

**CAGING WOMEN: PUNISHMENT, JUDGMENT, REFORM, AND
RESISTANCE IN WOMEN IN PRISON FILMS**

by

Suzanne Bouclin

**A thesis submitted in partial fulfillment of the requirements for the
degree of**

MASTER OF LAWS (LL.M.)

**Under the Supervision of
Professor Anne McGillivray**

UNIVERSITY OF MANITOBA

Winnipeg

Faculty of Law

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ACKNOWLEDGEMENTS

*Thus, without expectation,
One will always perceive the subtlety;
And, with expectation,
One will always perceive the boundary.¹*

I am indebted to my advisor, Professor Anne McGillivray, for her incisive commentary and far-reaching analysis and her delicate negotiation of expectations. I thank my Committee members, Professors Rebecca Johnson and Debra Parkes for their constructive suggestions and comments, and especially Professor George Toles, an invaluable resource on all things film. I am also grateful for the encouragement I received from the faculty at Robson Hall. Extra special thanks to the library and support staff.

¹ L. Tzu, *The Tao of power: a translation of the Tao te ching by Lao Tzu* 1st ed., (New York: Doubleday, 1986) at p. 27.

ABSTRACT

For people who occupy spaces of privilege, an understanding of the criminal justice system and the prison in particular, often remains a mediated one, understood through news media and fictional narratives. This mediated experience is significant because the prison itself is both a system of surveillance and relatively hidden from the public eyes. This thesis examines the relationship between film and the law by focusing on a particular cultural artifact - women in prison films (WIP). My starting point is that engagement with this relatively obscure sub-genre of popular film can be a powerful impetus to revision law in ways that challenges the criminalization of particular groups of women. Rather than measuring the realism of WIP films, this research provides a more nuanced inquiry which considers the dialogical or intertextual relationship between films about women in prison and the manner in which the criminal law operates in women's lives. I conclude that WIP films may offer ways to imagine the violence of state practices and the inhumanity of total institutions, and suggest broader gender, race, and class injustices that render certain women more vulnerable to criminalization. To this end, attending to the interaction between law and WIP films can enable a more complex picture of the construction of women's victimization and culpability.

Introduction

*Did you ever do anything illegal
Maybe Maybe Not Depends on your definition of legal¹*

Marlene Tromp argues that Victorian sensation fiction interrogates social policies, standards of normality, and morality.² Similarly, when fictional film leaves us “feeling vexed, unsettled, discomforted,” it “may be providing us with a cue for social change.”³ Films can elicit strong emotional responses and can intervene in social and political environments in subtle though sometimes “unwelcoming and even dangerous ways.”⁴ At their best, they “confront what was, what is, what might be, multiply, fluidly, and often in ways that are hard for us to grasp.”⁵

In this thesis, I examine the relationship between film and the law by focusing on women in prison films (hereinafter “WIP”). My starting point is that engagement with this relatively obscure sub-genre of popular film “can be a powerful impetus to reconceptualize law,”⁶ here in ways that challenge the criminalization of particular groups of women. My overarching question is not whether filmic images reveal anything about the actual conditions of incarcerated women. WIP films, like any other kind, vary in their cultural verisimilitude. The social purpose WIP films of the thirties to the mid-

¹ C.D. Wright, *One Big Self: An Investigation* (Port Townsend, Wash.: Copper Canyon Press, 2007) at p. 32.

² M. Tromp, ed., *Popular Fiction and Domestic Law: East Lynne, Justice and the 'Ordeal of the Undecidable'* (Oxford University Press, 2005), pp. 197-211 at p. 197.

³ *Id.*

⁴ M. Shiel, “Cinema and the City in History and Theory” in M. Shiel and T. Fitzmaurice, eds., *Cinema and the City: Film and Urban Societies in a Global Context* (Oxford and Malden, Mass.: Blackwell, 2001) 1 at p. 7.

⁵ A. Sarat, “Imagining the Law of the Father: Loss, Dread, and Mourning in The Sweet Hereafter” (2000) 34 *Law and Society Review* 3 at p.40.

⁶ A. McGillivray, “Recherche Sublime: An Introduction to Law and Literature” (1994) 27 *Mosaic* at p.vi.

fifties claimed in advertising to depict “the story of a women’s prison today,”⁷ Whereas the exploitation films offered “caged passions igniting in carnal confinement and exploding into violence.”⁸ Neither delivers exactly what it promises. Both abstract issues of race, class, physical and sexual abuse, intellectual disabilities and sexual orientation in the development of stock female characters and filmic conventions. As Angus MacDonald explains, it stands to reason that in the context of law-and-film scholarship, it is more productive to “look to the law film for an understanding of the fantasy of law than of the reality of law.”⁹ WIP films, then, may not tell us much about women’s prisons, but they offer considerable insight on how the women’s prison is imagined, upon which bodies the criminal law is enacted, and how some groups of women are labeled ‘criminal.’ This is more relevant to the study of law than it may appear:

... how the law is imagined is a major factor in the real evolution of the law. The public’s fear of crime [or ‘criminal women’], for example, is acknowledged as a real factor in decisions about policing, even when that fear is factually groundless.¹⁰

Rather than measuring the realism of WIP films, a more nuanced inquiry is to examine the dialogical or intertextual relationship between films about women in prison and the manner in which the criminal law operates in women’s lives.

WIP films are explicitly named for the spaces mapped out in them. The particular construction of women’s prisons as oppressive and violent relates directly to the widely-held view of women prisoners as inherently violent, sick, and often sadistic. Without a

⁷ Tagline for *Caged* (1950).

⁸ Tagline for *Caged Heat* (1974).

⁹ A. MacDonald, “Endless Streets, Pursued by Ghosts” in L. Moran, E. Sandon, E. Loisdou and I. Christie, eds., *Law’s Moving Image* (London / Sydney: Cavendish, 2004) 123 at p. 124.

¹⁰ *Id.*

filmic or imagined rendering of the ‘prison space,’ these films would have little meaning for their audiences, who seem to respond as much to the films’ settings as they do to the films’ plots. As Andre Sennwald wrote in 1932, for “the normal citizen, the routine lives of the men and women, with numbers instead of names, have a cold and rather terrifying fascination.”¹¹ Today, the notion of ‘normal’ is better understood as people occupying spaces of privilege along vectors of gender, race, class, and sexual orientation.

For people located in these spaces of privilege, an understanding of the criminal justice system and the prison in particular remains a mediated one, understood through news media and fictional narratives. This mediated experience is significant because the prison itself is both a system of surveillance and relatively hidden from the public eyes. Despite what Jarvis calls “the increasingly simulacral nature of US justice,”¹² films about women in prison may enable viewers to move out of bleak and grim statistics¹³ and provide a believable (though not necessarily a ‘realistic’ account) of the manner in which the criminal justice system operates in women’s lives. In short, they may offer ways to imagine the violence of state practices and the inhumanity of total institutions, and suggest broader gender, race, and class injustices that render certain women more vulnerable to criminalization. To this end, attending to the “cultural interaction” between law and WIP films can enable a more complex picture of “the construction of women’s victimization and culpability.”¹⁴

¹¹ A. Sennwald, “Ladies of the Big House” *New York Times Review* (January 1, 1932).

¹² B. Jarvis, *Cruel and Unusual: Punishment and U.S. Culture* (London Pluto Press, 2004) at pp. 208-09.

¹³ M. Valverde, *Law and Order: Images, Meanings, Myths* (New Brunswick, New Jersey: Rutgers University Press, 2006) at p.8.

¹⁴ O. Kamir, *Framed: Women in Law and Film* (Durham and London: Duke University Press, 2006) at p. 32.

Chapter One of this thesis is a summary of the legal scholarship on how popular film both shapes and reflects law. I critically engage with some of the underlying assumptions of law and film research. I suggest that Orit Kamir's framework – film parallels law, film as judgment, film as jurisprudence – provides a more complex understanding of the relationship between these two cultural formations generally, and offers a feminist legal analysis of an on-screen legal institution - the women's prison – in particular. I then turn to three premises that underlie my research. First, law 'is' power but there are spaces for resistance. Second, 'women' in all their diversity experience the law and legal processes in various ways. Third, filmic representations can destabilize the myth of legal neutrality and autonomy and irritate hegemonic structures that marginalize particular groups of women.

Chapter Two draws on intertextual film theory to develop a genealogy of WIP films. Here I set out the reasons for narrowing my field of research from any filmic rendering of a particular chronotope, the women's prison, to those WIP films that are sufficiently self-reflexive and intertextual for my analysis.

Chapter Three is a critical review and engagement with socio-legal scholars who have examined the broader relevance of WIPs. Unlike those film theorists, who discuss law and legal actors as the means to a desired narrative, I focus on the pivotal role law and legal systems play in organizing the films. Like other feminist theorists, I acknowledge that "there is much to hate" about WIP films such as the "scenes of rape and torture that are [now] staples."¹⁵ Nevertheless, in keeping with critical re-readings of genre film generally, I engage in a "recuperative" feminist, legal, and filmic engagement

¹⁵ J. Mayne, "Caged and framed. The Women-in-prison Film" in *Framed: Lesbians, Feminists, and Media Culture* (Minneapolis: University of Minnesota Press 2000) 115 at p. 115.

with the WIP films emphasizing “their internal contradictions” and the presence of women’s voices that resist hegemonic structures.¹⁶ The overarching aim of my research, then, is to attend to what can we draw from the dialogical relationship between film and discursive legal practices that govern particular women and to ask whether and how WIP provide spaces in which women resist the stigma of criminalization and the hegemonic processes of the criminal law.

Chapter Four is a more thorough examination of the texts, contexts, paratexts, subtexts of *Caged* (1950) and *Caged Heat* (1974). Moreover, it discusses the intertextual dialogue these films engage in with each other, with the WIP sub-genre, with the criminal law, and with feminist theories. I argue that both films mirror a number of historically contingent generic conventions but also deviate from, parody, and subvert the WIP sub-genre. In particular, *Caged* and *Caged Heat* refuse to deny the victimization of women in prison. Instead they “acknowledge and emphasize” it, and “have no difficulty understanding and conveying victimized women’s subjecthood and agency.”¹⁷ Drawing on Kamir’s feminist law and film framework, I engage in discursive and textual analysis and highlight cinematographic choices to establish how, on some levels, they parallel legal processes that govern women; on other levels, they engage in cinematic judgment of a justice system that criminalizes particular women’s survival tactics. On other levels still, they engage jurisprudential issues such as the notion of gendered crime and the nature of women’s punishment that may destabilize the victim / offender dualism and the

¹⁶ J. Byars, *All that Hollywood Allows: Re-reading Gender in 1950s Melodrama* (London: Routledge, 1991) at p. 20.

¹⁷ Kamir, *supra* note 15 at 34.

“legal logic of individual culpability.”¹⁸ My hope is that this analysis may illuminate “analogous legal methods of constructing and judging” criminalized women.¹⁹

¹⁸ E. Comack, “The Feminist Engagement with Criminology” in G. Balfour and E. Comack, eds., *Criminalizing Women* (Halifax: Fernwood Publishing, 2006) 22 at p. 40.

¹⁹ Kamir, *supra* note 15 at p. 34.

Chapter One
Disciplinary Terrain and Conceptual Framework

*Images that disrupt norms, that display current norms, also set agendas for change.*¹

Law and film are two separate but integrated socio-cultural formations with a complex and shifting relationship, two systems of representation in dialogue with one and other. As cultural products, films, and the industries that produce and promote them, shape and transform legal concepts such as contract, the corporation, censorship, intellectual property and trade marks, obscenity, freedom of expression, and discrimination. Like film, the law “loves and fears images.”² Although often perceived as a series of texts – legislation and caselaw – the law has always organized its “operations in a highly visual manner.”³

To this end, film’s “indefatigable”⁴ representation of law, and the criminal law, lawyers and trials, in particular, is one of the key sites in which legal meanings are produced and exchanged. As Stuart Hall explains:

... representation is conceived as entering into the very constitution of things, and thus culture is conceptualized as a primary or ‘constitutive’ process, as important as the economic or material ‘base’ in shaping social subjects of historical events – not merely a reflection of the world after the event.⁵

¹ J. Staiger, *Bad Women: Regulating Sexuality in Early American Cinema* (Minneapolis: University of Minnesota Press, 1995) at p. xvii.

² C. Douzinas “The Legality of the Image” (2000) 63 *Modern Law Review* 815.

³ *Id.*

⁴ D. A. Black, *Law in Film: Resonance and Representation* (Urbana and Chicago: University of Illinois Press, 1999) at p.1. Crime and punishment themes are as old as old as the medium itself, and can be traced at least as far back as Barnsdale’s *Prison Bars* (1901).

⁵ S. Hall, ed., *Representation: Cultural Representations and Signifying Practices* (London Sage, 1997) 1 at p. 5.

While film and cultural theorists have explored how visual images constitute complex and contradictory meanings,⁶ it is only recently that scholarship around law and film has emerged from law faculties.⁷ Sometimes referred to as a tendril of ‘law and society’⁸ and ‘law and literature,’⁹ law and film is more accurately a field in its own right influenced by critical legal methods, postmodern aesthetics, and cultural theories.

In Part One of this chapter, I summarize some of the legal scholarship on how popular film both shapes and reflects “the legal imagination”¹⁰ and how law is visualized

⁶ Hall *et al.*'s book is probably the best known, *Policing the Crisis: Mugging, the State, and Law and Order* (New York: Holmes & Meier, 1998), discusses how the concept of mugging became a social problem in the United Kingdom, in part because of the way in which images of crime were disseminated in the mass media.

⁷ For a sample of some of the scholarship, see: M. Freeman, ed., *Law and Popular Culture: Special Edition of Current Legal Issues (2004) volume 7* (Oxford University Press, 2005); L. Moran *et al.*, eds., *Law's Moving Image*. (Sydney: Cavendish, 2004); J. Denvir, ed., *Legal Reelism* (Chicago: University of Illinois Press, 1996).

⁸ The interdisciplinary work of law and society is a response to the positivist, formalist and institutionally-focused accounts of law. It questions the concept of law as a self-contained and autonomous field, rejects structural analyses of law and explores “law as a diffuse and pervasive force shaping social consciousness and behaviour.” R. Coombe, “Contingent Articulations: A Critical Cultural Studies of Law” in A. Sarat and K. Thomas, eds., *Law in the Domains of Culture* (Ann Arbor: University of Michigan Press, 1998) 21 at p.22. Law and society scholarship applies sociological concepts and theories to the law, but, whereas sociology “aims to be descriptive and morally neutral, many of those who identify with ‘socio-legal studies ... have ‘progressive’ or radical views.” Socio-legal scholars are thus thought of as more ‘critical’ than ‘scientific.’ B. Bix, *Jurisprudence: Theory and Context* (Durham, N.C.: Carolina Academic Press, 2004) at p. 232. See generally: R. Cotterrell, “Subverting Orthodoxy, Making Law Central: A View of Socio-legal studies” 29 (2002) *Journal of Law and Society* 632; J.B. Grossman, *et al.*, “Law and Society: A Selective Bibliography” (1969) 4(1) *Law & Society Review* 123; L. M. Friedman, “The Law and Society Movement” (1986) *Stanford Law Review* 38(3) 763.

⁹ The study of law and literature examines literary texts through a legal lens and legal texts through a literary lens and emphasizes questions of signification, meaning, and interpretation. One of the earliest attempts at integrating legal and literary analysis appears to be Benjamin Cardozo's article on the literary styles of judicial opinions: “Law and Literature” (1925) 14 *Yale Review* 669. James White's influential text is considered the first book of the law and literature ‘movement:’ J. B. White, *The Legal Imagination: Studies in the Nature of Legal Thought and Expression* (Boston: Little, Brown, and Co., 1973). Also see: R. Weisberg, *Poethics, and Other Strategies of Law and Literature* (New York: Columbia University Press, 1992); A. McGillivray, “Recherche Sublime: An Introduction to Law and Literature” (1994) 27 *Mosaic* i; P. Brooks & P. Gewirtz, eds., *Law's Stories: Narrative and Rhetoric in Law* (New Haven and London: Yale University Press, 1996); M. Aristodemou, *Law & Literature: Journeys from Her to Eternity*: Oxford University Press, 2000).

¹⁰ White, *ibid.*

and experienced through film. I have found that this research can be divided into evaluative pieces that measure a film's legal realism, research on the role of film as a pedagogical tool, and taxonomic work that grapples with the parameters of 'law films.' I critically engage with these approaches and suggest that Orit Kamir's framework – film parallels law, film as judgment, film as jurisprudence - can provide more complex and nuanced understanding of how law, and conceptions of law, are both shaped and reflected within film.¹¹ In Part Two, I demonstrate how Kamir's framework applies to my research. In Part Three, I discuss additional premises of my research on WIP films. First, the law is power, but where there is power, there are spaces for resistance. Second, 'women' experience the law and legal processes' exercise of power in variegated ways. Third, subversive filmic representations can destabilize the myth of legal neutrality and autonomy.

1.1 Disciplinary Frameworks: Mapping the Law and Film Terrain

1.1.1 Real and reel lawyers and legal systems

We must never confuse – as has been done up to now and as is still often done – the represented world with the world outside the text (naïve realism); nor must we confuse the author-creator of a world with the author as a human being (naïve biographism).¹²

A number of law and film scholars evaluate films' realism and especially the accuracy of the legal process and legal actors. According to Stewart Macaulay, because most people derive their knowledge about law and legal systems through film, scholars

¹¹ O. Kamir, "Why 'Law and Film' and What Does it Actually Mean? A Perspective" (2005) 19 *Continuum: Journal of Media and Cultural Studies* 255; O. Kamir, *Framed: Women in Law and Film* (Durham and London: Duke University Press, 2006).

¹² M. Bakhtin, *The Dialogic Imagination* (Austin: University of Texas Press, 1981) at p.253.

should turn their minds to the ‘truthfulness’ of representations.¹³ An overwhelming proportion of this law and film research appraises the cinematic portrayal of lawyer and legal ethics.¹⁴ Ralph Berets suggests that “lawyer bashing in film continues” and that “on the whole” they are portrayed as “an opportunistic, self aggrandizing lot.”¹⁵ Nancy Rapoport adds that these depictions cast a negative light on the profession and may affect individual practitioners’ sense of self.¹⁶ John Denvir, on the other hand, argues that the lawyer-protagonist in law films is usually a hero, and often a criminal defence lawyer representing an innocent, or otherwise ‘worthy’ defendant. Rather than the legal profession being put to task, it is the (often corrupt) legal system.¹⁷ Others focus on the trial processes. Paul Bergman and Michael Asimow list and evaluate over sixty courtroom dramas “based on the quality, dramatic power and authenticity of the trial scenes in the movie.”¹⁸ Their rating system of four gavels for “classic” to one for “just okay” leads them to find that *Bananas* (1971)¹⁹, for instance, “screws up both legal rules and trial procedures” because “real case are nothing like that.”²⁰

This understanding of law in film eclipses critical interrogation of the films themselves and instead favours a “theoretically uninquisitive realism.”²¹ As Black remarks, “the crudity of this ‘would-this-really-happen?’ approach to narrative criticism

¹³ S. Macaulay, “Images of Law in Everyday Life” (1987) 21 *Law and Society Review* 185.

¹⁴ See for instance: S. Greenfield and G. Osborn, “The Double Meaning of Law: Does it Matter if Film Lawyers are Unethical?” in Freeman, *supra* note 6 at p. 638.

¹⁵ R. Berets, “Lawyers in Film” (1998) 22 *Legal Studies Forum* 99 at p. 99.

¹⁶ N. Rapoport, (2000) “Dressed for Excess: How Hollywood Affects the Professional Behavior of Lawyers”, 14 *Notre Dam J. L. Ethics & Pub Pol’y* 49.

¹⁷ J. Denvir, “What Movies Can Teach Law Students” in Freeman, *supra* note 6 at p. 183.

¹⁸ P. Bergman and M. Asimow, *Reel Justice: The Courtroom goes to the Movies* (Kansas City: Andrews & McMeel, 1996) at p. xviii

¹⁹ Woody Allen (Dir.), *Woody Allen & Mickey Rose* (Screenplay), Jack Rollins & Charles H. Joffe Productions (Prod.).

²⁰ *Ibid.* at p. 100.

²¹ Black, *supra* note 3 at p. 61.

takes its toll and cuts off at the pass any insightful treatment of the entanglement of legal and filmic cultural idioms.”²² Further, as I argue in later chapters, the emphasis on the realism of filmic representations overshadows the critical insights of cultural theorists who have highlighted how reality is always constructed and that realism is “always a matter of contest.”²³ Truth and realism should instead be understood as fractured “by the different signifying practices and discourses through which different social groups stake out their identities and claims on the real.”²⁴ Moreover, filmmakers may intentionally “transcend representations of physical reality” in order to “allude to metaphorical truth[s]”²⁵ as, for instance, whether the law can ever be fair, or whether the prison should be used as a means of “closing down” on social problems.²⁶

An alternative is to view law and film as parallel “narrative regimes.”²⁷ As Kamir and others have argued, films can be thought of as paralleling law because both reflect and refract fundamental values about gender, crime, and justice. Both constitute subjects, identities, and communities. Both are socio-cultural fields in which fears, anxieties, and desires are portrayed, evaluated, and enacted.²⁸ Both create meaning through storytelling, performance, and rituals.²⁹ Seeing law and film as sharing structures and modes of operation allows us to focus on moments of continuity as well as conflict between these

²² *Ibid.* at p. 62. See also: Freeman, *supra* note 6.

²³ C. Gledhill, “Genre and Gender: The Case of Soap Opera” in S. Hall, *supra* note 4, 337 at p. 341.

²⁴ *Ibid.* at p. 361.

²⁵ M. Pramaggiore and T. Wallis, *Film: A Critical Introduction* (London: Laurence King Publishing Ltd., 2006) at pp. 224-25.

²⁶ S. Perera, “Having Trouble with the Law: Racialized Punishment and Testimonies of Resistance” in M. Thornton, ed., *Romancing the Tomes: Popular Culture, Law, and Feminism*: Cavendish, 2002) 113.

²⁷ They are, according to Black, narrative regimes because of the “presence of narrative” or “the commission, on institutional time, of acts of narrative.” *Supra*, note 3 at p. 34

²⁸ R. K. Sherwin, *When Law Goes Pop: The Vanishing Line Between Law and Popular Culture* (Chicago: University Press, 2000).

²⁹ Kamir (2005), *supra* note 10 at 257.

two cultural formations and invites a deeper interdisciplinary discussion around the dialogical relationship between law and film.

Some socio-legal scholars draw on feminist, postmodern, psychoanalytical, criminological, and cultural theories, and examine the paralleling functions and interplay between law and film, to discuss how both impact on the social construction of gender and race.³⁰ Kamir's historic and legal contextualization of *Anatomy of a Murder* (1959) - in which a husband is accused of killing his wife's lover - leads her to conclude that it "reveals the complementary phenomenon of film performing a social function previously addressed by the legal system."³¹ Briefly, in the late nineteenth century, as a response to advancements in women's formal equality, a number of trials reproduced the discourse of an unwritten law that a man could "avenge a women's sexual purity" and "defend his home."³² One hundred years later, "just as the last vestiges of the unwritten law were fading away," *Anatomy* "revived the undying legal phoenix in the face of threatening liberal attitudes towards 'family values' and gender roles."³³ Kamir's analysis demonstrates how law and film become signifiers and signs that constitute reality and how reality reconfigures and reflects those legal and filmic discourses.

³⁰ For instance: M. Russell, "Rewriting History with Lightning: Race, Myth, and Hollywood in the Legal Process" in Denvir, ed., *supra* note 6 at p. 172; J. Millibank, "From Butch to Butcher's Wife: Film, Crime and Lesbian Sexuality" (1995) 18 Sydney Law Review 451.

³¹ Kamir (2005), *supra* note 10 at p. 265.

³² *Id.*

³³ *Id.*

1.1.2 Learning and Teaching law through film

*The moving image attunes us to the ‘might-have-beens’ that have shaped our world and to the ‘might-bes’ against which it can be judged and toward which it might be pointed. In so doing, it contributes to both greater analytic clarity and political sensibility in our treatments of law.*³⁴

As in many other disciplines, law professors are beginning to incorporate filmic and other visual media to engage with students. Steve Greenfield *et al.* discuss the ways in which certain films can be used in ‘traditional’ or core law courses to illustrate a particular legal point about discrimination in the workplace (*e.g.*, *Philadelphia*) or to introduce issues of professional (mis)conduct and legal ethics (*e.g.*, *Cape Fear*, 1991).³⁵ Peter Robson uses *Laughter in Paradise* (1951)³⁶ less to critically engage with Scottish law of wills than to “provide entertaining and memorable moments to fix elements of core principles in the course.”³⁷ Philip Meyer, on the other hand, argues that watching such films as *A Dry White Season* (1989)³⁸ can provide examples of oral advocacy, and that the filmmaker, like the litigator, is a “cultural storyteller who tells fact-based narratives that convey a story and a particular vision of the world.”³⁹ Similarly, Denvir suggests that films can teach students that “the practice of law is fraught with ethical

³⁴ A. Sarat, “Imagining the Law of the Father: Loss, Dread, and Mourning in *The Sweet Hereafter*” (2000) 34 *Law and Society Review* 3 at p. 9.

³⁵ S. Greenfield, G. Osborn and P. Robson, “Locating Film and Law: Themes and Perspectives” in *Film and the Law* (Sydney: Cavendish, 2001) 1 at p. 7.

³⁶ Mario Zampi (Dir.), Jack Davies and Michael Pertwee (Screenplay), Transocean (Prod.).

³⁷ P. Robson, “Law and Film Studies: Autonomy and Theory” in Freeman, *supra* note 6, 21 at p. 22.

³⁸ Euzham Paclly (Dir.), Colin Welland (Screenplay) Sundance (Prod.).

³⁹ P. Meyer, “Law Students Go to the Movies” (1992) 24 *Connecticut Law Review* 893 at p. 897. Sherwin also argues that films should be considered one of many tools for trial lawyers and drawing on popular film plots and characters, a necessary courtroom strategy in the near future: “in the years ahead it will become increasingly difficult not to practice law on the screen, whether in court or out.” *Supra* note 27 at p. 72.

consequences,” that “justice counts,”⁴⁰ that the normative power of the law should be questioned, and that while moral dilemmas are part of every lawyer’s life, he or she will struggle when trying to make ethical decisions.⁴¹

This kind of research recalls John Henry Wigmore’s “humanizing project” that encouraged lawyers to read good books in order to make them good lawyers.⁴² Anne McGillivray notes that the lack of esteem for lawyers indicates that “the success” of his project “is uncertain.”⁴³ Using film clips as a kind of legal ‘evidence,’ or to prompt students to evaluate the depiction of substantive legal issues and legal ethics, may well increase class attendance and participation.⁴⁴ However, this pedagogical method is vulnerable to eclipsing the art of the film itself and would be enhanced by attention to the notion that film is the “vehicle for our experience of the real”⁴⁵ rather than a simply a reflection of it.

Another approach to the field of law and film has been to interrogate the extent to which “the images of law and justice reproduced in the media have a potential to impact on the behaviour of the public,”⁴⁶ or what I call film’s broader pedagogical value. In his nuanced study of the relationship between law and popular culture, Sherwin posits that popular images of law and legal processes serve as a “cultural barometer” for public

⁴⁰ Denvir writes, that “the very quantity of ‘law’ films demonstrates that the human appetite for justice is just as strong as our appetites for power and sex.” J. Denvir, *supra* note 6 at p. 191.

⁴¹ *Id.*

⁴² J. Wigmore, “A List of One Hundred Legal Novels” (1922) 17 Ill. L. Rev. 26. See also M. Nussbaum *Poetic Justice: The Literary Imagination and Public Life* (Boson: Beacon Press, 1995) and Robin West’s response to Nussbaum in “Law and Fancy” (1997) 95 Michigan Law Rev. 1851.

⁴³ McGillivray, *supra* note 8 at p. ix.

⁴⁴ N. Hausserman, “Learning can be fun: High Tech Meets Undergrad Law” (1995), cited in Greenfield *et al.*, *supra* 34 at p. 7.

⁴⁵ F. Jameson, *The Political Unconscious: Narrative as a Socially Symbolic Act* (Ithaca: Cornell University Press, 1981).

⁴⁶ Greenfield *et al.*, *supra* note 34; Robson, *supra* note 36 at p. 41.

opinion and reveal the fantasies, anxieties, and aspirations about law that are circulating through the public imagination.⁴⁷ The work of Sherwin and others examines how filmic texts, like legal rhetoric,⁴⁸ are vehicles through which viewers / readers can learn to judge and make sense of their world.⁴⁹ Carol Clover argues that certain Hollywood films, especially those whose structure mimic “the phases, the logic, and the narrative texture of the trial,” can “jurify” audiences, or position us in a judging role:

... the reason that juries are largely unseen in trial movies and the jury system largely uncontested within the regime of cinema is surely that we understand the jury to constitute a kind of necessary blank space in the text, one reserved for us.⁵⁰

Building on this work, Kamir claims that films, “train and mould viewers and audiences” in a form of “legal indoctrination” by constituting communities of viewers that engage in judgment. She refers to this process as “cinematic judgment.”⁵¹ A film passes judgment when it “offers distinct normative constructs of subjects and societies, of justice and judgment, inviting a judgmental viewing process.”⁵² Films achieve cinematic judgment through, among other things, narrative, visual composition, and editing structures that may reinforce or disengage viewer identification with particular characters, values, notions of justice, and ways of judging. For instance, Kamir argues that the film

⁴⁷ Sherwin, *supra* note 27 at pp. 73-78.

⁴⁸ White, *supra* note 8.

⁴⁹ A discrete study of law and film that has emerged through law school curricula and research centers adopts this framework, and uses film to challenge the concepts of ‘law’ and ‘legal processes’ from various vantage points. “The Visual Persuasion Project” run out of New York University. It aims to “study and advance the cultivation of critical visual intelligence, to inspire creative visualizations of evidence, case narratives, policy analysis, and legal argumentation, and to help lawyers, judges, law students, and the lay public integrate new visual tools into more traditional (textual and verbal) approaches to legal analysis.” <http://www.nyls.edu/pages/2734.asp> [last retrieved July 27, 2007].

⁵⁰ C. Clover, “Law and the Order of Popular Culture” in A. Sarat and T. Kearns, eds., *Law in the Domain of Culture* (Ann Arbor: University of Michigan Press, 1998) 97 at p. 105.

⁵¹ Kamir (2006), *supra* note 10 at p. iv.

⁵² *Ibid.* at p. 31.

Pandora's Box (1929)⁵³ constructs Lulu as a guilty object through Lilith iconography, such as her lack of familial bonds, sexual prowess, dark features, instinctual manipulation, and beauty.⁵⁴

While a film may reinforce values and ideologies as encoded in the fictional legal system, it may also “constitute a community, value system, and juridical views that criticize or undercut those supported by its fictional legal system.”⁵⁵ The film *Unforgiven* (1992)⁵⁶ has garnered some attention from socio-legal theorists for its cinematic judgment. Bill Miller shows how the film leads viewers to judge law as inadequate to meet society’s need for vengeance.⁵⁷ Ruth Buchanan and Rebecca Johnson further suggest that certain cinematic techniques in *Unforgiven* position viewers to judge some deaths as inevitable, others as unjustified.⁵⁸ To this end, a legal and filmic reading that acknowledges how the two media share methods of judgment⁵⁹ encourages a dialogue around film’s role in the construction of legal texts.

⁵³ Georg Wilhelm Pabst (Dir.), Joseph Fleisler and Georg Wilhelm Pabst (Screenplay), Nero Films (Prod.).

⁵⁴ Kamir (2006), *supra* note 10 at pp. 81-83.

⁵⁵ *Id.* See for instance: A. Chase, “Civil-Law Films: The Cinema of Tort Liability” in *Movies on Trial* (New York: The New Press, 2002) 104 who finds that *A Civil Action* enacts cinematic judgment of American Torts law and finds it inadequate to rendering justice in cases against corporate capital. J. Shultz, “Confectionery and Conflict Resolution? What *Chocolat* Reveals about Mediation” (2006) 22 *Negotiation Journal* 251 who argues that the film’s mediation style subverts classic mediation theory.

⁵⁶ Clint Eastwood (Dir.), David Webb Peoples (Screenplay), Warner Bros. (Prod.).

⁵⁷ W. I. Miller, “Clint Eastwood and Equity: Popular Culture’s Theory of Revenge” in A. Sarat & T. Kearns, eds., *Law in the Domains of Culture* (Ann Arbor: University of Michigan Press, 1998) 161.

⁵⁸ R. Buchanan and R. Johnson, “The ‘Unforgiven’ Sources of International Law: National-Building, Violence and Gender in the West(ern)” in D. Buss and A. Manji, eds., *International Law: Modern Feminist Approaches* (London: Hart Publishing, 2005) 131.

⁵⁹ A. G. Amsterdam & J. Bruner, *Minding the Law* (Cambridge Mass. Harvard University Press, 2000).

1.1.3 Establishing the law and film terrain: Defining the 'law film'

*I turn to film because law exists in a world of images whose power is not located in their representation of something exterior to themselves, but instead is found the image itself.*⁶⁰

Steve Greenfield, Guy Osborn, and Peter Robson express concern about the “threats and dangers” to law and film scholarship because of the permeability of the term ‘law film.’⁶¹ Greenfield *et al.* argue that

in any developing scholarship it is crucial that a consensus should be obtained in relation to both the subject matter and method of enquiry ... [T]he first task is to construct a typology of ‘law films’ rather than note that issues of justice can occur in the most unlikely vehicles.⁶²

In 2005, Robson reiterates the “need for criteria in delineating the field of study” and for boundaries that hold value in “seeking to throw light on how legal phenomena appear in film and how these representations affect ... norms.”⁶³ By way of example, he argues that “only by stretching to extraordinary lengths can one squeeze any justice relevance from ... *About a Boy*.” Greenfield *et al.* posit that in order to “qualify as a law film” a number of components must appear: “the geography of law, the language and dress of law, legal personnel and the authority.”⁶⁴ Their definition is limiting. *About a Boy*⁶⁵ may raise issues of interest to law and film scholars, including paternity / maternity rights, the

⁶⁰ A. Sarat, “Living in a Copernican Universe: Law and Fatherhood in *A Perfect World*” (1999-2000) 43 *New York Law Review* 843 at p. 847

⁶¹ Greenfield *et al.*, *supra* note 34. This too, is reminiscent of Wigmore’s seminal text. He asks: “what, pray, is a ‘legal’ novel?” and develops a four-part taxonomy: “(A) Novels in which some *trial scene* is described--perhaps including a skilful cross-examination; (B) Novels in which the *typical traits of a lawyer or judge*, or the *ways of professional life*, are portrayed; (C) Novels in which the methods of law in the *prosecution and punishment of crime* are delineated; and (D) Novels in which some *point of law*, affecting the rights or the conduct of the personages, *enters into the plot*.” *Supra* note 40 at p. 26.

⁶² Greenfield *et al.*, *supra* note 34 at p. 12.

⁶³ Robson, *supra* note 36 at p. 27.

⁶⁴ Excluded from the appropriate field of research, according to Robson, would be “scholarship on graphics and sound” no matter how “intrinsically interesting.” *Ibid* at p. 33.

⁶⁵ Chris Weitz and Paul Weitz (Dir.), Peter Hedges (Screenplay), Kalima Productions (Prod.).

concept of legal guardianship, and the intersection of law and psychiatry. Nonetheless, they conclude that “without some boundaries ... the practice of analyzing films about law threatens to dissolve into film studies with limited interest to the original legal and social theory audience.”⁶⁶ Robson further outlines concerns over the ‘encroachment’ of film studies’ methodology into the realm of law:

... how editing and lighting enhance film is an integral part of film studies. It is, however, peripheral to any *serious* consideration of law and film ... The social impact of film in relation should be the goal, not simply an aesthetic or technical analysis of film.⁶⁷

He adds that overemphasizing filmic techniques “runs the risk of producing material which may be of some interest within literary studies but which adds little to the concerns of law and film studies.”⁶⁸

The Greenfield *et al.* approach is based on the flawed assumption that film theorists have neither the interest nor the ability to contribute to legal, social, and/or political theory. On the contrary, cultural and film theorists examine the production, representation and consumption of images and the social forces that shape these processes and are deeply concerned with social forms and social relations.⁶⁹ It also occludes one of the richest insights law and film scholars can take from cultural studies that it is through aesthetic form that films illicit emotional responses from viewers and engage in the production and exchange of legal meanings. To borrow from Gledhill, in order to understand “how fictions gain hold of our [legal] imaginations so that they effectively become a central part of our ‘real’ lives,” researchers should concern

⁶⁶ Robson, *supra* note 36 at p. 34.

⁶⁷ *Id.* [emphasis mine].

⁶⁸ Robson also challenges Sarat’s reading of *The Sweet Hereafter* because he does not address the various structures and narratives within Russell Bank’s novel.

⁶⁹ R. Johnson, “What is Cultural Studies Anyway?” (1986/87) *Social Text* 16; R. Stam, *Film Theory: An Introduction* (Oxford: Blackwell, 2000).

themselves with “properties of aesthetic form and emotional effect.” These effects produce or imply meanings which may reinforce or contradict the ‘messages’ we might arrive at by quantitatively measuring the ‘law’ in films.⁷⁰ To ignore the specificities of film, then, does socio-legal research a disservice by negating the power of film. As Sherwin explains:

... moving images invite us to feel our way into knowing. Cinematic insights typically bypass intellectual analysis. We identify and dis-identify with characters, pass judgment on their choices and actions, and instantly react to dramatic situations. Simply stated, film enchants us with its images. It binds us to the screen.⁷¹

In contradistinction to Greenfield and Robson, David Black argues that limiting the field of research of so-called ‘law films’ in such a way has “a forensic quality reminiscent of the rhetoric and even the investigative strategies of the legal process itself.”⁷²

A less dogmatic definition is offered by Kamir: law films are films that feature “any type of legally oriented social or moral issues as subject matter.”⁷³ Accordingly, films can be viewed as jurisprudential texts because cinema *is* jurisprudence and can transform legal theory.⁷⁴ Conceptualizing films as jurisprudence “presumes that a film’s own judgment of its ‘on-screen legal system’” can offer socio-legal commentary.⁷⁵

Indeed, Jessica Sibley examines how trial films combine both filmic and legal discursive practices to constitute particular viewer-subjects, garner support the United State’s justice

⁷⁰ Gledhill, *supra* note 22 at p. 343.

⁷¹ Sherwin, *supra* note 27 at p. 93.

⁷² Black, *supra* note 3 at p. 9.

⁷³ Kamir (2006), *supra* note 10 at p.2.

⁷⁴ Denvir, *supra* note 6 at p. xi; J. Millibank, “From Butch to Butcher’s Wife: Film, Crime and Lesbian Sexuality” (1995) 18 Sydney Law Review 451; A. Young, “Murder in the Eyes of the Law” (1997) 17 Studies in Law Policy and Sociology 31.

⁷⁵ R. Johnson, “Judging Magic: Can You See the Sleight of Hand?” (2007) 105 Michigan Law Review 1353 at p. 1357.

system, and sustain the power and legitimacy of legal institutions.⁷⁶ Similarly, Austin Sarat uses *The Sweet Hereafter* (1997)⁷⁷ to discuss how law is mythologized in film through the trope of fatherhood.⁷⁸ Within this framework, scholars draw on the strengths of both critical legal and film theories to unearth jurisprudential insights in film to reveal meanings about “the mechanisms of real-world legal judging.”⁷⁹

1.2 A Legal and Filmic Reading of Women In Prison Films: Approach to Analysis

The interrelationships of law and film offer a challenging and rich research setting for socio-legal scholars. Among other things, the integrated examination of law and film exposes their respective “epistemological blind spots.”⁸⁰ As David Seymour writes, while there appears on the surface to be critical meeting of the two disciplines, often each “retreats to its own corner relatively unscathed and looking pretty much as it had before the encounter.”⁸¹ Drawing upon the three principles of critical law and film scholarship - that films parallel law, films judge law, and films are jurisprudence - enables me to engage the dialogical relationship between law and film and subvert other weaknesses, especially an overemphasis on realism and taxonomic approaches to relevant research material.

In her discussion of these principles, Kamir emphasizes that law and film scholarship is “neither thematic nor methodological” but a “didactic mapping” of the

⁷⁶ J. M. Sibley, “Patterns of Courtroom Justice” in S. Machura and P. Robson, eds. *Law and Film: Journal of Law and Society* (Oxford: Blackwell Publishers Ltd., 2001) at p. 97.

⁷⁷ Atom Egoyan (Dir., Screenplay), Alliance Communications (Prod.).

⁷⁸ Sarat, *supra* note 33.

⁷⁹ Kamir (2006), *supra* note 10 at p. 5.

⁸⁰ M. Wutz “Literary Narrative and Information Culture: Garbage, Waste and Residue in the Work of E.L. Doctorow” (2003) XLIV(3) *Contemporary Literature* 501.

⁸¹ D. M. Seymour, “Film and Law: In Search of a Critical Method” in L. Moran *et al.*, *supra* note 6, 107 at p. 107.

terrain. She identifies three kinds of relationships between law and film but emphasizes that they can occur simultaneously. Finally, she encourages the use of multitude methods to integrate three perspectives - textual analysis, discourse analysis, historical contextualization - and focus on cinematic techniques and choices such as editing, shot construction, and casting.

My research and contribution to the developing field of law and film is a genealogy of WIP films⁸² and a legal, historical, and intertextual reading of two particular WIPs: *Caged* (1950) and *Caged Heat* (1974). I trace two generic deployments of WIP films, the 'melodramas'⁸³ of the thirties to the mid-fifties and the 'exploitation'⁸⁴ films of the seventies and outline their recurring and revisioned conventions and shifts in aesthetic, political, and social contexts, cinematic techniques, and narrative style. Drawing on Kamir's framework, I historically and ideologically locate *Caged* and *Caged Heat* within the broader WIP sub-genre, centering legally relevant tropes, those relating to particular women's criminalization and women's prison reform. In framing these two

⁸² See Appendix.

