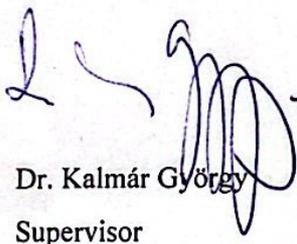


University of Debrecen
Doctoral School of Literary and Cultural Studies

**“When a Rape Case Gets Derailed:
Portraying a culture of disbelief in *Unbelievable*”**

Dissertation Chapter
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Context of the Subchapter

Being an extension of the public sphere, the media will never be a neutral space. The root of what is communicated in the media describes the contours of contemporary societal frameworks by focusing on the inequalities of the offline world. Since the inception of the medium, violence's depiction has drawn filmmakers to explore its potential for cinematic stylization. Movie violence has attracted audiences so deeply and incessantly that one might argue with much justification that depictions of violence constitute one of cinema's essential pleasures and appeals for viewers (Prince 279). However, the presence of violence has also provoked the efforts of filmmakers to censor and regulate this medium.

In the media, certain kinds of perpetrators and victims of sexual abuse attract different levels of coverage¹ therefore the deliberation of public affairs is fraught with difficulties for women and minorities (Harmer 2). Terms such as "date rape" are frequently implied as miscommunications between the victim and the perpetrator who knows the victim prior to the assault, thus minimizing the violence women experience. The sympathetic coverage of rape cases in the visual media is dependent on the perception of victims/survivors' sexual morality, social class, education, race, and ethnicity, and the central question in press reporting of sexual violence shifts from "what kind of man?" to "what kind of woman?" which instantly increases the public's attention on their behavior (Harmer 3). One of the biggest challenges in women's experiences of sexual violence is disbelief which Harmer refers to as an example of networked misogyny that attempts to silence women by trivializing their stories (5). The reliance of the judicial system on medico-legal evidence in rape cases shapes a static definition of what counts as evidence. The subjective understanding of evidence and truth offers a reductive view of the victims' body-subjectivity relationship. It is essential to consider the gendered aspect of those involved in rape investigations because this is what contours the cultural interpretation of rape complainants. As shown in the series, the male investigators set a standard of truth that is almost unattainable to be met and consequently denies the right of rape complainants to receive justice.

Introduction

¹ Cases most likely to be reported include stranger assaults, inter-racial assaults, sexual murder and serial rape even though most sexual assaults are committed by those known to the victim (Harmer 3).

This subchapter seeks to understand the origin of the culture of disbelief by exploring initially the extent to which disbelief permeates contemporary medical and judicial opinion in *Unbelievable*, and therefore limits justice for rape complainants. It attempts to demonstrate how, influenced by disbelief, rape is treated rigidly as a question of science and law, rather than a question of individual experiences.

Unbelievable is a Netflix series that intentionally reinvestigates the rape victims' consciousness by challenging cinematic constructs and utilizing narratives where, opposing rape myths, a woman does not necessarily need to be sexually appealing to the rapist and the rapist does not need sexual stimulation to rape. It uncovers the rape story of Marie Adler, an eighteen-year-old victim of sexual abuse, whose story was doubted by the male investigators. The series is divided into eight agonizing episodes and two different timelines depicting the life of Marie in Washington on the one hand and on the other the stories of four women in Colorado raped by the same man. The series is based on the book *A False Report: A True Story of Rape in America* (2015), written by T. Christian Miller and Ken Armstrong, two Pulitzer Prize-winning journalists who describe the real rape story of a teenage girl named Marie. It is important to note that the story takes place in America, thus Susannah Grant's cinematic lenses criticize the dysfunctional criminal justice system in the U.S. and its law enforcement. Grant foregrounds some of the strategies characterizing the power of women's cinema in the process of imaging, where women are not regarded as *femme fatale* and men, not as the evil incarnate.

What makes *Unbelievable* different from other rape-focused films and series is that it builds a narrative that centers on unlocking the real roots of disbelief coming from sexual abuse while identifying different patterns which lead to that distrust in the first place. It foreshadows the core human truths of Marie and connects the audience to her story by igniting a feeling of recognition, a desire to identify with her. The series' core conflict is Marie's treatment by detectives Pruitt and Parker after she confesses that she was abused. What provides crucial tension and suspense is Marie's treatment as being in a state of dishonesty by default, and also her being forced to recant her statement. Her struggle toward being believed by the male detectives as the two opposing forces drives the plot.

