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Memorial Day March, Downtown Eastside, Vancouver
Courtesy of Fatima Jaffer (2004).

The 'Bare Life': Disposable Bodies, Race, and Femicide in the Trial Coverage of Vancouver's Murdered 'Missing' Women?

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In this paper, I examine representations of Aboriginal women victims of femicide in the coverage of the Pickton trial, a court trial held in Vancouver, British Columbia, concerning the murders of six Aboriginal women perpetrated by serial killer Robert Pickton. The paper utilizes Giorgio Agamben's concept of bare life in a state of exception to understand the mediated representations of the Aboriginal women in the Canadian context. Since in the Canadian judicial system, it is up to the Crown prosecutor to demonstrate the culpability of the accused beyond reasonable doubt, my analysis focuses on press coverage of the trial that dealt specifically with the Crown's argument. Mediations of court proceedings represent criminals who can be punished and victims whose deaths can be avenged. The analysis presented draws from the coverage published in *The Vancouver Sun*, a local paper that is part of a national conglomerate and hence has its stories printed in its sister papers across the country. Based on a close textual reading of 160 stories published between June 5, 2006 and August 20, 2007, I pay particular attention to the ways in which the murdered women were represented. Through strategic insertions and reproductions of court documents, as well as reliance on lawyers and judges, the media convey hegemonic constructions of the crime and its proceedings. In the process, the 'missing' and murdered women are re-inscribed as bare life - as lives linked to objects, and as objects themselves.

Agamben | homo sacer | 'bare life' | crime | femicide | Pickton
Aboriginal | 'missing women' | press coverage | serial killer

One must think carefully about how to represent marginalized victims *in life* rather than simply embalming them in death, helping audiences to move beyond the dogma that poor, non-white women's bodies can only gain public visibility once they have been gruesomely violated.

—Sarah Stillman, 2007

Introduction

The phenomenon of 'missing women' has captured international media attention in recent times. From Juarez, Mexico where, since 1993, an estimated three-hundred women have gone 'missing' and then found murdered (Michele, 2006) to the US where a number of high-profile missing women cases have hit the headlines, to Canada, where approximately 500 to 3000 women have gone 'missing' over the last two decades (Amnesty International, 2004). The 'missing women' phenomenon calls attention to the widespread prevalence and intensity of violence against women.

That many of these women are cast as 'missing' is misleading, as Razack (2002) argues, as it suggests that they have 'gone' missing of their own volition, thereby reducing the horror of their systematic and deliberate murders. Moreover, it takes away attention from the pattern

of violence, singularizing such cases as attributable to the individual failure of these women, their culpability, and the existence of a few pathological men 'out there.' That many of these women are vulnerable to such violence by virtue of their race, class, and sexuality speaks both to the nature of their predators and the structural and societal violence that puts these women at risk.

In this paper, I focus on the trial coverage of a serial killer, Robert W. Pickton, who has been charged and convicted of killing six of the 'missing women' from the Downtown Eastside of Vancouver, Canada. Many of the women he murdered were Aboriginal. Since, in the Canadian judicial system, it is up to the Crown prosecutor to demonstrate the culpability of the accused beyond reasonable doubt, I focus on the press coverage of the trial that dealt specifically with the Crown's argument.

My analysis draws from the coverage published in *The Vancouver Sun*, (hereafter called *The Sun*), a local paper that is part of a national conglomerate and hence has its stories printed in its sister papers across the country. Based on a close textual reading of 160 stories that were published between June 5, 2006 and August 20, 2007, I pay particular attention to the ways in which the murdered women were represented and how these representations served hegemonic interests, notably by reinforcing middle class standards of morality and buttressing the dominant view of these women's lives as unworthy and marginalized. The analysis that follows is closely grounded on previous studies of the 'missing' women from the Downtown Eastside, most especially an earlier study that analyzed the press coverage from 2001 to 2006 (Jiwani and Young, 2006).

I begin with Giorgio Agamben's concept of 'bare life' in a 'state of exception' in reference to the women working in the Downtown Eastside of Vancouver. Using this work as a theoretical scaffold, I then focus on Aboriginality as a social sign that marked these women and that has reduced them to bare life. Briefly outlining the historical conflation of Aboriginal women as sex-trade workers, I comment on the erasure of the violence of colonization in the coverage of the trial and the reconstitution of Aboriginal women as bare life. Thereafter, I attend to the ways in which the 'missing' women case fit the prototype of a mediatized scandal. I emphasize how existing portrayals fit within a hierarchy of news reportage concerning violence against women, thereby de-gendering the violence and underscoring these women's culpability. Finally, I turn to the empirical data to demonstrate many of the above-mentioned points. In concluding, I address the different ways in which the lives of these murdered women were "laid bare," or, as Lisa Sanchez (2004: 897) drawing from Agamben puts it, were "extinguished, removed, or erased without sacrifice or neglected to the point of death." The media's reportage amplified and reproduced this marginalization.

Bare Life in a State of Exception

Giorgio Agamben identifies the state of exception as occurring when sovereign rule assumes primacy over all other laws, effectively rendering them impotent. However, this is not a state of law invoked during war, but rather, a “suspension of law itself” (Agamben, 2005:2). Referring to President Bush’s military order issued on November 13, 2001 concerning the indefinite detentions of non-citizens, Agamben argues that such an order embodies a state of exception. As he reasons: “... it radically erases any legal status of the individual, thus producing a legally unnamable and unclassifiable being” (2005: 3-4).

The state of exception that Agamben identifies above refers to that of a camp, where sovereign power over life and death is materialized in a spatialized and localized sense. The camp, he maintains, “delimits a space in which the normal order is *de facto* suspended and in which whether or not atrocities are committed depends not on law but on the civility and ethical sense of the police who temporarily act as sovereign” (1998: 174). Such a space, as he argues, may be situated on the outskirts of the city or in zones elsewhere.

What is at issue here is the legal abandonment of individuals living in such a state — their subjection to the power of a sovereign state determining the value or non-value of their lives. Mills (2004: 44-45) clarifies this when she states:

That which is excluded is not simply set outside the law and made indifferent or irrelevant to it, but rather abandoned by it, where to be abandoned means to be subjected to the unremitting force of the law while the law simultaneously withdraws from its subject.¹

Within the context of the Downtown Eastside of Vancouver and its inhabitants, this legal abandonment comes through in the privileging of force in containing and disciplining bodies while simultaneously negating requests for aid and accountability. This is especially the case for Aboriginal peoples in the urban core of the city for whom the legal abandonment is reified in their position as status-less Indians or status Indians who no longer reside on reserves. In either case, Aboriginal people heading into urban areas in search of employment, safety, and better lives end up confronting poverty, over-policing, and incarceration.²

In applying Agamben’s framework of the state of exception and sacred life, Geraldine Pratt (2005) argues that this legal abandonment enfolds and layers gendered and racialized geographies that define the Downtown Eastside of Vancouver as a state of exception. Populated by society’s abandoned peoples — those considered to be the ‘dispossessed and the disposable’ — the state of exception reflects the ‘included excluded’ state, simultaneously over-policed and under-served. Marked by poverty, drug addiction,

survival sex, mental illness and high rates of hepatitis, it has been described as an “untamed frontier: a place of good guys, cowboy cops and outlaw addicts” (documentary filmmaker quoted in England, 2004: 301). It can be categorized as a zone of degeneracy or what Razack (1998), drawing from Neuman, describes as an ‘anomalous zone.’

In describing the inhabitants of a state of exception, Agamben uses the figure of *homo sacer*, the sacred nomad, as an iconic representation of the abandoned other. *Homo sacer* is the individual who

has been excluded from the religious community and from all political life: he cannot participate in the rites of his *gens*, nor (...) can he perform any juridically valid act. What is more, his entire existence is reduced to a bare life stripped of every right by virtue of the fact that anyone can kill him without committing homicide; he can save himself only in perpetual flight or a foreign land. And yet he is in a continuous relationship with the power that banished him precisely insofar as he is at every instant exposed to an un-conditioned threat of death. (1998: 183)

Throughout his discussion of *Homo Sacer*, Agamben refers to this figure as male and as the subject of patriarchal power. As a figure who cannot be sacrificed and whose murder cannot be construed as an act of homicide, his status is underscored by his subjection to one who has the power of life and death over him. Agamben notes that the laws that defined *homo sacer* emerged from those transgressions that dealt with violations of the normative order, such as, for example, the son who turns against his father. The power of life and death over the subject, he argues, emanates from the authority of the father.³ The Sovereign thus exercises a power that is equivalent to the patriarch, but both within and outside the domestic sphere. Yet here, it is the power over life and death that is of concern; for in defining life that can be killed without punishment as that life that is also not sacrifice-able, Agamben draws attention to the power of the state vis-à-vis the individual — both in terms of explicit subjection and the interiorization of that subjection.

