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# Character Development and Legal Message in Popular Culture

## Charakterentwicklung und rechtliche Botschaft in der Populärkultur

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**Zusammenfassung:** Ein typisches Erzählmuster in der rechtsbezogenen Populärkultur zeigt eine problemlösende Person, die auf verschiedene Hindernisse stößt und diese überwindet. In vielen Produkten wie Filmen, Fernsehserien oder Opern entwickelt sich der Charakter des Protagonisten als Reaktion auf Herausforderungen. Als Zeuge dieses Prozesses wird dem Publikum eine Botschaft über das Recht, den Rechtsstab und die Rechtsinstitutionen vermittelt, und letztlich darüber, ob man dem Recht vertrauen kann.

Charaktere tragen dazu bei, dass eine Geschichte für ein Publikum verständlich wird und dass eine Botschaft hängen bleibt. Die Populärkultur verfügt über ein großes Arsenal an Charaktergeschichten, auf die zurückgegriffen werden kann und die dem Publikum vertraut sind. In unterschiedlichem Maße sind die Zuschauer oder Zuhörer mit den Konventionen der Popkultur vertraut und „medienkompetent“. Es ist reizvoll für sie, Bekanntes zu erkennen und sie schätzen Variationen, jedenfalls solange ihr Verständnis nicht zu sehr herausgefordert wird. So wie die Inhalte, die in rechtsbezogenen Formaten wie Film, Fernsehen oder auch Oper zu finden sind, bestehende Stereotypen verstärken, so sehr implizieren sie aber auch ständige Variation und Innovation. Auf diese Weise trägt die Darstellung von Charakteren der Popkultur zu Bewahrung und Veränderung in der Gesellschaft bei.

**Summary:** A typical narrative pattern in law-related popular culture involves a problem-solving individual encountering and overcoming various obstacles. In many products such as films, TV series, or operas, the character of the protagonist develops in response to challenges. Witnessing this process, the audience is suggested a message on the nature of the law, legal personnel, and legal institutions, in the final analysis, if the law can be trusted.

Characters help to make a story understandable to an audience and to make any message stick. Popular culture has a large arsenal of character stories which can be drawn on and are familiar to the audience. To different degrees, the viewers

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or listeners are knowledgeable in relation to pop cultural conventions and "media literate". They enjoy recognising common tropes and relish their variation as long as their understanding is not stretched too far. As much as the message of law-related formats, found in film, TV, or e. g., opera, reinforces existing stereotypes, it also involves constant variation and innovation. In this way, following the fate of pop cultural characters contributes to conservation and change in society.

**Keywords:** Popular legal culture, character development, law film, law on television, sense of justice, knowledge and opinion on law, trust in law

Popular culture is full of stories related to law and crime.[1] Socio-legal scholars are investigating how they are told and what effect, if any, they have on society. "Popular legal culture" is concerned more with what the average citizen thinks than how lawyers perceive the depiction of legal phenomena (Friedman 1985: 191). The stories unfold typically by concentrating on how selected characters are dealing with challenging situations involving law and crime. "The character is the story", advises Dunne (2017: xvii) the writers of dramas.

In this article, "law" mostly means state law, as it can be found in legal texts, or at least law that is upheld in state courts. In a wider sense, "law" includes rules in which people strongly believe, the breaking of which results in a strong emotional response (Ehrlich 1967 [1913]: 132). Similarly, "crime" is an offence against a provision in the criminal code, but it may sometimes mean crossing a cultural rule that is defended in a community. According to Durkheim (2013 [1893]), people observe if society's rules are kept and upheld, as principally all members of society have an interest in its proper functioning. They react emotionally and strongly to rule-breaking. On the other hand, there will always be conflict and the testing of boundaries, new lines are drawn up constantly in a dynamic modern society. And some of this takes the form of crime, though it may occasionally become the new "normal" eventually. Durkheim's ideas illustrate why law and crime form such a large part in the stories people tell each other and in the stories the culture industry tells its audience.