⁸³ During the nineteenth century, the term melodrama referred to a broad range of dramatic and fictional ('male') stories, including cape and sword, nautical, and frontier productions that "conceived a viewing reality in moral and emotional terms" and were judged by their "authenticity and labour-intensive technical realization on stage." Gledhill, *supra* note 22 at p. 350. The melodrama was the mainstay of film production in the early silent era (1915 – 1929) and reproduced theatrical conventions such as "domestic location, familial conflict, the stock types of brave hero, evil villain, and suffering heroine, the struggle of good and evil, and plot motifs such as kidnap or seduction." S. Flitterman-Lewis, "The Blossom and the Bole: Narrative and Visual Spectacle in Early Film Melodrama" (1994) 33(3) *Cinema Journal* 3 at p. 15. The term underwent a redefinition and a re-gendering in the 1930s when it became associated with 'Weepies' or 'Women's pictures.'

⁸⁴ Exploitation films combine low prestige and low cost by avoiding reliance on stars, expensive advertising, or glossy production values. They aim a "defined market sector" – young heterosexual men - and promise "action, sex, and comedy in various proportions." A. Lipstadt, "Politics and Exploitation: New World Pictures" in J. Hillier and A. Lipstadt, eds. *Roger Corman's New World*. (London: British Film Institute, 1981) 9 at p.10

films as “the vehicles, not the reflections, of social change,”⁸⁵ I examine their *generic verisimilitude*, that is, what ought to happen in a film of a particular genre as well as departures, twists, and reconfigurations from it.⁸⁶ I focus on *cultural verisimilitude*, or “the norms, mores, and common sense of the social world *outside* the fiction.”⁸⁷

Finally, I draw on three overlapping theoretical frameworks – postmodern / poststructural theories, feminist legal scholarship, and film theories – to discuss the concept of judgment as Kamir articulates it. First, I discuss whether or not protagonists are subject to cinematic judgment and / or whether or not they enact their own judgment of legal institutions. Second, I ask what jurisprudential lessons - about how the law operates to criminalize particular women, for instance - can be drawn when attentive to the dialogical relationship between film and prison, the most repressive legal institution.

1.3 Guiding Principles

Critical legal theories, intersectional feminist theories, and inter-textual film theories provide the guiding principles for my research. First, the law can exert hegemonic influence (law is power), but where there is power, there are spaces for counter-hegemonic resistance. Second, the law remains an androcentric enterprise that promotes equality based on similar treatment. This marginalizes those who are ‘different,’ and women whose social location crosses other axes of oppression based on race, class, and sexual orientation. Third, films can destabilize the myth of legal

⁸⁵ J. Bender, *Imagining the Penitentiary: Fiction and the Architecture of Mind in Eighteenth-Century England* (Chicago: University Press, 1987).

⁸⁶ Gledhill, *supra* note 22 at p. 360

⁸⁷ *Id.*

neutrality and autonomy and 'irritate' hegemonic gendered structures that intersect with race, class, and other forms of domination and "gesture towards justice for women."⁸⁸

1.3.1 Law / Power: Lessons from Postmodern and Cultural Theories

*Deconstruction is justice.*⁸⁹

Critical legal scholarship of the seventies and early eighties, in part influenced by Marxist social and political theory, illustrated how law and legal order, as a super-structural entity, is the expression of class interests and economic domination. The law was studied as an instrument of power both generating and reinforcing conditions of class domination and exploitation. Critical scholarship sought to demystify the 'law' and expose it as the 'legislative product' of the dominant class, applied selectively and almost exclusively to the working class.⁹⁰ More recently, critical legal theorists have looked to postmodern / poststructuralist theories.⁹¹ They have developed a new understanding of how law, as power, operates in the lives of those who are located along multiple axes of disadvantage including and beyond class.

Briefly, postmodern legal theorists reject the notion of an essential legal truth or a unique and determinate meaning for statements, texts, events, and meta-narratives.

⁸⁸ M. Tromp, *Popular Fiction and Domestic Law: East Lynne, Justice and the 'Ordeal of the Undecidable'* (Oxford University Press, 2005) at p. 197.

⁸⁹ J. Derrida "Force of Law: The 'Mystical Foundation of Authority'" 11 (1990) *Cardozo L. Rev.* 919.

⁹⁰ See for instance: D. Sugarman, ed., *Legality, Ideology and the State*. (London: Academic Press, 1983); K. Klare, "The Judicial de-radicalization of the Wagner Act and the Origins of Modern Legal Consciousness" (1978) 62 *Minnesota Law Review* 265; A. Hunt, "The Theory of Critical Legal Studies" (1986) 6 *Oxford Journal of Legal Studies* 1; For a review and contextualization of Marxist legal theory and the more recent 'cultural' shift in jurisprudence, see generally: C. Douzinas, P. Goodrich and Y. Hachamovitch, eds, *Politics, Postmodernity and Critical Legal Studies*. (New York: Routledge, 1994) 1.

⁹¹ Literary and social theorists like Derrida, de Man, Lyotard, and Rorty have been equally influential on the development on postmodern legal theories.

Instead, truth and identity are fluid social or cultural constructs, while actions and beliefs are influenced by irrational, unconscious forces, emotions, corporality, aestheticism, and the spectacular.⁹² The work of Michel Foucault and other postmodern / poststructural theorists has been particularly useful in deconstructing the notion of universal legal truths and developing new understandings of how legal subjects are constituted by discourses and power relations rather than simply being repressed by them.⁹³

First, the concept of discourse refers to systems of meaning that constitute subjects, normalize behaviour by delineating acceptable and unacceptable ways of being. Discourses are contingent and historically specific and involve “the exercise of power and a consequent structuring of subjects and objects.”⁹⁴ Discourses in the fields of medicine, law, social work, and psychiatry produces knowledge about who is ‘normal’ and have been instrumental in the deployment of new modes of surveillance of those who are deemed ‘abnormal.’ Deconstruction, although not a critique or a method, is a way “to undo”⁹⁵ discursive practices to reveal how they operate to define, contain, and marginalize particular groups.

Second, power is not something that can be held, nor is it exerted by one group of people (the dominant class) over others (the repressed class). Rather, power is productive of bodies and objects. It is multifarious and unspecified. It operates through complex

⁹² P. W. Kahn, *The Cultural Study of Law: Reconstructing Legal Scholarship* (Chicago: University Press, 1999) at p. 15; A. Sarat and K. Thomas, *supra* note 7.

⁹³ M. Foucault, *The History of Sexuality* (New York: Random House, 1980) at p. 32; M. Foucault, *Discipline and Punish* (London: Penguin, 1977).

⁹⁴ D. Howarth, *Discourse* (Buckingham: Open University Press, 2000) at p. 9.

⁹⁵ Derrida, *supra* note 88; C. Norris, *Deconstruction and the Interest of Theory* (London: Printer Publishers, 1988); B. Johnson, “The Postmodern in Feminism” (1991-1992) 105 *Harvard Law Review* 1076.

networks (relations).⁹⁶ Where there is power there are “innumerable points of confrontation,”⁹⁷ spaces of resistance through which subjects constitute themselves and exercise agency. These ‘everyday acts’ of resistance come in multiple and sometimes conflicting forms.

Similarly, cultural legal theories examine law’s role in “everyday life” by shifting the focus from law in the courts and legislatures to law in everyday, non-institutional spaces.⁹⁸ These theories challenge law’s ostensible autonomy and its claims to neutrality and (scientific) objectivity. While both law and film are social constructs that aim to create or impose order out of chaos, film can draw attention to law’s artificial, hypothetical, provisional, arbitrary nature. The law, on the other hand, operates to conceal its artificial origins and reproduces and reinforces the myth of neutrality, timeless truth, and objectivity.⁹⁹ As Buchanan and Johnson argue, relocating the study of law within contemporary culture, we can “subvert claims to truth as being subject to radically variant interpretations and ... recognize the blurred boundaries between reality and representation.”¹⁰⁰ Given their association with the irrational and the spectacular, and

⁹⁶ Foucault (1977), *supra* note 92 at p. 119.

⁹⁷ *Ibid.* at p. 58.

⁹⁸ A. Sarat and T. Kearns, “The Cultural Lives of Law” in *The Cultural Lives of Law* (Ann Arbor: University of Michigan Press, 1998) 1; A. Sarat and T. Kearns, *The Law in Everyday Life* (Ann Arbor: University of Michigan Press, 1993); A. Hunt, “The Role of Law in the Civilizing Process and the Reform of Popular Culture” (1995) 10 *Canadian Journal of Law and Society* 5.

⁹⁹ Aristodemou, *supra* note 8 at p. 4.

¹⁰⁰ Buchanan, R., and R. Johnson, “Getting the Insider’s Story Out: What Popular Film Can Tell Us About Legal Method’s Dirty Secrets” (2001) 20 *Windsor Yearbook of Access to Justice* 87 at p. 88.

thereby the 'feminine,'¹⁰¹ films are especially useful in bringing to light "the tenuousness of law's claim to privileged access to truth."¹⁰²

1.3.2 Women and Power: Lessons from Feminist Intersectional Theories

*Poststructuralist theory, with its focus on the general question of differentiation, is uniquely capable of supporting the nomos of resistance and reformation presently undeveloped in feminism.*¹⁰³

Radical feminist theories, also referred to as 'dominance' feminism, focus on the systematic domination of women as a group through patriarchal systems.¹⁰⁴ Radical feminists mobilized in the seventies and eighties around strategic issues such as the objectification of women through pornography and sexual harassment, and the sexual assault of women and children. At the same time, activists and academics of colour and from the 'Third World'¹⁰⁵ began to challenge the radical feminist movement for neglecting issues of 'race' and racism and for its depiction of a universal or essentialized

¹⁰¹ M. Thornton, ed., *Romancing the Tones: Popular Culture, Law, and Feminism* (Sydney: Cavendish, 2002).

¹⁰² R. Buchanan and R. Johnson, "Getting the Insider's Story Out: What Popular Film Can Tell Us About Legal Method's Dirty Secrets" (2001) 20 Windsor Yearbook of Access to Justice 87 at p. 89.

¹⁰³ M. Ashe, "Mind's Opportunity: Birthing a Poststructuralist Feminist Jurisprudence" (1987) 38 Syracuse Law Review 1128 at p. 1159.

¹⁰⁴ C. MacKinnon, *Toward a Feminist Theory of the State* (Harvard University Press, 1989); K. Barry, *Female Sexual Slavery* (New York: University Press, 1979).

¹⁰⁵ While adopting the term 'third world', Chandra Talpade Mohanty cautions that the political presuppositions underlying Western writers' use of the term has historically been underscored by assumptions about men and women from Africa, Latin America, South-East Asia, and Eastern Europe as ignorant, poor, uneducated, tradition-bound, domestic, family-oriented, underdeveloped in the economic sense, and victimized. North Americans and Europeans, on the other hand, are self-represented as educated, modern, progressive, and liberated. These distinctions, she concludes "are made on the basis of the privileging of a particular group as the norm or referent." "Under Western Eyes: Feminist Scholarship and Colonial Discourses", in Ann McClintock *et al.*, eds., *Dangerous Liaisons: Gender, Nation and Postcolonial Perspectives* (Minneapolis: University of Minnesota Press, 1997) 255 at p. 271.

woman.¹⁰⁶ The ‘universal sisterhood’ movement, which saw ‘women’ as a category subject to patriarchy, helmed by primarily white, middle class, heterosexual, able-bodied women, displaced concerns of differently raced, abled, and classed women. Angela Davis discusses this as the “abstraction” of women’s issues from race and class which left “the existing socioeconomic system with its fundamental reliance on racism and class bias unchallenged.”¹⁰⁷ Moreover, those attempts to “add gender” to race and class analysis, or what Patricia Hill Collins calls “additive models” of oppression, are rooted in “either/or dichotomous thinking of Eurocentric, masculinist thought.”¹⁰⁸ Instead, Hill Collins suggests a “both/and” method that frames race, class, and gender, as “interlocking systems of oppression.” In a paradigmatic shift, most contemporary feminist theorists-activists have moved from a universalized approach to women’s oppression to take in account of race, class, ethnicity, sexual orientation, (dis)ability, age, and individual experiences as part of the subjectivity that contributes to the production of knowledge about women’s reality. The short-form for this new interpretive lens is “intersectionality” or intersectional analysis.¹⁰⁹

As a critical method, it challenges the notion of a unified self and resists appeals to “some transparently universal ground of being”¹¹⁰ or the “suppression of difference in

¹⁰⁶ A. Davis, *Women, Race and Class* (New York: Random House, 1982); P. Hill Collins, “Toward an Afrocentric Feminist Epistemology” in *Black Feminist Thought: Knowledge, Consciousness and the Politics of Empowerment* (New York & London: Routledge, 1991) 201; Talpade Mohanty, *ibid.*

¹⁰⁷ Davis, *ibid.* at p. 18.

¹⁰⁸ Hill Collins, *supra* note 105 at p. 225.

¹⁰⁹ K. Crenshaw, “Demarginalizing the Intersection of Race and Sex: a Black Feminist Critique of Antidiscrimination Doctrine, Feminist theory and Antiracist politics” (1989) University of Chicago Legal Forum 139; K. Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color” (1991) 43 Stanford Law Review 1282.

¹¹⁰ L. E. Donaldson, *Decolonizing Feminisms: Race, Gender, and Empire-Building* (London: University of North Carolina Press, 1992) at p. 157.

the constitution of identity.”¹¹¹ A critical component is not only attention to women’s shifting social location but attention to privilege and the manner in which women may sustain and reinforce hierarchies among themselves. Foucault’s analytic of power, discussed above, is also helpful in understanding how women who occupy spaces of privilege may participate in reproducing systems of domination. As Vanaja Dhruvarajan explains:

... an important prerequisite for coalition building is making a critical analysis of our own positions. This helps us understand how knowingly or not we can oppress others as well as be oppressed ourselves ... Once we understand the processes through which privileges are accrued, maintained, and reproduced we can transform those processes to stem the tide of oppression and domination.¹¹²

Similarly, Mari Matsuda challenges feminists to adopt a “multiple consciousness” method, that is, to make a deliberate decision to “see the world from the standpoint of the oppressed.”¹¹³ More than just “consciousness-shifting,” an intersectional approach “encompasses as well the search for the pathway to a just world.”¹¹⁴

Intersectional theories have been highly influential on feminist legal research around “the universal culture reality of female subordination.”¹¹⁵ Gender remains a relevant category as a political position within social context. Legal categories - such as equality and equity policies based on sex / gender / or ‘women’ - have negated or

¹¹¹ J. Sawicki, *Disciplining Foucault: Feminism, Power and the Body* (New York: Routledge, 1991) at p. 9.

¹¹² V. Dhruvarajan, “Feminism and Social Transformation” in V. Dhruvarajan & J. Vickers, eds., *Gender, Race and Nation: A Global Perspective* (Toronto: University Press, 2002) 295 at p.314.

¹¹³ M. J. Matsuda, “When the First Quail Calls: Multiple Consciousness as Jurisprudential Method” (1992) 14 *Women's Rights Law Reporter* 297 at 300.

¹¹⁴ *Id.*

¹¹⁵ Ashe, *supra* note 102.

eclipsed the specific concerns of women, and especially other(ed) women such as women with (dis)abilities,¹¹⁶ lesbians¹¹⁷, Aboriginal women,¹¹⁸ and other racialized women.¹¹⁹

Intersectional theories re-center the victimization of women who were marginalized in earlier feminist activism in order to examine “the specific kinds of victimization that occur at these intersections.”¹²⁰ In these spaces of victimization “power and wound may exist simultaneously.¹²¹ This framework recognizes the myriad (and conflicting) ways in which women resist and overcome experiences of oppression:

Resistance can be lived privately or practiced publicly; it can be open and confrontational or quietly subversive; it can be humorous and playful or serious and painful; it can be individually motivated or socially organized in group action.¹²²

Some strategies subvert dominant paradigms. Others stretch and bow them. Others still reinforce the *status quo*.

Building on intersectional theories, feminist law and film research highlights gendered legal and filmic constructions of women, and critiques the “underlying structures that uphold and perpetuate andocentric points of view and patriarchal social hierarchies.”¹²³ It also exposes how these gendered structures collide with hegemonic structures based on class, race, and sexual orientation in ways that perpetuate hierarchies

¹¹⁶ D. Ponthier, “Miles to Go: Some Personal Reflexions on the Social Construction of Disability” (1992) *Dalhousie Law Journal* 526.

¹¹⁷ R. Robson, *Lesbian (out)law: Survival Under the Rule of Law* (Ithaca, New York: Firebrand Books, 1992).

¹¹⁸ P. Monture, *Thunder in my Soul: A Mohawk Woman Speaks* (Halifax: Fernwood Publishing, 1995).

¹¹⁹ Crenshaw, *supra* note 108.

¹²⁰ R. Johnson, “Gender, Race, Class and Sexual Orientation: Theorizing the Intersections” in G. MacDonald, *et al.*, eds., *Feminism, Law, Inclusion: Intersectionality in Action* (Toronto: Suman Press, 2005) 21 at p. 30

¹²¹ *Id.*

¹²² C. Rice, “Between Body and Culture: Beauty, Ability, and Growing up Female” in Dhruvarajan and Vickers, eds., *supra* 111 at p. 177.

¹²³ Kamir (2006), *supra* note 10 at p. 11.

among groups of women. However, as Kamir explains, it also “points to preferable alternatives.”¹²⁴ Building on feminist cultural theories but firmly grounded in feminist legal theories, Kamir promotes a feminist “constructive deconstructive” approach that engages in analysis of a film “not solely for its textual interest but also in pursuit of revolutionary ideological change”¹²⁵ by engaging the legal imagination, and by developing creative legal concepts and tools more “suitable” to achieving women’s substantive equality.¹²⁶

In keeping with Kamir’s approach, my research on WIP films aims to reveal the construction of marginalized and criminalized women, whose social location invariably crosses axes of oppression. I examine the extent to which the cinematic rendering of women in conflict with the law corresponds to societal assumptions of women as “guilty objects,” or whether they created a space for “victimized subjects”¹²⁷ to resist hegemonic norms and make more meaningful choices in light of conditions of constraint.

1.3.3 Disruptive Representations: Lessons from Film Studies

*Is film abetting an understanding of law, or vice versa?*¹²⁸

Film Studies has historically examined the language of cinema or how it operates as a powerful signifying system. With an emphasis on subjectivity, identity, and representation, film theorists grapple with an aesthetic and synthetic understanding of

¹²⁴ *Id.*

¹²⁵ *Ibid.* at p. 18.

¹²⁶ *Id.*

¹²⁷ *Ibid.* at p. 19.

¹²⁸ A. MacDonald, “Endless Streets, Pursued by Ghosts” in L. Moran, *et al.* eds., *supra* note 6, 123 at p. 131.

objective social conditions.¹²⁹ Early film scholars examined film as a text with its own language, verbal systems, narrative, characterization. Critical explanation of that text can be developed by drawing on psychoanalysis, semiotics, formalism, Marxism, feminism, myth-criticism, or any combination thereof.¹³⁰ Since the 1980s, concern for film as text has been replaced by an examination of film as a set of practices and activities and a set of texts in intertextual relationships.

The concept emerges from literary theorist Mikhail Bakhtin's notion of dialogism, which refers to the necessary relation of utterances (any complex of signs, such as a spoken sentence or a poem) to other utterances.¹³¹ 'Dialogism' has been translated and built upon by, among others, Julia Kristeva and Gerard Genette,¹³² as 'intertextuality' or 'intertextual dialogism' and it refers to:

... the infinite and open-ended possibilities generated by all the discursive practices of a culture, the entire matrix of communicative utterances within which the artistic text is situated, and which reach the text not only through recognizable influences but also through a subtle process of dissemination.¹³³

Filmic intertextuality theories can yield important insights for law and film analysis.

Thinking about two systems of representation, law and film, as existing in a dialogical relationship "calls attention to all the transformative operations that one text can operate

¹²⁹ M. Shiel, "Cinema and the City in History and Theory" in M. Shiel and T. Fitzmaurice, eds., *Cinema and the City: Film and Urban Societies in a Global Context* (Oxford: Blackwell, 2001) 1 at p.3.

¹³⁰ G. Tumer, "Cultural Studies in Film" in J. Hill and P. Church Gibson, eds., *Film Studies: Critical Approaches* (Oxford: University Press, 2000) 193.

¹³¹ Bakhtin, *supra* note 11.

¹³² See for instance: R. Barthes, *Image-Music-Text* (London: Fontana, 1977); J. Kristeva, *Revolution in Poetic Language* (New York: Columbia University Press, 1984); G. Genette, *Palimpsests: Literature in the Second Degree* (Lincoln: University of Nebraska Press 1997); R. Stam, *Subversive Pleasures: Bakhtin, Cultural Criticism and Film* (Baltimore: Johns Hopkins University Press, 1989).

¹³³ Stam (2000), *supra* note 68 at p. 202.

on another ...”¹³⁴ Cinema can be viewed as a cultural system that intervenes, mutates and critiques the limitations of legal practices and ideology that reinforces oppression.

Fantastic constructions of justice can also provide new images of law and legal process and hold out “the possibility of insight, change, and corrective action leading to healing, and the possibility of redemptive justice, amid the inescapable reality of tragic suffering.”¹³⁵

For my purposes, by tapping into our desire for human dignity and other questions of conscience,¹³⁶ films can raise questions about prisons that challenge our assumptions about who exactly occupies these oppressive and marginal spaces. They can engage us on an emotional level to contemplate the ways in which the law and other hegemonic systems operate to ‘other’ certain social groups and render them more vulnerable to criminalization. With these theoretical principles in mind, I move to a genealogy of WIP films.

¹³⁴ *Ibid.* at p. 210.

¹³⁵ Sherwin, *supra* note 27 at pp.97 and 104.

¹³⁶ P. Goodrich, *Law in the Courts of Love: Literature and Other Minor Jurisprudences* (London Routledge, 1996).

Chapter Two

Add Women and Stir: A Genealogy of Women in Prison Films

As soon as the word 'genre' is sounded, as soon as it is heard, as soon as one attempts to conceive it, a limit is drawn. And when a limit is established, norms and interdictions are not far behind: 'Do,' 'Do not' says 'genre', the word 'genre', the figure, the voice or the law of genre.¹

As Jacques Derrida suggests above, the notion of genre is contiguous with rules and laws. In film theory, the concept of genre refers to codes that group filmic representations along similar story lines, settings, themes, approaches and emotional affect and, correspondingly, viewer expectations. These expectations arise from our familiarity with conventions, or a body of signifiers and signs. A genre is, then, a system of inclusion and exclusion that organizes conventions - the settings, locations, iconography, and stock characters - of a fictional world. The potential combinations of, and relations between, these signs and signifiers in turn constitute the genre.²

Film theorist Robert Stam has outlined some of the pitfalls of genre analysis. Labels can be overbroad (e.g., 'comedy') or too narrow (e.g., biopics of Freud).³ There can be preconceived notions of what a genre film should do, or erroneous assumptions that films can be limited to one genre rather than "seeing genre merely as a trampoline for creativity and innovation."⁴ Theorists may tend toward "acinematic analysis" and fail to examine the cinematic codes, such as lighting in Film Noir or colour in Musicals. That said, he maintains that there is some space in genre theory to engage the "active, transformative operations" of films:

¹ J. Derrida, "The Law of Genre" (1980) 7 Glyph 176 at p. 203.

² C. Gledhill, "Genre and Gender: The Case of Soap Opera" in S. Hall, ed., *Representations: Cultural Representations and Signifying Practices* (London: Sage, 1997) 337 at p. 351.

³ R. Stam, *Film Theory: An Introduction* (Oxford: Blackwell, 2000) at pp. 128-29.

⁴ *Ibid.* at p. 130.

The most useful way of using genre, perhaps, is to see it as a set of discursive resources, a trampoline for creativity, by which a given director can gentrify a 'low' genre, vulgarize a 'noble' genre, inject new energy into an exhausted genre, pour new progressive content into a conservative genre, or parody a genre that deserves ridicule. Thus we move from static taxonomy, to active, transformative operations.⁵

The 'rules' of genre theory are not immutable. According to the principles of semiotic signification,⁶ for instance, meaning is derived through relationships of similarity and difference.⁷ Christine Gledhill explains:

... of course, repetition and similarity are necessary to establish familiarity with the codes which bind signifier to signified, but meaning is produced only in the difference between signs.⁸

To this end, intertextual theories that center the "matrix of communicative utterances"⁹ among filmic texts subvert the pitfalls of traditional genre theory and enable a more nuanced discussion around the constitution of meaning through generic films.

Working with intertextual theories is one way to get at the more transformative potential of genre films, while enabling us to avoid what law and film scholar David Black calls the "sidestepping of reflexivity to get to genre."¹⁰ Black has echoed a number of Stam's cautions against a taxonomic and essentialist genre theory. Rather than overemphasizing the law film as 'genre,' he argues instead that 'films about law' should be defined as broadly as possible. Law films can include any fiction film in which legal

⁵ *Id.*

⁶ Literary theorist Mikhail Bakhtin has argued that difference enables us to construct meaning by creating a dialogue with the 'Other.' M. Bakhtin *The Dialogic Imagination* (Austin, University Press, 1981). Robert Stam draws on Bakhtin's theory of texts embodying spaces and time and applies it to film which is "literal, splayed out concretely across a screen with specific dimensions and unfolding in literal time ... quite apart from the fictive time / space specific films might construct." *Subversive Pleasures: Bakhtin, Cultural Criticism and Film* (Baltimore, Johns Hopkins University Press, 1989) at p. 11

⁷ Gledhill, *supra* note 2 at p. 356.

⁸ *Id.*

⁹ Stam, *supra* note 3 at p. 207.

¹⁰ D. A. Black, *Law in Film: Resonance and Representation* (Urbana and Chicago: University of Illinois Press, 1999) at p. 68.

processes - investigation, detection, trial and punishment - are depicted.¹¹ Law films, by their very nature, are intertextual because they are “at one and the same time, both film (one narrative regime) [and] about law (another).”¹² His overarching premise is that the filmic representation of the law “automatically betokens reflexivity.”¹³ That is, law films and, by extension, prison films, are automatically self-referential (intertextual) and self-scrutinizing.¹⁴

That being said, Stam explains that the “coefficient of reflexivity varies from genre to genre ... from era to era ... and from film to film”.¹⁵ Thus, some WIP films will be ‘more’ self-reflexive and intertextual than others. In Part One of this chapter, I suggest that there are a number of WIP films that are self-conscious and self-reflexive. In developing a genealogy of WIP films, I engage in an intertextual reading of the sub-genre to dialogue with those films that grapple with the constitution of legal meanings in complex and contradictory ways. In Part Two, I narrow my field of research from any filmic rendering of a particular chronotope, the women’s prison, to those WIP films that are sufficiently self-reflexive and intertextual for my purposes. In so doing, I develop a “deeply historical and historically connected”¹⁶ genealogy of WIP films. In Part Three, I

¹¹ *Ibid.* at p. 5.

¹² *Ibid.* at p.1

¹³ *Ibid.* at pp. 5, 58.

¹⁴ The term ‘reflexivity’ stems from psychology and philosophy’s theorizing around the mind’s capacity to take itself as object. This has been extended by cultural studies, women’s studies and other disciplines to refer to “the capacity for self-reflexion of a medium or language,” a “methodological self consciousness,” or a “tendency to scrutinize its own instruments.” In the context of film studies, reflexivity evokes the foregrounding of a film’s production, its authority, textual procedures, intertextual influences, and / or audience reception. Stam, *supra* note 3 at p.151.

¹⁵ *Ibid* at p. 152.

¹⁶ Black, *supra* note 10 at p. 94

outline why *Caged* (1950) and *Caged Heat* (1974) are two powerful WIP films that merit the attention of law and society theorists.

Bakhtin's "chronotope" stems from *topos* (a place, person, figure) that embodies (or is embodied by) *chronos* (time). Places such as roads, cities, salons and for my research, the women's prison function as "materialized history," where "temporal relationships are literalized by the objects, spaces, or persons with which they intersect."¹⁷ The chronotope is a "salient theoretical construct" for examining WIP films because the sub-genre is both defined and enabled by spatiotemporal tropes.¹⁸ A chronotopic analysis enriches my discussion of the shifts in WIP films whose diegesis occurs in a space that within, and beyond, the film world has been and continues to be associated with 'bad' women. The melodramas of the thirties to the fifties can be read as a cinematic space-time that expresses tensions and anxieties around the legal, cultural, and economic shifts that came with the Great Depression and then with post-war values and the impact of First-wave feminism. The exploitation WIP films of the seventies are the cinematic space-time expression of tensions and anxieties in the United States around, among other things, shifting cultural discourses and ideology, newly emerging social groups, Second-wave feminist mobilization, and Vietnam.

¹⁷ Bakhtin, *supra* note 6 at 247

¹⁸ P. J. Massood, *Black City Cinema: African American Urban Experiences in Film* (Philadelphia: Temple University Press, 2003) at p. 5.

2.1 Breaking Away from the Father: WIP as Sub-Genre

*Films dealing with men behind bars are uniformly grim and depressing, yet the same stories with women replacing the male roles are much more amusing.*¹⁹

The WIP film is most often subsumed within the more popular and more widely recognized prison film genre. The prison film is considered by many film critics and theorists to be “by nature a socially-conscious film which explores the inner struggles of life (the ideologies) beyond physical imprisonment.”²⁰ In the thirties, the release of *The Big House* (1930),²¹ *I am a Fugitive from a Chain Gang* (1932),²² and *20,000 Years in Sing Sing* (1932)²³ establish the genre’s conventions and major themes.²⁴ Stock characters include: the white and white-collar middle-class protagonist, a ‘born’ but often unassuming hero; the hardened and often brutalizing lifer; the ‘square John’ who does his time and minds his own business; the weakling, victimized by guards or fellow prisoners; the informer / rat / snitch; the ineffectual but often well-meaning / tough-but-fair warden; the nasty guard who exacts arbitrary punishment; and the ‘kid’ for whom the protagonist takes on a fatherly role. The two main characters remain the “prison-hero” and his

¹⁹ J. Morton, “Women in Prison Films” in V. Vale, A. Juno and J. Morton, eds. *Incredibly Strange Films* (San Francisco: Re/Search Publications, 1986) 151 at p. 151.

²⁰ D. Gonthier, *American Prison Film Since 1930: from The Big House to The Shawshank Redemption* (Lewiston, N.Y.: Edwin Mellen Press, 2006) at p. 8.

²¹ George Hill (Dir., Screenplay), Metri-Goldwyn-Mayer (Prod.).

²² Mervyn LeRoy (Dir.), Howard Green (Screenplay), Warner Bros. (Prod.).

²³ Micheal Curtiz (Dir.), Courtney Terrett (Screenplay), Warner Bros. (Prod.).

²⁴ In response to the success of gangster films romanticizing the lives of Al Capone and John Dillinger, the Motion Picture Producers and Distributors prohibited the depiction of criminals benefiting from their crimes. To comply with *Production Code* regulations, the anti-hero was supposed to “get it” in the end – whether by execution or life in prison. This led to an increase in production of prison films that essentially became gangster films behind concrete walls. As Doherty explains, whereas the “gangster was mobile, the convict was trapped” and “where the gangster was rushing toward death, the prisoner was digging his way to freedom.” Instead of a shootout to the death, “escape over the wall and a riot in the cellblock were [the con’s] fated destinations, either one being an end-reel burst of liberating violence.” T. Doherty, (1999) *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema 1930-1934*, Columbia University Press, New York at p. 167.

nemesis, the “evil warden.”²⁵ Thematic motifs tend to focus on “oppression, transgression and restoration of a natural order of justice.”²⁶ Key narrative moments include the development of friendship and loyalty between the protagonist and his more weathered ‘buddy’ (in more recent incarnations, a black strong-but-silent type),²⁷ the build-up of tension in a repressive space, and the prison riot or escape. Prison films also contain a number of formulaic scenes such as the New Fish’s introduction to the prison via guard or fellow prisoner, shivs passed under the dining hall table, cockroach races and rumbles during recreation time. Nevertheless, the overall aim is to engage the good / bad binary and emphasize the humanity of the prisoners juxtaposed against the “inhumanity of the system.”²⁸ Over time, the genre’s conventions have shifted somewhat. For instance, the warden is more commonly depicted today as cruel and despicable rather than ineffectual but kindly and prison escape films tend to be coupled with a revenge theme – against brutal wardens, guards or fellow prisoners.²⁹ Audiences continue to expect that the prison film will ultimately be about (white, middle class) men’s experiences in oppressive environments, that its narrative will hinge on “a series of spectacular collisions between rebellious individuals and repressive institutions,”³⁰ and will promise “an unfiltered, raw, and realistic perspective on criminality, systems of authority, and the socially marginal.”³¹

²⁵ B. Jarvis, “Inside the American Prison Film” in *Cruel and Unusual Punishment* (London: Pluto Press, 2004) 164 at p. 168.

²⁶ N. Rafter, *Shots in the Mirror: Crime Films and Society* (New York: Oxford University Press, 2006) at p. 168.

²⁷ Jarvis, *supra* note 25.

²⁸ *Ibid* at p. 168.

²⁹ Rafter, *supra* note 26 at pp. 171-73.

³⁰ Jarvis, *supra* note 25 at p. 165.

³¹ Gonthier, *supra* note 20 at p. 7.

The prison genre is also a contradictory queer space. Homo-eroticism is hinted at in early prison film through cinematographic techniques, but always in conjunction with depictions of rampant homophobia. As Joe Wlodarz explains, as one of the “most homoerotic genres in the history of cinema,” the on-screen presence of queerness “has never been simply ‘positive’”³² and is often tainted by “associations of criminality, gender deviance, and / or sadomasochism.”³³ The gradual relaxation of censorship in the wake of the Hollywood *Production Code* after 1934 led to the more overt exploration of queer sexuality in prison films.³⁴ Simultaneously, the threat of male-male rape became a recognized trope of the genre.

Many of these conventions are reflected and reproduced in the WIP sub-genre in which female characters move from the margins of the prison story (often as wives or

³² J. Wlodarz, “Maximum Insecurity: Genre Trouble and Closet Erotics in and out of HBO's *Oz*” (2005) 58 *Camera Obscura* 59 at p. 70.

³³ *Id.*

³⁴ In June 1934, amendments to Motion Picture Producers and Distributors of America's (MPPDA) *Production Code* required that all films receive a certificate of approval from its Studio Relations Office (SRO). The *Code*'s guiding principles included the proviso that “sympathy of the audience shall never be thrown to the side of crime, wrongdoing, evil or sin.” Its adoption served both moral and economic purposes. The Big Five production companies (Paramount, Warner Brothers, RKO, MGM and 20th Century Fox) owned seventy-seven percent of the first-run theatre in the United States. They could pressure producers to follow the *Production Code* by limiting access to the major first-run release outlets, opening their doors solely to those who carried the SRO's ‘seal.’ In 1948, the United States Supreme Court found that this distribution model was in violation of American anti-trust laws. The Court ruled that the production companies were required to divest themselves of their monopoly over film exhibition. See: *United States v. Paramount Pictures, Inc.*, 334 U.S. 131 (1948). Further, in 1953, the Supreme Court overturned *Mutual Film Corporation v. Industrial Commission of Ohio* 236 U.S. 230 (1915). In that case, the Supreme Court held that the free speech protection in Ohio's Constitution, which was almost identical to the First Amendment of the United States' Constitution, did not extend to motion pictures. In *Joseph Burstyn, Inc. v. Wilson*, 343 U.S. 495 (1952), the Court held that the provision of New York State's education laws which allowed censors to ban non-licensed motion pictures was an unconstitutional restriction on freedom of speech. In 1967, the MPPDA was renamed the Motion Picture Association of America. It instituted a letter rating system which remains in place today. R. Maltby “Censorship and Self Regulation” in G. Nowell-Smith (ed.) *Oxford History of World Cinema* (New York: University Press, 1996), pp. 235-48.

temptresses who appear in flashback sequences) to its center. Other conventions are disturbed and undercut. As I elaborate in Chapter Three, to reduce WIP films to a distaff version of prison films - a case of 'add women and stir' - ignores the specificities of the WIP sub-genre. By using women characters, WIP films can be read as "implicitly critique[ing] the masculinism"³⁵ of the prison film genre in addition to broader legal, economic, and political structures that criminalize particular women.

In keeping with intertextual theories, I prefer to think about WIP films not as "a unitary genre" but rather "an odd and eclectic pastiche of many subgenres from melodramas to teenage trouble to exploitation to profeminist."³⁶ Because of the range of styles and structures that the sub-genre incorporates, it "can hardly be expected to present a consistent or coherent vision"³⁷ of women's criminalization. This textual diversity renders WIP films a unique arena for the exploration of various and shifting hegemonic structures that operate to criminalize some women's survival tactics.

For heuristic purposes, I do, nonetheless, approach WIP films as a sub-genre. It can be divided into two articulations that refer both to filmic conventions and the historical moment in which films are released. The first, what I refer to as the 'melodramas' consists of WIP films produced between the late twenties and the mid-fifties. Some of these films were distributed during the more lax regulatory period known as the pre-*Production Code* era which ended around 1934. The earliest WIP film I came across in my research was *The Lullaby*, released in 1924. A pregnant Felipa (Jane Novak) is handed a twenty-year sentence after her boyfriend kills a man in a jealous rage.

³⁵ Stam, *supra* note 3 at p. 157.

³⁶ S. D. Walters, "Caged Heat. The (R)evolution of Women-in-Prison Films" in M. McCaughey and N. King, eds. *Real Knockouts. Violent Women in the Movies* (Austin: University of Texas, 2001) 106 at p. 107.

³⁷ Włodarz, *supra* note 32 at p. 70.

Like the romantic melodramas that follow, the story focuses on Felipa and her daughter's reunion rather than the prison conditions. *La Passion de Jeanne d'Arc* (1928), on the other hand, with its emphasis on Jeanne's physical and sexual abuse by guards and the miscarriages of justice she suffered may well have set the tone for later WIP films that carried a prison reform message, such as *Anne Vickers* (1933). Other WIP films emerge when the *Production Code* was in full effect; others still when its regime was starting to wane. The second cycle of WIP films, what I refer to as 'exploitation' films, are generally drive-in 'B' features released during the New Hollywood era beginning in the late sixties, targeting young heterosexual male audiences.³⁸

I recognize that this categorization runs the risks of being both linear and essentialist. This is further complicated by the reality that the romantic melodramas have exploitative elements, the exploitation films have romantic sub-plots, and both draw on other genres including Gangster, Western, Action and Comedy. This is especially true of the film *Caged* (1950), discussed in greater detail in Chapter Four. Often referred to as the quintessential 'social purpose' WIP film, *Caged* also sets the conventions for the exploitation films produced two decades later. I hope to avoid a strict taxonomic approach by measuring the general drift of WIP films and providing a punctuated overview of some of the continuities and discontinuities that appear over time in two articulations. Within this larger project, then, I discuss two films - *Caged* (1950) and *Caged Heat* (1974) - that engage in reflection and differentiation of the sub-genre's conventions and constitute multiple, sometimes conflicting, sometimes subversive meanings about and around women's criminalization.

³⁸ See the appended filmography (Appendix) for a detailed summary of relevant WIP films made during both cycles.

2.2 Narrowing the Field: A Genealogy of Women in Prison Films

Richard Altman argues that the first step to discussing a genre is to establish as broadly as possible a “preliminary corpus” of films “implied by the industrial/journalistic term ... taken as the critic’s preliminary corpus.”³⁹ Then subject this broad corpus to additional modes of analysis and filtering. Any film with women in any kind of prison setting was at first accepted and treated for WIP research. The ‘modes of analysis’ for my research include attention to format, themes, setting, plot, and stock characters. These are essentially the conventions that define WIP films, “shared by the [film] makers and audience” and which “*to a degree* have to be followed if we are to recognize” that a particular film belongs to the WIP sub-genre.⁴⁰

2.2.1 Format: Fiction films

Whereas certain kinds of fictional narrative demand fantasy and escape, concern for authenticity and realism looms large in the documentary tradition.⁴¹ A number of rich and thought-provoking documentaries and ‘biopics’ about women’s criminalization and women’s incarceration exist.⁴² The representations I am interested in are not

³⁹ R. Altman, *The American Film Musical* (Bloomington & Indianapolis: Indiana University Press, 1987) at p. 5. In his case, every film with diegetic music is accepted and treated as a musical.

⁴⁰ Gledhill, *supra* note 2 at 352 [emphasis in original].

⁴¹ Documentary filmmakers blur the boundaries between fact and reality through, among other things, cinematic techniques, editing, use of music and voice-overs. There is a tension then between the ‘ideal’ – that documentaries capture an un-mediated reality – and the ‘practical fact’ that the act of filmmaking may affect the behavior of subjects and the outcome of events. M. Pramaggiore and T. Wallis, *Film: A Critical Introduction* (London: Laurence King Publishing Ltd., 2006) at p. 249.

⁴² In the Canadian context, the power of documentaries to alter public perception and mobilize social change was put into sharp relief when, in February 1995, the Canadian Broadcasting Corporation aired a video tape taken from the Kingston Prison for Women (P4W)’s security camera. The tape showed six women being stripped-searched and shackled by an all-male emergency response team. Complaints were made and a report filed with the Correctional

documentaries, nor do they claim to be, even though many of the earlier fictional accounts are inspired by factual events.⁴³ This research focuses instead on what can we draw from the dialogical relationship between fictional films about women's prisons and penal law.

