CHAPTER 7

Deviance, Crime, and Law

Teacher:	Your current event, Napoleon.
Napoleon Dynamite:	Last week, Japanese scientists explaced . . . placed explosive detonators at the bottom of Lake Loch Ness to blow Nessie out of the water. Sir Cort Godfrey of the Nessie Alliance summoned the help of Scotland's local wizards to cast a protective spell over the lake and its local residents and all those who seek for the peaceful existence of our underwater ally.

—*Napoleon Dynamite* (2004)

Fenster:	They treat me like a criminal. I'll end up a criminal.
Hockney:	You are a criminal.
Fenster:	Why you gotta go and do that? I'm trying to make a point.

—*The Usual Suspects* (1995)

Arthur Kirkland [pointing at his client]:	That man is guilty! That man, there, that man is a slime! He is a *slime!* If he's allowed to go free, then something really wrong is goin' on here!
Judge Rayford:	Mr. Kirkland, you are out of order!
Arthur Kirkland:	You're out of order! You're out of order! The whole trial is out of order! They're out of order! That man, that sick, crazy, depraved man, raped and beat that woman there, and he'd like to do it again! He *told* me so! It's just a show! It's a show! It's *Let's Make a Deal!* *Let's Make a Deal!* Hey Frank, you wanna make a deal? I got an insane judge who likes to beat the shit out of women! Whaddya wanna gimme, Frank, three weeks' probation?

—*. . . And Justice for All* (1979)

I n *Napoleon Dynamite* we are presented with some of the most deviant of film charac-ters. While neither Napoleon nor his companions commit a crime, they are nonetheless deviant. Like most of us do, some or most of the time, the characters in the film break from social norms. Unlike crime, which is the violation of a norm or a law that results in a legal sanction, deviance, in the sociological/criminological sense, refers to the violation of a norm resulting in negative reactions from others. Stealing might land you in jail, while presenting your high school current event on the protective spells cast over Loch Ness for the protection of Nessie (in all seriousness) just might land you as a social outcast from school peers.

Ballantine and Roberts (2011:169–70) debunk four misconceptions about deviance and crime—misconceptions that stem from the kind of commonsensical thinking that sociology/criminology often dispels through empirical research. First, "some acts are inherently deviant." Sociologically, deviance is socially constructed. An act has no inherent meaning until a society gives it meaning. The labeling of acts as deviant varies across cul-tures, time, places, and social groups; and since labels carry tremendous social power, even those who engage in criminal activity might bristle at the label, as Fenster makes clear above. Second, "those who deviate are socially identified and recognized." In terms of criminal deviance, approximately one third of crime reported to the police results in an arrest. This means the majority are never labeled as deviant (at least via the criminal justice system). Third, "deviants purposely and knowingly break the law." Actually, not all acts of deviance are motivated by rational, calculated choice; many are driven by emotions or incongruous understandings of what is actually deviant. Last, "deviance occurs because there is a dishonest, selfish element to human nature." Actually, research has been unable to establish a relationship between deviance and personality characteristics.

In the first reading, Robert Wonser and David Boyns explicate the sociology of deviance, particularly the main sociological/criminological theoretical perspectives, through analysis of the Batman films. Though these movies are in the genre of fantasy, a sociological reading of Gotham City, Batman, and the various villains allows us to consider the social construc-tion of deviance. The typically dichotomous cinematic images of "good guy/bad guy" are actually blurred in these films. The "good guy," Batman, is a social outcast, as are most of his enemies. Thus, we are offered multidimensional deviants: the "bad" demonstrating weaknesses that may not justify their actions, but certainly help to explain them, while the "good" are often viewed by Gotham City residents as equally "psychotic."

Beyond social constructionism, the authors utilize a variety of theoretical perspectives in their analysis of the Batman films. Durkheim argued that deviance is an expected com-ponent of society and functions to remind us of social boundaries (members of society learn and relearn these boundaries as they bump against them). Drawing from Durkheim, other functionalist perspectives that seek to explain deviance and crime include anomie theory, social disorganization theory, and differential opportunity structures—all of which are highlighted by Wonser and Boyns. Other theoretical perspectives are illustrated using the Batman films, from macro level analyses (conflict theory) to micro level analyses (dif-ferential association).

In the second reading, Nicole Rafter explores the extent to which crime films contribute to our understanding of crime and seeks to specify "crime films' relationship to academic

criminology." While academic analyses of law films continue to flourish, Rafter argues that we lack a similarly robust literature concerning crime movies. Using a selection of five sex crime movies, Rafter seeks to "illustrate the relationship of film to criminology." Recognizing the criminological relevance of movies, Rafter argues that "popular criminology" and criminology are not at present connected in the theoretical manner in which she proposes. In this reading she suggests that we "conceive of crime films as an aspect of popular criminology, and of popular criminology as an aspect of criminology itself."

Valerie Callanan also utilizes a constructionist approach in her analysis of the sociology of law. According to Callanan, research has spotlighted three stances toward law: (1) before the law, (2) with the law, and (3) up against the law. Moreover, we can hold these views simultaneously and contradictorily. Callanan notes that many popular films present a reverence of the law, whether "before" or "with" the law. Al Pacino as Arthur Kirkland, in his iconic courtroom scene in . . . *And Justice for All*, exemplifies the many other films that point out the flaws in a system that places people "up against the law."

While the protagonists in each of the films Callanan considers risk and lose much in their pursuit of justice, the sacredness of the law prevails. Erin Brockovich temporarily sacrifices a relationship and strains those with her children. Jan in *A Civil Action* is a lawyer but, like Brockovich, out of his league as he fights for the victims of corporate pollution. In these films the fight and victory of the individual hero mask the myriad underlying structural constraints. It's good movie fun to see the underdog win. But, as Callanan points out, these narratives of justice and the sacredness of law also avoid real-life struggles such as those between the real "haves" and "have-nots."

Reference

Ballantine, J. H. and K. A. Roberts. 2011. *Our Social World: Introduction to Sociology*. 3rd ed. Thousand Oaks, CA: Sage/Pine Forge.

THE CAPED CRUSADER

What Batman Films Tell Us about Crime and Deviance

Robert Wonser and David Boyns

Cinema can reveal a lot about the sociology of deviance. From their explorations of subcultures, criminal syndicates, institutional corruption, underworld activity, and corporate malfeasance, films provide a unique opportunity to illuminate social worlds that often run against the grain of conventional society. Many films explore issues of deviance by creating realistic portrayals of social worlds that exist on the boundaries of social experience. In such films, we are invited into the backroom worlds of corporate crime as in *Wall Street,* witness the grit and grime of police corruption like that of *Training Day,* or enter the microcosmic universes of inner city street life like that found in *Boyz n the Hood.* While these films provide fictional accounts of deviance, they also invite viewers into sociological worlds that would not be surprising to encounter beyond the screen. Other films stretch the boundaries of the imagination in their exploration of deviance and ask viewers to engage in what Samuel Taylor Coleridge ([1817] 1965:169) called the "willing suspension of disbelief." These films take us into sociological universes that are beyond the realm of our conventional experience but, at the same time, provide a cinematic reality that illuminates sociological themes present in our own social world.

One of the more imaginative and spectacular windows into the sociology of deviance can be found in the Batman films that have now spanned over two decades—for example, *Batman* (Tim Burton, 1989), *Batman Returns* (Tim Burton, 1992), *Batman Forever* (Joel Schumacher, 1995), *Batman Begins* (Christopher Nolan, 2005), and *The Dark Knight* (Christopher Nolan, 2008). As a group, the Batman films provide a fertile context for a discussion of the sociology of deviance as it is examined in modern societies.

Through the Batman films, we inhabit the fantasy world of Gotham City, a bustling, urban environment similar to modern American cities. Gotham is rife with social problems and filled with the same deviant and criminal activity that commonly makes the news in our own cities. In Gotham, corporate crime is widespread, police corruption is rampant, and deviant subcultures rule the inner city streets. But Batman's world is unique in that it is filled with fantastic beings waging war between justice and order on the one side and crime and chaos on the other. While the Batman films ask us to suspend disbelief regarding Gotham's unusual superheroes and villains, they also give us a unique opportunity to examine the sociology of deviance in a potent and engaging way.

Using the Batman films as a window to explore deviance, this reading begins with a discussion of key concepts and perspectives related to the sociology of deviance. We then apply these concepts to the cinematic Batman and examine him as both a champion of order and justice and a deviant. We also investigate Batman's urban world, Gotham City, using the concepts of functionalist theory. Gotham City is a dysfunctional social environment and provides a case study of how social disorganization produces deviance. Gotham's conflict, crime, and deviance are primarily the products of the city's criminal masterminds,

Batman's foes. These villains help us to explore the ways in which deviance is, in many ways, in the "eye of the beholder" and subject to a process of social construction. In the final section, drawing on insights from sociological research and theory, we use the villains of Gotham City to illuminate the dynamics of deviance.

The Sociology of Deviance

The study of deviance is one of the most enduring concerns in the discipline of sociology. In sociological analysis, *deviance* is understood as behaviors that circumvent, flaunt, and even challenge the normative conventions of a given culture. As Emile Durkheim ([1895] 1982) suggested over a century ago, deviance can be thought of as an inherent aspect of society out of which we forge and shape our collective sentiments and identities. In Durkheim's analysis, deviance provides boundaries for social groups and helps outline the standards for both inclusive and exclusive membership. From this perspective, societies cannot function properly and coherently without group boundaries. According to Durkheim, a social order of balance and justice is important, but the deviance that challenges this order is vital and normal.

For Durkheim, deviance is a normal component of any society, as opposed to a pathological expression of those actions that stand outside the boundaries of social control. From this perspective, deviance has a twofold relationship to the normative social order: it is both common and even expected sociologically, and it represents a transgression of cultural standards that constitute the norm. Sociologists understand *norms* as conventionalized modes of behavior, thought, and belief that outline the activities of a social group. Norms are the cultural rules, laws, and codes of etiquette that members of a group are expected to follow. For Durkheim ([1912] 1995), norms can be prescriptive, outlining forms of expected and preferred thought and action (i.e., what one *should* do), or they can be proscriptive, emphasizing those behaviors and beliefs that are unacceptable, taboo, and forbidden (i.e., what one *should not* do). In Durkheim's ([1893] 1997) view, one of the most important challenges for a social group is how it handles deviance. Durkheim argues that groups typically vary in the degree to which they either repress deviance outright (usually through severe punishment or group expulsion) or work toward the restitution of order that is unsettled by deviance. It is important to note that, in Durkheim's analysis, cultural standards of normative thought and action are relative to sociological context and even to situational circumstance. Thus, what is considered to be normal behavior in one culture or setting may be regarded as deviant in another. As sociologists often note, and as will be examined below, norms and deviance both are *social constructions* (Berger and Luckmann 1966; Best 1995).

Batman: Winged Crusader or Criminal Menace?

Batman is an unusual and enigmatic character who amplifies issues related to sociological marginalization. From his unique appearance to his technological enhancements, Batman straddles the sociological worlds of normalcy and deviance. As a crime fighter, he is a vigilante superhero who is a guardian of good, championing the causes of justice over corruption, order over chaos, stability over deviance. Following the script of most superheroes, Batman distinguishes himself as a defender of the good with his highly stylized mode of

dress, mysterious and double life, and supernormal crime fighting abilities. Batman works closely with law enforcement in combating deviance, crime, and corruption. However, although Batman appears to be on the side of justice and order, it is not always clear on which side of the law he stands. Batman's dubiousness makes him unique as a superhero in that his activities are motivated by a prominent inner struggle that causes him, as well as others, to question the moral orientation of his motivations and loyalties. It is largely due to this tension that Batman has earned the title "The Dark Knight."

Batman's real-world identity is that of multimillionaire Bruce Wayne, the eccentric owner of the high-tech and multifaceted company Wayne Enterprises. After seeing his parents murdered at a young age, Bruce inherits the family fortune and vows vengeance against all who threaten the people of Gotham City. Bruce's wealth is apparent throughout the Batman films, as exemplified by his upper class lifestyle and ability to invent and commission complex crime fighting technologies. He is a person with extraordinary advantages, circumstances that are certainly instrumental for his double life as Batman. This privileged background stands in sharp contrast to that of many of Batman's enemies, the inheritors of significant social and economic disadvantage that are a product of what have been described as the limited opportunities of social strain (Agnew 1992; Cloward and Ohlin 1960; Merton 1968). Although Bruce Wayne is generally viewed as a philanthropic playboy, this persona primarily serves to distract the general public from his alter ego as the superhero Batman.

One of the most sociologically interesting aspects of the Batman films is that Batman is portrayed as a deviant who challenges deviance. The mystery surrounding Batman's image and abilities is frequently conflated with the rumors of his activities. For example, in *Batman*, Batman's escapades are exaggerated by news reporters and by street criminals who find uncertainty in the midst of legends of a new, mystifying, crime-fighting "winged vigilante." While Wayne's choice of bat-inspired attire has personal connotations and works to frighten criminals, his unnatural abilities and secret identity also make him a suspect in a number of Gotham's crimes.

At the beginning of *The Dark Knight*, the television news in the police station runs the caption "Batman: Crusader or Menace?" Because the crime-fighting, vigilante Batman is "more than just a man," it is unsurprising that he is identified as deviant. In a scene in *Batman Begins*, Bruce Wayne's new mentor Henri Ducard (Liam Neeson) tells him, "If you make yourself more than just a man, if you devote yourself to an ideal, then you become something else entirely." Bruce (Christian Bale) takes this literally and becomes a norm-violating "bat" that takes the law into his own hands and exacts justice as he sees fit without the legal authority to do so. David Matza (1964) argues that through *techniques of neutralization*, rationalizations that excuse questionable behavior, deviants are able to move back and forth along conformist paths most of the time and deviant paths other times. We see that through his alter ego Batman, Bruce Wayne, like many deviants, is allowed to "drift" between deviance and conformity to society's expectations.

Gotham City: Functional Harmony in Crisis

Batman's home, Gotham City, is as central to the storyline as Batman and his foes. In Batman lore, the city itself is modeled after downtown Manhattan in New York City and, in fact, Gotham was a nineteenth-century nickname for New York City (Burrows and

Wallace 1999). With its skyscraper-peaked skyline, high-rise townhouses, and generous urban density, Gotham City is a bustling metropolis that reflects the social organization of many prominent American urban centers. Throughout the films, Gotham's history is described as one of harmony and civility, where law and order prevail. However, recent economic trouble and social conflict in Gotham have caused considerable urban decay, political corruption, and social disorganization. Such processes have produced what sociologists describe as *social strain* (Merton 1968), which has led to widespread criminal activity and the emergence of a rogue underworld inhabited by Batman's foes. As described below, the story of Gotham City illustrates a set of sociological trends paralleling dynamics that have been the focus of sociological studies of crime and deviance for over a century.

The sociological ethos of Gotham City is seemingly founded on the *functionalist perspective* of society, based on the metaphor of human communities structured as organic beings (see Durkheim [1893] 1997). For functionalists, social order and balance are the goals of society and the degree to which a society functions can be illustrated by the harmonious interdependence of its major social institutions—such as law, government, and the economy. In his defense of society, Batman is a paragon of social order, weeding out deviance and crime in the service of order and justice. True to the functionalist perspective, Batman seeks to restore equilibrium to the social dysfunctions of unbridled crime. In *Batman Begins*, Bruce Wayne's love interest Rachel Dawes (Katie Holmes) echoes this perspective when she argues with Bruce that personal revenge is motivated by selfish and individualistic interest, whereas a socially organized and impartial legal system helps to create a society where "justice is harmony."

This functionalist focus on harmony is a common theme throughout many of the Batman films. For example, in *Batman Begins* we learn the story of Gotham City's origins. Once a prominent and thriving metropolis, Gotham has slowly fallen into massive urban decay and corruption. Such events have brought Gotham to the attention of the League of Shadows, a group focused on restoring order and balance to a world increasingly rife with conflict and disharmony. The League is willing to use extreme, even violent, measures to destroy the forces of disharmony in order to restore social equilibrium. As Gotham is one of the world's greatest cities, its sprawling crime and political corruption have pushed it into massive disharmony, and the League believes that destroying the city will help to move the world back into proper, harmonious focus. In the past, the League has attempted to exacerbate Gotham's disequilibrium by intentionally spinning it into economic turmoil, dire poverty, and social disorganization. The result is what we see in the Batman films, a shadowy and menacing urban environment where the fearful citizens of Gotham stay indoors after nightfall, dark and uninviting alleyways abound, and criminals roam and rule the streets.

Philanthropists in Gotham, like Bruce Wayne and his parents, have unsuccessfully interfered in the League's schemes by providing economic subsidies to rectify the city's poverty. Motivated by a unique and even distorted vision of harmony, the League seeks to further accelerate the demise of the slowly decaying Gotham. In *Batman Begins*, on the brink of the League's next attack on the city, Henri Ducard (as the villain Ra's al Ghul), Bruce Wayne's mentor from the League of Shadows, outlines the League's new plans for the destruction of Gotham:

Ra's al Ghul: Tomorrow the world will watch in horror as its greatest city destroys itself. The movement back to harmony will be unstoppable this time.

Bruce Wayne: You attacked Gotham before?

Ra's al Ghul: Of course. Over the ages, our weapons have grown more sophisticated. With Gotham, we tried a new one: economics. But we underestimated certain of Gotham's citizens . . . such as your parents. Gunned down by one of the very people they were trying to help. Create enough hunger and everyone becomes a criminal. Their deaths galvanized the city into saving itself . . . and Gotham has limped on ever since. We are back to finish the job. And this time no misguided idealists will get in the way. Like your father, you lack the courage to do all that is necessary. If someone stands in the way of true justice . . . you simply walk up behind them and stab them in the heart.

As the theory of functionalism asserts, the ideal society is like an organic entity, composed of institutions in a state of interdependent homeostasis. However, functionalists argue that societies frequently experience *anomie*, dysfunctional tendencies that pose threats to a community's balance and social order. In the Batman films, the League of Shadows along with Batman's other villains is a metaphoric embodiment of these anomic threats.

Drawing from Durkheim, sociologists have examined the ways that anomie (i.e., a breakdown of social norms) can produce deviance in human communities. *Social disorganization theory* was one of the first theories developed by criminologists to explain crime in urban areas (Shaw and McKay 1972). This theory posits that when a region's social fabric breaks down, its social institutions become weakened and the involvement of its community members is attenuated. Such communities suffer from a lack of traditional social control stemming from established institutions like the family, church, and school. These areas become transitional neighborhoods where unsettled and socioeconomically marginalized populations converge, creating regions where unemployment is high for populations vulnerable to anomie and residents are fearful. When social disorganization manifests itself, communities deteriorate and residents become frightened to leave their homes. This trepidation advances the cycle of crime as the "eyes on the street" (Jacobs 1961:44), so central to the informal social control present in urban areas, disappear and residents become reluctant to involve themselves in their communities for fear of victimization.

In Gotham City, social disorganization is widespread, and as sociologists have suggested, one of the outcomes of social disorganization is social strain. Robert Merton (1968) theorized that the social strain of anomie can create deviance when paths toward legitimate opportunities are blocked. When confronted with a lack of opportunity, some individuals will be forced to seek innovative and alternative means (e.g., crime) toward the pursuit of traditional goals (e.g., money). Others may be compelled to reject conventional pursuits altogether and become social outlaws, enemies of normal and predicable standards of conformity.

Robert Agnew (1992) extended these ideas, arguing that the social strain of blocked opportunities has important sociopsychological consequences, creating negative emotional experiences that result in antisocial orientations and behaviors. Looking at the consequences of social strain, sociologists have found that different socioeconomic contexts create "*differential opportunity structures*" (Cloward and Ohlin 1960). When legitimate opportunities are blocked among the members of a community, the shared disenfranchisement of these individuals will converge and they will look to create new opportunity structures. Such opportunity structures frequently materialize as deviant or criminal communities, such as street gangs, urban subcultures, and organized crime. These types of communities are exemplified in the Batman films through the various crime syndicates that emerge. While Batman's foes have prominent identities of their own, they rarely exist in isolation and find themselves either working in tandem with other villains (as the Penguin and Max Shreck do in *Batman Returns*) or operating with an alliance of street criminals (as the Joker does in *The Dark Knight*). As a result of the anomie that increasingly saturates Gotham City, many of the villains in the Batman films are drawn to an existence on the margins of society, pushed into a deviant way of life, and find membership and even security in the subcultures of Gotham's underworld.

In addition to exploring the causes of Gotham's general decline, the Batman films illustrate something else central to the functionalist perspective of deviance: while deviance may be dysfunctional for the moral order of Gotham City, it is also seemingly intrinsic and fundamental to the Gotham community. Echoing Durkheim's pronouncement of the normalcy of deviance, the Batman films depict a social environment where a certain amount of crime is anticipated and even expected. Batman's world is one of a functional interdependence of parts, where law enforcement and criminal activity are mutually interrelated, each serving as a system of checks and balances for the other. In *The Dark Knight,* the Joker (Heath Ledger) best expresses the interdependence of order and deviance when asked by Batman why he is set on exterminating the Caped Crusader. The Joker responds, "I don't want to kill you! What would I do without you? Go back to ripping off mob dealers? No, no, *no!* No. You . . . you . . . complete me." Such a response echoes a branch of functionalist theory that argues that dysfunctional aspects of society, such as deviance and conflict, can have important, subsidiary functions (Coser 1956; Merton 1968). Indeed, Batman would not be necessary were it not for the existence of deviance in Gotham.

The Joker's observations about the interdependence of law enforcement and criminal activity are sociologically astute and reflect the idea that some deviance is sociologically normal. Only when social dysfunctions become too severe do they threaten the workings of society. Again in *The Dark Knight*, the Joker elucidates this theme in a discussion with Gotham's former district attorney, Harvey Dent, now the crime boss Two-Face (Aaron Eckhart). The Joker says:

> You know what I've noticed? Nobody panics when things go "according to plan." Even if the plan is horrifying! If, tomorrow, I tell the press that . . . a gangbanger will get shot, or a truckload of soldiers will be blown up, nobody panics, because it's all "part of the plan." . . . Introduce a little anarchy. Upset the established order, and everything becomes chaos. I'm an agent of chaos.

The Joker's danger to Gotham is that his criminal activities are anarchic, so contrary to conventional norms that they stand outside the functional interdependence of deviance and order. The Joker's modus operandi is beyond that of what is expected from simple "cops and robbers." Instead, he challenges the basic rules of morality by compelling the ordinary citizens of Gotham to question their own moral beliefs, and ultimately exposes Gotham's codes of both deviance and order as social constructions.

Who's Afraid of the Big, Black Bat? Batman and the Social Construction of Deviance

While the functionalist and strain approaches to deviance resonate throughout the Batman films, there are other cinematic devices that challenge these perspectives and explore different approaches to the sociology of deviance. In watching any one of the Batman films, the "good guys" and the "bad guys" become apparent. The "good" are represented as the everyday citizens of Gotham, helpless victims of Batman's villains. Law enforcement and political officials work to serve the citizens in the name of the "good." On the side of the "bad" are Batman's villains, the street criminals they organize, and the politicians, business leaders, and police who have fallen into corruption and made alliances with the denizens of the underworld. Such bimodal definitions are typical cinematic plot devices that help us catalog the characters in a storyline into understandable divisions. But in the Batman films, these divisions are somewhat artificial, and at times depend on the perspective to which one is sympathetic. Many of Batman's enemies are social outcasts, defenselessly and unjustly rejected from the world of the good with little compassion or concern. In *Batman Returns*, the young Penguin (Danny DeVito) is discarded by his parents because of a childhood deformity. In *The Dark Knight*, we hear the Joker describe his physical abuse as a child. Thus, the Batman films play with, and often twist, definitions of cultural norms, and in doing so help to illustrate the socially constructed nature of deviance.

The *social construction of deviance* suggests that definitions of both normal and deviant behavior are contingent on social and cultural context (Berger and Luckmann 1966; Best 1995). What is considered deviant in one context may be seen as normal in a different setting. However, the fact that cultural norms are socially constructed does not mean they do not have a real impact on people and their social experience. Norms may be socially defined, but when they are reified, they are treated as if they have a concrete reality. Batman himself is an example of the socially constructed nature of deviance. As we have discussed, Batman walks a thin line between the good and the bad, often using tactics outside the law to defend the good. Because of this, Batman is frequently considered by the inhabitants of Gotham to be of questionable, or at least ambiguous, moral standing. As the Riddler (Jim Carrey) questions in *Batman Forever,* "Riddle me this, riddle me that; who's afraid of the big, black bat?" Of course, the Riddler uses this puzzle mockingly, but the question is an important one in understanding Batman. The sociological answer to the Riddler's puzzle is that because deviance is a social construction, everyone in some way fears Batman.

The uncertainty regarding Batman helps to illustrate the socially constructed and often arbitrary definitions of deviance that abound in Gotham. For example, in *Batman*, reporter

Vicki Vale (Kim Basinger) compares Batman's (Michael Keaton) behavior to that of the Joker, and she questions Batman's loyalty to the citizens of Gotham:

Vicki Vale: A lot of people think you're as dangerous as the Joker.

Batman: He's psychotic.

Vicki Vale: Some people say the same thing about you.

Batman: What people?

Vicki Vale: Well, I mean, let's face it. You're not exactly normal, are you?

Batman: It's not exactly a normal world, is it?

Photo 7.1 Batman (Christian Bale) and Joker (Heath Ledger). Both are deviant social outcasts in *The Dark Knight.*

Batman's responses to Vicki Vale are telling. When she reveals to Batman that people speculate that he is psychotic, he shrugs off the notion of himself as pathological. However, Batman's world is clearly inhabited by deviants and villains of broad eccentricities; and Batman seems to fit right in. His perception that corrupt Gotham is not a "normal world" is expected, given the peculiarities of the characters who live there, but it also stands as justification for his own activities as a crime fighter who operates outside the law.

Perhaps the most revealing illustration of the social construction of deviance occurs in *The Dark Knight.* In one of the pivotal moments in the film, the Joker has designed a "social experiment" to test the ethical standards and moral fortitude of the citizens of Gotham. He arranges for two ferries to be set afloat in the Gotham harbor: one filled with everyday citizens of Gotham and the other containing inmates from Gotham's prison. While each boat carries explosives, each also carries a remote detonator that will allow passengers to destroy the other boat. The Joker describes the "experiment" for the passengers over the ferries' public address systems:

Tonight you're all gonna be part of a social experiment. Through the magic of diesel fuel and ammonium nitrate, I'm ready right now to blow you all sky high. Anyone attempts to get off their boat, you all die. Each of you has a remote . . . to blow up the other boat. At midnight, I blow you all up. If, however, one of you presses the button, I'll let that boat live. So, who's it going to be: Harvey Dent's most wanted scumbag collection, or the sweet and innocent civilians? You choose . . . oh, and you might want to decide quickly, because the people on the other boat might not be so noble.

