups, such as racial minorities and the poor, face magnified inequalities and oppression (Chancer 1994; Kozol 1995; Meyers 1994, 2004). In following this logic, I examined how victim blaming and certain frames correlated with racializing and/or class-based discourses.

Scholars such as Chancer (1994) and Meyers (1994, 2004) have pointed out how the news tends to blame non-white victims more readily than white ones. Testing this hypothesis, I examined how victim-blaming discourses clustered in this sample around racializing discourses that were applied to victims¹⁹. Table 5.1 provides the results of this analysis.

Table 5.1- Victim blaming and racialization

Race (N)	Victim blaming (%)
White (44)	11 (25.0)
Black (51)	15 (29.4)
Latina/Hispanic (65)	26 (40.0)
Other (69)	13 (18.8)
Not racialized (446)	118 (26.5)

Table 5.1 at least partially supports the claims of previous scholars. For instance, Latina/Hispanic victims were clearly subjected to more victim blaming than whites. The same is true for black victims, yet the difference is much smaller. On the other hand, those racialized as other (including East Asian, South Asian, Middle Eastern victims) were subject to the least victim blaming. This might seem surprising as one might expect white victims to be blamed the least. However, the limited amount of victim blaming among the ‘other’ category is likely a product of the Orientalist tendency discussed earlier. Articles that ascribed blame to backwardly patriarchal Eastern cultures virtually never spread the blame to the victim as well. Additionally, it is important to note that those victims who were not racialized to any significant degree were subject to only a slightly higher amount of victim blaming. One might consider the fact that whiteness tends to be invisible in many ways (McIntosh 1992). Without racializing markers, many readers and journalists may assume a victim to be white, especially if that victim is a member of the middle or upper classes. Thus, it is possible that non-racialized victims are granted the same treatment as victims racialized as white. This leads to the implication that, at least in regard to victims, racialization serves as a form of discursive stigma. The racialization of victims makes it more likely they will be blamed for being victimized. This appears particularly true in regards to Latina/Hispanic victims.

I also investigated how victim blaming correlated with the way victims were classed in NY Times content. The results were similar to the previous analysis in that victim blaming was less common among dominant groups. Table 5.2 provides these results.

Table 5.2- Victim blaming and victim class

Class (N)	Victim blaming (%)
Upper/middle (158)	34 (21.5)
Lower/working (128)	59 (46.1)
Not classed (410)	90 (22.0)

Table 5.2 shows a clear pattern in that lower- and working-class victims are subjected to victim blaming more than twice as often as upper-/middle-class victims and those who were not classed. Similar to those relating to race, these findings suggest that lower-/working-class status serves as a form of stigma—these victims were treated more harshly in the news.

Of course, the treatment of victims is only one part of the crime news equation. How the news constructs representations of offenders is equally as important as how it constructs representations of victims. The same scholars who have pointed out how the news tends to blame marginalized victims have argued that the news makes excuses for privileged offenders (Chancer 1994; Dragiewicz 2011; Meyers 1994, 2004). To examine this, I performed analyses similar to the ones discussed above, but focusing on the treatment of offenders instead. Tables 5.3 and 5.4 provide these findings.

Table 5.3- Victim blaming and offender race

Race (N)	Victim blaming (%)
White (68)	32 (47.1)
Black (139)	40 (28.8)
Latino/Hispanic (104)	23 (22.1)
Other (45)	11 (24.4)
Not racialized (357)	80 (22.4)

Table 5.4 Victim blaming and offender class

Class (N)	Victim blaming (%)
Upper/middle (234)	77 (32.9)
Lower/working (228)	51 (22.4)
Not classed (251)	58 (23.1)

Findings from this analysis supported the arguments of previous scholars, and complement my findings relating to victim blaming and victim identities as well. Generally speaking, articles featuring offenders from dominant groups were more likely to employ victim blaming compared to those featuring offenders from marginalized groups. Specifically, articles featuring white offenders employed victim blaming approximately twice as often as those featuring Latino/Hispanic offenders and about 1.5 times as often as those featuring black offenders. Additionally, those racialized as other and those not racialized at all featured victim blaming

about as often as those featuring Hispanic/Latino and black offenders. In regards to class, these findings also illustrate a somewhat clear pattern. Articles featuring offenders constructed as middle- or upper-class employed victim blaming close to one and a half times more often than those featuring lower-/working-class offenders and those featuring non-classed victims.

To summarize, these findings provide a compliment to those regarding victims in that they suggest that the news less often holds privileged offenders culpable for raping, beating, and/or murdering women, compared to marginalized ones. However, there is one curious difference in these findings compared to the victim-centered findings. Victims who were not racialized or classed received amounts of victim blaming similar to those of whites. On the other hand, articles featuring offenders that were not racialized or classed tended to have similar amounts of victim blaming as those featuring black or Hispanic/Latino offenders. These findings seemingly contradict the idea that those who are not racialized are treated the same as those racialized as white because of ‘invisible whiteness,’ at least in regard to offenders. It is impossible to fully explain why this is, but it should be noted that for victims marginalized status seems to work as stigma, while for offenders, whiteness and higher class standing seem to work as a form of privilege. In other words, if we hold non-racialized or non-classed individuals as a reference group, it seems in the case of victims those racialized as white are granted similar treatment to the reference group, while in the case of offenders, whites are treated more sympathetically than the reference group. One might speculate that this has something to do with the archetypical ways in which offenders and victims are constructed in the news. Many scholars would argue that the ‘typical’ sympathetic victim is a white one (often middle class and

female) (Benedict 1993; Meyers 1994; Wood 2005), while the typical vilified offender is a non-white one (usually of lower class and male) (Reiman and Leighton 2012). Thus, perhaps whiteness is invisible or assumed for victims, yet non-whiteness is assumed for offenders.

Such an argument is fuzzy since it departs from an assumption that journalists are unaware of the race/class standing of parties featured in non-racializing articles. For example, if journalists are unaware of the race of the offender and/or victim in a case, their treatment of each might be influenced by their presumptions of race predicated on archetypal constructions—absent definitive markers they may assume some victims to be white and or middle/upper class. On the other hand, journalists may be aware of the race/class standing of victims and offenders, yet choose not to racialize or class them. In such cases, my hypothesis regarding the influence of archetypes would not hold. Though it is unverifiable in these data, the hypothesis is worth considering.

The preceding analysis of the presence of victim blaming has one key shortcoming. Victim and offender identities tend to exhibit what statisticians call multicollinearity. Since most violent crime is intraclass and intraracial (Reiman and Leighton 2012), victim and offender statuses and identities tend to be correlated. However, it is important to note that what is materially true, is not necessarily true in regards to the construction of crime (Best 1990; Surette 2006). The news may more readily report interclass/interracial crimes (Russell-Brown 2008; Wood 2005). In these data, there were a limited number of articles featuring victims and offenders of differing race or class standing, though they may be disproportionate compared to

their actual frequency. Though the numbers are small, it is worth examining how these articles problematized violence against women (or did not). Tables 5.5 and 5.6 provide the frequencies of victim blaming in such articles.

Table 5.5- Victim blaming by interclass relations

Relations (N)	Victim Blaming (%)
Lower/working on middle/upper class (30)	6 (30.0)
Middle/upper on lower/working (39)	25 (56.4)

Table 5.6- Victim blaming by interracial relations

Relations (N)	Victim blaming (%)
Black ²⁰ on white (17)	5 (29.5)
White on non-white (14)	12 (85.7)

As with the previously discussed analyses, a clear pattern is demonstrated here. Victim blaming in these data is far more common when white or middle/upper class men attack non-white or lower/working class women. However, again, these numbers are so small (especially in regards to interracial attacks) to preclude any substantial conclusions. Moreover, they are too small to perform a simultaneous analysis of interclass and interracial attacks.

It should also be noted that a large proportion of articles featuring middle/upper case offenders in this analysis consisted of coverage of the Duke lacrosse case (n=14), which, though it constituted an actual false accusation, featured copious victim blaming (the paradoxical nature of which I will discuss in the a forthcoming chapter). This also is true for the majority of white on black crimes (n=10). Yet, even discounting the Duke case coverage, the patterns still hold, though the sample becomes even more inadequate. All of the non-Duke interracial articles featured victim blaming while 52 percent of interclass articles did the same. Also in the case of articles on interracial crimes, it should be noted that several of these articles (n=6) were dedicated to the OJ Simpson trial. Research has established the stigmatizing racialization of Simpson and sanctification of the victim, his wife, in that case (McDonald 1999). As such a notoriously racialized case, the Simpson case is a clear outlier in terms of the likelihood for victim blaming discourses being used. Here though, compared to the white on black coverage not featuring the Duke case, the overall pattern does change. There is a far higher proportion of victim blaming in the articles featuring black on white crime that were not dedicated to the Simpson case (45.5%), compared to those that were (0.0%). Still, this is a lower frequency of victim blaming than in articles featuring white on non-white crime (85.7%). Moreover, the victim blaming in these non-Simpson case articles were mostly dedicated to a case in which a 17-year-old white girl claimed to have been raped by a group of black men, one of whom she had allegedly had a previous sexual relationship with. Such a story is prime fodder from victim blaming—women who engage in interracial relationships, and are subsequently raped by a non-

white partner are far more likely to be blamed for their victimizations than white women attacked by black strangers (Kozol 1995).

I began this section by acknowledging the feminist tradition of intersectional analysis, which is essentially an effort to account for how vectors of oppression such as race, class, and gender operate simultaneously (Burgess-Proctor 2006). I then proceeded to examine how constructions of class and race correlated with victim-blaming discourses. Such analyses only partially meet the spirit of intersectional analysis since they are examining how discourses of race and class act by themselves, rather than in conjunction with each other. This was a product of practical contingencies—my sample did not include enough cases to conduct a rigorous simultaneous analysis of how race and class discourses correlated with victim blaming. However, I was able to use the data to provide a partial analysis of how certain frames correlated with race and class discourses. Tables 5.7 and 5.8 and provides the results of these analysis focusing on victims and offenders respectively.

Table 5.7- Problematizing and routine frames by victim race and class

Victim group (N)	Problematizing frames (%)	Routine frames (%)
Black/Latina, Lower/working class/non-classed (55)	19 (34.5)	28 (50.9)
White, middle/upper class/non-classed (19)	9 (47.4)	7 (36.8)

Table 5.8- Problematizing and routine frames by offender race and class

Offender group (N)	Problematizing frames (%)	Routine frames (%)
Black/Latino, Lower/working class/non-classed (129)	21 (16.3)	88 (68.2)
White, middle/upper class/non-classed (58)	1 (1.7)	14 (24.1)

Before discussing the findings of these analyses, it is necessary to explain how I formed the categories used here. To perform this analysis, I formed two categories of frames—problematizing frames and routine frames to illuminate just that—the frequencies of problematizing and routine coverage. Problematizing coverage included the social problem, tragedy, and predatory crime frames. I conceptualize these as problematizing because they are the frames that most unequivocally convey sympathy for the victim and/or bestow culpability upon the offender, though they do not completely do so in all cases. Initially, I included the routine policing and legal frames in the ‘routine frames’ category. However, I ultimately excluded the legal frame from this category because of the large numbers of celebrity and/or official trials covered with the legal frame. These cases are exceptional in regards to the high visibility of the parties involved and often the controversial status of the cases. Thus, they do not necessarily constitute routine coverage. Because of this, only the routine policing frame is included in this category. I also formed two categories of victims/offenders for this analysis. These categories are mostly self-explanatory, except for the manner in which non-classed

individuals are conceptualized. Non-classed individuals are included in both the black/latino/a²¹, lower/working class and the white, middle/upper class groups. This may seem contradictory at first, but it is a theoretically-informed decision. Research suggests that the American public associates non-whites with poverty and whites with middle-class society (Chiricos and Eschholz 2002; Entman and Rojecki 2001). Thus, one could hypothesize that, absent any other economic information, many would assume stories about blacks and Latino/as are about the poor and that stories about whites are about the middle or upper class.

The findings presented in this table generally present a pattern similar to the results of the preceding analyses. Dominant groups tend to be granted more sympathetic coverage, while marginalized ones tend to be granted harsher coverage. It seems problematizing frames are more often used alongside constructions of white and higher-class victims (47.4% of these cases), while routine frames are more often used alongside constructions of non-white victims (50.9% of these cases). However, one should note that this disparity is not profoundly large, especially considering the extremely low number of white, upper class victims. In relation to offenders, the disparities seem greater in part. Only one article featuring a white, higher-class offender (1.7%) employed a problematizing frame, while 19 of those featuring non-white, lower-class offenders (16.3%) did so. On the other hand, Table 5.8 shows that routine frames are used less often in the case of white, middle/upper-class offenders than cases featuring black/Latino, lower/working class offenders. This is not entirely surprising though. Considering how economically privileged white men are among the least likely of people to enter the criminal justice system,

their being charged with serious crimes seems anything but routine. Thus, journalists are likely to cover these events as somewhat exceptional rather than routine.

If any conclusions can be drawn from this analysis, they must be tentative. Still, these data do suggest that the usage of problematizing frames tends to correlate with the construction of white, higher-class victims and/or non-white, lower-class offenders while the usage of routine frames tends to correlate with non-white, lower-class victims. Such a finding supports the contentions of intersectional scholars who argue that both race and class act simultaneously to make it more likely that certain victims will be disparaged and/or offenders will be excused.

Overall the findings from these data relating to race and class are suggestive, yet support the assertions made by third-wave feminist critiques of crime news (Meyers 2004). Victim blaming and routine coverage correlate with constructions of racially and economically marginalized victims and privileged offenders in this coverage. Conversely, the absence of victim blaming and problematizing coverage correlates with constructions of privileged victims and marginalized offenders. Thus, by extension, it seems that the NY Times problematizes violence against women in a way that supports mainstream white hegemony by generating sympathy for white, economically privileged victims and excusing violent men who are white and/or wealthy, particularly if they attack marginalized women. In addition, this coverage disparages poor minorities, constructing them as a problematic class, by ignoring or excusing the suffering of these women while demonizing these men when they attack women, especially if their victims are white.

These findings are another substantial piece of evidence that shows the racializing nature of NY Times coverage, as well as the class bias it demonstrates. Moreover, many scholars would argue that such coverage fits well with the racial and economic sensibilities of a neoliberal society, in which it is popular to blame the unfortunate for their misfortunes, and paint them as undeserving (Bumiller 2008; Harvey 2007; Wacquant 2009). Moreover, this coverage furthers the neoliberal crime control project, which though expansive, reaching into nearly all social spheres, is most intense in respect to the experiences of the poor and racially marginalized (Simon 2009; Wacquant 2009). This theme will be discussed further in the conclusion of this chapter.

A Word on High-Profile Cases

After discussing the various themes and patterns that emerged from my analysis of NY Times coverage, it is necessary here to discuss the possible influence of high-profile cases on these findings. As I have alluded to several times throughout this chapter and the preceding one, these data included reporting on several high-profile crimes that captured disproportionate amounts of journalistic attention. Cases such as the Kobe Bryant rape case and the Duke Lacrosse scandal were featured in numerous articles in this sample. Because of this, in order to enhance the analytical rigor of this study, I examined the influence of high-profile cases on the findings discussed in these two chapters. For the purposes of this analysis I defined high-profile cases as those for which there were more than 5 articles, or cases that were the focus of my case studies. Specifically, I focused on three basic elements relating to each high-profile case. First, I examined what proportion of the total articles for each year these high-profile cases comprised.

Then, I examined the frames that were present in each case. Finally, I investigated if articles on high-profile cases had unusually high amounts of various story components (e.g. victim-blaming, DNA, etc). Appendix B provides a list of high-profile cases, a brief description of each, the number of articles dedicated to each, and its proportion of the total articles in the sample for that year.

These analyses indicated that high-profile cases did not constitute an outstandingly large proportion of coverage. Articles on the high-profile cases that I identified made up 6.5 percent of the total sample. The highest proportion of articles from any particular year that reported on one high-profile case was in 2006, when the Duke Lacrosse case was featured in 10.8 percent of articles from that year. However, in 1996, two high-profile cases (the Oliver-Duckman rape scandal and the Alex Kelly rape case), made up 14.8 percent of articles from that year. A substantial majority of articles on high-profile cases (62.5%) employed the legal frame as I alluded to earlier. Also, about 14 percent of these articles (13.8%) employed the scandal frame. Thus, high-profile cases did enhance to the proportions of legal and scandal framing in the sample.

I found few outstanding patterns regarding the presence of the various story components discussed here in high-profile cases. The only substantial ones I detected regarded coverage of the Duke case. Articles on the Duke case featured a high amount of victim-blaming and, to a degree, DNA discussions. Why this is so will become apparent in Chapter 7. However, it is worthwhile to note that Duke coverage likely did skew the chronological patterns discussed here

somewhat by adding more victim-blaming and DNA discussions than otherwise might have occurred.

Overall, it seems these high-profile cases did not profoundly affect the shape of the findings I have discussed here. They translated to more legal and scandal framing, as one might expect from such coverage. However, aside from some modest influence from the Duke case, it seems these high-profile cases did little to change the chronological patterns discussed in this chapter. Ultimately, it is this lack of influence that is most noteworthy—it indicates that none of the patterns discussed thus far are the result of exceptional cases, but that they are indicative of relatively routine reporting.

A Summary of Patterns in NY Times Coverage

By documenting a wide range of themes and patterns, I intended to accomplish three analytical goals in this chapter. First, I sought to demonstrate how my findings resonated with ones previously established in the literature, while also documenting some emergent categories that arose during my analysis, which articulated with extant critiques of crime news. Second, I aimed to illuminate how the occurrence of various story elements changed (or stayed the same) over time. Finally, I attempted to examine how certain story elements correlated with discourses relating to race and class. Each of these three objectives was met to varying degrees. There are some quite stark and conclusive patterns in the data. For example, official sources clearly dominate news of violence against women. On the other hand, some of the patterns I have identified are suggestive at best, such as those relating to the correlations among race, class, and victim-blaming discourses. Overall though, this analysis has illuminated an important set of

features characteristic of violence against women coverage in the NY Times. As this discussion has been rather lengthy, a brief review of these features is likely useful before further discussing the implications on which I have remarked throughout the previous sections.

Reports in this sample employed a variety of sources. Official sources were by far the most common sources, but it should be acknowledged that advocate and expert sources, as well as private attorneys, were significant presences as well. On the other hand, victims, offenders, their friends and family, and legal experts were much less commonly used. Further, it seems sourcing practices were generally consistent across the sample time frame.

In terms of the varieties of crime presented in these data, sex crimes are more common than domestic violence, and stranger attacks are the most common among sex crimes. Among articles on sex crimes, stranger crimes made up more than half of the sample. About a third of sex crime articles featured acquaintance rape, though rapes by intimate partners or family members were quite uncommon in this news. Over the sample time frame, it seems coverage of acquaintance rape is becoming less common, while coverage of stranger rapes is becoming even more dominant. Regardless of any change over time, this news does a poor job of representing the actual proportions of relations between rape victims and their attackers in the US (Fisher et al. 2005; Tjaden and Thoennes 2000). Moreover, the emphasis on stranger sexual attacks in these data suggests a preoccupation with street crime. This preoccupation has persisted throughout a period of drastically falling crime rates, including rates of rape (Zimring 2013). Given this, one might conclude that press coverage is geared towards inducing greater levels of

concern over street violence than that happening in the home sphere, furthering a crime control project characterized by aggressive policing of public spaces.

One of the most common story components in this sample was forensic reporting. About half of all articles engaged in this reporting. Furthermore, it seems forensic reporting was a relatively consistent presence in coverage. Another theme related to forensic reporting was the presence of DNA evidence as a topic of discussion within articles. About eight percent of articles referenced DNA evidence, and this was most often done in the context of reporting on wrongful convictions or solving cold cases. In fact, the use of DNA evidence and other novel technologies was among the most common solutions discussed as a remedy for failures of the justice system, such as wrongful convictions and an inability to effectively pursue cases of violence against women. Other common solutions proposed in regards to combatting violence against women included enhancing the general policing and/or punitive capabilities of the criminal justice system and providing more victim services. Overall, the prominence of forensic reporting and references to DNA illustrated a tendency for reporters to focus on minute, often technical, details of these crimes.

The starkest chronological patterns apparent in these data related to the presence of the deviant sub/culture and domestic social problem frames that I discussed in the previous chapter. Simply put the use of the former is increasing and the use of the latter is decreasing. It seems quite clear that the change in usage of the deviant sub/culture frame sprang from reactions to the

9/11 terrorist attacks—Islamic nations and their social problems became more relevant to journalists in the age of the ‘war on terror.’

While the use of the deviant sub/culture frame is a somewhat new phenomenon, the presence of victim-blaming discourses in the news is not (Benedict 1993; Brownmiller 1975a). Approximately one in five articles in this sample contained victim blaming. These discourses were somewhat diverse, including both subtle and overt blaming of victims. Encouragingly, these data show a decrease in the inclusion of victim-blaming discourses over the years, though victim blaming remains a significant presence in coverage.

A story component theoretically related to victim blaming, anti-feminist backlash, was less common. About one in twenty articles contained anti-feminist discourses. Much of this discourse was subtly anti-feminist, but some was quite direct. It seems that backlash discourses were more common during the 1990s than the 2000s, but again increased in frequency by 2012. From this analysis, it does not seem as if the NY Times is taking an increasingly anti-feminist stance when it more often gives voice to anti-feminist perspectives. Instead, this roughly correlates with time periods during which violence against women becomes a more prominent political issue.

While a significant number of articles featured anti-feminist discourse, a larger number featured pro-feminist discourses. Pro-feminist discourse was approximately twice as common as anti-feminism. It seemed that changes in the frequency of pro-feminist discourse roughly followed the same pattern as that followed by anti-feminist discourse. On the other hand, pro-

feminist discourse increased in the middle of the 2000s, when anti-feminist discourse did not. This suggests that while the frequencies with which reporters use the two types of discourse might be linked in some ways, there are likely independent reasons for some increases in pro-feminist discourses as well.

In regards to relations among gender, race, and class my analysis provided some illuminating, though suggestive, results. It seems that victim blaming is more common in articles that construct victims as members of a stigmatized minority and/or lower class standing. It is also more common in articles featuring offenders constructed as white and/or upper class. It is less common for the obverse patterns—victims constructed as white, and/or upper class and offenders constructed as members of a stigmatized minority and/or lower class. Moreover, the use of problematizing frames is more common in articles featuring privileged victims (i.e. white and wealthy) or marginalized offenders (i.e. minority and poor). Also, the least problematizing frame, the routine policing frame, was more common in articles featuring marginalized victims. Overall, it seems that discourses of race and class correlate in specific ways that equate to more sympathetic coverage for those who belong to dominant groups and harsher coverage for those belonging to marginalized groups.

Overall, coverage of violence against women in the NY Times changed little over the 20 years accounted for by these data. With the exceptions of trends in the usage of the social problem, deviant sub/culture frames, and victim-blaming discourses, these data showed little

chronological change. One could thus conclude that the average article about violence against women from 1992 could be easily mistaken for the average one from 2012.

The data suggest a few additional empirical conclusions as well. First, the NY Times integrates a limited amount of feminist perspectives and knowledge, though it seems that is decreasing, at least when it comes to framing articles in a feminist sense. On the other hand, anti-feminist perspectives are included in coverage as well, especially victim-blaming discourses. Second, these findings further evidence the dominance of criminal justice logic. Coverage provides most voice to official perspectives, mostly from the criminal justice system. Additionally, this news is generally focused on street crime varieties of violence against women, which are also generally associated with the poor and racial/ethnic others. As well, it tends to focus on minute, often technical details of incidents. And third, coverage is textured with racializing and class based discourses, whether they be about racial/ethnic groups within the US or outside of it.

The upshot of all this, as I have touched upon at various points throughout this chapter, is that these findings further support my thesis that contemporary news on violence against women establishes an ideological framework that is reflective and supportive of neoliberal culture. All of the elements I have outlined above contain kernels of neoliberal logic. In fact, they allow me to begin a preliminary sketch of this neoliberal framework.

Firstly, the feminism incorporated into NY Times coverage is generally not of the critical varieties, which would call for serious cultural and structural changes to achieve gender equality

(DeKeseredy 2011; hooks 2010). Critical feminist voices were largely absent from these data, instead the feminism apparent in coverage is a superficial take on what could be called liberal feminism (Messerschmidt 1986). Further, coverage that ties violence against women to mainstream US culture is decreasing. Also, the finding that the most sympathetic coverage was accorded to wealthy white women evidences the neoliberal flavor of this feminism. Under neoliberalism, the healthy, productive worker is a valued citizen; such women best meet that criterion.

One characteristic of NY Times reporting on violence against women that very clearly resonates with neoliberal tenets is its manifest encouragement of the contemporary American crime control project. I outlined more carefully the relationship between contemporary criminal justice in the US and neoliberalism in Chapter Two, but concisely, police and prisons function to quell some of the social problems and disruptions that are produced by a highly unequal neoliberal economy.

The racialized themes I have discussed are relevant here as well. The news does not construct most sex crime as simply the purview of faceless strangers, but implies that these faces are primarily black and brown. Thus, it legitimates aggressive crime control directed disproportionately towards communities of color. Furthermore, the blaming of poor black or brown victims provides an excuse for the criminal justice system's treatment of such victims when it ignores their suffering, treats them harshly/skeptically, or even criminalizes their victimizations (Chesney-Lind and Irwin 2007; DeKeseredy 2010; Richie 2003). More broadly, it

makes the state's inattention to the welfare of these groups seem less detestable. All of these phenomena are elements of the neoliberal state and its correspondent criminal justice system (Bumiller 2008; Garland 2002; Simon 2009; Wacquant 2009).

In addition to generally supporting the crime control project that has become so expansive in the neoliberal age, coverage in the NY Times endorses technology as a social panacea, another noted characteristic of neoliberal culture. The NY Times promotes forensic science, including DNA analysis, as a means for fixing justice failures and pursuing difficult cases. This forensic orientation apparent in much coverage shadows a general technocratic approach to problem solving endorsed in neoliberal society. Beyond that, the common calls for victim services in policy-based coverage adds legitimacy to the cadre of professionals, who act as an arm of state power, tasked with addressing violence against women through a technical/clinical paradigm, which elides considerations of patriarchy as the central element of gender inequality (Bumiller 2008).

Support for the criminal justice system and the therapeutic/medical professionals who deal with domestic violence against women is by extension support for state power. This explicit support for domestic state power is complemented by indirect support for state power abroad. The Orientalist elements present in coverage of violence against women in Islamic and African nations indirectly justify imperial forays in those nations. These forays, conducted under the guise of exporting freedom and equality, perform functions integral to a global neoliberal political-economic system. More specifically, among other functions, imperial forays justify the

harvesting of natural resources to be sold as commodities and export selective freedoms, such as consumer choice, which are an economic boon to neoliberal forces.

This chapter and the one previous have provided a rather broad analysis in order to illuminate those features that are characteristic of routine news coverage of violence against women. In complement to those themes discussed above, my frame analysis demonstrated how coverage provides little challenge to the status quo, instead generally providing both explicit and implicit support for the criminal justice system and the state. Furthermore, it showed that coverage tends to characterize violence against women in individualizing, rather than collective terms. All of these findings reveal elements of the relationship between news of violence against women and tenets of neoliberal culture. The next chapter will conduct a different, yet complementary discussion, using a deep critical reading of three cases to illuminate thematic features of exceptional coverage of violence against women and demonstrate how it articulates with more routine news, as well as the neoliberal logics that I have outlined thus far.

Chapter 7: Beauty and the Beast: Black Respectability and Racialized Stigma in the Mike Tyson Case

Introduction

As discussed in the methods section, I basically performed two types of analyses for this study. The first analysis was a broad examination of New York Times data across two decades. The purpose of this was to illuminate some of the basic features of this coverage, as well as more specific elements that were salient for understanding how the news routinely reports on violence against women. This analysis was rudimentarily quantitative, using frequencies of various story components as the main analytical vehicles.

The second analysis was a more qualitatively oriented case study process. The purpose of this analysis was to examine exceptional coverage of violence against women in the mainstream media. The data for this inquiry were television transcripts of news on the 1992 Mike Tyson trial, the 2007 Duke Lacrosse scandal, and the 2013 rape trial of two high school football stars in Steubenville, Ohio. Also, I examined a random sample of Internet news for the latter two cases, which occurred after the advent of Internet news. For these analyses, I did very little counting. Instead, I performed a deep critical reading of recurrent themes featured in coverage. This entailed dissecting the various discourses that emerged in reporting and the issues they presented in relation to violence against women. In the three following chapters I will discuss these elements for each case, beginning in this chapter with the Mike Tyson case.

On July 19, 1991 Mike Tyson was attending the Miss Black America Pageant as a celebrity guest. Even after losing his title two years earlier to Buster Douglas, Tyson was among

the world's most popular boxers, and black athletes, at the time. While at the pageant, he met many of the contestants, including one named Desiree Washington. Early the next morning, at approximately 2 am, Tyson called Washington, inviting her to attend after-hours parties and meet his celebrity friends.

Before going to the parties, Tyson told Washington he had to pick something up at his hotel room. Once in the hotel room, Tyson forced himself on Washington, raping her. Tyson was arrested and arraigned for the crime shortly thereafter. After an approximately two-week trial, and much fanfare and speculation about the case, Tyson was convicted of rape and sentenced to six years in prison. After an unsuccessful appeal to reverse the verdict by prominent attorney Alan Dershowitz, Tyson was released in 1995, having served three years of the sentence. The following is a discussion dissecting television news coverage of the case, up to the time Tyson was released.

The Mike Tyson rape trial was one of the most prolific crime spectacles of the early 1990s, perhaps only overshadowed by the OJ Simpson trial. Like that of the Simpson trial, coverage of the Tyson trial was highly racialized. Yet, it was not monolithic. Both Tyson and Washington were cast at times as villains, and others as admirable, sympathetic, or at least tragic, characters. At different points, Tyson was described as animalistic or machine-like; as a monstrous criminal; as a primitive brute; as childishly stupid; as a tragic hero; and as a champion to be admired by the black community for fighting his way out of poverty. Additionally, while coverage was most often sympathetic to the victim, Desiree Washington, she was also cast in

contradictory terms at times. Television reports often described her as a picture of innocence and beauty, but questioned her motives in the case, speculating how anyone could be naïve enough not to expect some sort of sexual interaction with Tyson given the circumstances. After the trial was over, many reports cast Washington as a heroine, celebrating her strength in taking on Tyson and his high-priced lawyers in court. On the other hand, follow-up coverage also gave voice to more victim blaming, mostly by Tyson's lawyers.

In the following sections, I will discuss these themes in further detail, as well as their implications. I will show how nearly all coverage on the Tyson trial was racially inflected, sometimes in rather overt terms, but more often in subtle, insidious ways. Further, I will argue that this racialized coverage has myriad implications for understanding the mainstream media's treatment of blackness today. More specifically, I will discuss how this coverage uncovers some of the characteristics that distinguish 'respectable' black citizens (Jones 2010) from those who are stigmatized by their race. In addition to this, I will discuss how news treatment of victimhood in this case was contingent upon perceptions of Washington's hegemonic virtuousness, and how this was intertwined with her race.

This case will also buttress and expand some of the conclusions reached in previous chapters. It will more vividly illustrate how news coverage of this sort is pervaded by racializing discourses (as well as class-based ones that intersect with them). It will also demonstrate how the press connects concerns over violence against women with those surrounding black street crime. And finally, it will reveal some of the logic behind victim blaming, demonstrating how sympathy

for victims is partial—rarely complete and always contingent on a victim’s accordance with hegemonic values.

Mike Tyson- Champion, Tragedy, Machine-animal

Mike Tyson was one of the most popular sports figures of the late 80s and early 90s.

Tyson was an intriguing figure for many reasons—his checkered past, his brash character, and of course his rare physical talent and elite athletic achievements. Unsurprisingly, his identity as a sports champion flavored nearly all coverage of his rape trial. At times, coverage framed him as a somewhat admirable character who had used his athletic talent to lift himself out of poverty and criminality. For instance, one report described Tyson’s ascendance in the following way, “He was a great American success story, a street kid who fought his way out of poverty to astounding fame and fortune” (Bradley 1992a). Several reports even referred to Tyson as ‘the American Dream’ (see below). Many journalists would argue this rise from the bottom was one of the factors that makes Tyson an intriguing figure, and as such is appropriate journalistic fodder. This is a somewhat reasonable stance, but it elides the problematic aspects of this narrative. To rise from the ghetto to be a sports champion is not *the* American dream, it is *an* American dream, a racialized one. The black athlete rising from poverty is such a pervasive narrative that it has become a stereotype. This stereotype is not only problematic in making a misleading generalization about the physical prowess of black men, it also offers to the public a very specific and limited prototype for racial social mobility. Professional athletics (or other entertainment industries) offers only a few incredibly talented individuals an individualistic path to success. It offers no possibility of collective social mobility, of elevating African Americans

as a class. As such, this avenue poses no challenge to existing power relations. In practice, it actually offers to strengthen them as professional athletics enriches most the exorbitantly wealthy [mostly] men who own teams, rather than the athletes who are the (most often black or brown) visible faces of this industry. Thus, though it might be defended as interesting journalism, the continual repetition of the Tyson-as-American Dream narrative is a highly racializing discourse that offers a very limited and hegemonic notion of the avenues through which African Americans can elevate themselves.

Narratives tracing Tyson's trajectory out of poverty were often accompanied by narratives tracking a 'tragic' fall, which perhaps began with losing his title, and culminated in incarceration. These narratives generally implied that while what Tyson may have done was despicable, his failure to fulfill his potential was saddening, and perhaps not completely his own fault. For instance, one correspondent remarked,

And whether he's guilty or innocent of this charge, there is something especially heartbreaking about the spectacle of Mike Tyson. We want to believe in the American dream, that a boy could fight his way out of the slums to become a champion and role model. Instead, after Tyson's meteoric rise, he has fallen back into the atmosphere, burning all the way, tumbling from one bad scene to another on his way to today's fight just to stay out of prison. Mike Tyson has become a different kind of model, a symbol of how easily the best hopes can go wrong. How could a young man who can fight so hard fare so badly? (Sawyer 1992)

While some may find sympathizing with a rapist distasteful, others might argue that accounts of Tyson's fall serve as a cautionary tale, showing how fame and riches can bring troubles as well as benefits. Ultimately, though, it is likely more significant to note one parallel between the two aforementioned narratives. The Tyson as American Dream and the Tyson as tragic hero narratives were similar in that they entailed some positive attitudes toward Tyson—admiration and sympathy respectively. This shows that Tyson was not monolithically racialized, criminalized, or otherwise dehumanized in coverage. Acknowledging such variation is only fair when critically reading coverage such as this.

Not every report referenced Tyson's trajectory from penury to champion to fallen hero, but nearly all did refer to his status as an elite athlete. Tyson was almost always referred to as 'former boxing champion' or with some close facsimile. Of course, this is understandable as the case would never have been as noteworthy if Tyson had not been a boxing champion. Yet, the ways in which journalists referred to Tyson's boxing career sensationalized, and some would argue trivialized the case. Quite often, coverage analogized the rape trial with a boxing match. For example, one reporter stated,

Also opening today, the trial of Mike Tyson, the former boxing champion. A heavyweight team of lawyers is defending him against rape charges. CBS News correspondent Bob Faw reports from Indianapolis.

Iron Mike Tyson ambled into court the same way he ambles into a ring, nonchalantly. If he was thinking about the legal ordeal, which could send him to jail for 63 years, he wasn't saying so. Today, he wasn't saying anything (Faw 1992b).

Another made similar remarks, introducing the story by stating, "It was a ringside atmosphere outside the courtroom today as crowds watched Tyson arrive for what could end up being the knockout punch of his life." It continued, "The rape trial of boxer Mike Tyson is now in the final round. Jurors heard closing arguments today, then began their deliberations" (Blakely 1992). Such analogizing is logical in the sense that there are significant parallels between a boxing match and an adversarial legal process. Both are strategic forms of combat between two oppositional sides. Further, highlighting these parallels makes for interesting dialogue, and likely helps to pull audiences into these stories. However, many would argue such comparisons are inappropriately trite in that the stakes of a rape trial are far higher than those of a boxing match, even an elite professional one.

In fact, the argument that journalists failed to take the Tyson trial with an appropriate degree of seriousness was bolstered by the tendency in coverage to focus on the impacts of the trial on the boxing world. News reports continually discussed how the charges and, after the verdict, incarceration would affect Tyson's career. As well, many reports linked the impacts to Tyson's career to the impacts on the reputation of boxing as a professional sport. For instance, one commentator remarked,

Well, it cost- I mean, Mike Tyson had a rib injury that canceled the fight on November 8th, and that cost Mike Tyson \$35 million reportedly. Both fighters lost huge, huge paydays, and it's a little difficult talking tonight about the verdict in a rape case, to try to translate that into, you know, monetary considerations of a boxing match, because of the nature of that crime, but what it does to boxing, Sam, you know, boxing doesn't have any eyes left to get blackened. I think this should not- I don't think all fighters should be tarnished by the verdict against Mike Tyson. I mean, that's been said, but I think it bears repeating. Mike Tyson is guilty, he's an individual, it just should not reflect on other boxers or on the sport in general, but it will (Donaldson 1992).

Commenting on the impacts the case would have for Tyson's career and the sport is understandable. However, the fact that this theme arose over and over again, presumably at the cost of more contextualizing or thoughtful coverage, suggests a media obsession with the importance of the case in regards to sport, and a strong proclivity to reduce Tyson to his identity as a boxer.

It is both logical and problematic that Tyson was almost always discussed in reference to his boxing talents and career. The problematic nature of this tendency springs from the fact that it is one way, among many, that Tyson was reduced to his physicality, and by extension his race. For example, in perhaps one of the most praiseful passages describing Tyson, former training partner Jose Torres was quoted saying,

Well, at the beginning, when I first met him, which was when he was- before 13, he looked very shy and he was- he was a man with a great potential, from the beginning. Six months after I met him, I knew that he would become heavyweight champion of the world, and Cus D'Amato was very confident that if he maintain- that Tyson maintain the desire that he had and the interest that he had in becoming somebody, that he would become champion (Sawyer 1992).

In essence, Tyson's potential worth was nearly always tied to his boxing abilities. Perhaps this is to be expected when journalists are covering the issues of a celebrity athlete. Yet, a critical reading must consider that such discourse is distinctively racializing in the case of a *black* celebrity athlete. While the constant association of Tyson with boxing is a relatively mild form of racialization, other themes that I will discuss going forward, were more intensely racializing.

Perhaps the most overtly racializing discourses that were included in coverage were those that referenced Tyson in various inhuman terms. As I stated before, Tyson was compared to a machine, an animal, and a monster. These themes pervaded trial coverage, often in regards to the victim's account of the crime and in reference to Tyson's boxing career. For example, one report, again employing a boxing analogy remarked,

It's a contest which [sic] has just about everything. In one corner, iron Mike Tyson, the most feared fighter in the game, a ferocious knock-out machine who said he tried to drive his opponents' brains into their bones, who also bragged he 'liked to hurt women' (Faw 1992a)

Other reports implied Tyson was a ‘brute’ or caveman, like this report that described him as such,

And his antics at this pageant this summer were so lewd one pageant organizer dubbed him, 'a serial buttocks fondler.' Even his lawyers had to resort to the defense that their hulking client in the nifty suits was a kind of caveman, depraved, for whom women were simply meat (Faw 1992c).

Another report compared Tyson to an animal, stating, “And once inside the bedroom, Washington says that's when Tyson changed from a sweet, nice person to an animal” (Bradley 1992c). Yet another report relaying Ms. Washington’s account of the rape provided a narrative that extended the metaphor from an animal to monster. It quoted Ms. Washington saying, “When I first met him, yes. His voice was so different than it was when he was raping me. It completely changed. He completely changed. The look on his face completely changed, everything about him completely changed. He changed from a sweet and nice person that I thought he was earlier to just this animal, like a demon or something” (Downs and Walters 1992b)

Comparisons of black men to machines, cavemen, and animals are clearly racializing. They resonate with historically persistent claims about the racial inferiority of black people, which imply blacks are less intelligent and/or lesser-evolved beings, closer to animals, and thus less human than whites. Furthermore, they supply misleading notions concerning sex crime and sex criminals. Research has documented a journalistic tendency to construct sex crimes as the

nearly exclusive purview of a demented, animalistic underclass of ‘monsters’ (Greer 2012; Grover and Soothill 1996; Wacquant 2009). While many would defensibly argue that sex crimes are monstrous acts, such journalism obscures the fact that sex criminals come from all walks of life—that ostensibly ‘normal’ individuals commit sex crimes.

Criminal History, Criminal Sickness

The rape of Desiree Washington was not the first crime Mike Tyson had committed, nor was it the first crime of which he had been publicly accused. As mentioned earlier, many in the public were well aware of Tyson’s early childhood in Brownsville, a low-income neighborhood in Brooklyn, where he engaged in a plethora of crimes of varying seriousness. Because of this checkered past, Tyson was a near perfect target for mediated criminalization. Indeed, the media pursued this with great zeal. Much was made of Tysons criminal past and his ‘dark side.’ When discussing how Tyson had risen from poverty, news stories often recounted Tyson’s history as a violent juvenile delinquent. For example, one report remarked, “Tyson had learned this powerful fighting style in reform school, where he’d been sent after a series of juvenile offenses that included robbery and assault. His fists became his fortune” (Downs and Walters 1992b).

Another report from CBS’ 60 Minutes quoted Tyson himself recounting his troubled childhood,

It was pretty bad. It was nothing seeing people getting shot over dice games, like, killed over a dice game or card games. It-it was part of life.

(Footage of Tyson working out)

DOW: (Voiceover) Tyson was a tough street kid. He admitted to being a hardened criminal by age 11.

Mr. TYSON: I became confident. If you could steal things and get away with it—we starting stealing all the time. I was nervous and everything, but it was fun (Bradley 1992b).

Such coverage established two things that became an essential part of the representation of Tyson throughout the trial and its aftermath. First, it clearly documented that Mike Tyson had exhibited criminality from a very young age. Second, it established that Tyson's criminality sprang from a criminal cultural milieu. It was not just that Tyson exhibited bad behavior all his life, but also that the bad behavior was cultivated by the criminal environment into which he was born. Furthermore, this milieu was not just criminal, it was a black, urban environment as well. Tyson's 'dark side,' much coverage implied, was borne out of a criminal black culture. Thus, these narratives created a linkage between criminalization and racialization, characterizing Tyson as a member of a folk devil class, the young urban male black criminal (Cohen 1987; Entman and Rojecki 2001). Much research has documented how media coverage of urban crime has created a cultural archetype of young black men as criminal (Barlow 1998; Chiricos and Eschholz 2002; Entman and Rojecki 2001; Russell-Brown 2008). Coverage of the Tyson case that highlighted his past clearly made room for the public to typify Tyson through such a criminalized archetype. Tyson may have been a celebrity and champion athlete, but news coverage essentially resituated him among a criminal black underclass, despite his wealth and

celebrity status. As well, though his street criminality was in his past, news coverage pointed out, his recent abuse of women suggested that he had not really left that criminal past behind him.

