

Dingo Media? The persistence of the “trial by media” frame in popular, media and academic evaluations of the Azaria Chamberlain case

Abstract

In the bulk of popular, media and scholarly discourse on Azaria Chamberlain’s disappearance there is overwhelming consensus that the sensationalist reporting of the event convicted parents Michael and Lindy of their daughter’s murder outside official court processes. In feminist scholarship in particular, the infant’s disappearance in August 1980 has been read according to a “trial by media” frame. This frame persists despite altered perspectives about the role of the Australian public whose punitive and collectively hostile response to a “media-driven hysteria” has been replaced with the portrait of a kinder and more compassionate nation. The objectives of this article are three-fold: to demonstrate the persistence of the trial by media frame in popular, media and academic discourse; to consider assumptions of a monolithic and hostile media, and by examining a previously unanalysed archive to suggest that these arguments overlook the existence of sympathetic voices in mainstream media as well as the dialogic connection between media and counter publics mutually supporting the Chamberlains’ bid for innocence. This research offers an alternative view to scholarship on a landmark event in Australian history and has broader implications for the way we view the media in trial by media situations.

Keywords

Media trials, trial by media, tabloid justice, Lindy Chamberlain, counter-publics

Introduction

Media interest in the circumstances of Azaria Chamberlain's disappearance peaked again in November 2014 when a documentary on the case was broadcast on the New York Times "Retro Report" website.ⁱ The video, "Dingo's Got My Baby: Trial by Media" was produced for American online audiences and marked almost thirty-five years since nine-and-a-half week-old Azaria Chamberlain disappeared from her family's tent at the base of Ayers Rock (now known as Uluru) in the heart of central Australia on August 17, 1980. Despite claims from parents, Michael and Lindy, that a dingo was responsible for their daughter's death continuing suspicion plagued the headlining couple in a legal battle that spanned four coronial inquests, a trial and conviction, two appeals and a royal commission of inquiry before the couple was finally exonerated in 1988 and the infant's death certificate amended in 2012. As the title of journalist Steve Brien's (1984) book uncompromisingly declared in Australia it was "the trial of the century".

While the New York Times documentary claimed to take a "fresh look" at events and uncover "the truth behind the headlines" the explanatory notes accompanying the video described Lindy as a woman "scorned by Australia's news outlets" and the "failings" of the Australian media that "verged on the cosmic" (New York Times 2014). Rather than substantiate those cosmic "failings" some of the more provocative headlines are reproduced as if to confirm the time worn assumption of media culpability. The documentary is the most recent illustration of the "trial by media" frame in popular,

media and academic discourse that for thirty-five years has served as shorthand for the media (mis)handling of Azaria Chamberlain's disappearance and the wrongful conviction of her parents. So widely accepted is the argument that educational institutions use the Chamberlain event as a case study in "the nature of media circuses, public hype and trial by media – not only in Australia but internationally" (Jennifer Craik 2009, 272). This dominant and mostly uncontested interpretation of the media's role persists despite scholarly revision of the Australian public's construction of and participation in the Chamberlain case (Adrian Howe 2005).

In order to contribute to research on media representations of the Chamberlain case this article will proceed in three parts: the first section will provide an overview of scholarly literature on "trial by media" and analyse the frame's occurrence in academic and popular discourses around the Chamberlain case; in the second section assumptions in the Chamberlain scholarship of a monolithic, hostile and patriarchal media will be considered, particularly in light of recent research that absolves the public's role in the event; thirdly, the study will include an examination of a not-before analysed sample of newsletters and booklets held at the State Library of New South Wales (hereafter SLNSW) that identifies mainstream media voices sympathetic to the Chamberlains' cause and a dialogic connection between media and "counter-publics" (Nancy Fraser 1990). The SLNSW collection of fifteen newsletters, five supplements and four booklets is modest in size compared with the twenty thousand public letters and ephemera housed at the National Library of Australia (hereafter NLA) and used by Chamberlain scholars to illustrate a more "compassionate", "open-minded" and "sympathetic" Australian public (Howe 2005, 300). Nonetheless, the SLNSW collection evidences a more formidable

oppositional discourse cohering in mainstream media and in mediated counter-publics challenging the official trial verdict. Overall, this three-part study offers an alternative view to scholarship on a landmark event in Australian history and suggests a re-think of the extent to which the media have been constructed as a causal factor in the Chamberlain convictions.

