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**REPRESENTATIONS OF SOCIAL RESPONSIBILITY:
COMPLICATING NEWS STORIES OF MATERNAL NEGLECT/ABUSE**

By

Sarah K. Carney

A dissertation submitted to the Graduate Faculty in Psychology in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York.

2004

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Abstract

REPRESENTATIONS OF SOCIAL RESPONSIBILITY: COMPLICATING
NEWS STORIES OF MATERNAL NEGLECT/ABUSE

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The lives, choices, circumstances, and histories of women charged with neglect of their children are complicated; however, existing social narratives crying for and justifying their punishment usually are not. These social discourses function to deflect attention away from more social or collective understandings about crime and its roots, and also away from the reality that “neglectful” or “abusive” parents are almost always mothers—who themselves are almost always poor and of color. This dissertation attempts to expose the individualist ideology that permeates one specific social discourse on crime—in news stories about failure to protect. Its aim is to look critically at the ways in which this ideology functions differently in media generated stories about child neglect. It begins with the assumption that race, class and gender each, and in combination, influence the ways in which news stories are written and that these representations—those that reify cultural notions of deviant, evil mothers and those that forgive well-meaning fathers—have both philosophical and material effects. This dissertation has four objectives. The first is to document the powerful social discourse on crime and responsibility that permeates U.S. culture through the media, and positions individual mothers—but not fathers—as exclusively responsible for the welfare of their children. Second, although it is true that all women—across racial and ethnic

groups—are held accountable, this work argues that dominantly constructed notions about femininity and idealized cultural versions of motherhood affect mainstream media representations of white and black mothers. Third, this dissertation is an attempt to speak back to a body of communications and criminology research that assumes master narratives and public narratives are virtually unmovable, stable and unchanging over time. Finally, recognizing the multifaceted nature of even the most narrow of master narratives, this dissertation calls for a more complex understanding of media “master messages”; while news stories representing mothers charged with neglect differ in style and content depending, in part, on the defendant’s race and class, their fundamental task remains the same: to isolate women in criminal blame and to justify their punishment

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Chapter One: Introduction

A three-year-old, left home alone while his mother runs out to the market, sets a fire with a cigarette lighter, and accidentally burns down a five story apartment house, killing himself as well as his infant sister (Chivers, 2000; McPhee & Hutchinson, 2000). A three-month-old overheats and dies after being placed on a waterbed while dressed in a snowsuit and hat (Duran, 2000). A mother leaves her 8-year-old daughter home alone after searching in vain for a babysitter. When she returns home from work several hours later her daughter is gone, removed from the home by social services (Pasco, 1998). A 20-month-old boy is kicked to death by his father (Gowan, 2000). On the surface, these cases, though all tragic, appear dissimilar. But they have one thing in common—each involves a mother charged with felony abuse or neglect, who is ultimately jailed. Headlines read: “Fire Kills 2 Tots Home Alone; Mom is Charged” (McPhee & Hutchinson, 2000); “Mother of Baby Who Died Faces Abuse Charges” (Duran, 2000); and, “Mother Charged With Abuse in Death of Son, 20 Months” (Gowan, 2000).

Meanwhile, during the late fall of 2000, a man leaves his two-year-old son in the car alone while he hunts in the woods of Utah. The child gets out of the car and wanders away, eventually freezing to death during the night. This time, however, the headlines do not condemn, and imprisonment appears unlikely. Rather, this particular father will be sentenced to 30 days in the local jail and a \$2500.00 fine, while reporters write articles urging citizens to “Offer to Help a Busy Parent—It May Save a Life” (Cortez, 2001).

Each year, hundreds of women—and a handful of men—are prosecuted

for “failing to protect” their children (Swift, 1995). “Failure to protect” has become a broad charge that covers a multitude of offenses, from negligence/neglect/child abuse to murder. At this particular moment in the United States, cases that fall under the umbrella of failure to protect are growing exponentially, and they range in type from parents who abandon their children, to mothers who use drugs or abuse alcohol while pregnant; they include mothers who “allow” boyfriends/partners/husbands to abuse their children, mothers whose children drown in bathtubs, and even, most recently, mothers whose children commit suicide. This broader conception of neglect and the resulting increased criminalization of mothers coincide, unsurprisingly, with a current social and political moment that favors the withdrawal of public support. The effect of the shrinking public sphere—what Eisenstein (1997) calls the “politics of privatization” (p. 142)—is that, as the state relinquishes its social responsibility, it places the burden for care back on the families themselves and, within families, specifically on the shoulders of women. As Fine & Carney (2001) write, “We suggest that it is during these periods of conservatism...that women are particularly burdened and doubly threatened” (p. 405). The inherent gendered nature of “the new neglect” makes it clear that it is women who are responsible for caring for and managing the family, since men are only rarely charged with failure to protect, failure to act, or failure to resist. When families erupt in violence, and when children get hurt—most often by fathers, stepfathers, partners, and so forth—women will often be the target of blame (Fine & Carney, 2001). The vividness of accounts of female neglect works to overshadow an absence of comparable accounts about male culpability;

fathers and male partners will not be held similarly responsible when mothers murder their children.

While it is true that "...contemporary women across racial and ethnic groups are considered accountable to care for 'public' and 'private' life" (Fine & Carney, 2001, p. 389), it is also true that some women are more accountable than others. Poor mothers and mothers of color are scrutinized more carefully by the state than white middle class women, whose standard of mothering is seen as ideal. Among those who, by reason of race or social/economic circumstance, lack the resources or privileges that accompany whiteness or social class (for example, privacy or the ability to pay others to do caring work—see Fine & Weis, 2000 and Scarbrough, 2001), it becomes far too easy to find examples of "bad mothering" (Blackman, 1990, 1994; Chamallas, 1992; Fraser, 1993). Blackman (1994) states, "Those without the resources to ensure that their rights are protected are the most likely to be held individually responsible when they act...destructively or self destructively" (p. 148). Recent feminist research makes a clear and convincing argument that the response of the criminal justice system to cases of neglect and failure to protect is thus deeply influenced by "...racist, classist, and sexist assumptions, with women, particularly poor women of color, being blamed and held responsible most often" (Fine & Carney, 2001, p. 402). Those charged with neglect who currently fill criminal and family courtroom dockets across the country are, most likely, women; and, nested within gender, they are more often than not poor and of color.

When women are charged with abuse or neglect of their children, multiple

stories about, for, and sometimes by them, are created. These constructed stories, in turn, may either support or stand in opposition to a larger social conversation about the links between motherhood, femininity, race, and crime and responsibility.

Stories may outline the “facts” of the events transpired, they may seek to explain or understand the events in light of some outside ideal model of parenthood, they may attempt to provide justification or excuses for the events, or they may simply point fingers of blame and culpability. This dissertation focuses on one site where narratives about women charged with failure to protect are created—in the media—and it does so with self-conscious intent, reasoning that, with its widespread accessibility and its multiple forms (television, movies/entertainment, magazines and newspapers, to name a few), the media is arguably one of the most powerful “framers” in U.S. culture. Mainstream mass media structures—if not dictates—much of what the public thinks about its second-hand reality (Bryant & Zillman, 1994; Gamson, 1992; Iyengar & Kinder, 1987; Reese, 2001). Thus, this project examines the role of the media in constructing and maintaining a particular social version of neglect, exploring the links between knowledge production, privilege, and the place of social critique. It addresses these questions: How does the news media frame/operationalize maternal responsibility and situate mother defendants in stories about neglect and abuse? What does a traditional media narrative about maternal failure to protect look like, and, what are its hybrid versions (in other words, how does that conventional narrative vary according to the race, class, and gender of the defendant under consideration)? What do neglecting women look like, and, what should be done about them? How does the national conversation

about women and familial responsibility—so closely intertwined with a state and national interest in reducing welfare and privatization play out in news about neglectful mothers? What are the cultural values or ideologies that lie underneath mainstream commonsense understandings about criminal mothers and charges of failure to protect? Is there a version of neglect that might be called a “master narrative”, and if so, is there a counter story to that dominantly voiced account? What happens to psychological and discursive notions of master and counter stories when they are applied to complex, multiple, and shifting media stories? And, if it is true that women who are charged with failure to protect are considered, for the most part, individually responsible, how is that discourse of blame accomplished narratively?

This research project was based on ideas drawn from multiple literatures, and I have linked several bodies of theoretical and empirical knowledge together in order to construct my argument. Feminist psychology joins with critical legal theory here—a partnership that seems timely given the current status of the courts as arbitrators of both public and private life. Feminist psychologists and critical race theorists have made previously “muddy” and uncontrollable issues such as social construction, point of view, relationships to positions of power and privilege, and histories of oppression an integral part of the subject of psychology (Austin, 1995; Baker-Miller, 1976; Cherry, 1995; Collins, 1990; Fine, 1992; Fine & Gordon, 1991; Henderson-King & Stewart, 1997; Hurtado, 1996; Morawski, 1992; Reid, 1999; Romero & Stewart, 1999; Smith, 1987; Unger, 1998), and in so doing they have altered conceptions of what may be considered the subject of psychology and

also ways of knowing/doing psychology . This research continues from where these and many other researchers have led us, moving into a specific social location—the mainstream newspaper.

In addition to feminist and critical legal literatures—in particular, feminist empirical work on the lived experience (Baker-Miller, 1976; Crenshaw, 1995; Fine & Weis, 1998; O'Connor, 1996; Reid, 1993) and standpoint theory (Fine & Gordon, 1991; Harding, 1993; Hooks, 1984; Smith, 1987; Stewart, 1994)—other relevant literatures that inform this dissertation include Marxist theory (Marx & Engles, 1846, trans. 1947), phenomenology (Husserl, 1913, trans. 1969; Husserl, 1950, trans. 1964), theories of ideology (Althusser, 1971; Gramsci, 1971; Larrain, 1979; Lukacs, 1971), post-structuralist theory (Danziger, 1985; Foucault, 1994; Weedon, 1987), empirical and theoretical work on language and discourse (Bruner, 1990; Polkinghorne, 1988; Romero & Stewart, 1999) literature on documentary reality (Gordon, 1993; Morawski, 1992; Smith, 1973), media and communications theory (Durham, 2001; Entman, 1991; Gamson, 1992; Giles, 2003; Gitlin, 1980; Hertog & McLeod, 2001; Lutz & Collins, 1993), critical legal theory (Bell, 1987; Blackman, 1999; Delgado, 1989; Haney, 1997; Scheppele, 1989), the literature on social representations (Moscovici, 1984; 1998) as well as critical race theory (Austin, 1995; Collins, 1990; Hurtado, 1996; Matsuda, 1995).

In order to develop a deeper understanding about the ways in which race, class and gender all affect both whose story is told and whose story frames public understandings about crime, I have used techniques of discourse and archival analysis to study the media descriptions of fourteen mothers and one father charged

with failure to protect. I have traced the multiple narratives that were created in news reports and have attempted to document the presence of culturally privileged and dominant perspective as well as the possibilities for socially critical counter-stories (Fine, Harris & Carney, 2002; Romero & Stewart, 1999). Though this study began with fairly clear aspirations about elucidating a more concrete understanding of counter and master narratives—understandings in essence, about the relationship between contextualized and de-contextualized life stories—in fact, the lines separating these types of stories blurred more than they came into focus. Master and counter stories shifted repeatedly, each taking the form of the other at times, and these shifts inevitably complicated definitions of master and counter narratives. Thus, in addition to documenting the continuing power and influence of racism, sexism, and other forms of discrimination underlying the national debate on crime, this research takes seriously the psychological and discursive imperatives (see: Abell, Stokoe & Billig, 2001; Billig, 1996; and, Daiute & Lightfoot, 2004) to seek out and embrace the complexity inherent in culturally (dominant) narratives as well as the complicated and multifaceted nature of the stories (counter) that call dominant accounts into question. This dissertation reaffirms the conception of narratives as shifting, changing, moving entities—far from static and fixed. In addition, it acknowledges the reality of dominant and counter-dominant messages contained within stories, but admits the difficulty of characterizing narratives according to such rigid typologies. This study, then, examines what I will call the “master project”—or thrust—of media narratives about failure to protect, and, in so doing, it suggests that news stories have a substantial role to play in a larger social

conversation on women, responsibility, and crime in general.

But, Before We Begin, A Note to the Reader:

Social psychologist, Julie Blackman (1994), who has done a great deal of research/theorizing on the experiences of battered women in the courts, has invited researchers to enter a “room” that she suggests is frequently overlooked by social scientists, feminists or otherwise. The room may be an empty apartment or a courtroom, and the main characters in this setting are the child, his or her abandoning, neglectful, or otherwise irresponsible mother, the prosecutor, the attorney for the defense, the social worker, the judge, jury, and the media. It is, as Blackman states, a room where the abandoned child is taken, and the mother is either left alone or, alternatively, imprisoned. I have taken my cue from Blackman’s invitation, and in this dissertation—despite massive literatures to the contrary—I am making the argument that psychology actually knows very little about the woman in the room. What we do know, I suggest, is filtered through research and media paradigms that idealize the family as an autonomous entity and isolate the mother in her culpability. Positivist frameworks and methods have painstakingly peeled away context, layer by layer, until all that is left is a notion of a race-less, gender-less, classless—and history-less—person, deviant, mentally ill, or evil.

The qualitative call to make cultural narratives visible has made studies describing more marginalized lives and disenfranchised voices hot topics at academic conferences; however, when that discourse is about murdered babies, many will recoil. The flinch is understandable: Blackman’s room is stuffed with

fear, anger, disgust and pain. It is a place where bad things have been done—not only by the mother to the child, but also by the state to the mother and child alike—and those bad things are gut-wrenching. Psychology has feared to tread here perhaps, but not without good reason. This, as researchers and readers of this dissertation must understand at the outset, will be research along the knife's edge. Walking into Blackman's room will thrust us all into a new moral universe, and no matter how committed we are to social justice there will come a moment when horror and incomprehension become overwhelming. And the violence perpetrated by the state against women and their children does not temper the emotion we feel toward abusing mothers: it compounds it.

So here we are, about to step out onto a slippery surface. A warning, therefore, before we begin. The stories of the mothers (and one father) that have been charged with failure to protect that make up this study are difficult to read. The abuse perpetrated by fathers is horrendous, and no matter how badly we might want to reframe responsibility, the tragic decisions some mothers have made—about child care, about the men in their lives, and so forth—are agonizing. The ways in which mothers are held responsible for the violence of the men in their lives are disturbing, as are the racist and stereotypical assumptions that underlie mainstream media constructions of white and Black mothers. Descriptions of mothers—by local community members and by the news media itself—are alarming. A cultural narrative on crime as individualized floats above many current understandings of social responsibility; it structures, defines, and underscores many of the philosophies that underpin today's notions of justice. These cultural

narratives can feel heavy and immovable—discouraging to those of us who so fervently wish for change. It is a swirling, complex mess, this room we are entering; there is plenty to condemn, but nothing to exalt. There are villains everywhere, and, though we will want them, no clear heroes to reveal.

Despite all this emotion and all this complexity, perhaps because of it, this is work that needs to be done. Feminist psychologists, critical race theorists, discourse analysts—all scholars interested in social justice—must enter here, no matter the discomfort, no matter the shock. We must do so because we were right: stripping context from a story—rewriting a personal narrative so that it conforms to dominantly crafted social understandings—is a strategy for domination and subjugation. We must do so because justice, in a de-contextualized vacuum can become sponsored violence. We need to do so because acknowledging the appalling behavior of the mothers presented here must not continue to hide the forms of injustice that blame women but exonerate men. I do not walk into this difficult and sometimes morally chaotic social location intending to excuse child abuse or to ennoble its victimizers. I go because I believe (like Michelle Fine, Julie Blackman, and Craig Haney) that it is up to current theorists of psychology and law to use complex narratives such as these to pry open cultural interpretive frames (Haney, 1997). These dominantly crafted understandings have reduced real-life social circumstances—poverty, lack of education, racial discrimination, gender stereotypes—to background noise, and they have created, in turn, a culture of crime and a glut of defendants. Reintroducing context to crime narratives is not an “out” for perpetrators; it is a call for a more just form of justice (Haney, 1997; Haney

2001). Fair judgment—and further cultural debate about potential solutions to crime—is not possible without such consideration.

I will begin the review of the literature by providing a brief overview of the U.S. sociological and psychological research on child abuse and neglect, highlighting the major assumptions that make up its foundation as well as the ways its causes and “cures” have been understood to the present. I will next turn to outline the ideological paradox that runs through contemporary conceptions of the problem of welfare, of family assistance, and ultimately, issues of child neglect and family violence. I will then move on to a discussion of current theorizing about the existence and function of master and counter-stories, paying close attention to the discourse and social representations research that blurs the lines between these two narrative types and embraces cultural discourses that are complex and changing. Next, I will describe the work of a variety of social theorists who suggest that media analysis may be one particularly fruitful method for studying cultural narratives. I will end the literature review by outlining some recent research/theorizing on the ways in which gender, race and class intersect in cultural conversations about and constructions of crime and responsibility.

Chapter Two: Child Neglect in the United States

A large proportion of research done in the United States on the psychological, historical, sociological, and legal issues of child neglect relies upon two fundamental, cultural assumptions. Much of the work begins, first, with the idea that family rights to autonomy and privacy are of primary importance. The belief in the primacy of the “family unit,” very much in evidence in day-to-day cultural discourse, has become the backbone of social scientific work on abuse/neglect (Barnett, Manley, & Cicchetti, 1993; Swift, 1995; Zuravin, 1991). Current U. S. social programs and child welfare policies begin with the stance that it is parents—and in particular mothers (fathers are, for the most part, absent in the literature on child neglect; aside from some work on finances and child support there are few scientific conversations to be had regarding paternal neglect)—who are responsible for providing for their children’s safety and development (Dalley, 1988). According to existing social policy, the role of the state is not to provide resources for individual families, but to enforce mandates of care and to intervene when things go wrong, but only as a last resort.

The second fundamental assumption underlying research on child neglect is that the problem—failure to care for one’s own children—is framed most often as an individual trait or personality characteristic. Child neglecters may be seen as suffering from depression/personality disorders or as poorly socialized (Swift, 1995); alternatively (perhaps most commonly), they may be seen simply as evil (Pearson, 1997). Karen Swift (1995) argues that current knowledge about neglect is flawed because it is based in these medicalized and individualistic models, limited frameworks which ignore, she says, the way neglect is socially produced. It is clear

that these conceptions of child abuse as a psychological illness or moral failure (or both) of the mother has profound social implications; individualized notions about neglectful mothers guide community understandings as well as social policy, framing child abuse and abusers as clinical, treatable, or at least punishable, problems (Myers, 1998; Polansky, Borgman & De Saix, 1972).

It is important to begin with these two assumptions, because they forge a path through what can become a confusing trail of psychological, legal, and social work literature on child abuse and neglect. Child neglect can be operationalized as criminal behavior (Myers, 1998; Swift, 1995), as a symptom of maternal psychiatric illness (Giovannoni, 1982; Polansky, Borgman & De Saix, 1972; Young, 1964), as indicative of poor maternal socialization (Jones & McNeely, 1980; Kadushin, 1967; Katz, 1971), as a pathological response to environmental conditions (Fergusson & Lynskey, 1997; Pelton, 1981), and as cyclic in nature (Barnett, Manley & Cicchetti, 1993). During the 1970's child neglect was briefly thought to be linked with sociocultural structures and institutions (Gelles, 1973; Gelles, 1975; Gil, 1970; Giovannoni & Becerra, 1979; Zigler, 1976); however, social policies of the 1980's quickly re-embraced an over-riding individualistic philosophy. Quite often the literature presents a bewildering combination of acknowledged and unacknowledged theories, frameworks, and perspectives¹; nevertheless, basic assumptions about family privacy (that make a political stance of 'hands-off' likely) and child neglect as individually caused and determined, remain constant.

The assumptions underlying cultural understandings about child abuse may have remained fairly stable historically; however, the kinds of actions thought to be

abusive—and therefore punishable—have increased over time. This shift has put the charge of neglect (previously a legally less severe charge) on equal footing with the charge of child abuse. Child abuse, as it is conceptualized today, has physical, sexual, and emotional parameters; however, current social definitions of abusive behavior move beyond simply naming overt acts of maltreatment (also called “egregious neglect”) toward a more multilayered understanding—one that links risk, the potential for harm as well as a failure to act with abuse, thereby defining these actions as criminal and stretching cultural notions of what becomes abusive behavior. For instance, legal and cultural definitions of abusive behavior have widened to include such parental acts as failure to provide medical or psychological care, lack of supervision, educational neglect, and exposure to drugs or alcohol during pregnancy (Barnett, Manley & Cicchetti, 1993; Humphries, Dawson, Cronin, Keating, Wisniewski & Eichfeld, 1995; Roberts, 1997; Rose & Meezan, 1993). Mothers can now be prosecuted for engaging in risky behavior such as leaving children unattended in toddler pools, in cars, or even alone after school. Perhaps the most dramatic shift in neglect laws has been the growing numbers of women charged with first degree murder when husbands, boyfriends, or partners abuse and murder their children. The broader conception of abuse and abusive behavior provides evidence that a cultural conceptual shift has occurred. These relatively new understandings of female responsibility reflect the simultaneous influence and entanglement of at least two factors: first the social, and now legal, belief in a maternal imperative to sacrifice everything, including her own safety, for her child; second, shifting theories about social obligation that equate bystanders to

accomplices. For instance, it is under this same conception of responsibility that doctors and teachers have been charged criminally—or have been the target of lawsuits—if proof exists suggesting they knew a child was being abused but did not report it to authorities. Bystanders to other crimes such as sexual assault have been sued in civil court with some success. Abuse, then, is not just hitting, insulting, or fondling; it can also be ignoring, standing by, and making bad decisions (See, for example, Kanter & Little, 2003). What all this means—the upshot of maternal behavior being scrutinized so closely—is that when things go wrong in the family, it is increasingly likely that, given the now-larger pool of potential offenders prosecutors have to draw from, legal charges will be brought against the mother.

Solutions to the social problem of child abuse have varied predictably, depending on the ways in which the nature of the problem has been understood. For instance, child advocates who have defined neglect as criminal conduct have pushed for termination of parental rights and imprisonment (Barnett, Manley & Cicchetti, 1993; Zuravin, 1991). Working under a medical-diagnostic definition, however, has led some clinicians to see child maltreatment as a symptom of pathology, and thus their focus has been treatment—breaking the “cycle of abuse” or treating “battered child syndrome”—rather than blame and punishment (Erickson & Egeland, 1996; Polansky, Borgman & De Saix, 1972). Sociological and ecological theories do posit parental as well as social responsibility as contributing to the problems of neglect and suggest that solutions to the problem lie in providing resources and in strengthening the relationship between social/cultural institutions and the “family unit” (Swift, 1995); however, their voices can be difficult to hear

given today's public clamor for increased prosecution and stiffer sentences for neglectful mothers.

The current U.S. governmental reliance on the courts, and the criminal justice system in particular, for the solution to the epidemic of child abuse (as it is now conceptualized) has occurred due to the collision of several social and political factors: public tolerance for stories of neglect continues to dwindle; broader definitions of abusive behavior bring greater numbers of women under the umbrella of "abuser"; and resources for families, schools, religious communities, and neighborhoods have been reduced or erased. As the public's ability to rely on other social institutions has faded, the legal sphere has stepped in to become the sole arbitrator of public—and now private—life. This shift has had huge repercussions for women charged with neglect. Actions that in the past were dealt with from within families themselves (Alvy, 1994; McCord, 1990) or in schools (Gottfredson, 2001) neighborhoods (Seydlitz & Jenkins, 1998) and churches (Atkinson, Walker, Schmidt, & Trump, 1996)—each having its own means of punishment, restitution, and reconciliation—are now shunted into the courtroom for arbitration, a space that may or may not be appropriate.

By far, the majority of the psychological work done on issues of child neglect and child abuse has been through the use of traditional, positivist methods of social science. This reliance on demonstrable facts, observable occurrences, and replicable findings has led science to reify dominantly crafted understandings about neglect—to continue to pose the problem of "failure-to-protect" as individually based and personally caused (Swift, 1995). This framework, in turn, perpetuates a

particular kind of research, aimed at finding a “cure” for neglect with the development of effective interventions, treatments or punishments for neglecting mothers. Incarceration remains the solution of the day, and it is the one most often demanded by an angry public tired of hearing stories about repeated abusers and tragic events.

A Contradiction...

There is a swirling, circular contradiction in the arguments posed above. Notions about family privacy and autonomy have been linked with personal freedom and are thus etched deeply in the hearts and minds of a U.S. public. The connection between autonomy and freedom works to the advantage of the dominant ruling class; it justifies the withdrawal of public support and assistance for families in need. Political policy that supports a shrinking welfare system embraces the ideal of individually autonomous (read: responsible) families because it allows policy makers to justify diverting scarce resources away from public assistance and toward issues that resonate more urgently with the primarily white, middle class voting population: specifically, crime prevention and punishment as well as tax reduction.

The political and cultural shift toward supporting crime punishment (visible in the current Bush administration’s press for larger, more secure prisons and stiffer sentences, including a more-regularly heard call for the death penalty) has been accompanied by increasingly broad definitions of crime, including child neglect. Original conceptions of illegal abandonment have been stretched outward so much

that recent cases of failure to protect have indicted mothers of obese children and mothers whose children commit suicide. Broader definitions of neglect ensure that more and more women will become caught in the criminal net. Thus, the contradiction: deeply entrenched social ideologies of family autonomy and individualism direct the public gaze toward an ideal of self determination, hiding the stark reality that personal freedom, privacy and autonomy—rights of the individual as they have been commonly understood—have actually shrunk, while state surveillance and intervention (of a sort) have increased (Burnside, 2003; Feeley, 2003; Whitley & Dressel, 2002). Fundamental ideals of freedom ironically become the logical basis for freedom's removal. Beliefs about privacy and family autonomy aside, the state enters and intrudes on the family more frequently than ever, though not with the aim of offering more resources or assistance. The state arrives when things go wrong; intervention (and punishment) will be swift.

