The social construction of serial killers: Paul Bernardo as a case study (Ontario).

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THE SOCIAL CONSTRUCTION OF SERIAL KILLERS:
PAUL BERNARDO AS A CASE STUDY

by
Sheila Sikora-Quinlan

A Thesis
submitted to the
Faculty of Graduate Studies and Research
through the Department of
Communication Studies in Partial Fulfillment
of the requirements for the Degree
of Master of Arts at the
University of Windsor

Windsor, Ontario, Canada
1996
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ABSTRACT

THE SOCIAL CONSTRUCTION OF SERIAL KILLERS:
PAUL BERNARDO AS A CASE STUDY

by
Sheila Sikora-Quinlan

This thesis examined how the media and five respondents socially constructed serial killer Paul Bernardo. Scholarly works from British cultural studies and select works from the social constructionist school were used in the analysis of the construction of Paul Bernardo. Specifically, Hall's (1980b) model of reading positions, preferred, negotiated, and oppositional, provided a tool for understanding how the respondents read the media texts. In addition, works by Jenkins (1994), Davey (1994), and Leyton (1986) provided insight into the serial killer phenomenon and how serial killers were constructed.

To investigate how Paul Bernardo was constructed by the media, a semiotic analysis of two magazine articles taken from Maclean's and People, and three television news reports from CBC Prime Time News was conducted to discover the preferred readings which emerged from the texts. The five respondents were chosen using Thompson's schema (Berelson & Janowitz, 1953) for measuring public opinion. McCracken's (1988) long interview was used to interview them for their comments on serial killers, the media, and the Paul Bernardo case. The five media texts were also

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presented to the respondents for their comments in order to discover first, how they reacted to the media's construction of Bernardo, and second, how they used the texts to construct Paul Bernardo.

The thesis established that the respondents read the texts in a negotiated fashion, and that their occupation, gender and socio-economic position influenced their readings. In addition, both the media and the respondents constructed Bernardo either as a monster or yuppie. This simplified interpretation provided an insufficient basis for understanding serial killers. Instead of providing an insight into Paul Bernardo, specifically, or serial killers generally, these constructions revealed important contemporary cultural values.
DEDICATION

I dedicate this thesis to M.R. - who would have, should have, and most importantly could have, but was denied the opportunity to do so.
ACKNOWLEDGMENTS

There were many individuals who contributed to this thesis. It is impossible to describe the magnitude of their contributions in such a short space because I could construct a thesis entitled "People who helped me complete this thesis". However, because that is not an option, I will do my best to describe the "pit crew".

To my chair Dr. Mary Gold, I take with me, among other things, a new appreciation for the English language. Your keen attention to detail made this thesis a better piece of work, and for these things, I take my hat off to you.

I would like to extend a special thank you to my second reader, Dr. Kai Hildebrandt, who at times was a negative influence on my use of the English language (No, I AIN'T!). Your comments and suggestions during the entire thesis process helped make this thesis what it is. May other graduate students reap the benefits of your acute perception and wisdom.

For Dr. Tom Fleming, my outside reader, I would like to take this opportunity to thank you for your enthusiasm in this area of research. Your knowledge and resources helped a great deal in the thesis process and also piqued my interest in studying serial killers.

I am also indebted to Dr. Irvin Goldman for his help in the design of this thesis. The design was both innovative and challenging and thus helped in the completion of this thesis.
To the respondents who participated in this study, I extend a heartfelt thank you. You graciously gave up your time to talk to me about this gruesome topic. As far as I am concerned, I share this degree with all of you.

For the Communication Studies secretaries (Ann, Sheila, Lina, Gina) - AKA - the world’s greatest secretaries - I will not forget your warm smiles and caring dispositions. You made me feel at home away from home. Your help and pleasant demeanours were a constant during my stay here. For these things, I am deeply thankful.

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For Beth Lyster, Rania Masad, and Sharon Wellington: thanks for being there for me during the good, the bad, and the unbearable times. You are wonderful people. May all your seasons be sunny.

Last, but certainly not least, I would like to say thank you to my family, particularly my husband Michael. Your faith in me helped me run the last mile in this academic marathon. Thank you for your unending support, your patience, and for always believing in my abilities.
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ETHICS STATEMENT

This study has been reviewed and has received clearance through the Department of Communication Studies Ethics Committee. Questions concerning this study should be addressed to the office of research services.
CHAPTER ONE
INTRODUCTION

Introduction:

This thesis examines the social construction of serial killer Paul Bernardo. Beginning with his arrest in February 1993, the Paul Bernardo case received a great deal of coverage. He was initially implicated in the brutal death of three young women. In 1996, he was charged with and convicted for the murder of two of them (See Appendix A for a chronology of events). The media focused its attention on Bernardo for a number of reasons. First, the trial of his former wife and accomplice, who became the Crown's principal witness, was subject to a publication ban. This ruling resulted in wild speculation about the deaths of the victims. Second, the image of the Bernardo couple as young, good looking, clean-cut, middle class people contradicted the commonly held stereotype of serial killers. The ambiguity that this discrepancy created contributed to the transformation of the Bernardo case into a sensational media event. The media, in constructing him, imbued Bernardo with characteristics which fit within prevailing social norms and stereotypes. In addition, the media’s portrayal of Bernardo influenced how he was constructed by the public at large.

To investigate how Bernardo was constructed by the media, a semiotic analysis of two magazine articles, one from People and the other from Maclean's, as well as three television news reports broadcast on the CBC, was conducted. This analysis uncovered the preferred meanings conveyed by the texts. To investigate how Bernardo and these texts were constructed by the public, interviews with five people were conducted.
Chapter One: Introduction

Theoretical Base:

British cultural studies and the social constructionist school inform the analysis of the construction of Paul Bernardo. Although other British cultural studies scholars are mentioned, Stuart Hall's model of decoding media texts is discussed in greater depth because it provides an analytical tool appropriate to this study. Specifically, Stuart Hall’s (1980b) three reading positions, preferred, negotiated, and oppositional, are used to interpret whether the respondents adopt or oppose the preferred readings in the media texts presented to them. This thesis also applies work drawn from the social constructionist school. First, Jenkins’ (1994) examination of the social construction of serial homicide is used to inform the analysis of how serial killers are constructed by the media and the respondents. Second, Davey’s (1994) cultural examination of the Mahaffy-French murders is used extensively in the analysis of both the media texts and the respondents' comments because it bears directly on the Bernardo case. Third, Leyton’s (1986) analysis of serial killers is also used to discover how the motivations for serial murder are explained by the media and the respondents.

Methodology:

The methodology used in this thesis is qualitative thus complementing the theoretical base. Methods found in British cultural studies and ethnographic research are employed. Grant McCracken’s (1988) long interview method is used to interview five respondents representing different interests in relation to this case (Berelson & Janowitz, 1953 as cited in Stephenson, 1964, p. 270). Specifically, a journalist, a lawyer, a children’s rights advocate, a women’s issues advocate, and an uninformed individual were interviewed for their comments on serial killers, the media, and the Paul
Bernardo case. These individuals were chosen because they correspond to Thompson’s schema for measuring public opinion (Berelson & Janowitz, 1953). Initially, the respondents are asked general questions about serial killers, the media and the Paul Bernardo case in order to understand their social positions and how these positions influence their readings of the media texts. After these questions are asked, the magazine and television texts are presented to them for their comments in order to discover their readings of Paul Bernardo. The interviews are transcribed and subject to a semiotic analysis to determine what type of readings the interviewees make and how they construct Paul Bernardo.

Rationale:

The media are disseminators of not only information but of preferred meanings of how the public should think about people, places, and events. When the public reads and watches media texts about serial killers, it commonly adopts the media’s preferred readings and reproduces these readings in daily interaction and experience. In turn, the media take the meanings and beliefs the public reproduces and incorporate them into their news stories about serial killers. Thus the definition of what a serial killer is begins to evolve. The process is a cyclical one in which there is a constant reproduction of meanings about different events, with culture informing the media and media informing the culture (Jenkins, 1994, p. 98). This study examines part of the cyclical reproduction of meanings between the media and the respondents with respect to how serial killers, the police, and the legal system are constructed.

Unlike other types of news, people receive information about crime almost exclusively from the media. If the media did not exist, only those with direct
involvement in a crime and its prosecution would have the knowledge of that crime. As a result, the media become one of the main definers of how to think about crime. criminals, and culture. In turn, the public reproduces and thus reinforces these definitions in daily interaction. Crime news, therefore, serves as a forum in which important aspects of our culture are scrutinized.

There are many types of crimes which could have been chosen for analysis, but murder, particularly serial murder, is always given more attention by the media because of the number of victims involved, and at times, the brutality of the crimes. Paul Bernardo, an accused serial killer and rapist at the time this study was conducted, was chosen for three reasons. First, the Paul Bernardo case received a great deal of attention for 3 years, and, as a result, lent itself to study. The wide coverage fuelled the public's fascination with the case. Second, the perpetrators themselves also fascinated people. The clean-cut, good-looking couple from the affluent Port Dalhousie area of St. Catharines did not fit the stereotype of a serial killer. Third, the publication ban and the speculation about the effectiveness of the police investigation created ambiguity which made the public want to know more about the case. The public's interest prompted the media to publish many more articles and television pieces than they might have otherwise (Davey, 1994).

Composition of the thesis:

Chapter two provides an overview of British cultural studies and reviews select works from scholars working within the social constructionist school. Stuart Hall's work is emphasized and his model of reading positions is described. Similarly, scholarly
works from the social constructionist school which address the serial killer phenomenon are outlined. The works of Jenkins (1994), Davey (1994), and Leyton (1986) are highlighted.

Chapter three situates the methodology used in this thesis within the historical context of qualitative research. The concepts of representation and legitimation are discussed because these issues are continually debated. The specific methodology used in this study is then described. Specifically, McCracken's (1988) long interview is discussed as well as Thompson's schema (Berelson & Janowitz, 1953), both of which are used in this study.

Chapter four is a semiotic analysis of the two magazine articles and three television pieces which were presented to the respondents for their comments. This analysis reveals the preferred readings of the texts and shows how the media construct Paul Bernardo.

Chapter five involves the analysis of the five respondents' comments with respect to topics such as serial killers, the media, and the Paul Bernardo case. Their comments on the print and television texts are also discussed in order to discover how the respondents construct Paul Bernardo.

In addition to criticisms and suggestions for further research, Chapter six discusses the respondents' subjectivity and the internal struggle they experience when reading the media texts. Conclusions are drawn with respect to what the media and the respondents' constructions reveal about our culture.
CHAPTER TWO
THEORETICAL BASE

Introduction:

This chapter will discuss the theoretical perspectives which frame this thesis. The concept of culture and the major ways of conducting communication research will be addressed, followed by a discussion on how cultural studies and social constructionism inform the analyses of the texts used as well as the interviews conducted with the respondents.

The notion of culture:

Culture is a nebulous term (Ang, 1990). Defining it is confusing and results in a definition either too broad to mean anything substantial or too narrow to capture the many aspects of culture. In this thesis, the definition of culture adopted is akin to that of Clifford Geertz:

"The concept of culture I espouse ... is essentially a semiotic one. Believing with Max Weber that man [sic] is an animal suspended in webs of significance he himself has spun, I take culture to be those webs, and the analysis of it to be therefore not an experimental science in search of law, but an interpretive one in search of meaning." (Geertz, 1973, p. 5).

Human behaviour was viewed as "symbolic action which signifies" and the whole rationale of studying culture semiotically, "as interworked systems of signs and symbols", was to facilitate the researcher's entry to the "conceptual world in which people live so that one can converse with them" (Geertz, 1973, pp. 10, 14, 24). Culture was composed of texts and the researcher's job was to interpret those texts (Geertz, 1973).
Noteworthy in Geertz's conception of culture was its alternative stance concerning the analysis of culture - it was interpretive rather than experimental science. Similar to Geertz's view, Carey (1989) preferred the interpretive approach over the experimental in the study of communication. He described two different approaches to communication which prevailed since the nineteenth century: the transmission view and the ritual view of communication. The transmission view conceived communication "as a process where messages were transmitted at a distance in order to control" (Carey, 1989, p. 42). Unlike the transmission view, the ritual view saw communication as a means to ensure the "maintenance of society in time, conceived of as a process in which culture was shared, modified, and transformed" (Carey, 1989, pp. 18, 43). The latter view is suitable for the study of communication and culture in this project.

Carey (1989) linked communication and culture. To study communication was to examine the "actual social process wherein significant symbolic forms are created, apprehended, and used" (Carey, 1989 p. 30). When discussing culture and its study he stated:

"Culture is the meaning and significance certain people discover in their experience through art, religion, and to study it is to find order within these forms, to bring out in greater relief their claims and meanings and to state the relations between multiple forms directed to the same end - to render experience understandable" (Carey, 1989, p. 44).

Studying culture then could also be called the study of communication because the focus of study in this context was "the ways in which experience is worked into understanding and then disseminated and celebrated" (Carey, 1989, p. 44). The blurring of the lines between culture and communication made the concepts synonymous with one another - hence Carey's book title Communication as Culture.
Chapter Two: Theoretical Base

There have been three major approaches to the study of communication. The ritual view of communication has not been the predominant view in communication research. That privileged position continues to be occupied by the transmission view which initially involved examining communication effects and then attributing these effects to preceding causal factors in the communication process. The focus of study in this approach consisted of analyzing the actions of the environment and how these actions affected the passive receiver (Carey, 1989). When there were problems with the causality model, particularly small correlations between variables and the realization that receivers were not passive sponges (Carey, 1989; Morley, 1980), the functionalist model surfaced (uses and gratifications). Instead of communication being conceived as a power with emphasis on the source, communication was viewed as a form of anxiety release with an emphasis on the audience (Carey, 1989). Furthermore, the emphasis was on examining the consequences of behaviour rather than the origins of behaviour which was the focus in the causality model. These two approaches, the first, a quest for laws, and the second, a quest for structures, neglected symbolic formation. (Carey, 1989).

The alternative way of looking at communications studies research, and the approach adopted in this project, is that of cultural studies. In contrast to the earlier approaches, cultural studies sought to understand human behaviour by viewing it as a text. The text was a "sequence of symbols, speech, writing, gesture, that contained interpretations, with the job of the researcher to interpret these interpretations" (Carey, 1989, p.60). The goal of cultural studies was to promote awareness in people (both consumers and producers of cultural products) of the domination that was evident in
cultural forms - especially the media. In doing so, people would be able to become
critical readers of culture. As a result of their critical stance, individuals would be able
to identify and resist domination, freeing themselves from oppression. Cultural studies
is a movement which grew out of structuralism and Marxism. Although cultural studies
is internationally used (Grossberg, 1992), much of the work in this thesis is drawn from
the British cultural studies tradition.

A trend in cultural studies has been the constant shifting of certain concepts,
notably culture and ideology. This body of work has been known for its unorthodoxy
in that it drew upon different methodologies (semiotics, textual analysis, audience
research) and theoretical orientations (structuralism, culturalism, Marxism) (Grossberg,
1992; Hall, 1980a). This chapter outlines the history of the early years of the movement
followed by a description of the key terms/concepts of cultural studies relevant to this
thesis: culture, structuralism, semiotics, ideology, hegemony, multiaccentuality,
subjectivity, encoding/decoding, and audience research. Criticisms of cultural studies
are also outlined in the following text and an analysis is presented of the manner in
which this thesis attempts to avoid the pitfalls associated with earlier efforts.

In the 1950's Richard Hoggart's *Uses of Literacy* (1957), and Raymond
Williams' *Culture and Society* (1958) sought to provide a conception of culture which
deviated from the elitist Leavisite tradition which divided culture into high and low
culture, and which heavily criticized the latter (Turner, 1990). Hoggart's study of the
working class characterized culture as a field of forms and practices (Turner, 1990, p.
51), and Williams characterized culture as "a whole way of life" (Williams, 1958, xviii).
These conceptions provided a beginning for the movement of cultural studies (Turner,
1990, p. 51; Williams, 1958). By the 1980's, however, Stuart Hall, contending that there could not be only one unproblematic definition of culture, situated himself between the culturalists and the structuralists (Grossberg & Slack, 1985; Hall, 1986).

**Structuralism and Semiotics:**

Structuralism, examining systems, and sets of relationships and structures which facilitate the production of meaning, dominated much of the work in the seventies, particularly the semiotic analysis of texts - notably television news and popular culture forms (Littlejohn, 1992; Turner, 1990). Semiotics, the study of signs in society, was a single set of methods and terms used in examining the cultural specificity of representations and their meanings in a wide range of practices such as gestures, film, and television (Turner, 1990). Semiotics, in the tradition of Saussure, consisted of the sign: that which refers to something other than itself and which was recognized by users as being a sign. The sign was broken down into the signifier (our perception of the sign's image), and the signified (the mental concept referred to) (Fiske, 1982, p. 47; Turner, 1990).

One of the major benefits of semiotics was that it provided a terminology and framework which allowed one to analyze non-linguistic signs (Turner, 1990). The structural influence on the application of semiotics to popular cultural texts emphasized that the focus should not be limited to the structures of the individual texts but that the texts themselves should be used to examine the wider structures that produce them (essentially the structures of culture) (Fiske, 1982; Turner, 1990). Unlike linear models, semiotics emphasized the role of the text and the reader. The reader was active as s/he “helps to create the meaning of the text by bringing to it his/her experience,
attitudes and emotions* (Fiske, 1982, p. 43). In this thesis, the media texts used in the interviews and the transcribed interviews themselves are subjected to a semiotic analysis in order to interpret of how people make sense of this media event of Paul Bernardo and his crimes.

**Ideology - Marx and Louis Althusser:**

Driving the structuralist strand was Althusser's deterministic notion of ideology. In Marx's model, ideology was viewed as a false consciousness in which the dominant class was seen to create systems of meaning in order to promote, disseminate, and universalize its own interests (White, 1992, p. 165). The oppressed would then adopt the ideas of the dominant class as their own. The beliefs that upheld the status quo were termed ideology. Since people accepted the values of the ruling class, they participated in their own oppression (White, 1992, p.165). Reworking the concept of ideology as false consciousness, Althusser postulated ideology as "existing in an apparatus, and its practice, or practices. This existence is material" (Althusser, 1971, p. 81). Ideology was seen as a set of lived practices and how one made sense out of one's experience. Along with the political, economic and ideological, a variety of interrelated social and intellectual practices constituted society, and, in turn, the social formation (White, 1992, p.168). Culture and ideology were not reduced to class as in Marx's model since class was composed of more practices than simply economic ones. (Turner, 1990). Academics, however, argued that Althusser's conception of ideology was much too rigid and deterministic because there was no room for struggle and contradiction, and because it implied that people could not resist the dominant ideology (Grossberg & Slack, 1985; Turner, 1990).
Hegemony - Antonio Gramsci:

Gramsci’s concept of hegemony served as a remedy to the determinism found in Althusser’s concept of ideology. Hegemony was the “temporary mastery of a particular theatre of struggle” which was never permanent, never uncontested (Hall, 1980a, p. 36). It was the “general predominance of particular class, political, and ideological interests within a given society” (White, 1992, p. 167). Hegemony involved consent having to be won and rewon since people’s experiences of subordination potentially reminded them of the disadvantages of being oppressed. Such recognition threatened the dominant class (Fiske, 1992, p. 291). Due to the contradictions between the ideology and the actual social experience of the subordinate, struggle occurred. This struggle entailed not only the extension of power, but involved the dominant class struggling to hang on to the territory it already won (Fiske, 1992, pp. 291-292). This notion was less deterministic than Althusser’s idea of ideology, allowing for resistance and contradiction. Hegemony appeared to be a natural phenomenon, but it was the result of the esteemed position occupied by the ruling class due to its position and function regarding the world of production (White, 1992, p.167). The fact that ideology was addressed in cultural studies differentiated this analytical approach from mainstream research since ideology was and is virtually absent in the latter (Hall, 1982).

Gramsci and Althusser offered new ways of conceiving culture and ideology - as a set of practices instead of a set of artifacts injected with hidden ideological meanings waiting to be discovered (White, 1992, p.170). Ideology was not regarded
as a message that was contained within a text but as the system of representation itself and the principles that provided the system with meaning for those who practise within it (White, 1992, p. 170).

**Multiaccentuality of the Sign - V. N. Volosinov:**

While Gramsci described the struggle over ideology, Volosinov described the struggle over language. For Volosinov (1973), anything that stood for something outside of itself was a sign (p. 9). Everything ideological contained meaning and any ideological product reflected and refracted another reality outside of itself (the sign). For Volosinov, the word was the basic ideological form of semiotic communication (p. 13). The refraction of existence in the ideological sign was determined by "an intersecting of differently oriented social interests within the same community" (p. 23). Different classes would use the same language for different purposes and with different meanings and, as a result, differently oriented accents intersected within every ideological sign. Therefore, the sign became a site of class struggle. Due to this intersecting of accents (multiaccentuality), a sign sustained its vitality and the capacity for further development (p. 23). For example, the word "bad" can have two different, divergent meanings. A person can refer to a person as being a bad person, signifying that s/he is indeed capable of deceit, wrongdoing etc. However, "bad" can also signify that the person is exciting, unpredictable and, thus, attractive (He's so bad!!). Thus, there are two faces to the sign; one negative, one positive.

Since the class struggle endowed signs with vitality, those signs that withdrew from the social struggle lost force, becoming hackneyed (Volosinov, 1973, p. 23). In addition, the class struggle that made an ideological sign vital was that which made it
a refracting and distorting medium (p. 23). The dominant class tried to give an eternal, supraclass character to the sign and to quash the struggle among social value judgements which occurred within it - in essence to make the sign uniacccentual (Hall, 1982; Volosinov, 1973, p. 23).

Within this struggle in language, the multiple faces of the sign (i.e. bad=attractive; bad=undesirable) were exposed in times of crisis or revolution. Otherwise, the contradiction inherent in every ideological sign was hidden and will not surface (Volosinov, 1973, p. 23). In sum, there was a struggle for ideas, but the struggle travelled even more deeply - for the appropriation of language and signs.

**Subjectivity - Louis Althusser revisited:**

Althusser’s notion of the subject proved more useful in this study than his theory of ideology. For Althusser, ideological state apparatuses (church, family, media) constituted people as "subjects-in-ideology" which determined not only their sense of the world, but also their identity and their relations to others and society (Fiske, 1992, p. 288; White, 1992, p.169). Each person was constituted as a subject in, and subject to ideology, and as a result, the subject was socially constructed. A person was defined and positioned by a variety of categories; namely, class, race, gender, and age (White, 1992, p.169).

Media and language participated in the constant reproduction of ideology in people, with the media employing "hailing" and "interpellation" to do so (Althusser, 1971, p. 86; Fiske, 1992, p. 186). Any language, whether verbal, or visual, was part of the social relations, and in communicating with someone, one was reproducing social relationships. Ideology asked one to recognize and position oneself in its terms of
reference, and ideology also functioned as a "system of address" (White, 1992, p. 169). When people responded to this system, they were positioned as social subjects (White, 1992, p. 169). Hailing a person occurred first, with the person having to recognize that s/he was being hailed. The recognition came from the identification of signs embedded in language (Fiske, 1992). According to Fiske's analyses of Althusser's theory, hailing involved language identifying and constructing a social position for the addressee (1992). Interpellation involved language constructing social relations for both parties in a communication act, situating them within the "broader map of social relations" (Fiske, 1992, p. 289).

Althusser's theory of subjectivity is a model for this study since a person's subjectivity is not solely determined by the text but by ideological state apparatuses. David Morley's audience research in cultural studies showed that people's subjectivities were constructed by more than just the text. Similar to Morley's approach, the interviewees' responses to the texts in this study are not determined solely by the television and magazine news pieces they are shown. Their subjectivities or positioning are determined not only by the texts; their positions in society (age, race, gender, class; social, economic, cultural) can also play a part in how the interviewees see themselves as the subjects of the texts' "social address" (Turner, 1990, p. 29). This approach is used in this thesis.

**Encoding/decoding - Stuart Hall:**

Textual analysis, driven by structuralism and semiotics, was dominant in cultural studies during the 1970's and 1980's. It involved deconstructing texts and analyzing signs and symbols and their significance with respect to the larger social and political
context in which they were produced and received (Turner, 1990). The text could be a program, a series of photographs, or a written text. Emphasis was on the text rather than on the consumer of that text. Stuart Hall's (1980b) encoding/decoding paper spurred much of the subsequent work in textual analysis.¹ In this influential essay, Hall stated that there was an asymmetry between encoding and decoding (Hall, 1980b). The asymmetry was dependent on the degree of identity/non-identity between the codes which might or might not transmit perfectly (Hall, 1980b, p. 131). In addition, there was a tension between the structure of the text which bore the dominant ideology, and the social situation of the reader which might position s/he in opposition to the dominant ideology (Fiske, 1992, p. 292). The encoding could prefer a dominant reading but it could not prescribe the decoding. However, the encoding provided boundaries within which the decoding would occur (Hall, 1980b). Hall questioned the notion of a passive reader which was so commonly accepted in the early days of mass communication research.

Hall (1980b) outlined three reading positions in which the reader received the message. These readings related to a person's position with respect to dominant interests in society. A preferred reading was one that situated the person in line with the dominant ideology in that the person adopted the dominant ideology (Fiske, 1992; Hall, 1980b). Underlying the concept of the preferred reading was Althusser's theory of the dominant ideology "working its way through language and texts in constructing the reader as a subject in ideology" (Fiske, 1992, p. 296). The negotiated reading

¹ This paper (Encoding/decoding) was quite influential, and examples of textual analysis include Fiske's Understanding Popular Culture (1989b), Reading the Popular (1989a), and Brunsdon and Morley's (1978) textual analysis of the television program Nationwide.
involved the person aligning him/herself with the dominant ideology at a macro level, but negotiating to make the dominant ideology fit at the situational level to take account for the contradictions which arose (Fiske, 1992; Hall, 1980b). This type of reading, as well as the oppositional reading, fits with Gramsci’s notion of hegemony which described how the dominant class struggled to win the consent of the subordinate class (Fiske, 1992, p.296). Negotiated readings were made by "ideologically cooperative" readers who read “with” the structure of the text and who fit their social experience with the “ideology-in-the-text” (Fiske, 1992, p. 297). Since readers produced nearly, but not completely, preferred readings, Fiske (1992) questioned whether purely preferred readings were possible. He contended that audience groups were unlikely to exist in a state of pure "ideological centrality", since all groups would need to shift the text slightly to fit their social positions (p. 297). Thus, it was argued that all readings become negotiated readings (Newcomb, 1984, as cited in Fiske, 1992, p. 297). Negotiated readings, therefore, were probably the most prevalent because people had to make the text fit into their experiences and social positions. Negotiated readings could travel from one extreme, in line with the dominant ideology to the other, oppositional to that ideology (Fiske, 1992). Lastly, an oppositional reading had the person decoding the text in a manner that was contrary to the dominant ideology (Fiske, 1992; Hall, 1980b).

The text studied in this thesis is that of Paul Bernardo, his life, motives, and actions. One of the foci of study is an analysis of how the texts are read by the interviewees, that is, whether the meanings they produce are preferred, negotiated, or
oppositional. The following table contains examples of preferred, negotiated, and oppositional readings that could be made for the portrayals of Paul Bernardo, the police, and the publication ban:

Table 1 - Examples of Preferred, Negotiated and Oppositional Readings

<table>
<thead>
<tr>
<th>Subject</th>
<th>Preferred</th>
<th>Negotiated</th>
<th>Oppositional</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paul Bernardo</td>
<td>Paul Bernardo is guilty and a serious, dangerous threat to society; a monster who should be punished severely for his crimes</td>
<td>Paul Bernardo is guilty, but he needs help since he is psychologically disturbed</td>
<td>Paul Bernardo is a case of mistaken identity because his looks and lifestyle are not those of serial killers</td>
</tr>
<tr>
<td>The Police</td>
<td>The police are inept and bumbling in their investigation</td>
<td>The police caught Paul Bernardo but took a long time to do so</td>
<td>Police are heroes and deserve praise for Bernardo’s capture</td>
</tr>
<tr>
<td>Publication Ban</td>
<td>The publication ban is wrong and the public has a right to know about the case</td>
<td>The publication ban may be wrong but if justice prevails it is worth not knowing the details</td>
<td>The publication ban is appropriate and should be respected because it is a court order and people do not need to know the details</td>
</tr>
</tbody>
</table>

The reading positions Hall (1980b) outlined in his “Encoding/decoding” paper provide an excellent tool with which to analyze texts and the readings they provoke. However, the gender, race, and occupation of the audience also play an important role in creating the readings which Hall (1980b) describes.

Audience Studies - David Morley:

As much as textual analysis revealed about dominant ideologies and meanings, the approach was deficient because, by limiting the discussion to the text itself, the context of the text was not addressed. David Morley’s study of the Nationwide Audience proved to be a groundbreaking study typical of a culturalist stance (Streeter, 1984). Instead of concentrating only on the text, as he did in his earlier work on
Nationwide, Morley interviewed twenty-six groups of people who watched a broadcast of the program. His study critiqued Hall's encoding/decoding model by showing how people's class positions did not necessarily determine their reading strategies. By doing so he succeeded in rooting the text back into context (Morley, 1980). However, this study has not escaped criticism. Indeed, Morley himself acknowledged problems in his later work, Family Television. For example, he noted that he interviewed the people out of context, outside their homes, and that he failed to consider adequately the contradictory readings the same person might make of different types of programs (Morley, 1986). Lastly, he acknowledged the need for further refinement of the arguments regarding the relationship between genres of material and subcategories of the audience (Morley, 1986).

In his next work, Family Television, Morley (1986) focused on how family interactions influenced the choices made about viewing and the uses to which the family members put those viewing choices. He also examined how the family members interpreted television material. Deviating from the approach in Nationwide, he prioritized the importance of the types of programs to different family members from different social backgrounds rather than whether the family members made oppositional, preferred, or negotiated readings of particular types of programs (Morley, 1986). After interviews with eighteen families in the context of their own homes, Morley (1986) concluded that the gender and role of the interviewee resulted in differences in program, channel, VCR use, and comedy preference. For example, men had more power in choosing channels, programs and in using the VCR. However, where women were the breadwinners in the family, they assumed more domestic power in terms of
television preference and VCR usage (Morley, 1986). Criticisms of Morley's analysis abound, particularly the fact that he only analyzed the findings on the dimension of gender; one scholar went so far as to say his findings were obsolete (Emi, 1989). Although Morley's conclusions dealt only with gender, his interviews provide a good model for this project because they gave the reader an idea of the family members' roles and viewing patterns in a concise, clear, and descriptive manner.