Literature Review: Trial by Media

Trial by media is “an emerging concept in crime media research” (Nicholas Chagnon and Meda Chesney-Lind 2015, 41; Chris Greer and Eugene McLaughlin 2011), and is often used interchangeably with “media trials” (Ray Surette 2011) and “tabloid justice” (Richard L. Fox, Robert W. van Sickel and Thomas L. Steiger 2007). Surette defines a media trial as “a regional or national crime or justice event in which the media co-opt the criminal justice system as a source of drama, entertainment, and profit” (2011, 222). Media trials differ from typical news coverage in their volume and intensity and this begins either when the crime is made public or the accused is arrested (Surette 2011, 24). Similar to the concept of media trials, “tabloid justice” refers to a lurid, sensational or “tabloidese” style of reporting that crosses over into mainstream news (Fox, van Sickel and Steiger 2007). Definitions such as these rely on judgements of news quality that, as symptomatic of a “narrative of decline” in journalistic content, have been widely challenged elsewhere (John Fiske 1989; Catharine Lumby 1999; Henry Mayer 1964; Graeme Turner 2005).

A select number of studies have examined media trials in the US and UK including that of North American football star O.J. Simpson (see Tom Grochowski 2002 on “tabloid effects”; Greer and McLaughlin 2011), and abducted British toddler Madeleine McCann (Chris Greer and Eugene McLaughlin 2012; Helena Machado and Filipe Santos 2009). Others have focused on instances of “trial by the press” in Southeast Asia (Janet Steele 2013, 342) and “trial by media” in Bangladesh (Bari Fazlul and Mohmmad Hussain 2014). Though traditional media have been the focus of trial by media critique (Sheldon S. Kagan 1993), Chagnon and Chesney-Lind (2015) have traced alternative justice processes in social media. These examples suggest an evolving understanding of the concept of trial by media in old and new media contexts.

While in existing scholarship there is a tendency to limit trial by media to a “pre-trial jury bias against defendants” (John W. Wright and Susan Dente Ross 1997), the Chamberlain case purportedly illustrates the prolonged bias underlying “trial by media of the crassest commercial kind” (*Sun-Herald*, May 24, 1992). For instance, questions of a trial by media were first raised less than two months after Azaria’s disappearance with the publication of a *Woman’s Day* magazine article that apparently highlighted inconsistencies in Lindy’s story (Ken Crispin 1987, 2); then in 1981 with the Coroner’s televised findings that unfolded “just like a movie scene” (*Adelaide News*, February 20, 1981); again seven months later when media coverage of the re-opened police investigation was “ghoulish” and newsmen resembled “vampires” (*Centralian Advocate*, October 2, 1981); after the trial conviction when “fear of a trial by news media was not realised” (*Northern Territory News*, November 1, 1982, 6), and after Lindy’s release

from prison amid “a mad scramble as newsmen cheque out the Lindy story” (*Melbourne Herald*, February 12, 1986). Even after the thirty-two-year saga was brought to a close in June 2012 with the official finding of death by dingo, a noted political columnist writing for the *Sun-Herald* opined: “the phrase ‘trial by media’ can sum it up” (Michelle Grattan 2012). On this basis, I use a more expansive definition of trial by media as process (rather than the more narrow “pre-trial jury bias” or “pre-trial publicity” see Jason Goldstein 2012), encapsulated in Greer and McLaughlin’s definition of “a dynamic, impact-driven, news media-led process by which individuals—who may or may not be publicly known—are tried and sentenced in the ‘court of public opinion’” (Greer and McLaughlin 2011, 27). This definition highlights a problem with revised perspectives on the public’s role in the event but not the media’s since the SLNSW archive evidences a positive and dialogic interaction that galvanised Chamberlain counter-publics.

Of course, there is ample evidence of sensationalist reporting, unethical media practices and tactics (Brien 1984), and a gender inflected news discourse in media representations of Lindy Chamberlain (Adrian Howe 1989, 2005; Catherine Munro 1996; Philippa Sawyer 1997; Briar Wood 1993) and, to a lesser extent, her husband Michael (Belinda Middleweek 2007, 2016) that has, for over three decades, provided scholars and cultural commentators alike with sufficient reason to support the demonised media argument. Elsewhere I have argued that a thinness of attention to female criminals in the field of celebrity studies overlooks the constellation of gender-inflected media messages and the meanings with which they are imbued by sections of news workers (Middleweek 2016). I argued that such research should not ignore compelling evidence within feminist

criminological scholarship that crime is a gendered concept in news discourse (Carol Smart 1977; Yvonne Jewkes 2011). There is also established research on the patriarchal foundations of newsroom culture (Deborah Chambers, Linda Steiner and Carole Fleming 2004; Gertrude Robinson 2005), the “systemic biases” against women in the practice and production of news content (Robinson 2005, 81; see also Helen Benedict 1992) and limited career progression (Margareta Melin-Higgins 2004; Karen Ross 2014; Liesbet Van Zoonen 1998). However, acknowledging the structurally embedded prejudices in news reporting of criminally implicated women such as Lindy Chamberlain should not be sufficient reason to leave unchallenged the facticity of trial by media claims or preclude from consideration the significance of media-public dialogue exemplified in the writings of the *Azaria Newsletter* contributors, booklet authors and everyday news workers. To do so would be to ignore the focal points of resistance in mainstream media, the changeability of news coverage and the mediatisation of publics.