2.2.2 Themes: Physical and Metaphorical Imprisonment and the Possibility of Resistance

*Space, in contemporary discourse, as in lived experience, has taken on an almost palpable existence. Its contours, boundaries, and geographies are called upon to stand in for all the contested realms of identity, from the national to the ethnic; its hollows and voids are occupied by bodies that replicate internally the external conditions of political and social struggle, and are likewise assumed to stand for, and identify, the sites of struggle.*⁴⁴

Space and spatiality are central concepts in understanding film. They help to understand "how power and disciplines are spatially inscribed into cultural texts and into the spatial organization of cultural production."⁴⁵ Film is a uniquely spatial cultural form. Its organization of space occurs in two ways - *space in the film* and *the film in space*. As Shiel explains, the space in the film includes the shot, the narrative setting, and the geographic relationships between various settings or the "mapping of a lived environment

Investigator but it was the airing of the tapes that led to the Solicitor General's independent inquiry. The Commission of Inquiry's findings were made public in April 1996. In her report, Justice Louise Arbour made nineteen recommendations aimed at addressing systemic discrimination against women. "Commission of Inquiry into Certain Events at the Prison for Women in Kingston" on the web:

http://www.justicebehindthewalls.net/resources/arbour_report/arbour_rpt.htm

[last retrieved: July 18, 2007]. Other excellent documentaries include: *P4W: Prison for Women* (1981) *Prisoners* (1971); *Angela Davis: Portrait of a Revolutionary* (1972); *A Mother's Right: The Elizabeth Morgan Story* (1992). See Appendix.

⁴³ Nellis found that in the thirties many screenwriters consulted with 'reform-minded' wardens about prison conditions: M. Nellis, "Notes on the American Prison Film" in M. Nellis and C. Hale, eds., *Radical Alternatives to Prison*. (London, 1982) 50.

⁴⁴ A. Vidler, *The Architectural Uncanny* (Cambridge, Mass.: MIT Press, 1992) at p. 167.

⁴⁵ M. Shiel, "Cinema and the City in History and Theory" in M. Shiel and T. Fitzmaurice, eds., *Cinema and the City: Film and Urban Societies in a Global Context* (Oxford and Malden, Mass.: Blackwell, 2001) (at p.3).

on film.”⁴⁶ The film in space, on the other hand, is the “shaping of lived urban spaces by cinema as a *cultural practice*.”⁴⁷

Film is a powerful medium for exploring the ‘women’s prison.’ The prison is a space where issues around gender domination are manifest - systemic racism, the feminization of poverty, the exploitation of women’s work, unhealthy living conditions, physical and sexual violence. Indeed, women’s prisons “constitute nearly perfect examples of the consequences of the multiple subjugations and the compounding impact of various stigmatized identities.”⁴⁸ Women who are incarcerated experience a “profound concentration” of the most omnipresent and vicious forms of economic marginalization, systemic racism, and victimization to a degree that “can almost seem intentional or mundane.”⁴⁹

While not providing a necessarily realistic image of the women’s prison, WIP films nonetheless engage viewers at an emotional level and invite them to question the nature of the institution and its function within broader hegemonic structures based on gender, race, class, and other forms of domination that both physically and metaphorically circumscribe women’s daily lives. Indeed, women have “always been subject to more informal rather than formal modes of regulation”⁵⁰ and may have to negotiate the criminal justice system and the prison far less frequently than men.

⁴⁶ *Ibid.* at p. 5

⁴⁷ *Id.* [emphasis mine].

⁴⁸ B. Richie “Feminist Ethnographies of Women in Prison” (2003) 30(2) *Feminist Studies* 438 at p. 438.

⁴⁹ *Id.*

⁵⁰ P. Carlen, ed., “Introduction” in *Women and Punishment: The Struggle for Justice* (Portland, Oregon: Willan Publishing, 2002) 1 at p. 4.

The WIP film provides “a convoluted admixture of voyeurism and vengeance, a curiosity about the exotic and the potential for resistance.”⁵¹ As one of the few film sub-genres that feature almost entirely female casts it is a venue for articulating, interrogating, and re-articulating how women negotiate conditions of constraint. Other themes that emerge through the metaphor of the prison include the nature of motherhood and domesticity, feminist concerns about sexual assault and sexual domination, (hetero)sexual anxieties about feminist emancipation, resistance in the face of injustice, allegorical condemnation of conservative norms that restrict women’s mobility, cinematic judgment of repressive institutions, hierarchies among women, vengeance, and the revolutionary potential of women’s solidarity across symbolic boundaries of race, class, and sexual orientation.

2.2.3 Setting: Women’s Incarceration in the United States

This research is interested in fictional narratives whose running time and diegetic space remains within ‘women’s prisons in the United States’.⁵² I examine films that can be said to belong to the ‘within women’s prison walls’ chronotope. To this end, I will not examine ‘prison exiting’ films such as *Girls on Probation* (1938) and *Délivrez-moi* (2006) that grapple with the difficulties of reintegration into society after the stigma of criminalization; ‘prison break films’ like *Black Mama, White Mama* (1973) that tell the story of escape; films that take place in reform schools for teenage girls such as in *The Godless Girl* (1929), *Good Time Girl* (1948), *Born Innocent* (1974) and *Bad Girls Dormitory* (1986), or films grappling with others forms of imprisonment such as the

⁵¹ Jarvis, *supra* note 25 at p. 216.

⁵² Focusing on the United States has meant that excellent WIP films that do raise issues of interest to socio-legal scholars but are located in other countries are not included in my analysis. See for instance: *Passion de Jeanne D’Arc* (1928); *Weak and the Wicked* (1954); and *Yield to the Night* (1955). See Appendix.

basement in *The Collector* (1965), the psychiatric ward in *Snake Pit* (1948) and *Girl, Interrupted* (1999), the Magdalene laundries in *Magdalene Sisters* (2002), prisoner-of-war camps in *Sophie's Choice* (1982). These films may well grapple with notions of psychological and physical imprisonment in interesting ways but they do not further the study of how the cinematically rendered space 'women's prison,' and legal institution 'women's prison' that exists beyond the film world, mutually constitute one another.

Further, I will not discuss execution films, such as *I Want To Live!* (1958).⁵³ While some of these films cast a critical lens on the criminal justice system,⁵⁴ they tend toward a cinematic judgment of a particular sentencing practice (capital punishment) rather than the criminalization of women more generally. That said, films about capital punishment do share some of the WIP conventions, including the development of a bond between the protagonist and a man who tries to 'save' her, whether a defence attorney, psychiatrist, journalist gathering evidence of wrongful conviction, or a spiritual guide. Unlike the WIP films, the emphasis on that relationship takes precedent over conflict between the protagonist and the other prisoners, the administration, and the institution. This research is not concerned with films that tend more toward the expression of sado/masochist fantasies and desires and in which the prison setting is incidental to the plot, such as spaceship, island, or jungle 'prisons,'⁵⁵ Nazi extermination camp films such

⁵³ Others include *Why Must I Die?* (1960), *Dance with a Stranger* (1985), and *Last Dance* (1996). See Appendix.

⁵⁴ However, Jarvis persuasively argues that other death row films tend toward "a representation of execution as a vital act associated with transcendence" and that "the adumbrated critique in most death row dramas is typically compromised by pseudo-religious iconography and mystifying sentimentalism ... Hostility towards the death penalty is diffused as the criminal fulfills their obligation within the modern disciplinary system of accepting the ethical burden of punitive power." *Ibid* at p. 212, 214

⁵⁵ *Caged Heat II* (1994), *Island of Procida* (1952) and *99 Women* (1969). See Appendix.

as the *Ilsa* series,⁵⁶ or others that reproduced its general structure.⁵⁷ Science fiction⁵⁸ and musical⁵⁹ prison films will not be examined even though I agree that fantasy's "alternative society" remains a "fruitful area awaiting further exploration in the context of law."⁶⁰

Finally, by focusing on prisons in the United States, I was had originally been inclined to avoid the New World Studio production company's WIP films made under the purview of its founder, Roger Corman. These films were shot in the Philippines or other developing countries at lower production costs. While the 'exotic island' cycle probably began in Europe with Jesus Franco's *99 Women* (1968), the American production company New World soon dominated the market. New World released *The Big Doll House* in 1971, the first of its WIP cycle, followed by *Women in Cages* (1971) and *The Big Bird Cage* (1972).⁶¹ These films generally deal with a group of North American women, often with one white and one black protagonist. Unjustly imprisoned in an unnamed Southeast Asian dictatorship, they attempt to escape but are eventually killed in a shoot-out or re-captured. These films are a fascinating point of entry for research on the ideological function of films, especially because the authorities always have ties to colonial and imperial power and the women are linked to the liberators who are members "of a small, poorly equipped 'people's army' that make up in commitment

⁵⁶ *Ilsa, She-Wolf of the SS* (1974); *Isla Tigress of Siberia*. See Appendix.

⁵⁷ *Deported Women of the SS Special Section* (1976); *Escape from Women's Prison* (1978).

⁵⁸ *Terminal Island* (1973) See Appendix.

⁵⁹ *Chicago* (2002); *Jailbird Rock* (1988). See Appendix.

⁶⁰ A. McGillivray "Recherche sublime: An Introduction to Law and Literature" (1994) 27:4 *Mosaic* i-iv at p. vi.

⁶¹ See Appendix.

what it lacks in material.”⁶² They are less significant to this research which centers shifts in women’s prison reform in the United States. As part of the New World pedigree that was so instrumental to the popularity of WIP films, they are examined in so far as they helped establish the conventions of the exploitation films.

Similarly, this research will not engage with films such as *Bangkok Hilton* (1989) and *Brokedown Palace* (1999) that involve (white, upper-middle class) women from the ‘West’ charged, whether falsely or not, with drug offences and held in brutal prisons in a foreign country. These films implicitly or explicitly invite comparisons between the archaic and ‘savage’ Other(ed) jurisdiction and the inherently more ‘just’ and ‘procedural’ Western system. Given that the America-style of retributive penology is leading the global trends of the “explosion in women’s prison population,”⁶³ I prefer to examine the filmic representation of that penology in action when grappling with questions around women’s criminalization generally. To this end, I do examine WIP films that center the efforts of United States feminist prison reformers at the beginning of the twentieth century such as *Ann Vickers* (1933), *Girls in Chains* (1943), *Caged* (1950), and *House of Women* (1962).⁶⁴

⁶² A. Lipstadt, “Politics and Exploitation: New World Pictures” in J. Hillier and A. Lipstadt, eds., *Roger Corman's New World* (London: British Film Institute, 1981) 9 at p. 13

⁶³ J. Sudbury, “Introduction: Feminist Critiques, Transnational Landscapes, Abolitionist Visions” in J. Sudbury, ed., *Global Lockdown: Race, Gender and the Prison-Industrial Complex* (New York: Routledge, 2006) ix at p. xiv.

⁶⁴ See Appendix. These realist-melodramas aim to expose the brutality of women’s prisons, yet, with the exception of *Caged*, they also use the prison as a narrative feature through which to develop a relationship between the protagonist and a male love-object.

2.2.4 Plot

Some socio-legal researchers argue that audiences should “make connections between prison films as entertainment products and the real life experiences of incarceration that they portray.”⁶⁵ However, as Black notes:

A film that was really about people rotting away in prison, deprived of their narrative agency in any (and to put it crudely) interesting sense, would not be interesting. Something has to happen.⁶⁶

Early films were primarily popular melodramas or ‘women’s films’ with a backlight of social protest about the conditions of women’s prisons. In these films, the “something” Black alludes to is a (re)domestication / redemption story – and by extension the recuperation of the threat posed by independent women⁶⁷ - about a young, attractive, often naïve, woman who moves from being a criminal subject to a love interest and eventually becomes “an Angel in the Big House”⁶⁸ ready for marriage upon release. To a large extent, but with some important exceptions, the realist-melodrama WIP films of thirties to the mid-fifties tend to reproduce to varying degrees many of the characteristics of classical Hollywood narrative.⁶⁹ There are cause-and-effect connections (‘good’ girl is innocent); loose ends are tied (‘good’ girl is redeemed); and the main characters form a romantic heterosexual union.

⁶⁵ D. Wilson & S. O’Sullivan, ‘Prison Film Project’ on the web: <http://www.theprisonfilmproject.com/> [last retrieved July 21, 2007].

⁶⁶ Black, *supra* note 10 at p. 164.

⁶⁷ A. Kuhn, *Women's Pictures: Feminism and the Cinema* (London: Verso, 1994) at p. 89.

⁶⁸ Jarvis, *supra* note 25 at p. 213.

⁶⁹ Between 1915 and 1948, Hollywood studios develop a mode of filmmaking production, distribution, and exhibition known as the ‘studio system.’ The classic Hollywood picture narrative met four criteria: clarity, unity, goal-oriented characters and closure. See generally: Pramaggiore and Wallis, *supra* note 41 at pp.38-45.

Despite variations in the cinematic vocabulary, the protagonist has usually been framed, often by her gangster or otherwise unsavory boyfriend,⁷⁰ or has taken the rap for a man that she loves⁷¹, or is wrongfully convicted.⁷² Alternatively, a sympathetic working-class protagonist is sent to jail for a minor offence such as vagrancy⁷³ or is an accessory to a crime committed by a man with whom she is involved.⁷⁴ Upon arrival at the women's prison, she is confused, overwhelmed, and disembodied. She may discover that she's "expecting company" or "in a jam"⁷⁵ and unable to find a guardian for her child while she completes her sentence, she is forced to hand her baby over to child and family authorities. This causes her distress and she becomes jaded. In another cycle, she discovers corruption within the institution⁷⁶ and is subjected to cruelty by a matron or another prisoner when she tries to speak up and becomes increasingly hardened to her surroundings. Occasionally the protagonist attempts to escape for noble purposes,⁷⁷ or she is forced into an escape plan by other, more seasoned cons,⁷⁸ or she stages an escape out of desperation. More often than not, her bitterness subsides through the love or kindness of a good man, whether a chaplain or a minister who wants to save her soul,⁷⁹ a doctor who teaches her life lessons,⁸⁰ a reporter trying to expose corruption and cruelty within the prison,⁸¹ or a lawyer / district attorney convinced of her factual or moral

⁷⁰ *Acquitted; Girls of the Big House; Prisoners in Petticoats*. See Appendix.

⁷¹ *Condemned Women; Lady Gangster*. See Appendix.

⁷² *Convicted Woman; Paid; Prison Farm; The Secret Fury; Women without Name*. See Appendix.

⁷³ *Condemned Women*. See Appendix.

⁷⁴ *Caged; Ladies they Talk About; The Lullaby*. See Appendix

⁷⁵ *Caged; Girls of the Big House; Hold Your Man; The Lullaby*. See Appendix.

⁷⁶ *Condemned Women; Caged; Prison Farm*. See Appendix.

⁷⁷ *Girls of the Big House*. See Appendix.

⁷⁸ *Girls in Prison*. See Appendix.

⁷⁹ *Girls in Prison; Ladies They Talk About; Midnight Flower*. See Appendix.

⁸⁰ *Acquitted; Condemned Women; Prison Farm*. See Appendix.

⁸¹ *Convicted Woman*. See Appendix.

innocence.⁸² WIP films occasionally tolerate ‘bad’ girls who “teetered on the brink of impure behavior” as long as they eventually learn “the right way to act.”⁸³ A few films tell the story of a woman who cannot be considered either factually or morally innocent, but she has a life-changing experience in jail and leaves rehabilitated, resolutely determined to be a good person⁸⁴ and more importantly, a good mother.⁸⁵

Of course, a “situated reading”⁸⁶ of these films also reveals that many contradictions and dislocations exist.⁸⁷ For instance, while the overarching message about prison in the vast majority of these films is that it can ultimately restore a ‘fallen woman,’ many feature scenes that were in direct violation of the *Production Code*’s prohibition of sexually suggestive content and siding with law-breakers.

In addition to these core conventions, audiences can expect some other formulaic scenes: an introductory speech for the New Fish about the prison rules, a mess-hall revolt over terrible food, women working in factories or laundry facilities, the development of close bonds between prisoners, and a conversation in the dorm or basin-room that tells audiences with what crime each woman has been charged. While the *Production Code* prohibited “sex perversion or any inference to it,” queer connotations and lesbian relationships - whether suggested or explicit - have always been a core element of the sub-genre through counter-conventions of continuity editing and cheeky dialogue. More than any other WIP film of its era, *Caged* provides the prototype, including the

⁸² *Girls of the Big House; Manslaughter 1922 / 1930; Prisoners in Petticoats*. See Appendix

⁸³ Staiger, *supra* note 6 at p. 117.

⁸⁴ *Condemned Woman, Manslaughter; The Story of Molly X*. See Appendix.

⁸⁵ *Hold Your Man*. See Appendix.

⁸⁶ Kuhn, *supra* note 67 at p. 90.

⁸⁷ *Ladies They Talk About* (1933), for instance, ends with Nan Taylor (Barbara Stanwyck) accepting evangelist David Slade’s (Preston Foster) marriage proposal. However, cinematic codes, such as framing and composition, and Stanwyck’s acting, suggest that her decision may be equally genuine affection and pragmatic avoidance of more jail time. See Appendix.

mandatory shower scene and especially the lesbian undertones and grappling with (hetero)sexual anxieties around women's changing social status.

In the exploitation films of the 1960s to the 1980s, some of these references spiral back, are imitated and absorbed. Others are parodied, contested, inverted, or abandoned. In this articulation, the 'something' shifts to "Rape Riot and Revenge!"⁸⁸ and the promise of young, attractive, topless women, forced to work in fields – sometimes shackled – coming into conflict with sadistic lesbian guards and / or lecherous male wardens, rioting or possibly escaping, and taking several showers along the way. While there is usually a morally or criminally innocent character, she is rarely the main protagonist. The plot generally follows women that do not embody the characteristics of the classic hero – they have character flaws and may resort to violence. However, through cinematographic choices and stereotypical 'Baddies,' audience sympathies always remain with the prisoners.

WIP exploitation films tend to unfold in three parts: victimization, radicalization and resistance.⁸⁹ Women are subjected to abuse such as cavity searches⁹⁰ electro-shock therapy,⁹¹ torture,⁹² beatings,⁹³ and sexual assaults by male and / or female guards or the warden, and sometimes other prisoners.⁹⁴ The protagonist makes some loyal friends⁹⁵ and tries (unsuccessfully) to keep out of the Queen Bee's way. Fearful for her safety, the

⁸⁸ Tagline for *Caged Heat*, 1974. See Appendix.

⁸⁹ H. Jenkins "Compromised Cinema: Exploiting Feminism in Stephanie Rothman's *Terminal Island*" on the web: <http://web.mit.edu/cms/People/henry3/rothman.html> [last retrieved July 23, 2007].

⁹⁰ *Big Doll House*. See Appendix.

⁹¹ *Caged Heat*. See Appendix.

⁹² *Women in Cages*. See Appendix.

⁹³ *Red Heat*. See Appendix.

⁹⁴ *Big Doll House; Jackson County Jail; Civil Brand; Concrete Jungle; The Naked Cage*. See Appendix.

⁹⁵ *Caged Heat, Big Doll House, Girls in Prison*. See Appendix

protagonist may remain quiet after witnessing violence or corruption, but eventually, she and other prisoners attempt to voice their complaints through 'legitimate' channels' (the guards, the warden, a kindly doctor) that prove unsuccessful. Riot and / or escape attempts ensue and, with the exception of *Caged Heat*, several, if not all of the main characters die or are re-captured and brought back to complete their prison sentences. These key narrative moments are interspersed with the "conjunction of sex and punitive cruelty:"⁹⁶ shower scenes, lesbian and (hetero)sexual encounters, bondage / humiliation, mud wrestling and other 'cat fights' (often topless), time spent in solitary (often topless), riots, hose-downs, and shiv-stabbings.

2.2.5 Stock Characters

"Legal-criminal categories" have an enormous "organizational significance" in film.⁹⁷ The crimes through which women are categorized or labeled have become conventions or organizing principles of the WIP genre. The key characters are sometimes stereotypes, or a short-form for expressing gendered expectations or anxieties around women's changing social status. As stereotypes they sometimes reflect or distort the reality that women in prison are "less dangerous and less socially injurious"⁹⁸ than men. Women in WIP films are most often convicted of crimes against the 'Patriarchy.' These crimes, such as the killing of an abusive husband or a rapist disrupt the victim / offender dualism and "raise questions about the legal logic of individual culpability."⁹⁹ Other crimes are normalized, such as women who engage in sex work to subvert

⁹⁶ Jarvis, *supra* note 25 at p. 164.

⁹⁷ Bakhtin, *supra* note 6 at p. 124.

⁹⁸ Carlen, *supra* note 50 at p. 4.

⁹⁹ E. Comack, "The Feminist Engagement with Criminology" in G. Balfour and E. Comack, eds. *Criminalizing Women*. (Halifax: Fernwood Publishing, 2006) 22 at p. 40.

economic dependence on men, and disturb the good girl / bad girl dichotomy that continues, in many ways, to govern girls' and women's lives. It is the filmic rendering of women in prison especially that challenges the manner in which women's acts of agency and negotiations within conditions of constraint have been, and continue to be, criminalized.

Stock characters in WIP films include a 'lifer' who keeps to herself and bestows wisdom upon the other prisoners, an amiable woman with intellectual difficulties; several sex workers often with good hearts; a sexually ambiguous, though easily read as a lesbian, Queen Bee who can be cruel when running the joint; and a 'stoolie,' the matron's informant. Some films include a white upper-class "society gal" who has committed fraud or forgery and who feels woefully out of place with the other unsavory (working-class) prisoners.

While the realist-melodramas tend to follow one protagonist (the 'innocent'), the exploitation films follow several characters thereby casting a wider net for audience sympathies to diverse criminalized women. In exploitation films new characters are also introduced: a tough black 'outsider' / 'soul sister' whose crime is often unspecified and who prefers to keep to herself, but who ultimately plays a key role in the riot; a political prisoner or a woman who has "committed crimes against the State" who leads the others in an escape attempt (often to be reunited with her revolutionary boyfriend); a vulnerable drug addict in need of protection; a predatory butch dyke who runs the joint (often in for murder). Some unique and noteworthy characters include an abortion provider (*Caged*), a suffragist (*Ann Vickers*), and a socialist (*Hold Your Man*). These characters question

jurisprudential principles around the nature of culpability and challenge the class and gender biases embedded in the criminal justice system.¹⁰⁰

As in many male prison films, the melodramas are an arena where white characters “can be envisaged as downtrodden victims”¹⁰¹ while the token black prisoner embodies antebellum stereotypes.¹⁰² To this end, early WIP films both marginalize black and other racialized women who are disproportionately criminalized and systematically sentenced more severely in the American criminal justice system,¹⁰³ and borrow from black cultural history “to construct white slave narratives.”¹⁰⁴ During a period of racial tension when lynching still occurred, the prison narrative became a space where white women could also be constructed as victims of oppressive structures rather than complicit in the further marginalization of black women. On the other hand, like the Blaxploitation films of the seventies, WIP exploitation films feature strong more complex black characters who are often among the main protagonists and undermine the traditional roles afforded to women in action flicks (often narrow and without much character development) and the racist treatment of black women in cinema as the mammy, Aunt Jemima, Jezebel, Sapphire, and more recently, the welfare mom, for instance.¹⁰⁵

¹⁰⁰ In *Hold Your Man* for instance, the socialist prisoner asks “what right have they got to put her in here? Or you ... Or me? We haven’t done anything those society debutants don’t do but do you ever hear of a society girl being sent up. No! It’s the system!”

¹⁰¹ Jarvis, *supra* note 25 at p. 169.

¹⁰² On the shifting nature and re-appropriation of ‘black’ stereotypes, see generally: Massood, *supra* note 18.

¹⁰³ See generally: E. B. Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: The University of Michigan Press, 1981); J. Sudbury, *supra* note 61.

¹⁰⁴ Jarvis, *supra* note 25 at p. 169.

¹⁰⁵ Pam Grier, for instance, became an icon for blaxploitation and WIP exploitation films with her roles *Big Cage* (1972) and *Black Mama White Mama* (1973). See Appendix. P. Hill Collins, *Black Sexual Politics: African Americans, Gender, and the New Racism* (New York: Routledge,

Finally, the sadistic matron who emerges in both articulations tends to embody both law and lawlessness. She stands in for the authority of the state and wields that authority in an arbitrary manner. Most often a ‘mannish lesbian,’ she signifies social disorder and moral decay.¹⁰⁶ The warden tends to be kindly but usually ineffectual in ‘helping the women’ in melodramas and re-emerges in exploitation films either as a sexually repressed heterosexual woman or as a sadistic or masochistic doppelganger of the brutal matron.

In many ways then, the WIP genre can be conceived as a chain of shifting binaries.¹⁰⁷ Gender (men / women), sexual orientation (heterosexual / queer), and status (insider / outsider), among others, are key signifying processes and tropes of the sub-genre. For instance, in early WIP films, notions of womanhood - the mannish (lesbian) matron matched with the feminine (heterosexual) New Fish - mark differences and produce meanings around character types. When these attributes shift in the WIP films of the seventies – the mannish (lesbian) heroine and the feminine (heterosexual) sexually repressed warden – the new configuration produces new meanings through “a process of constantly shifting combinations and differentiation.”¹⁰⁸ To this end, while stock characters in WIP films may reproduce dominant binaries, they also interrogate the assumptions about the nature of those binaries through parody and inversion.

2004); Y. Sims, *Women of Blaxploitation: How the Black Action Film Heroine Changed American Popular Culture* (Jefferson, North Carolina: McFarland, 2006); Massood, *supra* note 18.

¹⁰⁶ A. Weiss, *Vampires and Violets: Lesbians in Film* (New York Penguin Books, 1992) at p. 43.

¹⁰⁷ J. Kitzes suggests that the wilderness/civilization binary structures the Western. *Horizons West* (London: Hudson/BFI, 1969). See also: W. Wright, *Sixguns and Society* (Berkeley: University of California Press, 1975); T. Schatz, *Hollywood Genres: Formulas Filmmaking and the Studio System* (New York McGraw-Hill, 1981); Gledhill, *supra* note 2.

¹⁰⁸ Gledhill, *supra* note 2 at p. 355.

2.3 From Dames to Babes to Something in Between: *Caged* and *Caged Heat*

The two films that I have chosen to examine in detail are *Caged* and *Caged Heat*. Both mirror a number of the generic conventions in place at the time of their production, allowing viewers to recognize them as articulations of WIP films. However, in keeping with the principle of differentiation, both films can appeal to a broad and shifting audience because they represent a variation within the sub-genre at the time they were made. This differentiation ensures “the pleasure of recognition” of the WIP tropes, “along with the frisson of the new” ways of rendering women’s prisons.¹⁰⁹

In these case studies, I draw on the Kamir’s framework and make use of various methodological tools including discursive analysis; textual analysis (implied reader); locating a particular film in historical context; and discussing cinematographic choices such as casting, mise-en-scene, and editing. I argue that within the fluid boundaries of the genre-system, two articulations, *Caged*, a melodrama / Film Noir / quasi-exploitation film and *Caged Heat*, a parody /action / exploitation film, twist and innovate the cycle of WIP films in which they belong, enter into a critical dialogue with it, and renegotiate legal meaning around the criminalization of women, and the nature of women’s prison. That is, they engage in a dialogical relationship with the accepted articulations of the sub-genre, and more importantly for this research, they provide a “juridical space”¹¹⁰ in which women’s imprisonment can be subjected to (sympathetic) judgment by the film and by its audience. Moreover, the protagonists themselves enact judgments of institutions, dominant values, and oppressive individuals. Before moving on to the case studies,

¹⁰⁹ *Id.*

¹¹⁰ A. Sarat, “Imagining the Law of the Father: Loss, Dread, and Mourning in *The Sweet Hereafter*” (2000) 34 *Law and Society Review* 3 at p. 15.

however, I review and challenge, in the following chapter, some of the assumptions in the literature around the WIP sub-genre.

Chapter Three
Women in Prison Films: Reading the Sub-Genre

Cinematic images of the criminal law¹ provide insight into the web of cultural and legal practices that shape and maintain boundaries between ‘criminals’ and the rest of society. It has been argued that prison films² can “reveal the brutal realities of incarceration” while offering audiences an “escape from the miseries of daily life through adventure and heroism.”³ They have been used as an “imaginative resource” to “transcode ideas or arguments from specialist sources” - judicial decisions, legislation, crime statistics - into popular forms and “evoke feelings of empathy” for (male)

¹See for instance: L. Friedman, “Law, Lawyers and Popular Culture” (1989) 98 Yale L. J. 1579 suggests that popular film tends to focus on sensational legal matters and both reflects and shapes public perceptions about the law; T. O. Lenz, *Changing Images of Law in Film and Television Crime Stories* (New York: Peter Lang, 2003) looks at Hollywood films and television crime stories to better understand “one of the most important developments of the last half of the twentieth century” at p.5; N. Rafter, *Shots in the Mirror: Crime Films and Society* (New York: Oxford University Press, 2006) argues that crime films both reflect and shape society’s views about social, economic, political and legal institutions; Also see the discussion of law films in Chapter One.

² See for instance: R. Query, “Prison Movies: An Annotated Filmography 1921-Present” (1973) 2 *Journal of Popular Film* 181; M. Nellis, “Notes on the American Prison Film” in M. Nellis and C. Hale, eds., *Radical Alternatives to Prison*. (London, 1982) 50; B. Crowther, *Captured on Film: The Prison Movie* (London B.T. Bathsford, 1989); D. Cheatwood, “Prison Movies: Films About Adult, Male Civilian Prisons 1920 -1995” in F. Bailey and D. Hale, eds., *Popular Culture, Crime and Justice*, (Belmont California: West/Wadsworth, 1998) 209; T. Doherty, “Criminal Codes: Gangsters Unbound, Felons in Custody” in *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema 1930-1934* (Columbia University Press, 1999), pp.137-70; J. Alber, “Bodies Behind Bars: The Disciplining of the Prisoner's Body in British and American Prison Movies” in M. Fludernik and G. Olson, eds., *In the grip of the law: Trials, Prisons, and the Space between* (New York P. Lang 2004) 249; B. Jarvis, *Cruel and Unusual: Punishment and U.S. Culture* (London Pluto Press, 2004); D. Wilson and S. O'Sullivan, “Re-theorizing the penal reform functions of the prison film: revelation, humanization, empathy and benchmarking” (2005) 9 *Theoretical Criminology* 471; D. Gonthier, *American Prison Film Since 1930: from The Big House to The Shawshank Redemption* (Lewiston, N.Y.: Edwin Mellen Press, 2006). For a discussion of televisual prison representations, see: J. Wlodarz, “Maximum Insecurity: Genre Trouble and Closet Erotics in and out of HBO's *Oz*” (2005) 58 *Camera Obscura* 59.

³ Rafter, *supra* note 1 at p. 163.

prisoners.⁴ Despite “its patina of progressive credentials,” Hollywood prison films, more often than not, are “politically ambivalent”⁵ and may not provide complex challenges to the definition of ‘crime’ or the legitimacy of the prison system.

When women appear in traditional prison films, it is most often in flashback sequences as supportive wives, girlfriends, or mothers, or alternatively, as deceitful vixens who frame men or seduce them into lives of crimes.⁶ In comparison to the significant body of research around the prison film, and men’s experience of punishment generally, the WIP film, as with other discussions of ‘women and punishment’ has received little theoretical or critical attention.⁷ This is noteworthy from a film perspective in view of the vast number and variations of WIP films.⁸ It is also noteworthy from a law and society perspective, which aims to link questions of popular culture to broader issues of social stratification and social conflict,⁹ especially as women are the fastest growing segment of the prison population globally.¹⁰ There is, nevertheless, some writing on WIP films that can be divided, for heuristic purposes, along three broad streams: WIP fans and film critics who provide insight into audience expectations; Film Studies analyses of

⁴ Wilson and O’Sullivan, *supra* note 2 at p. 15.

⁵ Jarvis, *supra* note 2 at pp. 171 and 165.

⁶ The classic example is Betty Davis in *20,000 Years in Sing Sing* (1932).

⁷ As Pat Carlen explains: “The coupling of ‘women’ and ‘punishment’ occurs only infrequently in penology literature ... by and large, even in the literature that has focused on the deliberate imposition of pains or deprivations in return for wrongdoing, there seems to have been a reluctance to conceive of punishments as being gender-specific.” P. Carlen, ed. “Introduction” in *Women and Punishment: The Struggle for Justice* (Portland, Oregon: Willan Publishing, 2002), pp. 3-20 at p. 3. But see: F. Heidensohn, “The Deviance of Women: A Critique and an Enquiry” (1968) 19 *Brit. Jour. of Soc.*; A. Davis, *Women, Race and Class* (New York: Random House, 1982); K. Daly, *Gender, Crime and Punishment* (New Haven: Yale University Press, 1994); G. Balfour and E. Comack, eds, *Criminalizing Women*. (Halifax: Fernwood Publishing, 2006).

⁸ The Appendix provides a partial filmography of WIP films.

⁹ A. Sarat and T. Kearns, “The Cultural Lives of Law” in *The Cultural Lives of Law*. (Ann Arbor: University of Michigan Press, 1998) 1 at p. 5.

¹⁰ Balfour and Comack, *supra* note 7; A. Davis and G. Dent, “Conversations: Prison as a Border” (2001) 26 *Signs* 1235.

the WIP films as an offshoot of the prison genre; and Socio-legal readings of particular films. I will outline and critically engage with this body of work and go on to explain how my research both builds upon and moves away from what has already been written in order to show how WIP films constitute complex and contradictory meanings about women's criminalization, the institution of prison, and broader conceptions of judgment.

3.1 Fans / Film Critics

*Although this is a well made film with some naughty moments. It has to [sic] much social merit to be good exploitation fun.*¹¹

Critical texts grapple with the complex and contradictory meanings that can be drawn from WIP films but, as Gledhill points out:

The critical act is not finished with the 'reading' or 'evaluation' of a text. It generates new cycles of meaning production and negotiation – journalist features, 'letters to the editor', classroom lectures, critical responses changes in distribution or publication policy, more critical activity, and so on.¹²

Exploring what fans have to say about WIP films assists in understanding, among other things, how WIP films target and maintain the loyalty of particular communities of viewers. Similarly, attention from film reviewers and critics working for industry papers reflect and impact a particular film's reception.

WIP exploitation films of the seventies have generated cult-like following from B-film enthusiasts. Although the WIP film has been reclaimed by diverse groups of viewers, it is safe to assume that it caters to the expectations of a predominantly young, (hetero)sexual male audience.¹³ Fans have generated numerous websites and a few

¹¹ "The Women in Prison Encyclopedia," on the web:

<http://www.premiumwanadoo.com/wipfilms/b.html> [last retrieved, July 22, 2007].

¹² C. Gledhill, "Pleasurable Negotiations" in E. D. Pribram, ed., *Female Spectators: Looking at Film and Television*. (London: Verso, 1988) 64 at p. 74.

¹³ B. Zalcock and J. Robinson, "Inside Cell Block H: Hard Steel and Soft Soap" (1996) 9 Continuum 88 at p. 91.

monographs dedicated to documenting WIP films and explaining their appeal.¹⁴

Some websites rate films on their “exploitation value:”

The script is childish, there’s some freakish acting, and what passes for the soundtrack is provided by a Wurlitzer organ. There is neither enough nudity nor perversity to make up for the lack of substance here.¹⁵

Another provides insight into what ‘enough perversity’ might mean for targeted audiences by drawing a distinction between the WIP film and what he refers to as ‘S/M’ (sado / masochist) films:

Where is the turn-on in a Nazi slave labor camp [that] cross the line from the taboo/power narrative into the arena of full-blown degradation ... [T]here is a qualitative difference between standard women-in-prison movies and movies like *Ilsa* [*She Wolf*]. WiPs usually play on the common male fantasy of have [sic] power over a large number of beautiful women in which torture (often whipping with the woman’s cries played at the line between excitement and pain) ...¹⁶

For the most part, the websites celebrate WIP exploitation films, but there is the occasional recognition that these films can be disturbing and potentially anti-feminist and that male fans do experience ambivalence towards the conflicting messages about gender relations. As ‘Boris Lugosi’ writes about *Women in Cages* (1971):

¹⁴ The ‘Google’ © search engine found 9,500 hits for “women in prison films” and 974 for “women in prison movies.” A number of these are ‘fan’ based sites such as Bad Cinema Diary: “Women in Prison” <http://www.cathuria.com/bcd/bcWIP.htm> [last retrieved June 18, 2007], “Women in Prison” at www.prisonflicks.com [last retrieved June 18, 2007], The Women in Prison Encyclopedia, *supra* note 11; “Babes Behind Bars” <http://alansmithee.5u.com> [last retrieved June 18, 2007]. For a list of over 100 so-called ‘Women-in-prison’ movies see: <http://www.littleman.com/movies/categories/movies-by-category-Women-In-Prison-1-200334.html> [Last retrieved June 18, 2007]. Some commercial vendors such as Amazon books © and more obscure sites such as Sinister Cinema © include reviews or plot summaries of films. There are also a number of reviews through the American Film Institute (AFI) catalogs <http://www.afi.com/members/catalog>, the Internet Movie Database (IMB) <http://www.imdb.com>; *Variety* (Magazine) <http://www.variety.com>, and Movie Review Query Engine: <http://www.mrqe.com>.

¹⁵ “Bad Cinema Diary” *Id.*

¹⁶ “Women in Prison”, *supra* note 14.

Poor old Alabama really cops it as she's raped and drowned by the brutes. Sure, she's a villain, but I'm glad I didn't have any feminist friends watching this scene with me.¹⁷

The vast majority of these fan websites have little interest in the romantic melodramas between the thirties and the fifties, though most acknowledge that John Cromwell's *Caged* (1950) is the prototype for the exploitation films of the 1970s. For instance, Jim Morton's monograph on cult and B movies offers an interesting explanation for the emergence of WIP. When men returned from the Second World War, he argues, women "no longer submitted to the role of housewife, mother, inferior being."¹⁸ The men, on the other hand "had discovered that the bawdy, good-natured sexuality of the French was infinitely preferable to the puritanical guilt/shame prevalent in the States."¹⁹ Morton's reading of the historical shifts in the fifties crassly reduces first wave feminists' struggles for formal equality and ignores the fact that physical and emotional wounds likely overshadowed whatever sexual maturity the men acquired (whether or not by force) while fighting in a war. His insight is nonetheless valuable because he provides one perspective on the appeal of WIP films, which are "not *merely* sexist."²⁰ According to him,

... women enjoy them as much as men do. In most films women are presented in more genteel surroundings exhibiting 'ladylike' behavior, while in WIP films women are hard, mean and take no shit from anybody. Perhaps this 'breaking of the rules' lies in the beauty of these films.²¹

He does not provide any evidence – such as qualitative interviews with women viewers – for this assertion.

¹⁷ <http://www.girlsgunsandghouls.com/womenincages.html> [Last retrieved July 22, 2007].

¹⁸ J. Morton, "Women in Prison Films" in V. Vale, A. Juno and J. Morton, eds. *Incredibly Strange Films* (San Francisco: Re/Search Publications, 1986) 151 at p. 151.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Ibid* at p. 152.

Film reviewers, on the other hand, tend to be less enthralled by the exploitation WIP films. Addison Verrill, writing for *Variety* magazine, the daily newspaper of the entertainment industry, comments on New World Cinema's *Bid Cage* (1972) and sums up the general view of exploitation WIP films within critics' circles:

The women's prison epic is about as hardy a cinema chestnut as one can find these days, but it's a perfect showcase for the nudity, sex, violence, raw language and comic relief necessary in this type of exploitation programmer. All the ingredients are here ... Happily audiences for this type of feature couldn't care less about histrionics as long as blouses are kept unbuttoned.²²

Indeed, reviews have been instrumental to this research in teasing out which films are considered noteworthy by the industry and which have been dismissed. A few WIP films emerge as particularly interesting at the time of their release, and continue to be the standard against which subsequent films are measured. William Keighley's *Ladies They Talk About* (1933), based on Dorothy Mackaye's play about her time at San Quentin arguably "boasts more verisimilitude than most."²³ *Variety Magazine* found that *Ladies of the Big House* "intense" with "human appeal that abundantly compensates for its depressing atmosphere in jail."²⁴

John Cromwell's *Caged* (1950) and Jonathan Demme's *Caged Heat* (1974) also stand out. *New York Times* critic Bosley Crowther wrote in 1950 that *So Young, So Bad* (1950) was overshadowed by Warners' "lalapalooza" *Caged*.²⁵ Similarly, Nowland and Wright dismiss *House of Women* (1962), because it does not have *Caged*'s "chilling

²² Cited in Parish, *supra* note 2 at p. 26.

²³ "Ladies They Talk About" <http://goatdog.com/moviePage.php?movieID=613> [last retrieved June 27, 2007] Mackaye served a sentence in the San Quentin Penitentiary (one to three years) for "attempting to conceal facts" in the death of her husband, Ray Raymond.

²⁴ Cited in Parish, *supra* note 2 at p. 242.

²⁵ B. Crowther "The Screen in Review: So Young, So Bad," *New York Times* (24 July 1950).

impact.”²⁶ *Caged Heat* has also received considerable critical attention. Many critics lauded it as an attempt to “take a genre that objectifies women as blatantly as any film in history” and turn it “into a story of female empowerment, but without doing so in a manner that pushes the film’s arty pretensions ... down your throat.”²⁷ The relevance of critics’ reception of films and fan commentary lies in the relation between the films themselves and, what Gerard Genette calls, their “paratexts.”²⁸ Critics and fans provide rich “accessory messages”²⁹ about WIP films that in turn reflect and shape audience perceptions and theoretical discussions. While these messages only reflect some of the multiple interpretations possible, the accessory messages (paratexts) found in critics’ and fans’ interpretations of films nevertheless inform some of the more theoretical work that has been written. I acknowledge their fundamental role in constituting WIP films, however my research aims to grapple with the variegated legal meanings and (reluctant perhaps) feminist purposes that seem to have been overlooked by, or to be inconceivable to, mainstream critics and fans.