"Good" and "bad" are commonly clearly distinguishable in products of popular culture. This is mainly because the three interculturally most severe crimes of murder, rape and robbery are typically committed in the stories (on "traditional crimes": Newman 1976). Other law violations or legal conflicts occur, such as over

1 Any overview needs to be selective: for example, Asimow and Bergman are discussing "over 200 courtroom movies" (Asimow & Bergman 2021: 15). Law on television in a range of countries is analysed in Robson and Schulz (2016). Law in different operas features in Annunziata (2017).

environmental pollution (as in the film "A Civil Action", USA 1998), or child custody (as in "Kramer vs. Kramer", USA 1979). Here too, good and evil are distinguishable, the way the events unfold. Minor crimes at the centre of a story are often a reserve of comedy, such as the theft of a duck's egg in "Kirschen in Nachbars Garten" (aka "Fruit in the Neighbour's Garden", Germany 1935), but may occasionally trigger high drama if they result in ruining a family's reputation (as in "The Winslow Boy", United Kingdom 1948).

In all this, a key device is to introduce audiences to characters that not only live in the stories but are their true protagonists. The reader, viewer or listener is invited to understand their actions and feel empathy towards them, up to the point of identification with some characters. It only works if the audience is ready to give up disbelieve, even if it is only for the moment ("believability" is highlighted by Black 1999: 142). Their struggles become our struggle, figuratively speaking. In the film "The Devil and Daniel Webster" (aka "All That Money Can Buy", USA 1941) after a short story by Stephen Vincent Benét, for example, lawyer and politician Webster needs to save a farmer's soul. Not only has he to persuade a jury of damned souls out of hell, who have all once been on the wrong side of the law but has also been made severely drunk by his adversary. On top of this, the devil will take Webster, too, if he loses. Nevertheless, Webster gets the jury to acquit the farmer and saves himself. Such stories only function with a habitually willing audience that is used to audio-visual entertainment.

Law-related films or TV series are mostly centred on a main as well as supporting characters. Lawyers and police officers are popular among scriptwriters as they come across a wide section of people in the pursuit of their business and there are often ethical issues involved. For example, in the first episode of the third season of the UK TV series "Happy Valley" (2023), the audience learns that Police Sergeant Catherine Cawood is counting the last days before she retires. She is called to an emptied water reservoir where a skeleton has been found and identifies the victim right away. A flashback shows us that the man was silenced by two people (drug dealers) on a motorbike. Cawood is the matriarch of her family. The daughter is estranged from her son's father, but now young Ryan starts seeing his dad in prison, which breaks a no-contact court order. The prisoner is the police's main subject in the murder case. When Ryan is playing football, he is offended by the sports teacher. We then see the teacher in his home, where he controls and abuses his depressive and drug-dependent wife. She gets her *diazepam* illegally from a corrupt pharmacist, who is visited by two violent drug dealers demanding that he now works for them. Meanwhile, the brash Sergeant has managed to annoy her police colleagues, and her station commander has been tipped off about Ryan's rekindling of relations with his father. With these elements, the scene is set for what will unfailingly be a story of grievous violence, organised crime, and family law. Testifying for the

popularity of the series and its main character, a caricature by Peter Brookes of The Times newspaper (18 January 2023) linked the super-woman figure with current police scandals. Blurring the distinction between fiction and policing, the TV sergeant from "Happy Valley" admonishes the Commissioner of Metropolitan Police to get on top of a chain of scandals about racist and misogynistic officer behaviour.

Stories are made all the more compelling if the protagonists face powerful adversaries. Nicole Rafter (2006: 136) has coined the terms "justice figure" and "injustice figure". One aims to achieve the right outcome, the other tries to stop this from happening. In the Swedish TV series "Henning Mankell's Wallander", episode "The Sad Bird" (2013), the police station commander himself is the injustice figure. In a typical courtroom drama, an upright defender of the law meets a crooked lawyer (e. g. "Erin Brockovich", USA 2000), or a heinous judge (e. g. "… And Justice for All", USA 1979), or a sinister prosecutor (e. g. "Young Mr Lincoln", USA 1939). To have heroes, there need to be anti-heroes. How they are balanced out influences the law-related message.

In the following, a closer look will be taken at the connection between character development and message, to be followed by an examination of products of popular culture that portray law and crime as aspects of life generally, without a particular focus on them. We move on to stories in which the protagonists take a moral stance to either adhere to the law or not. Where they allow a happy ending, stories differ from narratives in which the individual is consumed by a legal conflict or crime to the point that it ends their life or profoundly changes it to the negative. The latter are discussed in the penultimate section. In the conclusion, we will summarise how character development contributes to what audiences learn about law and crime.

