

# Visual Criminology

- Stefan Machura



# Based on:

- Machura, Stefan (forthcoming). Visual Criminology in International and Comparative Context. In Edna Erez & Peter Ibarra (eds.), *Oxford Encyclopedia of International Criminology*. New York and Oxford: Oxford University Press. doi:10.1093/acrefore/9780190264079.013.660.
- Machura, Stefan (2018). Representations of Law, Rights and Criminal Justice. In Nicole Rafter et al. (eds.). *Oxford Encyclopedia of Crime, Media, and Popular Culture*. New York: Oxford University Press, pp. 190-208. doi: 10.1093/acrefore /9780190264079. 013.201.

# We are living in a world of pictures...



The Old Man and the Sea, 1958 – The Searchers, 1956 – Roots, 1977 – Holocaust 1978 - Berlin Alexanderplatz, 1980

# Visual criminology

- “Visual criminology” concerns itself with how crimes and society’s reaction to crime are depicted and perceived.
- Term first used by Jeff Ferrell, Keith Haywood and Jock Young (2008), according to Nicole Rafter (2017, 60).
- Long history of approaches from different disciplines.
- Accordingly, there is a plethora of methodological approaches.

Ferrell et al. (2008). *Cultural criminology: An invitation*. London: Sage.

Rafter, N. (2017). Crime films and visual criminology. In M. Brown & E. Carrabine (Eds.), *Routledge international handbook of visual criminology*, (pp. 53-61). London: Routledge.

# A realist view

- This is an engaging area of study with many inspiring contributions.
- (So far mainly from the English-speaking academic world.)
- But visual elements will never replace text as primary means of academic communication.
- If only because recorded text can convey the meaning others and we ourselves attribute to visual manifestations.

There's enough left that merits our attention.