²⁶ R. Nowlan and G. Wright Nowlan, *Cinema Sequels and Remakes 1903 - 1987* (Jefferson, N.C.: McFarland, 1989) at p.117.

²⁷ M. Mulcahey, ‘Caged Heat’, <http://efilmcritic.com/review.php?movie=7200&reviewer=255> [last retrieved June 18 2007].

²⁸ Gerard Genette outlines five modes of intertextual relationships. Paratextuality refers to the relations, within the totality of a cultural artifact, between the ‘text,’ proper, and its ‘paratext,’ the commentaries that surround the text. G. Genette, *Palimpsests: Literature in the Second Degree* (Lincoln: University of Nebraska Press 1997). Also see: R. Stam, *Film Theory: An Introduction* (Oxford: Blackwell, 2000) at pp. 208-210.

²⁹ Stam, *ibid.* at p. 208.

3.2 Film Studies

*[Cinema] is something that will never cease to intervene in society, and which participates in the maintenance, mutation, and subversion of systems of power.*³⁰

Querry's annotated filmography,³¹ Crowthers' survey of prison films,³² and Parish' summary of "plots, critiques and credits" of prison films produced in the United States,³³ while somewhat superficial in their consideration of WIP films, are a helpful starting point to more theoretical dialogue with the sub-genre. Their work, in addition to more recent theoretical examinations, subsumes films about women's incarceration within the broader prison film genre and often dismisses the distaff versions as prurient and not particularly "reflective of the cultural moment."³⁴ Jarvis, for instance, notes that the classical prison drama is "invariably an all-male affair" and that "even when it enters a woman's prison the genre routinely indulges in fantasies of rape and lesbianism tailored to the male voyeur."³⁵

Crowther argues that women in prison "as victims of male dominated society [are] much more soberly treated in films that drew upon two real life cases in the 1950s."³⁶ The melodramas of the mid twentieth century had, according to him, "a quality

³⁰ M. Shiel, "Cinema and the City in History and Theory" in M. Shiel and T. Fitzmaurice, eds., *Cinema and the City: Film and Urban Societies in a Global Context* (Oxford and Malden, Mass.: Blackwell, 2001) 1 at p.4.

³¹ Querry, *supra* note 2.

³² Crowther, *supra* note 2.

³³ Parish' text also includes invaluable commentary by film critics at the time of each film's release, *supra* note 2.

³⁴ Doherty, *supra* note 2 at p. 167.

³⁵ Jarvis, *supra* note 2 at p. 166. Similarly, Nicole Rafter, *supra* note 1 argues that WIP films substitute "women for men in order to broaden the movies' appeal" at p. 167.

³⁶ Crowther, *supra* note 2 at p. 67.

the later exploitation movies lack.”³⁷ While the earlier articulations of WIP films used clever cinematography to hint at lesbian desire, he finds that in the 1970s films, and New World Pictures’ cycle especially:

... lesbianism is rife and while there are no sexually explicit acts (these are not, of course hardcore films, and indeed, these days barely rate as softcore) there is none of the pussyfooting around the subject that was imposed upon earlier movie-makers ... For all their cheapskate production values and undoubted harm they do to the image of women, these New World adventures do have the merit of being made tongue-in-cheek.³⁸

In an attempt to grapple with a body of cinema that is “as spectacularly nasty to women”³⁹ as exploitation WIP films, while at the same time recognizing its parodic qualities, Crowther seems to bestow a moral superiority on the romantic melodramas, reminiscent of the discussions and hierarchies created around ‘high’ and ‘low’ culture. He fails to note how the tongue-in-cheekedness of the exploitation films operates in interesting and potentially subversive ways.

David Gonthier examines prison films through the lens of genre theory and devotes a chapter to WIP films.⁴⁰ While he discusses films that span a number of decades, he focuses on the exploitation films of the seventies. In dialogue with feminist film theories that dominated in the seventies, and Laura Mulvey’s writing especially,⁴¹ he suggests that the spectator-screen relationships, identity processes, and pleasures in WIP

³⁷ *Ibid* at 65.

³⁸ *Id.*

³⁹ Carol Clover argues for a re-reading of ‘slasher’ films that include the transgressive possibility of the ‘final girl’. However, she cautions that: “One is deeply reluctant to make progressive claims for a body of cinema as spectacularly nasty to women as the slasher film is, but the fact is that the slasher does, in its own perverse way and for better or worse, constitute a visible adjustment in terms of genre representation.” She adds that “it is an adjustment largely on the male side, appearing at the furthest possible remove from the quarters of theory and showing signs of trickling upwards is of no small interest.” *Men, Women, and Chain Saws: Gender in the Modern Horror Film* (N.J.: Princeton University Press, 1992) at p. 86.

⁴⁰ Gonthier, *supra* note 2.

⁴¹ L. Mulvey, “Visual Pleasure and Narrative Cinema” (1975) 16 Screen 6.

films operate for male spectators and can reduce women to fetishized objects of desire or punishment. He argues that – with the notable exception of *Caged Heat* which he finds to be quite subversive – WIP films are “anything but ‘women’s pictures’” and that the “dreamer/observer” is

... a voyeuristic male fantasizing about the dual role of women: as the voluptuous sex object and as the tough dominatrix-type ... These films are products of the male gaze; men’s fetishes and sexual desires are consequently fulfilled by watching women in a ‘naughty’ manner.⁴²

He then asks whether female prison films are “still a product of male dominance,” what would they “look like if directed by women,” and whether they can ever be read as “black comedy *against* the control of men”?⁴³

By framing these questions in terms of ‘dominance,’ Gonthier hints at, but ultimately sidesteps, the constructivist reformulation of power relations as discussed by Gramsci and built upon by Foucault, among others. Gramsci argues that power requires persuasion and consent as much as it does force. To this end, the dominant group must acknowledge the existence of those it marginalizes by winning their consent:

... the ‘spontaneous’ consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group; this consent is ‘historically’ caused by the prestige (and consequent confidence) which the dominant group enjoys because of its position and function in the world of production.⁴⁴

Rather than being a one-way relationship of domination, hegemony is achieved through negotiation between competing social, political, and ideological forces and power is contested and can shift through these negotiations. Moreover, as Foucault points out,

⁴² Gonthier, *supra* note 2 at p.48.

⁴³ *Ibid.* at p. 52 [emphasis in original].

⁴⁴ A. Gramsci, *Selections from the prison notebooks of Antonio Gramsci* (New York: International, 1971) at p.12.

where there is power, there is always the possibility of everyday acts of resistance and therefore spaces for negotiation by marginalized and subordinated groups.

WIP films can thus be conceived through an “oppositional gaze.”⁴⁵ Female spectators “whose cinematic pleasure and identifications seem literally ‘unthinkable’ within [earlier psychoanalytic feminists] terms,”⁴⁶ - including, for instance racialized and queer women - may well derive pleasure from viewing them.

Anne Morey discusses women in prison films as their own genre. She examines the deployment of three interlocking discourses – the medical, the educational, and the economic – in *Caged* (1950), *Women's prison* (1955), *Girls in Prison* (1956) and *House of Women* (1962).⁴⁷ She suggests that in these films, the prison operates as an “agent of domesticity” that leads ‘bad girls’ to redemption.⁴⁸ This redemption is brought about through the intermediary of a ‘good man’ such as a kindly warden, a concerned chaplain, or a loving doctor “who expresses concern for the prisoners and thus facilitates her return to the domestic sphere”.⁴⁹ Morey argues that in *Caged*, unlike the other three films, there is an absence of such a man. This renders the protagonist’s reintegration into domestic life impossible: “the real problem ... is that there is no strong male within the

⁴⁵ b. hooks, “The Oppositional Gaze: Black Female Spectatorship” in *Reel to Real: Race, Sex and Class at the Movies* (New York: Routledge, 1999) 197.

⁴⁶ S. Thornham, *Feminist Film Theory* (New York: University Press, 1999) at p.2.

⁴⁷ A. Morey, “‘The Judge Called Me an Accessory’: Women’s Prison Films, 1950-1962” (1995) 23(2) *Jour. of Pop. Film & Television* 80.

⁴⁸ *Ibid* at p. 80. Similarly, Melanie Williams argues that in the films of J. Lee Thompson that present complex female protagonists who transgress notions femininity are ultimately either “co-opted back into the dominant order through reunion with their men” or “can only be resolved,” such as in *The Weak and the Wicked* (1954) or through the “obliteration” (execution) of subversive women, as in *Yield to the Night* (1955). M. Williams, “Women in Prison and Women in Dressing Gowns: Rediscovering the 1950s Films of J. Lee Thompson” (2005) 11 *Journal of Gender Studies* 5 at p. 13. See Appendix.

⁴⁹ Morey, *supra* note 46 at p. 83.

prison with whom Marie Allen ... can cathect."⁵⁰ She concludes that *Caged* reinforces traditional understandings of femininity. I argue in Chapter Four, on the contrary, that *Caged* engages in cinematic judgment of those understandings of femininity in addition to legal discourses that render particular women vulnerable to criminalization. Indeed, *Caged* emerges as one of the few WIP films that overtly challenge the dominant understandings of female criminality.

Aaron Lipstadt, on the other hand, focuses on the exploitation films produced by New World in the 1970s.⁵¹ He draws heavily on the writing of feminist film theorist Pam Cook, who argues that exploitation films have a subversive potential because "the overt manipulation of stereotypes and genre conventions allows us to see that language is at work: myths are revealed as ideological structures embedded in the form itself." New World Pictures, then, can be considered a quasi-feminist production company, given its promotion of sexually assertive heroines who enact revenge on oppressive men.⁵² The essential contradiction of the WIP exploitation films, according to Lipstadt, is between the 'objectification' of women as things to be admired and desired which is often "the audience's entry point into the narrative" and women's 'subjectification' whereby they are "active protagonists."⁵³ The WIP exploitation film seems to be "serving two incompatible masters:"

⁵⁰ *Ibid.* It is worth noting that Morey misreads the final scenes of the film. While she argues that Marie Allen will begin a life of shoplifting, she has, in fact, been recruited as a prostitute. Kitty (who recruits shoplifters on the inside) has been displaced by Elvira (who runs a prostitution ring: "she'd make a cute trick"). Marie's parole is arranged by Elvira.

⁵¹ A. Lipstadt, "Politics and Exploitation: New World Pictures" in J. Hillier and A. Lipstadt, eds., *Roger Corman's New World* (London: British Film Institute, 1981) 9.

⁵² P. Cook, "Exploitation Films and Feminism" (1977) 17 Screen 122.

⁵³ Lipstadt, *supra* note 50 at p. 15.

... its insistence on women's sexuality, i.e. women as the subject of desire, is translated into scenes of women's fantasies which, in the viewing context, however, function as men's fantasies.⁵⁴

Caged Heat (1974), he remarks, attempts to displace identification through stereotypes and parody. While prisoners are "the passive object of male domination" during intake procedures, "in the context of the prison ... these roles are reversed – the man, who controls the phallic imagery, is controlled by the female warden."⁵⁵

Judith Mayne argues that exploitation films of the seventies perform "with a vengeance" the objectification of the female body but ultimately, they destabilize identification because the sub-genre "is predicated on the possibility that women observe other women."⁵⁶ Unlike Crowthers, Mayne sees much of the transformatory potential in WIP films in their explicit lesbianism, particularly in the context of inter-racial relationships in *Caged Heat*:

The representation of black and white women together facilitates the suggestion of lesbianism ... The lesbian plot requires the racial plot, and the racial plot requires the lesbian plot. Much of the fascination of women in a prison setting may indeed have to do with the intermingling of race and sexuality ... not just in the sense of a topsy-turvy world in which black women and lesbians – and black lesbians – are so visible, but in the sense that one kind of plot depends so strongly on the other.⁵⁷

Also drawing on Cook, Henry Jenkins discusses another New World production and one of the only WIP films directed by a woman, Stephanie Rothman's *Terminal Island* (1974).⁵⁸ He focuses on the complex and contradictory issue of pleasure derived from

⁵⁴ *Ibid.* at p. 18.

⁵⁵ *Ibid.* at p. 18.

⁵⁶ J. Mayne, "Caged and Framed. The Women-in-Prison Film" in J. Mayne, *Framed: Lesbians, Feminists, and Media Culture* (Minneapolis University of Minnesota Press 2000) 115 at p. 117.

⁵⁷ *Ibid.* at pp. 138-39.

⁵⁸ H. Jenkins "Compromised Cinema: Exploiting Feminism in Stephanie Rothman's *Terminal Island*" on the web: <http://web.mit.edu/cms/People/henry3/rothman.html> [last retrieved July 23, 2007].

WIP films. Jenkins argues that their appeal to “fantasies of male control” compete with appeals to “fantasies of equality and harmony,” and thereby may provide a better understanding of the “ideological fault-lines” within popular cinema.⁵⁹ When separated from their narrative context and “run as elements of pure spectacle,” the images of physical, sexual, and emotional violence against women can be read as offering “sadistic pleasure and erotic fascination” and reflect a backlash against feminism.⁶⁰ Jenkins suggests that WIP films should instead be placed within their narrative context; in so doing, these images invite “melodramatic identification” with women’s oppression and their struggles for emancipation and respect.⁶¹

The work of Lipstadt, Mayne, and Jenkins is in keeping with feminist film theorists who have argued that the expression of female rage against domination is one of the anti-patriarchal subtexts that became a trope of the WIP sub-genre. Indeed, when men appear in WIP exploitation films, they may represent a symbol of stereotypical patriarchal authority, but are invariably incidental to the plot or portrayed as sex-crazed buffoons.⁶² Similarly, Beverly Zalcock and Jocelyn Robinson,⁶³ with Suzanna Danuta Walters,⁶⁴ argue that the broad structural elements of WIP films – explicit or implicit reference to lesbianism, violence between women, a turning point, where an innocent

⁵⁹ *Ibid.* at p. 3.

⁶⁰ *Ibid.* The spectacle is perhaps most evident in exploitation WIP advertising and trailers of the mid 1970s to mid 1980s such *The Big Doll House* (1971): “Their bodies were caged, but not their desires. They would do anything for a man - or to him;” *The Big Bird Cage* (1972): “Women so hot with desire they melt the chains that enslave them!;” and *Chained Heat* (1983): “What these women did to get into prison is *nothing* compared to what they’ll do to get out.” See Appendix.

⁶¹ *Ibid.*

⁶² Mayne, *supra* note 55 at p. 143. However, this is in contradiction to early WIP films in which men were primarily cast as love-interests to the protagonist, such as in *Ladies they Talk About* (1933) and *Condemned Women* (1931). See Appendix.

⁶³ Zalcock and Robinson, *supra* note 13.

⁶⁴ S. Danuta Walters “Caged Heat: The (R)evolution of Women-in-Prison Films.” In M. McCaughey and N. King (eds) *Real knockouts: Violent Women in the Movies* (Austin: University of Texas, 2001) 106.

becomes conscious of oppression and the solidifying of communities of women – are what make these films popular for different audiences than perhaps originally intended. These structural elements “provide [viewers] with intimations of the unspoken, entrée into forbidden realms” of the prison and offer insight into the film medium’s “location as contradictory arbiter of changing social relations.”⁶⁵ This is especially true of the few WIP films in which “strong women collectively seize power, reclaim their freedom, or eliminate an evil regime, usually by violent means.”⁶⁶ Most importantly, WIP films provide a space to articulate friendship and loyalty between women:

Women-in-prison films – in all their strangeness, their multiple marginality – often present images of women and women’s relationships rarely found in more mainstream genres. Women in this world work together, love together, fight each other, and most centrally, fight back against the largely male systems of brutal domination that keep them all down.⁶⁷

Herein lies the potential for “feminists seeking to recuperate” WIP films.⁶⁸

What this body of research does not address is the intertextual relationship between law and film or the allusion, whether verbal or visual, to law and legal processes. An engagement with the ‘heteroglossia,’⁶⁹ the diverse and stratified voices in these films, should include engagement with the voice of the law and legal process. While allegorically these films grapple with women’s liberation / subjugation, (hetero)sexual anxieties, forbidden desires, and physical and emotion imprisonment through the signifier ‘prison,’ they are also offer rich possibilities for critical legal readings around the construction of the ‘female criminal,’ and the crimes with which stock characters are charged – ranging from abortion-provision, to prostitution and murder of corrupt police

⁶⁵ *Ibid* at p.106.

⁶⁶ Zalcock and Robinson, *supra* note 13 at p. 91

⁶⁷ *Ibid.* at p. 106.

⁶⁸ Zalcock and Robinson, *supra* note 13 at p. 91.

⁶⁹ M. Bakhtin, *The Dialogic Imagination* (Austin: University of Texas Press, 1981).

officers. WIP films can be read as reproducing common sense understandings of women's criminalization, or they can be examined as oppositional narrative forms that challenge dominant understandings of crime and criminalization. Films about women in prison can challenge the notion that the prison is a suitable and effective means of addressing such social problems as homelessness, addiction, and poverty, and as I argue in Chapter Four, may lead to the articulation of alternative legal systems or modes of judging that might better serve society. Herein lies the potential for critical socio-legal theorists to recuperate the WIP subgenre.

3.3 Socio-Legal Readings

*Films must be free from all imitations, of which the most dangerous is the imitation of life.*⁷⁰

There is far less research on WIP films emanating from law and society scholars and, until fairly recently, those accounts have been less optimistic about the revolutionary feminist potential of the sub-genre. Instead, these writers are critical about the manner in which films distort the real experiences of incarcerated women through representations that perpetuate damaging gendered and racial stereotypes.

Marsha Clowers, for instance, discusses how the depiction of women prisoners in *Chained Heat* (1983), *Red Heat* (1985), and *Fugitive Rage* (1995) are neither realistic nor concomitant with women's lived reality in prisons. Clowers' own understanding of reality in women's prisons is questionable. Based on her ethnographic research at New York State's Bedford Maximum Security facility for women, she argues that the only "accurate" portrayal in WIP films is the physical beauty of imprisoned women:

⁷⁰ Stan Brakhage, cited in hooks, *supra* note 44 at p. 1.

The women looked great. In fact, many of them had spent more time preparing their hair and make up than had I.⁷¹

Condescending to say the least, she also defends the American criminal justice system against the negative portrayals in the films. Rather than being arbitrary, the system, she argues, is fair (“I rarely hear real inmates deny guilt.”) Rather than being in a state of overcrowding and chaos, the prison is highly regulated (“each inmate is promptly issued a schedule upon arrival ... nothing about life at Bedford is mysterious, ambiguous or surprising.”) Rather than being inhumane, the prison is cleanly and organized (“Bedford assigns women daily, thorough cleanings; women sweep, swab, and scrub continually.”)⁷²

A more sophisticated critique is offered by Karlene Faith who examines a broad range of films. She found that “with explicit pornographic overtones these films very expediently dichotomize women as good or evil, compliant or dangerous, Madonna or whore.”⁷³ Moreover, WIP films “produce images of women bearing no resemblance to the ordinariness of the relatively few women who are actually locked up.” Finally, by drawing on notions of the grotesque, Faith argues that these images reinforce the stereotype that women in prison are psychotic lesbians, mannish brutes, or “the predictably white, pretty goody-goody who got there by mistake, the only character with whom the intended audience can identify.”⁷⁴ Similarly, Nicole Rafter describes the WIP films of the seventies and eighties as appealing to “aficionados of cult and pornography films, especially pornography of the chains-and-whips variety.”

⁷¹ M. Clowers, (2001) “Dykes, Gangs and Danger: Debunking Popular Myths about Maximum Security Life” 9 *Journal of Criminal Justice and Popular Culture* 22 at p.27.

⁷² *Ibid.* at p. 25.

⁷³ K. Faith, “Going to the movies” in *Unruly Women: The Politics of Confinement and Resistance* (Vancouver: Press Gang Publishers 1993) 253 at p. 257.

⁷⁴ *Ibid.* at p. 253.

Featuring young women who tend to remove their bras before riots and mannish sadistic officers, these films are fixated on the sexual implication of all female society, usually from the viewpoint of a heterosexual male who enjoys watching pin-ups in action.⁷⁵

Accordingly, women in prison “are neither superheroes nor admirable ordinary women but rather sex objects,”⁷⁶ and “babes-in-prison films” contribute to the “construction of gender ... by limiting the number and types of roles available” to women actors.⁷⁷

The arguments put forth by Faith and Rafter are deeply influenced by early feminist approaches in film and cultural studies concerned with the way dominant media images of women reflected and maintained established beliefs about femininity and gender roles. Dominant images, they argued, eschew representations of more psychologically nuanced female characters, or ‘real’ women. As Gledhill notes, the problem with this analysis “is not the rejection of media distortions” but the remedy offered - “a readjustment of the lens ... in order to produce accurate reflections.”⁷⁸

While her critical work around women’s incarceration generally draws heavily on intersectional feminist theories, Faith’s dismissal of WIP films because they fail to provide realistic accounts of the women who are imprisoned, seems to suggest a unitary conception of womanhood that has been challenged by, among others, racialized women, working-class women, lesbians, women with disabilities and women from the South. Not only does the notion that representation should reflect ‘real’ women’s experiences and lives, begging the question of ‘whose reality’, it also, as Gledhill and others have noted,

⁷⁵ Rafter, *supra* note 1 at p. 172.

⁷⁶ *Ibid* at p. 186.

⁷⁷ *Id.*

⁷⁸ Gledhill, *supra* note 12 at p. 346.

begs the question of “what reality? (the oppression of women? women as victims? positive heroines?)” and “according to whom?”⁷⁹

Popular films about women in prison should not be read as a reflection of the reality of prison life. Rather, these films have a constitutive role in the shaping our understandings of the cultural signifier ‘prison.’ This should not be confused with the actual prison, but construed as shaping meanings around women’s prisons and women’s criminalization. Understanding WIP films in this way enables the discussion to move away from “a moralistic discourse of fidelity and betrayal”⁸⁰ to broader discussions around discourse, power, and the potential subversion of hegemonic structures that regulate women’s lives.

In a similar vein to early socio-legal feminist analyses, David Wilson and Sean O’Sullivan provide a survey of WIP films and television programs which they evaluate on the basis of their ability to “provide a ‘voice’” or to “allow prison to talk to us” as opposed to “merely pandering to voyeuristic tastes.”⁸¹ They argue that recent attempts at “serious prison drama” involving women in prison “unwittingly reproduce” the conventions of the “exploitation versions of the genre”.⁸² While they discuss the penal reform functions of traditional (Hollywood) prison films, such as revelation, benchmarking, eliciting empathy, and initiation to restorative justice, they find WIP films lacking. On their ‘Prison Film Project’ website, they ask:

⁷⁹ *Id.*

⁸⁰ Stam, *supra* note 27 at p. 209.

⁸¹ D. Wilson and S. O’Sullivan “In Praise of *Bad Girls*: parody and purpose in a contemporary women’s prison drama”: <http://www.theprisonfilmproject.com/resource/downloads/badgirls.pdf> [last retrieved July 22, 2007].

⁸² *Ibid* at p. 6.

Can the women's prison film raise serious issues about criminal incarceration? Or is this sub-genre now hopeless [sic] trapped in the category of exploitation cinema?⁸³

Taking cues from Didi Herman's thoughtful analysis of the British television program *Bad Girls*,⁸⁴ Wilson and O'Sullivan find that some television programs of women in prison hold promise.⁸⁵

Herman discusses how, in comparison to other mainstream representations of gays and lesbians in addition to WIP films that marginalize, pathologize, or situationalize lesbian relationships, the prison setting of *Bad Girls* (BG) enables lesbian sexuality to be rendered as "normal, desirable, and possible:"

BG disrupts the WIP genre significantly. *BG* foregrounds lesbian heroines who have happy endings, and the normalization of lesbianism occurs outside as well as within the prison.⁸⁶

While Mayne asserts that men in WIP films are often marginal and extraneous to the plot. However, in *Bad Girls* "much, although, by no means all, of the abuse inmates suffer is at the hands of male officers."⁸⁷

⁸³ 'Prison Film Project' <http://www.theprisonfilmproject.com/about/thebook.htm> [last retrieved July 22, 2007].

⁸⁴ D. Herman, "'Bad Girls Changed My Life': Homonormativity in a Women's Prison Drama" (2003) 20 *Critical Studies in Media Communication* 141. Wilson and O'Sullivan argue that that *BG* "attempts to maintain a consistent, critical and informative perspective on prisons and prisoners and deploys a range of strategies to combine viewer pleasure with authorial purpose." *BG*'s success is due, they argue "to the creativity of its writers and producers in establishing and reinforcing synergy between these two aims."

⁸⁵ Jenni Millibank also highlights the transgressive potential of *Bad Girls*. She found that "a number of disruptive and counter-hegemonic aspects" run through the program including the portrayal of violence as a reasonable response to oppressive social conditions, "a distinct problematizing of heterosexuality," and "the metaphor of prison Panopticon to explore the constraints imposed on all women's lives." J. Millibank, "It's About *This*: Lesbians, Prison, Desire" in M. Freeman, ed., *Law and Popular Culture*: Oxford University Press, 2005) 449 at p. 449.

⁸⁶ Herman, *supra* note 84 at p. 143.

⁸⁷ She adds that the television program does reproduce dominant understandings of race relations. *Ibid* at p. 144.

That said Herman's comparison of television to film and her claim that program "disrupts the WIP genre significantly" is problematic.⁸⁸ First, the British dramatic series is written and directed by two "do-or-die, go-to-the-wall, in-your-face feminists"⁸⁹ who are attempting to use television as a means of educating the public on women's imprisonment.⁹⁰ This is a very different purpose than most of WIP films. First, these, with few exceptions, are directed by men and, certainly in the exploitation films of the seventies, cannot be said to be primarily concerned with educating the masses on the crude reality of women's imprisonment. Second, while television programs can given credit for awakening people to difficult social problems⁹¹ and may well serve as "a source of test cases and occasions for troubleshooting,"⁹² important differences stem from financial conditions and legal regulations around the production, distribution and exhibition, relationship to audience, acting styles and content.⁹³ Television programs

⁸⁸ *Id.* A similar approach is taken by Zalcock and Robinson who discuss the Australian program "Cell Block H" which, they argue, reproduces and reflects the "realist preoccupations and melodramatic sensibilities" of early WIP films, and *Caged* (1950) especially: "because they are a range of ages, types and shapes, there is a kind of realism about them – they sweat, they have wrinkles, some of them are overweight. As such, they are both endearing and different, and the acting styles used to play them vary as well, from the overtly camp to the much more naturalistic" at p. 96, 89

⁸⁹ Herman, *supra* note 84 at p. 146.

⁹⁰ The *Bad Girls* official website states: "Bad Girls has set out since its first series to raise awareness of what happens in women's prisons and to highlight the issues women in prison face. Those involved in its production have gone to great lengths to try to make it as accurate as possible, but it is a drama series and life in prison is not always so exciting, so it would not be fair to think that everything Bad Girls shows us actually happens on a regular basis."

http://www.badgirls.co.uk/library/lib_wip/wip_index.html [last retrieved June 23, 2007].

⁹¹ J. Fiske *Television Culture* (London: Routledge, 1987).

⁹² D. A. Black, *Law in Film: Resonance and Representation* (Urbana and Chicago: University of Illinois Press, 1999). Made for television WIP movies can, for instance, critically engage the institution of prison and women's criminalization in particular, in different ways that commercial film. For instance: *Against their Will: Women in Prison* (1994); *Cage without a Key* (1981); *Convicted: A Mother's Story* (1987); *False Arrest* (1992); *Getting Out* (1994); *A Mother's Right: The Elizabeth Morgan Story* (1992) and *Within these Walls* (2001). See Appendix.

⁹³ For instance, film was traditionally intended as a shared viewing experience in a theatre, whereas television as a private and intimate experience within the home. The advent of VCRs and DVDs has blurred this distinction, but it remains true that films take place within a fixed time

require “that the ending of one episode is the beginning of the next, so that the meaning of events is never easily pinned down.”⁹⁴ This is further complicated by the different forms of telefeatures: fictional programs, documentaries, news, and ‘Reality TV.’ As David Black writes, “the representation of law on television ... grows or shrinks to fit just about any programming form, scripting idea, or visual idiom at which it can be thrown.”⁹⁵

My research emphasizes films about women in prison because, as one of the most cultural forms of the twentieth century,⁹⁶ film is an historically embedded economic and aesthetic institution that can transform our “perceptual sensorium and our affective allegiances.”⁹⁷ Like other social forces, including the law, globalization, neo-liberalism/conservatism, neo-colonialism, cinema is “powerful, pervasive, and important.”⁹⁸ Beyond being simply “barometers of a culture,”⁹⁹ films project alternative realities. This is a crucial point that may have been overlooked in earlier socio-legal research.

frame - usually 90 minutes - and rely on conventions of familiarity to cut out large segments of time or character development.

⁹⁴ Gledhill, *supra* note 12 at 343. They also have prolonged scenes to maintain audience interest and loyalty, and episodic interruptions by way of advertisements or news.

⁹⁵ Black, *supra* note 92 at p. 7.

⁹⁶ Shiel, *supra* note 29 at p. 1

⁹⁷ “Andrew V. Uroskie (2003) Film as Film and Cinema: Towards an Expanded Conception of Medium” on the web: <http://www.bampfa.berkeley.edu/bca/uroskie.pdf> [last retrieved July 19, 2007].

⁹⁸ A. Sarat, “Imagining the Law of the Father: Loss, Dread, and Mourning in The Sweet Hereafter” (2000) 34 *Law and Society Review* 3 at p. 40

⁹⁹ M. Pramaggiore and T. Wallis, *Film: A Critical Introduction* (London: Laurence King Publishing Ltd., 2006) at p. 302.

3.4 Expanding Understandings of WIP Films

My intervention in this discussion around representation, realism, and films' role in promoting social change, is ambivalent and somewhat disjointed. It seems that films can and cannot, do and do not tell us things about the criminalization of women, the nature of the prison, and broader conceptions of justice. Unlike other socio-legal researchers in this area, my concern is not with the realism of women in prison films. The intended audience may or may not watch WIP films out of a rational desire to be well-informed about social issues. As others have noted, people consume law- and crime-related films with often unarticulated motives and desires and their responses to them are unpredictable and contradictory. The WIP films that are produced in the late twenties were largely influenced by the sex-and-crime penny papers of the nineteenth century which derived their legitimacy "from popularity, as opposed to a notion of the social function of news."¹⁰⁰ Unlike film theorists who discuss law and legal actors as means to a desired narrative end, and who may be vulnerable to an overly formalist concentration on cinema as text that protects "sociological reference points and historical detail from criticism,"¹⁰¹ I focus on the pivotal role of law and legal systems in structuring and organizing films' narratives and film's role in the production and reproduction of legal discourses.

The overarching question of this research, then, is less whether filmic images reveal anything about the *actual conditions* of incarcerated women but, rather, what can

¹⁰⁰ T. Miller, 1998. *Technologies of Truth: Cultural Citizenship and the Popular Media* (Minneapolis: University of Minnesota Press, 1998) at p.5

¹⁰¹ J. Gaines, "White Privilege and Looking Relations: Race and Gender in Feminist Film Theory" (1986) 4 *Cultural Critique* 59 at p. 59.

we learn from the dialogical relationship between filmic representation of women in prison, and the legal processes that operate to criminalize women. Building on the critical methodology of law and film scholarship, I am concerned with the processes inherent to the interface between film and the institution it references, the prison. I ask, how does the prison and, by extension, the law, enter film, and “what happens to it once there”?¹⁰² Drawing on feminist film theories and critical legal theories, I discuss how WIP films function as spaces for the negotiation of meanings and identities, as sites of “cultural struggle over representation, sites for the construction of the real, and for the production of pleasure.”¹⁰³ Finally, as the prison and the prison film are mutually constitutive - “each lives in and as the other”¹⁰⁴ - the artistically mediated prison is a way for people who occupy spaces of privilege to imagine and grapple with punishment. This research, then, reads WIP films as signifying practices that produce complex, variegated, and often contradictory meanings about, about other things, women’s prisons and women’s criminalization.

¹⁰² Gledhill, *supra* note 12 at p. 343.

¹⁰³ *Ibid.* at p. 350.

¹⁰⁴ Sarat, *supra* note 97 at p. 13

Chapter Four
Punishment, Judgment, Reform, and Resistance
in *Caged* and *Caged Heat*

*you change what you observe*¹

In my recuperative feminist, legal, and filmic engagement with the WIP sub-genre, I have chosen *Caged* (1950) and *Caged Heat* (1974) as exemplary of how films can parallel the operations of the criminal law while engaging in cinematic judgment of its institutions and offering jurisprudential insight about the criminalization of women.

Orit Kamir argues that law films can invite viewers to participate in the execution of cinematic judgment of women protagonists. These films enact “honour-based” values, which entail “a structured hierarchy and strict gender roles, encouraging ... the sexual constraint of women.”² Honour-based law films frame women as dangerous and destructive - and I would add self-destructive - while simultaneously denying them full subjecthood and agency. Other films render women as legal subjects enacting judgment of others; others still “refuse to support any judgment.”³ These latter films promote dignity and equality values “based on utmost respect for authentic, diverse individual needs and aspiration.”⁴ Dignity-based law films treat women who have “been mistreated by men or social systems” as “victimized subjects and agents.”⁵ Instead of subjecting

¹ C.D. Wright, *One Big Self: An Investigation* (Port Townsend, Wash.: Copper Canyon Press, 2007) at p. 32.

² O. Kamir, *Framed: Women in Law and Film* (Durham and London: Duke University Press, 2006) at p. 39.

³ *Ibid.* at p. xiii.

⁴ *Ibid.* at p. 5.

⁵ *Ibid.* at p. 31.

their protagonists to cinematic judgment, these films respect women's plight, their survival tactics, and their "undefeated subjecthood."⁶

Using Kamir's understanding of judgment as a conceptual motif, this chapter provides an analysis of the overlapping texts, subtexts, contexts, and paratexts around and intertextual relations within *Caged* and *Caged Heat*.

In the First Section of Part One, I outline the storylines and themes of *Caged*. The film invites viewers to consider the plight of a woman with limited economic, social, and cultural capital⁷ and whose options have been further circumvented by the stigma associated with criminality. In the Second Section, I discuss the historical and filmic context in which *Caged* was produced. In the Third Section, I argue that *Caged* shifts judgment away from Marie Allen to focus on the criminal justice system. First, it engages in a dialogue with the 'reform' model of corrections promoted by progressives at the turn of the century. While it parallels some of the dominant legal assumptions about women's crime, it also enacts cinematic judgment of the women's prison as a contradictory space that promotes both punishment and benevolence. It further raises jurisprudential questions around whether prisons can ever (re)form women. Second, rather than framing Marie as a "guilty object,"⁸ *Caged* depicts her as a "victimized agent"⁹ who carves out choices for herself within conditions of constraint.

While social purpose melodramas promise to "expose" the experience of women in prison, the exploitation WIP films of the seventies tend to be more interested in generic verisimilitude than cultural verisimilitude. They grapple with more subtle metaphorical

⁶ *Ibid.* at p. 33.

⁷ P. Bourdieu, "The forms of capital" in J. G. Richardson, ed. *Handbook of Theory and Research for the Sociology of Education* (New York: Greenwood, 1986).

⁸ Kamir, *supra* note 2 at p. 33.

⁹ *Id.*

truths and are uniquely positioned both as cinematic and as legal texts, to reveal pleasure / power issues around women's physical and symbolic confinement. In the first section of Part Two, I introduce *Caged Heat*, a rich and subversive exploitation WIP film that both pays homage to *Caged*, and moves away from it, to ask related, but different, jurisprudential questions. In the Second Section, I locate the film within its historical and filmic contexts. In the Third Section I discuss how *Caged Heat* parallels some of the medico-legal discourses deployed since the forties in light of new technologies of power operating around the 'treatment' of criminals. However, in its re-articulation of WIP film conventions, *Caged Heat* presents all of its protagonists as victimized subjects who resist medico-legal labels and (re)constitute themselves as agents. Whereas *Caged* highlights how intersecting oppressions based on class and gender render certain women vulnerable to criminalization, *Caged Heat*, released twenty years later, emphasizes how race and sexual orientation interlock with gender and class to render particular women in need of 'corrective treatment.' I go on to discuss how *Caged Heat* destabilizes the victim / offender dichotomy by depicting sympathetic characters who have committed (violent) criminal acts. These survival tactics ultimately irritate the gendered legal and social order and present alternative visions of justice and judgment.

In Part Three, I argue that these films challenge foundations of the criminal law. Both *Caged* and *Caged Heat* grapple with women's agency and subjectivity in self-reflective ways. They center the experience of criminalized women and "turn the tables of judgment" to create a space "where victimized women claim the power to engage in

their own acts of resistant judging”¹⁰ of women’s prisons - in the case of *Caged* - and the “notion of judgment itself”¹¹ - in the case of *Caged Heat*.

4.1 ‘Will she come out a woman or a wildcat?’¹² - *Caged*

‘The Judge sent you here as punishment, not to be punished. Just being here is the punishment.’ (Superintendent Benton).

A siren belts over *Caged*’s opening credits as a van full of ‘New Fish’ finds its way to the prison for women. Once the “tramps” have “piled out” the camera lingers for a moment on the prison’s façade. An establishing shot of the Women’s State Penitentiary a few meters from a nameless city’s main artery¹³ operates as *architecture parlante*. It reminds the women to “grab [their] last look at freeside” and warns anyone beyond the iron walls “of the power of confinement to alter the spirit through material representation.”¹⁴

Elanor Parker gives a nuanced and emotionally-charged performance as the terrified and disoriented nineteen year old Marie Allen. The impatient and disinterested intake officer (“Get to the crime”) types in Marie’s answers to generic intake questions. The sound muffles Marie’s attempt to give context to her ‘crime’ - desperate times and economic hardship. Her husband Tom tried to heist a gas station and was fatally injured; she ran to his rescue. The judge determined that she was an accessory to armed robbery. The intake officer, who casually points out that “five bucks less and it wouldn’t have

¹⁰ R. Johnson, “Judging Magic: Can You See the Sleight of Hand?” (2007) 105 Michigan Law Review 1353 at p. 1358.

¹¹ Kamir, *supra* note 2 at p. 33.

¹² Tagline for *Caged!*

¹³ That the screenplay was based in part on the work of Miriam Van Waters at the Massachusetts Reformatory for Women, indicates that the setting may be Boston.

¹⁴ J. Bender, *Imagining the Penitentiary: Fiction and the Architecture of Mind in Eighteenth-Century England* (Chicago & London: University of Chicago Press, 1987) at p. 16.

been a felony,” is a signifier of the legal system, in which the myths of objectivity and neutrality serve a “context stripping” function that masks the reality that human behaviour is always embedded in broader social and personal contexts.¹⁵ The officer also reminds audiences of the violence of judicial interpretation and of legal categories.

As Robert Cover explains:

A judge articulates her understanding of a text, and as a result, somebody loses his freedom, his property, his children, even his life. Interpretations in law also constitute justifications for violence which has already occurred or which is about to occur. When interpreters have finished their work, they frequently leave behind victims whose lives have been torn apart by these organized, social practices of violence.¹⁶

While she benefits from and reinforces law and psychology’s “combined privileging of objectivity,”¹⁷ the intake officer also momentarily subverts its bureaucratic violence by refusing to further humiliate Marie with a psychiatric assessment (“You look normal enough.”)

Marie’s identity is stripped when she is forced to hand over her wedding ring and is given the number 93850. During an invasive physical examination – a symbolic rape¹⁸ (“Open up. I said WIDE”) - Marie discovers that she is “expecting company” and witnesses the stereotypes and stigma of criminalization (“You know who the father is?”). This question renders Marie vulnerable to further criminal sanctions. In Massachusetts and in other states, women could receive sentences of up to five years for lewdness or

¹⁵ F. Raitt and S. Zeedyk, *The Implicit relation of Psychology and Law: Women and Syndrome Evidence* (Philadelphia: Routledge, 2002) at p.56, cited Kamir, *supra* note 3 at p. 166.

¹⁶ R. M. Cover, “Violence and the Word” (1986) 95 Yale L. J. 1601

¹⁷ Kamir (2006), *supra* note 2 at p. 167.

¹⁸ A. Morey, “The Judge Called me an Accessory: Homonormativity in a Women's prison Drama” (1995) 23 *Journal of Popular Film and Television* 80 at p. 83.

fornication if they acknowledged an illegitimate birth.¹⁹ Marie is then derided as a tax on the social system and “another bill for the state.”

Along with the other new arrivals, she is sent to isolation, without cigarettes, outside contact, or exercise time for two weeks. They share the room with a dying tubercular prisoner who welcomes them to “Lysol Lane.” A woman asks about Pearl Harbor (“Is she an inmate here?”) - an extra-diegetic reference to broader political and social events indicating that the story takes place around December 1941.

Superintendent Benton (Agnes Moorehead) - a character based on the life of Miriam Van Waters, who devoted three decades to changing conditions of women’s prisons in Massachusetts.²⁰ - is a progressive prison reformer. Like the other sympathetic Superintendents in WIP films,²¹ Benton struggles against a prison system which she finds rife with “corrupt politicians” and “barbarous matrons” who “refuse to regard criminals as human beings.” *Caged* also gives us insight into the type of anthropological and retributive penology that Van Waters was struggling against, through the character of matron Evelyn Harper (Hope Emerson):

This place ought to be run with a piece of rubber hose. Break ‘em in two if they talk out of turn. Anyone who doesn’t tow the line gets solitary for one month. Bread and water. One funny move from a girl and I’d clip every hair off her head. That’s the way it used to be run and that’s the way it ought to be run. Just like they’re a bunch of animals in a cage.²²

¹⁹ E. Freedman, *Maternal Justice* (Chicago: University Press, 1996) at p. 190. Massachusetts’ current criminal code provides that: “A man or woman, married or unmarried, who is guilty of open and gross lewdness and lascivious behavior, shall be punished by imprisonment in the state prison for not more than three years or in jail for not more than two years or by a fine of not more than three hundred dollars.” Part IV. Title 1, Ch. 272, s. 16.