## Character Development and Message

Of course, characters may not change essentially throughout a story or even many episodes in the case of a TV or film series. This applies for example to the Miss Marple films (the UK films with Margaret Rutherford appeared 1961–1964). The hobby detective just gets more opportunity to show her cunning and courage, and aspects of her past are revealed such as having taken part in the Olympiad in her youth. Though, a character may become more successful and established in her/his career, like Inspector Montalbano, the title character of the popular Italian police drama series (1999–2021, cf. Spina 2016: 148). The classic example of character development, indicating why allowing a transformation of personality makes a good story, must be "Young Mr Lincoln" (USA 1939). The viewer witnesses the future US president, played by Henry Fonda, deciding on a career in law, joining a

colleague's legal practice and winning his first major case, a murder case. He also meets his future wife and political rival in the process. Born in a log cabin, he is now a rising public figure. There is a clear upward trajectory that everyone in the audience knowing about 19th century history must expect. It is entertaining, though, as director John Ford frames it artfully so that the audience emphasises with the young man (Böhnke 2001). An example of a more open outcome, where the odds are first against the main protagonists, is provided by the film "City of God" (Brazil 2002). It portrays the descent of the like-named slum and of generations of children into a world of crime and premature death. Of the multiple character story, the fate of "Rocket" is most remarkable, as his inaptness in committing bad deeds and an interest in photography combine to turn him eventually into a reporter instead of a villain. In case of "Young Mr Lincoln", the audience may learn that legal institutions can function when they are manipulated by competent lawyers. "City of God" leaves the viewer most likely with the feeling that Brazilian favelas offer little hope to its inhabitants for a life without crime. The trajectory of the characters involved sets the tone.

Story and characters usually suggest a specific reading. It can be achieved by drawing on the multitude of means available to the content producers. They include not only what has been mentioned above, but also music which emphasises aspects of a story and emotions experienced by the characters, and there are means such as lighting and cut to shape scenes. However, readers, viewers, or listeners need to understand the constellations. It helps if producers allude to meta-narratives which are widespread in culture, or to historic events which are commonly known. The need to find a paying audience, or more generally just to find an audience, has two consequences. One is that existing views are re-enforced, as they are drawn upon. Insofar, popular legal culture is a conservative force. However, an exact repetition of what has been seen before would become boring. Some variation, or change, must be introduced, though limited by what is understandable/acceptable to the target audience. In as much as popular culture and by implication popular legal culture is often conservative, it also implies incremental change. As an example, the acclaimed TV lawyer series "The Good Wife" (USA 2009–2016) systematically picked up topics from then current legal debates, such as drone warfare, gun laws or work-place accidents (Machura & Davies 2013). The successful German police detective TV series "Der Alte" (aka "The Old Fox", 1977–2022) for twelve years had a black police officer displaying all the attributes of a pop cultural police hero at a time when there were hardly any non-White detectives in the German police. Presentations such as this, and the early inclusion of female Commissioners in the leading German crime series "Tatort" ("Crime Scene", since 1970, first female lead character: 1978), have the potential to change perceptions (Machura & Böhnke 2018).

Distinguishing a character from the performance of an actor can be difficult (Butler 2007: 60). For many Germans, Margaret Rutherford will be the incarnation of Agatha Christie's Miss Marple. Spencer Tracy (e. g. as the incorruptible judge in "Judgement at Nuremberg", USA 1961) and Henry Fonda appeared in so many roles where the law was on their side, that the knowing audience will take a clue about the character they play from their casting alone. Occasionally, the actor had an influence on the script, or filmed details. For example, the German TV Judge Ruth Herz (Das Jugendgericht 2001–2007), decided the outcome of the cases like she had as a youth judge before. With her appearance in the show, she aimed at informing the public about issues of youth justice (Moran et al. 2010: 200; Machura 2012).