## Examples of methods of visual criminology

Analysis of visual signs

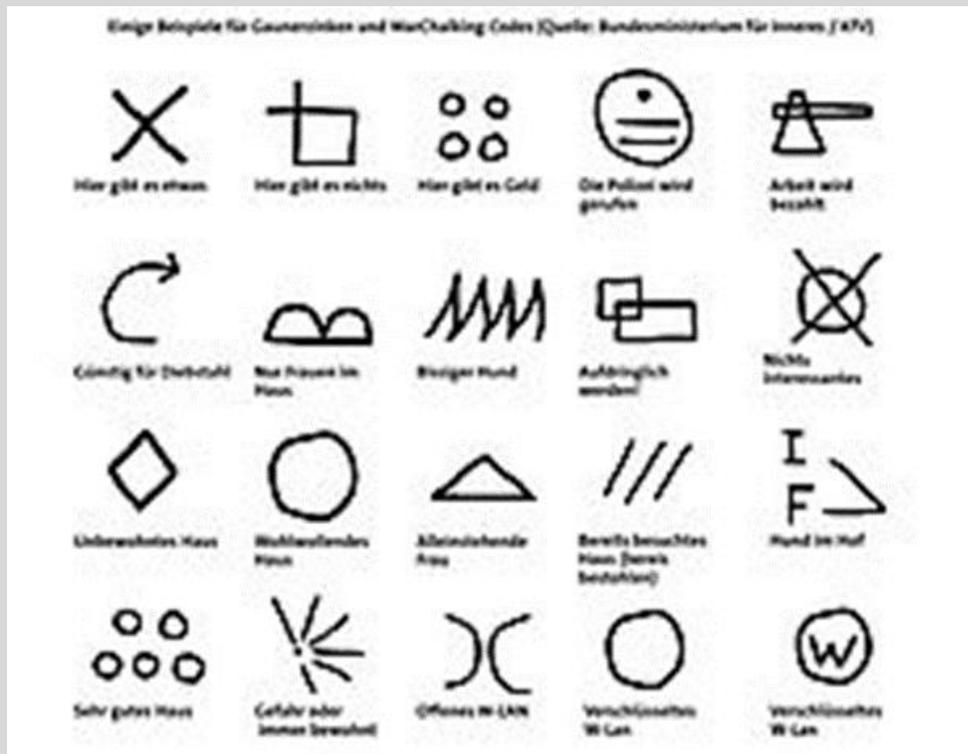
Analysis of pictures

Analysis of videos

Film analysis

Long example: depiction of lawyers in film/television

# Traces of Crime: Austrian “Gaunerzinken”.



- “There is something to get”
- “There is nothing to get”
- “There is money”
- “Police will be called”
- “Work will be paid”
- “Good for stealing”
- “Only women in the house”
- “Biting dog”
- “Become intrusive!”
- “Nothing of interest”
- “Empty house”
- “Benevolent house”
- “Single woman”
- “House already visited (stolen from already)”
- “Dog in the yard”; “Very good house”
- “Danger or always inhabited”.

Etc.

# Analysis of pictures...

- ... and their historical/present meaning /intended function.
- Example: An Antwerp jury room was decorated in the 19th century with paintings celebrating a medieval attitude --- in protest against modern liberal politics and criminological thought (Huygebaert, 2018).

Huygebaert, S. (2018). The judge, the artist and the (legal) historian: Théophile Smekens, Pieter Van der Ouderaa, Pieter Génard and the Antwerp court d'assises. In S. Huygebaert, G. Martyn, V. Paumen, E. Bousmar & X. Rousseaux (Eds.), *The art of law. Artistic representations and iconography of law and justice in context, from the Middle Ages to the First World War* (pp. 407-425). Cham: Springer.

Picture: <https://connorhicks.co.uk/oud-justitiepaleis-belgium-urbex/>, accessed 21/03/21



# Example: protest against police



Wall painting in Oñati, Gipuzkoa, Spain, expressing local opposition to the Guardia Civil. A police car is surrounded by locals in traditional footwear and covered by bull skins.

Photo: Stefan Machura, taken 20 June 2019.

# Example: Police PR



Video of Oulu Police Department, Finland, showing Petrus Schroderus singing “Rakastan sinua, elämä” (“I love you, life”). It conveyed a reassuring message at the height of the covid-19 lockdown.

Video link: <https://www.youtube.com/watch?v=wAvr7fcVJBE>

# “Visual elicitation”

- ... aims to prompt a reaction in subjects by exposing them to a stimulus (Pauwels, 2017, p. 67).
- Example: Luigi Gariglio's (2016) “photo elicitation in prison ethnography”.

Gariglio, L. (2016). Photo elicitation in prison ethnography: Breaking the ice in the field and unpacking prison officers' use of force. *Crime, Media, Culture*, 12, 367-379.

Pauwels, L. (2017). Key methods of visual criminology. An overview of different approaches and their affordances. In M. Brown & E. Carrabine (Eds.), *Routledge international handbook of visual criminology* (pp. 62-73). London: Routledge.

# Systematic film analysis

- Example my own analysis scheme (2007) for law-related films.
- Working out character development and legal-political message (Machura 2018).

Machura, S. (2007). An analysis scheme for law films. *Baltimore Law Review*, 36, 329-345.  
Machura, Stefan (2018). Representations of law, rights and criminal justice. In *Oxford research encyclopedia of criminology*, DOI: 10.1093/acrefore/9780190264079.013.201.



Poster from: <http://www.ciomuse.com/young-mr-lincoln-1939.html>, accessed 28/02/17

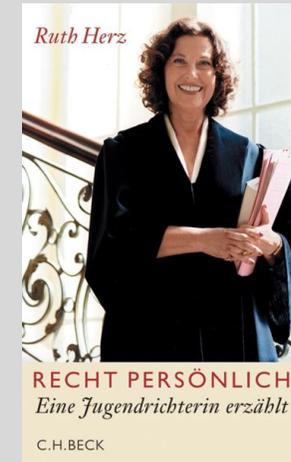
# Involvement in commercial tv/film production

- Mixed results for Dr Ruth Herz playing the “judge” in the acclaimed tv series “Das Jugendgericht” (“The Youth Court”, Germany, starting 2001) – as exploitative practices were introduced by the series producers.
- Leading to viewers’ trust in judge Herz on the one hand and on the other to fear being attacked by the opposing party if in court (Machura 2012).