The Joker's experiment is designed to see which set of passengers will be the first to compromise their own ethical standards and destroy the people carried by the other ferry. Because the Joker is essentially amoral, his experiment is not designed to create a certain

outcome but, instead, to expose what he perceives as the arbitrary nature of morality. As the Joker states, "The only sensible way to live in this world is without rules." The cinematic result is a film moment in which both the film's characters and the viewing audience are asked to question their own sense of morality and contemplate the socially constructed nature of cultural norms. In considering what to do, will the passengers be bound by the standards of the law? Which group of passengers will be first to detonate the other ferry? Which group of passengers is more deserving of life? Is it proper to take a life to save one's own? Which individual life is more important than another? Such questions are poignantly evoked by this scene, highlighting the socially constructed nature of deviance and examining how the arbitrariness of deviance can be exposed in situations of incredible uncertainty.

Who's Rules Are They, Anyway?
Conflict Theory of Deviance

In the Batman films, scenes like the Joker's "experiment" illustrate another important perspective within the sociology of deviance. This perspective asks us to consider whose interests are actually served by the cultural standards of normalcy and deviance. Are cultural norms neutral? Who creates the laws and other social norms? And who benefits from them? Such questions are addressed by the *conflict perspective* (Chambliss 1976; Quinney 1970), which contends that deviance and crime are socially organized to benefit the dominant and powerful interests of a society, often at the expense of the marginalized and disenfranchised. Conflict theories contend that, instead of deviance being a normal component of a social community, as argued by functionalists, definitions of deviance are inherently ideological.

From the conflict perspective, some individuals are able to escape legal scrutiny because of their positions of privilege and power. Batman himself is one such individual. Privilege and power provide others with the ability to determine the contours of the law; in fact, some are representatives of the law. These individuals flourish in Gotham's criminal underworld. Take, for example, the many instances of institutional corruption in the Batman films. Gotham business mogul Max Shreck (Christopher Walken), one of Batman's enemies from *Batman Returns*, is a powerful corporate criminal who intends to build a power plant that will steal electricity from Gotham's electrical grid, thus giving him a monopoly over Gotham's electric power. Millionaire scientist Edward Nigma (Jim Carrey) is a disgruntled employee of Wayne Enterprises who, in *Batman Forever,* adopts the persona of the Riddler after his inventions are rejected, and he seeks revenge by using his technologies of mind control to steal the brainpower of the citizens of Gotham. In *The Dark Knight,* it is only through corruption in Gotham's police force that the Joker is able to install his hired thugs as police officers and attempt to assassinate Gotham's district attorney, Harvey Dent. In the Batman films, deviance is not simply a product of "normal" social dysfunctions; following the conflict approaches to deviance, it resides among Gotham's elites, who use their social privileges to intentionally create chaos within the city. Many of these elites are corporate criminals who, until they meet Batman, are able to avoid scrutiny by the law and continue their deeds with impunity.

As stated previously, even Bruce Wayne (as Batman) is allowed to skirt the law as he and others see fit. Not only does Batman never get arrested (despite police opportunities to do so), but he is even called upon by Harvey Dent and Lieutenant Gordon (Gary Oldman) to

apprehend the crooked mob accountant Lau from Hong Kong. In *The Dark Knight,* we witness a rooftop conversation that illustrates the way powerful men in Gotham's police force plan to use their position of privilege to evade the confines of the law:

Harvey Dent [turning to Batman]:	We need Lau back, but the Chinese won't extradite a national under any circumstances.
Batman:	If I get him to you, can you get him to talk?
Harvey Dent:	I'll get him to *sing.*
Lt. James Gordon:	We're going after the mob's life savings. Things *will* get ugly.
Harvey Dent:	I knew the risks when I took this job, Lieutenant. Same as you. [Turns back to Batman.] How will you get him back, anyway? [Turns to where Batman is, or rather, where he should be, as he's already vanished.]
Lt. James Gordon:	He does that.

Neither Dent nor Gordon knows how Batman will finagle this operation, but they both know that he won't necessarily use legal means. We are also left with the impression that Dent might use unscrupulous methods for getting Lau to "sing." In this instance and others, we see those with power and privilege, even Batman, use their advantages to skirt the law.

Batman's Villains: Whatever Doesn't Kill You Simply Makes You Stranger

The social order of Gotham City is frequently challenged by villains who endeavor to undermine the normative order of Batman's world. In their own way, each of these villains illustrates the dynamics of the sociology of deviance. But as a group, these villains highlight a long-standing principle within the sociology of deviance: we become like those with whom we associate. This notion is the fundamental premise of the *theory of differential association* (Sutherland 1939), which argues that individuals learn and practice deviance through interaction with others. Most of Batman's foes inhabit what sociologists call *deviance subcultures* (Cohen 1972) that provide important training grounds for deviant lifestyles and criminal activity.

Batman's foes in these films (e.g., Max Shreck, the Penguin, the Joker, Two-Face) commonly question Batman's sense of justice and attempt to expose a putative hypocrisy behind his morality. These villains continually call into question the legitimacy of Gotham's law—either by exposing police corruption (as in *Batman*) or by challenging the morality of Gotham's citizens by pitting them against one another (as in *The Dark Knight*). Each of the main villains in the Batman films exhibits his own style of deviance, often in trademark, comic-book fashion. Much like representatives of the conflict approach, these villains compel Batman to question exactly whose interests he is defending, and frequently suggest that the interests being upheld by society's legal institutions are really the interests of elites. In

the following discussion we examine some of these villains and highlight the sociological principles of deviance that their exploits reveal.

Max Shreck: Elites and Corporate Crime

In *Batman Returns*, the deviance of Max Shreck (Christopher Walken) can be understood through the conflict perspective, as he is what sociologists describe as a *white collar criminal* (Sutherland 1949) who uses his position among Gotham's elites for personal profit. More specifically, he is an example of one who adopts a *rational choice approach* to crime (Gibbs 1975), using the logic of a cost/benefit analysis to guide his criminal activities. Under the guise of a well-respected businessman in Gotham, Shreck plans to siphon electricity from the city for personal gain. Shreck reveals his application of rational calculations in committing his crimes in a conversation with the Penguin. When the Penguin proposes that the two create a criminal alliance, Shreck initially balks at the opportunity: why share profits with a partner when there is more to be gained as a solo criminal? However, when the Penguin exposes Shreck's misdeeds—spewing toxic waste into Gotham's sewers, shredding revealing documents, and even murdering his former partner—Shreck agrees to an alliance. For Shreck, there is more to gain from sharing profits with a partner than by not sharing and having his deviant exploits exposed to the public. Shreck is a threat in the corporate suites and on the streets, using both white collar and street criminal methods.

The Penguin: Deviant Labeling and Stigma

In the case of the Penguin (Danny DeVito), Shreck's criminal partner in *Batman Returns,* we see the effects of what sociologists of deviance would describe as a lifelong "labeling process" (Becker 1963; Matsueda 1992). Deformed from birth, the young Penguin (named Oswald Cobblepot) suffered from what Erving Goffman (1963) describes as a *physical stigma* that set him apart from other children. Penguin is abandoned by his parents in childhood, and his pariah status is a primary motivation for his life of crime. He reflects on this situation to Max Shreck:

> I wasn't born in the sewer, you know. I come from . . . [Looks to the drainage pipes above.] Like you. And like you, I want some respect. A recognition of my basic humanity. But most of all . . . I wanna find out who I really am. By finding my parents, learning my human name. Simple stuff that the good people of Gotham take for granted!

Because people responded in horror to his visage, the Penguin was forced to live underground and develop a deviant existence. His ascribed label as a "deviant" creates a *self-fulfilling prophesy* for him as, motivated by this label, he finds little alternative but to turn to a life of crime. We see the Penguin's deviance manifested when he is in adult, just as expected by his parents. In *Batman Returns*, the Penguin's observation regarding the similarities between himself and Max Shreck is telling: "Odd as it may seem, Max, you and I have something in common: we're both perceived as monsters. But somehow, you're a

well-respected monster, and *I am, to* date, not." Penguin's quote is astute because it high-lights the power of a deviant label in creating both a person's self-identity and his or her motivations for action; it also provides an important contrast with Shreck, who secures more respect because of his powerful position in society.

The Joker: Deviance as Social Learning

Much like the Penguin, the Joker is also a victim of a terrible physical stigma in the form of facial scars in the shape of a crooked smile that he hides with clown makeup. While the Joker (Heath Ledger) provides conflicting accounts of how he got the scars, one retelling in *The Dark Knight* reveals his horrific upbringing fraught with child abuse and domestic violence:

> Wanna know how I got these scars? My father was . . . a drinker. And a fiend. And one night he goes off crazier than usual. Mommy gets the kitchen knife to defend herself. He doesn't like that. Not one bit. So—me watching—he takes the knife to her, laughing while he does it! Turns to me, and he says, "Why so serious, son?" Comes at me with the knife . . ."Why so serious?" He sticks the blade in my mouth . . . "Let's put a smile on that face!" And . . .

We see that the Joker's amorality and predilection toward crime are rooted in his early childhood experiences of abuse and the subsequent stigma of being, literally, scarred by that experience. The film's explanation for the Joker's deviant appearance and subsequent behavior illustrate the basics of *social learning theory* (Akers et al. 1979; Bandura 1977), which argues that socialization occurs through role modeling and the social reinforcement of behavior. If one has deviant or violent role models, as the young Joker did, one is more likely to have high exposure to deviance, have such behavior reinforced, and learn to reproduce it.

Because the Joker appears to have experienced long-term socialization from deviant role models, it is not surprising that in *The Dark Knight* he is shown associating with the denizens of Gotham's underworld. But the Joker's deviance is more extreme than that of Batman's other villains, as he appears to be motivated not by personal gain but by a desire to push the boundaries of morality—even to the point of self-destruction. The Joker is a moral terrorist who through his life experiences has been socialized into deviance. As a result, he prides himself on deriding society's norms and causing disruption to Gotham's normative order, as illustrated in this exchange with a bank manager:

Manager of   Oh, criminals in this town used to believe in things. Honor. Respect.
Gotham   Look at you! What do you believe in, huh? What do you believe in?
National Bank:

[The Joker sticks a grenade in the manager's mouth.]

The Joker: I believe whatever doesn't kill you simply makes you . . . stranger.

Here we see the Joker's flagrant disregard for the norms of society as well as the normative order of the criminal underworld.

Two-Face: Deviance within Systems of Social Control

Harvey Dent's decline into villainy provides an interesting counterpoint to the other villains and to Batman himself. As the district attorney of Gotham City, Dent is celebrated as the paragon of justice by the city's inhabitants. However, after an accident that scars the left half of his face, Dent becomes cynical of the justice system and transforms into Two-Face, fighting crime outside the law and orchestrating his actions by the chance flip of his two-headed coin. We learn in *The Dark Knight* that Dent (Aaron Eckhart) was once hailed as "The White Knight" because he convicted scores of the city's organized criminals. Like Bruce Wayne, Dent adopts an alter ego after experiencing a life-changing accident (Bruce witnesses the murder of his parents, while Dent experiences the murder of his fiancée, Rachel Dawes). By comparing Dent to Wayne, we see opposite sides of the same coin: Batman is a fallen man thrust into heroism; Dent is a fallen hero transformed into a corrupt man. In *The Dark Knight,* Dent as Two-Face expresses his doubts to Batman about the efficacy of Gotham's legal system: "You thought we could be decent men in an indecent time. But you were wrong. The world is cruel, and the only morality in a cruel world is chance . . . [As he holds up his coin] . . . Unbiased. Unprejudiced. Fair." Two-Face discounts the institutional procedures of the criminal justice system, because they are subject to human error and corruption, in favor of a moral system that seems to stand outside the distortions of human intervention: chance.

Dent's transformation is motivated by his disgust with the corruption he encountered within Gotham's legal system. In fact, it was police corruption that prompted his rise to the position of district attorney, and later facilitated his attempted assassination by the Joker, the death of his fiancée, and inevitably his disfiguring accident. Dent's story is representative of research into the sociology of deviance that examines corruption within systems of social control. For example, while police corruption does not appear to be a normative practice, it is a growing concern within metropolitan areas (Punch 2009). Like concerns about police corruption, deviance within systems of social control has been an enduring paradox of social theory that examines how to best preserve and maintain the integrity of collective morality. Such a concern is perhaps best expressed by the classic question, "Who will guard the guardians?" (Juvenal 1982) and illustrates one of the most complex issues related to the sociology of deviance: how can we ensure that the guardians of the normative order are not deviant themselves? Two-Face's story represents the potency of this question as an enduring concern. His resolution to this problem is fatalistic: as ultimate arbiters of morality, people cannot be trusted, and the only fair method of justice is chance. As the following conversation from *The Dark Knight* reveals, Two-Face's pessimism about the efficacy of systems of social control runs deep:

Batman: What happened to Rachel wasn't chance. We decided to act! We three!

Two-Face: Then why was it me who was the only one who lost everything?

Batman: It wasn't.

Two-Face: The Joker chose *me!*

Batman: Because you were the best of us! He wanted to prove that even someone as good as you could fall.

Two-Face: And he was right.

Like the story of Two-Face, the accounts of Batman's villains illustrate that the sociology of deviance is complex and multifaceted. And while many of us exhibit behaviors that in some way might be considered deviant, like those of Batman and his villains, there is a rich interplay of sociological forces that ultimately serve to shape our actions and even determine the side of the law on which we stand.

Conclusion

The key dynamics outlined by the early sociologists of deviance still resonate in today's social world and in fictional worlds like that of Gotham City. Dense urban ecology, large population density, and anomie all create criminological conditions where crime and deviance become predictable. The villains of Gotham emerge from these conditions and provide a *raison d'*être for Batman in his deviant evolution. In this way, the Batman films are modern day morality plays, examining the sociological forces that circumscribe crime. In the imaginary world of Gotham City, crime is a very real threat, and fictional depictions can help us understand the sociology of crime and deviance. Through the analyses in this chapter we can see the myriad ways in which crime and deviance are omnipresent forces operating in the fantastic world of Gotham despite the efforts of Batman to preserve the harmony of the city. As glimpses into our collective consciousness, the Batman films help to illuminate the story of ourselves, our social worlds, and specifically how we see deviance.

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A new development is taking place within criminology: a growing awareness that film contributes to understandings of crime and, as a result, a steady accumulation of studies analyzing crime films. Some of these studies focus on specific films (O'Brien et al., 2005, on *Gangs of New York*), while others treat crime films more generally (Tzanelli et al., 2005; Rafter, 2006). Some look at a particular genre or subgenre of crime films (King, 1999, at cop action; Rafter, 2005, at psychopath movies); others examine crime films in the context of a broader criminological phenomenon, such as the U.S. prison crisis (Brown, 2003), the militia movement (Chermak, 2002) or the social construction of serial homicide (Jenkins, 1994). Still others emphasize constructions of gender (Sparks, 1996; Bailey et al., 1998; Cavender, 1999). Such analyses—and the list could go on for several pages—differ from works in the domain of film studies that use crime categories heuristically to isolate a subgroup such as gangster films (Munby, 1999) or prostitution films (Campbell, 2005) for cinematic analysis. Instead, the books and articles of interest here are concerned with the potential of films to make a substantive contribution to criminology through the perspectives they provide on cops, drug mules, heisters, prisoners, serial killers, victims and so on.

In this article I explore the criminological relevance of this growing literature on crime films; my aim is to validate and encourage such research by specifying crime films' relationship to academic criminology. I begin by comparing the crime-films literature with work conducted in the field of legal studies on "law films"—a literature that is far better developed, with a clearer sense of purpose and more momentum. I suggest reasons for the differences, asking what crime-film scholars can learn from the law-films movement. I go on to discuss a group of recent movies about sex crimes, using them to probe and illustrate the relationship of film to criminology. Arguing that crime films constitute a form of *popular criminology*, a discourse parallel to academic criminology and of equal social significance, I next suggest a model for understanding the process through which crime films shape our thinking about crime. I conclude that crime-film studies could acquire the strength and vigor of the law-films movement by focusing more sharply and consistently on the criminological significance of crime films.

Crime Films and Law Films

In its current, still-emerging form, the crime-films literature remains amorphous, lacking the coherence of the closely related literature on law films. Films about law became a topic within legal studies in the 1980s, starting with studies of courtroom films and lawyers

(e.g. Chase, 1986; Post, 1987) but rapidly expanding to include, first, all movies that deal explicitly with civil or criminal law (e.g. Bergman and Asimow, 1996; Denvir, 1996), and, later, even films that deal inexplicitly or indirectly with law (Chase, 2002; Freeman, 2005). Thus the law-films category now includes (for example) *Dirty Harry* (1971), a movie that deals explicitly with the legal tension between due process goals on the one hand and crime control goals on the other, albeit in terms of a cop-action hero instead of a lawyer. It also includes movies that deal fundamentally, even if inexplicitly, with individuals' relationships to law or law-like processes—for instance the *Godfather*s (1972, 1974, 1990), *Do the Right Thing* (1989) and *Falling Down* (1993). Unlike crime-film studies, research on law films developed rapidly, generating a movement within legal studies to build a literature, institute law-film courses and, ultimately, come to terms with the implications of law films for definitions of "law" (Robson, 2005). Within legal studies, law films are now regarded as not only a valid source of information on popular attitudes toward law but also a form of legal discourse, a constituent of law itself (Greenfield et al., 2001; Chase, 2002). While a number of factors account for this success, two are especially important. First, although the definition of "law films" evolved over time, law-film scholars usually agreed on the general object of their inquiry, just as today, they usually agree on a definition of *law film* that includes any movie that deals centrally with legal issues (e.g. Greenfield et al., 2001). This ongoing consensus about the topic under analysis has helped unify the law-film movement and create a base on which scholars can build.

Second, the movement has been successful because, although its literature is diverse in topic and approach, at a very general level most of the studies ask the same basic question: How do law films relate to law and to the study of law (e.g. Freeman, 2005)? Moreover, the studies tend to respond with a common answer: law films are integral to law itself, comprising a popular discourse that must be understood if the nature of law is to be fully understood. This overall consensus on the kinds of questions to ask and ways to frame the answers has given law-film scholars a sense of common purpose—even of mission. It has also made their inquiries relevant to legal studies as a field. The fundamental question and its answers have legitimated the study of law films, easing the introduction of courses into law-school curricula. If crime-film scholars can likewise find common ground, their literature can mature along similar lines.

Law films and crime films overlap. The best way to define *crime films*, as I explain in more depth elsewhere (Rafter, 2006), is to define them as movies in which crime or its consequences are central. Their relationship to law films becomes clear if we think of film categories in terms of tiers of differently sized boxes. On the bottom tier, in CD-sized boxes, are specific films such as Clint Eastwood's first *Dirty Harry* and *The Verdict* (1982), the Paul Newman film about an alcoholic lawyer with a medical malpractice case. On the next level up, in somewhat larger boxes, are groups of related films: all movies in the *Dirty Harry* series, for example, or all films about lawyers who overcome personal challenges to triumph in court. On the next higher level, still larger boxes hold genres: civil-action law films, cop films, women lawyer films, death penalty films, psycho films and so on. On the top level, the largest boxes represent broad categories such as *crime films* and *law films.* This model gives us a way to think about classification but also enables us to conceptually shift movies from one box to another in order to study their interrelationships and, on occasion, to add a new box to one of the shelves. (Tiso [n.d.] has recently added a new box on surveillance films, and Varese [2006] one on Japanese yakuza movies.) Moreover, the model

makes it clear that a specific film can occupy more than one place. For example, *Dirty Harry* might be placed in either the law-film or the crime-film category depending on one's analytic purpose.

And yet, although crime films themselves can be clearly defined and their relationship to law films specified, the literature on crime films remains sprawling and lacking in an overall sense of direction. It may derive a theoretical infrastructure and impetus from the new "cultural criminology" movement (Ferrell and Sanders, 1995; Ferrell, 1999; Ferrell and Websdale, 1999; Ferrell et al., 2004; Hayward and Young, 2004), but so far, with a few exceptions (Epstein, 1995; Cavender, 1999), that movement has yielded little in the way of film analysis. This article aims at giving crime-film research a stronger sense of purpose by asking: *How do crime films relate to criminology?* This question parallels the one that has given the law-film movement impetus: How do law films relate to law and to the study of law? Similarly, my answer parallels the one that has brought coherence to the study of law films: *movies constitute an aspect of criminology, a popular discourse that needs to be recognized and analyzed if criminology—the study of crime and criminals—itself is to be fully understood.* Note that I am not asking what crime films say about the causes of crime. This is an important question (and one that I address elsewhere [Rafter, 2006]), but not the main issue here. My central concern in this article is the relationship between crime movies and criminology.

Studying Crime Films: A Note on Methodology

To address this issue, I examine five[2] recent films about sex crimes: *L.I.E.* (Michael Cuesta, 2001), *In the Cut* (Jane Campion, 2003), *Monster* (Patty Jenkins, 2003), *Mystic River* (Clint Eastwood, 2003) and *The Woodsman* (Nicole Kassell, 2004). Let me say a few words about my selection principles, for anyone studying crime films almost immediately confronts a methodological problem: the wide range of available examples makes it easy to support almost any argument, if one selects unsystematically. This problem, so far as I know, has been considered neither by film-studies specialists nor by law-films scholars. It is one that criminologists, many of whom have a background in sociological methods, *can* address, thereby contributing to film studies more generally. Neal King's *Heroes in Hard Times* (1999) is one of the few crime-film studies to surmount the problem (also see Cavender, 1999). King copes with the selection issue by carefully defining the universe of films with which he will be dealing—U.S. cop-action movies—and then examining every example produced in a specified time period.

Following King's example, I limited my sample to all U.S.-made dramas focused on sex crime and released 2000–4. I chose the year 2000 as my start date to see what was happening in the new millennium and 2004 as my cutoff date because I started the research early in 2005. To identify films that fell within my parameters, I did a "power search" through the Internet Movie Database (www.imdb.com), using "sex crimes" as my search phrase and excluding comedies, made-for-TV movies, shorts and direct-to-video productions. The limitations meant that I had to exclude from the discussion several excellent recent examples such as *Happiness* (1998) and *La mala educación (Bad Education)* (2004). However, the systematic nature of my sample enabled me to speak definitively about how U.S. movies made in the period 2000–4 "framed" sex crimes (Gamson et al., 1992)—how they gave the offenses meanings.

The five films vary considerably among themselves, but all share a distaste for analyzing issues in simplistic, black-and-white terms. Eschewing easy divisions between victims and perpetrators, they examine the intertwining of guilt and innocence, showing that the offenders may have once been victimized by such crimes, or that the victims themselves behaved ambiguously. Most are concerned with gaps between appearance and reality. Those concerned with children in particular ask whether steps taken to protect young people can backfire, causing more harm than good. A few ask if we should try to live with sex offenders in our communities and whether such people are morally responsible or mentally ill. They tend to use dark palettes, partly due to the grimness of their subject matter, partly because they seek to express moral murk, confusion and the pervasiveness of risk.

In the next section, I begin by putting the five films in context, briefly outlining the history of sex-crime movies and recent shifts in understandings of sex crimes themselves. Then I discuss my examples in terms of three primary themes: the difficulty of determining guilt and assigning blame in sex-crime cases; the ordinariness and ubiquity of sex-crime offenders ("the guy next door"); and the risks one incurs in searching for sexual authenticity.

Contemporary Sex-Crime Films

Until recently, movies avoided taking sex crime as their text. The topic was long forbidden by Hollywood's Production Code, which outlawed depiction of anything that might offend "common decency" (Ellis, 1979). The topic was also socially taboo, and in any case no one (including criminologists) knew much about it. (In graduate school in the 1970s, I was taught that incest is something that occurs in Appalachia when teenage girls walk around in slips in front of their stepfathers.) In addition, the complexity of victim-offender dynamics and relationships in sex crimes did not lend itself to Hollywood's usual easy distinctions between good and evil. Sometimes a notorious offense would inspire a film, as happened when Fritz Lang based *M* (1931) on the depredations of Peter Kürten, the "Dusseldorf vampire." At other times scriptwriters sneaked sex crime in by a side door, as in the case of *Cape Fear* (1961), in which the psychopath intends to rape his antagonist's daughter. But for the most part, the distasteful nature of the subject combined with censorship and ignorance to keep sex crime off the cinematic agenda.

Change began in the early 1980s when a moral panic about child sexual abuse by day care workers spread across the USA. Today these cases are generally remembered as the result of mass hysteria, a national witch-hunt fueled by hurried investigations and the implantation of false memories in toddlers (Nathan and Snedeker, 1995; Loftus and Ketcham, 1994; de Young, 2004).[3] But at the time they got people talking about the possibility of sexual exploitation by trusted figures in everyday life, and they stimulated legal debates over issues such as whether children should be required to give evidence in open court. Discussions of sex crimes opened up still further as cases of clergy abuse surfaced, along with evidence of mass coverups of child sexual exploitation by Catholic priests. Infamous individual cases further eroded the wall of secrecy that had traditionally protected sex offenders; for example, in the U.S., the tragedy of seven-year-old Megan Kanka, lured into a neighbor's house with the promise of seeing a puppy, only to be raped and murdered, caused national outrage, especially when it was learned that the neighbor had been previously convicted of sex offenses. Similarly, the bizarre sexual predilections of serial killers like Jeffrey Dahmer prompted

widespread debates over the legal responsibility of those with psychosexual illnesses. Recognition of date rape, sexual harassment and stalking brought sex crime even more into the open, again increasing people's sense of vulnerability. False memories, recovered memories, accusations against religious and scouting leaders, sex offender registries and the ubiquity of danger became favorite issues of the news media. It was in this context that more sexually explicit sex-crime movies began to appear. Not surprisingly, some of them dealt with difficulties in perception.

The Hazards of Assigning Blame

Mystic River takes place in a Boston neighborhood where the Mystic River flows into the harbor, close to downtown but a world apart, a small, apparently stable, working-class community, Catholic, tough and standoffish with outsiders. The film, based on a novel by Dennis Lehane, opens with a scene of three boys playing. One is kidnapped by two adult men who hold him for several days in a basement and rape him repeatedly. The rest of the movie shows how effects of the original crime ripple through the boys' adult lives and into the next generation.