Some recent work criticizes the positivist approach to research on child neglect and begins to attempt to disentangle, or at least make explicit, this paradox by re-examining lives in context. Arguing that traditional psychological and scientific frames have hidden the social realities that make violence and abuse likely, authors such as Julie Blackman (1999) and Karen Swift (1995) on neglecting mothers, Michelle Fine and Lois Weis (2000) on poor mothers, and Linda Gordon (1993) on battered women, document the ways in which context has been systematically erased in stories about struggling women/mothers, and they also attempt to re-insert history into their narratives. Histories of oppression and racism, as well as the day-to-day struggles involved in living under conditions of poverty,

complicate narratives of neglect, abuse, crime and violence. Arguing that the most powerful tool that positivist science—and the dominant class—can wield is the power to erase context, Swift (1995) states, “Removed from their social roots and placed outside the bounds of [the category of neglect], the poverty, violence, and discrimination to which mothers are regularly subjected can remain either as a background issue or can perform the ideological service of indicting the mother’s care; she is charged with failing to protect” (p. 175). In its place, the discourse of bureaucracy—goal oriented, impersonal, and routinized—stresses the importance of “facts” and minimizes moments of disjuncture and contradictions. But “facts” as Dorothy Smith (1973) tells us are necessarily reductions—they reflect choices, made by distinct (and often elite) groups about what is important. And what is not. Facts are rarely what actually happened. Facts are a reduction, a loss. They are also, as Swift (1995) argues, strategic. Facts make neglect appear neutral with respect to gender, race, and class. Facts take for granted cultural discourses of individualism. Facts make mothers responsible—they become slovenly, psychotic, victims of a cycle of abuse. Facts remove fathers from schemes of neglect. Facts erase notions of intention. Facts turn our eyes away from the ways in which the stability of the state relies upon the continuation of such concepts as neglect; facts and statistics function to hide the reality that neglect is a useful tool by which more powerful classes can regulate and invade the privacy of poor and marginalized groups (Hudson & McKenzie, 1981).

Chapter Three: Master Narratives and Counter-Stories

Master Narratives

Discourse and narrative theorists, such as Jerome Bruner (1990) and Donald Polkinghorne (1988), suggest that humans construct stories and histories to explain who they are, what they are doing, and where they are going. They are stories that contain expectations for the future as well as explanations for the past. Bruner argues the post-modern theorem that it is through human narratives that a culture is formed, just as he acknowledges that culture shapes experience. He suggests that language, storytelling, and narrative are where we must look in order to understand the act of meaning making. Donald Polkinghorne (1988) writes similarly:

We achieve our personal identities and self concept through the use of the narrative configuration, and make our existence into a whole by understanding it as an expression of a single unfolding and developing story. We are in the middle of our stories and cannot be sure how they will end; we are constantly having to revise the plot as new events are added to our lives. Self, then, is not a static thing or a substance, but a configuring of personal events into an historical unity which includes not only what one has been but also anticipations of what one will be. (p. 150)

The stories we tell are both personally authored—they are written by and for ourselves—and they are written for us by the systems and institutions of our culture (Daiute & Lightfoot, 2004; Gramsci, 1971; Harre & van Langenhove, 1999). These socially-produced narratives are everywhere—they are in the air that we breathe. They become common understandings and normalized explanations; and they are so simultaneously prevalent and unanalyzed that they may become incorporated into our own personal narratives—they may look like we wrote them ourselves.

Romero and Stewart (1999) call them “master narratives”:

Master narratives operate internally—we compare our lives to the stories we know. They also operate externally, in the ways other people interpret and understand our lives and reflect them back to us. They are, then, widely circulating in the culture, not only in obvious “story” forms (movies, literature, television) but also in our accounts of our own and each others’ lives. They gain strength from repetition and mirroring; they accumulate familiarity and clarity while blurring and erasing plot elements that don’t fit. (p. xiv)

Master narratives, state Romero and Stewart (1999), are discourses that are written by specific majority groups and serve specific majority ends. Since a master-narrative is constructed by the ruling class, it necessarily reflects the interests, desires and beliefs of the dominant social group. They are carefully crafted, strategic endorsements for a particular national consciousness, and they carry a set of beliefs/understandings that structure cultural discourse, enabling the powerful to stay in power and permitting the continued oppression of the non-powerful. Dominant groups use master narratives to frame the speakable; they determine what is possible to say and what is not (Alcoff & Gray, 1993). Master narratives become the underlying assumptions present—almost unavoidably so—in everyday life.

Because every personal and cultural story contains within it some dominant and some non-dominant characteristics, because stories that benefit the dominant class operate subtly, and because many cultural understandings about the way the world can or does work are so deeply engrained in the national fabric, master narratives are slippery and difficult to see. “Master narrative,” moreover, is a term that has been subjected to some criticism because of its fairly functionalist

connotations; critics suggest that it insinuates distinct and separable narrative “types” or that cultural discourses are somehow divisible into (just) two discernable camps. But the imposition of hegemony, after all, is not accomplished with a fist (at least for the most part) but rather is obtained/maintained through much more subtle practices (Gramsci, 1971). Dominantly crafted stories may *pose* as inclusive carriers of multiple messages and varying perspectives, but they naturalize one viewpoint. No cultural narrative is “master” (or counter) in any purist sense; all are some version or combination of dominant and non-dominant voices engaged in an ongoing dialogue/debate about how to narrate social life. What I have been calling master narratives, then, must not be thought of as unilateral or one-sided; master narratives, as they are understood in this research, are more complex, and it is the illusion of their “inclusiveness” that cleverly disguises the ways in which they strategically push dominant interests/agendas. Perhaps we have outgrown the suggestively simple idea of a “master narrative” and a new term is needed, one which both conveys the tremendous power of voice as well as the complexity of cultural discourses. Since they are versions of cultural stories that most benefit the dominant class, “privileged perspectives” might be a more accurate way to understand these discourses. To some degree, unmasking privilege calls for the creation of a whole new language (Foucault, 1994); to critique dominant discourse in the very same languages of the institutions that have created it weakens a (potentially) transgressive argument (Alcoff & Grey, 1993). Audre Lorde (1984) states, for example, “The master’s tools can never dismantle the master’s house.” Because dominantly created discourses of privilege to a great degree structure what

is possible to say (Alcoff & Gray, 1993), some stories become expressible; others remain less fluent and invisible (Apfelbaum, 2001; Hegarty, 2001; Kitzinger, 2001; Torre, Fine, Boudin, Bowen, Clark, Hylton, Martinez, 'Missy', Roberts, Smart & Upegui, 2001).

There are a great many examples of versions of cultural stories that benefit the dominant group at this particular moment in history. For example, United States culture has a long history with ideologies and discourses of individuality and personal responsibility—as narratives of “rugged individualism,” “pull yourself up by your bootstraps” and, more recently, the welfare-defeating slogan, “return to work” attest. These notions of personal freedom and individual accountability have moved U.S. society into a current economic and political climate typified by unprecedented governmental and systemic abdication of social responsibility. The version of cultural narratives that justify this “hands off” status quo are readily apparent—they are visible in all informational channels, in all forms of the media, and in the legal system as well. For some—in particular for the members of dominant groups in the society—the evaporation of the public sphere is consistent with personal narratives and conceptions about the way the world can and should work. For others, however, cultural narratives of individualism work to justify their continuing oppression and persecution (Bourdieu, 1998). By setting strict limits on legitimate cultural discourse, dominant groups are able to normalize their power and privilege and, even more importantly, to foresee—and therefore manage—social critique. In 1989 Delgado wrote that master-narratives were “The stories or narratives told by the in-group that remind it of its identity in relation to out-groups,

and provide it with a form of shared reality in which its own superior position is seen as natural” (p. 2412). Perhaps he might now agree that master narratives are actually stories-within-stories voiced from particular perspectives that justify the world as it is.

Privileged perspectives, then, reflect current mainstream assumptions about, and provide justifications for, existing social conditions. They define “good” and “bad” in concrete ways, and they suggest a “blueprint” for living a socially legitimate and acceptable life. Hidden behind the guise of what’s natural, a privileged viewpoint is often hard to see—it is so accepted as common sense as to appear invisible in everyday life. Adreanne Ormond (2001) writes that it is the “life’s blood of the master narrative to feed the public the common sense...ideology that there is only one voice and that this voice belongs solely to the dominant power group” (p. 50). Indeed, it may be precisely because of this intangibility that a great many researchers have chosen to focus their attention on the construction of counter-stories rather than to continue to try to grab hold of shadowy and elusive dominant versions of reality. But master-narratives—or privileged perspectives within cultural narratives—do exist, and their real-life presence/impact is experienced with particular clarity by those for whom they do not speak (Braidotti, 2000).

At this point we can attempt to make some current cultural master-narratives/privileged perspectives operating at this moment in history (and within stories about crime and women) visible. One of the preeminent ideologies of U.S. culture is that the world is positive and just—the perspective most beneficial to the

dominant class being that good things happen to good people and that bad people get what they deserve (Lamb, 1996; Pepitone & L'Armand, 1997). A second, though no less fervently held privilege-enhancing version of U. S. culture, is that everyone—regardless of race, gender, class, or sexuality—is treated equally under the law (Matsuda, 1989). Another privileged perspective is visible in the cultural notion that somewhere, an objective truth exists, and that it is discernible through rigorous method and procedure (Chamallas, 1992; Scheppel, 1989).

In addition, privileged viewpoints embrace notions of individualism and independence, valuing notions of individual responsibility (Fraser, 1993; O'Connor, 1996) and condemning ideas of public dependency or collective obligation (O'Connor, 1996a; Prokhovnik, 1998; Yuval-Davis, 1997). Current dominant accounts accept agents of social control (police, judges, juries, child welfare advocates, and others) uncritically, assuming that these individuals work exclusively in the best interests of society at large (Alcoff & Gray, 1993; Fine & Weis, in press; Gordon, 1986; Gordon, 1993; Pastor, McCormick & Fine, 1996; Scheppel, 1989). Narratives from the perspective of the ruling class conceive of the domestic sphere as a safe, unproblematic space (McConnell, 1992; Pastor, McCormick, & Fine, 1996), and they imagine that the lines between good and bad (villain and victim) are clear and recognizable (Gordon, 1993; Lamb, 1996). The dominant class has constructed and idealized a version of male and female that reflects patriarchal notions of model femininity—white, middle-class, passive, domestic, and so forth (Bordo, 1993; Davis, 1994; Klein, 1973)—and sustains the privilege of white elite males. Privileged perspectives conceive of and frame

violence in the home and by the state as rare, aberrant, and separate from daily existence (Blackman, 1990; McConnell, 1992)—a version of crime that virtually erases domestic violence and hides the violence and damage produced by more “white collar” offenses. Current social narratives from a dominant viewpoint frame crime and criminal activity due to inherent badness and as the result of active decision making rather than reflective of economic, social, or political forces (Sokoloff & Price, 1995). Finally, it is from a privileged perspective that many cultural stories are told, because it is that particular group’s rules for how good and legitimate stories are to be constructed that have become naturalized and taken-for-granted (Gergen & Gergen, 1995; Scheppel, 1989).

Privileged viewpoints become more visible when we understand that they reflect the assumptions that underlie most social/institutional systems set up by the dominant social class. They incorporate and neutralize criticism from the outside, constantly sustaining conditions beneficial to members of the dominant class (Alcoff & Gray, 1993; Romero & Stewart, 1999). With an uncanny ability to adapt, dominant interpretations of social narratives are thus both constantly changing as well as remarkably resistant to social change. Their common thread is that each rewriting, each new version, struggles to maintain particular—and almost invariant—socio/historical versions of privilege and conditions of dominance. Narratives that are written and codified by those who are in power can be frustratingly heavy and difficult objects to move; however, current theorizing of counter-narratives explores the possibility of just such shifts and transformation.

Counter-Stories

Non-privileged narrators with alternative perspectives can tell cultural stories in ways that call dominant assumptions into question. Stories that don't conform, or match dominant constructions—counter-stories—shake up standard versions of reality and reflect “perceptual fault lines” (Scheppel, 1989). They are versions of reality and experience narrated from the “subaltern” or margins; theirs is not the voice of the ruling class but of the underclass, and, as such, they reflect the lives of those who are oppressed and discriminated against. They are stories told from the perspectives of women. They are versions of cultural narratives written/spoken by African Americans, Latinas, Asians, Native Americans, or any other ethnicity that is non-White. They are the perspectives of the poor, the White working class, the very old, and the very young. They are the voices of people who are gay or lesbian. Those who speak from counter-dominant perspectives may tell stories that “...sustain us, inspire others, and aim to subvert” (Romero & Stewart, 1999, p. xvi). Their versions of social narratives are constructed by “rebellious voices” (Payne, 2001, p. 109), who seek to challenge the status quo.

Researchers interested in the construction of counter-stories begin with a standpoint theoretical perspective (Collins, 1990; Fine and Weis, 1998; Harding, 1993; Hartsock, 1998; hooks, 1984; Smith, 1974; Smith, 1990), recognizing that race, class, gender, sexuality, and the like are each (and in combination) characteristics that locate groups relative to a history of oppression as well as to the privilege of the dominant class (Romero & Stewart, 1999). All of these characteristics have an impact on an individual's lived experience and thus on his or

her interpretation of cultural prescriptions. Less privileged narrators may tell less dominant, more oppositional stories, narratives that call into question the ideologies and values of mainstream U.S. culture. Counter-stories can enrich imagination (Delgado, 1989) and suggest a path to a newer, more just world. Informants and critics who are not members of the dominant community may offer perspectives that force a reevaluation of existing conceptions of how the world could (or should) work.

The introduction of a non-privileged perspective—a reinterpretation or alternative understanding about social issues—into dominant consciousness marks the birth of a counter-story. Counter-stories demand that the reader or listener begin to question dominant frames. These narratives broaden assumptions about causes and effects. Thus feminist theory, critical race theory, and critiques of methodology are all counter-stories to dominant conceptions of psychological science and traditional legal theory. The suggestion that a subject's gender and race are relevant to the results of psychological research is a counter-story to ideas that a "normative male" is representative of all human behavior (Graham, 1992). The idea that battering is a crime and that women have the right not to be beaten is a counter-story to the cultural conceptions of male-female relations (Gordon, 1986) nurtured and sustained by more privileged storytellers. Stories that position police as agents—perpetrators—of violence run counter to dominant versions of crime that accept police uncritically (Fine & Weis, 2003). Narratives that reconsider the acts of women charged with neglect or failure-to-protect stretch dominantly authored stories of motherhood and deviance that would otherwise tend to point

individualized fingers of blame and judgment.

Counter-stories, and the perspectives of those who exist in the margins or outside positions of power, have long played a role in transforming science and society alike. Current work being done with counter-stories reveals their fragility, as well as their vitality and potential for social change. Counter-stories have the complexity of lived experience at their heart—they resist simplistic understandings in favor of complicated, morally ambiguous, and sometimes messy analyses of the ways in which larger social institutions construct and maintain social arrangements of privilege and domination. Blackman (1994) embraces such complexity, and she suggests that it is our task as critical scholars and practitioners to think more deeply as well: “We must resist the lure of simplicity for the accuracy of complexity. We must educate the justice and educational system to know that complexity, not simplicity, is our business” (p. 165). Haney (1997) writes that it is up to current theorists of psychology and law to use oppositional narratives as a tool to open up judges’ and jurors’ “interpretive frames” so that they may recognize the ways in which poverty, patterns of abuse, neglect, and institutional failure all combine to create a culture of crime and a glut of defendants.

Counter-stories are the voices of the underground, but they have tremendous power potential. Austin (1995) demands that all researchers—feminist and critical race alike—toss their fears aside and begin to tell counter-stories. She asks that we resist dominant narratives loudly and publicly. Delgado (1989) urges researchers similarly—he reminds us that “Narrative habits, patterns of seeing, shape what we see and that to which we aspire” (p. 2416). Living under the limited perspective of

dominant narratives necessarily shrinks our sense of possibility and our feelings of agency and power. In telling counter-narratives, Delgado argues, we may engage in acts of “psychic self-preservation” as we recognize the way historic oppression has worked. In addition, opening up master-perspectives paves the way for new, more inclusive versions of reality to appear and transforms social arrangements previously regarded as natural or impervious to change.

Counter stories can also demonstrate, however, the human capacity for cruelty, for self-serving behavior, and for ridiculousness (Delgado, 1989). It is this capability that makes some counter-stories so potentially disturbing to the dominant culture because the (destructive) tales they tell threaten master-versions that have been painstakingly constructed (see, for example, Fine, 1992, who unpacks cultural/psychological notions about rape/trauma recovery, and Bertram, 2001, who describes neighborhood reactions to a public mural containing images of resistance to violence). A version of a social narrative that threatens to expose privilege is frequently targeted, either with particular virulence and hostility (Alcoff & Gray, 1993; Scheppel, 1989), or with efforts to neutralize and diffuse the message. Dominant groups have multiple strategies useful for disarming potentially disruptive cultural accounts: non-privileged perspectives can be silenced, categorized as insane, or called lies. Alternatively, transgressive speech may be neutralized if those in power can successfully de-politicize and reframe its message into acceptable, mainstream terms. Alcoff and Gray (1993) write, “Dominant discourses can recuperate their hegemonic position even when disruptive speech is not silenced by subsuming it within the framework of the discourse in such a way

that it is disempowered and no longer disruptive” (p. 268).²

Because of their potential capacity to disrupt, counter-versions to cultural narratives are personal and social subversions worth examining. Many scholars currently recognize and write about the potential power of counter-stories, both to strengthen the sense of community within an outgroup and to alter dominant conceptions (Delgado, 1989). “Stories create their own bonds, represent cohesion, shared understandings and meanings. The cohesiveness that stories bring is part of the strength of the outgroup. An outgroup creates its own stories, which circulate within the group as a kind of counterreality” (Delgado, 1989, p. 2412). He continues, “Stories, parables, chronicles, and narratives are powerful means for destroying mindset—the bundle of presuppositions, received wisdoms, and shared understandings against a background of which legal and political discourse takes place” (p. 2413). Storytelling from the margins, suggests Delgado, can challenge complacency and perhaps alter the status quo.

Chapter Four: Why Newspapers? Media Representations and Cultural Ideology.

Cultural narratives, for the purposes of this study, are understood to be simultaneously the authors *and carriers* of messages stemming from a variety of sources: the media, political/institutional, economic and historical circumstance, etc. The substantial increase in the amount of social psychological research examining cultural narratives, especially during the past 25 years, is evidence of a steadily building interest within the field. The methodological issues and new perspectives highlighted by feminists and researchers of color working within standpoint theory partly explain this increased attention to point of view and perspective (Collins, 1990; Fine & Weis, 1998; Harding, 1993; Hartsock, 1998; Smith, 1974; Smith, 1990³), as do contributions from discourse theorists, who have argued effectively that it is language—and, in particular, it is the story (whether that story is verbal, visual, or dramatic)—that structures and guides our understandings about the way the world works (Bruner, 1990; Durham, 2001; Daiute, 2000; Daiute, Stern, & Lelutiu-Weinberger, 2003; Gamson, 1989; Gitlin, 1980; Goffman, 1974; Hall, 1982; Hertog & McLeod, 2001; Iorio & Huxman, 1996; Ouellette, 2003; Polkinghorne, 1988; Reese, 2001; Tankard, 2001; Tucker, 1993). At the intersection of psychological work grounded in standpoint (that focuses on perspective) and discourse (that emphasizes language and narrative) theories lies research that considers the ways in which language and point of view converge and then function to guide, frame, persuade, and alter the public consciousness and conversation: the study of social representations (Duveen, 2001; Moscovici, 1984; Moscovici, 1998). Moscovici's notions of a social psychology of knowledge

understands common reality as being constituted in the everyday: “Knowledge emerges from the world in which people interact, the world in which human interests, needs and desires find expression, satisfaction or frustration...A social psychology of knowledge is concerned with the processes through which knowledge is generated, transformed, and projected into the social world” (Duveen, 2001, p. 3).

Some social narratives or representations are self-written; they are framed by personal experience and subjective interpretation, and they can be studied through such means as in-depth interviews, observation, and analysis of focus group interaction. Other guiding stories however—a great many of them in fact—have been written by the culture. These are social narratives/representations created by groups, organizations, and institutions in power—in corporate boardrooms and government agencies—and they function not only to create social meaning, but also to justify the maintenance and extension of dominating power (Reese, 2001, Romero & Stewart, 1999). They have been so deeply ingrained into the fabric of U.S. culture that they have become ideology,⁴ fading from public notice or critique. They are, according to Moscovici, “...almost tangible entities. They circulate, intersect, and crystallize continuously, through a word, a gesture, or a meeting in our daily world. They impregnate most of our established social relations, the objects we produce or consume, and the communications we exchange” (Moscovici, 1961, cited in Duveen, 2001, p. 3). These guiding social narratives may be fleetingly visible in research interviews⁵; however, social narratives can be much more accessible in cultural documents, archives and artifacts. And work on

documentary reality (the study of secondary texts) has turned its attention to the stories that are produced and framed by specific—and powerful—groups, as well as how those dominantly crafted stories are then translated and disseminated by various cultural messengers. About the psychological imperative to study cultural archives/artifacts Dorothy Smith (1973) wrote, “Because so much of what we ‘know’ about the world is derived through texts, the images and meanings conveyed through them have considerable power to shape consciousness and to produce particular kinds of knowledge” (p. 28). Though they may conceive of the problem differently theoretically and methodologically, some very exciting work coming from both the discursive and social representations camps ends up being complementary; with their examination and focus on language and stories as locations where reality and meaning are written/scripted and sustained—most often from a dominant frame of reference—discursive work, like that of Colette Daiute and Michelle Fine (2003) and Jocelyn Solis (2004) and social representations research like that of Linda Gordon (1993), Jill Morawski (1992), Lois Weis (2003), Craig Haney (1997), Karen Swift (1995) take seriously the ways in which language and meaning get used in particular contexts. They suggest that such examinations reveal previously hidden power relations that structure a group or society (Swift, 1995).

The mass media, as it exists today, is a complicated mixture of author and messenger/carrier of cultural narratives. With widespread accessibility and multiple forms (television, movies/entertainment, literature, the internet, advertisements, magazines and newspapers, for a start) the media is arguably one of

the most powerful story-tellers in U.S. society; it is a fundamental contributor to a national or collective understandings of all sorts (Brock, Strange, & Green, 2002; Hancock, 2000, Lutz & Collins, 1993). The function of the media in U.S. culture is a particularly complex one because it has multiple roles/cultural tasks, some benign, some more coercive. On the one hand, the media works to serve the public, providing information, entertainment, or both. At another level it can be, and has been, an undeniable avenue for the development of a more diverse social consciousness through its representation of multiple subjectivities. At a third level, the various forms of the mass media have drawn together and soothed local communities and (as was evident on 9/11) the nation during periods of crisis, just as it has reflected and framed moments of national joy and pride. The media has, on occasion, enabled social critique and debate by serving as a kind of a public forum. None of these functions, however, negates the fact that the media is also one of the many cultural systems that are created and run by members of the dominant class, and as such the media's most overriding function is—must be—to promote the ideologies and the social wishes of a certain faction of society. Thus, while media products may be “art” or entertainment, while they may reflect the desires and wishes of their consumers, while they may be creative, informative, and helpful, while they may be all of these things simultaneously, it must not be forgotten that the various outlets of the media are also *always* linked to the groups and institutions that have the knowledge and alliances with which to access them (Lutz & Collins, 1993). Gitlin (1980) argues that powerful groups use media outlets and other ideological spaces to produce and maintain hegemony. He states, “Those who rule

the dominant institutions secure their power in large measure, directly *and indirectly*, by impressing their definitions of the situation upon those they rule, and, if not usurping the whole of ideological space, still significantly limiting what is thought throughout society” (p. 10). Lutz and Collins (1993) state similarly that the understandings and representations of reality posed by the media help to create and reproduce social hierarchies, suggesting that these hierarchies, at the very least, have created small humiliations, rejections, and lessened opportunities.

In this dissertation, I have made a great effort to keep the distinction clear between the author, framer, or story creator (powerful political and economic factions) and the tools/strategies for story telling (the media). It is easy to confuse the two roles, especially because they are so often blurred in the literature, much of which goes to suggest that it is the media that frames the social (Brock, Strange & Green, 2002; Farr, 2001; Hertog & McLeod, 2001)⁶. This is a conclusion that, I believe, ends the discussion prematurely. The failure to distinguish between and theorize about the nuances between the author and messenger roles seems to me to be one major weakness in communications work; the allure of “media blame” is something to be attentive to and resist. Researchers who look no further and draw causal lines between the media and cultural narratives effectively create a straw man; those with real power are allowed to remain invisible. Less flashy, and therefore far less vulnerable to criticism, are those who, through their ability to allocate resources and privileges, are truly engaged in the creation of cultural discourse—they are the elite (always), white (mostly) men (probably) who hold prominent political offices or who run large corporations. It is their continuing

power that is protected, enhanced, and perpetuated—often at the expense of (or on the backs of) those who lack access to power: women, people of color, or poor people. These quietly authored yet extremely influential social narratives safeguard elite white privilege; they tell stories whose values/messages serve dominant interests, concealing overt power/privilege all the while.

This dissertation aims to de-mystify that power and expose elite interests, if only for a moment; and it begins with the premise that exposing the hidden cultural ideologies/narratives behind common sense is a revolutionary act. To this end, it is a close examination of the ways in which one particular media outlet—the mainstream news—constructs stories about criminal neglect that reinforce existing capitalist economic arrangements, bolster dominant ideologies of individual responsibility and self determination, and endorse dominant understandings about masculinity and femininity. News stories about maternal failure to protect describe a social issue around which understandings about individual accountability, about gender, and about the role of the state in family life swirl and, as such, they are a good location from which to reveal powerful interests, complicate accepted understandings, and question dominant social assumptions/wishes. When women fail to protect their children, it is the media that quickly swoops in with powerful and particular dominantly framed messages; and these news stories reveal the gendered, raced, and classed social assumptions about familial responsibility that maintain existing social hierarchies and justify unequal power relations.

