

Media and the construction of crime: annotated bibliography



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Summarization of Paper #1 Pardoning of Robert Latimer is not justified

The main theme of this newspaper report articulates that Robert Latimer, who is seeking a pardon for the killing of his severely disabled daughter in 1993, does not deserve the pardon he is petitioning for. The report articulates that Latimer believes himself to be blameless for the killing of his daughter on October 24, 1993. Further, Latimer believes himself to be a victim of injustice of the Criminal Justice System for serving time in prison for his conviction of second-degree murder. Therefore, Latimer has petitioned the Canadian Prime Minister and the Justice Minister to attain this pardon (Picard, 2018). The author also articulates that Latimer may deserve some consideration and sympathy; this does not negate the fact that he murdered his daughter without her consent. Therefore, because he killed his daughter, contrary to his belief that he is a victim of the Criminal Justice system, the author of the article believes that what Robert Latimer did was criminal and thus he should not be forgiven for that crime (Picard, 2018).

The narrative above reflects the idea that since Robert Latimer represents a clear-cut case of murder codified and/or written into law, Latimer's action was nothing short of criminal. Moreover, the crime that Latimer committed must be publicly viewed as such. Thus, this article frames itself as a message of warning to the public of the dangers of the overall social harm of pardoning a person who has admitted that he believes himself to be innocent. The media message from the article advocates that public opinion must maintain the view that what Robert Latimer did was a crime in a formal legal manner. Thus, not only does the author present himself as a conduit to the marketplace of ideas, he also shows himself to be a watch dog sounding

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the alarm, claiming that if the Canadian Legal system pardons Robert Latimer, it will dehumanize Tracy Latimer. Moreover, by pardoning Robert Latimer, it will send a precedent that legitimizes the murder of a population that must be protected.

In spite of the polarization of the legal issues behind 'mercy killings', one could reasonably call this case 'non-voluntary active' euthanasia. Thus, one theory of crime that could adequately represent an explanation for what Robert Latimer did is within the social conflict theoretical perspective. That is to say, that well beyond an individualistic explication, the author's reaction to what Robert Latimer did is a good example of the claims made by Vold and others criminologists who claim that 'crime' is produced through political conflict between two groups (Linden, 304). Further, Robert Latimer's action could be viewed as a response to one dominant group set against another dominant group attempting to restrict the normative ideas about what is legally wrong. Further, one may glean insight from criminologists like Quinney for answers that focuses on different segments of society that vie for the control of the creation and enforcement of how crime should be legally defined (Linden, 307). Quinney's theory could explain that the ideas propagated in this article are a prime example of how certain segments of the population, that have the greatest power, assert themselves by manipulating the public.

Although not explicitly stated in the article, one could argue that the approval that Robert Latimer has received in the media represents a patriarchal and paternalistic narrative. Robert Latimer took it upon himself to kill a young female person who could not speak for herself. Thus, by killing
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her, it represents the removal of any positive attributes for the disabled and therefore created an identity of 'other'. Language that constructs a status which privileges those who are able bodied as 'normal' while framing individuals as inferior because they have physical or mental disadvantages may perpetuate a violence toward the disabled. Oppressive narratives which tell the public that some are 'better off dead' because their lives are not worth living may lead to even more abuse towards a minority disabled population.

Summarization of Paper # 2 Teen allegedly sexually assaulted at K-Days due to her own 'negligence' Northlands says

Ten years after being sexually assaulted, an indigenous woman is suing a company, and the company's employee, for damages due to her assault. According to Jessica (a fake name given by the CBC to protect her identity), she was sexually assaulted at the age of thirteen and then while still unconscious was left half naked in a ditch (Ross, 2018). The article presents the crime as a public legal battle of words which demonstrates the adversarial nature of our Canadian justice system which two opposing parties against the other. Thus, the rhetoric is accusatory on both sides in that both allege to be victims. The company frames the narrative implying that Jessica is the perpetrator for falsely accusing an innocent 'company'. The company made a public statement claiming no responsibility for the alleged sexual assault that happened on their property. The company claims that Jessica's lawsuit is unwarranted because the girl was negligent in the first place before the 'alleged' assault even happened. The defense claims she freely placed herself in a vulnerable position (Ross, 2018). Thus, because <https://assignbuster.com/media-and-the-construction-of-crime-annotated-bibliography/>

she 'should have known better', the company argues that she willfully placed herself at risk and therefore the company is not responsible for the alleged event (Ross, 2018). Jessica and her legal counsel, on the other hand, argue that the company and the employee for the company are responsible for her ten-year struggle and battle in dealing with the physical and psychological trauma of the sexual assault (Ross 2018). Assuming that Jessica is telling the truth, the ideas behind the Routine Activities Theory (also known as Exposure/Lifestyle Theory) articulates that Jessica is partly to blame for being sexually assaulted. Similar of the legal defense strategy by the company, the model stipulates that crime happens when one places oneself at risk like Jessica did that night. Thus, if Jessica had not put herself at risk in the first place, she would have never been sexually assaulted. The company's defense, like the model, explains the reason for the crime by transferring responsibility for the rape onto a thirteen-year-old girl. Jessica willfully chose to place herself in a high risk/dangerous social setting by drinking with the man who eventually sexually assaulted her. However, a criminological theory that better explicates Jessica's plight can be answered by utilising Race and Feminist theories. Feminists argue that the ideology behind patriarchy is one of many ideas that account for the violence perpetrated by men on women. Male supremacy and female oppression such as sexual assault go hand-in-hand since violence against women is not an individual problem but a societal problem. This is especially true for indigenous women who are more likely to be socially and economically marginalized and thus appear to be particularly vulnerable to violence and abuse. Feminists argue that cases like Jessica's are systemic since violence against women is a historical and cultural phenomenon that has maintained