Tyson's past as a delinquent was well documented. As well, his history of abusing women was well known. In fact, during the trial, his own lawyers played up his reputation for sexually assaulting women²². Recall the quote above in which Tyson was referred to as a 'serial buttocks fondler.' Perhaps the most noted case of Tyson's woman abuse was the domestic violence he perpetrated against his former spouse, actor Robin Givens. While still married, the couple gave a television interview to Barbara Walters, during which Givens discussed the domestic violence she endured. The following is an excerpt of that interview, which was included in many ABC news reports on the Tyson case.

WALTERS: What happens?

Ms. GIVENS: He gets out of control- throwing, screaming-

WALTERS: Does he hit you?

Ms. GIVENS: He shakes, he pushes, he swings. And just recently, I've become afraid
(Downs and Walters 1992a).

This account by Tyson's former spouse was repeated many times throughout the trial and in its aftermath. It arguably accomplished a legitimate journalistic aim, by contextualizing the rape accusation with Tyson's documented past as woman abuser. Further, it brought to life the

suffering caused by Tyson and abusers of his ilk. In this respect, such coverage constitutes commendable journalism on violence against women. However, when deconstructed a bit, this narrative displays some problematic aspects. Primarily, Givens' account portrays Tyson as suffering from some sort of temporary condition, during which he is no longer in control of himself. It is implied that the abuse is due to explosive anger, rather than a disregard for women and/or Tyson's will to dominate his partner. Research has established that this is generally not the case with batterers. In fact, control is at the center of battering; abusers engage in violence systematically to control their partners, rather than uncontrollably 'flying off the handle,' intermittently (Bograd 1988; Dobash and Dobash 1979; Dragiewicz 2011; Kimmel 2002). Thus, the repeated claim that Tyson's abuse was a matter of a loss of control asserts to audiences a highly misleading notion concerning the nature of domestic violence.

Further, it should be noted that the conceptualization of domestic violence as a result of temporary anger-induced losses of control is at the heart of the 'gender symmetry' perspective (Kimmel 2002; Schwartz and DeKeseredy 1993). I have already discussed the gender symmetry perspective and the ensuing debate in my literature review. However, it is important here to review its significance in relation to the public's understanding of domestic violence under neoliberalism. Compared to feminist perspectives that put patriarchy at the center of violence against women, the gender symmetry perspective dismisses the role of patriarchy and masculinity. And, numerous scholars have noted, this perspective is gaining significant popularity in today's neoliberal age (Dragiewicz 2011; Kimmel 2002; Schwartz and DeKeseredy 1993). Moreover, as an individualistic and episodic conceptualization of domestic violence,

which poses little or no challenge to existing power structures, it is quite resonant to broader neoliberal understandings of crime (e.g. that it is a result of individual failures, rather than structural inequities). News coverage such as that discussed above, which framed Tyson's violence as short-term rage, provides at least indirect support for the gender symmetry perspective, and an individualized understanding of domestic violence that accords with neoliberal individualism.

The framing of Tyson's violence as the result of a temporary rage was paralleled by several narratives in coverage that represented Tyson dualistically, as having a 'bad' or 'dark' side that came out occasionally in private, and, by extension, a 'good' side that was more often on display publicly. In the interview quoted above, Givens stated, "He is- he's got a side to him that's scary. Michael is intimidating" (Downs and Walters 1992a). Another report made a similar reference, stating, "...there were those who felt a dark side of Mike Tyson had never been fully conquered" (Anon 1992). Moreover, even Washington's account of the rape discussed above implied that Tyson underwent a transformation from a 'nice guy' to a 'demon.' One might conclude from such accounts that Tyson was a duplicitous predator who was able to conceal his true nature in public, only to reveal it when a suitable victim presented herself. However, journalists rarely implied Tyson was an intelligent man. He was most often discussed as 'primitive,' or as a 'brute' and even compared to a child. For example, one report read,

In the ring, he's the symbol of brutal force. The word Tyson and ferocious are interchangeable. But this afternoon on the witness stand, the ex-champ was subdued and

polite. And in a soft-spoken, almost little boy voice he denied virtually everything his accuser has charged (Rather 1992a).

A more likely conclusion to be drawn from such coverage would be that Tyson was a simpleton who had been taught to control himself only so far, and that his violent nature periodically emerged, belying his public persona.

Providing a narrative complementary to those chronicling Tyson's 'dark side,' many reports often invoked a pathological narrative, implying that Tyson was mentally ill, and in need of treatment. The most direct instance of this narrative was supplied by Desiree Washington, when, speaking of her views on Tyson in wake of the rape, she told 20/20's Walters,

I would tell him that he's sick, that he hurt me really bad. I would tell him, "You need help. You know, I didn't do this to hurt you. I didn't do this to take your career away. I did it because you need help and if your so-called friends weren't big enough to tell you, at least I was. You hurt me, and I was big enough to stand up to you and tell you, you need help (Downs and Walters 1992b).

Another report provided a less direct sickness narrative that also engaged the idea of rehabilitation, stating,

Tyson's lawyers said today, "This was a case which cried out for rehabilitation" - a subject very much on the minds of those people who study the often very complex reasons why men rape in the first place. A man convicted of rape may get some therapy

in prison. There is some offered in many institutions, but the quality of help is very uneven and unless the rapist submits to a long-term program of rehabilitation, the record shows that large numbers of rapists will rape again. Vermont is an example of where there's a program better than most. To indicate his desire to change, a rapist here must volunteer for therapy and it must be very intense to have any chance of working (Jennings 1992).

Such coverage invokes a psychological paradigm for understanding rape, which implies that rape is an action borne out of mental illness in need of 'treatment.'²³ Three points should be considered regarding this theme. First, it should be noted how this fits with neoliberal sensibilities on crime. Of course, rehabilitative and therapeutic responses to crime have been greatly reduced under the current neoliberal regime (Garland 2002; Wacquant 2009). However, an individualistic, clinical paradigm for understanding violence against women fits better with neoliberal sensibilities than a critical one that links such violence to existing power arrangements. Additionally, psychological/psychiatric orientations towards violence against women have not been totally abandoned recently, they have simply become more punitive and panoptical, and less supportive and holistic (Bumiller 2008; Wacquant 2009). Second, this theme also supports the contention that news constructs sex criminals as mentally deranged rather than as ostensibly normal individuals (Grover and Soothill 1996). Third, this theme provides a logical structure parallel and complementary to the idea of Tyson as two sided. However, instead of a thug or animal comprising Tyson's 'dark side,' here psychological defect plays that role.

Much of this trial coverage ultimately juxtaposed two representations of Tyson—a champion athlete to be admired, and an abusive brute to be despised. Such a characterization, while perhaps accurately reflecting the thoughts of those acquainted with Tyson, created a stark cleavage between the elements of Tyson that were seen as socially acceptable and those seen as despicable. In fact, coverage almost created the perception of two different Tysons. Moreover, as I will argue going forward, a deep reading could even posit that the positive side of Tyson, the ‘good’ side, was associated with white society, and the ‘dark’ or bad side of Tyson, was associated with black society.

As I stated earlier, many news reports remarked on how Tyson had ascended from poverty. Those that delved more deeply into this history often referenced the role of Tyson’s one-time mentor, Cus D’Mato, a celebrated Italian-American boxing trainer who had coached several young men into boxing fame. D’Mato discovered Tyson at a reform school near his home in Catskill, New York, becoming not only his trainer, but also a surrogate father²⁴. One report described D’Mato’s role, stating,

It all has the flavor of a fairy tale gone bad, a distasteful turn in a plot line of struggle, redemption and triumph that's right out of a movie. Here's how the movie version would go. You take a kid from the Brownsville section of Brooklyn, New York, a neighborhood of projects and tenements, where this kid finds himself in big-time trouble before he's old enough to shave. He's saved from a life of crime by the intercession of a living legend of boxing, looking for one last champion. His name was Cus D'Amato, who'd made a

heavyweight champion out of Floyd Patterson decades earlier. In Tyson, D'Amato saw a young boy with incredible promise trying to overcome an incredibly troubled background (Sawyer 1992).

The same story continued, quoting Jose Torres, who was also a D'Mato protégé, discussing how D'Mato trained Tyson to redirect his criminal impulses,

No, because what you do- Cus was flabbergasted when he found out, Cus D'Amato, that Tyson had these qualities, that he was a cheater, that he was a pickpocket, that he was so mean in the street. And he just transferred all those "qualities" quote, unquote, into Tyson the fighter, and then Cus engineered and constructed a machine that would be unbeatable inside the ring. And I don't think that Tyson was committing those crimes after he became a fighter, outside the ring.

Torres' account not only indicates that D'Mato tamed Tyson's criminality, it implies that his values were such that Tyson's past misdeeds were outrageous to him. Basically, news reports framed D'Mato using a savior narrative, which posited that D'Mato had plucked Tyson from the disastrous criminal trajectory of his early youth and put him on a pathway to redemption, redirecting his violent tendencies toward athletic aggression. This narrative is surely accurate in some ways. Perhaps Tyson would never have become such a prolific fighter without D'Mato's intervention and guidance. However, the racial subtext in this narrative is not difficult to discern. Most obviously, D'Mato was a white man who removed Tyson from a reform school, and in a more general sense, from a black ghetto atmosphere. Further, he took Tyson to his home in

Catskill, an idyllic environment in contrast to Brownsville or Bedford-Stuyvesant²⁵. It would be difficult to dream up a starker set of stereotypes for contrasting middle class white society with lower class black society. As well, these narratives often referenced the ‘remaking’ or ‘reprogramming’ of Tyson, terms that are somewhat dehumanizing, comparing him to a machine. Moreover, it is important to consider the implications of this reprogramming, what Tyson was being remade from and into. Reading between the lines, we can ascertain that Tyson was being remade from a black thug into an athletic destruction machine. D’Mato as white savior was able to redirect illegal black street violence into a spectacle of legalized violence, one that posed no threat to white society, but offered profit and entertainment.

D’Mato was not the only mentor of Tyson’s that was noted by news reports. In contrast to Cus D’Mato the savior, Tyson’s promoter, Don King, was cast as a corruptor and exploiter. King was, and is, one of the most famous and controversial boxing promoters of all time. King began his career by promoting some of the biggest fights of Muhammad Ali’s career (Newfield 2003). However, controversies have swirled around King from the beginning. He has a criminal record including manslaughter, was linked to mob boss John Gotti, and has been sued numerous times for allegedly cheating the boxers he promotes. As well, notably, King is somewhat renowned for responding to criticisms with claims of racism. Much coverage of the Tyson case referenced King’s controversial status and implied that he was a negative influence on Tyson. For instance, one report quoted a Tyson associate saying,

Had he not been under the influence of those women and Don King, I believe he would have been as great a heroic figure as Muhammad Ali. He changed entirely. His marriage and Don King changed him into a different person (Bradley 1992b).

The story continued,

At least, that's what many people saw. After his marriage to Robin Givens and his association with Don King, Tyson's life seemed to unravel in full public view: lawsuits, car accidents, and domestic brawls.

Another story made a similar claim, remarking, "That dark side, some argue, was unleashed when his long-time mentors died, and when controversial fight promoter Don King took over Tyson's career." (Anon 1992). Clearly, King was often referenced as corrupting Tyson, or, one might point out, undoing the good done by D'Mato. Further, the last quote provided here even links King with Tyson's monstrous 'dark' side, supplying a racialized affinity between Tyson's violence and the influence of his black mentor, King. Indeed, if one were to consider the totality of coverage, it appears that the news posed Tyson as pushed and pulled between two worlds—black and white society. D'Mato pulled him out of his criminal beginnings and into white middle class society, while Tyson's underlying criminal tendencies pushed, and Don King pulled, Tyson towards a lower class black criminal culture. Moreover, given the oppositional ways in which D'Mato and King's influence were reported, a deep reader of these texts might argue such discourse provides a veiled allegory about the nature and status of white and black

America. On one side, D'Mato represents morally upright white society. On the other side, King represents a criminal black society.

From this discussion so far, one can see that overall, the narratives used to tell the stories of Tyson's career and life were highly racializing. Much of the discussions about Tyson, his successes, and his personal issues put race at their center. This is a finding that complements those discussed in preceding chapters concerning racialization in NY Times coverage. Together, they reveal the racializing textures both of routine coverage in the NY Times and more exceptional coverage in the Tyson case.

The Debate Over Racism: A Zero-Sum Game

One could construe King as a symbolic representative of black society in Tyson's life. However, news stories also alluded to black society more directly. Tyson's supporters were a frequent presence in coverage, arguably functioning as a proxy for black society at large. Often coverage discussed how Tyson's fans and supporters disbelieved the allegations against him, and argued that he was being 'railroaded,' a victim of racism. For example, in one feature Barbara Walters remarked, "Some supporters of Mike Tyson have said that this turned out to be a racist trial, that Mike Tyson was convicted because he's a black man." Another in-depth profile on the Tyson case reported,

There is, of course, a sharply different view of Mike Tyson that has been much in evidence in Indianapolis during this trial, the view of Tyson as a victim, persecuted for his skin color and his fame. Outside the courtroom, at rallies, his supporters and his

entourage paint a portrait of a figure the establishment wants to destroy, an image Mike Tyson embraces (Sawyer 1992).

Later stories remarked on the movement to 'free' the 'innocent' Tyson after his conviction,

Mike Tyson a victim? That's what a growing number of prominent African-Americans see. That's what's fueling a Free Mike Tyson Movement here on the streets. Iron Mike, a victim of racism, the thinking goes; a victim of this country's dual system of justice (Rather 1992b).

The same story quoted director Spike Lee reacting to Tyson's guilty verdict, stating, "He was railroaded. I think that if you just look at his--look what happened to Mike and then look at, you know, what's his name--Kennedy, all I know is he's walking free, Mike's in the slammer" (Sawyer 1992). Put simply, news coverage often implied that the black community, especially black leaders, supported Tyson, believing that he was the victim of a racist justice system rather than a rapist.

Lynn Chancer (2005) has written about what she calls the 'partialization' at work in debates surrounding the Tyson case and others. The Tyson case, Chancer asserts, was often posed in terms of two opposing sides representing two different issues, without any middle ground. The two opposing camps offered by the news were those who sided with Washington, and presumably a stance against violence against women, and those who sided with Tyson, and against racism. The coverage highlighted above illustrates somewhat well the polarization process Chancer identified. As Chancer argues, such a process often precludes discussion of a

middle ground, and dichotomously poses gender equality against racial equality. In an interview with Barbara Walters, Desiree Washington remarked on this polarization, stating,

That also puzzles me, and that also hurts me, because our people fought for years to get in the civil rights movement, for equal rights, equal treatment. And to take the side of a black man over a black woman is not equal. That's not what I believe that we fought for for years (Downs and Walters 1992b).

Washington's account seems to perfectly sum up how the case was polarized—members of the public either chose a black man or a black woman, standing either for racial equality or women's safety. Though, from this account, it seems Washington rejects this dichotomy. By referring to the black community as 'we,' Washington positions herself not just as Tyson's victim, but also a victim of racism, and someone invested in the fight for racial equality. However, the illuminating thing about this account is not Washington's stance, but her identification of the two opposing poles created by the case. While Washington seemed to have taken this middle ground in the Walters interview, TV reports failed to explore this possibility.

Perhaps most importantly, by linking claims of racism to the question of Tyson's innocence, the media failed to explore the middle ground hypothesis that both Tyson's and Washington's supporters were right. Perhaps Tyson was both a rapist and the victim of a racist system. Perhaps he had committed the crime, but the fact that he was black made it more likely he would be convicted for a crime that is notoriously difficult to prosecute. Instead, the news dealt with the possibility of racism in the Tyson case as a zero-sum game. Either Tyson was

innocent and a victim of racism, or he was simply a rapist trying to escape punishment. Such coverage eschews the complexity of racism in contemporary society, encouraging the public to conceptualize racism in terms of individual and/or deliberate discrimination rather than as an amorphous force that most often works through insidious and indirect means. Moreover, this racism as a zero-sum game framework works to conceal the forms of racism most prevalent in neoliberal society, such as the institutional racism pervading the criminal justice system. It is, moreover, indicative of what Giroux (2003) calls neoliberal racism, a concept I will explore more fully in the next chapter.

Not only did coverage engage possible racism in simplistic, zero-sum terms, one could argue that coverage gave an edge to the rejection of racism in the case. The most prominent voice on television making claims that Tyson was a victim of judicial racism was Don King. For example, one report quoted King stating, “They have treated Mike Tyson in the trial court as though he was Jeffrey Dahmer, Al Capone.” He continued later, “Pray for Mike. I think Mike is a victim. It's--I think it was a travesty that it was happening here” (Rather 1992b). King’s checkered past, as discussed earlier, likely made him a less credible claimsmaker in the minds of many journalists and members of the public. In fact, in an interview during which King and Tyson’s attorney Alan Dershowitz made claims about racial prejudice, reporter Harry Smith hinted at King’s opportunism, and perhaps manipulative behavior. He questioned King about the ‘free Mike Tyson movement,’ and about King possibly profiting from the sale of t-shirts declaring support for the movement. Smith questioned,

SMITH: What does he [Tyson]--what does he say these days?

Mr. KING: Well, naturally, he is disappointed he hasn't gotten justice. First of all, Mike is innocent. He is in jail unjustly. He's--as custom and tradition--these are justice and fair play--You've got a good old boy network down there in Indiana and it's not about right or wrong, fair or unfair, just or unjust. It's about what protects our way of life. And this is what we're up against here and I want to take my hat off and applaud Judge Patrick Sullivan, a legal hero, a scholar that really went out and made a dissenting vote, but he put each issue in its proper perspective...

SMITH: Mm-hmm.

Mr. KING: ...and affirmed everything that we have been saying all along.

SMITH: Now, have you seen these T-shirts--these T-shirts that are all over cities across America like--ones like this? I can't believe you're not getting a piece of this action, Don King.

Mr. KING: Well, no, we're not getting a piece of action, but I'm getting a piece of satisfaction to see that the people coming up in the ground swell of public opinion that say, like we say, that Mike Tyson is innocent. I started it with a free Mike Tyson T-shirt I have been giving away and now there is such a demand on the T-shirts that we can't afford to continue to give them away and so we will be putting T-shirts out there because

everybody wants to be associated because they see the injustice of what's going on now and what's transpired in America against Mike Tyson (Smith and Kaufman 1992).

Smith's remark about King 'getting some of the action' implies that while King might be trying to help Tyson, he was also capitalizing on the opportunity to profit from the controversy. Such behavior may be smart business for one embedded in a field known for opportunistic 'hustling' such as boxing promotion. Yet, many would find it disreputable and perhaps morally questionable. Finding that individual untrustworthy is not a far leap from there. Put simply, news coverage tainted claims regarding racism against Tyson by associating them with a figure as dubious as King. Thus, coverage not only posed the possibility of racist discrimination against Tyson in zero-sum terms, it offered a non-neutral calculus, tilted towards the rejection of claims of racism. Correspondingly, to those rejecting claims of racism, Tyson's supporters, especially those like Al Sharpton and Don King, appear as race-baiters, dissembling to distract public attention from Tyson's crimes and/or further their own political goals. The possible upshot of this is that cases like Tyson, in which claims of judicial racism are seemingly proven dubious or unsubstantiated, likely increase public skepticism towards judicial racism in general (as well as other forms).

Finally, this treatment of racism must be considered in relation to the racializing themes I have discussed in the previous section and two previous chapters. I have already shown how news on violence against women is inflected with racializing themes, that are often nuanced and

subtle. Conversely, the finding discussed here shows how such coverage may treat racism in a superficial and misleading manner, which obstructs widespread critical awareness of it.

Desiree Washington: Victim-Heroine or Gold-Digger?

Though I did not make such a calculation, it would likely be fair to conclude that the balance of coverage was hostile to, or at least critical of Tyson. The complementary conclusion might also be drawn that coverage was more sympathetic towards Washington. A substantial amount of coverage took time to describe the virtuous characteristics of Washington. She taught Sunday school; she was a college student; she came from a stable, successful family; she courageously confronted Tyson in court. However, television coverage did not monolithically represent Washington in positive terms. She was subjected to some racializing coverage, though it was subtler than that directed at Tyson. More directly though, the news reports questioned her motivations and character, using classic victim-blaming discourses. In essence, while coverage afforded more sympathy to Washington than Tyson, she was also cast in somewhat contradictory terms.

Especially after the guilty verdict, many news reports spoke of Washington in praiseful terms. Reports framed her as a morally upright, studious, middle-class teenager, a respectable member of mainstream society. For example, one report provided a litany of her virtues,

One of them was Miss Black Rhode Island, 18-year-old Desiree Washington. She didn't win the title, but she was definitely an all-American girl. A beautiful baby in a family of three children, she was a varsity cheerleader at Coventry High School and played on the

school's championship softball team. She did volunteer work and taught Sunday school, too, all the while on the honor roll. In her senior year, she was chosen as a goodwill ambassador to Moscow, the only black in a group of 34 students from across the country. Desiree's father is a bookkeeper in the motel business. Her mother is a personnel specialist. They raised her as a strict Baptist. She was thrilled, she said, to be chosen Miss Black Rhode Island, and was having the time of her life at the pageant last summer, until the early hours of July 19th (Downs and Walters 1992b).

This account provides a near comprehensive list of mainstream US values. Washington was apparently hard working, successful, religious, athletic, and, of importance for a woman, she was beautiful. Further, the heteropatriarchal family was seemingly at the center of her life. Such a character seems nearly unassailable and nearly perfectly fulfills the values of middle-class US culture.

It is worth noting here the discourses of class being presented, both implicitly and explicitly. Reports explicitly discussed Washington's class background by noting her parents' economic status. For example Barbara Walters described her background as such, "Desiree's father is a bookkeeper in the motel business. Her mother is a personnel specialist. They raised her as a strict Baptist" (Downs and Walters 1992b). However, news reports also presented class in subtle ways. In fact, it was intertwined with nearly all of the virtuous descriptions of her. Teaching Sunday school, athletic achievement, and surely, attending college are all very clear markers of middle class status. Moreover, even the way Washington carried herself

communicated her class status. In interviews she was articulate, and confident, yet not pedantic or overbearing. One might examine Washington's interviews with Barbara Walters, quoted at various points in this chapter, as good examples of this. Beyond this, it should be noted that Washington's class status starkly contrasted with Tyson's 'ghetto' reputation (as well as Don King's).

The problem with all this victim praising though is, as various feminist scholars have pointed out, that constructions of rape and domestic violence victims as purely virtuous, virginal characters set a very high bar for public sympathy (Benedict 1993; Meyers 1994; Taylor 2009). While recounting a victim's history may make for interesting journalism, it tells the public relatively little about the incidents in question. Yet the inclusion of these details implies that they are relevant factors in considering whether victims are to be believed or sympathized with, creating room for increased skepticism directed at less virtuous victims.

Accounts of Washington's virtues and accomplishments were not the only form of positive coverage accorded to her. After the trial, many stories reported on the suffering Washington endured and the strength it took to face Tyson in court. For instance, during an interview with Barbara Walters, Washington described her experiences. She stated,

You know, I have lived with this for six months, or at the time of the trial it had been six months. I have cried so much, I- you know, I've gone over it so much, I live this every night, you know. I have nightmares every night almost, and I've been over this so many times in my mind, and just every day that there was no need for me to cry on the stand.

This is what happened, this is the truth, believe me or not, but if you don't believe me, this is going to happen to someone else, and the next person is going to be dead, you know, but I will still be able to look at myself in the mirror and know that I did the right thing. And I didn't feel that I needed to get on the stand and put on tears. I'm not that type of person. I'll tell you the truth, I'm honest, it's- it's straight out, and that's me (Downs and Walters 1992b).

This moving account illuminated for audiences the trauma induced by rape and the ordeal a rape trial can be. As well, it provides an account of Washington's motives for pursuing the case against Tyson—not mere self-interest, but an altruistic moral obligation to Tyson's potential future victims. Other reports even implied that Washington, and her strong character, were the deciding factor in obtaining a conviction of Tyson. One prosecutor, quoted on television, stated,

Anybody that has seen her on the one TV appearance she made, or anybody that observed the trial, knows that Miss Washington was a very powerful witness. The truth is like that. She's a very innocent, very forthright person. She made an immediate impression on the jury which, I think, stuck with them (Smith 1992).

Another story quoted a legal expert, stating, “That is an incredibly strong 18-year-old to get through this” (Fernandez 1992). This strength narrative rightly pointed out the courage Washington displayed in facing her attacker and those hostile to her. Yet, the broader truth, which was not discussed in the media, is that many rape victims are not able to stay composed on the witness stand; provide consistent stories (often because of the psychologically traumatic

consequences of rape); or decline to participate in a criminal justice process that frequently re-victimizes rape survivors (Bumiller 2008). The celebration of Washington's strength may come at the cost of hostility towards and mistrust of victims who do not act similarly. Furthermore, it should be acknowledged that this strength narrative contains an implicit assumption that victim cooperation with the criminal justice system is an optimal outcome in rape cases. From a victim-centered perspective, one might argue the contrary (Bumiller 2008). Because the trial process is often experienced as re-victimization, and because involvement with the criminal justice system as a victim can lead to entry as an offender for many women, it is easy to question the wisdom of cooperation for some victims (Bumiller 2008; Chesney-Lind 2006; Richie 2003).

Simply put, much coverage employed narratives of virtuousness, strength, and resilience to describe Washington and her ordeal. Such journalism fulfills the Liberal ideal-type of the profession in that likely cultivates greater public appreciation for the experiences of rape victims, and thus greater awareness of the crime more generally. On the contrary, not all victims of violence are as presentable and/or consistent as Washington, and coverage focusing on these aspects raises legitimate questions about how marginalized, uncooperative, or otherwise hegemonically inconvenient victims might be received. Thus, while such coverage may be worthwhile in that it humanized Washington, it may also have the unintended consequence of increasing skepticism directed at marginalized rape victims. Beyond this, not all coverage was so sympathetic to Washington.

As I stated earlier, Desiree Washington was subjected to racializing and victim-blaming discourses at times. The racializing terms used to describe Washington were only subtly so, but they are worth noting for at least two reasons. First, it is comparatively useful to examine the racialization at work in regards to both Washington and Tyson. Second, as overtly discriminatory or stigmatic language becomes less publicly acceptable, as it has during the current neoliberal era, racism becomes more subtle and nuanced, yet still important (Entman and Rojecki 2001; Giroux 2003). There were at least two ways that coverage tended to racialize Washington. First, she was often referred to simply as a ‘Miss Black America Pageant contestant.’ For example, one story described here as such, “Tyson was convicted of rape and related charges stemming from an attack on a Miss Black America contestant last July” (Zahn and Plante 1992). One might posit this is perfectly reasonable considering the fact that most media outlets do not disclose the identities of rape victims. However, this particular quote is from a report issued after Washington publicly identified herself as the victim in this case. Thus, the vague moniker was unnecessary, since it was ensuring anonymity that no longer existed. Moreover, even for stories aired before Washington’s identity was known, this particular phrasing is physically and racially essentializing. Television reporters never referred to Washington as for example, ‘a woman competing in a beauty pageant,’ or simply a ‘young woman.’ Instead Washington’s identity was always constructed in terms of her status as a beauty queen, and a black one at that. Worth noting, is the parallel here that, like Tyson, Washington was often reduced to her physicality in the news. While this racializing tendency is,

as I acknowledged, quite subtle, it is significant in that it illuminates the insidious ways race can stay central to news discourse, without being at the forefront.

The other noteworthy racializing tendency exhibited in regards to Washington was the narrative, brought up in many articles, that she was possibly a ‘gold digger.’ For instance, one reporter summarized Tyson’s attorney’s claims, remarking, “Their testimony would have shown that Washington consented to sex, says Dershowitz, who insists that Washington was a gold digger with dollar bills before her eyes who lied to the jury about the financial motives she had to accuse Tyson” (Plante and Faw 1993). While for wealthy celebrities accused of rape this defense might be strategically logical regardless of the accuser’s race, the term ‘gold digger’ is racially loaded. Scholarship has demonstrated that, while the term might be applied to describe any woman who is obsessed with extracting wealth from a man, it is among a set of scripts closely associated with young African American women and their sexuality, through media such as television and rap music (Stephens and Phillips 2003). Put simply, it is coded racializing language.

Clearly, this ‘gold digger’ narrative is not only racializing, but also a victim-blaming discourse. This idea was put forth by Tyson’s attorneys and supporters to attack Washington’s credibility. For instance, one story reported,

The accuser was also hurt when this former contestant in the pageant, Tanya Saint Clair, said she heard the accuser, who is a Sunday school teacher, talk excitedly about Tyson's genitalia, and blurt out, 'Wow! His butt is really something to hold on to.' And when the

accuser's ex-roommate Pasha Oliver testified she, too, is suing Mike Tyson for sexual harassment, it bolstered defense claims that the accuser is a gold digger (Schieffer and Faw 1992).

Though it may not be a particularly common tactic in more common rape cases that feature offenders of modest means, this discourse is born of the classic rape myth that women often lie about being raped, for a variety of reasons (e.g. revenge, to avoid shame or stigma, etc.) (Benedict 1998; Burt 1980; Schwartz and DeKeseredy 1997). As the above quote shows, the gold digger narrative was not the only victim-blaming discourse raised in news coverage. Another narrative continually raised was that Washington did not display ostensible signs of trauma that would be expected from a rape victim the day after the crime. One story stated that other contestants were skeptical that a rape had occurred, “She and two other contestants, like Jacqueline Boatwright, said they noticed absolutely no change in the accused after she said she had been brutally raped” (Rather 1992b). Clearly, such a narrative implies that a rape victim who does not act as should be expected—i.e. showing signs of trauma—is less believable than one who does. Another victim-blaming discourse that emerged, which related to Washington’s credibility as a victim, was the accusation, raised by Tyson attorney Alan Dershowitz, that Washington had made a previous false accusation of rape. One report quoted Dershowitz saying,

What she had done is falsely accused a young man by the name of Wayne Walker of raping her and she admitted to Wayne Walker that she made up the whole story in order to avoid being beaten up by her father. That's all a matter of affidavit. We have sworn

testimony by her own mother that she had sex with Wayne Walker. We have a denial by her. We have another trial motion based on her own lawyer going into court and saying, 'I think my client may have committed perjury at the trial. So we're a long way from a knockout in this case (Smith and Kaufman 1992).

This particular account was not repeated frequently in press accounts, because the allegations only emerged after the verdict, during Tyson's appeal. However, for many it likely damaged Washington's credibility since it presumably established a history of false rape claims on Washington's part. In fact, nearly 25 years after the case, an Internet search of 'Mike Tyson rape case' will yield multiple sites dedicated to arguing for Tyson's innocence, often focusing on the supposed previous false accusation by Washington.

Perhaps the most common narrative raised on television was that Washington was not as innocent as she seemed, and should have known that Tyson wanted sex when inviting her to his apartment. The story quoted above reported, "And several witnesses said the accuser should have known what was coming. Said Tonia Trailer, 'Everything Mike Tyson said had sexual overtones and most of the time he was blunt.'" (Rather 1992b). Another stated, "Tyson also got some help today from his friend, Johnny Gill, the rhythm and blues singer testifying that he heard Tyson use the F-word to this accuser" (Chung and Faw 1992). All this victim blaming came to a head in the interview Washington gave Barbara Walters during a 20/20 special. During the interview, Walters pressed Washington on the allegations discussed above²⁶. In addition to denying that she wanted money from Tyson (a claim substantiated by the revelation

Washington had refused a \$1 million settlement offer), Washington gave the following account of why she went to Tyson's hotel room.

He just said, "I have to stop up and get something," and then he mumbled something, and then he said something about a bodyguard, so I assumed that we were going up to get something, and I didn't really know what he was talking about with the bodyguard, so he just said, "Come on," and I didn't think anything of it, you know. And so many people judge me on that, first of all, why I went out at two o'clock in the morning, you know, and secondly, why I would go up to his hotel room. And I think even the most street-smart person wouldn't have thought anything of it. If someone just says, "I have to stop up to get something," that doesn't mean stay up in the room, that doesn't mean have sex, that doesn't mean anything but stopping up and picking up something, at least in my mind, you know. Maybe now I look back on it and I say, "Wow, I was set up the whole time," you know, this had to have been a set-up, he had it all planned that he was going to do this to me, but at the time, you know, with the train of thought that I was on, you know, with my camera and everything else, I had no intention of doing anything with him and I didn't think that he had any intention of doing anything with me, you know. So, you know, without thinking, I just went in there, and you know, I don't know many 18-year-olds that would have been thinking that this man who was my father's hero, who was a celebrity, would want to do something like that to me. And you know, now, like I said, I've changed a lot and I'm not as trusting of people or anything, but if this hadn't

happened to me and someone just said, "Come on, we have to stop up for something," I still probably wouldn't think anything of it (Downs and Walters 1992b).

Note what is at the center of this argument—Washington's naivete. Washington claims that she was not 'street smart;' that she was star-dazzled in the presence of a family celebrity-hero; that she was a (perhaps overly) trusting person. Thus, her account implicitly juxtaposes her innocence with those presumably more cynical actors, who would have seen the 'set up' coming. I can think of no reason to disbelieve Washington's account, yet it is problematic in the same way the sympathetic narratives discussed above are. In this narrative, her trustworthiness, her sympathetic standing, her very victimhood is contingent on her status as a virginal character. What if Washington had really gone to Tyson's room, aware of his sexual intentions, with the intention of stealing some sort of souvenir for her father? What if she had the intention of having sex with Tyson at some point, but decided against it once in the room, at that point refusing him? Would Tyson's forcing himself on her in those cases be any less of a rape? Of course not. However, this quote, and the others above, demonstrates that in media coverage, as well as perhaps even this victim's mind, a calculus of her virtues acts as a proxy test of actual victimhood.

To summarize, coverage relating to Washington had both commendable and problematic aspects. It seems the balance of coverage was more favorable for Washington than it was for Tyson, both in terms of the ways their character was discussed, and in the degree to which they were racialized. Journalists clearly made an effort to humanize Washington, and raise public

awareness of her ordeal (though this was far more common after the verdict and the 20/20 interview in which Washington defended herself). Yet, coverage that celebrated Washington continued a journalistic tradition in which ‘true’ victims are constructed as virtuous and/or virginal characters, perpetuating an overly rigorous logic of victimhood, which impugns victims who do not meet this rather high standard for sympathy. Moreover, some coverage supplied racializing and victim-blaming discourses, intertwining them at times, which arguably implied that Washington was a believable and/or sympathetic victim only as long as her virtuousness held true. This calculus, which I call the logic of partial sympathy, was not limited to the Tyson case. As I will discuss going forward, it was present in all cases that I examined.

Conclusion

To be sure, coverage of the Tyson case demonstrated some encouraging features. Journalists covering the case seemed to make a deliberate effort to humanize the victim in the case, and were successful in doing that. They also sought to gain some understanding of the etiology of Tyson’s violence, by delving into the influence of his rather difficult surroundings as a child. On the other hand, much about the coverage of the case could be improved. Instead of focusing on Washington as the type of person to be admired for her background and upbringing, the press might have focused more on her strength throughout the case to show her humanity. Instead of focusing so heavily on Tyson’s delinquent past as the root of his violence, they might have explored how the distinctly masculine environments in which he had lived almost exclusively contributed to his offenses. The media could also have taken a less absolute and more nuanced approach to examining the way that racism possibly influenced the case, and

avoided painting Tyson and/or Washington in racializing terms such as ‘brute,’ ‘caveman,’ or ‘gold digger.’

Ultimately, the task I have undertaken is a critical reading, meaning, rather than on the merits, I am deliberately focusing more on the flaws in coverage and the possible consequences of these flaws. From the critical reading I have performed, several sets of conclusions can be drawn concerning this. First, the Tyson case illuminates some of the prominent narratives used in the media to praise and stigmatize African Americans. As I stated earlier, it complements the findings discussed earlier regarding racializing narratives in NY Times coverage. Moreover, it more colorfully illustrates how such racialization works, by documenting and deconstructing its usage in an instance of exceptional news coverage on one case. Second, it reveals a logical structure embedded in media discourses surrounding rape victims, which signals to audiences the authenticity of rape claims. These first two conclusions are not particularly novel. Previous scholarship has documented the stereotypes, both negative and ostensibly positive, that have been used to frame blacks in the mainstream media (Entman and Rojecki 2001; Russell-Brown 2008). And, copious research has documented the characteristics that are associated with sympathetic and vilified rape victims (Benedict 1993; Brownmiller 1975a; Chancer 1994; Howe 1997; McDonald 1999; Meyers 1994; Suarez and Gadalla 2010; Taylor 2009). However, these conclusions become more meaningful when considered in the context of the main thesis I am presenting—that the media present a largely neoliberal framework for understanding violence against women. Understanding how these ideas resonate with broader neoliberal logics adds greater context and insight to such findings. Furthermore, a third set of conclusions might be

extrapolated from such a consideration, which relate to neoliberal conceptions of racism, violence against women, and black street crime.

As I have stated, it would be a mistake to conclude either Tyson or Washington were covered in wholly positive or negative terms. Both were praised and denigrated by television news. For Tyson, those discourses that referenced his athletic achievements and/or his relationship with Cus D'Mato framed him in positive terms. On the other hand, those discourses that referenced his reputation as a ghetto thug and his relationship with Don King framed him in negative terms. From a critical standpoint, the logic of this framing seems obvious. As an athletic champion, Tyson constituted no threat to white hegemony; he actually served as an avenue for profit for those in the sports and entertainment industries. Moreover, his relationship with D'Mato provided an example of how the angst of poor blacks could be tamed and transformed into useful energy. On the other hand, Tyson as the 'black thug' signified a source of anxiety for white society, and a problem population present in (and created by) the neoliberal economy (Wacquant 2009). It seems Desiree Washington was subjected to a somewhat similar logic. Insofar as she fit the feminine ideal-type of heteropatriarchal capitalist society, she was celebrated. A middle-class-religious-beautiful-heterosexual woman fits perfectly into contemporary hegemonic notions of womanhood (Bumiller 2008). Even when she was racialized as essentially a 'Miss Black America contestant,' she was posed as an outstanding member of the black community. On the other hand, Washington the gold-digger, was denigrated. Turning the female partner-as-trophy relationship on its head, the gold-digging

woman poses a threat to male privilege, using men as they have used women, not to mention threatening their economic privilege.

In addition to this, the intertwining of class and race played an important role in the case. Washington's middle class status was juxtaposed with Tyson's membership in a criminal underclass. Much scholarship has shown that US culture associates middle class status with whiteness, and poverty and criminality with blackness (Entman and Rojecki 2001; Giroux 2003; Russell-Brown 2008; Wacquant 2009). Because of this, their respective statuses associated Washington more closely with white society and Tyson more closely with black society. This was surely an influential factor in tilting the balance of favorable coverage in Desiree Washington's favor. Other victims, such as the woman who accused Kobe Bryant of rape, have not been so fortunate.

In sum, it seems that when they were cast in terms that posed them as non-threatening and/or useful to white society, Tyson and Washington were praised. However, when cast as possible threats, they were denigrated. One might argue that such disparate treatment is consistent with the dualistic standing of blacks in contemporary US society. The racial climate of the US today is ostensibly multicultural, allowing some room for black social mobility. Overt anti-black racism is publicly unacceptable and there are many powerful, prominent, and wealthy black figures (Entman and Rojecki 2001; Wacquant 2009). Such a situation has created the impression of greater equality. On the other hand, indirect repression, such as that accomplished through the corrections system, pervades the black community and avenues for social mobility

are limited to those that do not entail downward redistribution of wealth (Duggan 2004). Particularly in the media, certain avenues for mobility, which are generally individualistic and very limited (e.g. professional sports or other entertainment careers), are stereotypically promoted and encouraged (Russell-Brown 2008). Parallels can be drawn here in that Tyson and Washington were praised in reference to the ways they pursued acceptable avenues for black social mobility (e.g. individualistic paths predicated on physical talents/attributes) or demonstrated their integration to mainstream (white) society (e.g. living a middle-class lifestyle). Conversely, they were impugned in reference to the ways they belied ostensible racial equality (e.g. being part of a sub-proletarian black class) or threatened white male privilege (e.g. being a gold digger).

In addition to those regarding race and class, lessons can be learned from the Tyson case concerning the way the press selectively cultivates sympathy for victims. As I stated earlier, as long as Washington's virtuousness appeared to hold true, she was celebrated. However, when her virtue came into question, her victimhood was questioned. Such victim blaming accords with traditional patriarchal values. However, the case illustrates how partial sympathy works even in a neoliberal society that seems more gender progressive. The ways in which Washington's victimhood was constructed is indicative of the larger reality that true sympathy today is still reserved for only those women who are most valued under neoliberalism—attractive, heterosexual, economically successful women. This may not seem particularly distinctive to neoliberal culture, but the centrality of class in this logic is. As women have entered the labor market, those women who are best able to fulfill a triple role essential to neoliberal economies—

that of reproducer, consumer, and wage laborer—take a more privileged and valued position compared to those women who are less useful to the neoliberal market. Thus, their victimizations generate more concern than victimizations of women from surplus or troublesome classes. Of course, this structural economic consideration is not the only factor upon which press sympathy is contingent. Instead, sympathy is contingent on a blend of economic factors and more traditional patriarchal values. Added to these should be the ways in which certain victim-blaming discourses are racialized (e.g. the gold digger) to better account for the intersectional nature of the construction of press sympathy for rape victims in a neoliberal climate. Chapters Four and Five discussed the presence of victim blaming and the selective construction of victimhood already. However, this analysis has shown in deeper detail how a logic of partial sympathy structures press coverage of violence against women. This logic of partial sympathy will be further illuminated in Chapters Seven and Eight, as it continues to be a salient theme in the Duke and Steubenville cases.

Other themes discussed in this chapter illuminate additional aspects of a neoliberal framework for understanding violence against women. As I discussed, Tyson's violence against women was often framed episodically, rather than a pattern of controlling and dominating behavior. This episodic conceptualization of violence against women articulates well with the gender symmetry perspective that ironically de-genders partner violence. They both problematize this issue without problematizing major power relations. Furthermore, they accord with the neoliberal tendency to promote individualistic understandings of the social (Harvey 2007; Wacquant 2009).

Some of the findings here also provide insight into the neoliberal understanding of racism. The simplistic way news coverage explored racism in the Tyson case is largely consistent with the aforementioned neoliberal proclivity to conceptualize social issues in narrow and individualistic terms. As an ideology founded upon neoclassical economic theory, neoliberalism generally holds human behavior as an individual-level phenomenon, consisting of deliberate choice-making activity. Defined through such a lens, racism would consist of conscious discrimination on the part of an actor, or multiple actors. This is precisely the type of racism news coverage explored in the Tyson case, avoiding considerations of more insidious institutional and cultural forms of racism. As I stated before, I will address this issue more deeply in the next chapter as well. However, it should be noted here how such a finding complements findings regarding racialization that I have already discussed. News on violence against women supplies discourses that exacerbate racism by racializing and/or criminalizing certain groups, and it also impedes a critical public consciousness on the issue of racism by framing it in individualized and episodic terms.