**Criticisms of Cultural Studies:**

Although cultural studies provide an alternative to the behaviourist, functionalist, deterministic methods used earlier in communication research, some criticisms have been levelled against the movement. One of the criticisms is that cultural studies has become one-sided, focusing on texts or audiences, while neglecting political economy (Kellner, 1993). Texts are studied without taking into account the production of the texts, the political economy of the culture, and the historical context of culture (Kellner, 1993, p. 16). Similarly, audience-centred approaches lack textual and political critique. These approaches fail to show how culture "produces subjects and their reception of texts, and do not situate the reception of texts (culture) in the context of social relations of power and domination" (Kellner, 1993, pp. 13, 16). It has also been argued that cultural studies have become reductionist because the study has been reduced to a consideration of dominators and dominated. Because the text is often the only focus of study, the complexity of the television viewing experience is lost (Lembo & Tucker, 1990). Critics have also noted a tendency in cultural studies to emphasize audiences as active pleasure seekers and active meaning producers. This practice borders on the uncritical if the popular is not situated in its appropriate social and political context.
(Ang, 1990; Sholle, 1991). The empowerment that people feel when they negotiate the texts in their lives can be acknowledged, but it must be emphasized that this power is "marginal" (Ang, 1990, p. 247, her emphasis). In addition, certain kinds of texts are privileged simply because they are pleasurable. However, distinctions need to be made among the type of pleasure experienced (violent, sexist, racist), and whether resistance is liberating, destructive or progressive (Kellner, 1993).

This thesis tries to avoid these problems as both the text and the audience are addressed. In addition, other questions are posed in addition to analyzing the kinds of readings people make and whether they resist the dominant ideology. Finally, the text is not a pleasurable\(^2\) one, so the controversy surrounding pleasurable texts is not at issue.

**Construction of the Deviant:**

In his study of mods and rockers Stanley Cohen (1972) coined the term moral panic as:

"A condition, episode, person, or group of persons defined as a threat to societal values and interests, whereby its nature is presented in a stylized and stereotypical fashion by the mass media ... Sometimes the panic passes over and is forgotten ... other times it has more serious and long lasting repercussions and might produce such changes in legal and social polices or even in the way the society conceives itself" (p.9).

The cultural studies analysis of mugging provides a classic example of the examination of a social phenomenon related to deviance. *Policing the Crisis* (Hall, Critcher, Jefferson, Clarke, & Roberts, 1978) was widely cited as an excellent example of cultural

\(^2\) The notion that this text is not a pleasurable one reflects the dominant or preferred view (ex: "The perpetrator is perceived as horrible and has committed terrible acts"). However, some may find this media event pleasurable (titillation-revulsion), in direct opposition to the dominant view. As a result, the dominant view is not universal.
studies in practice, because it showed how mugging was constructed as a moral panic by the media, the courts, and the police. Hall et al. (1978) labelled the courts and the media "ideological state apparatuses" because they created effective closure around the issue of mugging. Of particular relevance to my study is the role of the media in constructing crime. Crime is news because "it threatens and reaffirms the consensual morality of society. The devil is both symbolically and physically cast out from the society of its guardians - namely the police and the judiciary" (Hall et al., 1978, p. 66). The more an issue such as mugging passes into the public domain through the media, the more it is structured by the dominant ideological views about crime. The issues are discussed in such a way that aberrant definitions of the situation are virtually absent, dominant definitions and perspectives are relatively unchallenged, and the debate is occurring within the terms of reference dictated by the controllers (media, judiciary, police). Hall et al.'s (1978) study shows how consensus is manufactured by these agents over the issue of mugging.

Policing the Crisis, published in the late seventies, has served as a model for more recent writings, including Using Murder: The Social Construction of Serial Homicide (Jenkins, 1994). Jenkins' account of how serial homicide was constructed in the early eighties and again in the early 1990's warrants further elaboration since it is used as an informative reference for my analysis. Multiple murder cases are more well-known than other crimes - not because they are perceived as more dangerous, but because they are more useful to law enforcement, the FBI, and interest groups that espouse the dominant ideological view. The recurring theme in Jenkins' work was how official agencies such as the FBI, the U.S. Justice Department and interest groups such
as children/women's/minority rights groups, and Christian fundamentalists used serial murder for their own purposes. Specifically, they used serial murder to gain resources for departments and publicity for their causes.

Jenkins' study showed that the representation of serial murder reflected the social and political situation in the United States when the serial killings peaked in the early eighties (Jenkins, 1994). The rhetoric and politics of both the conservative administration of Ronald Reagan and the New Right influenced the interpretations. There was a growing interest in serial murder in the late eighties which corresponded to a change in how social problems were viewed. Deviancy began to be viewed as personal sin and evil rather than as social and economic dysfunction (Jenkins, 1994). As a result, the response to crime was much more punitive as government abandoned the social and therapeutic policies that were advocated in previous years. Jenkins (1994) analyzed the manner in which the statistics that were released by federal agencies in the early eighties greatly exaggerated the problem of serial murder. The problem was presented as a new phenomenon when, in fact, it dated back to the 1880's. The law enforcement agencies, using these figures in order to obtain new resources for their departments, claimed ownership of this problem.

The popular culture forms, such as true crime books, slasher films and thriller novels, reflected the changing view of serial killings. In the fifties, serial killers were portrayed as monstrous lunatics, for example, in comic books or as sick and inadequate rather than evil in movies such as Psycho (Jenkins, 1994). By the early seventies, the earlier psychological analysis gave way to an emphasis on law and order which focused on the guilt and wickedness of the offender (Dirty Harry). Cultural imagery from the
late seventies shifted to portrayals of serial killers as monsters or animals at war with society (Jenkins, 1994). In the 1980's the explanations for serial killing centred on the intervention of the supernatural as total evil, evident in such classic films as Halloween and Friday the 13th. Serial killers were conceived as pure evil, and the only way to deal with them was through tough policing (Jenkins, 1994). These popular culture forms took examples from real life cases, changed them slightly, and thus reinforced the stereotype of the serial killer. Serial killers, in turn, might imitate these fictional accounts (Jenkins, 1994). Similarly, the media tended to focus on crimes that resembled the stereotypes and, because their reports tended to reproduce the texts, the stereotypes were reinforced. Jenkins (1994) also explored serial murder as myth, and the simplification of this complex phenomenon into a good vs. evil and hero vs. villain framework.

Overall, the phenomenon of serial murder was constructed as a problem of law enforcement and federal power rather than as one of mental health or social dysfunction (Jenkins, 1994). The topic was kept alive by the media, as well as through popular fiction, especially Silence of the Lambs in both the book and film versions, films, true crime books, and talk shows. The U.S. Justice Department projected an image of their investigators as mindhunters, which was utilized in fiction and in the news media where stories dealing with serial killers conformed to the stereotypes (Jenkins, 1994). There was a constant reproduction of stereotypes, for example serial killers as white males or homosexuals, in the media and popular culture texts (Jenkins, 1994). The relationships among the FBI, media, and popular cultural forms worked to keep the
serial killer phenomenon alive, and discouraged any images of the serial killer which deviated from the stereotype promulgated by such agents as the FBI, media, and popular culture forms (Jenkins, 1994).

Sex Crime in the News (Soothill & Walby, 1991) provides examples of the representation of crime in the British news. This study noted that the perceived causes of sex crime, such as the evils of pornography, were simplistic and did not consider the "deeper structural relations" (Soothill & Walby, 1991, p. 86). For example, the serial killer may have exhibited aggressive behaviour before viewing pornography. In addition, rape was viewed as a crime perpetrated by a handful of offenders and "conservative solutions" such as long term incarceration were the preferred means of dealing with the perpetrators (Soothill & Walby, 1991, p. 156). Although this study focused on rape, it substantiated Jenkins' (1994) claim that the media presented a stereotypical image of the offender as a stranger and outcast and ignored more prevalent contexts in which homicide and rape occurred (e.g. being killed or raped by someone one knows).

The authors mentioned thus far have been of American and British origin. Canadian scholars have also conducted research on this topic. In his book, Hunting Humans (1986), Elliott Leyton offered an analysis of multiple murderers and their motives and an explanation of why multiple murderers were such a "virulent social epidemic" (Leyton, 1986, xx). The killings by multiple murderers were not seen as a source of pleasure, but as a kind of social protest which gave to the killer the rewards of social revenge, celebrity, identity, and sexual relief (Leyton, 1986, p. 32). The murderers, largely American, displayed a deep sense of alienation and frustration
because their ambitions, whatever they were, did not materialize. As a consequence they could not achieve the place in society to which they aspired (Leyton, 1986, p. 35). In addition, the murderers studied were neither mad nor suffering from delusion; they were white males from either the working class or lower middle class. These murderers were very class conscious people, obsessed with every detail concerning status, class, and power (Leyton, 1986, p. 35). These traits are shown repeatedly in the portrayals of Paul Bernardo.

Leyton’s (1986) analysis of multiple murderers dismissed psychiatry as an explanation for the phenomenon of multiple murder. In his view, these murderers were not mad or deluded; they knew exactly what they were doing even if their reasoning lacked articulation. Leyton (1986) aligned himself with the view espoused by historical sociologist Philip Abrams concerning deviance:

"Becoming a deviant is not a matter of personal or social pathology, social disorganization, deprivation, broken homes, viciousness, bad company or chance but of a negotiated passage to a possible identity" [Leyton’s emphasis] [in which the individual can only be understood as] "creatively seizing opportunities for personal self definition" (Abrams, 1982, as cited in Leyton, 1986, p. 259)

Although Leyton recognized that a place for psychiatry existed, it did not explain the cause of murder. Instead the cause was to be found in identifying the "tensions generated within the social order" (Leyton, 1986, p. 263). Psychiatry helped in the investigation by providing tools to analyze the process by which the person’s psyche accommodated itself to the environment. Instead of being insane or deluded, the multiple murderer was the epitome of the central themes in his/her civilization and a reflection of that civilization’s critical tensions (Leyton, 1986, p. 266). To support this statement, Leyton examined multiple murderers of the past and present paying
particular attention to the tensions and themes evident in the specific time period in question. In the pre-industrial age, the multiple murderer was an aristocrat who murdered his/her peasants. With the industrial age a new kind of killer arrived - one who killed prostitutes, homeless boys, and housemaids. In the modern era, the killer was a faded bourgeois who killed university women and other middle class figures (Leyton, 1986, p. 266).

According to Leyton (1986), the character of the multiple murderer and his/her victims thus changed over time. The class position of the killers declined - aristocrats in the fifteenth century, teachers and doctors in the nineteenth, security guards or computer operators in the present. The reverse pattern was observed with the victims; their class position was elevated with each successive epoch (Leyton, 1986). In earlier times victims were peasants, housemaids, and prostitutes, but they were now university students and aspiring models. Instead of testing the limits of his or her power or eliminating the threat to his hard won status, the killer now was an excluded, alienated individual exacting vengeance on the symbol and source of his alienation (Leyton, 1986). In essence, the freedom that was denied individuals in earlier times became a problem in itself. Leyton (1986) stated that the industrial system forced people to see themselves and others as commodities. As a result human life was devalued and personal ambitions did not materialize. Some individuals would lash out, including sexually, at objects which they had been taught to regard as unimportant (Leyton, 1986, p. 291). Leyton's (1986) analysis shifted the perception of the multiple murderer from that of an individual with a psychological malady to that of a crime with societal consequence.
Leyton (1986) also implicated violence in the media suggesting that it might promote a respect for violence. Multiple murderers justified their behaviour and drew their ideas from a culture that glorified violence and viewed it as a suitable response to the mundane frustrations of life (Leyton, 1986, p. 294). Leyton suggested that it was our cultures, past and present, that created the environment for the occurrence of multiple murder. Although others argued that the environment did contribute to the makeup of a serial killer, physiological and psychological problems also were thought to play a role in their committing the crimes (Skrapec, 1996).

The last work to be discussed bears directly on the topic of this thesis. Frank Davey, another Canadian scholar, published a book in late 1994 on the Paul Bernardo case entitled Karla’s Web. Because it was a cultural investigation of the French-Mahaffy murders, the book was a significant source for my research. The pertinent topics in the book were the portrayals of the victims and the convicted murderers, as well as the construction of murder presented in Canadian literature.

Davey, (1994), through an analysis of the Toronto media, compared the portrayal of the victims at the time of their disappearances. Mahaffy was portrayed, at first, as a problem child, a transgressive who shoplifted and had a history of running away. French, on the other hand, was treated as engaging in more adult activities, such as volunteer work and sports, while still achieving high grades through it all (Davey, 1994). In time the schoolgirls were transformed into martyrs. Davey (1994) likened the portrayal of both the victims and the perpetrators of the crimes to those found in the Gothic novel. The facts of the case and the conventions of the Gothic novel had very interesting parallels. The novel characteristically had a virtuous,
innocent heroine who was abducted by an evil, demonic villain who sexually assaulted her and ruined her for marriage. The reader’s fear focused on whether the heroine would be defiled by the villain before she was rescued. Davey (1994) cited such mass media variations on this theme as *Rosemary’s Baby*, *The Exorcist*, and *Silence of the Lambs*. The villains were portrayed as crazy, as outcasts who existed outside of humanity and not even of God’s creation. In contrast, victims were characterized as virginal martyrs (Davey, 1994).

With the Bernardo case, the portrayals of the perpetrators and the victims only functioned to distance the crimes, making them unusual and aberrant, and having little connection to the everyday lives citizens led (Davey, 1994). Most people, the media and the public, missed the fact that our society produced all the participants in the crimes, including the killers (Davey, 1994; Leyton, 1986). In addition, portraying the killers as monsters would allow one to overlook the misogyny and female self-hatred⁴ (e.g. Karla Homolka’s involvement) that was evident in our culture and in the murderers (Davey, 1994, p. 59). If the portrayals were less mythological and less distancing, perhaps society could come to understand the phenomenon of serial killings and deal with it in a more proactive way (i.e., not being tolerant of violence in society) (Davey, 1994).

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⁴ This view of female self-hatred has been challenged by Patricia Pearson whose article on Karla Homolka expresses the opposite view. Pearson states that Homolka is a narcissist (whose personality is arrested developmentally and never evolves beyond the “deep self-centredness of adolescence” (Pearson, 1995, p. 54). Karla Homolka is described as a narcissist “whose obsessive need for admiration and ... lack of empathy for others were hallmarks of every choice she made” (Pearson, 1995, p.54).
Davey (1994) not only criticized the media for dismissing the killers as alien to everyday experience but also implicated Canadian literature. He argued that our culture, influenced by the stereotypical portrayal of the killers in fiction, was not equipped to read its own crimes. The literature which Canadians produced about crimes tended to 1) blame people, particularly Americans, and 2) blame forces external to everyday Canadian society (Davey, 1994, p. 163). Citing works by Callaghan, Atwood, and Cohen, Davey (1994) stated that American murderers were portrayed as confident, while Canadian murderers were portrayed as confused (Davey, 1994, p. 202). In addition, the forces that made the Canadian murderer kill found their roots in satanic evil, the corruption of the Christian world, primitive forces from an evolutionary past, or in mythologies in which the murderer was merely an actor carrying out a plot that transcended the actors (Davey, 1994, p. 189). Social causes were not implicated at all. This fictional portrayal was distorted and it contradicted the actual profile of Canadian murderers. They are usually unemployed, poverty-stricken and tend to kill for sexual power (Davey, 1994). This distortion also plagued the portrayals of the French-Mahaffy murders, particularly in the mythologization of the killers as monsters outside one's experience, and in the eroticization of the victims (Davey, 1994, p. 206). The myths surrounding Canada (peaceful, safe, good gun control) situated Bernardo and Homolka outside of ordinary Canadian life because murders neither occurred in Canada nor were committed by Canadians. Murders were thought to be perpetrated by foreigners in countries such as the United States (Davey, 1994, pp. 207-209).
In conclusion, Canadians’ own cultural history failed to offer useful understandings of such hideous killings, because it routinely attributed murders to external powers or people from different cultures (Davey, 1994, p. 317). In the Bernardo case, the murderers were cast outside the realm of humanity and outside of the media’s "normal" understanding of society. As a result, "normal" society was absolved from all responsibility for what happened and from having to act in order to prevent the killings from occurring again (Davey, 1994, p. 131). Similar to Jenkins (1994), Davey (1994) stated that the crimes were discussed on essentially two levels: 1) The responsibility for the crimes was put on the individual - crimes resulted from individual decisions of good and evil, independent of social norms; or 2) the crimes were monstrous, beyond human comprehension and influence. If the murderer was not portrayed as a monster, s/he was portrayed as a psychopath or sociopath - someone bereft of the ability to empathize with others or unable to experience guilt (Davey, 1994, p. 132). In contrast, Leyton (1986) and Davey (1994) both claimed that our culture helped create these killers just as it did the victims. In addition, society should bear responsibility for the crimes, equal to that borne by the killers because it created an environment that fostered an acceptance of violence and a denigration of human life (Leyton, 1986).

Although Davey’s (1994) and Leyton’s (1986) argument is persuasive, there are other explanations for serial killings that are worthy of consideration. Both scholars and doctors have made physiological and psychological arguments which hold that multiple murderers have a different brain structure than "normal" people, and suffer from identifiable psychoses (antisocial personality disorder) (Skrapec, 1996). The act of
killing is a matter of individual choice; otherwise, more people would be serial killers if society were solely to blame. However, a person who has a different brain structure or a mental illness does not necessarily become a serial killer. No one cause alone, whether societal, psychological, or physiological can explain the motive or rationale for multiple murder (Skrapec, 1996).

The theories discussed in this chapter give rise to specific questions about the Paul Bernardo case and provide a methodology for addressing the question. This thesis explores, first, how Paul Bernardo was constructed by both the media and the respondents, second, the types of readings the respondents made of the media texts and how they arrived at these readings, and, third, what these readings say about our perception of serial killers, the media, and culture.
CHAPTER THREE
METHODOLOGY

Introduction:

This thesis is an ethnographically informed study to determine how Paul Bernardo is socially constructed by the media. The method used is Grant McCracken’s (1988) long interview. This technique is qualitative in approach, allowing the researcher access to the meanings the interviewees make about various topics. The chapter will examine the uses and evolution of qualitative research during the past century and the manner in which the questions of representation and legitimation have been addressed thus far. An outline of the research methodology used in this thesis concludes the chapter.

Situating qualitative research:

Central to the development of ethnographic research is the work of Clifford Geertz. For Geertz, ethnography is an exercise in thick description of culture (Geertz, 1973). Culture is a context within which processes, institutions, behaviours, and social events can be thickly described (Geertz, 1973, p. 14). A thick description is a way of writing which allows the reader to converse with the subject of the research because it acquaints the reader with the context of an experience and with the intentions and meanings that organize the experience (Denzin, 1989, Geertz, 1973). In contrast, thin descriptions merely report facts without delving into the intentions or situation surrounding them (Denzin, 1989; Geertz, 1973, pp. 9-10).
Chapter Three: Methodology

An analysis of culture begins with the researcher's interpretations of his/her respondents. The interpretations are then systematized (Geertz, 1973). Building the system requires guessing at meanings, assessing the guesses and drawing explanatory conclusions from the better guesses. As a result, anthropological writings are themselves interpretations of a second or third order; they are fictions - something produced by the researcher (Geertz, 1973).

According to Geertz (1973), theory operates as a vocabulary that expresses the role of symbolic action and culture in human life. The process of deriving meaning from the application of theory is an inductive one - drawing conclusions about the role of culture in everyday life from complex specifics. Cultural analysis is always incomplete, because interpreting or engaging in a semiotic analysis can result in "essentially contestable" findings (Geertz, 1973, p. 29). Instead of providing definitive answers, the findings hopefully provide material for fruitful debate. Geertz's theory of cultural analysis provides the methodological model for this thesis.

Although Geertz (1973) outlined a way of studying culture which did not necessarily provide definitive findings, there was some significant controversy concerning the representation of the Other in writing ethnographic works. Denzin and Lincoln (1994b) outlined this crisis in the field of qualitative research by providing a timeline of the "moments" through which the field has evolved since 1900. The first moment (1900-1950) was the "traditional" one in which researchers purported to write objective accounts of their subjects. Their approach used a positivist paradigm reflective of a colonial attitude. The Other was represented as strange, peculiar, and foreign. During this period, the Chicago school including George Herbert Mead, William
James, John Dewey, advocated using a methodology that concentrated on the narrated life-history of the subject. This approach gave the researcher the power to represent the subject’s story (Denzin & Lincoln, 1994b). As a result, the texts which were produced romanticized the subject by depicting their lives as progressing through three stages: existence in a state of grace; seduction by evil and the fall; and redemption through suffering (Denzin & Lincoln, 1994b).

The "modernist" moment (1950-1970) was the era marked by post-positivist arguments where ethnographers and participant observers attempted rigorous, qualitative studies of important social processes, such as deviance and social control in the classroom and society (Denzin & Lincoln, 1994b). The third moment, "blurred genres" (1970-1986), includes the work of Geertz. At issue in this phase was the "author's presence in the interpretive text or how the researcher can speak with authority in an age when there are no longer any firm rules concerning the texts, its standards of evaluation, and its subject matter" (Geertz, 1988 as cited in Denzin & Lincoln, 1994b). There was a call for more pluralistic, interpretive perspectives as opposed to functionalist, behavioral approaches.

The next two moments, the "crisis of representation" and the "post-modern moment" are now regarded as the most significant. The "crisis of representation", (1986-1990) by questioning the portrayal of the Other in ethnographic research, embarked on a quest for new models of method and truth. Writing ethnography was no longer viewed as an objective account of foreign, peculiar Others; instead it was seen as a method of inquiry that proceeded through stages of self-reflection (Denzin & Lincoln, 1994b). The field worker's texts flowed from the field experience where the
Other was encountered, through intermediate writings, to late writings, and then to the finished product made available to the public as a testament of the ethnographic and narrative experiences (Denzin & Lincoln, 1994b). Fieldwork and writing were not seen as separate exercises, but rather as processes which informed one another, and in which the lines between the two were blurred (Denzin & Lincoln, 1994b).

The crisis that arose centred upon the representation of the Other and the legitimation of the research findings. The assumption existed that researchers could directly represent lived experience, but such experience was created in the social text that was written by the researcher (Denzin & Lincoln, 1994b). The question which arose was whether the researcher and the Other can be represented in reflexive texts in a manner which was acceptable and just. The legitimation crisis identified the difficulties the researcher faced in evaluating and interpreting qualitative research. Positivist concepts such as validity, generalizability, and reliability were questioned.

The fifth moment, the "post-modern" one, questioned all paradigms that came before it (Denzin & Lincoln, 1994b). It included a critique of, first, the "objective" ethnographer, reminiscent of the approach during the "traditional" moment, who interviewed with a detached manner, and who returned to the office to write up the Other and, second, the post-positivist concepts of triangulation and external validity.

**Issues in representing the Other:**

In the traditional period, that is, the first moment, the line between Author and Other was clearly delineated (Atkinson & Hammersley, 1994). Like an omnipresent narrator, the ethnographer possessed the privileged voice and point of view. The researcher assumed an omnipotent, God-like stance without voice, body, race, class,
gender or interests in their texts, "presuming to paint the Other from nowhere" (Haraway, 1988, as cited in Fine, 1994). As a result, the Other's point of view and voice were virtually absent. Criticisms of this approach opened new ways of including and doing justice to the Other's perspective. The post-modern ethnographer sought to erase the line between Author and Other and enter into a dialogue with the Other as opposed to a monologue about the Other (Atkinson and Hammersley, 1994).

The post-modern approach also recognized that a power structure defined the relationship of the ethnographer and the Other. The Other was the vulnerable party, and because of his/her lack of power s/he could be manipulated by the ethnographer. As a result, texts that included a great deal of the respondent's influence could still be more reflective of the researcher than the subject (Stacey, 1988, as cited in Denzin & Lincoln, 1994a). When texts were written collaboratively and researchers consciously examine their relations with their subjects, the dangers of "Othering" are avoided (Fine, 1994, p.74).

While the post-modern moment advocates that researchers represent Others in more dialogic, reflexive texts, there are drawbacks to the approach which must be considered. If researchers become too self-reflexive, they might become self-indulgent and narcissistic and write nothing more than autobiographies (Bruner, 1993, p. 6, as cited in Denzin & Lincoln, 1994a). The Other is excluded from the text just as s/he was when more traditional, positivist approaches were used. A middle ground is the goal, in which the researcher displays him/herself openly in the text, either through such media as poetry, plays, or fictional narratives (Denzin & Lincoln, 1994a, p. 578). Researchers must regard themselves as classed, gendered, raced, and as sexual
subjects and not as transparent, omnipotent entities watching from above (Giroux, 1991, as cited in Fine, 1994, p. 76). In this thesis, I acknowledge how the above cited variables affected both my reading of the texts and my assessment of the respondents. This approach will facilitate my engaging in a dialogue with them rather than presenting a monologue about them. I also take into account how these variables affected their readings of the texts.

**The crisis of legitimation:**

The researcher should represent the Other in a just and accurate text. However, the manner in which that text is judged to be valid or legitimate is a point of contention depending on which theoretical orientation one is working within. In positivist research, validity and reliability are important and are used to ground the work in the external world. For example if a text is found to fit with a theory carefully, and is successfully triangulated, then it is valid. If the research is not valid it is not considered "good research". With respect to ethnographic research, the authority of the text is questioned as to whether it does justice, in terms of its accuracy and completeness, to the people it represents (Denzin & Lincoln, 1994a). Post-structuralists critique the notions of external/internal validity, triangulation, credibility, grounding, fit, etc as ways to "reauthorize a text's authority in the post-positivistic moment" (Denzin & Lincoln, 1994a, p. 579). Traditionally, these concepts provide ways of giving a text validity. If the text is triangulated, and conforms to the theory used, then the researcher announces these validity claims to the reader. These claims become the stamp of the text's authority to represent the experience and culture under study (Denzin & Lincoln, 1994a). Within the post-modern moment, a good text is one that discovers how race, class, and gender
influence and mould the lives of interacting individuals rather than how well the text fits with the theory used or whether the text is externally valid (Denzin & Lincoln, 1994a). Legitimation is achieved in this study through partial presentation of the interviewees' comments in Chapter five.  

**Interpretation and writing ethnography:**

Another contentious issue in qualitative research that is closely related to the crisis of representation concerns the writing of ethnographic texts. Frequently they have both muted the Other and been extremely boring (Richardson, 1994). The former is the result of texts being written as "mainstream realism" (Denzin, 1994, p. 507). This kind of writing style privileges the researcher as the teller of objective, analytical accounts of the culture, group, or individual under study (Denzin, 1994, p. 507).

As mentioned earlier, writing and interpretation are not considered separate entities but inform one another. The post-modern moment questions "whether any method or theory ... has a universal and general claim as the 'right' or privileged form of authoritative knowledge" (Richardson, 1994, p. 517). In addition to "mainstream realism", Denzin (1994) provides two additional ways of telling the reader about the culture under study. The first approach is epitomized by Geertz's thick description, which Denzin terms as "interpretive realism" (Denzin, 1994, p. 507). Here, the researchers include their own interpretations of the life situations of the people studied. "Experience and its meanings are filtered through the researcher's rather than the subject's eyes" (Denzin, 1994, p. 507). In the second, which Denzin (1994) calls

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1 The respondents gave consent to publish excerpts of the interviews in this thesis. The transcriptions of the interviews in full are made available by the author.
"descriptive realism", the researcher lets the subjects speak for themselves. Although
the researcher engages in some interpretation in the act of writing, s/he seeks to tell

This study relies on some of the approaches developed in the fourth and fifth
moments. First, the respondents are not presented as strange or peculiar and, second,
a dialogue is established with them. In addition, without delving into my own
subjectivity so as to overwhelm this dialogue, I indicate my position, as defined by
class, gender, race, albeit not through such forms as poetry, plays, and the like.
Interpretive realism will be the mode used for telling, similar to the practices of Geertz,
and those of David Morley in his book, Family Television. I have chosen this approach
because it has elements of both rigid mainstream realism and more liberating
descriptive realism. I wish neither to present the responses of the interviewees' without
any of my own interpretation (a potential pitfall with descriptive realism), nor to dominate
the dialogue by speaking for the respondents instead of their speaking for themselves
a potential pitfall with interpretive realism.

All of the moments or phases discussed above are operating in the present in
some form, as the old ideas and practices concerning ethnographic work are either
followed or rejected (Denzin & Lincoln, 1994b). The debate is ongoing as to what
constitutes valid research.

Long Interview:

In order to investigate the meanings people make of the depiction of Paul
Bernardo, I interviewed five individuals. The procedure for choosing the individuals
follows Thompson's schema as outlined by Stephenson (1964). Building on
Thompson's work (Berelson & Janowitz, 1953) in evaluating public opinion, Stephenson (1964) proposes a method to show the parameters of public opinion by replacing large samples with small sets of persons representing different interests. Relevant to this thesis are five categories of interests: 1) people with a special interest in the case, 2) experts who have a broad education and who can give a dispassionate account when given the facts of the case, 3) existing authorities who speak as though they know the truth of the matter, 4) people representing class interests who may represent varying positions on the case (i.e. women compared to men) 5) the uninformed, including those who know little about the case or do not care (Stephenson, 1964, pp. 270-271). The persons chosen who correspond to these categories are: 1) a person advocating children's rights 2) a lawyer 3) a journalist who has written on the case 4) a person advocating women's issues, and 5) someone who does not have access to information about the case, or someone who does not care about the case.

The questions asked of the respondents were composed and pretested. Three graduate students were asked questions regarding serial killers, the media, and the Paul Bernardo case, and were asked to comment on two magazine articles about the case. These pilot interviews helped to identify questions which were effective and those which needed to be reworked as well as provide an approximation of the duration of each interview. The questions and a consent form that each respondent would sign were reworked and presented to the departmental ethics committee. The questions were approved by the committee and are available in Appendix B.
The choice of four of the respondents was based on recommendations from professors and fellow graduate students who knew key individuals in the city. They were telephoned and asked to participate in the study. The uninformed individual was chosen as the result of serendipitous circumstances. She is an acquaintance of mine and one day we had lunch together with a mutual friend. During a conversation, my thesis topic was mentioned. When she told me that she did not know who Paul Bernardo was I asked her to participate in the study. Appointments were scheduled and the interviews were conducted in February 1995. Each respondent was given the consent form before the interview commenced and each signed it without hesitation.

