

Suzanne Bouclin

Women, Film, and Law: Cinematic Representations of Female Incarceration (Vancouver: UBC Press, 2021). 224 pp.

Most people in North America will only ever encounter the legal system through film and television. Yet there is little doubt that these images shape and reflect people's assessments of our justice system. On the one hand, the provincial court of British Columbia has recently had to explain that, contrary to popular imagery, Canadian judges do *not* use gavels.¹ On the other hand, activists for women's reproductive rights have donned the red dresses of the dystopian *Handmaid's Tale* as adapted for television. Suzanne Bouclin's *Women, Film, and Law: Cinematic Representations of Female Incarceration* (2021) is a powerful demonstration of how legal scholarship can be enriched by engaging with this reality.

While scholars have recognized the potential film holds for legal research,² most law/film scholarship focuses on courtroom dramas³ or treats film as an entertaining pedagogical tool.⁴ *Women, Film, and Law* uses law and film to demonstrate how "prisons are archaic, violent, totalizing institutions without justification that set up the women they warehouse to fail."⁵

Suzanne Bouclin's book examines Women-in-Prison (WIP) films and how they engage with incarcerated women as imagined in North American cinema. She argues that WIP films constitute their own genre and provides a genealogy of the genre's evolution from Carl-Theodor Dreyer's *The Passion of Joan of Arc* (1928) to contemporary series like *Orange Is the New Black* (2013–2019) (*OITNB*). After critically analyzing over 300 films, she found that Dreyer's interpretation of the story of Joan of Arc established foundational elements of the WIP genre, such as the theme of female subjugation in patriarchal societies. Beginning with Dreyer's 1928 film, she establishes four distinct cycles within the WIP genre: social problem films (1930s–1950s), exploitation films (1970s–1980s), realist dramas (1990s–2000s), and dramedies (mid-2000s–present).

The book uses six case studies, five movies and one television series, to highlight how each cycle of WIP films engages with the formal and informal legal regulation of women. *Ann Vickers* (1933), a social problem film, looks at reproductive rights

¹ "Do Canadian Judges Use Gavels?" (8 May 2018), online: *Provincial Court of British Columbia*. www.provincialcourt.bc.ca/enews/enews-08-05-2018

² See, e.g., Ruth Buchanan and Rebecca Johnson, "Strange Encounters: Exploring Law and Film in the Affective Register," *Studies in Law Politics, and Society* 46 (2009): 33–60. See also William P. MacNeil, "You Slay Me: Buffy as Jurisprude of Desire," *Cardozo Law Review* 24, no. 6 (2003): 2421–2440, and Jothie Rajah, "A Minor Jurisprudence of Spectacular War: Law as Eye in the Sky" *Law Text Culture* 21 (2017): 252–275.

³ See, e.g., Steve Greenfield, Guy Osborn, and Peter Robson, *Film and the Law: The Cinema of Justice*, 2nd ed (Portland, OR: Hart Publishing, 2010).

⁴ See, e.g., Guy Osborn, "Borders and Boundaries: Locating the Law in Film," *Journal of Law and Society* 28, no. 1 (2001): 164–76, at 165–69.

⁵ Suzanne Bouclin, *Women, Film, and Law: Cinematic Representations of Female Incarceration* (Vancouver: UBC Press, 2021), at 133.

and feminist advocacy of the early twentieth century. *Caged!* (1950), released near the end of the social problem cycle, examines how class and sex intersect to leave some women with a limited range of life choices. *Caged Heat* (1974), an exploitation film, not only discusses mental illness in prison but explores themes such as formal and substantive gender equality. *Stranger Inside* (2001) and *Civil Brand* (2002), realist dramas, look at the racialized nature of the American carceral system and its impact on notions of “motherhood” and “family.” Finally, Bouclin examines *OITNB*, a modern dramedy with nods to social problem films and the exploitation cycle. This series, in her view, pushes for a reframing of prisons to ask one fundamental question: why do we need women’s prisons?

Bouclin’s analysis of *OITNB* is limited to the first five seasons of the series. Admittedly, including the series’ final two seasons would have enriched the author’s analysis, especially given the themes of racial inequality explored in the show. However, the strength of her analysis leaves us expecting her next book to be equally forceful.

One of the book’s lasting impacts lies in its methodology. With her background in film studies, Suzanne Bouclin has developed a typology of law/film scholarship:⁶

- (1) “Film’s law,” the practical legal framework of film production;
- (2) “Law in film,” research to demystify blackletter law for students;⁷
- (3) “Law and film,” research that looks at the intertextual relationship between law and film; and
- (4) “Cinematic law,” research examining the affective and aesthetic dimension of law and film to move beyond a traditional literary close reading. The genealogy of the WIP genre in the first chapter of *Women, Film and Law* outlines the cinematic law of WIP films.

Bouclin’s typology allows the aspiring law/film scholar to situate themselves within the field and provides multiple methods for leveraging the power of film within legal research. While *Women, Film, and Law* is not a focused study of film methods, Bouclin nonetheless provides a workable methodology for other researchers. Drawing on Genette’s and Kristeva’s poetics, she invites legal scholars to engage in transtextual analysis of films.⁸ This approach enables the legal scholar to critically evaluate “all that sets the text in a relationship, whether obvious or concealed, with other texts.”⁹

Many see the focus of studying “law” as looking at bodies of complex, overlapping rules that stem from court decisions and legislation. This perspective holds legal reasoning and analysis to the same objective standard as scientific reasoning.¹⁰

⁶ Ibid. at 11–13.

⁷ Osborn, *supra* note 4 at 165–69.

⁸ See Gérard Genette, *Palimpsests: Literature in the Second Degree*, transl. Channa Newman and Claude Doubinsky (Lincoln, NE: University of Nebraska Press, 1997), at 1.

⁹ Ibid.

¹⁰ Rebecca Johnson and Ruth Buchanan, “Getting the Insider’s Story Out: What Popular Film Can Tell Us About Legal Method’s Dirty Secrets,” *Windsor Yearbook of Access to Justice* 19 (2001): 87–110, at 89–90.

The quest for “objective truth” artificially limits the material that legal scholars engage with. As a result, the influence film has on the general public’s understanding of law and justice is easily overlooked. Heated scenes of lawyers protecting their client during a police interrogation might be a common climax in crime dramas, but in Canada, at least for adults, a lawyer is not allowed to be physically present during an interrogation.¹¹

Women, Film, and Law expands the reach of law/film research that previously centred on courtroom dramas.¹² Bouclin persuasively uses a feminist lens to demonstrate how film engages with formal legal systems and gives a methodological guide to prospective law/film scholars. *Women, Film and Law: Cinematic Representations of Female Incarceration* should be on the reading list of those interested in harnessing all the potential law/film has to offer.

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¹¹ See, e.g., “Know Your Rights: Right to Counsel Upon Detention or Arrest” (31 May 2022), online: *Edelson Law Barristers* edelsonlaw.ca/blogs/right-to-counsel/.

¹² See, e.g., Steve Greenfield, Guy Osborn, and Peter Robson, *supra* note 3.