‘Bare life,’ as Agamben argues, is life that is considered to have no value; but yet its value lies in the sovereign’s power over life and death, and the central tenet to that is the violence of that power. As he puts it, “What confronts us today is a life that as such is exposed to a violence without precedent precisely in the most profane and banal ways” (1998: 114). He goes on to suggest that modern democracy is characterized by a shattering of sacred life, such that it is “disseminated into every living body” (124). To some extent, then, we are all ‘bare life.’ However, the threshold, or the limit figure of such bare life, is to be found in the inhabitants of the state of exception, and most notably in its paradigmatic manifestation, — the camp.

In her reading of Agamben's work, Lisa Sanchez (2004) draws upon this figure of *homo sacer*, underscoring its gendered aspect as that man who still remains redeemable — who can still be rehabilitated within the sovereign's favour. Referring specifically to Agamben's discussion of Marie de France's lay *Bisclavret*, a story about a baron who is transformed, periodically, into a werewolf and whose secret is betrayed by his wife and her lover, Sanchez underscores how the baron is reclaimed by the sovereign. Whereas Agamben emphasizes the baron as bare life in his werewolf persona, Sanchez draws our attention to the female character as the ultimate outlaw: "The truly excluded outlaw is constituted in the figure of feminine excess, the prostitute, and the performative ritual enacted on her body" (864). Here it should be noted that, although Sanchez refers to the feminine as the figure of the prostitute, her definition of the latter embraces "feminine and feminized subjects who are considered subversive to the social and family structures of heteropatriarchy and capitalism" (fn, 862).

Hence, Sanchez argues that the sex worker typifies the 'excluded exclusion,' whereas *homo sacer* signifies the 'included excluded.' As she states,

the prostitute in all of her many iterations (adulteress, ex-wife, whore) serves an analogical function, marking the space beyond the social: she stands at the far reaches of the limit, whereas *homo sacer* is the threshold. In contrast to the included exclusion, which is *homo sacer*, the prostitute is the excluded exclusion through which criminal man is imagined and both displaced to and recovered from the outside (2004: 879).

Bearing in mind the problematic equivalence between the prostitute, ex-wife, and whore, all of whom occupy different standings in the patriarchal order, it is nonetheless important to acknowledge the gendered aspect of Agamben's *homo sacer* and to realize that the feminine remains mute, silenced, and contained — in other words, 'bare life,' subjugated and rendered bare by the power of the patriarch. Thus, just as "the sovereign is the one with respect to whom all men are potentially *homines sacri*, and *homo sacer* is the one with respect to whom all men act as sovereigns" (Agamben, 1998: 84), so too are women potentially '*feminae sacer*' in relation to men and in relation to each other, depending on their degree of sacredness vis-à-vis the governing system of morality, politics and economics.

Both Sanchez and Pratt draw attention to the feminine and feminine excess as the excluded exclusion. Pratt locates the exclusion in the private/public divide wherein reproduction and socialization take place in the private sphere of domesticity, which is rarely if ever acknowledged in the public, but which makes the public possible and sustains patriarchal order. While there is some merit to this argument,

I would argue that with respect to Agamben's notion of bare life, it is men's patriarchal power over women and, in particular, the sovereign state's power over women (in employment as well as reproductive areas) that constitute them as bare life; and within that framework, race and class become the vehicles through which, for instance, Aboriginal women, vis-à-vis middle-class white women, have lives whose value or non-value is determined by their position among women as well as their position in a hierarchical, racist and sexist society.⁴

Within the state of exception that marks the Downtown Eastside, women's lives constitute bare life insofar as these lives are unprotected by law, and are marked by crime, poverty and abandonment. Within such a context, their lives are hyper-visible and invisible: hyper-visible in terms of surveillance by police and other authorities, and invisible with respect to the violence and abandonment they face (McDonald, 2003; Pitman, 2002). As Pratt (2005) notes, even the pictures of the missing women communicated their position as bare life. Referring to the poster of missing women that was produced by the Vancouver Police Department and the BC attorney general's office, Jennifer England (2004) observes that, "most of the photographs are mug shots and therefore it plays out the familiar visual performance of a 'Wanted' poster.

Police photographs were and are used as proof of deviancy" (301). The women whom she interviewed in the Downtown Eastside emphasized how their Aboriginal identity stigmatized and stereotyped them as undeserving of police assistance and as prostitutes who 'belonged' in the Downtown Eastside (307). As Razack reminds us, "Racialized bodies can seldom leave the space of prostitution in the white imagination; it is a space worn on the body" (1998: 356).⁵ It is here that Aboriginality marks the threshold — the limit case of bare life — by virtue of a history of colonization and continued subjugation both by white settler power and its gendered dynamics, as well as the resulting dispossession and patriarchal power within Aboriginal nations, a subject I address below.

Aboriginality

The links between Aboriginal women and prostitution are historically entrenched. Sherene Razack (2002: 130) points out that, "Newspaper records of the nineteenth century indicate that there was a conflation of Aboriginal woman and prostitute and an accompanying belief that when they encountered violence, Aboriginal women simply got what they deserved." In her analysis of state regulation of Aboriginal women's sexuality, Brownlie (2005) notes that there were concerted attempts on the part of Indian agents (appointed by the state) to impose Christian morality and domesticity on Aboriginal women. When the women did not comply, they were often regarded as prostitutes. She concludes that Aboriginal women were "subject to racial

stereotyping that constructed them as generally sexually immoral and debased” (2005: 175). Similarly, Barman, in her study of Aboriginal women in Victoria in the late 1800s, observes that “indigenous women had to be portrayed as sexually transgressive in order for men away from home and home life to be able to seduce them with impunity, without accountability” (2005: 206). As Razack concludes, “Sexual violence towards Aboriginal women was an integral part of nineteenth-century settler strategies of domination” (2002: 130).

In her discerning historical analysis of Aboriginal women’s representation, Sarah Carter (1997) points out that these representations changed as a result of a shift in orientation with respect to land acquisition and ownership. Thus, when white settlers sought to consolidate their power and obtain, through coercion and force, ownership of the land, representations of Aboriginal women shifted accordingly, such that they were being portrayed as more threatening and as racially inferior. The coming of white women to Western Canada solidified these negative representations entrenching and stabilizing the contrasting oppositions between the domestically sophisticated, clean, nurturing white woman and the dirty, sexually-licitious ‘squaw’. In contemporary times, the link between Aboriginal women and prostitution can be traced to the extreme poverty on reserves, the increased criminalization of Aboriginal men and women, and the legacy of the residential school system with its associated trauma manifesting in addiction, violence, and suicide (Smith, 2005).⁶

Popular media representations of Aboriginal women have oscillated between “Indian princesses” or “repulsive lascivious squaws” (Portman and Herring, 2001: 189): princesses, if they could be assimilated and used to rescue white men (as in the retelling of the Pocahontas myth by Disney); and ‘squaws’ who could be used with impunity to sexually service white men. Such representational discourses were accompanied by policies and practices that sought to confine Aboriginal peoples to reserves and out of European settlements, denude Aboriginal women of their rights to land (such that if they married out of their nation, they could no longer claim Indian status), and remove Aboriginal children from reserves by placing them in Christian residential schools or by adopting them into white families (Lawrence 2003; Harding, 2006). All of these practices were designed to dispossess Aboriginal people of their lands and cultures. As Cole Harris argues, “[t]he legitimization of and moral justification for dispossession lay in a cultural discourse that located civilization and savagery and extolled the advantages for all concerned of replacing the latter with the former” (2004:179, italics in the original).

These binaries between civilization and savagery are the stock-in-trade of the news media. As Robert Harding (2006) argues, representations of Aboriginal people cohere around portrayals that underline their militancy, un-reasonableness, and emotionality. Conversely, Aboriginal peoples are also represented as child-like and in need of Western

benevolence and guidance. Harding contends that, “associating Aboriginal people with violence and criminality is an argumentative ploy that has been used historically to discredit Aboriginal people and causes in news discourse” (221). In her analysis of courtroom discourse involving cases concerning violence against Aboriginal women, Razack (1998) notes that culturalist explanations are invoked to argue that such violence is endemic and inherent to Aboriginal culture. However, the primacy of culture in anchoring Aboriginal rights to land is not given any merit or validity. In other words, there is a tendency to explain away Aboriginal issues in a way that fits with prevailing dominant ideologies and instrumental interests.

Thirty-nine of the 67 women originally missing from Vancouver’s Downtown Eastside were Aboriginal (Pratt, 2005). This figure has changed over the course of time with more women being found. The *Vancouver Sun* reported that of the 65 ‘missing,’ 23 are Aboriginal (Rolfson, 9 August, 2007:B3). In the trial coverage being examined here, four of the 6 murdered women were Aboriginal (see pictures in the front). Aboriginal women living in the Downtown Eastside of Vancouver then represent not only displaced women (from their nations and reserves), but also many of those whose very nation was located in the Downtown Eastside before white settlement invaded such spaces. Their intersectionality as Aboriginal and sex workers identifies them as the excluded exclusion. Their inhabitation of a zone associated with poverty, crime and drug addiction renders them degenerate others in a state of exception.