Years after Marie's rape, details of her story coincide with those that two female detectives from Colorado, Rasmussen and Duvall who were working on a series of rape, were investigating. The presence of Rasmussen and Duvall in the series, their humanity and their

attempts of acknowledging the subjective realities of sexually abused women work as important elements that give closure to the narrative. At the same time, they raise awareness of the suffering of another person as something to be alleviated and resolve the external conflict created between Marie and the male detectives.

The series focuses on three perspectives: Marie's as the rape survivor, the male detectives representing the hermeneutics of suspicion by neglecting the existence of rape, and the female detectives as the hermeneutics of empathy (the determined ones who would spend considerable screen time running down leads and connecting dots). This intersection that the narrative offers through the presence of male and female detectives explores the moral dilemma of truth that Pruitt and Parker were facing while introducing a compassionate approach to investigation through Rasmussen and Duvall.

Through two different investigative approaches, the series questions the effect of social paradigms in the interrogation process and the overlapping of medical and judicial aspects in a rape investigation. *Unbelievable* offers devastating insights into the social mechanisms of police procedures that too often, as visually represented, decelerate the law enforcement investigation and prevent rape victims from being believed. It further raises a whole set of questions relevant to the present study: Can the progression of "science" and "evidence" be interrupted by cultural ideals and misogyny? How can these gender-based paradigms influence the stereotypical investigation of rape cases? Can disbelief corrupt professionalism?

Defining the sanctuary of truth: When distrust corrupts authority

To see where we properly trust, we must map the contours of our distrust, states Baier (175), and make sure that a climate of trust exists before we can expect the virtues that sustain it because some degree of trust is the starting point and very basis of morality (ibid 179). *Unbelievable* is the correct example of how distrust governs the response of professionals. It accentuates the weaknesses of an already contaminated system of justice that lacks the ethics of trust and is easily "bribed" by human fallibility and inconsistent discourse.

One of the most prominent ways of undermining Marie's testimony was through comments that outwardly expressed skepticism about the accuracy or validity of what was being reported. Questioning the evidence which supports sexual harassment and assault operates in a similar way to rape myths which are generalized and false beliefs about sexual violence that

trivialize incidents of sexual violence or suggest that it did not occur (Harmer 7). According to McMillan, there is a “hierarchy” of presumed false allegations that ranges from vengeful/malicious to mistaken/ confused, with a corresponding reduced level of culpability attributed to women for the supposedly false allegation (1).

The obsession of detectives Pruitt and Parker with Marie's confession becomes a limiting factor in the development of her case and prevents everyone from her truth. By denying the legitimacy of her narrative (see fig.1), they create a hypertrophy of the apparatus of distrust and intensify its dominance in their investigation. The institutional power that they both represent is the monopoly of power that leads them permanently in their jurisdiction, and by all means, enhances their authority. As opposed to them, Marie's influence is narrowed down to being an inferior subordinate due to the fallibility of her speech. The inconsistencies of her story were used as an entry ticket to the world of falsity where she is the leading character. Once her truth was negated, Marie felt trapped in their alienation and was impotent to revolt against the degradation of her situatio