Methodology

This research is drawn from a larger, five-year study (Middleweek 2007) on the phasic evolution of the Chamberlain media event compared with other high profile cases involving criminally implicated women.ⁱⁱ The original study relied on interviews and a content analysis of media representations across print, television, film and radio from Azaria’s disappearance on August 17, 1980 to the twenty-fifth anniversary of the event. Though compared to the original study the news items selected here are small in number

they are illustrative of the tone of voices in mainstream media (see Table 1).ⁱⁱⁱ

i. Framing

The effects of media on audiences have been extensively studied in the literature (Bernard C. Cohen 1956; Maxwell McCombs and Donald Shaw 1972) and the operationalisation of a frame or “cognitive structure” has its roots in a range of disciplines and its application in a variety of contexts (Robert M. Entman 1993; Todd Gitlin 1980; David Tewksbury and Dietram A. Scheufele 2009). In this study, analysis of the phrase “trial by media” will be informed by Entman’s definition of framing (1993, 52) to identify the ascription of a causal agent (ie. mainstream media) and to consider the moral evaluation of the effects of the process (ie. the Chamberlain trial conviction) described within media and academic discourse. Entman’s definition is useful for outlining the associative connections made by audiences between an issue and its interpretation in the context of its definition, causes, implications, and treatment (Tewksbury and Scheufele 2009, 24). Moreover, identifying frames enables researchers to consider the way in which “particular definitions and interpretations” are promoted in discourse and their ensuing effects (Dhavan V. Shah, Mark D. Watts, David Domke and David P. Fan 2002, 343).

The academic discourse to be analysed includes scholarly works published on the case between 1982 and 2012 beginning with Noel Sanders’ article on the Azaria case as “unfolding TV spectacle” (Noel Sanders 1982, 88) and concluding with Michelle

Arrow's analysis of Fred Schepisi's film *Evil Angels* (1988, see Table 2).^{iv} The corpus of Chamberlain scholarly literature analysed here is the most comprehensive conducted in a single study and the time frame has been chosen because of its loose correlation with the twenty-five years of media coverage examined in this study.

ii. Content analysis

A qualitative content analysis will be conducted of the *Azaria Newsletter*, a previously unexamined collection of fifteen loose-leaf periodicals and five supplements held at the SLNSW (see Table 3)^v. The newsletters were published by the Chamberlain Information Service^{vi} in an *ad hoc* fashion between April 1984 and October 1989 with the bulk of the issues in 1984 (n = 5 and two supplements) and 1985 (n = 5) coinciding with key moments in the legal processing of the case.^{vii} Varying in length from half a page to forty-eight pages the newsletters contained parliamentary speeches, court transcripts, Chamberlain correspondence, book reviews and appeals for financial assistance. Of import to this study is the inclusion of editorial commentary on the case's media coverage and extracts from print, television and radio reports that contributors used to evidence the spread of Chamberlain support.^{viii}

In addition to the *Azaria Newsletter*, the SLNSW archive contains four, mostly self-published booklets written by Veronica M. Flanigan, George W. Rollo, Glenn Rosendahl, and Terrence O'Keeffe – all notable figures within the pro-Chamberlain movement (see Table 4).^{ix} Mostly variable in length with the shortest at 16 pages (O'Keeffe n/d) and the longest at 192 pages (Rosendahl 1984), the booklets were

published between April and August 1984 and available for purchase through the *Azaria Newsletter*. Due to their degradability the newsletters and booklets examined here were coded by hand at the SLNSW. The protocol for analysis involved identifying words or phrases that the authors used in their references to “informed sections of the media” (*Azaria Newsletter*, August 1985, 1), to individual news workers as “responsible journalists” (Flanigan 1984), and to certain media coverage as “sensitive and perceptive” or providing “new impetus” for the Chamberlains’ cause (*Azaria Newsletter*, August 1985, 1). These were interpreted as positive interactions between mainstream media and Chamberlain advocates. Other references to a “conspicuously sensational” media or “prejudiced” media were interpreted as negative. While content analysis is useful for measuring the frequency and scale of messages and drawing meaningful inferences from their occurrence (Bernard Berelson 1952; Ole R. Holsti 1969; Klaus Krippendorff 2004), such interpretations can be unreliable and a more integrative approach is required (K. Neuendorf 2002 in Jim Macnamara 2005, 3). Hence this study adopts a multi-methodological approach of content analysis, framing and a review of the corpus of Chamberlain scholarship.