It is, however, difficult to estimate the overall influence of popular legal culture on the public. For several reasons, including the sheer magnitude of products on offer, the fact that consumption is necessarily selective and the "fit" of the media content with other experiences people have. A German television viewer, for example, is spoilt for choices (Machura & Böhnke 2016). They can endlessly watch US products which acquaint them with a foreign legal system (Machura & Ulbrich 2001). This leads to confusion with the German institutions. For example, some believe that Germany still has juries. Others take from US movies featuring powerful lawyers with dubious morals for dramaturgical reasons that lawyers' ethics are questionable (Machura 2015: 408–409, small effect in a German study). Outside of prime time, German channels also repeat products produced under National Socialist (1933–1945) or East German Communist rule (post-war until 1990). Stories and characters reflect the editorial constraints of their period (Machura & Böhnke 2016). One of the theories explaining media effects is aptly called "Uses and Gratification Approach". Someone who purposefully selects information formats which provide legal advice or tips how to avoid becoming a victim of crime is likely to have a more positive picture of lawyers and police. The choices audiences make influence what messages they take. In a study, UK students who felt informed by films, TV series and novels on police had a higher level of trust in the police, reflecting the predominantly positive portrayal (Machura et al. 2014: 297). It is important, though, to always keep in mind that people form their opinions based on lots of different sources of information. They include personal encounters with the police, (mostly negative) experiences friends and colleagues chose to share, lessons in classes, and different media content pointing them in different directions (Machura et al. 2019; Machura et al. 2022). In their mind, viewers need to reconcile all this. For example, Belgian juveniles were found to disbelieve the positive portrayal of officers in police shows, as in reality they had negative direct experiences (Dirikx et al. 2013). Occasionally, impressions from the media even replace direct experience (e. g. Welzer et al. 2002). Convincing characters are likely to form a major part in all of this.

"Character" in fictional genres has been seen from various perspectives by scholars. Some assumed that "[t]o understand characters, readers tend to resort to their knowledge about real people" (Jannidis 2009: 16). With the omnipresence of media portrayals, it can be added that readers, viewers and listeners also understand a character at hand by reference to previously encountered fictional characters where they recognise similarities, or even differences. In other scholarly perspectives, "character" comes down to "traditional character traits" (Jannidis 2009: 16). Machura (2007: 333–342) has developed an analysis scheme for law-related films, highlighting traits given to film characters. Some relate to personal aspects such as age or gender, which are general but may have a specific connotation in the context of law and crime. Other aspects relate to status in the legal system and legal profession: e. g., as a single practitioner or partner in a law firm, as a senior police officer or rookie. A key value when it comes to law and crime is "justice", here understood as an evaluation of a distribution of benefits or disadvantages. Therefore, stories can be told by imbuing a character with an unfailing sense of justice, and by, e. g., contrasting it with others where it is sorely lacking. Procedural and interpersonal fairness, the way someone treats others, can also be paramount. Prejudiced judges, or lawyers resorting to unethical means, can serve as examples. To justice and fairness, effectiveness can be added.[2] Simply put, how well a detective solves cases, or how successful a lawyer represents clients. On top of such traits, characters can be constructed around tensions in their lives: often, professionally successful protagonists have no private life, are without stable relations to family members, or are unable to establish bonds with others (cf. Pfau et al. 1995). Political connotations may come into play and the leanings of the character. Audiences can quickly generate ideas about characters and their possible contributions to a storyline based on what must be for most a long-term exposure to pop-cultural law and crime.

## Law and Crime as Aspects of Life

In many ways, law and crime are part of life. There will be no society without social norms, some of which become law, and – as Émile Durkheim (1982 [1895]: 32) wrote – no society exists without crime. People create law, handle and are subject to law regularly as they go about their business or make key decisions. In contrast,

2 In a discussion of views on the police, Tyler and Jackson (2013: 13) explain trust in police as 'the belief that the police can be relied upon to act competently (be effective), to wield their authority in fair ways (be procedurally just), and to provide equal justice and protection across society (be distributively fair)'.

directly experiencing crime is likely to be episodic. People may go without any engagement in crime or confrontation with crime for some time, a minority will routinely engage in rather low-level criminal activity, others seek out crime stories for entertainment or crime news as part of their news diet. People may experience crime more intensely in episodes, for example when falling victim to an online fraud or a burglary. They may decide to invest energy in a protracted legal conflict, by suing their landlord for example. Products of popular legal culture often include portrayals of law and crime, even if these are only one part of the overall story. A radio play and a historic TV series may serve as examples.