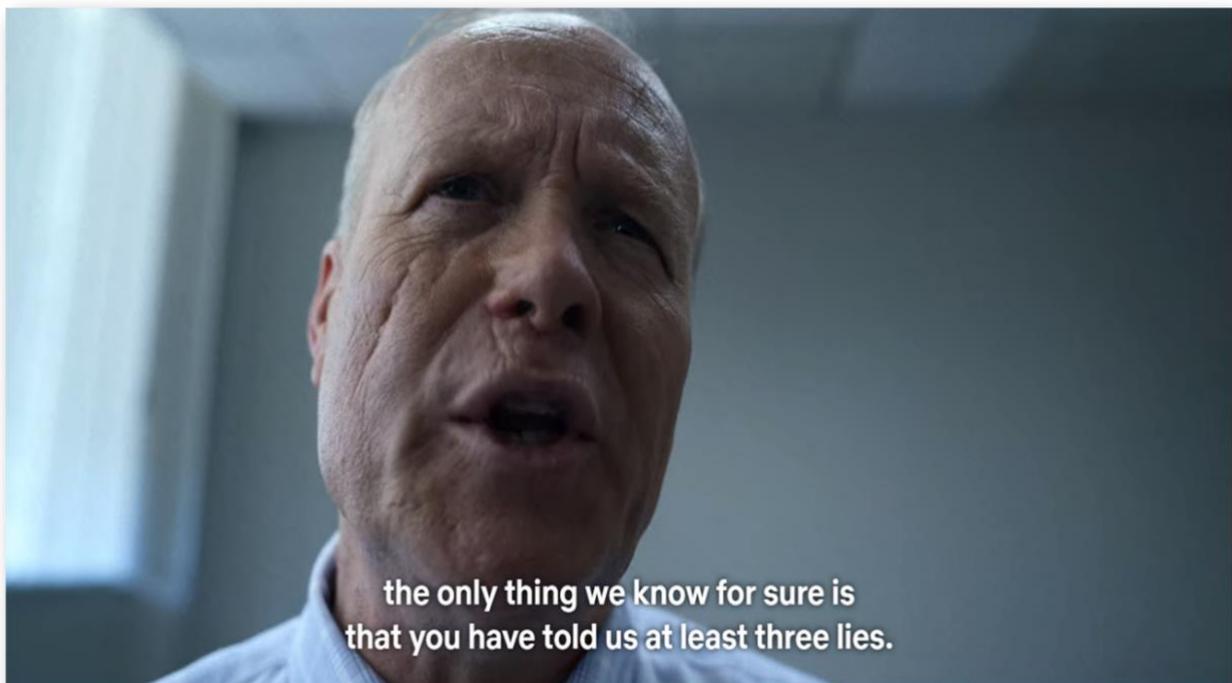


Fig 1: Detective Pruitt intimidating Marie during the interrogation; Episode 1, Netflix 2019.

Although there is a question of trust, it is not because Marie is misleading the detectives. It is their inherent judgment of her story which clouds their judgment and challenges them while building her case. This in turn motivates them to overlook the inconsistencies of her story, mold the facts, create the illusion that she was lying in order to seek attention and even weaken the

links of her relationship with her friends and acquaintances. Using distrust as their main motivator prevents them from fulfilling their role as mediators of justice.

Rape myths and the “science” of disbelief: The ethics and dynamics of trust and distrust

Sexual harassment and violence are structural problems that are routinely experienced by women and women’s lived experiences are essential for understanding sexual harassment and violence. Disbelief may involve a refusal to accept that a rape has occurred. It may be expressed through unwarranted doubts and inaction. Harmer perceives disbelief toward rape as dismissing sexual violence and individualizing the problem: implying that the men perpetuating it are “crazy”, under the influence of drink or drugs, or are criminals (12). Philip N.S. Rumney, a former professor of Criminal Justice, states that a culture of disbelief points to a work-based practice shared by a significant proportion of police officers² which negatively impacts case decision-making. A *culture* of disbelief does not require a mindset or practice shared by all police officers, but it must be more than a trivial number (Rumney 1).

The “medicalization of falsity” is a “specific combination of power and knowledge” and authorizes “the idea that science can be used to make a female body speak despite, or even to spite, her testimony” (Huda 3). The culture of disbelief largely defines medical and judicial opinion. The “high probative value” given to medical evidence can be used to contradict the complainant’s testimony:

[...] injuries in specific parts of the complainant’s body are sought by doctors and judges as corroborative “signs of rape”. If no “signs of rape” are found, this observation is then noted in the medical report and used to discredit the testimony of a rape complainant, by indicating that either the sexual intercourse was consensual or the rape accusation is false (Huda 1).

Inconsistencies are routinely interpreted as false allegations despite the fact that consistent stories in such circumstances are quite unlikely considering the impact of trauma, the difficulties of taking and recording statements, inadequate questioning styles on the part of police officers, and a mismatch between the level of details expected by police officers and that

² This raises issues as to why these myths and stereotypes persist for some officers but not others.

which complainants feel able to provide (McMillan 7). Other indicators of falsity include a lack of detail in the story, a lack of cooperation with criminal justice procedures including the forensic medical examination, the amount of alcohol a woman had consumed, and in a few cases, a lack of injury on the complainant's body (ibid).