I acknowledge that my gender, class, and political leanings affected my reactions to the respondents and the texts that were analyzed. As a liberal woman student, I felt most comfortable with those who possessed the same traits. Since the uninformed individual, the acquaintance, was a woman student who espoused a liberal attitude, I felt most comfortable with her. However, the other four respondents did not make me feel uncomfortable. On the contrary, I enjoyed conducting the interviews with them particularly because they took the time to talk to me about a most unpleasant topic. The interviews were the most exciting part of this study for me as I met some new and interesting people. The fact that I lived in St. Catharines during the time Bernardo and Homolka were at large affected the way in which I read the texts because I knew exactly where the abductions and murders took place. My identification of the familiar sites listed in the reports reminded me of the city and the fear I felt during the time the crimes were committed and after Bernardo was arrested.
Chapter Three: Methodology

The interviews were conducted using the method developed by Grant McCracken (1988). His approach differs from that of the unstructured ethnographic interview, participant observation, focus groups or depth interviews. First, by relying on the use of mostly open-ended questions and a streamlined portion of close-ended questions, the interviewing process is more efficient, less redundant, and less obtrusive. Second, the interviewer does not have to spend much time in the respondent's community, as most interviews take a maximum of two hours. Third, the investigator interviews one respondent rather than several. Fourth, McCracken's method does not investigate affective states as do depth interviews (McCracken, 1988). McCracken's method is appropriate to this study because one-on-one interviews are required instead of traditional ethnographies in which the researcher immerses him/herself in the culture.

Skilful interviewing is crucial because eliciting faulty data from the respondent yields nothing. The interviewer must maintain a critical distance and not identify with the point of view of the interviewee so as to lose a critical edge (McCracken, 1988; Shaffir, Dietz, & Stebbins, 1994). On the other hand, being too detached and clinical can also be detrimental. An interviewer who uses academic terminology to interpret responses during an interview, or what Denzin (1989) terms "analytic-interpretive observation", may find that the interviewee does not divulge as much information. However, if the interviewer achieves too close a rapport with the interviewee, the interviewer might lose sight of the meanings. The ideal is to achieve a balance between these two positions.
Chapter Three: Methodology

McCracken's (1988) interviewing technique uses a structured questionnaire to obtain biographical information followed by a shift to an unstructured style of questioning for the duration of the interview. McCracken's method permits for certain kinds of prompts to be used during the interview - both obtrusive ("auto-driving") and unobtrusive ("floating prompts"). These types of prompts were suitable for this study since news pieces were shown to the individuals for them to comment on (auto-driving). Although highly obtrusive, auto-driving has proven highly effective for McCracken, who used photographs (McCracken, 1988, p. 36), floating prompts such as raised eyebrow, repeating a key term in the respondent's answer, provide a more unobtrusive way of eliciting and clarifying responses (p. 35). His technique for analyzing the interviews is inductive, progressing from the utterance to the general themes that the individuals communicate in the interviews (pp. 44-46). By using both structured and unstructured, obtrusive and unobtrusive prompts, McCracken outlines an innovative and appropriate way to probe the meanings people make of issues and phenomena in society.

McCracken (1988) used photographs as prompts (auto-driving) and stated that they were very effective. In this study, media texts are used as prompts in an effort to gain access to the meanings the respondents make of the media's construction of Paul Bernardo. In this case, and as in most crime cases, the public is informed predominantly through such media sources as radio, newspaper, and television. As a result, the media help shape and define how one is to view the case and the people involved in it.
During the interviews, each respondent was shown three news pieces about the Bernardo case, including a telecast and two magazine articles. Two criterion were used to choose the pieces; the pieces would give some context to the case and they would focus on the perpetrators, victims, and crimes rather than the publication ban. At the time the texts were selected, the bulk of the reporting focused on the publication ban and violations of it. Finding pieces that contained some background and focused on the issues stated above was difficult but not impossible. The Paul Bernardo case raised a number of additional issues including the publication ban and the relationship of gender and crime. They are, however, beyond the scope of this thesis.

The television piece from an April 5, 1994 telecast of CBC Prime Time News has two parts. The first part, from the news section of the newscast, is a three minute report which describes some of the history of the case and focuses mainly on the fact that Paul Bernardo’s preliminary hearing was cancelled. The second part, from the magazine section of the newscast, is thirteen minutes long. It has two parts: the first outlines the events leading to the laying of charges and the dropping of the preliminary hearing; the second presents a debate between two prominent Toronto lawyers, Clayton Ruby and William Trudell on whether the preliminary hearing should have been dropped. Bill Cameron, the host, serves as the mediator. Issues about the legality and appropriateness of the publication ban also surface. These pieces were selected because they met the criterion outlined above, that is, gave context and focused on the issues, and because the debate shed light on issues which would likely provoke
commentary from the interviewees. Most other stories previewed only focused on a specific event or development in the case and did not put the case sufficiently into context.

Selecting the magazine articles was not as difficult as the television pieces. The two magazine articles, from *People* magazine (November 23, 1993) and *Maclean's* (March 8, 1993), focused mainly on the crimes, the perpetrators, Paul Bernardo and Karla Homolka, and the victims, Leslie Mahaffy, Kristen French, and Tammy Lyn Homolka and thus met the criterion outlined above.

Following Tannen's (1984) conventions of transcription, the interviews were transcribed and interpreted to answer the questions posed in chapter two. Each respondent was shown the prompts, the television and magazine pieces, and all but one respondent read them carefully. The prompts were effective in that they elicited commentary from every respondent. The journalist did not watch or read them carefully but scanned them for information. His interview proved to be the longest and most detailed, most likely because he knew so much about the case. The interviews were analyzed by examining the language the respondents used in discussing the topics and by assessing what the comments signified with respect to the textual analysis of the media texts, that is, whether the interviewees' comments were similar to or different from the media portrayals of Paul Bernardo.

Prior to examining the meanings made in the interviews, a descriptive textual analysis of the media texts follows in the next chapter.
CHAPTER FOUR
MEDIA ANALYSIS

Introduction:

"....journalists inevitably concentrate on deviance and control, because designating deviance is itself so fundamental to articulations of culture. Our cultural identity, our sense of what we are, derives from pointing to what we are not: that which is bad, wrong, faulty, in error, straying, etc. Bad news provides a barometer of how good our life is. It is at once an abstract vision and practical template for constructing order and managing change" (Ericson, Baranek, & Chan, 1987, p. 356).

The above quote encapsulates quite succinctly the intent of this chapter - to examine the newspaper and television texts in order to construct their meanings regarding deviance and serial killers, specifically, and contemporary culture generally. This analysis provides the foundation for the fifth chapter which focuses on the five respondents' views of the texts, serial killers and the media. The texts presented to the respondents are examples of the media portrayals of both the Bernardo case and crime in general. Crime news is a generic form; the analysis of the texts show that certain characteristics and conventions of the genre repeatedly surface such as photos of accused and the presence of villains and victims. They provide a means of structuring, for the convenience of both producers and audiences, some order into the wide range of texts and meanings that circulate in our culture (Fiske, 1987, p. 109). Deviance is also portrayed in the texts as behaviour unique to the individual, as Paul Bernardo is defined first and foremost as a monster with a pretty face and attractive lifestyle, a wolf in sheep's clothing. The media, in their portrayals of Bernardo, affirm the dominant ideology, the status quo, in this example, the Crown, the judiciary, or themselves.
This chapter, first, discusses the theoretical tools which will be used to analyze the texts, and second, illustrates the manner in which the texts sustain the dominant ideology of contemporary culture. Finally, the conclusion summarizes the major themes which emerge from the texts.

Theoretical tools for analysis:

Fiske (1987) argues that news should be studied as "a discourse, ...a set of conventions that strive to control and limit the meanings of the event it conveys" (Fiske, 1987, p. 282). Implicit in Fiske's description is the premise that news stories are open and polysemic texts that are to be read by active rather than passive viewers who absorb like sponges the messages news stories convey. Other research on news organizations and on the questions of bias and objectivity provide valuable insights into the nature of news and how it is created.

The Nature of News:

Tuchman explains the evolution of a news story in the following manner:

"An occurrence is transformed into an event, and an event is transformed into a news story. The news frame organizes everyday reality and the news frame is part and parcel of everyday reality, for, as we have seen, the public character of news is an essential feature of news" (Tuchman, 1978, p. 193).

The decision of whether an occurrence constitutes news is not dependent on what the journalist finds fascinating, nor on the world events, but rather on the "cultural and social organization of news work" (Ericson, Baranek & Chan, 1987, p. 9). Transforming events into news stories is dependent on a process of human construction, which takes into account "[the] knowledge of the audience, assumptions about society, and a professional code or ideology" (Hall, 1973b, p. 86). News does
not consist of items that are unrelated or unconnected to one another. On the contrary, "news stories are coded and classified, referred to their relevant contexts, and are ranked according to presentation, status, and meaning" (Hall, 1973b, p. 86). The process adheres to a set of "institutional criteria and meanings also known as news values" [his emphasis] (relevance, negativity, unpredictability, etc) (Hall, 1973b, p. 87; Galtung & Ruge, 1973, p. 70).

Deviance, defined as a thing or person that deviates from the normal, is a major component of news, and most people obtain their understanding of deviance and control mainly from the news and other mass media (Ericson, Baranek, & Chan, 1987, pp. 3, 4). News can also be incomplete or partial because of two phenomena: first, news gives preferred readings to the ideological messages of certain source organizations by omitting the ideological messages of other organizations or by according them less significant status. Second, the act of "discovering and construing events in journalistic terms blinds the journalist and consumers of his/her product to other ways of seeing" (Ericson, et al., 1987, p. 9) The multi-faceted truth is reduced to a truth that is made to fit the conventions and codes dictated by either the television media, "quick and dirty in a minute-thirty" (Taras, 1990, p. 102)) or newspaper media, limiting a story to 6 paragraphs (Ericson, Baranek, & Chan, 1987, p. 9). The media use a variety of tools such as metaphor, lexicalization, types of shots and use of space to construct texts. These conventions will be examined in order to discover the preferred readings of the texts.
Language (Content):

The work of Fiske in Television Culture, (1987), and Fowler Language in the News, (1991) provides a method to analyze the language and pictures in the texts. Fiske (1987) discusses various "strategies of containment" derived from the generic conventions of news which are used to control "reality" (p. 283). Metaphor is one of these strategies. Overused news metaphors circumscribe meanings instead of acting as sense-making devices as they do in poetry (Fiske, 1987, p. 293). Poetic metaphor derives from an individual's imagination while the news metaphor derives from "conventional discourse whose conventions originate from a social location" (Fiske, 1987, p. 292). Metaphor is regarded as more than merely a stylistic device; it expresses our experience of the world (Mumby & Spitzack, 1991, p. 314). An analysis of the metaphors in news pieces illustrates that language emphasizes certain characteristics of experience while obscuring others and facilitates a prescribed way of looking at an event (Mumby & Spitzack, 1991, p. 315). Furthermore, metaphors have a series of recognized figurative associations or entailments. For example, the metaphor of the game is used to describe politics: leaders are seen as winners or losers. The entailments include images such as players, role-playing, competition, teams, rules, and spectators. A person who has experience with games comes to understand politics within this context (Mumby & Spitzack, 1991, pp. 323-324).

Fowler's (1991) work on critical linguistics also proves useful for analyzing the news. Lexicalization, that is, vocabulary, concerns how a culture expresses objects, ideas, and relationships (Fowler, 1991). Lexicalization conveys themes and metaphors in news stories, and is important in reproducing ideology (Fowler, 1991).
Davey's (1994) analysis of the cultural context of the Mahaffy-French murders is also used in the thesis. His comparison of media coverage to the Gothic novel, his discussion of the entailments (Lakoff & Johnson, 1980; Mumby & Spitzack, 1991, p. 323), and his structural analysis of the metaphoric dichotomies, specifically Ken and Barbie vs. monsters; good vs. evil, which the media use to construct both the perpetrators and the victims (Davey, 1994) provide insight into both the conventions of news and culture in general. Lastly, Leyton's (1986) analysis of serial killers is relevant to explaining how people in our culture make sense of the rationale behind the behaviour of serial killers.

Photographs, Shots, and Space:

Stuart Hall, John Fiske, and Gaye Tuchman provide guidance for the analysis of the visual aspects of the texts. In his essay analyzing news photographs appearing in print media, Hall (1973a) applies the distinction between the connotative and denotative codes. Codes of denotation are precise, literal, and unambiguous, while connotative codes are more open-ended and permit other implied meanings (Hall, 1973a, p. 176). Reading the expressions of people in photographs is essentially cultural because the photo signifies the range of expressions that exist in our culture. The readings one makes of everyday people and situations are transferred to photographs (Hall, 1973a, p. 177). Often, help in reading photographs is provided by captions which often suggest an interpretation (Hall, 1973a, p. 178).

Hall (1973a) identifies two levels of the signification of news: the level of the news value of the photographic sign, the denotative, and the ideological level or the connotative level. The news value level refers to the elaboration of the story, that is
photo plus write up, in terms of the newspaper organization’s understandings of what constitutes news. The ideological level refers to the elaboration of the story in terms of the connoted themes and interpretations (p. 179). The latter is of concern here. At the ideological level, the photo has been "exposed within the formal criteria of news, and is linked with an interpretation which exploits its connotative value" (Hall, 1973a, p. 184). Photographs can function as the final term in the denotative chain, for example, a black French soldier giving a French salute, and as the first term in the ideological chain, that is, Frenchness or militariness (Hall, 1973a, p. 185). They can also serve as meta-messages in that they reaffirm that an event has really happened or a person really exists; passport size photographs are typical of this function (Hall, 1973a, p. 188). The distinctions between the connotative and the denotative levels of meaning proved useful for analyzing the photographs in the articles.

Tuchman’s (1978) discussion of the types of shots and the spatial relationships they create was instructive for analyzing the visuals in the television pieces. Spatial relationships range from intimate distance, close personal distance in which one can hold or grasp the other person, far personal distance, the point that is just outside easy touching distance to a point where two people can touch fingers if they extend both arms, close social distance, characterized by the phrase, "Stand away so I can look at you", far social distance, characterized by business and social discourse, to public distance. (Hall, 1966, p. 112-115, as cited in Tuchman, 1978, pp. 116-117). The farther the camera is from the persons being photographed, the more neutral they seem; when the camera moves closer, neutrality is lost (Tuchman, 1978, p. 118). For example, Fiske (1987) maintains that extreme close-ups in fictional television programs
connote villainy (p.7). They can also connote emotion and sentiment. Television visuals generally employ three spatial relationships: far personal space, close social distance, and far social distance. Reporters are usually shot from far social or close social distances, both of which connote impartiality (Tuchman, 1978, pp. 118-119). Anchors are shot more tightly than reporters; such shots connote less detachment. Like reporters, newsmakers are also shot in a manner that connotes neutrality. Lastly, public distance is not used in events involving individuals because it depersonalizes them. Public distance may connote neutrality or detachment rather than emotional involvement, which is a necessary component of television visuals (Tuchman, 1978, p. 120).

The use of the above tools are examined in the texts. Both their content and form must be analyzed. The written/spoken word and the accompanying visuals used to encode an event suggest a preferred way of thinking about that event.

THE TEXTS, PART 1:

**Accusers on Trial:** (Maclean’s, March 8, 1993)

The Maclean’s article examines how the Bernardo case is being handled by police, the judiciary, and the media. The writer is self-reflexive in his comments on how the news organization of which he is a part covers this story. The article suggests that the police and the judiciary are doing a poor job. This reading allows the media to justify its intense coverage of the case. Emphasis is placed on the brutality of the crimes, the poor handling of the investigation by police, and the need and desire of the
public to know the details of the crimes. Meaning is constructed from the use of language, photographs and the layout of the articles as well as from the allocation of space to identified sources and groups.

Criticisms of police, the judiciary, and the media are interspersed with details of Tammy Lyn Homolka's death, Paul Bernardo's life, the crimes he is accused of committing, the charges laid against him in earlier rape cases, and Karla Homolka's role in the crimes. The article both directs criticisms at the "Accusers" who are "on trial", and lingers on the sensational details. Although the title suggests that the accusers may comprise many groups including the police, judiciary, and the media, the main targets are the Toronto and Niagara police forces.

The police are criticized most frequently in this article. After describing the police investigation, the article catalogues the criticisms of the police forces made by the media, lawyers, other police forces, and the Attorney General (i.e.: "The Toronto critics also questioned the competence of the Niagara police" p. 48; "The police should have left any comments on the case to the Crown, ..It is not their place to comment" p. 50; "Poling said that some of the news conferences staged by the Niagara police appear to have been held for political purposes rather than to dispense information" p. 50; "Ontario Attorney General Marion Boyd, whose officers ordered police to stop talking publicly about the case..." pp. 48, 51). Following the comments about the police, the article criticizes the Attorney General, and, finally, the media.

There is a reason for the repeated criticism of the police. As Davey (1994) documents, the media and the police had a symbiotic relationship with respect to both the Homolka and Bernardo cases. The police used the media for publicity in the
Kristen French murder in order to get tips, and the media used the police for the much needed material for their stories (Davey, 1994). However, their relationship reached a tenuous point when the police did not release sufficient information to the media, and the media, in turn, started questioning the police and their ability to do their jobs. Their roles became blurred, as the police would seek publicity when they needed it, by releasing details that would help the investigation, while the media would offer suggestions to the police and speculate on certain leads the police should follow up (Davey, 1994).

The fact that the media is last to be criticized is important. News articles use the inverted pyramid style which places the least significant information at the end of the piece. The photograph showing a media worker from CITY-TV in Toronto, which is positioned near the end of the article, connotes that the press is serious and responsible. Hurlbut is sitting in his newsroom with a pencil in his hand looking at the interviewer as if he is making an important point. Even the caption gives him credibility by quoting him saying that the media have: *"a responsibility to take a look at how we are covering the story"*. Thus even though the media coverage is criticized by the lawyers interviewed, the press presents a defence of its reporting strategies. The police remain the central focus of unanimous criticism. The preferred reading is one that portrays the police's poor handling of the case and the corresponding justification of the media's close attention to the story.

The media justifies covering this case by pointing out that the police and the judiciary are doing a poor job investigating the crimes and trying the case, and that they, the media, are filling the important role of informing the public. The lexicalization
used to describe both the perpetrators, their surroundings, and the crimes, that is, language such as *two-storey colonial style suburban house, grisly, stunningly brutal, and grim*, serves only to heighten the fascination with crimes that no one knew much about at the time the magazine article was published. Davey (1994) argues that the media are covering this case as they do any other news, to make money, a goal that serves the dominant capitalist ideology. The media create the public's need to know about the crimes by making them more mysterious than they really are (Davey, 1994, p. 27). If people carefully considered and interpreted the events, they would certainly come to some logical conclusions. For example, Tammy Lyn Homolka's body was exhumed because her death most likely involved foul play (Davey, 1994, pp. 25-27). However, the journalists kept this story alive by pretending to be in the same perplexed state as the public (Davey, 1994, p.27). Davey (1994) also suggests that the publication ban issued at the Homolka trial probably made more money for the media institutions than if a ban had not been issued. The media could continue to report on the case because the facts were still a matter of speculation for the public. Without a ban, the story probably would have lasted three days (Davey, 1994). The irony which emerges is that, although the media were hostile towards a ban, they made more money in the long run (Davey, 1994, pp. 46, 81).

In the *Maclean's* article, the journalist tantalizes readers with descriptions of Paul Bernardo's lifestyle and occupation. It is difficult to reconcile the image of the perpetrators living in their colonial style suburban house with the shocking details released about the murders and the rapes in Scarborough. The passport size photograph of Bernardo appearing on the second page of the article emphasizes this
inconsistency. The picture shows a smiling Bernardo at his wedding. The caption, which simply states: "Bernardo: accusations", offers a way of reading this photograph as well as complementing the text surrounding it. The photograph is juxtaposed to some of the details regarding the Kristen French murder, the list of charges in the rapes as well as the ways in which the assailant subdued his victims. Furthermore, a glaring contradiction exists between the appearance of the accused, blond, attractive, clean cut and the facts recounted earlier in the article - that he was in debt and beat his wife with a flashlight and that his father was in court on sexual assault charges. All these signs point to flaws in Bernardo’s character - suggesting that this attractive man might be driven to commit these horrible crimes because of his family history, spousal relationship, and financial problems.

The media’s description of his appearance, occupation, and lifestyle is antithetical to that of the crimes he is accused of committing. It is difficult to reconcile the two. Davey (1994) comments that the perpetrators were given two identities, that of the successful yuppie and monster (p. 126). The monster depiction adds a fictional dimension to the crimes. This characterization of Bernardo conforms to Jenkins’ (1994) observation that serial killers in popular culture forms in the eighties are seen as incomprehensibly evil and even supernatural beings. However, the wedding shot of Bernardo, the yuppie, reminds the reader that the alleged perpetrator

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1 The term "yuppie" is a term in our culture which describes young professionals personifying success. Expensive cars, beautiful houses, fine tastes in food, clothes and material goods, as well as a clean-cut attractive image are all a part of the "yuppie" lifestyle. It is a symbol of what one should aspire to - specifically to attain wealth, capital, and status in the community.
looks like an ordinary person but is capable of committing real and horrible crimes. The article struggles with Bernardo's identity and in the end leans toward characterizing him as a monster.

Metaphors in this article also function to define how the crimes are to be viewed. First, words such as sensation, sideshow, and spectacular create the metaphor of a carnival, circus, or dramatic performance. This image is reinforced by the photograph of the police on the first page. It is the largest of the pictures and shows police workers in white coveralls and white caps carrying boxes coming out of the Bernardo home. The accompanying caption states: "Police removing material from Bernardo's home: a media sensation". Their appearance is described in the lead sentence of the story. The colour white is traditionally used to characterize heroes or heroines - but this meaning is weakened because the police workers are consistently criticized in this article. Their white coveralls and plastic shower caps give them a clown-like appearance. Even the caption, "a media sensation" points to how spectacular and carnivalesque this case is - the police are the clowns, the media are the masters of ceremonies and Bernardo is the caged animal or side-show freak. Ericson, Baranek & Chan (1987) suggest that this interpretation is not unique: "enforcement officials [are portrayed as] buffoons as well as admirable elements of humanity who risk everything in the interests of our safety, health, and order" (p.53). In the Maclean's article, the buffoon image wins out because of the negative portrayal of the police and their relationship with the media. This portrayal deprives the story of a sense of reality and casts it as a stagemshow for the public's entertainment.
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Traditionally, police have been portrayed positively, that is, as heroes who serve the status quo; they are authority figures that must not be questioned (Ericson, Baranek, & Chan, 1987). In this text they are at least in part also seen as clown figures. The portrayal reflects, on the macro level, cultural trends and, on the micro level, the specific dispute between the media and police on the progress of the investigation.

As outlined earlier, the police and the media shared a very tenuous relationship throughout the investigation (Davey, 1994). Each used the other for their own purposes, and when the media did not receive the information they needed for their stories, they criticized the police and started second guessing the police's efforts. The ideological state apparatus (the media) and the repressive state apparatus (the police) which traditionally work together to affirm the status quo were now working against one another (Althusser, 1971). This situation is not surprising on a cultural level because police forces all over North America have been portrayed in a negative light. Recent examples suggest a rewriting of how the police should be viewed.2 The police's privileged role in our culture is now being questioned - instead of an institution embodying good, justice, and peace, it is portrayed as inept, bumbling, cruel - driven by violence to undermine the status quo. The representation in the Bernardo case is not the first in which the role of the police has been rewritten. Even though the police

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2 Recent examples of the police portrayed in a negative light include the Lawrenacia Bembenek case (she was convicted of shooting her husband's former wife, but books and movies have claimed that she was framed by the Milwaukee police - 1983); Jeffrey Dahmer (criticism of Milwaukee police for ignoring a bleeding victim outside his residence - 1991); Rodney King (extensive coverage of a racist white police force which beat him with no provocation - 1993); O.J. Simpson (Fuhrman tapes showing a racist police force - 1995).
and media traditionally work together to maintain the status quo, each has its own interests and will do whatever it takes to maintain them even if it means abandoning their allegiance to affirming the status quo.

The conventions used in the article require a particular reading of the players in the drama. The police, as a repressive state apparatus, are seen in need of supervision because of their ineptness. So too is the Attorney General because she is portrayed as unsure about aspects of the case. Paul Bernardo emerges as an attractive monster, as a wolf in sheep’s clothing, who really exists and is probably guilty. The lawyers and the professor who provide comment are viewed as legitimate sources until they criticize the media. Their dissent is contained by the comment of the media workers called upon for their rebuttals. There is a rewriting of how a serial killer and police should be defined; a good-looking yuppie can be a monster, the police are not heroes in this drama, both portrayals are counter-hegemonic occurrences. The media, an ideological state apparatus, have effectively justified their covering this case, closing off any alternative views. This reading supports the status quo in that the public have confidence in the media’s responsible interpretations of the case and the players. Furthermore, the media, by writing about notorious crimes sell magazines, make a profit, and thus stabilize the capitalist system.

**Blood Wedding,** *(People, November 22, 1993)*

Although the *People* article differs from that in *Maclean’s*, both articles share similarities. The same characters appear and Bernardo plays the role of a monster. However, the *People* article uses a blatant approach and a sensational focus. While *Maclean’s* focused on the social control agents such as the police, judiciary and the
media, People focuses more on the perpetrators, their lives past and present and the crimes that have been committed. The media's tendency to fictionalize the crimes is more pronounced. The article's preferred reading is that, first, Bernardo is an oppressive monster, second, Homolka, Kristen French and Leslie Mahaffy are his victims, and third, the crime is an independent, individual act rather than the consequence of social factors.

The title of the article establishes the tone. The unlikely combination of the words in the title, "Blood Wedding", signifies the incongruities one faces when reading the article. The wedding signifies joy, celebration, unity and is often marked by the bride wearing white. Blood signifies both life and death, in this case death, as well as violence and destruction. The title recalls the fact that Leslie Mahaffy's body was discovered the day the couple got married. The initial tone of the article is fanciful and reminiscent of fairy tales. The young couple are portrayed as a prince and princess who lived idyllically in a pretty house (Davey, 1994). They are described as: perfect, young, blond, attractive, lovely, Ken and Barbie, clean-cut, boy next door, quiet petite Homolka, dashing Bernardo, perfect son-in-law. The positive images the language evokes starkly contrast the negative associations the reader has to words such as: grisly sex slayings, terrorized, grim, hunks. The beautiful lovers have a dark and sinister side. Davey (1994) notes that the journalists who portray the two as the fairy tale couple with their fairy tale wedding do not take into account that classic fairy tales describe horrible events which include gruesome actions (pp. 126-127).
The photographs on the first page are also incongruous. There are two large photographs with a smaller one overlapping them. One of the large photos is of Bernardo in handcuffs coming out of a police van and the other shows Karla Homolka coming out of her parents' house in St. Catharines on her way to her trial. The smaller photo shows both of them in wedding dress in a limousine. The prominence of the pictures associated with the crimes reflects the fact that Homolka was tried and convicted at the time this article was published. The wedding picture serves as a reference point for the extent of their fall. The separation between the large photos symbolizes the couple's actual separation. Paul Bernardo's photograph must be read within the context of the caption: "Accused of murder and dozens of rapes, Paul Bernardo has been placed in a special cell". The ideological reading of the photograph is that Bernardo is dangerous, a menace, and an animal who needs to have a special cell. The wedding photo, directly beneath that of Bernardo is ideologically read as a representation of the people responsible for these crimes. The meaning of the title Blood Wedding becomes more complex when read within the context of the photos and the caption: "Karla and Paul had a dream wedding in 1991" appearing beneath the wedding picture. The incongruous juxtaposition of the photographs reflects the contradictory description of Bernardo and Homolka as young, blond, attractive yuppies, espousing everything we would like to have on one hand, and as monsters who committed horrible crimes on the other hand. The third picture, that of Karla Homolka, is accompanied by the caption: "Bernardo made Karla Homolka (during her trial) "more secure in herself", says an old friend". She is not portrayed as a menace, but rather as a victim, even though she has already been convicted.
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The issue of gender is also addressed in this article. Paul Bernardo is portrayed by the media as a successful yuppie pursuing capitalist dreams. Although he is well educated and attractive, he is represented as a menace to society, who preys on young, adolescent women. His wife did not escape his oppressive behaviour; he controlled her and beat her badly. He is portrayed as the active individual in the marriage. For example, he is the one who made the two hour trips to see her when they were dating. Karla Homolka is described as being a quiet, petite veterinary assistant whose only desire was to marry Paul Bernardo. She conforms to the traditional view that women are weak and submissive; Homolka is controlled and victimized by Bernardo. To suggest that she played an active role in the killings would not conform with the dominant view of the relationship between men and women. The fact that Paul Bernardo did not act alone complicates the disturbing portrayal of the crimes. The oppression of women by women is much more difficult to accept than the dominant view that men perpetrate violence against women. This article does not conform to the convention of the Gothic novel analogy discussed by Davey (1994) because Homolka is not painted as the jealous female of the villain but as a victim.

Smaller photographs of the schoolgirls appear on the second page. More attention is focused on the accused than the victims. Leslie Mahaffy is situated at the top, and Kristen French at the bottom of the page. Leslie Mahaffy is wearing what appears to be a prom dress and Kristen French is photographed in the yard with her dog. Both pictures depict teenage activities and connote innocence and a love of life. The captions reacquaint the reader with the circumstances surrounding their
disappearances. Leslie Mahaffy was abducted coming home from a wake and Kristen French, who was abducted in a parking lot, had thousands help in the search for her. Full length long shots are used for both photographs.

The remaining two photographs on the third page of the article are in a sense contradictory. The smaller picture, showing victims’ rights advocates holding signs supporting the ban outside the courthouse, focuses on an on-going issue. The larger picture, showing the place where Leslie Mahaffy’s body was found, connotes finality. The caption for the shot of victims’ rights advocates is redundant, (*Supporters of victims’ rights picketed Karla’s trial to demonstrate their approval of the controversial press ban*) while the caption for the shot of the lake illustrates the boldness of the perpetrators for dumping a body in a “popular Ontario fishing spot”. These photographs, the least significant, are placed near the end of the article. This location is not surprising since a shot of the lake does not elicit a significant emotional response. Furthermore, the victims’ rights group is in direct opposition to the media’s stance on the ban, that is, it only made the media clamour for more details; the ban was ineffective.

The main source for the article’s details is Paul Bernardo’s former best friend and the victims’ parents. In contrast to the *Maclean’s* article, the authorities are not called to present their points of view. The emphasis on the personal details of both the accused and the victims heightens the emotional appeal. The reader is drawn into their personal lives. The sources who are interviewed construct deviance as an individual problem not as a societal one. For example, certain incidents are recalled by the former friend, Van Smirmis, to offer some explanation for the crimes committed. Tales
of Bernardo grilling lizards, beating his wife, and being "controlling" all serve to provide the reader with the means to make sense of these crimes in a way that does not implicate him/her or society in general (i.e. Bernardo committed these crimes because he historically displayed a bad temper and violent tendencies - he alone was at fault). Although Leyton (1986) would disagree with the view that serial killing is wholly an individual act, it is one that the media promulgates to the public in order to make sense out of something which seems incomprehensible.