²⁰ Freedman’s book on Van Waters makes reference to correspondence concerning the screenplay, inspired by her case against the State Commissioner. *Ibid.* at p. 318.

²¹ *Anne Vickers* (1933); *Convicted Woman* (1940); *Girls in Chains* (1943) See Appendix.

²² The theory of biological atavism - primitive physical traits indicate criminality- held that women were less biologically inclined to commit crimes but those who did were “born criminal,” aberrations of womanhood with drives “more intense and more perverse than those of their male

Superintendent Benton wants “new inmates to consider [her] a friend,” takes a keen interest in Marie as “an intelligent girl who knows right from wrong,” and assigns her work in the laundry because of her tender state. Marie reports to Evelyn Harper, a “mythological archetype:”²³ the quintessential villain of early literature “reborn and reinvented” as a butch dyke.²⁴ A towering figure described in the shooting script as “semi-illiterate - wantonly cruel - mentally warped – cowardly,”²⁵ Harper runs the ward like a private racket. She offers Marie “cigarettes or chocolate,” something to quell a “habit that’s hard to break” but when it becomes clear that Marie has “no dough,” Harper reassigns her to cleaning duties – scrubbing the floors with sodium hydroxide. Word gets back to Superintendent Benton, landing Marie out of cleaning duty but on Harper’s bad list. Marie gains a reputation as a ‘solid con’ and catches Kitty Stark’s (Betty Garde) eye. Kitty, in for murder, is an aging Queen Bee who pays off Matron Harper in order to recruit ‘boosters’ for a shoplifting ring.

Like other WIP films, *Caged* introduces viewers to the monotony, longing, loneliness, and regimentation of prison life. It also provides unique insight into prisoner

prototypes” and in need of containment. C. Lombroso and W. Ferrero, *The Female Offender* (New York: Appleton, 1899) at p. 152

²³ D. Gonthier, *American Prison Film Since 1930: from The Big House to The Shawshank Redemption* (Lewiston, N.Y.: Edwin Mellen Press, 2006) at p. 6.

²⁴ Like many WIP movies, many of the characters tend toward the Sapphic. Benton, for instance, has been referred to as a lesbian by at least one film theorist. This despite the photograph of her husband on her desk, which Patricia White calls a “parody of femininity and out-and-out charade.” “Supporting Character: The Queen Career of Agnes Moorehead” in C. Creekmur and A. Doty, eds., *Out in Culture: Gay, Lesbian, and Queer Essays on Popular Culture*. (Durham, N.D.: Duke University Press, 1995), cited in J. Mayne, *Framed: Lesbians, Feminists, and Media culture* (Minneapolis: University of Minnesota Press, 2000) at p. 124. This reading is all the more persuasive when we take into account that Van Waters was a widow in a non-acknowledged but “intense, compatible, and largely clandestine partnership” with Geraldine Thompson. Freedman (1996), *supra* note 19 at p. 234.

²⁵ V. Kellogg and B. C. Shoenfeld *Caged! (1950): Shooting Script*. (1990) Electronic Edition by Alexander Street Press, L.L. C., 2002. Copyright © Warner Bros. at para. 57.

culture and jargon. Marie is considered “Café Society” as an armed robber, as opposed to Smoochie (Jan Sterling), a “c.p.,” or “common prostitute” on whom “larcenists” look down. Other characters, all white, include Emma, a middle-aged ‘simpleton’ and “repeater,” doing time for having killed an abusive husband; Millie (Gertrude Hoffman), a seventy-year old wise crone and a lifer; June (Olive Deering), a thirty year old nurse in for assisting an abortion-provider (“I didn’t know until it was too late what kind of dirty racket he was in”); Lottie (Peggy Wynne), a twenty-something “cop flunky” and “Harper’s pet nose”; Georgia (Gertrude Michael), a regal-looking and mentally unstable woman in her thirties (“class with a capital K”) who married “some phoney who ... got her to forge a bunch of rubber checks;” and Twitch, an alcoholic in her fifties.

Director John Cromwell uses sound in his constitution of the women’s prison. Turning points in the film are “sonic events.”²⁶ On Marie’s first day in prison, an eerie train whistle, and at night, the sound of rain and women whimpering, coughing, and wheezing, put into sharp relief Marie’s relative silence and immobility.

Over the next few months, Marie resolves to get her life on track (“I want to do the right thing”) and steers clear from Kitty’s booster ring. But events “toughen [her] up” and she is increasingly disillusioned. She gives birth prematurely and is forced to give her baby “to the law.” June suicides after being “flopped back” (denied parole) and suffering the indignity of Harper’s vicious taunts. Finally, when Marie attempts to secure parole to “be a waitress ... a salesgirl ... or work in a laundry,” the panel denies the application. She is deemed in need of further moral reformation:

²⁶ A. MacDonald, “Endless Streets, Pursued by Ghosts” in L. Moran *et al.*, eds., *Law’s Moving Image* (Sydney: Cavendish, 2004) 123 at p. 125.

At your age, with no favorable home conditions and no beneficent influences on the outside, we feel nine months has been too short a time to prepare you for your responsibilities outside.

That one of the panel members is deaf is a metaphor for the parole members' lack of empathy and understanding of the barriers and constraints faced by criminalized women. While ignored by a parole board that "cannot conduct a hearing [because] it is incapable of hearing,"²⁷ Marie is not silenced:

I've lived a lifetime in a year in this cage and if I have to fall back in I'll be like the others. I've paid my debt let me out please. You'll never regret it.

The arrival of Elvira Powell (Lee Patrick), Kitty's long-time rival, further disrupts Corridor B. She is doing a "quick stint to take the heat off" and avoid testifying before the grand jury. Like Kitty, she is also recruiting women but instead of "boosters," Elvira is looking for "cute tricks" for her prostitution ring. Kitty ("if you stay in here too long you don't think about guys at all") and Elvira ("you can have real [jewels] anytime you change your type") vie for Marie's attention. Elvira quickly dethrows Kitty, but Marie, increasingly 'wise' to the prisoner culture,²⁸ tells her: "I'm a big girl and this isn't my first year away from home ... If I said no to Kitty, I'm sure not going to say yes to you." Shortly thereafter, Elvira pays Matron Harper to have Kitty busted for recruiting. Kitty spends several days in the hole and goes "stir bugs."²⁹ Tension in the prison is palpable and a riot breaks out over a stray kitten. Labeled the instigator, Marie's head is shaved

²⁷ Kamir, *supra* note 2 at p. 40 [emphasis in original].

²⁸ Donald Clemmer wrote in 1958 that prisoners were not (re)habilitated by prison, instead they experienced "prisonization" – the process of learning and transmission of prisoner codes and cultures. *The Prison Community* (New York: Rinehart, 1958).

²⁹ Unlike traditional Hollywood narratives, Powell is introduced as a quintessential baddie but her character is allowed complexity, especially when she displays sympathy for Kitty after she snaps.

by Harper and she is sent to solitary for three days.³⁰ An angular shot of Marie's face in shadows and a muffled voice-over indicates she is beginning to lose her grip. When she returns to the bull pen escorted by Harper, sound signifies another important narrative shift. The camera lingers on Marie's "clipped hair" and her pale and sickly state as she slowly walks to her bunk. In a sign of solidarity, the other prisoners pound on the lids of their foot-lockers in protest. Women in the other corridors join in. In every cell block the women slam their buckets, rattle bars, and pound their fists in outrage at her treatment. Harper makes a cowardly retreat but Marie is clenched-jawed and stoic.

Superintendent Benton is disgusted by Harper's brutality and wires the Commissioner demanding the matron's dismissal. But Harper is a political appointee with stronger ties to powerful white men. She retaliates by having Benton's name smeared in the papers. As a result, the Superintendent's social programs are called into question by the Commissioner, who sends her a directive that "honour women" will no longer "be put in subordinate positions on the staff" and that the occasional work and education programs will be cancelled. Instead of firing Harper, the Commissioner asks the Superintendent to resign. Benton refuses and threatens to call for a public inquiry. The headlines in the film "Matron Charges Prison Immorality: Blames Superintendent" and later "Superintendent Under Fire Demands Public Hearing" are in reference to the attempts in the forties by the Republicans through three public hearings to have Miriam Van Waters removed from her office. The charges against Van Waters were that she re-

³⁰ There is some evidence that head shaving did occur in women's prisons in the forties. *So Young So Bad* (1950), about a girl's reformatory, is based on a script written after the author read about institutional abuses at the Ventura Home for Girls, including several prisoners getting their hair clipped as a form of humiliation. T. Williams, "So Young So Bad" http://www.sensesofcinema.com/contents/05/34/so_young_so_bad.html [last retrieved July 17, 2007].

interpreted the law around indentured service to enable prisoners to work outside of the institution; that she hired former prisoners and allowed ex-convicts to visit their friends still in prison; and, most controversially, that she implicitly condoned lesbian relationships.³¹

Meanwhile, Harper continues to berate prisoners and threatens Kitty with more solitary time. The shooting script describes the scene as follows:

Kitty blinks at Harper curiously. Quietly, without the slightest emotion, Kitty slowly rises from the chair. As she does so, Harper turns her back. Kitty picks up a fork as though it were a matter of course, and plunges it with all her might into Harper's neck again and again.³²

Marie's disillusionment reaches its apex and she begins to consider Elvira's offer to work as a prostitute. Some of her cellmates tease her that she has "played the honest John too long anyway", but Millie, the wise old-timer, suggests otherwise: "I've been a con for forty years ... Nobody got cheated but me." She tells Marie, in one of the most moving moments of the film, to

... wait a year on dead time ... Get a legit job slinging hash. Get a good guy. Have a kid. What I'd do for a sink full of dirty dishes.

Moments later, a group of prim, upper-class white women, presumably from the progressive reform movement, visit the cellblock and recoil from the stench - "it smells like a zoo." In a shot/reverse shot sequence, Marie is in close up, behind bars. The camera then takes her perspective and lingers on a woman about her age, bejeweled and in a fur coat. The sequence prefigures Marie's future as one of Elvira's "girls." She walks over to Elvira. Defiant yet somewhat acquiescent, Marie applies red lipstick.

³¹ Notes on Public Hearings at State House, Room 433, before the Appointed Legislative Commission on Conditions at the Reformatory for Women, Framingham Senator J. Elmer Callahan, Chairman, 22 Nov. 1948, file 250. E. B. Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: The University of Michigan Press, 1981) at p. 298.

³² *Caged* (shooting script), *supra* note 25 at para 250.

Through Elvira's connections, Marie gets an early release but will, presumably, find herself in the 'revolving door' of prison life. In the final scene, she walks out of the prison gates where a car full of men is waiting for her. Benton watches the scene unfold through her barred office window and tells her staff to keep Marie's file "active." To an extra-diegetic jazz piece, Marie climbs into an expensive car. A man puts his hand on her knee and lights her cigarette.

4.1.2 *Caged* as Social Problem Film: Context and Paratext

Upon release, the *New York Times* dismissed John Cromwell's *Caged* as a "bleak picture" and "no great shakes."³³ It was, nonetheless, nominated for three Academy Awards³⁴ and has since been hailed by film theorists as one of the most provocative and intelligent prison films ever made.³⁵ The film was produced in the early fifties, sometimes considered the 'Golden age' of Hollywood melodramas, when 'Women's Films' with "heightened drama of family relationships and personal feelings," displaced "the focus on public action in 'male genres.'³⁶ It was shot in the post-war United States at a time of backlash against working women and a drive to return them to the home; urban growth, the development of suburbs and resulting spatial divisions along race and class lines; the House of Un-American Activities Committee's witch-hunts;³⁷ and when

³³ "Bleak Picture of Women's Prison" *New York Times* (May 20, 1950).

³⁴ Best Actress (Parker), Best Actress in a Supporting Role (Emerson) and Best Screenplay (Kellogg).

³⁵ Mayne, *supra* note 24; R. Parish, *Prison pictures from Hollywood: Plots, Critiques, Casts, and Credits for 293 Theatrical and Made-for-Television Releases* (Jefferson: McFarland, 1991) and B. Crowther, *Captured on Film: The Prison Movie* (London B.T. Bathsford, 1989).

³⁶ C. Gledhill, "Genre and Gender: The Case of Soap Opera" in S. Hall, ed. *Representations: Cultural Representations and Signifying Practices* (London: Sage, 1997) 337 at p. 351.

³⁷ In 1946, under the Seventy-ninth United States Congress, the House of Un-American Activities Committee (HUAC) became a Standing Committee. The HUAC's nine representatives investigated suspected threats of "subversion or propaganda" that challenged the American government and the values enshrined in the American Constitution.

'family-centered' discourses were deployed to assuage insecurities around atomic energy and communism. Paradoxically, *Caged* was produced when the *Production Code's* self-regulatory power was beginning to wane.

Caged brings together the aesthetic qualities of Film Noir and the realism of 'social problem' dramas. First, it exhibits Noir's stylized, jarring cinematic techniques and cutting social commentary. Cromwell uses high contrast lighting and diegetic sounds to introduce the theme of the characters' psychological and physical imprisonment, women's broader metaphorical confinement within hegemonic structures based on class, race, gender, and other forms of domination, and the blurring of symbiotic relationship between "freeside" and "behind the iron" when it intersects with gender. For instance, in moments of relative powerlessness, women, whether or not from freeside, are framed with shadows and bars. In a shot/reverse-shot sequence during visiting day, the camera captures the faces of Marie and her mother through a wired barrier. This cinematographic technique puts into higher relief how Mrs. Allen's metaphoric immobility and Marie's physical immobility mutually reinforce one another. Mrs. Allen's passivity and economic dependence within a traditional marriage leave her with little option other than to betray her daughter in order to avoid compromising her own "situation." Correspondingly Marie's incarceration and her inability to "provide" reinforce her mother's economic dependence on a man.

Second, like other post-war 'social problem' films, *Caged* grapples with the frustrations and aspirations of the American people, confronted inequality within institutions, and examines the influence of these institutions on people's everyday lives. The script was adapted from a short story entitled *Women without Men*, written by

Virginia Kellogg and Bernard Shoenfeld. Kellogg did research in four state penitentiaries to gather first-hand information. As a 'women's picture and 'social-consciousness' film, *Caged* is "a site for the struggle over gender and also for the related struggle over ways of knowing – realistic and melodramatic"³⁸ about women's prisons. The trailer promises to "reveal the menace of today's prisons" and to "expose" the reality that "each day the criminal courts condemn scores of unfortunate girls to prisons who need reforming more than they do." The moral of *Caged*, we are foretold, is that the "first time loser is exposed to the habitual criminal" and will ultimately become one of "tomorrow's legion of the lost."³⁹ It thus provides an ideal space for a discussing the ideological functionings of the 'good' woman (first timer) and 'bad' woman (habitual criminal) dichotomy. Its "discoherencies"⁴⁰ open the possibility to a variety of interpretations of the meanings of women's punishment. A key jurisprudential question at the core of the film, then, is whether prisons can ever (re)form women.

³⁸ J. Byars, *All that Hollywood Allows: Re-reading Gender in 1950s Melodrama* (London: Routledge, 1991) at p. 112.

³⁹ *Caged!* trailer.

⁴⁰ J. Staiger, *Bad Women: Regulating Sexuality in Early American Cinema* (Minneapolis: University of Minnesota Press, 1995) at p. 115.

4.1.3 'Desperate Women Because the Law Forgot Them!'⁴¹ Cinematic Judgment and Judging Subjects in *Caged*

*The critique of ideology identifies the contingency of the social (it could always be otherwise), and its potential instability (ruling groups doubly contested from without and within), but does not underestimate the difficulty of change (existing social arrangements are powerfully invested and are not easily made otherwise).*⁴²

Two conflicting yet mutually-reinforcing discourses - what critical legal scholars refer as 'reform movements' altruistic (charity-based) versus individualistic (responsibility-based) aims⁴³ - inform feminist prison reform initiatives at the turn of the century.

Maternal feminist reformers, who were for the most part white, upper-middle class volunteers, worked within the paradigm of women's inherently superior morality to justify changes in corrections. Implicit was that some women were more inherently superior than others. They deployed binary oppositions "demarcated by privilege on the one side"⁴⁴ - theirs, as virtuous women who upheld Victorian standards of femininity, chastity, and motherhood within marriage - and degradation on the other side - the fallen women's, as dangerous and unruly. Working-class and racialized women, and prostitutes in particular, were deemed to have "fallen more deeply" than others:⁴⁵

the sexually loose women are not the so-called advanced women. They are the parasite women, the indulged women, the women who do not think.⁴⁶

⁴¹ *Caged* trailer.

⁴² J. Dollimore, *Sexual Dissidence: Augustine to Wilde, Freud to Foucault* (Oxford: University Press, 1991) at p. 5.

⁴³ D. Kennedy, "The Structure of Blackstone's Commentaries" (1979) 28 *Buffalo Law Review* 205.

⁴⁴ J. C. Minaker, "Sluts and Slags: The Censuring of the Erring Female" in G. Balfour and E. Comack, eds., *Criminalizing Women* (Halifax: Fernwood Press, 2006) 79 at p. 86

⁴⁵ *Id.*

⁴⁶ "Sex O'Clock in America" (1913) 55:2 *Current Opinion* 113, cited in J. Staiger, *supra* note 40 at p.116.

Maternal feminists stressed their role in controlling and (re)forming women in prison because, unlike men, they were not susceptible to their fallen sisters' ploys, wiles, and temptations. They successfully secured women-only institutions in order to separate women from "the evil influence of men"⁴⁷ and to remove them from the constant threat of sexual assault and abuse by male guards and prisoners.⁴⁸ The new reformatories housed white women who were taught "domestic skills" such as machine knitting, manufacture of corsets, straw work, and laundry, and underwent "character retraining."⁴⁹ Until the turn of the century, Black and other racialized women remained in the harsher penitentiaries and "physical farm camps."⁵⁰

The next generation of feminist reformers, including Miriam Van Waters,⁵¹ were 'New Women' – primarily white, educated, unattached (single, widowed, or divorced) (hetero)sexual women, with ties to the suffrage movement, who lived in large urban centers, with few or no children, and who pursued careers in social work, medicine, law, and the social sciences. Progressive reformers elaborated environmental analyses of women's crime that emphasized their "lack of moral, mental or physical training" brought about by urban overcrowding, poor sanitation, inadequate housing, limited

⁴⁷ They argued that men were primarily responsible for women's 'fall' and that male guards forced women to "minister to [their] lust" and physically and sexually assaulted any woman who refused their advances. See for instance: R. Coffin, "Women's Prisons" (1885) *APA* 1885 at p.189, cited in Freedman (1981), *supra* note 31 at p. 91.

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ C. F. Collins, *The Imprisonment of African American Women* (Jefferson, NC: MacFarland, 1997); N. Rafter, "Prisons for Women, 1790 – 1980" (1983) 5 *Crime and Justice* 129.

⁵¹ Women's prison reformer Miriam Van Waters pushed for spiritual guidance, social services and "maternal love" in place of punishment, seeking to "uplift the masses, bring enlightenment to immigrants, and provide a paternalistic – or in her case maternalistic – forms of social justice." She also strove to instill in women the values of self-sufficiency and paid employment. Freedman (1981), *supra* note 31 at p. 261 and 254.

access to public education, and poverty.⁵² While they acknowledged these broader structural barriers, like the previous generation of reformers, they also deployed a binary ‘New Woman’ / ‘Fallen Woman’ - to justify the social exclusion of particular women.

The separate institutions developed by maternal feminists meant new forms of employment and economic independence for New Women as prison wardens, guards, educators, and social workers. While they advocated the same economic mobility for the women under their charges, prisons ultimately enforced domestic, sexual, and vocational (re)form⁵³ of fallen women and aimed at producing docile working-class female subjects.⁵⁴ The New Women emerge as “authorized knowers,”⁵⁵ with legal and moral authority in relation to their opposite, the ‘Fallen Woman.’ Their ‘expertise’ in psychiatry, medicine, social work and the law, as Foucault explains, enabled them to deploy technical language as a means of social control directed at Other(ed) women.⁵⁶

Caged both parallels and critically engages with these discourses. Unlike other WIP films, *Caged* subverts the (hetero)sexual romantic subplot to emphasize the relationship between two women: Ruth Benton and Marie Allen.⁵⁷ By reformulating the standard narrative, *Caged* creates a space for a deeper discussion of the manner in which liberal reform operates to judge particular women as fallen. However, rather than

⁵² K.B. Davis “Reformation of Women: Modern Methods of Dealing with Offenders” (36 July 1910) *Annals of the American Academy of Political and Social Science* at p.38.

⁵³ Freedman (1981), *supra* note 31; Rafter, *supra* note 50.

⁵⁴ As Freedman explain: “... although [reformers] claimed that their goal for each inmate, as for each prison, was female self-sufficiency, they trained women inmates for dependency in domestic employment,” *supra* note 31 at p. 82.

⁵⁵ L. Snider, “Constituting the Punishable Woman: Atavistic Man Incarcerates Postmodern Woman” (2003) 43 *British Journal of Criminology* 2.

⁵⁶ M. Foucault, *Discipline and Punish* (London: Penguin, 1977); *The History of Sexuality* (New York: Random House, 1980).

⁵⁷ While White’s assertion that Benton is a lesbian is certainly valid, the film nevertheless does not end in a lesbian version of (re)domestication. *Supra* note 24.

engaging in cinematic judgment of Marie, *Caged* places her in the “judge’s seat”⁵⁸ to challenge the institutions that render her more vulnerable to criminalization. She is depicted as a victimized subject who makes difficult choices in light of conditions of constraint.

Superintendent Benton wants to address structural barriers faced by criminalized women through education, psychiatric services, and employment opportunities. Undoubtedly Benton’s sympathetic feminist character perceives herself as negotiating through her privilege as authorized knower with a genuine desire to “help” women “leave the prison ... readjusted” as “worthwhile human being[s].” While well-meaning, her actions remain steeped in white middle-class assumptions that particular women (working-class women and, while not cinematically rendered in *Caged*, racialized women) need “help” to “become upright citizens.” In the final sequence, she asks Marie why she is “giving up” and taking Elvira’s offer when “so close to freedom:”

Lets not lie to each other ... This cashier job is just a blind ... In a couple of months the parole officer could have found you work. You would have made some honest money, had some self respect and decency.

In trying to promote women’s dignity, however Benton, unwittingly, endorses a monocausal understanding of Marie’s decision to engage in prostitution – her moral frailties - and reinforces what Orit Kamir calls an “honour-based” judgment that construct Marie as “guilty subject.”⁵⁹ Rather than concurring with Benton, *Caged* challenges the evidence that Marie’s crime was due to character flaws. To Benton’s assertion that legitimate work could have given her a sense of “self respect” and “decency,” Marie reminds her that those are values she has always held (“Where did those things get me

⁵⁸ Kamir, *supra* note 2 at iv.

⁵⁹ *Ibid.* at p. 33.

anyway?") and that the prison system is ill-equipped to instill those values in any event. Moreover, by depicting Marie as engaging in the most meaningful choice she perceives herself to have, *Caged* subtly acknowledges the agency of women occupying various social locations and recognizes the decisions women make within conditions of constraint. At a time when factors leading women into prostitution were listed as family dysfunction, lack of recreational privileges, poor socialization, the pursuit of pleasure, and individual pathologies, *Caged* suggests more complex reasons that engage issues around women's subjectivity.

Postmodern feminist theories that deconstruct the unitary notion of the female subject and accentuate the shifting nature of identity argue against essentializing prostitution as violence against women by men ('constraint') or as transgressive self-expression ('choice').⁶⁰ These binaries have been challenged as caricatured and simplistic, as Carol Ronai explains:

[The] binary constructs that my culture gives me to interpret these events, passive victim versus active agent, do not encompass my experience. I was both and

⁶⁰ Broadly speaking, radical feminists identify patriarchy and male dominance as the primary source of women's oppression. They maintain that prostitution and other sex industries oppress and objectify the women who work within them and contribute to women's sexual objectification and devaluation generally. Socialist feminists argue that the devaluation of women's work generally and the continued segregation of women in low-paying service sector operate to keep women into prostitution. Moreover, sex work is economically coercive because of the 'pimp' system through which women only earn a small percentage of the profits derived from their labour. See: C. MacKinnon, "Feminism, Marxism, Method and the State" in S. Harding, ed. *Feminism and Methodology* (Bloomington: Indiana University Press, 1987) 135; K. Barry *Female Sexual Slavery* (New York: University Press, 1979); C. Pateman *The Sexual Contract* (New York: Polity Press, 1989). 'Sex radicals' or libertarian feminists, on the other hand, reject any legal regulation of the sex industries as an attempt to restrict women's sexual expression. They argue that consenting adults should be free to explore any aspect of their sexuality, including the right to pay for sexual services. C. S. Vance, "Pleasure and Danger: Toward a Politics of Sexuality" in C. S. Vance, ed. *Pleasure and Danger: Toward a Politics of Sexuality* (New York: Routledge, 1989); J. Passet, *Sex Radicals and the Quest for Women's Equality* (Urbana: University of Illinois Press, 2003).

neither, something different, something to be located in the underlying play of differences between the dichotomy of victim and agent.⁶¹

While the 'choice' to work as a prostitute "has a great power as a discourse of liberation, freedom of empowerment" it also has "great power as a discourse of responsibility and blame"⁶² for whatever criminalization, dehumanizing treatment, violence, stigmatization and marginalization is encountered by virtue of that choice. Similarly, labeling all women in the sex industries as victims, of coerced prostitution and other systems that objectify women, may silence those women who view themselves as workers.⁶³ Both 'truths' – that prostitution is an expression of male domination of women and that it is just another job - produce and reflect power differentials among women, and between women and men.⁶⁴ A more nuanced approach recognizes that women exercise agency within broader hegemonic social and legal structures.⁶⁵ This understanding highlights that choice *qua* choice does not amount to agency when made in the face of unpalatable options. However, it also acknowledges and respects the reality that women who occupy diverse social locations can and do exercise power in their relations with clients and use their marginal labour as a means of negotiating through broader hegemonic structures.

With World War II mobilization, the United States mounted mass-scale propaganda campaigns that urged women to take paid employment in war industries and replace the thousands of men (and some women) who were leaving to fight. Some took

⁶¹ C. Ronai "The Next Night: *Sous Rature*: Wrestling With Derrida's Mimesis" (1999) *Qualitative Inquiry* 5(1) 114.

⁶² R. Johnson, *Taxing Choices: The Intersection of Class, Gender, Parenthood, and the Law* (Vancouver: UBC Press, 2002) at p.124.

⁶³ S. Bell, *Rewriting the Prostitute Body: Prostitute Perspectives, in Reading, Writing and ReWriting the Prostitute Body* (Bloomington: Indiana University Press, 1994).

⁶⁴ C. Chandler, "Feminist as Collaborators and Prostitutes as Autobiographers: De-Constructing an Inclusive yet Political Feminist Jurisprudence" (1999) 10 *Hastings Women's Law Journal* 135.

⁶⁵ See for instance: Chandler, *ibid.*; S. Razack, "Race, Space and Prostitution: The making of the Bourgeois Subject" (1998) 10 *Canadian Journal of Women and the Law* 338.

industrial work, but those who were already earning wages in low-paid service sector as waitresses and domestic workers could “now find higher paid jobs previously held by men, earn enough to be self-supporting and envision a life that included occupational mobility.”⁶⁶ At the same time, images of ‘dangerous’ seductive women luring soldiers through sexual wiles into spilling military secrets emerged in popular media. “Victory girls” and prostitutes became special targets of moral censorship.⁶⁷ Some states built special detention facilities for prostitutes. Arrests for “morals offences” increased dramatically,⁶⁸ and lead to widespread harassment of prostitutes.⁶⁹ It is in this repressive legal and social context that Marie has nonetheless determined that sex work is her best and only option. She has suffered from a life marked by social and economic deprivation and while her “guilt in legal-propositional terms”⁷⁰ is established in the first scene, any legal or moral justification for her criminalization and confinement is put into question throughout the film. Rather than reducing Marie’s plight to a single problem, the film grapples with broader gender and class intersections that render Marie more vulnerable to regulation than a middle-class woman who would have both a “favourable home” to go to, and her friends and family, by virtue of their economic, social and cultural capital, are “beneficent influences.” Placed in the judge’s seat, she determines that with a criminal record she has little chance of securing gainful employment - Kitty reminds her that “most people on freeside wouldn’t hand you a job cleaning out a hog pit, ” or getting remarried. She also determines that prostitution is the best way for her, given her

⁶⁶ Freedman (1996), *supra* note 19 at p. 258.

⁶⁷ *Ibid.* at p. 259.

⁶⁸ *Id.*

⁶⁹ R. Kunzel, *Fallen Women, Problem Girls: Unmarried Mothers and the Professionalization of Social Work 1890 - 1945* (Yale University Press, 1993).

⁷⁰ D. A. Black, *Law in Film: Resonance and Representation* (Urbana and Chicago: University of Illinois Press, 1999) at p. 167.

marginal social and position, to survive. “Zones of prostitution”, as Sherene Razack reminds us, remain “racialized spaces” and the laws that regulate and criminalize prostitution serve to reinforce “lines between respectability and degeneracy”⁷¹ along the intersecting axes of gender, race, and class. As a young, white woman, she will not, for the time being at least, be a street level prostitute and the expensive car that takes her away indicates the status of her future clientele.

To say that *Caged* endorses prostitution or even makes arguments to decriminalize sex work would be a stretch. Rather, the film exposes and subverts “its fictional ... legal system’s treatment” of Marie.⁷² The ambiguity she expresses about her choice (“I hope you win” and “for that forty bucks Tom and I heisted, I sure got myself an education”) enables audiences to share her world view and simultaneously mourn her lack of alternatives.

As will be discussed below, in *Caged Heat* we also empathize with the protagonists who are subjected to both institutional and individual acts of violence. However, through their solidarity, they “trespass filmic space ... and manipulate both the male characters and the plot events”⁷³ and subvert the film’s legal system.

4.2 ‘Seething Hell of Steel and Stone’⁷⁴ *Caged Heat*

Three undercover police officers pull into a Los Angeles motor lodge. Jackie (Erica Gavin), her boyfriend Jake (Mike Shack), and their friend Sparky (Gary Goetzman) are hiding out after a drug deal. A chase and shoot-out ensues. One of the

⁷¹ Razack, *supra* note 65 at 341.

⁷² Kamir, *supra* note 2 at p. 33.

⁷³ C. Straayer, “Sexual Representation in Film and Video” in D. Carson, *et al.*, eds., *Multiple Voices in Feminist Criticism*, (Minneapolis: University of Minnesota Press, 1994) 503 at 511.

⁷⁴ Trailer for *Caged Heat*.

officers is wounded and Jake is fatally injured. Jackie stops to help him and is caught by the police. While she is being pinned to a wall and handcuffed by two men, there is a voice over of a judge handing down her sentence: "possession of dangerous drugs" and "accessory to the grievous bodily assault of a police officer, a particularly foul offence." There is a cut to a gavel – we never see the judge - then to a close-up of Jackie, a young white woman who looks terrified. As the camera closes in on her face, the omniscient voice continues:

For your refusal to name your partners in crime I feel no regret in sentencing you to a term of no less than ten and nor more than forty years.

The screen fades out to the sound of Jackie's pounding heart and fades in to Connerville Federal Institution for Women.⁷⁵ A bright light indicates a dream sequence: a handsome white man kisses and fondles Lavelle (Cheryl Rainbeaux Smith) through the bars as she tries to stab him with a knife. She awakes to the prison bell and a matron dragging her club across the steel bars of Cell Block 11. We follow the young white blonde, in for killing a rapist, to the exercise yard where a few dozen convicts - varying in age, size, and color - smoke and talk. Armed guards watch over them and a sign on the prison wall says: 'No Laughing.'

A paddy truck drives along a coiling desert road through the prison gate. The "new arrivals" jump out of the back while the burley white male guard grabs at a thigh here and there. Three young women, including Jackie, are brought to Dr. Randolph (Warren Miller) for "processing." The doctor smokes a pipe and tells the women to remove their clothes. He explains that they "would be surprised at the foreign objects" he

⁷⁵ Parts of the film were shot on location in Los Angeles' Lincoln Heights Jail which is no longer in operation.

“finds inside new arrivals,” and adds “I don’t like this ritual anymore than you do.” In internal monologue, he coos and drools over the women’s naked bodies while telling them aloud, in a professional tone, to do a few “deep knee bends for openers.”

In the cafeteria, Jackie meets a couple, Belle (Roberta Collins), a white woman in for shoplifting, and Pandora (Ella Reid), a black woman in for having castrated a man. They warn Jackie to keep to herself, not to ask questions, and point out Bonnie who “had claustrophobia,” but who after being sent to the clinic “doesn’t scream and shout anymore.” A tracking shot through the prison corridor exposes a space of boredom and lack of privacy and introduces other key characters, including Maggie (Juanita Brown), the tough Queen Bee. She threatens and humiliates Belle for stealing her cigarettes. That night, another dream sequence reveals that Jackie is scared, that the strip search was profoundly traumatic, and that her boyfriend is dead.

The next day, Pandora and Belle put on a gender-bending burlesque show, a narrative interruption that plays with viewer identification. Superintendent McQueen (Barbara Steel), a white woman who uses a wheelchair - a metaphor for her sexual repression - attends. She takes offence to the off-putting jokes and leaves outraged. Doctor Randolph scurries after her while the prisoners lament, “some climax.” A third dream sequence, which McQueen describes as “disturbing but oddly gratifying,” casts the Superintendent as a sultry go-go dancer telling the women “it was sex that got you behind bars in the first place,” to the wild cheers of her charges.

Pandora and Belle are called into her office shortly thereafter and castigated for their “positively disgusting” show. Pandora, labeled the instigator, is stripped and sent to solitary. When pushed by a “pig,” she falls to the floor and the camera cuts to a close-up

her breasts and cuts back to her tormented face. The effect is jarring. A kind of Brechtian “distanciation,” the cut breaks down viewer identification to render us critical of what is happening on screen⁷⁶ both in the story - the gross injustice toward Pandora - and behind the camera - Jonathan Demme’s ambivalent engagement with Roger Corman’s formula and requisite topless-scenes-to-plot ratio.⁷⁷

During shower time, Belle risks her relative privilege and sneaks into the ventilation ducts, breaks into the staff kitchen, and steals food which she brings to Pandora. Meanwhile, in the shower, Jackie tells the women she wants to complain on behalf of Pandora (“she’s got her rights doesn’t she?”) but Lavelle tells her otherwise (“Not in here. McQueen’s got ‘em”). Maggie overhears, gets angry, and tells Jackie “not to stir it up with McQueen.” A fight ensues and both women are sent to the Superintendent. When neither discloses what really happened (“Oh, you slipped too”), McQueen threatens Corrective Physical Therapy (“CPT”). Because Jackie comes from “a good family,” they get off with a warning and are sent to kitchen duty. While the women prepare dinner, a guard provokes Maggie by putting a dead cockroach in the stew. Maggie retaliates and another fight breaks out. The guard pulls out a gun but Jackie knocks her out with a can of soup, saving Maggie’s life. Maggie grabs the gun, sets the kitchen on fire and tries to escape. Jackie stays behind to save the guard from the flames. Both women are busted for “rebellion”, “assault on prison personnel” and “destruction of federal property” and sent for CPT.

⁷⁶ A. Kuhn, *Women's Pictures: Feminism and the Cinema* (London: Verso, 1994) at p. 88.

⁷⁷ Corman admits in an interview that he felt Demme “may have gone a little bit too far” by denaturalizing the male characters in films that the Studio wanted “to bring back the importance of men.” M. Woronov, “Notes toward a Lexicon of Roger Corman’s New World Pictures” *Bright Lights Film Journal* (2000) www.brightlightsfilm.com/27/newworldpictures2.html p.3 [last retrieved July 20, 2007] at p. 5.

After a gruesome dose of electroshock therapy, Jackie goes numb but is eventually reanimated when Belle explains how she and Pandora's plan to escape. On their way to "agricultural therapy," Maggie and Jackie are told to report to "corrective" therapy after their shift. Maggie steals a guard's gun and run for freedom. She gets to a prison truck and at the very last minute, Jackie also makes a break. Lavelle distracts the guards while her friends escape. Maggie picks Jackie up; the two become allies and find their way to Crazy Alice's (Lynda Gold). Crazy, a white working-class woman, is already out on "double parole." She is with a client when they arrive, providing "Satisfying Private Female Wrestling" at the "Academy of Sexual Satisfaction." When Maggie asks, "What is with *this* nonsense?" Crazy rolls her eyes and tells her she "got laid off at the plant."

Meanwhile, on one of her trips to comfort Pandora, Belle is surprised by an elderly kitchen matron whom she accidentally kills. Belle is sent to the clinic for corrective treatment which includes being drugged and sexually assaulted by Dr. Randolph. Obsessed with Belle, the doctor tries to convince McQueen to let him try a new lobotomy procedure that will "curb the flow of violent tendencies" by eliminating her "ability to maintain a violent thought for any length of time." McQueen is torn, at first, but is convinced that the operation will "radically guarantee that [Belle's] capacity for killing will be completely absolved."⁷⁸

⁷⁸ It is noteworthy that the United States' Supreme Court has found that treatment against a prisoners' will is justified if it can be "reasonably related to legitimate penological interests," which include "the maintenance of order in the prison environment." *Washington v. Harper* 759 P. 2d 358 (Wash. 1988); 494 U.S. 210, 236 (1996). For a detailed discussion of this decision see: K. Auerhahan and E. Dermody Leonard, "Docile Bodies? Chemical Restraints of the Female Inmate" (2000) 90 Jour. Crim. L. & Crim'y 599.

Randolph injects Belle with drugs, takes topless photos of her, and tells her she can get early parole if she signs a release form. That his true motive is to make her his sexual object is clear:

I want you to sign a form that will permit me to do some work on you to satisfy me [pause] that it's okay for you to be paroled.

Belle, nearly comatose, is too groggy to even hold a pen and Randolph forges her signature. Lavelle, sent to the clinic to clean the floor, witnesses the doctor's conduct and gets word back to Pandora. Pandora slashes her hand in order to be sent for medical attention and arrives as Randolph places a cranial drill to Belle's prefrontal lobe.

On the outside, Jackie, Maggie, and Crazy plan a bank heist and Jackie offers her share of the money to spring Pandora, Belle, and Lavelle from Connerville. Maggie refuses but Crazy and Jackie eventually convince her. They ambush a prison truck carrying New Fish, whom they release, and drive through the prison gaits while Maggie waits just outside the compound. As Superintendent McQueen finds her way to the clinic, hoping to witness the surgery, Jackie and Crazy burst in. With Pandora and Belle, they take the doctor and McQueen hostage and pile into the paddy wagon. The Superintendent's assistant tells the guards to open fire. In a final shoot-out, the doctor is killed, the Superintendent is wounded. When Maggie sees that others are in danger, she drives their getaway car into the danger zone, accompanied by John Cale's extra-diegetic blues score. The six protagonists tear off, unscathed, into the open road.

4.2.1 Exploitation and Subversion in *Caged Heat*: Context and Paratext

The late sixties and seventies mark a period of dramatic change and political upheaval in the United States - new social movements (the 'New' Left, Prisoners rights,

Second-wave feminism, Civil rights, Gay and lesbian rights, Environmentalism), Vietnam, Watergate, and an economic recession. It is in this social and political climate that Roger Corman formed New World Pictures, an independent production and distribution company that capitalized on the popularity of exploitation films. Its first feature *Student Nurses* (1970)⁷⁹ established the New World formula, as Roger Corman explains:

... the exploitation of male sexual fantasy, a comedic subplot, action and violence, and a slight left-of-center subplot ... frontal nudity from the waist up, total nudity from behind, no pubic hair, and the title in the film somewhere.⁸⁰

He adds that, in light of societal shifts, this formula could not work unless the films included “assertive and independent women.”⁸¹ As actor and critic Mary Woronov writes, a Corman film may be quasi-feminist in its depiction of strong women who castigate violent men and resist patriarchal structures, but its political leanings will “go largely unnoticed by its young male target audience, who are mesmerized by the sea of tits and ass that flows through the company’s roster.”⁸²

Jonathan Demme’s *Caged Heat* works within the New World structure, but twists and inverts it through cinematic techniques that move beyond its ‘fetished feminism.’ His work reflects broader shifts in film style such as French New Wave and Avant-garde: frequent dream sequences operate as visual distortions and signal important shifts in narrative, voice-overs give insight into character motivations, and there are inter-textual references to other WIP movies as well as other genres such as Westerns, Action, Blaxploitation, and Gangster.

⁷⁹ Stephanie Rothman (Dir. and Screenplay) New World (Prod.)

⁸⁰ Interview with R. Corman, in M. Woronov, *supra* note 78 at p. 1.

⁸¹ *Id.*

⁸² *Id.*

Caged Heat pays homage to the *Caged*, in title - with the additional connotations of female sexuality -, when it directly quotes a shower scene that only reveals women's legs, and through its rejection of the '(re)domestication through the love of a good man' scenario. It also parodies the earlier melodramas when Pandora, in for murder, tells Jackie that she is really an undercover reporter trying to expose corruption within the institution. Unlike other New World productions, Demme relocates the WIP film in the United States to foreground the "oppressive elements" of American society.⁸³ Similarly, despite the promise of "crazed carnal confinement" and women "torn by penal passion,"⁸⁴ there is no lesbian predator in *Caged Heat*. On the contrary, there are non-eroticized, normalized lesbian relationships. There may be a few lecherous glances from a female guard, but the sadistic inclinations are left to the white heterosexual male doctor, who is neither love interest nor the "site of knowledge which dominates and controls female subjectivity."⁸⁵ Instead, he embodies (hetero)sexual male anxieties around women's emancipation and reflects discourses about the causal link between women's liberation and the emergence of the 'violent woman' that were being deconstructed by feminist socio-legal theorists at the time of the film's release.