The above-mentioned indicators mirror the persistence and damaging effect of stereotypes surrounding women's bodies and lives. Norms and values that operate within the rigid hierarchy of police organizations reinforce a predominately masculine culture where 'rape work' does not generally fit well. As a result, biased judgments about gender, sexuality, deceit, regret, women's bodies, and the truthfulness of women's accounts are likely to flourish in this climate of hegemonic masculinity (McMillan 11).

What is trust?

Trust is an attitude based on beliefs and expectations about what others are likely to do. When we trust others, we expect them to act in helpful ways, or at least not harmful to us. We have a sense that they are persons of integrity, persons capable of reliable action, well-motivated, with proper concern and respect for others. Our present situation is one of considerable distrust. If our societies would focus more on generating systems in which relationships are constructed on partnership rather than dominance, this would presume the end of patriarchy, more openness, and less suspicion in society at all levels- from the domestic to the international (Govier 30).

Trust makes one interdependent and vulnerable because even when one's expectations are well-grounded, there is always the element of risk in trust, "a chance that those whom we trust will not act as we expect" (Govier 17). On the other hand, when we distrust, we fear that others may act in ways that are immoral and we tend to interpret their actions and statements negatively, even intended overtures may be rejected as attempts to manipulate or deceive (ibid 18). As Govier further raises her concerns:

Given that we cannot successfully communicate and cooperate without at least a moderate level of trust, and given that, so often and in so many important ways, there are compelling grounds for distrust, how can we progress from a situation of warranted distrust to one of well-founded trust?

Honesty and sincerity are prerequisites of trustworthy testimony and authority. However, testimony and authority differ in important ways. When we rely on others' testimony, we presume that they are competent observers and honest reporters of their observations. When we rely on others' expertise, we presume, in addition, that they are properly authorized and informed experts in an established, legitimate body of knowledge. The theoretical and institutional framework of expertise is more elaborate than that of testimony. "Trusting an expert presumes trust or confidence not only in present individuals but in past individuals and in those social institutions charged with cultivating, testing, and authorizing experts" (Govier 21). There is a difference between intimate trust and trust linked to social roles.

The more individuals believe in rape myths, the greater the blame and responsibility they attribute to a victim of sexual violence, and the more they tend to exonerate the perpetrator of the assault. The purpose of such exclusive reliance on medical evidence is to "provide a purportedly 'objective' judgment as to whether or not the woman had made such resistance by examining her body for "signs" of the "true" rape" (Huda 3). Being treated sensitively, sympathetically, and being believed is vital to women's experience of reporting rape and may influence the extent to which they cooperate further with the process.

Suspicion or Empathy? The gendered perspective

The authoritative vision apparent in Hitchcock's, Allen's, or Spielberg's cinematic creations is omitted in Susannah Grant's series *Unbelievable* (2019), which suggests that the meaning is to be found within the show itself, by its viewers. Throughout the series, Grant employs alternative cinematic methods when depicting the trauma of sexual abuse victims in ways that do not frame them as *the other* and foreshadow their underrepresentation as active storytellers of their own experiences with rape and abuse. *Unbelievable* exposes the constraints of women's unwilling involvement in the skepticism created about their rape stories. The debate over the series reveals rape victims' fear of their public image and of their narratives being met with disbelief by the investigators. By thoroughly examining the compositional elements of the series, this subchapter not only argues that the problem of perspectives related to rape investigations arises from the use of diverse investigative approaches by male and female detectives but also highlights how the distortion of a rape survivor's testimony by the (male) police investigators affects the overall interrogation techniques.



Figure 2: Marie (Kaitlyn Dever) on her first appearance after the rape; Episode 1, Netflix 2019.