The teenage daughter of one of these adults, Jimmy Markum (Sean Penn), is brutally killed. She was about to leave him in any case, he discovers, to elope with a neighborhood youth. Jimmy, whose mom-and-pop store is a front for criminal enterprises, suspects that Dave Boyle (Tim Robbins), the character who was raped as a boy, is his daughter's killer. With thuggish friends aptly named the Savage brothers, Jimmy kills Dave at night on the river's edge. The third member of the original trio, state trooper Sean Devine (Kevin Bacon), investigates the daughter's death, figuring out who really killed her and also discovering that Jimmy killed Dave. However, for the moment at least, he lacks the evidence to bring Jimmy to justice. Thus the three central characters fill the roles of criminal, victim and avenger, although the avenger is unable to function effectively. His impotence is underlined by the fact that his wife has left him and he is unable to communicate with her.

The central themes of *Mystic River*—misperception, abandonment, loss of fathers, loss of partners and children, loss of childhood, vengeance—play out against a background of nighttime scenes and constricted interiors. These themes cut across the film's central conflict: the clash in values between the small, closed community and the broader society—the type of clash criminologists describe as "culture conflict" (Sellin, 1938). Change does occur—a Starbucks coffee shop moves into the neighborhood, for instance; but the solidarity of Jimmy's criminal enterprise, the neighborhood's code of silence and generations of hardscrabble resentment toward the outer world all work to thwart the police investigation and throw the community back on its own resources. Like Sean's wife, it is unable to speak, incapable of communicating beyond itself. The community's resistance to the outer world is summed up in the final scene by the smile that Jimmy's wife (Laura Linney) bestows on Dave's widow, a chilling, triumphant nod that says, we will let you survive here if you ask no questions and play by our rules. Her hunger for power and the widow's hunger for justice have met head on, and power has won. The neighborhood defines its own values.

A consideration of the interlacing of guilt and innocence can be found in *Monster,* the biography of the prostitute Aileen Wuornos (Charlize Theron) ("America's first female serial killer," the news media called her), executed by Florida in 2002 for a series of highway

murders. Wuornos does not at first glance seem promising material for an argument about the hazards of determining culpability. But Patty Jenkins, the film's author and director, manages to dig through the layers of media obfuscation to the bedrock of Wuornos's personality.

That *Monster* succeeds is due in large part to the dramatic skills of Charlize Theron, the actor who portrays Wuornos. Theron is able to express a wide range of emotions—often conflicting emotions—through her face and body. When Wuornos is hooking, for instance, we see a mixture of distaste, apprehension and hope play across her countenance. As she becomes more desperate, her grimaces simultaneously reflect nervous tension, hurt, defiance and determination. Theron, who gained 30 pounds for the role, came to closely resemble Wuornos herself, hardscrabble and belligerent except when her face lights up with love.

While Jenkins's script stays close to the facts of Wuornos's life, it shapes those facts in a way designed to forestall easy moral condemnation. It does so, for instance, by portraying Selby, Wuornos's lover, as a virtual child, casting a small woman, Christina Ricci, in the role. Wuornos's sense of responsibility emerges in contrast to Selby's infantile dependency; we see Wuornos making heroic attempts to cope, braving hopeless odds to provide Selby with "a house, cars, the whole fucking shebang" by becoming "a business person, something like that." She buries her own fears to protect Selby, only to be betrayed by Selby in the end.

Wuornos's rage toward and terror of men become understandable when we learn that she was raped at the age of eight and had her first baby when she was thirteen. She is hideously victimized by a customer before she commences her killing spree, and many of her clients are criminalistic themselves, brutish and repellent. The film does not whitewash Wuornos's crimes, nor does it show her as anything other than slow-witted, mentally ill, foul-mouthed, socially illiterate and self-deluded:

> I'm good with the Lord . . . Who the fuck knows what God wants? . . . People kill each other every day, and for what, huh? for politics . . . and religion . . . and they're heroes. I'm not a bad person, I'm a real good person.

But her history of victimization and her self-hatred complicate our judgment of her. At the end, as Wuornos is hurried into the death chamber, we see her not as a serial killer we can hate, but as a pathetic woman in whom good mixed with evil.

The Guy Next Door

The day care sexual abuse cases and scandals involving predatory scoutmasters and priests sowed widespread mistrust of the familiar figures to whom parents entrust children and on whom they rely for help. This mistrust fed into the emergence of a new movie bad guy: the neighborhood pervert, camouflaged by ordinariness, all the more dangerous because he lacks the stagy, unmistakable stigmata of traditional movie-star criminals.

This new type of villain turns up in *Mystic River* and *The Woodsman*, but nowhere with greater force than in *L.I.E.*, director Michael Cuesta's semi-autobiographical film about a 15-year-old boy stalked by a patriotic pillar of the community. Equally remarkable is *L.I.E.*'s depiction of the child victim as not helpless quarry but an agent of his own fate.

L.I.E. opens with 15-year-old Howie Blitzer (Paul Dano) balanced dangerously on a bridge railing above the Long Island Expressway. In a voice-over he tells us that the road has killed many people, including his own mother. "I hope it doesn't get me," he continues, although he is clearly toying with the possibility of suicide. In the ensuing scenes Howie loses his best friend, fights kids who accuse him of "salami swiping" (masturbating other boys), is assaulted and apparently abandoned by his father and is arrested for the burglaries he has been committing with friends. Moreover, he is stalked by a neighborhood ex-Marine, Big John or BJ (Brian Cox), a large, vulgar and cunning predator with a gun collection in his basement as well as a bedroom for the motherless boys he "saves" from time to time.

In the key scene, BJ rescues Howie from juvenile detention and brings him home, sending Scottie, his current teenage companion, to a motel for a few days. BJ, suddenly paternal, teaches Howie to shave—tenderly, repulsively, dangerously. They then hug, and Howie indicates he is sexually ready for what seems sure to come; indeed, he may even be a little bit curious. However, BJ—touched by Howie's scared "raccoon look" and realizing that the boy has just been devastated by news of his father's imprisonment—refrains for the nonce from molesting him, instead settling him for the night in a single bed. At breakfast the next morning, BJ again throws himself into the role of the good father, bustling about to cook breakfast and arranging for Howie to visit his dad in prison.

We know better than to trust BJ, who has heartlessly exiled Scottie to a motel and is drawing the net around his new prey. On the other hand, this revolting pederast has for a few hours given Howie the parenting he needs, suggesting that even BJ, who earlier admitted to shame about his sexual compulsions, has a remnant of decency. Moreover, this dose of parenting puts Howie back on his feet, giving him the courage to confront his father and face the future. Meanwhile, Scottie, displaced and abandoned, shoots BJ while the latter cruises for boys along the L.I.E., an act that frees Howie from the sexual threat. The final scene returns us to the bridge above the expressway, where Howie still broods about the road's murderous potential but now concludes, in another voice-over, "I'm not going to let it get me."

A comparison with *Sleepers* (1996), an earlier movie about pederasty, highlights *L.I.E.*'s incorporation of recent understandings of sexual victimization. In *Sleepers* (1996), four boys convicted of a minor prank are sent to a juvenile home where guards sodomize and torture them over a period of months. The sodomites are one-dimensional bad guys, sadists, Nazi-like officers excited by cruelty; their depiction draws on a now-outmoded stereotype of the pederast as overtly monstrous. BJ, in contrast, is depicted as someone familiar, hearty and trustworthy; driven by remorse as well as lust, he is a pedophile as well as a pederast, terrifying but not totally evil. In *Sleepers*, the main guard (Kevin Bacon) is easily recognizable as a bad guy: wiry, greasy-haired, pathological. BJ, on the other hand, looks like a favorite uncle—until you figure out what he is doing. In *Sleepers* the good guys win and the bad guys lose; in *L.I.E.* a complicated bad guy does something generous, and instead of an uplifting hero the film closes on a sad kid who survives sexual predation.

In its reflections of recent research on sex crimes against children, *L.I.E.* more closely resembles another recent film, *The Woodsman*, starring Kevin Bacon as Walter, a pedophile who has just been released after 12 years in prison for molesting little girls. Director Nicole Kassell's film, based on a play by Steven Fechter, is dedicated entirely to the development

of Walter's character. (He is called a woodsman partly because he used to be a carpenter, but mainly in recollection of the Little Red Riding Hood character who cuts open the wicked wolf and releases the girl the wolf had swallowed, intact. In this context, the woodsman is an ambiguous hero, a savior who nonetheless gets control of a little girl, just as Walter himself later does in a wooded park.) Walter, who wants desperately to go straight, endures daily struggles with his compulsion and with the fellow factory hands who try to mob him out of their workplace. Although he is helped by a new girlfriend, Walter leads a bleak existence, rejected by his family and loathed by a contemptuous parole officer (Mos Def). The film does not ask us to pity Walter but dispassionately follows his story, not to resolution but to a small, precarious victory at the end when he hugs the little girl on a park bench and then sends her home.

Recent films use the ordinary-guy image of the sex criminal to emphasize children's vulnerability and the difficulty of perceiving such offenses when they occur. Aileen Wuornos, we learn in *Monster*, was initially raped by a neighbor, and she seems to have been molested by her father as well. One of the abductors in *Mystic River* wears a priest's ring. BJ, the hearty Vietnam vet of *L.I.E.*, is another respected community figure and pal of the juvenile police officers who, with painful irony, release Howie into his care. *The Woodsman* casts doubt on nearly everyone: when Walter sends the girl on the bench home to her father, it is to a father who jiggles her on his lap; and from his window he observes a man luring boys into his car. We cannot tell where corruption lies, these films warn; and today's sex criminal may be yesterday's victim.

The films underscore the inability of communities to protect their children. *Mystic River*'s tight-knit neighborhood is in fact one of lost children and failed fathers. The parole officer of *Woodsman* may keep close tabs on Walter, but another man is preying on children just across the street, and Walter does not dare report him. Even the wealthy neighborhood in which Howie Blitzer lives, with its vast lawns and showcase houses, its school guidance counselors and juvenile court specialists, is impotent in the face of BJ's duplicity.

The Risks of Sexual Authenticity

L.I.E. and *The Woodsman* point to the dangers inherent in a search for sexual authenticity, but no film investigates those risks as thoroughly as *In the Cut* (2003), Jane Campion's film about a not-so-young schoolteacher (Meg Ryan) searching for love and meaning. *In the Cut*, based on a novel by Susanna Moore, was panned by critics and viewers alike.[4] Audiences complained that it was nothing more than a "cheap erotic thriller," that Meg Ryan had shed her usual good-girl persona to become sluttish and that her character should not have taken so many risks in a high-crime environment. "Lackluster *Fatal Attraction*," one annoyed reviewer wrote, while another reported that "The only shock factor in this movie is getting the chance to see Meg Ryan naked, though I think most men still prefer Halle Berry." As these comments indicate, viewers looked for a traditional Hollywood category in which to slot *In the Cut,* and when they failed to find one they were disappointed. Campion took this risk in making a film about sexual and emotional authenticity with a story line that keeps foraying into traditional genres (the love story, the cop buddy action movie, pornography, the serial killer film) and then pulling back to find its own groove. But the risk is also one of the film's virtues, for the difficulty of identifying one's own path is part of Campion's story.

That story concerns Frannie Avery, a high school teacher living in a crime-ridden section of New York's East Village, determined not to be intimidated by the city's violence, hoping to have a genuine erotic experience and to be true to her own ways of relating to students and the city. Dreamy and independent, Frannie pays little attention to her appearance (Ryan's unkempt hair drove some viewers wild) or conventional rules of behavior, instead allowing herself to be tugged along by her own values and sexuality. When a woman is killed and dismembered in her neighborhood, Frannie gets sexually involved with the cop who questions her, Malloy (Mark Ruffalo). But it seems possible that he is the killer. Other women are killed and "disarticulated," including her sister. Viewers, along with Frannie, begin to suspect a range of men: a student, Malloy, a former lover, an unidentified mugger. Frannie seems to put herself in dangerous situations—dressing provocatively, hanging out in unsafe places. In the background flickers the courtship of Frannie's parents, a frightful dream sequence in which the woman slips while ice-skating and the man skates through her legs, severing them. Eventually the killer comes after Frannie, but she manages to overcome him and returns at the end to Malloy.

In the Cut, then, is a film about a woman living with the constant threat of violence against women. It is also a sexually charged movie with graphic (and—in a change from most movie sex—convincing) love scenes. At one point, Frannie's sister muses unhappily that she always thinks about sex in terms of what men like, instead of her own preferences. Campion has made a movie about sexual experience from a woman's point of view—unconcerned whether men might prefer Halle Berry to Meg Ryan. Her refusal to objectify Frannie's desires makes *In the Cut* a bold exploration of what sex would be like if women called the shots as well as of the dangers inherent in following one's own vision.

Like Frannie, viewers cannot be sure they perceive her world accurately. Who is dangerous, who a friend? Which settings are menacing, and which are merely part of the city scenery? Should one keep up one's guard, avoiding sleazy bars and unknown men, or pursue one's authenticity, sleeping with the window wide open and traversing deserted streets despite the risks? The characters of the two cops dramatize the problems of trust and perception. Malloy himself is an ambiguous figure, edgy, brutal, incoherent, oblivious to boundaries, unknowable. A scene in which he drives Frannie to a wooded reservoir makes not only Frannie but also viewers apprehensive. Equally disquieting is Malloy's buddy, with his endless sexist and racist profanity. Campion plays with the audience, thwarting our expectation that the buddy cop will merely echo the dominant officer, again forcing us into Frannie's viewpoint and the realization that we simply cannot tell where danger lies. In this context, the serial killer becomes a metaphor for living with risk.

Crime Films as Criminology

If we define criminology as efforts to understand crime and criminals, it becomes clear that even a small, narrowly focused sample of films like the one just analyzed can yield fertile criminological material. The themes of crime films overlap with those of academic criminology: for instance, in the examples discussed here, one sees the idea of crime as a product of culture clash with the stereotypical guy-next-door presentation of the child molester. But crime films also deal with matters beyond the range of academic criminology. Philosophically, they raise questions concerning the nature of good and evil. Psychologically, they encourage viewers to identify with victims and offenders—even serial killers—whose

sexualities, vulnerabilities and moralities may be totally unfamiliar. Ethically, they take passionate moral positions that would be out of place in academic analyses. Crime films constitute a type of discourse different from academic criminology, one with its own types of truth and its own constraints.

This discourse needs a name. I suggest calling it *popular criminology* and defining it as a category composed of discourses about crime found not only in film but also on the Internet, on television and in newspapers, novels and rap music and myth. Popular criminology differs from academic criminology in that it does not pretend to empirical accuracy or theoretical validity. But in scope, it covers as much territory—possibly more—if we consider the kinds of ethical and philosophical issues raised even by this small sample of movies. Popular criminology's audience is bigger (even a cinematic flop will reach a larger audience than this article). And its social significance is greater, for academic criminology cannot offer so wide a range of criminological wares. It cannot see into the mind of a woman like Frannie, weighing the possibility of being loved against the possibility of being murdered, and it cannot dig so deeply into the minds of pederasts as *L.I.E.* or *The Woodsman.* The two types of criminology, popular and academic, complement one another, each contributing in its own way to understandings of crime.

I am proposing that we think of "criminology" as an umbrella category that encompasses both academic and popular criminology. The subdivisions should not be conceived as opposites, one concerned with reason and the other emotion; one coming from the head and the other from the heart; one "hard" and "one soft." Such misleading polarities reinforce the familiar false hierarchy in which scientific knowing is deemed superior. Rather, I am suggesting an egalitarian epistemology in which the two ways of knowing are conceived as partners in the task of defining and explaining crime. In fact, the categories of academic and popular criminology are already blurring, for the cultural criminology movement has for a decade been eroding their conceptual boundaries, demonstrating that they interpenetrate. This article, then, is an attempt to speed up and bring direction to a process already under way.

As popular criminology gains scholarly recognition, a key task will be analyzing the process through which crime films affect beliefs about crime. The question here concerns perception and impact, not reception. Film scholars have produced excellent reception studies, asking who watches which films and why. (The classic is Carol Clover's work on teen terror flicks, *Men, Women, and Chainsaws* [1992].) However, much less attention has been paid to the processes through which movies influence perceptions of crime. Although I cannot explore this issue in depth here, I can sketch an explanatory model that seems to me worth pursuing, one derived from recent work on the sociology of cognition and sociology of culture.

In the mid-1980s, sociologists began rejecting the traditional view of culture as a body of beliefs, customs, goals, values and institutions accepted fairly uniformly by all members of a group, instead adopting a view of culture as a repository or "tool kit" (Swidler, 1986), or what sociologist Paul DiMaggio terms "a grab-bag of odds and ends: a pastiche of mediated representations, a repertoire of techniques" (1997:267). This view anticipates that individuals and groups will perceive (Zerubavel, 1997), interpret and remember movies differently, that interpretations will vary over time and that viewers will carry away from films different bits of cultural information (see, more generally, Philo, 1997; Swidler, 2001). The view fits well with actual reactions to films. One viewer may conclude that *In the Cut*

endorses sexual risk-taking, while another may take away the message that women should get out of New York City. Although the new sociology of culture does not discuss films directly, it implies that movies provide fragments of culture (frames or organizing principles as well as bits of information) and that culture is to be found both in the heads of individual viewers and in the larger collective consciousness. (For a related analysis from the cultural-criminology perspective, see Ferrell [1999], and for related work in film studies, see Turner [1999]; Mitry [2000].)

Sociologists and psychologists have studied how people perceive and then organize the bits of culture in their heads (DiMaggio, 1997; Zerubavel, 1997; also see Morgan and Schwalbe, 1990; Gamson et al., 1992; Swidler and Arditi, 1994). While much of this work is speculative, it seems that the fragments of cultural information in our minds form themselves first into frames and then into schemata or templates—bigger and more solid frames—that we draw on in the form of assumptions, social norms, principles and so on, using them as handy guides to behavior so we are not obliged to think through every action or reaction from the start. Schemata then aggregate into even larger mental structures: ideologies (including assumptions about the nature of heroes and villains), paradigms, logics and narratives of the self (perhaps including the self as a victim or perpetrator of a sex crime).

In this view, movies are a source of cultural information, most of which simply rattles around in our heads, waiting to be called upon, but some of which feeds into our ideologies and other mental schemata. The schemata in turn interact with the external world, where we encounter real-life crime and popular criminology (including perhaps new movies about sex crimes) that then feed back into our schemata, reinforcing or disconfirming them. For example, we might unequivocally despise child molesters until we view their compulsion through an offender's eyes, as in *The Woodsman*, or confront their ambiguous complexity even when loathsome, as in *L.I.E.* This model of film–external world interactions needs elaboration, but it offers a platform on which criminologists concerned with film analysis can build.

Conclusion: Crime Films and Academic Criminology

"Defending the disciplinary identity of criminology against incursions from 'elsewhere,'" write Garland and Sparks (2000:2–3),

> is now as unfeasible as it is undesirable . . . Given the centrality, the emotiveness and the political salience of crime issues today, academic criminology can no longer aspire to monopolize "criminological" discourse or hope to claim exclusive rights over the representation and disposition of crime.

The gradual accumulation of a literature on crime films noted at the start of this article, and my argument for recognizing popular criminology as a criminological discourse in its own right, are signs of the disciplinary shifts that Garland and Sparks discuss. It is no longer possible to equate "criminology" with "academic criminology" (also see Braithwaite, 2000; Zedner, 2007).

But if academic criminology has been slow to make room for the study of popular criminology, part of the problem has rested with the crime-films literature, which has grown in size and richness while remaining diffuse in its aims. In this respect it contrasts with the law-films literature, which came to maturity more rapidly and from the start demonstrated its relevance to legal studies. Crime-films research, I have been arguing, needs to concentrate more clearly and consistently on movies' criminological relevance.

I have attempted to establish that relevance. Using the example of recent sex-crime movies, I have recommended that we conceive of crime films as an aspect of popular criminology, and of popular criminology as an aspect of criminology itself. If we define *criminology* as the study of crime and criminals, then it becomes clear that film is one of the primary sources (albeit an unscientific one) through which people get their ideas about the nature of crime. Some of those ideas echo academic criminology—the understanding of the great frequency of sexual offenses, for instance, and the realization that such crimes are frequently committed by trusted members of the community. But other ideas developed by popular criminology bring to bear ethical, philosophical and psychological perspectives that are beyond the reach of academic research, at least in its current state. Recognition that popular criminology is integral to criminology could invigorate the study of crime films—and criminology itself.

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Notes

1. This article first appeared in *Theoretical Criminology,* Vol. 11 (2007), pp. 403–420. Reprinted with the author's permission.

2. The original publication included six films, but *Capturing the Friedmans*, a documentary, was excluded for this version, since only feature films are included in *Cinematic Sociology.*

3. Several others countries, including England and New Zealand, experienced a wave of day care sexual abuse cases about the same time. A related Australian case, though not one involving charges of sexual abuse, provoked the Meryl Streep film *Cry in the Dark* (1988).

4. But some critics raved about *In the Cut*—see Anderson (2003) and Press (2003). For the viewer comments cited here and later in this section, I relied on the Internet Movie Database.

Introduction

As with every other social institution, law is socially constructed. How a legal system is seen by the public it serves comes from learning about the system through family, peers, educators, social networks, and institutions, including the media. The American public tends to believe that the United States has the best legal system in the world. Yet Americans also complain that the system is too lenient with criminals and favors the rich and powerful (Maguire 2003). Less than half the population express confidence in the Supreme Court, and even fewer people are confident in the local courts (Sherman 2002); moreover, trust and confidence in these institutions has steadily eroded since the 1980s. How is it possible that people can hold such contradictory beliefs simultaneously?

Silbey and Ewick (2000) argue that this contradiction is possible because law embodies both the sacred and profane. Based on Durkheim's concepts ([1912] 2001), law rests on the sacred principles of fairness, equality, humaneness, and responsibility, ideals upheld in American culture. The profane aspects of law are the messy day-to-day workings of legal systems, replete with institutional discrimination that disadvantages the powerless and other marginalized groups.

The institution of law in a democratic society is relatively transparent, which allows the populace to see both the majesty of the law and its weaknesses. Importantly, if the legal system were socially constructed as always being rational and principled (i.e., sacred), citizens would lose faith in the legitimacy of the system the moment they experienced or learned of evidence to the contrary. Conversely, if law were socially constructed as always being irrational and corrupt (i.e., profane), citizens would not view the system as legitimate to begin with. Silbey and Ewick (2000) posit that it is precisely because law is viewed as both majestic and messy that the system maintains its legitimacy. Law that is only about principles and rationality is too brittle; law that is corrupt and unpredictable is too pliable.

Perceptions of the Law

Silbey and Ewick (2000) found that individuals hold multiple and contradictory views of the law. From their in-depths interviews with 430 individuals, they found that people tend to have three main stances toward the law. The first, and most common, is what they term "before the law" (from Franz Kafka's [1937] parable with the same name). Individuals perceive the law as transcendent and omnipotent and—given its majesty—something they

seldom use. Law is viewed as a set of legal principles "operating on known and fixed rules" (p. 50), which promotes impartiality and objectivity. Law exists because it is just, which allows for legal change when existing laws or lack of laws is deemed unjust in a changing social landscape. In this regard, law is sacred and not to be invoked lightly.

The second stance that individuals have toward the law is "with the law." This perspective sees law as a game, a "terrain for tactical encounters" (Silbey and Ewick 2000:52) among those who are well versed or at least comfortable using law to serve their purposes. Law is not viewed as abstract, but a "world of legitimate competition" (p. 52) in which individuals bring their resources to bear on the system to outmaneuver their legal opponents. In doing so, they may resort to deceit and manipulation, but justify these behaviors as necessary in a legal system that favors the "haves."

The third perspective Silbey and Ewick found is "up against the law." Law is viewed as an unwanted intrusion that individuals are not able to withstand because they do not have the resources to play by the rules. Thus, they "do what they can to get what they need" (p. 53), although these feints are seldom illegal. Individuals "up against the law" do not work so much to challenge the law as they do to avoid it. But these actions are motivated by a strong sense of justice and fairness. Individuals recognize themselves as "have-nots" by virtue of a social system in which they are relatively powerless. Cognizant of this imbalance, they believe they are within their rights to resist the law, often resorting to loud scenes or threatening violence—anything "to get attention that is being denied by those with greater power" (p. 54).

The importance of Silbey and Ewick's research is that it uncovers the multiple ways in which individuals view the law, and that people hold these multiple, and frequently contradictory, perspectives simultaneously. Thus, the American public believes the legal system is both just and impartial *and* intrusive and biased. How could this be?

Films about the Law

In modern societies, one of the most dominant purveyors of information about law and the legal system is the media, so studying its cultural products is important. In this reading I argue that films about the legal system convey messages that uphold the reverence of law but also reveal its imperfections. Because a large portion of popular culture films dramatize true cases that challenge existing law or injustice, I suggest that these media productions influence how consumers perceive the legal system. Films depict flaws in the legal system itself, but these are usually framed as minor, local, or specific problems, not general ones. Thus, systemic problems, such as class bias, are revealed, but they are not tied into the larger structural reasons for inequity that colors all aspects of society. Moreover, in most of these films justice is realized—also a common theme deployed in television crime dramas (Sparks, 1992). Consumers of these products, then, may be more likely to believe that while the system is imperfect, in most cases the truth wins out. Given that over 95 percent of Americans get their information about the justice system from mass media (Surette 2007), the potential influence of dramatic legal films may be especially strong on consumers' attitudes and beliefs about the American legal system. Consequently, it behooves media scholars to study the messages embedded in films about the American legal system, particularly blockbuster films that reach a large audience.

Films about the legal system employ a narrative common in other crime-related genres—that of the singular heroic figure who becomes so impassioned by the inequities in the system that he or she is willing to lose everything in the pursuit of justice. These heroes confront barrier after barrier but struggle mightily to overcome these obstacles. Their perseverance pays off, for in the end, justice is achieved. This emphasis on heroism manages to reveal inequalities and inefficiencies of the legal system yet obfuscate the structural reasons for these problems. Thus, these narratives do not harm the legitimacy of the American legal system but instead maintain it.

The focus on the heroic individual obscures structural inequalities in the legal system that have long been documented. Instead, it sends the message that justice is attainable for those that work hard. In doing so, the reality of systemic biases in the legal system is hidden. Moreover, legal films tend to focus on issues involving civil or human rights, so when the hero-protagonist triumphs, the majesty of democracy through law is revealed as it widens to protect more minority groups, such as the disabled or persons of color. Thus, the satisfactory conclusion in most films about the legal system may contribute to Americans' reverence for the law, in spite of their awareness of its many flaws.