Use of the “trial by media” frame

i. Media discourse

In news reports about Azaria Chamberlain’s disappearance there is self-flagellating consensus about Lindy’s media “crucifixion” as one newspaper put it, “everyone agrees, [it] was trial by media” (*Sydney Morning Herald*, June 17, 2012). In 1984 concerns were raised about the “publicity factor” and empanelling a jury member

“who had not heard about the Chamberlain case, and had not at least formed an impression, even in the sub-conscious, about the trial” (*Sydney Morning Herald*, April 4, 1984). Across time, the overwhelming consensus among news organisations of a “Lindy-style trial by media” (*Gold Coast Bulletin*, November 8, 2003), is expressed in a variety of unrelated stories of local and international persecuted individuals including alleged electoral roll defrauder David Ettridge (*Gold Coast Bulletin*, November 8, 2003), celebrity chauffeur and exonerated murderer Gordon Wood (Paul Pottinger, November, 23 2008), outback attack victim Joanne Lees (Ben English, June 5, 2004), Bali drug trafficker Schapelle Corby (*Sun-Herald*, June 17, 2012), fraudulent political backbencher Craig Thomson (Milanda Rout, June 5, 2012), Perth barrister and accused wife killer Lloyd Rayney (Candice Barnes, August 22, 2014), disgraced former East German track coach Ekkart Arbeit (*Canberra Times*, October 14, 1997) and alleged Nazi collaborator Konrad Kalejs (*Weekend Australian*, January 20, 2000).

For the news publications cited here Lindy Chamberlain is culturally positioned as the penultimate figure of persecution at the hands of an unscrupulous media. Their use of the Lindy-style trial by media frame would seem to suggest that the experience of sustained media prejudice is, if not owned by Lindy Chamberlain, then measured against hers in the worst degree. Both in the media and elsewhere the frame was buttressed by references to the “Australian dingo press” (Julie Marcus 1989 in Howe 2005, 202) operating “at its feral worst” (Jack Waterford 2012), and news workers behaving as “media mongrels” and “a pack of baying journalistic dingoes” (Michael Chamberlain and Lowell Tarling 1999, xiv) in a “howling chorus” (*Sydney Morning Herald*, June 4, 2001).

These evocative descriptions gave currency to claims of a prejudicial media both in and outside news-making institutions.

ii. Academic discourse

To varying degrees in the Chamberlain scholarship the media is held responsible for the Chamberlains' ill-treatment, either directly prejudicing the trial in a "voyeuristic media frenzy" (Ian Freckleton 1986; Howe 2005, 2; Paul Wilson 1987), or operating as a monolithic institution that articulated the voices, opinions, beliefs and stereotypes of the few (Jennifer Craik 1987; Howe 1989; Dianne Johnson 1984; Sanders 1982). There is a prevailing assumption that in the media "patriarchal, racist and conformist attitudes were privileged" (Christine Higgins 1994, 140), that Lindy Chamberlain "slipped into the weird warp of a media Twilight Zone" only to resemble a "living sacrifice" and "fox in a hunt with no way out" (Susan Anthony, 1988, 73), all of which suggest that news coverage was invariable and overwhelmingly biased against the Chamberlains' story of a dingo abduction. Within the body of scholarly research examination of the evidence usually takes a distilled approach with some focusing on the case's mythical dimensions (Nicola Goc 2009; Sanders 1982) and theatrical components (Helen Grace 1986 in Howe 2005; Sanders 1982), others on its connection to an unsettled postcolonial past, cultural myths and nationally sacred spaces (Anthony Lambert 2008; Janine Little 2006; Paul Reynolds 1989), on the trauma, loss and archetypes of suffering evoked (Lambert 2008; Deborah Staines 2006), on the materiality of the case, its memorialisation and archival significance (Adrian Cunningham 1997; Sophie Jensen 2009; Belinda Morrissey and Kristen Davis 2007), on local versus international media perspectives (Higgins 1994), the

case's filmic and televisual dimensions (Michelle Arrow 2009, 2012; Philippa Hawker 1988; Middleweek 2007) and the vast majority that analyse the print media to the neglect of all others.