Law and crime occur on and off in many popular series. The BBC's long-running radio classic "The Archers" follows the fictional lives of generations in an English village. It has been broadcast almost daily since 1951 and listened to by millions. Legal topics included controversial subjects such as drug dealing, environmental pollution, local planning, or abortion. In a particularly well-developed storyline, Helen Archer becomes the victim of her manipulative and abusive husband. Exemplifying the "battered woman syndrome" (e. g., Schuller & Vidmar 1992: 274–275), after a heinous provocation, she finally stabs the brute. He survives but Helen faces a jury trial and potentially losing custody of her son. So compelling was the story, that on Twitter and on the BBC website, people voted to predict the outcome in "court". A special long episode, aired on the 11th of September 2016, proved a masterpiece of script writing, varying the much-adapted topic of "Twelve Angry Men" (USA 1957, on the adaptations: Rosenzweig 2021). The prejudices expressed by the jurors during their deliberation reflected the tensions prevalent in Brexit-Britain. They ranged from class-based bias against the defendant's wealthy family to dislike against fellow jurors from immigrant backgrounds. In the end, however, the more reasonable voices get the upper hand and Helen is acquitted. As the pop cultural saga of rural England, "The Archers" demonstrates the presence of law and crime in everyday life and their potential to occasionally take over. Legal issues and crime are just some of the challenges characters in the radio play must overcome and by which they are formed.

The pioneering German TV series "Fernfahrer" ("Truckers"), aired originally from 1963 to 1967, is framed by two contracts. During the years of the German "economic wonder", driver Martin Hausmann starts his own business, buying the HGV concession and the by now somewhat outdated truck and trailer off of his late bosses' widow. Twelve episodes later, he has made it and can afford to pick up a shiny new articulated truck straight from the assembly line. In between, Martin and his youthful co-driver Philip Müdel have to survive cut-throat competition, fighting for contracts with better-equipped colleagues. The dangers of the road include crimes such as robbery, and crooks try to involve the unknowing pair in criminal machinations. Martin develops into a successful businessman and Philip grows out

of youthful habits – these were the years of public concern about rebellious youth, after all. The second episode "Bundesstraße 10 gesperrt" (translates as "Highway 10 closed") is especially noteworthy, as it shows otherwise competing truck drivers acting in solidarity and coordinating to stop robbers from getting away. Today, the series still finds a nostalgic audience, is available on DVD and YouTube, and is even kept alive by the miniature model industry. The German Mail Shop offered a special box with vehicle models, including Hausmann's iconic Büssing 8000 truck, a period police patrol car, and the light truck of the robbers. Although the share of crime in these stories is still somewhat implausible, it is just one aspect of the truckers' adventures and does not feature in all episodes. Law and legal regulation form a constant presence, though.

Both examples, "Fernfahrer" and Helen's trial in the "Archers" also indicate that citizens can join together to right wrongdoing. They ultimately share an understanding of at least the basics of law when it comes to the most severe crimes. Insofar, the legal message of popular culture can be of an encouraging nature.

## Taking a Moral Stance

Popular culture is awash with characters who are guided by their own peculiar understanding of what is right and wrong and where to draw the fine distinguishing line. With Durkheim (cf. Lukes 1982: 22) and others, social scientists assume that people acquire society's norms during a process called "socialisation". They then later arrive at an understanding of how to operate these norms where they are in conflict. Works of popular legal culture often show heroes prepared to break some laws to reach a higher goal. Crime is committed in order to save someone's life or to achieve a higher sense of justice. For example, in the episode "A War of Nerves" of the British series "Foyle's War" (2002–2015), the police detective's driver from the Mechanised Transport Corps, Sam Stewart, bends the truth when she is called as a witness in the magistrates' court. In a drunken stupor, her friend's fiancé, a sapper showing signs of Post-Traumatic Stress Disorder, threatened drinkers in a pub with a loaded gun and it was Sam's courageous interference which stopped the worst from happening. Thinking that the soldier deserves a second chance, and swearing on the bible to tell the truth, she now persuades the presiding magistrate that the situation was not serious.