Perhaps most important to the general thrust of this study is the way in which the Tyson case linked violence against women to black street crime. By portraying Tyson as a ‘thug’ while covering this rape, media coverage associated street crime with acquaintance rape. This association can be understood more deeply when considered in relation to narratives positing that Tyson had a ‘dark side.’ News coverage often alluded to the fact that Tyson’s attacks on women happened when this side surfaced. Further, news coverage directly associated this presumably underlying deviant urge with Tyson’s childhood as a poor juvenile delinquent. Thus, aggregate

coverage supplied a diagnostic narrative implying that Tyson was inculcated with criminal tendencies at an early age by black ghetto culture, and it was this influence that emerged periodically, spurring him to attack women. While members of the public may or may not internalize this as a generalizable theory, it plants a seed of ideational commonality among black street crime, domestic violence, and acquaintance rape. Such an association not only stigmatizes black urban communities, it also positions a punitive crime control approach as the optimal avenue for addressing the dual problems of street crime and violence against women—if the two crimes are homologous, they likely call for the same, or at least similar, solutions.

Clearly the Mike Tyson rape case was a media spectacle from which a diverse array of conclusions could be drawn, depending on how one reads the case. Here I have performed a deep critical reading of the case that has focused on discourses of race, class, criminality, and victimhood. The findings generated from this analysis have illuminated the manifestations of such discourses in the Tyson case and lent insight into their neoliberal nature. In the proceeding chapter, I will discuss television coverage of the Duke Lacrosse rape scandal, the implications of which articulate quite closely with some of the findings from the Tyson case.

Chapter 7: The Duke Case: The Heroes, The Liar, The Rogue, and The Leftists

Introduction

While the Mike Tyson case was surely a grand media spectacle, the second case I studied, the Duke Lacrosse scandal, was perhaps an even larger one. The Tyson case ultimately fit an unsurprising cultural script. The dark villain assailed a beauty, and society punished him for it. The Duke case offered more of an element of surprise, and thus possibly offered more fodder for mediated reflection. What at first appeared to be a case of privileged white athletes raping a poor black woman turned out to be something quite different. It turned out that the players were innocent, and that a false accusation coupled with a politically ambitious, but morally compromised, prosecutor nearly led to an astounding miscarriage of justice. The following is a brief recap of the case, including the major twists and turns that preceded the three Duke players' exonerations.

On March 13, 2006, the Duke Lacrosse team planned a party at their house near the university campus. The party was planned as a consolation prize to the players, could not leave campus due to their team obligations. One of the players contacted an escort service to hire strippers for the night's entertainment, asking for white dancers. Later that evening two African American women, Crystal Mangum and Kim Roberts, arrived, sent by the escort service. Despite the divergence from their request, the players agreed to have the women perform. However, soon after it began, the performance dissatisfied the young men. At one point, partygoers began jeering at the women, and one suggested they use a broomstick as a sex toy.

An argument broke out, and the two women locked themselves in a bathroom in the house. Eventually both women left in Kim Roberts' car.

After leaving, the two women started to argue. Roberts eventually pulled over in a Kroger supermarket parking lot and attempted to force Mangum out of the car. This caught the attention of a security guard and eventually the police. Because Mangum was uncooperative and apparently highly intoxicated, she was committed to a mental health/substance abuse treatment facility. It was there that Mangum first claimed to have been raped.

The case went to Durham, North Carolina DA Mike Nifong several days later. Nifong almost immediately began giving interviews with the press, and making disparaging comments about the Duke Lacrosse players, for example referring to them as hooligans. To many it appeared Nifong was already sure of their guilt. Moreover, subsequently, he claimed they were refusing to cooperate with the investigation. In fact, the players had proclaimed their innocence and were attempting to clear their names, for example by submitting DNA samples. However, Nifong eventually indicted three Duke players—Collin Finnerty, Reade Seligmann, and David Evans.

Over the course of a few months it became clear that Nifong's case was weak at best, and his conduct was highly questionable. Mangum had picked the boys out of a lineup consisting only of white Duke Lacrosse players, contrary to accepted best criminal investigation practices. As well, Kim Roberts had given a statement about the events of the night in question that contradicted Mangum's. Moreover, Mangum's version of events changed multiple times.

Perhaps most importantly, Nifong suppressed exculpatory DNA evidence that showed no Duke players' DNA was present in Mangum's underwear, but did show the DNA of three other men. On top of all this, Mike Nifong had been running for reelection during the course of the Duke investigation. The election was hotly contested and Nifong narrowly won, propelled by support from the black community in Durham. That same community had pushed hard for aggressive prosecution of the Duke players.

In December 28, 2006, the North Carolina State Bar Association filed ethics charges against Mike Nifong. Months later, after taking over the case, North Carolina Attorney General Roy Cooper not only dropped all charges, but declared the three young men innocent. Mike Nifong was eventually disbarred and served one day in jail on criminal charges of obstructing justice.

The dominant narrative that emerged from the Duke Lacrosse scandal was that of a miscarriage of justice. The media and public expressed outrage over the fact that a prosecutor had apparently ignored exculpatory evidence, and pursued a false case for political gain against three Duke players with otherwise sterling reputations and records. Indeed, the case did entail a condemnable failure of the justice system, or at least a near one. Further, the case arguably had positive impacts in that it drew public attention to the possibility of wrongful convictions, even for particularly privileged accused persons.

However, the potential for wrongful convictions was not the only lesson the case offers. While television coverage focusing on this case as a miscarriage of justice was defensible in

many ways, it was superficial, failing to delve into wrongful convictions with any depth, especially in regards to prosecutorial power. Furthermore, while the accused in this case truly were victims of prosecutorial misconduct, the narratives employed by the media to frame this victimhood relied on a selective logic that is remarkably consistent with that which was applied to Desiree Washington in coverage of the Tyson case. Media reports commented on how respectable the Duke players were, intimating that any suspicions should have been restrained in light of that respectability. Relatedly, the ways in which television discussed the accuser in this case, Crystal Mangum, worked to reaffirm classic victim-blaming mythologies, though Mangum was not actually a victim (at least in this case).

Beyond this, the media engaged in superficial discussions of race relations in Durham. Media conversations about the case largely ignored the nuances and history of US race relations, providing a clear illustration of what Giroux (2003) calls ‘neoliberal racism. As the case wound down, furthermore, a narrative emerged that blamed the rush to accuse on ‘political correctness.’ Essentially, some news outlets reported, the dominance of progressive political factions, such as feminists, leftists, and anti-racists, had biased Duke, the community, and the nation against these young men. Thus, this case became prime fodder for those seeking to discredit feminism, anti-racism, and general social justice agendas. Moreover, this discrediting was not only perpetrated by the Right, but more troublingly, also the mainstream ‘middle’ that comprises the US media.

In the following sections I will discuss all of these themes in detail. In addition, I will show how television coverage displayed a preoccupation with the role of DNA evidence

throughout the case, exemplifying the fetishization of technology-as-crime fighter I discussed in Chapter 4. I will conclude my analysis of the Duke case by comparing Internet news coverage to television news, and then discuss the overall implications of the case. In sum, this discussion will also bolster some of the conclusions I have been developing throughout the last three chapters. Specifically, the Duke case will provide additional illustrations of the selective integration of feminist knowledge, as well as partial logic of sympathy that the media apply to violence against women. It will also further illuminate how media's treatment of race relations, racism, and class is constrained by neoliberal logic, and the discussion of DNA will document how forensic criminal justice considerations pervade even exceptional media coverage.

A Miscarriage of Justice: The Accused as Victims

David Evans, Reade Seligmann, and Collin Finnerty were exalted college athletes at the time of the Duke Lacrosse rape scandal, and, according to available accounts, have been successful since the furor of the case died down. Because of that, it may seem awkward to proclaim them as victims in this case. However, they surely were victims of extreme prosecutorial misconduct and a rush to judgment by some members of the community (a significant number of Duke professors included) (Taylor and Johnson 2008).

Stuart Taylor and KC Johnson's (2008) book, *Until Proven Innocent*, thoroughly chronicles this injustice, illuminating the unethical and reckless behavior that prosecutor Mike Nifong, and members of the Durham police department exhibited. As the book points out, the media initially accepted the Nifong's account of the crime uncritically, relaying his claims that a rape surely had occurred. This is unsurprising in light of the findings reviewed in Chapter 5,

which demonstrated the media's reliance on prosecutors as a source in crime news. On the other hand, the bulk of television coverage analyzed here came after the spuriousness of the rape case became apparent. Subsequent coverage enthusiastically endorsed the narrative of the accused as victims. Countless stories discussed the ordeal suffered by the Duke players, characterizing it as a 'nightmare.' Some went further, speculating that regardless of their exoneration, the accused would be plagued by the stigma of a rape accusation for their entire lives. For instance, one report quoted a Duke player stating, "It was a nightmare compared to what we thought the season was going to be like" (Cuomo 2006). Another quoted indicted player David Evans discussing the impact of the false accusation. He stated,

This woman has destroyed everything I've worked for in my life. She's put it on hold. She's destroyed two other families, and she's brought shame on a great university. And worst of all, she's split apart a community and a nation on facts that just didn't happen and a lie that should have never been told (Bradley 2006).

Another story commented on stigmatic and lasting impact of a rape accusation. A featured commentator remarked,

I only think one of the tragedies of this case is that there is no way to make these three young men who were accused whole again if the accusations had been false. There'll always be the asterisks that he was the defendant in the, in the Duke lacrosse case. That's why you don't rush to judgment in these cases (Couric 2007b).

Such commentary continued to echo in coverage throughout the duration of the case, even after stories had reported that the boys were faring quite well after being exonerating, Evans even getting a high-paying Wall Street job less than a year after the indictments.

One might argue that after unfairly impugning these men, the media did a near 180, becoming overly sympathetic to them. In fact, many post-exoneration reports foisted up the accused and other Duke Lacrosse players as heroes, proclaiming their ‘unlikely’ triumph over enormous adversity. For example, many stories repeated a quote of David Evans discussing his own resiliency after he had been exonerated. He stated,

I hope these allegations don't come to define me. I hope that the way that I could be remembered is sticking up for my name, for my family and for my team against impossible odds, impossible odds, the entire country against us. And we fought back for our names (Cuomo and Vargas 2007).

Other stories focused on the impact the case had had on sports. Eventually a number of stories were dedicated to Duke’s triumphant return to the lacrosse field, commending the entire Duke team for their resilience. One such report contained the following passage,

SMITH: A year ago this team had their season cancelled. They lost teammates, they lost their coach. Yet not a single player quit; no one transferred. The new coach said he believed in the players, then not exactly a popular sentiment.

Mr. JOHN DANOWSKI (Head Coach, Duke Men's Lacrosse): One of the reasons that the job was intriguing to me was because I knew who these young men were. I knew that they were of great character, I knew that they were from wonderful families.

SMITH: Despite the accusations and the distractions, Duke is just two goals short of a perfect season. Somehow, they have not been crushed by the avalanche of bad publicity. And maybe now they'll be free to pursue the dream they were chasing exactly one year ago: a national championship (Mitchell 2007).

While such coverage is justifiable in that it reported on a legitimate scandal and injustice, television coverage sometimes bordered on being maudlin, effusively celebrating the Duke players' resilience while not considering that it is not so surprising that privileged men possessing enormous resources can overcome serious adversity. In essence, media sympathy for these victims, though deserved, became so intense that it concealed some underlying truths about the victims' social locations.

The proclamation of Duke players as heroes also created an important blind spot in media coverage. No rape occurred, and it seems at least two of the accused were not even at the party when a dispute leading to harassment and bullying of the dancers broke out. However, the Duke team as a whole did hire sex workers to entertain them. And, though it likely was not their intention, the Duke players did find themselves occupying a context that reflected a historical legacy of Southern white men's sexual exploitation of black women when they decided that two dancing, naked African American women would be their night's entertainment. Though,

perhaps hiring exotic dancers is not an enormously deviant behavior for college men. Still, the Duke players' troubling behavior went beyond the hiring of strippers. Clearly some of the members harassed and bullied these women enough that they locked themselves in a bathroom, refusing to come out. Additionally, at least a few of the young men used racial slurs, telling one of the dancers to thank her grandfather for his cotton shirt (Taylor and Johnson 2008). This theme was completely dropped from media coverage once the rape case began to fall apart. In their rush to exalt Duke Lacrosse players as 'heroes' the media ignored the fact that, while it may not have been the three accused of rape, some of the Duke players had unquestionably acted in ways that tracked a troubling history between men in the South and African American women that night.

Beyond questionably sensational sympathy, media coverage often implied the accused should have been believed because they were respectable young men. Initially coverage sometimes employed an implicit narrative, extrapolated from feminist theories of rape, asserting that a privileged masculinity was a risk factor for rape. However, subsequent coverage almost always voiced a near opposite narrative—that these boys who earned good grades, were prolific athletes, and did good works, were not the type to rape someone. Such narratives are what I call 'respectability narratives.' Many stories interviewed friends and acquaintances of lacrosse players. One story quoted a female friend, asking her if the accused were 'average' boys. She replied, "...more than average. They're friendly, great guys. There's no way they committed a rape. They're totally innocent. The DA is going to be embarrassed" (Schieffer and Regan 2006c). Another friend stated, "No way that they're possible of even thinking of this kind of thing, let

alone being a part of it” (McGinnis 2006). Many other reports commented on the players’ achievements and their potential. One reporter remarked,

David Evans was a co-captain of the lacrosse team and an honors student. He graduated from Duke in May and was headed for a job on Wall Street. Today, at age 23, he is contemplating a future much darker than he ever imagined...

His teammate, 20-year-old Reade Seligmann, could have played lacrosse at any university he wanted. He was recruited by Harvard and Princeton, but chose to go to Duke (Bradley 2006).

Television coverage also frequently included praiseful descriptions from the accused’s lawyers. In one report, Collin Finnerty’s attorney commented, “Totally innocence, totally not Collin. Anybody that would--that knows Collin--he's a very gentle boy, and it's not within his character at all” (Gregory and Abrams 2006). Another report included the following testimonial,

You know, in my view these are truly remarkable young men. They are great students, they're great athletes, they come from good families. It is certainly my hope that they will go on with their lives. This case is going to be over soon. This case is falling apart, and these young men will pick up the pieces. I think they'll do fine (Smith, Mitchell, and Strassman 2006).

Generally, such reporting included testimonials about the character of the accused players, stating that they were exceptionally meritorious young men. In addition to this, as the above

quote illustrates, many reports featured narratives that celebrated the strength and character of not just the young men, but also their entire families. For instance, one attorney commented in an interview,

The, the families are united, they're supporting their sons. But it's torture for them every day. It's the American dream turned in the American nightmare. All these families succeeded and were fortunate to provide for their children but now in some cases it's turned against them. And, and if it weren't for the families' solid support to their sons, it would be a different story. But they're holding tough. And they're determined to see this to the end (Snow and Cuomo 2006).

Of course, this coverage may be perfectly accurate. The accused players did apparently have good reputations among their friends, coaches, and many of their professors. Furthermore, it is not hard to imagine that their families were a necessary source of strength as the accused faced the possibility of being incarcerated for a crime they did not commit. However, the social significance of these respectability narratives is problematic when considered in relation to scholarship on media treatment of rape cases. Respectability narratives clearly were used to build sympathy for the wrongfully accused in this case. However, as other scholars have shown, they also reproduce the narrative that sex crime is the purview of extreme deviants and 'respectable' or 'normal' individuals are not sex offenders (Benedict 1993; Grover and Soothill 1996).

Such coverage also constitutes a celebration of a particular masculinity. News media did not just sympathize with the Duke players, they cast them as a masculine prototype worthy of unanimous admiration. Indeed, these young men fit a hegemonic masculine type—middle-class collegiate student-athletes from respectable backgrounds (perhaps to be contrasted with the ‘ghetto’ background of black athletes such as Mike Tyson), who go on to work as key cogs in the machinery of capitalism (Connell 1987). It is quite ironic that a cultural conversation that began by questioning the problematic aspects of such a masculinity eventually led to a glorification of it.

Furthermore, the celebration of the role of families in this case is implicitly patriarchal. References to ‘good families’ in mainstream culture contain subtext that is easily interpreted—good families are middle-class (or wealthier), heterosexual, two-parent families who have raised successful college students. In essence respectability narratives dedicated to the accused’s families perpetuated the patriarchal tendency to idealize the heterosexual nuclear family. Moreover, when used to frame the accused as unlikely rape suspects, these narratives promote the heterosexual nuclear family as the necessary mechanism for social reproduction of non-deviant individuals.

It is worth noting here the parallel between respectability narratives in the Duke case, and the sympathy narratives applied to Desiree Washington in the Tyson case. Both types of narratives imply that membership in mainstream US society and accordance with its norms are characteristics which make individuals more sympathetic and trustworthy, and thus less likely to

be criminals or deviants. Such logic is hardly surprising considering that the media are embedded in and a product of mainstream society. However, they contradict the actual reality of much crime, especially sex crime—such crimes are not the exclusive province of the socially marginalized, nor are most victims privileged members of mainstream society (Grover and Soothill 1996). Specifically in regards to news on violence against women the inclusion of this logic constitutes a hegemonic bias in that participation in mainstream culture acts an unwarranted form of moral capital which shields individuals from suspicion and qualifies them for enhanced sympathy (or at least not degraded sympathy, depending on how one thinks about it).

Ultimately, phenomena like the use of respectability narratives and favorable treatment of individuals like Desiree Washington, David Evans, Reade Seligman, and Collin Finnerty are characteristic of a media tendency to exalt middle class culture and individuals. In part, this tendency is both product and producer of a mythology, as the middle class is surely shrinking in a neoliberal economy yet persists as an idealized and normatized category in the US cultural imaginary. Though, it is also partly the actual elevation of a neoliberal middle class that is narrower, wealthier, and more elite than the comparatively populist US middle class of the mid-20th century (Heiman, Freeman, and Liechty 2012).

Non-victim Blaming?

The use of respectability narratives complemented another theme in coverage, the use of victim-blaming discourses to discuss Crystal Mangum. To be clear, by all available accounts, Mangum was not raped by any Duke Lacrosse players²⁷. However, many of the discourses used

to discuss Mangum and the doubtfulness of her claims are essentially the same ideas used frequently to impugn accusers making truthful claims in rape cases (Benedict 1993; Suarez and Gadalla 2010; Taylor 2009).

Initially, coverage was somewhat sympathetic to Crystal Mangum. Reports often emphasized her status as a college student, and rationalized her work as an exotic dancer by pointing out that she was doing it in order to pay for school while caring for two children. For instance one early story on the case described her as such, “One of the women, a young mother who reportedly dances to pay for college, says she was dragged into a bathroom by three white players” (Morales and Lauer 2006). Such language deemphasized Mangum’s career as a sex worker, and was arguably more sympathetic than one might expect from a critical perspective informed by research on media victim blaming, for instance research showing that media more readily blame marginalized women (Meyers 2004).

Though some early coverage shied away from victim-blaming discourses, the media’s attitude toward Crystal Mangum changed quickly once evidence that made her claims seem dubious began to mount. Specifically, television reports frequently discussed various facets of the case that made Crystal Mangum seem less credible as a victim and less sympathetic as a person, including how forensic evidence indicated she had had sex with multiple partners that night; her drunken state at the lacrosse party; her history of mental illness; her criminal history; a previous rape claim which was never prosecuted; her status as a single mother; and inconsistencies in her story. For instance, one report discussed Mangum’s failed military career,

and her pregnancy by a man other than her husband, stating, “After high school, she married and enlisted in the Navy, but she became pregnant by another man, not her husband. Her marriage fell apart, she left the Navy, and returned home” (Chen and Roberts 2006). In another feature story, a commentator rattled off a litany of disparaging references, stating, “Well, I think it--it's pretty weak. The lady involved has some serious credibility problems. I mean, she's a stripper, she has a criminal record, she was heavily impaired that night with either alcohol or drugs” (Syler 2006). Yet another reporter remarked on the accuser’s questionable past, stating, “Meanwhile, I know the defense attorneys, Mr. Williams, over the weekend have focused on attacking the accuser's credibility, pointing out some--her criminal past, particularly a June 2002 incident in which she stole the taxi of a man to whom she was giving a lap dance at a Durham strip club” (Couric and Abrams 2006).

All of these themes were used to frame Mangum as less than credible. However, the use of such discourses in the Duke case is somewhat unique in that this was a legitimate false accusation. Thus, the framing of the accuser as untrustworthy was accurate given the false accusation, and perhaps even fair considering the ostensible spuriousness of DA Nifong’s case. On the other hand, the implications of this are problematic in that their use in this case likely served to substantiate classic rape myths for many audience members. To some they have may appeared as evidence that not only do women often lie about being raped, but that those who do are often promiscuous, unstable, sex worker-criminals.

The inclusion of victim blaming in coverage of this case was so extensive that documenting each individual claim is beyond the scope of a single chapter. However, by far the most common (and perhaps the subtlest) form of victim blaming included in these data was the way in which reporters essentialized Mangum by referring to her as a ‘black stripper,’ an ‘African American exotic dancer,’ ‘a single mother and stripper,’ or using other permutations of those terms. For instance, one reporter described the accuser as such, “The 27-year-old woman is African American and an exotic dancer. She says she was raped by three white members of the Duke lacrosse team at one of their parties” (Vargas and Osunsami 2006). Another reporter stated,

Yesterday defense lawyers said DNA tests showed that a group of white Duke lacrosse players accused of gang raping an African-American striptease dancer had nothing to do with it, but today the local prosecutor said he has no intention of giving up on his investigation and said, quote, "This case is not going away" (Schieffer and Regan 2006b).

Yet another report nearly accomplished a victim blaming trifecta, describing the accuser as such, “Let's talk about--let me play devil's advocate here and talk about the accuser in this case. We don't know a lot about her. We know she's a divorced mother, she was a student, she was either a stripper or an exotic dancer, whatever language you want to use” (Couric, Curry, and Savidge 2006). The only stigmatizing element missing from the above account is the accuser’s race, which at that point in the case was known by anyone even casually following the case.

There are some relatively logical explanations for these descriptions. First, the different racial identities of the accuser and accused were very salient elements of this case. Reports described the accuser as black or African American nearly always in the context of also describing the accused as white, in order to notify readers that this was an interracial crime, and as such was a particularly incendiary case. Second, describing a woman as ‘a stripper’ is more concise than describing the same woman as ‘a woman working as a stripper,’ and, of course, journalists want to be as brief as possible. On the other hand, these descriptions are, as I previously stated, essentializing. The syntax and vocabulary in these descriptions centralized the accuser’s status as a sex worker, making it her identity. She did not work as a stripper, but she *was* a stripper. This may seem to be a fine point, but research has shown that minor syntactical differences have a powerful effect on how media consumers interpret messages, particularly in regards to violence against women. For instance, one experimental study found that using passive voice to describe rapes caused readers of newspaper articles to interpret such crimes as less harmful and/or serious (Henley et al. 1995). In addition, by repeatedly citing her race immediately before her identity as a sex worker, television reports discursively welded the two. The accuser was not simply a stripper, but a ‘black stripper.’ While each term references a somewhat stigmatizing identity by itself, the two together constitute a pairing that resonates strongly with cultural associations among blackness, criminality, and deviant sexuality (Collins 2005; Stephens and Phillips 2003).

Relatedly I previously alluded to references to Mangum’s status as a mother as another victim-blaming theme. That is true in some ways, but a nuanced consideration of references to

motherhood must acknowledge that they played an ambiguous role. Being a mother at times posed Mangum as a more respectable character. To many, Mangum must have appeared more sympathetic when the reporters referenced her in the following way, “The father of the alleged victim says he is hopeful that justice will be served so that his 28-year-old daughter, a mother of two young children, can move forward with her life” (Chen 2006). However, especially after her claims came under intense scrutiny, Mangum’s status as a single mother likely worked as a stigmatizing factor, considering the racialized ideas that circulate in American culture about lower-class, black single mothers. The archetype of the ‘welfare queen’ so vocally espoused by Ronald Reagan stands as a glaring example of the prominence and power of these tropes in neoliberal society (Duggan 2004; Giroux 2003; Roberts and Mahtani 2010). In fact, the welfare mother could be considered a folk devil, vilified by neoliberals for defrauding the public and posed by neoconservatives as an archetype of contemporary moral bankruptcy (Brown 2006; Cohen 1987; Wacquant 2009). Moreover, the archetypal welfare queen stands as a feminine compliment to the black ‘thug’ archetype that I discussed in the previous chapter.

Of course, anyone familiar with social responses to female digressions against the gender order would expect a vengeful response in the media once the falseness of Mangum’s accusation was proven (Chesney-Lind and Irwin 2007; Gavey and Gow 2001). Indeed, reporters eagerly inquired about the desire for revenge against Mangum. For example Diane Sawyer pursued this in an interview with the Finnerty’s:

DIANE SAWYER (ABC NEWS): And for the accuser? Only concern.

MARY ELLEN FINNERTY (COLLIN FINNERTY'S MOTHER): I'm concerned that she is a mother of three children that I feel like she's incapable of taking the proper care of. And I'm shocked that the state has not yet gone in to somehow protect these children.

DIANE SAWYER: You're all right if there is no action taken against her?

KEVIN FINNERTY (COLLIN FINNERTY'S FATHER): Well, Roy Cooper, in his announcement on Wednesday, said they had determined that they would not take action against her. So...

DIANE SAWYER: And you're all right with that?

KEVIN FINNERTY: We're okay with that (Sawyer and Roberts 2007)

To their credit, as the above quote shows, the players and their families refused to take that bait for the most part. It seems this refusal to endorse retributive logic stymied journalistic efforts to foment such vengeance. However, it is telling that reporters gravitated to such questions. It was clearly seen as journalistic common sense that a false accuser should be punished for her dishonesty. At the same time, no journalists explored with any depth the possibility of Nifong or others pressuring Mangum to stick to her accusation once the case against the players was initiated.

Another figure in the Duke case was vilified similarly to the way Mangum was—the second dancer, Kim Roberts. Roberts at first contradicted Mangum's account of the night,

stating she did not think Mangum had been raped. However, Roberts eventually changed her view on that. One news story reported on this in the following way:

Results from a second round of DNA tests taken after the alleged rape of an exotic dancer at an off-campus Duke lacrosse party are expected to be released next week. In the meantime, the second exotic dancer, who says she was there, is speaking out. Stacy Case reports.

Ms. KIM ROBERTS (Second Dancer): I never saw a rape occur.

STACY CASE reporting: She refers to herself as the so-called "second dancer" at that now infamous Duke lacrosse party, and, after originally doubting her fellow dancer's accusations of rape, Kim Roberts is changing her story.

Ms. ROBERTS: I hesitated to say that because I didn't want to, you know, make, you know, make anybody else buy it.

CASE: Now she thinks somebody is guilty of something.

Ms. ROBERTS: You have to understand that when you're in the middle of something, and you're trying to protect yourself, you're not looking at everything around you like you're going to have to report it later.

CASE: The defense says her about-face follows favorable treatment in an unrelated criminal case. On Monday, the same day the grand jury indicted players Collin Finnerty and Reade Seligmann, prosecutor Mike Nifong signed this court document, freeing

Roberts of her bail payment in a separate case. Even worse, they say, is this e-mail to a New York public relations firm. In it, Roberts asks for advice to, quote, "spin this to my advantage." As the confusion mounts over whom to believe, new DNA could plant a clearer picture. Both sides are awaiting a second, more specialized round of DNA results that could come back this week (Mitchell and Case 2006).

Such coverage posed Roberts as dishonest and opportunistic, using the case to escape criminal charges and perhaps for personal profit. However, even after they were aware of the depth to which Nifong had sunk in his pursuit of the Duke case, the media never thought to explore the idea that Roberts' cooperation was leveraged coercively by an extremely unethical prosecutor. It is possible that Roberts was just being opportunistic, but it's also quite plausible that Nifong was using her as a pawn. Either way, news coverage such as that quoted above ended up locating Roberts in the same black criminal folk devil class as Crystal Mangum, and Mike Tyson.

To summarize, throughout Duke coverage, stigmatizing and victim blaming language and references were continuously, tightly intertwined as they were directed at Crystal Mangum. Discussions of the accuser as a sex worker, as a criminal, as mentally ill, etc. formed a powerful assemblage of victim-blaming discourses that served as an affirmation of racist, classist, and patriarchal attitudes toward rape victims, and a reaffirmation of a vast rape mythology which feminists have long worked to demystify (Benedict 1993; Burt 1980; Meyers 2004). Furthermore, some reports clearly likened Mangum to a welfare mother. On top of that, once the allegations were proven false, media effortlessly transferred into a vengeful mode, though they

were unsuccessful in their attempts to direct the conversation that way. Thus, though the use of these discourses did not constitute journalistic dishonesty as it may in some cases, coverage worked to reinforce cultural attitudes that displace blame for rape on victims, particularly marginalized ones. As well, it demonstrated that the inclination to punish dishonest women nears a cultural reflex. Such a framework well serves neoliberal efforts to deflect public attention from sharply rising inequality by framing poor blacks as a morally depraved drag on social services and the economy as a whole. Further, it shows how deeply embedded within the media retributive logic is, which is likely particularly intense when directed at ‘bad women.’ All of this, moreover, is further evidence of the logic of partial sympathy that I have touched upon several times throughout previous chapters.

Mike Nifong: Not Symptomatic, But a Rogue

Indeed television coverage of the Duke case vilified Mangum to a degree. However, Mangum was cast only as a secondary villain to Durham District Attorney Mike Nifong. Shadowing the way Mangum was treated, media coverage was not hostile towards or critical of Nifong at the outset. However, as the case progressed, coverage quickly transformed from skeptical, to critical, to condemnatory. Justifiably, a great deal of coverage was dedicated to Nifong’s atrocious actions in this case, posing numerous theories for his misconduct, ranging from political pandering to simple personal cowardice. Though many explanations for this miscarriage of justice were posed throughout the case, one narrative emerged to dominate coverage by the end—the tale of Mike Nifong as a ‘rogue’ prosecutor, the individual actor who deserved the great majority of blame in this case.

Narratives critical of Nifong first appeared four days after national TV news started covering the story. However, these criticisms were not as condemnatory as they later became. For instance one report featured the following passage.

MIKE NIFONG: I have not accused anybody of committing this rape. I do believe that a sexual assault occurred. When I looked at what happened, I was appalled. I think that most people in this community are appalled.

STRASSMANN: Defense lawyers blame Nifong for prosecuting players through the media.

Mr. CHESHIRE: He does not have all the facts, and yet he is out there saying not just that three of the boys are guilty but they're all guilty as aiders and abettors.

STRASSMANN: Abettors in a cover-up. If one is happening now, there could be arrests for that, too (Smith and Strassman 2006).

As the above quote illustrates, initial criticisms focused on Nifong making inappropriate remarks in the media. While such conduct is grounds for criticism, these are sins that pale in comparison to what would later be revealed about Nifong's actions in this case. As the case progressed however, a political narrative crept into coverage. Reporters began discussing Nifong's election in the news. For instance, one reporter remarked,

I want to give everybody a political footnote to this story. Mike Nifong, the DA in the case, fought off two challengers in the democratic primary on Tuesday. He won about 45% of the vote. He's vowing to continue to pursue this case (Cuomo 2006).

Another reporter hinted that the election was influencing Nifong's decisions, quipping, "Diane, the district attorney is up for re-election in just a few weeks. So not only is he facing a tough case, he's also facing tough questions from voters" (Gibson, Sawyer, and Roberts 2006). Soon after, this narrative became a major element of coverage. For instance one report read,

The new tape will likely only give more ammunition to lawyers hired by Duke lacrosse players who charge that the Durham District Attorney Mike Nifong, in the midst of a re-election campaign, is pushing this case more as a politician than as a prosecutor" (Couric, Mott, and Abrams 2006).

Eventually, even state officials were quoted in coverage arguing that Nifong's actions were politically motivated. One reporter remarked, "He may not get the chance. The state prosecutor argued Nifong was motivated by political ambition. In a hotly contested re-election campaign, he played the race card as an appeal to black voters" (Couric and Pitts 2007). Accounts which linked Nifong's political ambitions with his prosecutorial misconduct also brought race relations into the conversation, as the above quote shows. In fact, Nifong engaging in 'racial pandering' was a prominent theme in coverage. However, I will discuss this theme in the next section, when I fully address the way race relations and racial politics were treated in coverage.

When Nifong's case fully unraveled, it became obvious that his misconduct was not limited to 'trying the case in the media.' Instead, coverage showed how Nifong had engaged in multiple forms of misconduct, going beyond ignoring evidence of the Duke players' innocence, but also covering it up. One report quoted a Duke player attorney reciting an inventory of Nifong's misdeeds. He stated,

Under the color of law, he's depriving our clients of their constitutional rights. There are three areas. One is the identification process where he purposely told the police not to employ the tactics they're supposed to. The second are his public statements where he calls the boys hooligans and, and - and polarizes the community. The third is withholding evidence. He knew that the DNA didn't match before they indicted Reade Seligmann and Collin Finnerty (Sawyer and Roberts 2007).

At that point, TV coverage began to include accounts that were openly hostile and condemnatory towards Nifong. For instance, an interview with Collin Finnerty's father included the following passage,

Mr. FINNERTY: Having seen what is, theoretically, all of the evidence that they have, that the DA has in this case, we realize that there is no case, or there shouldn't be a case. We know that Collin is innocent, and we've actually been waiting patiently to get the story out that Collin does, in fact, have a lot of exculpatory evidence.

ABRAMS: Are you angry?

Ms. FINNERTY: Sure, I'm angry that my family and the Seligmanns and the Evans-- what we're going through right now. But I have faith in the justice system and faith that the truth will prevail and we will all move forward when this nightmare ends (Gregory and Abrams 2006).

Such reports posited that Nifong's case was in actuality 'no case at all,' and began to foster hostility towards him. One excerpt from a 60 Minutes episode illustrates the full degree of this hostility, expressed through David Evans' mother:

Ms. RAE EVANS: Mr. Nifong, you've picked on the wrong families. You've picked on the wrong family of the Duke Lacrosse team. You've picked on the wrong family of Duke University. And you will pay every day for the rest of your life (Bradley 2006).

It was at this point, when it was clear that Nifong had engaged in extensive, willful misconduct, that the media began discussing the case as a full-blown miscarriage of justice. Much coverage expressed astonishment that such a mishap could occur in the American justice system.

Reporters began to explore the significance and origin of this injustice. The Duke players themselves made an effort to broaden the discussion and reflect on how, if they were almost railroaded, less privileged individuals might have fared in the same position. For instance, in an interview with 60 Minutes, Reade Seligman made an insightful remark that was repeated several times in these data. He stated, "If police officers and a district attorney can systematically railroad us with absolutely no evidence whatsoever, I can't imagine what they'd do to people who do not have the resources to defend themselves" (Bradley 2006). In another feature, one

commentator expanded upon Seligmann's comments, positing that prosecutorial and police misconduct were bona fide flaws in contemporary American justice. He stated,

Well, I don't know about that. I disagree with Mickey in this one point, though. I think there has to be accountability. I think when this is finally declared dead, we have to look back on the conduct of the police and prosecutors. And I think what's going on in this country today is the last 20 years, we've been given more and more power to the police and prosecutors. I think it's time we take a look at that because when you look at a case like this, and you can see what they can do to people's lives, it's truly frightening (Mitchell and Strassman 2006).

These comments illustrate how media coverage of the Duke case explored miscarriages of justice as a serious issue to some degree. However, they are the most critical examples of media reporting. Few reports included these themes, and none went so far as to examine how common prosecutorial misconduct or wrongful convictions are in the US justice system. Nor did any news outlets explore the depth to which prosecutorial offices have become politicized over the past few decades, or the ensuing consequences of that, even despite the glaring reality that Nifong's political ambitions motivated his misconduct (Simon 2009). Instead, an oppositional narrative emerged as the dominant explanation for injustice in the Duke case—Nifong was a rogue prosecutor, operating as an individual powerful actor, breaking the law for his own purposes.

As I stated before, the media quickly sought to explain Nifong's conduct when his case unraveled. Many reporters and commentators expressed astonishment, implying this was exceptional prosecutorial misconduct. For instance, one reporter stated, "one former veteran defense attorney told ABC News tonight that he had never seen such a repudiation in public from one prosecutor to another. He said this prosecutor called what Mike Nifong did an outrage, and he was surprised at that" (Gibson and Avila 2007). Additionally, in an interview with ABC news, one of the Duke players' attorneys remarked on Nifong's conduct:

CHRIS CUOMO (ABC NEWS) So, Michael, the big question becomes why a man with his record who's done so many hundreds of cases, why would he choose something like this so high profile to not follow the rules in your opinion?

MICHAEL CORNACCHIA (ATTORNEY FOR COLLIN FINNERTY) I don't know. I mean, I don't know if it's political transparency that he wanted to be elected. But I'll tell you one thing, I've been a prosecutor for 13 years with justice and eight years in the state system. I didn't accuse anybody unless I had what we call a headshot, you know beyond a reasonable doubt, because accusation is destruction. The mere accusation destroys somebody. I frankly have never seen a prosecutor engaged in the conduct I've seen with Nifong (Snow and Cuomo 2006).

Remarks like this clearly make the argument that Nifong's misconduct belongs to a category of misbehavior of which there are few instances in the US justice system. While Cornacchia's comments may not have necessarily been willfully disingenuous, many scholars of justice would

point out that granted the leverage prosecutors have in criminal proceedings, they need not always, and do not always, proceed with charges unless they are certain of a suspect's guilt (Bach 2010; Simon 2009). For example, prosecutors are often able to coerce plea agreements from defendants by threatening to charge them with crimes for which maximum penalties are far more severe than the plea agreement offered. Defendants will often choose to take a conviction with time served rather than risk several years in prison for the purpose of going to trial. Such a process need not, and probably often does not, involve an intense and rigorous consideration of the accused's actual guilt. Further, such plea processes very likely result in a substantial body of wrongful convictions (Dervan and Edkins 2013). The argument that Nifong had engaged in exceptional prosecutorial misconduct might be defensible in that he willfully ignored evidence of guilt, and engaged in multiple forms of misconduct. On the other hand though, Nifong's misconduct could also be categorized as particularly terrible example of an issue that is pervasive.

Passages like the one discussed above are indicative of the abundant disapproval directed towards Nifong, but they do not constitute the culmination of public disapproval, hostility, and outrage that Nifong's actions elicited. Such passages lack a label that neatly framed Nifong's actions, signaling to the public exactly what this was a case of. That label was supplied by many reports however. For instance, one reporter relayed the North Carolina Attorney General's perspective, stating, "State Attorney General Roy Cooper blasted District Attorney Mike Nifong's investigation, implying it was a rogue prosecution" (Couric 2007a). Going further, one 60 Minutes episode featured the following passage:

WALLACE: Those accusations include being called a rogue prosecutor, in an unusual public rebuke by the North Carolina attorney general.

Mr. ROY COOPER (North Carolina Attorney General): The Durham district attorney pushed forward unchecked.

Unidentified Man #1: (On radio) What a difference 13 months makes.

WALLACE: In the Raleigh, Durham area he is the talk of the town.

Unidentified Man #2: (On radio) He should be charged. He should actually do time.

WALLACE: No shortage of opinion and plenty of critics.

Unidentified Man #3: He's basically ruined the lives of three young men.

Unidentified Man #4: See you later. Hope you get fired. You're doing a terrible job (Chen and Wallace 2007).

The narrative of Nifong as rogue prosecutor became the dominant diagnosis of the case once the Duke players had been exonerated and Nifong himself had been charged with criminal conduct. Nifong was not diagnosed as an overzealous prosecutor, or even an incompetent one. He was a rogue, a criminal who utterly disgraced the office he had occupied. The implications of such a diagnosis are noteworthy. A rogue is firstly a deviant, someone unencumbered by rules or norms. A rogue is also a lone actor—rogues are not generally thought of to be part of, or a product of a system, but are rather an uncontrolled element. Such an analysis basically poses this injustice as a result of a ‘bad apple’ instead of a systemic issue. It eschews criticisms of a

punitive justice system that has come to process cases with factory-like efficiency, valuing the rigid implementation of punishment over precision in justice.

To summarize, Mike Nifong emerged as the primary villain in coverage on the Duke case. The majority of the blame for a wrongful prosecution and a rush to judgment fell squarely on his shoulders. Moreover, coverage framed his misdeeds as simply an individual failing. Thus, press coverage missed the opportunity to use the Duke case as a launching pad for a meaningful conversation about serious issues in the justice system. These issues include widespread prosecutorial misconduct and overzealousness, as well as a problematic politicization of the prosecutor's office. Instead, the media directed public outrage solely at Nifong the 'rogue,' shielding from criticism a justice system that grinds down the accused like grist in a mill. This finding is particularly important when considered in relation to the findings discussed in Chapters Four and Five regarding how the media apply a criminal justice logic to the issue of violence against women. Findings like the one discussed in this section show that not only does media coverage employ a logic that legitimizes the system as an appropriate mechanism of redress for this issue, media often shy away from opportunities to investigate serious flaws in the system when they arise.

Backlash Politics? Mystifying Racism and Invalidating Progressive Narratives

Media coverage framed Mike Nifong and Crystal Mangum as the major villains in the Duke case. However, the black community and progressives also lurked in the background of media coverage as additional figures on which culpability was inscribed. Television reports often posited that Nifong's misconduct was a direct result of his political ambitions, necessitating

that he pander to a vengeful black community in Durham. Meanwhile, the media attempts to discuss race relations more generally were so superficial that they worked to actually conceal and perpetuate racism. Relatedly, in the aftermath of the case, some reports blamed progressive politics for the rush to judgment of the Duke players. It was, coverage implied, confirmation bias towards feminist and anti-racist theories about rape and race relations that primed many members of the community (both within and outside Duke) to assume the Duke players' guilt without significant evidence.

To be sure, the accused in the Duke case were the objects of much public hostility, the most intense of which perhaps came from the black community. Accordingly, springing to their clients' defense, the players' attorneys framed this as 'reverse racism'²⁸, arguing that their clients were the victims of African American prejudices against whites, often invoking racially loaded terms to punctuate their claims. For instance, in one interview, attorney Joe Chesire provided the following sound bite that was repeated by several outlets, "A lynch mob is a lynch mob, no matter what its reasons. And when the lynch mob is being led by authorities, it's--it's really frightening" (Smith and Strassman 2006). Some news stories also reported that black anger was not limited to lacrosse players, but extended to Duke students in general. One report included the following account:

REGAN: The university is concerned about increased tension. Friday night, administrators sent an email to students warning of threats of a drive-by shooting targeting the lacrosse player's house. Some students say they've already felt a backlash.

Mr. BASIL CAMU (Senior, Duke University): There's even a bit of hysteria because of all the things that have happened. And, I mean, you just got to be careful.

REGAN: Basil Camu and Morgan Gieske, both seniors at Duke, went to a hamburger stand early Friday, where they say they were accosted by a group of African-American men.

Mr. CAMU: Just yelling things like 'This is Central territory, Duke students not welcome,' like 'We don't want you raping our women' (Storm and Regan 2006)

There was likely some substance to these reports. Lacrosse players were subjected to substantial harassment during the case, and perhaps they were in real danger. However, the use of terms such as 'lynch mob,' and references to drive-by shootings are sensational as well as insensitive to the ideological load and/or historical roots of these terms. Lynching was historically something done by white communities to blacks who had transgressed racial boundaries, and drive-by shootings are associated with black gang crime. Further, such discourse obfuscates existing racial power imbalances. For instance, when Joe Cheshire claimed his clients were about to be 'lynched,' he implicitly posited that the black community had enough political power to subvert due process and other protections of the justice system in order to enact revenge against whites, an assertion that is dubious at best. Accordingly, by positing an inversion of historical imbalances, such an account likely resonates powerfully for those who see the political enfranchisement of minorities as a threat to the prosperity and well being of whites.