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the social subordination of women. The ‘ cultural construction of rape’ gives us further insight as to why Jessica was sexually assaulted. Cormack states as follows:

The recognition that sexual assault was widespread throughout society led to investigations of the reasons why women did not report the offence, of their treatment by the criminal justice system when they did report, and the limitations of the law inherent in the existing laws. In particular, recognition was given to the cultural construction of rape, which takes the form of certain myth or misconceptions about rape. These myths constitute a set of beliefs about the nature of the act itself and stereotypical images of “ true” rape victims and offenders to have become part of the public discourse. They have not been internalized by many of the victims, who believe that they were in some way responsible for the violence, but have also found their way into the law and legal practice (Linden, 139).

Myths like women ‘ want’ to be raped or ‘ no’ actually means ‘ yes’ are two of countless myths that perpetuate this culture of rape (Linden, 141). Thus, the quote above helps to explicate the criminal violence toward Jessica and the company’s response to her lawsuit in her quest for justice.

Comparing and Contrasting Both Papers

When comparing article # 1 ‘ Pardoning Robert Latimer is not justified’ in contrast to article # 2 ‘ Teen allegedly sexually assaulted at K-Days due to her own ‘ negligence, Northlands says’, we can see some similarities. For example, both reports relay the idea that Tracy and Jessica were stigmatized and labelled as invisible, worthless and thus disposable. Both news papers
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articles framed the acts of violence toward these two young girls as rendering them powerless and vulnerable, dehumanizing them both. Both newspapers are similar in one that the girls are shown to be labelled as disposal with one cast off in a ditch and the other killed because her life was no longer worth living. In article # 1, we have a clear message that what happened to Tracy Latimer was murder. However, in the second newspaper article, we are left wondering if the crime was actually committed. In fact, we are told that Jessica still has no idea who her attacker is even though the police interviewed him (Ross. 2018).

It is true that we hear about Jessica's 10-year physical and psychological trauma and subsequent pain that she had to endure after the sexual assault. It is also true that we hear from the Executive Director of the sexual assault Centre of Edmonton articulating that the tactics by the company are nothing short of 'victim blaming' (Ross, 2018). However, in spite of the information given in the news article #2 about how sexual assaults against women create feelings of guilt and keep them from disclosing the crime committed against them, there is no definitive knowledge as to whether or not the crime actually happened. Race and feminist theorists would argue that due to our lingering racist beliefs about indigenous women, we are more prone to believe the statements made by the company rather than the claims made by Jessica. Further, although most would not admit this publicly, it could be argued that because Tracy Latimer was white and not indigenous, like Jessica, the crime against her is publicly deemed and thus perceived as more serious. Now it is true that typically, public perception of murder is viewed to be a crime that is more serious than rape. The criminal code of Canada

treats murder with much more severity than sexual assault. Thus, because Tracy was killed, and not sexually assaulted, it is not surprising that there was more public outcry from those who disagreed with the killing of Tracy Latimer by her father than there was for Jessica. However, there are scores of native women that have been murdered and these have not received the public outcry deserved.

Even as a self-interested publicity campaign, the company should have shown a little compassion or insight in considering how young women are particularly subject to male coercion and abuse. However, unlike article # 1, ignorance of race relations seems to have played a role in the way the criminal justice system behaved in the manner in which the police dismissed the assault. Further, the company's public statement shows how embedded the culture of rape is in our public consciousness. For example, women of race such as indigenous women are typically viewed as being incredulous of claims of being sexually assaulted especially when one waits ten years after the event to disclose that they were sexually abused. Misconceptions about sexual assault also fail to see the severity and seriousness of the assault because it bases itself primarily on physical violence perpetrated toward the victim. Thus, with these patriarchal narratives, it is questioned how much Jessica could have suffered since she has had almost ten years to recover and heal. Besides waking up in hospital with alcohol poisoning having rendered herself unconscious, and having happened a decade prior, no real physical violence against Jessica was ever reported. Therefore, according to all too many, there shouldn't be any long term affects for Jessica to deal with.

Thus, from my analysis of both articles, the newspaper article # 1 about Tracy Latimer was much different than article # 2 about Jessica. Robert Latimer's crime against Tracy was portrayed unequivocally as a criminal act in which Robert Latimer had no right to for a pardon. Tracy is clearly framed as a victim. With the second article, despite how the article tries to frame the report in attempting to show support toward Jessica's horrible plight, for many reading this article, they may be left wondering if she was an actual victim of the crime she claimed happened to her. Moreover, even if it she was a victim, for all too many, she may be accused of being responsible for her victimization because she positioned herself in a highly risk laden environment in the first place.

References

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