Committing a crime is a moral choice, according to the Situational Action Theory of Crime (Wikström 2010). Personal morality becomes key to law-abiding behaviour in this theory (Barton-Crosby 2022). In popular culture, it is entertaining to witness characters dealing with temptations to offend and it involves the audi-

ence in the story. Viewers may be anxious if the detective or lawyer oversteps the mark and accepts or commits too grievous violations of the law. Others may take the transgression as a sign that a character is totally committed to solving a case or to dispensing (a "higher" form of) "justice".

One art form is especially geared to present moral considerations. In opera, "crime clings to certain characters", it is "personalised", as Lodewijk Brunt (2021: 82, 85) wrote. Opera allows to express emotions in a uniquely intensive way, including the inner turmoil of its characters when confronted with legally relevant choices (Machura et al. 2023). Singing and orchestral music are working together to display the motivations driving a protagonist over several minutes and with rich nuance. In recent years, opera has become more film-like and is increasingly consumed in people's homes, using DVDs and streaming platforms.

In extreme cases, action which normally constitutes a crime proves the right moral choice. For example, when forces of resistance attack dictators. The historically interested know that all attempts on Hitler's life failed. But still, contemporary audiences will follow with sympathy films showing how the plotters of "Valkyrie" (also the title of the US film from 2008 with Tom Cruise as Count Stauffenberg) tried to kill the dictator on 20 July 1944, accepting that minor officials also die in the bomb explosion (and risking that their own families may suffer brutal revenge). After all, the war would have been shortened and millions of lives saved. Perhaps, it had to be tried even if chances were slim, for its symbolic value alone, as some interpretations go (e. g., Fest 1994: 340, 342). Tom Cruise's memorable performance as Stauffenberg takes the viewer through the journey of the character which leads him to his actions. But most examples in popular culture of harming others for a greater aim are of course, on a lesser scale.

Set in London, "Strike" (aka "C. B. Strike", BBC 2017–2020, after stories by J. K. Rowling) is a TV series about an ex-military police sergeant, who returns as an amputee from the Afghan war and now works as a private detective. He does not shy away from committing minor offences to find evidence, or even to call a favour from criminals who go on to abduct a violent suspect. However, a good-hearted man in his core, despite a brash appearance, the detective instinctively sides with the vulnerable. A small scene from the episode "Career of Evil" (part 2, 2018) exemplifies his character. Strike himself is the suspect in a murder inquiry and is interrogated in the police station. Confronted by a female police officer with apparently incriminating photo evidence, he takes pleasure in pointing out the many hints indicating a montâge. To top his lecture, he takes out a cigarette – smoking being prohibited in UK public offices: "I don't care, I'll pay the fine." The policewoman replies dryly "I have asthma", upon which Strike sighs and says "Sorry". His face is now expressing empathy with her. Small details add to the characterisation of a protagonist. Throughout the series, the title figure develops, becomes less arrogant

and behaves less self-centred towards others, returning to behaviour more in the "normal" range.

Not only in high political drama or in detective fiction, but in lawyer stories also, heroes are seen breaking the law to serve a higher "justice" (e. g. Greenfield & Osborn 1995; Nevins 2000). Producers take pains to explain the heroes' temporary tactical law-breaking to the audience, which testifies to the strength of the general norm of law-abiding and upright behaviour. In general, law-related films suggest that the audience can rely on the law and the justice system, if it is in the hands of the right people (Greenfield et al. 2001: 27). And this is a big part of what popular culture tells about law and crime. Yet, not all is well.