Only Frank Moorhouse (1993) and Young (1989) question assumptions of a monolithic and prejudicial media in their separate writings on the Chamberlain case. For Young, a small group of "responsible" journalists could be relied upon for their sympathetic news coverage however his perspective on the media is mostly critical. For Moorhouse, the demonised media argument is "without a researched basis" since "none of us have done a thorough analysis of the media coverage" and, though news organisations may have contributed to the "callous atmosphere", he rejects the view that "the media caused or sponsored the irrational lines of thinking" (Moorhouse 1993, 169). Moorhouse's argument countered intellectual mainstream opinion of the time as Adrian Howe retorted: "no one has ever suggested any such thing" (2005, 121). While Moorhouse did not address the cavity in academic research himself his self-described "hunch" is given credence in the steadfast views held by feminist academics in their writing about the media.

iii. Early Feminist Academic Perspectives

Neither the media nor the persecuting public escaped the attention of feminists writing in the six years after Azaria's disappearance. Dianne Johnson was the first to consider the shared responsibility of nation, media and public in her exploration of the witch archetype in "From Fairy to Witch: Imagery and Myth in the Chamberlain Case" (1984). Her essay targets the community and its "patriarchal social order", the justice

system for “instigat[ing] a legal vendetta” and media workers, in particular a *Sun* journalist, who “doggedly pursued his victims” (Johnson 1984 in Howe 2005, 143, 183, 141). In the work of Catherine Rogers the nation’s collective responsibility for the Chamberlain convictions is articulated in references to “we, the public” and “we, the judge”, in concert with the media and the “fantastic fabrications” of law and science (1986 in Howe 2005, 168-170). So too for Kerryn Goldsworthy, who argues that the case “elicited a violent reaction from practically the entire population of Australia, as though it somehow involved everyone and therefore demanded a personal response” (1986a in Howe 2005, 158-159). Thus, Goldsworthy proposes Western society be put on trial as “[it was]... a trial by jury, by media, and by the collective unconscious of an entire nation” (1986a in Howe 2005, 158-159). The same year Goldsworthy wrote an article for *The Age* newspaper under the heading “Martyr to Her Sex” and gave an interview to ABC Radio in which she argued that media coverage of the Chamberlain case revealed systemic patriarchal bias (Goldsworthy, February 15, 1986b). The following year, feminist academic views about the “obsessive quest to ascribe blame” to a woman who resembled a medieval witch were expressed in *Time* magazine (A.N. Maiden 1987, see also Johnson in Howe 2005, 137). Curiously, these examples point to a scholarly dialogue in media about news worker misogyny at a time when feminist academics were endorsing the trial by media thesis.

By the late-1980s, feminist views about the Australian public’s contribution to the saga were modified. Critical distance from the event and later the unearthing of a new archive of letters known as *The Chamberlain Papers*, transformed their attitudes towards the public. Despite this, “the media” – a term that underlined its homogenous character –

continued to attract censure and reproach from feminist academics.

iv. Later Feminist Academic Perspectives

Adrian Howe is one critic whose opinion about those responsible for Lindy Chamberlain's vilification has altered, though she remains steadfast on the trial by media thesis (Howe 2005, 7-12; see also Marcus in Howe 2005, 216). Spanning nearly three decades, Howe's impressive research marks the most significant contribution to the Chamberlain case by a single academic. In 1989, 1997 and 2005 she returned to the saga, each time revising and reconsidering the evidence in its developing social and cultural context. Her work encapsulates, unlike any other critique, the mood and attitudes of the period in which she wrote.

Howe's first essay in 1989 was appropriately titled, "Chamberlain Revisited: The Case against the Media" and was borne out of a series of lectures on "Women Who Kill" delivered at La Trobe University in the 1980s. Here she proposes that the media "be put on trial for murder", since "the Australian media, aided and abetted by a large cross-section of the Australian people, murdered, killed in cold blood, the possibility of a fair trial for Lindy Chamberlain" (Howe 2005, 223). She claims to have been persuaded of Lindy's guilt by "media-mediated scientific evidence" and excoriates her own "suspension of critical acumen and feminist sensibility that was astonishingly derelict in a trained thinker and a self-defined feminist" (Howe 2005, 222). Though Howe concedes that sections of the media reclaimed Lindy following her release from prison in 1986, it was only because her slim and attractive post-prison figure conformed to the "media's notion of femininity" (Howe 2005, 255-257).

Again in 1997 Howe returned to the case this time comparing “two great trials by media” in Lindy Chamberlain and O.J. Simpson (Howe 2005, 2). Again, she concludes that the media followed the same “overtly misogynist script” in its coverage of Lindy, though her focus is a comparative analysis of the regimes of knowledge and truth produced in each trial (Howe 1997, 83).