More generally, the black community often came off as unreasonable, vengeful, and/or misinformed in many media reports. For instance, NBC's Matt Lauer posed the following question, implying that the black community's concerns over race and class prejudice was catalyzing a rush to judgment of the Duke players:

LAUER: ...to some of these--I'm sorry--to some of the associates and family members of the players involved here, or the other players on the team, they'll say there was a rush to judgment here. You had a meeting at your university not long ago, a lot of African-Americans got up and blasted the district attorney in this case for not making arrests sooner. So are you confident, as this case moves forward, that race and class will not impede justice here? (Lauer and Couric 2006)

Going a bit further, displaying first-hand evidence of this rush to judgment, the following passage is from a story covering the public meeting referenced above, held after exculpatory DNA evidence had been released.

(Voiceover): Mr. Nifong also said more DNA tests are taking place. And hinted the accuser has identified at least one of the assailants. But if the DA thought these words would be enough to assuage the crowd, he was mistaken.

LOCAL RESIDENT(MALE): Why weren't they arrested? Is there a double standard of justice?

He even faced accusations of conspiracy over how the evidence was handled the night of the alleged attack.

LOCAL RESIDENT (FEMALE): Why was Duke medical center - why were they allowed to investigate and check this female? It's a conflict of interests here. And I believe that the information that Duke medical center received has been tampered with.

MIKE NIFONG: Your comments in this case are exactly what this case does not need right now.

JOHN BERMAN (ABC NEWS): The DA wasn't the only target. We, in the media, took some flak, too.

SHAWN CUNNINGHAM (COLLEGE STUDENT): The press has disrespected this young lady. You have minimized my sister to a stripper and an exotic dancer. You don't identify her as a mother. You don't identify her as a student. You don't identify her as a woman.

JOHN BERMAN: Senior Shawn Cunningham echoed the sentiments after the forum.

SHAWN CUNNINGHAM: You can never blame the victim. No amount of rape or sexual assault is justified.

JOHN BERMAN: And he was not impressed by the headlines about the lack of DNA evidence.

SHAWN CUNNINGHAM: It may clear some of them for sexual assault, but you can be an accomplice during and accomplice after the fact. Be-cause, if you see a crime being committed and you do nothing to stop it, then you're just as culpable as those that committed the crime.

JOHN BERMAN: And in fact, the statements from players' lawyers about the lack of DNA evidence didn't sell here at all.

LOCAL RESIDENT (FEMALE): I believe that Duke is trying to cover their name up so they won't look bad because of the high reputation and standards.

JOHN BERMAN: Have you seen enough evidence to convince you that there was a rape?

LOCAL RESIDENT (FEMALE): Yes.

JOHN BERMAN: All over this campus, it is clear this case is seen in black and white (Bashir and Berman 2006).

This passage contains a number of statements from black citizens that were demonstrably false at the time of the report. For instance, one college student claimed the media had not identified Mangum as a mother or student, which many reports actually had done. Additionally, the passage makes it seem as if black residents are concocting conspiracy theories to fit their views (e.g. that Duke medical center was covering the crime up). Moreover, some of the comments featured suggest an actual rush to judgment and preoccupation with punishing the Duke players.

Yet, reporter John Berman's final remarks subtly imply that this is indicative of the entire black community. Even after the Duke players had been exonerated and Nifong had been disgraced, the media reported that the black community had not accepted that a crime had not occurred. For instance one story contained the following:

WALLACE: While not necessarily supporting him, some members of the African-American community think Nifong had the right intentions and say they're still suspicious about what happened that night.

Unidentified Man #5: Maybe those kids getting off was the right thing, but I wouldn't say justice was served. Because we don't know what actually happened.

Unidentified Man #6: I think that a tremendous travesty to justice has been done (Chen and Wallace 2007).

In fact, the political alliance between blacks and Nifong became a major theme in coverage of the Duke case. While Nifong's case fell apart, and afterward, many commentators posited that Nifong had pursued the case to satisfy his black constituents, who if unsatisfied would ensure he lost his reelection bid. This narrative was put forth widely and often. For instance, Matt Lauer pressed Nifong's attorney in one interview with this question,

You know a whole other aspect of this that we touched on in that piece there, Mr. Freedman, is that District Attorney Nifong was involved in a heated re-election campaign. And the accusations are that he was taking the stance he did on this case to

pander to the African-American community that he needed votes from. How would you respond to that? How does he respond to that? (Lauer and Couric 2006)

Of course, Nifong and his attorney forcefully denied such allegations. However, one report contained a rather damning passage, featuring James Coleman, a prominent law professor at Duke:

Professor Coleman believes that the three indicted players are victims in this case, victims of an overzealous prosecutor who pandered to the black community in the middle of an election campaign.

Mr. COLEMAN: He pandered to the community by saying, 'I'm going to go out there and defend your interests in seeing that these hooligans who committed the crime are prosecuted. I'm not going to let their fathers with all of their money buy, you know, big-time lawyers and get them off. I'm doing this for you' (Bradley 2006).

Did Mike Nifong press his prosecution in order to curry favor in the black community? It is very likely. Would he have been reelected had he not pressed the prosecution of the Duke players? Probably not. Moreover, it seems unquestionable that some black citizens did rush to judgment, and did want vengeance. Yet, as the Duke case, like other high-profile cases, became emblematic of broader social relations, such coverage likely gave many the impression of a broadly vengeful black community with considerable political power. This is a highly dubious conclusion though. One might take the victim's rights movement, its demographic makeup, and its political outcomes as a powerful disconfirming example. Victims' rights groups often come

in two varieties—those made up of white, middle-class citizens and those made up of poor, non-whites (Page 2011). Those groups comprised of privileged whites tend to be punitively oriented, while poor non-white groups tend to be restoratively oriented. Moreover, if we survey legislative initiatives relating to crime since the advent of the victim's rights movement there is no question that punitive responses have been more successful. Thus, it seems when it comes to crime politics white groups tend to be both more punitive and more successful than black groups. Put simply, while coverage speculating that black outrage and political power contributed to injustice in this case might have some validity, the prominence and symbolic power of the case created the danger that the US public saw it as representative, rather than idiosyncratic.

Relatedly, indignation over racial pandering in the Duke case is a not so curious inversion of the status quo. While the media were justified in discussing Nifong's pandering to the black community, commentators conveniently never pointed out that prosecutors regularly pander to the white community without suffering any opprobrium in the press. More specifically, there is no question that prosecutors (and various other officials) routinely indulge white fears of black street crime, and are often applauded for doing so (Alexander 2010; Bumiller 2008; Mendelberg 1997; Page 2011; Wacquant 2009). Thus, media disdain for Nifong's actions demonstrate a racist disparity—playing politics with crime and justice is only disgraceful when it benefits non-whites.

One could defensibly argue that the media's portrayal of the black community in the Duke case was unfair. However, that does not mean the media were entirely insensitive to the

role race played in the case. Many reporters were quick to point out that the case had particularly high potential to be incendiary since it was an alleged interracial crime, and some even acknowledged the historical legacy of sexual abuse of black women by white men in the South. For instance, one reporter acknowledged the element of racial tensions in the case, remarking, “And racial tensions have also been stirred. The alleged victim is black; the players white. And neighbors reported hearing at least one player yelling racial slurs” (Chen and Strassman 2006).

On the other hand, coverage touching on racial tensions in this case supplied rather unsophisticated and insensitive narratives concerning racism and discrimination. For instance, early reports on the case often gravitated towards discussion of actions by individual members of the lacrosse team as litmus tests for the existence of racial animus in the case. One report quoted a Durham resident reasoning, “But if there were alle--if there were people yelling the "N" word at this woman, how can you say that race isn't an issue?” (Lauer, Savidge, and Abrams 2006). Clearly, the ‘N word’ is a very strong indicator of racism. On the other hand, such reasoning ignores the fact that race pervades all aspects of social life, especially in the Southern US. Race is clearly something that is salient in any conflict between members of different races, though such conflicts are not always fueled by individual biases.

When they were trying to address the issue of race relations in Durham, media reports often posited that a rift existed between black and white societies in Durham (and logically by

extension, the South). Primarily, reporters used a wound metaphor to describe this division. For instance, CBS reported the following:

REGAN: And while some students showed their support for the team by posting signs outside the now-vacant house where the alleged attack occurred, many on Duke's campus are concerned about the division they say this incident is creating.

Unidentified Woman #2: Yeah, of course, there's a rift. It's just--there's just--some people here are from, like, a completely different world than the people at the NCCU campus.

REGAN: Regardless of the outcome in this investigation, students on both campuses agree that there are some serious wounds that will take a long time to heal (Schieffer and Regan 2006b).

This wound metaphor was used widely in coverage. An analogous metaphor used in many reports was one that referenced the case driving a 'wedge' between white and black society. For instance one reporter remarked, "The allegations drove a wedge between Duke and the black community in Durham, North Carolina" (Williams and Mott 2006). This language is coded, but only slightly, with Duke serving as a stand-in for the white community in general. In another report, Duke and the accuser's school, North Carolina Central University, a historically African American college, symbolized white and black society, "The fears shared by some people on both campuses is that the issue of race could drive a wedge between Duke and North Carolina Central with or without indictments" (Bartirolo and Mott 2006).

Such remarks constitute some sensitivity to race relations in that they recognize the inflammatory potential of the case. However, they also obfuscate race relations to some degree. Reports generally implied that the Duke case had ‘opened’ a wound or had ‘driven’ a wedge. One way to read such narratives is that the case created a racial divide²⁹. However, such a racial divide has clearly existed for centuries in the US. Surely the Duke case exacerbated racial divisions, but it is doubtful that it created fundamentally novel ones. Narratives using the wound and wedge metaphors not essentially obscure the historical continuity of racial divisions covers well before and after the Duke case.

Keeping with the idea that the Duke case ‘created’ racial animosity, some reports in the later stages of the case implied that Duke was ready to ‘move on,’ implying that the issues stirred up by the case had been resolved, or at least were no longer necessary to reflect upon.

On the surface, the Duke of today is worlds away from the Duke of one year ago.

Mr. GREG BEATON (Sports Editor, The Chronicle): When we went home for the summer or when we went on job interviews or anything like that, it's all anyone from the outside wanted to talk about was Duke lacrosse.

Ms. SEYWARD DARBY (Former Editor, The Chronicle): I think that overwhelmingly, though, most students are so ready to move on and they look at other aspects of their Duke experience as far more important and far more defining (Wallace 2007).

This passage is not simply about race; it clearly is referencing the entirety of the Duke scandal. However, the ideas that Duke students were ‘ready to move on,’ and that Duke was ‘worlds away’ from what it was, conceal the continuing salience of the issues brought up by the case. Duke was and still is an elite university embedded in a working-class community with a large black population. The racial and class divisions that made the Duke Lacrosse scandal so incendiary were no less stark a year after the case, and may be even more so since a near decade marked by heightened inequality and racial tensions has passed. Yet, media reports such as these suggest that Duke students, and by extension the US public, were ready to ‘move on,’ without having truly addressed these issues.

The use of metaphors such as the ‘wound’ and ‘wedge’ essentially mark the media’s deepest engagement with the issue of race. News reports acknowledged the importance of race, but they failed to truly delve into the historical persistence of racism, or its structural and cultural components. Beyond that, some reports contained accounts denying the salience of racial animus in the case, or stifling discussion of it by framing it as a distastefully divisive topic. For instance, in one interview, when asked about racial tensions, the mayor of Durham implied that the city was racially harmonious, denying such conflict:

But are things really boiling over in your town? I mean, give us a sense for that. I know you've said that these issues this case is bringing out, or not, not just local, but national issues and you've implied maybe racial issues.

No, no, no, no. Well, let me say, Kate, when, when you have an issue such as this, it's being broadcast almost 24 hours a day, seven days a week, nationally, honestly, it is going to get the attention of a lot of residents. It is not boiling over. As I said, Durham is a community where we have a lot of patience, a lot of tolerance. We have much of an activist community. We provide forums to speak out for this at a city council meeting, a county commission's meeting, the board of education meeting, or at North Carolina Central University, where Chancellor Ammons had an open forum for people to speak (Weir, Snow, and Von Fremd 2006).

Of course, politicians are inclined to make such euphemistic comments in order to avoid making controversial or potentially offensive statements regarding sensitive subjects. Thus, the mayor was likely not as ignorant as he may seem. Regardless though, if one reads deeply into the exchange, it is apparent that racial tensions are treated as a somewhat fleeting, or temporary condition, and the profound influence of race on any community is downplayed. The media is implicated in artificially stoking resentment, and 'activists' are implied as primarily concerned with race relations. Overall, there is no attempt in this exchange to consider how fundamental race is as a stratifying force in Durham, as it is in US society.

Other news reports gave voice to commentary that actively expressed disapproval of reflection on the issue of race. For example, legal expert Mickey Sherman made the following remarks:

SHERMAN: And also, that was just incredibly stupid on this guy's part. He was thrown out of school. But you're right. Overlaying this thing and putting a--the really--the--the bad taste in everyone's mouth is the allegation that it's white vs. black.

SMITH: A lot of racial overtones here.

SHERMAN: And in North Carolina they--or anywhere, it's just not a healthy situation (Storm and Smith 2006).

In this exchange, Sherman attempted to neutralize the idea that racial animus was a salient factor in the incident that led to the Duke case. He argued that the allegation itself is inappropriate, by implication, because it makes everyone uncomfortable. As the media presented Sherman as an expert commentator on the case, his arguments were endowed with substantial symbolic power. Thus, comments such as these prevented discourse in the Duke case from broadening beyond the issue of individual-level bias. In other words, framing sensitive racial discussions as inappropriate or 'unhealthy,' is an effective deflection tactic for those wishing to avoid a deeper discussion of race.

Henry Giroux (2003) has theorized that US society today exhibits what he calls 'neoliberal racism.' Basically, Giroux argues that neoliberal racism acknowledges racism as problematic, but also poses it as an individual level factor, ignores historical considerations of it, and denies the existence of institutional or structural racism. More generally, neoliberal racist logic envisions the US as a post-racial society, in which sophisticated and sensitive reflection on racism is unnecessary and/or distastefully divisive. I would add that neoliberal racism also

entails opportunistic efforts to make the case that historic racial power relations have been inverted—that whites are often a class disempowered by ‘political correctness.’ The Duke case supplied a crystallization of neoliberal racism. Coverage was rife with an array of claims and comments that treated race superficially and ahistorically. Moreover, these themes clearly demonstrate the ideological trick of neoliberal racism. Media coverage of the case acknowledged the salience of race, but only at a level that was ‘skin deep.’ Meanwhile though, the deeper messages encoded in these discourses worked to undermine sociological considerations of racism as an insidious cultural, structural, and institutional force, considerations which further an anti-racist agenda guided by a social justice vision.

Discourse emanating from the Duke case worked not only to undermine anti-racism, but also progressive politics more broadly. A diagnostic narrative that emerged from the case, which complemented rather than competed with the rogue prosecutor narrative, was that progressive politics, referred to as ‘political correctness,’ had run amok in the case. Though this narrative did not dominate coverage from the outset, by the time news coverage was winding down on the Duke case, media reports were positing that anti-racist and feminist theories on rape had biased Duke, Durham, and the US public against the accused, fomenting a rush to judgment.

At first, media reports actually somewhat endorsed progressive logics on rape. Reports generally at least paid lip service to the idea that rape was often a product of privilege while acknowledging racial power imbalances. For example, one report contained the following:

COLEMAN: It involves race, privilege. It involves elitism. It involves...

SAVIDGE: Sex.

COLEMAN: ...arrogance, sex, athletes, the South. I mean, you know, it's like you've got--you've got--it's a perfect storm (Seigenthaler and Savidge 2006).

Moreover, some reports acknowledged that elite athletes often engaged in problematic behavior on college campuses, including sexual assault. Take for instance the following excerpts:

The only good that comes out of it is at least it puts the issue of athletics and college athletes on the table. As you said, it is a wake up call. You know, a lot of people are saying, 'Oh, God, it's Duke. Thank God it's Duke.' Look into your own college, your own university. You will find the same course of behavior. Tick by tick, little things, little drinking offenses, but collectively, they added up to a tragic night that these kids could not get themselves out of (Curry 2006).

Rape didn't just start with this one particular incident. Being on a college campus and other campuses can identify that sexual assault and violence against women is something that happens on every - on every campus (Bashir and Berman 2006).

Recognizing that wealth and privilege often insulate such perpetrators from accountability for their actions, another commentator stated,

Yes, that's very much the feeling in this community, Bob. Durham, North Carolina, is primarily a working-class community, very few of the people here earn the \$43,000 a year it costs to attend Duke University. So there's a sense that it's the wealth and the

privilege and the power behind this university that's protecting these students, and they'd like to see some resolution (Schieffer and Regan 2006a). (110)

The inclusion of these themes is actually quite encouraging. It suggests that the media have accepted feminist concerns regarding college sexual assault to some degree, and it even suggests that such logics are their first diagnostic impulses. On the other hand, a more cynical explanation may be more likely. As the above passage featuring Professor Coleman recognizes, the Duke case entailed several incendiary elements—class and racial tensions, as well as a sex crime. These comprise a recipe for press sensationalism. Furthermore, employing feminist ideas on rape helped the media to stoke public outrage and angst. Thus, perhaps the desire to attract viewers rather than a critical awareness was the driving force in the media's acknowledgement of feminist knowledge. In truth, both are likely intertwined. Media members likely recognized that this case fit the ideal-type of a racist college sexual assault, and also recognized that playing up that angle would attract attention.

Press endorsement of progressive perspectives on rape and privilege did not last long however. Once the case began to fall apart, many began to question whether there had been a rush to judgment. As I have shown, Nifong and the black community were most implicated in this injustice. However, some pundits and journalists also voiced the concern that progressive political agendas were becoming too dominant in US society, biasing the public and justice system against defendants like the Duke players. For instance, one commentator diagnosed the case in the following manner:

Because I think there were a million agendas going on. I believe that people wanted to believe this, because it made all the things they were fighting for, it gave them some fuel. And what will shock me till the day I die is that no matter how many facts came out, no matter how much information was out there, hard core facts, people just shut their eyes to it and didn't want to hear it (Couric 2007b).

This quote entails not only an indictment of progressives for rushing to judgment in this case, but also it subtly asserts that that social justice politics are baseless. Stating that this false case ‘made all the things they were fighting for,’ implies that things like racism, sexism, and patriarchal violence are not truly significant issues.

In another feature story, ABC reporter Chris Cuomo interviewed the authors of *Until Proven Innocent*, touching on this topic. The following includes author KC Johnson’s theory on what caused the Duke case:

CUOMO: And perhaps more sad, the man was embraced and that takes us to the theme of the political correctness, what it seemed like it was the right thing to do. You had an alleged victim who was a minority. You had a university campus that wanted to stand up for diversity and come after this culture of sportsmen who supposedly were a little too wild. And, KC, now, you worked with the ABC law and justice unit...

KC JOHNSON: We call it in a chapter heading, 'Politically Correct Sensationalism.' Sensationalism is an obvious thing. It's not necessarily political. This was a sensational allegation. But in this case, the desire to ballyhoo the sensational allegation coincided

with a lot of political prejudices that a lot of journalists have, in particular, the sort of the race, class, sex obsession. And you find a bunch of privileged white males, you find an underprivileged black female, who says they raped me, they loved it. Or a lot of people at "The New York Times" loved it. "USA Today" loved it. Nancy Grace on CNN loved it. And a lot of journalists behaved in a shameful fashion, present company excepted, I'm glad to say.

This was the highest profile case of prosecutorial misconduct to unfold before our eyes in American history. And groups that we think of as defenders of due process and opponents of this kind of behavior, liberals in the media, leftists in the academy, civil rights organizations, especially in North Carolina, not only didn't protest against Mike Nifong's behavior, they gleefully embraced it. And this suggests a corruption of, of elements of our culture that is, is really depressing (Sawyer, Roberts, and Cuomo 2007).

This passage crystallizes the theory, put forth by a number of journalists (Cuomo for example) and commentators, which held that progressive politics were dominant in the press, the academy, and some sections of society (non-white and liberal sectors presumably). Further, this dominance precipitated press and academic bias towards the Duke players and unjustified support for a rogue prosecutor. On top of that, KC Johnson posits that this phenomenon is not restricted to the Duke case, but is indicative of a more general cultural 'corruption.'

Up to this point, I have avoided engaging the premise of *Until Proven Innocent* because the project of the book entails a different analysis than the one I am conducting here. My

primary purpose here is not to investigate what actually happened in the Duke case, but to dissect what the media said about it. Furthermore, the book is a separate medium than the television news I have used as my data. However, ABC news did dedicate stories to discussing the book and the theory of the Duke case put forth by *Until Proven Innocent* emerged as a significant theme in the data. Additionally, the book's influence was surely great, and likely resonated long after the case, as it was a New York Times Bestseller and received wide-ranging positive reviews (Rosen 2007). Thus, it is worthwhile here to briefly discuss the book's value as well as some of the areas where it stands on precarious intellectual ground.

Until Proven Innocent is unquestionably one of, if not the, most thorough chronicles of the Duke case. The book provides a highly detailed account of the case, demonstrating some reckless conduct on the part of the national media, and apparently odious behavior on the part of some Duke faculty, in rushing to judge the Duke players. It is a great documentation of the depth of the injustice done to these young men. However, the book offers a political diagnosis that, when generalized as widely as the authors see fit to do, is very questionable. The book posits that the Duke case is indicative of the fact that US culture has become too 'politically correct.' The term politically correct is generally understood as oversensitivity to discourse and actions that might offend or marginalize underprivileged groups. Put simply it is a pejorative term for progressive politics, which entails an assumption that such politics have become dominant in certain spheres of US society (often the media and academy).

The data I have analyzed in this study tell us little about whether this thesis is correct in relation to the Duke case. I can say that of the stories that I analyzed, 46 news stories on the Duke case used a narrative that framed the accused as victims versus six that employed narratives that implied the Duke players' guilt. This is evidence that though the media perhaps rushed to judgment at first, aggregate media coverage was far more weighted in the players' favor, a finding that partially belies the claim of media bias against the accused.

On the other hand, my data tell nothing about whether or not American institutions have become too politically correct. Yet, one might point out that in a nation featuring racialized mass incarceration, disproportionate poverty for women and non-whites, and sharply rising inequality, it seems a bit absurd to say that considerations for underprivileged groups have come to trump justice and reason, or that the claims made by these groups have 'corrupted' our culture.

Again though, my purpose in this chapter is not to prove or disprove the political correctness hypothesis. It is necessary, however, to note how the concept of political correctness as put forth in reference to the Duke case legitimized push back against social justice politics and furthered neoliberal agendas. In the Duke case, there is at least substantial evidence to support the claim that something akin to political correctness contributed to injustice. And, again, since the Duke case was likely seen as emblematic to many, it served to validate this perspective more broadly. Essentially, news coverage of the Duke case, by giving voice to this theory, suggested to US audiences that progressive politics have become too powerful and oppressive (presumably often towards privileged white men). Coverage on this order legitimates neoliberal sensibilities

that social justice agendas are arcane, unnecessary, and/or repressive of individual liberties. Indeed, it is arguably a sad irony to consider this is the note on which much coverage of the case ended. This case initially offered to facilitate a public conversation about the historical legacy of white Southern men's sexual abuse of black women and broader terrorism of the black community, a conversation that is sorely needed. Yet, concerns over this legacy ended up being characterized as essentially the opportunism and oversensitivity of various malcontents.

To summarize the preceding section, media coverage of the Duke case supplied narratives that neutralized social justice politics in several ways, both indirect and direct. Media reports implied that the black community, while politically powerful, was unreasonably vengeful. Furthermore, television news treated race relations and racism superficially, employing the logic of neoliberal racism, which ignores cultural, structural, and institutional forms of racism, and erases the historical continuity of racial injustice (Giroux 2003). Such discourses obstruct the goals of social justice anti-racism, by making them seem unwarranted. These themes should be understood as further support of my broader assertions that media coverage of this issue in general supplies coded racializing discourse and/or is generally insensitive to the problem of racism. As well, television news supplied discourses that worked against social justice politics more broadly. The political correctness hypothesis that received substantial play in coverage, when extrapolated as broadly generalizable in US culture, misleads media audiences to believe that such politics dominate major US institutions and subvert individual liberties. The upshot of all this, which is of paramount importance, is that such hostility to social justice is not restricted to the Right, but is a substantial presence in a

mainstream press that is popularly considered ‘liberal.’ Such is the trick of a neoliberal corporate media, allowing ultraconservative politics to hide in plain sight.

DNA: A Technical Obsession

The final major theme that was present in these data is not as ostensibly political as those themes I have so far discussed. As DNA analysis is merely a forensic technology, discussions of it are overtly neutral, though, as I have pointed out, there are surely political implications to discussions of such technologies. References to and discussions of DNA evidence abounded in coverage of the Duke case. Such discussions were so common, at least in part, because DNA analysis of Crystal Mangum’s underwear provided important exculpatory evidence³⁰. Moreover, one of Nifong’s major acts of misconduct was to conceal some of this evidence. Thus, DNA was a central element of this case. However, as I will discuss, there are some troubling implications of the intensity and frequency with which reports considered and discussed DNA in the Duke case.

Many of the early reports on the Duke case referenced DNA evidence, because lacrosse players had submitted samples hoping to clear themselves of the allegations early in the investigation. Reporters focused on this as crucial evidence that would support or refute the players’ claims that no rape had occurred at their party. For instance, one reporter remarked, “And the team captains of the lacrosse team have come forward in a statement to say there was no sexual content and no sexual contact inside of that house. Natalie, everyone is waiting for the DNA test results to come back. Back to you” (Morales and Lauer 2006). This is clearly

justifiable journalistic practice. This DNA analysis was a significant event in the case, and would provide some of the first hard evidence that the players were innocent.

Most news reports on the case, especially early on, were relatively routine, short news stories. These reports often provided basic information about the role of DNA analysis in the case. However, other feature stories were longer, and dedicated far more time to discussion of DNA evidence. The following passage exemplifies these lengthier efforts to provide more sophisticated discussions of DNA evidence:

SMITH: Wendy, I want to start with you. Forty-six Duke lacrosse players submitted DNA samples. If the DNA comes back negative, does that mean this case is closed?

MURPHY: Absolutely not. You know, DNA is helpful, especially when someone denies that they were even at the scene of the crime, but the absence of DNA really doesn't tell you anything. The most important evidence in a rape case, of course, is the victim's testimony. I mean, she was with the three attackers for about a half an hour. There was no claim that she was blindfolded or unable to see, so I think the most important testimony, for sure, will be her ability to identify the three men who attacked her.

SMITH: At the same time, attorneys for the players are saying that no sexual activity occurred at the house that night. Mickey, you think they're going to change their story, they're going to turn around and say there was consensual sex?

SHERMAN: I mean, the conventional defense would be that there was sex and it was consensual, and overlaid by that is the fact that she's an exotic dancer, not that an exotic dancer could not be raped, but one would think that if it happened, it was consensual, and that would be the story from the defense. But the defense attorney's putting out there, 'No, there was no sex.' That's why I disagree with Wendy. I think the forensics, the DNA, the semen--whatever there is--blood, that's going to tell the story. I don't think the eyewitness aspect is going to be as important as the physical, forensic evidence.

SMITH: So you think if the DNA tests come back negative, they're exonerated?

SHERMAN: I think they're going to have a problem, I really do. Plus, we don't know what--how--whether or not there was alcohol, drugs in anybody's system, be it the defendants or the victims in this case. I think that's important, too.

SMITH: Wendy:

MURPHY: No, but come on. Mickey--Mickey, look, first of all, the alcohol and so forth is irrelevant unless of course she was drugged or she was so intoxicated she couldn't consent. But you've got to be kidding me that you think DNA, if it isn't present, is somehow proof of their innocence. Look, rapists know, not just from watching "CSI," but they just know because common sense tells all of us that if you wear a condom or you otherwise take steps not to leave your DNA at the scene...

SHERMAN: These are 46 allegedly...

MURPHY: ...it's because you're hoping not to get caught.

SHERMAN: These are--these are 46 allegedly drunken lacrosse players. I don't think they--they would be...

MURPHY: Three.

SHERMAN: ...thinking that well that far in advance...

MURPHY: No, no, three guys, Mickey.

SHERMAN: ...to plan such a thing. And as you know, they want--juries these days, it's a "CSI" effect, they want to see the blood spatter, the forensics, the--the DNA, they want to see semen, they want to see physical proof (Smith and Mitchell 2006).

As with the previous quote, there is nothing particularly scandalous or aberrant about this excerpt. It entails a somewhat thoughtful discussion by two legal analysts (Mickey Sherman's lapse into victim blaming notwithstanding) that provides audiences with more depth than a routine story on a half-hour news broadcast might. However, two facets of this conversation are important to acknowledge. First, it is important to note that DNA evidence is the central object of reporter Harry Smith's concern. Second, the overall importance of forensic considerations should be noted here. The conversation is nearly entirely dominated by considerations of forensic evidence such as DNA, 'blood-spatter,' toxicology tests, etc. This is exemplary of forensic reporting. As Websdale and Alvarez (1998) would point out, this in-depth conversation reveals a great deal about very little. Such conversations pervaded feature-length news stories on

the Duke case, and far outnumbered conversations on social problem-oriented topics such as racism or miscarriages of justice.

In addition, it is important to note that this excerpt exhibits some explicit recognition by media agents of the value put upon forensic evidence by the US public. Sherman points out that this evidence is not just important for the investigation, but that a jury will expect this type of proof. In fact, multiple reports referenced this “CSI effect.” Take for instance the following exchange between A CBS reporter and legal commentator Roy Black:

How--how big a role is--is DNA going to play in this? Because we heard that the DNA, to date, has not linked either player to the assault.

BLACK: Well, jurors are very sophisticated about that. Particularly because of shows like "CSI," you have all this information about DNA out there in the press. So many people have been released from prison because of DNA. Jurors are very sophisticated and want corroborating evidence (Syler 2006).

Both passages include commentators, recognized as legal experts by the media, declaring the essential value of DNA evidence in jury trials. This provides an ideal environment for the proliferation of a self-fulfilling prophecy. Media agents believe DNA to be important to the public, thus report readily on it, and reinforce its gravity within the US public consciousness. Regardless of whether the CSI effect is an actual phenomenon affecting juries or the public, such passages indicate that some figures in the media believe it to be so, and this belief informs their

sense of news values. Thus, it seems clear that the focus on DNA evidence in coverage of the Duke case was somewhat a product of the media's efforts to appeal to audience interests.

One might even argue that the media's focus on this evidence neared obsession in this case. The term DNA was mentioned 511 times in the 437 television documents I analyzed for this case study. To contextualize that, the word 'Duke' was used 1,568 times; the word 'lacrosse' was used 1,197 times; Mike Nifong was mentioned 1,010 times. On the other hand Collin Finnerty was mentioned 376 times; David Evans was mentioned 149 times, the word 'police' was used 200 times; 'prosecutor' appeared 373 times, 'evidence' appeared 375 times; and Durham was mentioned 375 times. This is a quite rudimentary method of analysis, but it is also a rather clear indication of the centrality of DNA as an element of news coverage of the Duke case.

Whether the focus on DNA evidence in coverage of the Duke case constituted constructive, informative journalism is debatable. Regardless of that debate however, two implications of this phenomenon are noteworthy. First, this focus on DNA (and other forensic evidence) illustrates how forensic reporting is not simply a staple of routine crime reporting, but can even be prominent, if not dominate, coverage of high-profile cases, which become socially emblematic (Chancer 1994; Websdale and Alvarez 1998). Arguably, it is in these cases when forensic reporting becomes even more of a distraction. They direct public attention away from the social issues raised by the case, and redirect it toward minute technical considerations. More generally, this finding also suggests that the technical criminal justice logic that dominates

routine reporting also pervades more exceptional reporting. Additionally, this focus exemplifies the neoliberal emphasis on technical responses to crime and justice issues to which I have referenced several times throughout this document. It demonstrates how the press promotes contemporary technologies like DNA analyses as centrally important mechanisms in the administration of justice, belying the reality that DNA evidence is salient in a small minority of criminal cases (even cases of violence against women) and offers no realistic solution to the major issues that plague American crime control and justice.

Specificities of Internet Coverage in the Duke Case

For two of the case studies I conducted—the Duke and Steubenville cases—I supplemented television news data with Internet news data. The primary purpose of this supplementary analysis was exploring the possibility that Internet news differed meaningfully from television news. There were some general differences that I identified between Internet and television news across both cases. However, I will discuss those in the next chapter, after I have discussed the differences unique to each case. In this section though, I will discuss the distinctiveness of Internet news specifically in coverage of the Duke case. Specifically, I will discuss how Internet coverage of the Duke case may have, at times, provided deeper political context than television news. Though, on the other hand, this added depth facilitated more ideologically loaded content as well.

Internet news on the Duke case differed very little from television news overall. In fact, this might be the most significant finding of this analysis—no major themes emerged in Internet coverage that did not emerge in television coverage. However, the two types of coverage were

not identical, especially in form. Most Internet stories were mere ‘hard news’ updates on the Duke case; these stories were much like the average television news story—essentially forensic or legal forensic reporting (Websdale and Alvarez 1998). Yet some Internet items supplied editorializing content that was lacking in television news. These editorial pieces provided more political context for the case, but also allowed for more ostensibly ideological discourse. For instance, in one piece posted on NYTimes.com, titled, “The Duke Witch Hunt,” columnist David Brooks expanded upon the argument made by the authors of *Until Proven Innocent*, writing,

Now with the distance of some time, a few things are clear. There may have been a rape that night, but it didn’t grow out of a culture of depravity, and it can’t be explained by the sweeping sociological theories that were tossed about with such wild abandon a few weeks ago.

Furthermore, when you look at the hyperpoliticized assertions made by Jesse Jackson, Houston Baker, and dozens of activists and professors, you see how social causes like the civil rights movement, feminism and the labor movement have spun off a series of narrow social prejudices among the privileged class.

The members of the lacrosse team were male, mostly white and mostly members of the suburban bourgeois middle class (39 of 54 recent graduates went on to careers in finance). For many on the tenured left, bashing people like that is all that’s left of their once-great activism (Brooks 2006).

Brooks seems to go a step further than Stuart Taylor and KC Johnson, all but declaring social causes like civil rights defunct, and pronouncing the Left useless. I have already discussed the backlash against progressive politics that emerged from the Duke case. However, it is worth noting that pieces like Brooks' editorial provided a more explicit and intense discursive attack against progressive forces. Pieces featuring this ideological intensity were not limited to conservative leaning authors though. The San Francisco Gate's website also featured such an editorial, but one that was more left leaning. The editorial, titled Duke Rape in Context, read,

It will be some time before we know what really happened that night between a house full of rowdy lacrosse players and the two 'exotic dancers' they hired as entertainment, and it's quite possible we'll never have a truly satisfactory answer. What we do have are disturbing questions and a rich historical context. Those for the moment, are more than enough to ponder.

The context? A bunch of jocks at an elite university in the once-segregated South—privileged white kids who play lacrosse, a sport that conjures images of impossibly green suburban playing fields surrounded by the Range Rovers of dotting parents—decide to have a party, so they call an escort service and hire a couple of strippers. The hired help arrives: two black women, one of them a 27-year-old single mother who is working her way through North Carolina Central University, a decidedly proletarian institution across town. Within a few hours the woman becomes simply "the accuser" when she tells police she was raped by some of those white jocks.

That's the scenario, and it's impossible to avoid thinking of all the black women who were violated by drunken white men in the American South over the centuries (Robinson 2006).

Clearly, the SF Gate editorial is very different than Brooks', in that it provides a politically dissimilar viewpoint on the case. In fact, from a critical sociological perspective, this editorial provides a needed analysis of the case, which illuminates and problematizes the salience of jock culture, economic privilege, and the historical legacy of racism. Yet, the two editorials are similar in that they respectively put forth very clearly right- and left-leaning perspectives on the cases. Essentially, by featuring newspaper style editorials, some Internet news items provided a more politicized analysis of the Duke case, but not from a singular political bent. This type of editorializing content is clearly not entirely novel, or unique to Internet news. Editorials of this nature have been a long-standing part of newspaper content. In fact, some of these Internet editorials were likely editorials that had originally appeared in print newspapers, and were later posted on those papers' news sites as well. However, the inclusion of these editorials on the web is significant in a media world characterized by a downturn in newspaper readership, extremely widespread viewership of television news, and the ascending popularity of Internet news (Bagdikian 2004; McChesney 2013; Shirky 2010). Newspaper editorials, and the political discourse they entail, are not vanishing but are being relocated to a degree. Moreover, the rather superficial character of television news is not entirely dominating its heir apparent, the Internet news outlet. This may be an encouraging development in that, while it rises in popularity, Internet news may offer some greater intellectual depth than the television news that dominates

news markets today. Also, since web sites may widely offer news content that might have only been previously available on a regional basis through print newspapers, media audiences can access an ideologically wider array of sources³¹. On the other hand, since Internet audiences can access the material that most appeals to them, such content may simply reinforce media consumers' political viewpoints.

It's worth noting as well that, contrary to what one might expect, the outlet most popularly known for ideological bias, Fox News, did not feature any of this sort of editorializing content, at least among the data that I sampled³². However, it did seem that Fox News and the NY Post (another outlet owned by Rupert Murdoch's News Corp) provided content more ideologically loaded than did other outlets, if only subtly so. For instance, one story, consisting of an excerpt from the television show Hannity and Colmes, featured a commentator invoking associations among the black Durham community, the prosecution, and the New Black Panther Party (who were participating in anti-Duke Lacrosse protests) in a debate about the tactics of Mike Nifong as compared to the players' defense attorneys.

COLMES: So he's supposed to sit there and be quiet while the defense attorney is poisoning the jury pool?

LAPNER-GIRESI: He can either—they're not poisoning the jury pool.

COLMES: Sure they are. How are they not?

LAPNER-GIRESI: Do you think the Black Panthers aren't poisoning the jury pool too?

(Anon 2006)

Such an example might seem minor or idiosyncratic. However, associating politics contrary to the right wing orientation of Fox News' ownership with terrorism is a technique for which Fox News hosts are well-known (Greenwald 2004). In addition to this, both Fox and the NY Post featured somewhat florid follow-up profiles on the Duke team and/or the accused players after the scandal. For example, one story from Fox about the Duke team was titled "Duke University Lacrosse Team Makes Triumphant Return to Playing Field." It read:

It was a triumphant return for the Blue Devils, whose season was cancelled last spring amid the rape allegations that touched off a debate on sports race, class and privilege at the elite private university. And it was clear this game was more than a game, from the steady stream of students who poured in Koskinen Stadium on a sunny February afternoon to the throng of reporters covering the event (AP 2007).

Another story from the NY Post profiled Collin Finnerty's life after charges had been dropped. It read:

During the year in limbo, Finnerty volunteered at the 9/11 charity Tuesday's Children and the Boomer Esiason Foundation. He also helped coach lacrosse at his high school alma mater, Chaminade, on Long Island.

Finnerty considered returning to Duke but felt it was better to move on. He enrolled at Loyola because he hit it off with the lacrosse team's coach, Charley Toomey. The team is 8-2 so far this season.

But he settled into his new school, pursuing a degree in communications. After interning at NBC Sports, Finnerty said he is eyeing a career in the media or on Wall Street (Fanelli 2010).

Tales of the triumphant return of the Duke Lacrosse team and hero narratives applied to the accused in this case were also used in television coverage, as I discussed earlier. However, there are two salient particularities here. First, the favor shown to Duke Lacrosse seems more intense in this coverage. For instance, the Fox story explicitly calls the lacrosse team's reinstatement 'triumphal.' And, the follow-up profile on Finnerty is even more celebratory than television coverage was. One might also acknowledge the patriotic inflection in the story as it deliberately cites his volunteering at a '9/11 charity.' Second, none of the non-News Corp outlets from which I gathered data featured such celebratory coverage. Thus, this more favorable coverage is evidence of variation across outlets among the Internet sources from which I have gathered my data. I have already remarked on the both promising and potentially problematic aspects of cross-outlet ideological variation. However, I will explore this further in the next chapter.

Altogether the data analyzed here do not suggest that the Internet supplies news that fundamentally differs from television news. Though the two formats clearly differ, the themes expressed in each medium were not substantially divergent. On the other hand, the ideological

variation that was apparent is theoretically interesting. The presence of ideological variation at least slightly contradicts the notion that the mainstream media are ideologically monolithic (Herman and Chomsky 2002). Yet, I offer this only as a theoretical musing, rather than empirical conclusion. Little or nothing can be really concluded from a small convenience sample like the one upon which this analysis rests, and it is important not to exaggerate the promise offered by a few outlying news stories.

Conclusion

The Duke case shares some commonalities with the Mike Tyson case, firstly in that it displayed both encouraging and troubling features. The Duke case surely spread awareness of miscarriages of justice to some degree. Moreover, at the outset of the case, journalists attempted to engage not only the issue of college sexual assault, but also the roles played by privilege and inequality in rape culture. Some coverage also brought to light the racial inequalities of communities like Durham. Had they developed these themes a bit more throughout the case, Duke coverage could have been even more commendable. For instance, the media could have easily examined miscarriages of justice more deeply rather than so widely and frequently foisting the Duke players up as heroes. They could have also acknowledged that the case was a legitimate false accusation but contextualized that with the information how rare false accusations are, and the actual pervasiveness of college sexual assault. Journalists would not have had to work terribly hard to better acknowledge the historical continuity of racism either. However, these relatively simple improvements did not happen, and Duke ended up, on balance, producing sociologically misleading and distorted coverage of the case.

Overall, the Duke case, much like the Mike Tyson case, illuminated important aspects of how neoliberal culture conceptualizes race, class, justice, and victimhood. Though some of the lessons to be learned from the Duke case are very similar to those supplied by the Tyson case, some of them are quite unique. Perhaps better than for the Tyson case, my analysis here shows how neoliberal culture works to celebrate a white, heteropatriarchal, middle-class culture, while denigrating others and erasing the history of racial oppression in the US. Moreover, this case demonstrated how rape mythology persists even in a society that acknowledges feminist theories of rape. As well, the findings discussed above illustrate how neoliberal culture neutralizes social justice politics, while emphasizing narrow technical matters as the real substance of justice. Relatedly, the data analyzed here suggest that while it may differ from television news in some interesting ways, Internet news does not offer a fundamentally novel or transformative form of news media.

To summarize the findings laid out in this chapter, the dominant narrative that materialized in the case was one of a miscarriage of justice. The enormous attention drawn to this injustice had the potential to facilitate a meaningful reflection on our criminal justice system. Instead, the story became a hero's tale about how All-American middle-class young men had 'beat the odds,' escaping the clutches of a bad apple prosecutor, and emerged resilient, though scarred, from the ordeal. The upshot of this tale was a celebration of white middle-class culture in the US, the primary site of which was the heteropatriarchal nuclear family. Particularly prominent in the gaiety was the glorification of a hegemonic masculinity based on youthful athleticism, elite academic achievement, wide-ranging popularity, and high-powered careers. In

some ways, this was a reaffirmation of mid-20th century patriarchal families and middle class values. On the other hand, the middle class celebrated by coverage of the Duke case is a neoliberal middle class that has become narrower and more elite than the comparatively populous middle class of previous decades. Coverage of the Duke case really recast the substantially wealthy as the ‘All-American’ class. Messages concerning class abounded in the Duke case, which ultimately reaffirmed a neoliberal class-race-gender hierarchy. Relatedly, the media’s emphatic celebration of the Duke players’ respectability provided a powerful lesson concerning those deserving trust and sympathy, which could be subsumed under the broader logic of selective sympathy I have touched upon throughout the preceding chapters.