The common man as hero has long been a popular narrative in cinema. This is especially true in films that deal with law and justice. In particular, American cinema has long been infatuated with courtroom dramas in which the hero-protagonist takes on the system to render justice. Earlier examples of this are Atticus Finch (Gregory Peck) in *To Kill a Mockingbird* (Robert Mulligan, 1962) and Henry Fonda as Juror 8 in *12 Angry Men* (Sidney Lumet, 1957). This narrative is so commonplace in legal films as to be cliché, yet it remains in vogue because it restores our faith in the world and the belief that right overcomes might. Moreover, since many of these films are loosely based on real cases, viewers might think that justice is achieved more frequently than it is in actuality. They may not realize how singular these cases are, which is *why* their stories are so compelling.

Film Portrayals of Those "Before the Law," "With the Law," and "Up Against the Law"

This chapter will describe and analyze three films that portray the hero narrative: *Music Within* (Steven Sawalich, 1997), *A Civil Action* (Steven Zaillian, 1998), and *Erin Brockovich* (Steven Soderbergh, 2000). Fighting an inefficient, biased, and unjust system, the protagonists in these films persevere against all odds and risk nearly everything in their pursuit of justice. Two of the three films (*A Civil Action* and *Erin Brockovich*) were extremely popular and also received several Academy Award nominations. Based on true stories, these films were also chosen because they represent the three different perspectives found by Silbey and Ewick (2000).

The first film, *Music Within*, is about Richard Pimentel (Ron Livingston), who fought to create laws that protect the disabled. Richard can be described as a man "before the law," which is established very early in the movie. In spite of a tragic childhood with a mentally ill mother, he craves attention and works hard in school to win his mother's affection. Early on in school, he excels in public speaking, but in spite of winning a local speech competition a few years after graduating from high school, he is denied a scholarship for college, without which he cannot afford to attend. So Richard enlists in the Army and is deployed

to Vietnam, where he volunteers for difficult missions, one time stating, "I always wanted to be a hero." He sustains a serious hearing injury, causing tinnitus—constant loud ringing in the ears—which plagues him the rest of his life. Upon his release from service, the Veterans Administration (VA) denies his college benefits because he cannot hear people's speech (hearing aids did not help). Although he curses at the administrator that declines his education funding, he does not act violently—unlike another veteran, who throws a heavy metal trash can through the glass door of the VA's office. The contrast between Richard and this other veteran is further evidence that Richard is "before the law." As Silbey and Ewick (2000) state, those "before the law" are more apt to see their own problems as too mundane to seek legal remedies. For many, refusing to use the law is "an indication of moral strength and independence" (p. 51), as seems to be the case with Richard.

Instead of challenging the VA's decision to deny him college funding, he works his way through college, making friends with another student who has cerebral palsy, Art Honeyman (Michael Sheen). He also befriends a group of disabled Vietnam veterans, most of whom are still struggling to find employment four years later when Richard lands a well-paying job at an insurance corporation after graduating from college. Because he could read lips, he "passed" as hearing in the job interview. He never reveals his disability and becomes successful early on. And although he sympathizes with his friends who are unemployed veterans, he does not take action on their behalf.

His life takes a significant turn several months later, however, when he and Art, his friend with cerebral palsy, are denied service at a local diner one night. In a particularly poignant scene, the waitress snaps at Art, who has harmlessly flirted with her. "Don't you dare! You are the most disgusting, ugly thing I've ever seen! I thought people like you died at birth! How do you expect people to eat around you?" When they refuse to leave, they are arrested for violating an "ugly law" that made it illegal for any diseased, maimed, deformed, unsightly, or disgusting person to appear in public places.

As Richard narrates, "That horrible waitress made me embrace my past." He quits his corporate job and labors without pay to find jobs for his disabled friends. He is so successful that he obtains a position with a government agency that assists disabled veterans in finding employment. Richard works endlessly, straining the relationship with his girlfriend with whom he has been living for several years. Still, he continues to work at a feverish pace and, after a few years, gains the attention of the governor of Oregon, who appoints Richard to create a program to train employers to hire and work with disabled persons. The resultant book/manual *Tilting at Windmills* takes Richard a year to write and is so well received that it becomes a blueprint for every federal agency in the United States. He goes on to conduct training sessions with the CIA, the VA, NASA, and numerous other agencies and organizations. The whirlwind of constant travel and public speaking is too much for his girlfriend, who ends the relationship. But instead of slowing down, Richard becomes involved in campaigning for the Americans with Disabilities Act (ADA). Angry with the glacial speed at which the bill is progressing, he drinks too much and alienates his friends. His entire life becomes consumed with advancing the rights of the disabled.

After a series of misfortunes, Richard has an awakening about the meaning of life and reconnects with friends. The movie ends by informing viewers that the ADA was passed in 1990 and that *Windmills* became the blueprint for diversity training in hundreds of organizations in 23 countries.

Richard clearly personifies an individual whose perspective is "before the law." In spite of the discrimination he received by the VA, he does not use the legal system to remedy his problem. Instead, he combats the systemic discrimination he encounters by working assiduously on his own to overcome these barriers (e.g., working his way through college and learning how to read lips). It is only when he becomes outraged by the way his disabled friends are treated by society that he uses the law to change discriminatory practices against the disabled. As Silbey and Ewick (2000) found, individuals whose primary stance is "before the law" mobilize the law only to remedy situations that cause collective harm. For them, this is *the* legitimate use of law.

The second film, *A Civil Action*, displays an individual who could be categorized as "with the law"—someone who views law as a game and the legal system as the arena in which battles are waged. The protagonist, Jan Schlichtmann (John Travolta), is a private injury attorney who heads a small law firm with a reputation for settling cases before trial to secure the easy payout. This is immediately established in the opening scene. Jan wheels the bent and paralyzed body of a scrawny young male into a courtroom as his voice narrates:

> It's like this. A dead plaintiff is rarely worth as much as a living, severely maimed plaintiff. However, if it's a long, agonizing death as opposed to a quick drowning or car wreck, the value can rise considerably. A dead adult in his twenties is worth less than one in his middle age; a dead woman is worth less than a dead man, a single man less than one who is married, blacks less than whites, poor less than rich. The perfect victim is a white male professional, 40 years old at the height of his earning power struck down in his prime. And the most imperfect—well, in the calculus of personal injury law . . . a dead child is worth the least of all.

(This statement prefaces the case that is to be Jan's undoing).

Jan loosens the collar of the mangled boy. One of the female jurors starts weeping, and another is fighting back tears. Opposing counsel scribbles "1.2 million" on a Post-it note and flashes it to Jan. He shakes his head almost imperceptibly. He offers a glass of water to the boy, who has great difficulty swallowing. The defense writes "1.5 million," but Jan again declines. Finally, just as the trial is to begin, the defense hastily scribbles "2 million," which he accepts.

This scene makes it clear that law is a game to Jan, in which costs and benefits are strictly assessed in terms of money. He is a graduate of Cornell Law, and his firm has made him and his colleagues rich. He wears Armani suits, drives a Porsche, and is listed in *Boston* magazine as one of the city's top 10 bachelors the year he drives to Woburn, a small industrial town 40 miles away, to turn down a case one of his colleagues foolishly agreed to take. The case is an "orphan"— one that has bounced from law firm to law firm. Several of Woburn's children have died from leukemia; the residents are certain that the water has been poisoned from toxic waste illegally dumped into the river. They only want the entities that have engaged in illegal dumping to acknowledge these actions and to clean up the areas they have polluted. As Jan cynically states to his partners when questioning why the case is an orphan, " . . . I can appreciate the theatrical value of several dead kids . . . I mean I like that, but that's not enough."

Driving back to Boston after turning down the Woburn families, he stops at the river and discovers that the probable polluters are owned by two large conglomerates—W. R. Grace

and Beatrice. This immediately piques his interest, for the potential defendants have deep pockets (Beatrice owned several nationally recognizable food companies and had annual profits in the hundreds of millions of dollars). Little does he realize what the cost will be for going up against Beatrice, represented by one of the most prestigious law firms in Boston.

The differences in resources are not lost on Jan. As he walks into the law firm of Hale and Dorr (counsel for Beatrice), steeped in history with its Persian rugs, Harvard degrees on the wall, and an extensive law library, his voice narrates, "Lawsuits are war. It's as simple as that . . . don't be intimidated. It's what they want. Like all bullies—that's how they win." This statement, among others, reiterates that Jan is "with the law." He is preparing for battle and is not frightened by the larger size of his opponent.

As Galanter (1974) noted, the haves are individuals and organizations that can marshal a large array of resources for their legal cases, including access to legal teams with considerable expertise and skill. By virtue of their experience, size, and connections, these established legal firms—what Galanter calls "repeat players"—advantage the haves, who are able to afford the extraordinarily high cost of such representation. In contrast, the have-nots only have access to "one-shotters"—lawyers and small firms who seldom use the courts and are usually not as well educated or connected.

Moreover, differences between the haves and the have-nots are even larger when one considers the desired outcomes of a legal case. Repeat players are hired to ensure that the case in question does not result in changing existing laws, which might open the door for further lawsuits against a defendant in the future. Thus, they will work to offer a settlement before the case goes to court, where the odds of a plaintiff winning are two to one. In contrast, the have-nots have everything riding on the one case, so the particular outcome is extremely important. As Jan states in the movie, "The whole idea of lawsuits is to settle, and you do that by spending, spending, and spending until one side settles . . . Whoever comes to their senses first, loses." Clearly, the have-nots are disadvantaged, which is why fewer than 2 percent of lawsuits ever go to trial (Galanter, 2004). Their counsel settles before the costs become unmanageable.

From the very beginning of the court process, we see how much Jan is out of his league. Presiding over the case, Judge Walter J. Skinner (John Lithgow) greets the lead counsel for Beatrice, Jerome Facher (Robert Duvall), with a remark about the Boston Red Sox. It's apparent that the two have a social relationship. The judge also makes his disdain for Jan clear from the very beginning. At the first hearing, when Jan claims that the opposing counsel is trying to humiliate him, Judge Skinner replies derisively, "Mr. Schlichtmann—you are a personal injury lawyer, are you not? I think you can survive that! Sit down!"

Jan's firm hemorrhages money as the costs mount for soil and groundwater experts, excavation, and other expenses necessary to prove that the soil and groundwater around the plants are poisoned. With costs nearing $4 million, Jan and his partners have to mortgage their homes and sell their cars when their bank refuses to loan any more money. W. R. Grace offers $20 million and all parties agree to meet. Facher walks in very late to the meeting, apologizing: "Sorry I'm late. I was just given a chair at Harvard, of all things [chuckles] . . . from my students." Perturbed, Jan begins to explain that W. R. Grace and Beatrice had $634 million in profit the year prior and lays out his conditions for a settlement: $25 million for damages, $25 million for a research center, and $1.5 million for every family for 30 years—$320 million total. After a stunned silence, Facher stands up

and, without a word, walks out, followed by the legal counsel for W. R. Grace. When Jan's baffled partners ask why he made such ridiculous demands, he explains that he wants justice for the families. It's no longer about the money.

Unfortunately for Jan, Judge Skinner appears to favor Facher, which is apparent in a scene that alludes to an ex parte meeting between the judge and the codefendants before Jan arrives. At this meeting, the judge sets a high bar for the jury to find that the codefendants were complicit in the poisoning of Hinkley's groundwater by presenting them with very convoluted and difficult questions. The film cuts to the hallway outside the courtroom where Jan and Facher are awaiting the verdict. Facher approaches Jan:

Facher: It's going to come down to people, as it always does.

Jan: They'll see the truth.

Facher: The truth? I thought we were talking about a court of law. Come on, you've been around long enough to know that the courtroom isn't the place to look for the truth . . . You disagree? Since when?

Jan: Eight kids are dead, Jerry.

Facher: Jan, Jan . . . Your suit fits you better than the sentimentality. That's not how you made all that money these years, is it? This stopped being about kids the moment you filed that complaint, the minute it entered the justice system.

Facher offers $20 million during a cynical soliloquy in which he warns Jan to take the offer because he is going to lose. He concludes, "Now if you're looking for the truth, Jan . . . look for it where it really is—at the bottom of a bottomless pit." Jan refuses the offer.

Beatrice is excused from the lawsuit, and in the end, W. R. Grace offers Jan $8 million to settle, but only after a humiliating encounter with the company's executive vice president and general counsel, Al Eustis (Sydney Pollack). Jan shows up late to the meeting at the Harvard Club in Boston, explaining that he has never been there before. Eustis replies, "I thought you went to Harvard!" When Jan explains that he graduated from Cornell Law School, Eustis exclaims condescendingly, "Cornell is a damn good school!" He asks Jan what he wants; Jan immediately begins talking about the case. Eustis interrupts—"There's an unspoken rule of the Harvard Club. Business is never transacted here. I meant, what do you want to drink?" He proceeds to discuss sailing—seemingly surprised that Jan doesn't sail—interminably. When they finally discuss the case back at the vice president's office, he challenges Jan:

Now let's be honest. It's not the money; it [a finding for the plaintiff] says we're guilty. And that says to every two-bit personal injury lawyer in Boston [a slight to Jan]—let's run up to Woburn to sign up every jerk with a head cold! It would be a shark effect!

He offers $8 million to settle. Jan replies, "I can't go to families with $8 million. I owe them more than that! I can't go to them empty-handed!"

Toward the end of the movie, Jan is shown sitting in an office bare of furniture and personnel; it is apparent he is living in his office. He calls Al Eustis and settles for the $8 million. When the firm presents the settlement to the Woburn families, it is revealed that

the offer does not include cleanup of the toxic site or any admission of responsibility from W.R. Grace. The families are dismayed upon hearing the offer, and Anne Anderson, the original plaintiff who lost her nine-year-old son to leukemia, exclaims, "I wanted an apology from someone . . . and you said money is the apology. That's how they apologize—with their checkbooks. But you call this an apology? What kind of apology is that!" Jan remorsefully responds, "The only meaningful apology you're going to get is from me. [Sincerely] I'm sorry." Anderson retorts, "That's not good enough!" and walks out.

This scene demonstrates the differences between what the defendants—the haves—and the plaintiffs—the have-nots—want in terms of a settlement. As Galanter (1979) argues, the have-nots have everything riding on a particular case, and they want acknowledgment of wrongdoing from the defendants. In contrast, the primary concern of the haves is to deny responsibility, so they will offer monetary settlements small enough to avoid the appearance of culpability. Even if they have to frequently settle, it is still less costly than admitting guilt, which might lead to a change in laws that would hamper ongoing business practices and decrease profitability.

The film ends with a montage of Jan's subsequent life. In serious debt after losing his firm, his partners, and all of his assets, he winds up practicing law in a one-room, one-person operation located in a poor Hispanic neighborhood. He takes the bus to work and lives in a tiny apartment in another run-down area. Feeling guilty, he can't put the Woburn lawsuit behind him. He has an epiphany about the evidence and quickly discovers the "smoking gun." But rather than pursuing a lawsuit, Jan decides to turn over all the evidence to the Environmental Protection Agency (EPA), which ends up fining W.R. Grace and Beatrice $69.4 million to clean up the sites. At the end of the film, we learn that it took Jan several years to pay off the debts he accrued from pursuing the Woburn lawsuit. But even so, he went into environmental law. In the long run, although he pursues environmental justice, he is still someone "with the law," since he continues to use the legal arena, applying his hard-won knowledge to better the odds against larger opponents.

The third film, *Erin Brockovich*, portrays the story of a crass, brash, and beautiful woman in her late twenties with no legal training or college education who uses every trick to pursue justice for a desert community that had been exposed to poisonous chemicals. In this role, she could be described as an individual "up against the law." As noted by Silbey and Ewick (2000), individuals with this predominant orientation toward the law recognize they are have-nots and "use what they can to get what they need" (p. 53). They use a variety of ploys to "get attention that is being denied by those with greater power" (p. 54).

The movie quickly establishes that Erin (Julia Roberts) is a stressed-out single mother, angry with a world that has constantly disappointed her. The opening scene is of Erin, dressed in a low-cut top and tight skirt, in a job interview that is not going well. We learn that she has not attended college and has three young children from two failed marriages. Driving home after the disastrous interview, she is hit by a car that runs a red light. Sustaining a neck injury and $17,000 in medical bills, she hires an attorney to sue the other driver, an emergency room physician. Her counsel, Ed Masry (Albert Finney), heads a small firm in a working class suburb of Los Angeles. During the trial, it is clear that he has not given much time to the case. On the stand, wearing her characteristic revealing attire, Erin's character is impugned while her lawyer sits mum. Becoming increasingly agitated on cross-examination, she points at the defendant and shouts, "That asshole smashed in my fucking neck!"

Furious with Masry for losing the case, she yells at him as they leave the courtroom.

Erin: Open and fucking shut!

Masry: That's exactly the kind of language that lost the case.

Erin: Oh, please! It was over long before that! You told me I'd be set!

Masry: Okay, okay, let's try and settle down here!

Erin: Fuck settling down! I've got seventy-four dollars in the bank! I can't afford to settle down!

When Ed apologizes, she angrily asks before storming off, "Do they teach lawyers to apologize? Because you suck at it!"

Unable to find work after weeks of searching, Erin places dozens of phone calls to Masry's firm, none of which are returned. One day she shows up at his office and begins working, telling the other employees that Ed has hired her. When he confronts Erin to tell her he doesn't need another employee, she retorts, "Bullshit! If you had a full staff this office would return a client's damn phone call! I'm smart, I'm hardworking, I'll do anything and I'm not leaving here without a job!" With the whole staff watching, she leans over and murmurs to Ed, "Don't make be beg. If it doesn't work out, fire me. Please don't make me beg." Erin's behavior in this scene is typical of individuals "up against the law." When conventional means to gain attention do not work, as Silbey and Ewick (2000) note, they will often "masquerade" by "pretending to be someone they are not" (p. 54) or resort to making scenes, both of which Erin does.

Ed Masry puts her to work as a file clerk. One day, Ed asks her to open the file for a pro bono real estate case. The plaintiff, Donna Jensen (Marg Helgenberger), is claiming that Pacific Gas and Electric (PG&E), the major supplier of energy to Southern California at the time, is offering too little to buy her home in Hinkley, a small desert community in which a PG&E plant is located. Erin is intrigued that the file also contains medical records from the Jensens. She soon discovers that Donna and numerous other Hinkley residents are suffering abnormally high rates of lethal cancers, miscarriages, and other serious health problems. Investigating, she uses her sex appeal to obtain documentation that PG&E lied about the chemicals being leached into the groundwater. When an incredulous Ed asks how she accomplished this, Erin retorts, "They're called boobs, Ed." Again we see that Erin, as someone "up against the law," uses what she has to obtain what she needs.

Just as Richard Pimentel in *Music Within* and Jan Schlichtmann in *A Civil Action*, Erin works long hours investigating the case, which strains a fledgling relationship with a boyfriend as well as those with her children, for whom he "babysits." But she continues to work 12 to 16 hour days, trying to uncover more evidence against PG&E and to sign up plaintiffs. In one scene, we see Erin at the door of a Hinkley resident with all three children in tow. Her boyfriend, tired of her long absences, had finally moved out.

Erin's disdain of lawyers helps her win over potential plaintiffs, whom she has to obtain one by one, meeting with them in their homes or at work. When one woman asks Erin if she is a lawyer, she laughs. "Hell no! I hate lawyers! I just work for one." At another meeting

in a family's living room, Ed and Erin are trying to sign up potential litigants. When Ed describes his fee, the room goes silent and heads shake. Erin quickly says, "Boy, do I know how you feel. The first time I heard that number, I said, you've got to be kidding me! Forty goddamned percent?"

"Erin—" Masry interjects.

She doesn't stop talking and her voice rises. "I'm the one that's injured and this joker [gesturing toward Ed] sits behind a desk all day and he wants to walk away with almost half of my reward?"

"Erin, can I—?"

She keeps talking over Masry. "But then, I ask him what he makes if I don't get anything." Ed continues, "And then I don't get anything, either."

"Plus," Erin states, "he's out all of the costs." The families then agree to the lawsuit.

She persuades Masry to sue PG&E, but they are quickly outmanned and outmaneuvered by the defendant's extensive in-house and contracted legal counsel. Ed quickly decides to partner with one of the best attorneys in environmental law, who suggests that the case be taken to binding arbitration. When Erin asks what that means, the attorney explains that it is a "test trial" with only a judge, whose decision is final and not subject to appeal. Erin objects, "They [the Hinkley plaintiffs] won't understand. They're expecting a trial!" The attorney condescendingly explains to her why binding arbitration is the best course of action.

This scene demonstrates how Erin is a person "up against the law." In spite of working for a law firm, she still is unfamiliar with the system. Motivated by a "strong sense of justice and right" (Silbey and Ewick 2000:54), she can identify with the clients' need to have their day in court and to be *heard* by those in power.

The court decides that 90 percent of Hinkley's residents have to be on the lawsuit against PG&E before it can proceed to arbitration. In a matter of weeks, Erin secures the agreement of over 600 families, moving her children to a Hinkley motel in order to work around the clock. She calls on her ex-boyfriend to help her with the kids while she is working, and they soon rekindle their romance. She also finds the "smoking gun" that topples the defense. PG&E settles for $333 million, making it, at the time, the largest direct action lawsuit that has ever occurred in the United States. Ed moves to a newer and much larger office suite in a downtown high-rise; Erin continues to work for him as an investigator. In the final scene, she is shown in her office calling a client. Into the phone she says, "Tell her that I'm not a lawyer. That may help!" This clearly establishes that Erin remains "up against the law" even as she continues to work within the system.

Common Themes

While each hero has a different orientation toward the law, they all risk and lose almost everything they value in their years-long dogged pursuit of justice. Richard Pimentel loses his girlfriend and, for a time, his closest friends. Jan Schlichtmann becomes bankrupt and loses his firm and partners. Erin Brockovich severely strains her relationship with her young children and loses her partner for several months. But their suffering pays off in the long run, for in all three films, justice—a sacred aspect of law—triumphs.

In the heroes' dramatic explanations of why they risked everything, the sacredness of law is also revealed. For example, in *Music Within*, Richard Pimentel asks Art, his friend with cerebral palsy, to read the complete draft of *Tilting at Windmills*. After reading the manuscript, Art asks, "Why did you want me to read this?" Richard starts apologizing, thinking it was mediocre. Art interrupts:

> You don't have a clue how good this is. You know what we cripples want besides getting laid? To be seen! When they look at me . . . do you know what they see? *Nothing!* I am ignored . . . How can you ignore this? [Gesturing to his deformed body] But, they ignore me . . . because I am *so* . . . disturbing . . . to their definition of human . . . that I make them feel! [Pounding his heart] I love that! What you've created will help them feel!

This is why Richard works so hard—simply, fairness for his friends and others, which means invoking legal rights to make it happen. As Richard tends to be "before the law," he does not use the legal system until there is an important enough reason to do so. The law is not being used to sue a dry cleaner; it is being used to make those who are different feel they have value. This humaneness also embodies a sacred aspect of law—that all people deserve to be treated fairly. *Music Within* reminds us of this basic principle and, in doing so, evokes hallowed aspects of law. Moreover, the dramatic emphasis on an individual's pain, such as Art's, draws viewers in emotionally, which makes us care that justice is realized.

The focus on individual suffering, however, masks the structural inequalities in American society that lead to unequal pain within the population to begin with. For example, disabled veterans are typically from lower and working class backgrounds. They are more likely to enlist in the armed services, since other opportunities such as higher education are not as accessible to them as they are to those from higher classes. And even in times of conscription, as during the Vietnam War, those with resources are often able to avoid armed conflict if they are drafted. Inequality also patterns numerous other forms of disability in the general population, such as cognitive impairment and mental illness, which are higher among those from the lower socioeconomic classes.

The ending scene in *A Civil Action* also references the scared aspects of law. A crew is shown moving dozens of boxes, composing the Woburn case file, out of storage. Then Jan is shown writing a letter to the EPA, to which he forwards the case, even though he has discovered the evidence to take down Beatrice. The film ends with Jan's voice-over of the letter's content:

> The appeals process takes longer, costs more, and its outcome is even less promising. Only five [appeals] in fifty will win. I have the evidence, but no longer the resources or the gambling spirit to appeal the decision. If you calculate success and failure, as I always have, in dollars and cents neatly divided into human suffering . . . the arithmetic says . . . I failed completely.

The background music swells while the impressive columns of a courthouse appear. Jan continues:

What it doesn't say is if I could somehow go back, knowing what I know now, knowing where I'd end up if I got involved with these people, knowing all the numbers, all the odds, all the angles . . . I'd do it again.

Jan, someone "with the law," who cynically viewed law as a combative arena and had little regard for anything other than the monetary value of his clients, is transformed into a caring advocate. When his car breaks down on a bridge in the pouring rain, he imagines what it must have been like for one of his clients, who had to stop on a bridge to try to revive his leukemic son. His son died in his arms as cars went rushing past.

Just as Richard Pimentel is galvanized by the predicament of his disabled friends, Jan is moved by the plight of the Woburn plaintiffs and the unfairness with which they have been treated by much more powerful adversaries, which motivates his decision to level the playing field by turning the case over to the EPA. In his doing so, not only is the legitimacy of law upheld, since he continues to trust in government (which delivers in the end), but so is the legitimacy of the legal process. That is, viewers learn that the state provides alternative avenues to ensure that justice is served.

But just as in *Music Within,* a focus on the suffering of individuals conceals the structural inequalities that pattern environmental injustice. Businesses do not pollute the environments in which rich people live, which is largely explained by the fact that factories and plants are not located in upper class communities. Those with fewer resources live closer, then, to the entities that pollute the environment. But there are also numerous cases in which companies deliberately dumped toxic chemicals in poor communities, knowing full well that the residents lacked the power and financial resources to achieve legal redress. In the case of *A Civil Action*, the individuals aware of the illegal dumping were too frightened to speak out because they or a family member worked for the companies owned by W. R. Grace and Beatrice. Since there were few other employment opportunities in Woburn, they did not want to lose their jobs. However, this focus on the individuals' plight is never tied to the pervasive and growing economic inequality in the United States. The blue collar workers in Woburn and across the country have fewer and fewer options as corporations move their manufacturing concerns to other countries. This puts increasing pressure on workers to accept working conditions and practices that are unethical, if not illegal.