Chapter Five: On Crime and Responsibility: The Intersection of Gender, Race, and Class.

As the millennium begins, and not coincidentally, as cultural definitions of crime broaden, more women than ever are finding themselves criminalized and imprisoned (Chesney-Lind, 1995; Davies & Cook, 1999; Owen, 1999; Swift, 1995; Wesson, 1992). Davies and Cook (1999) call the twentieth century the "...age of the great incarceration" (p. 53), arguing that women have become the objects of particular scrutiny and condemnation. Statistics agree. Recent research finds that women are being incarcerated in increasing numbers in proportion to men, particularly due to changes in the law based on the "war on drugs" (Bush-Baskette, 1999), causing some researchers to call the war on drugs a "war on women" (Chesney-Lind, 1995). While popular explanations of the increasing numbers of women imprisoned as due to their accelerating levels of violence (Pearson, 1997), in fact only a small percentage of women in prison are convicted of violent crimes (Chesney-Lind, 1995). For the most part, these women are serving time for a variety of non-violent offenses—drugs, property crime, or prostitution (Maher & Curtis, 1995). Most are young, poor, and of color (Humphries, Dawson, Cronin, Keating, Wisniewski, & Eichfeld, 1995; Sokoloff & Price, 1995). Many are victims of violence themselves (Arnold, 1995; Blackman, 1984; Blackman, 1999).

If women are not becoming more and more violent—and are not turning to criminal activities in increasing numbers—why this dramatic swell in numbers of women imprisoned? Some of the growth, certainly, can be explained by the changes in laws—particularly the drug laws—of the past ten to fifteen years, but legal shifts alone cannot completely resolve why the numbers of women

incarcerated continues to accelerate. In a recent publication, Michelle Fine and I (2001) analyzed the growing numbers of women accused of criminal behavior by considering cultural discourses (master-narratives) about responsibility and the ways that those discourses are deeply linked to race, class, and gender. In our chapter, we suggested that some current, and very specific, cultural definitions of responsibility—that are located in commonly held social narratives—isolate women by gender, by race, and by class and then permit a special condemnation for women who step outside social prescriptions and mandates for female behavior.

Women, we argued, are responsible for the home and the family in five ways, each of which can be seen in what we called cultural “master” narratives (that is, in dominantly crafted stories that spell out specific rules about gender and obligation). First, regardless of their race, ethnicity, class and sexual orientation, women are held responsible for the emotional work in asymmetric social relations at home, in communities, on the streets and at work. Women are responsible for “caring about” (Benjamin, 1988; Collins, 1990; Baker-Miller, 1976; Phillips, 2000). Second, social discourses about the family continue to present a picture that includes a division of labor that is connected to gender (Hartmann, 1994). In addition to the “caring about” discourse, then, is one of “caring for,” with women responsible for a large percentage of the housework and child care (Destefano & Colasanto, 1990; Steil & Weltman, 1991; Staines & Pleck, 1986; Steil, 1999; Walzer, 1996).

A third cultural discourse finds women responsible for violence perpetrated against them—in the streets and in their homes as well. In our culture girls and

women (and men) make sense of and understand violence through a discourse of “blaming the victim” (Caron & Carter, 1997; Fine, Genovese, Ingersoll, Macpherson, & Roberts, 1996; Sinclair & Bourne, 1998). We write, “When girls and women are violated by men (through sexual harassment, domestic violence or rape) the attributional questions nevertheless hover around the woman” (Fine & Carney, 2001, p. 14). This victim-blame discourse continues, we argue, despite the popular and therapeutic literature that cautions victims—at least those who are white and meet middle-class standards and norms of femininity (Dexter, Linz, Penrod, & Saunders, 1997; Ullman, 1997)—that what happened was “not their fault” (Janoff-Bulman, 1979).

A fourth discourse of responsibility has to do with women’s responsibility for silence (Baker-Miller, 1976; Fine & Weis, 1998; Gonzalez, 1998). “...A substantial part of women’s work is not only to know and oil the workings of unjust social arrangements, but to remain mute, seemingly complicit, in these arrangements” (Fine & Carney, 2001, p. 396). Oliva Espin (1996) argues similarly when she says that in all spheres—home, work, and on the streets—a woman is responsible for resolving the inconsistencies inherent in social arrangements that are structured by race, class, and gender. It is a contradictory discourse; women are forced to defend (by silence) the very social conditions that oppress them (Smith, 1987). We write,

Wives are not supposed to give away the secret of male dependence, although they have plenty of evidence; secretaries are not supposed to tell about male incompetence, affairs, or the incoherence they make presentable; lesbian mothers are not supposed to “flaunt” their sexualities, lest they risk losing their children (Nestle, 1983); mistresses are not supposed to tell

about the contradictions inside heterosexuality, monogamy and the promises of marriage; women with disabilities are not supposed to expose social obsessions with attractiveness and illusions of life long independence and health; prostitutes are not supposed to tell about the contradiction of intimacy and sexuality; daughters are not to speak of incest; and maids or domestics are not supposed to talk about the world of paid work and family life under advanced capitalism (p. 396).

Finally, a fifth gendered discourse of responsibility: women as responsible for resistance. We write, “There is a growing (wo)mandate, that may be cast as the newest responsibility for women—to speak out against social injustice; to resist assault; to report instances of harassment; to flee abuse; to challenge when inequity prevails” (Fine & Carney, 2001, p. 398). This feminist-produced discourse contradicts discourses of silence (Fine, Genovese, Ingersoll, Macpherson & Roberts, 1996; Murzynski & Degelman, 1996); however it also foists “...yet another responsibility, the responsibility for challenging social injustice, onto the backs of individual women” (p. 398).

Haug (1992) suggests that women move to the discursive and material foreground “...with the obligation to reproduce good citizens, often without resources or full citizenship opportunities themselves” (Fine & Carney, 2001, p. 392) during specific historical moments; in particular, women become more responsible when the state retreats from social responsibility. Scarbrough (2001) writes similarly: “The stress on personal responsibility in public policy ignores the social nature of responsibility, and blaming poor women makes it easy to deny or minimize the responsibility of society” (p. 276). If we agree that we are currently living in one such historical moment and we understand discourse to both carry social meaning and structure what it is possible to say (Alcoff & Gray, 1993),

perhaps these discourses of responsibility provide us with some clue to the reasons women are coming under legal scrutiny in such high numbers. Social or cultural narratives remind women of and direct them toward their responsibilities/duties. There are, then, serious repercussions when women fail to care, protect, stay silent, or—as is especially and poignantly visible in some cases of “failure-to-protect”—resist. As we write, “The price paid for the challenge by women can be enormous, ranging from shame, embarrassment, silence, depression, to the loss of her children, violence, and death” (Fine & Carney, 2001, p. 389). In the United States, the current cultural attention toward issues of maternal neglect is linked, I will argue, to a particular social and economic moment and also deeply rooted in ideologies and discourses of female responsibility.

Chapter Six: Study Methods and Case Introductions

Procedures

The data for this dissertation come from a qualitative analysis of fifteen cases of neglect or failure to protect that resulted in filicide (fourteen mothers and one father) that appeared in the news media between 1989 and 2002. The 1990's saw the most dramatic increase in the numbers of women charged with neglect/failure to protect, and it was also during this time period that the types of maternal behaviors that could be considered legally abusive grew exponentially (see, for example, Kantor and Little, 2003; Lemon, 1999; and Magen, 1999, on victims of domestic violence being charged with failure to protect. See also Berkowitz, 1997, on wives being charged with neglect when husbands/partners sexually abuse children). According to a 1996 U.S. Department of Health and Human Services survey, the number of cases of child abuse and neglect nearly doubled in the time period between 1986 and 1993, an increase that can perhaps be partially explained by the broadening definition of what parental behaviors may be considered legally neglectful.

It should be noted at the outset that this project began with plans for an historical examination of the ways in which mother-defendants have been represented in the media as well as a comparison between the media constructed narratives, trial transcripts and in-court observations. It gradually became clear that this enormous task—planned far away from the realities of court records offices, annoyed county clerks, and lengthy trial calendars—needed to be broken down into more manageable steps. What I had initially thought possible (to

obtain copies of trial transcripts for coding and to sit in on and observe failure to protect trials) turned out to be much more difficult than I had anticipated. For instance, trial transcripts are available to the public, but the reality is that this availability is more theoretical than practical; transcripts are made public only after any appeals have worked their way through the system, and even then they are viewable only after they have been “bound,” a process that seems to take a indefinite—but considerable—amount of time. Because the cases I was working with were all relatively recent, the appeals processes were ongoing, and my ability to access recorded transcripts was thus limited. In addition, my plans for courtroom observations were thwarted by a methodologically unfortunate reality: a great many cases of child neglect are settled out of court. Over a period of three years I followed court schedules for upcoming failure to protect trials, contacted police, prosecutors and defense attorneys by letter and phone, found my way to various county courts throughout Connecticut, and sat in on weeks of preliminary hearings only to find, months later, that the attorneys and defendants had agreed to plead guilty to lesser charges and accept shorter sentences. Qualitative research may have a reputation for lengthy and involved data collection phases; however, I had the mounting sense that this process was expanding even beyond normal qualitative standards, and ultimately I was forced to make some concrete choices about what would and would not be possible to accomplish. Thus, I chose to limit my focus to an analysis of current media representations, and this dissertation is, I hope, a first step in what will ultimately become a much longer-term body of research, one that will develop notions of history (how

representations have changed over time), location (how narratives of the court are different from media narratives and how women's own life histories fit with media and courtroom versions), and issues of narrator voice(s) more deeply. This project, however, looks closely at one particular moment in time—the most recent decade—and it is an attempt to link current socio-cultural understandings about familial responsibility with representations of criminal mothers. I have studied one cultural voice and the multiple stories it tells—the voice of the mainstream media—in order to see news sources currently describe and represent child abuse and, more importantly, child abusers.

Using some of the archival search procedures described by Meyer and Oberman (2001) in their typology of mothers who kill their children, I began data collection by searching LEXIS-NEXIS for news stories on failure to protect that had been written during my selected target period, January 1989 through December 2002. I used (as they did) a variety of key words in the search: infanticide, neonaticide, child murder, neglect, failure to protect and child death. Once a case of failure to protect had been located, I followed up by searching LEXIS-NEXIS regional databases and other local news resources during the years following the initial report, collecting all the articles that described the case, the trial, and its repercussions.

Often the cases I collected cited other similar cases that had either recently been settled or were currently moving to trial. Though this “archival snowball” sampling technique had been unanticipated, it quickly became an invaluable tool in later LEXIS searches; early cases suggested other cases to look for, and information

about trial locations enabled me to find those stories more quickly and efficiently. In addition, I followed new cases of neglect and abuse that appeared in the media during this period of data collection. In total, I collected fifty-six cases of child neglect/failure to protect that were described in local and national newspapers during the target time period⁷. From these fifty-six cases I selected fifteen to code and analyze further.

Sample

Confronted with tens of thousands of pages and thousands of articles, I realized that I would need to make choices about which of the fifty-six cases to include in the analysis. This turned out to be a somewhat more daunting task than I had anticipated: traditional notions about limiting the sample to complete (from arrest to sentencing) stories, for example, resulted in a collection of narratives made up almost entirely of white defendants. Attempting to group together only one type of failure to protect (for instance, to look only at the stories of women whose husbands committed the murder) felt incomplete; on the other hand, the alternative—gathering together a group of dissimilar cases in an attempt to represent a wide variety of types of child neglect—seemed not only impractical, but impossible. After several false starts, I ended up choosing the final fifteen cases by deciding which sample characteristics were important to the work—such as racial diversity or legal definitions of maternal responsibility that were comparable across cases—and which sample characteristics were not (such as the geographical location of the case, or the specific charges against the mother). Thus, this overview of cases must be read with the understanding that these fifteen cases were

more dissimilar than they were similar, and that attempts to group them together as a coherent “sample” of any type feels false. As even a quick examination these news stories makes clear, failure to protect is a charge, or collection of charges, that is not uniformly understood, either by the legal system or by the culture at large. Neglect and failure to protect remain charges that are subjectively, sometimes even arbitrarily, applied, and they are often even more randomly punished. The broad nature of current definitions of neglect makes it simultaneously a methodological and analytical difficulty to overcome and an advantage for the researcher. That neglect is defined and punished differently across legal jurisdictions makes analysis across cases sticky and unwieldy; however the variation that is so maddening in an analytic sense is the same quality that works to make the stability and durability of maternal representations even more visible. For, almost regardless of events or circumstances, when children are murdered (whether by accident, by someone else, or by the mothers themselves), the ways in which mother-defendants have been represented in the media has remained, at least during the past decade, remarkably constant.

Because one of the overarching research objectives of this project was to study the differences between media representations of white mothers and mothers of color, cases were chosen with an eye toward racial diversity. The resulting demographic breakdown of these stories—three news stories are about African American women, five describe white women, two are narratives about Latina mothers, one outlines the case against a Caribbean mother, and three stories are about mothers whose racial/ethnic background characteristics were unavailable—

does not create a representative sample in the social-scientific sense of the word; white women are over-represented in this collection while women of color, who are arrested and charged with neglect more frequently than white women, are under-represented⁸. However my intention was never to develop a sample that was statistically representative of the U.S. population of mother-defendants, but rather to collect and analyze a diverse group of stories that would expose the complicated processes by which social narratives about female responsibility are constructed.

All of the cases included in this analysis involved the death of a child (or children); however, the circumstances of that death varied. Eleven of the fourteen stories described cases in which mothers were prosecuted for murder despite the fact that it was their husbands or partners who were actually the perpetrators of the abuse. These are stories of failure to protect as it is commonly understood; they are narratives about mothers who are charged under the new theories/laws of accountability which mandate that a mother's failure to intervene while a child is being abused or to protect her child from a potential abuser is, under the law, tantamount to her having committed the abuse herself. Two additional cases included in this analysis involved mothers who were charged with murder or manslaughter when their children died after being left home alone. This particular form of abuse—leaving children unattended in homes, bathtubs, cars, at playgrounds and the like—has been the focus of many recent headlines, and as such, it was important to include this type of failure to protect in the analysis. Finally I included one more straightforward case in which a mother perpetrated the abuse that led to her daughter's death. It will perhaps come as a surprise, given the

sensationalized media coverage that suggests an epidemic of mother-killers, that in reality, mothers who commit murder are actually quite rare. According to U.S. Department of Justice (1996) statistics, child homicide is a crime most often perpetrated by men —fathers, stepfathers, and boyfriends—and mothers who are charged with a child's murder are more likely to have been “bystanders” to the abuse or to have left children without proper supervision than they are to have physically caused their death.

In all of these stories the mothers charged were found guilty of a crime; however, because crimes such as failure to protect continue to be conceived of differently depending on the jurisdiction and who is doing the defining, information on verdicts and sentencing reflects a certain degree of subjectivity. For instance, these fourteen mothers were eventually found guilty of a wide variety of offenses, ranging from child neglect and child endangerment to second and even first degree murder. In a majority of the cases the women eventually pled guilty to a lesser charge in order to avoid the death penalty or to reduce their sentences. Their sentences ranged from a minimum of three years to a maximum of sixty years or life in prison. Finally, because so much research has cited the link between domestic violence and maternal neglect (Folsom, Christensen, Avery & Moore, 2003; Hartley, 2002), I made sure to select some cases (Pauline Zile, Barbara Peters, Sherain Bryant, and Urbelina Emiliano) in which the women charged were themselves victims of spousal abuse.

One of the major arguments of this dissertation is that, despite the growing literature that suggests that fathers are taking a larger role in both house work and

child care (Dienhart, 2001; McKeering & Pakenham, 2000; Primeau, 2002; Russell, 1989), the responsibility for the home and family remains a particularly female one. While this has certainly been a well documented finding in feminist work that has examined the family as a site of gendered labor (Hartmann, 1994; Rollins, 1985; Haug, 1992; Fine & Carney, 2001), the depth of female responsibility for caring becomes especially, and poignantly, visible when the home is a location of violence or neglect and when the family enters the courtroom—a site where responsibility is officially codified and inscribed. If men commit child murder, they are certainly prosecuted and imprisoned; charges of paternal neglect or negligence, however, are much rarer. Rarer still are cases where women abuse their children and their male partners are charged with failure to protect.

Throughout the planning stages of this project I had been keeping my eye on a developing case of paternal neglect in Utah. Paul Wayment, a white man from a Mormon community, was charged with misdemeanor child endangerment when he left his two-year-old son alone in the car asleep while he scouted a potential hunting site. I had not intended to compare and contrast stories of maternal and paternal failure to protect—partly because so few fathers are charged under these statutes, but mostly because this dissertation, as I saw it, was about mothers. There were all sorts of good reasons not to include Paul's story in this analysis. First and foremost perhaps, it was late in the process, and I had already completed much of the initial coding. Since I hadn't planned to analyze paternal neglect narratives, his story would stand out—alone and isolated (and therefore vulnerable to legitimate critique about sampling choices and straw men)—in a collection of stories that was already

feeling somewhat eclectic, even at times unwieldy. Second, it was also true that his story differed in some key ways from the stories of the women in my sample: the so-called abusive event was acute rather than chronic, and his deep connections with his church and community could mean that the support he received might be more attributable to his religious affiliations than any privilege accrued by his status as a father. However, the Wayment story lurked in the background of my consciousness during data collection and throughout the beginning of the analysis. After his sentencing hearing (he received thirty days in the county jail) Paul committed suicide, and the ensuing media furor (many articles denounced his arrest and criticized the decision to impose a jail term) brought his case into sharp contrast with the cases of the women that I had been struggling to understand. It was then that, despite my initial hesitations, I realized that, because Paul's story had become such a benchmark in my understandings of maternal failure to protect stories, it needed to be included in the analysis officially; it was not fair or good psychology, I thought, to leave the impact of his particular case unacknowledged and invisible.

Thus, the addition of one more news narrative to this analysis—the story of a white man charged with neglect—helped make the absence of a national conversation about paternal responsibility for care more obvious. The story of Paul Wayment does suggest a link between gender and responsibility—his son's tragic death is seen as a mistake and accidental (and therefore forgivable) rather than as intentional or irresponsible; however, I do not intend to formulate any sort of scientific or causal argument about the role of gender based on his story. Rather, I felt his story begged the open-ended, ultimately unanswerable (but perhaps

guessable?) question: What would the news story have looked like if it was Paul's wife who had left Gage in the car unattended? Juxtaposed with the fourteen other stories of "killer moms," Paul's story seemed to me to suggest the possibility of what a counter-story (Harris, Carney, & Fine, 2001) to accounts that point fingers of individual blame and culpability might look like. It may be an unfair analytical leap to state that Paul's maleness and white privilege bought him an alternative, more forgivable version of the failure to protect narrative; however, the fact remains that if we, as researchers, want to look for potential counter-stories to "mother-monster" narratives, that is, if we are interested in more humanized versions of crime, we must look at the story of a man/father. These types of alternative conceptions of blame and community accountability were simply not present in the stories of the mother defendants.

Before moving on to a discussion of study findings, let me first briefly describe each of the fifteen cases that formed the basis for this analysis. This synopsis will provide the reader with at least a rudimentary framework for reading and understanding later results and discussion.

Case #1: In November of 2001, Shiara Worsham, an African American woman, was charged with child endangering when her husband, 19-year-old Joshua Brissett, tried to reshape his five-month-old son's head with his hands, fracturing his skull in the process. She was sentenced to three years in prison. Brissett was sentenced to five years in prison for felony assault, possession of drugs, and drug trafficking.

Case #2: In November or 2001, 24-year-old Christie Rene Greenwood (race unknown) was charged with six counts of culpable negligence manslaughter. According to police reports, Greenwood had left her six children (who ranged in age from one to nine years old) home alone while she was out with friends when a fire broke out. Each count of manslaughter is punishable by a maximum of twenty

years in prison.

Case #3: In November of 2001, thirty-year-old Marcy Mountain, a white woman from Irwin Pennsylvania, was charged with endangering the welfare of a child when her husband's pet Burmese python escaped from its cage and wrapped itself around the couple's eight-year-old daughter, compressing her neck and chest, and eventually suffocating her. Marcy was charged despite the fact that she and her husband, Robert Mountain, were separated at the time, and she had been away from the home at the time the snake had gotten loose. She eventually accepted a plea bargain, pled guilty to one count of child endangerment, and pledged to testify against her husband. Marcy was sentenced to two years of probation and was ordered to undergo mental health counseling. Robert Mountain was found innocent of involuntary manslaughter, but guilty of endangering the welfare of a child (the same charge as Marcy) and was sentenced to four to twenty-three months in prison; he was paroled immediately for time served.

Case #4: In March of 1994, fifty-one-year-old Orlando Bryant beat his four-year-old daughter, Shayna, to death after she misbehaved. Bryant's wife, thirty-five-year-old Sherain Bryant (African American), was arrested and charged initially with endangering the welfare of a child; those charges were eventually upgraded to second degree murder when it was determined that Shayna had actually died from "child abuse syndrome," a classification that indicated a history of abuse and injury prior to the fatal event (called a "pattern of conduct") and thus justified the more serious charge of failure to protect. Orlando Bryant pled guilty to second degree murder and was sentenced to eighteen years to life in prison. Sherian testified during her trial that she had attempted to save Shayna but was unable to revive her. Fearing Orlando's violence, she said, she called 911 and then fled the house with her remaining children. The jury found her guilty of second degree murder however, and she was sentenced to twenty-five years to life in prison.

Case #5: In October of 1993, twenty-three-year-old Urbelina Emiliano, an undocumented immigrant originally from Mexico living in Hempstead, NY, and her husband, Fortino Perez (twenty-eight) were charged with second degree murder when, according to early reports, they buried their two-day-old baby daughter alive in the backyard. The couple killed the baby, police stated, because she had been fathered by another man; in their statements to police, Urbelina and Fortino both said they hadn't wanted the baby to come between them and hadn't wanted Perez to suffer the embarrassment of raising another man's child. During the trial the prosecution argued that Emiliano and Perez were equal partners in this crime; however, Emiliano's defense suggested otherwise, stating that she had planned to give the baby up for adoption, but that Perez had snatched the child away from her, buried it in the backyard, and then prevented her from saving her daughter by tying her up, beating her, and locking her in their home. Perez went to trial and was eventually found guilty of second degree murder. He was sentenced to twenty-five years to life in prison. Emiliano was eventually found guilty of reckless murder with depraved indifference to life and sentenced to fifteen years to life in prison for

“helping” her husband bury her two-day-old daughter alive.

Case #6: In January of 1996, thirty-two-year-old Sharon Burton (African American) was charged with murder/intent to kill/injure when her three-year-old daughter Dominique drowned in the bathtub. Detectives said that it was her husband, Leroy Locke (47-years-old), who submerged Dominique’s head in the bathtub several times, reportedly because she was not toilet training fast enough. Burton and Locke were both found guilty, and both were sentenced to life in prison.

Case #7: In October of 1994, twenty-four-year-old Pauline Zile (a white woman from Riviera Beach, Florida) reported the disappearance/kidnapping of her seven-year-old daughter, Christina Holt, to the police. After a massive search, Zile and her husband were detained by police. During the interrogation Pauline admitted that Christina had been killed accidentally by her husband, thirty-two-year-old John Zile, who had been punishing her for lying. John Zile corroborated his wife’s account, stating that he had been the one that committed the abuse—though, he argued, her death was accidental, not intentional; however, both he and Pauline were charged with first degree murder. After a long trial, which was accompanied by almost unprecedented news coverage, Pauline Zile was eventually found guilty of first degree murder; her failure to act was seen by the Florida court as the same as beating the child herself. She was sentenced to twenty-five years to life in prison. Several years later, John Zile was also found guilty of first degree murder and sentenced to life in prison without the possibility of parole.

Case #8: In January of 1989, twenty-five-year-old Ivy Martin (white) of Modesto, California, reported the disappearance of her three-year-old son, Jerome, from her home. A few days later, she and her lover, Teresa Patterson, admitted that Jerome had died after being disciplined by Patterson, and that they had buried him in a vineyard near their home. Autopsy reports indicated that Jerome had sustained previous untreated injuries, such as a broken arm and skull fracture, and that the boy died from a blow to his head. Both Patterson and Martin were charged with murder and several counts of child endangerment. Patterson testified that Jerome’s death was an accident—that she had grabbed his ankle and caused him to fall. The coroner, however, testified that Jerome had died from brain injuries caused by a blow to the mouth that was consistent with a hand or clenched fist. Martin was at work at the time of death; however, the district attorney argued that, present or not, Martin had been aware that Patterson was abusing the child but had taken action to stop her. Patterson was eventually found guilty of first degree murder by torture and felony child abuse and sentenced to fifteen years to life. Martin received the same sentence for failing to protect her son from Patterson’s abuse.

Case #9: In January of 1992 the Illinois Appellate Court, affirmed the conviction of Barbara Peters, a white woman, found guilty of murder, aggravated battery of a child, cruelty to a child, and endangering the life of a child. Peter’s twenty-month-old son was beaten to death by her boyfriend, Kenneth Jacobsen; he died as the result of profound head trauma. Though Peters was at work when the

child was murdered, the district attorney argued that the evidence supported the idea that she had intended to facilitate the offense because she knew her boyfriend was abusing her son and failed to remove him from that abusive environment.⁹ Under a theory of accountability, Peters had failed to protect her child. She received a sentence of thirty years in prison. There is no information available on Kenneth Jacobsen's verdict or sentence.

Case #10: In January of 1992, Violetta Burgos (race uncertain) was convicted of murder and sentenced to 60 years in prison when her boyfriend, Elijah Staniel, beat her three-year-old daughter to death. Burgos is legally blind and was not present at the time the abuse took place; however, she was convicted when the prosecution argued that she was aware of the danger posed by her boyfriend, but made a "conscious decision" (AP Wire Report, 11/20/92) to ignore it. Burgos, argued prosecutors, had continued to date Staniel even though the state had previously barred her from seeing him when he was charged with breaking three-year-old Electicia's leg. By failing to protect her daughter from her boyfriend's abuse, she had effectively assisted him in committing murder. The conviction was upheld on appeal by the Illinois Supreme Court; her sentence is currently under review.