The racialized victim blaming directed at Crystal Mangum complemented the celebration of the Duke players. Initial coverage was focused on decrying rape culture and humanizing the accuser. Thus, it provided an illustration of integration of feminist logic in the media, but such integration, as previous chapters have shown, is mostly partial. Later in the case, classic victim-blaming techniques quickly pervaded coverage. Mangum was sullied—racialized and classed—described continually as a member of an underclass—a black stripper and single mother, who was mentally unstable, promiscuous, and had a criminal record. This litany of flaws made her the ultimate untrustworthy character. On top of this, it became obvious that Mangum really had lied about being raped. Her confirmed dishonesty validated these victim-blaming discourses, reaffirming a vast rape mythology that was, before the case, being demystified. Moreover, Mangum’s status as a black single mother further buttressed the racialized components of this mythology, as she featured the characteristics of a prominent neoliberal folk devil—the ‘welfare

mother’—and had threatened the futures of privileged white men. Ultimately, Mangum’s treatment by the media further illustrates the logic of partial sympathy. It was not an accident that Mangum received such harsh coverage and failed to meet the same hegemonic virtues that Desiree Washington did. It is a product of this logic, which grants sympathy to women only when they meet a hegemonic test of virtue, and even then only partially so.

Perhaps fortunately for Mangum, another actor in this drama was vilified more than she was. Mike Nifong played the ultimate malefactor in the drama of the Duke case. He stood as a rogue prosecutor who had, the media reported, nearly single handedly railroaded three admirable young men. This rogue stood in as the primary target of collective anger, as well the rage of the wrongfully accused and their families. Because he served as the outlet for this Durkheimian expression of outrage, a flawed justice system, rife with homologous injustices, was spared a careful examination. The reformatory potential of the Duke case went unfulfilled, and coverage thus provided another instance of the media’s reluctance to indict or criticize the system that they present as the primary means for addressing violence against women.

Nifong was also accused of pandering to the black community, needing their votes in order to be reelected. Thus, coverage framed this community as a powerful political sector, obsessed with vengeance against white transgressors, while ignoring the fact that this only varied from the status quo in that the places of respective races were reversed. Additionally, news coverage implied that ‘reverse racism’ was at work in the near prosecution of the Duke players. While hanging a frame of retributive obsession on the black community, journalists also made a

show of acknowledging the presence of historical racial tensions awakened by the case. However, coverage generally did the opposite, engaging racism in a superficial way that erased its historical continuity and dismissed deeper reflection on it as distasteful rabbleroising. Indeed, coverage touching on race in the Duke case provided a superb example of neoliberal racism, which is, put simply, a reconceptualization of racism, stripped of its social and historical character, posed as an atavistic phenomenon, caused by pathological individual prejudice (Giroux 2003). For the global purposes of this study, this theme should be considered, like the treatment of racism in the Tyson case, as a complement to the racializing themes discussed already. These findings show how news on violence against women does not just stigmatize some groups it also downplays concerns over racism.

Not only was the black community demonized, progressive politics and social justice at large were assailed in the Duke case. Some commentators and journalists outright blamed ‘political correctness’ for the rush to accuse and judge the Duke players, while simultaneously ignoring the influence of sensationalism mandated by the impetuous corporate media of today. It was leftist professors, liberal journalists, and reactionary anti-racism activists who had corrupted our culture to the point that three white men so obviously innocent could be preemptively judged and condemned by the US public. A media more concerned with filling 24 hours of airspace and boosting ratings than its civic function could not be blamed. Importantly, such a finding illuminates the thread of ultraconservative hostility towards social justice that runs through the neoliberal corporate media.

In addition, throughout coverage, media reports displayed a fetishistic focus on forensic evidence. The forensic reporting and technical criminal justice logic that dominates routine crime news and greatly enhances its vacuousness permeated Duke coverage as well. Duke coverage illustrated how widespread the media obsession with the minutiae of crime is, an obsession characteristic of a neoliberal society that reifies technological worth. Ironically, an analysis of Internet coverage of the Duke case belies the notion of technology as savior. Internet coverage differed only very slightly from television news. Thus, this finding brings into question the touted democratizing capacity of the Internet, at least in regards to crime news.

One overarching conclusion that can be drawn from this analysis is that the Duke case provides an intriguing, but saddening, set of paradoxes. The identification of an egregious miscarriage of justice led to relatively little reflection on the justice system. The vindication of the accused in this case led to a celebration of heteropatriarchal middle-class culture. The illumination of a genuine false accusation led to the reaffirmation of a mythology concerning untruthful women. Moreover, coverage of the case wound down by noting that these All-American boys clearly did not commit rape, and given their sterling records, everyone should have already known that, reaffirming the notion that normal men do not rape. And finally, a national conversation about class, race, and athletic privilege led to a backlash against social justice politics. Ultimately, though many of the narratives used by the media were accurate, as a high-profile event, likely seen as emblematic of broader social relations, the Duke case exuded misleading implications concerning victimhood, race, progressive politics, and technology in contemporary society. These intriguing paradoxes are an excellent example of how neoliberal culture performs the

hegemonic trick of not simply absorbing challenges, but inverting them to reaffirm its legitimacy. Moreover, these paradoxes exemplify the core thesis of this study—that news on violence against women establishes a progressive glaze on neoliberal society, creating the impression that such violence is truly problematized and meaningfully addressed, while legitimizing an oppressive justice system and effectively blocking the social justice agendas that historically undergirded the movement against patriarchal violence.

Chapter 8: Falling From Grace, Rising from the Circuits: Athletic Privilege, Technology, and Sex Assault in a Working Class Town

Introduction

On August 11, 2012, high school students in Steubenville, Ohio were celebrating after a preseason football game played by the town's beloved high school team, Big Red. The celebration consisted of house parties dedicated to the consumption of large amounts of alcohol. One of the students partaking in the celebration was a 16-year-old girl from a nearby West Virginia town. 'Jane Doe,' as she came to be known, became quickly intoxicated after several shots' worth of vodka. Though she had arrived at the party with friends, Jane Doe at some point left for a second party with Trent Mays and Ma'lik Richmond. At the second party, Jane Doe became even more visibly inebriated, slurring her words, losing coordination, and vomiting. Despite her obvious incapacitation, during a car ride to another house, Mays removed her shirt and penetrated her digitally while his friends watched and recorded it. Once at the house, Mays raped her again, attempting to force Jane Doe into oral sex as she lay on a basement floor. Then, while she was unconscious, her clothes were removed, and Richmond digitally penetrated her again. Here as well, all of this happened while Jane Doe's peers joked and filmed the attack.

The next morning, Jane Doe awoke, partially naked, scared, and confused. She was not completely aware of the attack however. It was not until images and recordings of the attack circulated on social media that she was able to fully grapple with what happened to her. Once she was aware of what Mays and Richmond had done to her, Jane Doe confronted Mays about

the incident. Mays tried to cover up his crimes, and even told one of his friends that his coach was going to ‘take care of it.’

The official response to Jane Doe’s rape was slow at best. However, while the investigation slowed, crime blogger Alexandria Goddard was performing her own inquiry. Goddard collected evidence of the crime via social media and publicized it on her blog. Steubenville youths had posted recordings of the incident on Twitter and YouTube, all the while joking about it. For example, one individual stated, ‘the official song of the night is Rape Me by Nirvana,’ another commented, ‘some people deserve to be peed on.’ Goddard’s blog brought all this atrocious conduct to public attention. In particular, members of the ‘hacktivist’ group Anonymous noticed it. Anonymous members then began to spread news about a cover-up of the crime by Steubenville authorities, and exposed those who they felt were involved in the incident and cover-up, including various Steubenville youths who had witnessed or participated in the attack. While this was happening, the story became national news. Mainstream media widely covered the case, discussing not only the shocking nature of the incident, but also the novelty that the case emerged through the Internet. Eventually, the case led to a wider conversation about the influence of the Internet on US youth culture and the issue of sexual assault.

Beyond being a high profile case, Steubenville shared at least two additional similarities with the two previous cases I have discussed. All three cases involved athletic privilege to some degree, and all three cases featured class as a central element of discussion. Though as I will show, class was a more implicit theme in this case as compared to the Duke case. As well, like

the Duke case, the Steubenville case involved youthful offenders and touched upon public concerns over youth culture. Yet, in this case, the offenders were actual juveniles versus the Duke case, which involved legal adults. However, the Steubenville case is unique among the three cases in that race was not an outstanding element of media coverage (though it still was a significant theme), but an explicit discussion of technology and society was. Moreover, media coverage of the Steubenville case entailed several themes that arguably constitute more sensitive media discussions of sexual assault than have been had in the past, and some implicit reflection on punitive zeal in the US.

Indeed, media coverage of the Steubenville case entailed some promising elements, which suggested more nuanced and progressive media conversations on topics such as sexual assault, and punitive sentiment. For instance, journalists engaged in explicit conversations about the inability of an intoxicated person to give consent to sexual intercourse. In addition to that, the importance of bystander intervention in sexual assault was repeatedly highlighted in news on Steubenville. In this respect, as I will discuss, coverage on Steubenville was somewhat encouraging, though that optimism should be qualified in various ways.

Relatedly, several aspects of Steubenville coverage were highly ambiguous. Media coverage was sympathetic to the victim in this case, explicitly demonstrating empathy for the suffering of the young woman. However, this victim, like those featured in preceding chapters, was subjected to a logic of partial sympathy contingent on her hegemonic virtuousness. As well, subtle victim-blaming discourses still pervaded news on the case. Some coverage exhibited a

degree of skepticism towards retributive punitive ideals, implying that the contemporary treatment of sex offenders in the US was heavy handed, at least in the case of juveniles. Yet, it should be acknowledged that empathy for the perpetrators may be linked to a historical cultural propensity to conceptualize youthful masculine violence as less serious than adult criminal violence.

While the case produced some relatively encouraging coverage, the two themes in coverage most ostensibly connected to the thesis presented here—class and technology—are rather troubling. News media posed this case as a collective shame for Steubenville’s residents, the result of an obsession with high school football, which had long shielded star players from accountability for their actions. Moreover, reports posed the town as a deteriorating ‘rust belt’ community, inhabited by a working class population, which had little going for it beyond football. The two themes of community shame and a declining working class community ultimately cultivated the impression that cases like Steubenville are products of a problematic working class culture, without deeply considering the structural economic changes that savaged communities like Steubenville. Indeed, the implicit messages about class that emanated from Steubenville coverage provide a noteworthy complement to those in coverage of the Duke case. They provide the context to juxtapose the media’s treatment of middle- and working-class groups in neoliberal society.

The role of technology was also a dominant theme in Steubenville coverage. As the case became national news through the Internet, and the decisive evidence in the case was provided

by cell phone data and social media posts, the media fixated on the significance of these technologies. I will show that this fixation was manifest in three primary narratives. First, journalists touted the idea that the Internet had solved this crime, perpetuating the ‘technology as crime fighter’ narrative that I have discussed several times in preceding chapters. Second, journalists also expressed skepticism about the role virtual communities and ‘hacktivism’ had played. Though their roles were acknowledged in spreading awareness, media reports also speculated that such factions had fomented an overly punitive populist outcry and a trial by media (Greer and McLaughlin 2011), which stymied actual efforts to address the case. Third, various reports discussed, or at least referenced, the possibility that new communications technologies were corrupting the youth of today. In fact, I will show that these concerns over technology hijacked the conversation about sexual assault as a social problem in this case, altering the conversation to focus on the ‘new’ problems created by Information Age youth culture. Ultimately, this conversation reformulated an existing social problem into a novel one, diagnosed as technological, rather than patriarchal, violence.

Sexual Consent, Alcohol and Bystander Intervention

Perhaps the most positive development that came about during media coverage of the Steubenville case was a substantial discussion of intoxication and sexual consent. Though they reported the defense’s claims that no assault had occurred because the victim had consented, many news stories countered that claim by recognizing that an intoxicated person cannot give sexual consent. This became a prominent theme in coverage as reporters cited various sources acknowledging what could be called intoxicated nonconsent—the fact that an intoxicated person

cannot give sexual consent, though she/he may behave in ways that might otherwise be interpreted as consent. At first, though, some outlets reported on the issue in a victim-blaming manner. For instance, one NBC story featured their legal expert, Jack Ford, discussing the case in the following manner:

You have an alleged victim who also engaged in voluntary excessive intoxication to start this all up. You have the defense of consent. And consent always makes it a difficult and a different type of trial inside the courtroom. And you have a real reluctance, according to the prosecutor, for a number of witnesses who might be able to help either way to come forward here. So it's not going to be an easy trial, an as easy case for either side here (O'Donnell, Mason, and Quijano 2013).

Ford likely was not insinuating that the victim's choice to drink excessively mitigated the culpability of her attackers, but was merely commenting on this fact as a legal difficulty for the prosecution. However, his commentary leaves out the fact that a victim's voluntary intoxication does not make any particular incident any less of a sexual assault, a point essential for understanding the Steubenville case. However, many reports engaged the theme of intoxicated nonconsent directly and explicitly. For example, one report featured an Ohio State University law professor commenting on the case, stating, "I think it was fit for the prosecutors at this point, I think they've established what they need to establish, that this girl really was so intoxicated she was unable to consent to these actions when they occurred" (Holt and Allen 2013a). Similarly, one ABC report featured the following passage:

ELIZABETH VARGAS: How drunk do you have to be legally before you are unable to give consent?

MARIANNE HEMMETER: By the law in Ohio, you have to be substantially impaired.

ELIZABETH VARGAS: What does that mean, though?

MARIANNE HEMMETER: The case law makes it clear that it's a reduction in one's ability to act or think. Clearly in this case, we had that reduction in the ability to act or think by the time she gets to the second party. And they had to have known it (Muir and Vargas 2013).

This theme is an encouraging development as, to the best of my knowledge, no other nationally prominent case of sexual assault engaged the relationship between intoxication and consent, while explicitly problematizing the sexual abuse of an intoxicated women. This is important specifically because alcohol is a common precipitating factor in sexual assaults, especially those involving acquaintances and/or youth (Abbey 2002; Abbey, McAuslan, and Ross 1998).

One complementary conversation, discussing the obligation of bystanders to intervene, also became a significant theme in Steubenville coverage. One of the most troublesome things about the Steubenville case was that while Ma'lik Richmond and Trent Mays raped the victim, several other youths watched and even recorded the attack, all the while joking about it. As well, several adults in Steubenville were privy to the underage drinking going on that night, even when the drinking got to the point that the victim was vomiting in the street. Reporters and

commentators expressed great consternation over this behavior, and accordingly, often asked why no one intervened. For example, during the Today Show, anchor Matt Lauer and reporter Lisa Bloom discussed the lack of intervention by various bystanders in this case:

MATT LAUER: And now the-- the attorney general in Ohio, Mike DeWine says we're going to convene a grand jury, we might bring some other people in front of it. There are reports that up to sixteen people either knew about this--

LISA BLOOM: That's right.

MATT LAUER: --texted about it or witnessed it or did not cooperate. Do you expect more charges to be filed?

LISA BLOOM: I think it's very possible and that's what's ignited this case online, you know, social media that really lit a fire under prosecutors when some said that they were covering up, the local law enforcement was covering up for these football players. How could so many people have known what happened and failed to help this girl, failed to report? Was there a cover up? That's the next phase of this investigation.

MATT LAUER: And the question will be asked is it your moral responsibility or your legal responsibility?

LISA BLOOM: Well, for adults who supervise children it's their legal responsibility, for coaches and teachers, if they knew they had a legal responsibility to report (Lauer, Allen, and Bloom 2013).

Focusing more specifically on the rape, another news report echoed similar sentiments, asking, “Investigators now want to know how could so many honor students, athletes, all-American kids stand by and let this happen without anyone calling for help?” (Muir and Vargas 2013).

Conversations such as this concerning the obligations of bystanders to stop or prevent sexual assaults articulate with a significant body of feminist scholarship on this issue. Bystander intervention has been promoted as an important strategy for preventing sexual assaults, particularly on college campuses, so much so that the ‘bystander model’ is a common part of sexual assault prevention programming today (Ahrens, Rich, and Ullman 2011; Banyard, Moynihan, and Plante 2007; Burn 2008; Gidycz, Orchowski, and Berkowitz 2011). As it is partly reactive, bystander intervention is surely not a panacea for sexual assault, but it is a promising partial strategy for combating this issue. Thus, the media’s discussion about bystander obligations, though they did not explicitly engage bystander intervention scholarship, is a promising development.

On the other hand, it is necessary to note here that media reports on Steubenville were reporting on a case in which a victim was being visibly sexually assaulted in front of a group of people. An expert on sexual assault is not needed to understand that someone should have intervened in such a situation. Bystander intervention training is undertaken in the hope that it can prevent sexual assaults from happening, not merely stop them when it is painfully obvious what is happening in front of one’s eyes. Thus, the mediated conversation about bystander intervention in this case only superficially engaged the issue, missing an opportunity for a sensitive and productive national conversation on it. Because of reasons such as this, any

optimism springing from coverage of the Steubenville case should be measured. However, to summarize, Steubenville coverage was encouraging in that at least two themes, intoxicated nonconsent and bystander intervention, arguably constitute the realization of feminist concerns over sexual assault in mainstream media news. However, in the next few sections, I will discuss themes that are likely grounds more for worry than optimism.

Victim Sympathy, Victim Blaming

Complementing their discussions of intoxicated nonconsent and bystander intervention, the media were generally sympathetic towards the victim in the Steubenville case. Coverage entailed a variety of themes that sympathized with the victim and celebrated her strength in facing her attackers. Moreover, most reports shied away from discussing her drinking that night as a reason to disbelieve her. Essentially, media reports made significant effort to problematize and condemn what happened to this girl. Initially, reports often relayed the words of prosecutors to construct Jane Doe's victimhood unambiguously. For instance, one story quoted prosecutor Marianne Hemmeter bluntly characterizing the case as such, "They took advantage of her when they knew she wouldn't remember. She was the perfect victim" (Abrams, Golodryga, and Perez 2013). However, as the case progressed and evidence was made public, news reports used the victim's testimony and records of text message conversations to humanize Jane Doe, illuminating what happened to her with her own words. The same news feature provided the following account:

For the first time, we hear from the 16-year-old girl accusing Trent Mays and Ma'lik Richmond. On the witness stand, she broke down in tears after seeing an explicit photo of

herself taken when she appears to be unconscious. She describes waking up with no clothes hours after the alleged incident with Mays nearby and Richmond on a couch in the same room. "I was scared, embarrassed, and it freaked me out." Mays and Richmond are accused of sexually assaulting the teenager after a night of underage drinking and partying in August of 2012. In court, evidence revealed the tense text message conversation between Mays and the accuser in the days after the alleged assault.

"I wanted to apologize for the video that was put up and all the misunderstanding."

The accuser replies in part, "I trusted that you would be able to take care of me. I don't know why you keep saying that you did because you obviously didn't." Later, Mays writes, "So you guys aren't making us go to court or anything, right, or pressing charges," to which she replies in part, "So the only reason you're even apologizing is to see if I'm pressing charges?"

This account, and other similar ones, revealed Mays as insensitive and self-interested, casting him as an extremely unsympathetic figure. Perhaps more importantly though, they humanized Jane Doe, illustrating her suffering and her courage as she confronted Mays about the attack. Likewise, various reports employed strength narratives in discussing Jane Doe. For instance, one story quoted Jane Doe's mother making a statement about the case after the verdict, "This does not define who my daughter is. She will persevere, grow and move on. I have pity for you both. I hope you fear the Lord, repent for your actions and pray hard for his forgiveness" (Guthrie and

Allen 2013a). In this respect, coverage of the Steubenville case mirrored that of the Tyson case. In both cases the media were generally sympathetic to the victim.

Coverage of the Steubenville case actually went a bit farther in sympathizing with the victim than did Tyson coverage though. In addition to sympathizing with Jane Doe's suffering the ordeal of rape, some media reports also illuminated how rape victims can be revictimized after their accusations are made public. This case supplied a particularly poignant instance of such revictimization when Jane Doe was subjected to 'cyber bullying' by friends of her attackers, who threatened to kill her after the guilty verdict (Powell 2015). One report featured Ohio Attorney General Mike Dewine discussing this revictimization:

ELAINE QUIJANO: On Twitter, many wrote that the young woman was not a victim. She was called a whore--somehow deserving of the assault.

MIKE DEWINE (Ohio Attorney General): So much of the information has gone up on the Internet, and really what we're seeing is that the victim is being victimized day after day after day (O'Donnell et al. 2013).

This was another commendable theme in Steubenville coverage as it demonstrated for the public the hardships rape victims face when they choose to peruse charges, even when they are successful (Benedict 1993; Powell 2015).

While discussing the cyber bullying and ridicule to which Jane Doe was subjected, some reports even indirectly engaged the idea of rape culture, commenting on how some individuals

saw Jane Doe's suffering as a source of amusement. For instance, the following exchange between ABC's Elizabeth Vargas and crime blogger Alexandria Goddard, who originally publicized the case online, delves into this online rape culture:

ELIZABETH VARGAS: What kinds of tweets did you read?

ALEXANDRIA GODDARD: I think the first one that I found was, "Some people deserve to get peed on." And then tweeting, "The song of the night is 'Rape Me' by Nirvana."

ELIZABETH VARGAS: I can't imagine your reaction to that.

ALEXANDRIA GODDARD: I was appalled. I was shocked.

ELIZABETH VARGAS: And there are other tweets like, "I have no sympathy for whores," and "Who's this sloppy drunk (censored by network)?" Goddard puts the offensive tweets on her blog, then yet another appalling revelation.

ALEXANDRIA GODDARD: I found that there was a video that had been uploaded with the tags drunk girl and rape. I knew that it was 12 minutes and 29 seconds. And I knew that Michael Nodianos was in that video (Muir and Vargas 2013).

Though none of them explicitly engaged the concept of rape culture, reports such as these illustrated for audiences, at the very least, an online subculture where rape is seen as a joke and victims deserve their suffering. On the other hand, as I will discuss in an upcoming section, the

cultural elements of this crime and others like it were quickly tied to technology, rather than patriarchy and sexism.

Steubenville coverage shared another similarity with Tyson coverage that is more worrying. As in the case of Desiree Washington, media reports discussing Jane Doe often constructed her as a wholesome, virginal character, someone of nearly impeccable character. For instance one report featured the following description:

But "The Blind Side" meets "Friday Night Lights" now meets the accused, accused of raping a high school sophomore from across the river, a girl from a close-knit religious family.

ELIZABETH VARGAS: The world only knows her as 16-year-old Jane Doe.

BOB FITZSIMMONS: She's a nice girl. She, you know, you'd want her as your daughter...

Jane, Jane's a nice, little, neat high school girl that is a young lady trying to have a, a good life and trying to move on with her life right now. She actually plays soccer, and she played this fall. And she made the honor roll, which we were very concerned that she wouldn't be able to concentrate as much, you know, her studies (Muir and Vargas 2013).

In addition to being athletic and studious, media reports also made it known that Jane Doe came from a religious family. Beyond the mention of this featured in the quote above, several reports also featured quotes from Jane Doe's mother, which highlighted her religious nature. One

report featured her stating, “Human compassion is not taught by a teacher, a coach, or a parent. It is a God-given gift instilled in all of us. I have pity for you both. I hope you fear the Lord, repent for your actions and pray hard for his forgiveness” (Roberts, Perez, and Abrams 2013).

Essentially, news outlets went out of their way to employ respectability narratives that painted Jane Doe as studious, religious, and athletic, painting her as a person worthy of trust and respect. I have already commented on how such narratives establish a logic of partial sympathy, which holds public sympathy for rape victims as contingent on criteria of merit and virtue. However, it is worth noting here that even in this case, the most recent and arguably the most victim-centered case, it seems the media subjected the victim to a strict calculus of victimhood, which reserves true sympathy only for those who meet a set of hegemonic values.

Jane Doe mostly met these criteria, and the media thus treated her sympathetically. However, that does not mean she was completely exempt from any victim blaming. In fact, some reports did focus on victim-blaming themes, specifically claims that Jane Doe’s behavior that night suggested she was consenting to sexual contact with Mays and Richmond, and that she had a reputation for drunkenly absconding with boys at parties. For instance one story featured the following excerpt:

She declined to be on camera as she testified about a night of partying she was too drunk to remember, but did recall throwing up, waking up naked in a strange house and realizing she’d been assaulted after reading text messages and seeing pictures and a video from the night before. But earlier in the day, the accuser’s friends testified that when

Mays and Richmond left for another party, the accuser wanted to go with them. "When I told her not to leave, I was trying to, like, pull her back into the party. She was trying to shrug me off. She kind of hit me" (Holt and Allen 2013a).

Another story reported on a history of behavior on the part of Jane Doe similar to that of the night in question:

(Off-camera) And, Elizabeth, attorneys for the other defendant filed a motion to dismiss this week. Why is that so critical?

ELIZABETH VARGAS: Because they are trying to subpoena the alleged victim's best friends who've given incriminating statements to the police, saying that she had made a plan to meet up with one of the accused rapists, the one of the football players accused of rape later on in the evening and, therefore, had given prior consent and that she might have even had a history of doing this kind of thing before. But they can't subpoena these girls because they're across state lines. This town is right on the border of West Virginia and Ohio (Stephanopoulos, Roberts, and Vargas 2013).

Like much of the victim-blaming coverage on other the other cases I have discussed, these themes are reflective of standard courts reporting. When journalists cover any criminal trial, conventions hold that they cover the claims of both the defense and the prosecution, fulfilling a requirement of journalistic 'objectivity' to cover 'both sides of a story' (Tuchman 1983). However, one might first point out that this is flimsy exculpatory evidence at best. Just because Jane Doe was able to express her desire to accompany Trent Mays and Ma'lik Richmond does

not mean her judgment was not clouded by alcohol. Furthermore, whether she had a reputation for unwise drunken behavior is largely irrelevant to the case. Regardless, by relaying such claims, such reporting indulges those inclined to blame victims of rape and/or disbelieve them. It is also important to note that this practice has not changed throughout the sample time period of this study. Though they surely are aware that their mode of reporting gives voice to victim-blaming discourses supplied by defense attorneys, journalists have not altered their conventions for reporting on rape trials.

Victim blaming entered discussions of the Steubenville case in another, somewhat curious way. In an interview with *Rolling Stone* after the case had been adjudicated, tennis star Serena Williams, commented on the case, making some victim-blaming arguments. ABC news reported on this controversy:

In an interview with "*Rolling Stone*" magazine, Williams claims the 16-year-old victim, quote, "put herself in that position," saying, "I'm not blaming the girl. But if you're a 16-year-old and you're drunk like that, your parents should teach you don't take drinks from other people. She's lucky. She shouldn't have put herself in that position, unless they slipped her something, then that's different."

Overnight, Williams was quiet about the interview. But this morning, she's speaking out exclusively to "*Good Morning America*," telling us, "What was written, what I supposedly said, is insensitive and hurtful, and I, by no means, would say or insinuate that she was at all to blame. I have fought all of my career for women's equality, women's

equal rights, respect in their fields, anything I could do to support women I have done.

My prayers and support always goes out to the rape victim. In this case, most especially to an innocent 16-year-old child" (Stephanopoulos, Vargas, and Benitez 2013).

As this passage shows, news reports obviously did not affirm Williams' comments. Her apology is clear evidence that her views were rebuked. However, Williams' remarks are still telling.

Williams is popularly seen as somewhat of a feminist icon (Douglas 2012). A black woman who has been subjected to racism and sexism both inside and outside of professional tennis, her success is seen as a sign of progress in regards to gender and racial equality. Moreover, she has positioned herself as a hard-fighting advocate for gender equality, as the above quote shows.

Though, note that she does not explicitly call herself a feminist. Either way, it is significant that an icon of gender progress so eagerly exhibited victim-blaming logic when queried about the Steubenville rape. It is arguably indicative of the relative emptiness, fragmentation, and contradictory nature of popular notions of gender equality today. A public figure today can position her/himself as an advocate for gender equality while having a rather patriarchal view of rape without being subjected to much critical scrutiny³³. One might consider this as an example of Rottenberg's (2014) concept of neoliberal feminism. Neoliberal feminism is basically a hollowed out version of feminism which acknowledges inequities between men and women yet rejects the notion that such inequities spring from long-standing structural and cultural arrangements—essentially it is a feminist analysis stripped of any recognition of patriarchy. It allows an individual to take up the mantle of feminism in her or his struggles for personal success, but disavow the larger social justice project inherent in more critical feminisms.

Ultimately, Serena Williams' comments are a small part of the Steubenville story, but they do importantly raise the question of whether emerging feminisms under neoliberalism enable various individuals to pose themselves as against gender violence, without really attending to the nature or etiology of the problem. Moreover, as I will discuss in the conclusion of this dissertation, the ways in which the overall framework of violence against women that I have been laying out here is reflective of neoliberal feminism must be considered.

On the other hand though, one might point out that as a prominent female black athlete, Williams is a racialized lightning rod, who faces disproportionate scrutiny and criticism because of her status and subject position. Williams was clearly not the only person to engage in victim blaming directed at Jane Doe, but she was the only one to be publicly chastised for it. In fact, as I will show in the section on web news about Steubenville, some outlets' reactions to Williams' comments were outlandishly harsh.

Overall, coverage of the Steubenville case was more victim-centered than that dedicated to the other two cases I studied. Yet, it seems at least part of the reason Jane Doe received sympathetic coverage is that, as a studious, athletic, and religious girl, she fit with hegemonic notions of victimhood (Benedict 1993; Meyers 1994). In addition, coverage of Steubenville did also engage in some victim-blaming, relaying defense claims that Jane Doe's willingness to go with the boys that night was evidence of lucid sexual consent, and that friends' claims about her past behavior supported this.

Punitive Will, Offender Sympathy, and Racialization

As the Tyson case showed, sometimes the flip side of sympathy for victims is racialized vilification of offenders. Steubenville illustrated this as well. As I stated in the introduction to this chapter, race was not a dominating theme in this case. But race was not completely absent either. Journalists did not ignore the fact that Ma'lik Richmond was a black child born into a poor, high-crime community. In fact some reports spent substantial amounts of time on the racializing themes of Richmond's early childhood in the ghetto and the fact that his father was a convicted felon. The following passage provides an example of such coverage:

ELIZABETH VARGAS: Just as in the movie "The Blind Side," Jennifer and Greg Agresta took in Ma'lik to help him escape a youth defined by poverty and violence.

ELIZABETH VARGAS: You had some rough times, didn't you?

MA'LIK RICHMOND: Yes. One day, we were all just sitting in my living room and all you hear is a big gunshot, and the bullet flew past my cousin's head. And basically every house I lived in was the same exact thing. Get shot up (Stephanopoulos, Roberts, et al. 2013).

However, media reports did not just focus on Richmond's background in the racialized ghetto. They also, interestingly, employed a white savior narrative that is strikingly similar to the one employed in the Tyson case. The story quote aboved continued by discussing how Richmond was 'rescued' from a life of poverty and crime by a white family:

ELIZABETH VARGAS: His ticket out from bullets and broken homes was sports. At eight years of age, Ma'lik joined a Pee Wee football team. Greg Agresta was the coach.

GREG AGRESTA: He always caught my attention 'cause he was pretty gifted at that time, much more than any other child. I said, this is a special kid. I'm gonna do what I can to help him out.

ELIZABETH VARGAS: The Agrestas took on legal custody of Ma'lik for two years until he was 10 years old. They have remained close ever since.

ELIZABETH VARGAS: I was looking at your mantle over your shoulder at all the pictures of your family and Ma'lik is in all of those pictures, or many of them. I mean, was he really a member of your family? Is he?

JENNIFER AGRESTA: Absolutely.

Characterizing this tale by comparing it to *The Blind Side*, a popular 2009 movie chronicling NFL player Michael Oher's adoption by a wealthy white Atlanta family, ABC news applied a narrative that almost perfectly replicates the one used to discuss how Cus D'Mato saved Mike Tyson from the Brownsville projects. Both narratives feature white saviors of black children, athletics as a route to redemption, and the stigmatization of black communities. Thus, the application of this narrative racialized Ma'lik Richmond much in the same dualistic way that Tyson was. Their blackness was problematized, but their athletic prowess and association with white society were posed as redeeming factors. Though of course, it is important to note that

Richmond was not racialized or vilified to the degree that Tyson was, likely because he was still a child and/or he did not have the same lengthy history of violence that Tyson did.

Overall though, the racialization of Ma'lik Richmond is one more illuminating example of the racializing texture of news on violence against women. It is also significant in that it demonstrates how race still emerges as a powerful theme even in a case where its role was not an explicitly acknowledged or discussed. Furthermore, discussions of Ma'lik Richmond's background expose the media's insensitivity to a telling paradox. No reports acknowledged that despite being 'rescued' from a criminal black culture by white saviors, Ma'lik Richmond still ended up committing a violent crime even when assimilated to white middle class society. Reflecting on this paradox might prompt some to explore the idea that mainstream white culture gives rise to particularized forms of criminality, such as sexual assault facilitated by masculine and class-based privilege (Chesney-Lind and Chagnon 2015).

Another major offender-centric theme was a discussion about the punishment doled out to Mays and Richmond. Journalists were particularly interested in how the boys would be legally designated as sex offenders after being convicted of sexual assault. For instance, in one report, legal expert Jean Cesarez commented:

But for these two young men, if they're convicted of rape, they will be registered sex offenders for the rest of their lives. So where they can live, who they can associate with, what universities they may or may not get into, what professions they will be able to go into will forever be dictated by this verdict (Mason and Brown 2013).

One might simply see such commentary illustrating the consequences of crime and the appropriate harshness with which the justice system treats those who commit serious crimes. However, many reports dedicated to the guilty verdict and/or punishment for these boys entailed at least a note of sympathy. For example, ABC reported on the verdict in this passage:

JUDGE THOMAS LIPPS: And it is the court's decision that both of the defendants are hereby adjudicated delinquent beyond a reasonable doubt on all three counts as charged. It's similar to a finding of guilty in the adult court.

ELIZABETH VARGAS: It provokes an outpouring of emotion. After the verdict, before sentencing the boys, who are now felons, the judge gives them an opportunity to speak. Trent Mays makes no mention of the rape he's just been convicted of, instead, apologizing for the photos.

TRENT MAYS: I would truly like to apologize to her family, to my family and the community. No pictures should have been sent around, let alone even taken.

ELIZABETH VARGAS: Ma'lik Richmond responds very differently.

MA'LIK RICHMOND: I would like to apologize to you people. I had no intentions to do anything like that. And I'm sorry to put you guys through this. And I'd just like to...
[crying, sobbing]

WALTER MADISON (DEFENSE ATTORNEY): His first instinct was, I want to speak to that family, and he apologized in a way, unless he's a great actor, you have to say, that was genuine.

BOB FITZSIMMONS ("JANE DOE" ATTORNEY): I watched the two boys in court. And, and it was actually hard. I, I could feel for them (Muir and Vargas 2013).

In this passage, even the victim's attorney expresses sympathy for her attackers. And, to be fair, the video of Ma'lik Richmond's apology is indeed poignant. He seems to be genuinely and intensely remorseful. The media's sympathy for these offenders might be read in at least two ways. First, one might find such sympathy encouraging in a way. American culture for the past few decades has been marked by unprecedented hostility towards criminals, sex offenders in particular, fomenting the creation of harshly punitive policies such as sex offender registries (Wacquant 2009; Whitman 2005). One might read sympathy for these boys as evidence of a change in the media's attitude towards sex offenders. Perhaps it indicates that the mainstream media are gaining some sense of the problems that have been created by punitive zeal in the US.

Yet, one might explain the media's sympathy in a more critical way. Such sympathy was plausibly a product of the boys' youth, and the fact that they were celebrated athletes. In fact, one might argue that media coverage of the Steubenville case framed the sexual assault of Jane Doe more as an act of youthful misbehavior more than a serious crime. Of course both can be true, an act of youthful misbehavior can be a serious crime. However, media reports clearly centralized the fact that this was a misdeed perpetrated by children. Even the words of the

prosecutor in this case were used for that purpose. News reports continually repeated one of Marianne Hemmeter's characterizations of the case as she stated, "They knew she was in that position and they kept going. She was a toy to them that night. She was treated like a toy that night" (Quijano 2013). Clearly Hemmeter's comment was made not to convey sympathy, but impugn Mays and Richmond by pointing out how they dehumanized Jane Doe. However, analogizing Jane Doe to a toy also connotes childish behavior. Media reports also included commentary that more explicitly linked empathy for Mays and Richmond with their youth and/or athletic achievements. For instance, one reporter stated, "Two promising young athletes are on trial. They have pleaded not guilty in a case that has cast them and many of their friends in a very harsh spotlight" (Holt and Hill 2013). Another report featured commentary from a Steubenville resident who characterized the case as such, "I don't understand what the little boys were going through, because I don't believe that they would do anything like that" (Weir and Vargas 2013). Basically, many reports highlighted the fact that these were youthful offenders, while expressing some degree of sympathy towards them. This might have mitigated the perceived seriousness of this crime as compared to, for instance, the infamous Central Park jogger case, in which several poor non-white teens were demonized for gang raping a wealthy young white woman (Chancer 1994)³⁴. One might find it justifiable that the media approaches youth crime, even crime as serious as sexual assault, less harshly than adult crime. However, as I have pointed out, it is important to note that this often is not the case.

It should be also considered how the framing of this crime as youthful misbehavior articulates with the longstanding propensity in the US to normalize boys' violence as 'boys being

boys' (Katz 1999; Kimmel 2007). While media coverage may not have been dismissive of the violence, their framing of the violence might be seen as continuing a tradition of ignorance to how boys' violence often becomes more serious men's violence, especially in regards to violence against women.

I will return to the theme of youth when I discuss how it intersected with discussions of technology going forward, but it is important to note here how youth, as well as athletic prowess, acted as buffers from criminalizing hostility for these two boys. In fact, like the discourses used to frame the Duke players as heroes, these themes could also be considered as part of the logic of partial sympathy. These boys' characteristics that fit with hegemonic values mitigated the opprobrium they received in the press.

While some reports in the Steubenville case did sympathize with the offenders partly on the basis of their athletic promise, other reports focused on the issue of athletic privilege. Athletic privilege was a prominent theme in this case as bloggers originally publicized the case because they believed Steubenville officials were covering the case up to protect their beloved high school football team. Throughout the investigation and trial, journalists addressed the privilege and prestige of the football team. The following passage from ABC news exemplifies this theme:

ELIZABETH VARGAS: People here say the fortunate few who make this elite high school squad with nine state championships to its name aren't just players, they're demigods.

BRIAN MAYS (TRENT MAYS' FATHER): When you play football at Steubenville, people know your name. I mean, when you walk down the street, they see you and they know your name.

ELIZABETH VARGAS: Names like quarterback Trent Mays and wide receiver Ma'lik Richmond, names now known for being at the center of this story. But they had been known as sophomore standouts on the team.

MA'LIK RICHMOND: The games are - they're like college or pro games (Muir and Vargas 2013).

Journalists also linked the prestige of the Steubenville football team to the possibility of a cover up of Jane Doe's rape. For example, reporter Ron Allen commented:

Two players from the local team have been arrested and charged and will stand trial next month. But a lot of people here still think there's been something of a small town cover-up to protect the football program and other students and athletes who might have been involved in the alleged incident. That's why there are now growing, passionate calls for more arrests (Guthrie and Allen 2013b).

It seems this narrative was accurate—there was some effort to conceal or suppress the case. Ohio Attorney General Mike DeWine eventually pursued criminal charges against three Steubenville officials for their failures to respond to the rape. Substantial news coverage was dedicated to these prosecutions after the verdict against Mays and Richmond. However, of more

significance for the purpose of this study is the way that Steubenville coverage problematized athletic privilege in relation to sexual assault. Perhaps the most explicit articulation of this was reporter Seth Doane's comment in one story:

Two football players, Ma`lik Richmond and Trent Mays were photographed at a party last August carrying what appears to be the unconscious victim. Both sixteen-year-old boys have been charged with rape but the jock culture of secrecy and allegations that more youths may have been involved has angered many in this town of eighteen thousand (O'Donnell and Doane 2013).

This theme is encouraging as it suggests that journalists do identify the associations between athletic privilege and sexual assault, which scholars have been discussing for decades (Benedict 1998; Schwartz and DeKeseredy 1997). Though this idea arose during the Duke case, it was quickly abandoned, and even criticized, when it became obvious that the Duke players had not raped anyone. In Steubenville, the media illuminated the arrogance and privilege that often comes with elite athletic status, and the problematic consequences that can result. Yet, news reports did not meaningfully delve into athletic privilege as a causal factor in sexual assaults. Media coverage problematized athletic privilege, but only how such privilege acts as a buffer from accountability. In covering Steubenville, journalists missed yet another opportunity to begin a more sophisticated discussion about how locker room culture and the privilege extended to elite athletes can cultivate a disregard for women, and be a causal factor in rape cases (Godenzi, Schwartz, and Dekeseredy 2001; Schwartz and DeKeseredy 1997).

The Shame of a ‘Rust Belt’ Town

Discussions about the pride Steubenville took in its football team were often accompanied by characterizations of the town as a decaying or dying community. Various media reports commented on how there was little else about which Steubenville could be proud beyond its championship football team. The reason for this, reporters often posited, was that the town was deteriorating from years of economic decline. Though they never used the pejorative term explicitly, news reports framed Steubenville as a ‘rust belt’ city. For example, NBC correspondent Ron Allen described Steubenville as such, “Steubenville, Ohio, is a struggling old, industrial town that’s seen better times. Its greatest glory now comes from the Big Red, its powerhouse high school football team, that just about everyone here is connected and devoted to” (Holt and Allen 2013b). In another report, Elizabeth Vargas made a similar characterization, stating,

Up until recently, Steubenville's claim to fame was being the birthplace of Dean Martin and former porn star Traci Lords. In the middle of this once thriving, now struggling city of 18,000, nestled on the eastern border of Ohio, stands Harding Stadium, the crown jewel of this former steel town (Muir and Vargas 2013).

By associating the town with a actor/singer from the 1950s and 60s, with a bacchanalian reputation, and a pornographic movie star from the 1980s, Vargas’ commentary framed Steubenville essentially as a ‘has been’ community. This narrative was widely applied to Steubenville; many reports from various outlets characterized the city as a community in decline. Yet, as the above quotes show, the one thing about this city that was not in decline was the high

school football team. Such a narrative contains a palpable piteousness. An entire community, passed its heyday, must cling to high school football as its only estimable asset. Yet this pathetic tale is not idiosyncratic. Even without a firm grounding in the economic history of the past half century, media audiences likely understand that Steubenville is emblematic of working class communities across the United States, where after losing their industrial economic base, various social blights have sprung up leaving little on which to base civic pride. The plight of communities like Steubenville is so pervasive in the American popular imaginary it has been featured in comedy productions such as the television show *Roseanne* and the movie *Tommy Boy*³⁵. It is so widely understood it has become a tragic punch line. In fact, some media reports acknowledged this. For instance, one report quoted a Steubenville resident likening the town to many others:

TERRELL BROWN: Teresa Justice has followed the trial at work in the Steubenville laundromat. She's a life-long resident of this old steel town where football is king.