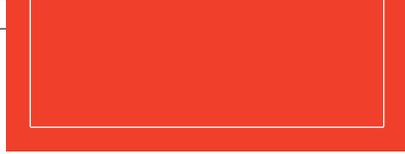
Machura, S. (2012). Television judges in Germany. In P. Robson & J. Silbey (Eds.), *Law and justice on the small screen* (pp. 251–269). Oxford: Hart.



Aggression in at German TV judge shows. Photo: website series „Richter Alexander Hold“.



Book cover, Dr Herz as friendly authority figure.

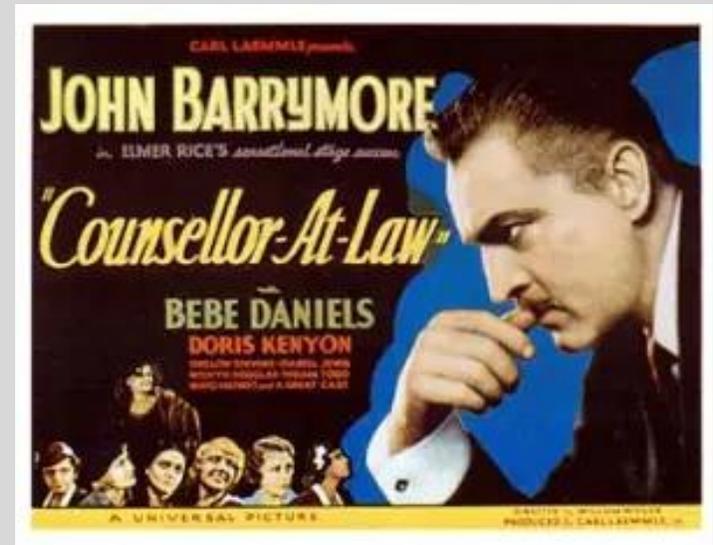


# THE DEPICTION OF LAWYERS

# Lawyers in crime fiction

- With the “talkies”, film makers were required to find something to fill the new space.
- Courtroom scenes fitted the bill as there is a battle of words in court.
- In US/English courts, most action in court is by lawyers presenting their case.

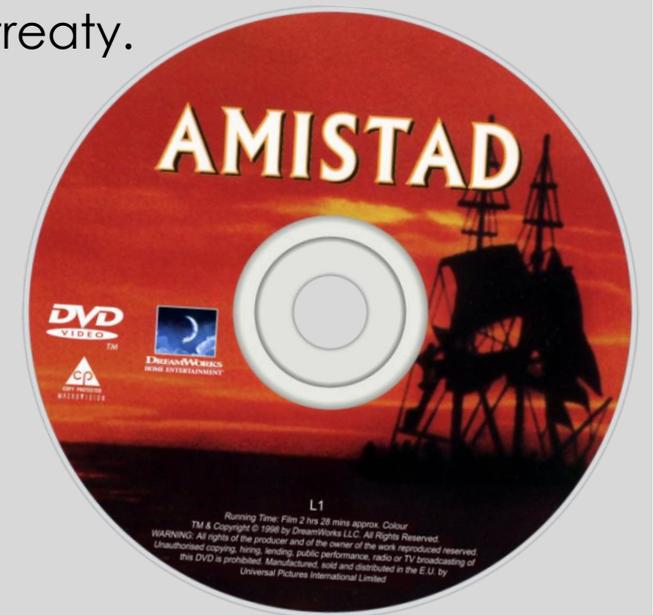
Machura, Stefan, and Ulbrich, Stefan (2001). Globalizing the Hollywood courtroom drama. *Journal of Law and Society*, 28, 117-132