I suggest that just as in the colonial project of assimilating Aboriginal women within the boundaries of Euro-Canadian morality, thereby depoliticizing their links to land and incorporating them within the nation as ‘others,’ so too, in the mediated discourse surrounding this trial are the women once again subject to a similar effort of ‘rescue’ in the sense of restoring their humanity, but then reconstituted as bare life.

Mediatized rituals

In tracing the press coverage of the ‘missing’ women, it can be argued that the media’s construction fits within the paradigm of what Simon Cottle has termed a mediatized ritual, which he defines as media performances that “*sustain and/or mobilize collective sentiments and solidarities on the basis of symbolization and a subjunctive orientation to what should or ought to be*” (2006:415, italics in the original). Within this framework, the ‘missing’ women case fits a sub-genre — that of the media scandal. Here, it is the issue of morality that differentiates the scandal from other types of mediatized rituals. As Lull and Hinerman (1997) argue,

A media scandal occurs when private acts that disgrace or offend the idealized, dominant morality of a social community are made public and narrativized by the media, producing a range

of effects from ideological and cultural retrenchment to disruption and change. The transgressions assume additional impact when markers of human difference such as race, gender, class, and sexual orientation are involved (p.3, italics in the original)

It is the notion of the 'idealized, dominant morality' that I wish to draw attention to with regard to the coverage of the 'missing' women case and the ensuing trial. It is the 'leakage' of 'degeneracy' into the realm of the normative that signifies this case as a media scandal. How this coverage has then narrativized the offensive behaviour to retrench dominant codes of morality becomes an issue worthy of examination. Further, the media's role in summoning collective sentiments to the trial reflects its role as a guardian of hegemonic values; for in the very act of delineating moral boundaries, the media define those issues and events that are outside the universe of normative behaviour. As Katz (1987) observes, nowhere is this more apparent than in crime news.⁷

A key aspect of crime news reporting is its heavy reliance on state authorities. Before an event is reported as a crime, it has to be defined as such. Notably, it is the police that do the first level of defining. They are, as Hall et al (1978) argue, the primary definers. The media amplify these definitions, following codes of newsworthiness and rules of legality. However, this is not to suggest that the media simply echo the views of those in positions of power. As Gitlin (1979), Schlesinger, Tumber and Murdock (1991) and others have shown, the media constitute a terrain of struggle. Different groups attempt to alter and inflect the message to suit particular interests. Furthermore, news sources vie among themselves to get attention. That being said, it is undoubtedly the case that there is a profoundly unequal level of access to the media, and that those who have cultural capital, resources, and power are more likely to have easier access than marginalized groups. Nevertheless, as a site of contestation, the media throw into relief competing and conflicting agendas and interests. Moreover, given that the media are business enterprises, conflict and controversy translate into capital in terms of increased readership.

Yet, it would be a mistake to assume that, despite unequal access, all groups are covered equally or fairly. Rather, as Hall et al (1978) have shown in their case study of mugging in England, there is an underpinning consensus regarding which issues lend themselves to crime coverage and which communities, in turn, are associated with criminal behaviour or particular types of crime. Thus, Aboriginal women are not likely to be covered or, if covered at all, their deaths are likely to be dismissed and attributed to their dangerous life-styles. Warren Goulding (2001) has shown that despite heavy coverage of other sex crimes and murders, notably the Paul Bernardo and Karen Homolka case that involved the murders of several young white women, the murders of four Aboriginal women garnered

scant attention in the Canadian press. Similarly, Sarah Stillman (2007) notes how the 'missing white girl syndrome' privileges white bodies as subjects and objects worthy of attention and rescue. The connection between Aboriginality and prostitution situates Aboriginal women's bodies outside the boundaries of moral consensus.

In examining the coverage both prior to and during the 'missing' women trial, I employ Robert Entman's definition of media frames to describe the ways in which the media made 'sense' of the story. Frames, Entman argues, involve "selecting and highlighting some facets of events or issues, and making connections among them so as to promote a particular interpretation, evaluation, and/or solution. He adds that, "[t]hose frames that employ more culturally resonant terms have the greatest potential for influence. They use words and images highly salient in the culture, which is to say *noticeable, understandable, memorable, and emotionally charged*" (2003:417, italics in the original). I want to underscore Entman's point about 'cultural resonance,' as it is through such resonance with historically and socially entrenched associations (Aboriginality, sex work, poverty and crime) that contemporary media frames invoke a common sense explanatory framework.

News about Gendered Violence

The morbid fascination with extreme forms of physical violence, as in homicide and torture, are rooted in their power to offend the strongest of sensibilities: to shock and outrage the public about violations to the moral order. In the context of crime reporting about violence against women, femicide, tops the list. Dead bodies make for more newsworthy content than the routine disruptions of domestic violence (Carter, 1998; Pritchard and Hughes, 1997; Naylor, 2001; Wykes, 1998).⁸ However, it is apparent that not all bodies are accorded the same symbolic weight in terms of representation in press coverage. Meyers (1997) notes that femicides involving white and middle-class women victims are more likely to be reported on than those involving black women, women of colour and, I would argue, sex trade workers.⁹ In her analysis of the coverage afforded to the Freaknik spring celebration in Atlanta, Meyers (2004) points out that violence against black women was either erased or blamed on their suggestive behaviour.

Black women were often portrayed as Jezebels or naïfs — women who were either 'asking for it' because of their hyper-sexuality or women who happened to be in the wrong place at the wrong time.

Prevailing conceptions of different women, then, seem to exercise influence regarding how their victimization by men will be perceived and treated by press as well as policing authorities. For instance, in a study of the Toronto press, Wortley (2002) found that stories about black women who were victims of male violence were rarely featured on the front pages of the newspaper. Rather, they tended to be

relegated to the back pages and were overshadowed by stories about black crime. In contrast, Jiwani (2006) documented an over-emphasis on gendered violence in the Vancouver press when the victims were South Asian women. This suggests that over-reporting and under-reporting of violence against particular groups of women serves a particular ideological function, depending on which groups are identified as 'out groups' in the particular locales being examined and what other kinds of crimes are associated with specific communities. Women whose cultural background easily excites stereotypes of repressive cultural traditions that are always-already considered deviant will likely merit more reporting than cases of gendered violence, which are considered not so exotic and 'routine' (see Narayan, 1997). These women are considered 'oppressed' by barbaric cultural traditions and, thus, invoke powerful rescue myths.

Intersecting with the oppressed/not oppressed dichotomy is the 'good' woman/'bad' woman binary — the virgin and the vamp. Lisa McLaughlin (1991) highlights this binary construction in her analysis of mainstream media discourses about prostitutes in television programming. She points out that the good/bad dichotomy woman is complicated by society's perceptions of which women can be saved. In other words, 'bad' women may sometimes have 'good' parts to them that can be salvaged or redeemed. It is the potential for rescue that underpins how 'bad' women are portrayed. In their study of representations of the sex trade in *The Victoria Times Colonist* from 1980 to 2004, Hallgrimsdottir, Phillips, and Benoit (2006) offer similar findings. Examining 425 articles over a twenty-four year time period, they identify culpability as a major narrative convention used to tell these stories. They argue that "culpability narratives tell stories of women who cannot be 'rescued.' Families are depicted as expending considerable effort to locate and reform their 'fallen women,' to little avail" (272).

As 'fallen' women who cannot be saved, the identities, lives and realities of sex trade workers are often framed out in press coverage, resulting in their symbolic annihilation (Tuchman, 1978). Lisa Sanchez (2004) argues that, "the prostitute is an originary figure of exclusion. She begins and must remain a figure of exclusion to mark the outer limit of society..." (862). The prostitute's labour is not counted as productive or reproductive work, and therefore as nonessential to the nation's biopower. Her work is confined to a private contract — a contract limited to a verbal exchange made hurriedly on the street or in the alley with a passing car, given the communicating laws that forbid sex workers from soliciting clients in Canada (Lowman, 2000). The contract itself erases the unequal power relations between sex trade workers engaged in 'survival' sex on the street and their clientele, in that, it symbolically evacuates the violence upon which such a relation is founded (Razack, 1998), and when signs of overt violence manifest, the notion of a contractual agreement renders the sex trade worker as responsible for the violence enacted on her body. Her body

matters not, as it is an unrespectable body that is confined to a zone of degeneracy — a zone that permits that which is respectable to exist simultaneously.