Then in 2005, commemorating the 25th anniversary of the infant’s disappearance, Howe published an edited compilation of feminist essays, which included a chapter on her analysis of more than a hundred boxes of personal documents known as The Chamberlain Papers (MS9180), held in archives at The National Library of Australia (hereafter NLA). The collection, which in September 2016 inspired the play *Letters to Lindy*, contains “inter alia over 20,000 mostly holograph letters and cards from an extremely broad cross-section of the Australian general public”, who wrote to the Chamberlains to express their views (Cunningham 1997, 106). A number of the letter writers were convinced of the Chamberlains’ innocence and their extraordinary emotional outpourings have “symbolic significance” for the nation’s cultural heritage (Cunningham 1997, 107). Importantly, the archive confronted a widely held view that public responses to the Chamberlain case were homogenous and univocal. Instead, the letters reveal a “kinder, gentler and more compassionate nation” composed in part of people describing themselves as “quiet, good living people, and not cruel” who engaged with the “‘trial of the century’ in an open-minded and sympathetic way” (Howe 2005, 300). Rather than dwelling on the nation’s hostilities she argues it is time to “celebrate the people who were not caught up in the wave of media-driven hysteria” and she locates their number in The Chamberlain Papers at the NLA (Howe 2005, 12). Though the public is forgiven in

Howe's revised account she underscores the need to "exorcise the demons [that] include trial by media" (Howe 2005, 19)

While most scholars agree *The Chamberlain Papers* capture an intimate and sorrowful portrait of ordinary Australians responding to the Chamberlain case Deborah Staines takes the argument one step further by suggesting the archive represents "one of the most important formations of a counter-public in the Chamberlain case" (Staines 2006, 158). Unlike Howe, whose argument is inattentive to the media's role in producing or shaping these counter-publics, Staines is careful to add that "media coverage constituted these multiple publics" and lists some of the case's memorable and widely-viewed televisual moments, such as the famed *60 Minutes* (1986) interview with Ray Martin, as evidence of this fact (Staines 2006, 158-160). But examples of the dialogue between the "multiple publics" and news organisations are left unexamined and we are left to wonder how, aside from their one-way, personal correspondence with Michael and mostly Lindy, ordinary members of the public interacted with mainstream media.

Media and Counter-Public Dialogue

Dissenting views in mainstream media did not go unnoticed by Chamberlain supporters who frequently cited them in the *Azaria Newsletter*. In the August 1985 issue readers are advised that, "Since this case has received more media coverage than any other in Australia's legal history, it is pertinent to note the recent change of tone in reporting' portraying Lindy as a wrongfully convicted woman" (*Azaria Newsletter*, August 1985, 1). Contributor Bronwyn Reid argues that "informed sections of the media" are using exonerating new evidence and "focussing their persuasive skills in favour of

Lindy's release" (*Azaria Newsletter*, August 1985, 1). Particular magazine publications and their editors are identified: "Australia-wide coverage in newspapers and magazines, including *Woman's Day* and *New Idea*, have given new impetus toward total exoneration" (*Azaria Newsletter*, August 1985, 1). *New Idea* magazine editor Ita Buttrose is singled out for having "embraced this tragedy with a sensitive and perceptive report on the personal aspects of the Chamberlains' plight" (*Azaria Newsletter*, August 1985, 1–2). Buttrose's interviews with the Chamberlains had cross-platform appeal and made front-page headlines in *The Sun* newspaper's coverage and other major syndicated papers amid calls for a legal inquiry into the verdict.

The "new impetus" advocates derived from the case's media coverage is clear in the volume of news articles cited in the *Azaria Newsletter*. One so-called "significant comment" is extracted from a *Sydney Morning Herald* editorial published in April 1984: "The Chamberlain case needs to be reviewed. It is quite clear that the High Court decision supporting the jury's verdict of guilty, is not accepted by a substantial, growing and well-informed section of the community" (*Azaria Newsletter*, June 1984, 4). *Azaria Newsletter* editor Nonie Hodgson argued that sections of the media were instrumental in publicising the free Lindy cause: "The media appears to be running riot with new evidence. Not a day passes without at least one new story breaking in our favour" (*Azaria Newsletter*, April 1984). The timing of such media commentary is significant given that two months earlier the Chamberlains' appeal to the High Court had failed.