Just like *Music Within* and *A Civil Action*, *Erin Brockovich* is peppered with references to the sacred aspects of law. It is clear from the beginning of the movie that Erin is "up against the law." She does not trust lawyers or the legal system even after several months of working for Masry. Erin's motivation from the beginning is to uncover the truth about the chemicals PG&E used in Hinkley. She simply wants justice for its families, a sentiment that only grows as she learns of the extent of the harm caused by PG&E. As someone who has felt the intrusive and inequitable aspects of law but was powerless to achieve fair outcomes, she identifies with the working class families of Hinkley. Yet although Erin displays contempt for lawyers and the legal system, her relentless drive on behalf of the Hinkley residents suggests she believes in fundamental and sacred principles of law, such as equality, fairness, objectivity, and humaneness. As Silbey and Ewick (2000) argue, those "up against the law" are not cynical about the law, but rather, recognizing their lack of power in a system that favors those with more resources, they "undertake small deceits and other violations of conventional and legal norms with a strong sense of justice and right" (p. 54).

Erin demonstrates her strong sense of right in one scene when she vehemently insists on proceeding to trial to achieve justice for the Hinkley families. Ed argues for settling.

Ed: This is serious!

Erin: And what, Ed? I'm not serious?

Ed: You're emotional! You're erratic! You say any goddamned thing that comes into your head. You make this personal, and it's not!

Erin: Not *personal!* That is my work, my sweat, my time away from my kids! If that's not personal, I don't know what is!

The profane aspects of law are highlighted in each of these three films, from the apathy of the federal government toward veterans wounded in the Vietnam War in *Music Within*, to the cynicism toward law displayed by the legal counsel on both sides of the case in *A Civil Action*, to the plaintiffs' deserved mistrust of both their own and the opposing counsel in *Erin Brockovich*. Yet the legitimacy of law is upheld because justice, however slow, is eventually realized.

We also see the heroes undergo significant changes that also ultimately uphold the legitimacy of the legal system. And each is humanized in the process. Richard Pimentel learns how to temper his anger and singular focus so that he no longer drives away those he loves. He also learns to work effectively with legal systems and other government agencies. Jan Schlichtmann loses his entrepreneurial focus on potential cases and becomes truly concerned and involved with the problems of his clients, wanting to achieve justice for them rather than just a large settlement. Erin Brockovich changes her manners and attire, becoming less brash and dressing more conservatively, but she never loses her drive to achieve justice for those who cannot afford to pursue it. All together, the heroes uphold the legitimacy of the legal system because they continue to use it, and they become better people along the way.

Conclusion

While viewers may find satisfaction that the underdogs in these films obtain justice, the focus on the individual obfuscates the social class bias inherent in the American legal system. For example, we see that many of Richard Pimentel's disabled friends were able to gain viable employment and eventually became somewhat protected from discrimination in the employment sector. The problem of disabled veterans, a national concern, however, is never linked to the disproportionate number of soldiers that come from the lower and working classes. The plaintiffs in both *A Civil Action* and *Erin Brockovich* are clearly working class, but it is never mentioned that when companies pollute, they do so in communities in which residents lack resources to resist these actions. Moreover, viewers do not learn anything about the extent of toxic dumping in the United States, or the number of lawsuits filed in this area or their outcomes. These kinds of omissions conceal the structural conditions in the United States that underlie inequities in the law and legal system.

In spite of the profane aspects of the legal system depicted in the films described, the restoration of justice achieved in each upholds the sacred nature of law. The resolution of

justice is common to all genres of dramatic entertainment, as is the focus on heroism and individual suffering. While this makes for dramatic entertainment, it conceals both the singularity of successful outcomes by the have-nots against the haves as well as the larger structural inequalities underlying biases in the legal system.

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Outtake

Corporate Crime and *The Informant!*

Mike Maume

In one of the largest criminal antitrust cases in history, the Archer Daniels Midland (ADM) corporation was fined $100 million for its role in fixing prices on two of its agricultural products with industry competitors. The U.S. Department of Justice was able to successfully prosecute the case based on the role ADM vice president Mark Whitacre played in the investigation. The film *The Informant!* (2006), based on real events depicted in the book by *New York Times* reporter Kurt Eichenwald (2000), follows Whitacre's story as a corporate executive who turns whistleblower and eventually is sent to prison for embezzling $9.5 million from his own company.

The first and second acts of the film portray Whitacre as an enthusiastic and quirky character who truly believes that his cooperation with the FBI as an informant against his fellow executives will lead to his eventual promotion to CEO. Whitacre identifies himself as an "organization man" who fully expects to be employed at ADM for life, despite his actions to bring down the company's top brass (Whyte 1956). Ultimately, Whitacre's lies are revealed as the case is built against ADM and in turn against Whitacre himself. Unlike other recent portrayals of corporate crime (e.g., *The Insider*, *Erin Brockovich*, *Wall Street*, *Money Never Sleeps*), the film's central character turns out to be more of an antihero than a hero.

Originally coined by Edwin Sutherland, the phrase *white collar crime* involves criminal acts perpetrated in the course of legitimate business, typically by respectable persons in positions of trust (Friedrichs 2010). Outside this context, of course, it is rare to use the word "respectable" in describing individuals involved in criminal behavior, and in fact sociologists and criminologists who study white collar crime have noted the success with which white collar criminals avoid the label *criminal*. Film viewers will note that the only characters to refer to the actions of ADM and Whitacre as crimes are the FBI agents and government lawyers assigned to the case. The lighthearted tone of the film reinforces the farcical, rather than sinister, nature of the corporate executives' actions, perhaps to underscore the idea that no one at ADM seemed to know or be concerned about the criminal culture that developed at the company or the extent of the frauds committed. In fact, by the end of the film, even Whitacre doesn't seem to recall the amount of money stolen while he was employed at ADM.

As a tool for understanding white collar crime, *The Informant!* has two major advantages. First, because of the often secretive nature of big business, one of the only ways that we have learned about the nature and extent of corporate misbehavior is through the cooperation and stories shared by whistleblowers and informants. For example, in the Enron–Arthur Andersen debacle, portrayed in the documentary *Enron: The Smartest Guys in the Room*, a combination of whistleblowing (company executive Sherron Watkins) and investigative reporting helped reveal the details of the fraud and conspiracy committed by the top executives of the company. In *All the President's Men,* an insider in the administration (using the moniker "Deep Throat") aids the investigation by Bob Woodward of the *Washington Post*. Both sociological case studies

and investigative journalism share this approach to obtaining knowledge of corporate crime from an insider's perspective (Simpson and Piquero 2001). As Geis (2007:106) points out, there is an unfortunate "absence of significant field research on corporate crime that might shed light on important, but unresolved matters [in understanding corporate crime]."

Second, Whitacre himself is a far cry from the violent, predatory criminals portrayed in films depicting street crime or drug trafficking. While Whitacre has a Ph.D. in biochemistry, he shows very little savvy with regard to avoiding the authorities. In that sense, his story is similar to those of opportunistic thieves such as embezzlers and fraudsters who commit their criminal behavior based on a pressing financial situation rather than a desire to initiate a criminal career. However, given his position of trust within the company, Whitacre was able to embezzle and conceal much more than a low- or mid-level employee could.

Estimates of annual losses due to street crime (e.g., robbery, burglary) make up a small fraction of the losses attributed to corporate fraud, which vary between $60 and $300 billion per year. Estimates of corporate crime losses vary considerably because, unlike crimes such as homicide and robbery, there is no comprehensive nationwide reporting system for losses due to fraud, corporate criminal indictments, or fines.

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Sociology and the Life Course

G: Seventy-five years. That's how much time you get if you're lucky. Seventy-five years. Seventy-five winters, seventy-five springtimes, seventy-five summers, and seventy-five autumns. When you look at it like that, it's not a lot of time, is it? Don't waste them. Get your head out of the rat race and forget about the superficial things that preoccupy your existence and get back to what's important now.

—*Holy Man* (1998)

Benjamin   It has no time limit. You can start whenever you want. You can change or stay
Button: the same; there are no rules to this thing. We can make the best of it or the worst of it. I hope you make the best of it. I hope you see things that startle you. I hope you feel things that you never felt before. I hope you meet people with a different point of view. I hope you live a life you're proud of. And if you find you're not, I hope you have the strength to start all over again.

—*The Curious Case of Benjamin Button* (2008)

Dean: Yet even in certain defeat, the courageous Jonathan Trager secretly clung to the belief that life is not merely a series of meaningless accidents or coincidences. Rather it's a tapestry of events that culminate in an exquisite, sublime plan.

—*Serendipity* (2001)

The life course perspective is used by sociologists to study human lives over time; life course refers to the sequence of activities and events from birth to death (Mayer 2009:413). From a life course perspective, individual lives take place in the context of social institutions within which people hold particular statuses and roles. The life course includes short-term transitions, such as graduating from school or retiring at

the end of employment. These transitions are embedded in age-graded trajectories, such as being a student or marrying and having children. Four factors or themes are central to the life course approach: "the interplay of human lives and historical times, the timing of lives, linked or interdependent lives, and human agency in choice making" (Elder 1994:5).

The readings in this chapter address three different stages in the life course and what can be learned about age-graded events and experiences through feature films. In the first reading, Carmen Lugo-Lugo and Mary Bloodsworth-Lugo look at four animated films for children: *The Road to El Dorado*, *Shark Tale*, *Dinosaur*, and *Toy Story*. According to the authors, films made and marketed for children are influential agents of socialization that, in addition to portraying the ideals of conquering fears, working hard, and contributing to team effort, "guide U.S. children through the complexities of highly racialized and sexualized scenarios, normalizing certain dynamics and rendering others invisible in the process."

Taken together, these films contain stereotyped representations of race, ethnicity, gender, and sexuality. These representations resonate with children "because they simultaneously reinforce both contemporary and historical notions of race, gender, and sexuality." For example, in *El Dorado* the Spanish conquest of the "Americas" is presented as a story not of colonization, but of rescue of indigenous people by "good" Europeans (in contrast with the "evil" Cortés and high priest). In *Shark Tale*, the characters are identified in terms of race and ethnicity with stereotypical markers, such as accent, accessories (e.g., "bling" for Oscar), and ability/talent (Oscar can't sing reggae; Sykes can't learn the complicated "fin shake" from Oscar). Across all four films, characters in the form of toys, fish, dinosaurs, and people enact norms of heterosexuality through dialogue, expression, and action.

In the second reading, Jeanne Holcomb explores a significant turning point in the life course: becoming a parent. In contemporary society the normative pathway to parenthood is courtship, love, and marriage in early adulthood. Holcomb focuses on alternative paths to motherhood using the films *Baby Mama*, *The Switch*, *Juno*, and *Knocked Up*. All of the movies feature unmarried motherhood, including a teenage mother in Juno and women of "advanced maternal age" (35 years or older) in the other three films. Despite the theme of nonnormative paths to motherhood in the films, Holcomb points out that social class, race, and heteronormativity are woven throughout the stories and that the films come to a close with traditional "happy endings."

In the third reading, Neal King uses three films, *About Schmidt*, *Gran Torino*, and (the animated) *Up*, to explore the later stage of life for white men who have exited long-term statuses (they are retired and have recently been widowed). As King explains, the three main characters "suffer the isolation created by men's typical approaches to their jobs and family lives." These typical approaches are the product of the social construction of masculinity that involves work as a primary source of identity and narrow networks of social support highly dependent on the emotional labor of wives. Loss of these two sources of identity and belonging, as found in the research literature and these three films, results in isolation, depression, and potential health problems.

In an interesting twist, these Hollywood stories of old age for men involve redemption from their separation and loneliness in the form of a mentoring relationship with a young male character. In *Up* and *Gran Torino*, these relationships become paramount to Carl and Walt, respectively. Both men risk life and limb on behalf of the young men, redeeming themselves at the same time that they pass on important lessons about manhood. Carl's life takes a turn for the better as he returns home and continues his friendship with Russell;

Walt sacrifices his life to put gang members who threaten his friend Thao and his family behind bars. In *About Schmidt*, Warren finds a young friend in the form of a foster child in Africa. He ends up alone, but feeling that he has been appreciated for his efforts when he receives a "thank you" drawing from his foster child.

The life course provides a way of studying human lives in the context of time and relationships, structure, and process. Movies provide the stories of people situated in time and place at the intersections of race, class, gender, sexuality, and age. Applying the life course to these stories allows us to understand how history, timing, social networks and relationships, and agency shape trajectories and transitions in lives over time.

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Children's Films as Agents of Socialization

The last decade or so has witnessed a proliferation of successful animated films, the majority of which have been made by Disney, Disney and Pixar, and DreamWorks.[2] Full of fantastic computer-generated images and special effects, the characters in these films depart from the simpler, two-dimensional designs in earlier (mostly Disney) films and provide viewers with more sophisticated, three-dimensional, emotion-displaying characters. Technological advances notwithstanding, these films, on a social level, offer viewers all-too-familiar and ordinary lessons wrapped in extraordinary and sometimes-magical plots. In a basic sense, the narratives embedded within these recent stories provide children (their primary target audience), and even adults, with audio-visual reinforcement of ideologies concerning gender roles, the importance of conquering one's fears, the rewards of hard work, or the benefits of team effort, making these stories powerful agents of socialization. Elizabeth Freeman (2005) actually describes these films as "'portable professors' of a sort, offering diagnoses of culture for adults even as they enculturate children" (p. 85).

These successful animated films also offer lessons about accepting ourselves for who we are, the wonders of pulling ourselves up by our own bootstraps, and the idea that love conquers all—even seemingly insurmountable class differences, ill-intentioned acts, and evil characters. Similarly, the narratives teach very specific messages regarding clear-cut dichotomies such as good and evil; namely, that good and evil are mutually exclusive, self-contained monoliths and that the good will always be good whereas the evil will always be evil. Henry Giroux (1999) explains this best when he claims that with these films, the corporations involved (e.g., Disney, Pixar, and DreamWorks) are "regulating culture," and thus, profoundly influencing "children's culture and their everyday lives" (p. 2). The messages embedded within these films resonate with children and are reiterated through other sources, while they also resound with parents who have received the same lessons since childhood. As Helaine Silverman (2002) conveys, "As a quintessential form of American public culture, animated movies may be examined as a site where collective social understandings are created and in which the politics of signification are engaged" (p. 299). According to Giroux (1999), these films are part of a popular culture that "is the primary way in which youth learn about themselves, their relationship to others, and the larger world" (p. 2). He goes on to argue that media culture has become a substantial, if not the primary educational force in regulating the meanings, values, and tastes that set the norms, that offer up and legitimate particular subject positions—what it means to claim an identity as male, female, white, black, citizen, noncitizen (pp. 2–3).

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Giroux (1999) insists that "entertainment is always an educational force" (p. 28). Within this "edutainment," "animated films operate . . . as the new teaching machines" and "they possess at least as much cultural authority and legitimacy for teaching roles, values, and ideals as more traditional sites of learning" (p. 84).

In this article, we argue that, as suggested by Giroux, animated films offer children intricate teachings about race and sexuality. Thus, as socializing agents or "teaching machines," these films guide U.S. children through the complexities of highly racialized and sexualized scenarios, normalizing certain dynamics and rendering others invisible in the process. We fundamentally disagree with Bell, Haas, and Sells (1995), who argue that "Disney's trademarked innocence operates on a systematic sanitation of violence, sexuality, and political struggle concomitant with an erasure or repression of difference" (p. 7). To the contrary, these films precisely teach children how to maneuver within the general terrain of "race" and "sexuality," and they highlight quite specific differences. It is our contention that films, in their role as agents of socialization and "portable professors," provide children with the necessary tools to reinforce expectations about normalized racial and sexual dynamics. To illustrate our points, we will focus on four specific films: *The Road to El Dorado* (Bibo Bergeron, Will Finn, Don Paul, David Silverman and Jeffrey Katzenberg, 2000), *Shark Tale* (Bibo Bergeron, Vicky Jensen and Rob Letterman, 2004), *Dinosaur* (Eric Leighton and Ralph Zondag, 2000), and *Toy Story* (John Lasseter, 1995). We could discuss race and sexuality as intersecting markers within the context of each film, but in the interest of clarity, we will discuss each category separately here.

Con Men and Fish: Racialized Representations and Animated Films

In her book, *Understanding Disney*, Janet Wasko (2001) lists the various elements found in any "classic" Disney narrative: style, story, characters, and themes/values, along with the formulaic components of each. We would like to focus on her description of characters, for it is through the characters that "we" piece together the story, learn the themes/values, and get a feel for the film's style. According to Wasko, Disney anthropomorphizes animal characters, presents formulaic heroes, heroines, and villains, and provides stereotypical representations of gender and ethnicity. We can offer two points in relation to Wasko's basic claims. First, Wasko's description of Disney's animated characters can likewise be extended to the animated characters in films made by DreamWorks and Pixar (as we will discuss in this article);[3] and second, her claim regarding stereotypical representations can be expanded in the following way: Even though animals (and other nonhuman characters) are anthropomorphized in children's animated films, these films also, unfailingly, racialize nonhuman characters in the process. That is to say, these characters are not simply transformed into some generic "human" (for there are no generic humans); rather, they are inscribed, for example, as White "humans," Black "humans," Asian "humans," or Latino "humans." Thus, we maintain that animal and other nonhuman characters undergo a kind of racialized anthropomorphism within animated films. Our discussion of *Shark Tale*, below, will illustrate this point.

Similarly, although human characters in animated films still "play" formulaic and stereotypical roles and adhere to strict dichotomies, the scope of these roles and the shape of

these dichotomies seem to be broadening in recent films, adapting to contemporary definitions. We will use *The Road to El Dorado* to illustrate this point. Consequently, we also argue that while many "classic" animated films (often featuring human characters) tend to adhere to strict dichotomies (good/evil, hero/villain, etc.), there are also recent notable examples (generally featuring anthropomorphized characters) that create more nuanced constructions of these binaries. That is to say, while we still see films that enact clear sets of binaries and simultaneously racialize characters in accord with these roles, we are also witnessing very recent films that complicate classic structures. The two films discussed in this section provide examples of each sort of film.

Stereotypes and Dichotomies in *The Road to El Dorado*

We begin our discussion with a film that conforms to classic structures and dichotomies: DreamWorks' *The Road to El Dorado.* Adding to Wasko's discussion of stereotypical representations of race and ethnicity in children's films, and—we add—sexuality, we argue that stereotypical representations must be placed within a broader, more complicated historical context within which gendered, racialized, and sexualized dynamics take place. In other words, stereotyped representations are only relevant because they simultaneously reinforce both contemporary and historical notions of race, gender, and sexuality.[4] Let us take, for instance, representations of race in *The Road to El Dorado.* Set during "the Conquest" of the Americas, *The Road to El Dorado* begins in Spain and moves to a mysterious location in what is now known as Mexico. The film begins with Hernán Cortés delivering a speech just prior to his departure for "the New World," in which he boasts, "We sail to conquer another world, for Spain, for glory." Thus, in a superficial way, the film subtly points to the greed-induced injustices of the Spanish Conquest; however, when examined more closely, *The Road to El Dorado* tells a highly racialized and dichotomized story involving Spaniards and indigenous peoples in the Americas. This story is accomplished by romanticizing the Indigenous as childlike and innocent beings (always smiling, rarely speaking, and mostly in awe) who are positioned as being in need of rescue. This "rescue" comes in the form of Tulio and Miguel—the "good" kind of Europeans (in contrast to Cortés, the "bad" kind).

In the case of *The Road to El Dorado,* the evil characters are hopelessly evil (i.e., Cortés and the High Priest) and the good characters are ultimately good (i.e., Tulio/Miguel and the Chief). While Tulio and Miguel (described by DreamWorks as "a pair of two-wit con men") may sometimes lack good judgment, they are—in the end—good, decent people (as they *must* be given their place within the binary structure). Hernán Cortés, in his evil incarnation, becomes the damnation of the natives, while Tulio and Miguel discover their role as saviors of the doomed indigenous society.

The most interesting feature of Tulio's and Miguel's characters is that, mistaken as gods, they are able to become heroes and save the indigenous society from its own heartless high priest. In fact, in his role as one of the gods, and responding to the high priest's request for a human sacrifice, Miguel gives the natives their first commandment: "There will be no sacrifices, not now, not ever." In the film, El Dorado (the place) becomes a site of racial dynamics where the indigenous population not only dances, drinks, and is happily festive but also partakes in "uncivilized" practices such as human sacrifice. It is also in El Dorado

Photo 8.1   Conmen turned savior in *Road to El Dorado*. The good-hearted Miguel frolics with the child-like "natives" of El Dorado.

that Spaniards, Tulio and Miguel (with their puzzling British accents), manage to save the place, even after Miguel informs the Chief that the Indigenous will not be able to fight off Cortés and his men who are rapidly approaching the city. Despite this claim, Tulio is able to arrive at a solution to save the city which entails blocking its only entrance, thus preventing Cortés (or anyone else) from ever finding the city. In turn, its residents are isolated from other human contact forever, thus repositioning them as perpetually innocent and child-like peoples in need of protection. While carrying out the plan, both "con men" renounce the gold they had planned to take, signaling a change of heart concerning their own greed and revealing that in the end—and different from Cortés—they *do* possess kind hearts. Nonetheless, given that Tulio and Miguel were "con men" who arrived at and stayed in El Dorado through deceptive actions, their portrayal as ultimately kind-hearted heroes broadens any former (and pure) construction of "the hero." Moreover, dichotomies notwithstanding in *The Road to El Dorado,* Europeans become both the damnation and the salvation of the indigenous characters.

Racialized Anthropomorphism in *Shark Tale*

We find an excellent example of racialized anthropomorphism in the DreamWorks film *Shark Tale*, in which Oscar, described by DreamWorks (2005) as "a little hustler fish," speaks in a clearly "Black" American accent and lives in the ghetto part (South side) of the reef. His blackness is found not only in his accent and place of residence but also in his manner-isms, behavior, and jewelry (i.e., "bling"), which are highly racialized signifiers. For instance, in one scene, Oscar tries to "hustle his way" out of a situation with his boss Sykes, a puffer fish. Oscar tries to connect with Sykes by performing a complicated "fin shake," but Sykes is unable to follow the steps. After a few attempts, Oscar gives up and says, "Don't

sweat it, a lot of white fish can't do it." For children who are learning the intricacies of race (as a social signifier) and race relations, labeling Sykes as a "White fish" (and therefore, Oscar as a "Black fish") validates other societal messages. Children learn that our culture is strictly raced and racialized, since even fish can be Black *or* White.

In fact, Oscar and Sykes are not the only fish racialized in *Shark Tale*. We can also find Ernie and Bernie (two Rastafarian jellyfish, complete with Jamaican accents) who work for Sykes, Lino (an Italian American–accented Mob shark and master of the reef), and Mrs. García (an overweight, middle-aged, single, Mexican-accented, female fish, with permanent rollers in her hair) who also lives in the ghetto. These are just a few examples. However, we can also locate nuances in the ways that these characters are racialized. For instance, not only can we see Oscar being racialized as Black, but we also can see an ethnicization of race whereby Oscar is constructed as a Black *American*. This ethnicization is accomplished through his juxtaposition to Ernie and Bernie, with whom he interacts. In one scene, for example, Oscar attempts to sing reggae, to which Ernie retorts, "Don't like the way you sing that song, man." In this way, Oscar is reinscribed as Black, but this reinscription is promoted through contrasting Oscar, as Black American, with Ernie and Bernie, as Black *Jamaican* (where to be Jamaican means to be accepted by Rastafarian jellyfish). In addition, Sykes is actually finally able to perform the fin shake, once Oscar becomes a celebrity and Sykes becomes his manager. With Oscar's celebrity and Sykes' newfound investment, we see Sykes now able to do the fin shake and to speak "Black lingo." We could argue that Sykes' "Black performance" parallels that of White rap producers and others who "learn the lingo" to have better rapport with their "investments." In *Shark Tale*, furthermore, we witness ethnicization in "White," for Lino is not only racialized as White but also ethnicized as Italian by way of very specific signifiers. For instance, Lenny (his son) tells Oscar that Lino is the Godfather, Lino speaks with an accent usually associated with New York Italians, and Frankie (Lino's other son) receives a Catholic burial, performed in Latin, after he dies. While almost silly, these stereotypes serve as important signifiers of a particular *kind* of whiteness within the United States—the whiteness of a group that, until recently, was *not* actually seen as White.

Dinosaurs and Toys: Straightness, Heterosexism, and Animated Films

A few years ago, Tinky Winky (of the children's television show *Teletubbies*) was rendered a "homosexual" by Jerry Falwell. Falwell—a professed straight man—claimed to know the status of Tinky Winky vis-à-vis "his" sexuality. Even though Tinky Winky never said "I am gay," Falwell thought that Tinky Winky's color (purple) and his accessories (his purse) said "I am gay" very clearly; Tinky Winky need not utter the words. It is worth noting, in this case, that Falwell's assessment of Tinky Winky also followed a curious path: He first assigned Tinky Winky a sex (male), then assessed that sex (by reading the color and the accessory as "inappropriate" gender attributions for a male), and then conflated gender and sexuality (by labeling Tinky Winky a "homosexual" on the basis of these "inappropriate" gendered characteristics). In addition, it could be that Tinky Winky's triangle headpiece clinched the "homosexual" assessment for Falwell.

At the time of the Falwell incident, some members of the gay and lesbian community argued that cartoon characters *do not have* sexualities; hence, in musing over children's television programming, Falwell had "simply gone too far." This was a case, some gay men and lesbians argued, of homophobia run rampant. However, it seems undeniable that cartoon characters—especially in Disney, Pixar, and DreamWorks productions—certainly do have sexualities, which is to say, they have *hetero*sexualities. Despite a tenuous relevance, or an outright irrelevance, to the storylines, "heterosexuality" (in the form of heterosexual relationships or heterosexually oriented banter) pervades most films for children. Indeed, if there is a purpose to these seemingly pointless scenes, the aim could be taken to be the "indoctrination" of children into "the heterosexual lifestyle."

In the films discussed above, *The Road to El Dorado* and *Shark Tale,* we can easily find examples of heterosexual relationships and banter. In *The Road to El Dorado,* Tulio, who has warned Miguel regarding the dangers that Chel (the "native") could bring, ends up falling for her himself. The fact that it is Tulio, and not Miguel, who cannot resist the indigenous woman only underscores her danger, for Tulio is represented as the more level-headed member of the con men pairing. On first seeing Chel, after all, it is Miguel who states, "Maybe we should call this place 'Chel Dorado,'" while uttering sounds of sexual excitement. The introduction of Chel into the narrative occurs after a series of scenes in which the sexuality of the two main characters could be construed as unclear; for example, after the two men have recited to each other that they have made each other's lives more adventurous and rich (on thinking that death was imminent) and after the two men have bathed naked together (on arriving in "the New World"). Chel clarifies for the audience that these two men are, indeed, sexually "normal." Of course, this "normalcy"—played out in the relationship between Chel and the two Spaniards—also tells the audience that the indigenous woman is available for the White man's choosing and that, like El Dorado itself, no "normal" man could resist her temptation (leading to her/its conquest and possession).