## Injustice and Law

Within popular culture is a steady stream of products which depict serious injustice. Often, people are losing themselves and perhaps their lives in serious conflicts with legal ramifications. Protagonists are led on or actively take a path to self-destruction. Stories like these often deal with widespread exploitation and oppression, sometimes situations in which the criminal and political are intertwined. Films dealing with military justice typically show how soldiers do not receive fair treatment and are sacrificed for the benefit of superiors (Kuzina 2005). This is the fate of three sailors in the German production "Kriegsgericht" (aka "Court Martial", 1959), or, to give another example, French soldiers in Kubrick's seminal "Paths of Glory" (USA 1957). The Australian drama "Breaker Morant" (1980) is special for its constellation. Here, two of the three lieutenants accused of war crimes are guilty of murder, the third had relayed an order to shoot prisoners but immediately returned to plead with Morant for the prisoners' life. He then shot one of them in self-defence when attacked. Nevertheless, all three officers are harshly sentenced to cover up that shooting prisoners was ordered by the commanding general. Mitigating factors are ignored by the military tribunal. The film depicts how the horrors and privations of war can turn men into war criminals. "Breaker Morant" also forms a good example for a second category of films, but also TV series, showing how legal conflict or crime destroy individuals. Films can be based on historic events which are remembered – and thus selected by producers – as they are not yet settled in the court of public opinion (Machura & Böhnke 2018: 457). "Der Fall Bachmeier" (aka "No Time for Tears", Germany 1984) dramatises a real case in which a woman, who worked night shifts and thus could not protect her daughter from a rapist and killer, shoots the culprit in the courtroom. The question that kept the public occupied is clearly the issue of responsibility and guilt. A third category of films with often

negative endings for protagonists is concerned with sending a political message (on social issue dramas: Kuzina 2001). They attempt to mobilise the public for a cause by depicting grave injustice done to suffering individuals. “Breaker Morant” and “Paths for Glory” are sending an anti-war message. In “I, Daniel Blake” (UK 2016), an unemployed worker falls victim to an ill-directed welfare bureaucracy that no longer cares for the vulnerable, and its crushing rules. Two more recent examples, one in this part of the article, the other in the next, shall show the complexity and sophistication of works in the critical tradition.

The TV mini-series “Señorita 89” (Mexico 2022) in its eight episodes forms an example of dark tales in popular culture. Elena, a Mexican social science graduate with feminist, somewhat neo-Marxist ideas, aims to get a scholarship from the Sorbonne University for her PhD. To make her name, she decides to go undercover as a teacher into a training camp for the annual Miss Mexico competition. But she is confronted by more than the capitalist manipulation of female beauty that she wishes to expose. The enterprise turns out as a front for a criminal TV channel owner who uses sex tapes to blackmail politicians and other powerful figures. When a presidential candidate abuses two of the girls and threatens to strangle one of them in the act, Guerrero, tipped off as the competition winner, fights him and kills him accidentally. All was filmed by a hidden camera. Teacher Elena gets hold of the tape and in an act of misplaced trust, hands it over to the General Prosecutor who is in league with the TV entrepreneur turned crime boss. Given a Hobbesian choice, Elena accepts a bundle of cash in exchange for a vow of silence and is sent off. In the last scene, we see Elena riding on her motorbike, flanked by two menacing cars. It is implied that this is her last moment. (At the start of the second season, Elena reappears very badly injured. She is declared dead by her doctor and must go into hiding.) ”Señorita 89” deals with the familiar trope of political corruption and organised violence in Mexico. In this all-around bleak story, the twist is that an upright educated woman struggles in vain and her trust in the law is cruelly disappointed. The heroine is overcome by adversity.

Films and TV series, but also operas, depicting the demise of their protagonist are among the most powerful products of popular legal culture. However artfully the story is told, it is possible, but not likely that the viewer responds with legal nihilism. Rather, these products send a message that it needs a better justice system: one that is effective, not classist, misogynistic, or racist, is operated by personnel with integrity, and not a tool in the hands of authoritarian rulers.

## Characters Committing Serious Crime

Popular culture also puts flawed characters at the heart of stories. Some of these offer the audience a moment to ravel in the idea of floating free from societal rules, guided by selfish interests and corresponding values. To a large part, this offers escapism, no real danger for the recipient is involved. A conventional ending is usual, in which the malefactor finds her or his punishment. "Butch Cassidy and Sundance Kid" (USA 1969) are romanticised in the like-named film and will draw an audience's sympathy, but ultimately, their fate is sealed. The name of the title figure of Kleist's novel "Michael Kohlhaas" became proverbial in German language for someone going to war with the authorities to right a wrong and inflicting untold damage in the process. Among the many adaptations is a seven-part TV series "Michael Kohlhaas" (Germany 1967) depicting how the impulse to seek justice can do more harm than good if blown out of proportion and not itself restricted to legally correct actions. Again, comedy follows different patterns. It may allow the crook not only to win the audience's sympathy but to get away with crime. A prime example is the opera "Giovanni Schicchi" by Giacomo Puccini (1918). Schicchi is asked by a deceased man's greedy relatives to impersonate the dead and dictate a false testament to a notary. Instead, Schicchi defrauds the fraudsters and helps a young couple to get together.