Case #11: In June of 2000, eight-year-old Jose (Joey) Torres was found dead in his family's mobile home, apparently a victim of a homicide. His mother, 28-year-old Tammy Huff (race unknown) of Hobe Sound, Florida, and her 35-year-old boyfriend Bradley Dial were arrested and charged with first degree murder when the coroner ruled that Joey had been severely beaten and that it was this abuse that led to his death. Both Dial and Huff blamed each other; Dial argued that it was Huff who had taken Joey into another room and that he didn't know what was happening. Huff stated that it was Dial who had beaten Joey to death, beating him with a belt and punching him in the stomach. She eventually struck a deal with prosecutors: in exchange for her testimony against Dial, Huff no longer faced the death penalty. In November of 2003, Dial was convicted of aggravated manslaughter, and he now faces a maximum possible sentence of thirty years to life. Tammy Huff has not yet gone to trial and she remains in the county jail.

Case #12: In September of 2000, Marguerite Saccone, a thirty-one-year-old Jamaican woman from Palm Beach, Florida, was charged with child neglect, failure to protect her child from harm and resisting arrest, when her boyfriend, Lincet Marvin Chin, beat her two-year-old son, killing him with a blow to the head that fractured his skull. Saccone told police that Chin had been babysitting for Joshua while she was out doing errands, and that when she returned, she saw immediately that something was wrong with her son. Joshua was rushed by his mother to the hospital, where he eventually died from a swollen and bleeding brain. While Chin fled and avoided arrest, prosecutors argued that Saccone had been aware of Chin's abusive behavior but had done nothing to stop it. In fact, they argued, she had continued to place her son in harm's way by allowing Chin to remain in the house. Saccone was eventually found guilty of child neglect, a third degree felony, and she

was later sentenced to three years in prison. Lincent Chin has never been arrested.

Case #13: In July of 1989, Bradley McGee died from a brain hemorrhage when his stepfather, Thomas Coe slammed his head into a toilet as punishment for a toilet training accident. This was a case that rocked the Florida Department of Children and Families because Bradley had only recently been returned to his mother, Sheryl Coe (a white mother), and her husband; for most of his two-year-old life, up until two months before he was murdered, he had been living in foster care. Thomas Coe was charged with first degree murder and aggravated child abuse. Sheryl, who police said watched the beating, was also indicted on identical counts, though she had not actually participated. In addition, several case workers and administrators who had been involved in the decision to return Bradley to his home were indicted on counts of felony child abuse and failing to report child abuse (all were eventually cleared of any wrongdoing). Rather than go to trial, Sheryl Coe plead guilty to second degree murder, accepted a thirty year sentence, and agreed to testify against her husband at his trial. She was released after serving nine years as part of a Supreme Court-ordered early release of prisoners (due to prison over crowding). Thomas Coe was found guilty of first degree murder and sentenced to twenty-five years to life in prison.

Case #14: In November of 1999, Djenane Estime, a twenty-eight-year-old Haitian immigrant, was arrested on child abuse and murder charges in the death of her two-year-old daughter, whom police say she beat so badly that she caused her brain to bleed. She and her husband, Pascal Estime (who was allegedly aware of the abuse but did nothing to protect his daughter), were both charged with first degree murder, aggravated child abuse, and neglect of a child. As the community rallied around and supported him in their letters to the local newspaper, Pascal reluctantly agreed to plead guilty to a lesser charge—neglect leading to great bodily harm—and to serve six months. Djenane pled guilty to murder in the second degree and was sentenced to thirty-eight years in prison.

Case #15: In October of 2000, two-year-old Gage Wayment, left alone asleep in a truck while his father went hunting, woke up, and wandered off into the Utah woods. Five days later, his body was found underneath four inches of snow; Gage had apparently frozen to death. The Salt Lake community rallied around his father, Paul Wayment (35), immediately, describing him as an excellent father who adored his son, and calling Gage's death a tragic accident. Many wrote into the local paper to express their solidarity with Paul, arguing that this was a mistake that any parent might make. Despite public opinion against criminal charges, Wayment was eventually indicted on one count of negligent homicide, a misdemeanor charge that carried a maximum penalty of one year in jail. Two weeks before the trial was set to begin, Paul pled no contest in his son's death, and the prosecution agreed not to seek jail time, agreeing that he had been punished enough. In a twist, however, the judge hearing the case ruled against the prosecution's and the defense's requests for no jail time, and sentenced Paul to one month in the local jail. On the day he was to turn himself in to begin serving his sentence, Paul drove himself back to the

place Gage had wandered off and shot himself with his hunting rifle. Overwhelmed with grief and sadness, the Salt Lake community flooded the newspapers with letters full of recrimination—much of which was directed at the prosecutor and the judge and some of which was focused on themselves and their role in supporting single fathers.

Analysis

After choosing the cases of neglect I would include in the analysis, I began the coding process by writing a summary description about every news article that had been published about each particular case. Because some of the cases had generated literally thousands of stories, these summary descriptions streamlined what began as unwieldy data, extracting pertinent information and removing repetitive accounts. Summaries included what the article was about and any new information about the case (see Appendix A for an example of a complete news story and its summary description). If reporters had quoted sources directly, these statements were included in the summaries word-for-word; letters to the editor and other editorial type columns were also included in the summaries as quoted material. If a story repeated old information, it was noted in the summary¹⁰; further documentation was then unnecessary. The stories, thus condensed into more manageable summaries, were ready for coding.

Data analysis was conducted in three stages. I began by tracking and coding basic demographic characteristics and case circumstances across all of the stories—in essence, this analytic stage amounted to a content analysis of recent media stories about failure to protect. For instance, where possible, I coded the race, class, marital status and age of the defendant, the state the trial took place in, the precise charges, verdicts and sentences involved in each case, and the number and source of

the written news stories. When information was unavailable—which was often in the case of variables such as socio-economic class and other contextual-type information—I noted its absence. I coded the gender and ages of the children who were murdered as well as the cause of their death. Contextual details, such as the mother’s psychological and medical history, her history with domestic violence, as well as her past involvement with either the criminal justice department or with the department of children and families, were coded for analysis, as were any physical descriptions included in the articles—those describing the mother’s appearance or her reactions during arrest or trial, as well as descriptions of the father/stepfather/partner, their home, or the children. In addition, the various “speakers” who were quoted in newspaper stories were accounted for, including the mother, father/stepfather/partner, the prosecutor, the defense attorney, the judge, neighbors/co-workers/friends, angry citizens, expert witnesses, department of children and families spokespeople, law enforcement officers, and local politicians.

The results of this initial coding phase provided the groundwork for a second thematic analysis. In their book *Mothers Who Kill Their Children*, Cheryl Meyer and Michelle Oberman (2001) constructed a basic typology of the differing forms or types of filicide and then went on (in almost prescriptive form) to characterize and describe how social context as well as a mother’s personal and demographic characteristics combine to predict which groups of women are at risk for committing these types of crimes. Women who are more likely to commit child murder, according to Meyer and Oberman, are women who have been themselves victims of domestic violence; in addition, a history of mental illness or of

personality disorders (such as dependent personality or passivity), strong religious convictions, economic disadvantage, high levels of stress, age (women who kill their children are, on average, older), marital status (women who kill their children are most typically unmarried—stepfathers/boyfriends are more likely to abuse children than biological fathers), multiple children in the family, and the child's age (toddlers were more likely to be victims than infants) also increased the likelihood of maternal violence. My analysis began with the intention to enlarge upon Meyer and Oberman's descriptions of the various forms of child murder and the women who commit these crimes. I planned to connect Meyer and Oberman's typology to the premise that there exist underlying and often unstated (but extremely powerful) culturally constructed understandings/narratives about the role of women and their unique responsibilities, influencing the ways these particular women are represented in the mainstream media. As I began my analysis, my intention was to see how Meyer and Oberman's compelling "prescription" played out in mainstream news narratives, and how its contextual components and the ways in which they were included or erased from news narratives, shifted with respect to the race, class, and gender of the women charged.

After multiple false starts however, it gradually became clear that my intended analysis and the codes I was using were failing to capture what I was sensing was an overriding, emerging story about women defendants in general—a story, furthermore, that was cutting across race and class. The news stories of women who failed to protect their children contained stable and conventional story elements and themes, and the ways in which the women's lives and histories were

represented were also predictable, yet my codes as they existed did not allow me to analyze and write about the representative similarities within and across media versions of neglect. Media stories about maternal failure to protect, when viewed side by side, looked similar; regardless of the type of case, across geography, despite differences in sentencing and verdicts, even despite differences in race and class. Themes of maternal responsibility and similarities in the ways that women were represented as a “criminalized” group continued to insinuate themselves on the analysis. And yet the stories were different as well. White women almost always received more media attention than women of color, and their stories were often richer in contextual detail and background information. There was evidence that some interesting narrative work was going on—work that differed according to race—but it was clear that the codes I began with simply didn’t allow me to capture the complex and interesting ways that the social problem of maternal failure to protect and the women who commit it were being represented.

It was at this point that I tossed out the coding scheme suggested by Meyer and Oberman and instead asked the question: What are the stable components—and trajectories—of these traditional media stories of maternal failure to protect? In other words, what story elements does this collection of news narratives have in common; what is it about these cases, as they are written in the news that makes them seem so similar? I re-read the stories *without* separating them by race and then re-coded them for the elements/themes of the story that I felt connected this collection of narratives. This analysis revealed five major storylines whose consistent presence in news representations about maternal crime flagged their

importance in the development of a media authored “national understanding” about cases of neglect and failure to protect. The first storyline or theme was that, across failure to protect narratives there is a media press to explain or rationalize the criminal event to the news reading public, either through individualistic explanations (that located the cause for the crime as being within the mother herself) or with descriptions of collective obligation. Second, media stories of failure to protect often contained within them stories about the nature and function of punishment, as well as possibilities for forgiveness or redemption. A third storyline had to do with how the crime of child murder should be viewed/talked about by the public, either as accident/tragedy or with the language of intention and deliberate, willful choice. A fourth narrative—the story of idealized femininity and motherhood (and their unnatural and evil opposites)—was omnipresent in stories about maternal failure to protect. Finally, another story that emerged across the various types of failure to protect narratives involved media created moments of what I eventually called “national reflection,”—as the amount of coverage on any case wound down, many reporters speculated on the morals and lessons that their readers and, more generally, the society-at-large should draw from this story.

These five general storylines provided me with a way of looking into *and* across news narratives—at the ways in which they all were telling a similar story about criminal mothers (and, in the case of Paul Wayment, non-criminal fathers)—a now-familiar story that isolated the mother defendant in her culpability, and explained her guilt in individualistic terms. Whether they were described as sick, ignorant, lazy, or evil (or a combination of these), all of the women were ultimately

represented as unnatural failures. In the last phase of analysis I looked closely at the processes and practices by which the media accomplished this characterization and the ways in which these practices varied by race and gender. Within these common stories of neglect, I asked: How were the women and their contextual backgrounds represented in the media such that the dominant image of neglectful mother as twisted and deviant overrode any alternative versions, especially, perhaps, interpretations that were potentially critical of the socio-political-economic context in which abuse occurs? This analysis yielded six specific types of representations integral to the production (and reproduction) of a cultural discourse on neglectful mothers. Representations of crime, of emotion, of intention, of state versus individual responsibility, of motherhood, and of lessons learned worked in combination to shape a standard image of the abusive mother as well as to guide a national conversation about failure to protect. The ways in which these representations played out in the stories of failure to protect that made up this sample varied by race, and of course, by gender. My analysis looked at the specific differences in the ways white women and women of color were represented, and the ways those representations then contrasted with the alternative story suggested by the case of Paul Wayment. Finally, my analysis aimed to give an answer the question begged by these data and these findings: What did these differences in representations mean or signify about the culture in which they were constructed?

The remainder of this dissertation is organized as follows. I will begin my discussion by describing how these media stories necessarily complicated my early

assumptions about master and counter narratives and how that narrative complexity contributed to an exploration of what I called master messages or meta-narratives—terms that begin to capture the idea of narrative thrust or momentum. I will then turn to a detailed discussion of each of the six types of representations uncovered during the analysis (representations of neglect as a crime, of emotion, of intention/accident, of state or collective responsibility, of mothers/fathers, and of national moments of reflection) and the ways that these representations were performed in the news differently according to the race, class and gender of the defendant.

Chapter Seven: Master Messages—or Meta-Narratives—in News Stories about Maternal Failure to Protect

I began my analysis of news stories about women charged with neglect and abuse guided by several very well established lines of research in addition to the feminist and discourse work already described. There is, currently, a great deal of psychological and sociological research that demonstrates the over representation of people of color within the criminal justice system (Humphries, Dawson, Cronin, Keating, Wisniewski, & Eichfeld, 1995; Hutchinson, 1990; Jaynes & Williams, 1989; Nagel & Weitzman, 1972; Sokoloff & Price, 1995). Defendants of color are arrested (Mann, 1995; Pokorny, 1965), found guilty (Sutherland & Cressey, 1978) and imprisoned (Hawkins, 1986; Whitaker, 1990) more frequently than whites. In addition, recent critical race work has highlighted the cultural discourses and social representations of (and surrounding) race that become visible in media stories about criminals and crime (Chancer, 1998). Defendants of color are portrayed in the media in ways that perpetuate racial stereotypes and prejudices (Bhabha, 1989; Hooks, 1992; Squire, 1997). Findings regarding the existence and prevalence of racial bias both in the courts and in the news have become almost taken-for-granted themselves. These now well documented conclusions and the statistics that accompany them have become so accepted in mainstream United States culture that they have become a part of a national discourse on crime; the idea that whites and people of color are treated differently—both within the criminal justice system, and by local and national news outlets—can no longer be considered a revolutionary statement.

In this project, recent literature on racism in media representations was

considered alongside the work of narrative, social representation, and legal theorists, many of whom, like Craig Haney (1997; 2001), have examined the role of context in master and counter narratives. From the very beginning, and drawing extensively from these two literatures, I had expected this dissertation to become a fairly straightforward study that would accomplish two fundamental tasks: first, to compare media representations of Black and Latina mothers with those of white mothers; and second, to reveal a privileged perspective on crime underlying mainstream conceptions of criminal mothers. I began this work with multiple hypotheses and assumptions; for instance, the work of Chancer (1998) and Hancock (2000) led me to anticipate a fierce media condemnation of mothers of color and to predict a more gentle treatment of white women who were similarly charged. The work of critical race theorists such as Bhabha (1989) and Hooks (1992) led me to hypothesize that stories about white defendants would be written from a more contextualized perspective, with social circumstances such as mental illness or domestic violence included in their stories and potentially moderating their guilt. Any such context and mitigating circumstances would be, I thought, stripped from narratives about defendants of color, leaving readers with the impression of a woman isolated and incomprehensible—a sub-human “monster.” Finally I believed that it would be possible to discern a singular stable and predictable master narrative about failure to protect, and I therefore set out to document its structure and function.

As is so often the case in qualitative research, my data both confirmed and complicated these beginning suppositions. The most fundamental assumption of

this research, that media representations of women defendants would vary in style and content and that these variations would be profoundly influenced by race, did hold true. However the way in which media narratives about crime were constructed, and the ways that blackness or whiteness—and maleness and femaleness—operated within them, defied any further theoretical aspirations about simplicity or elegance. Attempts to understand cultural notions about criminal mothers became much more complicated than simply comparing terms like *monster* (read: Black or Latina) with *post-partum depression* (read: White). Context was not something that was simply included or excluded in news accounts of crime—there or not there—and news stories were much more complex data to analyze than I had expected.

In fact, there was no evidence that any woman, regardless of her race, received sympathetic treatment in the media—all were fiercely condemned. The addition of context in news stories about women defendants was indeed integrally related to race; much more background information was included in stories about neglectful white women than appeared in articles about women of color. However, while it was true that this presence of background information could hypothetically lead to alternate (or counter-dominant) understandings about women and crime, the inclusion of context did not function straightforwardly to exonerate white women. In fact, much to my confusion, it didn't seem to matter if context was added to or removed from news stories about child neglect. Both contextualized and decontextualized stories seemed to work toward the same narrative goal: justifying the legal and moral isolation of individually responsible mothers and tacitly

supporting existing conservative political and economic systems.

Two issues—one theoretical and one methodological—plagued the research from the beginning. Throughout the analysis it became increasingly clear that the data that informed this project would not fit into existing theories about the components of master and counter narratives. Extremely detailed, contextualized news stories about white women contrasted sharply with the abbreviated, decontextualized arrest and indictment stories about women of color; however, the greater amount of context present did not work to mitigate against the guilt of white women. How then, could I resolve current work on legal representations—much of which suggests that context marks a potentially counter-dominant perspective—with data that suggest that such context is virtually irrelevant to the ways in which women are ultimately represented? Answering this question was further hindered by the limits inherent in analyzing media stories as if each article was an independent unit, rather than developing a more complex understanding about the way media stories work together as serials or collections—each individual news article combining (and conversing) with others—a collaboration that eventually generates an overarching story of neglect. Both of these issues made current understandings about the components of master and counter stories, as they are viewed in the legal representations literature, problematic, and both eventually combined to force a re-conceptualization of the way master narratives appear and function in the mainstream media.

These fourteen stories about women charged with neglect, then, will respond loudly to those who argue that dominant groups discredit or oppress more

marginalized people simply by stripping context from their histories and life stories. And to those who propose that what we should do as researchers/advocates interested in encouraging a broader and more inclusive form of social justice is tell more complex stories about defendants, these narratives will present a challenge. A broader understanding of master narratives and the role of context within them is needed. Context, in the form of biographical or background information or potentially mitigating circumstances, was present in some stories about white women and (mostly) absent in stories about women of color, but in the end, none of these women was exonerated through a more complete story. In other words, the narrative *master message*, across all of the stories about neglectful mothers—context or no—was the same. In many cases, the inclusion of contextual information had a detrimental effect; it added to the woman's culpability and made her look even guiltier.

If context did not flag the presence of a counter narrative to dominant understandings about maternal responsibility, what, then, can we say about its function/purpose within these media narratives? I believe that these data suggest that the presence and amount of context included does not define a story as "master" or "counter," but rather that the existence and prevalence of context in stories about maternal neglect is indicative of the amount of narrative work (how much justification, how much effort) needed to develop a persuasive and successful argument for a woman's expulsion from society—and, by extension, that the presence of context indicates the amount of work needed to reaffirm dominantly crafted social rules and ideologies. If the mother in question is a woman of color,

she is already socially marginalized; journalists can rely (perhaps subconsciously, perhaps not) on racial stereotypes and preconceived expectations that are already out there in the culture, and thus little additional information (context) will be needed to persuade readers of her otherness. If, however, the mother is white (if, in other words, she looks just “like us”—the mainstream, news reading target audience), context does enter news narratives—often in the form of previous criminal or substance abuse history, or as descriptions of filthy homes, erratic employment, slatternly appearance, or flat, non-emotional affect—and once there, it functions, almost systematically, to reduce the possibility of readers identifying with her mistakes, to separate her from idealized versions of motherhood and femininity, and finally, to render her “other”—all qualities that make her less worthy of sympathy and easier to isolate, blame and punish.

The ways in which context did and did not conform to the understandings I began with begged for a theoretical framework that would allow for the idea of a sort of encompassing meta-narrative—a story that would explain, for example, how a group or collection of seemingly distinct media articles can, regardless of their stylistic variation or differences in content, work together to tell a familiar cultural story. This framework would not tear down existing legal and social psychological notions about the existence and function of master and counter stories (or privileged and non-privileged perspectives). Nor would it, for that matter, stand in opposition to the truly brilliant work on the powerful (and oppressive) discursive act of removing context from life histories, editing out ambiguity/moral confusion, and oversimplifying complex lives. The power to re-write social reality is a tremendous

one; and the person or group that wields it can construct (or alter) social understandings about the way things are and even influence conceptions about the way things *could* be. As researchers, we must not let go of this idea.

Rather, the notion of a meta-narrative—or master message—builds upon current trends in narrative and discourse theory (Daiute, 2004). The idea of a master message enables those interested in issues of discursive framing to talk about the way that a combination of seemingly diverse and disparate stories can gather momentum. It is an important addition to current understandings about master narratives because it accounts for a sense of movement, thrust, and energy within and across media—and by extension, cultural—stories. Much like a finished puzzle, a master message is the resulting clear picture created by multiple (and sometimes oddly shaped) pieces. A master message, then is the common knowledge, carried in cultural stories. It is a story, but it is also more than a story—it is a force; and it carries the weight and potential influence of multiple narratives, all of which add up to a heavy presence and durability of social rules and prescriptions. It houses the guiding principles defended or legitimized by dominant groups that describe the ways the world can and should work. It is a “ghostly presence” (Gordon, 1997). Master messages reaffirm white, middle class values, defend dominant group privilege, and justify existing (and unequal) political and economic arrangements. In the case of this particular project, the idea of a master message helped to explain how the wide variety of topics and descriptions (points of view and perspectives) that made up news stories about failure to protect somehow added up to a (mostly) unified voice and coherent message. It allowed

me to characterize counter and dominantly constructed stories as generalized messages without becoming stuck in cumbersome definitions based on structure or content. It explained the staying power of privileged viewpoints; despite visible differences in style and content over time, the fundamental ideas underlying existing social conditions have remained fairly stable. It permitted a more fluid consideration of the ways in which context, so often theorized as a tool or strategy for the introduction of a non-dominant, marginalized perspective, can also be appropriated and then used by the dominant group, both to dismantle subversive voices/arguments, and to sustain conditions of inequality. Finally, the idea of a meta-narrative enabled the (somewhat theoretically dissonant) finding that, while race, gender and class all affected news story structure and content, they did not ultimately affect the politically conservative and dominant-privilege-sustaining messages that were communicated.

What is the master message carried in news stories about maternal failure to protect? Media stories about cases of neglect, read in combination, merge to rationalize existing cultural assumptions about the respective roles and responsibilities of men and women, as well as about U.S. social and historical values favoring the autonomous individual over the collective. Specifically, master messages reinforce gendered “knowledges” that place primary responsibility for the home, as well as the people—and violence—in it squarely on the backs of women. (A framework for understanding responsibility that doubles because it so neatly severs—and removes from consideration—any sense of obligation on the part of either the male/partner or the state.) In addition, master messages carried in news

stories about child neglect reinforce racialized understandings that make the notion of white mothers who abuse their children unsettling, while the idea of Black and Latina mother-defendants remains unsurprising.

The presence of a master message running across and through news stories about maternal neglect necessarily shifts analytical conceptions. Rather than focusing on documenting the presence and absence of various cultural master and counter narrative versions, the analysis in this project had to be re-focused (and loosened somewhat), examining instead how various master messages regarding women who failed to protect their children were performed—how they played out—in media narratives on crime. Where did master messages appear, and in what forms were they visible? How were they communicated through the standards, conventions, and traditions of mainstream journalistic writing? What did the master message look like for white women and mothers of color; what were its various methods for assigning individual blame and culpability, or its hybrid forms? Finally how were master messages performed differently when male responsibility was under the social microscope? How do reporters re-write context and reconstitute familial responsibility to exonerate and forgive men for the very same actions that have sparked diatribes in favor of the death penalty for similarly accused women? Before looking more closely at the various and visible forms master messages may take—in other words, how master messages are signified or represented—in the stories of fourteen women (and one man) who were charged with child abuse, neglect, or murder, let us take a brief look at the role of context in stories about criminal defendants.

Opening Crime Stories About Neglect: The Many Faces of Context

Understanding the ways in which race, poverty, and gender interact and intersect in news stories to set up and maintain a national consciousness about maternal neglect makes two lines of theorizing necessary. First, a more thoughtful theorizing of context is needed; in other words, what part of a defendant's background or current circumstances is seen by reporters as relevant to the story on crime? What information finds its way into news on crime, and what does not? For whom are these pieces of context inserted? Second, analysis is needed regarding the ways in which these various kinds of context then function within stories to both shape the public debate on crime, and sustain a national consciousness about mothers, race and responsibility. The first requirement is a fairly straightforward task of coding and classifying the background information reporters choose to include; the second is more complex because it involves studying the effect of the presence of context and circumstance in stories about white women, as well as analyzing the effect of its absence in stories about women of color.

Beginning the Story of a White Mother...

October, 1994: "A Saturday outing turned into a nightmare for a Riviera Beach woman whose 7-year-old daughter was abducted from a restroom at the Fort Lauderdale Swap Shop" (Fretz & Walker, 10-24-94). Florida headlines broadcast the frightening news: Christina Holt, daughter of Pauline Zile (24), and step daughter of John Walter Zile (32), had disappeared from the flea market while on a shopping excursion with her mother. A massive search was begun; pictures of Christina were broadcast on local television, workers from the Adam Walsh Center for Missing Children printed and distributed fliers with Christina's picture and description, while a tearful Pauline, clutching what she said was a doll belonging to her daughter, was interviewed, pleading for the safe return of her daughter.

A few days into the search, the appalling truth was revealed and John Zile was arrested, charged with murdering his step daughter. After intensive questioning Pauline Zile, who had been given immunity for her statement, admitted her husband had beaten the child to death. The kidnapping tale, she stated, had been the hoax they had concocted to hide the crime. Detectives suggested that Pauline had seen, but not participated in, the fatal beating.

Beginning the Story of a White Father...

In October of 2000, 37-year-old Paul Wayment, of Summit County, Utah, left his 2-year-old son, Gage, asleep in the truck while he went to scout out a potential hunting site. While he was gone, Gage woke up, managed to free himself from his car seat, and wandered off into the woods, perhaps looking for his father. The child disappeared. What began as a local story of a missing boy quickly exploded on to the national news desk as search and rescue teams organized, combing the forest for any sign of the boy, fearful that the cold, wet weather—with temperatures that dipped below freezing at times—would lessen the likelihood that Gage would be found alive. A nation held its collective breath as professional rescue teams, helicopters, and local volunteers hunted frantically in what all agreed was a race against time. As fire chief Tom Moore put it, “Hope fades every minute, every hour” (Associated Press, 10-27-00).