England's (2004) analysis of the representation of Aboriginal women suggests that Aboriginal bodies are more subject to discipline and punishment within the racialized space of the Downtown Eastside. Aboriginal bodies are treated differently and the violence enacted on these bodies is seen in a different light by society — as those bodies that cannot be sacrificed, as Agamben argues, and bodies that can be killed with impunity. Yet, these bodies also remain invisible to societal attention. In her analysis of the popular television program *America's Most Wanted*, Pitman reveals such an erasure, but more importantly, locates it within the realm of morality and crime coverage. She notes that in an episode of the program focusing on the missing women in the Downtown Eastside that aired on July 31, 1999, the program inserted a white blond woman instead of Sarah de Vries, whose story was the main impetus behind the program. Sarah was black and indigenous (Pratt, 2005). The program also forwarded the explanation that a serial killer was loose and hence, all women were in danger. The insertion of a white woman in place of someone who looked like Sarah de Vries suggests the differential representational values ascribed to different bodies. In telling the story of the missing women in the Downtown Eastside, white women's bodies were clearly marked as having a higher currency (ideological and audience-wise) than Native or black bodies. However, as 'prostitutes' all of these bodies were marked as deviant and in a space of criminality.¹⁰

As 'fallen' and 'degenerate' women, how did the 'missing' and murdered women fare in the 'trial of the century' as it has been popularly described? Before turning to the trial itself, I establish the dominant media narrative that was reported in the preceding years in *The Vancouver Sun*. This context serves as backdrop outlining the way in which the media reportage offered a particular narrative of the story.

Previous press coverage of the 'Missing' Women Case

The Vancouver Sun's coverage of the missing women can be traced to 1998 when a committed journalist, Lindsay Kines, began investigating the numerous cases of women missing from the Downtown Eastside of Vancouver. *The Sun* then initiated an eleven-part series with Lindsay Kines, and reporters Kim Bolan and Lori Culbert. These early reports emphasized police inefficiency in investigating the number of missing women and in responding to concerns from their families and friends. *The Sun's* coverage of the story increased dramatically in 2002 after the arrest of Robert W. Pickton, whom the media dubbed as 'the pig farmer.' In 2006, Pickton was charged with twenty-six counts of murder.

From 2002 to 2006, the coverage primarily dealt with issues of the police investigation, the implementation of a special task force (brought on by evidence of police

inefficiency and inadequacy), and the specificities of the victims. With regard to the latter, several dominant frames were employed by the press to make sense of Pickton and his victims. First, victims were identified as “drug-addicted prostitutes” (Canadian Press, 23 November 2002:B8), desperately troubled and seeking money for food, shelter, and drugs. Second, they were linked to Aboriginality — many coming from Aboriginal reserves and/or an Aboriginal background. Third, as Aboriginal women and white women on the streets, they were racialized and regarded as always being on the move — nomadic wanderers. Their hyper-mobility, addiction to drugs, and engagement with prostitution culminated in their representations as women ‘beyond rescue.’ Indeed, even in the attempts to humanize their portrayals in this early press coverage, there were numerous references to how family and friends had tried to help individual women, but with little success; a theme that confirms Hallsgrimdottir, Phillips, and Benoit’s (2006) findings in reference to ‘fallen’ women.

There were several counter-frames (Entman, 2003) marking this earlier coverage. Such counter-frames usually emanate from outside the newsroom to contest prevailing and dominant definitions, although at times they can be linked back to individual journalists. Families, friends and advocates of the missing women made concerted attempts to shift the frame so that the women would be seen in terms of their human condition rather than simply as abject victims or objects of a voyeuristic gaze (Jiwani and Young, 2006). Such counter-frames were sometimes successful in altering the paper’s coverage, as evident in *The Sun*’s editorial in 2003, which opined,

More than 60 women have gone missing from the Downtown Eastside, and pig farmer Robert Pickton, charged with the murder of 15 of them, is currently awaiting trial. That so many prostitutes have gone missing suggests the system is broken. And what’s more, it’s flawed from top to bottom: From laws governing prostitution, to social services available for prostitutes, to our attitude toward people who work or live on the street (September 16, 2003).

For his part, Robert Pickton was portrayed as the country hick, a man who ran a farm in suburbia, and who slaughtered pigs for a living. Pickton was often represented with long, unkempt hair, a rough, unshaven face, and a glazed look. He was the quintessential ‘wild man’ untamed by societal conditioning. The connotative associations between Pickton’s appearance, occupation, and his physical location on a similarly unkempt farm positioned him as being on the pale of civilized society but still a citizen under sovereignty. The contrast and connecting links between the two nether regions of “Vancouver’s drug-infested Downtown Eastside” (Culbert and Hansen, 23 June 2006:A3) and the Pickton farm were

continually juxtaposed in press photographs that accompanied these stories. Interestingly, both these sites have witnessed increasing gentrification, resulting in the displacement of the local inhabitants.

Media Narrative of the Trial – 2006 to 2007

Pre-Trial Coverage

Coverage immediately prior to the trial began with a heavy focus on the families, friends and advocates of missing women who were intending to attend the court hearings. Under the section titled, MISSING WOMEN REMEMBERED FOR POSITIVE ASPECTS, in capitals (Hall and Culbert, 22 January 2007:A4), the specificities of the lives of the six women identified as victims in this trial were reported and repeated in subsequent stories. Similarly, pictures of the ‘missing’ women, especially those who were the identified victims in this particular trial, were consistently published with the stories. Journalists would continually reference those who were present at the trial in terms of how they were connected to each of the murdered women. What is also interesting about this heavy coverage is the press’s attempt to personalize and humanize these women. They were no longer merely ‘drug-addicted sex trade workers’; rather, resonating with previous counter-frames, they were ‘mothers, daughters, and sisters.’ But more than this, there seemed to be an over-compensation on the part of reporters and *The Sun*’s editors. It seemed as if these women were suddenly embraced in a way that they were not when they were ‘missing’ or when they lived. They were described individually as “sweet,” “bubbly,” “loved life,” “fun,” “beautiful,” “loved animals,” a “sweetheart,” and so forth (Hall with Cernetig, 10 August, 2006:A1).

In an interesting analysis of the murders of two black women in Birmingham, UK, Paula Wilcox (2005) makes the argument that, in recounting the stories, the press infused them with mythic qualities. Thus, these young black women were portrayed as ‘exceptionally innocent’ and pure as a move to make them more worthy of societal protection and intervention. She argues that:

the stressing of “innocence” in this case may additionally have an expressive function required to move young black women from the dominant racist cultural stereotyping of non-white femininity as located in an always-already ‘guilty’ space (sexually active, independent) into a blameless, ‘innocent’ space (non-sexually active, dependent), the space in ideology occupied by heterosexual, white, middle-class womanhood. (521)

Since sex trade workers are always ‘bad’ women (see McLaughlin 1991; Smart cited in Wilcox, 2005), their

innocence cannot be so easily established. When victims are Aboriginal sex workers, the ideological labour involved in establishing innocence becomes insurmountable except, of course, when the 'squaw' can be transformed into a Pocahontas. Yet I would argue that the heavy, humanizing coverage constituted a discursive move whereby these 'missing' and murdered women symbolically became the site of societal benevolence. Such benevolence reaffirmed the representation of the society as 'caring' and responsive, if not responsible. In this light, the moral order was reestablished and its boundaries made secure in the knowledge of the 'goodness' of society. Moreover, this humanizing move is suggestive of patriarchal redemption that can only be done when the 'non citizen' is put to death and only then can become enfranchised into what is familiar to the sovereign: mother, daughter, sister; roles which are inclusive insofar as they are situated within the domestic realm.¹¹ Pratt (2005) eloquently summarizes this point:

Empathy through normalized family loss humanizes the murdered women by locating them within narratives of the middle-class family. Not only is this a gendered and hetero-normative narrative, it privatizes, individualizes, and potentially de-politicizes aboriginal women's and sex workers' specific marginality in the Downtown Eastside. In short, it is too easy to empathize in a generalized way as mothers (or sisters or fathers or brothers) if it allows us to evade the specificity of sex workers' lives and their particular (state regulated) vulnerability to violence. (1064)

Preparing for Scrutiny

A significant portion of the pre-trial coverage focused on a kind of anticipatory socialization of what could be expected once the trial commenced. This began with *The Sun* publishing accounts detailing how its reporters had successfully drawn attention to the issue and exerted public pressure on police and the mayor's office. In anticipation of the trial, *The Sun* provided the following coverage of the Downtown Eastside for both its local audience and as background for international media arriving on the scene. Starting with a capitalized headline, 'TRIAL WILL SHINE GLOBAL SPOTLIGHT ON EASTSIDE'S BACK ALLEYS,' and a lead, 'Mental Illness, Drugs, Mayhem a Toxic Mix,' the story continues with a graphic description of the Downtown Eastside:

The corner of Main and Hastings Streets is home to a drug market so brazen that dealers are able to sell crack cocaine, heroin, morphine, codeine and a variety of illegally obtained pharmaceuticals in plain view of the public and the police. Less than a block away is Insite, a

supervised facility where injection drug users can use street drugs under medical supervision.

[...] City sanitation workers scour the neighborhood, hauling away piles of refuse and picking up a relentless blizzard of litter, 15 hours a day — a pace they set about two years ago. Many of the storm drains are plugged and rainwater is more than ankle deep in many places. (Shore, 20 January, 2007: A1)¹²

This article ran with an insert preparing sex trade workers on how to deal with the media. As well, it accompanied a picture of a woman injecting drugs in an alley. The picture's caption was as follows: "A woman injects drugs in an alley. Women not given support to deal with painful feelings stirred up by media inquiries may be at risk for reckless drug abuse" (Shore, 20 January, 2007:A1), suggesting that these lives weren't painful to begin with, but rather became painful as a result of the media coverage.