Equally, criminals may escape justice but will not have the sympathy of viewers. In the Swedish TV mini-series "North Sea Connection" (2022), an Irish family is sucked deeper and deeper into the drugs business. For its members, the "connection" they are confronted with forms an even larger threat than the police. At the story's end, an unscrupulous daughter-in-law has fulfilled her life-long ambition to adopt a child by pressuring the mafia representative to find her a baby in exchange for her silence. As the family comes together for a luxurious meal, a Swedish police detective is freezing to death in the refrigeration room of the son's seafood business, having been locked in by the matriarch of the family. The bleakness of the ending is only broken up by the fact that two family members successfully protected an innocent neighbour they were ordered to drown out on the sea, by engineering her escape.

Law-breaking can be packaged in a way that discourages audiences from taking delight in the protagonists' deeds. The BBC mini-series "SAS Rogue Heroes" (2022) draws loosely on historic events around the founding of the British special forces unit in the Second World War. The idea was to place an elite unit behind enemy lines in the Libyan desert which uses hit-and-run tactics to inflict casualties. In a particularly poignant scene, unit commander David Stirling issues the instruction to his second in command Paddy Maine: "go, kill, return, go again". In this scene, the light falls on Stirling's face producing marked shadows, a staple technique to indi-

cate something about a film character (Butler 2007: 59). Here, it denotes a sinister side to the officer gentleman.

The night raid on the Benina Airfield forms the culmination point of "SAS Rogue Heroes": to a deafening sound of machine guns and heavy metal rock music by the group Motorhead, tellingly titled "Overkill", Stirling's troop mows down scores of enemy soldiers. One of the men shouts that the enemies are unarmed but nothing stops the inferno. The camera, however, shows some German soldiers with arms. Returning to base, Stirling is troubled; yes, he has inflicted substantial losses on the German air force but killing unarmed men sits uneasily with him. Meeting his second in command Paddy Maine at the garrison well, he comments disapprovingly on Mayne's previous shooting of drunken German pilots who made no effort to resist. Mayne lifts his flask and declares: "turns out, we drink from the same well after all." Killing in war and suffering the loss of friends have severely affected Mayne's judgment. For a while, he cannot even see the difference between Vichy French whom he fought in Syria and Free French joining the SAS and wishes to kill them all. By the end of the first season, this officer is put in command of the unit. The storyline is even more disturbing as the historic officer Mayne was a solicitor before and after the war (National Army Museum, n.d.). Anyhow, the TV series does not invite too much audience sympathy with the unscrupulous Mayne character and likely not with the Sterling character.

## Conclusion

In a typical film, opera or television series, the potentials and limits of law are experienced through the actions of main characters. Justice and injustice figures fight each other whereby the former usually keep the upper hand. It is suggested that the law can indeed serve people, as long as they are willing to fight for their rights and meet upright lawmen (and women) in the pursuit of their interests. The dramatic tension arising from obstacles encountered in the process is likely to suggest a classic liberal view of law: the system may work but checks and balances are needed. Danger especially emanates from holders of powerful positions who abuse their might.

In works of popular culture, crime and law-breaking very much appear as related to individual morals. They are depicted as moral choices. Many examples show that characters in popular legal culture are given license to break some law in order to uphold a higher idea of justice. It allows moments of tension in which the audience holds its breath: will the protagonist overstep the mark? In this way, social and legal norms are symbolically tested and ranked in relation to one another.

Characters help to make a story understandable to an audience and to make a message stick. Popular culture has a large arsenal of character types which can be drawn on and are familiar to the audience. To different degrees, the viewers or listeners are knowledgeable in relation to pop cultural conventions and "media literate". They enjoy recognising common tropes and relish their variation as long as their understanding is not stretched too far. As much as the message of law-related formats, found in film, TV, opera, reinforces existing stereotypes, it also involves constant variation and innovation. In this way, following the fate of pop cultural characters contributes to the cycle of conservation and change in society.

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