In *Shark Tale,* the role of "woman as temptation and trouble" is played by Lola, who is positioned as a danger to Oscar's potential wealth as he places a "sure bet" on Lucky Day to win the ensuing seahorse race. As Oscar turns around and sees Lola seductively entering the room, a song unleashes the lyrics, "Better watch out, she'll take your cash. She's a gold digger." Of course, in *The Road to El Dorado*, Chel's initial interest in Tulio and Miguel also centers on the "escape" that they might offer, and she makes a deal with them to gain a share of their gold. However, in *Shark Tale,* the "type of woman" represented by Lola is also contrasted with two other sorts of women—the kind of woman with whom a man should eventually settle down (Angie), and the kind of woman that no "normal" man could find alluring (Mrs. García). Angie, unlike Lola and unbeknownst to Oscar, loved Oscar before his newfound life of fame and fortune. Oscar initially overlooks her affection, referring to her simply as his "best friend." But it is precisely one's best friend (as long as that best friend is of the "opposite" sex) who offers a man long-term possibilities, unlike the seductress who will leave him on a whim. Or, perhaps worse still, it is the "Lola type of woman" who will seek revenge if he leaves her first. Lola herself states that the only thing she likes better than money is revenge.

However, it is not Oscar, the film's main character, who is in the opening scene of *Shark Tale.* Rather, it is Lenny—the son of Lino, the "Don" of the reef. As a worm struggles on a

fishing hook, eyeing Lenny swimming closer and closer (with the theme to *Jaws* playing), the audience senses the danger. But Lenny does the unexpected. Instead of gobbling down the worm, he releases it from the hook and lets it swim free. As we learn, the thought of eating any of this "meaty" sea life makes Lenny sick. Lenny eventually confides in Oscar, in a discussion that evokes a narrative of self-outing, that he is a vegetarian. However, his family has known for some time that something is "odd" with Lenny—he is not a "normal" shark. As Lino says to Lenny, "You. I'm hearing things. When you look weak, I look weak," and "Son, you're going to learn to be a shark whether you like it or not." Thus, being a "normal" shark is equated with being a shark as such, and being a shark means being a vicious master of the reef (and not a compassionate consumer of kelp). Lenny's brother, Frankie, likewise tells Lenny, "If you want to make Dad happy, you've got to kill something. You've got to be a shark."

While the issue of Lenny's sexuality is left open in *Shark Tale*, parallels between stereotypical representations of gay men and characteristics displayed by Lenny are played on throughout the film. Not only does Lenny "come out" to Oscar (as vegetarian), but he also dresses both as a cowboy and as a dolphin at one point in the film ("Sebastian, the Whale-Washing Dolphin"). This "dress up" evokes both the fondness for uniformed men within gay male culture (the most famous example being the array of figures represented by Village People) as well as the more general relationship between gay men and drag. When Lino sees Lenny dressed in this get-up, he asks, "What are you wearing? What *is* that? Do you have any idea how this looks?" Of course, while Oscar makes a plea for Lino's acceptance of Lenny at the end of the film, asking, "Why can't you love him as he is?" it is precisely Oscar who has subtly rejected Lenny at an earlier point in the film, stating the number one rule for friendship as "none of that snuggly buggly stuff. Whatever that was." Oscar thereby distances himself from any "abnormal" closeness between the two male characters (or two men in general) and designates such closeness as "icky." In fact, such intimacy is to be so desperately avoided that this particular rule for friendship is cited before Rule 2—the rule directly related to Oscar's self-preservation: "If you ever have a change of heart [about being a vegetarian], please don't gobble me down." With his rules for friendship, Oscar reconstitutes himself as the heterosexual man—the man who may have other men as friends (as do Tulio and Miguel), but whose sexual desires are firmly positioned where they *should* be.

A point of connection between the overall representations of sexuality in both *The Road to El Dorado* and *Shark Tale* involves the incorporation of (hetero)sexuality into the narratives of the films when the basic messages could have been served without it. In this respect, children's films do not function very differently from adult-centered Hollywood films which find a way to work a (heterosexual) love story into almost any plot. But unlike adults, whose sexualities have already been soundly established (it would appear), children are still learning the societal lessons of (hetero)sexuality—that heterosexuality is the "normal" sexuality and the desired outcome for "any healthy child." Thus, the seemingly unnecessary incorporation of heterosexuality into the narratives of children's films can actually be seen to serve a function. That is, it reiterates lessons that children receive elsewhere—that boys like girls and girls like boys, and men like women and women like men, even when the boys/men and girls/women are, for example, fish . . . or dinosaurs or toys.

(Needless) Heterosexuality in *Dinosaur*

In the film *Dinosaur*, the main character, Aladar, becomes orphaned when a bird picks up his egg and drops it far from Aladar's home. Aladar (a dinosaur) is subsequently adopted and raised by a clan of lemurs. While this unusual situation could, and perhaps does, offer lessons about "alternative families" or "families of choice," this message is fundamentally undermined given its repositioning within a framework of normative heterosexuality. This framework renders procreation as the only legitimate reason for sexual activity and the nuclear family as sexuality's only "natural" outcome. For instance, near the beginning of the film, a scene with questionable relevance to the plot unfolds (the plot being dinosaurs making their way to the "nesting grounds" after meteors strike and destroy much of the Earth), when male-female pairs of lemurs are shown "doing the wild thing." While an argument could be made for the relevance of this scene (i.e., it suggests the means of survival for a species, thereby foreshadowing the meteor scene which renders extinction possible), any such significance to this scene—in our view—is undermined by a blatant depiction of lemurs "doing it."

To prepare for the mating ritual, we see Zini (Aladar's "brother") practicing his pickup lines and remarking, "Girl, I'm the professor of love. And school's in session," and "Hey, sweetie. If you'll be my bride, I'll groom ya." At the same time, we hear the girl and boy lemurs being taught their separate mating lessons. The girls are told to be subtle with their intentions and to "keep the boys guessing." Of the boy who has successfully mated in the past, we hear the praise, "He put the 'prime' in primate." And, as the boys arrive to "go at it" with the girls, we are privy to their introduction: "Here's your buffet table of love." All of the lemurs then embark on heterosexual pairings, and all are successful, except for Zini, who reassures himself by saying, "Before you know it, she'll be wanting a bigger tree" (that is to say, "Women are trouble"). Zini is appointed the only bachelor of the clan—except for Aladar, who has not yet found others "like himself" (i.e., other dinosaurs). Thus, Zini and Aladar can be seen to form a connection on the basis of their mutual bachelorhood, and while Zini is unsuccessful with the ladies himself, he does not fail to offer advice to Aladar later when he meets Neera on the way to the nesting grounds. Zini remarks, "Hey, hey, there's your girlfriend. What you need is a little help from the love monkey." Finally, Aladar is able to settle down with "the right girl," and the two dinosaurs have "a little Aladar" who "looks just like his father." In the film's final scene, we see Zini encircled by a "harem" of female lemurs, suggesting that he too might finally mate successfully. Zini asks, in a moment of sexual excitement, "Are you ladies up for a game of monkey in the middle tonight?" His inquiry is followed by a cheesy grin of sexual anticipation.

The Love of Toys in *Toy Story*

Another example of heterosexual incorporation into a children's film can be seen in the popular *Toy Story* movies, in which the voice of Tom Hanks animates the character of Woody. In the opening scene of *Toy Story*, Woody's "boy" (Andy) acts out a playtime scene in which Woody saves the life of Little Bo Peep's flock. When Andy leaves his bedroom, all the toys come to life. Little Bo Peep gently whispers to Woody, kisses him, and thanks him

for saving her sheep. She follows this gesture with the line, "What if I get someone to watch the sheep tonight? Can you come over?" Woody blushes, revealing his sexual anticipation through the cheesiness of his smile (much like Zini). At the end of the film, Little Bo Peep tells Woody, "Merry Christmas, Sheriff," as she pulls him toward her with her shepherd's hook. To her holiday greeting, Woody replies, "Hey, isn't that mistletoe up there?" The two toys then disappear, out of the frame, as the film closes.

This final scene arrives after Woody, throughout the film, has found himself having to compete not only for the affections of Andy but also for those of Little Bo Peep. While Woody was previously the mainstay of both Andy and Little Bo Peep, their loyalties are tested as Andy's new toy, Buzz Lightyear—the new and flashy sort of toy (guy)—enters the scene. Given that Andy's family will be moving to a new home in just a week, Woody has instructed the toys to locate partners for the move. Woody wants no toy to be lost or left behind. With the arrival of Buzz Lightyear, on the occasion of Andy's birthday, Little Bo Peep thinks that she has found her solution. As she remarks on first noticing Buzz, "I've found my moving buddy." Little Bo Peep thereby displaces Woody from the role that he would have likely assumed. In the end, however, Little Bo Peep returns to Woody, much as Oscar returns to Angie (in *Shark Tale*). The message, here, is that the steady guy—rather than the flashy one—is a girl's best option. While flashiness might offer temporary excitement, steadiness provides long-term stability. The "tried-and-true" is ultimately better than the "toy-of-the-day." It is worth noting that in a sustained *Toy Story* subplot, Mr. Potato Head spends the entire film awaiting the arrival of Mrs. Potato Head. She finally appears at the end of the film, on the occasion of Andy's sister's birthday. The arrival of Mrs. Potato Head is followed by the regular appearance of the united and happy couple throughout the film's sequel, *Toy Story 2.*

Conclusion

Given such depictions of race and sexuality enmeshed within the storylines of films primarily intended for children, it seems reasonable to maintain that racialization—including racialized anthropomorphism—takes place on various levels within these animated films. On a basic level, such films provide children with important signifiers that chart racialized, and *racist*, dynamics. On a more profound level, these films serve as tools that help to teach children to maintain the racial (and racist) ideologies that maintain the status quo. For instance, even though Oscar is no generic fish, we are taught that he should nonetheless be happy to be a fish (a Black fish), to live in the ghetto, and to enjoy the lot assigned to him in life. As Oscar, at the end of *Shark Tale,* settles into his newfound life as co-owner of the Whale Wash (with Sykes), we note that while he has indeed moved from his father's lot as longtime tongue scrubber, he has not risen so far as to make a White audience uncomfortable with the success of a Black man/fish. After all, Oscar shares his bourgeois success with a White man, Sykes. Similarly, in *The Road to El Dorado,* we learn that the conquest of the Americas is over, and there is the possibility that multitudes of indigenous folks did not die after all. Rather, their civilizations may actually be hidden behind large rock formations impossible for us to find—thus, we need not feel guilty about the extermination of entire cultures. We need not worry about rape either, for we are told that indigenous women were

actually more than willing to leave their families to live adventurous lives with European men (as demonstrated by the relationship between Chel and Tulio). And slavery, we are instructed, was an institution for evil people who fundamentally deserved it (as depicted by the enslavement of the High Priest by Cortés).

Moreover, there is an ethnicization of race in more recent animated films for children, suggesting that children are being taught not only "crude" racial categories but also more intricate ways of conceiving "race" in relation to ethnic markers. While it might be argued that there are positive aspects to such portrayals (for instance, they complicate race by not homogenizing racial categories such as "Black" or "White"), we would argue that the real purpose of the ethnicization of race—in a film like *Shark Tale*—is to differentiate characters in not-so-positive ways. For example, Lino (Italian White) is contrasted with Sykes (nondescript White) in ways that promote negative stereotypes of Italians in comparison to "other" Whites. While Sykes may wish to exploit Oscar and his newfound fame, Sykes is himself victimized by Lino's perpetual bullying, thereby rendering Sykes a "better" kind of White fish than Lino.

Heterosexism plays a similar role within these films, for a heterosexist lens implies *no* sexuality where a case can be made for glaring *hetero*sexuality. Owing to the fact that heterosexuality is normative, depictions of it often go unnoticed. This claim seems a more accurate reflection of the actual status of sexuality within children's animated films than the position that animated characters have no sexualities. All of the main characters discussed above not only have (hetero)sexualities but also convey more nuanced lessons from within the category "heterosexual." That is to say, Oscar's attention is depicted as properly directed at *women*, while ultimately he must end up with the right *kind* of woman; Woody must compete for the affections of Little Bo Peep, while she is distracted by the flashiness of the wrong *sort* of man. Even when a character is introduced, like Lenny, whose sexuality is unclear, this lack of certainty only affords the sort of mild put-down illustrated by Oscar's "None of that snuggly buggly" comment. With this distancing remark, heterosexuality is recentered and given its rightful place as the only "normal" sexuality. In the case of Tulio and Miguel, any lack of clarity regarding the nature of the male-male relationship is resolved through the introduction of Chel, the irresistible woman.

Likewise, rather than construing animated characters as generally unmarked by race, it is more likely that these characters are raced as White (which is why mainstream audiences do not notice many characters' races) as well as non-White (which is why other characters jump from their backgrounds). Concerning the second part of this point, we might consider Native Hawaiian Lilo in Disney's *Lilo & Stitch*, or Spanish-accented Puss in Boots in DreamWorks' *Shrek 2*, as two additional examples. An interesting question arises here regarding how knowledge of the social location of the actors motivating the characters' voices might inform the way we (especially adults) perceive the characters, as well as how they are drawn and narrated. Our suggestion would be that while the participation of Tom Hanks certainly contributes to the heterosexuality and the whiteness of Woody in *Toy Story* and the voice of Will Smith contributes to the heterosexuality and the blackness of Oscar in *Shark Tale*, this is not the only relevant (or even, most significant) factor in situating the characters. Rather, it would seem more important to consider how the characters (not the actors) operate within a specific frame of reference where socialization involving race and

sexuality is the key. It is also significant to note that, in the end, the importance of these films resides in the fact that they are sold as mindless state-of-the-art entertainment and not as agents of socialization. This may be the most powerful aspect of animated films for children.

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Notes

1. "Look Out New World, Here We Come"?: Race, Racialization, and Sexuality in Four Children's Animated Films by Disney, Pixar, and DreamWorks, by Carmen R. Lugo and Mary K. Bloodsworth-Lugo. This article first appeared in *Cultural Studies↔Critical Methodologies, 9* (2009), pp. 166–178. Reprinted with the authors' permission.

2. Disney has released *Aladdin* (1992), *Atlantis* (2001), *Dinosaur* (1993), *Lilo & Stitch* (2002), and *The Emperor's New Groove* (2000). Disney and Pixar have released *A Bug's Life* (1998), *Finding Nemo* (2003), *Monsters, Inc.* (2001), *Toy Story* (1995), and *Toy Story 2* (1999). DreamWorks has released *Antz* (1998), *Chicken Run* (2000), *Joseph: King of Dreams* (2000), *The Road to El Dorado* (2000), *Shark Tale* (2004), *Shrek* (2001), *Shrek 2* (2004), *Spirit* (2002), and *The Prince of Egypt* (1998).

3. As Alan Bryman (2004) discusses in his book, *The Disneyization of Society*, "disneyization" as a practice is so pervasive in our society that Disney's "style is frequently copied," and "as a result, audiences are sometimes unsure about what is and is not a Disney film . . ." (p. 6). For such reasons, we insist on including Pixar and DreamWorks animated films in our analysis.

4. A film such as *The Road to El Dorado* not only presents ideas that we have of race relationships in the 15th century but also reflects our own contemporary ideas of those very relationships.

Reading 8.2

First Comes the Baby Carriage?

Nonnormative Transitions to Parenthood in Film

Jeanne Holcomb

What we crave most in this world is connection. For some people, it happens at first sight. It's when you know you know, it's fate working its magic, and that's great for them. They get to live in a pop song, ride the express train. But that's not the way it really works. For the rest of us, it's a bit less romantic. It's a bit more complicated. It's messy.

—*The Switch*, 2010

Have you thought about using a surrogate?

No, it's weird. It's for weirdos.

—*Baby Mama*, 2008

This is a disaster.

—*Knocked Up*, 2007

Is this for real, for real?

Unfortunately, yes.

—*Juno*, 2007

I f you were asked to define family, how would you respond? For many of us, the epitome of family is the traditional, nuclear family consisting of mom, dad, and biologically related children. Dorothy Smith (1993) named this ideological model the standard North American family (SNAF) and defined it this way:

It is a conception of family as a legally married couple sharing a household. The adult male is in paid employment; his earnings provide the economic basis of the family-household. The adult female may also earn income, but her primary responsibility is to the care of the husband, household, and children. Adult male and female may be parents (in whatever legal sense) of children also resident in the household. (P. 52)

Although SNAF may still hold ideological power, demographic data clearly illustrate that family life is being experienced in a variety of forms. For example, in 2008 about one fifth of families with children under the age of 18 fit the SNAF model (Boushey and O'Leary 2010). Of all married-couple households in 2010, 48 percent were dual-earner households

(Bureau of Labor Statistics 2011). Given the number of unmarried and divorced parents, many children experience at least some time in a single-parent household. According to Kids Count, in 2009, 25 percent of children resided in mother-only households and another 7 percent lived in father-only households (Annie E. Casey Foundation, 2009).

If you plan on having children, do you assume that you will most likely be married first? While SNAF reflects and informs ideas regarding family structure, life course perspectives encourage a focus on life course transitions and the processes involved in forming family (although not all families include children). For instance, there have traditionally been five markers of adulthood: finishing school, beginning full-time work, establishing residence apart from parents, getting married, and having children. These transitions typically took place in an ordered series, but there have been significant shifts in the timing and sequencing of these transitions. In Western culture, the assumed sequence of young adult life transitions is that people fall in love, get married, and have children. As the childhood rhyme goes: "First comes love, then comes marriage, then comes baby in a baby carriage." However, the sequencing of the markers of the transition to adulthood is becoming more varied. With regard to timing, people are waiting longer to get married and to have children, and it is taking longer to complete schooling. In addition to shifts in when events occur, there are also shifts in the order of events. Traditionally, marriage preceded children, but these two events are becoming less connected (Shanahan 2000). According to data from the Centers for Disease Control and Prevention, four in 10 births in the United States in 2007 were to unmarried women, whereas only 11 percent of births were to unmarried women in 1970 (Ventura 2009).

This growing disconnect between marriage and childbearing is evident as more couples decide not to have children and more children are born "to single mothers, same-sex parents, [and] unmarried cohabiting partners" (Smock and Greenland 2010:576). Elder's work on the life course (1994) encourages us to recognize not just transitions and the timing of transitions, but to also examine the role of historical context and human agency in broader shifts in life course transitions. By focusing on historical context, we must also understand how factors such as the availability of contraception, women's participation in paid labor, women's college attendance rates, and reproductive technologies have impacted fertility patterns (Agrillo and Nelini 2008). Within structural opportunities and constraints, people have agency and make choices based on their unique circumstances. Thus, while nonmarital childbirth may be seen as a nonnormative transition, it may be a deliberate choice for a particular person given the situation. Thus, life course perspectives encourage us to recognize both micro and macro influences on life course transitions.

In recent work, Roseanna Hertz (2006) identified three pathways to unmarried motherhood: donor-assisted pregnancy with a known or unknown sperm donor, adoption, and accidental or unplanned pregnancy. The women in Hertz's study chose to become mothers as part of a process in which they came to realize that waiting for the "first comes love, then comes marriage" stages of family formation might result in never having children. Ultimately, the "broader mandates of American culture that tie motherhood to womanhood, parenthood to adulthood" led them to choose single parenthood, abandoning "the belief that marriage is an essential part of the family equation" (Hertz 2006:19).

It is clear that there is increasing diversity in family structure and life course transitions that leads to a variety of lived experiences beyond SNAF and the assumed sequence of love,

marriage, and children. In this reading, variations from the normative path to parenthood are explored through four films released between 2007 and 2010: *Baby Mama* (Michael McCullers, 2008), *The Switch* (Josh Gordon and Will Speck, 2010), *Juno* (Jason Reitman, 2007), and *Knocked Up* (Judd Apatow, 2007). These films were chosen because they illustrate configurations of family and transitions to parenthood beyond the often assumed path of love, marriage, and children. Including such diversity is commendable, but it is also important to note the stereotypes that are often present. While it may be beneficial to have diverse family forms present in popular films, negative stereotypes do little to challenge ideological models and assumptions about life trajectories. The following section examines key themes related to variation in family formation in these movies. Second, the ways that social class, motherhood, reproductive choice, and heteronormativity are presented in these films are analyzed. Last, the ways in which these films reinforce (rather than present an alternative to) the standard of the traditional heterosexual nuclear family are examined.

Variations in Family Formation

The four films selected challenge the normative pattern of love, marriage, and childbearing. As mentioned above, there has been an increase in births to single women over time. Although having children is normatively linked with marriage (Hertz 2006; McQuillan et al. 2008), increasing numbers of women are having children outside of marriage. The four movies included in this reading concern unmarried women having children, and in three of the films, the stories involve an older, unmarried woman's quest for a child.

The separation of parenthood from marriage is a point made early in the film *Baby Mama* when Kate (Tina Fey) and Rob (Greg Kinnear) have the following conversation:

Rob: Do you have any kids?

Kate: I've never been married.

Rob: Well, Kate, you don't have to be married to have a kid.

Similarly, in *Knocked Up*, as Ben (Seth Rogen) and Alison (Katherine Heigl) are having breakfast with her sister and her family, Ben announces that he and Alison are going to have a baby. One of the young girls responds, "Well, you're not married. Aren't you supposed to be married to have a baby?" Her father responds, "You don't have to be," but her mother follows up with, "But they should be. Because they love each other and people who love each other get married and have babies." The unspoken "because that is what you are supposed to do" echoes between the reality of the couple's situation and the ideal of love followed by marriage followed by babies as the normative transition to family formation.

Overall, *Juno* challenges the marriage-childbearing transition by presenting teen pregnancy as an avenue for married couples who are infertile to obtain a child to expand their family. For instance, when Juno's stepmom, Brenda (Allison Janney), first finds out Juno (Ellen Page) is pregnant and that she intends to maintain the pregnancy, she says, "Somebody else is going to find a precious blessing from Jesus in this garbage dump of a situation." She obviously believes that teenage pregnancy is outside the realm of acceptability (there are clear images conjured by a garbage dump). Yet she also sees the hidden "blessing" that will

occur for a couple who wants a child and who we assume is in an appropriate position to raise a child (i.e., married adults). Juno's pregnancy falls outside the normative pathway for her life, but it means that someone can have a family closer to the ideal (through the addition of a child) as a result.

Last, *The Switch* illustrates the increasing acceptance of unmarried women's active pursuit of motherhood outside of marriage. First, Wally (Jason Bateman) is not immediately supportive of Kassie (Jennifer Aniston), but they have the following conversation at her insemination party. Kassie says, "I thought having a party would make it fun, but it's just really depressing. You think I'm crazy, don't you?" Wally responds, "I think you want to have a child and I think that's natural. You're not nuts. You're okay." Later at the party, there is a toast to Kassie in which Debbie (Juliette Lewis) says, "To our Kassie: You're an inspiration to all of us. It's amazing. We're doing it for ourselves!" Last, when Kassie reunites with the sperm donor years later, he tells her, "I didn't get to say this to you back then, but I really respect you, your choice, doing this the way you did. It took a lot of guts. It was courageous." These comments illustrate a positive reaction to taking an alternative route to motherhood, at the same time that they reinforce the idea that desiring to become a mother is "natural" for women.

Thus, all four films present the acceptability of nonnormative transitions to parenthood. The level of acceptability varies by film, and, as will be discussed later, this acceptability is often rooted in heteronormativity and "happy endings" that include heterosexual coupling. It is also important to note that all of the women who will be raising the children are employed and portrayed as having at least a middle class status. Race is also a factor, as all of these mothers are white. These films suggest that nonnormative transitions may be acceptable, but only under certain circumstances when other privileged statuses are held. The idea that challenges to normative transitions are undermined by reinforcements of social stereotypes will be considered in depth later. First, key areas of the research on the transition to parenthood are illustrated using examples from the films.

Single Mothers by Choice

The Switch, *Baby Mama*, *Juno*, and *Knocked Up* all offer examples of women becoming single mothers by choice. These women intentionally enter motherhood while single, actively making the decision to become mothers outside of marriage. In fact, birth rates among unmarried, educated women with professional and managerial jobs have increased (Bock 2000). Single mothers by choice typically use their age, social class, and level of responsibility to legitimize their decision to become pregnant and raise a child without being married to the father. While single mothers are typically negatively stereotyped, these women try to legitimize their position and separate themselves from the negative stereotypes of other single mothers, particularly young, poor single mothers (see Hertz 2006).

The Switch and *Baby Mama* offer the clearest examples of women's efforts to become mothers outside of marriage. In *The Switch*, Kassie knows she wants to have a child, though she is not in a relationship. She explains a recent visit to the doctor's office in which the doctor began "giving me the lecture about my age and I really started to hear her about the timing . . . then I thought to myself, 'Why wait?' I can do this. I have a killer job at the network and I don't need to have a man to have a baby." Later, Kassie says, "I'm

not going to wait around for some version of this that might never happen. This wasn't my plan either. I didn't grow up in Minnesota dreaming of the day I'd put an ad out for a sperm donor on Craigslist, but I'm here and it's happening." Kassie did not plan on having a child on her own, but now that she is older, she has come to the realization that this is something she wants to do. Like many single mothers by choice, she is not completely rejecting the notion of love and marriage; however, she is altering the timing and sequencing of marriage and childbearing.

In *Knocked Up*, Alison provides a somewhat different portrayal of single motherhood by choice. She is not intending to get pregnant and does not immediately welcome the pregnancy. Even more interesting in terms of societal definitions of "legitimacy" is that Alison rejects Ben's marriage proposal, stating that she wants to wait longer to see how their relationship develops. Ben responds, "I thought you felt weird that we're having a baby but we're not engaged or anything." Alison does not see the pregnancy as a reason to become engaged or get married. She does not consciously decide to become pregnant while single, but she consciously decides to enter motherhood as a single person (although the ending of the film does imply that Alison and Ben stay together).

Vanessa (Jennifer Garner) also had a unique transition to becoming a single mother, as she was married when she and Mark began the adoption process. She is portrayed as the victim when her husband leaves, but she carries on with the adoption they started together. Like Alison, Vanessa reaches a choice point where she has to decide whether to raise a child as a single mother. While most research on single mothers by choice focuses on older women who struggle with the decision over time, as Kassie and Kate do, other single mothers by choice may face more abrupt transition points, as Alison and Vanessa do.