The Downtown Eastside, then, became defined as a degenerate neighbourhood filled with society's abandoned and rejected bodies — those that cannot be salvaged or redeemed. The picture of the woman shooting drugs in an alley, though accompanied by a seemingly innocuous caption, seals the depiction of the inhabitants of this area as bare life.¹³

Sanitizing the Coverage

On January 22, a day before the trial commenced, Patricia Graham, Editor-in-Chief of the *Vancouver Sun*, wrote a column titled "The Challenge of Reporting on Horror" in which she detailed the paper's strategy for the coming trial. In the second sentence of her column, Graham wrote, "What we consider our relatively safe, civilized and peaceful community is going to look rather ugly for a while" (2007:A3). Thus, she immediately establishes for the reader the stark difference between the "safe, civilized and peaceful community" and its ugly underside that is going to be exposed for all to see.

However, in the interest of maintaining the illusion of the peaceable community populated by 'civilized' citizens, Graham outlined the following strategy: *The Sun* would print 'sanitized' versions of the trial on its front page followed by more detailed descriptions inside the paper; these would be prefaced by a kind of 'viewer discretion advised' warning alerting readers to the disturbing content of the story.¹⁴ She concluded, "You, our readers, will be able to choose to avoid stories that you think might offend you." Thus, the safety of the community was ensured, and middle class moral sensibility reaffirmed and kept intact. It is, as Sherene Razack (1998) notes in her discussion of white women telling stories about prostitutes, the audience (white middle-class) is invited to sojourn into the realms of the degenerate, yet here

they are promised a version that will not only allow them to reaffirm their sensibilities and identities, but also enable them to emerge unscathed from the encounter.

The Trial

The trial opened with “sounds of chanting and rhythmic drumming” as Aboriginal women from the Downtown Eastside performed a Lillooet First Nation’s women’s warrior song. Media tents, politicians, concerned family members, students, voyeurs, conspiracy theorists and others populated the concourse in front of the court (Shore, 23 January 2007:A4). The article describing the scene ran with two photographs, one of those gathered outside the court house in New Westminster, and the other of Beverley Jacobs of the Native Women’s Association who was attending the trial. The link between Aboriginality and the missing women had been well established in previous coverage, and this was entrenched in a more tangible way in these stories.

A third of the way into the story, politician Libby Davies is quoted as stating, “Because the law prevents women from communicating for the purpose of prostitution, these women have to make split-second decisions about getting into cars with men who may be dangerous without even talking to them. [...]” This is the first mention of the communication law and the Canadian parliamentary standing committee on prostitution in the context of the coverage of this case. Davies’s statement is framed by the following introduction: “Vancouver East MP Libby Davies circulated outside the courthouse giving interviews to camera crews who were waiting for the trial to break for lunch.” Thus, not only does Davies come across as a political opportunist, but what she has to say is subsequently diminished in relevance by its placement and her representation. More importantly, the conjoining of Davies’s accessed voice with visual representations of Aboriginal identity seal the link between Aboriginality and prostitution.

Trial coverage began on the first day (January 23, 2007) with journalists reporting on the Crown prosecutor’s and defence attorney’s opening statements. Essentially, the Crown outlined its charges indicating that Pickton was responsible for murdering the six women as evidenced in the body parts found on his farm. Further, the Crown charged that Pickton had revealed to an undercover police officer that he had intended to kill 50 women but had stopped at 49.¹⁵ The defence, for its part, advised the jury to pay close attention to Pickton’s mental capacity, implying that he was not competent enough to have committed the murders. They further argued that the farm was a busy site and thus open to a variety of different individuals who could have committed the murders.

While *The Sun* did not publish the Crown prosecutor’s complete opening statement, the paper did include on its front page a list of admissions that had been agreed upon by Crown and defence counsel. This list identified the women by

name and stated the nature of their remains that were found. Below is an example of the kind of reportage that was published:

— Sereena Abotsway is dead and her partial remains were found on the Pickton farm at 953 Dominion Avenue, Port Coquitlam. Her remains were found by a police investigator who examined a freezer on April 4, 2002. She was identified by DNA analysis, fingerprint comparison and dental records.

— Mona Wilson is dead and her partial remains were found on the property on June 4, 2002, when a police investigator found a green garbage can in the southwest corner of the slaughterhouse and inside were decomposing human remains, including a head, hands and feet. The remains were identified through DNA analysis and fingerprint comparison. [...] (Hall, 23 January 2007: A1)¹⁶

The list continues with all of the women whose remains had been discovered on the Pickton farm were identified in such manner.

Courtroom discourse, like medical discourse, is constrained by its own rules of what is sayable and unsayable. However, the media’s reporting makes such a discourse public thereby enabling it a greater scrutiny. As Warshaw (1993) and others have remarked about medical discourse, court discourse, as a way of organizing information, privileges that which is considered important and that which is secondary for consideration.

In the list of admissions, then, the women victims’ bodies are reduced to parts. Even when the court saw the 11-hour videotape of the police interrogation of Pickton, as the excerpt of the transcript published in *The Sun* reveals, the women were erased into bare life. The interrogator, RCMP Staff Sergeant Bill Fordy, asked Pickton to identify the women whom he may have seen at his farm. Pointing the finger at the photos on the missing women poster, Fordy asked:

“No. 4, remember her, she’s got a lazy eye. Has she ever been to your place? ... Her name’s Mona. Patricia, you remembering something are — you’re looking at her now. Okay, No. 5?”

Pickton shook his head no. “Her lazy eye, I don’t know what you’re talking about,” he said. [...]

“Twenty-three ever been to your place?”

“What is she? She’s a dark girl, isn’t she?”

Pickton asked.

“No, no, she’s ah, looks sometimes black, sometime Spanish, sometimes —,” Fordy said.

“Spanish, maybe Spanish,” Pickton said.

“Has she been to your place? I believe her name

is Sarah,” Fordy said.¹⁷ “Remember her being there?”

Pickton shook his head no. (Compiled by Lori Culbert, January 24, 2007:B2)¹⁸

Here too, we see the reduction of lives to numbers and parts of the whole — ostensibly in an interrogative style — to establish guilt through recognition. Nevertheless, whether in the courtroom or in police interrogation settings, these discourses are reproduced through the media and leak into accepted and ‘common sense’ ways of categorizing and talking about issues. Moreover, such discourses are not mutually exclusive. They emerge from and are reproduced in other discourses. The phrase “she’s got a lazy eye” is not necessarily out of the ordinary nor is it simply police talk.

However, what this extract reveals is the fundamentally masculinist bias of both police talk and court talk: women’s bodies become identified on the basis of their looks and their skin colour (is she black or Spanish), and divulge the ways in which these categories are blurred so that it is not about the woman *per se* — her individuality or personhood — but rather her body. As Ellen Pence (2001) argues with regard to women’s experiences of violence in the legal system:

The professional discourse in reports and documents appears to be the objective work of an individual responding to a set of circumstances, yet this is far from what actually happens; battered women’s lives are twisted into preformulated categories created not in the lived experience, but in professional discourse. (203)

The first day of the trial also featured a historical account of the case tracing how the Vancouver Police department’s investigation had been stalled and how the Royal Canadian Mounted Police (RCMP) had set up a special task force. According to Vancouver Police Inspector Don Adam, the police department had encountered difficulties in their investigation as they “needed to prove the women hadn’t merely moved away, and because there was such a large pool of suspects” (Culbert, 23 January, 2007:A5). This reference to women’s transience resonates with previous stories published in the pre-trial coverage. In the previous coverage, a Vancouver Police Department’s homicide detective, upon discovering the body of a sex worker stuffed in a duffle bag and dumped in a dumpster on the East side of Vancouver, offered the following explanation with regard to the growing numbers of ‘missing’ women: “You just have a dumped body and you don’t know who they were with” (Kines, 28 September 2001).

Again, what we see emphasized here is the notion of the ‘body’ — the material evidence that violence has been committed. There is also no mention of the violence that women suffer as a result of police enforcement, brutality and neglect. Rather, the officer’s emphasis seems to be on

women’s mobility or hyper-mobility — the way in which they move in and out of cars (thereby out of scrutiny), and into different geographical areas. This seems to make them impossible to find except after death — and when found, as in this particular case, they are reduced to body parts.

This erasure of context, of personhood, of a life lived, is characteristic of the way in which missing women constituted ‘bare life’ both in their physical existence in the Downtown Eastside and after death. In the coverage of the court trial, their lives were reproduced as parts, their reconstructed identities linked to the various exhibits submitted and found on the Pickton farm site. For example, an inhaler bearing the name of Sereena Abotsway was consistently mentioned as such (linking the object to the person); a gun with a dildo was consistently linked to Mona Wilson’s DNA which was found on it; a pillow case was similarly linked to Andrea Joesbury; and the list continues. Photographs of the objects seized at the Pickton trailer and farm published on 14 February, 2007 (Culbert, B1) were accompanied described in a similar manner.