TERESA JUSTICE: This could have happened anywhere, you know. Anywhere. But we do pride ourselves on football Friday nights. I think that it did show us in a bad light, and I don't think that's right (Mason and Brown 2013).

Passages such as this, what might be called the rust belt narrative, entail a subtext that goes well beyond Steubenville. Clearly, references to 'old steel towns' are also indirect references to the US working class. Beyond that, the rust belt narrative, references to football pride, and the shame of a community cover up of the rape coalesced to supply an revealing narrative. Roughly,

these themes might be read together as implying that the contemporary US working class, in economic and cultural decline, desperately clings to anything resembling the vestiges of its heyday in the mid-twentieth century. This desperation is so great, apparently, that working class communities are willing to excuse or ignore the rape of a young girl if it means protecting their remaining pride and prestige, in this case their beloved football team. While this may have been a somewhat valid diagnosis in the Steubenville case, when extrapolated more widely, as I have already pointed out tends to happen in such high profile cases, it becomes problematic in that it specifically associates working class culture with rape culture, ignoring the widespread prevalence of rape culture across the various classes of the US.

In addition to obfuscating it by circumscribing rape culture within the working class, the rust belt narrative serves neoliberal interests in at least two ways. First, by situating rape culture in a declining working class, it furthers the idea that patriarchal violence is a product of backwards and/or pathological subcultures, rather than springing from the mainstream cultural bedrock of US society. In this way, it works similarly to the Orientalist reporting that I discussed in previous chapters. Second, the rust belt narrative illuminates an economic process—the suppression of the US working class³⁶—that is fundamentally characteristic of neoliberal economies. However, it does so without acknowledging the role neoliberal political economy has played in causing this process, instead merely taking it as a given. Thus, it leaves audiences with the impression that the crushing class conflict that has driven the decline of communities like Steubenville is merely an inevitable consequence of the age of globalization. Furthermore, by stigmatizing Steubenville and its associated working class culture, the rust belt narrative

indirectly places a stain of backwardness on the few remaining working class groups and organizations that actively resist class conflict won through deindustrialization. As I will discuss in my conclusion, the rust belt narrative, together with the other narratives of class I have discussed throughout these three case studies, provide a revealing representation of neoliberal class structure.

Technology-as-Crime Fighter, and a Technosocial Problem

There is no question that the Internet made Steubenville a major news story. Bloggers and hacktivists not only spread awareness of this case through the Internet, but the fact that the case emerged this way enhanced its novelty. Thus the role of technology was perhaps the defining theme of Steubenville coverage. However, this theme was not monolithic. It consisted of two main narratives—technology as a crime fighter, and technology as a corruptor of the youth. Journalists dedicated much fanfare to the idea that information technology was an essential facilitator of justice in this case. However, as I will show, that idea was qualified by skepticism over the role of groups like Anonymous juxtaposed with unflinching support for technology in the hands of qualified authorities. As well, journalists ultimately framed the Steubenville case as a ‘cautionary tale’ about the effects of technology in the hands of unsupervised youths, even reframing rape as an effect of technological corruption of youth.

As I pointed out earlier, crime blogger Alexandria Goddard was the first person to publicize the Steubenville case, posting evidence such as tweets and YouTube videos on her website to expose the case to public scrutiny. The media quickly keyed in on the novelty of this,

even using Goddard as a source in some reports. For example, the following is from a feature on Goddard:

ELIZABETH VARGAS: Alexandria Goddard is a crime blogger who posted all the messages and all the names of the boys involved, even those who had not been charged with any criminal wrongdoing.

ALEXANDRIA GODDARD: And so I started looking at social media. I established who was on the team and started going through names, found their Twitter accounts, and you know, I was up all night. But within two hours, I had names and a basic idea of what was going on that night. And it was all on Twitter (Weir and Vargas 2013).

Reports such as this chronicled how the Internet facilitated Goddard's search for truth and justice, comparing her to a detective. In fact, the above quoted story characterized Goddard by stating she, "makes a living sleuthing through social media." ABC news also characterized her as a "crusader on a mission to re-construct that night and uncover how a night of teenage revelry turned into rape." Essentially, news reports supplied the narrative that Steubenville had been exposed by a social media detective-crusader. This narrative created an association between Goddard's initial revelation and the subsequent official investigation.

While the media gave ample credit to Goddard for exposing the case, they more often focused on the way that electronic evidence enabled officials' pursuit of the case. For example, reporter Lisa Bloom described how prosecutors used social media to prosecute the case:

Well, they went through all of the cell phones of all these kids. They confiscated them immediately. And they looked at the photos and the videos of what would happen. One photo was of the girl being strung really by her arms and legs by these two boys, being carried off. She clearly looked unconscious in the photo and that was critical in this case (Lauer et al. 2013).

Some news stories went a bit further, holding up the Steubenville case a representative of important changes that technology has brought to criminal justice. Legal expert Jack Ford discussed the role of technology:

JACK FORD: It shows how our world has changed so dramatically because of that. In this case, you have the situation where the incident itself, whatever it was, was first discovered as a consequence of social media. We've-- we've heard the story that the young woman involved has no recollection of this. Her family became aware of it through the social media--the postings that were up there, the videos we saw, some photographs, other comments by people--and then it became really the vehicle that-- that was-- was driving, if you will, the investigation.

NORAH O'DONNELL: Mm.

JACK FORD: So investigators-- I'll go back to the years when I was a prosecutor in-- in the mid-seventies, and your investigation would look-- look nothing like this. So this investigation driven by the information and the names that investigators were able to find this, that's why it's very different here (O'Donnell et al. 2013).

Passages such as this illuminate not only the media's recognition of the role of information technologies in the Steubenville case, but also their acknowledgement of how the Internet has fundamentally altered sociality, and in this case, particularly the administration of criminal justice. On the whole, these discussions of technology ranged from neutral to extremely positive. One of the more positive comments on this technological role came from ABC's Dan Abrams. He argued:

But in, in the end, this was case where social media ended up leading to catching these people. Meaning, so it was about accountability. So when people say, oh, you know, social media, this shows you need to be careful, yeah. But probably, the biggest lesson here is, it shows you that you need to behave in a particular way. And if you do not, you can be held accountable (Roberts et al. 2013).

In essence, journalists' discussions implied that though the Internet had changed society greatly, in the hands of capable authorities, it could be an invaluable instrument for the delivery of justice. In general, the media discussed technology as a boon to justice in the hands of Goddard and criminal justice officials.

While the media endorsed technology as a crime fighter, they also expressed particularized skepticism about the Internet's role in Steubenville. News reports repeatedly voiced concerns about the nature of social media and the role of 'hacktivists,' both directly and indirectly. For example, news reports often made basic characterizations of Steubenville as an unpredictable Internet sensation. For instance one anchor stated the case had, "exploded on

social media when some disturbing images from the alleged incident were posted online” (Holt and Allen 2013b). Another quipped, “A disturbing assault case in Steubenville, Ohio, has broken out like wildfire on social media” (O’Donnell and Mason 2013). Analogizing the case with wildfires and explosions is quite significant. Reporters clearly used such metaphors to express the rapid growth in attention to the case, but their choice of words also signifies the uncontrolled and unpredictable nature of this phenomenon. Thus, posing the case in this way, the media provided a veiled warning that this may not be a wholly positive phenomenon.

News reports often more directly articulated these concerns when discussing the role of ‘hacktivists,’ specifically the group Anonymous. Some reports did give hacktivists credit for exposing the case. For instance, correspondent Elaine Quijano reported on this:

ELAINE QUIJANO: But the Internet also helped cover important evidence against the suspects. When those incriminating posts were quickly pulled down, members of the group Anonymous and other Internet activists took up the cause and resurrected the online evidence.

MAN #4 (Anonymous Video): We will not sit idly by and watch a group of young men who turn to rape as a game or sport get the pass because of athletic ability and small town luck (O’Donnell et al. 2013).

However, as the case progressed, narratives emerged which called into question the role of Anonymous. For instance, Quijano later issued the following report:

QUIJANO: Internet activists, including the online group Anonymous, have taken up the cause, making public a torrent of now-deleted social media posts and this video of a teen talking about the alleged assault.

UNIDENTIFIED FEMALE: Trent and Ma`lik raped someone.

QUIJANO: Steubenville police and city officials launched a Web site of their own today to, quote, "disseminate most accurate information" about the case.

Ma`lik Richmond`s defense attorney, Walter Madison, says his client has been smeared by social media.

WALTER MADISON (defense attorney): You have individuals with anonymous user names and they say and do anything without any accountability. And the accountability being absent, there is an absence of reliability (Quijano 2013).

In another story, Walter Madison made a similar argument, stating, "Well, social media`s hijacked the case. It`s taken a city under siege. It`s hijacked the case and it`s cemented a public opinion based upon false innuendo, fact, and misconception" (O`Donnell et al. 2013). However, defense attorneys were not the only ones to indict hacktivism and social media. More indirectly, the Steubenville police pushed back, creating their own website to counter `disinformation.` One report chronicled this:

SETH DOANE: But city officials have shot back at accusations that they have mishandled the case in order to protect members of the town's storied football team The Big Red.

WILLIAM MCCAFFERTY (Steubenville Police Chief): There's a lot of accusations out there. Bring me something that, you know, that we can investigate and prove that this happened.

SETH DOANE: In response they've set up a website of their own called SteubenvilleFacts.org. The city manager says it's meant to disseminate the most accurate information about the case (O'Donnell and Doane 2013).

Coverage such as this implied that though hacktivists may have helped to expose the case, they eventually became a hindrance to actual justice. In one NBC report, defense attorney Madison and Ma'lik Richmond's former guardian, Greg Agresta, made this argument more explicitly:

WALTER MADISON: We cannot. Matt, it-- it has gone to the point where witnesses are reluctant to participate for fear of being vilified and-- and place their personal information on the Internet.

MATT LAUER: And the question to you, there's been some talk that other people may have been involved in this incident this night and that perhaps they are being protected because they are part of this football team and this town reveres this football team. Is that within consideration on your part, do you think there are others involved?

GREG AGRESTA: I have no comment to that. And-- and the only thing I would say is Matt, that at the end of the day we have the best judicial system in the world. Embrace the process and let it work. You know, we respect those people for the opinions that they have as far as protesting, in turn embrace the legal system. It will-- it will work and it does work, right or wrong (Lauer and Allen 2013).

In another report from ABC news, Dan Abrams made a similar proclamation:

But it's an important distinction that a single juvenile court judge will be hearing this case that starts this week. With all the emotion and the rumor and the innuendo in this town, all these groups from outside who've come into the town to protest and picket, all the attention it's gotten on the Internet to have a single sober juvenile court judge deciding the fate instead of jurors. That's good news (Stephanopoulos, Roberts, et al. 2013).

Passages such as these clearly endorsed a state-based criminal justice system as the optimal way of pursuing justice. They juxtapose an apparently neutral and calculating justice system with an emotionally political populist mob. Exemplifying this sentiment, reported Ron Allen described the Steubenville protests in the following passage:

Hundreds of protesters converged on Steubenville, demanding justice for a sixteen-year-old girl allegedly raped by two local high school football stars last August. The two young men, both also sixteen, are scheduled to stand trial next month. But that doesn't satisfy the crowd that now includes activists associated with Anonymous, the Internet-based group known for hacking into government websites.

LISA WAXLER (Demonstrator): And there were more than two kids involved. The kids that have money in this town have not been arrested (Hill and Holt 2013).

Departing from the relatively positive tone some had taken towards Anonymous, media reports like this framed the Steubenville demonstrations as a punitive mob, driven by somewhat sinister online activists. In fact, some media reports implied that two trials were at hand. One was an actual, official criminal justice proceeding, the other was essentially an online ‘trial by media’ (Greer and McLaughlin 2011, 2012). Some reports actually referenced a trial by social media. For example, one commentator remarked:

But beyond the court, the case has been playing out ferociously on social media since the night in question. The two defendants, Ma'lik Richmond, 16 and Trent Mays, 17, apparently had already been prosecuted, defended, and judged in blog posts and YouTube videos on Facebook and on Twitter (Weir and Vargas 2013).

In effect, such reports created the narrative that Richmond and Mays were being subjected to a populist trial by media online, which arguably was tantamount to virtual vigilantism. Indeed, this narrative may not have been wholly inaccurate, and concerns over trial by media are justified on many fronts. Recent media scholarship has documented how trial by media has the potential for facilitating injustice (Chagnon and Chesney–Lind 2015; Greer and McLaughlin 2012). On the other hand though, it is important to note that criticisms of virtual publics and informal justice processes are self-serving for the corporate media and criminal justice officials. These Internet-enabled social phenomena create space to challenge the dominance of both institutions.

More broadly, Steubenville made clear the media's ambivalence towards social media and what have been called online 'counter-publics' (Powell 2015; Salter 2013). Roughly, online counter publics are spaces through which issues such as sexual assault and state-based justice can be deliberated on and responded to in ways that run counter to traditional reactions in the public sphere (Salter 2013). In Steubenville, counter publics were able to publicize the case and counteract officials' lack of action in the case. The media, though not wholly condemning them, were critical of counter publics and informal justice by posing them as arbitrary and overly punitive, and ultimately, as obstacles to actual justice. This is not surprising considering the intersecting interests of the corporate media and the criminal justice system. Each supports the other, and they are both strongly invested in the neoliberal status quo. Online counter publics not only threaten the legitimacy of official power, they also challenge the cultural hegemony of the mainstream media (Powell 2015; Salter 2013). Thus, they are mutual enemies for the corporate media and carceral state.

In sum, the media's various discussions of technology as crime fighter and online counterpublics juxtaposed the implicitly desirable state-based justice system with an undesirable and unreliable informal justice process. One upshot of this is that Steubenville provided some of the media's clearest and most explicit endorsements of the criminal justice system for addressing violence against women to be found in these data. Not only did they frame the justice system as the principle way to address this problem, they also compared it to an undesirable alternative.

Complementing their critique of counter publics and trial by online media, news reports also spent a great deal of time ruminating on the influence that information technologies had on youths. Journalists quite often expressed astonishment at the fact that instead of stopping Jane Doe's rape, several youths decided to record the event, as the quotes above demonstrate. Reporters struggled to explain why this happened. If one were familiar with scholarship on gang rapes and high-profile sex crimes, they might point out that such behavior is not really novel. For instance, in one particularly high-profile rape case in New Bedford, Massachusetts, media reported that fellow patrons at a bar stood by and watched, even cheering and joking at times, as a woman was brutally gang raped on a pool table (Chancer 1994). However, exhibiting the internal myopia that so often plagues journalists, television reporters acted as if Steubenville was unprecedented (Websdale and Alvarez 1998). Instead of blaming a historically persistent rape culture, these reporters were quick to indict technology. Reporters often referred to the Steubenville case as a 'cautionary tale' about the influence of technology. For example, after the verdict one reporter reflected on the case, commenting, "It left the town of Steubenville deeply divided and in many ways tonight stands as a cautionary tale to a generation that has come of age in the era of social networking" (Guthrie and Allen 2013b). Even the judge in the case, when reading his verdict remarked on this. One NBC report captured his comments:

TERRELL BROWN: Judge Lipps finished by saying this case provides a teachable moment.

JUDGE THOMAS LIPPS: And I hope all children and parents who have seen what we saw during this trial can have discussions about how you talk to your friends, about how you record things on the social media that's so prevalent today (Glor and Brown 2013).

Some media figures went a bit further, arguing that the Steubenville case was emblematic of a fundamental change in youth culture caused by technology. Illustrating this, reporter Norah O'Donnell, Charlie Rose, and Jack Ford discussed the 'new world' of youth immersed in technology:

NORAH O'DONNELL: And then, Jack, as a parent, you said something I mean this is very different now that kids--

JACK FORD: Yeah.

NORAH O'DONNELL: --will text and tweet everything.

JACK FORD: It's a different world. You and I were talking about this before. My kids are thirty-one and twenty-seven. I wouldn't want to have sixteen-year-olds. Now everything shows up some place. Maybe that's a good thing but in some instances it's a bad thing. But it's part of their lives now.

CHARLIE ROSE: And people do it without sense of the consequences.

JACK FORD: Yeah. That's-- I mean that's the thing that's disturbing about this whole case--

CHARLIE ROSE: Yeah.

JACK FORD: --is no-- no regard for consequences.

NORAH O'DONNELL: Jack Ford, thank you (Rose, O'Donnell, and Ford 2013).

In another report, ABC enlisted Seventeen magazine Editor Ann Shoket as an expert to make sense of contemporary youth culture:

ELIZABETH VARGAS: That may be the most troubling revelation of the whole case, the idea that some kids today are awash in a pornified social media world with nude cell phone photos and explicit texting and may no longer know where that line is between cool and crime. All these boys' cell phones and some of the girls' cell phones contain pictures of girls and boys in various states of undress.

ANN SHOKET: This is just part of teen culture these days. What teens don't understand is that there are real world consequences for their online behavior, that once it's out there, you can't take it back (Muir and Vargas 2013).

The idea that children are, as Elizabeth Vargas artfully put it, 'awash in a pornified social media world,' is likely enough to give some parents a conniption. These concerns are surely justified to some degree. For instance, the Internet has unquestionably made pornography more readily available, especially to children. The effect this has had on youth sexuality is likely substantial. Moreover, the Internet can facilitate sexual predation of youths, making it a risky environment for some. Yet, journalists are perhaps too eager to pin inappropriate anxieties on this technology and exaggerate the transformative impacts the Internet has had on youth culture. One might have

reminded the likes of Jack Ford and Elizabeth Vargas that pundits have been outraged at behaviors perceived to be characteristic of each new generation as surely as the sun has risen each day. However, this seemingly did not occur to the media. Or if it did, they ignored it, looking to frame Steubenville as emblematic of an even larger story, an emergent social problem. Coverage in the wake of the Steubenville verdict attempted to do just that—create a novel social problem. Some of the Internet coverage that I will discuss in the next section provides the most colorful illustration of this. However, television coverage also provides some examples. For instance, Elizabeth Vargas and Ohio Attorney Mike DeWine had the following exchange:

MIKE DEWINE: This is not just a Steubenville problem. This is a nationwide problem.

ELIZABETH VARGAS: Sex crimes being recorded instead of reported (Muir and Vargas 2013).

Since Vargas apparently finishes his idea for him, it is unclear what DeWine's intended meaning was. He might have been referring to sexual assault in general. However, whether this is a case of selective editing or not, it is clear that ABC hoped to create the perception that this was an issue specifically linked to technology. I call this the 'technosocial problem' narrative.

Substantiating this narrative, coverage nearing the end of the Steubenville case linked it to other similar cases. Specifically, the case of Audrie Potts, who committed suicide after footage of her rape was disseminated online, was likened to the Steubenville case. In one report, correspondent Natalie Morales discussed the Potts case:

NATALIE MORALES: It's not the first time social media has played a part in teens' sexual abuse and suicide. Last month, two Steubenville, Ohio, high school football players were found guilty of rape, a case where dozens of text messages and cell phone pictures provided the evidence. And in 2010, a case that highlighted cyber bullying, eighteen-year-old Tyler Clementi, a student at Rutgers University, took his life after a roommate used a webcam to spy on him during a date with another man. Later this morning, the attorney for Audrie's parents say he will file a wrongful death suit against the three teens who were arrested.

ROBERT ALLARD: The acts that they did were so heinous. We believe we'll clearly demonstrate that this is what sent Audrie over the edge. (398)

Another report from CBS made the same characterization:

TRACY SMITH: Three teenage boys in California are facing very serious charges following the suicide of a fifteen-year-old girl they allegedly assaulted at a party. It's another one of those attacks that turned into a video posted on the Internet. Reporter Da Lin of our San Francisco station KPIX has the story.

DA LIN: It's not the first for this type of crime. A judge last month convicted two Ohio teens of rape after they assaulted an intoxicated girl and posted video of the attack on social media (Smith 2013).

Even NBC's Dr. Phil weighed in on this. Though he did not explicitly comment on online culture, he compared Steubenville to another case featuring an intoxicated victim, referring to a 'new trend:'

MATT LAUER: You kicked off the new season, the show this week. You are ending the week with a very emotional gritty story about a high-schooler who says she was raped at a party that was fueled by alcohol. Tell me about it.

DR. PHIL MCGRAW: Well, Matt, we are so concerned about this trend. We saw it in Steubenville, Ohio last year. You guys did a great job reporting on that. We have another story, this one out of North Carolina, four boys, three of them football players, and one under aged girl drinking, no adult supervision. Now, four boys are charged with second-degree rape. And if they're guilty, they can be registered sex offenders for the rest of their life (Lauer and Guthrie 2013).

One might be firstly indignant at McGraw's comments as he primarily expresses concern over the perpetrators in this case. However, also important to note are the common threads weaving through these quotes. Such coverage implies that Steubenville belongs to a novel category of delinquency. It seems from these reports, that driven by an oversexualized online culture, US teens are engaging in drinking binges-cum-sexual assaults, and eagerly recording the events for online sharing. In reality though, it is obvious that teenagers having been using alcohol and drugs for centuries. And, in fact, statistics indicate that rates of high school binge drinking have been falling for decades, while disapproval of the behavior has been rising (Johnson et al. 2014).

Furthermore, though the US may only publicly be coming to grips with the issue recently, teenage sexual assault is surely not any newer a phenomenon than teen alcohol use is. Finally, Western cultural products, such as films and literature, have also long featured rape as a spectacle (Brownmiller 1975a; Bumiller 2008; Powell 2015; Sanday 2007). A more sober assessment of Steubenville would be that it is emblematic of a long-standing social problem—sexual assault—and indicative of a rape culture that has persisted over millennia. Moreover, although there are aspects of these cases that could be considered novel, they are merely new iterations of historically persistent phenomena.

While it may be a more accurate way to characterize the case, calling Steubenville essentially old news is something reporters were likely loath to do. Old news does not sell advertising or drive ratings up. Simply put, framing Steubenville as representative of a new social problem was in the economic interest of the news media, and thus, reporting of this ilk is to be expected.

In keeping with the Thomas theorem, as misleading and inaccurate as this technosocial problem narrative may be, it still has quite real consequences. More specifically, this narrative performs at least three functions that further neoliberal interests. First, one might argue that the technosocial problem narrative used in Steubenville coverage helped to redirect popular concerns in a manner that conceals more problematic consequences of technological proliferation in under neoliberalism. Steubenville coverage implied that youth are subject to a panoptical social media world, which morally corrupts them. However, we all live in a panoptical world. And, possible

moral corruption of the youth is arguably less concerning than other proven panoptical consequences of the Information Age, for instance the massive expansion of surveillance, by not only the government, but also employers and corporate advertisers. Focusing popular concerns on the impacts technology has on our youth may distract many from more insidious impacts of the Information Age. Second, by diagnosing Steubenville and similar cases as technology-borne social pathologies, the technosocial problem narrative circumscribes these crimes in a category distinct from patriarchal violence. Basically, it ruptures the historical continuity between rape culture in the Steubenville case and rape culture before the Information Age. Functioning much like neoliberal racism (Giroux 2003), this technosocial problem narrative de-historicizes social problems and inequities. On a related note, this narrative also exhibits the neoliberal tendency to exaggerate the influence of technology. I have pointed out several times the tendency of a neoliberal press to overemphasize the promise of technology as a crime fighter. However, such overestimation can focus on positive or negative impacts; here is an example of the latter. News reports focusing on the technological corruption of youth provided a rather monocausal analysis, implying that technological influence was *the* cause of these behaviors. However, a more nuanced, and accurate analysis would pose such cases as reflective of the intersections between novel technologies and pre-existing cultural characteristics. In the case of Steubenville, technology interacted with rape culture to foment particularly horrid behavior. Yet, the technosocial problem narrative leaves out this interactive element, leading many to overestimate the socially transformative power of information technologies.

To summarize this section, media discussions on the role of technology in the Steubenville case generally entailed two themes—the relations between information technologies and crime fighting, and the emergence of a novel technosocial problem. Media reports made much of the role that evidence such as text messages and social media posts played in prosecuting Mays and Richmond for sexual assault. However, they were far more enthusiastic about officials using such evidence to pursue the case than they were concerning its use for other purposes. They were quite critical of the role played by ‘hacktivists’ who supposedly had initiated a trial by media. The underlying message provided by this narrative was that technology has promising crime fighting potential, but that potential is best realized in the hands of rational authorities, rather than through informal justice processes conducted by online counter publics (Powell 2015; Salter 2013). This constitutes perhaps the most ringing endorsement of the criminal justice system as the most desirable way to address sexual assault, as if favorably compares it to an informal alternative that is detached from the state. As well, media figures speculated that Steubenville was indicative of the influence social media has on youth culture. This influence, they implied, created an oversexualized youth culture, in which rape is a spectacle more than a crime. Such a narrative arguably functions to focus popular anxieties about technology on a non-existent social problem, averting them from more consequential technological impacts. Moreover, it dehistoricizes these sexual assaults, implying they are a new phenomenon, rather than the continuance of historically persistent patriarchal violence.

Internet News on Steubenville and Its Relation to Duke coverage

As I stated earlier, I used select articles from five popular news websites to supplement my analysis of television transcripts. This analysis illuminated several themes that were distinct to web coverage of Steubenville, as well as some that are perhaps generalizable across cases. First, it seems some sites provided coverage that problematized the Steubenville rape by incorporating more explicit feminist critiques concerning rape culture than those featured in television news. On the other hand, one outlet—unsurprisingly Fox news—supplied coverage with discernable conservative ideological inflections. Findings common to both the Duke and Steubenville cases included the presence of more editorializing content in web news, less use of media personality-experts than television news, and overall, perhaps more in-depth coverage on the Internet. Furthermore, a basic quantitative analysis of the volume of content supplied by each source, and compared to television outlets, provided few discernable patterns.

One thing that perhaps set coverage of Steubenville from Internet outlets apart from the other data I examined is that it included several articles which provided a cultural critique locating the etiology of rape in mainstream masculine norms. Incorporating feminist insights as central elements, these articles provided the most critical perspective on rape presented in any of the data. For example, one editorial from the New York Times' website critiqued victim-blaming perspectives on rape prevention and offered an alternative which placed the burden of rape prevention squarely on men. It read,

For a long time, the deal was teaching our daughters how not to get raped. Discussions revolved around not drinking too much and not wearing clothing that might seem

“inviting.” All of this places the burden solely on girls, while assuming that a male urge toward rape is unavoidable.

When we frame rape as inevitable in this way, we devalue our sons. As the mother of a boy, I will not write him off like that, and will do my best to ensure that he knows better than to rape...

I also want to raise a son who would speak up, or having failed to do so, would not protect a rapist with his silence. But I am up against many challenges. We live in a society that trades on the cult of masculinity, one in which male power and strength are championed, from the football fields outward. (Nathman 2013).

Not only does this article problematize victim blaming, but it clearly associates rape with mainstream norms of masculinity, implying that revising male socialization is a pathway to ending rape. Such coverage diverges substantially from the majority of other articles I have reviewed here, which almost always implied that the criminal justice system is the principle way to combat violence against women. Another article from the San Francisco Gate made similar assertions. It read,

[The Steubenville case] set off a series of events that make me question if American culture encourages rapists.

...what were these young men taught by adults before they raped a drunk West Virginia girl while others in the room photographed, filmed and Tweeted her debasement? That,

as star athletes, they were entitled to a little fun? And that fun is abusing and humiliating girls without any thought to the harm and personal damage they were inflicting?

(Kazakoff 2013)

Again here, mainstream masculine socialization and norms are identified as important causes of rape. Such coverage is encouraging as it suggests that Steubenville sparked a renewed discussion about rape in the mainstream media, which was informed by critical feminist insights. Very few of the data reviewed in this study before this point suggest the same. Moreover, the fact that Steubenville was the most recent case that I examined is perhaps indicative of critical feminist logic gaining more purchase in the popular American imaginary as the 21st century progresses.

Not all of the web coverage of Steubenville was quite so encouraging however. Some articles that I reviewed also made assertions that were more characteristic of a superficial and relatively vapid pseudo-feminism, akin to neoliberal feminism (Rottenberg 2014). These articles ostensibly rejected violence against women, but did so in a way that simultaneously promoted ideas that are arguably antithetical to a larger social justice feminist project. For instance, one editorial from ABC news provided tips for parents on how to educate their children about rape, alcohol, and the law. However, instead of examining rape as a form of patriarchal violence, it promoted the technosocial problem narrative that I discussed earlier. It read,

The case is a cautionary tale that highlights the dangerous mix of alcohol, sex and social media that many teens navigate nowadays. Here are tips for parents helping them to do

so from Denice A. Evans, a mother, public speaker, and the director of the award-winning documentary “Spitting Game: The College Hook Up Culture” (Lovett 2013).

The article then goes on to give tips to parents such as regulating teens’ Internet use, educating children on rape law, advocating for bystander intervention, and outlining the dangers of drinking alcohol. All of that seems to be generally prudent advice. However at no point in the article did Evans engage concepts such as patriarchy, masculinity, or even gender inequality. Her advice was essentially a recipe for rape prevention rid of any considerations of gender or the structural-cultural roots of the problem. Moreover, the focus on alcohol and cyber culture, as I have pointed out earlier, implies that sexual assault among teens is a new problem.

Another article that took a vocal, yet problematic, anti-rape stance was an editorial from the New York Post about Serena Williams’ victim-blaming statements to Rolling Stone magazine. The article went further than criticizing Williams, arguing she should lose her career because of them. It read:

The world’s No. 1 ranked tennis player, an icon to girls and women everywhere, did not apologize yesterday for blaming a rape victim for her own attack. She never issued a groveling ‘sorry.’

She suggested she might have been misquoted.

She played the victim.

And for this, Serena should pay with her career. She should be exposed as a false role model. She should be shunned (Peyser 2013).

As it is a tabloid newspaper, one might expect such fiery rhetoric from the New York Post. However, the politics of this stance are quite significant. It seems this piece constitutes some degree of appropriation of feminist ideas in an effort to stoke punitive public sentiment towards Williams. Those who are insensitive towards victims of rape, it implies, should not simply be criticized; they should be punished severely. Such a retributive zeal welds feminist opposition to rape culture to the punitive populism that has pervaded US culture since the 1980s. Furthermore, it is likely no coincidence that the Post, owned by Rupert Murdoch, was eager to publicly chastise a defiant black female athlete. In fact, further revealing the paper's politics, in this editorial, the castigation of Williams was immediately followed by a story about declining marriage rates in the US. This section began with the statement, "The good news is that gay marriage has failed to drive down the straight-marriage rate, as some have feared. The bad news is couples don't seem to care (Peyser 2013)." Such coverage is eerily reminiscent of that which Susan Faludi (1991) originally exposed in her seminal book on the rising anti-feminist backlash of the 1990s. Though it does not explicitly indict feminism, it accomplishes the same feat as anti-feminist backlash, neutralizing feminist perspectives through a cooptation of selective feminist ideas for oppositional political projects. Taking these findings into account, one could conclude that the inclusion of critical feminist perspectives in more liberal web news outlets is one possible outcome of the apparently higher degree of politicization in Internet news. However, the co-optation of feminism for conservative political ends is another.

Fox news supplied additional instances of more politicized coverage of Steubenville. The ideological character of coverage on Foxnews.com was not as brazen as that supplied by the New York Post. Yet, subtle features of coverage revealed the political texturing of Fox coverage. For example, Fox journalists refused to name Ma'lik Richmond and Trent Mays in many articles. This was done apparently in an effort to protect the privacy of the accused since they were juveniles. In fact, one Fox article contained the following editor's note:

The Associated Press named the minors charged due to the fact they have been identified in other news coverage and their names were used in open court. FoxNews.com will not name the defendants as they are being tried in juvenile court (Anon 2013b).

Such careful consideration for individuals accused of a serious crime is quite curious for a conservative news outlet that would logically be associated with a vociferous anti-crime stance. However, it would be foolish not to consider the possibility that Fox editors were going out of their way to protect these two boys because they had been accused of sexual assault, a crime which conservatives have argued has a high rate of false accusations (Gavey and Gow 2001). In fact, this effort to protect the privacy of the accused might be an 'echo effect' from the Duke case (Surette 1992). Perhaps after early news coverage supposedly sullied the names of innocent young men in the Duke case, Fox made an editorial decision to protect the privacy of the accused in rape cases. Of course, in the above-quoted editor's note, Fox claims to be protecting the privacy of the accused because they are juveniles. Verifying if this was indeed standard practice for Fox would take a substantial research project. However, to briefly check the veracity of this

claim, I searched the LexisNexis news database for Fox coverage of juvenile crimes.

Unsurprisingly, there was little coverage of juvenile crime on Fox News that was not of the serious variety that is usually transferred to adult court (e.g. homicide). However, I did quickly find at least one transcript about a less serious juvenile crime. In this news segment about a 9-year-old boy who had stolen a car, Fox journalists didn't seem hesitant to name him:

GIBSON: Today's big talker story, a 9-year-old boy's excellent adventure. First, he stole a car, led police on a high speed chase, then he sneaked onto not one, but two planes and made his way from Seattle to San Antonio. Where was he going and how did he get away with everything he did. BIG STORY correspondent Rudi Bakhtiar is here now with the details. What happened Rudi?

RUDI BAKHTIAR: John, this is an incredible story. A fourth grader named Samaj Booker, is unhappy about his family's recent move to Lakewood, Washington. He's been trying to get back to his grandfather in Dallas where he and his family used to live and he's stolen three cars to get there. His saga started on Sunday when the 9-year-old stole a car that was left running outside of a neighbor's house. He was spotted by police and a pursuit ensued, with speeds reaching up to 90 miles per hour. A 9-year-old folks. Samaj ends up crashing the car, the police catch him, release him back into his mother's custody. (Gibson 2007)

In another story about juvenile crime, Fox News host John Kasich named the offenders, though the boy he named did have a conviction record:

KASICH: Well, you know what? If they were high academically, I'll bet they'd be in jail. Because I think they reward the football players over the kids that are playing in the band.

But did you know that one of the players here, this Mr. Dailyn Campbell, this is his second conviction in juvenile court? Did you know this? This is the third time this kind has been in trouble. This is the third time.

GOLDBERG: I'm not aware of that. My understanding was that at least one of the boys had no prior criminal records.

KASICH: Right. And the quarterback had two. The quarterback has had two. And he's going to get to go out and play quarterback in another week or so, instead of going into juvenile detention. (Kasich 2006)

This is not definitive evidence of anything, but it suggestive. Perhaps Fox News' decision to hide Richmond and Mays' identities related to the crime of which they had been accused, and was not a standard practice of protecting juvenile offenders' identities.

The ideological lilt of Fox News was also on display in an early article on Steubenville, which focused on the claims made by Ma'lik Richmond's defense attorney. Richmond's attorney aggressively made the argument that the boys had been subject to an unfair trial by media, and for Fox News, highlighted the 'un-American' nature of this. The article read:

The attorney for one of two Ohio school football players charged with raping a girl after an alcohol-fueled party said Tuesday that moving forward with the case is “patently unfair and un-American” because important witnesses haven’t been compelled to testify (Anon 2013b).

The article went on to repeat the pejorative more than once, likely trying to elicit audience outrage over the trial with an appeal to their sense of American exceptionalism. Such a detail may seem minor, but it is a significant example of how Fox uses subtle ideological cues to politicize its coverage, specifically in this example by biasing coverage against the victim.

In another example of this politicization, which was not so subtle, two Fox news articles reported on the role the National Organization of Women played in shaping the public reaction to Steubenville. For example, one article read:

The National Organization of Women has pressed DeWine for months to charge Nodianos with failing to report a crime. Nodianos has said he regrets his behavior. His attorney has said the teen didn’t have firsthand knowledge of the attack (Anon 2013a).

Essentially Fox coverage associated NOW with a punitive outcry by various members of the public over Steubenville. As I remarked upon earlier, media reports implied that outside agitators, both online and in Steubenville, were whipping up public outrage over a possible cover up of the Steubenville case³⁷ to a degree that was arguably unreasonable. Demands by some for the prosecution of Michael Nodianos, a Steubenville teen who had made a video of himself joking about the rape after it had happened are one example of this. Nodianos, as the above

quote states, eventually apologized for his behavior and became a witness for the prosecution, though he was not involved in the actual assault. While his behavior was despicable, it was not criminal. That coupled with his eventual penitence made those arguing for his prosecution seem vengeful. Most media reports focused on the role Anonymous had played in exacerbating an overzealous punitive zeal directed at Nodianos and other Steubenville residents. However, only Fox News explicitly named NOW as one of those actors involved in such vengefulness. While it may have been reasonable to criticize NOW on these grounds, the deliberate choice to target them by Fox further exposes the political bent with which they reported on Steubenville. Moreover, it shows how Fox is able to still undermine feminist groups even while reporting on a case that was understood by many as emblematic of a substantial cultural shift in the US towards a rejection of rape culture.

Fox News also presented their own theory concerning Steubenville being emblematic of an emergent social problem. Providing a Fox News take on the technosocial problem narrative, Dr. Keith Ablow wrote an editorial on the social epidemic of which he saw Steubenville as characteristic:

How could this happen? I believe American teens are in the grips of a psychological epidemic that has eroded much of their capacity to connect with genuine emotion and is, therefore, crushing their empathy.

Having watched tens of thousands of YouTube videos with bizarre scenarios unfolding, having Tweeted thousands of senseless missives of no real importance, having watched

contrived “Reality TV” programs in which people are posers in false dramas about love or lust or revenge, having texted millions of times, rather than truly connecting and having lost their real faces to the fake life stories of Facebook, they look upon the actual events of their lives with no more actual investment and actual concern and actual courage than they would look upon a fictional character in a movie.

They are absent from their own lives and those of others. They are floating free in a virtual world where nothing really matters other than being cool observers of their own detached existence, occasionally, alighting on one another’s bodies, in sexual embraces that remind them—for an orgasmic moment—that they are actually alive and actually human.

The psychological epidemic dissolves courage and compassion and is the most virulent and dangerous one our culture and the world has ever face. It could ruin us (Ablow 2013).

Despite Ablow’s colorful description, his theory is questionable to say the least. Ablow provides zero evidence of this ‘epidemic’ other than his stodgy judgments of youth cyber culture. Given the foolishness of such discourse, one might be dismissive of it, but the way in which it serves Fox News’ politics is noteworthy. By situating the causes of Steubenville-type rapes in contemporary youth culture, Fox news implicitly idealizes a past characterized by a more ‘traditional’ youth culture. Ablow references ‘today’s’ youth, and implicitly juxtaposes them with the youth of the audience. Considering the demographics of Fox audiences (Ohlheiser

2014), that would mean the mid-20th century, which was characterized by arguably more traditional patriarchal norms. When he asks, ‘how could this happen?,’ and goes on to indict youth culture as essentially a recipe for sociopathy, Ablow performs an intriguing ideological trick. The assumed moral bankruptcy of contemporary youth culture is positioned as a cause of rape, while patriarchal traditionalism is positioned as a buffer against it. Not only does this de-historicize rape just like the technosocial problem narrative, it also reaffirms the normativity of traditional heteropatriarchal values.

To summarize the above, Fox News coverage of Steubenville provided some of the most clearly politicized coverage among all the data I examined. This was manifest in three ways, a subtle anti-victim stance, criticizing feminist groups, and providing a theory of Steubenville that reaffirmed heteropatriarchal traditionalism. We might contrast Fox News coverage with that from more liberal outlets that I discussed at the beginning of this section. Fox News coverage was clearly inflected with conservative political ideology, while coverage from the NY Times and SF Gate took a more feminist stance, which loosely aligns with left-of-center politics. As well, some coverage from the NY Post and ABC News took a vocal anti-rape stance, but did so in way that also served non-feminist political ends. Ultimately, it seems all of these are possible outcomes of one phenomenon that is generalizable across both the Duke and Steubenville cases—Internet news provides more ideologically explicit discourse than does television news. I have already noted that this phenomenon seems partially due to the fact that many of the web news items in my data were recycled newspaper editorials. However, that does not make the

comparison between television and web news irrelevant, especially considering the declining popularity of print news.

In light of the themes I have discussed above, which were distinctive to web coverage of Steubenville, it is possible to make some tentative conclusions about the specificities of web coverage across both cases. First it seems that Internet news provides somewhat more intellectual depth, even if that depth tends to lean in one political direction or another. This is evidenced in a very basic sense by the fact that Internet news articles tended to be longer on average than television news stories. For example, television news on Duke and Steubenville averaged 508.4 and 588.4 words respectively, while Internet stories averaged 650.8 and 625.8 words respectively. However, when I broke down these data by news organization, to compare across media, outlets, and cases, there were few if any significant patterns that emerged (see Appendix C for tables providing these data). Regardless of the average length of stories though, Internet news more often provided analytical articles that attempted to contextualize each case with discussions of broader social/political phenomena (e.g. rape culture in the case of Steubenville). This analytical content was provided in the form of newspaper-like editorials rather than hard news pieces, but their presence still offered media audiences the possibility of more insightful and sophisticated news content than that offered by television news. From a feminist perspective this is both encouraging and troubling. Content like that provided by more left-leaning outlets such as the SF Gate supply feminist critiques that are sorely needed. On the other hand, news from outlets such as Fox provided conservative counterweights that act as thinly veiled anti-feminist backlash (Faludi 1991). Thus, depending on the outlets accessed,

Internet news, when compared to television news, seems to offer content that better illuminates or further mystifies violence against women in this respect.

The inclusion of newspaper-style editorials relates to another difference between the two media, which was general across both cases. While they used editorials to provide more analytical coverage, Internet stories rarely cited media-anointed legal experts, such as Jack Ford, Roy Cooper, etc. as television news frequently did. Television news coverage of both cases regularly blended traditional reporting with insight from their in-house legal experts. These experts provided their own opinions and speculation about the case and related issues, based usually on experience as trial lawyers, and, it is important to note, not on any identifiable research or academic expertise. Such coverage often functioned to sensationalize the case as a legal spectacle. On the other hand, though they supplied substantial content that focused on each case as a legal spectacle, Internet news rarely quoted these media personality-experts. Basically, television news often blended hard news with editorializing content, while Internet news tended to separate such content into recognizable editorial pieces.

The implications of this are somewhat significant. First it suggests Internet news built up these cases less as legal spectacles than television news did. By focusing less on the legal maneuverings and technicalities of each case, web news arguably opened more space for audiences to reflect on the broader social implications of each case. Second, more generally, this indicates a lesser degree of sensationalism in web news than television news, or at least a different variety of sensationalism. The separation of editorializing content and basic news

arguably cultivates a more sober and cogent analysis of prominent cases. When opinion and speculation are clearly delineated from ‘hard facts’ audiences may be more likely to form their own opinions independent of those encoded in coverage by news outlets. This is clearly the logic that has driven newspapers to separate editorials from hard news for decades. However, it should also be noted that the distinction between ‘hard facts’ and speculative opinion is often open to interpretation. Hard news does not exist independently of the selection and construction process that is shaped by journalists’ and their sources’ values and opinions (Chibnall 1973; Gans 1979; Tuchman 1983).