This article's preferred reading of Paul Bernardo is that of a monster, a walking time bomb who is a menace to society, particularly women. Karla Homolka is read as a victim, oppressed like the schoolgirls Bernardo is accused of murdering. Bernardo's and Homolka's relationship is portrayed as a dominant, patriarchal one in keeping with the status quo. The conflict created for the reader is much more pronounced in this article. While some of the text and the photographs read Bernardo as a monster, others, relating to their wedding, encourage the reader to see the couple as ordinary people with whom one can identify. The fact that Bernardo and Homolka had aspirations and dreams symbolized by their lifestyle and occupations, which were so normal and mundane, results in the reader being drawn to them.

THE TEXTS, PART 2: TELEVISION:


The CBC *Prime Time News* report concerns the judge's waiving of the preliminary hearing in the Bernardo case. The report recognizes that such a waiver is unusual in a criminal case. The purpose of the preliminary hearing is to ensure that the Crown has sufficient evidence to proceed with the case. Although the report is
sceptical of the judge’s ruling, it nevertheless supports the impression that the legal system is working. It resembles the People article in its appeal to emotion through its use of language and visuals. The reading of Paul Bernardo is similar to that in the magazine articles - he is portrayed as a monster. Karla Homolka is portrayed by the CBC, not as a victim, but as having a more active role in the crimes. These readings serve the dominant ideology in that the powerful legal system, police and judiciary are correct, just, and good, and those who transgress the norms are punished.

When compared to the other television news stories; this report is the most sensational. It is strategically placed as the first story in the program to hook people into watching the newscast. Bernardo’s house is also mentioned and a shot of it is included in the story which promotes the reading that this house could have belonged to an ordinary member of the public. Shots of the murdered schoolgirls, a close up of Leslie Mahaffy’s school photograph and the same picture of Kristen French as in the People article are also used. An extreme close-up of Debbie Mahaffy speaking accompanied by the description that she had “tears in her eyes” when Paul Bernardo entered the courtroom, exploits the emotions of the viewers. The shot of Mrs. Mahaffy is juxtaposed to the artist’s rendering of Paul Bernardo in court. He is portrayed as villainous. Where possible, close ups of Paul Bernardo are used in an attempt to tell the audience, “Yes, this is the man, he really exists”.

The language used in the report relies primarily on titling and metaphor. The report begins by labelling Bernardo as Paul Teale, and then simply as Teale. Unless specifically mentioned by one of the interviewees, he is only referred to as Paul Teale again in the closing summary. This deterioration in titling serves to condemn him and
to deny him the status accorded other participants in the story like Ken Murray (Paul Bernardo’s former lawyer) and Rob Ciupa. The same can be said for Karla Homolka who is portrayed as an active player in the crimes. At first, she is labelled Karla Homolka, then simply as Homolka. This deterioration in the status of both perpetrators relegates them to a position where the absence of a title denies their worth. For example, they are not deserving of the status granted "Sgt. Rob Ciupa", and thus are portrayed as something less than people. A respondent pointed out that when Ken Murray is interviewed in this report he refers to Karla Homolka as Karla Bernardo which functions to associate her with Bernardo. Rather than being portrayed as a victim, as in the People article, Homolka is seen as a possible deal maker and an active participant in the crimes.

The metaphor of Paul Bernardo as an monster/animal surfaces in this report. The opening line states: "In handcuffs and leg shackles, Paul Teale is led to a police cruiser...". The police cruiser’s screen, resembling a cage, also calls up the image of a caged animal. In the court drawings Bernardo is again enclosed, this time in the prisoner’s box. The motif of confinement is in direct contrast to the freedom suggested in the wedding picture which is shown at the end of the report as a teaser for the magazine section of the newscast. The voice-over states: "Trying to unravel the complexities of Paul Teale’s murder case". The juxtaposition of the various images of Bernardo reflects the complexity of the newly married, perfect couple, one of whom is imprisoned and the other, on trial. The media simplifies the complex portrait by creating a dichotomy; they are the perfect couple or monsters. The audience must decide which image they consider more suitable.
In the words of one respondent, this news story directs the audience's perception of Paul Bernardo and Karla Homolka. The wedding pictures, while providing a context, decrease in prominence. Shots of Paul Bernardo in the police cruiser and Karla Homolka coming out of her parents' house on her way to her trial now dominate the story. Since she is in jail at this point, Karla Homolka is no longer portrayed as a victim but as an active participant in the killings. Paul Bernardo is still portrayed as a caged animal and thus guilty. The victims are portrayed as innocent. Similar to the scrutiny given to the police in the *Maclean's* article, the legal system and courtroom manoeuvres are under scrutiny by the media watchdogs. While the reporter questions the legal system by commenting on the "twists and turns" the case has taken, the news story affirms the status quo and the decision by the Crown to forgo the hearing. The CBC does so by promoting the Crown's decision and by portraying the people interviewed in the story, particularly Debbie Mahaffy and Rob Ciupa, as holding powerless positions.


The CBC *Prime Time News* report examines the waiver of the preliminary hearing, comments on the handling of the case by both the television and print media and examines the progress of the case. This report emphasized the roles of the players in this drama, the judiciary, the police, the media, the victims, and the perpetrators of the crimes. The perspective taken by the CBC is self-reflexive similar to that found in the *Maclean's* article.
The major subject scrutinized in the report is the legal system. The story, on the one hand, comments on the media sensation the case has caused, yet, on the other hand, capitalizes on the case's notoriety.

The shots used in the story portray the perpetrators negatively (see Appendix E). The report begins with shots of the police, in their white coveralls and the white plastic caps, retrieving evidence at the Bernardo home. The voice over derisively states: "Police finally moved in on Paul Teale and Karla Homolka's house a little over a year ago". This comment not only insults the police's ability to do their job but also implies, with the use of the word "finally", that the couple is guilty of the crimes. Shots of Bernardo's hooded head and hands are accompanied by the statement: "Paul Teale was already in jail then on some charges related to a series of rapes in the Toronto region". The word "already" implies that he is guilty of the rapes as well as the murders. Bernando's and Homolka's guilt is also conveyed by shots exploiting images of both confinement and enclosure, for example, Bernardo bent over with a hood covering his head, his hands in handcuffs, Bernardo in a police car and Karla Homolka in the van taking her to and from her trial. The wedding photos are shown only when the American media coverage of the case is discussed.

Like the Maclean's article, this report is self-reflexive, examining the media coverage of the case to date (April 5, 1994). The American media are negatively characterized as tabloid journalism through the use of statements such as "Screaming headlines weren't long in coming along with mountains of speculation and rumour". In addition, part of the controversial segment from A Current Affair is shown which includes shots of the wedding, an extreme close-up of Tammy Lyn Homolka, her
headstone, Karla Homolka en route to her trial, and a home video of Kristen French skating. The convergence of the media on this case is characterized by the words, *spectacle, spectacular, circus, screaming, and frenzy*. The metaphor of carnival/spectacle which appeared in the *Maclean's* article is also included in this CBC report. The media, however, maintain that they have a public duty to cover this case even though that coverage is characterized as a spectacle.

The waiver of the preliminary hearing is portrayed positively. This point of view, assuring the public that the legal system is working for them; affirms the status quo. In contrast, the perpetrators are viewed negatively through the use of shots connoting confinement which suggest Bernardo's guilt. The victims are portrayed as innocent and are not given as much prominence as the perpetrators. The police are consistently portrayed as buffoons rather than heroes (Ericson, Baranek, & Chan, 1987). This counter hegemonic stance indicates a clash between the ideological state apparatus, the media, and the repressive state apparatus, the police (Althusser, 1971). In this drama, the distinction between "us", the Crown, judge, public, police and "them", the perpetrators, Ken Murray - Bernardo's former lawyer, is clearly defined and repeatedly surfaces.

**The Debate:** (CBC, *Prime Time News*, April 5, 1994)

On its *Prime Time News* show on April 5, 1994, the CBC aired a story comprising a short debate on the waiver of the preliminary hearing between two well-known criminal defence lawyers. The media rarely holds many discussions on abstract legal issues but, as one respondent commented, the media, in trying to explain to the public the complexities of the law and legal system, have undertaken a challenging
task. The lawyer supporting the waiver appears more authoritative than the other, with the result that his view, that the waiver is a wise ruling, emerges as the preferred reading. This report thus affirms the status quo as it quells any doubts the viewer may have about the waiver.

The standard shots used to connote detachment and neutrality are used in this segment. The participants are either framed from the waist up, which connotes personal space, or full figure medium shots which connote public space. The camera work is used exclusively to provide visual variety to a scene in which emphasis is placed on the responses of the opposing lawyers.

Clayton Ruby favours the waiver, while Bill Trudell (cited earlier in Maclean's) opposes it. Clayton Ruby is favoured throughout this debate. In the beginning, he is defined not only by occupation but also by reputation ("Clayton Ruby, one of Canada’s most well-known criminal defence lawyers"). In comparison, Trudell is identified as the president of the Canadian Council of Canadian Defence Lawyers. Trudell is regarded as important but probably not of Ruby’s stature. Thus, Ruby is immediately accorded more authority and credibility from the beginning.

Clayton Ruby speaks authoritatively and forcefully and uses straightforward language. Trudell stutters frequently and sometimes uses awkward language (I don’t really concur; I think that probably; almost predictable; probly developed; seems to be; I really kind of disagree). His reliance on fillers diminishes his authority and casts doubt on his position. In addition, his repetitive use of such phrases as "almost predictable" and "got/blew off the rails", adversely affects his credibility. Clayton Ruby’s posture and
speaking style projects confidence while Bill Trudell's body language suggests less confidence. Bill Trudell is portrayed with much more authority in the Maclean's article than in the debate.

Clayton Ruby's authority is not immediately established in the debate. He initially has difficulty finding reasons to support the waiver. His response could be due to nervousness. However, one of the respondents noted that Ruby could be advocating a position different from his own. Ruby has the reputation of supporting procedures which protect individual rights. He might see the preliminary hearing as a right of an accused which should not be waived. The other instance in which his answers do not carry as much weight occurs when anchor Bill Cameron puts him on the spot regarding preliminary hearings being held only when convenient. This question was probably unexpected.

Although Trudell is allocated more air time (4:57/mins vs. 3:24/mins) and makes the final response he cannot compete with Ruby's credibility. Consequently, his arguments for opposing the waiver are read as less credible. As a result, the preferred view is that the granting of the waiver was the correct ruling because the trial would begin quickly and the details of the case would be made public. Furthermore, the public’s need to know, always projected by the media as being very important, will be met\(^3\). A great deal of time is devoted to reassuring the public that Bernardo would not win an appeal based on the waiver. This issue surfaces repeatedly because of a fear that Bernardo might be set free on procedural grounds. If the trial process led to this result, the legal system would be repudiated.

\(^3\) While reporters and the public can attend preliminary hearings in Canada, they are frequently subject to a publication ban.
Summary:

If the Paul Hunter report resembles the People article, the Elizabeth Palmer report resembles the Maclean's article. The People article and the Paul Hunter report emphasized the lives and love story of the perpetrators, constructing them the same way as one would construct a fairy tale. This fairy tale was juxtaposed to the hideous crimes the perpetrators were accused of committing. The People article relied on former friends of the couple as the chief sources. The Maclean's article and the Elizabeth Palmer report, however, were much different in approach. They relied on the players in this drama as their sources: the police, Attorney General, and the media. Maclean's also emphasized the roles these agents played in the prosecution and trial of the case rather than the perpetrators' lives. The debate was different from all of the reports in terms of both style and content because the focus was on two lawyers debating the legalities of the case rather than on the perpetrators and the crimes.

The media texts analyzed in this chapter attempt not only tell us what to think but also how to think about the topic. However, these readings can only be preferred and not prescribed (Hall, 1980a). Themes that permeate the texts are the roles of perpetrators', their lifestyle, occupations, family history, the media, the police, and the legal system. Culture is represented in these news stories as conflict configured around "us", the Crown, media, public, Marion Boyd, Clayton Ruby, and "them", Ken Murray, Justice Kovacs, Bill Trudell, Paul Bernardo, Karla Homolka, and as contradiction, the perfect couple vs. the monsters; the lovely house vs. jail/courtroom; Homolka as victim vs. Homolka as deal maker. The media attempt to see the story in black and white, to simplify it so that it conforms with an ordered view of the world. The dichotomies serve
as sense-making apparatuses. In addition, the media uses fairy tale/horror story metaphors to remove the case from everyday reality. Yet the denotative level conveyed by the photographs of the wedding, the house, and the victims pulls the reader back to reality and reminds them that the Bernardo case is about real events and real people. The media have appointed themselves as the sense-makers in this case, aiming to quell the ambiguity surrounding the case created by the publication ban in the Homolka trial. Although the media would know the contents of the Homolka trial, they cannot print them. They, therefore, identify with the readers by adopting a pose of uncertainty and perplexity (Davey, 1994, p.27).

Both the victim and perpetrator appear to be cut from the same cloth and this portrayal is disturbing because order is now turned into confusion over what we classify as deviant. To deal with the confusion, the participants, Bernardo, Homolka; Mahaffy, French, are turned into the cardboard characters of monster vs. virgin, so that the public can accept and relate to them more easily. One respondent commented that following the Bernardo case was almost like going to a movie; audiences liked to be shocked, and this case was indeed shocking. The judiciary, police, and the media all play supporting roles in this drama, and the audience watches television and reads newspapers in anticipation of the next episode.

The following chapter examines the respondents' views of serial killers, and the media as well as the media texts analyzed in this chapter in order to determine whether they accept or reject the media's preferred readings.
CHAPTER FIVE
THE INTERVIEWS

Introduction:

In order to illustrate how the media texts discussed in the previous chapter are socially constructed, five individuals were interviewed to determine the meanings they derived from the texts and their views of the media's construction of Paul Bernardo. Their response to the texts also revealed their views on deviance, criminals and culture in general. The respondents decoded the media portrayal of Paul Bernardo in a dominant/negotiated fashion. They all believed at some point that he was guilty, and most considered him a monster/animal. In addition, their explanation of the serial killings and deviance conformed to the language of psychiatry, contrary to Leyton's (1986) view that psychiatry was not useful in explaining serial killings. Lastly, their reading conformed to Davey's (1994) description of the police/media relationship as well as dichotomies of monster vs. successful yuppie and monster vs. virgin.

The Respondents:

Five respondents, three women and two men, were interviewed for this thesis. They ranged in age from early twenties to mid-forties. All had, or were in the course of completing, a post-secondary education. All were asked a series of questions meant to reveal their socio-economic backgrounds, their political beliefs and their opinions on serial killers, the media and Paul Bernardo (See Appendix A for questions). Their demeanour, openness, comfort level and articulateness during the interview were also noted. Their readings of the texts were then analyzed within the context of their
personal political beliefs. For example, four of the five respondents situated themselves at the near to far left of the political spectrum and their reading of the texts reflected their politics.

The respondents' comments were analyzed within the framework of 1) Stuart Hall's (1972) encoding/decoding model; 2) Hall et al.'s (1978) study of mugging as a moral panic, and Jenkins' (1994) social construction of serial homicide as a moral panic; 3) Leyton's (1986) dismissal of psychiatry as an explanation for serial homicide; and 4) Davey's (1994) discussion of the dichotomies which emerge in the portrayals of the victims and perpetrators in this case.

The order in which the respondents are discussed does not correspond to the order in which they were interviewed. Instead, the discussion commences with the respondent who was most involved in the case and most conservative in political beliefs (Respondent A - journalist), and concludes with the respondent who was least involved in the case and most liberal in political beliefs (Respondent E - uninformed individual).

**Respondent A - Journalist:**

Respondent A is a journalist in his mid-forties who wrote and was writing on the case. He works for a print media organization and the interview was conducted at his workplace. He was very open and passionate, divulging a great deal of information both about the case and his personal life. As a result, the comfort level was high due not only to the amount of time available for this interview (two hours), but also to the nature of the information given. He was conscious at times of what he was saying but, for the most part, he appeared to be quite comfortable divulging what he did. It was
an enlightening and enjoyable interview. He proved to be an exception to the other respondents in many ways because of his close involvement in and knowledge of the case.

This respondent’s reading of the texts was different from that of the other respondents because he was not only a consumer of news about this case but also a producer. The respondent and his views on the various topics (serial killers, media, Bernardo) were easily distinguishable from that of other respondents. His attitudes regarding serial killers, the media, and Bernardo in general are discussed first in order to establish the context for his readings of the texts.

When asked about the problem of serial killing, this respondent expressed a different view from that reported in Jenkins (1994). Jenkins (1994) studied how serial homicide was exaggerated by the FBI, media, and judiciary for their own purposes, for example, to obtain more resources. The inflation of statistics of serial homicides by the FBI, media, and judiciary made serial killing seem like a very severe problem in the United States (Jenkins, 1994). This respondent was sure that a severe problem with serial killing existed within Canada, not because of the social construction of the problem as seen in the United States, but because of his police sources and his own research:

“"The police forces are loathe to talk about it. And I think it’s horrendously, horrendously wrong that we don’t .... there isn’t more attention paid to what is a very serious problem-if you’re a woman, an’ if you’re living in .... parts of Canada, you’re definitely at risk, um, and I think people should know that, um, I think it’s the right of people to know that, to make that decision for themselves. You don’t want to scare the shit out of people, but I-you gotta give them the facts-you gotta give them the basic information that there are guys out there"

"Basically we have to go to the library, and go back twenty years-we decided to go back twenty years-and we just went looked through every death over a
twenty year period. Just combed the newspapers, looked for it, an-and, we ca-
we had hundreds, and then we rule out the domestic ones and you’re-take away
the drug stuff and all that, and you get down to the strange of the stranger, and
we narrowed it down to a hundred n’ twenty, hundred n’ thirty that were
unsolved. And out-of those we felt that .... twelve-there’s at least twelve
serial killers out there who killed three or more so that’s thirty-six-forty an’ that
still didn’t count for the other hundred n’-or other seventy-five odd*  
He was genuinely convinced that serial killing was a severe problem, especially for
women, in certain parts of Canada. When discussing serial killers themselves, he had
difficulty seeing them as people, as the following interchange illustrates:

I: How do you feel about serial killers?

RA: Oh-ho ho, what do you mean as people? Ha! Ha!

I: Yeah-

RA: Like, like, I, I haven’t really ...... I haven’t really done any psychological
analysis of them.

Two things are apparent in this interchange. First, the respondent has a difficult time
viewing serial killers as people, and second, the key to the behaviour of serial killers
was understanding their psychology. This emphasis could be due to the fact that his
minor in university was psychology. Yet, despite his educational background and any
expertise on the topic developed as a crime reporter, the respondent relied on the
traditional psychological explanations of serial killers:

"Um, ................. uh, the ones that we ...... sort of ...... uh one guy was um, ..uh
he was an /odd/, and he worked in an assembly line, and he was j-sort of a
quiet guy, and .... he um, ..... he just flipped out, he just had this-er-some-some
kind of thing in him-another guy worked in an abattoir an’ whenever he smelled
dead meat or something he’d kinda get-it’s a certain triggers in him, um, .... it
just uh, you know, they enjoy ...... inflicting pain on people, an’ enjoy the control,
an’ ....... just low lifes [chuckles].*

The language of psychiatry was evident in the explanation - "flipped out", "something
in him", "triggers in him" and points to an inherent characteristic of the individual,
whether psychological or physiological. The respondent's explanation is more simplistic than Leyton's (1986). Attributing the motivation for serial murders to the enjoyment involved in inflicting pain on people and having control over them is only partially correct. According to Leyton (1986), the real motivation involves the rewards of attaining the negotiated passage to an identity. The killer is rewarded finally with an identity, that often, as in the Paul Bernardo case, gives him celebrity status. Most respondents did not subscribe to Leyton's (1986) view that societal explanations are more fruitful than psychological ones, because they relied almost exclusively on psychological explanations. This approach is widely accepted in our society. For example, at the time of the interview, Bernardo was undergoing psychiatric tests to determine what motivated him. When the respondent was asked what he thought motivated Bernardo, he stated that he did not really know since it was not his area of expertise. However, he added that serial killers are sadistic, and that sex is just a minor part of the crime. It is "domination and violence that serial killers feed on".

This respondent's view was consistent with Jenkins (1994) findings that the FBI, media, and judiciary constructed the serial killing problem as one belonging to law enforcement and federal agencies instead of health and social agencies. Jenkins (1994) reported that in the United States, tough policing was the means of dealing with the problem instead of less punitive measures. This respondent went farther than that, advocating the death penalty:

"my-my attitude is that they should hang 'em [chuckle], really [chuckle]. Sh-I mean, they're not-you can't reform them, you can't change them, they're you know, once you've, cops tell me that once you get that thirst for killing, once you've killed a few times, .... and-and you don't get caught, you-you just have a taste for it, and you know, once you get out, you'll do it again, and then like-I"
think they should just hang 'em [chuckle], really. Lock 'em up, I mean, locking them up cause they-they don’t get locked up forever uh, you know, they get-they do get out eventually."

In the earlier interchange, the respondent hinted that he did not see serial killers as people. In the above statement, this sentiment is revealed by the uses of language such as: "a thirst for killing after doing it a few times", "developing a taste for it". Serial killers are not only considered inhuman; they are also like animals. Dehumanizing serial killers distances them, making discussion about them and their horrible crimes easier. They are different from ordinary people, almost a separate species. This attitude is not uncommon. Other respondents used similar language and expressed similar views when describing other serial killers or Paul Bernardo himself.

The respondent’s experience as a media worker caused him to doubt the ability of the Canadian legal system to deal with serial killers. Aware that serial killers do eventually leave the penitentiary, he believed that the legal system did not effectively deal with the menace serial killers posed. His solution to the problem was the use of the death penalty. He criticized those who thought otherwise, characterizing them as naive and their arguments against capital punishment as "spurious":

"Like I don’t, I mean these people that, the ones that have killed three or more, like uh, I don’t think they’re going to be rehabilitated so whaddya gonna do, you gonna lock 'em up for the rest of their life, like-. I was never-I never believed in capital punishment, ever, until I started doing this stuff with you know, and then you start talking to the victims of the families of the victims and it's, [sighs] I-I don’t know, I mean, I-I I don’t-wouldn’t-I know-I-I mean-everybody says, "Well, capital punishment is not gonna stop anybody from killing", well, to me, that's a spurious, that's a red-herring argument-it's not gonna put capital punishment or news to prevent that guy whose killed from doing it again and who cares if it-if it doesn't stop the next guy or I mean, if shouldn't even be talking about that, we should be looking at that guy there whose killed three."
The encounters he had as a reporter, particularly talking to the families of victims, resulted in his reassessing his attitudes on capital punishment and supporting the death penalty. He recognized, however, that society did not favour this view. In fact, he was conscious of sounding like a "redneck", and he seemed somewhat uncomfortable with his position:

"It prevents him from killing again, well then, I mean [chuckle], swing him from the tree, uh, I know, you know, I sound like a fuckin' redneck here, but, um, it-it has that effect on ya, yeah, you talk to a lot of victims, an-an-aaa-you just see the grief, I mean, their lives are s-ruined, I mean, it's devastating, and-and, um, I-I-I don't know, I don't see them being rehabilitated, I mean, I think, not unless you give them a lobotomy or something like in uh, One Flew over the Cuckoo's Nest. Then if you do that, you mis' well kill them, cause what good are they then-just vegetables anyway so that's the point of killing I suppose-ha!"

Despite the dissonance between his views and those of society in general, he did not waiver in his belief. He justified his belief in the value of capital punishment by arguing that both his on the job experiences and his encounters with law enforcement officers, the public, and the victims of serial killings taught him that the death penalty was the necessary last resort.

In Policing the Crisis (1978), Hall et al. argued that the judiciary, police, and media worked together to exaggerate the number and severity of mugging incidents in British society in order to ensure their retention as members of the dominant class, and thus to affirm the status quo. Their exaggerations caused the public to panic over the "increases" in mugging and seek to reaffirm maintaining the dominant class. As a result, their power as repressive and ideological state apparatuses in society was strengthened. In this case, however, the interest of the police and the media were, at
times, consistent and, at other times, at odds while the media were most always at odds with the judiciary. Indeed, the relationship between the police and the media can be characterized as a love-hate relationship.

This respondent, as both a media worker and part of the ideological state apparatus, had a conflicted relationship with the police. On the one hand, the media and this respondent relied on the police as a credible source; on the other hand they criticized the police for being secretive, inept, and even unintelligent:

"Others would say, "Well, no, it's a problem, we're weak in this area, and if you expose something we're weak in, then we should move to" and that's the more academic, the more reasoned approach, not the uh, "I shouldn't even talk about it", and that's typical, that's typical Canadian cops. They shouldn't even talk about it, you know, you le-you sold out the fort, you know, y-you-they-they don-they-got-they have this image that they're-they're like T.V. cops or something, and they can like solve anything with you know, uh-in fact the reverse is true. Mm-I haven't met very many really astoundingly bri-brilliant cops. I mean, there are some really, /plus/ they're all-they're all dedicated-the-very dedicated a lot-they work hard but-
"

This respondent confirms Davey's (1994) observation that the media workers assumed the responsibility to present their views and ideas of the case and the investigation without the police's cooperation. Their reports made for a difficult relationship; the media incited the panic that the police were deliberately avoiding for fear that revelation of sensitive details of the crime would scare people or even hamper the investigation:

"....... Well we still get criticized, w-we, in fact the other guy just got criticized from uh, a homicide cop, he said "You know, you guys, uh, I mean, when you did that series you gave-you sold, you gave away the fort-y-you made us look bad-you made us look like in-we're so inefficient and we can't catch them" and after we wrote our series, one cop called me up and said "How do you know that your series didn't prompt this killer to go out and kill again? If he reads this and sees how inefficient we are to catch him so he figures I'm gonna go out and kill again, they're never gonna catch me" so I mean-I mean, that's the kind of shit that we-we got from cops."
The respondent expressed even more animosity toward the judiciary because he felt that the judiciary prevented him from doing his job. As Davey (1994) stated, the police and the judiciary used the media when they needed them, but the media wanted to be able to exercise more freedom to report the details of the case:

"So I mean, I'm a journalist, I'm not a spy. Like spies are used to keeping secrets, well, I'm a journalist. I mean, collect information and you disseminate it to the public and the most frustrating thing about this case is a lot of it you can't talk about cause of the ban. You can't disseminate that information out there, you can't do your job. And I think that's wrong, and uh, the judge says the freedom of, the chance to get a-[chuckle] forgotten this, um, individual's rights to a fair trial takes precedence over freedom of the press. Freedom of the press has to take a back seat to an individual's right to a fair trial in this case, that's what Judge Kovacs, K-O-V-A-C-S, said, and uh, you know, that's debateable."

The police and the judiciary in this case played smaller roles as repressive state apparatuses than they did in Hall et al.'s study on mugging. The media, an ideological state apparatus, took centre stage instead. Although the position of the police, judiciary and the media are different from that in Hall et al.'s (1978) study, the Bernardo case was still structured in dominance.

This respondent was not only critical of the police and the judiciary, but also of the Canadian media. Contrary to most other respondents, this respondent would prefer that the Canadian media were as aggressive as the American media:

"... you know, crime generally-I-I think Canadian media have to be just a bit, be a lot more aggressive, but we're ..., we're not an aggressive nation, and it-it-it's reflected in our media. Uh, we tend to be a little weak and sometimes I think we don't push things, you know-I think we should be pushing things a lot more, we should be challenging authority a lot more."

In his own way, this respondent did challenge authority by acting like a police officer on one occasion. Indeed, he confirmed Davey's (1994) claim that media workers were becoming like the police in that they were speculating about possible leads. In fact, this
respondent actually went to one of the areas in Scarborough where a woman was raped in order to understand how one could get raped on a "quiet street with nobody not knowing anything":

"I went out to Scarborough where some of the women had been raped, I could never understand ... could never quite understand how women could get raped on a busy, on a quiet street an' nobody knew anything. So I went out at the same time, and you could see it, you could see the pattern like. I could see where Bernardo would do, he would-the bus would come down the street, and if you were at this end of the street, you could-it's near the end of the line, and you could look in a bus, an' the bus is well lit, there's a lone woman and you could spot [smacks his hands together to make a slapping sound] her like that, and you know she's gotta get off soon cause you're almost at the end of the line so you-you wait there and you follow the bus down an' you park the car, an' you run, an' it-I thought, "Holy Christ!", scary that, to think that, you know, that-that you can do that, that people can do that, and um, it-it just, it uh, it's sort of o-eye-opening, you know what I mean? Like, I never thought of it, until I sat there and I watched that bus, an' the bus went by and if I'm Bernardo, I look on the bus and I see one woman, you know, she's gotta get off sooner or later cause it-you-you're near the end of the line, and that's where the fact two rapes were, right in that one area-1. I mean, the police don't tell ya this kinda thing, they just don't-they don't tell ya anything. To me, I didn't understand how there's one rape on one street, an' then a short time later there's a rape on another street, like, why would anybody be out? But, I mean, you know, they're working late, they have no choice. They go home that way, by bus, if they don't have a car, then they're just-they're like a sitting duck. They're on a well lit bus, they get off, it's a lonely street, behind the bushes, there's a place for him to park the car, and just run. In fact, that's what he did, I gather, he parked the car here, and ran, scooped them, and I think in another instance, he was waiting in a bush, and a woman actually saw him beforehand, and she 'ust avoi-didn't know who he was. And then eventually he went back, and that's where he raped one of his-one of his victims. But-there-I mean-like I guess the point is that really scares me, is if that there are guys out there, that's all they do. They just drive around ...... just look for victims"

Obviously, he was very close to the case, and he explained how he was very deeply involved in the case after the abduction of Kristen French:

"Did a little bit more work on Leslie Mahaffy, not much, ...... did our serial killer series, and bangol, right after that Kristen French goes, and, ...... I became very deeply involved in following it after Kristen French went because everybody felt that her abduction was more than just a boyfriend-girlfriend, felt that there
something was really sinister—we didn’t know at the time, we had no idea that we felt that something really sinister, it was just like a—a mood that was out there and became really uh, closely involved in it then*

Indeed, the abduction of Kristen French was given much more attention than Leslie Mahaffy, probably because of the circumstances surrounding the abduction:

"Um, ..... Kristen French was abducted at three o’clock on a busy street in a church parking lot. She was a young, totally innocent girl-like a lot of the cases Johnny and I looked at when we did serial killers, I hate using the expression, but they’re seen as "not good girls", you know, like they’re out late or they’re this or that-it’s like-it’s-it’s, you know, it’s like saying, "Oh, they got what they deserved", so those cases don’t get the same attention."