Again, though this practice may be inherent to the court discourse and particularly to the presentation of exhibits, there is nonetheless an erasure of these women such that they become objects used to reference different pieces of material evidence. The interesting aspect of this kind of object linking is that it continued right through the entire segment of the trial analyzed here (the portion dealing with the Crown’s witnesses). Even when objects were not linked to specific women in witness testimonies or exhibits being presented in court, the reporters would insert this information as if to contextualize it with reference to the specific murdered women.

The trial continued over a span of 81 days (examined here) with 98 witnesses called by Crown Counsel. *The Sun* provided summaries that included the following categories of information, with section headlines in capitals: ‘PROCEEDINGS IN BRIEF,’ ‘COURTROOM WHO’S WHO,’ ‘TALKING POINT,’ ‘COMING UP TODAY,’ ‘ISSUES,’ ‘WITNESSES,’ and ‘OVERVIEW.’ These categories condensed the daily trial reportage, but did so in a way that privileged the reporter’s interpretation of the events. For instance, in the ‘talking point’ section, the reporter would summarize the Crown’s contention and the defence’s position. The overview would spell out the details of the proceedings for the day. These summaries were aimed at providing a sanitized version of the trial on a daily basis. So, for instance, when the videotape of Pickton’s interrogation revealed what he had said to a friend about prostitutes, referring to them as “dirty rotten pigs,” this was removed from the summary. Similarly, references to the blood found in Pickton’s trailer (where he lived on the farm) were removed from the summary.

There was one notable exception to this pattern of sanitizing the coverage. It occurred when a key crown witness, Pat Casanova, was called to the stand. Casanova

used to slaughter pigs at the Pickton farm and would sell the meat to members of the Filipino community. Numerous prior references to Casanova during the course of the trial had already established that he had initially been charged with five counts of murder involving the same women, which had been cleared upon investigation. In the account of this testimony, the reporter included the following: “Casanova, who moved to Canada from the Philippines in 1974, answered the prosecutor’s questions in broken English and did not rely on the interpreter the court provided for him.” The story ran with a picture of Casanova and a caption that stated, “Pat Casanova admitted buying sexual favours” (Culbert, 5 June, 2007:B1). In the sanitized summary, the revelation that Casanova paid to have sex with four women on the farm was mentioned. As well, the band saw with the DNA that he had purchased was similarly noted.

Aside from the ‘overcomplete description’ (the naming of where Casanova came from and when he immigrated to Canada),¹⁹ what is most striking about this piece of coverage is the consistent and insistent mentioning of his having purchased sex from four women who had been at the Pickton farm at one time or another. In other stories, Casanova is said to have admitted to having oral sex with women on Pickton’s bed (Culbert, 6 June, 2007:B1). Other witnesses called to the stand did not have their sex lives revealed in such a fashion. If they were identified as sex trade workers, there was no mention of the identities of the men to whom they had sold sex. Similarly, male witnesses who were called to the stand were not exposed in the same way. This is especially interesting in light of Lowman and Atchison’s (2006) study on men who buy sex. Admittedly limited in its generalizability, Lowman and Atchison (2006) found that in their sample from the Greater Vancouver area (which includes the Downtown Eastside), 80 per cent of the men were born in Canada and only 6 per cent in Asia or elsewhere. The average age of the respondents was 38.4 years, with 80 percent categorizing themselves as ‘Caucasian’ and 49 percent identifying as Christians. They conclude that “this is a survey of ‘white guys’” (286).

The explicit linking of Casanova with the Filipino community locates him outside the normative order. This relegation to a space outside white society is underlined by various references in the media narrative both before and during this trial. For instance, in the trial coverage, there is reference to Pickton hosting cockfights for the Filipino community. Casanova was asked whether he had attended these spectacles. In previous coverage, Crisanto Diopita, a member of the Filipino community, was identified as one of the recipients of roasted pig meat (allegedly contaminated with human remains) from the Pickton farm. In referring to this coverage, Geraldine Pratt notes, “The fact that Diopita is both the only acquaintance named and is identified as Filipino is, I think, significant, given a long colonial history of marking Filipino ‘primitivism’ through habits of food consumption. Cannibalism — even second order and

accidental cannibalism — is yet another iteration of this marking” (2005:1057). Similarly, I would argue, the mention of cockfights becomes another iteration of primitivism, and Casanova, though he did not attend these fights, becomes imbued with the same connotations, this time in terms of the trope of sexual depravity. In the defence’s cross-examination, Casanova comes across as an untrustworthy character, consistently lying to police and engaging in shady and criminal behaviour.

Sexing the Story

Despite *The Sun’s* explicit statement and commitment not to sensationalize the story and to sanitize it for daily consumption, titillating frames and sexually charged imagery kept leaking into the coverage. This ‘sexing of the story,’ came through in the various ways in which reporters inserted themselves into the narrative. For instance, an article titled “Mountie describes bursting in on Pickton: Court hears that one officer had his gun drawn as police smashed down the door”, evokes resonances with popular police shows that have similar scenes. The story starts out as follows: “It was wet and cold outside when four Coquitlam RCMP officers crept along a muddy path onto Robert (Willie) Pickton’s cluttered farm ... “ (Culbert and Hall, 8 February, 2007:B1). Clearly the reporters were not physically present on that particular night, but have either assumed, checked in with the weather bureau, or elicited descriptions from participants about the weather that night. One gets the sense that one is reading a suspense thriller.

Sexing the story was also accomplished by the repeated references to the sex toys found in and around the Pickton trailer and farm. There is persistent mentioning of a gun with a dildo found in the trailer, along with “two sets of fur-lined handcuffs and other sex toys” near the bed (Culbert and Hall, 9 February, 2007:B1); “a ladies’ black boot” found in a closet, “a black jacket...draped over a box at the foot of Pickton’s bed in the master bedroom” (Culbert with Hall, 16 February, 2007:B6); “condom packages,” “leg restraints and four sets of handcuff keys” (Culbert and Hall, 20 February 2007:B1), “a dildo and a can of whipped cream” that were found in his brother’s bedroom closet (Culbert, 22 February 2007:B6), “two lipstick tubes” (Culbert, 6 April, 2007:B5), a black “see-through top” (Culbert, 11 April, 2007:B8), and “knotted condoms” (Culbert, 11 April, 2007:B8). Ultimately, the perception conveyed through this coverage is that the farm and the trailer were often sites of sexual orgies. This perception was sealed by expert witnesses from pathology labs, who recounted the numerous male and female DNA samples that were found on a single article of clothing.²⁰

The ‘pig’ connection

Part of the horror of the trial and the preceding coverage of this case stems from the allegations that Pickton

dismembered the bodies of the women he killed and fed them to the pigs he raised at the farm. He delivered the pig carcasses to a meat rendering plant in Vancouver and, as Jiwani and Young (2006) note, this incited considerable panic among the local population, who feared that they might have consumed the rendered meat, thereby becoming contaminated. Sex workers have often been linked to contagions (Hallgrimsdottir, Phillips and Benoit, 2006; Peters, 2007). However, in this instance, it was the thought of cannibalism that was regarded as most repulsive (see Pratt, 2005). The link with pigs was reinforced by the fact that the dance hall/club that the Pickton brothers ran on their property was called the “The Good Times Piggy Palace Society”. Pickton himself was — even in this trial coverage — described as the “pig farmer” and his farm as the “pig farm.” Jiwani and Young (2006) have pointed out that the farm was not registered as a hog farm, but that it contained a variety of animals.

In the trial coverage, this connection with pigs was highlighted a number of times by Crown counsel, who maintained that police had found a bone and a toothbrush in the pigpen, and further that “14 human left-hand bones were found in the pigpen and one of them matched the DNA of Georgina Papin” (Culbert and Hall, 20 February 2007: B1). In another story, there is a verbatim recording of an exchange between Crown counsel and a testifying officer which revealed that a human skull, two feet and two hands were also found in pails in the slaughterhouse and belonged to Mona Wilson, one of the victims (Culbert and Hall, 21 February 2007:B4). The pig motif continued throughout the trial, with officer Hetherington crying on the stand when she talked about finding distressed pigs at the farm. As recounted in the paper:

Const. Daryl Hetherington, who raises pigs in her personal life, started searching Pickton’s farm on Feb. 7, 2002 and said she found several pigs in ill health inside a stock trailer outside the slaughterhouse.

One pig had lost a litter of piglets. “She was in such a condition that she could not stand,” said Hetherington, who paused to compose herself and dabbed her eyes with a tissue. (Culbert and Hall, 20 February, 2007:B1)

The defence countered by asking Hetherington if she could recall being told by a fellow officer that Pickton had returned to the farm after being freed with the intent of feeding the pigs but had not been allowed to enter. The officer denied any recall of this.