As I stated earlier when discussing Internet coverage of the Duke case, these results are at best suggestive given the limitations of these data. However, the implications discussed above are worth considering. Web news likely offers substantially different messages than does television news, both in form and content. Overall though, the way in which the Internet as a medium changes the transmission and content of news messages may be less interesting or significant than the way that the Internet as a subject of discourse changes public understandings of the social. For instance, in the Steubenville case, the centrality of technosocial discourses was a far more significant finding than any differences I found between television and Internet news. This may be a generalizable conclusion—while information technologies surely effect great change in the transmission and content of discourse, collective understandings of those changes wrought by technology also have profound implications for how we understand society more broadly.

Conclusion

As the preceding shows, coverage of the Steubenville case provided an array of theoretically significant themes. The case was encouraging in that it prompted an arguably more sophisticated discussion of rape among media outlets, especially in regards to bystander intervention, experiences of victims, intoxicated non-consent, and problematizing athletic privilege. However, those encouraging themes were overshadowed in the end by more troublesome elements of media coverage. Coverage still provided racializing narratives about one of the offenders and scrutinized the patriarchal virtuousness of the victim, providing more evidence of both the racializing nature of this variety of coverage overall, as well as the continuing relevance of the logic of partial sympathy. Moreover, though they were critical of athletic privilege, media failed to etiologically associate it with sexual assault. Instead, they linked athletic privilege as it existed in Steubenville with the city's declining working class, eschewing how such privilege insulates men and boys from all sectors of society from culpability in sexual violence. Like, Tyson and Duke, Steubenville was another occasion for the media to supply messages reflective of a neoliberal class structure. Perhaps most significant of all themes was the effort by many media personalities to frame Steubenville as characteristic not of a longstanding rape culture, but a novel trend, a 'technosocial' problem borne of youth culture in the Information Age.

The denouement of all this is that while Steubenville coverage appeared to provide a more progressive conversation on rape, it largely did the opposite. The vast majority of news on this case did more to de-historicize violence against women and dissociate it from mainstream

culture than it did to illuminate rape as a historically persistent problem arising from a patriarchal culture that is anything but deviant. This de-historicization and dissociation well serves the interests of a neoliberal culture that features a strong, but perhaps modified, patriarchal thread. Put simply, though it challenged rape culture, media coverage of Steubenville also concealed the continuing relevance of patriarchy by obscuring its role in sexual assault.

Relatedly, Steubenville coverage sheds some light on collective reactions to the Information Age. Put simply, coverage was reflective of deep ambivalence towards information technologies such as the Internet, and social media more specifically. Media reports implied that in the hands of qualified authorities, information technology led to the resolution of the Steubenville case, and the delivery of impartial justice. In the hands of youth, however, it enabled wanton violence. Moreover, used by subversives, activists, or a populist herd, information technology enabled virtual lynching, and obstructed legitimate justice.

Such narratives arguably track well with a neoliberal sensibility about the value of new technologies, and their respective limits. Specifically, they endorse the criminal justice system as a means for addressing violence against women. They also further the notion that technology is an integral tool for improving crime control, and other social problems. And, they suggest that unrestrained use of such technologies by the mass public is risky, sometimes enabling crime or subversion. Thus, elitist and paternalistic control of information technologies, both by state actors and communications corporations, seems less like infringement on individual liberties and

more like a desirable risk-reduction mechanism which ensures the Internet does not destabilize society.

As I pointed out in the introduction to this chapter, coverage of Steubenville shared various similarities with the other two cases I have discussed, and there were some unique aspects to coverage as well. Steubenville perhaps best provides an archetype for the framework I have been outlining throughout this document, what I call neoliberal social problem construction. Steubenville provided an ostensibly anti-rape discussion, one which problematized this form of violence and incorporated some basic feminist insights. However, Steubenville also classified the crime in question under a category of rape disconnected from traditional patriarchal culture or any other hegemonic vectors of power. Such rapes, the press reported, are not due to a longstanding cultural tendency to dehumanize women and dismiss their suffering. They were the result of a hyper-sexualized youth culture. Moreover, this hyper-sexualization was never associated with a corporate apparatus that bombards youths with sexualized content in an effort to make them ever more enthusiastic consumers. Instead, it was the product of a technology that was intrinsically corrupting because of its liberating capacities, as it transports youths into a virtual reality freed from paternalistic supervision. Such a construction evokes public outrage towards acts of violence against women, but it never indicts hegemonic power. In fact, by reaffirming the legitimacy of criminal justice authorities, it buttresses hegemonic power. Furthermore, it suggests to the public that rape and domestic violence are caused by various forces and groups that can be easily decoupled from the core power structures that define neoliberal society. In Steubenville, the implied causes were technology in the hands

unsupervised children and an atavistic, desperate working class. However, the causes might just as easily have been a deviant minority underclass or psychologically pathological monsters. Regardless of the diagnosed causes, the undertone of such coverage is the same—the violence is a problem, but not grounds for seriously questioning fundamental power relations. Rather it is an occasion to further invest in such arrangements. In the next chapter, after briefly reviewing the main findings discussed throughout this document, I will return to the concept of neoliberal social problem construction, and discuss its implications in further detail.

Chapter 9: Conclusion-Neoliberal Social Problems

Introduction

This research is inspired by a basic assumption, which is worth reiterating as I conclude this dissertation—that the news media are powerfully influential cultural product because they shape not only our understanding of social problems, but also societal responses to them. Thus, the news media are key to fostering comprehension of violence against women, and eliciting efforts to ameliorate the issue. If media outlets consistently expose the public to news that illuminates the prevalence and etiology of rape and domestic violence, citizens will presumably demand sophisticated and broad-based responses to the violence, as well as rethink the ways that they are individually complicit in such violence. Research has shown that the depth, tone, and content of news can powerfully affect public opinions on crime and justice (Chiricos and Eschholz 2002; Eschholz 2002; Iyengar 1994; Mendelberg 1997; Surette 1996). Though this research most often has pointed to how news exacerbates punitive sentiment, news with a more holistic and restorative orientation would plausibly have the opposite effect. Furthermore, it is quite logical to assume this would be the case specifically in regards to violence against women, as it is with crime more generally.

However, as this study has shown, the media are still a long way away from regularly producing such news. The findings presented here provide little reason to conclude that, over the past two decades, mainstream media have eliminated the shortcomings for which feminist scholars have long criticized them. Very few articles that I have reviewed provided exemplary coverage that encouraged a sensitive and sophisticated awareness of this issue. On the other

hand, an overwhelming majority of articles displayed serious flaws. Though it would be unnecessarily tedious to rehash the findings I have presented in the preceding five chapters, reviewing some of the main points that suggest little improvement in news coverage is worthwhile. In the following section, I will attempt to synthesize these points into five key takeaways that summarize the basic findings of this study. After that, I will tie together various loose ends from previous chapters while discussing the overarching theoretical argument I have been building thus far—that contemporary news on violence against women is inflected with neoliberal logic, so much so that it constructs what can be considered a neoliberal ideological framework. Finally, I will conclude by discussing why this framework is profoundly important, particularly because it is one formulation of a broader, generalizable concept.

Five Key Conclusions

Thus far, this study has comprised two substantially different projects. First, I conducted a broad analysis of routine news coverage of violence against women as reported in the NY Times. Second, I performed a deep critical reading of three cases as covered by network television news to examine the significance of discourses raised in exceptional reporting on violence against women. While these two analyses are quite different in method, and have produced findings that are markedly different in their nature, they are quite complementary. Those relating to NY Times coverage represent the messages to which the public is most routinely exposed, often relating to the general parameters of the problem and society's responses. Findings relating to exceptional cases represent the issues that arise when the media encourages the public to more carefully consider the issue, particularly its causes and

consequences. Each set of analyses provided findings that help to contextualize, deepen, and further elaborate the insights provided by the other. As well, some of these findings articulate with and support each other. For instance, findings relating to the most commonly used frames demonstrate the media's general reliance on and implicit support of the criminal justice system. At the same time, findings regarding the discussion of miscarriages of justice in the Duke case provide a prominent example of the media's hesitation to examine systemic flaws in American justice. Because of this, these various findings can usefully be consolidated into five general conclusions concerning what the data show.

The first conclusion pertains to how much coverage has changed since the early 90s. Put simply, not much has changed. However, there are a few critical patterns that must be acknowledged. The second conclusion is that news coverage overall, especially routine coverage, applies a criminal justice logic in covering patriarchal violence. While this is an obvious conclusion in many ways, its implications are very important to consider. The third conclusion relates to the inclusion of feminist logic in news on violence against women. Such news provides some representation of feminist logics and critiques, but it is quite partial and selective. The fourth conclusion is that such news demonstrates race and class-based patterns, and integrates discourses encoded with subtle messages about class and race in US society. Finally, the news applies a logic of partial sympathy to both victims and perpetrators of patriarchal violence, which denies absolute sympathy to female victims of violence, and is generally contingent on traditional notions of race, class, and gender.

Two decades of change?

After examining over two decades' worth of media coverage on any particular issue, one would expect to be able to answer the question, 'what has changed?' When it comes to news about violence against women, unfortunately, the answer is 'relatively little.' Throughout these data the general tone, format, and content of news coverage changed very little. It is perhaps not surprising that over only 20 years, journalistic practice has not changed enough to be noticeably reflected in coverage on a singular issue, especially since the nature of that issue has not changed substantially. However, given the enormous changes in communications technologies and the news industry over this period of time, it would not be unreasonable to expect noticeable change. Either way, news coverage has remained remarkably consistent. Without any clear chronological markers, the average article about a rape or a femicide from 1992 could easily be confused with one from 2012.

Yet, though the basic parameters of coverage have not changed fundamentally, this study does suggest at least three noteworthy changes have happened. First, it seems that the forms of violence against women most frequently reported by journalists are changing to a degree. As I discussed in Chapter 5, sexual crimes are more frequently covered in the NY Times than are domestic violence incidents. Moreover, it appears that sex crimes involving strangers are much more common than those involving acquaintances or intimates. Moreover, it seems this pattern has become more disparate over time. Since the 1990s, the NY Times has increasingly focused on stranger sexual crimes and less decreasingly featured crimes among intimates and/or acquaintances. This is particularly troubling, as it means the social construction of violence

against women supplied to the NY Times readership is becoming more distorted over time, not less.

The second major change complements the first one. Over the same course of time, the NY Times has less frequently employed a social problem frame that illuminates how social structures and culture contribute to violence against women. While the media somewhat frequently brought attention to violence against women as a social problem in the early and mid-1990s, they have much less frequently done so since 2002. Thus, at the same time the NY Times is increasingly focusing on atypical forms of violence against women, they are producing journalism that socially contextualizes this violence less and less, further confounding public understandings of this violence.

The third major trend in coverage has to do with reporting on violence against women abroad, specifically in Islamic Nations and Africa. Since 9/11, it seems the NY Times has made an effort to more aggressively cover violence against women in Islamic and African nations. However, journalists do not cover such violence in the same way that they cover violence against women domestically. Specifically, coverage tends to employ a frame, which I refer to as the deviant sub/culture frame, that focuses on how these crimes are ostensibly overabundant in these nations, or how their cultures give rise to such violence. While they are less frequently indicting Western culture as a cause of violence against women, journalists are more frequently doing so in the case of foreign cultures.

The implications of each of these three trends are somewhat complementary. First, the increased focus on stranger sex assaults in the NY Times indicates that reporters are increasingly focusing on forms of violence against women that are associated with more general street crime, furthering the idea that violence against women is predominantly a street crime rather than one most often occurring between people that know each other. As well, the reduction in the use of domestic social problem framing reduces the context incorporated into coverage, meaning that the overall body of discourse is becoming more decontextualized and individualized, and less critical of mainstream society. Such a pattern, particularly the individualization of the issue, makes it appear more appropriate for being addressed through criminal justice action, which largely consists of case-by-case processing. To the point, both of these implications mean that coverage is becoming more supportive of state power, wielded through the criminal justice system, as the primary response to violence against women. The increase in the use of the deviant sub/culture frame also constitutes indirect support for state power, wielded militarily, as it provides a seemingly progressive cover for imperialist forays abroad.

Criminal Justice Logic

The most plainly obvious feature of these data is the presence of the criminal justice system and its agents, as sources and subjects of discussion, in nearly every article or story. As I stated earlier, this is not a surprising finding. Rape, murder, and domestic violence are serious crimes, and thus logically call for the involvement of criminal justice authorities. However, one must carefully consider the implications of this finding to truly understand its significance. It is

not just that the criminal justice system is an integral element of this journalism, but that criminal justice logic permeates coverage, to the point that it defines the problem.

I will shortly discuss the dearth of feminist voices as sources in news about violence against women. The dominance of criminal justice sources is the converse of that. Feminist voices are not just lacking, they are drowned out by criminal justice voices. For instance, nearly nine out of ten (87.5%) NY Times stories featured police or prosecutors as sources. As well, though I did not quantify sources while performing my case studies, the vast majority of these stories consisted of trial coverage, featuring various criminal justice sources, such as attorneys, police, and legal experts whose criminal justice experience was the basis of their expertise. The dominance of criminal justice sources is a major reason for the dominance of criminal justice framing. When criminal justice agents provide the majority of information for news, clearly the logics and vocabularies of the system will define coverage. Criminal justice frames were by far the most commonly used frames in NY Times coverage. These frames defined more than six out of ten NY Times articles (61.9 %). Additionally, the vast majority of television coverage I examined discussed police investigations, and more often the legal spectacles of high-profile trials. The dominance of criminal justice sources and frames does not necessarily provide a perspective that is entirely oppositional to a feminist one. In fact, some legal experts cited in television coverage provided some feminist insights. However, overall, criminal justice sources presented a criminal justice logic that did little to explain violence against women, instead prescribing a narrow set of reactive solutions to it.

In the previous chapters, I spent a great deal of time discussing the frames employed in NY Times coverage. While discussing the three television news case studies, I did not discuss the framing used in individual stories, instead examining each case as an intertextual whole to illuminate themes that were expressed through multiple stories (Reimers 2007). However, the vast majority of coverage framed each of these cases as trial-spectacles, devoting most attention to the courts as truth-seeking and justice deliverance institutions. Such coverage functioned to show audiences in great detail how legal authorities operated in exceptional cases, ultimately arriving at the truth and delivering justice. Of course two cases featured bad actors inhibiting this process, such as Durham DA Mike Nifong, and arguably, authorities in Steubenville at the beginning of that case. However, each case ended with an ostensibly just outcome—the Duke players were exonerated and Jane Doe’s attackers were convicted and sentenced. Thus, such coverage complemented routine criminal justice coverage supplied by the NY Times by portraying in depth effective, if sometimes bumpy, administration of justice under the US system.

A great deal of NY Times coverage on the other hand supplied very little depth. This coverage generally focused on the routine operations of police and courts, supplanting intellectual analysis or context with technical detail. Very often coverage focused on criminal charges levied, physical evidence, possible criminal penalties, descriptions of crime scenes, or other somewhat narrow details of investigations or adjudication of cases. Even coverage of high-profile cases supplied similar coverage at times. For instance, television media dedicated a large amount of time to discussing DNA analysis in the case. Such discourse does little to

educate audiences on the nature of violence against women but it does highlight the technical work of criminal justice agents and the machine-like routine with which the system processes unremarkable cases of such violence.

The types of crimes most often featured in these data also contributed to the dominance of criminal justice logic. The largest number of crimes featured in the NY Times data were sexual attacks by strangers, often in public spaces. About 36 percent of NY Times articles featured such crimes. Furthermore, coverage of the Tyson trial linked that acquaintance rape to black street crime. By framing him as a street hoodlum, media reports associated Mike Tyson's attack on Desiree Washington with black street criminality. Conversely, rather little coverage was devoted domestic violence in the home sphere. Only about a quarter of NY Times articles (22.3%) were dedicated to domestic violence, and the vast majority of those were dedicated to the most severe form of domestic violence possible—partner homicide. The upshot of this is that news coverage focused most heavily on the threats women face from strangers in public spaces, and least on those women face in private spaces, especially the home sphere. Furthermore, and perhaps more importantly, the media's emphasis on stranger crimes creates a social construction of violence against women that implies policing as the principle response to this issue. Because they are the primary party tasked with protecting public safety, especially in public spaces, police are the logical group to combat violence against women if it principally consists mainly of stranger attacks in public spaces. Thus, news on violence against women does a great deal to legitimize policing in the United States, as violence against women is added to the host of other issues to which police are tasked with responding.

The above demonstrates that the vast majority of coverage in these data supplied messages that were directly or indirectly supportive of the criminal justice system, and by extension the state. However, it is also important to note what is absent from coverage, specifically explicit challenges to the criminal justice system or other key state institutions. As I mentioned in Chapter 4, only 16.8 percent of articles featured frames that supplied substantial critiques the criminal justice system or other major institutions. Moreover, the Duke case, which prominently featured a serious miscarriage of justice, framed this injustice as the product of a single bad actor, despite the large numbers of wrongful convictions that occur in the United States. And, coverage of Steubenville favorably compared the justice system to an informal justice process detached from the state. Essentially, most coverage featured the successes of the criminal justice system, and very seldom did coverage criticize the system (even when it was appropriate), despite the obvious problems in the system, both in regards to addressing violence against women specifically, as well as crime in general (Bumiller 2008; Gottschalk 2014; Pizzi 1999). In sum, all of the above clearly suggests that media coverage firmly grants ownership of this issue to the criminal justice system, portraying it as an effective response mechanism.

A partial representation of feminist critiques

One of the first critiques raised about how the media treats violence against women regards its relatively scarcity. Second-wave feminists have argued that Western society failed to meaningfully address violence against women (Brownmiller 1975a). The news media were no exception. At one point, the media were largely dismissive of this issue, ignoring or downplaying the vast majority of sexual and domestic violence perpetrated against women

(Brownmiller 1975a; Howe 1997). For the greater part of the 20th century, news outlets treated domestic violence as a private family matter and defined rape as a true crime only when strangers and/or ostensibly large amounts of force were involved.

The results of this study and others suggest that has changed to a degree (Gillespie et al. 2013; McDonald 1999; Richards et al. 2011; Taylor 2009). The news media surely pay more attention to the issue of violence against women than they did before the 1970s or 80s. Given that, one can conclude that media attention to this problem is not insubstantial. Asserting that news media largely ignore violence against women would be disingenuous. It is clearly something that garners significant attention. Yet, perhaps the amount of attention paid to this issue is secondary to the manner in which it is covered, and the manner in which media cover this violence surely leaves something to be desired. Scarcity may not necessarily be an issue, but the quality surely is. One might estimate the quality of this news coverage in regards to the degree to which the news integrates and or reflects feminist claims about patriarchal violence³⁸. The mere fact that news problematizes violence against women suggests that the media have internalized feminist knowledge to a certain extent. But, it is necessary to examine this a bit deeper. To what degree have the media integrated feminist insights into coverage? For the reasons outlined below, the answer is not too much.

News coverage of gender violence often lacks continuity. Wendy Kozol (1995) has asserted that the news media continually ‘rediscover’ violence against women as a novel problem. Moreover, Websdale and Alvarez (1998) have accused the press of ‘internal myopia,’

meaning journalists pay little attention to previous coverage, and fail to build upon the extant corpus of journalistic knowledge concerning violence against women. The findings presented here illustrate this quite well, specifically in regards to violence against women on the college campus and in the military. News on these two topics was a steady presence throughout the sampling time frame, as Chapter 5 showed. Media reports often expressed shock and outrage at such crimes. Yet, no reports ever referenced the fact that both of these issues have long been documented, but neither the military nor universities seem to have implemented anything nearing an effective response. Simply put, news coverage does constitute an integrated and evolving body of discursive knowledge. It instead consists of intermittent bursts of somewhat outraged attention, which generally fail to do more than scratch the surface of this important social issue. This starkly contrasts with the fact that feminist scholars documented how these issues have long existed on the college campus and in the military, while these institutions have generally mounted responses ranging from ineffective to disingenuous (Benedict 1998; Brownmiller 1975a; Koss and Gaines 1993; Sanday 2007; Schwartz and DeKeseredy 1997). News media have clearly either ignored or failed to meaningfully grasp these insights.

As I have alluded to several times, another well-established feminist critique of the news media concerns their inclusion of victim-blaming discourses. I will discuss the intricacies and nuances of victim blaming below, but its presence is worth noting here as well. Though the nature victim blaming may have changed over the past several decades, and these data suggest it is becoming less common, it is still clearly a relatively common presence. About 20 percent of articles in my analysis of NY Times reporting featured victim-blaming discourses, and they were

a significant theme in all three case studies as well. Victim blaming was particularly common when news media sought to provide explanations for incidents. It is discouraging that journalists still fall back to victim-blaming logics when explaining violence against women. But, more importantly, it is suggestive of their resistance to feminist arguments against such reasoning.

The sourcing of news stories also evidences the limited inclusion of feminist knowledge in these data. The vast majority of sources cited in NY Times coverage were criminal justice agents. However, 21.1 percent of articles did include advocate, activist sources, and/or academic sources. This indicates some acknowledgement of feminist insights. Yet it must be noted just how limited this is. Most of the advocate sources cited were from organizations, such as victim advocacy agencies, battered women's shelters, etc., which are largely integrated into a state-managed response system that is dominated by the criminal justice system and otherwise characterized by technocratic/medicalizing logics (Bumiller 2008). Thus, the perspectives of these sources tended to represent a watered-down liberal feminism attenuated by their reliance on these medicalizing and technocratic logics. Furthermore, critical feminist voices were nearly absent in these data. Only one critical feminist scholar, Helen Benedict, was cited throughout all of the stories analyzed, though several activists that were featured expounded ostensibly critical feminist perspectives. Yet, these voices were clearly drowned out by others advocating perspectives that offered little challenge to dominant race, class, and/or gender regimes. Among the three case studies I performed, only the Steubenville case gave significant voice to critical feminist perspectives, but these were minority voices. Overall, news media seem reluctant to give voice to feminist sources that directly confront the structural and cultural roots of violence

against women. Instead, on the relatively uncommon instances that they include feminist sources, they rely on those that have been integrated into core sites of hegemonic power.

The inclusion of advocate/activist and academic sources closely correlated with the presence of pro-feminist discourses in the NY Times data. Nearly one in ten NY Times articles featured pro-feminist discourses. This is a substantial proportion, and thus, is indicative of some inclusion of feminist knowledge. However, as I noted, it appeared that journalists attempted to create ideological balance at times by coupling pro-feminist discourse with anti-feminist discourse in the same article. Though the NY Times more frequently featured pro-feminist discourse than anti-feminist discourse, such coverage demonstrates an inclination to at least explore the notion that feminism is arcane or oppressive in some respect. In addition to the inclusion of anti-feminist discourse in NY Times coverage, it is important to consider the clear anti-feminist outcome of the Duke case. Coverage of Duke concluded with several media outlets pushing the idea that a group of liberal/radical Duke faculty had, if not caused, exacerbated the debacle that the case became. Moreover, media outlets lent credence to the theory, put forth in *Until Proven Innocent* (2008), that the Duke case was indicative of cultural corruption at the hands of leftists, particularly feminists. It would not be useful at this point to debate the balance between pro- and anti-feminist coverage. Yet, it is clear that both were substantial themes in these data.

To summarize, based on the results of this analysis, one can conclude that mainstream news does include feminist knowledge to some degree, but that it is limited. It only goes far

enough to create the perception that feminist knowledge is influential. News does problematize violence against women, but in a partial, de-historicized manner that tends to ignore its continuity throughout time.

A logic of partial sympathy

The inclusion of anti-feminist discourse is one patriarchal feature of this body of coverage. The inclusion of victim-blaming discourse is perhaps a clearer indicator of the patriarchal inflections in the news. A substantial proportion of these data focused on victims of violence against women. As discussed earlier, one of the most commonly levied critiques of news on violence against women is that when media focus on victims, they often blame them for the violence they suffer (Berns 2004; Meyers 1994; Taylor 2009). The findings of this study support that argument in some ways. However, the media coverage examined here also cultivated sympathy for victims somewhat frequently, and it seems victim blaming is decreasing to some degree. Ironically, the media often both blame victims and cultivate sympathy for them, sometimes nearly simultaneously. For instance, while covering the Mike Tyson case, at times the same news story would portray Desiree Washington as an admirable and sympathetic character, and shortly afterward question whether she was a lying ‘gold digger.’ Thus, perhaps it is most useful not to singly consider the presence victim blaming or sympathy cultivation, but how the media subject victims to a logic of partial sympathy.

This logic of partial sympathy does not so much reserve sympathy only for certain victims, but associates true victimhood with certain criteria and victim culpability with others. The criteria for true victimhood are predicated on patriarchal gender norms and middle class

values, such as chastity, educational success, religiousness, temperance, etc. Thus, women who meet these standards only partially are both the object of sympathy and blamed for their suffering. Such was the case for Desiree Washington and Jane Doe. Media reports cultivated sympathy for them by describing their virtues—they were successful students, innocent, religious, athletic, etc. However, narratives also crept in which made them seem less sympathetic. Had Desiree Washington made lewd remarks about Mike Tyson's buttocks? Did Jane Doe have a history of escapades mixing alcohol with sex?

Crystal Mangum, however, met none of the criteria for sympathy. Mangum was a sex worker, a single mother, mentally ill, a drug user, and had a criminal record. Those characteristics, along with her race firmly planted her in a marginal, dangerous class in the mainstream imaginary. Beyond that, she had committed the ultimate crime against patriarchy by falsely accusing hegemonic males of rape. All of this disqualified her from receiving public sympathy. In reality, Mangum was surely an actual victim in some significant ways, despite her false accusation. It is entirely possible that the first accusation of rape she made as a teenager was truthful. Moreover, she was unquestionably abused by men throughout her adult life, especially by the Duke players that treated her as a prop for their amusement on March 13, 2006. None of this mattered however, as she resolutely failed the test for sympathy that the media seem to compulsively use in cases of violence against women.

The logic of partial sympathy also influences how perpetrators and the accused are treated. Clearly those who most closely meet the standards of mainstream hegemonic

masculinity are granted the most sympathy in the press (Connell and Messerschmidt 2005).

When it became more clear that the Duke players were likely innocent, media reports were quick to commend them and celebrate the values they were framed to represent, implying that these young men should have been supported from the outset of the case. Media agents also expressed some sympathy to Trent Mays and Malik Richmond, fretting over their fall from grace.

Moreover, my findings from NY Times data suggested victim blaming is more likely when perpetrators are privileged.

This logic of sympathy is partial in two ways. First, it means that effectively, no woman is eligible for absolute sympathy (while the Duke case suggests that privileged men are). Unless a woman flawlessly meets the standards of patriarchal virtue, the press will express some skepticism towards her claims, using any non-virtuous behavior to impugn her credibility. Second, the logic is partial in that it is based on a valuation of patriarchal standards. The grounds on which media blame victims for their suffering are based on patriarchal ideas concerning proper female behavior (chastity, temperance, submissiveness, subservience, etc.). As well, the grounds on which media sympathize with offenders are based on ideas of hegemonic masculinity (Connell and Messerschmidt 2005). Thus, the logic of partial sympathy both obscures acts of violence against women and more broadly supports general patriarchal ideology.

There is reason to believe journalists are less likely today to engage in victim blaming than they once were. This study, and others have found decreases in victim blaming (Fairbairn and Dawson 2013). Research has also shown that the public is more informed about violence

against women and more sympathetic to victims today compared to decades ago (Berns 2004). It is also reasonable to assume that forms of victim blaming have changed over this time, for example by becoming more subtle and less direct (Taylor 2009). However, as the above demonstrates, victim blaming has not gone away. Furthermore, victim-blaming discourses are just components of a deeper logic that textures sympathy for victims in rather hegemonic terms. That phenomenon is under no threat of disappearing any time soon.

Marginalized groups

The logic of selective sympathy is closely related to the fourth major empirical conclusion of this study—that news on violence against women supplies copious racializing and class-based discourses. These discourses translate into less sympathetic coverage of marginalized groups (both as victims and perpetrators). Essentially, just as previous studies have shown, the findings discussed here confirm that media coverage of violence against women reinforces and perpetuates the stigma and marginality suffered by non-whites (especially blacks and Latinos) and the poor (Chancer 1994; Meyers 2004).

Findings from my analysis of NY Times data show that blacks and Hispanics are disproportionately portrayed as abusers and rapists, while Latina women are far less commonly featured than white women as victims. Moreover, constructions of white, middle class victims correlate with more problematizing coverage. Conversely, constructions of white, privileged males correlate with victim blaming. Beyond this, it is important to acknowledge that the disproportionate representation of street crimes in these data is racializing as well, as such crimes are associated with black males, and also to Latinos (Barlow 1998; Chiricos and Eschholz 2002;

Gottschalk 2014; Wacquant 2009). While such coverage does not loudly propound explicit stereotypes about non-white criminality, it perpetuates a subtle symbolic racism that is more effective in a world where explicit racism is rejected (Entman and Rojecki 2001; Giroux 2003). Essentially, NY Times coverage implicitly associates violence against women with a non-white criminal underclass without ever having to expressly call out these groups as socially undesirable.

While the racializing and class-based coverage in the NY Times was somewhat subtle, the Mike Tyson, Duke, and Steubenville cases provided vivid illustrations of these phenomena. Coverage of Tyson, as I demonstrated in Chapter 6, portrayed him in various dehumanizing ways, comparing him to a machine, an animal, and a monster. They also applied a white savior narrative, which implied that Cus D'Mato had plucked Tyson from an early criminal childhood that would have inevitably led to an adult criminal career. Moreover, the press linked his childhood street delinquency with his abuse of women, discursively bridging black street crime with abuse of women by intimates and acquaintances, particularly date rape. Desiree Washington was racialized as well, sometimes implicitly as essentially a credit to her race, and more explicitly when she was referred to as a 'gold digger.' On the other hand, Washington was also celebrated as a paragon of middle-class values by many news reports, exemplifying what Nikki Jones calls 'black respectability' (Jones 2010). Coverage was generally more favorable to Washington than Tyson, presumably in part because the trial pitted a 'respectable' black woman against Tyson as a member of a black criminal underclass.

The Duke case also supplied abundant messages about class and race. As I pointed out in Chapter 7, what might have become an important conversation about miscarriages of justice and the flaws in our justice system became a celebration of middle-class masculinity and a denigration of the black community, as well as social justice politics. The Duke Lacrosse players were celebrated as heroes, whose privilege, manifest in their ‘character’ and achievements, gave them the resilience to resist a rogue prosecutor and vengeful black community looking to ‘lynch’ them. Crystal Mangum, however, was cast, like Tyson, as a member of the black underclass—a criminal, sex worker, and drug abuser. Moreover, as the case was finally resolved, some media outlets intimated that it was reflective of the corrupting power that blacks, as well as feminists and leftists were exerting on the academy, media, and US society more broadly.

Coverage of Steubenville was perhaps the least racially charged of the cases, though it was not without any racialized content. Coverage focused on Ma’lik Richmond’s upbringing in a high-crime, presumably majority black, neighborhood and his father’s criminal record. This subtly associated Richmond with the same black underclass as Tyson and Mangum. As well, the media employed the same white savior narrative as they did in the Tyson case, implying his white adoptive parents had saved him from full immersion in this underclass. More importantly, however, coverage of Steubenville subtly impugned the working class community. Framing Steubenville as a deteriorating ‘rust belt’ city, media reports obliquely linked the decline of the US working class with a culture desperately clinging to trivial points of pride.

In addition to the above, it is important to note how each case study reflected some degree of insensitivity to the issue of racism. This was most clearly evidenced in the Tyson and Duke cases. Coverage of the Tyson case framed racism in a simplistic ‘zero sum’ way, that implied Tyson was either guilty or the victim of a racist system, but could not be both. Additionally, the Duke case provided various narratives that existing racial power imbalances, and ignored the historical continuity of racism in the South.

Finally, added to all this, the racializing function of feminist Orientalism should be noted (Eisenstein 2010; Ferguson 2005). NY Times coverage that indicts foreign cultures in violence against women while obscuring the role of Western culture exacerbates not only hostility towards Islamic cultures, but also the general sense of difference that the public feels towards Eastern societies and the global South. As well, one might note that the economic disparities and relations across the globe constitute something akin to a transnational class relation structure, which is highly unequal. Thus, such coverage makes global race relations tenser, reifies conceptions of race, and obliquely justifies global economic disparities.

In sum, these data illuminate various ways in which news coverage of violence against women affords far less sympathy to marginalized groups, while celebrating those closest to the hegemonic core of mainstream Western society. This is not a new finding. Various scholars have pointed out how mediated sympathy for victims and outrage over acts of violence against women is textured along class and race lines for some time (Chancer 1994; Grover and Soothill 1996; Kozol 1995; Meyers 1994, 2004). But it is important to note here, as it is a central feature

of coverage, which must be discussed in order to map out the major patterns of coverage.

Furthermore, it is a pillar on which the larger neoliberal framework that I am identifying here is built.

To reiterate, the five overarching empirical conclusions that can be derived from this analysis are that this news has remained relatively consistent since the 1990s; relies on a criminal justice logic to define the issue and prescribe solutions; provides only a selection of feminist and pseudo-feminist voices while reporting on violence against women; subjects victims (and offenders) to a logic of partial sympathy; and reinforces the marginalization of lower-class and racially othered groups. To understand the implications of such conclusions, one might return to the conclusions from Chapter 4, where I differentiated among hegemonic and counterhegemonic frames and individualizing and collective ones. In essence, the overarching empirical conclusions that can be drawn from this analysis support the broader conclusion that for the past two decades, mainstream news media have continued to cover violence against women in a decontextualized and hegemonic manner. Especially in regards to the criminal justice system and state power, news on violence against women does a great deal to cultivate support for the status quo, in particular by portraying state actors as interested and relatively effective parties responding to this issue. Furthermore, this news rarely gives voice to perspectives that challenge the status quo. Relatedly news also covers violence against women in a highly decontextualized manner, which implies individual-level causes and solutions rather than collective ones. This means media mostly fail to explain the roles played by patriarchy, racism, poverty, imperialism, etc. in the etiology and/or perpetuation of violence against women. As I have pointed out several

times, this is a conclusion at which many scholars have already arrived (Benedict 1993; Berns 2004; Chancer 1994; Kozol 1995; Meyers 1994; Websdale and Alvarez 1998). However, it is important to consider these conclusions in relation to the cultural atmosphere that currently dominates US society—a condition that many refer to as neoliberalism.

Neoliberal Social Problem Construction

The five overarching conclusions discussed above led to the main thesis of this study, that this body of news constructs and employs an ideological framework that is highly inflected by neoliberalism. In fact, this framework can be conceptualized as a generalizable method of understanding that I call neoliberal social problem construction. In this section, I will more specifically discuss how some of the major features of news coverage reflect neoliberal logics, legitimize central features of neoliberal society, and serve neoliberal interests, basically mapping this framework and neoliberal values and interests. And, finally, I will conclude by discussing the implications of this thesis and the generalizability of this model.

Criminal justice ownership of the issue

Again, the most plainly obvious conclusion to be gleaned from this analysis is the media's application of a criminal justice logic towards violence against women. Put simply, this news coverage of this violence grants ownership of this issue to the criminal justice system. I have spent a great deal of space documenting this so far, so there is little need to rehash that analysis. However, the implications of this must be discussed further.

Scholars such as Wacquant (2009) and Bumiller (2008) have persuasively argued that under neoliberalism, the US state relies on the criminal justice system as the principle

governmental agent of social control (Bumiller 2008; Wacquant 2009). As I pointed out in Chapter 2, such scholars argue that the enormous inequality caused by neoliberal economies creates social instability, and/or heightened fear of it among elites. A coercive state apparatus, such as the criminal justice system, is more attractive to neoliberals (and neoconservatives) than social welfare for addressing instability, and implicitly, heading off possible insurrection. Thus, an expansive criminal justice system serves the interests of neoliberalism.

There are also logical affinities between the traditional US justice system and neoliberalism. First, while in its purest form, neoliberalism entails a severely restricted state, in practice it tends to entail a state that is restricted in regards to the provision of social services and regulation of business, but also features a rather robust military and criminal justice system (Brown 2006; Harvey 2007; Wacquant 2009). It is necessary to note that this is particularly true in the US given the blending of neoliberal and neoconservative politics here (Brown 2006). Thus, the particular variety of neoliberalism practiced in the US entails the valuation of state coercion as an integral logic.

Second, neoliberalism conceptualizes the individual as the principle social unit. The criminal justice system operates on the same logic to a degree. The US criminal justice system processes cases individually, investigating, apprehending, adjudicating and punishing individuals³⁹. Moreover, there is generally little consideration of social context or collective effects in US justice. The Supreme Court's ruling on racism and the death penalty exemplifies this. In 1987, the US Supreme Court ruled that the existence of racial disparities in the issuance

of death sentences was not by itself unconstitutional. Instead, they ruled, what should be at question is racial bias in individual cases (Kennedy 1988). Essentially, the US system is geared towards individual, not social, justice. Such an approach clearly resonates with the neoliberal conceptualization of society as merely the aggregation of individuals (Harvey 2007).

Essentially, media coverage buttresses support for coercive state power by portraying the criminal justice system as the appropriate response to violence against women, augmenting the perceived crime control function of the system. Also, by providing another example of individualized solutions to social problems, it furthers neoliberal thinking overall, supporting the notion that individualized approaches to social problems are effective.

Class and inequality

News on violence against women also promotes a neoliberal vision of class structure and relations. Neoliberal economic policies cause high levels of inequality and strained class relations (Harvey 2007; Wacquant 2009). However, just like any other capitalist ideology, neoliberal culture often works to naturalize and mystify such relations. The media coverage examined here provided various examples of this.

Much coverage furthered US fantasies concerning the normativity of the middle class. Economically privileged women were often positioned as the most sympathetic victims among news stories. This is illustrated by class-based patterns in NY Times coverage, as well as the way in which sympathy towards Desiree Washington was cultivated in the Tyson case. Further, as I pointed out in Chapter 7, the media were particularly laudatory towards middle class society

in the Duke case, when they heralded the Duke Lacrosse players as men of impeccable character, and their families as paragons of virtue. Important to note too is that the middle class celebrated in the Duke case is a narrower and more elite one than the middle class of decades past. Such a restricted middle class is consistent with the high amount of inequality promoted by neoliberal economic policies (Harvey 2007; Heiman et al. 2012). The Steubenville case illustrated a complementary harshness in the media towards working class society, as discussed in Chapter 8. Though this theme was implicit, coverage clearly denigrated the town, and by extension the culture within it.

These data also comprised substantial discourse that associated violence against women with a criminal black underclass. This was most apparent in media reports linking Mike Tyson's delinquent childhood with his abuse of his wife and attack on Desiree Washington. However, the way that media outlets discussed Ma'lik Richmond also made the same association. Additionally, the race and class patterns I discussed in Chapter 5 illustrated this association as well.

Taken in aggregation, these news accounts provide a partial sketch of neoliberal class relations. In this sketch, 'mainstream' society seems to consist of wealthy, mostly white people. An arcane working class culture exists on the fringes of that mainstream society, but it is declining. At the bottom of the socio-economic ladder lies a highly problematic criminal underclass, consisting of mostly non-whites. Such a portrait is consistent with an ideal-typical neoliberal society in which a narrow group enjoys economic prosperity, or even stability, while

most others live a rather underprivileged and stigmatized existence. Furthermore, though they constitute a very limited proportion of society, the middle- and upper-class are what is popularly considered ‘mainstream’ society (Harvey 2007; Heiman et al. 2012). While media coverage illuminated such a class structure, it never questioned why it existed. The uncritical acceptance of such arrangements in media coverage reflects and perpetuates a culture in which the causes of them are not just accepted, but invisible.

Racialized crime and neoliberal racism

Neoliberal notions of class are also quite intertwined with notions of race, as I alluded to above. Much research has shown that the US public tends to associate middle class society with whiteness and poverty and crime with non-whites, particularly black people (Gottschalk 2014; Wacquant 2009). The media do not disseminate such ideas explicitly, but by providing crime coverage that honors white middle class victims, and problematizes black street crime, they contribute to a feedback loop, which reproduces and reinforces the racialization of crime and mainstream society, as well as class stigma.

As I showed in my analysis of the NY Times, and my studies of the Tyson and Duke cases, media coverage of violence against women seems to do this quite frequently. In particular, the Tyson case showed how the media create associations between blackness, poverty, street crime, and violence against women. As well, the Duke case provided a strong example of the media’s positively tinted association of white middle class culture, and complementary denigration of poor blacks. Such thinking legitimizes the racial inequality that exists under

neoliberalism because it frames the racialized ‘haves’ as deserving and the ‘have-nots’ as undeserving.

Relatedly, both case studies illustrated the media’s simplistic treatment of racism. As I discussed in Chapter 6, media treated accusations of racism against Tyson in a superficial and simplistic way. Media reports implied that Tyson was either being railroaded by a racist society, or his supporters’ accusations were mere distractions from his guilt. Media coverage of Duke went one step further, downplaying anti-black racism while implying that the Duke players were subjected to anti-white racism, and were the targets for vengeful blacks. Clearly, such a focus on whites being the victims of racial animus inverts US race relations, posing whites as the threatened group. In the Duke case, it also served to distract attention from the role of historical racism in the case. Instead of considering why Duke players casted racial epithets at Crystal Mangum and her associate, or how the legacy of racism in the South affected public reactions to the case, the media spent more time highlighting how discrimination affected three rich white Duke Lacrosse players.

Accusations of racism often challenge white hegemony by problematizing basic race relations. Challenges to white hegemony are by extension challenges to neoliberal dominance. A serious reconfiguring of race relations in the US would inevitably involve the redistribution of wealth and power, which is preponderantly held by whites. Such redistribution, unless accomplished solely through free market mechanisms, is antithetical to neoliberalism (Duggan 2004). Thus, the media’s treatment of racism is likely somewhat reflective of neoliberal

resistance to social justice agendas, and furthers neoliberal interests by fostering public hostility to redistributive politics. More broadly, all of this is indicative of a neoliberal orientation towards race relations and history, what has been deemed ‘neoliberal racism’—a tendency to mystify, dehistoricize, and individualize race relations to the point that structural and institutional racism become invisible (Giroux 2003).

Technology and technocratic problem solving

One of the questions that inspired this study was how much the Internet has changed journalism about violence against women. There was little evidence to suggest that this news had changed much in its general format or tone. However, the findings here do suggest that the Internet and other information technologies are important to cultural discourse in that the news pins various aspirations and anxieties on them. More specifically, this analysis has demonstrated how discussions concerning relatively novel technologies frame them as important solutions to, and/or drivers of social problems. This is particularly important when one considers the argument that neoliberal ideology often fetishizes such technologies as panacea for various social ills (Byers and Johnson 2009; Wacquant 2009). Thus, the centrality of such technologies in crime news is another aspect of coverage that reflects and serves neoliberal values.

Both NY Times coverage and television news on Duke demonstrated the media’s tendency to promote DNA analysis as an important tool for criminal justice administration. NY Times coverage frequently featured discussions concerning the use of DNA analysis in uncovering wrongful convictions, despite the fact that the vast majority of criminal cases involve no DNA evidence, even in instances of violence against women. No articles discussed the

various systemic issues that lead to wrongful convictions, such as widespread overzealous prosecutions, nor did they explore how the use of forensic evidence is sometimes implicated in wrongful convictions (Garrett and Neufeld 2009; Pizzi 1999). NY Times stories also portrayed DNA registries as an important means of stopping serial sexual predators and by extension sexual violence, though such serial predators do not comprise the majority of sex offenders (Gottschalk 2014). Additionally, television coverage of Duke demonstrated a fixation on narrow technical details of DNA evidence. While it may have been justified in some ways, this fixation arguably came at the cost of discussing wider implications of the case (e.g. the overall frequency of wrongful convictions). Moreover, some stories revealed media pundits' assumptions that the wider public was obsessed with forensic evidence, causing a 'CSI effect,' the actual existence of which has been somewhat refuted (Byers and Johnson 2009).