Five days after Gage’s disappearance, the worst was realized. Reports published indicated that volunteer searcher James Wilkes had located Gage’s body in the woods. He was found, newspaper articles claimed, buried underneath a 4 inch layer of snow. The tragic details—for example, the feet of his pajamas were apparently worn through—were described repeatedly. The medical examiner ruled the cause of death unofficially as due to hypothermia, pending further toxicology results and other findings (Vigh & Curreri, 11-2-00).

The Story of a Black Mother

January, 1996: Local news anchors for WGN News at noon, Dave Eckert and Roseanne Tellez reported that Chicago mother Sharon Burton and her then unnamed boyfriend, had been charged with the murder of Sharon’s three-year-old daughter. The couple had, according to reports, drowned the child because she would not potty train (WGN News at Noon, 1-24-96).

Headlines mark the new story: “Six Children Killed in House Fire;

Mother Charged with Manslaughter” (Associated Press, November, 2001); “Parents Charged in Death of Girl, 4, Bronx Pair Face Murder Counts” (Associated Press, 3/30/94); “Police Find Body of 2-Year-Old Girl in Home” (Associated Press, 11/22/99); “Mom of Boy Who Died of Head Injury Arrested” (Barton, 9/6/00); “Stepfather, Mother Held in Boy’s Death” (Landry & Bellandi, 7/30/89). News coverage of incidences of child neglect, abuse or failure to protect all begin with

horrific events and sketchy information. They are written, most typically, with a heavy reliance on details provided by police and police spokespeople (Hancock, 2000), and their early task is to frame the events and facts as an easily understood--and recognizable--crime story for their readers. From this "police blotter" type of beginning, most stories of failure to protect fade from media and public consciousness; however, some cases of neglect or failure to protect generate a great deal of community interest, and they will build in momentum, accompanied by corresponding swell of media-based discussion. In other words, in the case of some select crime stories, particular types of context may enter the news narrative, and therefore the realm of public discussion. Christina Holt's murder, like the dramatic search for two-year-old Gage Wayment, marked the beginning of a lasting public fascination with their neglecting parents; news coverage about Sharon Burton, however, like so many stories of women of color, ended abruptly after her arrest.

The Story of a White Woman Continues...

November, 1994: Reports indicated that Pauline had had a fairly troubled upbringing. Just sixteen years old when Christina was born, she struggled to raise a child she hadn't wanted with a husband she was not in love with. Pauline struggled with drug and alcohol abuse, but had no criminal history. John Zile, however, had had multiple run-ins with the law--for burglary, drug and alcohol abuse, and probation violations. They had met in the mid-1980's in Florida, where Pauline had moved to live near her mother and to try to start her life over. They were married in 1990, settled into Singer Island, Florida, and had two sons.

When a news story grows past initial arrest reports, context is added to flesh out a story of neglect. Background information may be added to crime narratives in

two ways: first, through individually specific and vivid descriptions of the defendant and her family, and, second, with the inclusion of legal, psychological, and cultural analyses and interpretation. Reporters insert context, first, by painting a picture of the event for their readers, writing a rich and detailed account of the days leading up to and including the crime. Reporters describe the defendant herself--what she looks like, where she is from, the neighborhood in which she lives, her marital, employment, and criminal history, her educational level, her history of drug and/or alcohol abuse, and the condition of the family home¹¹--as well as the child victim and other involved family members. In their breaking--and growing--stories about failure to protect, reporters also typically include grim information about injuries inflicted, graphic autopsy reports and emotionally wrenching accounts of funerals and grief stricken families. The use of vivid description often extends to documenting the response of the local community to the crime, many of whom will provide colorful--and quotable--reactions, and who, therefore, become the focus of a great deal of media attention. Finally, reporters will struggle to aptly describe the trial scene itself; to describe the dramatic exchange between accuser and accused, as well as the depth and variety of emotions floating inside the courtroom.

The goal of vivid description is to construct a clear, unambiguous account of the criminal event itself--to establish the facts of a case of neglect. Vivid description rarely stands on its own, however, and many reporters will take on an additional task: placing the specific event of abuse into some sort of wider cultural, psychological, or legal perspective. This task may be accomplished by quoting

local police, attorneys, judges, and other experts (psychologists, educators, etc.), who explain, analyze, and interpret the event for their readers. For example, in some cases the woman defendant's documented history with mental illness (see Andrea Yates) or domestic violence (see Hedda Nussbaum) enters the story as context and partial explanation. In others, local departments of children and families may themselves be implicated in, perhaps even partially responsible for, the tragedy. Inserting the voices of experts and including their analyses in news narratives about local crime work to frame the story by placing it alongside familiar themes. Criminologists and psychologists educate reporters--and thus readers--about the nature and behavior of the typical sociopath or about battered woman syndrome; doctors explain post-partum psychosis; local attorneys explain the difference between abuse-as-an-act-of-commission versus abuse-as-an-act-of-omission; judges outline the standards for legal insanity; sociologists speculate on the response of the local community, and detectives defend common police assumptions about the link between narrative consistency and truthfulness.

The wide variety of contextual information that could potentially be included in narratives of failure to protect might suggest a widening cultural perspective on crime and even reflect a public willingness to entertain alternative versions of blame and responsibility. Unfortunately, with very few exceptions, reporters use these statistics, sources, and types of context, as well as "the power of story choice" (Hancock, 2000, p. 79) to influence a conservative public conversation on crime and to further shape a limited national perception regarding neglectful mothers. With the focus on *her* depression, *her* messy home, *her* erratic

employment history, and so forth, child neglect, more than ever, continues to be framed by the mainstream media as individually based (deviance or illness) and personally caused (Swift, 1995) by a woman.

Some research, however, criticizes this individualist perspective on child neglect, stating that, in effect, these types of narratives hide the ways in which powerful social realities contribute to its occurrence (Fine & Carney, 2001; Fine & Weis, 2000; Gordon, 1988; Swift, 1995). Scrutinizing only individual mothers--as either deviant or ill--ignores (or erases) other particular kinds of historical context, in particular, long histories of oppression and racism as well as the day-to-day struggles of living in conditions of poverty. Gordon (1997) might call these histories "ghosts" and she describes the invisible impact of power relations as a "seething presence" (p. 8); Addressing the same kinds of erasures, Fine (2002) writes on "the presence of an absence".

Hancock (2000) names some particular ghosts, reminding us that there are some kinds of contextual questions that are rarely (but more often, never) asked or included in crime narratives, including questions about available child care, for instance, or the role of quality schooling. News stories on crime do not address issues such as the lack of decent housing, the difficulty of obtaining adequate health care (including treatment for drug and alcohol abuse), or the ineffectiveness of standard parenting programs. Framed by the kinds of contextual information reporters choose to include--which function to effectively prohibit any perspective that addresses the larger social context in which crimes occur--published news stories often reproduce stereotypical versions of neglect that objectify, individualize

and dehumanize defendants, creating cardboard criminals (Hancock, 2000). In fact, the types of context reporters choose to include in their stories allow them to continue to cover crime in a manner that leads to easy clichés and to draw simple conclusions; the public will cry for a focused crackdown on abusive parents, while occurrences of neglect get treated as though they happen in a bubble--disconnected from any social, economic or family history or circumstance. When women are charged with failure to protect their children, the inclusion of context works more frequently to shut down her story than to open up a socially critical public debate.

Chapter Eight: Representing Neglect as a Crime

Beginning the Story of a White Mother...

One week after accepting immunity for telling police about the kidnapping hoax and her husband's fatal beating of her daughter, Pauline Zile was arrested and charged with first degree murder and aggravated child abuse. Barry Krischer explained the charges, referring to a Florida Supreme Court ruling from 1992, and reasoning that she had been present during the beating and failed to promptly notify authorities. He stated that failure to act—acts of omission in child abuse case—was, “tantamount to an act of commission” (Beyers, 11-5-94). “In other words,” he stated, “by not doing something you’ve done something. And whenever aggravated child abuse leads to death, it is felony murder” (Beyers, 11-5-94). Krischer later added that his office would seek the death penalty for both John and Pauline.

The Story of a Black Mother

January, 1996: Local news anchors for WGN News at noon, Dave Eckert and Roseanne Tellez reported that Chicago mother Sharon Burton and her then unnamed boyfriend, had been charged with the murder of Sharon's three-year-old daughter. The couple had, according to reports, drowned the child because she would not potty train (WGN News at Noon, 1-24-96).

Standard news narratives about cases of failure to protect begin with flashy headlines, and their painful details are, at least early on, provided by the police and police spokespeople. News articles combine descriptions of the abuse or murder with reports about warrants, arrests or indictments. From the very moment the news breaks, cases of child neglect are defined as crime stories, and those criminal frames, in turn, guide/shape the media narratives that follow. Perhaps this framing seems self evident; however, structuring choices have enormous implications for how neglect will be read and understood by the public in upcoming weeks and months. Once a story of failure to protect has been represented by the news media as a crime, alternative representations—for instance the idea that the child's death may have been a horrible accident or tragic mistake—are less likely to find a hearing in the public debate. This is a story about crime first and foremost—it

begins as a crime story, and it will end as one as well. The media narrative offered is straightforward; it both separates and protects the reader, isolating the mother in her responsibility and culpability. It is not a story of ignorance or of obstacles like poverty or mental illness, although good lawyering can (and sometimes does, though not in this particular sample) bring these issues to the forefront. The author ignores possible contributing socio-cultural factors—a young woman, mothering alone, in conditions of poverty, under the social umbrella of racism; the resulting news article will carry, instead, a master message about the location of criminal blame. Questions about collective, cultural or social responsibility involving a mother who had to make such an ill-fated choice do not generally find an audience in mainstream media, and they certainly do not find their way in through this particular type of representation.

In framing the news of neglect and child murder, reporters must make the story understandable and recognizable to the public *as a traditional narrative of crime*, and they do this by focusing on the arrest and indictment of quickly named defendants. For example, when the news broke about the deaths of Greenwood's six children, headlines simultaneously noted her arrest: "Six Children Killed in House Fire; Mother Charged with Manslaughter" (Associated Press, 11/01). And when four-year-old Shayna Bryant was beaten to death by her father, beginning news coverage made it clear immediately that this was a crime story about both parents: "Parents Charged in Death of Girl, 4; Bronx Pair Face Murder Counts" (Associated Press, 3/20/94).

The inclusion and explication of legal theories about criminal responsibility

further cement stories about maternal neglect into the crime frame. Early news coverage about cases of failure to protect often contain a great deal of information (much of it provided by the district attorney in charge of the case) about the legal reasons for a woman's arrest, as well as information that justifies specific indictments. Reporters represent news stories about child neglect as crimes (and mothers as criminals) by using legal explanations to clarify for their readers which social/cultural rules were broken, and to what degree. The hazier the connecting line between an event of neglect and a crime, the more elaborate the descriptions of legal theory will need to be in order to successfully represent an event as criminal. Perhaps most complicated are the legal rationalizations justifying the arrests of mothers who did not actually commit the fatal abuse; however, all of the articles that represent neglect as a crime simultaneously function to pass on particular master messages about ideal feminine behavior and maternal responsibility.

For example, Pauline Zile did not beat or participate in the beating of her daughter; she was arrested, however, and charged with first degree murder when Christina went into convulsions and died after being severely beaten by her stepfather. As her story developed, reporters focused a great deal of narrative attention toward explicating and untangling the legal logic underlying the link between a woman's failure to act and criminal intent. Multiple news articles attempted to make this connection clear; reporters quoted prosecutors and expert legal theorists at length, many of whom argued that Pauline (specifically, but women in general) had an obligation to intervene when her daughter was being abused. Dan Beyers of the *Washington Post* wrote that Pauline was charged

because an act of omission was “tantamount to an act of commission” (11-5-94).

Christine Stapleton concluded that “...one can willfully omit or neglect to do something that results in unnecessary or unjustifiable pain and suffering just as one can willfully commit an act that produces the same result” (11-5-94).

Pauline Zile, was at home during the time Christina was beaten to death by her husband; Marguerite Saccone, however, was out shopping when her two-year-old son, Joshua, was thrown against the wall by her boyfriend, Lincent Chin. Like Pauline, Saccone was arrested immediately and charged with aggravated manslaughter. She had, the district attorney explained during a press conference, ignored clear warnings made by the department of children and families to keep Joshua away from Chin, a man who had hit the child previously (McCabe, 10/7/00). In the early media coverage on the Saccone case, Susan Spencer-Wendel, of the *Palm Beach Post*, wrote a series of articles that highlighted the charge of manslaughter, and described to her readers how negligence is criminalized (5/5/02). Marguerite, explained Spencer-Wendel, should have known the risks of leaving her child with a known abuser, and therefore she could be prosecuted as if she herself had committed the abuse. Like the story of Pauline Zile, the story of Marguerite Saccone provides us with a clear demonstration of the narrative process whereby female non-action or non-participation—in Saccone’s case, non-presence—gets represented as criminal.

In the cases of failure to protect that made up my sample, all of the mother’s stories were quickly framed as narratives of criminal neglect or abuse. After this initial representation, however, the ways in which criminal representations both

operated within and influenced the developing news stories diverged sharply, depending upon the race of the woman under consideration. For the majority of Black or Latina defendants, details about the crime and her subsequent arrest marked the end of her story rather than the beginning. While the revelation that her daughter's disappearance had actually been a murder marked the beginning of a lasting public fascination with Pauline Zile, a white woman, most stories about Black or other minority women who are similarly charged look more like the story of Sharon Burton cited at the beginning of this section; with few details and little information other than police speculation, a brief description of the crime will be constructed—and it is there that, for most, the story will end. From a local media perspective, Sharon Burton simply disappeared following her arrest. Similarly, Violetta Burgos and Shiara Worsham all dropped completely out of sight following one report in the local newspaper detailing their respective arrests. The most typical narrative of minority women charged with failure to protect is virtually no narrative at all. After a case is defined as criminal, the stories that tend to get picked up by the local news and generate high levels of public interest—those that seem to resonate or have an emotional impact on the news reading/viewing public—tend to be the narratives of white women.

When reporters represent a mother's actions as criminal and superimpose her story onto a generalized crime frame, they construct a cultural story that takes her individual responsibility for granted, but that also functions simultaneously to limit the amount of blame that can reasonably be placed on the state. The duty of the state, as standard media stories about neglect frame it, is not to protect, but to

punish those who fail to do so. Thus, representing failure to protect as a felony allows the individualized nature of crime in general to remain unquestioned. Conceptions of crime as the result of the individual bad choices, deviant behavior, or psychopathology of aberrant, violent, and unnatural individuals work to protect the state from criticism; the limited parameters surrounding individualized theories about the nature of crime and criminals serve to cut off potentially disruptive conversations—debates, perhaps, about shrinking welfare, inadequate education or housing, and the unavailability of satisfactory child care or drug treatment—that might hint at a more collective sense of responsibility.

Beginning the Story of a White Father...

In October of 2000, 37-year-old Paul Wayment, of Summit County, Utah, left his 2-year-old son, Gage, asleep in the truck while he went to scout out a potential hunting site. While he was gone, Gage woke up, managed to free himself from his car seat, and wandered off into the woods, perhaps looking for his father. The child disappeared. What began as a local story of a missing boy quickly exploded on to the national news desk as search and rescue teams organized, combing the forest for any sign of the boy, fearful that the cold, wet weather—with temperatures that dipped below freezing at times—would lessen the likelihood that Gage would be found alive. A nation held its collective breath as professional rescue teams, helicopters, and local volunteers hunted frantically in what all agreed was a race against time. As fire Chief Tom Moore put it, “Hope fades every minute, every hour” (Associated Press, 10-27-00).

Five days after Gage’s disappearance, the worst was realized. Reports published indicated that volunteer searcher James Wilkes had located Gage’s body in the woods. He was found, newspaper articles claimed, buried underneath a 4 inch layer of snow. The tragic details—for example, the feet of his pajamas were apparently worn through—were described repeatedly. The medical examiner ruled the cause of death unofficially as due to hypothermia, pending further toxicology results and other findings (Vigh & Curreri, 11-2-00).

The story of Paul Wayment provides an interesting contrast to stories about women similarly charged. Paul’s story opens, not with the introduction of a

criminal framework, but rather with a representation of Gage's disappearance as horrendous accident—a tragic mistake. Unlike Pauline Zile or Sharon Burton, for whom initial news revolved around arrest/indictment reports and potential trial dates, the story about Paul Wayment was the story of Gage's disappearance (and Paul's grief), the ensuing search, and the eventual recovery of his tiny frozen body. Reporters covering the Wayment case defined it as tragic rather than criminal; and for the most part, they focused their attention on the tragedy of the situation, rather than on Paul's paternal neglect or failure to protect his child.

From the beginning Paul was described as a terrific father; even his lack of a steady job (which in the mother's case would be written as one more strike against her) was framed as evidence of good parenting—he could spend all day with his son, argued witnesses. As neighbors, friends, and his ex-wife attested to his devotion to Gage, reporters described Paul's frantic search for his son, his grief, and his tearful contrition in their stories about the event. Very few articles questioned his judgment, let alone condemned him; and none implied that he was evil, unnatural, or that his actions were incomprehensible. Many, in fact, argued that what had happened to Wayment could have happened to any otherwise responsible parent. The problem, summarized one reporter, is that communities are isolated. If only, she added, others—friends, neighbors, or family—had offered to help this single father raising his child alone (Cortez, 1/13/01):

“Seemingly every parent I know has experienced a momentary crush of panic when their child has slipped away from them at the store or walked over to a neighbor's house without their knowledge. These things happen even to the most attentive parents....I don't think anything is gained by scolding a grieving father. It's not our responsibility to cast judgment on Paul Wayment.” (The Deseret News, 1-13-01).

Thus, in the story of Paul Wayment, context did not function to underline the individual and inherently evil nature of his neglect; rather, context mitigated against such a conclusion and hinted at more community-centered notions regarding social responsibility. Unlike Sharon Burton, his actions did require explanation; however, unlike Pauline Zile, Paul's maleness opened up the possibility that a different, more forgiving, less individually-focused (and criminally framed) type of narrative could be written.

Chapter Nine: Representations of Emotion

A large proportion of stories about maternal failure to protect contain detailed information about emotion and emotional reactions. Though emotion can be represented in news stories about neglect in a variety of ways, it most commonly enters the public realm through articles describing the appearance and reactions of the mother (or father) defendant, as well as in stories describing various community responses (grief, anger, sadness, sympathy) to the crime. Depending on the race of the woman in question, descriptions of emotion can take very different forms; stories about white women contain much more information about the defendant's reactions or feelings than stories about women of color; however, the picture that emerges of stoic, sullen and unrepentant white mothers is not one that is likely to engender sympathy. On the contrary, news stories that contain information about the emotions or emotional reactions of a mother-defendant tend to, with very little exception, construct images that alienate and dehumanize her, conjuring up the unnatural image of a mother as evil, twisted, or wicked. Most typically, reporters accomplish this by underscoring the absence of emotion and overt grief demonstrated by mothers on trial¹².

Media representations of the emotions of mothers charged with failure to protect pose a rhetorical question: What kind of mother is able to remain impassive and detached—unaffected by testimony regarding the murder of her child? Pauline Zile, for example, was described either as “composed,” “vacant,” and “blank” (Stapleton, 4/6/95) during testimony, or, alternatively, as giggling with her defense team while showing them pictures of her sons. That composure faltered only when

the verdict was announced, according to Christine Stapleton (4/12/95): “Pauline Zile, the mother who barely shed a tear during two weeks of testimony about the death of her seven-year-old daughter, Christina Holt, sobbed when a jury found her guilty of first degree murder on Tuesday” (4/12/95). Schultz (4/16/95), meanwhile, noted the disconnect between the reality of the situation and Pauline’s emotional demeanor, writing in his article entitled *Christina’s Unnatural Mother*: “She looked for all the world like a mother who had been on vacation and was eager to get back to her kids.” Like Pauline Zile, Sherain Bryant (Fitz-Gibbon, 5/3/96), Theresa Patterson and Ivy Martin (Reed, 2/16/89) were described as “stone-faced” and emotionless; and Ubelina Emiliano looked “sullen and subdued” (Rodriguez, 2/18/94).

In news stories about women of color who have been charged with failure to protect, media coverage typically ends before articles describing their emotions can be written. Hancock (2000) suggests that news attention is always more intense when crimes happen to white or affluent victims, or, alternatively, when crimes are committed by white or affluent defendants. White women who neglect their children defy social expectations and middle class norms. Thus, news narratives describing their emotional state reflect stereotypical notions about who commits crimes such as *neglect and failure to protect*. The typical depiction of white mothers as dehumanized, cardboard criminals makes the incomprehensible nature of their actions understandable. The absence of stories describing the feelings and appearance of a mother of color serves both to suggest the amount of narrative work needed in order to render her as other (very little, since abusive Black mothers are a

short story easily completed in the public imagination) and to reflect dominant and racialized understandings about which children are worth mourning from the standpoint of a community. Ultimately, however, the presence of information about emotions and emotional reactions in stories about white women and the lack of such information about mothers of color accomplish the same narrative task: across race, women who fail to protect their children are systematically represented in the media as unfeeling, uncaring, and indifferent—as antitheses to ideal femininity and motherhood.

Contrasting and diverging sharply with news constructions of apathetic and unconcerned mothers, the emotional picture painted by reporters portrayed Paul Wayment as a father wracked with grief and haunted by guilt. In the days immediately following his son's disappearance, reporters highlighted his tireless participation in the search as well as his ongoing cooperation with the investigation. One article reported that Paul told police, "I should never have left the truck. I should never have done that; that is the stupidest thing I've ever done in my life, and I should be skinned and shot for that" (Curreri & Vigh, 12-14-00). Witnesses told reporters they had seen Paul vomiting and sobbing at the scene (Blake, 6/5/01), and his deeply felt pain remained in full view for news readers throughout the trial reports.

The ways emotion is represented and described in news stories about Paul Wayment render him both recognizable and sympathetic to readers. However his story, when viewed alongside stories about women charged with neglect, also reveals how the non-emotional responses and reactions of mothers are over-

simplified in the media. It is clear that mainstream news accounts of (white) maternal neglect do not make room for constructions of guilt and remorse. An uncritical readership might assume such normal reactions were not present in these “unnatural” women; however, I wonder whether the non-emotion described by reporters has more to do with when women defendants are described and what condition they are in (pharmacologically), than with the fact that grief and pain are not there. Paul Wayment’s guilt and anguish were visible in an immediate sense—reporters noted his suffering at the scene of the rescue operation and throughout the legal process. Mothers charged with neglect are mainly invisible until the trial (occurring months or even years later) and this time lag coupled with the likely effects of any sedating drugs that may have been prescribed helps reporters construct a vision of a cold and indifferent woman (Hilton, 2000). It is hard to imagine that Marcy Mountain, for instance, was not completely hysterical when she found her seven-year-old daughter strangled by the family’s pet python or that Marguerite Saccone was not frantic with grief and remorse after her two-year-old son was murdered by her boyfriend. What went unwitnessed as Christie Greenwood stood outside the burned out shell of her home in the middle of the night, her six children killed in a fire? To be sure, her deeply felt sense of remorse and excruciating pain were not a part of the media narrative constructed. The ways in which emotion is represented in the news story of Paul Wayment’s suggests alternatives to standard—and we can see now—incomplete depictions of female stoicism or non-responsiveness. In this analysis, descriptions of unemotional, stoic, flat, ignorant women work to isolate them as deviant or evil, and they thus

contrast sharply with the grief stricken, remorseful—and thus forgivable—Paul Wayment.

Representations of Paul's emotional reactions culminate with the story of his death. Paul's suicide adds a deeper, more complex layer to the story of neglect than is traditionally narrated by the media. In most cases of failure to protect, defendants are simply whisked away (out of the public imagination) post sentencing. There will be no stories in the local news about what happens to these women next; readers will not learn about mothers who lie awake nights, about years of grieving, or about their attempts to pick up the pieces of their lives and move forward. Paul's story is different because it acknowledges and describes how he contends with his emotions following the death of his child. His narrative is not just written for him by newspaper reporters and columnists; his suicide marks a place where he constructs himself; and the very real and recognizable *humanity* of his decision to take his own life make the absence of such considerations/contemplations surrounding women defendants glaring. What does Urbelina Emiliano think about at night? How does Barbara Peters live with her ill-fated decision to leave her child in the care of an abusive boyfriend? How does Marguerite Saccone cope with the mistakes she made? In other words, how does one go on after one is implicated in the death of his/her own child? These are questions that end up playing an integral role in the story of Paul Wayment as he tragically participates in the authorship of his own story (his suicide is perhaps, the only legitimate—or best—answer according to the dominantly constructed cultural script on parenting). They are questions that could be—should be—asked about

every woman in this study. By leaving them out of the public narrative, even more of the women defendant's "selfhood" is stripped away; the ability to craft one's own story, however disturbing that story may turn out to be, might be the last true "human right". When the media does not ask questions about coping or reflection—and by rendering those reactions invisible and irrelevant—neglectful mothers are more dehumanized than ever.

The Story of a White Mother Continues...

November/December, 1994: Reaction to the news of Christina Holt's death and Pauline's arrest were uniformly horrified. Poolesville, Maryland family and friends were, predictably, shocked and saddened. Meanwhile, in Florida, mourners turned the sandy gravesite into a makeshift monument, and reports described the mountains of flowers, stuffed animals, Virgin Mary statues and balloons that had been left there. There were cards, notes, a stick of Wrigley's spearmint gum, and a bottle of peach Snapple. One visitor, it was reported, left a sign next to the site that read: "RIP Christina. John Zile should pay for his crime with his pathetic life" (Ellicott, Pickel, Morrissey & Gienger, 10-30-94). Another note read, "Dear one, May God hold and rest you in his arms. I pray for you now to find peace and love from us who deeply care for you. My guardian angel, please protect the daughter I love most deeply" (Ellicott, Pickel, Morrissey & Gienger, 10-30-94). Local citizens interviewed had perhaps always been particularly harsh in their condemnation of Pauline; however, their voices grew even louder at the time of her arrest: "If there is any justice (she) will suffer greater pain, not only for betraying her child, but for betraying motherhood, the rest of the country, and particularly all the frightened little children who will be lost or kidnapped from now on" (Recchi, 11-11-94).