Counsellor At Law, USA 1931  
Film poster

# Amistad, dir. S. Spielberg, 1997

- Based on a land mark legal case in the 1830s.
- Different parties in the US advocate different solutions to the case of Africans who have freed themselves from their slavers.
- The Queen of Spain claims the „slaves“ as property to be returned and is represented by the US government based on international treaty.
- The Africans demand freedom and to be returned home.
- Politicians of the South threaten civil war.
- Ex-president and lawyer John Quincy Adams legally represents the Africans at the Supreme Court.



Pictures:

<http://www.bing.com/images/search?q=Amistad%20DVD&q&s=n&form=QBIR&pq=amistad%20dvd&sc=1-11&sp=-&sk=&ajf=10#view=detail&id=E72DE0EB7046E48375C61B93A84146C185BF882E&selectedIndex=6>

Accessed 8 November 2014

# Opportunity for star acting

- Actors sought out lawyer roles as they allow them to show their art.
- Example: Anthony Hopkins in "Amistad", as John Quincy Adams pleading before the US Supreme Court



Video:

[https://www.youtube.com/watch?v=B\\_YYf8Z4b3Q](https://www.youtube.com/watch?v=B_YYf8Z4b3Q)

# How to describe lawyers in film/tv?

Machura, Stefan (2007). An analysis scheme for law films. *University of Baltimore Law Review*, 36, 329-345.

# Describing lawyers I

- Class and lifestyle
- Gender
- Age
- Backstage and/or front stage scenes shown
- Career phase („rookie“, old practitioner...)
- Educational background (top law school or ...)
- Professional attitude or not, e.g. good common sense
- Economically successful or not as a lawyer
- Single practitioner, co-operation with colleagues, part of law firm



Photo: lawyer Joséphine Karlsson (played by Audrey Fleurot). Filmstill „Engrenages“, series 7, episode 9 (France 2019). Screenshot from BBC i-player, 4. 12. 2019.

# Describing lawyers 2

- Charisma (with regard to law, politics, speaker of community...)
- Benevolence
- Engagement, bite
- Status recognition (treat others fairly as persons with full rights)
- Interested in case, persons
- Abuse, corruption (of clients, other persons, with regard to money, sex, power)

# Describing lawyers 3

- Adherence to/bending of the law
- Investigates case detective-like, collaboration with private-eye
- Political orientation
- Portrayed as ... (next slide).



Witness for the Prosecution, USA 1957. Charles Loughton (standing) as Sir Wilfred Robards, Picture: <https://www.framerated.co.uk/frwpcontent/uploads/2018/08/witnessprosecution02.jpg>

# Justice/injustice figures in crime film

“Courtroom films usually include an injustice figure, the person responsible for creating or maintaining the gap between justice and man-made law.

Most courtroom films also include a justice figure, a hero who tries to move man-made law ever closer to the ideal until it matches the justice template.”

(Nicole Rafter)

Rafter, Nicole. 2000. *Shots in the mirror. Crime films and society*. Oxford: Oxford University Press, p. 94.

# Changing picture of lawyers

- From the golden era of Hollywood courtroom drama
- To a period of more negative portrayal from the mid-1960ies.

(Asimow, Michael. 2000. Bad lawyers in the movies, Nova Law Review 24, 533).

- BUT: To have strong lawyer heroes, it needs worthy, mighty opponents.
- So lawyers' portrays are mixed, but usually the good side wins – **most likely leaving a positive impression overall.**

(Greenfeld, Steve, Guy Osborn, and Peter Robson. 2001. Film and the law. London: Cavendish)

# Summary

- On balance, I think that „Visual Criminology“ is a valuable approach.
- The main attraction may be the methods of visual analysis.
- However, they need to be accompanied by additional (contextual) research.

Thank you for listening!  
And any questions?