What is interesting about this whole exchange is the focus on the pigs, their health, their distress and the ways in which the reportage reconstructs the Crown’s strategy of making it appear that Pickton was an inept caretaker. The logic

seemed to suggest that a man who could not look after helpless pigs (or other animals by extension) was undoubtedly incapable of treating human beings in a decent manner. More importantly, though, it is the deeper semantic move that is of interest here. The women that Pickton allegedly brought to the farm were synonymous with pigs. Indeed, in the testimonies that subsequent witnesses provided — from the officer who demonstrated the way in which women’s skulls were bisected to the butcher who described how Pickton would “cut large pigs down the middle, and sometimes sliced their heads in half too” (Culbert, 17 May, 2007: B5) — the murdered women’s bodies became the ‘same as’ pigs. Again, this coverage invokes remembrance of Pickton’s statement to his cellmate, who was planted by police, that he thought sex workers were “dirty rotten pigs.”

Unkempt man in a dirty trailer on a cluttered farm

Throughout the trial coverage, there were repeated references to Pickton’s cluttered farm, the untidy trailer where he lived, and his own unkempt appearance. Pickton was described as having “matted, unkempt hair and dirty clothes when he was arrested. He refused to take a shower, and told police he would only have a bath — which wasn’t possible in the Surrey RCMP jail cells where he was being kept overnight.” He resided in a “grungy old trailer that was dirty and extremely cluttered inside” (Hall and Culbert, 20 February, 2007:B2). The *Sun* ran photographs of the messy exterior of Pickton’s trailer (Culbert, 22 February, 2007:B6).

Pickton’s trailer and farm, then, mirrored the chaos and dirt of the Downtown Eastside. The two sites were visually linked as sites of degeneracy. The mayhem of the drug trade, street violence and poverty in the Downtown Eastside paralleled the clutter, dirt, and disrepair of buildings on the farm. The thread connecting these two sites was the mobility of the sex workers who were picked up by Pickton and driven to the outskirts of ‘civilized’ society — from one degenerate zone to another. As Lisa Sanchez comments, “[t]he prostitute’s movement, then, is not from a place of ownership, right, or entitlement to a place of anarchy and loss — it is not a *displacement* — but a node on the path of what can only be called a forcibly nomadic existence, a moment in which out-of-placeness is punctuated.” (2005:873)

Pickton as ‘village idiot’ or wily killer

Journalists following the trial picked up on the polar representations of Pickton as “village idiot” or “wily killer,” asking in a lead to an article by the same title, “Is accused killer Robert (Willie) Pickton just a plain little pig farmer, a simple fellow who is mentally slow and too unsophisticated to plot a string of Vancouver missing women cases that baffled police for years?” (Hall and Culbert, 20 February 2007: B2). The defence took pains to point out that there were

numerous people frequenting the farm site and Pickton's trailer. The Crown, drawing on the expertise of police and RCMP officers, including forensic investigators and DNA experts, sought to prove otherwise. Coupled with his expressed disdain for sex workers, testimonies from his acquaintances, police officers and experts, and the DNA found on the site and in his trailer, the Crown suggested that Pickton was guilty beyond reasonable doubt.

The defence counsel, for its part, sought to demonstrate that the DNA evidence had been contaminated, that witness credibility was an issue that affected all testimonies, that Crown witnesses had been paid as informants, and that there were others involved since Pickton did not have the intellectual or mental capacity to commit the crimes. For example, when the Crown counsel called Helen Major to the stand (described simply as a woman who worked at the Roosevelt hotel where Andrea Joesbury used to stay), Major seemed to imply that rather than Pickton, it was Joesbury's friend 'Mohammed' who was responsible. She stated that Joesbury disappeared after Mohammed was released from jail. Mohammed was not called upon as a witness. Major continued that Dinah Taylor, a friend of Pickton, was also very jealous. Thus, her testimony introduced a degree of doubt in so far as Pickton's culpability was concerned.

Again, what is interesting about this testimony is the allusion to a 'Mohammed' as the potential suspect since it was after his release that Joesbury disappeared. Major's testimony then reveals that, in her estimation, it was more likely that a man of colour living in the same hotel was the likely suspect, and with a name like Mohamed, and a Muslim at that, her testimony seemed to strengthen the defence's position in this post 9/11 context. Moreover, her testimony also invoked the figure of the 'jealous woman' template that interlaces numerous crime drama stories, thereby 'making sense.'

Witness credibility

In establishing witness credibility or the lack thereof, the reporters relied closely on how witnesses were presented and introduced in court. The media's descriptions of particular witnesses make apparent how larger ideological valuations influence the telling of a story. In the following extract, I juxtapose the way in which two different witnesses, both for Crown counsel, were introduced in the coverage:

Brienne DeForest-Rusnak had just graduated from university with an anthropology degree in April 2002 when she landed a job in her field — looking for human bones on accused killer Robert (Willie) Pickton's farm. [...]

Speaking in a poised, collected voice, the young woman testified in New Westminster Supreme Court that her professor told her the RCMP was

looking for anthropology graduates to sift through dirt excavated from Pickton's seven-hectare pig farm. (Culbert, 7 March, 2007: B7)

In contrast:

Former Downtown Eastside drug user Monique Wood said she accepted a ride with accused killer Robert (Willie) Pickton to his farm, where the pair put on a movie and lay down on his bed together. [...] Wood, who had injected heroin, fell asleep and the next thing she remembers is waking up in the morning, when Pickton took her to a bus stop and gave her \$70. She never saw him again. (Culbert, 1 June, 2007:B1)

Wood is described as a person "whose seven years on the streets left her looking older than her 27 years." Here, we see that the reporters inserted the descriptions and in doing so, established for the readers that which they could identify as 'credible.' Clearly, middle-class trappings, education, and the like (Jiwani, 2006), served as markers of credibility. There is nothing in Wood's description to tell us what her present situation is or how she came to be addicted to heroine. In contrast to Wood, another witness, Gerald McLaughlin, was described as a "soft-spoken, clean-cut young man" (Culbert, 20 June, 2007: B5), while the Crown's star witness, Lynn Ellingsen, was described as a crack abuser.²¹

However, the paper did mention that "Ellingsen, who grew up in North Delta, went from being a star high school athlete to a teenage mom to a severe crack addict" (Culbert, 26 June, 2007: B1). Nevertheless, Ellingsen's credibility was shattered by a number of revelations that she made under intense cross-examination. Not only was her memory hazy as a result of continuous drug use, but she had also lied to officers. Her background included charges of assaulting an old friend, milking the welfare system, and stealing other items. The defence was quick to point out that the "RCMP [had] spent \$16,264" on her. This included her clothes for the trial, rent, food, training, and other expenses (Culbert, 29 June, 2007: B7).

Of all the charges, it is Ellingsen's alleged assault by her boyfriend — which landed him in custody for two months — that stands out. Here, we see a construction of Ellingsen, and by extension other civilian women from the Downtown Eastside who testified, as unstable, unreliable addicts with a tendency to blame others for crimes and misdemeanors that they commit. Their involvement in welfare fraud, assault and other crimes makes them part of the shady underworld that is neither governed by law nor exempt from it. Ultimately, they are portrayed as having nothing better to do than drive around and smoke crack cocaine (Hall, 12 July, 2007: B2).²² These women, then, cannot be believed. As Razack (2002) notes with regard to another court case involving the murder of an Aboriginal woman,

The street thus remained, in the space of the courtroom, an aggregate of individuals who form a mass and who function according to their own rules. From this perspective, criminality sticks to the Aboriginal bodies, entrenching a view that such bodies can be associated with little else (147).

In the context of this court trial, white bodies were similarly racialized, and criminality stuck to them in much the same way.

On August 13, 2007, the prosecution rested its case. Thereafter, the court went into recess to hear legal arguments from both sides. The trial resumed August 27 with the defence counsel beginning its round of witnesses.

Conclusion

As this paper has revealed, bare life in the context of the 'missing' and murdered women is life lived on the other side of the law, life which is criminalized and denuded of its humanity and personhood; but it is the state of exception within which bare life is located that enables sovereign power over life and death to be recognized and legitimated. Zones of degeneracy only exist to reinforce that which is considered not-degenerate — the moral universe within which middle-class hetero-normativity is entrenched and reproduced. Voyeuristic journeys where, we the audience, are exposed to bare life as degenerate lives, permits us to reconstitute our identity and moral universe as a respectable, law-abiding citizenry.

Institutionally-mediated practices that define and retrench the moral universe are thus essential for sustaining the rule of law and legitimizing states of exception. The mass media play a critical role in this regard and, as this paper has demonstrated, crime news is a key site where middle-class morality is produced and reproduced and where transgressions are amplified and made sense of in ways that resonate with hegemonic values. Through the figure of the prostitute (racialized, whether Aboriginal or white), the media help define those that are outside the moral order and zones that are degenerate. Mediations of court proceedings then represent criminals who can be expunged from society and victims whose deaths can be avenged in the theatre of the court, but whose deaths ultimately reinforce the moral and political order. Through strategic insertions and reproduction of court documents as well as reliance on lawyers and judges, the media convey hegemonic constructions of the crime and its proceedings. In the process, the 'missing' and murdered women are re-inscribed as bare life — as lives linked to objects, and as objects themselves.