In their traditional exhibitionist role, women are objectified by the male gaze, as Laura Mulvey has pointed out in her essay *Visual Pleasure and Narrative Cinema*. They are simultaneously looked at and displayed with their appearance coded for strong visual and erotic impact so that they could connote *to-be-looked-at-ness* (7). Thus, pleasure in viewing is split into an active/male and a passive/female perspective by routinely displaying women on screen as “either erotic objects for the characters within the screen story or as erotic objects for the spectator within the auditorium” (ibid). The feminist scholar Mary Ann Doane describes this dichotomy between the image of women and their cinematic representation as an enigmatic chain where the two are interconnected, ‘a writing in images of the woman but not for her. For she is the problem’, as she specifies in the chapter “Film and the Masquerade” (75). Yet, *Unbelievable* confronts the classical film theories that represent women as erotic spectacles that interrupt the narrative and instead shifts the focus away from the sexual imbalance that rape brings to the screen. Despite being a rape victim, under Grant’s supervision Marie is treated as a rape survivor, which disrupts the surrounding gazes (of the characters, spectators, and cameras) by making us look at her as a non-fetishized human being.

The conditions of screening a film/series are important because they give the audience the impression of looking into a private world. When Marie, portrayed by Kaitlyn Dever, first

appears (see fig. 2), a subjective/non-neutral camera shot dominates, and she is depicted as shocked, isolated, and scared through medium eye-level shots while covering her body with a blanket and staring at the floor. Although initially, she is the object of the audience's and other characters' combined gaze, she is not a victim of screen sexualization, nor is she a passive image of visual perfection. Grant starts negotiating female spectatorship from the very beginning with scenes in which our first contact with Marie is filled with feelings of compassion and tenderness. Despite being ostensibly disempowered by the circumstances, Marie succeeds in pushing the spectators, male and female, to sympathize with her. Throughout her psychological journey, the spectators' fascination, who watch her evolve from a marginalized to a liberated woman, never turns against Marie. Hence, *Unbelievable* promotes women's emancipation and openly undercuts their objectification.



Fig. 3: Detectives Pruitt (Bill Fagerbakke) and Parker (Eric Lange) interrogating Marie; Episode 1, Netflix 2019.

The mise en scène of Marie's interrogation by the male detectives Pruitt and Parker, (see fig. 3), ensures the oppression of her position as a testifier. Marie is surrounded, not only by the detectives in front of her, but also by static frames of other compositional elements – the symmetrical wall behind her, the perfectly squared shape of the ceiling with the high angle gridlike lines, and the window on her left side reinforce her entrapment. By confronting the

camera, she implies a greater intimacy with the viewers than the detectives do. Her gaze, despite seemingly distant, is imbued with feelings of a desire to embrace outer space begging the audience to believe and help her. The close-up symmetrical shots of her figure, while being surrounded by the wide-shouldered detectives, are a conscious attempt of Grant to imply Marie's vulnerability and powerlessness. As Louise Gianetti explains in *Understanding Movies*:

Objects and figures placed in these positions seem to be in danger of slipping out of the frame entirely. For this reason, these areas are often exploited symbolically to suggest danger. When there are two or more figures in the frame and they are approximately the same size, the figure nearer the bottom of the screen tends to be dominated by those above (53).

Grant's intention when portraying the police procedures was to evict Marie from a discourse purportedly created for her and focus only on the problematic narrative the detectives' design by screening them as emotionally detached from the victim to retain their traditional masculinity. As echoed by camera shots, Pruitt and Parker, through interrogating Marie repeatedly, using puzzling procedures, and neglecting her traumatic experience, appear unfriendly, hesitant, and suspicious toward her testimony. Their authoritative position and questioning look suggest power and domination which makes them appear threatening to Marie's shrinking posture.

By questioning Marie's reliability not only as a trustworthy protagonist of her story but also as the active recipient of the gaze, detectives Pruitt and Parker frame Marie as the antagonist of the community around her. Detective Pruitt is further vilified as a hideous character not only through the close-up shots which intentionally focus on his disfigured face full of scars (see fig. 1) but also for his manners of communication – using a high-pitched voice toward Marie angrily claiming, 'This is not a worthwhile use of our time. This is a waste of our time' (Episode 1), after confronting her unreliable memories. However, in her article "*Unbelievable* Bosses on Adapting an Unreliable Witness' Assault Story", Turchiano confirms that "reactions to trauma are as varied as people who experience trauma", thus it is normal for a trauma victim to have inconsistent memories.