As explained in Chapter Four, Leslie Mahaffy, at first, was portrayed as a shoplifter, with a history as a runaway (Davey, 1994). Kristen French received more attention not only because of the circumstances in which she was abducted, but also because she was a “totally innocent girl”; “her only mistake in life [was] that she took the same route twice”. The story as a whole was a media sensation because the perpetrators were not what one expected. The perpetrators were not the "smarmy type, dirty fingernail type", but an accountant, and a "beautiful, charming young lady, like Barbie and Ken". The respondent realized the prominence the press gave to Kristen French and the perpetrators and justified it with the explanation that people were fascinated and wanted to know more about the murder. He could not, however, confront fully the reasons why the press was criticized for their coverage of the murders:

"I’m getting vilified for just doin’, telling the public what they want-the public wants to know. You know, it’s the old shoot the messenger story"

He complacently defended his portrayals of deviance and its victims and perpetrators. His primary complaint was that the publication ban prevented him from doing his job.
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The respondent's views on serial killers, the media, the police and the participants in the case provided the context for his reading of the texts with which he was presented. The fact that the respondent worked as a reporter and held conservative views on issues such as capital punishment resulted in a reading which was quite different from that of the other persons interviewed.

When I gave the respondent the *Maclean's* and *People* articles, he did not really read them. Rather, he glanced at them, then scanned them for information that he might have missed earlier or for information that might help him with articles he was working on at the time. When given the *People* article to read, his initial reaction was to the photographs:

RA:  Oh yeah. ....... I remember that, oh, I remember this uh, because there was a lot of stake out, and we were-we were concerned about getting a picture. [picture of Paul and Karla in *People*]. I look a-and this-this represents the most grief of all to me because there was a bidding war over the wedding pictures [*People* article], an' the ***** didn't get it, we didn't get it. /Sun Goderen/, is a journalist who's fighting under the-we got, seeing that in another paper was very difficult. *****, but-but it's still hard, so, .... and of course, .... I got that picture from Debbie Mahaffy, [Leslie Mahaffy in *People*] and it was a very traumatic interview, she cried the whole time. I know I went home and felt sick afterwards and uh, picture I never even saw [Kristen French in *People*], but the story itself?

I:  Yeah.

RA:  Well, it's just nothing that I didn't know. What is this from anyways?

I:  *People*.

The respondent discussed the articles from an occupational standpoint only, that is, journalists read the news to make sure they have not missed any "nuggets":

"*People*. Yeah, uh, it was .... it was um, ..... I-when-when I-when I-when this thing came out, I-I know I read it to see if there were any nuggets in there that
I didn’t have. And there was stuff in here that we couldn’t write about cause I think it may have touched upon the ban, so uh, it was just an interest."

When examining the *Maclean’s* article, the respondent was more interested in who wrote the story, journalistic practices, and was angered at the "scalping" which takes place in journalism:

RA:  

Hol, well, this-this story here, I mean, these are the guys who spent three months lookin' through the house, and missed the biggest piece of evidence of all. [Picture of police retrieving evidence from Bernardo home in *Maclean’s*]. So I think I know who wrote this story too..... um, .......... basically it's just a lot of um, ........ um, I mean what they've done, what they do, I know all journalists do, I suppose, but what they did is just scalp a lot of stuff from the **** and the ****. So, you look, you read this stuff and you think, "Well, those bastards, they just stole a lot of this from us", [clears throat]. And that's what happens with journalism, I mean, you know, you don't get mad about it, but i-does happen. Um, .......... no, I guess I didn't read it all. Tom Fennell, I don-I don-I don't know him. I thought it was written by someone else. What do you want me to say?

I:   

Well, oh, I just wanted to know your comments on, but if you've read them at all-

RA:  

Yeah, oh, yeah, I've read pretty well everything that's come out ever on Bernardo. Uh, yeah, cause you-you read it and you see if they've got something that you didn-that you didn't have. See, you have to read everything to see if there's any new-any nuggets in there that you don't have, you know, for instance, we knew about the bankruptcy, I wrote a story on that long before this thing [*Maclean’s* article] ever came out. Um, .......... you know, and then you read to see, you know, the Toronto critics always question the competence of the Niagara police, so you read to see, y-you'd read it-yeah, basically, when you're working on a-on a big story like this, you wanna know what everybody else has, .... and if they have something that you don't have, then you try to get that something, and you try to advance it. It's sort of a basic tenet of journalism. Not only you gotta know what you have, but you gotta know what everybody else has, and when they have something that you don't have, you'd zero in on it, you try to get it. And so, I look at this [*Maclean’s* article], an-I'm-I'm, in fact-in fact I'm looking, as I'm looking for it now, I'm looking to see if there was stuff in here that I might have missed, might help me now. You know, um, of course, you-like I know this guy, an' you know /people who are/ in the story, so you think, well,
wonder what they're saying to other media? ..... It's um, ............ a thousand page affidavit, yeah, .... I thought it was two, they had a thousand, the search warrant was like .......... see right here, "Homolka was-was kept out of sight and some press reports say that her lawyers are negotiating", well that was my story. We had the story that um, she was plea bargaining with the Crown, and we had it before anybody else did, and I know, had a hell of a time getting it into my own paper. Went through a lot of grief, and of course, it was right, it was bang on. Shhee wanted total immunity in exchange for her testimony. That was before she really started telling them the truth about things, and then when they did, she didn't get total immunity. Some people say she got pretty close to it though. But see here, they-they don't even, I guess what irritates me, well, this-they don't-they don't credit they don't-they don't give credit, they, ...... they allude to what other people are saying, as if to say, "Well, is that really right?" Well, yeah, it was really right. Uh, ........ so, you know, I basically look at these things, these from magazine pieces as just, catch-up articles that uh, that we've already broken so they're of mild interest to me. You read-you read the American stuff cause you see what sort of, the Americans are interested in an' gives you a better understanding of which direction the case may go. It helps you be informed, like you got-I mean, when you work in journalism, you just gotta be informed on everything, you gotta know everything that's happening so you, it's sort of my job to predict the future, not predict the future, but /obviously/ aware of what's happening the next day, or what's coming up. It's-it's your job. So, yeah, you read it out of interest, passing interest.

When asked what he thought the articles were saying to the public, he avoided addressing the content and instead reiterated the need of the journalist to keep the public informed of the details of the case:

I: What do you think these are saying, to people?

RA: ............ Um, ............ just keeping them informed on what's already been said, updating them on .... on a very controversial case. This case has developed a life of its own. You know, it's gonna far transcend anybody who works on it, it's developed a life of its own. Probly years from now, they'll be debating over-over this. Well, I mean, the very fact that you're doing this-

I: Mmm-

RA: um, here, just shows you that there's a life-it's developed a life of its own.
He exhibited a dominant/preferred reading position because he did not question the content of the articles at all. This was not surprising because he stated that the content of the articles was derived from his stories, and he wholeheartedly believed what he wrote. When compared to the other respondents, he was the only one who exhibited a dominant/preferred reading (not negotiated) since he himself had incorporated much of the information contained in the articles in reports he had written. In one instance he questioned the facts in the articles (whether an affidavit was 1000 or 2000 pages). Otherwise he exhibited no opposition to the content of the articles.

In response to the Paul Hunter and Elizabeth Palmer reports, he reacted to the perpetrators in a dominant fashion, calling Homolka a "killer slut" and likening Bernardo's appearance to a "choir boy". He exhibited a dominant reading since Homolka was portrayed as a more active player in the murders in the video pieces, and because the video pieces contained numerous close up shots of Bernardo.

However, when watching the video pieces, the respondent exhibited an oppositional stance overall. Because he was a print journalist, he exhibited a bias in favour of print and against television coverage. This bias was shown when he responded to a question on how he would change the media. He stated that sound bytes were good for "TV people because that is what they need", but not for print journalism because it required a more investigative approach. This bias probably influenced his reading of the television pieces. Other factors were operating as well - he was bored, and most likely hungry because it was noon when he watched the video pieces:
RA: This is all old news to me.

EP: Screaming headlines weren’t long in coming, along with mountains of speculation and rumour.

RA: You know, it’s-pardon me for being bored but-

He exhibited an oppositional stance, criticizing, correcting, or insulting the figures in the pieces as shown in his response to the excerpt from the Paul Hunter report:

PH: They lived here, on a quiet street in a pretty house. Paul Teale, known then as Bernardo, and his wife, Karla Homolka-

RB: Still is known as Bernardo.

PH: Both are accused of abducting and killing.

The criticisms continued when he viewed the Elizabeth Palmer report:

PW: His face has been in newspapers and on television screens right across Canada, and the United States.

RA: Around the world too, honey [Hmph].

EP: Even the gathering of evidence attracted spectacular attention.

RA: Or lack of—or lack of gathering, fuck. Uh, you didn’t work hard enough boys.

...

EP: but that circus was supposed to stay outside the courtroom [shot of Justice Ernie Kovacs]

RA: Ernie Kovacs! Mr. Ban!

...

RA: What year?

I: Last year.

EP: and they’re bending over backward to ensure that. Most recently by eliminating this preliminary hearing. It means the trial will be prompt, and it also means that there won’t be-
RB: Ah, what did she say? PROMPT? Hey, honey, forget it! [chuckle]

EP: a leaky publication ban to !?! the trial’s fairness. But the irony is, the very lack of a preliminary hearing might be interpreted as the obstacle to Paul Teale’s getting a fair trial. For Prime Time News, I’m Elizabeth Palmer.

The respondent did not want to watch the debate and did not pay much attention to what was said by the lawyers. However, the issue of the recently discovered videotapes in the Bernardo case and the discussion of the publication ban did receive his attention. Indeed, he was the only respondent to react so passionately and at times angrily to the video. This response is evident in the following excerpts from the debate:

BT: there wasn’t any publication ban. It was a publication delay. We were gonna hear it all eventually, an-and that wasn’t explained to the public-

RA: Eventually? Fuck! It’s um, .... we’re gonna be in two years since the ban. Eventually, what’s eventually? Christ!

BT: The media did not exercise discipline, the police did not exercise discipline in relation to uh, the press conferences, and the public’s right to know became misinformed and they demanded more. And I think that-

RA: Uhh-fuck! Fuck! Nobody wants to know! I mean, .... we’re just satisfying a need-people out there wanna know. You don’t get twenty calls a day, or you don’t get hounded all the time, people wanna know, like-

On one other occasion near the end of the videotaped debate, he exhibited a dominant reading. As stated earlier, the preferred reading was that the publication ban was an incorrect ruling and that the waiver of the preliminary hearing was a correct one. Clayton Ruby made these arguments and this respondent was persuaded by them. He, in turn, was very critical of Trudell’s position on the issue. In general, he admired the American legal system more than the Canadian system.
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When he scanned the written articles, his only criticism was directed at newspaper journalists who did not give him or other reporters credit for stories they "scalped". Because he did not write or produce television pieces, he was free to criticize and correct the information and insult the figures in the story. He saw himself as an expert on this case, who had been "on it" from the beginning, and knew the facts. Incidentally, he seemed to take pleasure in seeing himself in the video pieces, and his concentration on his own image at times diverted his attention from the content. His inattention to the content was probably exacerbated by his boredom with the tapes.

This respondent exhibited a dominant reading strategy when glancing at the articles, and a mostly oppositional one when watching the video pieces. His readings of both concentrated not on Paul Bernardo but on the media organizations’ practices in constructing print and video texts of Paul Bernardo as well as the texts of the police and the judiciary.

The respondent was an active participant in inciting the moral panic, defying the wishes of the police, and conveying the belief that serial killing was a serious problem in parts of Canada. He used a psychological explanation of the motivations of serial killers and did not implicate society as a contributor to deviant behaviour. Lastly, he knew that the media focused attention on cases like Bernardo’s because of the circumstances surrounding the deaths of the victims and the clean-cut image of the perpetrators. He was complacent as to his participation in manufacturing the portrayals of the victims and perpetrators, and appeared to genuinely believe these portrayals were appropriate and accurate.
Respondent B - Lawyer:

Respondent B is a criminal defence lawyer in his early thirties. Because he served as an assistant crown attorney, he could identify with both the prosecution and defence. He situated himself politically near the far left. Time constraints as well as interruptions resulted in the interview being less focused than the others. When asked various questions, he was very guarded and carefully contemplated his answers before he spoke. Most questions were followed by long pauses. It was an interesting interview, and the fact that this individual let me interview him at his home on a weekend showed how gracious and generous he was both with his time and his willingness to participate in this study.

Like respondent A, respondent B also referred to psychology to explain the phenomenon of serial killers. Because the FBI did psychological profiles of serial killers, this explanation was a credible, widely cited one. This respondent did deviate from the others in that he knew that, although the stereotype of the serial killer as an introvert existed, people might be born serial killers:

RB: another side of me says that some people are just born like that and no matter what environment they grew up in they’ll be, have that desire to kill. But having said that, I understand it’s difficult to profile, but you know, I think everyone has sort of a stereotypical view of a weird-

I: Mmm-hmm-

RB: introverted person.

He was the only respondent to suggest that those who were serial killers had an inherent personality defect. This view was rejected by Leyton (1986), who stated that societal explanations were more useful in explaining the phenomenon of serial killings.
This respondent was also liberal in his views. For example, he did not advocate such tough remedial policies as the death penalty. This view was consistent with the fact that he was a criminal defence lawyer. When asked his feelings about serial killers he stated:

"............... I don't like them. I wish there was a way that uh, society could recognize these people needed treatment ahead of time or, /or/ stop this behaviour. Um, ........ I'd like to see some sort of deterrent effect to serial killers cause I don't like them [chuckle], just like anyone else I guess."

He hoped that society, including himself, could learn to recognize the signs that identify serial killers. Again, like the other more liberal respondents, he would like to see serial killers treated before they killed. Interestingly, he identified with the public at large when he stated that the punishment of serial killers should have a deterrent effect. However, he did not support the use of capital punishment:

"Well, I'm not a believer in capital punishment, I would uh, advocate .... putting them in jail or an institution for the rest of their life. I don't think it's something that can be treated or rehabilitated or get re-rehabilitated."

While treatment could be used as a preventative measure, it could not be used to rehabilitate serial killers so that they could be released into society. Once a serial killer was convicted, s/he had to be incarcerated for life. Life imprisonment was seen as a more acceptable way of dealing with serial killers than use of the death penalty. Respondent B believed that capital punishment, although favoured in the United States, simply was not as acceptable in Canada. He differed from Respondent A whose contact as a reporter to the "dark underside of life that is horrible", and whose admiration for the American media and legal system made him supportive of capital
punishment. Respondent B's opposition to capital punishment was consistent with the fact that, as a defence lawyer, he dealt personally with accused offenders on a daily basis.

Respondent B read about this case out of interest, "like everyone else". He provided interesting theories on why this case was such a media sensation, arguing that although the stories of the violence and sexual abuse carried out on the victims offended people greatly; people were drawn to the reports of the case because of their entertainment or gossip value. "People enjoy being shocked, and reading about this case is like going to a horror movie, and we derive a sense of satisfaction from being offended". Members of the public, including the respondent, were regarded as "voyeurs on violence" who were drawn to the case. Unlike respondent A who was very explicit about what probably happened to the victims, this respondent used words like "sexual abuse" and "serial rape allegations" to describe the crimes. Yet, he seemed to know much more than he was willing to divulge. His comments were cautious and contemplative. Despite his use of euphemistic language, respondent B described the media portrayals of Bernardo and Homolka as the "campus couple". He also spoke of Bernardo as a "sexual predator" who, if guilty, should be put in jail for the rest of his life.

After reading the articles, the respondent experienced conflicting feelings. He thought the pieces were "pretty good", and "not terrible", but that Maclean's contradicted itself and that People sensationalized the case. The articles created the impression that Bernardo was guilty and compromised the presumption of innocence. He recognized, however, that it was "hard to get around" this portrayal:
"I would go with, I-I-I didn’t mind Maclean’s uh article, but they-they still are trying to give the impression that their balanced reporting, but .... e-even by reporting about others, it .... it still leaves the impression that-that he’s guilty from the article. I don’t know how you get around that though. This is a case where there seems to be overwhelming evidence an’ if you-if you just factually report it, .... you’re still left with the impression the guy’s guilty."

"People. .... Uh, I didn’t think it was terrible reporting or anything, th-but again, they-they want to go into some details and they sort of sensationalize it. There’s a-a thirst for that type of information, there’s no question."

He legitimized the media portrayal of Bernardo’s guilt, because their simple reporting of the facts led logically to a conclusion of guilt. The respondent was not convinced that the reporters were intentionally trying to make Bernardo look guilty. The respondent noted that the articles were sensational and imbalanced but not without value. His reading was characteristic of the negotiated/dominant reading position because, although he was critical of the articles’ sensationalism, he agreed with their portrayal of Bernardo’s guilt. In addition, he was concerned with the factual content of any newspaper article, his medium of choice, because he himself had been a victim of inaccurate reporting. His reading suggested that he would forgive the sensationalism, that is, the "overreporting" of the story, as long as it was factually correct.

Technically, he thought the pieces by Paul Hunter and Elizabeth Palmer were "nicely done", with "fairly slick presentation". He recognized how the media drew the audience to watch because the media transformed the event into a fanciful fairy tale through shots of the house and the "campus couple". After watching the Paul Hunter report, he did not think it was "over sensationalized". However, the report by Elizabeth Palmer was not as well received. In his view, the reports were technically correct but
he disagreed with the explanation given in Elizabeth Palmer's report for the ruling on the waiver and characterized it as "absolute garbage". He did not believe that dispensing with the hearing was meant to protect Bernardo's right to a fair trial:

"And for them [the media] to come out and make statements that we're trying to be fair, and we're playing, we're we're waiving this out of the sense of duty to the accused, that sounds great, but it's absolute garbage. Strategically, to waive the preliminary hearing, I shouldn't say waive cause it's not a waiver, it's proceeding by direct indictment, that-I'm almost getting angry at this when they make those statements - cause that's absolute garbage!"

"So her statements were totally misguided. Um, she's relying on the-what the prosecutors have said to the media, that, "We're being fair." Well, [sighs], I mean, that's a complete joke, a complete joke."

The Elizabeth Palmer report elicited an oppositional reading as did parts of the debate because he disputed the explanation provided by the prosecutors, specifically Palmer's statements on the fairness of the ruling. The CBC debate between Ruby and Trudell really interested him, most likely because they addressed issues he dealt with everyday. For example, he agreed with Trudell on the need for a preliminary hearing but disagreed with him on the need for the publication ban:

"Bill Trudell. Now having said that, I wasn't necessarily ...... for the publication ban, cause I don't really believe in publication bans, uh, uh, but once it's made, he's right, I mean, you should respect that, and /I don't think/ they did. I'm-I'm all out for full media, .... within restraints, that it has to be accurate reporting, but I don't know, I'm not a big proponent of publication bans. In fact I think there should be uh, .... /uh/ ......... coverage right in the courtroom, just like they have in the States."

Like respondent A, this respondent did not, on principle, support the use of publication bans. Once they were issued, however, the media should respect them. He disagreed with Ruby's position favouring the waiver of the preliminary hearing and suspected that Ruby was taking this view for the purpose of debate:
RB: I suspect Mr. Ruby ...... was sort of asked to play the devil’s advocate because he’s a very liberal thinker, and I don’t think for a second that he thinks that waiving this uh, or proceeding by direct indictment’s fair. I do- I just think he was asked to play the devil’s advocate in that show-

I: Oh-

RB: Clay Ruby’s the biggest libertarian in the city of Toronto. He’s all for individual rights and uh, that sort of thing. You-you’ll notice in the beginning .... he-he, uh, he was asked to pretend, an’ be /a, gee/-and maybe that might have been some degree of trickery. If they would have asked Clay Ruby’s true opinion, i know what it would’ve been .... that it’s a joke, that they’re proceeding by direct indictment,

While his reading of the articles was negotiated/dominant, his reading of the video pieces was more oppositional. Because he is a lawyer, he had the knowledge and experience to evaluate carefully the assertions made in the stories and to dispute them when they were not in keeping with his own construction of the legal processes related to the criminal law.

In summary, although the respondent objected to the sensational coverage of the case, he recognized that there was "a thirst for this type of information" and that the media was filling the demand. He consistently referred to the articles and video reports as being "nicely done", "good articles", or "not terrible reporting". Only when he thought the reports were misleading did he find fault with the media.

**Respondent C - Women's Issues Advocate:**

Respondent C is a women in her early forties who is American born, and lived in Michigan for most of her life. She situated herself left of centre on the political spectrum. She offered a perspective different from that of the others because of her experience living on both sides of the border for a substantial period of time. She
worked in an organization advocating women's issues. The interview was conducted at her workplace and proved to be the shortest of all the interviews because she was able to articulate clearly and quickly her views on the subject.

Her subjectivity surfaced many times as it did with the other respondents. For example, she stated that the first image of a serial killer that came to mind was that of a man. This was not at all unexpected since her occupation involved dealing with women's issues. Her work on women's issues might have predisposed her to this view. When asked why she had this impression, her answer corresponded with Jenkins (1994) finding, that men more than women were portrayed as committing these crimes:

**RC:** A serial killer is, ah, somebody who has killed often, say more than three or four times, uh, generally, with the same ... um, .... descriptive behaviour, um, I would perceive that a serial killer would have emotional if not psychiatric uh, health problems. Um, and the very first image that comes to mind is a man.

**I:** Why?

**RC:** Probably because a man is uh, historically we have seen publication of men more often than we have of women who have been in position of serial killers.

For the most part she was liberal in her views, however, she had an acknowledged difficulty reconciling these values with her attitudes about serial killers:

"........... Although I hate what they have done, .... and um, if-if one of my children had uh, been killed by one of these people, I would definitely want them killed. Probably in a savage way. However, I also recognize that, .... I believe that nobody could do what they do unless they had some severe, uh, mental illness. I don't know if the mental illness could ever be cured, and I don't know if I would ever welcome them back into society, but at the same time, ..... I don't believe in an eye for an eye kind of treatment-"

While she did not generally believe in capital punishment, she recognized that she would advocate the death penalty for a serial killer who murdered someone close to
her. When later asked for her views on the best course of action when sentencing serial killers, she subscribed to the socially acceptable view:

I: What do you believe to be the best course of action when dealing with serial killers that have been found guilty of crimes?

RC: Life imprisonment.

I: Why do you believe this to be-

RC: I don't believe we should have capital punishment. I think it's barbaric. Um, .... after committing so many murders, I don't know how anybody would be able to come back into society, ...... and I would feel safer to have them removed.

Although opposed to the death penalty, she, like respondent B, favoured life imprisonment for convicted serial killers because their release into society would threaten public safety.

This respondent relied on the psychiatric and sociological schools to account for the phenomenon of serial killers. She believed that serial killers had to have serious psychiatric problems, and she specifically identified schizophrenia as a possible explanation for their behaviour:

".... I believe that nobody could do what they do unless they had some severe, uh, mental illness. I don't know if the mental illness could ever be cured,"
"[sighs] In some rare cases schizophrenia, because often times schizophrenics are not violent, unless their voices advise them to be schizophrenic-or advise them to be vi-uh violent. Um, ........ I don't know of any of the other correct medical terms that might apply, any kind of ss-psychos-psychopathic, or even sociopathic behaviour, sociopathic in that they wouldn't have a sense of right an' wrong-" "

Her response which included words like "psychosis", "chemical imbalance", "psychopathic", "sociopathic", "deranged", "response to a trigger" revealed her
dependence on a psychiatric explanation for serial murder. Although she disagreed with a psychoanalytical explanation of these crimes, for example, blaming them on the serial killer’s mother, she did rely on a psychiatric explanation:

I:  What’s the difference between psychopathic and socio?

RC:  Sociopathic would be within the uh, um, atmosphere around which they were raised, uh, perhaps um, withdrawal of uh, trust, um, ...... physical abuse or emotional abuse. Whereas a psychopath would have more of a inherent chemical-

I:  Mmm-hm-

RC:  challenge to their mental health.

Although she considered the effects of environment on behaviour, she was more comfortable believing that the serial killer had an inherent personality flaw.

She recognized that the media was a powerful force in constructing reality and that they were motivated by the desire to maximize profits. When asked what she thought of the American media, she responded:

"Uh, horror sells, and so that’s what drives them, and-and knowing that they can make more money, it seems to drive them even more. So it goes back to money as the root of all evil, if-if indeed [chuckle] that is the case, but money does have power, and they have the power over framing .... an-and shaping .... our perception of-of uh, horrors in life."

When she considered the media’s construction of Bernardo, she observed that their fixation on the details of the crimes had the effect of ignoring and thus exploiting and objectifying the victims:

"Pad-Paul Teale is the-uh [sighs], is the person of concern here, and should be, should be as an accused ....... but uh, ....... by not even mentioning the-the women involved in this, the victims of the murder-s, it could be the Paul Tea-it could be Paul Teale who was murdered [chuckle], as opposed to uh, uh, the Mahaffy woman, or the French woman. Um, .... it could be ....... uh-uh they have been disposed, as-as a kind of a /crude/ object, can be disposed of, without even a fair mention."
Her hesitation in remembering the names of the victims confirmed her view that the media, preoccupied with the accused and the acts they supposedly committed, did not appropriately deal with the memory of the victims.

Unlike the journalist, who believed that the media played an important role in keeping the public informed, this respondent believed that the media exploited both the victims and the accused and gave the case extensive coverage because the story was, in her words, a "sexy" news item. When asked what she thought of the articles, she demonstrated a clear understanding of the media's construction of the preferred reading that Bernardo, a monster, was guilty and that the victims were innocent, unsuspecting virgins:

"They're saying that Paul Bernardo is guilty, that Karla Homolka participated in the murders. Um, they're saying even nice, white boys and nice, white girls can turn out to be s-monsters. Um, ... that nobody is safe, even virginal little girls on their way home from school, or, forget what the other one was, or safe from these monsters. Um, ....... they're also, uh, the /blame/ no, in the Canadian, in the Maclean's article, blame all over the place [chuckle], blame between the various police departments, blame uh, from the Attorney-General's office and to toward the Attorney-General's office. No-nobody wants to assume specific responsibility for this uh media .... exploitation has taken place."

"Oh, the People magazine. They're not so much into the blame-blame, I didn't pick that up at this point. Uh, but, um, .... again, they-the-the People magazine was able to describe uh, Paul and Karen as-as these wholesome people that could be your next door neighbours. Better start being suspicious about who's living next door to you, just anything can happen and um, .... some of the other issues. They only made one reference that I can remember in the People magazine as to the information ban, and that, and they pointed out that it was to ensure a-a fair trial, which somehow gets very lost in-in all this hubbub."

She clearly recognized the paradoxical portrayal in People, specifically the monster vs. virgin dichotomy that Davey (1994) illustrated. Class, gender, and lifestyles of both victims and perpetrators were identified by the respondent as significant in how the media portrayed this crime. Yuppie next-door type neighbour monsters were
responsible for killing middle class, virginal innocent girls. She thought the American media promulgated this portrayal more than the Canadian media, and she characterized the former as "an organization driven by profit", and the latter as "more polite and more in tune to the dignity of life".

Her reading of the texts were somewhat oppositional in that she recognized the media’s strategy in constructing the case to highlight the bourgeois lifestyle and the clean-cut image of the perpetrators. However, although she recognized the media’s strategy, she did believe Bernardo was guilty. This perception is illustrated in the following interchange which occurred before receiving the articles:

I: When I say the words, Paul Bernardo, what immediately comes to your mind?
RC: Murderer.
I: ...... Why did this come?
RC: I never knew of him in any other fashion. He’s always referred to as a accused murderer.

Her observation that Bernardo was always characterized as the accused murderer illustrates how she internalized the portrayals of him she had seen previously. The absence of the qualifier, "accused", in her first response is especially revealing. She obviously believed in Bernardo’s guilt even though she was cognisant of the construction of Paul Bernardo as a murderer.

Her assessment of the magazine articles was quite similar to that of the video pieces. Again, she noted that the media were exploiting and objectifying the victims and that Bernardo was guilty:
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RC: Oh, reports were saying that Paul was-is guilty, and um, ...... and again, it focused in on-on the business of uh-if .... if this nice, young man can be accused, imagine what-the stuff that’s going on around you.

I: How did they make him seem guilty, both in the articles and on the-

RC: Oh, primarily the uh-the Teale or the Bernardo murders. Uh, and they also refer to ...... him and the murders, and his connection to the murders in the past tense as if it’s a fait du complis that he has been convicted already. /I/ find that interesting.

The language conveyed to the respondent confirmed Bernardo’s guilt. Although she recognized the process of construction, she nonetheless internalized the portrayals.

This respondent was interested in the legal aspects of the case because it was relevant to her profession:

I: I see. Do you find this case important to you either professionally or personally?

RC: I find it important to me professionally, more than personally. Professionally because of the implications of the trial? Professionally because of the implications of the uh, the silence surrounding uh, Homolka’s trial, an-and what does that say for the freedom of the press, or what does that say too for uh, ...... delivery of justice-

I: Mmm-hmm.

RC: And also, I-I am interested in it in terms of uh, public reaction to violence against women.

This respondent had more to say about the debate between Clayton Ruby and William Trudell than about the other video material. When discussing the debate, she tended to be persuaded more by Ruby than Trudell and fell in line with the preferred reading that the waiver was a beneficial move. However, she was suspicious of the practices of lawyers, particularly defence lawyers:

"Also, the information that’s brought forward by both of these lawyers um, really doesn’t hold water in-in terms of the actual courtroom procedure. You have not, I mean, a sworn statement is a sworn statement. It doesn’t matter how many
times you give a sworn statement, ..... so I think it does begs the question, "Is there really a need for a preliminary hearing?" I don't think so [chuckle]."

RC: ............. [sighs] I do believe that the defence lawyers are going to use whatever trick they can .... to prove that the-the vet-the case was, uh, heard unfairly, .... and that will take a very long time-s. I see so many similarities, for instance, between this and the O.J. Simpson.

I: Oh.

RC: The-uh, the bottom li-one of Teale's lawyers evidently quit the case midstream. See, there's a tactic, you know, where later on uh, Teale can say, "Hey, I didn't receive appropriate legal counsel. I had my one lawyer quit in the middle of the whole thing so, give me an appeal." Same with O.J. Simpson, and um, his two lawyers, F. A. Bailey, and the other joker having this-s spat [chuckle] just prior to the trial beginning. I say that was a tactic to uh, discount the-the uh the evidence, an-and to place in the juror's mind that perhaps the accused isn't getting as fair trial as possible, or fair as uh, counsel as possible.

Although this respondent agreed with the waiver of the preliminary hearing, her reading of the legal system was oppositional. For example, in assessing the issues raised in the debate on waiving the preliminary hearing, she thought that the defence lawyers were "using whatever trick" they could to state that Paul Bernardo did not have a fair trial and thus be granted an appeal. She differentiated between the Crown and the defence lawyers, characterizing the Crown as using steps, and the defence as using tactics and tricks. This oppositional position to the legal system, generally, was common to three other respondents.

This respondent knew exactly what the media were trying to achieve by portraying Paul Bernardo as a monster. Although she recognized the strategy, she still internalized their portrayal of him to a certain extent. She believed he was a murderer because he was not referred to as anything other than a murderer albeit an alleged
one. Although she agreed with the waiver, her reading was oppositional with regard to the legal system, as she saw the lawyers' comments as flawed and their practices as a series of tactics and tricks.