Briefly, the women's liberation thesis posits that crimes committed by women increased in conjunction with women's entry into the paid workforce.⁸⁶ Armed with statistics demonstrating a dramatic growth in women's crime, mainstream criminology and the media reproduced and reinforced discourses around domesticity: freedom from

⁸³ A. Lipstadt, "Politics and Exploitation: New World Pictures" in J. Hillier and A. Lipstadt, eds., *Roger Corman's New World* (London: British Film Institute, 1981) 9.

⁸⁴ Trailer for *Caged Heat*.

⁸⁵ M. A. Doane, "The Woman Film: Possession and Address" in M. A. Doane, et al., eds., *Vision: Essays in Feminist Film Criticism* (Los Angeles: American Film Institute, 1984) 67 at p. 76.

⁸⁶ F. Adler, *Sisters in Crime* (New York: McGraw-Hill, 1975).

the home, and the opportunity to commit such crimes as theft, prostitution, and embezzlement, meant that working-women were more vulnerable to 'fall' than their stay-at-home counterparts. Feminist criminologists pointed out the fatal flaws of the thesis. It was statistically skewed, given the small based number of women charged. It further ignored the reality that most women involved in and likely to benefit from women's liberation remained white, middle class heterosexual women while the vast majority of women's crimes are directly connected to the feminization of poverty and systemic racism.⁸⁷

Caged Heat opened to a positive reception, though its 'campiness' may have been lost on some fans. One commentator writes that it was "full of unnecessary scenes and some really weird-ass dream sequences with no point whatsoever," but that the film is redeemable because "it also has some good sleaze and the requisite shower scenes."⁸⁸ Reviewers and critics, on the other hand, applauded its "left-wing, revolutionary agenda," its "militant reaction to sexist victimization,"⁸⁹ and its negotiation of "resonant and restrictive, liberating and reinforcing oppressive stereotypes."⁹⁰

⁸⁷ E. Comack, "The Feminist Engagement with Criminology" in G. Balfour and E. Comack, eds., *supra* note 45 at p. 22; C. Smart, *Women, Crime and Criminology: A Feminist Critique* (London Routledge, 1976).

⁸⁸ "Bad Cinema Diary" http://www.cathuria.com/bcd/pages/BadCinema_WiP.pdf [last retrieved July 3, 2007].

⁸⁹ G. Peary "Caged Heat" *Boston Phoenix* (7 December 1999) <http://www.filmvault.com/filmvault/boston/c/cagedheat1.html> [Last retrieved July 21, 2007].

⁹⁰ L. Black "The Heroic and the Holy 'Grindhouse' squeezes transcendent kicks from a classic form" *Austin Chronicle* <http://www.austinchronicle.com/gyrobase/Issue/column?oid=463056> [last retrieved July 21, 2007].

4.2.2 'We have a Violent Sorority Here:' Interlocking Oppressions and Resistance in *Caged Heat*

4.2.2.i Curing Criminality: The Intersection of Medical and Legal Discourses

'We have a violent sorority here and very strong ways of dealing with it [but] we punish here as well as correct'. (Superintendent McQueen)

The treatment discourse - 'agricultural' therapy, 'corrective' therapy and punishment - that runs throughout *Caged Heat* serves as a metaphor for the ways in which legal and medical models operate together to criminalize particular women. As Foucault and others have pointed out that knowledge / power systems produce experts who would 'graft' medical discourses onto existing legal structures in efforts to label and treat 'offenders.'⁹¹ This has particular implications for female crime - which "has a long history of being attributed to medical or physio-psychological causes"⁹² - and especially for women whose social location crosses axes of class, race, and sexual orientation – who are often targeted for their "physiologically inferiority and sexualized propensities for evil and chaos."⁹³

Superintendent McQueen's prison is a place where race and sexual orientation determine who will be 'corrected' (Jackie, white heterosexual) or who will be 'punished' (Pandora, black lesbian). This parallels how medico-legal categories and norms have been deployed differently to constitute docile female subjects.⁹⁴ However, *Caged Heat's*

⁹¹ Foucault (1977) and (1980), *supra* note 56.

⁹² Auerhahan and Leonard, *supra* note 79 at p. 600.

⁹³ K. Faith, *Unruly Women: The Politics of Confinement and Resistance* (Vancouver: Press Gang Publishers 1993) at p. 12. See also: C. Smart, "Women, Crime and Mental Illness" in *Feminism and the Power of Law* (London: Routledge, 1989) 146; D. Chunn and R. Menzies, "Out of Mind, Out of Law: The Regulation of 'Criminally Insane' Women inside British Columbia's Public Mental Hospitals, 1888-1973" (1998) 10 *Canadian Journal of Women and the Law* 306.

⁹⁴ Foucault, *supra* note 56 at p. 138.

protagonists engage in resistance judging of the institutions that label them and reconstitute themselves as ‘un-guilty’ subject.

In an unsettling scene, the hum of the electro-shock therapy machine gets louder as Jackie is dragged into a room that looks more like a garage than a clinic. She panics and struggles as two female guards and Doctor Randolph body-belt her to a table. She screams “You’re crazy! This is rape. You can’t do this!” as the doctor increases the voltage of her ‘corrective’ therapy. In the late forties, the American correction system began to deploy medical discourses around the concept of rehabilitation. Under the ‘treatment’ model – which dominated corrections until the move in the early nineties to a ‘prison industrial complex’⁹⁵ - criminals are ‘sick’ but can be ‘cured’ or ‘corrected’ through benevolence and behavioural modification techniques. ‘Experts’ in controlled environments (prisons) administered aversion therapy, neurosurgery, the use of tranquilizers and LSD, sensory deprivation, electroconvulsive treatment (ECT), and lobotomies.⁹⁶ Curative strategies aimed at women – ‘hysterectomies’ or ‘beautification procedures’⁹⁷ - reflected and reinforced the belief that women’s criminality stemmed

⁹⁵ A. Davis, “The Prison Industrial Complex” in *Are Prisons Obsolete?* (New York: Seven Stories Press Open Media Series, 2003) pp. 84-115.

⁹⁶ More recently, the violent ‘corrective’ practices that North American men and women were subjected to from the late forties to the mid seventies have been brought to light, in part, through testimonials and litigation launched by survivors: *Proctor v. Canada* [2000] O.J. No. 658; [2000] O.T.C. 152 (in which the Crown was ordered to make better documentary discovery in Dorothy Proctor’s action against the Canadian government for psychological damage suffered while she was in prison); *Proctor v. Canada (Attorney General)* [2002] O.J. No. 350; [2002] O.T.C. 79; D. Proctor and F. Rosen, *Chameleon: The Life of Dorothy Proctor* (Far Hills, N.J.: New Horizon Press, 1994); K. Kendall, “Time to Think Again about Cognitive Behavioural Programs” in P. Carlen, ed. *Women and Punishment: The Struggle for Justice*. (Portland, Oregon: Willan Publishing, 2002) 182.

⁹⁷ Faith found that in the mid-seventies, medical students used prisons for women as practice clinics to develop skills in cosmetic procedures such as nose jobs and the removal of tattoos. *Supra* note 93 at p. 239

from their bodies.⁹⁸ The so-called rehabilitative potential of such social engineering has never been proved.

While in the film, Maggie laments “that shit was outlawed,” the year *Caged Heat* was released, a University of Michigan professor of psychology published an essay entitled ‘Criminal Can Be Brainwashed – Now:’

... we can combine sensory deprivation with drugs, hypnosis, and astute manipulation of reward and punishment to gain almost absolute control over an individual’s behavior ... We’d assume that a felony was clear evidence that the criminal had somehow acquired full-blown social neurosis and *needed to be cured, not punished* ... We’d probably have to *restructure his entire personality*.⁹⁹

Rather than drawing on the tropes of sado / masochism, the admixture of fantasy, dominance, pleasure and simulation, that is a convention of the exploitation WIP movies, Demme renders Jackie receiving ‘corrective therapy’ fully clothed in non-suggestive poses. The effect is a powerful commentary on the “regimes of femininity”¹⁰⁰ both inside and outside the prison walls. Jackie as a (hetero)sexual, white woman from “a good family,” is expected to uphold traditional notions of passive femininity. Her race, sexual orientation, and relative social privilege operate to label her transgression of these norms as ‘treatable.’ However, Jackie resists this construction of self. Her exploitation and victimization ultimately lead to rebellion beyond the confines of the prison when she becomes the driving force behind the women’s collective resistance.

Jackie’s ‘treatment,’ read in juxtaposition with Pandora’s ‘punishment’ reveals how discourses about the ‘propensities’ of black women and lesbians operate when combined with gendered understandings of women’s criminality. Pandora embodies

⁹⁸ See generally: Auerhahn and Leonard, *supra* note 79.

⁹⁹ J. McConnell, “Criminals Can be Brainwashed – Now” (1974), cited in J. Mitford, *The American Prison Business* (London Allen & Unwin, 1974) at p. 125 [emphasis mine].

¹⁰⁰ P. Carlen, *Women's Imprisonment: A Study in Social Control* (London: Routledge, 1983).

social exclusion brought upon by systemic racism, sexual violence, and lesbophobia. She is marred by her 'constitutional predisposing factors' - dangerous, hyper-sexual, violent, and immoral. Superintendent McQueen's invocation of the fear of the 'black lesbian aggressor,'¹⁰¹ provides a space to exposes and to grapple with women's interlocking oppressions.

After their burlesque show, Superintendent McQueen tells Pandora and Belle that "even for criminals," they are "a particularly poor reflection on womanhood." When Pandora responds that "the others seemed to dig it," McQueen's response, "exactly," indicates her fear of Pandora's power to 'contaminate' the other women and the need to separate from her from them. On the other hand, Belle - a feminine, white woman - is considered by McQueen to be a 'situational lesbian,' who is "otherwise acceptable ... coping with the deprivation of male affection,"¹⁰² and is spared from 'punishment.'

Pandora, the 'real' lesbian, is deemed "more criminalistic, more feministic and more aggressive."¹⁰³ She is sent to segregation, used administratively to prevent a prisoner from interacting with others (security) or as discipline (punishment).¹⁰⁴ Security discourses have historically and continue to be deployed to protect "heterosexual

¹⁰¹ M. Otis "A Perversion not Commonly Noted" (1913) 8 *Journal of Abnormal Psychology* 112 at p. 113; E. Freedman, "The Prison Lesbian: Race, Class, and the Construction of the Aggressive Female Homosexual, 1915-1965" (1996) 22 *Feminist Studies* 397; S. Potter, "Undesirable Relations: Same-Sex Relationships and the Meaning of Sexual Desire at a Women's Reformatory During the Progressive Era" (2004) 30 *Feminist Studies* 394.

¹⁰² R. Robson, *Lesbian (out)law: Survival Under the Rule of Law* (Ithaca, New York: Firebrand Books, 1992) at p. 109.

¹⁰³ R. Leger "Lesbianism Among Women Prisoners: Participants and Non-Participants" (1987) 14(4) *Criminal Justice & Behaviour* 448, cited in Robson, *ibid.* at p. 109.

¹⁰⁴ J. Martel, "Women in the 'Hole': The Unquestioning Practice of Segregation" in K. Hannah-Moffat and M. Shaw, eds. *An Ideal Prison? Critical Essays on Women's Imprisonment in Canada* (Halifax: Fernwood Publishing, 2000) 128 at p. 129.

innocents” from the influence of lesbians, and especially black lesbians.¹⁰⁵ While lesbianism was tolerated in some progressive reformatories at the turn of the century, when social reformers learned that black and white women were developing relationships, racial segregation was reinstated and lesbianism in prison was strictly policed. As with ‘treatment,’ discourses around ‘deviant’ sexualities and racialized groups encrypt filth, dangerousness, and ultimately criminality upon particular female bodies. While lesbianism of any kind became deviantized, Black women were, and continue to be, labeled as the ‘aggressors’ and white women as ‘temporary partners.’¹⁰⁶ The belief in lesbian contagion of innocents remains. In 1974, for instance, a California appellate court held that the threat of lesbian attacks in a prison for women was justification for an attempted escape from prison.¹⁰⁷

Rather than reinforce McQueen’s judgment, *Caged Heat* invites viewer identification with Pandora who denounces Superintendent McQueen’s sexual standards as hypocritical and unjust and refuses to display contrition or guilt (“rap my ass”). In a moving scene, the camera lingers on Pandora’s quivering lip as she tells McQueen: “You’ve got real problems Superintendent.” The audience shares her judgment of the hegemonic institution that reinforces naturalized femininity as heterosexual, white, and subservient. This “participatory identification” is reinforced when Jackie, in an act of

¹⁰⁵ Robson, *supra* note 21 at p. 107.

¹⁰⁶ Some women claimed fear of sexual advances in order to get early parole. Others tried to justify escape attempts out of fear of the ‘doll business’ and women who identified as lesbians or were found to have lesbian attachments in prison could have their parole revoked. Potter, *supra* note 101; Freedman (1996), *supra* note 101.

¹⁰⁷ *People v. Lovercamp*, 43 Cal. App.3d 823, 118 Cal. Rptr 110 (1974). The judges held that a prisoner who had been given the alternative to “fuck or fight” and was incapable of lodging a complaint through ‘legitimate’ means could use the threat as a defence if she committed no acts of violence during her escape and immediately reported to the authorities.

solidarity, challenges McQueen (“is putting Pandora is solitary supposed to correct her?”).

4.2.3.ii ‘Women who Live to Kill now Kill to Live:’¹⁰⁸ Blurring the Victim / Offender Dichotomy

Feminist socio-legal theorists have drawn connections between criminalization and women’s histories of abuse.¹⁰⁹ They challenge the legal concept of culpability and the law’s continued adherence to the offender / victim dichotomy in which victims are women who “suffer” from crime, not those who commit it.¹¹⁰ Incarcerated women and girls have disproportionately high records of victimization - rape, incest, physical, emotional, and economic abuse, the effects of colonialism, and systemic racism.¹¹¹ Moreover, this victimization is interrelated with prior criminalization (often through prostitution, drug use, offences related to being homeless or street-identified, and mental illness issues) and further incarceration.¹¹² In light of the moral panics and discourses around violent women that continue to have currency in the popular media, *Caged Heat* positions audiences to better understand women’s vulnerability, their resistance to that vulnerability, and their subsequent criminalization.

¹⁰⁸ Trailer, *Caged Heat*.

¹⁰⁹ Comack, *supra* note 87 at p. 40.

¹¹⁰ Snider, *supra* note 55; Comack, *ibid*.

¹¹¹ For instance: P. Carlen, ed., *Women and Punishment: The Struggle for Justice* (Portland, Oregon: Willan Publishing, 2002); F. Sugar and L. Fox, “Nistum Peyako Seht’wawin Iskwewak: Breaking the Chains” (1989-1990) 3 *Canadian Journal of Women and the Law* 465; S. Engle Merry, “Criminalization and Gender: The Changing Governance of Sexuality and Gender Violence in Hawai’i” in R. Smandych ed., *Governable Places: Readings on Governmentality and Crime Control* (Aldershot: Dartmouth Publishing Company Ltd., 1999). K. Daly, *Gender, Crime and Punishment* (New Haven: Yale University Press, 1994).

¹¹² J. Belknap, *The Invisible Woman: Gender, Crime and Justice* (Belmont, California: Thomson, 2007) at p. 185.

Lavelle, who appears barely eighteen, is in jail for life. She and her best friend, likely runaways, were hitchhiking. A man picked them up and raped Lavelle's friend. The rapist's father is a senator; she was charged and sentenced with first degree murder.

Elizabeth Spelman and Martha Minow explain that identification with a protagonist-lawbreaker depends on our ideas about fairness, our perception of his or her motivations, and whether we view the victim as deserving what they 'got.'¹¹³ Lavelle is rendered as a 'noble' lawbreaker. Contrary to films in which protagonists who kill are associated with a man's death while their victimization and humiliation goes unnoticed or is diminished,¹¹⁴ *Caged Heat* does not focus on the rapist's death. Instead, it foregrounds Lavelle's pain and the crime is explained from her perspective. Our empathy for her is reinforced by her loyalty to Jackie (when she diverts the guards) and Belle (whose life she saves by getting word back to Pandora.)

The film also highlights how the law has never protected women from sexual assault and instead subjects them to further victimization if they rely on it for redress by "accentuating suspicions of guilty 'contribution' and 'provocation' that allegedly triggered the crime."¹¹⁵ Although the law may find that a husband witnessing the rape of his wife was "provoked" to kill, it is unlikely, given the provocation defense's masculine and (hetero)sexual bias, that Lavelle, or any woman in a lesbian relationship, could make use of the provocation defence. *Caged Heat* exposes how violence against women, the "social concealment and denial"¹¹⁶ of that violence, and the gendered application of the criminal law, result in blaming the victim. At the same time, it constructs Lavelle as a

¹¹³ E. Spelman and M. Minow "Outlaw Women: Thelma and Louise" in J. Denvir, ed., *Legal Realism: Movies as Legal Texts* (Chicago: University of Illinois Press, 1995) 261 at 265.

¹¹⁴ Kamir, *supra* note 2 at p. 32.

¹¹⁵ *Ibid.* at p. 31.

¹¹⁶ *Id.*

victimized agent, whose actions challenge dominant legal categories and the meaning of the label 'criminal.'

Similarly, when Crazy's client turns out to be an undercover police officer who, after receipt of services, attempts to arrest Crazy "under suspicion of solicitation and prostitution," the women band together and knock him out (possibly killing him). Had Crazy claimed entrapment, some form of police discretion may have shielded the white male police officer from reprimand. As a sex worker with a prior record, Crazy's credibility would have been called into question.

Women in the sex trades turn to informal networks for protection, circulate 'bad date' lists and inform one another about 'dirty' cops. The reality remains that agents of the law, who are supposed to protect women, target, harass, and sexually assault them with impunity, especially those working within the industries characterized by commodified sex who are already marginalized. Crazy, Maggie, and Jackie are all too aware, even before they became 'outlaws' that they could not rely on the law for redress. In addition to blurring the victim / offender boundary, this brief encounter also raises other substantive law and jurisprudential questions, such as whether a legal remedy should be available for sex workers when a client refuses to pay¹¹⁷ and how the law around consensual sexual transactions for money might be re-imagined.

By destabilizing the offender / victim binary, *Caged Heat* counters the discourses and knowledge claims of women in prison as violent and dangerous. Instead it presents multidimensional, strong female characters who attempt to negotiate dangerous

¹¹⁷ R. Kuszelewski and D. Martin document cases of women being give cheques that bounce or getting "stiffed" by clients in other ways and attempted to sue. Such law suits are framed as "immoral contracts:" "The Perils of Poverty: Prostitutes' Rights, Police Misconduct, and Poverty Law" (1997) 35 Osgood Hall Law Journal 835.

situations. It provides a space for them to voice their victimization and makes “a conscious effort to understand and accept” their actions “rather than suspect, judge and condemn.”¹¹⁸

4.3 Judging Women: Intertextual Dialogues in *Caged* and *Caged Heat*

Film endings “call attention to the overlay of narrative and social coding”¹¹⁹ and a character who transforms from ‘bad’ girl to ‘good’ girl has considerable moral, social, and legal force.¹²⁰ Paradoxically, films that depict an alternative ‘transformation’ can have a disruptive moral, social, and legal force.

Both *Caged* and *Caged Heat*’s endings divert from the WIP conventions at the time of their production. Marie is not (re)domesticated through the prison. Instead, she changes from a victimized innocent to a victimized agent who makes choices within conditions of constraint and engages in resistant judging of the gender and class biases within the criminal justice system. In *Caged Heat*, contrary to the exploitation WIP conventions, the protagonists - Jackie, Pandora, Belle, Maggie, Lavelle, and Crazy – escape the prison relatively unscathed. *Caged Heat* builds on the critique laid out in *Caged* by incorporating other axes of disadvantage – race and sexual orientation namely - and depicts its protagonists as women engaging in individual acts of resistance. However, they ultimately turn to the transformatory potential of women’s solidarity and collective resistance.

¹¹⁸ Kamir, *supra* note 2 at p. 41.

¹¹⁹ Byars, *supra* note 38 at p. 110.

¹²⁰ Staiger, *supra* note 40.

First, through Marie Allen, *Caged* exposes the cracks in a criminal justice system to judge the prison as inadequate for dealing with social problems. It portrays Ruth Benton in a sympathetic light and the reforms she proposes – education, access to psychiatric services, paid employment for women in prison – as worthwhile and necessary. But it subtly exposes the issues of power and control in progressive penal reforms and provides a space to examine how these institutions and their (re)form operate to reinforce hierarchies between men and women, and among women. Moreover, it is Marie who renders the final judgment of the film. She holds an appeal of the trial judge and the parole boards' decisions and overturns them both (“I don’t belong in here”) and takes judicial notice of the inherent injustice of the penal system that one well-meaning reformer cannot change (“where did those things get me anyway?”).

Caged, then, is a counter-hegemonic text that challenges dominant (American) values about retribution and punishment and judges the prison as a total institution incapable of (re)forming criminalized women. Irving Goffman argues that even the best intentioned and progressive thinkers cannot reform a “total institution:”

Every institution captures something of the time and interest of its members and provides something of a world for them; in brief, every institution has encompassing tendencies ... Their encompassing or total character is symbolized by the barrier to social intercourse with the outside and to departure that is often built right into the physical plant, such as locked doors, high walls, barbed wire, cliffs, water, forests, or moors.¹²¹

Moreover, David Rothman notes that the conscience-based reform practices endorsed by ‘progressives’ have fallen prey to organizational needs, expand the state’s network of social control, and do little to address the conditions that render particular groups of

¹²¹ E. Goffman, “On the Characteristics of Total Institutions” in E. Goffman, *Asylums: Essays on the Social Situation of Mental Patients and Other Inmates* (New York: Doubleday Anchor, 1961): 1-124 at pp. 15-16.

women vulnerable to criminalization.¹²² In this sense, Marie's "You can't lick the system," foreshadows the "transformative justice" alternative to reform-based social change. Its basic premise, Karlene Faith states, is that "prisons are destructive to the individuals who are kept in them, and to society at large. Reform is futile."¹²³ *Caged* destabilizes the "regime of truth"¹²⁴ that persistently reaffirms the "rightness of the carceral framework by obscuring all evidence of its counter-productive effects."¹²⁵ It foregrounds the ambivalence of feminists and other reformers regarding women and punishment and highlights the 'prison question' that remains unresolved today. As Pat Carlen asks:

Why continue to be involved in ... prison reform? Why argue for any policy changes at all? Why not merely campaign for the abolition of women's imprisonment altogether, given that at one and the same time, some of us are both campaigning for reforms in women's prison *and* (wearing our analytic hats) claiming that prisons are organizationally incapable of engendering the very reforms for which we are campaigning? These questions ... constantly gnaw at the resolve of prison campaigners who, though their heads and hearts may be in constant opposition, none the less remain convinced that 'something must be done.'¹²⁶

¹²² D. Rothman, *Conscience and Convenience: The Asylum and its Alternatives in Progressive America* (Boston: Little Brown, 1981).

¹²³ K. Faith, "Transformative Justice versus Re-entrenched Correctionalism: The Canadian Experience" in S. Cook and S. Davies, eds., *Harsh Punishment: International Experiences of Women's Imprisonment* (Boston: Northeastern, 1999): 99-122.

¹²⁴ D. Garland, *Punishment in Modern Society: A Study in Social Theory* (New York: Oxford University Press, 1990) at p. 4.

¹²⁵ J. Martel, "Women in the 'Hole:' The Unquestioning Practice of Segregation" in K. Hannah-Moffat and M. Shaw, eds., *An Ideal Prison? Critical Essays on Women's Imprisonment in Canada*. (Halifax: Fernwood Publishing, 2000) 128 at p. 128.

¹²⁶ P. Carlen, ed., "Introduction," *Women and Punishment: The Struggle for Justice* (Portland, Oregon: Willan Publishing, 2002), pp. 1-20 at p. 20. A similar sentiment was recently expressed in Marie Claire magazine which featured several heartbreaking stories about women giving birth in prison and having to be separated from their children for years. The vast majority of the prisoners were jailed for minor drug-related offences. The piece concludes by asking readers to vote on whether "we should stop sending women to prison?" That said, it does not problematize prisons for men. A. Johnson and K. Gourley "Pregnant and a Prisoner" (July 2007) *Marie Claire Magazine* pp. 106-112, on the web: www.marieclaire.co.uk [last retrieved July 27, 2007]/

Caged's ending reminds us that those whom we criminalize are to a large extent already marginalized and "in need of assistance rather than punishment."¹²⁷ While somewhat bleak, it nevertheless opens up the possibility to imagine better alternatives to the criminal justice system and its reliance on prisons. It engages both 'the psyche' and the 'conscience' and invites the audience to question "why we both fear and adore confinement."¹²⁸

Building on this critique, *Caged Heat*, begins with the premise that prisons are places of repression and oppression, not of (re)form and (re)habilitation. Further, by asking questions about the nature of women's criminalization, especially for women whose class, race, and sexual orientation renders them more vulnerable to criminalization, it calls into question "notions of judgment altogether."¹²⁹

In *Caged*, Marie is left to her own devices, unable to bond significantly with the women on the inside, aside from June who takes her own life. Due to class and other social hierarchies, there can be no solidarity with Superintendent Benton. Her struggle to survive and maintain her dignity and engage in everyday acts of resistance is "against all odds, as the social cards are stacked against [her]."¹³⁰ In *Caged Heat*, Jonathan Demme also shows women's sometimes contradictory tactics of individual resistance to a repressive institution, such as humour, and their self-definition as "guilty women refusing to act guilty."¹³¹ These negotiations enable them to destabilize dominant legal categories that define their responses to violence or their subjectivities as criminal. However, the

¹²⁷ Z. Bauman, *The Human Costs of Globalization* (New York: Columbia University Press, 1998) at p. 115.

¹²⁸ M. Nellis, "Notes on the American Prison Film" M. Nellis and C. Hale, *Radical Alternatives to Prison* (London, 1982) at p. 48.

¹²⁹ *Id.*

¹³⁰ Kamir, *supra* note 2 at p. 265.

¹³¹ *Ibid.* at p. 226.

overarching theme seems to be that their relationships and friendships that cross race and sexual orientation lines are “inherently revolutionary.”¹³² Collective resistance that recognizes and respects differences enables the protagonists to challenge the existing legal and social orders in profound ways. This is significant given that resistance in women’s prisons remains primarily covert and individual rather than overt and collective.¹³³

The richness of *Caged Heat*, then, is that it holds the promise that the women will continue to develop their own “imaginary and fictive law.”¹³⁴ In Peter Goodrich’s terms, they establish a “micro-jurisprudence” or a court of consciousness that challenges the ostensibly neutral law that has labeled them criminals.¹³⁵ In so doing, they make room for a better, transformative alternative legal system, one in which women’s social oppression is recognized and in which their responses to that victimization will be met with compassion and empathy.

¹³² *Id.*

¹³³ M. Bosworth and E. Carrabine, “Reassessing Resistance: Race, Gender and Sexuality in Prison” (2001) 3 *Punishment and Society* 501.

¹³⁴ P. Goodrich, *Law in the Courts of Love: Literature and Other Minor Jurisprudences* (London: Routledge, 1996).

¹³⁵ *Id.*

Final Thoughts

Postmodernism makes it that virtually all political struggles take place ... on the symbolic battleground of the mass media.¹

The shift to a neo-liberal / neo-conservative economic, political, social, and legal context – globalization, neo-colonialism, dismantled welfare states, atrophied nation states, free trade agreements, multinational corporate expansion, and American economic and military dominance - has altered the nature of punishment.² At the turn of the century, prison reformers promoted useful and profitable work and the prison was intended to (re)habilitate marginalized groups. Prison-work programs governed men and women through “factories of disciplined labour”³ in which prisoners did the work least desirable to the rest of society. The treatment model that emerged in the forties sought to ‘correct’ prisoners and bring them “back from the road to moral perdition on which they embarked by their own will”⁴ or, by virtue of the moral or intellectual weakness, sought to ‘help’ the ‘sick’ confined populations to “return into the fold of ‘normal’ society.”⁵

The rehabilitative or corrective goals of the past, and any pretense of benevolence, - however flawed - have been abandoned in favour of ‘get tough,’ retributive penal policies such as the ‘three strikes’ laws⁶ that emphasize public safety, risk assessment,⁷

¹ R. Stam, *Film Theory: An Introduction* (Oxford: Blackwell, 2000) at p. 307.

² Z. Bauman, *Globalization: The Human Consequences* (New York: Columbia University Press, 1998); J. Sudbury, “Introduction: Feminist Critiques, Transnational Landscapes, Abolitionist Visions” in J. Sudbury, ed., *Global Lockdown: Race, Gender and the Prison-Industrial Complex*, (New York: Routledge, 2006) ix.

³ M. Foucault, *Discipline and Punish* (London: Penguin, 1977).

⁴ Bauman, *supra* note 2 at p.109.

⁵ *Id.*

⁶ Three strikes law generally refers to a mandatory life sentence if convicted of three felonies.

⁷ D. Garland, “Governmentality and the Problem of Crime” in R. Smandych, ed., *Governable Places: Readings on Governmentality and Crime Control* (Aldershot: Ashgate, 1999).

personal responsibility.⁸ Despite any proved increase in crime rates, the United States still leads the global trend toward mass-incarceration and a corresponding overrepresentation of poor and racialized groups.⁹

Spatial and social confinement have always been used to deal with people who are “unassimilable, difficult to control and otherwise trouble-prone.”¹⁰ Its effects “estrangement,” the breakdown of communication and social interaction and the distinction between those who are ‘strangers’ (‘Othered’) - whom we fear and who have been “stripped of the individual, personal uniqueness which alone could prevent stereotyping”¹¹ - and those who are ‘familiar’ - for whom we may have compassion and understanding. In the postmodern moment, where freedom of movement signals social promotion, advancement, and success, whereas immobility exudes “the repugnant odor of defeat, failed life and being left behind,” the forced immobility of the prison is, according to Zygmunt Bauman, “a most abominable, cruel and repulsive state ... a most potent symbol of ...incapacitation - and pain.”¹² Prisons are factories of exclusion and immobility for people “habituated to their status of the *excluded*” in a moment of time / space compression.¹³ This has particular implications for incarcerated women who

⁸ P. O'Malley, “Consuming Risks: Harm Minimization and the Government of ‘Drug-users’” in R. Smandych, *ibid.* at p. 191; K. Hannah-Moffat, *Punishment in Disguise: Penal Governance and Federal Imprisonment of Women in Canada* (Toronto: University Press, 2002).

⁹ This is the case in the United States at least. Though it merits mention that in other jurisdictions, and Canada in particular, where the federal correctional service remains vested in rhetoric that promotes “penal welfare.” I am grateful to Professor Debra Parkes for this insight. See generally: P. O'Malley “Missing the punitive turn? Canadian criminal justice 1955-2003” in J. Pratt and D. Brown *et al.*, eds., *The New Punitiveness* (London: Sage, 2005) 201.

¹⁰ Bauman, *supra* note 2 at p.105.

¹¹ *Ibid.* at p. 108.

¹² *Ibid.* at p. 112.

¹³ *Ibid.* at p. 114 [emphasis in original].

remain largely invisible to the broader public¹⁴ given their relatively small numbers (though increasing year by year) and the nature of the crimes they commit - more likely to be property offences than violent crimes and thus less likely to grab at the collective imagination.

For the vast majority of people occupying spaces of privilege, the nature and function of the prison remains a mediated experience. While that experience can be romanticized, sensationalized, or easily dismissed, it can also, as David Wilson and Sean O'Sullivan argue, elicit strong emotions in audiences:

... there will always be an awfulness to prison that can only really be appreciated experientially, but if revelation / benchmarking and humanizing / empathy are part of the process of 'getting the story of prison out' then popular film has an importance which cannot be dismissed.¹⁵

I have featured *Caged* (1950) and *Caged Heat* (1974) as two powerful films that bring the inner world of the women's prison to light. By depicting complex characters that audiences care for and identify with, they challenge the familiar / stranger dichotomy that obscures the suffering of criminalized women. These WIP films symbolize "law in action"¹⁶ and make provocative statements about law and society, the criminalization of women, and the limited capacity of the criminal law to address social inequity or 'crime.' Whereas *Caged* presents the prison as a repressive institution, *Caged Heat* explores the manner in which individual and collective resistance can cause fissures in a totalizing

¹⁴ P. Carlen, *Women's Imprisonment: A Study in Social Control* (London: Routledge, 1983); M. Bosworth and E. Carrabine, "Reassessing Resistance: Race, gender and sexuality in Prison" (2001) 3 *Punishment and Society* 501; J. Belknap, *The Invisible Woman: Gender, Crime and Justice* (Belmont, California: Thomson Wardsworth, 2007).

¹⁵ D. Wilson and S. O'Sullivan, "Re-theorizing the penal reform functions of the prison film: Revelation, humanization, empathy and benchmarking" (2005) 9 *Theoretical Criminology* 471 at p. 489

¹⁶ J. M. Sibley, "Patterns of Courtroom Justice" in S. Machura and P. Robson, eds. *Law and Film: Journal of Law and Society* (Oxford: Blackwell Publishers Ltd. , 2001) 97.

system. Their cinematic judgment of hegemonic structures governing women at the time of their production remains rich and relevant today. However, the current social and legal context may require new representational strategies for “radical rethinking” of the prison.¹⁷

Robert Stam argues that film genres are always available for reconfiguration.¹⁸

While I have limited my research to two articulations of the WIP sub-genres - the ‘melodramas’ of the thirties to the mid-fifties and the ‘exploitation’ films of the seventies - a number of films have been produced since *Caged Heat*. The most recent articulation of WIP films draw on both the social problem films that tackle the prison as an “industrial complex,”¹⁹ a warehouse of poor and racialized groups, and the titillation and intentional campiness of exploitation films where WIP conventions are employed to appeal to an expanding and diversified audience. *Civil Brand* (2002),²⁰ for instance, directed by Neema Barnette, a black American woman, reproduces many WIP plot conventions – sympathetic protagonists who have killed abusive men, mothers dealing with the pain and anxiety of separation from their children, sadistic guards, corrupt wardens - and reconfigures them to resonate with the current cultural moment - an emphasis on cultural verisimilitude foregrounding women from racialized groups who are poor and undereducated, criminalized for poverty offences and zero tolerance drug laws, forced to work in profit-driven privatized prisons. It attests to the reality that the women in prison stories still hold provocative and dramatic possibility and that there is an interest in serious attempts at exposing the oppression within American prisons.

¹⁷ Sudbury, *supra* note 2 at p. xii

¹⁸ Stam, *supra* note 1 at p. 128.

¹⁹ A. Davis, “The Prison Industrial Complex” in *Are Prisons Obsolete?* (New York: Seven Stories Press Open Media Series, 2003) 845.

²⁰ See Appendix.

One reviewer found that *Civil Brand* is a “failed attempt at examining the brutality, hypocrisy and corruption of the prison system”²¹ because it “draws a picture of oppressed vs. oppressor in a crudely black and white manner that’s almost unfathomable in its simple-mindedness.”²² I would instead argue that the ‘Baddies’ in the film - a black male guard who sexually assaults prisoners and a greedy black male warden who is complicit in the further marginalization of other Black Americans - are “mythologized”²³ characters engaging in “monstrous behaviour”²⁴ in an allegory of good and evil.

That said, I agree that *Civil Brand* and the next cycle of WIP films will be more persuasive in their critique of prison if they move beyond depicting how the prison “structures our everyday lives” without reifying the one-dimensional façade of the oppressive totalizing prison.²⁵ If, like *Caged* and *Caged Heat*, they “nourish dreams” about alternative, dignity-based forms of judgment and “encourage struggle for social transformation”²⁶ that denaturalizes women’s imprisonment, that may regain the filmic space of challenge of the WIP melodramas and their parodic sisters of the last century.

²¹ “Civil Brand” <http://www.cinemaspeak.com/Reviews/civilbrand.html> [Last retrieved July 28, 2007].

²² *Id.*

²³ R. Barthes, *Mythologies*. Trans. by Annette Lavers (New York, Hill and Wang, 1972).

²⁴ A. Burke “Life and Death in Suburbia” *Culture of Cities ... Under Construction* (Oakville: Mosaic Press, 2001) 147 at p. 149.

²⁵ H. Schuster, “Prison/Labor/Film: A Montage” (2002) 24 *Studies in Law, Politics and Society* 103 at p. 103.

²⁶ Stam, *supra* note 1 at p. 130.

APPENDIX 1
A Partial Annotated Women in Prison Filmography

***Acquitted* (1929) English. Black and White. Dir.: Frank Strayer; Screenplay: James Seymour; Starring: Lloyd Hughes, Margaret Livingston, and Sam Hardy. Columbia Pictures (NR).**

Marion (Margaret Livingston) is framed for murder by her gangster boyfriend Egan (Sam Hardy). She spends eight years in prison where falls in love with the prison doctor, Bradford (Lloyd Hughes). Upon release she tries to persuade Egan to confess his crime but he is unmoved. In a twist of fate, Bradford saves Egan's life. A changed man, Egan turns himself in to the police.

***Ann Vickers* (1933) English. Black and White. Dir. by John Cromwell; Screenplay: Jane Murfin, based on the novel by Sinclair Lewis; Starring: Irene Dunn, Walter Huston, Edna May Oliver, Conrad Nagle, Bruce Cabot, Mitchell Lewis, Murray Kinnell. RKO Radio (NR).**

Ann Vickers (Irene Dunne) takes a post at the Copperhead Gap Prison in order to be a part of the prison reform movement. There, she learns that the prison warden (Murray Kinnell) is ineffectual and that the "real boss of the prison" is Captain Waldo Drindle (Mitchell Lewis). Ann is disgusted by the violence she witnesses against the prisoners at the hands of Waldo and the matron, in addition to the hanging of a Black woman. While she tries to assist the women, she is largely unsuccessful and ultimately leaves the prison. However, her experiences there lead to her writing a best-selling sociological analysis of women's prisons. Shortly thereafter, she is named Superintendent of the Stuyvesant Industrial Home.

***Bad Girls Dormitory* (1986). English. Colour. Dir. and Screenplay: Tim Kincaid; Starring: Cary Zuris, Teresa Farley, Natalie O'Connel, Rick Gianasi, Rachel Hancock, Martia, Jennifer DeLora, Dan Barclay, and Donna Eskra. Films Around the World (R).**

Lori Christianson (Cary Zuris) is sentenced to the New York Female Juvenile Reformatory where she encounters toughened prisoners who have divided in a territorial battle over the prison and who makes overt sexual advances to her. The Warden (Terese Farley) seems oblivious to the circumstances that brought her charges to the prison and the corruption within its walls. Harper (Rachel Hancock) is a sadistic, butch lesbian guard. The dormitory doctor is a drug addict and a pervert. After a friend hangs herself, Lori quickly learns that she must adapt in order to survive. A kindly social worker, Don Beach (Rick Gianasi) wants to help Lori, but ultimately is unsuccessful.

***Bangkok Hilton* (1989) English. Colour. Dir. and Screenplay: Ken Cameron; Starring: Nicole Kidman, Denholm Elliott, Hugo Weaving, Joy Smithers, Jerome Ehlers.**

Kat Stanton (Nicole Kidman) is searching for her father who went missing on his travels back from London via Thailand. She makes friends with Arkie Ragan (Jerome Ehlers) who tricks her into carrying some luggage through Thai customs. When drugs are found in the bag, she is sentenced to spend time in the "Bangkok Hilton" where she befriends Mandy Engels (Joy Smithers). Mandy has been sentenced to death. Kat's lawyer Richard Carlisle (Hugo Weaving) battles with the authorities to have them both freed.

***Betrayed Women* (1956) English. Black and White. Dir.: Edward Cahn; Screenplay: Steven Fisher; Starring: Carole Mathews, Beverly Michaels, Peggy Knudsen, Tom Drake, Sara Haden, Esther Dale, John Dierkes, John Damler. Allied Artists (NR).**

The film is set in the Bayou Reformatory for Women in an unnamed Southern state. The State Governor is informed of abuses there and sends district Attorney Jeff (Tom Drake) to investigate. He arrives just as Honey (Beverly Michaels), a tough gun moll, is being booked. Honey is then introduced to the Queen Bee, Kate (Carole Mathews) who takes a disliking for her; Nora (Peggy Knudsen) who was engaged to Jeff once but is in jail for having stolen money to protect her brother; Darcy (Sarah Haden), the sadistic guard; a very unsympathetic warden (Esther Dale); and Cletus (John Dierkes), the warden's intellectually challenged brother. Kate and Honey temporarily join forces in order to plan an escape. They fail but try again, taking Jeff, Nora and Mrs. Ballard as hostages. They breakout successfully and meet up with Kate's gangster boyfriend Mabry (John Damler) who has plans for another heist. They get busted, Kate is shot by police and Mrs. Ballard has a heart attack. Honey forces Mabry to surrender, turns herself in, and absolves Jeff and Nora of any wrongdoing.

***Bird Cage, The* (1972) English. Colour. Dir: and Screenplay: Jack Hill; Starring: Pam Grier, Anita Ford, Candice Roman, Teda Bracci, Sid Haig, Roberta Collins, Carol Speed, Vic Diaz, Karen McKevic. New World (R).**

Set in a nameless "tropical island," *Bird Cage* begins with Blossom (Pam Grier), a nightclub singer, her boyfriend Django (Sid Haig), and their mostly female "comrades" breaking into the club to get financing for their "revolutionary cause." Their plan goes awry and a number of the women are captured by police and taken to a "jungle work camp" run by Zappa (Andy Centenera), a particularly vicious warden. There, we encounter Terry Rich (Anita Ford) an actor jailed for her having had an affair with a politician, Mickie (Teda Bracci), a Black woman who has "committed crimes against the State," and Karen McKevic who plays a lesbian character so violent she must be chained to her bed. Prisoners are punished by being put in the Big Bird Cage, a bamboo structure used as a sugar mill. Blossom and Django's attempted rescue of their friends results in blood shed and a riot. Luckily, a few of the prisoners survive and escape.