That news coverage of the event gave momentum to *Azaria Newsletter* contributors and supporters suggests a dialogic connection between mainstream media and Chamberlain counter-publics. I use the term counter-publics to refer to an

“expand[ing] discursive space” formed in response to an exclusionary dominant public that fostered new ways of speaking about the Chamberlain case (Nancy Fraser 1993, 13-15). These spaces also function to foment “agitational activities directed toward wider publics” (Fraser 1990, 68) and suggest a multiplicity of views attending the event in a period of growing “communal dissatisfaction” with the guilty verdict (Belinda Wilson 1990, 16). Communal dissatisfaction found its expression in 1985 when Chamberlain advocates presented to the Northern Territory Government a “positive and full ‘package’” of exonerating evidence spanning forty pages (*Azaria Newsletter*, August 1985, 5). As the *Azaria Newsletter* reports, though the package was later rejected the evidence contained therein “[had] been taken up by the media” (*Azaria Newsletter*, August 1985, 5). Media publicity of this kind contributed to growing unease about the guilty verdicts and legitimated the Chamberlain counter-publics that formed in opposition.

The newsletter contributors were not alone in their ongoing dialogue with media. Terrence O’Keeffe, one of the four booklet authors whose self-published titles are held in the SLNSW archives, turned to media coverage to validate the Chamberlain innocence claims. In one instance, the evidence on which he based “the case for Lindy Chamberlain” was extracted from a news article of the same name (*The Australian*, June 16, 1984 in O’Keeffe n/d). Glenn Rosendahl also drew exonerating material from the case’s media coverage. In the introduction to “The Dark Side of the Law”, he states that the publication “arises from a study of various media sources” and there are multiple extracts from news articles across the four booklets (Rosendahl 1984). By drawing on the perceived authority of mainstream media coverage as a knowledge source the authors

appealed to the minds of “reasonable persons”, the “thinking public” (Flanigan 1984, 1, 23), and “thinking men and women” dissatisfied with the guilty verdict (Rollo 1984, 1). In doing so, they distinguished their writing from the emotional outpourings of the NLA letter writers whose correspondence was typically private, uncoordinated and subjective. Furthermore, the booklet authors called upon their readers “to think – and to act” (Rosendahl 1984, rear-cover) and, by virtue of their access to this material, were set apart from “the masses who swallowed [untruths]” (Rollo 1984, 6).

Not all of the booklet authors were positive in their evaluation of the media. George W. Rollo argues the climate of suspicion surrounding the Chamberlains was “conceived in small-town rumour factories and exploited by thoughtless media reporting” (Rollo 1984, 6). However, Veronica M. Flanigan identifies “responsible” news coverage in articles published as early as November 1982 and refers to supporting evidence from well-known journalists who witnessed events first-hand such as: “Lindy was described by reporter Malcolm Brown as ‘the most competent witness of all who have appeared’” (1984, 1, 6). Describing the courtroom response to the jury’s decision at the trial in 1982, Flanigan observed several news workers who “...wept when the verdict was given – because [*sic*] they had just witnessed a callous miscarriage of justice” (1984, 1). Most convincing of all is Flanigan’s argument that exculpatory evidence uncovered by the media contributed to public disquiet over the trial verdict:

Unease continues over the case, and ongoing investigations by the media have contributed to this, as vital evidence continues to emerge. Kevin Hitchcock of Channel Ten, for instance, has revealed some very convincing evidence that a dingo took the baby (Flanigan 1984, 22).

The Channel 10 television programme “Azaria: A Question of Evidence” (1984) hosted by journalist Kevin Hitchcock was frequently used by the booklet authors (Rosendahl 1984, 22) and *Azaria Newsletter* contributors to substantiate claims the Chamberlains were innocent and reach out for a constituency in media. Even Michael Chamberlain acknowledged the programme’s significance in a private letter to his wife now archived in The Chamberlain Papers: “... as far as I can ascertain, [the programme] will be hot. They have some fresh evidence that could well alter the balance against us – considerably. More meetings around Australia are coming up or have just occurred. Public opinion continues to change it seems” (Michael Chamberlain, March 24, 1984). These predictions were confirmed in the *Azaria Newsletter* a month later: “The documentary – Azaria: A Question of Evidence – has had a shattering effect on many people all around Australia and definitely has helped to turn the tide of opinion favourably” (April 1984, 2).