She was, however, ambiguous about how society should deal with serial killers. In the end, she chose the method advocated by society - life imprisonment. Psychiatry was drawn upon as the main explanation for this type of deviant behaviour. Lastly, she recognized the dichotomy Davey (1994) identified with respect to the victims and the perpetrators, citing how the media portrayed the latter as our next door neighbours, bourgeois monsters, and the former as virginal little girls.

**Respondent D - Children’s Issues Advocate:**

Respondent D is a woman in her late thirties who works for an agency which involved the welfare of children. The interview was conducted at her workplace. She situated herself near the far left on the political spectrum, and this position was revealed in many of her responses. She was a great deal of fun and I found myself laughing with her heartily at one point in the interview. Her humour seemed to put both of us at ease and helped the interview run smoothly.

This respondent was very methodical. When she was describing how the media portrayed serial killers, in general, she separated the periods before and after they were caught, something no other respondent did. Unlike respondent C, she referred more to the sociological elements that contributed to the makeup of a serial killer. For her, persons who committed such terrible acts probably were victims of abuse themselves and were affected psychologically by this abuse:
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I: What do you mean by "hard life"?

RD: Well, ....... I'm not a social worker, but I work a lot with social workers and psychologists, and uh, ...... and I deal with um, children who have special needs, and, [sigh], certainly a trend, I mean, it doesn't even take somebody in my line of work, you just have to do some reading, uh, trend of-of .... people that are very aggressive, have a lot of mental health problems which are, which I would/ certainly define /as serial/ killers [chuckle] having mental health problems. They have been, statistically they have been abused, chance that they've been sexually abused are very high, physically abused are very, very high, emotionally-so these people have been worn down by the adults in their life or-or whoever, for probably the extent of their whole life, so I would say that they are sufficiently screwed up that something like this could-they would take that type of action.

She justified her beliefs with reference to a number of sources: her work, reading, and statistics. Material in psychology and sociology would be recognizable, credible sources for explaining deviant behaviour and such material would be easily accessible. When discussing what motivated serial killers, a term she did not seem to deem appropriate, she resorted to the language of psychiatry and used phrases like "poor impulse control", "categorized psychiatric disorder", "hear voices". Her frequent references to psychiatry and to the belief that behaviour offered clues to the psyche suggest that she needed an explanation for Bernardo's brutal acts:

"If somebody would truly do those things, I mean, I have to believe ...... that either he's really psychiatrically disturbed in the highest sense-I shouldn't even say either-he must be and that I have to believe that there had been things that have gone on in his life that led this to occur, like abuse. Um, .... sexual abuse, physical abuse, uh, nobody just does stuff like that, it, or very few people, I shouldn't say nobody, but that would be, I would have to, I have to believe that there are things that occurred in this guy's life which led up to the-those moments, you /don't/ just wake up one morning, and think, "How could I possibly do something this horrific?" Um, ...... there had to have been signs, and actions by him since the time he was able to, you know, talk or walk, which should have indicated to professionals along the way, .... teachers in his life, I mean, you-you can't just hide that type of a sick facet of your personality, um, ...... I think I'm familiar enough with kids with mental health problems to know that they do stuff, all along the way, and you either have people like social
workers or teachers, or doctors who say, "It'll pass, and, it's just a stage", and, you know, all little kids torture animals [chuckle], which you do get people saying that. People must have seen some of these signs or a lot of these signs and they let it pass. And that's the type of stuff that we may never know about. But I have to believe that some place it's in his past. You just don't wake up in the morning, one morning, and say, "I think I'm gonna kidnap some girl an' .... kill her an' cut her up an' dump her in Lake Ontario", or whatever he did, I mean, there has to be some building process that went into this, ...... so."

This respondent, as well as the others, relied on psychiatric and sociological theories to provide a plausible explanation for the inexplicable.

Like respondents B and C, respondent D was very liberal in her views. She believed that serial killers were psychologically and sociologically sick. She explained their behaviour and her attitude towards them in the following statement:

"........ I guess, and that's probably why I pretty-I-I don't have sympathy for them, but I, that's why I feel like there's probably things that have gone in their life that have led them to this juncture."

While one should not feel sorry for serial killers, they should be treated humanely, in a socially accepted manner. Indeed, when asked whether she would favour jail or capital punishment, she stated that it was a tough call, but that she would choose prison because she did not believe in capital punishment. She qualified this opinion by saying that, although she did not think prison was a deterrent, she would rather see them in prison, isolated away from society, than put to death:

".............. Um, ............ I guess, ...... I guess I would follow the argument that it's uh, .... uh, I was gonna say more humane, but it probly isn't [chuckle]. It's probably uh, .... more accepted by society that killing is wrong. There's always a chance, especially after the Guy Paul Morin thing, that they are actually innocent, and gee, what do you do then? Oh, we made a mistake. And you always hear the stories like that. Um, .... well uh, what's his name, Milgaard too, I mean, ...... although I don't believe he was exonerated by the province of Saskatchewan but I think they let him loose finally af-there was enough questionable evidence so I-the potential for that is there, and uh, people that have investigated these crimes, and uh, they're only human too, and mistakes
can be made, an'—and uh, things can be done incorrectly, so at least you've hedged your bets, you've just put them in prison versus killin' 'em. It's probably a wrong [chuckle], not a good way to look at it but [chuckle]."

The frequent pauses in her explanation suggest she had difficulty providing reasons for her choice which satisfied her. She was reflexive at the end of her comments and questioned whether her reasons for supporting life imprisonment were valid. The risk of executing a person wrongly convicted was always present. The Guy Paul Morin and David Milgaard cases were cited as evidence of this danger. Society was better served if convicted serial killers were imprisoned and removed from society. Society did not have to bear the responsibility for mistakenly carrying out the death penalty.

Although respondent D reflected on whether the view was appropriate, she stood by it. Her work with children with mental problems clearly influenced her opinion. She genuinely thought that only seriously psychologically and/or sociologically disturbed persons could commit such crimes, and that they had to be treated rather than executed. In addition, her opinion conforms to the prevalent social view.

Before reading the articles, she revealed that she was irritated at the personality-based reporting that was passing for news, citing O.J. Simpson and Charles and Diana. She noted that news has become "an offshoot of Oprah", but at the same time she gave a very detailed description of the Bernardo case, even though she found such indulgence into the details of people's lives irritating. Therefore, she laughed at the fact that People mentioned Karla Homolka was attending a pet shop convention. While she appeared oppositional, she was still drawn to the portrayal.

After reading the articles, she summarized their contents, and cited People as more sensational than Maclean's:
"The *Maclean's* article is, I thought, much more focused on some of the legalities, and the um, the handling of the murder case, an-and the issues of evidence, and the issues of trying to find a jury, and um, .... uh, the difficulty in doing that because of the media, and how the Canadian media has changed, ...... a much greater, a more sensational media has evolved an-an-and that was reflected in this ca-maybe this was one of the first cases it really showed how the Canadian media has also become very sensational, as reflected in the American media [refers to *People*] [laughs]. Um, uh-the, the *People* magazine story had to spend a lot of time talking about descriptive Niagara, the Niagara area. They had to-they had to set a stage, so that somebody reading this in California would have any idea as to try to put it some context. Well, *Maclean's* didn't have to do that, I mea-. somebody who's reading *Maclean's* usually knows where Toronto is, an' where Niagara is, an-and the situation. Um, ....... the *Maclean's* article was-s talking about, with all this media attention, can Bernardo get a fair trial? Is he still innocent an' still-un-til proven guilty? And um, ...... and how will all this media stuff affect that case? So uh, so I would say the *Maclean's* article is a-a piece of the puzzle, a piece in the story, and not trying to be-this isn't trying to be the whole story, I know, I read *Maclean's* an' ...... I mean, there's still the odd article about it now, they've been covering it on a regular basis. *People* doesn't have an article on Paul Bernardo every week [laughs], so, so um, .... so I've, let's see, .... so those are the major differences I would see."

Indeed, she had a negative view of American journalists and American media:

RD: Well, I would just in the sense that-that um, ...... I knew this had been written in Canada, in Ontario, otherwise we would have to do the description of the area an' the people, an' they won't have got Marion Boyd's name right [chuckle]-

I: [chuckle].

RD: or her position, so I knew from the context of the information?, the references to the Canadian .... uh, Council of Criminal Defense lawyers, and gave some input on them, I mean, an'-t, I mean, an American magazine wouldn't have done that. An American magazine had to describe, .... they have to put in their little Canadianisms for those who don't know anything about Canada. But still it seems like such a good boy-girl story for them [chuckle]. Boy-girl gone wrong [chuckle] kind of thing. [Referring to *People*] Um, having a picture of the lake where Leslie Mahaffy's body was discovered, an' so, I would say from the description of the-the Canadian context, that off the top would tell me one was from an American and one was from a Canadian paper or magazine. Uh.
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She appeared uninterested in the details on Paul Bernardo but nonetheless read stories about the Kristen French murder appearing on the Internet. Although she was very opposed to the detailed accounts of the lives of the victims and perpetrators, she paid attention to them.

When she viewed the video reports, she commented specifically on their sensational element, citing, for example, the shot of Deborah Mahaffy crying and the excerpt of A Current Affair which appeared in the Elizabeth Palmer report. The segment from A Current Affair showed shots of the perpetrators, Tammy Lyn Homolka, a home video of Kristen French while the voice-over stated the Canadian government was hiding the case from the Canadian public:

"the-the first one, where they showed the clips of the people um, going in and out of the house, .... uh, .......... l-it just is um, /?/ a quick uh [chuckle], escapes my mind really fast here, [chuckle] uh, the first one seemed a little more sensational than the second one in my mind. Um, and the uh, .... the one where Debbie Mahaffy was uh, coming into the courtroom with her son, and-and then she was cry-well of course she's gonna cry for Pete's sake! I mean, uh, I'm just, I'm-I'm just astounded at the amount of uh, involvement that the two families continue to have in this whole process. I'm sur-talk about your absolutely basic .......... terrible experience [laughs]. What-what worse experience could there be in your life and these two families have had to continue to be involved in the /they show up at/ the trials, an-an' arraignments that are not arraignments an' [chuckle], I don't know, I mean, that-and she brought the son, I thought that was a little weird but, .... uh, ...... I thought the first one was a little more sensational, done in that sensational style, that comment there about uh, oh, it was in the second one. Oh no, there was a reference there to A Current Edition thing, and that was the-the Americans saying, "This is not um, Canadians are trying to hide information". Certainly in the U.S., there's a more, ...... uh, a greater emphasis on the rights of the individual versus the collective than there is over here. And I don't think our way is necessarily bad, uh, but the um, it seems all the more apparent when you have-when you have a case like this. The Canadian legal system is different than the American legal system. Although, most people probly wouldn't know how, and I wouldn't say I would know necessarily how [chuckle], but um, ...... I think the uh, .... the absence of uh, the incredible amount of information on Paul Bernardo is ...... is not something I necessarily miss but obviously other people do [chuckle] so."
This respondent exhibited a negotiated/oppositional position to the articles and the video reports. She was not wholly oppositional because, although she maintained that she found such sensational reporting irritating, she did read and watch the coverage of this case. However, she exhibited a negotiated reading overall because she thought that Bernardo was sick before even receiving the articles and video reports. This response showed that she thought Bernardo was guilty of the crimes.

Similar to respondent C, this respondent was most interested in the debate. Her reading was critical and oppositional:

"I would not be inclined to find him not guilty, um, but I'm assuming that-they, the defense did not want the information banned so that they could change his location of the trial, or say it was a mistrial because you couldn't get people who were not, who were still impartial. A lawyer trick."

"but I still get this overwhelming feeling, "My God, this is just a bunch of legal tricks at play", and uh, .... um, .... and that's seems to be what the high profile cases are-are now being based on versus a sense of right or wrong."

Her view of the legal system was influenced by her perception that lawyers used trickery in representing clients. She thought that verdicts in high profile cases seemed to depend on whether or not the accused had a good lawyer who could manipulate the system rather than whether s/he was guilty or innocent. Influenced by Ruby's support for the waiver of the preliminary hearing, she questioned the need to conduct the hearing:

"This whole thing about a preliminary hearing, I mean, I'd have to sit there wondering what other-why we need those too. It sounds like-uh, a trial before a trial, and I don't know what the uh, legalities, u-of uh, .... I thought Bill Cameron's comment there was good [chuckle], "Should-should we not have one or we'll have one unless it's inconvenient, and then we won't have one", I mean, [chuckle], it's, you know, as-an ou-as a-an outsider from the legal system, you would sit there thinking, "Wh-Why don't you just have one trial, why do you have
to do all this other stuff? Um, lots of people go into things everyday, not knowing exactly what’s going to happen but you proceed with whatever-that’s-in kind of the case you have prepared."

This response was the only instance where this respondent conformed to the preferred reading that the waiver of the preliminary hearing was a correct ruling. Although she agreed with Ruby on this point, she was critical of the legal system in general. Overall, her reading of the debate was negotiated/oppositional.

After discussing the debate, she commented on Karla Homolka. At the time the video pieces were aired in 1994, Homolka was in jail. The press’ coverage of her after her conviction was quite negative. It was more positive after her estranged husband’s arrest. Respondent D noted that Homolka appeared victimized and exhibited the symptoms of spousal abuse. Although the respondent realized that Karla Homolka’s conviction confirmed her involvement in the murders, she wondered how Homolka could "go along with stuff like that" if she were not abused. This reading was highly oppositional because Homolka was not portrayed in a sympathetic manner in the television pieces; most of the shots used showed her coming out of her parent’s house on her way to trial. Respondent D’s response was not surprising because very few examples existed of women willingly abusing other women. Male violence against women was in contrast, more prevalent and thus conformed to contemporary beliefs that women were oppressed by men and not by other women.

Respondent D’s final comments on the media’s coverage of the case revealed her insight into the evolution in this construction of Paul Bernardo:

"Did think it was kind of interesting too, when he was first arrested, they always, maybe it’s not unusual, when he’s first arrested, they-they were always showing the uh, he had blond hair, and he had just gotten married, and you know, and then all of the sudden, they started using this other picture, where it looks like
it was originally taken from the back of a, of the car, where he looks much more sinister, and his hair is darker, and sometimes there’s like a-a, I think it’s a-a hair strand going across, but it’s a much more sinister looking picture that they’re starting to use."

"... I think, as I was saying earlier, perhaps they are trying to reconcile a terrible deed, with, "This guy can’t look this good looking if he’s gonna do something this bad, so we have to find another picture", and I’m sure any, a picture o’anyone taken in the back seat of a police car would not be entirely flattering [laughs], so, so that uh, you know, ...... that would be the media’s way of um, uh, trying to uh ...... gently move us along a-a spectrum here, where we could perhaps start to accept him [chuckle] as someone who /can/ be guilty of doing this kind of thing."

The media were trying to shape people’s reading of Bernardo not with language, as respondent C claimed, but with pictorial representation. Our culture put heavy emphasis on image and image management. To make this case a little more comprehensible to people, that is, better fit the stereotype, the media used those shots which made the accused look more like a sinister criminal, once the trial was imminent. By identifying this change, the respondent addressed the difficulty of reconciling a good-looking Bernardo with the crimes he allegedly committed.

For the most part, this respondent read the portrayals of Paul Bernardo, the legal system, and the media in a negotiated/oppositional way. Although she expressed her annoyance with the media’s tendency to dwell on the details of Bernardo, Homolka, and the victims’ lives, she was compelled to learn more about these very details. She was also well aware of the media’s ability to transform news into entertainment so that it was an "offshoot of Oprah".

Because she was liberal in her view of society, she needed to believe that some people were not simply born evil. Unlike other respondents, this respondent relied more
on sociological explanations involving different kinds of abuse than psychological explanations to explain serial killing.

**Respondent E: Uninformed Individual:**

Respondent E is a University of Windsor drama student in her early twenties who did not know a great deal about the case. When asked about her political leanings, she situated herself at the far left of the political spectrum. Throughout the interview, she had difficulty articulating her responses. She was also very conscious of the interviewing process, repeatedly used disclaimers, corrected her speech, and was careful not to generalize or appear judgemental. Nevertheless, she often chuckled, either because of nervous tension or because she was genuinely amused at her own responses and by aspects of the texts presented to her. Her comfort level increased as the interview progressed making both of us much more at ease.

When the respondent was asked about the motivation of serial killers, she relied on a psychological explanation. Initially she focused on the media's portrayal of serial killers stating that they relied too heavily on the relationship between their backgrounds and their crimes. The respondent cited environmental factors combined with a lack of self-control. She used phrases such as "loss of reality", and "isolation in oneself" to describe the killer's psychological state. However, when asked how one became isolated within oneself she described a process in which an individual became increasingly more alienated from his/her environment:

"Mmm. .... Well, I think first of all the person must be um, in a sense, isolated from society, like, in the workplace, just having um, fewer people that they deal with or-or relationships, problem relationships or-or very little, um, and I think
that—that uh ..... just not knowing how to deal with their problems, and not really discussing it with anyone to get to a point where, you know, you’re really with yourself, and you only believe that you’re the only one who cares about you, and just try to solve it that way."

This respondent had a very difficult time answering this question because she could not justify for herself the act of murder. However, like the other respondents, she relied on psychological rationales to explain the serial killing.

Respondent E expressed the most liberal views. Although she initially showed little sympathy for serial killers, she soon espoused the view that they suffered from a psychological illness that should be treated with therapy:

RE: Oh. ..... Well, uh, ........ I mean they should rot in jail [hhmm]. I—I know there’s—there’s the complaint that there’s so many people in [chuckle] jail, but uh, I—I don’t really believe in capital punishment, I mean .... if someone goes out and murders someone, and we’re supposed to be punishing for them—that for them, you know, why should we turn around and kill them? [Chuckle] That just kind of erases the whole moral purpose I think, so I—I do believe there has to be, you know, I hate to say it, you know, some place to put them, an—and that being probly jail in our society.

I: S-s-um, so, why do you believe that this course of action is best-best-?

RE: Uh, well, just because, um, ...... well, you know, I don’t think there are very many options if you don’t want them back out on the streets right away, um, I think they sh— it would be ideal if they had, you know, therapy in, while they were in jail, um, but, I—you know, I don’t believe capital punishment is the answer.

Criminals were thus people who needed help. This liberal view was consistent throughout the interview, and reinforced the appropriateness of her assessment of her own political subjectivity.

One of the issues raised in Jenkins’ (1994) work was the perceived severity of the serial homicide problem, particularly its exaggeration by the FBI and the judiciary in the United States. Although this respondent disagreed at first that there was a serial
homicide problem, she proceeded to link the image of a serial killer with the frequency of the crime. However, she was not confident that her responses were acceptable, and she tended to give answers which she thought I wanted:

RE: Mmm, I don't [chuckle] know. Another word for-, uh, how do I feel. ...... Well, i- d-uh, it's, that's an odd question, it doesn't affect me-I feel like it's easy for me to say, "Oh I f-feel nothing really because it really I don't feel like it affects me", but I suppose that's probly pretty silly [chuckle], because at any moment I could be murdered [chuckle]-

I: No right answer, right?-

RE: That's true, but um, .... I've, I mean I certainly don't agree with-with [chuckle] murder, and-and-and just the idea of someone having that power over someone else, but um, I feel it's very indirect to me, like I really don't feel, I don't think of it-it really, almost has nothing to do with my life, .... but I-I know it's a reality that should be [chuckle] considered [chuckle].

She was anything but sure about how she felt about serial killers, but she seemed sure about how she should feel about serial killers. Her answers were even more puzzling when she discussed the issue of the frequency of these crimes and the image of the serial killer:

"you know you always have that picture of [heh], someone just looks brutal [heh], but I-I do think I've-I really believe now that, you know, i-probably because it happens so often now that it really can be anyone."

She believed that serial murders occurred frequently, and that the frequency itself increased the chances that the serial killer might be an ordinary person rather than the stereotypical killer described as a horrible looking man. In addition, this respondent stated that as she matured and became more knowledgeable she realized that the serial killers did not fit the stereotype. The link between the frequency of the crime and the fact that the serial killer could be an ordinary person was promulgated by the media.
They argued that they had the responsibility to keep people informed of this phenomenon by writing more stories about it. Although this respondent was not an avid news consumer, she nonetheless accepted the media's construction of serial murder.

This respondent decoded the texts depicting Paul Bernardo in a manner consistent with the dominant/negotiated stance in that she adopted the media’s preferred reading that Paul Bernardo was guilty. First of all, when given the articles to read, she took her time. She was initially confused about the case, for example, whether the murder charges were laid before the rape charges. This response was not surprising because she was deluged with information on a case with which she was unfamiliar. After reading the articles, she immediately concluded that he was guilty because neither article addressed Bernardo’s possible innocence:

"Um, well they-just because they-they say all the things that have um, ..... that they mention the things that they-the evidence they do have-um, they don’t mention any reason why it couldn’t be him or if he does have-have any, um, .... like alibis or anything else that would uh, .... in any way support his case, do you know what I mean?"

In addition, she compared the Maclean's article with that from People, stating that People was more "biased" than Maclean's because the former emphasized the couple's love story and played it off against the crimes:

RE: And People's just seems-uh it's a very different approach, I thought-just, uh, really plays emotionally, like just getting you into their lives, an' going through like they go through the-the-the love story of the two of them [chuckle] Paul- you know, and how they're so in love but then, you know-I could just see it being a movie-Geez [chuckle]. Um, and-and especially discussing the victims' families, um, this whole, I mean it really-it just really ends sad-like it really made me feel horrible for the families-not that I shouldn't but-just really playing on that emotion I think-really bringing it out, to make it even more biased in my opinion because, you know, I really hate-if-if he if-he really did this, I mean, God, what a horrible person he is to have just .... ruined all these people's lives.
SS: Mmm-hmm-

RE: So, I-I mean, I have to admit, I do feel like they are ...... quite biased-wha-People more than-more than Maclean's.

This university student who studied the media felt that the People article played on the audience's emotions because it provided personal details about the couple. The article's highly emotional appeal made it less credible and ultimately biased. Maclean's, by comparison, was regarded as more credible because it appeared to limit its scope to relating the facts. For this reason the respondent relied more on the Maclean's article for the evidence she needed for her evaluation of Bernardo. She engaged in a dominant reading of the articles because her conclusion that Bernardo was guilty corresponded to the articles' preferred construction.

The media metaphor in People structured her experience, specifically, her definition of Paul Bernardo:

"Um, People's seemed a little bit like they wanted to plant emotions in-they really make you feel so sorry for the families and-and uh, really make you hate Paul [chuckle] Bernardo, .... whether he did it or not, you know."

Furthermore her reference to Bernardo as an animal mirrored the media's portray of him. Animals had no check on their impulses: when they ate, they ate, when they mated, they mated, with regard only to their own survival. The metaphor cast Bernardo out of humanity. Her construction of the perpetrators as animals distanced her from the crimes and relegated them to a world outside the real one. This construction allowed her to avoid considering whether society played a part in the creation.

Her feelings about Bernardo's guilt, which emerged when she read the articles, were more clearly articulated after she watched the reports by Paul Hunter and Elizabeth Palmer and the debate:
RE: Rather than, you know, these are, I don’t know-I really-I really hated Paul Bernardo when I was done these, [the articles] you know, I rea-read them thinking “Oh what an animal, like how can you do this to people?” And you know at least it-it [the video pieces] shone a light on the fact that, you know, he hasn’t been accu-he’s been accused, but he has-he’s definitely not guilty yet, so at least it-it seemed to show that .... like I-I almost felt like everything had been gone through and he is guilty even though they said he was alleged of these crimes, but, uh, I’ve, you know, it really made me feel like he-they-they didn’t mention once that there was any reasonable doubt, but, uh, in the um, th-was it *Prime Time*?

I: Mmm-hmm-

RE: I mean they seemed to, uh, it definitely seemed to show the other side-that they need the time to make the case, and that there is a case to be made?

She recognized that the articles were dictating her conclusions about Bernardo’s guilt.

After viewing the videos, the respondent was sure that Bernardo was “pretty guilty”.

The dominant reading in the video pieces portrayed Paul Bernardo as guilty, but not as much as the articles did.

When this respondent watched the video pieces, particularly the debate, she addressed two issues, the publication ban and the waiver of the preliminary hearing.

She exhibited an oppositional reading of the publication ban because she believed the ban was necessary. She believed that the public’s right to know could wait. She appeared unresolved, however, about whether the preliminary hearing should have been waived:

“I don’t know which is-which is the better way [hearing], but it certainly informed me a bit on, um, how important a preliminary trial is. I didn’t realize-I didn’t realize how long it could take, and I also didn’t realize, um, how important it really is for the defence to have the opportunity to-to, uh, what did they say, um, like question-cross-examine the witnesses, so it’s-it’s hard to say, but I can also see the other side, that the media’s already-I mean they’re doing this-if-if-if I’m understanding correctly to-eliminate a lot of the-because there’s so much-there’s been so much leaked to the public, they’re trying to eliminate more .... bias?”
"Yeah, I mean part of me says "I don’t understand what the wait is all about", but then I don’t have to go through everything they need to do to put a trial together. I mean I always felt that trials seem ridiculously long, an’ very expensive [chuckle], you know, isn’t there an easier way, but I-I don’t know if there is, but it just seems like it’s such a long process."

She was not sure how she felt about the viability of the legal system, and she negotiated both sides of the argument. Although she commented that preliminary hearings were important, she expressed an oppositional view in her statement that the legal process contained long, expensive, and inefficient procedures. However, she settled on a predominantly negotiated reading position when she agreed that because the preliminary hearing would be very long, a waiver was justified. Overall, her reading of the prompts conformed to the dominant ideology; there was a good case against Bernardo and that the waiver of the preliminary hearing was the correct ruling.

Although her reading of the texts was in keeping with the preferred reading about the guilt of Bernardo, her feelings toward Bernardo changed after she watched the reports by Paul Hunter, Elizabeth Palmer, and the debate. Although she hated him after she read the articles, she expressed some sympathy for Bernardo in her final comments:

"Poor man, he’s gonna- he’s [chuckle] in big trouble. He better have a good defense [chuckle]."

"Ahem, .... I just think, uh, ...... what’s privacy anymore, you know? It’s really .... this guy’s life has been written-ripped apart, ...... and it’s about time he got to trial, so [chuckles]. I mean what is he going through right now? Sitting around waiting."

Although the video pieces did not imply Bernardo’s guilt as much as the articles did, her response to them was quite different from that of the other respondents. She marvelled at the power of the media to "just rip apart people’s lives", characterizing it as "scary".
Her response suggested she saw Bernardo as a victim of the media. Her observation contradicted *Maclean*'s justification for the media's extensive coverage of the case, that the media had to acquaint the public with the brutality of the crimes and the inept investigation of them by the police.

Both repressive state apparatuses such as the police and judiciary, and ideological state apparatuses such as the media encourage moral panics by exaggerating the phenomenon. These apparatuses, the police and the judiciary, affirm their dominant position in the culture by appealing to the basic need of the public to feel safe. Indeed, the respondent's final comments about Bernardo illustrated that she recognized the media's role as an ideological state apparatus. She commented on the power of the media, and noted that they had turned Bernardo into a "media superstar":

"Ahem, .... he's definitely like, uh, this-m this media-almost like a media superstar, he's really become because there's-and-and .... just because there's so much before the trial has even happened that people know so much or seem to know what they've been told, you know, whether it be true or not, you know, uh, everybody's been told things about him, an' ...... and uh, I think, uh, this, if he's guilty, he's probably better in jail [chuckle] because what the way the media's [chuckle] going to react to him, you know. The-the things that have been said, you can't erase, and people are, if he is guilty, I mean, people are always going to have these judgments of him after all of this, I think. ...... I don't know."

This respondent realized that the media glorified Bernardo for committing such hideous crimes. Instead of being a superstar in a positive sense, he was a superstar in a negative, notorious sense. However, she was afraid for him if the media happened to be mistaken about his guilt. This reading was highly oppositional because her concern for him questioned the media's preferred reading that their coverage of the case was aimed at informing the public about the case.
University courses taught this respondent to recognize the media's ability to influence attitudes and beliefs. She realized that the media created stereotypes and "moulded" the public's perception of reality, yet she adopted the media's perspective on the Bernardo case. The other respondents did likewise; they all subscribed to part, if not all, of the media's construction of the case.

**BROAD THEMES:**

*Construction of the Bernardo Case: Respondent readings:*

Overall, the respondents provided predominantly negotiated readings of the media's construction of Bernardo and the legal system. These negotiated readings ranged from dominant to oppositional ones. Variables such as occupation, gender and political beliefs resulted in the differences in their readings of the texts. With the exception of the journalist and lawyer, the respondents' source of information about the case was solely the media. The power of the media to construct texts and prefer dominant readings of them was evident from the responses given in the interviews.

The media, as mentioned in chapter four, focused on certain themes in constructing this case: the Ken and Barbie analogy, the police as inept, the victims as martyrs, the judiciary as the ultimate protector of both the victims and accused. The respondents did answer to these themes. Every respondent (except E) commented at some point on the image of the perpetrators: "Ken and Barbie, clean cut, next door neighbour, campus couple, beautiful charming young lady, good looking". They also picked out the portrayal of the victims: "virginal, innocent, teenage". The respondents
reproduced the media's construction of Paul Bernardo in their comments. This theme surfaced regularly and provided a way of simplifying this case into a palatable form so that the audience could accept it and make sense of it.

In addition to seeing Bernardo as a monster, most respondents viewed him as an animal. This metaphor promulgated by the media was reproduced in the respondents' remarks. To label him an animal, predator, or monster moved him to what Jenkins (1994) termed "incomprehensible evil" and far away from how we perceive ourselves. Although this metaphor did not promote an understanding of the motivations of serial killers, it provided a much simpler explanation for the existence of serial killers because it maintained a comfortable distance between the respondents and society's implication in the creation of serial killers.

In varying degrees, the respondents read and thus constructed Bernardo in a way preferred by the media. The sense-making apparatuses used to understand this case, particularly the dichotomy (monster vs. yuppie) and the animal metaphor, were reproduced in the respondents' comments.

**The Police:**

Although the media portrayed the police in negative way in the texts, only one of the respondents commented on this portrayal (Respondent A). Respondent A was a journalist who expressed conflicting feelings about the police and their ability to investigate the case. No other respondent commented on the police's role except to point out that the police forces criticized one another in the *Maclean's* article. The respondents' interest seemed to be directed towards the portrayals of the perpetrators and the legal system more than the portrayal of the police in the case.
The Legal System:

Although the respondents constructed Bernardo in a way that was preferred by the media by portraying him as a monster, animal, or yuppie, the legal system, generally, was constructed in an oppositional way. Even though the preliminary hearing waiver was read in a preferred way, four out of the five respondents believed that the legal system as a whole was ineffective and consisted of long and arduous procedures, and that the law was practised by lawyers who tricked and deceived clients. Only one respondent read the legal system as a whole in a preferred fashion (Respondent B). This reading was expected because he was a lawyer.

