

## **Legal Consequences of the Media’s Relationship with Domestic Violence**

**By: Jennifer Godbolt**

*It Ends with Us* is a film that premiered on August 9, 2024. This film is based on a Colleen Hoover [novel](#) of the same title. Press swirled and intensified in the lead-up to the movie release, with significant criticism on the way the movie was being advertised. [It Ends with Us](#) is a movie that centers an abusive romantic relationship. Unfortunately, this was not clear in the [movie’s advertisements](#), which directed viewers to “grab your friends, wear your florals and head out to see it.” The stark disjunction between the peppy portrayal of the film and the navigation of a critical topic that is intimate partner violence is one that is not uncommon in mass media. With the recent release of the film adaptation of [Wuthering Heights](#), it reignites the discussion of how domestic violence and romance are interwoven and celebrated in popular media. Moreover, this tragic dichotomy significantly and negatively impacts survivors and their path to justice.

[Intimate partner violence](#) is a “pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.” Domestic violence and intimate partner violence are, unfortunately, very common. [Statistically](#), 1 in 4 women and 1 in 7 men will experience such violence in their lifetime.

While there are many theories around how and why popular culture develops, one thing is for certain: it is deeply entwined with the way we live our lives. Because some argue that law and popular culture should not mix at all, we must be hyper-aware of when it does.<sup>1</sup> Popular culture

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<sup>1</sup> Angela M. Nickoli et al., *Pop Culture, Crime and Pedagogy*, 14 J. CRIM. JUST. EDUC. 149, 150 (2006).

and media, as a significant route to obtaining information, have become areas where an attorney can connect with and persuade juries.<sup>2</sup> In general, jury members as reliable consumers of popular culture are also likely informed by such media. Having a jury pull their understanding of intimate partner violence from depictions in popular culture creates obstacles for survivors to navigate as they pursue justice.

Popular culture has normalized violent and problematic aspects of romantic relationships. *Twilight* and *Fifty Shades of Grey* are two examples where abusive elements are interwoven in depictions of romance in such a way that they may appear facially un concerning. However, these are still [problematic](#) at their core, and they influence viewers. While viewers may not immediately engage in such behavior, they are still saturated in such depictions affecting the way they understand such problematic dynamics [presented in media](#). With an [increase](#) of 120% between 2004 and 2009, depictions of domestic violence are everywhere. Research indicates there is a “[moderate positive correlation](#) between exposure to media aggression and domestic violence perceptions.” Those who have consumed media that has “high levels of violence and sexual content” likely share a more “[rape-supportive attitude](#).”

The media fails on many different fronts when presenting incidents of intimate partner violence. Frequently, like in *It Ends with Us*, the media represents a “[clean break](#)” or the idea that a partner experiencing violence can leave abruptly, and that resolves the abuse. Media also typically emphasizes violence as the main form of abuse, as opposed to emotional or financial abuse which can be more [common](#). Finally, the media has frequently fixated on an abuser’s likelihood of [changing](#) their behavior for the better or on the survivor changing their identity to accommodate the abuser. These depictions are not only false, but they also perpetuate a deep and

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<sup>2</sup> Jessica M. Silbey, *What We Do When We Do Law and Popular Culture*, 27 L. & SOC. INQUIRY 139, 143 (2002).

significant misunderstanding of the reality of what it means to experience intimate partner violence.

These erroneous representations show up in many different forms of media, in ways that sometimes aren't even recognized by the viewers. They show up in children's movies, like *Beauty and the Beast*, for example, which shows [Belle](#) navigating a harmful and imbalanced power dynamic with the Beast as her captor. In *Grease*, [Sandy](#) famously reveals herself in an all-black outfit in the final scene to impress Danny, her love interest. Importantly, this new version of herself symbolizes an abandonment of her reasonable boundaries that were a point of contention throughout the film. These examples of problematic relationship traits display how media can condition the public to be less likely to recognize abuse for what it is, because they've seen it in ways that seem harmless, and because they are celebrated in the media.

Beyond the conduct of abusers, the media also attempts to characterize abusers and survivors through various depictions. More commonly, media representations depict perpetrators as being openly aggressive, with obvious qualities that identify them as a more of a bad person, compared to the reality where abusers take many forms with different [strategies](#) for effectuating their abuse. For example, perpetrators of violence use the [DARVO](#) scheme when trying to manipulate the survivor. [DARVO](#) stands for deny, attack, reverse victim and offender. Abusers deny any abusive conduct, they "attack the survivor's credibility, and then [portray themselves](#) as the true victim." Survivors are often represented as being "weak and vulnerable" with an emphasis on conduct that is considered more [respectable](#) and centered on Whiteness. In courtroom shows like *Judge Judy* or *The People's Court*, female plaintiffs are frequently reprimanded by the presiding judge, implying they are responsible for the misfortune they experienced.<sup>3</sup> These

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<sup>3</sup> Greta Olson, *Feminist Perspectives on Criminal Justice in Popular Culture*, OXFORD RSCH. ENCYCLOPEDIA CRIMINOLOGY & CRIM. JUST., Oct. 26, 2017, at 1, 15.

archetypes confuse fact-finders' ability to believe survivors because the reality of such experiences generally doesn't align with the oversimplified version of what is frequently consumed and shared in the media.

Media doesn't always have to be an obstacle to justice for a survivor of intimate partner violence. In the ways it can create harmful depictions of domestic violence that are reductive and unrealistic, however it can provide more accurate depictions that [inform](#) the audience. *Big Little Lies* has been celebrated as a piece of media that has "give[n] [visibility](#) to the intricacies of intimate partner violence" through depictions of physical, sexual, and psychological abuse. Realistic depictions of intimate partner violence include the many forms abuse can take, not just physical abuse. When the media pulls this off, it can be a source of validation and [empowerment](#) for survivors. It can even provide support for wide systematic reform by fostering attention and public interest.<sup>4</sup>

It's vital that our attention stays with popular culture's depictions of intimate partner violence because intervention is crucial for protecting survivors.<sup>5</sup> No single theory can independently address the causes of intimate partner violence, so it's imperative that we address every angle of how we are informed on how to perceive the reality of domestic violence.<sup>6</sup> We must continue to be hypercritical of popular culture and how it represents intimate partner violence, because it shapes the public's understanding of what it means to identify intimate partner violence and empathize with those who experience it. Ultimately, "[t]his process of social construction does not abandon truth; it situates it."<sup>7</sup>

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<sup>4</sup> Ann Taket, *Book Review: Gendered Domestic Violence and Abuse in Popular Culture*, 39 AFFILIA: FEMINIST INQUIRY SOC. WORK 369, 369–70 (2022).

<sup>5</sup> Christopher D. Maxwell, *Prosecuting Domestic Violence*, 4 CRIMINOLOGY & PUB. POL'Y 527, 527 (2005).

<sup>6</sup> Cheryl Hanna, *The Paradox of Hope: The Crime and Punishment of Domestic Violence*, 39 WM. & MARY L. REV. 1505, 1512 (1998).

<sup>7</sup> Silbey, *supra* note 2, at 156.