The Story of a White Father Continues...

October, 2000: Neighbors, friends and fellow church members testified to Paul Wayment's deep commitment to Gage and described their devotion to one another. One neighbor, for example, stated, "I've been in their home and I've seen them playing together. Paul is really good with his son. This sounds like a terrible accident" (Curreri, 10-28-00). Paul's brother told reporters that Paul was devastated by the disappearance: "He's terribly remorseful he left him in the car seat for even five minutes" (Reavy, 10-29-00). His sister, Valerie Burke said, "I know this is a terrible thing...He was a totally devoted father to this child. He would never purposely put his child in danger. It was a horrible mistake. Nobody loved Gage more than he did" (Reavy, 10-30-00). Later, she added, "I know what my brother did was not the best. But that little boy was absolutely his whole life. He's not the irresponsible, terrible person that a lot of people are concluding" (Newell, 10-30-00). Even Paul's ex-wife, Gage's mother, vouched for him, saying she is sure he wouldn't

do anything to hurt his child (Curreri, 10-29-00).

Many local citizens wrote letters-to-the-editor supporting Paul and expressing their sense of solidarity with him. These letters identified themselves as potentially fallible parents themselves, and many talked about the inevitability of mistakes along the way. "Parents are human," one reader wrote, "and parenthood is a learning process where, invariably, mistakes are made" (The Deseret News, 8-3-01). He continued: "Even the wisest and most diligent parents cannot prevent all such tragedies. A child's quick dart into the street, a curious climb into a trunk, a trusted sitter distracted by the other children. I pray that life, with its myriad dangers, may also bring a bit of luck to keep my children safe when I, in my human-ness, may fail" (The Deseret News, 8-3-01). Another wrote: "As parents, let's reflect on every negligent thing we've done, and continue to do, as we raise our children. Our homes, cars, yards, and lives are hazardous. Dangerous things are on, out and open. We leave kids in a running car as we dash to a neighbor's door, we vacation on a houseboat at Lake Powell with toddlers, we buy pocket knives, BB guns and trampolines. Our old cribs fail current safety standards. We don't fingerprint our baby-sitters. We let the kids build tree houses. I must have 30 tiny things on my floor that a crawling baby could choke on" (The Deseret News, 8-10-01).

The Story of a Black Mother

November, 2001: Christie Rene Greenwood, aged 24, was arrested and charged with manslaughter when her six children, left home alone, died in a house fire. News sources indicated that Christie had been playing cards with friends, and that she had left her children sleeping in the "shotgun shack" that evening. According to firefighters, the fire broke out in a makeshift wood burning heater constructed out of a 55 gallon drum.

A second way the media represents emotion is through extensive reporting about the local community-in-mourning. Traditional media versions of failure-to-protect effectively place legal explanations and criminal justifications next to descriptions of neighborhood shock, local outrage, and man-in-the-street expressions of grief. Though the crime has been very specifically defined by this point as the individual actions of the child's mother, there is a feeling running through these articles that the murdered child was a child of the community as well; and that, as such, the public shares in a powerful sense of grief and anger over the terrible events. News reports create this collective emotion by interviewing an

assortment of community members. Some are related to the victim or defendants as family members, friends, neighbors, co-workers, etc. Many are simply members of the local community. Newspapers quote these bystanders extensively, and their statements contribute to the construction of an impression of collective sadness, a mass grieving and public outrage.

News stories representing emotion and reporting on community grief carry specific master messages, all of which work to sustain the basic ideologies of the dominant class. Stories about community emotions assume, for instance, the presence of a just world (in which bad things happen to bad people); they are framed by master values of individualism and independence, and they presume that violence in the home is atypical, and therefore noteworthy, rather than predictable and ordinary. Stories about the reactions of the public support these master versions in several ways; they reconstruct the clear line between a criminal mother and the rest of the local citizenry. They reconstitute the dichotomies of bad and good, irresponsible and responsible. With surprise and outrage, locals remind each other that theirs is not a community of violence, and they disassociate themselves from the evil acts of the child's mother. In addition, they elicit, and then channel, powerful emotional reactions from their readers—primarily anger and the desire for punishment. Finally, these types of stories personalize the crime of neglect for a local population through the suggestion that there is a third victim, in a sense, affected by this crime—the loss of this child is represented as a loss felt by the community at large. The community takes in the child, saving the innocent after her death. Stories about community grief tighten the connections between local

citizenry—if only temporarily—because they draw the public together, united in their condemnation of a criminal mother and in their cries for her expulsion.

Community emotion is represented in news stories about mothers who fail to protect their children in four fairly predictable ways. First, some of the local population may express shock and surprise over the terrible event. For instance, when Sherain Bryant was arrested in March of 1994 for standing by while her husband abused her daughter, neighbors were surprised. Neighbor Jeanette Duggins told reporters, “They were always neat and clean. I trusted her with my own children” (Marriott, 3/30/94). Similarly, upon hearing that his neighbor, Tammy Huff, had been arrested, suspected in the death of her 8-year-old son, Tom Baker said, “This is close to home. In the three years I’ve lived here, I’ve had no problems” (Margasak, 6/27/00). Another neighbor, Christina Arnold, added, “It’s terrible. I was amazed to find out” (Margasak, 6/27/00).

A second form emotion may take in news stories about maternal neglect is outrage. Community members are often full of anger, most of it reserved for and aimed directly at the mother of the victim. Many Florida residents, for example, expressed a special vehemence toward Pauline Zile when it was revealed she had helped her husband concoct a fake kidnapping in order to cover up her child’s beating death. Flea market vendor Lorraine Bukowski, who witnessed Pauline’s initial screams for help, stated bitterly, “She had us fooled. I thought I was a better judge of character. She was shaking and crying. Your first instinct is to look for the child. I would like to know how she is going to live with that little girl looking at her before going into convulsions and then dying” (Ellicott, Pickel, Morrissey &

Gienger, 10/30/94). Similarly, one local parent stated, "They should really do something to her. It just outrages me" (Ellicott, Pickel, Morrissey and Gienger, 10/30/94). Florida resident Francine Cavallo, interviewed while visiting the makeshift shrine set up at the site where Christina's body had been dumped, said bluntly, "This is my third trip here, and if that couple were here, I'd want to kill them" (Wiggins, 11/1/94). Rochelle Armstrong added emphatically, "Bring those two here and I will cast the first stone (Wiggins, 11/1/94). Many community members suggested that Pauline should pay the ultimate penalty: "I think she's a despicable human being. I hope they fry her" (Shirfrel, 11/5/94).

A third type of community reaction is outrage directed at the state; community members/neighbors/family/friends may tell reporters that they had been aware of the abuse—that they had tried to prevent it—and that their efforts had been failures due to inattention (or neglect, or incompetence) on the part of the authorities. Jerome Martin's grandmother, Juanita Vacher told reporters, for instance, that she had tried to get custody of Jerome:

We suspected the lifestyle wasn't very good for Jerome, and we tried to get the Washington authorities to remove the child from their home, but they refused to intercede, saying it's better to keep children with their natural parents. I suspected it [abuse] by the way that sweet boy acted. Even when he was very young he would freeze whenever his mother called his name. He had a look of total fear on his face and I said to myself, 'It's not right that an 18 month old child should know such fear.' And, that boy never smiled. Sometimes, when he would play with other children, I would see the corners of his mouth turn up slightly. But I never saw him truly happy. He liked staying with me, and being with the other children. I remember how he cried so hard when he had to go home with his mother and Teresa. It haunts me now. (Nelson, 1/15/89)

Sheryl Coe's mother-in-law, Mary Rae Coe, stated similarly that she had

warned local authorities repeatedly about the instability of her son's wife: "I wish to God HRS had listened to me. I told HRS, 'If you've got an ounce of brains, you'll take this child into custody because the parents are not stable.' I told them there was a chance of abuse. I saw neglect. I said, 'Take it and don't let them have it back or something will happen to the baby.' And they didn't believe me. I was a 'distraught mother'" (Debenport, 8/1/89).

Finally, the local media in stories about cases of neglect highlight community emotions of sorrow and grief. News stories documented a local sense, by some citizens, neighbors, and co-workers, that they personally could have, or should have, kept things from getting so bad. For instance, Aridio Castano, Urbelina Emiliano's landlord told the press, "I don't see how they could do it. They look like such humble people...I have four children. I would have taken the baby. That is a problem that could have been so easily resolved. You could go to a shelter and say you cannot take care of the baby. You can go to the police, a church..." (Perlman, 10/28/93). Similarly, when Marie Estime, aged 2, was found beaten to death by her mother, co-worker Raymond Webber told reporters, "I swear if I'd of known that it was to this degree [the abuse], I would have followed and pursued this matter" (Spencer-Wendel, 1/12/00).

When white women like *Pauline Zile* fail to protect their children, community shock—and local anger—is a large part of the news. Because articles about community grief appear more often in stories about white defendants than in those involving defendants of color, it is likely that the isolating function performed by these types of stories is connected to a particular type of public vehemence, one

reserved for white women who defy social expectations and middle class norms. When the mother-defendant is Black or Latina, the lack of coverage suggests that her story does not appear to inspire the same level of local anxiety, shock, or anger, and less work is required to isolate her from the community-at-large.

Christie Greenwood's moment in the media spotlight, unlike Pauline Zile's, was brief and ended upon arrest. There were no published reports about neighborhood shock or surprise, and articles including descriptions of Greenwood made by friends, family, and co-workers did not appear. This absence of news about community reactions does not, of course, mean that neighbors were not shocked, only that reporters did not choose to write about it. According to news coverage the tragic death of Greenwood's six children did not seem to have inspired local citizens to create or visit a makeshift gravesite/shrine, and reporters did not fill articles with the statements of an angry community demanding swift punishment. Community grief and other emotional reactions were likewise not a part of the story of Violetta Burgos, abusive mother. No neighbor from down the street expressed shock, no local children told reporters they had played with Electicia. No store owners described Burgos or her child, and no one angrily demanded swift punishment. Electicia's death and Burgos' conviction didn't even make a ripple in the media coverage, almost as though it hadn't happened.

Perhaps, if viewed in isolation, Greenwood's and Burgos's stories seem unremarkable—they are just two more tragic cases of neglect. However, when we place them alongside the story of Pauline Zile, for whom community reactions (and rejections) became fully developed narratives, the absence of such contextual

descriptions about Christie Greenwood or Violetta Burgos becomes glaring. The story of Pauline Zile is simultaneously the story of a community; alternatively, Burgos, Greenwood and their families are represented as community-less and ungrounded. By stripping local context from stories about defendants of color, articles describing women like Christie Greenwood or Violetta Burgos end up reflecting stereotypical notions about who commits crimes such as neglect and failure to protect. When women of color neglect their children it is not news, it's a confirmation—further evidence—supporting already existing social expectations. Greenwood's and Burgos's children died unnoticed because, in the end, they were *not* children of the white, middle class, (and news reading) local population. In the collection of news stories that guided my research, there was a stark, clear and painful line between the stories about white children, whose deaths were grieved by an entire community—whose potential, cut tragically short, was considered limitless—and the non-stories of Black and Latina children, who were not similarly mourned and whose futures were not correspondingly hopeful. It is clear in these articles about community grief that the child of the community is the white child; marginalized by race, the death of a child of color will not come to represent community “loss.”

Ultimately, different representations of community grief according to race pale in comparison to the ways that stories about local reactions functioned throughout the developing case against and trial of Paul Wayment. Though articles describing local grief certainly served to unify the community in its expressions of sorrow and loss, tightening the connections between community members did not

cause the obligatory banishment of Paul. In fact, it meant the opposite: the local population rallied behind Paul Wayment. *The Deseret News* (the local, Salt Lake City paper) published multiple letters to the editor, and reporters wrote column after column, in which Wayment's neglect was represented as the sort of mistake any reasonable parent might make. And when, despite the public opinion to the contrary, Paul Wayment was officially charged with and eventually found guilty of negligent homicide, even the prosecutor handling the case told reporters he would not ask for jail time saying, "I think it would be personally difficult for me to argue for jail time. He lost his son, and under the circumstances, I'm sure he has suffered" (Blake, 6-5-01). Many argued that Paul was driven to suicide because he had been criticized unfairly, and that the guilty verdict and the 30 day jail sentence were overkill. This is what happens, articles like these argued, when courtrooms take the place of community support. One reporter wrote, "With the compassion of a freight train running over a penny on a railroad track, the state of Utah chose to compound the tragedy by flattening Paul even more... While helplessly on the ground writhing in pain at his loss and at his unintentional role in it, Utah kicked him repeatedly with criminal charges, prosecution and blame" (The Deseret News, 8-1-01). Similarly, in one letter to the editor, the author argued, "...They hounded Paul because they had to prove once again that what they scribble on paper—the law—is always more important than mercy or the well-being of their fellow man" (The Deseret News, 8-1-01). Thus, for Paul Wayment, articles describing contexts of community grief and local reactions did not function to isolate him in his guilt; rather, they worked to effectively reaffirm a sense of connection, between Paul and

the community and between his regrettable neglectful actions and the misguided, but non-criminal risks taken by any parent. Gender and whiteness played a significant role in Paul's redemption. Wayment, as a single parent to a two-year-old boy, challenged the social notion that men can't care for their children alone; his actions did not fly in the face of fundamental cultural beliefs about paternal instincts, they sustained up heteronormative values, and they did not threaten the status quo. A single father is already a saint. Thus, his neglect was represented as an almost endearing, fumbling mistake, and he was showered with accolades for having even tried to take on such a non-traditional responsibility. In the end, the community mourned, not just for the lost of two-year-old Gage, but for Paul Wayment as well.

Chapter Ten: Representing Intentional Acts and Accidental Tragedies

The Story of a White Woman Continues...

Attorneys for the prosecution summed up their position against Pauline Zile succinctly: Scott Cupp, the lead prosecutor, stated, “She knew punishment was about to happen. She’d been there and she’d seen it before. She’s the child’s mother. She should have had her out of there a long time ago” (Ellicott, 4-8-95). As the jury began their deliberations, Cupp argued once more, “It’s very clear under the Florida law. The defendant owed not only a moral and ethical obligation, but a legal duty to protect her biological child” (Testa, 4-8-95).

The Story of a White Man Continues...

After the medical examiner’s report was issued, Detective Berry told reporters that Paul Wayment had agreed to take a lie detector test, though it appeared to be a mere formality. “[The medical examiner’s report],” said Berry, “appears to end suspicions that the boy was killed by his father” (Associated Press, 11-2-00). Lt. Joe Offret added: “We’re leaning toward believing this was just a really tragic accident” (Vigh & Curreri, 11-2-00).

Erik Luna, a professor of criminal law and criminal procedure at the University of Utah, said: “This is a tragic case of incredibly poor judgment on the part of the father, but it’s unlikely to be a crime” (Newell, 11-2-00). Luna explained that legally, the question is first, whether this was an intentional crime, and second, whether Wayment’s conduct was reasonable. He continued: “Although it shows incredibly poor judgment to leave a child in a car in those conditions, it doesn’t look on its face as though his conduct dropped below a level of care that we require of parents” (Newell, 11-2-00). Luna concluded: “Utah is a very family-oriented state and very community-oriented in its values. I suspect that the people are going to see this as an unmitigated tragedy and feel a great deal of sympathy for the parents rather than a need to punish them” (Newell, 11-2-00).

In cultural debates on crime, questions about intention always figure prominently. Did the defendant knowingly intend to commit a crime, or, alternatively, was this simply a tragic accident? In fact, while media sources may interpret intent as theoretically irrelevant—confusing lay definitions of intent with legal conceptions of blame—in making their determinations about guilt or innocence juries rely heavily on whether a defendant meant to cause harm (Feigenson, 2000; Feigenson, Park & Salovey, 1997; Velin & Walters, 1988). The existence of a detailed legal hierarchy of culpable mental states makes it clear that

questions of intent have a particular significance in the courtroom. Morally, ethically, philosophically—and emotionally—intent always matters. If prosecutors are successful in their efforts to prove intention, social condemnation will be guaranteed; and proof of intent to harm can mean the difference between life in prison (Pauline Zile) and 30 days in the county jail (Paul Wayment). The accidental or inadvertent criminal is more likely to be forgiven—even found innocent.

Right from the beginning, charges of maternal failure to protect, in and of themselves, bring questions about intention to the moral and legal forefront. The legal question faced by the jury (and the social/philosophical question confronting the culture-at-large) is a sticky one. Questions about criminal intent presume the existence of clear guidelines for good parenting that are universally known, understood, and obtainable. There are, as we have seen, some real problems with this assumption, as Fine and Weis (2000), among others, have made so compellingly clear; definitions of reasonable behavior often change when they are viewed through a wider lens, one that takes seriously the ways in which sexism, racial discrimination and poverty each, and in combination, affect opportunities and access to resources—both of which affect a woman's ability to behave "reasonably." In addition, legal questions about criminal negligence equate *mistake with intention*; however, this blurring simultaneously erases the very real ways in which unintended consequences of all-too-human momentary lapses get oversimplified, misrepresented, or redefined as criminal intent. Thus, the legal question before the jury is a complicated one: did the mother in question willfully disregard social mandates for responsible parenting? Was this child's death

preventable? Did Pauline Zile, for example, *intend* to stand by and allow John Zile to beat Christina Holt so severely that she eventually died? Did Sharon Burton *knowingly* allow her boyfriend to drown her two-year-old daughter? Was Shiara Worsham *aware* at the time that her husband was abusing their newborn son, and did she *choose* to do nothing? Did Christie Greenwood *fully understand* the risks inherent in leaving her six children home alone...and did she *ignore* that danger by going out one fateful night? The answer in all of these cases, according to their respective juries, was yes.

News stories about cases of maternal failure to protect focus, almost exclusively at times on questions about criminal intent, and they are therefore good places from which to extract a national discourse—and to view the social debate—about crime and its relationship to cultural notions about individual choice. The complicated task of determining intention, however, becomes visible right away. While it is possible to prove that someone failed to act, it is much more difficult to prove that they *meant* to—or *chose* to—fail to act. Intention has an opaque quality to it; it is, after all, an internal state that can only be inferred and is never seen. As such, it is a difficult undertaking to operationalize intention or to provide concrete evidence for any internal, psychological process of “choice-making” a defendant may have gone through. The difficulties encountered in making intentions concrete and provable mean, in turn, that there is a great degree of flexibility and choice involved in how failing parents get represented—both in the courts and in the news. For some, the goal of proving intent means proving that the defendant acted with purposeful and determined action—this is intent as it is traditionally understood and

commonly defined. For others the question is not necessarily whether the defendant meant for the child to die, but whether she acted irresponsibly, choosing to ignore the clear risks that would have stopped, or at least altered, the behavior of more reasonable people. This latter definition represents a shift away from the more fixed and straightforward question about purposeful action toward the more slippery slope of “should have knowns” or “could have done.” It is a definitional and conceptual swing that has had enormous repercussions, however, since it has made it legally possible to prosecute women who are either unable to or, for some reason fail to protect their children from the abuse of others.¹³ It meant, for instance, that Shiara Worsham could be sentenced to three years in prison for child endangerment and, even more dramatically, that Pauline Zile could be convicted of first degree murder and sentenced to life in prison without the possibility of parole. Meanwhile, by keeping the focus on whether or not Paul Wayment had meant (intended) for his two-year-old son to leave the car and wander away—“of course not,” agreed both prosecution and defense—Utah prosecutors paved the way for Gage’s death to be framed as an accidental tragedy rather than intentional murder.

Media representations of a crime as the result of purposive action, as neglect, or (in the case of Paul Wayment) as a regrettable accident have tremendous power to either exonerate or condemn. These various representations of failure to protect have huge implications for how the defendant will be perceived and judged by the public, perhaps even by the jury. However, choices about how to frame the death of a child—as murder or as horrific accident—are not neutral; they are deeply political, and they turn out to be closely intertwined with race, class, and gender.

When women are charged with failure to protect, the broader, hazier definition of intent as neglect or irresponsibility is almost always invoked. The use of this more open-ended conception of intent in cases of women defendants makes sense given current cultural conceptions that define female responsibility broadly (Fine & Carney, 2001) and blame women, almost exclusively, when violence erupts in the home. Women, regardless of race, are presumed responsible for controlling the behaviors of the men in their lives. Fathers, however, are not similarly charged if it is mothers who abuse their children; men are not supposed to run the household or manage its occupants.

If the defendant is white, as was the case with Pauline Zile, Barbara Peters, Ivy Martin, and Sheryl Coe, further evidence about her intention to commit a crime will most likely become a part of the news story, often through the use of complicated legal explanations and rationalizations. The presence of such detailed justification anticipates—and reaffirms—common social understandings about normal and expected maternal behavior; it demonstrates the ways in which she violated those norms, and it outlines, in the simplest terms possible, the ways in which her behavior (or non-behavior) was intentional, and therefore criminal. See, for example, the following:

One week after accepting immunity for telling police about the kidnapping hoax and her husband's fatal beating of her daughter, Pauline Zile was in fact arrested and charged with first degree murder and aggravated child abuse. Barry Krischer explained the charges, referring to a Florida Supreme Court ruling from 1992, and reasoning that she had been present during the beating and failed to promptly notify authorities. He stated that failure to act—acts of omission in child abuse case—was "tantamount to an act of commission" (Beyers, 11-5-94). "In other words," he stated, "by not doing something you've done something. And whenever aggravated child abuse leads to death, it is felony murder" (Beyers, 11-5-94).

Krischer later added that his office would seek the death penalty for both John and Pauline.

If the presence of contextual narratives documenting legal definitions of intent works to establish a woman's guilt, the absence of such narratives about Black and Latina mothers suggests that questions of intention—and guilt—are unnecessary if the women involved are of color. Sharon Burton, like Pauline Zile, was charged with *failing to protect her child from her husband*. Unlike Pauline, however, whether she intended for her husband to kill her daughter goes undiscussed in the brief, one-paragraph-long news story covering the crime. There are no questions asked in the media about what she may have (or may not have) done to prevent the drowning and no descriptions of her grief over the death of her child¹⁴. Burton's—and Christie Greenwood's and Shiara Worsham's—intent to harm is implied and assumed.

Strict adherence to the more conventional definition of intent-as-desire, however, made it possible to re-frame Paul Wayment as a victim himself. Media discussion centered on Gage's death as a horrifying accident, rather than on what Paul should have, or should not have, done. As we have already seen, from the beginning of the reporting on the case, Wayment's grief and remorse was featured prominently. Reporters noted his tireless search for his son and described his sense of personal guilt and clearly tormented state of mind. Neighbors, family and friends testified to Paul's grief and profound remorse. His sister, Valerie Burke, told reporters, "We just feel like it was a very unfortunate accident. But we understand that there are consequences even to accidents....Paul lost the only thing that meant

the world to him. Charges now are a really small thing. They can't hurt him any more than he's already been hurt." And Wayment's attorney reportedly said, "I don't know a client who's been more emotionally distraught over a crime as this one...I have seldom seen greater remorse than in this client" (Blake, 6-5-01). At sentencing, Paul read a statement that said, "In one brief and monumental moment while Gage slept in the truck, I made the biggest mistake of my life...If I could change places with my son, I would give up my life in a second" (Wolfson, 7-17-01).

Grief and remorse are at the heart of the media story about Paul Wayment, and they work to build a narrative theme of tragic accident rather than intentional crime. News stories about Paul Wayment, unlike those about Pauline Zile, Sharon Burton, or Christie Greenwood, represent Gage's death as a mistake...a lapse in judgment...a slip...an unfortunate twist of fate, rather than murder. Evil and twisted, Pauline Zile was represented as having actively participated in abusing Christina Holt when she failed to stop her husband from beating her; Wayment however, (so said reporters, columnists, and letters to the editors), was guilty of making a bad choice. There, but for the grace of God, go I, wrote many, who concluded rhetorically: who among us has not made similar mistakes?

Grief, remorse, and therefore intention all operate differently (and more or less explicitly) in media stories of child neglect. For white mothers, intention is narratively and specifically proven, while for mothers of color it need only be assumed. For white men like Paul Wayment, intention is blurred with desire, and this combination perhaps opens the door for a serious conversation about legal

conceptions of responsibility versus social understandings about accident or tragedy. While Pauline Zile's and Sharon Burton's stories take existing conceptions of crime and punishment for granted, Wayment's story, as it is written in the news, questions fundamental cultural assumptions about the place of courts as the final determiners of guilt, responsibility, and innocence.

Chapter Eleven: Representations of State Responsibility

The Story of a Florida Department of Children and Families...

Cast under a cloud of suspicion, and on the same day that Bradley McGee was buried, Florida's DCF placed one top administrator and two foster care workers on administrative leave while investigators looked into their alleged misconduct (Rado, Murphy & Morgan, 8/4/89)¹⁵. While shocking details about Bradley's short life and brutal death continued to emerge, articles about potential state negligence began to appear with greater frequency, many critiquing state law that places an emphasis on reuniting families over, some argued, protecting children (Rado, Murphy & Morgan, 8/4/89). Some suggested that DCF had not only acted ignorantly, but almost with malice...yanking Bradley away from a loving home and knowingly and uncaringly placing him in danger. Reporters noted the stacks of form letters appearing all over town, including at the funeral itself, stating that HRS "took this child from the arms of foster parents who loved him and placed him back in his parent's care over the warnings of concerned people who knew the severity of the dangers there"¹⁶ (Debenport, 8/4/89). The letters concluded, "There is something terribly wrong with a system that does not have common sense as a guideline" (Debenport, 8/4/89).