The legal system was probably read oppositionally because the legal system was perceived as an obstacle to justice. The time it took to get Bernardo to trial in a case where guilt was not questioned made the legal system seem inefficient. In addition, the media’s negative coverage of the ban also portrayed the legal system as ineffective.

Overall, the respondents constructed Bernardo in a way preferred by the media. The legal system as a whole was not read in line with the preferred reading since it was not perceived as an effective instrument in society.

The next chapter examines the general conclusions regarding the construction of Paul Bernardo and what this construction reveals about contemporary culture.
CHAPTER SIX

CONCLUSION

Introduction:

This chapter discusses the conclusions derived from the media's and the respondents' constructions of Paul Bernardo. It was found that the respondents' social position influenced their reading of the media texts, and that they experienced difficulty in making meanings out of the extensively covered Bernardo case. In addition, the constructions of Paul Bernardo revealed more about contemporary cultural values than about Paul Bernardo or serial killers in general. In order to illustrate these points, this chapter examines how the respondents' occupations affected their readings, the internal struggle the respondents experienced in making their readings, and what the media's and respondents' constructions revealed about our culture. Criticisms of this thesis and suggestions for future research follow this discussion.

Subjectivity in reading texts:

Morley (1980) argued that a text itself did not determine the meanings ascribed to it because an individual's subjectivity or social position, defined by race, class and gender, influenced his/her reading of a text. Morley's (1980) argument was confirmed in this study. For example, the lawyer did not view the legal system as a whole in a negative way; this was not surprising because he would be more inclined to view favourably a system in which he played a pivotal role. All the other respondents who did not have a stake in the system found fault with it. In addition, the journalist's views on subjects such as capital punishment and the police were vastly different from that
of the other respondents. This respondent recognized that his job affected his opinions on capital punishment, serial killers, the media, and the police. This study confirmed that the respondents’ occupation was the primary factor which influenced their readings.

**Negotiated reading positions and hegemony:**

Chapter Five establishes that the respondents read the texts in a negotiated manner. In fact, they experienced an internal struggle when reading the media texts, particularly with respect to how they constructed the legal system. Every respondent negotiated the media’s preferred readings in a way reminiscent of the struggle involved in the Gramscian concept of hegemony. Fiske (1987) stated that hegemony, in promoting the dominant ideology, contradicted the actual social experience of the subordinate and that these contradictions caused struggle in their reading the texts (pp. 291-292). Instead of absolute acceptance or rejection of the preferred readings of the texts, the respondents negotiated the preferred readings. For example, respondents C, D, and E read the media’s portrayal of the preliminary hearing waiver in a negotiated/dominant way, but read the legal system as a whole in a negotiated/oppositional way. In addition, Respondent E, fearful that Bernardo might be innocent, read the depiction of Paul Bernardo in a negotiated/dominant way, but expressed an oppositional view of the media’s coverage of the case. The respondents read the texts differently so that they could negotiate the preferred readings to fit with their experience. This finding confirmed Hall’s (1980b) notion of readers as active rather than passive, and demonstrated that reading texts in a negotiated fashion involves a struggle reminiscent of that found with the dominant class in its struggle to maintain hegemony within the culture.
Constructions of Paul Bernardo and the police:

The media also struggled with respect to how they portrayed Paul Bernardo and the police. In addition to the above mentioned findings which confirmed aspects of past studies, this thesis presents the emergence of rewriting of roles by the media. Specifically, the media constructed the serial killer in a way that deviated from the stereotype. They constantly reminded the public that Paul Bernardo did not conform with the commonly held image of the serial killer. Shots of the house the couple lived in, the wedding photographs, and the descriptions of the clean-cut, Ken and Barbie couple showed how "normal" Bernardo appeared. As Bernardo was approaching his trial, the media replaced the flattering pictures of the couple's wedding with unflattering shots of Bernardo in confined places. At that time their portrayal of him reinforced the stereotype that the serial killer was a shadowy, sinister person. However, continuing references in the media reports to the life Bernardo once lived or appeared to have lived showed that serial killers can be your neighbours.

The media texts also rewrote the roles of the police. Traditionally, the police were portrayed as heroes. However, in this case they were portrayed as incompetent for not following up on tips, for not communicating with other police forces and for missing crucial pieces of evidence. These facts, together with their tense relationship with the media, contributed to the negative portrayal of the police.

The rewriting of the serial killer image and the police role by the media demonstrated that there was a struggle over how to portray those who deviated from the stereotype. The struggle was more pronounced with Bernardo because he appeared to be "normal". The image of the police, however, was rewritten more easily
because of the tenuous relationship the media had with the police. The cultural rewriting of the image of the police and serial killers served to create ambiguity over who was a threat to our safety and who was supposed to preserve it.

Cultural implications:

The constructions of Paul Bernardo, both by the media and the respondents revealed more about contemporary cultural values than about serial killers. First of all, society cherishes logical explanations and understanding and not ambiguity. An aura of ambiguity was created by the publication ban which was imposed on Karla Homolka’s trial. In addition, the rewriting of the image of the serial killer and the police created uncertainty with respect to who was a danger and who was supposed to protect the public. To eradicate the ambiguity caused by the publication ban and the rewriting of the image of the serial killer and police, the media and the respondents sought explanations as to how and why Paul Bernardo became a serial killer. The explanations which were promulgated by the media and reproduced by the respondents involved referring to Paul Bernardo as a monster and examining his past for instances of aggressive behaviour.

This need for an explanation for an act such as serial killing pertains to the next theme that surfaced in the media texts and the respondents' comments. Both considered serial killing as the product of individual choice or as a malady, and not the product of society as a whole. Leyton’s (1986) view that society plays a role in the creation of serial killers was rejected. Instead, the respondents used the language of psychology, rather than sociology to explain the motivations behind serial killings. In addition to the language of psychology, the media texts used animal metaphors and
dichotomies such as monster vs. virgin. These dichotomies function to reassure ourselves that we are just, good, and law abiding citizens. Labelling the perpetrators as monsters functions to distance them from ourselves. The respondents reproduced these metaphors in their comments. The need to explain Bernardo’s abnormal behaviour in the language of psychology and metaphors demonstrates how a highly individualistic society does not feel the need to bear any criminal responsibility for the creation of serial killers and their crimes.

The yuppie lifestyle, like individuality, is also valued in our culture. Image management, material possessions, and all the things the yuppie lifestyle embodies were celebrated in the constructions. The portrayals of the couple’s yuppie lifestyle served as a reference point for how far the perpetrators had fallen. The "normal" couple, who had a lovely house, a nice car, and a family dog represented success and happiness. However, it could be argued that the media were subverting the yuppie image as well. Indeed, the juxtaposition of the blond, beautiful couple and the description of the hideous crimes they committed questioned the whole yuppie image. The portrayal begs the question: If this "normal" looking Ken and Barbie couple could rape, torture, and murder innocent young women, should not one be suspicious of the "normal"? At once the portrayal celebrates the yuppie lifestyle and questions its merit. Perhaps the media are unintentionally subverting the capitalist, yuppie lifestyle by using dichotomies such as monster vs. yuppie.

The constructions of Bernardo did more than create ambiguity, reinforce individuality, and celebrate and/or subvert the yuppie lifestyle. The constructions questioned a most basic need called safety. The ambiguity caused by the publication
ban, the questioning of the police’s competence, and the rewriting of serial killers functioned to subvert what most people take for granted about those who were supposed to protect us and those who represented safety. The uncertainty over one’s safety and the lack of an explanation for how such a "normal", educated, clean-cut man could commit such crimes fueled the need to understand how Bernardo became a serial killer. To quell the ambiguity people would read more newspapers and watch more television in order to make sense of serial killers, specifically Paul Bernardo. Instead of informing the public about serial killers, however, the media inform the public about itself and what is valued in our culture.

Thus, the constructions of Paul Bernardo by both the media and the respondents functioned to bring several important aspects of our culture to the fore: a need to quell ambiguity, a preference for individuality, a celebration and/or subversion of image management and the yuppie lifestyle, and a need to feel safe.

Criticisms:

No study is perfect, and this thesis is no exception. One possible criticism involves the environment in which the respondents were interviewed. All of the respondents except the lawyer were interviewed at their workplace. Some may argue that the lack of consistency of the environment may have caused the lawyer’s readings of the texts to be different from that of the others.

However, if I had interviewed each of the respondents in the same room, the argument could be made that I was creating an artificial environment and that I was not interviewing them in the real world, whether it was their workplace or their home. Creating an artificial environment was an inappropriate approach for this type of project.
This thesis involved a study of culture and, as a result, did not involve control groups or experimental designs. Thus, the respondents were interviewed in a setting which was the most comfortable and convenient for them.

**Suggestions for future research:**

This case has much potential for further quantitative and qualitative research. For instance, one could conduct cross-cultural research studying the differences between American and Canadian coverage of the case. Although Canada and the United States are in close proximity geographically to one another, their media are very different. In this study, most of the respondents did recognize a difference between *Maclean’s*, a Canadian magazine, and *People*, an American magazine. The approach and the nature of the information in the articles were cited as distinguishing characteristics. It would be interesting to discover if the American media constructed Bernardo or an American serial killer in the same way as the Canadian media did.

In addition, one could study the construction of the publication ban which was placed on the Homolka trial. The American media, in particular, criticized the Canadian legal system for the secrecy which resulted from the ban and for the restrictions on the media’s free speech rights. An analysis of coverage of the publication ban on both sides of the border might yield some interesting findings regarding the public’s perception of their constitutional rights.

Another area one could pursue involves Karla Homolka and her role in the crimes. An analysis of the coverage of her involvement in the murders would be fascinating because, in the media pieces used in this study, she was portrayed either as a victim of spousal abuse or as a woman who played an active role in the crimes.
Chapter Six: Conclusion

The media's struggle with her role in the crimes was evident in the articles and television pieces used in this case. Karla Homolka's role in the media could provide insight into how our culture constructs gender roles.
APPENDIX A

CHRONOLOGY OF THE PAUL BERNARDO CASE

1987  Paul Bernardo received a B.A. in business from the University of Toronto. He met Karla Homolka, a veterinary assistant from St. Catharines, at a pet shop convention in Toronto (Gleick, Weinstein, Burnside, & Cairns, 1993; Makin, 1995b).

1987-1990  A serial rapist was stalking women in Scarborough, a suburb of Toronto. Sixteen women were raped during this period, and they suffered brutal and demeaning attacks (Makin, 1995c).

Nov. 1990  After receiving numerous tips, police questioned Bernardo. He willingly gave samples of hair, blood, saliva, and told the police he was moving to St. Catharines to live with his fiancé Karla Homolka. For reasons that are unclear, the samples were not tested for two years (Makin, 1995c).

Dec. 24, 1990  Tammy Lyn Homolka, Karla Homolka's 15 year-old sister, was drugged and sexually assaulted by the couple (Abbate, 1995). Tammy choked to death on her own vomit after the assault, and her death was ruled accidental by the Niagara Regional police (Makin, 1995c). The assault was videotaped by the couple.

June 15, 1991  Leslie Mahaffy, a 14 year-old from Burlington, disappeared. She was locked out of her house for missing curfew when Bernardo abducted her. The couple sexually assaulted her and videotaped the assaults. She was strangled, dismembered, and disposed of in Lake Gibson, south of St. Catharines (Abbate, 1995).

June 29, 1991  Leslie Mahaffy's dismembered body, encased in concrete, was discovered the same day Bernardo and Homolka were married (Gleick, Weinstein, Burnside, & Cairns, 1993; Abbate, 1995).

Apr. 16, 1992  Kristen French, a 15 year-old from St. Catharines, disappeared from a church parking lot in the middle of the afternoon (Davey, 1994; Abbate, 1995). She was raped and tortured for three or four days before her nude body was dumped in a ditch near Burlington.

Apr. 30, 1992  Kristen French's body was found nude with her long hair shorn (Abbate, 1995). Like Leslie Mahaffy, the assaults on Kristen French were videotaped by the couple.
January, 1993  DNA samples from strong suspects in the Scarborough rape cases were tested and the tests strongly suggested that Bernardo was a match for the samples taken from three Scarborough rape victims (Makin, 1995c). As a result, Bernardo was put under surveillance. Meanwhile, the relations between the couple were deteriorating. Homolka was severely beaten by Bernardo with a flashlight, and, as a result, left Bernardo (Gleick, Weinstein, Burnside, & Cairns, 1993; Makin, 1995c).

Feb. 17, 1993  Paul Bernardo was arrested at his home in St. Catharines and was charged with the rapes the next day. He was not charged with the murders of Leslie Mahaffy and Kristen French for three months (Abbate, 1995).

March 8, 1993  The *Maclean’s* article used in this study (Fennell, 1993), was published shortly after Bernardo’s arrest.

May 7, 1993  After negotiating with the police, Homolka accepted a plea-bargain agreement. In exchange for her testimony against her husband, she would plead guilty and receive a 12 year sentence (Abbate, 1995).

May 18, 1993  Karla Homolka was charged with two counts of manslaughter in the deaths of Kristen French and Leslie Mahaffy. She is released on $110,000 bail (Abbate, 1995).

May 19, 1993  Paul Bernardo was charged with two counts of first degree murder, kidnapping, forcible confinement, aggravated assault, and one count of committing an indignity to a body (Abbate, 1995).

July 6, 1993  Justice Kovacs ruled that a publication ban would be in effect. Only certain journalists and legal counsel were allowed in the courtroom. No pleas or details of the crimes were to be reported (Davey, 1994). Karla Homolka pleaded guilty to two counts of manslaughter and was sentenced to 12 years. She is serving time at the Kingston Prison for Women (Abbate, 1995).

Nov. 22, 1993  The *People* article used in this study (Gleick, Weinstein, Burnside, & Cairns, 1993) was published a few months after Karla Homolka’s trial.

Apr. 5, 1994  Paul Bernardo’s preliminary hearing was dropped and he proceeded directly to trial (Cameron, 1994; Hunter, 1994; Palmer, 1994). The television pieces used in this study (Cameron, 1994; Hunter, 1994; Palmer, 1994) were taped at this time.
May, 1994  Paul Bernardo pleaded guilty to both murder charges. He was also charged with manslaughter in the death of Tammy Lyn Homolka (Abbate, 1995).

Sept. 7, 1994  Ken Murray, Paul Bernardo's lawyer, asked for permission to withdraw from the Bernardo case. Murray had retrieved videotapes from the Bernardo home that the police had missed in their search of the house (Abbate, 1995). The videotapes showed the rapes of the murdered women and the level of involvement of both perpetrators (Galloway, 1996). The tapes were retrieved before Karla Homolka made her deal with the police. Had the police retrieved the tapes, Homolka would not have been in the position she was in when she made the deal (Makin & Abbate, 1995). Her sentence would have been much longer because the tapes showed the level of her involvement in the assaults (Makin & Abbate, 1995).

Sept. 12, 1994  Ken Murray handed the tapes over to Rosen, who took over the case. After viewing the tapes, Rosen gave them to the police (Abbate, 1995).

Feb. 6-18, 1995  **The interviews with the five respondents were conducted at this time.**

May, 18, 1995  Paul Bernardo trial commenced, nearly two years after he was charged with the murders.

May 30, 1995  Judge LeSage ruled that journalists and courtroom spectators could hear but not see the videotapes which showed the couple assaulting Kristen French, Leslie Mahaffy, Tammy Lyn Homolka, and another woman known as Jane Doe (Abbate, 1995).

June/July, 1995  The couple contradicted one another in their testimony. Homolka testified that she was a victim of spousal abuse because Bernardo repeatedly beat and blackmailed her (Abbate, 1995). She also stated that she saw him strangle both Kristen French and Leslie Mahaffy. Bernardo denied that he killed the women, but admitted that he kidnapped and raped them (Abbate, 1995).

Sept. 1, 1995  Paul Bernardo was convicted of first degree murder in the murders of Kristen French and Leslie Mahaffy (Galloway, 1996).

Nov. 3, 1995  Paul Bernardo admitted he was the Scarborough rapist and Judge LeSage concluded that he was a dangerous offender that was untreatable and unworthy of ever being released (Makin, 1995a). Bernardo is serving time at the Kingston Penitentiary.
July 12, 1996

The Campbell report, prepared by Justice Archie Campbell, was unveiled. It was a report which investigated the police's behaviour in the Paul Bernardo investigation. Campbell cited that rivalry and a lack of coordination among the Metro Toronto police force, the Halton police force, and the Niagara Regional police force delayed Bernardo's capture (Mittelstaedt & Abbate, 1996). Campbell made 27 recommendations to prevent such "system failure" from ever happening again (Mittelstaedt & Abbate, 1996; Ross, 1996). Some of the recommendations included a computerized case management system, a serial predator response team, and that DNA testing be completed within 30 days (Ross, 1996).
APPENDIX B

LIST OF QUESTIONS FOR LONG INTERVIEW

BACKGROUND INFORMATION:

1. Today's date: ________________

2. Place: ________________

3. Time: ______

4. Subject’s name: ________________

5. Birth (Maiden) Name: ________________

6. Sex: ___

7. Birth Date: ________________

8. Age: ___

9. Birth Place: ________________

10. Residence Pattern:
    Born in: ________________ till __________
        big, medium, little, village, rural
    Born in: ________________ till __________
        big, medium, little, village, rural
    Born in: ________________ till __________
        big, medium, little, village, rural
    Born in: ________________ till __________
        big, medium, little, village, rural
    Born in: ________________ till __________
        big, medium, little, village, rural
11. Birth Order: 1st child
              2nd child
              3rd child
              4th child
              5th child

12. Brothers:
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______

13. Sisters:
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______
    first name ________ present age _____ now lives in ______

14. Parents:
    mother’s age _____ died in what year ___ your age then ____
    father’s age _____ died in what year ___ your age then ____

15. Marital Status: _____ divorced ______
    you were how old __
    mother remarried when you were ________
    father remarried when you were ________
    lived with mother between ages ________ and ________
    lived with father between ages ________ and ________

Special Comments:

16. Place of birth of mother: ________________ stepmother: ____________
    Place of birth of father: ________________ stepfather: ____________

17. Ethnic background of mother: ________________ stepmother: ____________
    Ethnic background of father: ________________ stepfather: ____________

18. Occupation of mother: ________________ stepmother: ____________
    Occupation of father: ________________ stepfather: ____________
19. Respondent's Education:
   highest level: ________
   emphasis/specialty (if any): ______________________

20. Occupation: ______________________

21. Marital Status and History:

   married what year: ______________________
   divorced what year: ______________________
   remarried what year: ______________________
   remarried what year: ______________________

22. Children: (ages and gender)

   Name: ____________ age: __ gender: __
   now living: ________
   Name: ____________ age: __ gender: __
   now living: ________
   Name: ____________ age: __ gender: __
   now living: ________
   Name: ____________ age: __ gender: __
   now living: ________
   Name: ____________ age: __ gender: __
   now living: ________

23. Would you consider yourself spiritual? Y N

24. Would you consider yourself religious? Y N

25. How religious? strong
       moderate
       inactive
       indifferent
       opposed

26. How often do you worship?

   __ daily
   __ yearly
   __ weekly
   __ monthly
   __ several times a year
   __ once every several years

27. Where would you situate yourself on the political spectrum?

   Far left 1 2 3 4 5 6 7 8 9 10 Far right
SERIAL KILLERS:

1. In your view, what is a serial killer?
2. How did you come to have this view?
3. Do you know of any cases of serial killers?
4. If so, how did you come to know of them?
5. What is your opinion of the portrayals of serial killers in the media?
6. How do you feel about serial killers?
7. Is there an image in your mind of who a serial killer is?
8. Where do you think serial killers are located? In the city? Rural areas?
9. What do you think motivates serial killers to commit crimes?
10. What do you believe to be the best course of action when dealing with serial killers who have been found guilty of crimes?
11. Why do you believe that this course of action is best?

THE MEDIA:

1. Which medium do you use most? (television, radio, print)
2. Why do you use this particular medium the most?
3. What is your opinion of the Canadian media?
4. Why do you feel this way?
5. What is your opinion of the American media?
6. Why do you feel this way?
7. What function does the media serve for you?
8. If you had the opportunity to change the media, what would you do?
PAUL BERNARDO:

1. What do you know about the Paul Bernardo case?
2. When did you first know about it, and through what means?
3. Do you think this case is important to you personally/professionally?
4. Why or why not?
5. Why do you think this case has received so much attention in the media?
6. When I say the words "Paul Bernardo" what immediately comes to mind?
7. Why did this come to your mind?
8. I would like to give you two magazine articles to read. I would like you to comment on each of these articles. Take as much time as you need.
9. In your view, what is the message or messages being conveyed to you in each of these articles?
10. How do you feel about this message or messages?
11. Now I would like to show you a news piece about the case. I would like you to comment on this piece as well.
12. What do you think the message or messages are in this piece?
13. How do you feel about this message or messages?
14. Is there anything you would like to add?
APPENDIX C

Accusers on Trial

Maclean's magazine

March 8, 1993
CRIME

Accusers on trial

A debate rages over the Paul Bernardo case

At a two-storey colonial-style suburban house in the Niagara city of St. Catharines last week, police wearing white coveralls, rubber gloves and plastic shower caps conducted an inch-by-inch search for clues in a grisly sex-murder case that has become a media sensation. The officers carted out cardboard boxes filled with seized material and, at one point, a wooden board almost as long as a police cruiser. In the house's driveway, they manoeuvred two cars onto transporters for delivery, along with the boxes and the board, to the Centre of Forensic Sciences in Toronto for examination.

The search by the Niagara Regional Police was based on their stated suspicion that two teenage schoolgirls found murdered in the last two years had been held in the house. Indeed, the search began after the Niagara police announced that murder charges would be laid against the rented home's tenant, Paul Bernardo, 28. That announcement followed Bernardo's arrest by Toronto police on Feb. 17 and his arraignment for an earlier series of sexual assaults in that city. But on Feb. 23, as the search proceeded, a written Niagara police statement declared that a decision on murder charges had been "deferred."

That statement, issued by Niagara Police Chief John Shepherd just a day before the previously scheduled indictment of Bernardo for murder, stirred up an already stormy debate over the handling of the case by police and its treatment by the news media. As well, it provoked questions about the validity of the accusations against Bernardo. Ontario Attorney General Marion Boyd, whose officers ordered police to stop talking publicly about the case, said that she had no information about the timing of murder charges—or whether charges would be laid at all. Barry Fox, Bernardo's defence lawyer at the time he was charged in Toronto, was one of many critics who noted that, in the face of the rule that even an indicted person is presumed innocent unless proven guilty in court, police and the media "have already tried and convicted the man" before a charge had been laid or any evidence produced.

Adding to that controversy: an announce-

Those reports were among a spate of media stories that delved into Bernardo's life. They cited both the testimony of friends to his good character and also recorded that he had declared personal bankruptcy in 1990 after amassing $25,000 in credit-card debts; was questioned by Toronto police in November, 1990, as a suspect in a series of rapes; lost his registration as an accountant in April, 1992, for non-payment of annual dues; applied the following month to legally change his name to Paul Jason Teale, a change granted four days before his arrest; and was charged in early January with assaulting his wife with a flashlight, after which she left him and went to the police. As well, Bernardo’s 57-year-old father was recently convicted on sex-related charges and his sentencing was scheduled for March 2 in a Scarborough court—where his son was booked to appear on the same day for a bail hearing. "The attention this case has received is unprecedented," said Toronto lawyer William Trudell, a vice-chairman of the Canadian Council of Criminal Defence Lawyers' Association. "It is really straining the possibility of holding a fair trial."

As a sideshow to the controversy, comments by police exposed friction between the Toronto and Niagara forces. Niagara police Insp. Vince Bevan, leader of a task force investigating the St. Catharines-area murders, indicated that the timing of the Toronto squad's arrest of Bernardo as a Scarborough rape suspect unduly forced the pace of the Niagara investigations. "We would have preferred to have the plan unfold as we had structured it," Bevan said at a press conference on Feb. 20. In turn, Toronto police officers quoted anonymously in the media said that it was their tip that focused the Niagara force, which had examined hundreds of leads in the murder cases without success. The Toronto critics also questioned the competence of the Niagara police.

The crimes under investigation in Niagara were stunningly brutal. On June 15, 1991, Leslie Mahaffy, 14, a Grade 9 student in the Lake Ontario community of Burlington, went missing. A fisherman found her dismembered corpse on June 29—the day of Bernardo's wedding—in a reservoir known as Lake Gibson near the city, the body cut up with a power saw and encased in cement. And on April 16, 1992, police say, Kristen French, 15, was abducted on the way home from her St. Catharines high school. She was raped and

Police removing material from Bernardo's home: a media sensation
murdered and her nude body was found in a wooded ditch in Burlington. After Bernardo's arrest, Bevan told a Toronto press conference that the murder investigations still had "a long way to go." In Chief Shoveller's statement on Feb. 23, he said that "in concluding that the decision respecting criminal charges will be deferred, the investigators have taken into consideration that Mr. Bernardo is otherwise lawfully detained." He added that "the safety of the public has not now, and will not at any time in the future, be compromised."

The charges in the Toronto indictment form a grim catalogue of violence: nine counts of sexual assault with a weapon; eight counts each of robbery and forcible confinement; five counts of anal intercourse and three of buggery; three counts of choking; two counts of aggravated sexual assault; two counts of assault causing bodily harm; one count of sexual assault causing bodily harm; one count of sexual assault and one count of sexual intercourse with a minor. In many of the cases, police say, the assailant used a knife to subdue the victims and, at times, a rope was used to choke them.

But it was the handling of the murder cases—the original police announcement that murder charges would be laid—that provoked most anger among defence attorneys. Trudell, for one, said that police should have kept silent until they were ready to lay charges. Instead, Trudell said, they spoke at news conferences as if Bernardo was guilty. And because charges had not been laid, Trudell added, the story remained in the headlines and further damaged Bernardo's chances of getting a fair trial.

"The police should have left any comments on the case to the Crown," added Trudell. "It is not their place to comment."

Lawyers also criticized the conduct of the media. In the hotly competitive Toronto media market, the city's three main daily newspapers and its TV stations have battled to stay ahead of the story. Toronto Sun managing editor Michael Strobel said that the Sun's spectacular coverage, which included photographs of Bernardo's wedding, was fulfilled by intense media competition. "This is a very competitive news town," added Strobel. "And our readers have a very high interest in this story."

But some news organizations are concerned about the coverage. James Poling, managing editor of the Toronto-based Canadian Press news service, said that many of the stories written about Bernardo leave an impression that he is guilty. As an example, Poling noted that when reporters ask Bernardo's childhood friends what he was like in his youth and are told that he was normal, the implication becomes longer normal. As a result, staff to examine a number of stories to assess the fairness. He added: "I'm concerned about the phrasing."

Television's competition has also been waged. "Television stations, CITYTV that, that CityTV has turned down in on the whole, "we [the media] said this professionally." But he added, some of the battles for newsmen Bernardo may not be adding: "It is our responsibility to ourselves and how we are dealing the a conference is Niagara police have been purposes re-press influence such cases. the conference a few days ago, police stage with the of the huge picture of Bernardo and French, painting an atmosphere in which the lawyers say that it is not the trial, the trial charge that the Canadian police would have simply and charges had been laid. As added, would have been to not to wait and publish inform- case as it was revealed due to court proceedings. But Poling believes that Canadian police restrained as it once was, reflecting that new openness in the more aggressive—particularly involves a sex crime. "We are not a "stressed society," said Cobden. "The tabloid world."

Allan Hutchinson, who at the Osogood's Toronto, said that he is troubled the perception that Bernardo added that the media seems lip service to the assumption that is innocent until proven. Hutchinson: "In this case, he is the guilt person is innocent." But not are at fault, Hutchinson
thing, he suggested, the Ontario coroner’s office should have waited until murder charges were laid before ordering an examination into the death of Tammy Lyn Homolka. “The timing was wrong,” said Hutchinson. “They could have waited.”

High-ranking politicians have also added to the controversy surrounding the case. Last week, a day after Attorney General Boyd ordered police to stop talking about the case, she told reporters that she “fully expected charges” of murder to be laid against the sus-
pect. But two days later, she appeared to back-step on the issue, stating, “I have no information that gives me any sense of what the timing might be or whether there would be charges laid.” Boyd’s apparent confusion, Trudell said, only added to the controversy—and kept the story in headlines.

There are other elements in the complex and often puzzling murder and assault cases that rivet public attention on the story. For one, police sources say that Karla Homolka, who is believed to be staying with friends, may have provided key evidence to Toronto police in the arrest of her husband. It is also reported that parts of a statement by her to the Toronto police were included in a 1,000-page affidavit that was used to get a warrant to search the Bernardo residence. Since Bernardo’s arrest, Homolka has kept out of sight, and some press reports say that her lawyers are negotiating with the attorney general’s office to determine her legal status in the proceedings. Last week, as police pursued their investigation at the residence Karla Homolka once shared with Bernardo, a steady stream of curious people strained to get a glimpse inside the clapboard house. Such curiosity seemed certain to persist—and to stimulate controversy over the roles of both the accused and the accusers—until the mysteries surrounding the crimes in two cities are finally resolved.

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APPENDIX D

Blood Wedding

People magazine

November 22, 1993
BLOOD WEDDING

A 'perfect' young Canadian couple is charged with the murder of a bride and a city—young, blond and attractive—were as perfect as their elaborate wedding, planned down to the last detail. She was a 23-year-old veterinary assistant, he an accountant five years her senior, and they gathered to exchange their vows before 125 friends and relatives in a quaint Canadian village near Niagara Falls. Afterward, on that lovely Saturday in June 1992, Karla Homolka, set in a horse-drawn carriage, was the object of fine champagne and celebration.

For a time the couple—a couple in Dalhousie, Ont.

Accused of murder and dozens of rapes, Paul Bernardo has been placed in a special jail cell.
age was shattered less than two years after their wedding, when Bernardo was arrested for the Scarborough rapes—a series of violent sex crimes committed from 1987 to 1990 against 19 women that had terrorized the so-called Golden Horsehoe, the heavily populated region along western Lake Ontario from Toronto to Niagara Falls. Bernardo and Homolka have also been charged in the deaths of two teenage girls, Leslie Mahaffy, 14, and Kristen French, 15. Last summer, Homolka was convicted of manslaughter for her role in the murders. Bernardo, who now faces two first-degree-murder charges and 48 sex-related charges, will go on trial next April.

The sensational arrest and Homolka’s subsequent trial have filled Canada’s newspapers and tabloid-TV shows, even though Ontario Court General Division has declared a near-total information blackout to ensure that Bernardo receives a fair trial. The ban has only fed the media frenzy, as lurid rumors of snuff videos and sales of body parts gripped the nation. Barred from disclosing any facts, reporters who covered Homolka’s trial would say only that the details were so ghastly that some journalists wept.