It is important to note that the mothers depicted in these films are white, financially stable women who can use their class status to justify their choice to raise a child as unmarried women. Single mothers by choice often have to justify their choice because, despite increases in single-parent and cohabiting households, single parents are often stigmatized and seen as a less than desirable family form (Waldfogel et al. 2010).

One issue that arises with these depictions of single mothers by choice is that, with the exception of Vanessa in *Juno*, all the mothers are seen in relationships at the films' conclusions. Alison and Ben aren't married, but it is clear that they are in a relationship. Kate and Rob are in a relationship at the end of *Baby Mama*, as are Kassie and Wally in *The Switch*. Thus, while the films show women having children outside of wedlock, all three show the women in a relationship at the conclusion. While these women might have started the journey to parenthood more or less on their own, by the end of the films they were clearly partnered.

Procreative Consciousness

Motherhood by choice implies a process of decision making resulting in a life course transition from child-free to parent. However, there is variation in the degree of deliberateness in reproduction across family types and situations. The concept of *procreative consciousness* can be used to explore how aware people are that they might become pregnant, give birth, and parent a child. Procreative consciousness has been defined as "the cognitive and emotional awareness and expression of self as a person capable of creating and caring

for life" (Berkowitz and Marsiglio 2007:368). The term has been applied primarily to men, since women are more likely to consider procreative issues such as conception and pregnancy because of the immediate physical risks associated with heterosexual intercourse for women (Marsiglio and Hutchinson 2004). Men, on the other hand, have a lower level of physical connection with pregnancy and thus think less about reproductive issues. However, the concept can also be applied to women; we can think about women's varying levels of awareness of how likely they are to become pregnant, what birth control methods they use, and how they react to finding out they are pregnant. For our purposes, procreative consciousness can be used to understand preparedness for life course transitions; if you have never really considered the possibility of procreation and you are surprised by a pregnancy, you might have a more difficult time with the transition to parenthood.

It could be argued that the films included here present notions of procreative consciousness. Vanessa in *Juno* and Kate in *Baby Mama* are acutely aware of procreative issues through their difficulty conceiving. However, *The Switch* and *Knocked Up* offer the clearest examples of procreative consciousness. In both films, there are relatively lengthy scenes in which one of the main characters goes through the process of realizing either that she is pregnant or that he has fathered a child. The pregnancy or child comes as a surprise, and the main character is abruptly forced to recognize her or his procreative ability.

In *Knocked Up*, Alison slowly realizes that she could be pregnant. After she throws up several times at work, she has the following conversation with a coworker:

Coworker: Are you sick?

Alison: I don't know.

Coworker: What'd you eat?

Alison: I haven't eaten today yet.

Coworker: You have the flu?

Alison: I don't know.

Coworker: I hope you're not pregnant.

Alison: That's impossible. You have to have sex to get pregnant.

Then, in the background, her coworker is talking on the phone to someone else and says, "She looks like she just realized that she's pregnant." In the following scene, Alison is talking with her sister (Leslie Mann) and the following dialogue occurs:

Alison: No, I can't be pregnant, right?

Sister: Did you miss your period?

Alison: No. Wait. I don't know. Shit. I can't remember. I've been really stressed.

It is apparent that Alison has not really given much thought to the idea that having sex once could lead to pregnancy. She is also under the assumption that Ben wore a condom, which he did not. Regardless, it is clear that she is rather shocked by the realization that she could be, and indeed is, pregnant.

The Switch offers an example of procreative consciousness through Wally's realization that he is Sebastian's (Thomas Robinson) father. Kassie became pregnant through donor insemination. After a mishap with the vial containing the donor's sperm, Wally actually replaced it with his own, unbeknownst to Kassie. Wally himself did not remember the drunken incident. He slowly remembers the events of that night and becomes aware that he fathered Kassie's child. Because of employment opportunities and to be closer to family, Kassie moves away after becoming pregnant. However, she moves back to New York City after seven years. Sebastian has mannerisms similar to Wally, including the way he eats, the way he stands, and his concern about hypochondria. As Wally and Sebastian ride the bus home from the zoo, a woman questions Wally's denial that he is not Sebastian's father because their physical appearances are so similar. Later in the movie, Wally is at his friend's house when he goes through the process of remembering that he switched the donor semen and realizes that Sebastian is indeed his child.

One thing that is noteworthy in these two examples is the time between conception and the heightened sense of procreative consciousness. For Alison, she is aware that she is pregnant about eight weeks after having sex, and she tells Ben right away. Wally, on the other hand, is not aware that he has a child until seven years later. Prior to being confronted with morning sickness or a child extremely similar to himself, neither Alison nor Wally had a strong sense of procreative consciousness. These two scenes illustrate how procreative consciousness can be developed rather quickly, depending on the circumstances.

Each of the films discussed provides insight to a nonnormative pathway to parenthood. Juno, a pregnant teen, gives her child up for adoption, providing Vanessa with access to motherhood. Kassie conceives a child through insemination, not knowing that she has a relationship with the donor. Kate planned to have a child through surrogacy, but finds herself pregnant the "old-fashioned" way, through sexual intercourse in the context of an intimate relationship. Last, Alison tells a cautionary tale of hooking up. Taken together, the four films illustrate diversions from the normative pathway of love, marriage, and children. In addition to portraying diverse transitions to parenthood, the films offer examples of single mothers by choice and procreative consciousness. While these inclusions of diversity could be beneficial in terms of lessening the stigma associated with such options, the four films also include problematic stereotypes.

Increasing Diversity or Problematic Stereotypes?

As discussed above, all four of these films incorporate variations from the love, marriage, and children pattern of family formation. On the one hand, it could be argued that these diverse representations are a positive reflection of the lived experiences of increasing numbers of women. On the other hand, the films also reinforce assumptions about social class, the motherhood mystique, and heteronormativity. Thus, while variations in life course transitions are presented, they are portrayed in a manner that makes it clear that these are nonnormative and largely undesired ways to experience the transition to parenthood.

Social Class

All four films include class-based dialogue and images of lifestyles that make it clear that alternative pathways are only available for people with class privilege. Surrogacy, donor insemination, and adoption can be prohibitively expensive. The ways these options are portrayed in the films leave economic disadvantage relatively unexplored and unchallenged. The advantage/access of one group is dependent on the disadvantage and limited life choices of another group. For example, *Baby Mama* is a case of commercial surrogacy in which the surrogate engages in surrogacy for the financial remuneration. In the beginning of the film, Kate is at the agency contemplating the process. The following conversation occurs between Kate and the agency representative:

Representative: I started this business because I saw a growth market. We don't do our own taxes anymore; we don't program our computers. We outsource. And what is surrogacy if not outsourcing?

Kate: Wait. You're not saying my baby would be carried by some poor, underpaid woman in the third world? . . . . But why do these women do it? Is it just for the money?

Representative: You do your job for the money, but I bet you love it and you're good at it. Let me ask you a question. Do you plan on hiring a nanny?

Kate: Of course. I have to go to work.

Representative: How is this any different? A nanny is someone you hire to take care of your baby after it's born. A surrogate mother is someone you trust to take care of your baby before it's born.

Later, the agency representative explains that she started the business to "remove the stigma from surrogacy." Yet, despite the conversation's hinting at reasonable concerns related to "renting wombs" and financial motivations for surrogacy (Warner 2007), the film's main premise highlights differences between the wealthy, organic food–eating Kate and the lower-income, Tastykake–eating Angie (Amy Poehler). When Angie and Kate interview each other, Carl (Dax Shepard), Angie's boyfriend, is also present. Kate asks what Carl does, and Angie replies that he is an "inventor/entrepreneur." Carl adds that they are tight on cash at that particular moment; the implication is that the primary reason for engaging in surrogacy is for the money. Throughout the film, Angie and Carl are portrayed as poorer than Kate, but they are also portrayed as eccentric "poor white trash" (Wray 2006): they drive an older car, their housing is not as nice or clean, Angie urinates in the sink, Carl won't leave the house to win a radio contest, Angie can't open the door on Kate's car, and Angie watches *America's Funniest Home Videos*. Toward the end of the movie, Kate even states, "She's not my sister. She's an ignorant white trash woman that I paid to carry my kid."

Thus, even while the movie portrays surrogacy as an option, it does so within a problematic framework related to social class differences between surrogates and intended mothers. Sociologists have expressed concern about fertility tourism, surrogacy, and the reproductive exploitation of disadvantaged women (Rothman 2008; Warner 2007). However, instead of

fully dealing with these concerns, the film focuses on the stereotype of the immature, money-hungry surrogate. While regulations regarding surrogacy vary by state, surrogates in the United States can be rejected if they are not financially secure or are receiving government assistance. Potential surrogates go through lengthy psychological testing and are generally screened out if their stated motivation is financial (Teman 2010). Surrogacy can be an important route to parenthood for same-sex couples and for those experiencing infertility. However, there is a general cultural uneasiness related to the commodification of reproduction and the blurring of family boundaries that is reflected in the exchange between the agency representative and Kate, as well as the outcome of Angie's pregnancy.

In *Juno*, the pregnant woman also has a lower class status relative to the adopting mother. Juno's dad is an air conditioning repair person, her stepmom owns a nail salon, and they drive an older van, all status symbols of social class. Vanessa and Mark describe themselves as an "educated, successful couple" in the adoption ad, and they live in a nicer neighborhood with larger houses. When Juno first meets Mark and Vanessa at their house, they have their attorney present. At one point, Vanessa asks Juno if she seeks any other compensation, in addition to coverage of medical costs. Although she declines, the offer implies that Vanessa and Mark could afford to pay Juno for her "services."

Knocked Up also emphasizes social class differences, albeit between the biological mother and father. Early in the movie, Alison is promoted to an on-air position at E! Entertainment Television. She lives in the pool house at her sister and brother-in-law's house, which is obviously located in a high-income neighborhood, and drives an expensive, new-model car. Ben has been living off settlement money he was awarded because he was hit by a postal truck when he was younger, but he says that he has only "about nine hundred dollars left." He drives a much older car and shares a house with four other guys. He doesn't have a paying job, and he doesn't have a cell phone because of what he terms "payment complications."

While social class differences are less visible in *The Switch*, there is a scene in which Wally asks the sperm donor why he is doing it. The man replies that he is donating his sperm because "we could use the money." As in *Baby Mama*, the notion that bodies and reproduction can be commodified and serve to generate income for the economically disadvantaged is mentioned, but not fully developed. Thus, all four films include problematic notions of social class. Whether through simplistic portrayals of people engaging in reproductive options for financial remuneration or through depictions of class privilege in which wealthier people are represented as more prepared and able to be parents, these films are rife with class biases.

The Motherhood Mystique

The motherhood mystique proposes that the ultimate fulfillment of womanhood is found in motherhood (Hoffnung 1998). It is assumed that all women want to become mothers; nonmothers are seen as less than complete (Oakley 1974). However, it is misleading to assume that all women want to have children. Women in the United States are delaying childbearing; childbearing among women in their 20s has declined, while first-birth rates among women over 35 have been rising (Agrillo and Nelini 2008). In addition to delayed childbearing, there has been an increase in the number of child-free women. In 1970, only about one in 10 women between the ages of 40 and 44 had never had a child. In

2008, this figure was 18 percent, closer to one in five (Livingston and Cohn 2010). Research also indicates that the percentage of voluntarily child-free women is increasing (Park 2005). Despite these increases, not having children continues to be stigmatized. Given our pronatalist culture in which children are seen as contributing to well-being, people who intentionally choose to remain child free are often negatively stereotyped. People, especially women, who choose not to have children are often seen as maladjusted, selfish, less nurturant, immature, and individualistic (Agrillo and Nelini 2008; Park 2005). Having children is seen as an important part of becoming an adult, and those who do not go through this normative transition are often marginalized.

Three of these four films are based on the essentialist premise that career-driven women who have chosen to delay childbearing eventually reach a place where the desire for a child is paramount. While reproductive technologies and adoptions can certainly help those who could not otherwise have children, it is also disingenuous to portray people as desperately needing a child in order to feel fulfilled (see Speier 2004). In *Baby Mama*, Kate is a 37-year-old, career-oriented single woman. Here is Kate's monologue at the beginning of the film:

> Is it fair that to be the youngest VP in my company, I will be the oldest mom at preschool? Not really, but that's part of the deal. I made a choice. Some women got pregnant. I got promotions. And I still aspire to fall in love and get married, but that's a very high-risk scenario and I want a baby now. I'm thirty-seven.

She tries insemination with donor sperm first, but that doesn't work. Then she looks into adoption but finds out that she might have to wait years. Thus, surrogacy is portrayed as a last-resort effort to get a child more quickly. Kassie in *The Switch* is very similar to Kate in that she, too, feels the pressures of advancing age and wants to have a child. The motherhood mystique is also portrayed through Vanessa, who talks about how she has always wanted to be a mother. As Speier (2004) observed, in a pronatalist culture such as ours, women often internalize the notion that to be a mother brings true fulfillment. While this is certainly not true of all women, Vanessa feels she was born to be a mother.

To some extent, it is realistic to present the challenges that older, career-oriented women encounter when it comes to having children. However, is it also problematic to present these women as desperate to become mothers. The lack of a happy, older, child-free woman in popular culture precludes a more rounded understanding of women's choices about childbearing. Hoffnung's motherhood mystique is perpetuated through the collective representation of women needing to have children in order to be fulfilled.

Linked Lives and Nonnormative Transitions

Another key theme in life course perspectives concerns *linked lives*, which refers to the idea that people are connected to and influenced by others, especially friends, family, and coworkers. Relating this concept to the films, the supporting characters make it clear that nonnormative life choices are problematic, possibly even the wrong decisions. *Baby Mama* and *Knocked Up* most clearly illustrate the "bad decision" theme, but *The Switch* and *Juno* also contain narratives indicating that the decision to conceive children in the

context presented is nonnormative and relatively unacceptable. Despite the films' happy endings, all of them include a subtle narrative stating that some pathways to parenthood are more acceptable than others.

In *Baby Mama*, Angie, the surrogate, is pregnant with her own child, not with the fertilized embryo created from the intended mother's egg and donor sperm. The surrogate and intended mother have a tenuous relationship throughout the film, but when the possibility arises that the surrogate is pregnant with a child unrelated to the intended mother, they end up in a debacle consisting of DNA testing and a court hearing. At the end of the film, the surrogate gives birth to her child, whom she keeps, and the intended mother is pregnant with her own biologically related, naturally conceived child (after being told that she had a one in a million chance of conceiving). Thus, the time, energy, and emotion she put into the surrogate arrangement really did not help her get anywhere, although she perhaps went through a period of personal growth and formed new friendships. The point is that the whole process of surrogacy, and the linking of lives in this manner, is presented as fraught with the potential for things to go wrong, and in the end, it does not help Kate have a child.

In *Knocked Up*, the bad decision theme is primarily illustrated through Ben's character. Alison is presented as a beautiful woman who has a solid career with room for promotion. Ben, on the other hand, is depicted as an immature and unemployed person who smokes marijuana, lives with four other young men, and is working on developing a website that details nude scenes in movies. The reactions of Alison and her sister make it clear that they initially see Alison's pregnancy with Ben's child as unacceptable. Even though Ben is portrayed as coming through at the end of the film in a very minimal way (he reads the baby books and shows up at the hospital), hooking up with Ben is presented as a bad decision throughout the film.

When Alison first wakes up the morning after they have sex, she pokes Ben with her toes from a distance to wake him up and her facial expressions indicate that she is somewhat repulsed by his presence in her bed. She seems unenthusiastic when Ben asks for her number, and he even tells his friends, "She was totally repulsed by me. She just didn't seem to like me." When the doctor confirms the pregnancy, Alison cries while Ben looks stunned. Neither is happy or excited about the pregnancy.

In the following scene, Alison flat out tells her sister, Debbie, that she drank too much and that having sex with Ben was a mistake. As the scene continues, Alison and her sister have the following conversation:

Debbie: Did I meet him?

Alison: Yeah. He was kind of medium height, chubby, blond curly hair.

Debbie: With the man boobs?

Alison: Yes. Here. I have this video of him on my phone.

Debbie Oh. Oh God. How did this happen?
[watching
the video]:

Later in the movie, Alison and Ben are discussing the pregnancy with their parents. Ben's father is supportive of the pregnancy, but Ben says, "This is a disaster." Alison's mother is

less supportive. Alison tells her, "It's important that you be supportive." Her mom responds, "I cannot be supportive of this. This is a big mistake. This is a big, big mistake." The overall message is that having sex with Ben was a mistake, and that getting pregnant with him was an even bigger mistake.

Negative reactions show up in *The Switch* when Wally considers Kassie's efforts to conceive through donor insemination. When she is first considering pregnancy and sperm donors, Wally makes the following comments to Kassie:

> Instead of biting off the next step, deal with the one before.
>   What are you talking about? Are you out of your mind? You're going to let Captain Douche be the father of your child?
>   I don't think you should do the baby thing. It's not right. It's not natural. What if you meet someone six months from now?

Wally's comments illustrate the underlying assumption of a normative pattern that is perceived to be a better path to having children. Wally feels a relationship should come prior to conception and childbirth and that reversing the order of these events is problematic. Although he is later supportive of her decision, he is initially very clear in his disapproval. Just as Alison's mother's response to her pregnancy reinforces the normative pathway to parenthood, so, too, does Wally's initial disapproval of Kassie's decision to become pregnant "on her own."

Juno emphasizes the unacceptability of teenage pregnancy. Juno faces negative reactions from her peers at school, but the mistake theme is best portrayed in the beginning of the film. For instance, after Juno takes several pregnancy tests and realizes that she is probably pregnant, her body language is quite telling. She hangs her head and hunches her shoulders. She also buys some licorice rope from the store, and on her way home she hangs it from a tree and makes a noose with it. The mistake theme is also evident through conversations Juno has with Leah, Paulie, and her parents. When Juno first tells Leah that she is pregnant, Leah asks, "Is this for real?" and Juno replies, "Unfortunately, yes." Leah then says, "Oh my God. Oh shit. Are you going to go to Havenbrook or Women Now? Because you know you need a note from your parents for Havenbrook." When Juno tells Paulie, he does not smile and simply says, "Do whatever you think we should do." Juno tells him, "I'm sorry I had sex with you."

Despite the portrayal of variations in family formation, and despite the apparent acceptability of such variations, all four films ultimately place those decisions in a framework of bad decisions and mistakes. All the films have "happy" (traditional) endings, but it is clear throughout the films that the choices women make in these films violate societal norms and values about love, family, and childbearing. Many of those closest to the female main characters are initially unsupportive of their decision and contribute to the sentiment that their pregnancy violates social norms.

Heteronormativity

Heteronormativity refers to the processes through which institutions reinforce the idea that there are only two sexes and that only relationships between these "opposite" sexes are legitimate (Queen, Farrell, and Gupta 2004). All four films end with cliché scenes of

heterosexual couples madly in love. Thus, though possibly out of order, heterosexual love enters these films in significant ways. In *Baby Mama*, Kate and Rob are in a relationship and become pregnant within a few months of their first date. At the end, when the film skips forward a year, they are still together and have both their biological child and an adopted child. In *The Switch*, the movie closes with Kassie and Wally kissing, followed by a scene of Sebastian's birthday party, where they are married. The ending of *Knocked Up* implies that Ben and Alison are in love and intend to raise their child together. In *Juno*, heteronormativity is significant in that the intended couple is a heterosexual, married couple; they just happened to separate before the birth. With the exception of *Juno*, the films end with the mother in a heterosexual relationship, and in *Juno*, the heterosexuality of Vanessa is not questioned. Thus, all four films, although they include themes of variation in family formation, rely heavily on heteronormative contexts. Although the child might have come first, love and heterosexual marriage still enter the picture and, in a sense, save the day. Adoption, surrogacy, and donor insemination are important pathways to parenthood for gay and lesbian individuals and couples; excluding gay and lesbian couples and presenting these pathways as nonnormative only further stigmatizes gay and lesbian families and others who choose to form families through these methods.

Conclusion

While including diversity in transitions to parenthood can be seen as a positive step in recognizing and respecting family diversity, films still have a long way to go to present accurate and accepting portrayals of variation in family formation. Life course perspectives help us to understand how unique historical times and places impact individual transitions, including the transition to parenthood. Parenthood is becoming more loosely connected to marriage, and reproductive technologies have fundamentally altered approaches to bearing children. Within this context, people are active agents who make decisions within the opportunities available to them. Demographic trends indicate that women are waiting longer to have children, more births are occurring outside of marriage, and more people are deciding not to have children. As the films discussed here illustrate, many of these nonnormative transitions continue to be stigmatized. Media is meant for entertainment, but it is also a significant agent of socialization. Thus, it is important that we critically examine blockbuster films and consider how this form of media supports and resists social change.

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Reading 8.3

Battles and Balloons

Old Manhood in Film

Neal King

Pixar's animated film *Up* (Pete Docter and Bob Peterson 2009) was widely celebrated as a touching work of art, the unique story of an old man who solved his problems with a balloon adventure, a little boy, and a pack of verbose dogs. As entertaining as any such film might be, sociologists see something more. We see, depicted on screen, patterns that resemble those confirmed by our research, such that we can use movies to illustrate our theories. We also see a story told, more than once, by an industry with rules that shape its production. From that sociological perspective, I look at *Up* in the context of other recent films with similar themes, and use parts of it to illustrate the findings of social gerontology and masculinity research.

Such scholarship views relations of age, race, nation, class, and gender as intersecting dimensions of inequality between groups (old and young, female and male, etc.), and has shown how standards of masculinity intertwine with those of age to create problems for old men. We can rehearse these theories by considering links between three recent Hollywood feature films, which relate the adventures of old, white, U.S. retirees who struggle with social isolation. Three protagonists, of the Jack Nicholson parody *About Schmidt* (Alexander Payne, 2002), Clint Eastwood's urban western *Gran Torino* (2009), and the cartoon *Up*, live without or estranged from children, have recently lost their wives, and suffer the isolation created by men's typical approaches to their jobs and family lives. I begin with brief accounts of sociological theories of intersecting relations of age and gender, research on masculinity and work, and the consequences of those for men's health. I then recount the three Hollywood depictions of old men to see how they illustrate those theories and findings. I conclude with a few remarks about what these Hollywood films exaggerate and omit, and why.

Age and Gender Relations in Old Manhood

Age relations are long-standing patterns in group behavior that privilege younger adults at the expense of the old (Calasanti 2003).[1] They intersect with relations of gender, race, and class to structure regional labor markets and retirement policies that shape the lives of everyone. For instance, the exclusion of even middle-aged women from most dating and courtship tends to focus attention on younger adults and reduce the companionship and familial support available to old women. Likewise, the stigma attached to signs of aging allows younger workers in many occupations to belittle and exclude old people as too frail or obsolete to keep their jobs. These inequities advantage men and all younger adults, who

claim disproportionate shares of nurturance, authority, and income. The twentieth-century Western institution of retirement has sidelined the growing old population from the workforce, segregating populations by age such that old people have become a distinct and marginal group.

As a result of both widespread resistance to social insurance and their exclusion from employment, many old people live on sharply limited incomes and find that their wealth dwindles. In the United States, for instance (prior to the recent recession, which made matters even worse for many old people by reducing the value of their wealth), median family net worth fell from $181,500 for families headed by those 55 to 64 years of age to $151,400 for families headed by those 75 years and older (U.S. Census Bureau 2004:457). Distributions of wealth tend to polarize over the life span of a cohort, such that inequalities of wealth are most extreme for the old. Without government transfer programs, 44 percent of U.S. citizens older than 65 would fall below the poverty line. Ideologies of physical frailty and dependence on people who work for a living can be used to justify inequities and deprivations; they bolster Western forms of *ageism*, the exclusion of old people based on beliefs about their incompetence.

Today, many old people find themselves dependent on government pensions and collective insurance, such as the Social Security program in the United States, which have come under political attack as drains on workers by the unproductive and undeserving (Minkler and Robertson 1991). These programs developed as Western economies generated extensive surplus wealth, clashes between industrial labor and management, and a middle class that wished to free itself of unpredictable family burdens. Growing central states responded by constructing a whole category of persons as too old to keep their jobs and dependent in retirement on government largesse (Myles 1984; Olson 1982; Phillipson 1998; Walker 2000). Though the equation of old age with dependence predates nationalized retirement in advanced capitalist nations, it is now strongly linked to these public pensions, codifying the informal status in terms of national law. Old age is now a matter not only of family rank but of global political economy, which has cemented its subordinate status.

Once such institutions as mandatory retirement, pension programs, retirement communities, and nursing facilities segregate generations and make people sensitive to markers of age as they encounter others daily, groups hold people accountable for showing that they know to which categories they belong. That is, people find their social competence and entitlements assessed in terms of their accomplishments of categorical status: white old men, middle-aged Latinas, young straight boys, and so forth (Fenstermaker and West 2002; King 2006). These daily "doings" of age, gender, and so on serve as markers that determine who deserves what, shaping distributions of privilege and responsibility. For instance, Connell (1995) notes that "middle-class men . . . are increasingly defined as the bearers of skill" (p. 55) in a labor market in which "men's domination of women is now legitimated by the technical organization of production" (p. 164). Professional men maintain claims to authority and high pay by emphasizing technical qualifications and the coordination of highly skilled work within complex organizations as they describe and do their jobs, whereas working class masculinities are rooted in the shop floors and craft houses in which they developed values of "work skills, social pride, and economic security of the craft tradition." For both groups of men, their gender means "independence, mutuality, and pride in craft" (Meyer 1999:118) as the basis for their pay. Because men's jobs have generally been

accorded higher status and pay than women's, many aspire to ideals of such labor, whether they hold those jobs or not. By presenting demeanors linked to these jobs, men can bolster their claims on their gender/age privileges.

In such gendered contexts, men conduct themselves, on the job and at home, in ways that distinguish their work from that of women. They do that with skill-and-task orientations that pointedly exclude both open expressions of vulnerability and primary responsibility for empathetic concern—the duties of women. Kimmel (2006) recounts a history of midcentury fears of emasculation among middle class men in the United States: "The truly nurturing dad, emotionally expressive and available [was] regarded as effeminate" by at least some cultural critics (p. 162). Contemporary research shows that most men still reject "tears," "crying," and other expressions of vulnerabilities; "ache" and "hurting" as out of bounds in their dealings with other men (Bird 1996:125–26; Nayak and Mehily 1996:223). Rubin's research on women's and men's friendships (1985) showed that men restrict these expressions mostly to their relations with women, whom they treat as ultimate confidants and givers of care—the feminine roles of self-sacrificing subordinates who give more than they take. Finally, studies of caregiving by old people shows that men are relatively likely to block emotions and focus on tasks, whatever the effects on their relationships, and women more likely to attend to emotional aspects of nurturing (Calasanti and King 2007).[2] Contemporary ideals of manhood have been based on these constraints on expression and nurturance as well as the occupational focus on skilled tasks and physical risk.