***Big Doll House, The* (1971) English. Colour. Dir: Jack Hill; Screenplay: Don Spencer; Starring: Pam Grier, Roberta Collins, Christiane Schmidtmer, Judy Brown, Pat Woodell, Sid Haig, Kathryn Loder, Charles Davis. New World Films (R).**

Doll House opens with Collier (Judith Brown) being taken to a prison in a large bamboo cage. She has murdered someone but seems 'innocent' in comparison to the other hardened cons: Karen Alcott (Roberta Collins), a tough buxom blonde; Helen Grear (Pam Grier), a butch dyke prostitute jailed because she had too much information on her government clients; Bodine (Pat Woodell) a political prisoner; Harrad (Brooke Mills), a hardened junkie who murdered her infant; and Ferina (Gina Stuart), whose crime is unknown. The women work in sweatshops and are routinely tortured by the sadistic guard Lucian (Kathryn Loder). When another prisoner is murdered, Alcott confronts the warden. She is blacklisted and Bodine is brutally tortured by Lucian. Bodine and Alcott plan an escape. The meek prison doctor, Dr. Philips (Charles Davis) inadvertently informs the warden Miss Dietrich (Christiane Schmidtmer) of the escape plan. While the women successfully escape, they are found and all of them are murdered except Collier.

***Black Mama, White Mama* (1973) English. Colour. Dir.: Eddie Romero, Screenplay: H.R. Christian, Joe Viola, Jonathan Demme; Starring: Pam Grier, Margaret Markov, Sid Haig. New World (R).**

This is an exploitative remake of *The Defiant Ones* (1958) and features Lee Daniels (Pam Grier), a sex worker, and Karen (Margaret Markov), a freedom fighter. They are in a women's prison in some unknown south-east Asian country where a brutal lesbian guard extorts sexual favours from the prisoners. On their way to being transferred to another institution they escape (handcuffed to one another). They evade authorities and a vicious drug-dealing pimp but Karen is killed in the final scene. Lee, with the help of the revolutionaries, manages to escape the island.

***Caged* (1950) English. Black and White. Dir: by John Cromwell; Screenplay Virginia Kellogg; Starring: Elenor Parker, Hope Emerson, Agnes Moorehead, Lee Patrick, Betty Garde, Jan Sterling. Warner (NR).**

Caged begins when nineteen year old Marie Allen (Eleanor Parker), convicted of being an accessory to an armed robbery, being processed by an intake officer. During her physical examination she finds out that she is pregnant. Shortly thereafter, she meets Kitty (Betty Garde), the Queen Bee and Evelyn Harper (Hope Emerson) the brutal matron who, assured in her position due to political ties, runs the ward like a private racket. The arrival of Elvira Powell (Lee Patrick), Kitty's long-time rival, disrupts the cell block. Elvira quickly dethrows Kitty and begins to show considerable interest in Marie. Marie is forced to give up her baby, her friend takes her own life, she has her head shaved by the matron, and is sent to solitary. Marie's disillusionment reaches its apex and she decides to become a prostitute.

***Caged Heat* (1974) English. Colour. Dir. and Screenplay: Jonathan Demme, Starring: Erica Gavin, Roberta Collins, Ella Reid, Juanita Brown, Rainbeaux Smith, Barbara Steele, Lynda Gold. New World Pictures (R).**

Jacqueline Wilson (Erica Gavin) is sent to "Connerville" for her part in a narcotics-robbery. Jackie manages to bonds with her fellow prisoners and fights the repressive tactics of the sadistic, wheel chair dependent warden (Barbara Steele). As sub-plot is the relationship between Pandora and Belle (Roberta Collins), a kleptomaniac. When Pandora is unjustly punished for and locked in solitary confinement, Belle steals food from the prison staff's refrigerator and smuggles it into her. When Belle accidentally kills a guard, she is drugged and sexually assaulted by the prison doctor and prepared to be lobotomized. Meanwhile Jackie and Maggie (Juanita Brown), who have undergone brutal electro-shock treatment break out of prison. Jackie wants to go back to spring out her cellmate Lavelle (Rainbeaux Smith), Pandora and Belle. With the help of Maggie's friend Crazy, the three women go back to save their friends. They arrive just as the doctor is about to drill into Belle's pre-frontal lobe. The women take the Superintendent and doctor hostage and in a shoot-out kill a number of the guards. They all escape unscathed.

***Caged Heat II: Stripped of Freedom* (1994) English. Colour. Dir.: Cirio H. Santiago, Screenplay: Rob Kerchner, Starring: Jewel Shepard, Pamela D'Pella, Susan Harvey, Chanel Akiko Hirai, Ed Crick, Vic Diaz, Ramon D'Salva, Bon Vibar and Totoy Torres. New Horizons Home Video (R).**

Caged Heat II starts with a dance show being put on for a King. During the performance, the King is shot and his daughter Princess Marga (Chanel Akiko Hirai) is kidnapped. It turns out

that the King's American mistress Amanda (Jewel Shepard) is a CIA agent and the King's death was staged. Marga, however, was actually captured by the mob and tried for treason for her father's crimes. She is sent to an island prison which Amanda infiltrates. Meanwhile, Marga befriends Lucy (Susan Harvey) another American – in prison for smuggling pornography – and together they deal with nasty Paula (Pamella D'Pella) who happens to be the warden's lover. An unsuccessful prison break results in rape and torture of both Amanda and Marga. There is a second attempt, however, and with the help of Lucy and a CIA agent (who has infiltrated the prison as a priest); the four race through the jungle to freedom.

***Caged Fury* (1984) English. Colour. Dir.: Cirio Santiago; Screenplay: Bobby Greenwood; Starring: Bernadette Williams, Jennifer Lane, Taffe O'Connell, Catherine March, Margaret Magick, Gina Alajar, Elizabeth Oropesa, Efren Reyes Jr., and Jose Mari Avellana. Saturn International (R).**

This is a 'jungle' WIP movie with a twist: a mad scientist plans to convert the lovely prisoners into zombie killing machines. Women are captured and brought to a brainwashing camp in Vietnam rather than an actual prison.

***Chained Heat* (1983) English. Colour. Dir.: Paul Nicolas ; Screenplay: Vincent Moingoi; Starring: Linda Blair, John Vernon, Sybil Danning, Tamara Dobson, Stella Stevens, Henry Silva. Jensen Farley (R).**

Carol (Linda Blair) is sent to an overcrowded women's correctional facility. She is locked in the midst of a violent gang war. Duchess (Tamara Dobson) is at the helm of the black prisoners and Ericka (Sybil Danning) is the leader of the white prisoners. Carol has to defend herself against other prisoners and guards. In addition, the warden, Bachman, (John Vernon), is running a drug and a prostitution ring and forces prisoners to make pornographic videos.

***Civil Brand* (2002) English. Colour. Dir.: Neema Barnette; Screenplay: Preston Whitmore and Joyce Renee Lewis; Starring: Lisa Raye, N'Bushe Wright, Monica Calhoun, Clifton Powell, Mos Def, Lark Voorhies, Da Brat. Lions Gate (R)**

One of the few WIP films to have an almost entirely black cast, *Civil Brand* depicts women forced to work under slave conditions in this "prison for profit." We encounter the protagonist Francis Shepard (Lisa Raye) - a new fish sentenced for having killed her abusive husband in self-defense - on a bus with other prisoners being brought to the Whitehead Correction Institute. While she witnesses violence among prisoners, she manages to secure close friendships with Nikki (N'Bushe Wright) a hardened lifer who wants desperately to regain custody of her child and Little Momma (Lark Voorhies) a young, pregnant, and bible quoting woman in jail for killing her stepfather who sexually assaulted her. We are introduced to the prison administration through the eyes of the idealistic Michael Meadows (Mos Def), a university student who was given a job as a guard through his family connections. The greedy and self-serving warden Nelson (Reed McCants) is a friend of Michael's father. While he holds all the power and profits from the institution, it is actually the misogynistic and violent Cap't Deese (Clifton Powell) who runs the joint.

***Company She Keeps, The* (1951) English. Black and White. Dir.: John Cromwell; Screenplay: Starring: Lizabeth Scott, Jane Greer, Dennis O'Keefe. RKO Radio (NR).**

This is a post-release film that follows Diane (Jane Greer) and her parole officer Joan (Lizabeth Scott). Diane falls in love with Larry (Dennis O'Keefe) who unbeknownst to her is also Joan's boyfriend.

***Concrete Jungle* (1982). English. Colour. Dir: Tom De Simone; Screenplay: Alan Adler; Starring: Tracy Bergman, Peter Brown, Jill St John, Barbara Luna, Nita Talbot. Pentagon (R).**

Elizabeth Demming (Tracy Bregman) is set up by her boyfriend Danny (Peter Brown) and charged with cocaine trafficking. She is sentenced to the Women's Correctional Institution. The Warden Fletcher (Jill St. John) is incredibly cruel and the Queen Bee, Cat (Barbara Luna) takes an immediate dislike for Elizabeth. Out of fear for her life, she remains quiet after witnessing Cat murder another prisoner, but soon after gets into a brutal scuffle with one of Cat's henchwomen and lands herself in solitary where she is raped by a guard. Shelly Meyers (Nita Talbot) however is a prison reformer. She rescues Elizabeth from the hole and together they team up to get evidence against Fletcher.

***Condemned Women* (1938) English. Black and White. Dir.: Lew Landers, Screenplay: Lionel Howser, Starring: Sally Eilers, Louis Hayward, Anne Shirley, Esther Dale, Lee Patrick, Leona Roberts, RKO Radio Pictures (NR).**

Linda Wilson (Sally Eilers) is a young working-class woman who is arrested for vagrancy. Hardened by life, she attempts suicide but is saved by Dr. Duncan (Louis Hayward). Duncan is the prison psychiatrist who favours psychological tests on the prisoners in order to learn about their personality and "vocational dispositions" in order to make their time in prison more "productive." He sees talent in Linda and falls in love with her. However, when the warden discovers their love, he tells Linda she must renounce her affection for Duncan: "Scandal will follow you. You're a convict." Determined to escape, Linda and another woman set up a plan but a riot ensues. All the rioters are assassinated except for Linda. At her hearing, the warden testifies to the mitigating circumstances that led to her attempted escape. While she must remain in prison for an additional year upon release she will be reunited with her man who has secured her permanent employment.

***Convicted Woman* (1940) English. Black and White Dir.: Nick Grinde; Screenplay: Joseph Carole, Alex Gottlieb, and Martin Mooney; Starring: Rochelle Hudson, Frieda Inescort, June Lang, Lola Lane and Glen Ford. Columbia Pictures (NR).**

Betty Andrews (Rochelle Hudson) is an innocent sent to prison for a department store theft she did not commit. Despite earnest efforts of her lawyer and social worker Mary Ellis (Freida Inescort) and a reporter, Jim Brent (Glenn Ford) on her behalf, she is sentenced to a year in jail at the Curtiss House of Correction. She meets Hazel (Lola Lane), the hard case who runs the joint; Duchesse (June Lang), the stool pigeon who extorts money from the other prisoners; Miss Brackett (Esther Dale), the heartless matron. Duchesse convinces Betty that for the right price she can help her escape. Betty asks Jim for the money in exchange for some information about one of the prisoners who has taken her own life. As a result of the story and public outcry, Mary Ellis takes over the prison with an eye on reform. Trouble ensues when the prisoners who lost the privileges they had bought from Brackett decide to retaliate. When Betty has earned a

temporarily leave, they pay off someone to prevent her from getting back by curfew. Jim saves the day: he finds Betty in time and helps uncover information establishing her innocence. The film closes with Jim and Betty beginning a romance.

***Convicted* (2004) English. Colour. Dir.: Bille August; Screenplay: Neal Purvis Starring: Connie Nielsen, Aiden Quinn, Kelly Preston. DEJ Productions.**

Charlotte Cory (Connie Nielsen) is on Death Row for the kidnapping and murdering of a child. Her attorney (Kelly Preston) and disbarred defence lawyer Frank Nitzche (Aiden Quinn) work together to have her sentence stayed. In the process Frank falls in love with Charlotte and discovers that she is innocent.

***Dance with a Stranger* (1985) English, Colour. Dir: Mike Newell, Screenplay Shelagh Delaney; Starring: Miranda Richardson, Rupert Everet, Ian Holm, David Troughton, Stratford Johns. Coldcrest Films**

The film provides context to the execution of Ruth Ellis, the last woman to be hanged in Britain in 1955.

***Délivrez-Moi* (2006) French with English Subtitles. Colour. Dir. Denis Chouinard; Screenplay: Monique Proulx; Starring: Céline Bonnier, Geneviève Bujold, Juliette Gosselin, Patrice Robitaille. TVA Film.**

Annie (Céline Bonnier) is released from jail and tries to renew her relationship with her teenaged daughter. While the actual prison is only shown twice in the film (once as she exists, once in a flashback shower scene), the metaphor of prison permeates the movie and the story tells us much about who occupies the space known as prison in reality: working-class women, survivors of violence, women with little to no post-secondary education

***Deported Women of the SS Special Section* (1976) trans. *Deportate della sezione speciale SS*. Italian with English Subtitles. Dir. and Screenplay: Rino Di Silvestro; Starring: Lina Polito, Stephanie Demario, Erma Shurer, Sara Sperati.**

Four women are sent to a Nazi concentration camp where they are physically and sexually abused. They eventually escape.

***Freeway* (1996) Dir. and Screenplay: Mathew Bright; Starring: Reese Witherspoon; Keiffer Sutherland.**

Fifteen year-old Vanessa Lutz's (Reese Witherspoon) step-parents have just been arrested. Rather than return to another foster home, she decides to take the road and find her grandmother. On her way, her car breaks down and she is picked up by Bob Wolverton (Keiffer Sutherland) a counselor at a school for at-risk boys. Bob slowly earns Vanessa's trust, and eventually convinces her to talk about her sexual abuse at the hands of her stepfather. Vanessa quickly realizes that Bob is enjoying what she is saying and that he is the notorious "I-5 Killer" who rapes and kills women he finds on the freeway. When he attacks her, she fights back and wounds him. She is arrested for attempted murder though she ultimately enacts her revenge.

***Female Prisoner Scorpion #701 (1972)* trans. *Shin joshuu sasori: 701-gô*, Japanese with English subtitle. Colour. Dir.: Shunya Ito; Screenplay: Tooru Shinohara; Starring: Meiko Kaji, Fumio Watanabe, Rie Yohoyama, Isao Natsuyagi, Yayoi Watanabe. Toei Tokyo. (R).**

The Female Convict: Scorpion series follows Nami Matsushima (Meiko Kaji) who is framed by her corrupt police-officer boyfriend. In prison, she experiences torture, rape and becomes obsessed with revenge against her boyfriend, the sadistic warden, Inspector Goda, and the other prisoners who have been cruel to her. She possesses seemingly super human power and single-handedly obliterates evil-doers of all sorts. The films are filmed almost entirely from her point of view. The film begins with Inspector Goda a cruel and sadistic prison warden receiving an award for his service to the community. Nami takes this opportune moment to try a prison break. She manages an ingenuous escape but is ultimately tracked down. Goda has her bound (following Japanese fetish film conventions) and thrown in a dungeon where she suffers terrible humiliation and torture. Nami, however, refuses to show remorse. She ultimately manages to win over some of the other prisoners' sympathy and together they stage a riot. The first of the *Scorpion* series, it establishes the themes that will run throughout.

***Female Prisoner Scorpion: Jailhouse 41 (1972)* trans. *Joshuu sasori: Dai-41 zakkyo-bô*, Japanese with English subtitle. Colour. Dir. Shunya Ito; Tooru Shinohara; Starring: Meiko Kaji, Fumio Watanabe, Kayoko Shiraiishi, Hiroko Isayama. Toei Tokyo (R).**

This film begins with Nami (Meiko Kaji) being crucified and raped by guards. As revenge, Nami and other prisoners hijack a prison bus and find a wise woman / witch who will curse anyone who would do Nami wrong. The film ends with all of the murdered women prisoners come back to life in a dream sequence

***Girls in Chains (1943)* English. Black and White. Dir. Edgar G. Ulmer; Screenplay Albert Reich; Starring: Arline Judge, Roger Clakr,obin Raymond, Barbara Petter, Dorothy Burgess, Clancy Cooper, Allan Byron, Patricia Knox.**

A teacher and psychiatrist, Helen (Arline Judge) is forced to resign from her position at school because of her association with the notorious Johnny Moon (Allan Byron), her brother-in-law who has managed to fandangle an acquittal for a murder he committed. Frank Donovan (Roger Clark), a detective trying to nail Moon offers to help Helen secure a job as a teacher at a girl's reformatory. She quickly learns that the Superintendent Marcus (Clancy Cooper) is crooked, that he and his staff have been embezzling the state-funded money for heat and food, and that the women are terribly treated. When Rita (Robin Raymond), Moon's lover is sent to the reformatory, Helen convinces her to change her ways, to drop Moon, and marry another suitor. She isgains the prisoners' trust through her concern for their well-being and her commitment to their education but her efforts at effecting true reform are thwarted by Marcus and the head Matron, Mrs. Peters (Dorothy Burgess). On Moon's orders, they set up Rita's murder. Helen is held responsible for her disappearance. However, a witness to the murder (Emmett Lynn) denounces the real killers and Moon and Marcus get their due. The film closes with Helen being appointed the new head of the reformatory.

***Girls in Prison* (1956) English. Black and White. Dir.: Edward L. Cahn; Screenplay: Lou Rusoff; Starring: Joan Taylor, Adele Jergens, Helen Gilbert, Lance Fuller, Jane Darwell, Raymond Hatton, Phyllis Coates, Diana Darrin, Mae Marsh. American International. (NR)**

Anne Carson is convicted of being an accessory to an armed robbery and sentenced to five years in prison. The sentencing judge seemed particularly peeved that she would not reveal where the \$38,000 loot was hidden. Ann is overwhelmed by her new surroundings and her fellow prisoners. Jenny (Adele Jergens) and Melanie (Helen Gilbert) are her tough cellmates and Dorothy (Phyllis Coates) seems to be insane. However, a goodly Catholic chaplain, Reverend Fulton, (Richard Denning) takes Anne under his wing in the hope of saving her. During an earthquake, Melanie and Jenny decide to break out; they force Ann to come with them so that she will lead them to the loot. A police chase leads to Ann's father's house and along the way both Melanie and Jenny are murdered. The film closes with Ann turning herself in with Reverend Fulton by her side; she turns over the money and there is hope that she will soon be paroled.

***Girls in Prison* (1994) Colour, English. Dir.: John McNaughton, Screenplay: Samual Fuller and Chista Lang, Starring: Missy Crider, Anne Heche, Ione Skye. American International (R).**

Parodying the original by the same name, this film follows Aggie (Missy Crider) a country musician in the 1950s who is framed for killing her manger and is sentenced to life at California State Penitentiary for Women. She quickly befriends Carol Madison (Ione Sky) and Melba (Bahni Turpin). The murderer for which Aggie is jailed was actually committed Jennifer (Ann Heche), a ruthless music producer and chameleon who infiltrates the jail to kill Aggie.

***Girls of the Big House* (1945) English. Black and White. Dir.: George Archainbaud; Screenplay: Houston Branch; Starring: Lynne Roberts, Virginia Christine, Marian Martin, Adele Mara, Richard Powers; Geraldine Wall, Tala Birell, Norma Varden, Stephen Barcaly, Mary Newton and Erskin Sanford. Republic (NR).**

Jeanne Crail (Lynne Roberts), a young and naïve small-town woman is framed for the theft of a wallet. She pleads guilty in order to keep her well-known father out of the papers and is sent to a women's prison. There, she encounters Bernice (Virginia Christine), a hardened criminal and Alma Vlassek (Tala Birell), in for having killed a man in the context of a crime committed by her husband and another woman. Unbeknownst to her, Bernice is that other woman. Jeanne escapes from prison to visit her father and her boyfriend Barton Sturgis (Richard Powers), a lawyer. To avoid any scandal, she returns to the prison on her own but is found out and punished. Alma's husband (Stephen Barclay) visits her and discovers that Bernice is also in jail. When Bernice suspects that he is interested in Jeanne, she attacks her and informs Barton about his girlfriend's whereabouts. When Alma pieces together that Bernice is her husband's lover, she murders her. Barton arrives to investigate; he manages to prove Jeanne's innocence and have her released from prison.

***Girl, Interrupted* (1999) English. Colour. Dir. and Screenplay: James Mangold, based on the novel by Susanna Kaysen; Starring: Wynona Rider and Angelina Jolie. Columbia Pictures.**

The film is based on writer Susanna Kaysen's account of her 18-month stay at a State mental hospital in the 1960s.

***Girls on Probation* (1938) English. Black and White. Dir.: William McGann; Screenplay: Harry Seymour; Starring: Jane Bryant, Ronald Reagan, Sheila Bromley, Anthony Averill, Henry O'Neill, Elisabeth Risdon, Sig Rumann, Dorothy Peterson, Susan Hayward. Warner Brothers (NR).**

Connie Heath (Jane Bryant) rebels against her strict father (Sig Rumann) and sneaks out with her friend Hilda Engstrom (Sheila Bromley) to go to a party. Hilda lends her a dress which gets torn; the dress, we find out, had been "borrowed" from the laundry facility where Hilda works. The shop owner (Susan Hayward) demands an investigation and Connie is arrested. She is released after repaying the owner for the cost of a new dress. A few months later, she runs into Hilda again and while chatting with her she finds herself at the center of an armed bank robbery, orchestrated by Hilda and her boyfriend Tony Rand (Anthony Averill). All three are arrested and sentenced to prison, however Connie wins the favour of her probation officer (Dorothy Peterson) who arranges for her parole and helps her secure work with the district attorney Neil Dillon (Ronald Reagan). Connie and Neil fall in love but when Hilda is released from prison she threatens to tell Neil about Connie's past and tries to extort money from her. However, Connie confesses to Neil and with his help she turns Hilda over to the police.

***Girls Town* (1959) English. Black and White. Dir: Charles Hass; Screenplay: Robert Smith; Starring: Mamie Van Doren, Mel Torme, Paul Anka, Ray Anthony, Maggie Hayes, Ray Anthony. Metro-Goldwyn-Mayer (NR).**

Silver Morgan (Mamie Van Doren) has a reputation for being 'wild' and is on probation for a minor crime; when a man is murdered after having been seen in public with her, she is immediately blamed for his death. However, rather being sent to prison or a girl's reformatory, she is placed in Girls Town, a Catholic institution run by nuns. Under the tutelage of the nuns Silver begins to 'reform.' Her younger sister Mary Lee (Elinor Donahue) is also sent to Girls Town for having participated in a drag race. Mary Lee confesses to Silver that she is in fact responsible for the man's death: he tries to sexually assault her.

***Godless Girl, The* (1929) Black and White. Dir.: Cecil B. DeMille. Story: Jeanie Macpherson; Starring: Lina Basquette, Marie Prevost, George Duryea, Noah Beery, Eddie Quillan, Mary Jane Irving, Clarence Burton, Dick Alexander, and Kate Price. Pathé (NR).**

Linda Craig (Judith Craig) is an atheist who runs the Godless Society and Bob Hathaway (George Duryea) is the head of a Christian youth organization. Bob and his friends organize to oppose the Godless Society and a riot ensues. Grace (Mary Jane Irving) is killed when a stairwell collapses. Judith and Bob are arrested and sent to a reform school, where they encounter a hardened convict, Mame (Marie Prevost) and a cruel head guard (Noah Beery). While Linda and Bob initially loathe each other, they band together and soon they fall in love. A fire breaks out at the school and Bob rescues both Linda and the cruel head guard. To reward his heroism, the state pardons the young lovers. In an epilogue, Linda converts to Christianity.

***Good Time Girl* (1948) English. Black and White. Dir.: David MacDonald; Starring: Jean Kent, Dennis Price. Eagle Lion Classics (NR).**

Gwen (Jean Kent) is a young working-class woman borrows a brooch from work and is caught returning it. The manager does not believe her and since she has repeatedly refused his sexual advances, he fires her. When Gwen returns home without a pay cheque, her father beats her. She runs away and finds herself at a boarding house where she meets a gang member who makes a pass at her. When she refuses, he also beats her, and humiliated, he vows to get revenge.

Gwen is framed for a petty crime and is sent to a reform school for three years. Rather than being 'rehabilitated' she learns all about crime and is released a hardened criminal.

***Hold Your Man* (1933) English. Black and White. Dir.: Sam Wood Screenplay: Anita Loos, Starring: Jean Harlow, Clark Gable, Dorothy Burgess, Muriel Kirland. Metro-Goldwyn-Mayer (NR).**

Jean Harlow plays a working-class dame who encounters Eddie (Clark Gable), a scam artist trying to dodge the police. The two exchange witty repartee, she covers for him, and they go their separate ways. Eddie is charged and sent to jail for robbery; while in prison he realizes he is in love with Ruby. He vows to make one more major heist and to marry his sweetheart. When the two get caught up in an accidental homicide, the comedic aspects of the film give way to sentimentality and melodrama. While Ruby enters the State institution tough-as-nails but misses Eddie terribly, attends Church regularly, and has a near mystical experience that transforms her into a law-abiding citizen. When Eddie discovers Ruby is pregnant, he breaks out of jail in order to marry and to her make an honest woman. Ultimately, the heroine leaves prison rehabilitated, a changed woman, resolute to be a good person.

***House of Women* (1962) English. Black and white. Dir: Walter Doniger; Screenplay: Crane Wilbur; Starring: Shirley Knight, Andrew Duggan, Constance Ford, Barbara Nichols, Margaret Hayes, Jeanne Cooper, Virginia Gregg. Warner Brothers (NR).**

Erica (Shirley Knight) is sentenced to five years at the State Penal Institution for Women for her part in robbing a supermarket. She is five months pregnant and is terrified about the stigma that will be hoisted on her child if born behind bars: "I'd rather lose it than have it in here". She gives birth to a girl but, unable to find a guardian to care for her while she completes her sentence, she is forced to hand her over to child and family authorities. Erica is assigned to the warden's private home where she will work as a domestic. Warden Cole (Andrew Duggan) is a cruel and sadistic man who treats the prisoners as less than human. Similarly, head matron Helen Jennings (Jeanne Cooper) confides that she "can't afford" to let herself care for her charges. However, the Warden falls in love with Erica and slowly begins to develop some compassion for the women in his prison. Her daughter Robin (Laurie Sheridan) spends her toddler years in prison but on her third birthday she requests early parole. Warden Cole who has now become possessive of her, blocks her parole and institutes a new rule that prisoners are to be separated from their children. Child and welfare authorities take Robin away. Meanwhile Sophie Brice (Constance Ford) starts a riot after the death of her son. She takes a number of hostage, guards and a parole board member Mrs. Hunter (Virginia Gregg) with intent to kill them. However, Erica and the kindly prison doctor (Jason Evers) manage to restrain Sophie and release the hostages. As a result of the media attention, Warden Cole is fired and replaced by sympathetic and somewhat reform-minded Zoe Stoughton (Margaret Hayes), Erica gets parole and is reunited with her daughter.

***Iron Jawed Angels* (2004) English Dir.: Katija Von Garnier, Screenwriters: Sally Robins, Eugena Bostwich Singer, Raymond Singer, based on a story by Jennifer Friedes; Starring: Hilary Swank, Frances O'Connor, Julia Ormond and Anjelica Huston. HBO Films (PG).**

This bio-pic tells the story of a group of passionate and dynamic women, led by Alice Paul (Hilary Swank) and Lucy Burns (Frances O'Connor), who put their lives on the line to fight for American women's right to vote. It includes prison scenes where they go on hunger strike insisting that they are political prisoners who have committed no crime for which they are brutalized and sent to solitary confinement.

***I Want to Live!* (1958) Black and White. Dir: Robert Wise; Screenplay: Nelson Gidding, Donn Mankiewicz (adapted from newspaper articles by Ed Montgomery and the letters of Barbara Graham); Starring: Susan Hayward, Simon Oakland, Virginia Vincent, Theodore Bickle.**

The film follows the true story of twenty-nine year old Barbara Graham who was executed on June 2, 1955 for her ostensible part in the killing of an elderly woman. We meet Barbara Wood (Susan Hayward) who agrees to be a false alibi for some friends but is ultimately found guilty of perjury. Upon release, she engages in various survival crimes but falls in love with a Henry Graham and decides to go "straight." His addiction leads to violence and poverty and she tells him to leave. Unable to support herself "legitimately", she starts to work for Emmett Perkins' gang. Perkins (Philip Collidge) and two other men, Santo (Lou Krugman) and King, rob and kill an elderly woman, Mabel Monahan. While Barbara maintains her innocence, she is also charged and arrested for murder. An epilogue written by Edward S. Montgomery states "You have just seen a factual story. It is based on articles I wrote, other newspaper and magazine articles, court records, legal and private correspondence, investigative reports, personal interviews – and the letters of Barbara Graham."

***Ilsa, She-Wolf of the SS* (1974) trans. *Isla, la louve des SS*. Dir.: Don Edmonds Screenplay: Starring: Dyanne Thorne, Greg Knoph, Sandi Richman, Jo-Jo Deville, Wolfgang Roehm. (R).**

In a World War II concentration camp, Commandant Ilsa (Dyanne Thorne) and her evil, blonde female cohorts conduct violent torture-based experiments on Jewish men and women. Ilsa's theory that women can withstand more punishment and pain than men can. The movie depicts sexual assault, forced prostitution, castration and sterilization, and medical experimentation on the Nazi's prisoners. In the end, an American male prisoner sexually satisfies Ilsa, leaving her vulnerable, and starts a riot.

***Isla, the Wicked Warden* (1977) a.k.a *Greta the Mad Butcher; Greta the Torturer; Wanda the Wicked Warden; Isla-Ultimate Power; Isla-Ultimate Torture*. Dir. Jess Franco; Screenplay: Starring: Dyanne Thorne, Linda Romay, Tanya Busselier, Eric Falk.**

In this variation, Ilsa is the sadistic warden of a South American prison masquerading as a women's clinic for sexually deviant women, especially prostitutes and lesbians.

***Jackson County Jail* (1976) English. Colour. Dir.: Michael Miller, Screenplay: Donald Steward, Starring: Yvette Mimieux, Tommy Lee Jones, Robert Carradine, Patrice Rohmer, Frederick cook, Severn Darden. New World.**

Dinah Hunter (Yvette Mimieux) is a successful advertising executive who is disillusioned with Los Angeles. She moves to New York City to take a new position with a smaller agency. Driving across the country, she picks up two hitchhikers, Bobby Ray (Robert Carradine) and Cassie Ann (Patrice Rohmer), who is pregnant. The pair are drug-addicts and desperate for another hit. They hijack the car, knock Dinah out, and steal her identification. She awakes on an Arizona highway and stumbles her way to the nearest town where she is met by law officials who do not find her credible. She is thrown into a holding cell next to Coley Blake (Tommy Lee Jones) who is awaiting extradition to Texas for murder. The Deputy jailer, Hobie, (Frederic Cook) rapes Dinah. She kills him by smashing a chair over his head and Coley decides to help her escape. While in pursuit of the two, the somewhat kindly sheriff (Severn Darden) dies in an

unfortunate car accident. Coley and Dinah hide out in a small town but the police eventually find them: she is shot, injured, and will most likely be charged and found guilty of murder, he's killed by the police.

***Jailbird Rock* (1988) 90 English (Canada), Colour Dir.: Phillip Schuman, Screenplay: Edward Kovatch; Starring: Rhonda Aldrich, Robin Antin, Ronald Lacey, Valchie Gene Richards. Continental Motion Pictures.**

This is a WIP film with a musical spin: a group of female prisoners decide to organize a variety show. Barbara is unfairly convicted for killing her abusive stepfather. Her love of music and dance brings a glimmer of hope to the dreadful conditions in the prison.

***Ladies of the Big House* a.k.a. *Ladies of the Mob* (1932) English. Black and White. Dir.: Marion Gering; Screenplay: Louis Welzenkorn; Starring: Sylvia Sidney, Gene Raymond, Wynne Gibson, Rockliffe Fellowes, Earle Foxe, Louise Beavers, Miriam Goldina, Esther Howard, Ruther Lyons, Hilda Vaughn, Jane Carwell. Paramount (NR).**

Kathleen Storm (Sylvia Sidney) is a shopkeeper who falls in love with Standish McNeil (Gene Raymond), a mining engineer. She is fearful, however, that Kid Athens (Earle Foxe), a gangster who has fancied her for years and who has sworn to kill any man with whom she becomes involved, will harm them. Standish nevertheless convinces his paramour to marry him but on their wedding day, they are set up by Kid for the murder of a police officer. They are both sent to jail: Kathleen, an accessory to murder receives a life sentence, Standish is sentenced to be executed. When Kathleen arrives at the Prison for Women, she encounters the usual suspects: a slovenly gangster moll (Wynne Gibson), a young pregnant woman (Miriam Goldina), an upper-middle class princess-type (Edna Bennett), the token black prisoner (Louise Beavers) and a snitch (Fritzi Ridgeway). She manages to convince the kindly warden, Mr. Hecker, (Frank Sheridan) to help her have her case re-opened. Hecker arranges for her to meet with the district attorney (Rockliffe Fellowes) who is actually on Athens's payroll and refuses to help her. Unable to integrate and devastated about her husband's immanent death, she decides to participate in a breakout attempt, which she hopes will bring attention to her case.

***Ladies they Talk About* a.k.a. *Women in Prison* (1933) English. Black and White. Dir.: William Keighley and Howard Bretherton; Screen play Sidney Sutherland, based on play by Dorothy Mackaye; Starring: Barbara Stanwyck, Preston Foster, Lyle Talbot, Lillian Rother, Maude Eburne, Harold Huber, Ruth Donnelly, Robert Warwick, Helen Ware. Warner Brothers. (NR).**

Barbara Stanwyck plays Nan Taylor, a gun moll who is an accomplice in a bank robbery. She is arrested but finds favour with local evangelist, David Slade (Preston Foster) who remembers her from childhood. Slade convinces the prosecutor to release her into his custody; moved by his kindness and honesty, Nan confesses her role in the robbery. Honour-bound, he retracts his offer and she is sent to the women's ward of San Quentin for a maximum sentence of two years. The filmic prison seems more like a dorm than a maximum security institution: women have their own rooms, play guitar, have their hair done, and work in the garden. At San Quentin she encounters Susie (Dorothy Burgess), an ardent follower of David Slade who takes an immediate dislike for Nan; the token black prisoner, Mustard (Madame Sul-Te-Wan) whose character is locked into the antebellum racist stereotypes of black women; a butch lesbian; a sadistic warden (Ruth Donnelly) who uses her parrot to threaten prisoners; the kindly buddy character Linda (Lillian Roth). Throughout Nan seems to oscillate between genuinely wanting to "go straight" and enacting her revenge on Slade. When two of the other members of her gang are

arrested and thrown in to the men's quarters, the gang leader Lefty (Harold Huber) visits Nan and convinces her to stage an escape. Despite moments of ambivalence, her loyalty to the gang ultimately takes precedence and she orchestrates an escape for the men. The plan is thwarted and Nan is convinced that it is Slade's doing. Upon release she goes searching for Slade, determined to kill him, but is instead convinced by him to give love a chance.

***Lady Gangster* (1943) English. Black and White. Dir.: Florian Roberts; Screenplay: Anthony Coldeway, based on the play by Dorothy Mackaye; Starring: Faye Emerson, Julie Bishop, Frank Wilcox, Virginia Brissac. Warner Brothers (NR).**

Dorothy Drew Burton (Faye Emerson) is an actress who gets involved with a criminal gang for whom she takes the rap for a \$40,000 robbery. However, before she is sent to prison, she steals the money and hides it, intending to use it as a bargaining chip to win her release from prison. When she arrives at the prison, she is told by the matron, Mrs. Stoner (Virginia Brissac): "the quicker you realize that this is neither a country club nor a concentration camp, the better. It's up to the women themselves how they're treated. If you behave yourself, we'll meet you more than halfway, but if you want to be tough, we can be tough with you."

***Lullaby, The* (1924) English. Black and White. Dir.: Chester Bennett; Screenplay: Hope Loring; Starring: Jane Novak, Robert Anderson, Fred Malatesta, Dorothy Brock, Cleo Madison. Film Booking Offices of America (NR).**

Newlyweds Felipa (Jane Novak) and Tony (Robert Anderson) move to New York City to begin their life together in the Italian district. They share their tiny flat with Pietro (Fred Malatesta) who repeatedly tries to seduce Felipa. One evening, Tony returns home from work to find Pietro making advances towards Felipa; a fight ensues and Pietro is killed. Tony is found guilty of first degree murder and is hanged. Felipa, who is pregnant, receives a twenty-year sentence. She gives birth to Antoinette (Dorothy Brock) who at age three is placed in an orphanage. Out of pure coincidence, Antoinette is adopted by the judge who sentenced Felipa to life in prison. After having served her full sentence, Felipa attempts to find her grown daughter (Jane Novak). They are reunited and Felipa is brought into Antoinette's new family.

***Manslaughter* (1922) Silent Photoplay. Black and White. Dir., Cecil B. De Mille; Screenplay: Jeanie Macpherson, based on the novel by Alice Duer Miller; Starring: Thomas Meighan, Leatrice Joy, Lois Wilson, John Miltern, George Gawcett, Julia Faye Paramount (NR).**

The film begins with Lydia Thorn (Leatrice Joy), who gets stopped for a police officer for exceeding the speed limit but bribes him with an expensive diamond bracelet. Later, when Evans (Lois Wilson), her domestic worker, pleads her for loan to move her dying child to warmer climate, she dismisses the request. Desperate, Evans takes some of Lydia's jewelry to pay for the escalating medical bills. When she is discovered, the Assistant district attorney Daniel O'Bannon (Thomas Meighan), who is madly in love with Lydia, calls on her to be compassionate. Lydia nonetheless agrees to appear in court to ask for clemency for Evans. However, she forgets to attend and Evans is sentenced to Auburn Prison for three to five years. Feeling guilty, Lydia does try to help Evans' son. While on an errand for the boy, the policeman to whom she had given the bracelet spots her and follows her with the intention of giving her back her jewels. Lydia misinterprets his pursuit and begins to speed. An accident ensues in which the police officer dies. In prison she suffers the humiliation but over time, Lydia adapts to the prison surroundings but she cannot get over her ill-feelings toward O'Bannon.

***Manslaughter* (1930) Dir and Screenplay adaptor: George Abbott, based on the novel by Alice Duer Miller; Starring: Claudette Colbert, Frederic March, Emma Dunn, Natalie Moorhead, Richard Tucker. Paramount (NR).**

This is a remake of the original De Mille film of the same name; Paramount remade it as a talkie. Daniel O'Bannon (Frederic March) still prosecutes his love interest Lydia Colbert (Claudette Colbert) for her part in a vehicular death, but in this version, he is more overtly determined to have one law apply to all classes. Lydia's transformation does not occur in jail but upon release when, determined to enact revenge on Dan, she ends up falling in love with him instead.

***Magdalene Sisters* (2002) Dir. and Screenplay: Peter Mullan; Starring: Geraldine McEwan, Anne-Marie Duff, Eileen Walsh and Nora-Jane Noone. CDI Films.**

Between the nineteenth century until the mid 1990s, 30.000 women were segregated in Ireland's "Magdalene Laundries", where nuns were brutal to young unwed mothers, sexual assault survivors or any other women accused of 'moral crimes.' Director Peter Mullan uses the WIP formula to tell a story about the women who were housed in these prison-like conditions. Geraldine McEwan plays the cruel Mother Superior

***Midnight Flower, The* (1923) English. Black and White. Dir.: Leslie T. Peacock; Starring: Vola Vale and Gaston Glass. Nelson. (NR).**

Myra (Vola Vale) takes part in a robbery that turns into a blood bath. Police find her with \$12,000 cash and she is sent to a women's prison. A young evangelist volunteering at the prison is determined to save her soul. He succeeds in getting her back on the path to righteousness. Upon release, she is rewarded when she discovers she is the long-lost daughter of the city's wealthiest family.

***Naked Cage, The* (1985) English. [DVD]; Dir. and Screenplay: Paul Nicholas; Starring: Shari Shattuck, Angle Tompkins, Lucinda Crosby, Stacey Shaffer, Christine Whitaker. Cannon (R).**

Michelle (Shari Shattuck) is separated from her no-good husband (John Terlesky) who decides to rob the bank where she works. During a shoot-out, he is killed and both his accomplice Rita Morani (Christina Whitaker) and the innocent Michelle are arrested. Both are sentenced to jail. Michelle befriends Amy (Stacy Shaffer) who tells her that another prisoner recently died of an overdose and that the drugs were being pushed by Sheila (Faith Minton) the cruel Queen Bee. She also quickly encounters guard Smiley (Nick Benedict), who sexually assaults vulnerable women, the cruel guard Martha (Susie London), and the warden (Angel Tompkins), a sexual predator who dehumanizes the prisoners. Brenda Williams, the head of the black faction of the prisoners protests the lack of adequate investigation in the death of one of her friends. The warden dismisses her. Meanwhile, Michelle is attacked by Rita who wounds quite badly and she is threatened by Sheila for refusing to comply with her rules. She also gets into trouble for insubordination and is sent to solitary where Smiley attempts to rape her. She fights back, however, and breaks his nose. A guard Rhonda (Lucinda Crosby) comes to Michelle's rescue and confides in her that she is an undercover police officer amassing evidence of corruption. Prisoners riot to avenge Ruby's death and enact their revenge on Smiley. Rita is killed in a fight. Michelle is released with Rhonda's help.