The Steubenville case most clearly illustrated the centrality of information technologies in media coverage. The case gained notoriety at least partially because of the narrative that the Internet had helped solve a crime, promoting information technologies as important instruments for crime fighting. However, as I pointed out, the media ultimately fostered skepticism about the influence that virtual counter-publics (Salter 2013) exerted in the case, cultivating the impression that the Internet had troublesome consequences when used in an unrestrained and unregulated manner by the public, or by subversives, such as Anonymous.

Beyond that, several media outlets argued that Steubenville was indicative of cultural corruption, caused by a hyper-sexualized youth culture incubated in the virtual world.

Essentially, they believed that sexual assaults like the Steubenville case were a result of problematic interactions between technology and society—what I have deemed ‘technosocial’ problems. Instead of considering Steubenville as another incident of historically persistent violence against women, journalists used collective concerns about the pervasiveness of information technologies to frame it as a novel issue. Such concerns might seem like the opposite of technology worship, but worship and anxiety are two converse sides of the same phenomenon—fetishization. Whether it be in a positive or negative regard, neoliberal ideology positions technology as a central agent of social change, masking the complex interactions between technologies and social factors.

In essence, this analysis reflects how discourses about technology function in neoliberal society in several important ways. First, such discourses can function as a distraction from calls for structural social change and/or the presence of historically persistent social problems. Technological fixes to social problems, such as crime, offer less of a challenge to existing economic and political arrangements than social solutions. Anxieties over new technologies can also act as a less critical proxy for cultural and political critique. Blaming sexual assault on Internet youth culture diverts social critique from central vectors of power, such as gender dynamics. Moreover, discourses of technology in these data had an authoritarian, anti-populist bent. Concerns over the use of information technologies by subversives help to justify panoptical surveillance of the Internet by the state. And, skepticism towards claims making by Internet counter-publics buttresses the corporate media’s symbolic authority over civil society.

Thus, these discourses reflect and reinforce neoliberal technology fetishization, are anti-populist, and most importantly help to neutralize social justice demands.

Neoliberal feminism?

As I have discussed, media coverage of violence against women does entail some inclusion of feminist perspectives. Feminist critics might argue that the dominant understanding of violence against women is patriarchal, while conservatives often see it as feminist (Berns 2004). Yet, it seems that the understanding promoted by the mainstream media is a neoliberal one that is in some respects, both patriarchal and feminist. The version of feminist knowledge presented in the news is selective and partial enough that occupies a cleverly non-contradictory space in neoliberal ideology, offering both a challenge to and reaffirmation of patriarchy.

Mainstream media clearly do problematize violence against women, and cultivate public concerns over this issue. As such attention is the direct result of efforts made by second-wave feminists, this in itself is inclusion of feminist knowledge. However, media recognition of the problem is, as discussed many times already, very individualized. For instance, focusing on violence against women as addressed by police and courts involves case-by-case recognition and often a complementary ignorance of social context and trends. Additionally, media coverage often ascribes violence against women to individual-level shortcomings. To the point, news about the Tyson trial implied that his woman abuse was caused by an inability to control his anger. On the other hand, factors like patriarchy and masculinity are never featured in media coverage as causes. Basically, media incorporate feminist concerns about the problem, but not feminist explanations of it. Thus, media attention does little to indict the underlying power

vectors that cause violence against women—the same power vectors that have given rise to neoliberal society.

Even the feminist sources cited by media coverage serve neoliberal interests. These sources are most often advocates who work in a network of non-profits and governmental organizations that are forced to align with the criminal justice system while trying to serve victims of woman abuse. They are supplementary parts in an expansive state apparatus that exercises coercive and panoptical power over the public, especially victims and offenders caught up in the criminal justice system (Bumiller 2008). The media's recognition of these sources as the primary voices of feminism welds state power to feminism in the public imaginary, simultaneously buttressing state legitimacy and enervating critical feminist critiques in the public mind.

While the media do cultivate concerns about woman abuse, they do so far more when women of particular groups are victimized. Specifically, as this discussion noted, they do much more to cultivate concern over the abuse of 'respectable' women—meaning economically privileged, often white, ones. Media pay far less attention to the victimization of marginalized women. The media's disparate treatment of Desiree Washington and Crystal Mangum illustrate this point well. 'Respectable' women are the most valuable female citizens in a neoliberal society, as they perform the triple function of reproducer, wage laborer, and consumer. Thus, media coverage suggests that security is most deserved by those fully integrated into neoliberal

markets. Moreover, this security and market inclusion can be easily confused with equality, as media coverage obliquely implies that this is what comprises women's welfare (Grewal 2006).

The media also give voice to feminist concerns over woman abuse in Islamic and African nations. However, by implying that such violence is the result of atavistic cultures this coverage implicitly juxtaposes a progressive Western culture with a backward Eastern one. Scholars including Ferguson (2005) and Eisenstein (2010) have pointed out that these ideas do not simply promote hostility towards foreign cultures, they also promote Western imperialism. The idea that Islamic women need to be rescued from patriarchal violence has been used to justify military intervention in various nations since the 9/11 attacks, and even to position war as a feminist crusade (Ferguson 2005). This may seem to quench neoconservative militaristic thirst more than neoliberal interests. But, military forays bring 'freedom' in the form of consumerist capitalism to occupied and/or conquered nations, opening new markets for neoliberalism, and further the idea that market inclusion is a central ingredient of gender equality, if not the totality of it.

To summarize, media coverage of violence against women incorporates a very limited feminist logic. This logic problematizes the violence, but does little to indict basic social arrangements or core institutions. Instead it actually works to legitimize state power and major forms of stratification. One might argue that the media do challenge familial and courtship patriarchies to a degree by generally condemning the beating or raping of partners or female friends by men (Schwartz and DeKeseredy 1997). However, these are just two forms, or elements of patriarchy. By promoting state power, media reinforce another form of patriarchy,

what might be called ‘state patriarchy,’ a concept I will return to shortly. This feminist logic also indirectly promotes the paramount importance of capitalist markets in neoliberal society, by minding the security of those women most integrated and useful to markets over that of more marginalized women. It also helps to expand markets by justifying capitalist imperialism in the developing world. This logic is quite similar to what Catherine Rottenberg (2014) calls ‘neoliberal feminism.’ Rottenberg argues that neoliberal feminism is a modified feminism that supplies a limited social critique, which calls for enhanced freedoms for women while still positioning the US as paragon of equality. While Rottenberg’s ideas on neoliberal feminism are couched largely in regard to women’s relations to career and family, the core of her argument fits well here. The feminist logic supplied by news coverage supplies only a narrow critique that does more to idealize Western society, and further neoliberal interests, than it does to foster a critical public awareness of violence against women or gender inequality.

The preceding lays out the key characteristics of the neoliberal framework constructed by news about violence against women. The news problematizes this violence, incorporating a limited feminist critique, creating a façade of progressivism. This framework encourages more concern over some victims than others. Specifically, those groups most valued by mainstream society, especially the most central economic actors, are of most concern as victims. Members of superfluous or stigmatized groups are of far less concern as victims. However, overall, the primary solution proposed under this framework is action by the criminal justice system and supplementary institutions. Thus, coercive state power is the prescribed remedy. Novel technologies are also of central concern under this framework. When used by subversives or an

uncontrolled populace, technology is posed as destructive. However, technology is posed as a powerful crime fighter when used by the proper authorities, especially for cataloguing and surveilling the public. In this way, technology can facilitate state action in response to a serious social problem, without substantially disturbing the overall social system.

All of these points lead to the most important feature of this framework—it precludes the need for social justice. It demonstrates how contemporary society can address progressive concerns (in this case gender violence) without any need for redistribution of power. The issue problematized by social justice groups is addressed without using the solutions they prescribe. This framework essentially promises security through paternalistic state protection to conceal the need for equality. Thus, social justice politics are validated in a way that makes them innocuous to the structures of power. Of course, this is likely a non-solution as it offers little hope of ending violence against women (a theme I will discuss below). The resolution of this problem is then merely perception, but perception is collective reality when it comes to social problems (Best 1990; Spector and Kitsuse 1973). Nevertheless, under this framework neoliberal society is able to absorb progressive concerns, responding in a manner that seems accommodating, but actually neutralizes.

Key Implications

Four key implications can be gleaned from all of this. First, this framework offers little reason to believe it will help end violence against women, or promote women's welfare more broadly. Second, it does great work to legitimate the expansion of state power. Third, it offers some insight into the form or forms of patriarchy that are most influential today. Fourth, it

perhaps offers a generalizable concept for better understanding the construction of social problems in a US society dominated by neoliberal culture.

A non-solution

I have done my best throughout this document to give the media credit where it is due. Clearly, they have worked to expose violence against women in some ways. However, just because an issue is acknowledged does not mean it will be solved. The framework constructed by media coverage of this issue principally promotes a solution—criminal justice action—that is partial at best. Most obviously, criminal justice action is not a proactive, but a largely reactive, way of addressing crime. Offenders cannot be apprehended, prosecuted, and incarcerated before they commit crimes. Of course, criminal justice also supposedly offers a deterrent effect. Yet, deterrence offers no wholesale crime prevention effect. Either way, deterrence of crime rests most on the certainty of punishment, something that is far from certain for crimes of violence against women given the fact that they are among the least likely crimes to be reported. This is not to say, however, that the criminal justice system offers no utility in reducing violence. Surely, criminal justice action, when implemented carefully can reduce violence in some ways. For instance, some of the great crime reduction seen in the US over the past two and a half decades can arguably be attributed to criminal justice action (Zimring 2008). The US criminal justice system does offer the potential to reduce violence against women in some regards then. Yet, it does not promise to alleviate the underlying social atmosphere that gives rise to violence against women—a cultural climate in which masculine desires to control and/or dominate women serve as motivators for committing violence. Thus, while the violence reduction effects

of the system may mitigate levels of rape and domestic violence, it offers no solution to the cultural etiology of violence against women.

Moreover, regardless of its relative success or failure, expansive and aggressive criminal justice action has devastating collateral consequences (Gottschalk 2014; Richie 2012; Wacquant 2009). Mass incarceration and racialized policing has destabilized families, reduced social cohesion, and dissolved public trust in the criminal justice system in many communities. These consequences make it far less likely that marginalized women would avail themselves of the security offered by the criminal justice system, even if it seemed propitious (Richie 2012). Thus, the criminal justice system is an even less promising avenue for combating gender violence among marginalized communities.

A criminal justice response even threatens to worsen the situation of women more generally. Bumiller's (2008) book on how neoliberalism has coopted the violence against women movement perhaps best illuminates the gendered consequences of current responses to violence against women. She points out how even women who are victims recognized by the criminal justice system are subjected to enhanced state control and surveillance. Many victims must seek social and psychological support through various state agencies and non-profits, which subject women to various forms of surveillance and control in order to qualify for assistance. Victims often experience these processes as a form of revictimization. For instance, many battered women are funneled into counseling programs that blame victims, encouraging them to consider the ways they have contributed to their victimizations, and situating the cause of

violence in victims' own psychological shortcomings. Perhaps even more concerning, Richie (2012) has shown how criminal justice responses to gender violence have resulted in the entry of victims into the system as offenders, particularly for African American women⁴⁰. This often occurs when mandatory arrest policies cause the police to mistakenly arrest (sometimes deliberately as well) the victim in a domestic violence situation (see also Chesney-Lind 2006). Thus, while the criminal justice system (and supplementary agencies) may protect some women from abusive partners and/or rapists, it often does so at the cost of victimizing others. Overall, since this framework promotes a response unlikely to be effective, it offers little promise of ending violence against women or furthering a movement towards gender equality through cultural change.

Expansion of state power

While the framework I have outlined offers little hope of ending violence against women, it does much to legitimize the expansion of state power, particularly in regards to the branches of the state that are most valued under neoliberalism—the criminal justice system and military. Gottschalk (2014) and Wacquant (2009) have carefully documented the ways in which concerns over sex crimes have expanded the carceral state. For instance, they point out how the image of the sexual predator has provided political capital to justify lengthy (sometimes indefinite) terms of both criminal and civil incarceration for sex offenders as well as various policies that effectively trample offenders' civil rights. However, their studies of this issue have only considered the category of 'sex crimes,' which is an arguably broader category of crime that is de-gendered and more closely associated with violent stranger crimes than most forms of

violence against women (rape likely being the exception here). To the point, these two categories are not discrete or mutually exclusive, they clearly overlap. However, they are formulated according to two different classificatory logics. ‘Sex crime’ refers to the nature of the act considered an offense, while ‘violence against women’ refers to the gendered relations between victim and perpetrator. Likewise, there are some differences in the specific ways that concerns about violence against women promise to expand carceral state power, and the ways that concerns over sex crimes do. For instance, it is unlikely that civil commitment programs like those often applied to child sexual abusers will be applied to wife batterers or those convicted of acquaintance rape. Still, the basis of these authors’ arguments is transposable here.

Addressing more crime and newer categories of crime justifies expanding the criminal justice system in authority and resources. Thus, the criminal justice role in addressing violence against women has also both directly and indirectly justified the expansion of the system. This includes more police officers, specialized policing units, new sentencing standards, the purchasing of new equipment, and new therapeutic/rehabilitative programs in detention facilities, among many other measures⁴¹. Perhaps most important to note about this expansion, given my remarks so far concerning neoliberalism and technology, is that a very large amount of resources has gone to the implementation of various new information and forensic technologies by law enforcement, such as DNA registries (Bumiller 2008). The relative wisdom of implementing any of the aforementioned is surely debatable, but it is not debatable that criminal justice ownership of this issue has facilitated expansion of the system and its power.

One must also consider the expressive function of criminal justice responses to violence against women (Wacquant 2009). Criminal justice responses, especially the apprehension and conviction of offenders, facilitate a Durkheimian condemnation of violence against women. The social importance of such phenomena cannot be overestimated. Firstly, they legitimate criminal justice action by creating the impression that the system protects the vulnerable and punishes the wicked. Essentially they help to manufacture consent to the status quo criminal justice system. Of course, responses to violence against women are not unique in this respect, but it is important to note that this is a relatively new category of crime, at most approximately four decades old (Berns 2004). Because it is a relatively novel crime category, violence against women acts as a pool of symbolic capital that adds to that already earned by the system. Further, some degree of feminist credential is attached to this capital, as this violence is an issue first pursued by feminists.

On the other hand, while violence against women is a novel crime category of its own, this media framework plays up the intersections between rape and sexual assault, with street crimes, such as drug enterprise and various forms of theft, associated with blacks and Latinos. Because of this, media coverage of this violence also works to justify the more general crime control project that has developed under neoliberalism, characterized by aggressive, racialized policing of poor urban communities. Thus, the media framework applied to violence against women promotes the idea that police in poor urban communities are not simply fighting a war on drugs or combating street crime, but also protecting various classes of women, most importantly privileged ones, from would-be rapists stalking city streets. The impression that it provides

security for women can act as a shield against criticisms that the US war on crime is overly aggressive and harsh.

Perhaps more importantly, criminal justice responses also enhance perceptions of broader social efficacy, encouraging public belief in the ability of US society to address this issue, winning confidence in the overall status quo. More specifically, such actions win confidence in the state. They create the impression that the state has formulated and implemented serious responses to a serious social issue. These responses rely on the exercise of coercive and panoptical state power. Thus, they enhance the perceived beneficence of these forms of state power. Of course many among the public are highly skeptical of this type of state power, but when portrayed as being used to address a progressive issue, and protect the vulnerable, exercises of such state power surely increase the perception that they can and do function as a force of progress and moral good. Further, the state is able to assume a feminist guise when exercising and expanding such coercive powers, because it is seen as addressing a 'women's issue' (Bernstein 2012; Eisenstein 2010). Thus, the neoliberal state is positioned as a somewhat feminist entity.

The Orientalist logic inherent in this framework performs an analogous function. As I have noted several times, the idea that women in Islamic nations are oppressed by particularly patriarchal societies has been used as a justification for military actions post 9/11 (Eisenstein 2010; Ferguson 2005). Essentially, leaders such as George W. Bush have posed wars in Islamic nations as crusades to liberate oppressed women, regardless of the actual outcomes of Western

military action for women in these nations. Bernstein has called this logic ‘feminism-as-crime-control internationally’ (2012), one might even extend that a bit more, and perhaps invert it. It could be considered ‘war as feminism.’ One might argue such a logic is not feminism taking up the mantle of crime control or war, but these things assuming the mantle of feminism⁴². Either way, the upshot is the same—military action is framed as an avenue for achieving feminist objectives, while its destructive consequences, especially for women, are obscured. Many other scholars have explained how this logic operates already. But, of concern here is the fact that the punditry and political posturing often cited as the grist of this logic are only a few constitutive elements of a conceptual framework that is established by a broad and diverse body of media coverage. Furthermore, this is only one of several important implications of this body of coverage.

Evolving patriarchies

This study also offers some insights into the way patriarchies are evolving under neoliberalism. Some might contend that the US is a post-patriarchal society, pointing out the political, economic, and social gains made by women in the past half century of neoliberal dominance. However, as I discussed in Chapter Two, patriarchy still remains a valid and useful concept for understanding gender relations in contemporary US society. Yet, patriarchy is best understood as a fluid, manifold system that evolves over time. One might theorize how some of elements of patriarchy have evolved from the findings laid out here. In particular, changes in familial and courtship patriarchies (Schwartz and DeKeseredy 1997) are apparent. As well, these findings suggest the strengthening of what I would call ‘state patriarchy.’

In their analysis of college sexual assault, Schwartz and DeKeseredy (1997) discuss how an overall patriarchal system might be split into constituent ideological parts, which justify different manifestations of patriarchy. As reviewed earlier, they specifically argue that familial and courtship patriarchies promote violence against women. News on violence against women challenges these forms of patriarchy, though they offer a somewhat limited challenge. Beating one's spouse or raping female acquaintances is no longer publicly accepted, though it once was (Brownmiller 1975a; Dobash and Dobash 1979). Surely news coverage that problematizes violence against women has played a role changing such cultural attitudes (Berns 2004; Bumiller 2008; Chermak 1995; Lowney and Best 1995). Yet, it would be folly to assume that such challenges have eradicated these ideologies. Rape myth studies have confirmed that patriarchal attitudes regarding family and courtship are quite persistent well into the 21st century (Suarez and Gadalla 2010). It is more likely that these patriarchal ideologies have become less overt, but continue to be influential in more insidious ways. The findings discussed here also support such a contention.

In particular, the media's use of a logic of partial sympathy illustrates the continuing, though perhaps less overt, influence of familial and courtship patriarchy. The case studies reviewed here show that few, if any women, are constructed as pure, or ideal (Berns 2004), victims in the news. Even the most ostensibly virginal characters in the cases reviewed here broke with gender norms in some way, and were denied absolute sympathy because they violated patriarchal norms in some way. Thus, at the same time as they ostensibly condemn violence

against women, the media subtly reaffirm patriarchal ideologies by applying a logic of partial sympathy, it seems, in all scrutinized cases of violence against women.

Furthermore, the media's focus on the use of state power as a means of addressing violence against women promotes a patriarchal relationship between the public and the state. The modern state is an inherently patriarchal institution in various respects (MacKinnon 1991). And, the criminal justice system and military are some of the most patriarchal elements of the state. Of course, these tend to be male-dominated institutions. But more importantly, their relationships with the public are highly patriarchal. Both assume a paternalistically protective role over the citizenry. Police 'serve and protect' while the military 'protects freedom.' They both also claim authoritative power, and the right to use force on citizens, particularly when their control is challenged. News on violence against women tasks these institutions with protecting women in need of help through the use of force. While some of the familial and sexual trappings of traditional patriarchy are absent, the relationship is highly analogous to the male's protective role in a traditional patriarchal family. Additionally, as discussed earlier, the agencies tasked with providing services to victims of gender violence subject them to heightened monitoring and behavioral control based on patriarchal premises (Bumiller 2008). Because of this, victims are caught up in a net of increased patriarchal control rather than being liberated from it. In effect, they are penalized for their efforts to extricate themselves from patriarchal violence in private by patriarchal power on a more public scale.

Basically, the media framework for understanding violence against women offers security accomplished through coercive state power as the primary response to violence against women. For many women, this means swapping individualized patriarchal control in private for a depersonalized form of clinical patriarchal control. For the rest of the public, it means the enhancement of a diffuse, yet expansive apparatus of paternalistic state power. The broader upshot of this is that while more personalized patriarchal power may be receding in some respects, a more public patriarchal power situated in the state is strengthening. Indeed, this state patriarchy is the defining aspect of what Wacquant (2009) refers to as the ‘masculinized’ neoliberal state.

A generalizable concept

The framework I have laid out here is quite specific to the issue of violence against women, but from that one might extrapolate a generalizable concept. This framework can be understood as one example of a general contemporary phenomenon—neoliberal problem construction. Neoliberal problem construction is a particular form of social problem construction that, I would argue, is quite common today. I will discuss some additional examples of this shortly, but first it is necessary to briefly define neoliberal problem construction. It is the de-socialized construction of a progressive issue and the promotion of responses that further neoliberal interests and reaffirm neoliberal social ideology. More simply, neoliberal problem construction is the media’s ability to acknowledge a progressive issue and reconstruct it as to further rather regressive politics.

As social construction is often understood as a process, it is likely most clear to describe neoliberal problem construction in a series of stages (Blumer 1971). First, this process starts with the recognition of a progressive issue, which has become increasingly salient under neoliberalism, as a societal problem. This is perhaps the most unique thing about neoliberal problem construction. Surely, simplified and hegemonic constructions of social problems are not a novel phenomenon. However, contemporary neoliberal society seems to have a distinctive capacity to adopt causes largely seen as politically progressive and often involving problems exacerbated by neoliberal policies. Yet, the recognition is done in a way that presupposes responses likely to actually strengthen the neoliberal political/economic system. In addition to violence against women, issues such as gender equality, LGTB rights, race relations, environmental harm, education reform, public health, and food security/purity are frequently discussed by mainstream media and civil society today, and addressed to a degree. One could easily get the impression that the US is changing in a highly progressive manner. However, collective discussions about these issues tend to have little critical depth, especially in regards to the connection between individual struggles and social structure or culture.

The second stage of this process is the simplified construction of the problem that essentially divorces it from its structural and cultural roots. This might be done in various ways but in the case of violence against women (and crime more broadly) it is done by cultivating public concern through the illumination of singular cases, and by highlighting individualistic causes (e.g. moral shortcomings, poor decisions). Essentially, neoliberal problem construction involves simplifying the issue, so that a problem generated by diverse social causes is

circumscribed in a narrow social sphere. For example, global warming might be construed as a problem caused simply by environmentally unfriendly consumer choices, not the system of capitalist consumerism that mandates the consumption of massive amounts of natural resources and abundant burning of fossil fuels.

The final stage of this construction process entails promoting responses to the issue that do more to promote the dominance of neoliberalism more than address the social causes of the problem. Of course, in regards to gender violence, this has involved promoting state agencies such as the criminal justice system as solutions. More commonly, it might also involve the promotion of market-based solutions (Wacquant 2009). There is an element of this in news coverage of gender violence, as the idea of technology as a crime fighter surely benefits the various corporations that manufacture DNA analysis equipment, surveillance technology, etc. However, the idea of ‘green consumerism’ is a far clearer example of market-based solutions to social problems. One recent media response to public concerns over climate change has been to encourage the public to buy environmentally friendly consumer goods, such as reusable water bottles, items made from recycled materials, etc. (Lewis 2008). Media have been quick to promote ‘green consumerism,’ or ‘ethical consumerism’ misleadingly implying that environmental sustainability can be achieved even under an economy reliant on mass consumption. Basically, neoliberal problem construction entails promoting solutions within the institutions that have grown most powerful under neoliberalism, creating the perception of a substantial response to the problem but leaving intact the social arrangements that have given rise to the it.

These solutions complete a somewhat cyclical process, whereby concerns over an issue, which might otherwise lead to counterhegemonic action, are absorbed by the dominant culture and redirected in a way that further strengthens that dominance. Of course, such a process is dialectic; neoliberal culture is surely changed in some significant ways by absorbing such challenges. Yet that change on balance adds strength to the hold over society this corporate-state power assemblage has.

As I stated, this process is not limited to the issue of violence against women. The above discussion shows how environmental harm might be the subject of neoliberal social problem construction. A few other examples could include education reform, food security, and militarism⁴³. The media and government have increasingly recognized that US public schools are failing some of the students most in need of that system recently. However, some the most highly touted responses, especially in the media, have not involved greater funding for schools and educators, or repairing the broken communities which so often surround broken schools. Instead, media outlets have often gushed over market-based and technological solutions, and called for greater accountability of educators (Giroux 2009). Anyone vaguely familiar with education reform could conclude that recent conversations about this issue in the media have served as a great distraction from the issues of poverty and violence that contribute to school failure, but have done little to advance a promising agenda to improve the plight of American public schools. Further, the promotion of market-based solutions has expanded the capitalist education market, and funneled ever-greater amounts of public funds into corporate pockets.

Conversations over food systems in the media have progressed similarly. As US citizens have grown more concerned with the purity and safety of the food they eat, an activist movement has sprung up (Guthman 2008). The mainstream media reaction to this activist movement has been to validate such concerns, while emphasizing solutions based on consumer choices (e.g. buying local and/or organic food), rather than limiting the power and scope of big agribusinesses, or reformulating government farming subsidies to encourage safer and more sustainable practices.

Resistance to the US war on terror has also generated a curiously neoliberal response. Since the 2003 invasion of Iraq, the media have become arguably more critical towards US militarism and anti-terrorism efforts. It seems much of US society is suffering from war exhaustion, and the media has validated such concerns. Likely partially in response to public war fatigue, the Obama administration promised to end wars in Afghanistan and Iraq. However, at the same time, they have been expanding drone warfare programs and increasing clandestine special forces operations, which have actually broadened the scope of conflict, while making it less visible to the US public (Scahill 2013). Aiding this move, the media have continued to focus more on ground wars and the deployment of regular US military forces, while paying far less attention to special forces operations and drone warfare. Essentially, the media have absorbed elements the anti-war critique, while ignoring the expansion of novel warfare forms. Such a scenario has clearly been a boon not only to the government and military factions that wish to exercise more power with less public scrutiny, but also to the corporations that manufacture the tools of clandestine warfare.

I am an expert in none of the above issues, and surely my arguments are overly simplistic. However, the broader point remains valid. Mainstream media have validated concerns over each of these issues, but have also promoted and/or facilitated responses that have greatly served neoliberal interests. In the end, this is an effective way of neutralizing social justice politics. Media coverage recognizes, and partially validates social justice issues, but also manufactures consent to responses that are more perceived than effective, and avoid changes mandated by a social justice agenda. Thus, because the perception of an effective response has been cultivated, such social justice agendas seem no longer necessary or justified.

This is a rather troubling and dreary conclusion—essentially that the dominant cultural system of today has a particularly strong capacity to convert counterhegemonic challenges into growth opportunities. However, it is also important to note that any social construction is a partial picture of reality, and always leaves room for competing constructions. In the case of violence against women, the solutions promoted by this neoliberal construction are, as I stated, more perceived than actual. They are unlikely to end beating, killing, and raping of women that pervades our society. Thus, the inadequacy of criminal justice and other state action as a response will inevitably become widely apparent, as it is for many already. Thus, social justice politics will continue to be needed, and spaces to pursue issues like violence against women will continually emerge.

Hope for the future?

I would like to offer a set of feasible ideas for vastly improving how the news covers this issue. Yet, considering the fact that my concerns with it are a function of the dominant culture,

easy fixes are unlikely. However, I can offer some thoughts on how journalists can improve reporting, or how the impact of flawed reporting might be mitigated.

Journalism might be well served if media outlets restricted their trial coverage substantially. As I, and others, have noted, trial coverage tends to create a judicial media spectacle, that sensationalizes individual cases of violence, but does little to meaningfully advance public comprehension of social issues (Chancer 2005). In fact, though trial coverage often engages topics like violence against women as social issues, coverage tends to dichotomize views on the issues, boiling them down to two polar opposite sides. The adversarial nature of the trial process even lends itself to this type of reporting. Were media outlets to limit sensational courts reporting when high profile cases occur, it would reduce this destructive political polarization process that occurs due to high-profile trial coverage. Moreover, it might reduce the public's tendency to see individual trials as proxy tests for the existence of wider social issues.

The use of legal celebrity-experts on television news is one specific aspect of high-profile trial coverage that particularly exacerbates its polarizing effect and simplicity. Such individuals do supply legitimate legal expertise in many cases. Yet because they generally focus on matters like legal strategy and evidentiary matters, their inclusion is often a mechanism for intensifying forensic reporting (Websdale and Alvarez 1998). If journalists have a legitimate interest in cultivating reasonably sophisticated public awareness, they would be wise to less often cite legal experts and more often reference sources whose expertise is geared towards the social, cultural, and political causes and consequences of violence against women.

The media are unlikely to implement these two measures. High-profile trials are surely among the most powerful ratings and circulation boosters possible. The public has a thirst for such stories, and corporate media are more than eager to slake it. Furthermore, I am not the first, second, third, even hundredth academic to chide the media for poor journalistic products, insisting that my own ilk should be used as principle sources in order to improve coverage. Since journalists have not taken this suggestion yet, it's unlikely they will anytime soon.

Because media outlets are unlikely to alter their practices in a way that would substantially improve coverage, the more realistic thing to do might be to try to mitigate the effects of problematic news coverage. As Gregg Barak (1988) has pointed out, there is an intense need for more public criminology, especially in regards to the media. As the date on the preceding citation shows, this is not a new idea. For quite some time, criminologists have volunteered as sources for crime news, and written for the media. However, one idea public criminologists might consider going forward is to restrict or even eliminate their remarks regarding the specificities of guilt or innocence in individual cases. Instead, public criminologists might focus on situating acts of rape and domestic violence in social political contexts, especially the carceral state, militarism, and their respective industrial complexes. Journalists uninterested in this type of context may simply choose to ignore such comments, or abandon such academics as sources. However, these efforts would help mitigate the impact of forensic reporting when journalists do use criminologists as sources.

Media consumers are not simply passive recipients of discourse. When equipped with the knowledge to be critical of media messages the public will be less vulnerable to the media's cultivation of fear, punitive sentiment, racism, etc. Thus, another way scholars might mitigate the influence of flawed coverage is to begin more actively designing, implementing, and participating in media literacy projects. In today's media saturated world, media literacy education is an essential tool for citizens in a democracy. Implementing critical media literacy education programs in high schools and colleges might be an effective mitigation measure. Public criminologists might also consider implementing programs open to the wider public as a form of university outreach.

I have thus far not discussed the possibilities posed by the Internet, but surely the web offers the most promise for countering the effects of problematic crime news. As I stated earlier, the democratizing potential of the Internet is highly debatable, especially considering the increasing degree to which it is being controlled by corporate and state forces (McChesney 2013; Shirky 2011). However, scholarship has shown that the Internet can open spaces for contesting dominant discourses, and for alternative justice processes (Powell 2015; Salter 2013). In this study, the Steubenville case demonstrated how bloggers and hacktivists can push a story onto the corporate media agenda. Moreover, the Black Lives Matter movement has demonstrated how social movements can find spaces that preclude the need for mainstream media coverage to organize. Those concerned with the flawed media coverage should be increasingly participating in, and working to create similar practices and spaces. In particular, creating alternative virtual civil spheres in which discursive commerce happens without the aid of corporate news outlets

has the most potential in my view. Rejuvenating a democratic mass media in today's corporatized neoliberal atmosphere may be a nearly lost cause, but creating new discursive spaces and practices is likely not.

Appendix A: Coding Framework for NY Times Data

Variable	Description
ID	Number
DATE	Date of article
PUB	Publication outlet
Author	Article author
HEAD	Headline
PASSHEAD	Did article have passive headline (Y/N)?
Page	Article page number
#wrds	Number of words in article
Arttyp	Type of article (news, editorial, etc.)
Basicstory	Basic summary of story
Crimtyp	Type of crime (rape, femicide, etc.)
V/O relations	Relations between victim and offender (married, intimate partner, stranger, etc.)
#vics	Number of victims in incident
#offenders	Number of offenders in incident
Injuries	What were injuries?
Weapons	Notes on weapons
Location	Location of incident
Drug/alc dummy	Were drugs/alcohol involved?
Drug/alc string	Notes on drugs/alcohol
Fr dummy	Was forensic reporting employed?

Forensic string	Notes on forensic reporting
Vicblame dummy	Was victim blaming present?
Vicblame string	Notes on victim blaming
Racialization	Notes on racializing discourse
Class cue	Notes on class status cues
Story frame	What was the story frame?
Competing frames?	Were there competing frames (Y/N)?
Competing frame note	Notes on the above
Explanation string	Notes on explanation of incident
Consequences string	Notes on discussion of consequences from incident
Backlash dummy	Was backlash present (Y/N)?
Backlash string	Notes on the above
FA/MOJ dummy	Was there a false accusation or other miscarriage of justice?
FA/MOJ string	Notes on the above
TRO dummy	Was there a temporary restraining order mentioned (Y/N)?
Policy string	Notes on policy discussions
Other notes	Other notes
Pro-fem dummy	Was there pro-feminist discourse (Y/N)?
VAW dummy	Is the crime identified as gendered (Y/N)?
Fornews dummy	Is this news about a foreign nation (Y/N)?
College dummy	Is this news about a college campus (Y/N)?
Victim #	Number ID for individual victim

Vicnam	Victim name
V/O relation	Victim-offender relations
Vicage	Victim age
Vic race	Victim race
Vic class	Victim class
Vic notes	Other notes on victim
Vic pubfig	Was the victim a public figure?
Vic pubfig string	Notes on the above
Vic crim history dummy	Did victim have criminal history (Y/N)?
Vic crim history string	Notes on the above
Offender #	Number ID for individual offender
Offname	Offender name
Off age	Offender age
Off race	Offender race
Off class	Offender class
Off pubfig dummy	Was the offender a public figure (Y/N)?
Off pubfig string	Notes on the above
Off crim history dummy	Did offender have criminal history (Y/N)?
Off crim history string	Notes on the above
LE/Military/Official	Was the offender law enforcement, military, or a public official?
Offnotes	Other notes on offender
Source #	Number ID for individual source
Source # w/in story	Number for source within story

Source code	What type of source was this? (Law enforcement, prosecutor, academic, etc.
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Appendix B: High-profile Cases in NY Times Data

Case (year)	Description	Number of Articles (% for year)
Tyson (1992)	See Chapter 6	4 (4.1)
Alex Kelly (1996)	Kelly convicted of raping 16-year-old acquaintance. Case was prominent because of Kelly's family wealth and the fact that he fled to Europe to avoid trial.	13 (8.0)
Oliver-Duckman (1996)	Benito Oliver shot his ex-girlfriend dead after being released by Judge Lorin Duckman. Case gained prominence because of release by Duckman.	11 (6.8)
Kobe Bryant (1998)	Kobe Bryant charged with raping hotel worker in Eagle Colorado. The case was dismissed after the victim stopped cooperating with authorities.	10 (8.8)
Duke Lacrosse (2006)	See Chapter 7	14 (10.8)
Delhi Gang Rape (2012)	Twenty-three-year-old student was gang raped and beaten in a private bus in Delhi. Case gained prominence because of outcry in India and internationally.	7 (5.9)
Ross Mirkarimi (2012)	Sheriff of San Francisco, Ross Mirkarimi, was charged with and convicted of domestic violence after an altercation with his wife.	6 (5.0)

Appendix C: Quantitative Data on Television and Internet Reporting

1. Number of words by case for television reporting

Tyson	470.1
Duke	508.4
Steubenville	588.6

2. Number of words by case for Internet reporting

Duke	650.8
Steubenville	625.8

3. Number of words by source and case for television reporting

Outlet	Tyson	Duke	Steubenville
ABC	1565.9	638.5	935
CBS	330.5	464.4	428.9
NBC	No Data	496.4	434.2

4. Number of words by source and case for Internet reporting

Source	Duke	Steubenville
NYT.com	843.5	1060.1
Fox	673.5	435.85
CBS	795.15	616.7
SFgate	537.8	402.79
NY Post	404.35	512.5

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¹ “Other” includes articles that do not fit the previous categories, such as obituaries and personality profiles.

¹ One of the reasons I did this was that the number of articles employing multiple frames was rather small, less than 3 percent of the total data.

¹ Not all articles included material that applied to all data points.

¹ I am not arguing there is no scholarship on these cases. However, I simply have not come across any works focusing specifically on these cases in my (not cursory) review of feminist criminology literature on sexual assault and domestic abuse victimization.

¹ The website for The San Francisco Gate did not have 20 archived articles for the Stuebenville case. Thus, I simply analyzed all available articles.

¹ I used only websites that produced their own content, rather than using those that function largely as portals, such as Google news. Furthermore, I used the five highest ranked news sites, with the qualification that they had an archiving system that was sufficient for gathering data on both cases.

¹ Television is of course also a visual medium. However, I was not able to visually evaluate the television data in this study, because only the transcripts were available to me.

¹ Taylor also includes things like language implying mutual combat as indirect blaming. However, I would argue that such language is quite direct blaming the victim.

² Network theorists point out that this is a somewhat inevitable feature on any large-scale network. Nodes with disproportionately high numbers of links exist in nearly all networks.

³ One might argue the same for other developed European nations, such as Britain, but I am not familiar enough with those politics to make a declarative statement about the blending of these two ideologies in such spaces.

⁴ In the following chapters I generally avoid the term ‘ideology,’ instead discussing a discursive framework. One could fairly refer to what I am discussing as a type of ideology, especially since the concept is used in quite diverse ways. However, for the purposes of this study, I avoid the term deliberately. I often refer to ‘neoliberal ideology’ or ‘neoliberal theory,’ a body of relatively specific ideas regarding a vast constellation of social relations. The ‘framework’ I am concerned with here is a narrower, less specific set of assumptions and logics that underpin media coverage. Moreover, this framework could be subsumed as a constituent part of broader neoliberal ideology. Thus, for the sake of my own clarity I use the metaphor of a framework rather than the concept of ideology. The difference is relatively semantic, but it does provide at least some greater theoretical precision to my ideas.

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¹² I created a separate category for legal experts to account for trial coverage in which legal experts were cited to explain specific applicable points of law. This is in my mind fundamentally different expertise than when someone is cited to explain the extent or nature of violence against women.

¹³ The raw numbers in this tabulation does not include all articles, since some articles were thematic, not featuring an specific crime incident. However, percentages are calculated from the entire number, to illustrate the proportions of each crime type in relation to the entire body of coverage.

¹⁴ I did not include domestic violence coverage in this part of my analysis, since they are by definition crimes committed between intimates.

¹⁵ 2008 was the only year for which these statistics were available.

¹⁶ I did not track these discussions as systematically as I did for those on DNA because they were not as common in the data.

¹⁷ A better contemporary way of characterizing this dichotomy might be between the cultures of the global North and those of the global South.

¹⁸ I do acknowledge here that many ‘common sense’ ideas reporters hold are products of patriarchal culture, and thus anti-feminist. However, I am drawing the rudimentary opposition between pro-feminism and anti-feminist here

for the heuristic purpose of attempting to understand the linkages (and lack of linkages) between the appearance of each in the data.

¹⁹ As stated in the methods section, I did not code for ‘race’ per se, because race is rarely explicitly referenced in news articles. Instead, I coded for how victims were discursively racialized, using the aggregation of several different markers as a proxy for explicit mentions of race.

²⁰ The only interracial crimes against whites in this sample were committed by black men.

²¹ I did not include non-white groups other than blacks and Latino/as in these groups because of the large proportion of Orientalist coverage dedicated to Islamic victims, which seems to constitute its own distinct variety of coverage.

²² Tyson’s lawyers employed a defense strategy which asserted that, given well-known his abusive and uncouth behavior towards women, Ms. Washington should have expected that Tyson intended to have sex when he invited her to his hotel room. Thus, they argued, it was unlikely that she had actually refused his advances as she claimed.

²³ I do not mean here to dismiss efforts at rehabilitation for rapists. I only seek to point out the implications of this perspective, if it is endorsed without also considering more sociological perspectives on rape.

²⁴ Tyson never knew his birth father, and the man he considered a father as a young child abandoned his family while Tyson was still quite young.

²⁵ This is where Tyson was born.

²⁶ Save for the one relating to the previous false accusation.

²⁷ Examining the accuser’s past, one might conclude that she was indeed a victim in many other ways (e.g. being exploited in the sex work industry), but for the sake of clarity, I am discussing her victimhood in the immediate sense as it applied to the Duke Lacrosse scandal.

²⁸ By putting this term in quotations, I am not denying the existence of anti-white racism, but denying the accuracy of calling it reverse racism. Regardless of the group being targeted, racism remains racism.

²⁹ Another way to read it would be that the case had uncovered an existing wound. However, not a single report I analyzed referenced the reopening of a wound.

³⁰ One might note here a parallel between this case and the Kobe Bryant case, in which similar evidence was scrutinized as potentially exculpatory. Yet, in the Bryant case, there was no substantial evidence of dishonesty by the accuser.

³¹ It is important here to note that the websites from which I gathered my data are among the most popular worldwide sites for news. Thus, it is likely that the content they feature reaches a substantially wide audience.

³² It’s also worth noting that my sample from Fox news comprised nearly 25% of their overall web coverage of the Duke case.

³³ Though Williams was criticized for making victim-blaming comments, her reply, which basically asserted that she was misunderstood and reaffirmed her status as a women’s rights advocate, went unchallenged.

³⁴ The convicted youth in this case actually turned out to be innocent. The rape was apparently perpetrated by a single adult male.

³⁵ Both Roseanne and Tommy Boy are set in towns whose manufacturing industry is in decline and whose citizens struggle with the resulting lack of economic security.

³⁶ Here I do not mean a structural suppression as the majority of the US wage laborers are not arguably working class. Instead, I mean a suppression in standards of living and political power for the working class.

³⁷ It is important to note that there was a documented cover up in this case. Public officials were charged and convicted of crimes related to failing to report the rape.

³⁸ I am not claiming here that feminist knowledge is the only valid knowledge about violence against women, nor am I claiming that examining feminist content is the only way to judge the quality of news on violence against women. However, I am asserting that it is one particularly useful way to judge such news coverage.

³⁹ Of course statutes like RICO operate on a group level, but these are exceptions rather than the rule to administration of justice in the US.

⁴⁰ Richie points out that African American women are more likely to fight back against their abusers, and thus more often appear to police to be mutual participants in the violence.

⁴¹ For a better accounting of this I suggest readers examine Bumiller's (2008) book.

⁴² My point here is not to dispute Bernstein's assertions, but to reformulate them a bit in a way that, for me, more clearly describes the relations in question.

⁴³ My discussion of these issues that follows is highly simplified. Each of these issues has likely involved a nuanced dialectic between activist/resistance movements and mainstream culture that results in a more mainstreamed activist movement, which is characterized by the neoliberal orientation that I am highlighting here. However, for the sake of parsimony, I have not delved into such a complex process.