Readers of the *Azaria Newsletter* were encouraged to purchase and distribute the programme with the following instructions for maximizing audience size and impact: “There is no end of creative ways this documentary can be used, eg., lending it to prominent people, inviting groups of people to view it in private homes. Local TV stations can be requested to run this documentary as it was seen on the 0/10 network” (April 1984, 2). The news programme was a key piece of “evidence” readers could send to parliamentarians and other prominent citizens and its distribution was coordinated by advocate groups such as the Concerned Citizens Groups of Parramatta (June 1984, 3). *Azaria Newsletter* readers who were “in a position to make personal approaches to the Senators around Australia, giving them opportunity to view the video of the

documentary, ‘Azaria, A Question of Evidence’” were applauded for their “most valuable” efforts (August 1984: 2). Artist Guy Boyd and author of the book “Justice in Jeopardy: Twelve Witnesses Speak Out” (1984), described the programme as “an accurate record of eyewitnesses and experts’ evidence, and of many of the significant human responses to the injustice of this case”, and even included the programme transcript in the early part of his book (*Azaria Newsletter*, October 31, 1984, 5). The programme was responsible for shifting public perceptions and had a rallying effect on Chamberlain support groups by directing the tone and focus of their protests. That Chamberlain advocates gained momentum from mainstream media coverage of the case suggests blanket assumptions about a hostile, homogenous or demonised media are contestable. A more supportable argument is that mediated events such as the Chamberlain case are dynamic, changeable and open to multiple and conflicting interpretations even when official legal outcomes would indicate otherwise.

Conclusion

This article has examined persistent and unquestioned assumptions of a trial by media in popular, media and academic discourse on the Azaria Chamberlain case through a framing analysis of a sample of media reports and comprehensive review of the Chamberlain scholarly literature. Applying Entman’s (1993, 51-52) definition to the Chamberlain trial by media frame suggests the dominant “causal interpretation” is media culpability and the “moral evaluation” is contributory negligence. However, a content analysis of a previously unanalysed SLNSW archive of fifteen newsletters, five supplements and four booklets authored by Chamberlain advocates has shown the

“impetus” and momentum Chamberlain counter-publics derived from their engagement with mainstream media channels. If, as Greer and McLaughlin (2012) contend, trial by media is the enacting of a media-led, alternative and popular form of justice then a discursive approach that absolves the public and demonises the media ignores the interaction of publics and the multiplicity of voices attending an event such as Azaria’s disappearance. What I have proposed here is a new analytic, one that identifies a positive interaction between mainstream media and the counter publics that formed around the Chamberlain case, and necessitates a re-think of the role of the Australian media in its representation of a landmark event.

NOTES

ⁱ Though I shared my archival material and expertise with the programme's producer the documentary's views do not represent my own.

ⁱⁱ The original study (Middleweek 2007) compared Lindy Chamberlain to convicted Bali drug mule Schapelle Corby and British tourist and outback attack victim Joanne Lees

ⁱⁱⁱ The news items referred to here are drawn from mass market print publications across Australia namely *The Sydney Morning Herald*, *Sun-Herald* (New South Wales), *The Age* and *The Melbourne Herald (Victoria)*, *Adelaide News* (South Australia), *Centralian Advocate* (Northern Territory), *Courier-Mail*, *Gold Coast Bulletin* and *Sunday Mail* (Queensland), *The Canberra Times* (Australian Capital Territory), *WA Today* (Western Australia), and the national newspapers *The Australian* and *Weekend Australian*.

^{iv} The film *Evil Angels* (1988) – based on John Bryson's 1985 book of the same name – was released for American audiences under the alternative title *A Cry in the Dark* (1988).

^v Each issue of the *Azaria Newsletter* was serialised with the month and year of its publication; issues 3, 4 and 5 also contained the date of publication. Issue 11 was incorrectly dated though pencilled with the correct date of January 1986. The newsletters were typed on paper, registered for taxation purposes, and sold for 50 cents per issue with all proceeds given to the Chamberlain family. With the exception of the co-edited issue 6 (February 1985), advocate Nonie Hodgson was the principal editor. Given the age and degradability of the newsletters it is unsurprising that one issue (issue 12) was missing from the SLNSW archive. These systematisation issues suggest the newsletters' hurried production, modest distribution and local provenance.

^{vi} The Chamberlain Information Service (originally the Azaria Information Service) comprised a network of Chamberlain advocates, most of whom resided in the Chamberlains' hometown of Cooranbong New South Wales, where the couple's Seventh-day Adventist Church was based (Norman H. Young 1989).

^{vii} Namely, Lindy's incarceration (1982), the failure of the Chamberlains' High Court appeal (1984) and Lindy's release from prison following the discovery of Azaria's matinee jacket at the base of Ayers Rock (1986).

^{viii} The first issue stated one of the newsletter's central aims was 'encouraging media coverage [and] placing newspaper ads' as a means of capturing the public's attention and to prompt a judicial review of the case (*Azaria Newsletter*, April 1984, 2).

^{ix} All were self-published with the exception of Rollo's thirty-page booklet, "The Azaria Mystery: A Reason to Kill" which was published by Dixie Print, New South Wales.

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