The community of St. Petersburg, Florida, was stunned by the horrific nature of the murder of two-year-old Bradley McGee, beaten to death by his stepfather while his mother reportedly "looked on." As his ex-foster parents wept publicly, autopsy reports surfaced and photographs of a smiling, blond, blue-eyed boy circulated, a new story line appeared: Bradley had been removed from the home of Sheryl and Tom Coe because of neglect, and he had only recently (two months previously) been returned to them with the approval of the local department of children and families and against the pleas of his foster parents. First with a whisper, then as a shout, thus began a series of news stories that described the formal investigation launched to evaluate potential departmental—and therefore state—negligence. Stories about DCF failure or irresponsibility are familiar themes

in media narratives about maternal failure to protect; their presence is so predictable as to be almost ubiquitous. Because a startling number of child deaths occur while a family is in active counseling or when a child has been recently returned to his biological family from foster care (U.S. Dept. of Justice, 2000), it is not surprising that the media turns the spotlight on departments of children and families, focusing on the role local departments played—or could have played—in particular circumstances. In this project stories about DCF became a part of the news narrative in fourteen out of fifteen cases I examined—a testament to the important messenger role they play in the master narrative on crime and female responsibility.

At first glance, stories about the failures or responsibilities of state agencies appear to be counter-stories; while the individualizing and isolating master messages contained in mainstream news reports about mothers charged with neglect frame child murder as the result of individual activities, choices, or personalities is most certainly a predominant theme, media attention to the role of governmental agencies hints at a public willingness, perhaps, to look more broadly at assignments of blame and suggest a more social or collective understanding about responsibility. Media-launched investigations into the potential culpability and accountability of state departments of children and families seem to be making the argument, in particular, that the larger public—and not just the parent—has a duty to protect a neglected child; a child's death these types of narratives imply, not only reveals the pathology of the mother, but also represents a failure on the part of an entire community.

The counter nature of news stories about the potential blameworthiness of

departments of children and family services, however, is relatively short-lived. Conventional mainstream news accounts may begin neglect stories with the suggestion of a sense of state responsibility, but the presence of very specific narrative and thematic reporting techniques work to neutralize what might have been a potentially revolutionary message. Stories about caseworker mishandling (which was true, for instance, in the cases of Sherain Bryant, Sharon Burton, Ivy Martin, and Violetta Burgos) or even reports about indictments handed down to DCF employees due to their outright negligence or incompetence (true in the cases of Marguerite Saccone and Sheryl Coe) quickly shifted to analyses of troubled departments. Alternative versions of responsibility, then, were reframed, and the argument moved from more social considerations of blame to discussions about the need for financial assistance to relieve the now narratively reconstituted “dedicated” and “overburdened” social work staff (a somewhat amazing—and notable—transformation; these were, after all, the same people that just weeks before had been cited for criminal negligence). By reframing the “problem” from one of departmental carelessness or irresponsibility to issues of staffing, the news media effectively exonerates the state; the now-tamed issue at hand is less socially disruptive and ideologically threatening, and the proposed solutions that find their way into the mainstream news media will likely be well to the south of heated calls for governmental reconsiderations of the role of the state in cases involving families, or for changes in public (and legal) policy. In most stories examining the role of the state in cases of maternal failure to protect, the solution becomes hiring new caseworkers and a (temporary) flood of tax dollars. The state itself is absolved

of any (read: intentional) responsibility, and structural or philosophical change is deemed unnecessary.

The introduction, and then (relatively) quick dismissal, of a potential counter story functions to give dominant social values of individualism (and the “hands off” policies of the state) a boost, gluing blame even more firmly on the responsible mother. Indeed, the appearance of substantial scrutiny directed at departments of children and families, however preordained the result of that investigation might be, enables the impression that a fair and impartial examination of the roles of all of the parties involved has been accomplished. The department of children and families, and by extension the community, now legally cleared, can even more determinedly point a finger of blame at the mother. American beliefs about the individualized nature of crime in general have been tested and found to be viable once more.

Stories about the potential failures and responsibilities of local departments of children and families are perhaps the one place where the narratives of women defendants, across race, become more similar; DCF narratives play a role in an overwhelming majority of media accounts of maternal failure to protect. However comparing women by race according to the presence of accounts of departmental involvement is misleading; stories that examine the potential role of local departments of children and families are much more detailed and thorough in news accounts of white defendants than they are in stories about women of color. For example, media coverage on the potential culpability of the Florida DCF in the death of Bradley McGee went on for two years; and it continues to appear up to

today. More typical of cases involving women (and children) of color are news reports that mention—and exonerate—human services departmental involvement in passing, rather than as major storylines. When Sharon Burton was arrested following the death of her son, the Chicago DCFS made one seemingly unconcerned public statement: “If we could call every shot the way it is supposed to turn out, then it would be a perfect world” (O’Connor, 1/25/96). Similarly, department spokeswoman, Karen Crowe told the press following the arrest of Sherain Bryant, “There’s no indication at this point that even if the caseload of that office [children and families] would be reduced by half that the death [of Shayna Bryant] could have been avoided” (Giordano & Sanchez, 3/31/94). Case closed. In the story of Urbelina Emiliano, arrested for “allowing” her husband to bury her two-day-old daughter alive, readers were tormented by seemingly endless descriptions of burial clothes, pink pacifiers, eighteen inches of dirt, and one tiny body; they were not, however, urged to consider the ways in which this shy, under-educated, economically disadvantaged, unworldly, Catholic, non-English speaking woman might have been failed by a system that ignored risks and turned away from her need. Explanations for the crime remained individualized—the result of her cold, selfish, and, most of all, unnatural behavior; Emiliano was alone in her blameworthiness and her culpability. The dramatically reduced stories about the role local state departments/lawmakers may have played in the events leading up to and including the abuse and murder of children of color ensure that state responsibility toward families of color will not be a topic of discussion debated in the public forum of the news media.

In the form of DCF narratives, stories about state responsibility included in coverage describing mothers and child murder are almost omnipresent; and the ways in which departments of children and families are scrutinized and questioned by the media after a child is killed by a parent is now routine and predictable. Thus, the brevity of questions troubling the role of social institutions such as DCF in cases where children of color are concerned seems especially notable. If DCF narratives function as brief—and admittedly fleeting—sites where a larger sense of community responsibility gets considered, what does it mean that, for the most part, such conversations do not occur when Black or Hispanic children are murdered and women of color are charged? The absence of state responsibility narratives in stories of women and children of color hints at the existence of a frighteningly insidious dominant social understanding: that cultural notions—however small—of collective responsibility do not extend to those who are considered “other.” Black and Latina mothers, marginalized by gender but more importantly by race and class, stand outside the dominantly constructed circle of the white, middle class “us”—therefore social institutions that serve the common good may not be seen *as* culpable, and not *as* responsible, when tragedies involving children of color occur. The presence, but more importantly, the detail and thoroughness of DCF narratives—who gets them and who doesn’t—make clear that only a few crimes or defendants will engender even a momentary consideration of collective responsibility, and that for a white, news writing and reading public, whether such deliberation occurs will be profoundly influenced by the race and ethnicity of the defendant and her child. An already limited sense or representation of cultural or

social responsibility diminishes when it is directed toward families of color.

A close analysis of the media stories of Urbelina Emiliano, Sharon Burton and Sherain Bryant, alongside and compared with media narratives of white defendants similarly charged (Sheryl Coe), makes two insights about the master messages about women charged with failure to protect possible. The first has to do with the ways in which social ideas about collective responsibility—momentarily apparent in these news representations of social or state liability—wax and wane depending on the race and ethnicity of the defendant and her child. The second insight that becomes apparent has to do with the limited scope and range of representations/alternative versions of responsibility available to—and visible through—the various media outlets. Stories like those of Emiliano or Burton (or Bryant, Burgos, Estime and Worsham) recall Lynn Hancock’s (2000) assertion that there exist multiple social locations that could be implicated in crimes like neglect (education, housing, welfare, immigration law, child care, and so forth), and thus many more questions that could be asked if we were truly interested in developing a deeper understanding about the role the dominant system plays in its creation of social policy. In directing our gaze toward an examination of one state department—and then refocusing it squarely back on the individual mother—the media functions to protect and hide from view other, perhaps equally blamable dominant institutions.

The Story of Paul Wayment...

“It’s not our responsibility to cast judgment on Paul Wayment. I believe the best we can do in these situations is assess our own circle of friends and family and offer our help so they do not become overwhelmed and take

chances they ordinarily wouldn't. We should pause and consider the occasions that our actions or inaction—regardless of intent—have put our children in harm's way" (Cortez, 1-13-01).

Finally, the construction and representation of a sense of collective responsibility—and community failure—in news stories surrounding Paul Wayment suggest one way child neglect might be framed outside of a narrative reliance on individual and criminal characterizations and familiar themes of bad parenting, and they make clear the role of gender in the construction of a more forgiving narrative of parental neglect. Rather than exploring, and then rejecting, possible ways in which the state had failed to prevent the Wayment tragedy (stories about Utah departments of children and families are not a part of this case), the bulk of the news reporting and letters-to-the-editor detail Paul's efforts to be a good father and lament his accidental slip. Many who wrote in argued that what had happened to Paul could have happened to any family—in a sense, that this is an event that is unforeseeable and therefore unpreventable. For example, one reader wrote in his letter to the editor of the local paper, "Because the unthinkable happened, we are quick to judge Paul Wayment. But parents need to stop and ask themselves if their excuse for leaving their child alone is going to sound any more reasonable when broadcast on the evening news. The lesson to be learned is that it could happen to you" (The Deseret News, Opinion, 11-3-00). In constructing a narrative that sees the death of Gage Wayment almost as an act of God rather than as the result of irresponsible parenting or criminal negligence, the media works to create an impression of a Salt Lake community united in their support of Paul, as well as in

their collective guilt over their failure to help a single father (and the father part is important; the possibility that such a story might have been written if it had been Paul's wife who had left Gage in the car alone is, as the stories of the women defendants have shown, markedly diminished) raise his child. While this account does still allow the role of the state and its policies to remain opaque, it opens up traditional accounts of blame, so often located inside the individual; thus, it permits a new voice on responsibility and the role of the social in family assistance, and a new way of conceiving of criminal negligence.

Chapter Twelve: Representing Mothers and Fathers: Selfishness versus Devoted Attention

The Story of Pauline Zile...

“No mother just stands there and allows her children to be murdered in cold blood” (Stapleton, 11/19/94).

The Story of Paul Wayment...

“Paul Wayment was not a monster; Wayment was no more or less than any man” (Barry, 7/26/01).

Urbelina Emiliano, reporters noted, violated the most basic tenets of motherhood (Winslow, 7/20/95). So did Pauline Zile: “If there is any justice,” wrote one reporter, “Pauline Zile will suffer greater pain, not only for betraying her child, but for betraying motherhood...” (Recchi, 11/11/94). Asked another, “How could a mother—a mother, of all people, do this” (Deam, 4/11/95). Standard news stories about criminal mothers frequently contain references to cultural ideals of femininity and motherhood juxtaposed with descriptions of the “loathsome and despicable” (Martin, 5/11/96) behavior of defendants under consideration, and this contrast works to effectively double a mother’s crime. “He’s a killer, he’s a murderer, and he’ll be treated like a murderer,” wrote another reporter covering the Zile case, “but she’s a mom. What she did was worse” (Christine Stapleton, 11/19/94). The feeling one gets reading news reports about neglectful mothers is that not only have they failed their children—a criminal offense in and of itself—but in addition, they have flagrantly disrupted cultural notions about the natural order of things. In abandoning, neglecting, or ignoring the needs of their children, these women are represented by the media as having stepped outside the borders

that surround the normal and natural state of motherhood (Brown, Lumley, Small & Astbury, 1994; Elvin-Nowak, 1999; Woollett & Marshall, 2001); their actions (or non-actions) slaughter a collective fantasy about the naturalness of mothering, and they fly in the face of fundamental—and dearly held—social arrangements and values.

Themes, therefore, of female betrayal—of treachery and deceit—pervade media accounts of maternal failure to protect; in each of these fourteen narratives of women charged with abuse or neglect, it is clear that the women involved not only made bad decisions, but in addition, they crossed social, moral and philosophical lines. Their life histories flout dominant master narratives that underscore cultural beliefs in and values about the inherent satisfaction in mothering and the primacy of a mother's duty to protect and serve her family. Mothers, according to public sentiment, are supposed to be loving and patient, fiercely protective and nurturing; these, then, are women who have failed at their most fundamental task—raising and safe-guarding the next generation. The theme of traitorous women who fall short in caring for their family as well as their country infuses each of the fourteen cases of maternal failure to protect that made up this study.

It is clear in reading news accounts of neglect or abuse cases that the mother defendants are considered fundamentally flawed and that their actions constitute what amounts to a cultural betrayal. Across stories of failure to protect, women are represented as failed females, although their construction is by no means straightforward or uncomplicated. What is more difficult to discern is exactly which basic tenets of motherhood have been violated or which cultural values have

been ignored. In much the same way as theorists have had a tradition of glossing over rather than specifically naming master narratives, reporters have tended to remain fairly vague when it comes to identifying traditional feminine roles. “What kind of mother can kill her own child?” (Fan, 6/17/95)—the insinuation being, of course, that no *normal* mother could. Despite this fuzziness, it was possible to discern in these news stories an overarching quality—an expectation—of mothers that is violated when women fail to protect their children. Across narratives of neglect (and regardless of race) women who fail to protect their children are represented in the media as selfish and self absorbed, qualities that fly in the face of traditional cultural understandings of mothers—and, more generally, women—who by nature are understood to be self sacrificing and nurturing. In the dominantly constructed story of motherhood, mothers are to be responsible for other’s needs before their own; the master message contained in news stories about neglect is that women who fail to protect their children do so as a result of their own self-serving, selfish interests. It is, these stories insinuate, only unnatural mothers and twisted women who put their own needs first.

Representations of maternal selfishness went hand in hand with irresponsibility in almost every one of these criminal news narratives. For example, reporters described Barbara Peters as “...more interested in drinking and carousing with friends than in her child’s welfare” (Hekelman, 9/23/92). Her selfishness was compounded, they wrote, by her refusal to get rid of an abusive boyfriend; according to published reports, Peters insisted on maintaining a relationship that many felt was dangerous to her son. Similarly, Urbelina Emiliano was represented

in the news as a cold and calculating woman, who “didn’t want the baby to come in-between” herself and her new husband (Rabinovitz, 10/27/93), nor did she want him to suffer any embarrassment from raising another man’s child (Nagourney, 10/27/93). Pauline Zile, wrote one reporter, was an “...irresponsible, manipulative woman who chose her husband over her own flesh and blood, hocked her wedding ring a day after her child was killed, and coldly faked a missing child story for police and tv cameras” (Athens, 11/6/94). “The simple fact is,” wrote one news reader, “Pauline didn’t care, except for herself” (Letter to the editor, Palm Beach Post, 5/2/95). Tammy Huff, Ivy Martin and Marguerite Saccone were also portrayed as more interested in protecting their boyfriends/lovers than in caring for their sons. “Unfortunately,” wrote one reporter describing Saccone, “the defendant was protecting herself and not Joshua” (Spencer-Wendel, 8/21/02). Ivy Martin, according to the local sheriff, didn’t want her lover to leave her even if it cost her three-year-old son his life (Reed, 2/17/89).

Even women who were virtually ignored in news coverage—in particular, women of color—were represented as selfish and self serving, characteristics that explained their crimes and their motives in an uncomplicated way. In her very brief appearance in local news reports, Sharon Burton was described as a “crack mother” (O’Connor, 1/25/96), a description that, for many, conjures, up images of desperate and self absorbed addicts interested only in their next fix. Similarly, Sherain Bryant was depicted by the media as a problem drinker (Marriott, 3/30/94) and a drug user (Dugger, 3/31/94), who was dependent on her husband to the detriment of her children. In yet another version of self-centered mothering,

Christie Rene Greenwood left her children home alone while she went out at night to play cards with friends, and Violetta Burgos was more interested in staying with her abusive boyfriend than she was in protecting her daughter.

Images of the selfish—and therefore unnatural—mother were never more effectively juxtaposed with idealized versions of motherhood and femininity than they were in the news narrative of the case against Sheryl Coe. From the beginning, Sheryl was depicted as an evil, dangerous and devious woman. A drug user, she neglected her two-year-old son to the point of filth and starvation (Debenport, 8/13/89). Reporters called Coe a non-nurturer (Koff, 7/20/90), who was more likely to spend her limited money on Pepsi and cigarettes than on Pampers and formula (Debenport, 8/13/89). Furthermore, reporters frequently contrasted descriptions of a malevolent Coe with glowing accounts of her son's ex-foster mother—she was, they wrote with an emotional flair, his “true mother,” Pam Kirkland (Toothman, 7/5/95)—a juxtaposition that even more effectively drew a line between Sheryl's failure to care and social expectations for good mothers. Whereas Coe was represented as a homeless drifter, a high school dropout, and a drug addict, Kirkland was “...a fiercely compassionate woman with the platinum blonde look of a small town beauty queen” (Bettendorf, 7/25/99). She was “...photogenic, quotable, and brutally candid, all traits that would make her a public figure herself” (Bettendorf, 7/25/99). With a long history of taking in foster children, Pam Kirkland became the perfect foil to the irresponsible, work-shy, and most of all, self absorbed Sheryl Coe. Reporters noted her anguish over Bradley's death coupled with descriptions of her well-coifed hair, neat suits, and flat heels. This, their

articles state implicitly, is what a mother—a real mother—looks like.

One might make the successful argument that Paul Wayment had behaved equally selfishly when he left his son in the car alone while he went hunting in the Utah forest. Certainly, there is room for the idea that Paul placed a higher priority on his own needs that day than on his responsibility to take vigilant care of two-year-old Gage. Reporters, however, focused on descriptions of Paul as a good father, rather than on his irresponsibility or his failure to take reasonable care of his son. Paul's ex-wife, Barbara Harrison, stated for example, "I feel sorry for Paul. He loves his baby. He is a good dad" (Reavy, 10/31/00). Neighbors told reporters they had nicknamed him "Mr. Mom" (Barry, 7/26/01), a name that conveyed in a few words his nurturing, caring, and loving style of parenting. Even the fact that Paul was unemployed—a fact that functioned in the stories of women to further condemn them as selfish, lazy and irresponsible—became evidence of his tender commitment to his son (Curreri, 10/30/00), as well as proof of the "simple" nature (Vigh, 7/22/01) of an "uncomplicated" man (Siegel, 12/30/01). Rather than take just any job, reporters noted, Paul was looking carefully for employment that would be flexible enough to allow him to spend time with his son, yet lucrative enough to help him afford quality day care (Reavy, 10/30/00). Paul was, one reporter wrote, so happy with his son Gage, they were "...joined at the heart" (Siegel, 12/30/01). "You never saw one without the other," he continued, "On days when she felt in need of a lift, one neighbor would sit on her porch just so she could watch them, just so she could smile inside."

The cumulative news story about Paul Wayment paints a picture of a loving,

deeply caring man who made a tragic mistake. A national consciousness on the inherent heroic nature of single fathers—a consciousness that is not only absent for single mothers but, some might argue, reversed such that single mothers are even more particularly maligned (Worell, 1988; Jarrett, 1998; Polakow, 2003)—forgives Paul his neglect, and erases (or neutralizes) accounts of his selfish behavior. If, in dominantly constructed master narratives of family responsibility, it is the mother—and not the father—who has the duty to protect the home, men may be exonerated when they fail to nurture or protect. Cultural definitions of what makes for a good father do not typically include female characteristics of selflessness or the ability to put the needs of others over your own. Paul's attempts "to care" challenge cultural accounts that suggest that fathers don't parent; however, they do not threaten existing cultural prescriptions for maleness and femaleness or, by extension, capitalist economic arrangements. The social narrative constructed about Paul Wayment represents male neglect as inadvertent rather than resulting from an inner selfishness; he is cloaked in redemption rather than disgrace.

**Chapter Thirteen: Representing Moments of National Reflection: What Can
“We” Learn from Cases of Failure to Protect?**

From the Story of Tammy Huff...

“Women like Huff make even rational people consider, at least for a moment, the idea of involuntary sterilization” (Schultz, 7/16/00).

From the Story of Ivy Martin...

“We have to always go that extra mile, take that risk, report anything suspicious so that never again will a child have to pay the price” (Nelson 1/21/89).

From the Story of Paul Wayment...

“For the rest of my career I will remember Paul Wayment and try never to lose sight of the human consequences as I discharge my responsibilities” (Hilder, 7/19/01).

“It is too late to help this man, but maybe there will be another, and I sincerely hope that next time we decide to comfort rather than judge, to help rather than condemn. Let’s step back and decide who really does menace society, and worry about them instead of people who, in testimonies to their humanity, make innocent mistakes sometimes” (Opinion Column, The Deseret News, 7/24/01).

When two-year-old Marie Estime was beaten to death by her mother, Djenane Estime, local law enforcement agencies and community members wondered how it was possible that so many friends and neighbors had known about her long term abuse and yet had done nothing. Amid news stories about Estime’s arrest, a growing contingent of letters-to-the-editor, editorials, and opinion columns expressed a poignant wish for someone—anyone—to have called the authorities and reported the abuse; if they had, these authors wrote, Marie might be alive today.

As the case moved toward trial, some reporters began writing with a somewhat wider perspective; stepping outside of indictment counts and medical examiner's reports, several columnists reflected, for a moment, on what cases such as Estime's might teach society. The existence of women like Djenane Estime, some wrote, should remind concerned citizens about their social responsibility to be vigilant regarding cases of suspected abuse and to report child abuse of any sort. Cases of child murder should not happen, these editorials argued, because "it only takes a phone call to report suspicious behavior" (Opinion Column, Palm Beach Post, 1/18/00). The social "lesson" carried by the case against Djenane Estime then, according to these reporters, was that authorities must be called and notified immediately: "People who see a child being abused anywhere, at any time, should call the abuse hot line. Don't wait for a child to die and make excuses, because there are no excuses" (Opinion Column, Palm Beach Post, 1/20/00).

As trial and sentencing coverage moves toward a close, reporters or columnists often/frequently ask their readers to pause to consider the ways in which heartbreaking events like these suggest particular lessons or social messages for the larger culture. In essence, these more contemplative articles are asking for (and suggesting) solutions to the social issues surrounding child neglect. How, reporters ask, can our society prevent tragedies such as these from happening again? These moments of local or national reflection are perhaps the narrative sites that most clearly reveal dominantly constructed ideology and cultural rules because the ways in which lessons, morals, and solutions to the problem of child abuse are framed in the media make deeply entrenched (but mostly unremarked) cultural assumptions

about families and the implied differences between maternal and paternal responsibility visible. The social lessons that can be gleaned from the case of Djenane Estime—and Pauline Zile, Sheryl Coe, Ivy Martin, and Marguerite Saccone—define good parenting, make cultural expectations about male and female behavior explicit, and underscore dominant understandings about crime prevention in general.

The master messages carried in stories like these are not subtle; when cases of failure to protect are viewed side by side, the ways in which race operates within stories about women to influence the types of cultural lessons that might be drawn and the ways in which gender alters social understandings about potential solutions to paternal child neglect are dramatic, even disturbing. What is implied—or, more commonly, stated overtly—in these types of news stories about women who fail to protect their children is a national need for tougher laws, foster care reform, and harsher sentences. For Paul Wayment (white, male), meanwhile, a grieving “nation” was asked to reflect on the ways in which the state as well as the local community might have better served and supported this single father.

Thus, stories calling for moments of national reflection carry important information about what privilege can “buy” variously situated members of society; the benefits of privilege are visible through ways in which the media frame specific issues, solutions, or morals that are to be considered, reified, or perhaps, introduced in the form of new laws. Defendants who lack resources that accompany privilege—due to their race, gender, or social class—are most likely written by the media as expendable; they are “worthy” only as exemplars of what can and should

happen to criminals. Paul Wayment's whiteness and maleness, however, buys him a chance at a different type of narrative: one that reconsiders individual blame, and thinks more deeply about legal definitions of abuse, as well as the role of the state (or the community) in preventing child neglect. Susan Opatow's (1990; 2001) work on moral inclusion and exclusion is recalled in stories such as these, for the circles that are drawn around particular offenders make clear distinctions between those for whom there is no hope ("lock her up and throw away the key") and those for whom a sense of the possibilities for rehabilitation and therefore a "second chance" (successful re-entry into society) is retained.

As we have seen, one message carried in the stories about women charged with failure to protect is that the community has a responsibility to report suspected child abusers to local authorities. The need for mandatory reporting laws and the press for the public to be attentive to potential abuse or neglect was a common part of stories that paused for national reflection. For these authors, individual rights to privacy are seen as secondary to the social goal of protecting children—if some innocent families get caught up in the state net, they argue, it is the price we must pay for a safer society. For instance, reporters suggested that it would have been better to err on the side of caution to prevent cases like that of Jerome Martin from slipping through departmental cracks: "We can't sit in an office and play God. We can't decide which cases are worth investigating and which aren't. We have to roll on all of them, and if some reports aren't justified, well, so be it. It's better to respond on a bad call than not respond at all" (Nelson, 1/21/89). Following the guilty verdict imposed on Pauline Zile, *Palm Beach Post* editorials begged the local

community to report abuse early on: “We can do nothing for Christina except mourn her short life. We can save other children. There’s time—if we start now” (Editorial, *Palm Beach Post*, 11/2/94; see also Cooper, 11/3/94). Columnist Emily Minor (7/8/00) reflected similarly: “Maybe it’s going on around the corner from you. Maybe it’s going on around the corner from me....Call at the slightest inkling that something is wrong. Crying. Screaming. Parents who spend their evenings shouting and swearing at each other instead of putting their children to bed.”

Accompanying reflective articles reminding concerned citizens to be attentive to—and to report—instances of child abuse, when women (especially white women) neglect their children, stories that demand foster care reform appear almost inevitably, a fact that may reveal the growing public desire (need?) for adoptable white babies. It should be easier, these types of articles muse, to remove children from “bad” parents. For the most part, these news narratives suggest that state law be revised such that it becomes easier for neglected children to be taken away from their biological mothers and put up for permanent adoption. The death of Bradley McGee, for example, became a battle cry advocating for changes to Florida legislation on adoption: “Four months after his death, a little Lakeland boy helped make a difference for thousands of children in Florida,” Rado (11/19/89) wrote, after the state government passed a bill making it harder for mothers who neglect their children to regain custody of them. Florida, wrote Nohlgren (8/18/90), had to profoundly change the way it protected children as a result of the McGee case; since Bradley, child protective services have taken a much more hard-line approach, borderline cases have been brought under state surveillance faster,

parents have been challenged more aggressively, children have been taken away from biological mothers earlier, and the process of adoption has moved more quickly. The cases of Tammy Huff (Margasak, 6/30/00) and Marguerite Saccone (Minor, 8/27/02; Spencer-Wendel, 9/5/02) led to similar calls for foster care reform.