The representation of the detectives Rasmussen and Duvall (see fig. 4) is focused on their identification with the victims' rape narratives as a "constant relation of the self to itself" (Doane 78), avoiding complications and refusing to establish outside narrative perspectives as the male detectives did. Grant exposes the power of femininity on screen through their depiction, as she attempts to go beyond the paradigmatic representation of women and sexuality in both culture and screen.



Fig. 4: Detectives Rasmussen (Toni Collette) and Duvall (Merritt Wever), Episode 2, Netflix 2019.

The dichotomy between male and female investigators is mirrored not only in the established relationship of Rasmussen and Duvall but also in the contrasting techniques utilized when dealing with traumatized victims from the camera's perspective. In most of the scenes, Toni Collette and Merritt Wever, starring as the female detectives, appear at the center of the shots with front lighting to soften their facial features, avoiding the dramatic backlighting, which creates shadows as in the case of the male detectives. Handheld cameras are used in screening them which suggest more natural, subjective viewpoints and make the viewers feel like they are in the middle of the action. Grant's female detectives are purposely portrayed as more empathetic than their male counterparts not only through comic relief to ease the tension in some scenes, but also through the highly symmetrical designs used when framing Rasmussen and Duvall approaching their rape survivors since this kind of arrangement suggests stability

and harmony as Gianetti identifies (54). They were brought together due to cross-unit collaboration which again suggests that rape testimonies were not questioned by their departments and that they were trying to find connections between different investigative units.

The hermeneutics of trust used by Duvall and Rasmussen lead them to find evidence and solve cases. In their quest for the truth, they do not focus on medico-legal documentation only. Instead, they build a bridge of communication with all the abused women by listening intently to their details, without judgment, and without confronting them with contradicting evidence. This non-reductive bond of trust they create with the victims/survivors rejects exploiting the medical and legal aspects as heterogeneous, binary opposites, instead, they combine the two with the survivors' embodied subjectivity. This regards them with success.

Conclusion

Unbelievable is essential as a TV crime procedural because not only does it show through its diverse cast that no demographic is safe, but also that the people who are listening are as important as those telling the story, and that in the end there is no single right way of responding to trauma. The persistence of high levels of belief in false allegations among criminal justice representatives reinforces a culture that reproduces gender inequality and sexual violence. The show stresses the impact of the methods employed when investigating sexual assaults in the U.S. because, as screened, the male detectives, who had previously worked in the narcotics department, were not sufficiently trained to investigate sexual assault cases. It documents the historical context we are all living in nowadays, like the aftermath of movements such as #MeToo, and avoids the usual trap of adapting rape narratives as Hollywood blockbusters. It also suggests that a reconstruction of police procedures is needed, along with an expansion of the discourses around sexual assault, which is necessary for spotlighting how sexism within police departments works and can hinder rape investigations.

Rape on the screen under Grant's surveillance is far from its fixed cinematic representations as a commercial commodity or entertainment business, therefore it is treated with complexity and sensitivity. Each episode explores the everyday reality of rape victims/survivors and its harrowing aftermath by neglecting specific details of the attack on the screen to advance a character's narrative. *Unbelievable* stands out in negating a certain predominant cultural rhetoric on women's liberation and rape myths. Refraining from any process of eroticization, women in *Unbelievable* are represented as characters with whom the

spectators, both female and male, can identify. Instead of being a passive spectacle, Marie is dynamic, leads the narrative, controls the gaze, and creates meaning. The series also reveals that what we call evidence can only be found in the right cultural framework (in rape cases only within the hermeneutics of trust).

To conclude, “frailty, thy name is (no longer) woman” (Shakespeare Act I, Scene II). The attitudes and beliefs expressed by detectives Pruitt and Parker to a great extent mirror those found among Marie’s community. The dismissal of survivors'/victims’ stories as a result of police investigators’ reliance on stereotypes overshadows, minimizes, and diminishes the integrity, autonomy, and identity of abused women. When deciding to report a rape, complainants initially consider whether criminal justice personnel and ultimately juries will believe they were raped. Comments which challenge and reject women’s life experiences undermine their ability to be heard and have their concerns taken seriously. Through voicing Marie’s repeated "rape" by the system, *Unbelievable* supports those who have been sexually abused and whose rights in prosecuting the crime have been denied and tries to draw the public’s attention to the importance of the hermeneutics of empathy and redefining what evidence means without diminishing untold truths.

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