***Paid* (1931) English. Black and White. Dir.: Sam Wood; Screenplay: Lucien Hubbard, Starring: Joan Crawford, Robert Armstrong and Marie Prevost, Kent Douglass, John Miljan) Metro-Goldwyn-Mayer (NR).**

Mary Turner (Joan Crawford) spends three years in jail after being wrongfully convicted of stealing from the department store where she works. While incarcerated she learns all about the legal system and how to work it in her favour. She vows to get even with the system that landed her in jail: "You're going to pay for everything I'm losing in life." Once released, she runs an extortion racket against rich men and negotiates legal settlements. Out of revenge against her former boss Eddie (Tyrrell Davis), she marries his son Bob (Kent Douglas); though she soon falls in love with Bob. Eddie hires two men Joe (Robert Armstrong) and Red (George Cooper) to break into his house and to frame Mary. Mary discovers what they're up to and confronts Joe who kills Eddie. Mary is accused of the murder but Joe confesses to the crime and she is freed.

***Passion de Jeanne D'Arc* (1928). Silent. Black and White. Dir. and Screenplay: Carl Theodor Dreyer; Starring: Maria Falconetti; Eugene Silvain, Andre Berley, Maurice Schutz, Jean D'Yd. Societe generale des films. (NR).**

The film is a recreation of the trial and execution of Jeanne D'Arc. After being berated by Bishop Cauchon's questions and spit on by d'Estivet, Jeanne predicts her salvation and rescue. In her cell, priests interrogate her and judges deny her the Mass. Threatened with torture chamber and then offered communion if she recants, Jeanne steadfastly refuses. At a cemetery, a crowd of supporters urge her to recant which she does. Cauchon announces her sentence. In her cell, she has a vision and changes her mind. She is sentenced to burn at the stake. The film concludes with soldiers turning on the protesting crowd.

***Prisoners* (1971) English. Colour. Dir.: Martha Stuart, David Ruskin**

Women prisoners talk about their views on self-respect, sexuality within the prison, and the prison process which they view as dehumanizing.

***Prison Farm* (1938) English. Black and White. Dir.: Louis King; Screenwriter: Eddie Welch; Starring: Shirley Ross, Lloyd Nolan, John Howard, Carrol Naish, Porter Hall, Esther Dale, May Boley. Paramount (NR).**

Jean Forest (Shirley Ross) is in love with Larry Harrison (Lloyd Howard), a robber, a liar and a murderer. Larry convinces Jean that he has secured work in Winnipeg, Manitoba and that they should relocate there together and get married. On her way to meet her fiancé at the train, Jean's car runs out of gas; she is picked up by Noel Haskins (Carrol Naish) a prison guard at the Sunny Grove Prison Farm. Noel makes sexual advances which Jean refuses; when Larry catches wind of Noel's passes, a fight ensues. Noel arrests both Larry and Jean who are sentenced to six months each at Sunny Grove. Larry sews his stolen money into the lining of his coat to be stored until his release.

The prison farm doctor, Roi Conrad (John Howard) is a kindly and idealistic man who was himself sentenced to prison and has remained in order to help his fellow prisoners. However, his views are diametrically opposed to those of the sadistic superintendent Christon Bradby (Porter Hall). Jean and Larry are administered into the prison and are told that they will repay their debt to society with work. Jean is befriended by Sue (Mae Boley) who has spent the last decade in and out of the prison farm and Doctor Conrad is kind to her. However, she finds the

heavy work load difficult and the strict disciplinary rules push Jean to her limit. She falls behind in her work and is forced to put in extra time with a reduced food ration. When the work day is elongated by another hour for the entire women's section of the prison there is a riot; Sue is one of the leaders and is badly injured.

Larry pays Haskin \$500 to help his escape without Jean. However, Haskin discovers the hidden loot and tries to take it from Larry. Larry is shot. Before he dies, however, he clears Jean's name and tells witnesses about the corruption in the prison. Haskins is arrested; Dr. Conrad resigns and leaves the prison with Jean.

***Prison Girl* (1942) Black and White. English. Dir.: William Beaudine; Screenplay: Arthur St. Claire, based on the story "Gallant Lady" by Octavus Roy Cohen; Starring: Rose Hobard, Sidney Blackmer, Claire Rochelle, Lynn Starr, Jane Novak, Vince Barnett, Jack Baxley. Producers Releasing Corp. (NR).**

Dr. Rosemary Walsh (Rose Hobart) is sentenced to prison for having assisted in a patient's suicide. Nellie (Claire Rochelle) and Jane (Inez Cole) force to join them when they attempt to break out. With only one more month of time to serve, Rosemary vows to turn herself back in. However, hiding in out in a shack, she finds an elderly man who is in need of medical attention. When the local doctor, Steve (Sidney Blackmer) arrives he recognizes Rosemary from a wanted poster but offers to hide her. They fall in love and want to get married but the marriage bureau clerk recognizes Rosemary. Steve knocks the clerk out and the couple escapes. Rosemary goes to New York to ask Nellie for help but Steve is arrested for harboring on a criminal. Rosemary gets on the first bus, intent on testifying at Steve's trial to clear his name. However, just outside the courthouse, the bus crashes and she must help the passengers; Steve is permitted to go and assist and the trial is recessed. The couple saves the passengers tell their story and are both pardoned.

***Prison Girls* (1973) Colour. English. Dir.: Thomas DeSimone; Screenplay: Lee Walters; Starring: Robin Whitting, Angie Monet, Tracy Handufss, Maria Arroll, Liz Wolfe, Linde Melissa, Dorothy Dick, Claire Bow, Donna Sutter. United Producers (R).**

Dr. Vivian Reinhard is a well-meaning psychiatrist at the Santa Helena Women's Correction Centre. She arranges to have six prisoners, each with parole pending, released for a weekend. The police request that Cindy we followed in hope that she will lead them to her gangster boyfriend. Kay, a prostitute, returns to her boyfriend who has found another; Tracy visits her husband and they both reach orgasm for the first time. Joyce, who killed her husband, visits her brother-in-law; a biker gang breaks into his apartment and forces him to rape Joyce. Gerie and Toni meet up with a rich man and have a ménage-a-trois. Cindy meets up with her boyfriend; he tries to escape and they're both shot by police.

***Prisoners in Petticoats* (1950) Dir.: Philip Ford; Screenplay: Bradbury Foote; Starring: Valentine Perkins, Robert Rockwell, Danni Sue Nolan, Anthony Caruso, Tony Barrett, David Wolfe, Alex Gerry, Queenie Smith, Bert Conway. Republic (NR).**

Beverly Brent (Valentine Perkins) works as a musician at the *Bohemia Club*. Unbeknownst to her, the owner, Nicky Bowman (Anthony Caruso) is a gangster boss. One of Nicky's underlings, Steve London (Tony Barrett) double-crosses Nicky, steals his loot, and hides it in a suitcase that he leaves with the unsuspecting Beverley. Somehow the police trace the money to Beverly. She is arrested and sentenced to jail; even though district attorney Mark Hampton (Robert Rockwell) suspects she is innocent. In prison, she befriends an old-timer pyromaniac, Beatrice (Queenie Smith), who encourages Beverly to always claim her innocence.

She also meets Francis White (Sue Nolan) who is Nicky's girlfriend. Francis broke parole in order to be sent to the same institution as Beverley. The two escape but are followed by the police. Beverley has led everyone to the money but there is a shoot out and Nicky is shot. Once released, Beverly and Mark begin a relationship.

***Prison Without Bars* (1938) English. Black and White. Dir.: Brian D. Hurst; Screenplay: Egon Eis; Starring: Corrine Luchaire, Barry Barnes, Mary Morris, Lorraine Clewes, Sally Wisner and Vera Rice. United Artists. (NR)**

A teenage girl (Corrinne Luchaire) in reform school has a crush on the prison doctor (Barry K. Barnes). She must, however, compete for his attention with the reform-minded head matron (Edna Best.) Her friends (Mary Morris, Lorraine Clewes, Sally Wisner and Verena Rice) attempt to help her gain his affection by reeking havoc.

***Purgatory* (1989) English Colour. Dir.: Ami Artzi; Screenplay: Felix Kroll; Starring: Tanya Roberts, Julie Pop, Hal Orlandini, Rufus Swart, Adrienne Pearce, Marie Human, David Sherwood. New Star Entertainment (R).**

This exploitation flick follows two Peace Corps workers, Carly (Tanya Roberts) and Melanie (Julie Pop) who are based in a random African country. In the midst of a military coup, they are falsely arrested for drug smuggling and each handed eleven year sentences at the Rampot Prison. The cruel Warden, Commandant Beldsoe (Hal Orlandini) sexually assaults the women and forces them into prostitution. Melanie suicides after being repeatedly raped by guards; shortly thereafter, Carly and other prisoners start a riot and escape.

***Red Heat* (1985) English Dir. and Screenplay: Robert Collector; Starring: Linda Blair, William Ostrander, Sue Kiel, Sylvia Kristel. International Screen (R).**

Red Heat was filmed in West Berlin and takes place in Germany. Chris Carlson (Linda Blair), a university student, visits her fiancé Micheal (William Ostrander), an army Lieutenant, stationed in West Germany. In a case of mistaken identity, she is stopped by East German police who tortures her into falsely admitting to be a CIA agent. As a result she is sentenced to the Zwickaw prison for women, notorious for its psychological and physical abuse of prisoners. There, she encounters the cruel Warden Einbeck (Elisabeth Volman) and Sophia (Sylvia Kristel who stars in the *Emmanuelle* series), the Queen Bee, who rape the new fish and torment political prisoners. Chris' fiancé - without any support from the American Embassy - stages a rescue.

***Red Hot Tires* (1925) Silent. Black and White. Dir.: Erle Kenton; Screenplay: Edward Lowe; Starring: Monte Blue, Patsy Miller, Fred Esmelton.**

Elizabeth Lowden (Patsy Miller) is sent to jail by her father (Fred Esmelton), the chief of police, for speeding. Another speedster, Al Jones, (Monte Blue) is madly in love with Elizabeth and cons his way into the cell next to hers. When Elizabeth is kidnapped by crooks, Al rescues her and they elope.

***Reform School Girl* (1957) English. Dir. and Screenplay: Edward Bernds; Starring: Gloria Castillo, Ross Ford, Edward Byrnes, Ralph Reed, Luana Anders.**

Seventeen year old Donna (Gloria Castillo) is framed for a car theft that resulted in death. The driver Vince (Edward Byrnes) threatens to kill her if she talks to the police anything. She is

sentenced to a girls' reformatory. Vince is not convinced that Donna will keep quiet so he arranges for his girlfriend Josie (Luana Anders) to be sent to the reformatory. Josie hates Donna and upon arrival, she convinces a number of the hardened prisoners to make Donna's life difficult. In a fight, Donna stabs Josie in self defence and is to be transferred to the State Prison for Women. However, the prison psychologist (Ross Ford) discovers the truth behind Donna's actions. Meanwhile, Josie informs Vince that Donna has squealed to the police. Vince attempts to break into the Reformatory with intent to kill Donna. He is stopped at the gate however, and arrested. The innocent heroin is released.

***Reform School Girls* (1986) English. Colour. Dir and Screenplay: Ted DeSimone; Starring: Pat Ast, Wendy Williams, Linda Carol, Sybil Danning. New World Pictures (R).**

Jenny Williams (Linda Carol) finds herself wrapped up in a robbery staged by her boyfriend. She is sentenced to Pridemore Reform school for girls where she is stripped, showered and searched. DeSimone draws on stock WIP characters such as the leather-clad warden (Sybil Danning) who turns a blind eye to any abusive penology practiced by Head Matron Edna (Pat Ast); Charlie (Wendy O. Williams from the punk group *The Plasmatics* who took her life in 1998) who informs Jenny that "I'm all the stud that you need"; Dr. Norton (Charlotte McGinnis) the reform-minded psychiatrist who naively tries to help the girls; the fragile Lisa (Sherri Stoner) and her stuffed toy, a runaway from an abusive foster home; and tough as nails Nicky (Laurie Schwartz) who has seen the inside of a juvenile jail at least once before.

After Lisa's stuffed bunny is burnt, she collapses in the field from overwork and is terrorized by Charlie who wants to brand her back side as a sign of possession, Jenny decides to protect her and plan an escape. Jenny plans to seduce the man who drives them to their work detail; they have sex but he then hands her over to the guards. Jenny's put into solitary where she suffers corrective therapy; Charlie sexually assault and brands Lisa. When Jenny is released from solitary she is resolved to keep her head down and do her time. However, she finds a kitten in the field and gives it to Lisa. The vicious Edna finds it and stomps it to death. This leads to Lisa's mental collapse and takes her own life.

Dr. Norton is deeply disturbed by the goings-on in the reform school. She writes a report to the commissioner. During an investigation, Jenny and a group of prisoners take a guard hostage intent on voicing their concerns to the commissioner. A riot and gun shower ensues; Charlie and Edna are killed.

***Secret Fury, The* (1950) English. Black and White. Dir.: Mel Ferrer, Screenplay: Lionel Houser; Starring: Claudette Colbert, Robert Ryan, Jane Cowl, Paul Kelly. RKO Radio (NR).**

Ellen (Claudette Colbert) and David (Robert Ryan)'s wedding is interrupted when the bride is accused of already being married. Ellen insists that she is not married and in attempting to prove her innocence, she suffers a mental breakdown. The man she is already supposed to be married to dies under unusual circumstances and Ellen is charged with his murder. David is convinced of her innocence and vows to uncover the conspiracy behind her imprisonment.

***Seventeen Years* (1999) trans. *Guo nian hui jia*. Mandarin with English subtitles. Dir. Zhang Yan; Screenplay: Dai Ling; Starring: Li Bingbing. Kimstim. (NR)**

A teenager kills her sister in an argument over grocery money. She is sent to prison for life. A prison guard (Li Bingbing) takes pity on her and brings her home for the holidays; what follows is a moving and bittersweet family reunion.

***Slammer Girls* (1987) English. Colour. Dir: Chuck Vincent; Screenplay: Craig Horrall; Starring: Devon Jenkin, Jeff Eagle, Jane Hamilton, Ron Sullivan, Rally Brittany, Darcy Nychols, Stasia Micula. Lightning Pictures (R).**

The film opens with Jackson Caldwell (Ron Sullivan), a candidate for state governor giving a law-and-order campaign speech which he ends by urging voters to “put the word ‘death’ back in the dictionary.” Immediately after winning the election, Caldwell is shot in the groin by a mysterious blonde woman. The sweet and unassuming Melody Campbell (Devon Jenkins) is immediately suspected and, on her wedding night, is taken away by authorities. She is sentenced to 20 years in prison. When she arrives at the prison, she is greeted by the cruel head Matron Crabapples (Jane Hamilton) who in response to Melody’s pleas of innocence, snaps: “Pt that back in an old Susan Hayward movie” referring to the 50s classic *I Want to Live!* Shortly thereafter Melody witnesses a prisoner being brought to the electric chair pleading “I want to live ... I want to live”. Melody is labeled a trouble maker by Crabapple who warns the others that “If she acts up, you *all* die!” As a result, a gang of prisoners take Melody into the shower room where she is beaten and sexually assaulted.

Meanwhile Harry Weiner (Jeff Eagle), a reporter with the *Bad News Times*, discovers that Governor Cadwell owns the company that manufactures the electric chairs being supplied to the state. Harry dresses in drag and infiltrates the women’s prison where he searches for Melody in hope of discovering why she shot the Governor. It turns out that Melody is the illegitimate daughter the Governor abandoned years ago. When he hears the news, the Governor visits Melody and stands as best man in hers and Harry’s prison wedding.

***Snake Pit, The* (1948) English. Black and White. Dir: Anatole Litvak; Screenplay: Millen Brand, based on the novel by Mary Jane Ward; Starring: Olivia de Havilland, Mark Stevens, Leo Genn, Celeste Holm. Twentieth Century Fox (NR).**

Virginia Cunningham (Olivia de Havilland) wakes up to discover that she has been in a psychiatric ward for over five months. The story follows how she recovers with the help of a faithful male psychiatrist and her husband.

***So Young, So Bad* (1950) English. Black and White. Dir.: Bernard Vorhaus; Screenplay: Jean Rouverol and Bernard Vorhaus; Starring: Paul Henreid, Catherine McLeod, Grace Coppin, Cecil Clovelly, Anne Jackson, Enid Pulver, Anne Francis, Rosita Moreno. United Artists (NR).**

This film follows a group of young women who get punished for transcending standards of femininity; it features a sadistic warden and other reform-school conventions such as a kindly psychiatrists (Paul Henreid) trying to ‘save’ the girls’.

***Stranger Inside* (2001) English. Colour. Dir. and Screenplay: Cheryl Dunye, Starring: Davenia McFadden, Yolanda Ross, Rain Phoenix, Ella Joyce. HBO (NR).**

Director Cheryl Dunye seems to talk back to the exploitation-type WIP movies in *Stranger Inside*. Treasure Lee (Yolanda Ross) has been transferred from a juvenile to an adult institution for women; she stabbed a fellow prisoner in order to get closer to her mother who is a lifer at a state facility for women. The film portrays the brutality of prison life and shows that women in American prisons are predominantly from racialized groups, are poor, and undereducated. The film ends with statistics about women in prison in the United States, including that in 2001, 90,000 women were in prison and 90 percent of these were single

mothers. The screenplay is based on stories recorded by Dunye at the Minnesota Shakopee Women's Correctional Facility and shot at the non-operational Sybil Brand Institute for Women in East Los Angeles.

***Story of Molly X, The* (1949) English. Dir. and Screenplay: Crane Wilbur; Starring: June Havoc, John Russell, Dorothy Hart, Connie Gilchrist, Cathy Lewis, Elliott Lewis, Charles McGraw. Universal Films.**

Gangster gun moll Molly (June Havoc) moves to San Francisco where she and two of her recently murdered husbands' friends Cash (John Russell) and Rod (Elliott Lewis) embark on a streak of small crimes. However, Anne (Dorothy Hart), Rod's girlfriend, becomes jealous of Molly whom she senses Rod is quite taken by. Rod professes his love to Molly and confesses to having killed her husband. Molly shoots and kills Rod, and with the help of Cash, she disposes the body. Anne, however, tips off the police who find and arrest the pair. They are tried and found guilty of a lesser offence; Cash is sent to San Quentin and Molly to Tehachapi. The film was shot on location at California's Tehachapi Institution for Women located near a mountain chain and Dr. Norman Fenton, then Assistant director of the State Department of Corrections served as a technical adviser. The prison is portrayed as a progressive institution and Molly soon becomes a model prisoner. Despite a genuine change in Molly's demeanor, the police captain, Breen (Charles McGraw), remains convinced that Molly killed her husband. He sends Ann to Tehachapi to collect evidence against Molly; Anne is ultimately unsuccessful in pressuring Molly to confess. Once released on parole, she moves to Los Angeles to work and begin rebuilding her life. Ann visits and informs her that Cash has been found guilty of the murder after all. Molly rushes to the police station and hands over the murder weapon; she tells Breen that she is the real killer. However, Cash explains that Molly had merely wounded her deceased husband and that it was his shot that killed him.

***Swamp Women* (1956) English. Colour. Dir.: Roger Corman; Screenplay: David Stern; Starring Marie Windsor, Beverley Garland, Carole Mathews, Jil Jarmyn, Touch Connors, Susan Cummings.**

Lee (Carole Mathews) is a well respected and dedicated police officer sent undercover to the women's prison. Her mission is to find the location of some stolen diamonds. Three prisoners Josie (Marie Windsor), Vera (Beverley Garland) and Marie (Susan Cummings) were arrested for the theft and Lee plans to infiltrate their group, stage an escape and arrest them. They escape and spend the majority of the film in the bayou swamps wrestling alligators and each other. In the end, Lee enlists the help of a hostage played by Touch Connors, the diamonds are located, and the surviving prisoners returned to their cells.

***Terminal Island a.k.a. Knuckle Men* (1973) English. Colour. Dir. and Screenplay: Stephanie Rothman; Starring: Don Marshall, Phyllis Davis, Ena Hartmann, Marta Kristen, Tom Selleck. Dimension (R).**

The film takes place in the near future. California abolishes its death penalty and relocates lifers to the San Bruno Maximum Security prison located on a remote island without any law enforcement. Their only escape is the dangerously rough ocean water which is home to a school of sharks. The State Penal Code is amended so that prisoners sent to the island are declared legally dead. A number of prisoners live beyond the compound, among others, Lee (Marta Kristen) a bank robber, Joy (Phyllis Davis) who killed her husband, Dr. Milford (Tom Selleck), imprisoned for having euthanized a patient, Bunny (Barbara Leigh) who killed her parents. When new fish Carmen (Ena Hartman), an independent, self-sufficient woman, is air

dropped on the island, gangs are formed. When Lee tells Carmen that 'we're the property of every man on the island' meaning the women are chattel: they pull the plows in the fields and are sexually available to men, the women form their own gang.

***Vandetta* (1986) a.k.a *Angels Behind Bars* English. Colour. Dir.: Bruce Logan; Screenplay: Emil Farkas; Starring: Karen Chase, Lisa Clarkson, Lisa Hullano, Linda Lightfoot, Sandy Martin, Michelle Newkirk, Roberta Collins. Condorde Pictures (R)**

Bonnie Cusack (Michelle Newkirk) kills a man who sexually assaults her, is found guilty of second degree manslaughter, and is sentenced to two years at Duran Correctional Institute. When she is called "fresh meat" by the other prisoners she fights back and is told by the guard "this is a prison, not an ice hockey rink." Guards rape prisoners, prisoners beat and rape other prisoners, and drugs are everywhere. The Queen Bee, lesbian drug dealer Kay (Sandy Martin) has it in for Bonnie who refuses to submit to her authority. Bonnie is beaten, drugged, and pushed over the second story stairwell. The prison calls it a suicide and no investigation is made. Her sister Laurie (Karen Chase), however, is a stunt double and finds this suspicious. She steals a car and crashes into a local shop in order to get arrested and sent to the women's prison. She immediately gains the trust and friendship of a number of prisoners and uncovers the names of the gang members. One by one she kills each woman responsible for her sister's death. In a death fight with Kay, she is saved by Miss Dice (Roberta Collins) who shoots the gang leader. Laurie is released.

***Weak and the Wicked* (1954) English. Black and White. Dir. and Screenplay: J. Lee Thompson; Starring: Glynis Johns, Diana Dors, Jane Hylton, Sidney James, Harry Wicks. Associated British (NR).**

The film tells the story of two women in prison. Jean Raymond (Glynis Johns) is an upper-middle-class woman sent to prison for gambling. Like many of the romantic melodramas released around the same time, she is redeemed by the love of a good man. Babs (Jane Hylton) is a single mother who goes out a night dancing with her American boyfriend. In her absence one of her children dies.

***Why Must I Die?* (1960) English. Black and White. Dir.: Roy Del Ruth; Screenplay: Richard Burnstein; Starring: Terry Moore, Debra Paget, Phil Harvey, Bert Freed. American International (NR).**

The kindly if somewhat naïve Lois King (Terry Moore) occasionally serves as a 'look out' during her father's (Fred Sherman) and boyfriend Eddie's (Lionel Ames) petty theft. When a heist comes too close for comfort to ending badly, she decides to leave her father and become a club singer. Eddie finds her, however, and discovers that her new boss, Kenny Randall (Phil Harvey), keeps a substantial amount of cash in a safe at the club. With his new girlfriend Dottie (Debra Paget), an expert safecracker, Eddie forces Lois to give the security guard a sleeping pill in order for them to get inside the club. The break-in goes awry when Kenny unexpectedly comes to club. He is shot and killed by Dottie who escapes and Lois is charged with the crime. She is sentenced to die in the electric chair and much like *I Want to Live!* The prison sequences occur on death row while she awaits her sentence. Meanwhile, Dottie is charged for another offence and is sentenced to the same prison as Lois. The other inmates attempt to shame her into confessing that she is the killer and are successful, but too late: Lois is executed.

***Women's Prison* (1955) English. Black and White. Dir.: Lewis Seiler; Screenplay: Jack DeWitt and Crane Wilbur; Starring: Ida Lupino and Jan Sterling, Cleo Moore, Audrey Totter, Phyllis Thaxter and Howard Duff. Columbia Pictures (NR).**

The film takes place in a co-ed prison facility. The Superintendent of the women's section, Amelia van Zant (Ida Lupino) is pure evil and seems incapable of forming romantic attachments with men. Van Zant's brutality manifests itself when a new fish Helen Jensen (Phyllis Thaxter) demonstrates mental breakdown at being in prison. Helen is put into a straightjacket in solitary confinement where she falls into a coma. Dr. Crane (Howard Duff) is the kindly but largely ineffectual doctor who disagrees with Van Zant's methods and tries to protect Helene who is ultimately returned to general population. She is warned by fellow prisoner, Brenda Martin: "At first, you won't like it, but after you get used to it, you'll hate it". When Joan Burton (Audrey Totter) manages to sneak off to have sex with her husband Glen (Warren Stevens) who has infiltrated the women's quarters from the other side, Van Zant's full fury is unleashed. She beats Helen (now pregnant) to death. The prisoners, lead by Joan's friend and cell-mate Brenda (Jan Sterling) start a hunger strike, eventually riot, and take Van Zant hostage. When Glen hears the news of his wife's death, he falls into a mad frenzy determined to find and kill Van Zant. He dodges bullets and tear gas but is eventually shot down by prison guards. Dr. Crane convinces the women to spare Van Zant's life, who by then has lost her mind and will end up in a psychiatric unit.

***Women in Bondage* (1943) a.k.a *Hitler's Women*. English. Black and White. Dir.: Steve Sekely; Screenplay: Houston Branch; Starring: Gail Patrick, Nancy Kelly, William Henry, Tala Birell. Monogram Pictures. (NR).**

Margot Bracken (Gail Patrick) returns to Germany after being away. Under Hitler's regime, women have legal and social rights. When her friend Toni Hall is prevented from marrying, the two women are arrested for speaking out against the poor treatment of women. In prison they witness forced sterilization and torture at the hands of the Gestapo.

***Women in Cages*, a.k.a *Women's Penitentiary 3* (1971) English. Colour. Dir.: Gerry De Leon, Screenplay: James H. Watkins and David R. Osterhout; Starring: Judy Brown, Jennifer Gan, Pam Grier, Roberta Collins, Sophia Moran. New World Cinemas. (R).**

Sandy (Judy Brown) is an erotic dancer who is framed for carrying drugs by her drug-dealer boyfriend Rudy (Charlie Davao). She is the naïve new fish at a brutal prison for women in the middle of the jungle. Alabama (Pamela Grier) is a sadistic and embittered black lesbian warden who controls and tortures the prisoners. Sandy is subjected to the power-hose, de-lousing and hard labour. Alabama tortures Jeff (Judy Gan) hanging her up naked in a torture-room called 'the playpen' and drug-addicted Stoke (Roberta Collins) is spun naked on a spinning wheel. Sandy's innocence is soon shed when Stoke, paid off by Sandy's boyfriend, tries (unsuccessfully) to poison, choke, and burn her to death and she is subjected to electronic torture from Alabama. Shortly thereafter Sandy tries to convince Stoke, Jeff and Alabama's lover to escape. They take Alabama hostage and make their way to a boat that is waiting for them. Sandy, Stoke and Jeff make it to the escape boat, but Stoke leads them to a floating brothel-boat run by Rudy.

***Women in Prison* (1939) English. Black and White. Dir. Lambert Hillyer; Screenplay: Saul Elkins; Starring: Sarah Padden, Wyn Cahoon, Margaret Armstrong, Scott Colton, Mayo Methot, Ann Doran, Arthur Loft, Dick Curtis. Columbia Pictures. (NR).**

Maratha Wilson (Sarah Padden) is the superintendent of a women's prison. A woman is sent to her prison for her part in a robbery; she is also the only member who knows where the loot is. Her gang pressures the warden to help her gain a pardon but she refuses to do so. As a result, the warden's daughter is framed for manslaughter, found guilty (with the most obviously phony circumstantial evidence) and sent to the women's prison. The mob boss is shot down and before dying confesses to having framed the warden's daughter.

***Women in Prison* (1957) trans. *Jôshû to tomo ni*. Japanese. Black and White. Dir., Seiji Hisamatsu; Screenplay: Sumie Tanaka; Starring Setsuko Hara, Tinyo Tanaka. Tokyo Eiga Co. Ltd. (NR)**

This Japanese WIP movie was filmed in semi-documentary fashion and the story introduces a number of troubled women prisoners. A kindly guard called "the Angel" genuinely attempts to rehabilitate one of the younger particularly misfortunate prisoners.

***Women without Names* (1940) English. Black and White. Dir. Robert Flory; Screenplay: William Lipman, based on the play by Ernest Booth; Starring: Ellen Drew, Robert Paige, Judith Barrett. Paramount (NR).**

Joyce King (Ellen Drew) has inherited a boarding house after having served three years probation for her part in a robbery committed by her ex-husband, Walter Ferris (John McGuire). She meets and falls in love with Fred MacNeil (Robert Paige) and they decide to move to Tennessee and be married. When Walter unexpectedly shows up to Joyce's apartment with his new girlfriend Peggy Athens (Judith Barrett), he is trailed by detective Sergeant Reardon (Thomas Jackson). When Reardon confronts Ferris, he is shot and killed. Ferris plants the weapon at Joyce's and flees with Peggy. The police charge Joyce and Fred on purely circumstantial evidence; he is sentenced to be hanged for the murder of a police officer; she is sent to the women's wing of the same prison. Peggy's record grants her the respect of the other prisoners. Coincidentally, Peggy is charged with forging cheques and is sent to the same prison. Incredibly jealous that Joyce was married to Walter, Peggy sets out to make life difficult for her nemesis. They get into a scarp and Peggy convinces the guards that Joyce attacked her. Joyce is sent to solitary but her fellow prisoners intimidate Peggy until she confesses to the matron that she had in fact started the brawl. Joyce is released and she befriends Peggy who explains to her what actually happened the night of the murder. However when she tries to convey this to the Assistant District Attorney Jon Marlin (John Milijan) who is running for District Attorney on a law-and-order platform, he refuses to believe the confession. Peggy and Joyce wrestle the gun away from Marlin and force him to drive them to a newspaper that is eager to print the story. Peggy tricks Ferris into confessing the truth in front of witnesses, Joyce and Fred are released and are free to live happily ever after.

***Yield to the Night* (1955) English. Black and White. Dir. J. Lee Thompson; Screenplay: John Cresswell; Starring: Diana Dors, Yvonne Mitchell, Michael Craig, Marie Ney. Kernwood Productions (NR).**

This film is inspired by a novel by Joan Henry which tells the story of Ruth Ellis, the last woman hanged in the U.K. Through flashback sequences it tells the story Mary Hilton (Diana Dors) murders her boyfriend's mistress. The film makes a powerful anti-capital punishment statement.

***99 Mujeres a.k.a. 99 Women a.k.a. Isle Of Lost Women a.k.a. Prostitutes in Prison* (1969) Italian / German with English Subtitles. Dir.: Jesus Franco, Screenplay Jesus Franco and Anya Corvin; Starring: Maria Schell, Maria Rohm, Elisa Montes, Luciana Paluzzi, Hebert Lon, Mercedes McCambridge, Rosalba Neri, Valentina Goday Paramount (R).**

Jesus Franco adds a 'women-in-prison' storyline to his career built on exploitation films. In *99 Women*, three women (Maria Rohm, Elisa Montes and Luciana Paluzzi) are sentenced to a prison island somewhere off the Panamanian coast. There, they endure rape and other forms of torture at the hands of Thelma Diaz (Mercedes MaCambrige), the sadistic lesbian warden whose overacting adds a particular kind of campiness to the film. When a more sympathetic warden (Maria Schell) takes over for Diaz the prisoners see a window of opportunity for escape.

Telefeatures and Documentaries

***A Mother's Right: The Elizabeth Morgan Story* (November 22, 1992) Dir.: Linda Otto; Starring: Bonnie Bedelia, Pam Grier, Rhoda Griffis, Dan Albright, and Bob Hannah.**

This made-for television film is based on Dr. Elizabeth Morgan's life. She is sent to prison after refusing to reveal the whereabouts of her daughter. Elizabeth maintains that she is hiding her daughter from her ex-husband who was sexually abusing her.

***Against their Will: Women in Prison* (October 30, 1994) a.k.a. *Against Their Will: Women in Prison; Caged Seduction: The Shocking True Story*. Dir: Karen Arthur; Starring: Judith Light, Stacy Keach, Tonya Pinkins.**

Against their Will tells the story of lawlessness inside a women's maximum security prison. Judith Light plays a woman falsely accused who is sexually assaulted, extorted and threatened by the other prisoners. She survives her stint in jail and when released she becomes a prison reform activist.

***Angela Davis: Portrait of a Revolutionary* (1972) English. Black and White. Dir.: Yolande DuLart**

Interview with Angela Davis about her time spent in prison as a result of her activism with the Black Panthers. It includes footage from UCLA and the women's house of detention

***Born Innocent* (September, 10, 1974) NBC-TV. Dir.: Donald Wrye; Starring: Linda Blair, Joanna Miles, Kim Hunter, Richard Jaeckel, Allyn Ann McLerie, and Mary Murphy.**

Fourteen-year old Chris Parker (Linda Blair who later starred in other WIP exploitation flicks *Chained Heat* (1982), *Concrete Jungle* (1982) and *Red Heat* (1985)) is brought to a girls' reformatory for having run-away from home. Street wise and pretty, she is soon made a ward of the court and remanded to a juvenile detention home. There, she meets and befriends Janet (Sandra Ego), a young Aboriginal woman who is prone to self-harm ('cutting') and Josie (Tina Andrews), a young black woman who, at the age of ten, was sold to prostitution by her mother. However, while taking a shower, she is sexually assaulted by Moco (Nora Heflin) a domineering lesbian and her gang. Chris attempts to run away to her parents, who ultimately decide that the detention center is the best place for her.

***Cage Without a Key* (October 8, 1981) CBS-TV. Dir.: Ross Bellah; Starring: Susan Dey, Jonelle Allen, Sam Bottoms, Michael Brandon, Anne Bloom and Karen Carlson.**

This made for television film stars Susan Dey (formerly of the 'Patridge Family) as seventeen-year-old Valerie Smith who is sent to San Marcos School for Girls (an institution under the purview of the Department of Youth Authority). She had hitched a ride after her car broke down and when the driver Buddy (Sam Bottoms) makes a pass at her and she refuses, he forces her to join him in a liquor store holdup. A murder occurs and they are both arrested; Buddy cuts a deal with the Crown but as revenge for turning down his advances, he insists that Valerie was a willing partner in the crime.

At San Marcos she meets Sarah (Dawn Frame), a teenaged drug addict whose mother turned her over to the police, the dogmatic matron, Mrs. Turner (Karen Morrow), and two gang leaders, Tommy (Jonelle Morrow) and Suzy (Susie Elen). While Suzy is manipulative and steals from Valerie, Tommy defends her when another prisoner tries to sexually assault her. Valerie also suffers for her relative close relationship to staff: another young woman throws a vat of boiling fat at her and she suffers terrible burns. There is considerable violence among prisoners one dies from a head injury; the girls are frequently put into solitary or locked down in their cells. Valerie hardens over time. The final voice-over postscript states: "... Two billion dollars on pets, but on children locked in reform schools, two hundred million dollars. That's ninety percent less than we spend on dogs and cats."

***Convicted: A Mother's Story* (February 2, 1987) NBC-TV. Dir.: Richard Heffron; Starring: Ann Jillian, Kiel Martin, Gloria Loring, Fred Savage, Christa Denton, Veronica Redd, Jenni Gago.**

Billie Nickerson (Ann Jillian) is a single mother working for a taxi company. Her boyfriend (Kiel Martin) pressures her to borrow \$10,000 from her boss; when she gets him the cash he quickly disappears. She is sentenced to jail for embezzlement. While trying to cope with physical and psychological imprisonment, she is also forced to face the nasty Queen Bee, Angie (Jenny Gago). Her problems continue after release: the custody of her children is put into question and her boyfriend re-emerges wanting to start over.

***Girl Called Hatter Fox, The* (October 12, 1977). CBC-TV. Dir.: Goerge Schaefer, based on the novel *Hatter Fox* by Marilyn Harris; Starring: Joanelle Nadine Romero, Ronny Cox, Conchata Ferrel, John Durren, and Mira Santera.**

Hatter Fox (Joanelle Nadine Romero) is a young Aboriginal woman incarcerated at the Ranfield Reformatory for Girls in New Mexico and has been labeled an "incorrigible." 'Hattie' is

locked in a doghouse to keep her segregated from other prisoners. Dr. Teague Summer (Ronny Cox), a physician with the Bureau of Indian Affairs is asked to do an assessment of her because of violent outbreaks and other disciplinary issues. Summer is disturbed by the way Hattie is being treated, who is kept tied to a bed during their visits. However, with the help of a nurse (Concheta Ferrell), they discover that Hattie was sexually assaulted at the Indian mission school she was forced to attend as a child. She believes that she is cursed by some ancient spirits. The Doctor works with Hattie to help her unlearn her superstitions and she is released into his custody.

***Guilt By Association* (March 13 2002) a.k.a. *Coupable par amour*. Dir.: Graeme Campbell; Starring: Mercedes Ruehl; Trevor Blumas, Alberta Wlash and Alex Carter.**

Susan Walker (Mercedes Ruehl) and her children have just moved in with her new boyfriend Rusell (Alex Carter) who, unbeknownst to her, is a drug dealer. The police raid the house and she is arrested and sent to a women's prison for twenty years. She must learn to deal with violent prisoners and their sexual advances while trying to establish her innocence. The story is based Susan Walker's life.

***I Want to Live* (May 9, 1983). ABC-TV. Dir.: David Lowell Rich; Screenplay: Don Mankiewicz; Starring: Lindsay Wagner, Martin Blasam, Pamela Reed, Harry Dean Stanton.**

The television version of *I Want to Live* provides more early contextual information than the original feature: Barbara has no family, she was sent to a girl's reformatory at a young age, she experiences inappropriate sexual advances by men at young age, she marries a soldier who goes off to war, she leaves their child with her mother-in-law.

***Love, Mary* (October 8, 1985). CBC-TV. Dir.: Robert Day; Teleplay: Clifford Campion; Starring: Kristy McNichol, Matt Clark, David Paymer, Rachel Ticotin, Piper Laurie, Leslie Wing, Wayne Robson.**

The prison itself serves more as a backdrop to this story about the resilience of the human spirit. Rebellious teenager Mary Groda (Krisy McNichol) is housed at the Hollyridge Reformatory for some minor misdemeanors. One night she runs away with a boy who has stolen a car. The police find her and return her to the Reformatory where a sympathetic counselor Rachel (Rachel Ticotin) who takes her under her wing. With time, it becomes apparent that Mary has a learning disability: she is dyslexic. With the help of Rachel, she develops a new approach to learning and her grades and interest in school increase dramatically. The film concludes with Mary having enrolling in medical school.

***P4W: Prison for Women* (1981) Dir. Holly Dale and Janis Cole. NFB**

Holly Dale and Janis Cole go inside P4W, Canada's only all-female federal maximum security prison and provide the women with a venue to talk about their life stories. Filmed on location in Kingston, Ontario.

***Too Young to Die?* (February 26, 1990) NBC-TV. Dir. Robert Markowitz; Starring: Michael Tucker, Juliette Lewis, Brad Pitt, Michael O'Keefe, Emily Longstretch, Alan Fudge, Laurie O'Brien.**

Sue Bradley (Juliette Lewis) was sexually assaulted by her step father, married under age, was forced into prostitution and convicted of murder all before her seventeenth birthday. *Too Young* takes place on death row where she awaits assassination. The film ends with the following postscript: "In 1989, the United States Supreme Court decided that states have the right to execute minors who are sixteen years and older for capital offences. There are presently twenty-eight teenagers on death row waiting to die."

***Turning to Stone* (1985) a.k.a. *Concrete Hell* English. Colour Dir.: Eric Till; Screenplay: Judith Thompson; Starring: Nicky Guadagni, Shirley Douglas, Jackie Richardson Paul Gross. CBC (NR).**

Allison Campbell (Nicky Guadagni) is arrested after her perfidious boyfriend played by Paul Gross strong arms her into smuggling cocaine from Mexico. He disappears as the police approach her to search her bags. When she is sent to jail, Dunkirk (Jackie Richardson) greets her with "if you don't find friends in here then there won't be diddly squat left of you" and Lena Novak (Shirley Douglas), the Queen Bee whose in a relationship with Sharon (Anne Anglin). Dunkirk befriends and protects Allison, especially from Lena. Over time, Allison becomes determined to do her time, keep her eyes lowered, and get out as soon as possible.

***Within these Walls* (August 20, 2001) ABC-TV. Dir. Mike Robe; Starring: Ellyn Burstyn, Laura Dern, LaTanya Richardson**

Embittered and broken Joan Thomas is sent to prison on drug charges. In jail, she encounters Sisters Pauline Quinn who has suffered a terrible tragedy. The two women bond over a pet rehabilitation program through which Joan learns to train guide dogs.

***Women in Chains* (January 27, 1972) ABC-TV. Dir.: Bernard Kowalski; Starring: Ida Lupino, Lois Nettleton, Jessica Walter, Belinda Montgomery, Penny Fuller.**

Sandra Parker (Lois Nettleton) is an undercover parole officer investigating a suspicious death at a women's prison. She is locked up under phony charges as Sally Porter and encounters Claire Tyson (Ida Lupido) who plays the cruel chief prison administrator who has refused promotion possibilities to remain where she. Sally is soon targeted by Tyson for asking too many questions.

***Women of San Quentin* (October 23, 1983). NBC-TV. Dir.: William Graham; Starring: Amy Steel, Stella Stevens, Debbie Allen, Hector Elizondo, Earl Billings.**

This is a film about the women guards at San Quentin. The new guard, Elizabeth Larson (Amy Steel), is given a tour by another guard who tells her: "the prisoners will expect you to treat everybody fair. Imagine that?" and "We have a no-hostage policy. We try and stall them as long as we can to get guns into place ... then we order them to release the hostages. Then we go in, one way or the other."

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