This is not to suggest that *The Sun* did not offer any other kind of coverage. There were various stories punctuating the court proceedings that detailed the lives of the murdered and

missing women and the traumatizing effects of the trial on their families and friends. However, most of this coverage restored them to a personhood that was within the boundaries of middle-class morality and heteronormativity or that memorialized them in ways that abstracted them from their surroundings, disinterred them from a history of violence, and stripped their lives of the meaning.

Sanitizing coverage raises another issue: namely, whether such coverage works to hide or erase the continued violence against Aboriginal or other sex trade workers in zones of degeneracy and moreover, to occlude the violence of prostitution. Installing a degree of comfort for readers so that middle-class morality can be rescued and retrenched only serves, in this case and others, to effect a discourse of denial. Perhaps, in this light, it is better to risk making the horror explicit than to have it swept under the rug for fear of offending moral sensibilities. Alternatively, more in-depth exposure of the issues affecting the Downtown Eastside might have served to better contextualize women's lives. It is estimated that the government of British Columbia spent seventy million dollars in the investigation and another forty-six million were earmarked for the trials (Culbert and Hall, 2 September, 2006:A1). Were this money to have been spent in constructing affordable housing, treatment centres and providing advocacy, many of the murdered women might still be alive; but, then again, such a move would simply move the theatre of degeneracy elsewhere in order for zones of respectability to be reconstituted and reproduced.

However, to limit the analysis to this point would obviate the issue of Aboriginality and its materiality. Aboriginality is not merely a floating signifier. For the real issue of import here, and in other urban cores where Aboriginal people are concentrated, concerns the structural, physical and psychological violence to which Aboriginal people are exposed and to which they will continually be subject as long as they remain dispossessed others. The violence enacted on Aboriginal women's bodies, then, remains a hallmark of the ongoing colonization of the land, and to that extent, its roots are grounded in the very making of this nation. Singularizing such violence abstracts it from the larger societal context of impoverished reserves, structured dependency, paternalistic legislation and abandonment, all of which are rooted in the strategies of assimilation and genocide implemented by the settler colony that is Canada.

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Endnotes

¹ In *Homo Sacer*, Agamben discusses the ambiguity of the ban, noting "What has been banned is delivered over to its own separateness and, at the same time, consigned to the mercy of the one who abandons it – at once excluded and included, removed and at the same time captured." (1998: 110)

² As Sherene Razack observes, "The inner city is racialized space, the zone in which all that is not respectable is contained. Canada's colonial geographies exhibit this same pattern of violent expulsions and the spatial containment of Aboriginal peoples to marginalized areas of the city, processes consolidated over three hundred years of colonization" (2002: 129).

³ The patriarchal motif is explicit in the following: "It is as if male citizens had to pay for their participation in political life with an unconditional subjection to a power of death, as if life were able to enter the city only in the double exception of being capable of being killed and yet not sacrificed." (Agamben, 1998: 90)

⁴ That aside, the public/private divide does not hold in the same way for women of colour, as bell hooks (1982) and others have demonstrated; for here, it is the relegation of women of colour in racialized spaces (which are public) that serves to maintain the hegemony of the white, patriarchal, bourgeois moral order.

⁵ I am bracketing the debate here regarding sex work as a volitional exercise and subversive activity versus its construction as a form of violence. For more on this debate, see Razack (1998). My point of departure is that sex work is a response to structural and corporeal violence, and therefore, constitutive of violence.

⁶ As Razack (2002) observes, "Over-policed and incarcerated at one of the highest rates in the world, their encounters with white settlers have principally remained encounters in prostitution, policing, and the criminal justice system." (127)

⁷ Katz (1987: 67) suggests that, "the predominance of stories on violent crime in contemporary newspapers can be understood as serving readers' interests in re-creating daily their moral sensibilities

through shock and impulses of outrage." Thus, not only does crime news reproduce the discursive boundaries of morality, but, in so doing, it also defines those regions of the underworld of normative society that are simultaneously beyond the reach of the law yet heavily circumscribed within its orbit.

⁸ Indeed, there is another side to this obsessive reporting of violent crimes leading to death: they instil a sense of fear, suggesting that we, too, could easily become victims of such crimes. In her study of the British tabloid press, Carter observes that: "The relative over-representation of femicide in the tabloid press compared to its actual occurrence encourages (if not guarantees) female readers to infer that the risk of them becoming a victim is high, and that should they become the victim of sexual violence it is most likely to result in their death or rape" (1998: 231). The fear of the stranger rapist/murderer, is an implicit and explicit message in crime coverage. Not only are the rapists depicted as 'monsters' unlike other men and, hence, to be carefully avoided, but the focus on the stranger also occludes the reality that most intimate and gendered violence takes place with familiar and familial others. Notwithstanding this reality, the other implication of this kind of heavy coverage is that it underscores and entrenches dominant notions of morality with regard to female sexuality: 'Good' girls don't put themselves in harm's way.

⁹ In describing an art exhibit entitled NHI – No Humans Involved, Margot L. Butler observes that the project derived its name from an acronym used by San Diego police to refer to "misdemeanour murders' of biker women and hookers" (2006: 156).

¹⁰ Pitman also makes the point that this particular episode of *America's Most Wanted* offered as an explanation that fit the template of 'Jack the Ripper' — the odd, single and pathological serial killer. This template effectively occludes the widespread pattern and pervasiveness of male violence. Further, it singularizes such violence in a way that removes attention from the victims and their particular vulnerabilities. Rather, victims are identified only as unfortunate others who purposely placed themselves in harm's way or happened to be in the wrong place at the wrong time. Karen Boyle (2005) argues that, "the discourse of serial murder has specifically gendered functions — to keep women in a state of fear and to consolidate patriarchal control" (p.80). However, while these representations are engendered to invoke fear, the reality is that serial killers tend to prey on those most vulnerable, "*people who would be least missed, who would be considered most expendable and who, by virtue of their situation, would be most accessible*" (Stratton 1994: 17 quoted in Pitman, 2002: 180, italics in the original).

¹¹ I am indebted to Sorouja Moll for highlighting this point.

¹² The same day's issue ran a story on how to respond to children's questions about the impending trial.

¹³ Pitman (2002) observes that the Downtown Eastside fit the conception of a "sin city," which, she argues, formed "the counterpart of the "sim city" (or sustainable urban region) vision that governed planning and development discourse in Vancouver." (175)

¹⁴ *The Sun* also posted all the coverage (both the sanitized and non-sanitized versions) on its website, offering online readers a somewhat different take on the trial.

¹⁵ The title of this story basically summarizes the Crown's position: "He murdered them, butchered them and disposed of their remains": Prosecutor Derrill Prevett, on what the Crown alleges in its case against Robert Pickton: Crown: Pickton wanted 'to make it an even 50.'" (Hall, 23 January 2007: A1)

¹⁶ In reproducing this extract and others throughout the paper, I have chosen to retain the names of the women rather than remove them as removing them would, in my opinion, have contributed to a further dehumanization. While I am aware that this may be seen as reproducing the women as bare life, my argument is that they were already reduced to bare life and that these representations embody their objectification as bare life. Further, by reproducing their names here, my intent is to bring them back into the realm of public discourse rather than disappearing them in the text.

¹⁷ As mentioned previously, Sarah de Vries, one of the young women who was missing and murdered, was black and Aboriginal (Pratt, 2005). According to her sister's memoir, as a black child (her sister does not mention Aboriginal heritage), Sarah suffered a great deal of racism (de Vries, 2003).

¹⁸ The playing of the videotape and the cross-examination of the interrogating officers continued into February 2007.

¹⁹ An 'overcomplete description,' according to van Dijk (1993), refers to when the reporter provides information that is not necessary or warranted by the story.

²⁰ In one story focusing on forensic DNA testing of Abotsway's teeth found at the farm site, the expert indicated that aside from her DNA, there were DNA traces of two others, one of them male. The investigator could not determine whose DNA had ended up on the teeth even though he tested all those who had come in contact with the sample (Culbert, 13 April, 2007: B5).

²¹ This can be seen in the title of the story covering Ellingsen's testimony: "Witness tells of body on chain; 'Willie made me look ... He was full of blood himself,' crack abuser tells Pickton murder trial." (Culbert, 26 June, 2007: B1). In a subsequent story, the title describes Ellingsen as a "cocaine user" (Culbert, 27 June, 2007: B1).

²² Dara Culhane (2003) has argued that drug use is often used to stigmatize people in the Downtown Eastside where its use is open and public. When such use is privatized, as in middle class families, it is out of the range of scrutiny and hence condemnation. In a story that ran on Day 81 of the Pickton trial, Shaw reported that "a third of the crew on a Canadian warship based at a CFB Esquimalt in British Columbia used cocaine regularly" (Shaw, 14 August, 2007: A2); yet, there was not as much made of this revelation nor was the tie to the witnesses in the Pickton trial elucidated.