Although the media press for early reporting and foster care reform is heard throughout cases involving Black and Latina mothers as well as white women, defendants of color stimulate two additional types of solutions/reforms that come across in stories about moments of national reflection: One is a call for harsher punishment in the form of longer sentences or even the use of the death penalty in cases of maternal neglect. The second suggests increased cultural attention toward the prevention of teen pregnancies. Sterilization, at least on a temporary basis, is an argument that seems to have—frighteningly so—found a niche in stories about criminal mothers, particularly if they are poor and of color. We must prevent teenage pregnancies, these columns suggest, because young mothers (read: Black mothers) are tomorrow's neglecters (Palm Beach Post Editorial, 11/6/94). Articles like these argue that we need to reestablish community sanctions (and offer birth control in city schools) in order to tell teenaged mothers that their behavior is irresponsible and must therefore be controlled. Across race and class, when mothers neglect their children, the lesson we are to draw from their actions is one that primarily advocates punishment and the need for state intervention. With its audible echoes of the early twentieth century eugenics movement however, the call for a national campaign against teen pregnancy, when added to the voices of advocates who suggest the need for increasingly severe term prison sentences,

means that, where poor or minority women are concerned, the national consciousness on child neglect is growing particularly ominous with respect to race.

News articles about what cases of maternal failure to protect can “teach us” limit their reader’s gaze to efforts to remove children more easily from their homes and calls for stiffer punishment of offenders. Articles such as these do not call for empathetic community responses to the difficulties of mothering in conditions of violence, poverty, or racial discrimination/oppression. Women like Violetta Burgos, Sharon Burton, or Shiara Worsham are not written as emblematic of the problem of substance abuse and the need for more accessible treatment for poor women. Pauline Zile, Barbara Peters, Sherain Bryant, and Urbelina Emiliano do not engender our sympathy and urge us to provide more effective help for battered women. Ivy Martin is not a poster-child for what happens when abused children grow up to be mothers themselves. Education, housing, child care, employment...none of these are issues upon which we are asked to reflect; and it is unlikely that any of these or other factors will find their way into a now very limited and structured discourse of women and crime, which views increased surveillance as the best form of prevention and punishment as the most effective solution to child neglect.

The limited frame of reference for a national reflection on maternal abuse is made even clearer when it is viewed alongside the much more compassionate “lessons” or messages readers were encouraged to draw from the story of Paul Wayment. When reporters asked, rhetorically, what the Utah community and the nation might learn from Gage’s tragic death, more aggressive reporting laws,

harsher sentencing guidelines, or the prevention of teenage fathers were not among the solutions put forward. Rather, according to published reports, the lessons that the public should draw from cases like Paul's were about the importance of more state assistance to be made available to single fathers (Cortez, 1/13/01) and about ways in which the local community might have supported him—and other fathers like him—better. “In the aftermath of that tragedy,” wrote Benson (7/23/01), “as a society we were supposed to look out for Paul. While taking care to wear a stern face that said we couldn't and shouldn't condone parental neglect, it was still our responsibility to offer him sympathy, encouragement, home and ample reasons for living.” Another wrote, “My prayers are with Paul and those who are left to sort out the missing pieces. Let's let them heal by trying not to... vilify anyone in this tragedy” (Opinion Column, The Deseret News, 7/28/01). Even the presiding judge, in a letter to the local newspaper wrote, “...for the rest of my career I will remember Paul Wayment and try never to lose sight of the human consequences as I discharge my responsibilities” (Hilder, 7/19/01).

By far, however, the most overwhelming interpretation and lesson of the Wayment case was that what had happened to Paul could have happened to any otherwise responsible parent and that therefore the lesson to be drawn was for society-at-large to be extra careful about leaving children unattended; there, but for the grace of God, columnists and reporters wrote, go all of us. “I have neighbors, friends and relatives who have left their very small children alone at home or in the car,” wrote one. “...The lesson to be learned is that it could happen to you. Small children should never be left alone—not even for a minute” (Opinion Column, The

Deseret News, 11/3/00). Another wrote, "Do NOT leave your young children alone. Not at home, not in the car, not even for a minute. If we learn one thing from this heartbreaking story it should be that the price to pay for doing so is much too high" (Opinion Column, The Deseret News, 7/31/01). "None of us has the omnipotent ability to protect our children from every danger that they will ever encounter" wrote another. "... There, but for the grace of God, go I applies to every one of us who has children. We are no more omniscient or omnipotent than Paul Wayment" (Opinion Column, The Deseret News, 8/2/01). Parents make mistakes, argued another columnist. "Even the wisest and most diligent parents cannot prevent all such tragedies. A child's quick dart into the street, a curious climb into a truck, a trusted sitter distracted by the other children. I pray that life, with its myriad dangers, may also bring a bit of luck to keep my children safe when I, in my human-ness, may fail" (Opinion Column, The Deseret News, 8/3/01). Who are we to judge, wrote another: "We should not slander and judge Wayment for his decision and mistakes but learn from them" (Opinion Column, The Deseret News, 8/9/01). And finally, one reporter summarized, Paul's story serves as a reminder to all of us to be more careful, more mindful of all of the small dangers we ignore: "As parents, let's reflect on every negligent thing we've done, and continue to do, as we raise our children. Our homes, cars, yards, and lives are hazardous. Dangerous things are on, out and open. We leave kids in a running car as we dash to a neighbor's door, we vacation on a houseboat at Lake Powell with toddlers, we buy pocket knives, BB guns and trampolines. Our old cribs fail current safety standards. We don't fingerprint our baby-sitters. We let the kids build tree

houses...” (Opinion Column, The Deseret News, 8/10/01).

The story about Paul Wayment, and the way in which that story is represented and interpreted in the media for its readers makes it clear that in this historical moment, the cultural meanings of neglect—its definitions, solutions, preventive strategies—are not immutable. That a case of paternal neglect can be so differently understood suggests the possibility that there may be alternatives to the current “send them up the river forever” solution that seems to permeate discussions of mothers who fail to protect their children. What might a counter narrative to the dominant version of maternal neglect look like? I suggest it would look a lot like the story of Paul Wayment; with a deeper understanding of the difficulties inherent in raising a child in poverty (alone, with little education, in/despite spousal violence, alongside substance abuse issues, etc.), a more thoughtful theory of the differences between criminal intent and a possible (and human) lapse in judgment, and a more community-based sense of collective responsibility to fellow-citizens, many of the stories about women who fail their children in one way or another might be re-written, if not with forgiveness, at least from a more compassionate perspective.

Chapter Fourteen: Summary and Conclusions

From stories of jury selection to articles on the verdict, multiple privileged perspectives/viewpoints run through media narratives of failure to protect trials, and they move relentlessly and inexorably toward a definition of responsibility and guilt that is individual in nature and, even from the beginning, points a finger of blame squarely at the mother charged with neglect. Far from being a neutral source of information regarding circumstances or events, the news media uses a traditional story-line structure that pre-determines what parts of the event to cover as well as which participants to quote and rely on for information. Each chapter of the unfolding narrative works to support an underlying but pervasive assumption that there is only one story worth telling here: that the women who are accused in crimes such as these are evil monsters, whose segregation from society (or even permanent removal) represents justice in its most noble form. If maternal counter-narratives do manage to make an appearance, they are quickly neutralized. A dominantly controlled media has multiple strategies/techniques for eliminating or co-opting potentially disruptive messages, many of which (insidiously) re-frame the counter-version and repaint the woman as unremorseful, unrepentant, and unemotional—her true evil nature revealed. Her counter-story, picked up by the media master narrative and effectively turned around so that it no longer complicates the story, ironically ends up creating an even greater degree of blame.

In writing about and dealing with topics like jury selection phases or negligent social workers—and then dismissing them—the media gives a nod to alternative stories and gives the illusion of impartial coverage, all the while

supporting a carefully developed impression of a unified, coherent story line, unwavering in its description of a guilty mother, uncritical in its descriptions of the criminal courts, and basically uninterested in larger questions of community or social responsibility for prevention of these types of tragedies. By focusing almost exclusively on the prosecution's perspective on the events, the media constructs a simplified story: one in which the prosecution narrative is legitimated as "fact" and the defense story, by default, gets typified as "excuse" rather than as a reasonable, alternative version of the truth.

The inclusion of citizen-on-the-street reactions to the trial, verdict, and sentencing in the media coverage works to construct an overall sense of a community united in its condemnation of the mother charged, as well as its desire for vengeance. For the most part, reporters pay little attention to those who question the legitimacy of the case,¹⁷ focusing instead on gathering statements from angry citizens—the more graphic and violent their desires for her punishment the better. This coverage gives the impression of overwhelming community support for a guilty verdict and thus works to construct a sense of community (WE) that distinguishes the larger social system from the criminal (THEY). Verdict and sentencing narratives allow the "we" to finally view the traditional (and cathartic) final performance by the prosecution, who triumph over evil.

Thus, a story of maternal failure to protect points a finger of blame squarely on the woman defendant, reaffirming her sole responsibility and alleviating any lingering sense of community guilt or self blame. The mainstream media version of neglect and failure to protect can be said to have a master or dominantly interested

message: to separate and segregate the defendant and to establish her as the sole bearer of responsibility. This is a story that runs through many narrations of mother-blame in U.S. culture; from explanations of autism to theories of sexual abuse, women have had a long history with being responsible for the failures and the deficiencies in the lives of their families. Master messages take basic social ideologies—such as a belief in the primacy of individual choice, or an uncritical stance toward existing capitalist economic arrangements—for granted. They begin by reproducing—uncritically—long held social biases and prejudices. With dominant cultural assumptions firmly in place, the media explication of the privileged perspective can go about its primary task, the justification of punishment (or not) for the guilty party. I have attempted to demonstrate how the media represents dominant viewpoints about individual responsibility and guilt, as well as what a counter-version of neglect might look like. The messages contained in the media are admittedly resistant to change or challenges from without; however, they are not, this paper has argued, immutable. As the story of Paul Wayment makes clear, alternative versions of accountability and blame can exist; they are only sporadically told and specifically directed.

As we have seen, narrative representations—from opening descriptions of crime through community reactions, discussions of community roles to notions of intention—construct a “we” and likewise a “they.” They are, additionally, deeply affected by race, class, and perhaps above all, gender. Carefully weeding out complication and ambiguity, the media story follows a predictable structural pattern that focuses the reader’s attention away from potentially knotty questions about

poverty and race, about gender, about frustration, and about violence. The narrative that eventually emerges is, at root, a fundamentally familiar one; it is a fairy tale, really, this story of failure to protect. In it are all of the characters and moral messages the dominant culture holds dear—evil monsters, innocent victims, and dragon slayers in the form of the justice system. In the end, of course, evil is revealed, vanquished, and life, for the rest of “us,” slowly returns to normal. In addition the story of the trial firmly affixes the label “monster” to the woman defendant. Isolated, her story reduced to “excuse” and her image as sullen, angry, and unrepentant established, a mother-defendant is fully revealed as the very image of evil, the embodiment of the unnatural.

On Ghosts

In her book Ghostly Matters (1991) Avery Gordon writes about the enormity and the importance of finding the shapes that are described by absence, or “...the paradox of tracking through time and across all those forces that which makes its mark by being there and not being there at the same time...this is a particular kind of social alchemy that eludes us as often as it makes us look for it” (p. 6). Patricia Williams (1991) calls it a search for her great-great-grandmother’s shape and the hand of the slave owner who kept her. Michelle Fine (2002) calls it the search for the presence of an absence. For these authors, and for many others, the task is to uncover invisible steel—the solid, heavy object that is power. A study of social reality, they suggest, is partial at best without an understanding about the forces, hidden but powerful, that give it structure.

Gordon (1997) suggests that ghosts become less transparent through the study of social reality and its modes of production. This dissertation describes one such effort to make the invisible visible and looks to the mainstream media as one site where reality is structured and shaped. Looking for what is produced—therefore what is included and what is excluded—in dominantly crafted news media links the epistemological with the social (Flax, 1992; Lubiano, 1991); and, in this project, the connections between language/narrative/discourse and the more concrete applications of the law make privilege and existing wells of power temporarily observable—perhaps even alterable. By making visible the ways in which gender, class and race influence the ways in which representations get made—and guilt or innocence get assigned—this project seeks, admittedly ambitiously, to uncover the ghosts that shape a persistent and growing oppression of women, particularly women of color. Perhaps even more ambitiously, it aims, not only toward documenting the presence of haunting, but at uncovering the process by which social reality gets “ghosted”—the ways in which discrimination is normalized and privilege is maintained. As Avery writes, “Ghostly matters are a part of social life” (p. 23). I agree with her: It does matter what we see or think we see. If we are truly committed to social justice, we must, at some point, wrestle with ghosts.

Conclusions

It is January of 2004, and I am making my final push toward completing this dissertation. It has been a long road, and I am glad to see the end in sight, not just

because I am tired, and not just because my seventeen-month-old twin son and daughter cry when they see me walk toward my computer, but because the subject of this paper—and the people described in it who have occupied my imagination for the past year—have taken their toll on me. I have been living in an intense, emotionally confusing, and morally ambiguous intellectual world of late; in a place where despair, violence, fear, anger, frustration, ignorance, dissatisfaction, and yes, evil, are readily available, while opportunities, resources, compassion, and alternatives are in short supply.

Dissertation conclusions—I suppose any conclusions—are elusive, tricky things. As I sift through old papers and projects, I pencil prospective outlines on index cards. “Start with re-stating your initial hypotheses,” I write. “Remember to include the need for a new theory of context.” These plans feel piecemeal and fragmented however; I want to have big things to say about the work I have done—solid conclusions and succinct theories.

And then, on January 8th, 2004, some clarity perhaps. That was the day that Maryland prosecutors agreed to set aside criminal charges against Christopher Mattison, a thirty-nine-year-old father whose ten-year-old son was killed in a bow-hunting accident. I had been following this case only superficially as it had occurred long after I had finished data collection. It was not—though it could have (perhaps should have) been a formal part of my analysis. When the Mattison story first broke in the fall of 2003, I was absolutely saturated with neglect stories. During that summer it appeared as though a new story about child neglect surfaced every day, a seemingly endless number of which kept materializing in the form of

clippings, Xeroxes, and emailed newspaper web addresses sent by helpful family and friends. Many of these had ended up littering my kitchen table, my bedside dresser, and my desk; they spilled onto floors, became bookmarks, and found their way into various coat pockets, backpacks—even diaper bags. Nevertheless, the Mattison story had caught my eye early on, first because it was the story of a father, and second, because it seemed so clear that irresponsible behavior had led to a the unnecessary—and tragic—death of a child. Unlike Paul Wayment, this story of paternal neglect seemed destined to go through the courts, and a guilty charge—and prison time—appeared likely. Mattison, the papers had reported, was under the influence of alcohol while hunting with his son, the cross bow itself had been poorly maintained as well as being far too large for a boy his son’s age to handle (his father had had to cock it for him), and Mattison had failed to use proper safety devices that would have prevented the bow from going off inadvertently. In addition, it was reported that Mattison’s son had never been taught how to shoot a bow and arrow correctly—this was his first time ever hunting with such a weapon.

But there it was. January 8th. In exchange for all charges being dropped, Christopher Mattison agreed to compose a five paragraph statement outlining the anguish and guilt he felt at the death of his son that would be used in public service announcements and hunter safety courses, reminding parents to teach their children to hunt responsibly (Guy, 1/8/04). And a few days later *Baltimore Sun* columnist Dan Rodricks put a spin on Mattison’s story that seemed all too familiar, given my recent analysis of the news narrative of Paul Wayment. “You focus on the details as they become available,” Rodricks (1/18/04) wrote. “You imagine dusk on a

Saturday in October on the Eastern Shore, and a tree stand, and a boy mortally wounded with an arrow, and a father desperately rushing to a nearby house to call 911 when his cell phone doesn't get reception." He continued, "You understand the state wanting to make a point about hunter safety by bringing Chris Mattison to court, but you can't imagine the citizens of Maryland exacting any greater punishment from this man than life without Tyler... The charge is dropped, as you hoped."

Meanwhile on that very same day where I live, in Connecticut, Judith Scruggs, a single mother from the working class, post-industrial town of Meriden, was back in court. Judith's son had committed suicide in 2003, and she had subsequently been found guilty of neglect and failing to protect her son. Prosecutors had developed their case against Scruggs by depicting her as an unfit mother; she had kept a "chaotic and cluttered" (Santora, 10/7/03) home, (which, prosecutors argued, suggested a deeper dynamic of family pathology; see, for example, the editorial of 10/8/03 in *The Hartford Courant*) and she had acted irresponsibly in not taking Daniel to see a therapist after he showed clear psychological damage resulting from being bullied in school. The case against Scruggs had attracted a substantial amount of media attention; it was, after all, the first time a mother had been held criminally responsible for the suicide death of her child. Scruggs was back in court on this particular day because a juror had admitted to the press that his awareness (and disapproval) of Scruggs' civil suit against the school district had played a role in his guilty vote (Stowe, 10/12/03). Her sentencing date was now on hold as the judge pondered whether a new trial would

be necessary.

Mattison and Scruggs remind me: this project was about responsibility. And deservingness. And second chances—even forgiveness. It was about the ways in which cultural assumptions about gender roles and racialized stereotypes influence legal assignments and determinations about criminal blame. It was about privilege; about maleness and whiteness and the tangible rewards those characteristics—those lucky, *lucky* biological circumstances—bring. It was about the ways in which deeply entrenched social messages sustain privilege so effectively and subtly that they are almost impossible to see but, at the same time, are so deeply felt by those for whom access to privilege is denied by virtue of their race, their class, or their gender. It was about mothers who, regardless of race and class, are saddled with responsibility for caring; and it was about fathers, like Paul Wayment and Chris Mattison who still aren't. It was about the cultural stories that maintain—even nurture—this unequal distribution of caring work. It was also, I must tell you, the story of my twins, Jack and Isabel, born in the middle of this research and who are now nearly a year and a half old. It was about the way that their lives and needs—their miraculous, sticky kisses as well as their rare, but exhausting, screaming fits—
informed and complicated the theoretical and political work in ways that cannot necessarily be measured, but are real, nonetheless. It was about a state that turns away from families, and particularly mothers, just a little bit more every day, hiding systemic neglect behind ideologies, and slogans, of individual choice and personal freedom. Finally, it was about how important social representations are to each and every one of us, because they frame for an uncritical public the possible, the

proper, the probable, the just, and the likely.

Endnotes

¹ For example, while Polansky et. al. (1972) steadfastly maintain that the causes of child neglect lie in the individual pathology of the mother their work clearly implicates social factors such as poverty and class, both of which go unacknowledged and undiscussed. They theorize, instead, that poverty itself is indicative and characteristic of personality, recalling Loch (1906) who described poverty as "...a weakness of will and a poverty of the spirit" (cited in Jones, 1979, p. 74).

² Alcoff and Gray cite the example of how the narratives of battered women—which have the potential to threaten some of the foundations of dominant discourse—has been transformed into safe, non-threatening discourse through the translation, the interpretation, of an expert. Experts, Alcoff and Gray argue, reduce survivors to victims, and represent them as pathetic objects whose lives need explanation and theoretical interpretation. The transgressive nature of their speech is thus lost. The dominant culture is able to "recuperate" the disruptive potential of survivor discourse—making it an academic question and explainable (for instance in the form of PTSD symptomology or "cycle of violence" patterns) by separating it from everyday experience. The expert witness, then, draws a line between experience and analysis—the battered woman becomes an object and an event; a "few" rather than an "us". She is in need of translation. Her experience is now located outside of common understandings and personal knowledge. Her potential to tell a culturally threatening message—perhaps that violence surrounds all of us and that its entrance into spaces we commonly consider to be our most safe and most private is frequently banal and unmarked—is diffused, transformed and neutralized through the reframing of experts.

³ See also: Bell hooks, 1984; Crenshaw, 1995; duBois, 1968; Hill-Collins, 1990; Jaggar & Bordo, 1989; Matsuda, 1995; Tolman, 1995;

⁴ "Ideology" is used in this dissertation to indicate a system of ideas or beliefs about the world that becomes a backdrop against which members of society organize their thoughts or actions (see: Swift, 1995 regarding Husserl, 1913).

⁵ Though a growing body of methodological and theoretical work focusing on theories of 'false consciousness' (see, for example, Andrews, 2002; Augustinos, 1999; Magnusson, 1999; Scott, 1990) and interview 'silences' (see, for example, Fine & Weis, 2003; Morgan & Coombes, 2001; Morrow, 2003) hints at the difficulty inherent in using this method to track commonly held cultural views and to spur social critique.

⁶ A well known example of this type of blurring occurs in the great number of studies that focus on the relationship between those idealized media images of women and eating disorders/anorexia/bulimia (See, for example, Hamilton and Waller, 1993; Pinhas, Toner, Ali, Garfinkle, & Stuckless, 1999; Vaughan & Fouts, 2003). See also Huesman, Moise-Titus, Podolski, & Eron (2003) on the link between the media and childhood violence.

⁷ There were, of course, many more than fifty-six cases of child murder that took place during this ten year span. The small number of cases collected reflects one of the difficulties with using LEXIS-NEXIS or other search engines for data collection: more general search terms (such as child, kill, mother) would have generated thousands of news articles, some of which may have described cases of failure to protect; but many of them would have been about other deaths involving children and mothers, such as car accidents. By limiting my search to more specific, neglect keywords, and by then relying on archival snowballing, I was able to avoid searching through piles of cases, many of them, for the purposes of this research, unusable.

⁸ See, for example: Humphries, Dawson, Cronin, Keating, Wisniewski, & Eichfeld, 1995; Hutchinson, 1990; Jaynes & Williams, 1989; Nagel & Weitzman, 1972; and Sokoloff & Price, 1995, who empirically demonstrate the over representation of people of color within the criminal justice system. See also work that suggests that defendants of color are arrested (Mann, 1995; Pokorny, 1965), found guilty (Sutherland & Cressey, 1978) and imprisoned (Hawkins, 1986; Whitaker, 1990) more frequently than whites.

⁹ In upholding the conviction, the appellate court stated, "By knowingly failing to remove Bobby from an abusive and dangerous environment, the defendant, aware of the consequences of her inaction, facilitated further harm to Bobby" (AP Wire Reports, 11/20/92).

¹⁰ Such as: "This article is about how the fire started. There is no new information".

¹¹ Neither the defendant's race or specific information about her social class, however, is regularly included as contextual information in news reports about child neglect. This information must be inferred, if possible, from clues in the article, or from published photographs or arrest reports.

¹² See also: Farr, 2001 on media representations of women on death row.

¹³ And it has paved the way for further broadening notions of failure to protect to include, most recently, the idea that parents may be found guilty when their children commit suicide (See, State of Connecticut vs. Scruggs, 2003).

¹⁴ Grief does not appear to be a part of stories about women defendants in general; Pauline Zile was described frequently as "emotionless" and "stone faced", never as grief stricken.

¹⁵ It is important to underscore once again that the DCF story was unfolding at the same time as the funeral narrative...and that both appeared simultaneously in the newspaper.

¹⁶ These letters were to be sent to Lakeland County legislators.

¹⁷ Though some articles do appear that seem to question whether women should legitimately be charged with such severe crimes when they, themselves, were not the ones who actually committed them. See, for example, Deam, 4/11/95; and Stapleton, 4/12/95.

Appendix A

Full Article Appearing in the Palm Beach Post, 6/27/00

**Headline: DETECTIVES PROBE DEATH OF BOY AT HOBE SOUND
MOBILE HOME**

Byline: Matthew Doig, Palm Beach Post staff writer

An 8-year-old boy was found dead Monday morning in his home, and detectives are investigating the death as suspicious.

The boy's mother, Tammy Huff, 28, called police at 7:43 a.m. and asked for an ambulance.

When Martin County sheriff's deputies and paramedics arrived at the Hobe Village mobile home park at 11211 S. Federal Highway five minutes later, Jason Torres was dead, officials said.

Sheriff's spokeswoman Jenell Atlas said Jason lived in the mobile home with his mother, her boyfriend, and two other children.

Detectives were interviewing the boyfriend, Huff and neighbors, she said.

Detectives were waiting for autopsy results from the medical examiner's office, Atlas said.

"Eight-year-olds don't normally die all of a sudden like that," Atlas said. "All deaths start out as suspicious, and then we work from there."

As of Monday night, Atlas said she had no new information. She did say officials have a copy of the 911 tape, which she said is being treated as evidence and was not being released immediately.

Atlas said Huff was "hysterical, nervous and scared" when officers first arrived. Detectives entered the home after getting a search warrant, which Atlas called "correct procedure."

The boyfriend, whose name was not released, was not at the home when officers arrived.

Atlas said he was later found and questioned, but she would not say where he was found, or under what circumstances.

Atlas said the family has lived in the mobile home park for less than a month. Neighborhood kids were surprised by Jason's death because "nothing ever happens in Hobe Sound."

"He seemed like a real nice kid," said Brandi Lottes, 14. She said she didn't know him well, but would see him on his bicycle.

Summary Article

Palm Beach Post, 6/27/00

Matthew Doig

Detectives probe death of boy at Hobe Sound mobile home

Presents information already known.

New information:

Atlas: "8-year-olds don't normally die all of a sudden like that. All deaths start out as suspicious, and then we work from there." Officials have a copy of the 911 tape and it's being treated as evidence...not being released immediately. Says Huff was "hysterical, nervous, and scared" when officers arrived. Detectives had used "correct procedure" and had gotten a warrant to search the home.

Boyfriend has been found and questioned, but Atlas wouldn't say where or under what circumstances.

Neighborhood kids were surprised by J's death because "nothing ever happens in Hobe Sound."

Brandi Lottes (14): "He seemed like a real nice kid." Didn't know him well, but saw him on his bicycle.

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