“You could hear the sobbing all over the courtroom,” says one Toronto reporter.

What is known is grim enough. Authorities say Bernardo had allegedly raped and murdered only a short time before he was married. On the same June afternoon that he and Homolka exchanged vows, in fact, Leslie Mahaffy’s body was discovered in nearby Lake Gibson. Or most of it was. Her corpse had been dismembered with a power saw, and the limbs embedded in several hunks of concrete. Police believe that the ninth grader had been sexually assaulted before her death.

Less than a year later, police say, Bernardo killed 15-year-old Kristen French, who had disappeared two weeks earlier on her way home from school in St. Catharines—a blue-collar city of 131,000 just outside Niagara Falls. She was found in a ditch 30 miles from her home, naked, with her long dark hair shorn. She too had been sexually assaulted, and police believe she had been kept alive for most of the two weeks she was miss-

ing. “You wonder, ‘What did she actually go through?’” said her father. Doug French, 62, a salesman for a rubber company. “That is the part that really disturbs us.”

Toronto police had actually questioned Bernardo in 1990, before either girl was killed, in connection with the Scarborough rapes but had been unable to make an arrest. He had become a suspect because he bore a striking resemblance to a composite sketch of the rapist, whom many victims described as having boy-next-door looks. Bernardo’s friends had even commented on the likeness when the sketch appeared in the Toronto Sun. “You could say Paul didn’t have a sense of humor about it,” says Van Smirnis, 28, who grew up across the street from Bernardo in Scarborough and was best man at his wedding. Except for the sketch, however, authorities found no evidence linking Bernardo to the attacks. So they collected a DNA sample from him (and from hundreds of other possible suspects) and continued their investigation.

Even in retrospect, his friend Smirnis admits, it is difficult to imagine Bernardo as a killer. Handsome and smart, Bernardo “never let on that he was anything other than a model citizen,” Smirnis says. In high school, Bernardo played on several teams and was an excellent student who “rarely studied [but] got A’s,” Smirnis says. Bernardo’s main interest, though, was the opposite sex. “As long as the girl was reasonably good-looking, he’d go out with her,” says Smirnis. Bernardo wrote in his 1982 high school yearbook that one of his goals was to become rich and famous so he could go to California and “check out girls on the beach.”

That’s why Smirnis was surprised when his best friend settled down so quickly with Karla Homolka. Bernardo had graduated from the University of Toronto in three years and was working as an accountant at Price Waterhouse in Toronto when he met Homolka, then 17. She was in town from St. Catharines, attending a pet-shop convention.

The quiet, petite Homolka fell instantly in love with the dashing Bernardo. She wrote in her high school yearbook that her only wish was to marry him. And Bernardo made it clear his intentions were seri-
ous. He began making the two-hour trip every weekend from Scarborough to Homolka’s home in St. Catharines, where she lived with her parents. Karl, a salesman, and Dorothy, a hospital worker. The Homolkas saw Bernardo as “the perfect son-in-law,” Smirnis says.

On Christmas Eve, 1990, while the Homolkas were occupied upstairs, Paul and Karla were with Karla’s 15-year-old sister, Tammy, when the girl died in front of their eyes. The girl allegedly choked to death on her own vomit after drinking a mixture of rum and eggnog. Paul told police that his attempts to resuscitate the girl had failed, and her death was ruled accidental. Soon afterward, Paul and Karla got engaged and moved to a $1,150-a-month, Cape Cod-style house in Port Dalhousie.

After the Bernados’ 1991 wedding, Smirnis and his wife, Joanne, noticed some troubling things about the relationship. “He would control every facet of Karla’s life,” says Van, and wouldn’t even let her touch his clothes. Joanne claims Paul tried to prevent her and Karla from becoming friends. “There were a few incidents where he’d blow up,” she says. “Karla would start crying, and I’d try to comfort her, and he’d say, ‘Just stay out of my marriage.’ ” Even the couple’s pets aroused Bernardo’s fury. Smirnis says he once watched Bernardo grill and eat Karla’s lizard after it bit him.

In January 1992, Bernardo may have finally gone too far. He allegedly attacked Karla with a flashlight, hitting her so hard that her left eye was partly dislodged from the socket. The police charged Bernardo with assault, and as soon as Karla was released from the hospital, she hired a Niagara Falls lawyer. She then spent the next several weeks in top-secret negotiations with police and prosecutors, though it is unclear whether she led police to her husband or not. At the same time, the results from Bernardo’s DNA tests—delayed for more than two years at a shorthanded police lab—at last linked him to the Scarborough rapes.

On Feb. 17 police surrounded the Port Dalhousie house and arrested Bernardo for the Scarborough rapes. Police also immediately reopened their investigation into Tammy Homolka’s death. (Ontario’s deputy chief coroner has told reporters that the exhumation of her body was “well worthwhile,” but refuses to elaborate.) Finally, in May, Karla Homolka appeared in court and was charged with manslaughter. The next day, Bernardo was charged with the first-degree murder of Leslie Mahaffy and Kristen French.

While Karla serves 12 years in the Kingston Prison for Women, and Paul (who has changed his last name to Teale, reportedly to hide his Portuguese heritage) awaits trial in Toronto’s Metro East Detention Centre, the families of Leslie Mahaffy and Kristen French are struggling to piece their lives back together.

Both girls’ mothers, Debbie Mahaffy and Donna French, say they and their other children are plagued by nightmares, and Mahaffy, a former schoolteacher, spent 2 ½ months in a hospital receiving psychiatric treatment for her grief. At times she still finds it difficult to do simple tasks. She has tried to focus her energy on a cause close to her heart—victims’ rights—by waging a petition campaign against serial-killer trading cards and organizing a support network for families of murder victims. But she dreads having to live through her daughter’s death all over again when Paul Bernardo comes to trial next spring. “I divorce myself from [Bernardo and Homolka]. I don’t allow them to have any more power than they already have,” Mahaffy says, speaking, she hopes, for Donna French and the other victims as well. “It’s too tragic already that so many people have died and been hurt.”

- Elizabeth Gleck
- Fannie Weinstein, Scott Burnside and Alan Cairns in Ontario
APPENDIX E
TRANSCRIPTION OF TELEVISION REPORTS

PAUL HUNTER REPORT

PH:  Paul Teale, the man accused of murdering two teenagers in Southern Ontario was back in court today. The prosecutors in the case had to explain why Teale is being sent straight to trial without the usual preliminary hearing. And as the CBC's Paul Hunter reports, they cited the special challenges of dealing with one of the most sensational murder cases in this country.

PH:  In handcuffs and leg shackles, Paul Teale is led to a police cruiser early this morning, then to court for what was to have been his preliminary hearing on a murder case that's gripped the country¹. They lived here, on a quiet street in a pretty house, Paul Teale, known then as Bernardo, and his wife, Karla Homolka². Both were accused of abducting and killing two teenage girls, Leslie Mahaffy³, and Kristen French⁴. Homolka was jailed last year for her part in the killings, but a court order prohibited the media from reporting much of her story to guarantee a fair trial for Teale⁵. It's a case that's taken many legal twists and turns. Last week it took another when Ontario's

¹ Shot of Paul Bernardo escorted outside into a police car and driven away (far social distance). Shot follows with a shot of him in car (medium shot - far personal space).

² Slow pan of Bayview Drive to the house they lived in, coming in for a closer view. Far social distance.

³ Shot of school photograph of Leslie Mahaffy, comes in tighter around face. Close personal distance.

⁴ Shot of Kristen French with her dog Sasha. Not as tight as Leslie Mahaffy shot - far personal space.

⁵ File footage from July 1993, showing Karla Homolka at her parents house getting into the Dodge Caravan along with her sister and parents to take her to her trial (far social space to far personal space).
Attorney General decided to break with legal tradition - skip the preliminary and send Teale straight to trial. But Teale still had to shop up in court today to make it official. So a crowd of reporters and onlookers came to see what would happen.

DM:  Excuse us guys -

PH:  So did the brother and mother of one of the victims.

DM:  I'm not sure what we're proceeding towards here. We'll find out.

PH:  Tears came to Debbie Mahaffy's eyes when Paul Teale entered the courtroom. As he sat and listened, the Crown attorney confirmed there would be no preliminary hearing. "This case," said the Crown, "presents special challenges and is best to proceed quickly."

RC:  I think that the Niagara community believes it's in everyone's best interests to see to it that the matter is dealt with as quickly as possible, keeping in mind Mr. Teale's rights and the interests of the public.

PH:  But Teale's lawyer was outraged.

KM:  Because they're doing everything they can to protect Karla Bernardo.

6 Standard stand up reporter stance. On a downtown street in St. Catharines, a far personal space shot (from the waist up).

7 A shot panning outside the courtroom in the courthouse, showing the onlookers and the crowd of media people with cameras (far social to far personal space).

8 Shot of Debbie Mahaffy and her son getting past reporters inside courthouse to get into courtroom. Far personal distance.

9 Shot of Debbie Mahaffy. Starts with close personal distance and moves in a little tighter for a close up and then moves out again as she stops speaking (far personal space).

10 Court drawing of Paul Bernardo in prisoner's box (side profile). Starts with far personal space (waist up) and closes in tighter to get mostly his face (close personal space).

11 A court drawing of the Crown attorney, with the shot starting low from the hands up to the face (far personal space).

12 Shot of Sgt. Rob Ciupa outside the courthouse with reporters around him. Shows mainly his face and microphones (close personal space).

13 Shot of Ken Murray talking to reporters outside courthouse, with Paul Hunter voicing over it (close personal space - mostly the face and microphones shown).
PH: Ken Murray figures the Crown’s banking on her testimony to convict Teale. Karla Homolka would have been the key witness at the preliminary.14

KM: My increasing belief is that the Crown attorney is perhaps regretting what arrangements they’ve come to with Karla Bernardo and now are afraid to have her subjected to cross-examination because it may well be her credibility is suspect.15

PH: Murray may still argue Teale’s legal rights have been broken but other lawyers have tried before, all the way to the Supreme Court and failed.16 So, pending any other twists in this case, a date will be set next month for one of the most anticipated trials in Canadian history, the murder trial of Paul Teale. Paul Hunter, CBC News, St. Catharines, Ontario.17

AN: Courtroom manoeuvres. Trying to unravel the complexities of Paul Teale’s murder case.18

RC: I think that the Niagara community believes it’s in everyone’s best interests to see to it that the matter is dealt with as quickly as possible, keeping in mind Mr. Teale’s rights and the interests of the public.19

14 Shot shows reporters interviewing Ken Murray (far personal space), followed by a pan to Murray with crowd of reporters (far personal space).

15 Ken Murray speaking to reporters in a close personal space type shot.

16 A shot of Ken Murray from the back, as one can see the crowd of reporters outside the courthouse (close social distance).

17 A shot from farther away showing the crowd of reporters/spectators outside the courthouse (public distance).

18 Shot of police car with Paul Bernardo, which moves in tighter (close up) showing reporters’ backs in their attempt to get a shot of Paul Bernardo (far personal space shot of Paul Bernardo in the car).

19 A close personal space shot of Paul Bernardo in the police car.

20 A shot of Bernardo’s lawyer carrying a box outside the courthouse into the courthouse (close personal space).

21 Shot of a photograph showing Karla Homolka and Paul Bernardo in a limousine on their wedding day (pans from Karla Homolka to Paul Bernardo - close personal space).

22 Same shot of Rob Ciupa used before in the story (close personal space).
AN: Why is the Ontario government skipping his preliminary\textsuperscript{23} hearing? And how will this affect the trial\textsuperscript{24}.

Later on Prime Time Magazine.

\textsuperscript{23} A shot taken farther away from Sgt. Rob Ciupa, showing the crowd of reporters gathered around him. (far social space)

\textsuperscript{24} A shot of the court drawing of Paul Bernardo emphasizing the shoulders and the head (close personal space).
ELIZABETH PALMER REPORT

PW: The man who's accused of two of this country's most notorious murders - his face has been in newspapers and on television screens right across Canada and the United States. All of this and Paul Teale has not even been to trial yet. But then again, very little has gone as expected in the case of Paul Teale. The latest twist is that Teale will not be granted a preliminary hearing. In just a moment two lawyers will debate whether the lack of a preliminary hearing will affect the outcome of Teale's trial. But first, the story so far. Elizabeth Palmer reports now on Paul Teale, one the murders he is accused of committing, and on the publicity that has dogged this case.

EP: Every step of the way, this case has been a spectacle. Even the gathering of evidence attracted spectacular attention. Police finally moved in on Paul Teale and Karla Homolka's house a little over a year ago to gather material for their case. Paul Teale was already in jail then on some charges related to a series of rapes in the Toronto region. Then, three months later, he was charged in the murder of Kristen French and Leslie Mahaffy.

In the background there is a medium shot of Paul Bernardo shown (presumably from the car again, connoting close personal space). Situated behind him are two school photographs: One of Leslie Mahaffy (left) and one of Kristen French (right). These are further away and connote far personal space. The pictures of the schoolgirls are then replaced by scales when Pamela Wallin begins with "In just a moment".

1 A series of shots (far social distance) showing police workers in white gathering evidence at the Bernardo home in the Winter of 1993.

2 Shot of the Bernardo car being loaded onto a truck (far social distance).

3 Shot of a police worker coming out of the Bernardo home at night (far social distance).

4 A shot (close personal space) of reporters and police, with reporters trying to pictures of Paul Bernardo.

5 A shot of Paul Bernardo's hands in handcuffs. The shot is taken from a distance an then the camera zooms in for a close, personal shot of them.

6 A shot (close personal space) taken from a low angle, showing Paul Bernardo bent over with a hood over his head.

7 A shot of police escorting Bernardo bent over with head covered, walking away from the camera (far social distance).

8 A shot of police holding a police conference (side view of some officers) (close personal space).
VB: Has been charged with two counts of first degree murder.9

EP: His wife, Karla Homolka was charged in connection with those murders too and her trial was last July.10 It was a continuation of the media circus, but that circus was supposed to stay outside the courtroom. The judge in the case imposed a ban on publication that was meant to guarantee silence. The only facts supposed to emerge was the verdict - guilty of manslaughter.13 The legal theory was that Paul Teale's right to a fair trial needed protecting by making sure the jurors eventually chosen for him hadn't heard any of the evidence at his wife's trial.15 But the fact is, anyone who was curious could plug into a number of accounts of the story. Paul Teale and his lawyer had been opposed to the ban all along saying the public had a right to know what had gone on in the courtroom. They allege that a deal had been made and that Karla Homolka would eventually testify against her husband.18 Screaming headlines weren't long in coming along with mountains of speculation and rumour.19

CA: The story the Canadian government doesn't want you to see.20

9 A shot of Vince Bevan (Niagara Regional Police) announcing the murder charges facing Paul Bernardo (far personal distance).

10 Karla Homolka, her sister, and her parents heading into the Dodge Caravan to take her to her trial (from July 1993) (far social distance).

11 Close up shots of police handling the media circus, and of reporters standing around outside the courthouse (close personal space).

12 A shot of Justice Kovacs coming outside the courtroom and walking (far social space).

13 A close up shot of the Dodge Caravan with Karla Homolka and family leaving the courthouse. The shot is in slow motion when the Karla Homolka and her family come into view (close personal space).

14 A close up shot of Paul Bernardo in police car (close personal space).

15 A shot of Paul Bernardo, from the other side of the car, showing his torso and legs (far personal space). Car pulls away into a gate and the gate closes.

16 Shots of people opening the Toronto Star and the Toronto Sun (far personal space - taken from the back of a person).

17 A shot of Paul Bernardo's lawyers walking across the street to the courthouse (public distance).

18 A close up of one of Bernardo's lawyers carrying a box to the courthouse, then panning as he enters the courthouse (close personal to public space).

19 A shot of A Current Affair introduction on a television, with shots of wedding pictures of the couple.
EP: And this is just the warm up\textsuperscript{22}. Apart from the news coverage, there are at least four books in the works\textsuperscript{23} about the case, and the real media frenzy\textsuperscript{24} was about to begin today\textsuperscript{25} with Paul Teale’s preliminary hearing\textsuperscript{26}.

MB: We decided -

EP: But just last week, the Attorney General of Ontario put a stop to that\textsuperscript{27}. Marion Boyd ordered that there would be no preliminary hearing and Paul Teale\textsuperscript{28} would go straight to trial for murder, but she wouldn’t say much more about why\textsuperscript{29}.

MB: It isn’t.

FJ: Could you explain what giving consent means?

MB: No\textsuperscript{30}.

EP: Teale’s lawyer, Ken Murray, says that means he won’t be able to prepare his case properly\textsuperscript{31}.

KM: They are using political and economic expediency to trample over the morality of due process and integrity of the judicial system\textsuperscript{32}.

EP: The Crown wants this trial to be and to be seen to be both prompt and fair and they’re bending over backwards to ensure that, most recently by eliminating this preliminary hearing. It means the trial will be prompt and it also means there won’t be a leaky

\textsuperscript{20} A shot of Karla Homolka going to her trial on \textit{A Current Affair}.

\textsuperscript{21} A shot of Paul Bernardo coming out of police van (far social space).

\textsuperscript{22} A shot taken of a home video showing Kristen French skating (close personal to far social space) on \textit{A Current Affair}.

\textsuperscript{23} A shot of Karla Homolka and Paul Bernardo in limousine on their wedding day (close personal space) (same one used before).

\textsuperscript{24} Extreme close up of Tammy Homolka’s face (close personal to intimate distance).

\textsuperscript{25} Close shot of the headstone of Tammy Homolka (close personal space).

\textsuperscript{26} A shot of Karla Homolka with her mother in the Dodge Caravan, zooming in to a close up of Karla Homolka (close personal space).

\textsuperscript{27} A shot of Marion Boyd speaking in the House of Commons (far personal space).

\textsuperscript{28} A long shot of Marion Boyd from the back speaking in the House of Commons (public distance).

\textsuperscript{29} A shot of Marion Boyd walking and speaking being surrounded by reporters (far personal space).

\textsuperscript{30} Marion Boyd answering the question with the camera zooming in on her face when she answers no (extreme close up) (close personal space to intimate).

\textsuperscript{31} A shot of Ken Murray coming out of a house and walking toward the camera but not straight at the camera (public distance to close social distance).

\textsuperscript{32} A shot of Ken Murray speaking to Elizabeth Palmer at far personal distance.
publication ban to threaten the trial's fairness. But the irony is, the very lack of a preliminary hearing might be interpreted as the obstacle to Paul Teale's getting a fair trial. For Prime Time News, I'm Elizabeth Palmer.  

A shot of Elizabeth Palmer at a far personal distance (waist up) in a courthouse. The distance becomes closer as she walks toward the camera (close personal space).
THE DEBATE

BC: Well, that's what we're going to talk about right now. Has the lack of a preliminary hearing poisoned the atmosphere for Paul Teale - can he still get a fair trial? Joining us tonight to talk about this, Bill Trudell, a criminal defense lawyer, also the vice president of Ontario's Criminal Lawyers Association, and Clayton Ruby, he's one of Canada's most well-known criminal defense lawyers. Mr. Ruby, I invite you to join us in a little psychodrama. I'm Marion Boyd, the Ontario Attorney General. You're in charge of this case, you're the Crown. You come to me and you say now, "Madame Attorney General, we're going to do something a little radical, a little risky, maybe with the most high profile murder case in Ontario this century. We're gonna waive the prelim and go straight to the trial". And I say to you, "You better justify this right now, why would you do that?".

1 A shot of Bill Cameron, the host at far personal space (waist up) sitting at a table with a greyish background behind him (could be a staircase).

2 A shot to Bill Trudell, also from the waist up (far personal distance).

3 A shot to Clayton Ruby, also from the waist up (far personal distance).

4 A shot to Bill Cameron, from the waist up (far personal distance).

5 A long shot of the three of them at the table (a side view) (public distance).

6 A shot of Bill Cameron, from the waist up, addressing Clayton Ruby (far personal space).

7 A shot of Clayton Ruby from the waist up looking at Bill Cameron (far personal space).

8 A side shot of Bill Cameron talking to Clayton Ruby (far personal space).

CR: Look, Madame Attorney, um, we've got beaten up regularly in the press because of this press ban and we're gonna continue to get beaten up as long as this trial doesn't take place. We have our trial and the public will know what's going on, and we don't have that criticism. The preliminary hearing may take a year to three years. This is just too
long for a preliminary hearing in a case where we’ve got victims who are really upset, a community who wants to know, and a rape case in the wings, with forty odd victims who are simply not able to get into court. Why make all this happen twice? Let’s just go to trial, be as fair as we can, give complete disclosure and get it on with.

BC: So, if I want a publication ban, I can’t make it stick through a prelim, I have to go right to trial?

CR: I think it’s part of the political pressure.

BC: Do you concur?

BT: No, I don’t really concur. I think that probably the Attorney General would be reminded that this is a very unusual step, and that this case is unusual because it got off the rails very early on. I think mistakes were made in the beginning, it’s almost predictable that we would have got to this because of the leaks in the publication ban, the media frenzy from the day that this man was charged.

BC: Let me just pick you up on that.

BT: Yeah.

BC: What was the mistake, imposing the publication ban, or were there other mistakes?

9 A shot from the waist up of Clayton Ruby talking to Bill Cameron (far personal space).

10 A shot of Bill Cameron addressing Clayton Ruby (far personal space).

11 A long shot of all three at the table (public distance).

12 A shot of Bill Trudell from the waist up (far personal space).

13 A head on shot of Bill, taken from the back of Bill Trudell (far personal space).
No, I-I think in the beginning, uh, Bill, the-the very first day that um, Paul Bernardo was charged, the press was, the coverage was extraordinary, and he wasn't even charged with the murders for three months. But everyone had assumed at that particular point in time that they had charged the person who had committed the murders. And then there was press conferences, and then there was a publication ban which was an order of the court, and I-I think it's sad that it wasn't respected uh, in this country. We have the Americans talking about us conducting justice in the dark. I think if I was uh, talking to the Attorney General at this particular point in time, I would say, "Let's try to get it back on the rails". I mean, I-I think this unusual step is sad, it's almost predictable um, but, I think i-it's probly a mistake in terms of Paul Teale and his rights, uh, to be presumed innocent an' /?

Okay, let me turn back to you. I'm gonna say, "Alright, you're arguing for this. It is on your head if you open the door one crack for Paul Teale's lawyer to question the fairness of this trial". Can you give me absolutely guar-absolute guarantees that any argument made on along those lines will not hold water?
CR: I'm gonna come very close to it Madam Attorney. I'm gonna tell you that I've given every single piece of evidence the police have collected to the defense, that I will continue to make full disclosure and that the courts of Canada have said that is equivalent to a preliminary hearing for constitutional purposes. Now, practically speaking, it's not, particularly if credibility is at stake, there's a real problem cause until you can probe those witnesses by asking questions, you're not in a really good position. But the courts have said you are for constitutional purposes, and therefore, I can assure you, you're not gonna get into trouble. You're gonna be fair, you're gonna make full disclosure, and do the best you can⁹.

BC: In law, are you opening the door for Paul Teale's lawyer that he would⁰ not otherwise have had if you waived the preliminary and go directly to a straight trial?

BT: Well, I think there's gonna be⁰ arguments probly developed if you can get before a trial judge pretty soon, but I-I want to come back to what something that Clay said. A preliminary hearing is like uh, performing an operation, uh, a surgeon wants the X-rays, not the-the nurses notes, not the charts, you want the X-rays, and that's why it's so important

⁹ A shot of Clayton Ruby from the waist up (far personal space).

⁰ A shot of Bill Cameron taken from the waist up (far personal space).

¹¹ A side shot of all three at the table (public distance).
that you want to see where you're gonna go with the operation. But, there's a case in this province called R. V. that the Attorney General seems to be hanging her hat on that says uh, the right to a preliminary hearing is not constitutionally enshrined but R. V. may stand for the proposition that you don't have a constitutional right to a preliminary hearing, you have to read that case and the precedents together with what full disclosure means.

BC: So, Ken Murray, the lawyer for Paul Teale takes this on appeal, if he has to go to appeal to some higher court, and he says, "Now look, the problem here is, that I didn't, because of the lack of a preliminary hearing, I didn't get to do this." What's this?

BT: Well, I think that it's too early to tell whether M-Mr. Murray, an' I don't want to get into specifics because I don't know exactly what went on and what is going to happen, it's too early-

BC: In general, what would he not have an opportunity to do?
BT: Cross-examine witnesses under oath, and it’s very important. I mean, you look at your script, and you say this is the way our program’s gonna go - all of the sudden, someone says something different an-and you have to react to that. Someone under oath will say, "Well, this is the first time I’m under oath, I didn’t say that". It's very important. It's like the X-rays²⁹.

CR: We don't know yet what kind of case the Crown’s got. If it's a case that turns primarily on the credibility of witnesses, then that cross-examination with a preliminary hearing is very important. If, on the other hand, it's a case that turns on scientific evidence, on videotapes, the court might well say, "Well, it really matters less, you could have talked to the scientists, interviewed them, seen the videotape, had it tested". The preliminary hearing /?/ was not so important in that kind of case.

BC: Okay. Now, I'm not³⁰ the Attorney General, I'm just a voter. I'm a consumer. I say, "The lawyers are manoeuvring to have the most important, most highly publicized criminal trial in this province in my lifetime³¹ move on without a preliminary hearing". If they can do it in this case, what on earth do we need preliminary hearings for ever?

²⁹ A shot of Bill Trudell addressing Bill Cameron (far personal space).
³⁰ A shot of Clayton Ruby from the waist up (far personal distance).
³¹ A shot of Bill Cameron from the waist up addressing Clayton Ruby (far personal distance).
CR: That's a big debate. And the answer is we do need them. But unless the preliminary hearing is going to be unduly long or prolonged unnecessarily, or it's a kind of case where there's some other important reason for getting it on, our role in Canada is we have a preliminary hearing. The Americans do it differently.

BC: But what you're saying is you-you should have a preliminary hearing except when it's inconvenient.

CR: No, no, it's fair. But the law does allow for the exceptional case. The Attorney General says that's so. We'll find out in the end whether that's true.

BT: See, Bill, I-I really kind of disagree. I think we're missing the point here. In the beginning this, the public didn't understand that there wasn't any publication ban, it was a publication delay. We were going to hear it all eventually. An-and that wasn't explained to the public. When-when Paul Teale went to trial, it would all come out - the deal, if there was a deal, all the evidence, and we can't talk about all the-the evidence that has come out so far or what's gone on in the negotiations with the Crown and the defense in-in this case. But the point is, that it got off the rails. Because it wasn't a ban, it was a delay.

32 A shot of the three of them at the table (public distance).

33 A shot of Clayton Ruby from the waist up (far personal distance).

34 A shot of Bill Cameron from the waist up addressing Clayton Ruby (far personal distance).

35 A shot of Clayton Ruby from the waist up (far personal distance).
We would have heard about it eventually.

BC: But maybe that doesn’t matter. Maybe even a delay would never have worked in this case.

BT: I think I think the presumption of innocence cannot be sacrificed and restricted. The public’s right to know can be restricted for a time. And that’s what happened in this case that it-it blew right off the rails, and I keep saying that but in the beginning, and the-the media did not exercise discipline, the police did not exercise discipline in relation to uh, the press conferences, and the public’s right to know became misinformed, and they demanded more, and I think that’s affected um, the-the whole process.

BC: I-I don’t want to display journalistic reflex here but what kind of controls would you argue ought to be imposed upon the press here?

BT: Well, there was a publication ban imposed by Justice Kovacs. And what you saw is journalists going through the back door saying, “Is it right? Is it wrong? Is it a sieve? Um, I heard this, I can hear this at cocktail parties”. It was an order of the court to be questioned in a court of appeal and we should have respected it.

36 A shot of Bill Trudell from the waist up (far personal distance).

37 A shot of the three of them at the table (public distance).

38 A shot of Bill Trudell from the waist up (far personal space).

39 A shot of Bill Cameron from the waist up, addressing Bill Trudell (far personal space).
CR: Wait a minute. We don’t question court orders only in courts. These issues are too important for only judges to decide.

CR/WT: /?/

CR: The public has a very strong interest in knowing what goes on in public, in justice systems. And if we had denied them that right even for a period of a year, two years, three years, that’s dead wrong. That order should never had been made.

BT: I disagree. I think that that order was uh, it was, whether I agree with it or not. We should respect it until a court of appeal rules otherwise cause then it’s misinterpreted.

BC: Bill Trudell, Clayton Ruby, thank you both very much. Stay with us, CBC Prime Time News will be back in a moment.

40 A shot of Bill Trudell from the waist up addressing Bill Cameron (far personal space).

41 A shot of Bill Trudell and Clayton Ruby, Bill Trudell being closer, but Clayton Ruby speaking - both from the waist up (far personal space).

42 A shot of Bill Cameron looking at one and then the other while they are interrupting one another (from the waist up - far personal space).

43 A shot of Bill Trudell and Clayton Ruby, Bill Trudell being closer, shaking his head, while Clayton Ruby talks (both from the waist up - far personal space).

44 A shot of Bill Trudell from the waist up (far personal space).

45 A shot of Bill Cameron thanking his guests and addressing the audience to stay tuned (far personal space).
APPENDIX F

CODES TO PARTIES IN INTERACTION

RA:  Respondent A - Journalist
RB:  Respondent B - Lawyer
RC:  Respondent C - Women's Issues Advocate
RD:  Respondent D - Children's Issues Advocate
RE:  Respondent E - Uninformed individual
I:   Sheila Sikora-Quinlan - Interviewer
PH:  Paul Hunter - Journalist for Prime Time News as shown on video
PW:  Pamela Wallin - Anchor on Prime Time News who introduced the news pieces
EP:  Elizabeth Palmer - Journalist for Prime Time News as shown on video
CR:  Clayton Ruby - One of the lawyers in the debate. Position: For the preliminary hearing waiver
BT:  Bill Trudell - One of the lawyers in the debate. Position: Against the preliminary hearing waiver
APPENDIX G

TRANSCRIPTION CODES

With the exception of the last two codes, the following transcription codes are adapted from Tannen's (1984) book Conversational Style.

.... full second pause
..... second and a half pause and so on
underline marks emphatic stress
CAPS mark very emphatic stress
? marks yes/no question rising intonation
- marks a glottal stop, or abrupt cutting off of sound as in "uh-oh"
: indicates lengthened vowel sound (extra colons indicate greater lengthening)
, marks phrase final intonation (more to come)
/?!/ indicates transcription impossible
/words/ words within slashes indicate uncertain transcription

[ ] Brackets between lines indicate overlapping speech
   (Two people talking at the same time).

... indicates separation of excerpts from the interview
***** used to omit sections of the transcription which may reveal the respondent's identity.
REFERENCES


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