Most ideals of manly work also rule out the physical slowdowns of retirement. To forestall exclusion and marginal status, people often resist identifying themselves as old (Minichiello, Browne, and Kendig 2000), and many men strive to attain ideals of youth by spending money on chances to play and stay hard (Calasanti and King 2005). That is, they buy equipment for and admission into high-end recreational activities and purchase medical means to maintain sexual performance, both of which allow them to continue to demonstrate the ability to complete physically challenging tasks. These and a host of other antiaging products, widely advertised by an industry worth at least tens of billions of dollars, are coming to define old manhood as a social and medical disease for a large population, a status against which men must appear to struggle if they are to maintain their claims on the benefits they have known (Calasanti 2007; Katz 2000; U.S. Senate Special Committee on Aging 2001).

The study of men's physical aggression and relative lack of self-care suggests that holding on to privilege can drive many to sacrifice health, both of their bodies and of the intimate networks on which they lean for support. Researchers have documented the harms that men do to themselves directly as they compete for status on their jobs and at home. Whether disenfranchised men of color in neighborhoods of concentrated poverty (Franklin 1987; Staples 1995), athletes desperate to perform as champions (Dworkin and Messner 1999), or ordinary men expressing rage through violence (Harris 2000) and refusing to consult physicians when ill (Courtenay 2000), all manner of men undercut themselves and endanger their lives in the pursuit of their ideals of task-oriented skill, indifference to pain, and physical risk.

Injury in manhood's pursuit extends to social networks, which men more often than women neglect, to the point of near isolation and desolation (Arber, Davidson, and Ginn 2003). Research has long shown that men benefit more from marriage than women do, largely because women do most of the nurturing work. By the time they reach old age, neglect of intimate ties can leave men isolated:

Women do have more extensive networks of intimate relationships than men. They are more involved than men in maintaining family contacts and make a greater emotional investment in family and friend relationships . . . As a consequence, men more often than women rely on their spouses as sole confidant (Connidis 2001:59).

Once divided from spouses, by divorce or by death, men receive less support from friends and kin than women do, in large part because they have invested less in those bonds, withholding the emotional expressions of nurture and need that can generate intimacy. They shortchange those relations in pursuit or enjoyment of the privileges of manhood, but often find meager payoff when they retire or lose their wives. For those not killed outright, the accumulated damage to bodies and bonds results in debilitating injury and chronic disease, leading to depression and fatal heart conditions (Sabo and Gordon 1995), and high rates of suicide born of despair (Stack 2000).

The point is that the society depicted in the films discussed below is one in which the activities by which men maintain their privileges over women, and adults maintain their dominance over the old, become difficult to sustain in old age, in part because they degrade their bodies and social networks. It is with these privileges and problems, at the intersections of age, gender, and other relations of inequality, that old men in movies struggle. I focus on three who begin by losing their wives, face desolation, and then find renewal through adventure and the company of boys. To illustrate these theories of gender and age, I begin with a look at two recent movies that tell roughly the same story.

Up and *Gran Torino*

The plots of the 2009 releases *Gran Torino* and *Up* run similar courses, suggesting a common view, among filmmakers at least, of old manhood as dependent on contact with youth. Per Hollywood convention, the plots divide their heroes' journeys into four dramatic acts. In both films, those plots turn on their developing relations with the boys they informally adopt. First acts take the old men from the funerals of their wives to the possibility of engagement with youth, which they initially refuse out of distrust of others. Second acts lead them to change their minds and assume responsibility for the boys. Third acts end on dark notes, when villains strike and make it seem as though heroes have failed their young friends. Fourth-act conflicts redeem the old men, who put their lives on the line in violent clashes on behalf of the boys who need them.

By plotting action-adventure stories in this way—by hinging plots on developments in relations with youth—Hollywood filmmakers focus attention on intergenerational mentoring as linchpins of these old men's lives. This is a grandfathering of sorts, the only mentoring left to do for old men retired from jobs and denied or estranged from children of their own. In some respects, this account of old manhood renewed amounts to Hollywood hokum: the absence of old women, the revival of manhood through contact with youth, and the role of bloodshed in that rebirth. Little of this has bearing in mundane experience and results instead from routines of generic storytelling in Hollywood (a point to which I return at the close of this essay). As fanciful as this view of old manhood may be, however, the depictions of task orientation, emotional distance, and social isolation that motivate these journeys allow us to illustrate the findings of social gerontology reviewed above,

which support a view of old men as in need of some loving attention. In those first-act depictions, we find a truth in this storytelling.

Up begins with a quick summary of the shared lives of Carl and Ellie, who worked together at an amusement park and dreamed of childrearing and international travel but had to do without either. Ellie dies in old age, leaving retired Carl with a home and little to do but defend it, both from developers who would tear it down and from passersby who annoy him. A young scout offers services in pursuit of a merit badge, and Carl gruffly refuses. When Carl later wields a weapon in defense against the intrusive developers, they force Carl from his home. Booked into a retirement community, he resorts to a fantastical escape, up into the air via thousands of the balloons he had sold on his job. To Carl's dismay, he then discovers the young scout, Russell, inadvertently stowed on board. He wishes the boy away; but, high up in the air, he can do little about it.

The first act of *Gran Torino* proceeds in remarkably similar fashion: retiree Walt (Clint Eastwood) buries his wife, rejects condescension from his grown children and greedy grandkids (one of whom asks to take Walt's valuables so she can use them when she moves to college), and spurns his solicitous neighbors out of spite (he is white and racist, they Vietnamese immigrants). Where Carl of *Up* feared loss of his home to a corporation, Walt fears loss of his to immigration. Indeed, when a local Vietnamese American gang tries to steal his beloved Gran Torino from his garage, Vietnam veteran Walt raises his old military rifle in defense of all he has, and later rejects the neighbor boy's offer to make it up to him.
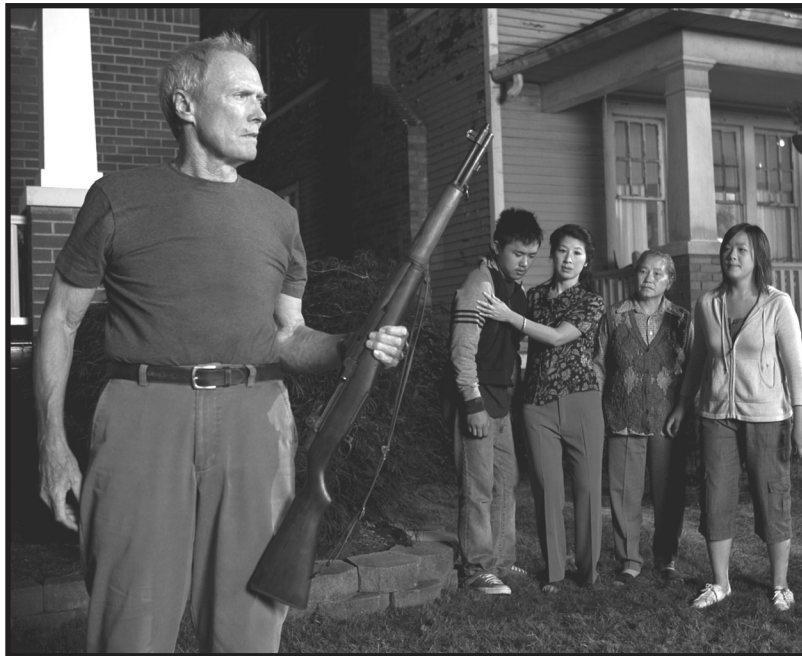
Photo 8.2   Masculine redemption in *Gran Torino*. Walt (Clint Eastwood) protects his Vietnamese neighbors from threatening gang members.

So go the first acts of these films, which establish protagonists as old men left without emotional support by the losses of their wives, now vulnerable to the incursions of the sorts of strangers whom middle class whites might find threatening (Asian immigrants in *Gran Torino*, wealthy developers in *Up*) as well as the marginalization of old people typical of retirement-oriented societies. These old men grow defensive in these conflicts and wish mainly to be left alone. Offered the company of boys but trusting no one, they first refuse their mentoring roles.

In the second act of *Up*, the unlikely companions must fly to South America together, a destination Ellie had dreamed of visiting her whole life. There, young Russell commits himself to the rescue of a female bird from a hunter and talks a reluctant Carl into looking after them both. The bird is a mother, attempting to return to her nest and nurture her young. Likewise, Walt finds himself stuck with solicitous neighbors in *Gran Torino*, gets to know their teenage boy Thao and his nurturing sister Sue, and refuses entreaties from his own kids to enter a retirement home. As in *Up*, the females whom heroes defend are members of groups whom whites would find foreign (one is a bird, after all). And, as in *Up*, only females among them engage in direct nurturance—through the provision of care and efforts to make others feel better. Walt's skills lie instead in demonstrating how to accomplish tasks and express contempt (in a running joke, he teaches earnest, polite Thao the sarcastic, profane banter that he maintains with working white men). Just as *Up*'s Carl assumes protection of the bird and guidance of the boy, Walt reluctantly decides to take on the protection of Sue and other female neighbors from the local gang as well as the education of Thao in manly work. At the midpoint of both films, then, protagonists begin to direct boys in the protection of threatened females and the skilled accomplishment of physical tasks.

In Hollywood storytelling, third acts pursue the consequences of decisions made at these midpoints but mostly end on cliffhanging notes of failure, and by doing so set up the satisfying climaxes in which justice can be done. In *Gran Torino*, third-act male bonding through shared tasks goes well, but the local gang grows more violent, strafing the neighbor home with guns and raping and beating Sue. In *Up*, the two companions enjoy adventures together until the hunter threatens them and steals the bird. At the end of the third acts of both films, old men and boys alike despair of their failure to protect the females around them.

Hollywood's fourth acts resolve heroes' problems, often with violent combat. In *Up*, Carl realizes that, with Ellie gone, his only purpose in life is to aid and rescue young Russell and his bird, now that the boy has put himself in danger to save her. In *Gran Torino*, Walt realizes that he too must put his life on the line to help and save Thao, who moves to confront the gang that has shot at his family and raped and beaten his sister. Both old men wade into violence, taking the places of the boys in the gunsights of their foes. Carl defeats the hunter and returns home with the boy to continue their friendship. Walt sacrifices his life to have the gang members sent to prison for his murder, but he has willed Thao his prized titular car. Both men are redeemed, all females safe, and both boys grateful.

In summary, heroes of these two films respond to attempts to sideline old men by growing hostile to neighbors, both take on youth when they see that they can teach valuable skills, both enjoy their joint efforts to rescue threatened females, and both put their lives on the line to stand up for youth when conflicts grow bloody. Both leave boys with important

skills, making their lives meaningful. This is a manly approach to relationships in that shared tasks, especially dangerous, violent ones in the protection of females, suit the men best. They dwell not on personal revelation or nurturance through care, but on gruff conversation and joint physical effort in chivalrous struggle. Female characters are caregivers, onlookers, and victims, expressive and kind but unable to fight, never equals or peers.

Thus do we find vivid but strikingly sexist depictions of many of the patterns noted in the sociological literature: men root identities in roles as husbands and skilled workers on their jobs, and they leave nurturing expression and investment in supportive kinship to their wives. Once left to care for themselves, they can become isolated and may, after some gruff refusal, benefit from attention.

Note the rejection, in both of these films, of immediate family as any kind of aid to old manhood. Carl never has kids, and Walt spurns his own for their ageist disrespect. One might conclude from these depictions that such stories have little place for female kin, but another recent depiction of a man in old age does focus on his relations with his daughter once his wife has passed on. I turn to the links between that third film and *Up* in order to review gendered patterns in familial care.

Up and *About Schmidt*

Like *Up*, *About Schmidt* begins with the hero's retirement and his plans, with his wife, to pursue her dreams of adventures on the road (for which they have jointly contributed to purchase a recreational vehicle). Like Carl in *Up*, the hero, Warren Schmidt (Jack Nicholson), has no immediate family nearby. His grown daughter, Jeannie, lives in the next state, but he has left parental nurturance, and the intimacy that it forged, to his wife. When she dies during the film's first act, Warren finds himself alone in the house they shared.

By this time, the film has portrayed Warren as a man largely bereft of imagination, romance, and generosity. Like the title of the film, he is officious and dull. Also, like *Up*'s Carl, he claims in his recollections to have dreamed of adventure but to have given it up for his American Dream: a stable household and secure job. Both men have risked disappointing their adventurous spouses by staying so close to the safety of home. Indeed, the main difference between Warren and Carl is that Warren misses the nurturance women provide as much as he misses the status granted by his job. At the prospect of life without employment or spousal care, Schmidt seeks connection in the two ways that make sense to him. First, he asks his daughter to give up her (sweet-natured but dim) fiancé and move back in to care for her dad instead. Jeannie makes clear that she has never liked how Warren took advantage of her mother's care and returned so little of the support he was shown. ("She waited on you, hand and foot. Couldn't you have splurged on her just once?" she says of the cheap casket he has bought.) She is dutifully affectionate but angry with her father for doing so little to support her mother's bids for adventure. In an easy decision, she refuses his request to assume her mother's duties.

That connection largely closed, Schmidt pursues another. He has responded to an advertisement for a charitable adoption of sorts, in which a modest check and occasional letter make him sponsor of a child in an African village. He proceeds in the meager, officious fashion with which he tends all of his bonds. He sends a few dollars and writes, in formal style, what turn out to be lengthy accounts of his own concerns.

One letter to that foster child provides Warren's nearly scientific assessment of his plight: friends and family drove hundreds of miles to attend his wife's funeral in "a very moving tribute" to her status in a broad, sturdy social network. He, by contrast, has no one to call when his car breaks down and must take a cab back to the "big old house" his wife maintained. There, he uses his retired insurance-actuary logic to reckon his odds in the face of isolation.

Warren: If I'm given a man's race, age, profession, place of residence, marital status, and medical history, I can calculate, with great probability, how long that man will live. In my own case, now that my wife has died, there is a 73 percent chance that I will die within nine years, provided that I do not remarry.

Indeed, little more than two weeks of garbage-strewn dissolution at home pass before Schmidt admits that he feels "pretty broken up" and realizes "how lucky I was to have a wife like Helen." Despondently searching through her things, he makes matters worse when he runs across love letters fondly kept, evidence of an affair she once enjoyed with a family friend. Faced with his failures as a husband, Warren cannot bear to stay in the home, decides that his daughter is endangered by imminent marriage to an unsuitable man, and leaves that night in the RV purchased for the adventure of his wife's dreams.

As in *Up*, the hero has fled adversity by beginning a journey once planned by his wife and has assumed the role of protector of a female, while narrating all of this to a young boy. But where the heroes of *Up* and *Gran Torino* seem content to be alone and must relearn the joys of social relations and joint adventure, Warren Schmidt has a child he loves, understands how isolated he has become, and pursues family support more directly. As a result, the story is much more explicit about the role of family in the lives of old men.

Desperate for care, Warren returns his focus to his daughter and what he regards as the danger she is in. He drives the RV toward her home several hundred miles away, a few days early for the wedding. Rebuffed (over the phone, Jeannie firmly tells him not to show up until the day before the ceremony, as planned), Warren then meanders across country, revisiting places from his past. The next passages of the story, counterparts of Carl's balloon travel in *Up*, parody Warren's isolation and the social ineptitude that it has wrought. He narrates to the foster child his successes in life while actually boring fraternity brothers on his old campus, patronizing American Indians in shops along the road, making an unwanted pass at a woman who pays him attention, and buying gift shop curios that mean nothing to him. At night, stricken with loneliness, he looks to the sky and confesses his failures as a husband.

The rest of the movie features Warren's horror at the clan into which his daughter will marry. The groom's kin are caring, affectionate, and welcoming but also intemperate and prone to violate his standards of middle class propriety: one makes a pass at him, another pitches pyramid marketing schemes, and they yell in anger over trivia. Warren makes a final pitch to his daughter to drop her engagement, but she retorts with her dim view of his paltry fathering.

Jeannie: All of the sudden, you're taking an interest in what I do? You have an opinion about my life, *now*?

She implies that Warren angles more for his own care than for her happiness, and commands him to sit through the wedding that will both repulse him and cement his isolation. Where the heroes of *Gran Torino* and *Up* save female characters from predatory men, Warren can do nothing to change his daughter's course and must toast her marriage to a man who falls far short of his ideals of manhood.

Returning home in defeat, Warren confesses to the foster child, the only witness he has left.

Warren: What in the world is better because of me? When I was out in Denver I tried to do the right thing, tried to convince Jeannie she was making a big mistake, but I failed . . . Relatively soon, I will die; maybe in 20 years, maybe tomorrow. It doesn't matter. Once I am dead and everyone who knew me dies too, it will be as if I never existed. What difference has my life made to anyone? None that I can think of.

The story ends with a small redemption, when the African charity replies with a note of thanks. It includes a child's drawing, unrecognizable as anyone in particular, but ostensibly showing the foster child holding Warren's hand and smiling. This is enough for Schmidt, who weeps with joy at the hint of a bond. He knows little of the faraway child, and can barely speak to those nearby, but savors credit for his modest efforts. He labors at tasks where others wrestle with love, is drawn to the control he has over formal duties, and avoids the many compromises required by mundane care and intimacy. He remains manly in his approaches to the work required by family life. Constricting expression and care as men tend to do, he finds solace in thanks for jobs well done.

Only in *Up* do we see male bonding sustained when Carl takes the place of young Russell's distant dad, in a friendship focused on the playful competition (many men prefer sports talk, but these two count cars on the road) that sustains so much of the company of men. The friendship on display does not obviously include the self-revelations of pain and concern that men restrict mainly to talks with women they trust. But it can sustain a lesser solidarity, born of mutual expectation of routine interaction. Carl remains isolated from intimacy, but at least knows some loyal friendship. Heroes of the other two stories seem beyond social repair, one dead and the other left only to the most distant of ties.

These are snapshots of the risks that men, as a large group, run as they organize family and professional lives. They claim first-class citizenship in part by restricting expressions of fear, pain, and grief to intimacy with members of a subordinate class (women). For most of their lives, this works to their advantage, cementing their status as first-class protectors of others and their claims on women's nurturing work. But they risk severe isolation once those intimates are gone and suffer high rates of mortality and depression as a result.

Sociology *of* Film

Though it remains beyond the scope of this chapter to trace the sources of the many fictions in these three stories, I conclude by breaking from the sociology-through-film paradigm to provide just a little sociology *of* film, to see how the workings of Hollywood distort

its views of social life. I do this to prevent readers and viewers from concluding that all aspects of these stories illustrate sociological theory and findings.

Produced several years apart, arising in different genres and maintaining widely varying tones, these films demonstrate remarkable consistencies in plotting and theme. The nearly identical storylines of *Up* and *Gran Torino*, in particular, suggest sources in a single network of storytelling professionals who work in an industry with age and gender relations of its own.

First, Hollywood storytellers have little use for old actresses, whose aging they hide with medical procedures and other tricks or whom they abandon in middle age, which is when most movie actresses' careers wind down (Addison 2006; Bazzini et al. 1997). Feature film-makers focus most cameras instead on women in their 20s, 30s, and 40s, model-gorgeous performers whose roles as objects can confirm the higher status of powerful men and whose performances of desire can make those men feel great. Note that, across the three movies discussed here, major female roles vary from daughter to bird (!) but share in common their status as threatened parties whom men must rescue. They are never peers, need not even be human; and those who come close to equality with male heroes are killed off right away. Avoiding old women, casting agents pair old men romantically with youthful lovers, often played by actresses decades younger than male stars (Gates 2010; King 2010). This has more to do with the preferences of the old men in charge of storytelling companies than with any reality of social life, in which old women outnumber old men and marry spouses of comparable age. For this reason, to flatter men atop ladders of status in Hollywood, depictions of old age exclude most of the people who are old.

Indeed, this near banishment of old women from the screen requires casting of others as romantic or platonic buddies and foils. For this reason, these stories of old men come populated by youth, which leads to the second distortion. In fact, few old people find renewal through adventures with youth. Though contact with grandchildren is common, it tends to be once a week or once a month for those not providing primary care, and those who do look after grandchildren report higher rates of stress and depression as a result (Minkler 1999; Strawbridge et al. 1997). Old men tend to enjoy the company of other old people, and most youth remain segregated in youth-oriented institutions such as school and community activities that structure their daily lives. Depictions of old men in intensive contact with nonfamily youth owe mainly to the ability of old stars, such as Eastwood and Nicholson, to attract funding to stories centered on their characters. Such actors make movies about old men because they have little choice. And scenarists surround them with more youthful performers because that is how Hollywood markets its wares: male stars and youth.

Third, the adventures that these heroes enjoy, from the RV road trip and sexual flirting of *About Schmidt* to the aerial dogfights of *Up*, resemble, to greater and lesser degrees, the "playing hard" touted by merchants of antiaging and "successful aging" (Calasanti and King 2005; Katz 2000) and attempts to keep action stars and children's films marketable to their fans. Though exploitation of and violence against women remain social problems, few old men answer calls to chivalrous combat in real life. The physical exertions of these heroes, celebrated in the action films and parodied in *About Schmidt*, more resemble the careers of action stars, the generic routines of children's cartoons, and the pictures of adventure that appear in ads for vacations, sports equipment, and drugs sold by the antiaging industry. These are stories of a strenuous manhood, defined by its gruff, physically trying domination of women.

The way masculinity is presented by such antiaging ads as those for Viagra, for instance, looks a lot like the stories told by these films: in either case, men cannot fight the corrosive effects of social aging without simultaneously reinforcing unequal gender relations, taking the lead, leaving unpaid nurturance to women where possible. Any movement away from a more dominant form of masculinity and toward, say, open expression of pain, fear, and need, or the regular provision of care, serves as a sign of aging and emasculation. These heroes will have none of it. In reality, by contrast, old men engage in little violent combat but mostly consume it by watching movie stars in action films. The increasing fragility of their bodies leads to relatively sedate lifestyles, whereas old men on screen stay robust. The recent antiaging boom in the advanced capitalist world sells the implicit notion that relaxation equals death or at least defeat and that, once he retires, only high-priced recreation keeps a man a man. In these respects, these movies look like antiaging ads, produced by an industry that overtly markets its wares to young audiences, celebrating the denial of old age through playing hard.

This thumbnail sketch of a storytelling industry merely suggests what pressures shape tales of old manhood on screen. Consumers of popular film should bear in mind not only the ways it illustrates what sociologists know about relations of gender and age, but also how it spins fantasies that have more to do with the production subculture and its business models than with the lives the rest of us lead.

In any case, these visions of old manhood combine truths about the ways in which men's attempts, in youth and middle age, to secure social privileges can restrict their options later on. Relations of gender and age combine to bolster many men's incomes and secure decades of unpaid support from women in their families, and then leave many men with little emotional support when they need it most. Where these fictions resolve the problems with chivalrous combat, one might instead suggest that men drop some of their rules against emotional intimacy, the giving of care, and tolerance of parity with women. We would see fewer battles and balloons, but more success instead.

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Notes

1. For the purposes of this paper, I define old as retirement age and older. Calasanti and Slevin (2001) argue for this expansive view of the group as a gesture of political solidarity in that widespread public identification as old-and-proud may reduce the stigma that accompanies the term.

2. My point is not that women provide better care, which is a separate issue (men may, because of their task orientation, be able to care for demented spouses longer than women do, for instance), but rather that men invest less in intimacy than women tend to.

Outtake

Growth of the Nonlinear Life Trajectory

Erica Orange

Storytelling is as old as human history. Traditionally, we have thought of all stories as having a beginning, a middle and an end. But it appears that the non-linear approach is becoming more common in the world today. The popular filmmaker Christopher Nolan exemplifies this approach in his movies. Back in 2000, his film *Memento* told the story of a man whose memory does not exist. The film's events unfold in two separate, alternating narratives—one in color, and the other in black and white. The black and white sections are told in chronological order, and the color sequences are told in reverse chronological order. In Nolan's most recent film, *Inception*, non-linear storytelling forces the audience on a journey through a world where technology exists to enter the human mind through many levels of dream invasion.

But this trend is not only true in storytelling and movies. The idea that there are definitive beginning, middle and end stages to an individual's life is also shifting. People are now more likely to quit work and go back to school or retire and then take up a new career than ever before. As we have seen over and over again, life is less and less likely to follow a linear path. This will only become more common as the average life span grows longer. The move away from a linear life path for younger people is partially reflective of their expectation that you can invent your own story, choose your own ending, and not wait until the end for rewards.

It is possible that in the networked world in which we now live, and in which connections are now made in a web-like pattern as opposed to a straight line, we will continue to move away from linear narratives in many aspects of our lives. As children and youth, with their more malleable brains, develop in an increasingly networked world, it does not seem unreasonable to assume that they will be comfortable creating and functioning in a culture where non-linear narratives are the norm. If young brains start out processing information in a non-linear fashion, then it may be possible that growing up in a networked world will encourage the brain to stay with that sort of processing.

An increasingly non-linear path in the life cycle will add to the difficulty of raising a family, which is already increasing as a result of the incredibly dynamic culture in which we live. Individuals, lacking a norm or standard to compare themselves to at various times in their lives, will question if they are doing the right thing at the right time. In the workplace, boredom is likely to increase for those who can't stick with a linear narrative. The gamer generation will require the re-framing of tasks so as to inspire them and allay their boredom and disinterest. This will present a challenge to managers unable to adapt to the non-linear approach. Schools, too, must make changes—the old methods of teaching do not reach, or prepare, students living in an increasingly web-structured world.

And just as all of us may be increasingly confused in the world in which we now live, confusion reigns in the lives of the young. But what is also confusing is the way in which we define "youth" in the coming economy. Up through the last half of the 20th century, adolescence was

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viewed as an important life stage that marked the transition years between childhood and adulthood. The modern life cycle came to contain multiple phases of youth: infancy, toddler, childhood, adolescence, late teens and early adulthood. What is emerging in the early years of the 21st century is a blending of these phases, and an extension of youth into what we might have considered full adulthood.

As the lines become increasingly blurred, absolute demarcations between populations and generations will no longer exist. Demographic variables will be increasingly hard to quantify—lines become more nebulous. Tangible definitions of household, income level, age, gender, race and ethnicity, employment status, religious affiliation, location, educational attainment, mobility, and marital status will all be inadequate for the nonlinear world into which we are moving.

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