Review Essay

Watching the Detectives[1]

Sean E. Anderson and Gregory J. Howard (eds), Interrogating Popular Culture: Deviance, Justice, and Social Order, Harrow and Heston, Guilderland, New York, 1998, ISBN 0 911577 42 4

If you are, as I am, a regular consumer of popular culture, it is impossible to ignore the seeming predominance of representations of the world of law and order in the various media which shape and inform our lives. As the editors and contributors to the collection of essays found in the work under review here might prefer to put it, 'deviance, justice and social order' are themes which regularly, indeed unremittingly, appear before us in daily popular cultural manifestations.

My own not very rigidly scientific study of the prime time viewing schedule for free to air television available on the five channels in Sydney (ABC, SBS and Channels 7, 9 and 10), reveals for example that approximately twenty hours per week are dedicated to what might generically be called 'cop shows'. Similarly, if one subscribes to the most popular cable TV service, Rupert Murdoch's Foxtel, a further forty odd hours of popular cultural imaginings of law and order are available to the discerning viewer and/or dedicated criminological researcher. Of course, a more careful, semiotically and politically precise analysis of these offerings would require a distinction between say *The Bill* or *Law and Order* on the one hand, and a show like *The Sopranos*, which is in fact a 'robbers show' on the other. How and why, for example, do we process the hardly subtle ideological messages about the role and function of the police in the Australian classic *Blue Heelers* while at the same time reading the textual subtleties of Tony Soprano's Oedipal conflicts and loan sharking operations in *The Sopranos*? Popular culture and its images of deviancy and order are not as one dimensional as some would have us think.

If one were to leave the comfort of his/her remote control and venture into the broader world of social research, the dedicated criminologist might discover similar representations in that other hotbed of legal imagery, the local cinema complex. Limiting the field of empirical inquiry to recent Academy Award nominated films, the sensitive researcher would discover further evidence of the ways in which the signs and signifiers of deviance dominate popular culture. Careful investigation would uncover representations and constructions of gender identity and sexual violence (*Boys Don't Cry*), race and the criminal justice system (*The Hurricane*), drugs, sexuality and violence in suburbia *(American Beauty)* and sociopathic murderers (*The Talented Mr. Ripley*).

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1   Elvis Costello (1977) 'Watching the Detectives' on *My Aim is True*, Stiff. In fact, 'Watching the Detectives' does not appear on the UK, Belgian or Portuguese releases of *My Aim is True*. It does however appear on the North American release through Columbia Records and on the original Australian release in 1977. The second Australian release of *My Aim Is True*, which also contains 'Watching the Detectives', also occurred in 1977 and was distributed through EMI. No one said law and popular culture was ever meant to be easy.

If one were to seek solace from the world of 'fiction' in 'reality', a quick perusal of the daily newspaper or the nightly news broadcast would reveal our apparent obsession with 'Lebanese' gangs in Sydney's western suburbs, mass DNA testing of the entire male population of Wee Waa in the search for the evil predatory rapist of an elderly female resident, corruption and bribery in cricket and greyhound racing, and assorted random acts of violence. Further, if we were to investigate the recent revelations that the New South Wales Police Service regularly vets and rewrites the scripts for popular shows such as *Water Rats*, and that when the ABC drama series *Wildside* portrayed the police in a bad light, uniforms and other props were withheld, one might begin to deconstruct the truth/ fiction dichotomy on which so much anti-popular culture rhetoric depends (Murphy 2000).

At every turn, the mass media construct and reproduce these and other images of 'deviance, justice and social order'. The principal question which concerns the editors and contributors of *Interrogating Popular Culture* is how criminological and cultural studies research can add to our understanding of 'deviance, justice and social order' by examining popular culture. Secondly, they investigate why mainstream academic inquiry seems to ignore or marginalise such efforts. One strange and striking shortcoming of the work found in *Interrogating Popular Culture* is worthy of mention here. The failure here is more ironic than crucial. This collection of essays reproduces writings which originally appeared in the *Journal of Criminal Justice and Popular Culture*. In itself this is not particularly surprising. The world of academe is filled with 'books' which are no more than compilations of previously published journal papers. This is occasionally annoying for the unsuspecting purchaser. It also raises interesting questions for the Aristotelians and Foucauldians among us who might want to ask what is a book, when is a book a book and when is it a new book. More intriguing here is the fact that the *Journal of Criminal Justice and Popular Culture* is an electronic journal. It is part of a new manifestation of media and popular culture. It is ironic then that the editors have chosen to reproduce this selection in a traditional format, as a hard copy in order to reach a wider audience. In other words, the book itself may well be some evidence of its own failure.

At the same time, it is perhaps even more ironic that the collection contains no discussion of the construction of deviance and order in and through the criminalisation of the Internet and the WWW, and other parts of the world of the new media. Teen-agers who gun down their classmates get bomb-making information on the Web and post apocalyptic messages themselves on bulletin boards or their own Web pages. International terrorists, or pubescently challenged teen-age boys threaten virus invasions on the social order. Pornography, according to the government, must be kept out of the hands of the innocent 9-year-old Web user. Email is at once an object of Panopticon surveillance and a liberatory medium, bridging gaps of time and space as opponents do battle with the forces of global capital through cyberspace. The absence of any discussion of these and other similar popular cultural phenomena mark the one significant absence in this work. Nonetheless, the very appearance of *Interrogating Popular Culture*, in whatever medium, should be applauded by all those who wish to heed the call to take popular culture seriously.

Steve Redhead has offered the two most convincing reasons for engaging in the kind of work which appears in the various chapters which constitute *Interrogating Popular Culture*. He argues:

One is a desire to refute a widespread view that research and teaching at the margins, or the edges of well-established academic disciplinary boundaries, such as law, is in some way less weighty or serious and therefore less worthwhile than scholarship supposedly concentrated at the centre, or mainstream, of such disciplines. The second reason is a conviction that sometime in the last decade the trajectories of sociology of law and sociology of deviance and cultural studies criss-crossed and therefore require a new mapping and re-orientation in order to prevent a rewriting of the history of both trajectories as if they were separate (Redhead 1995:1-2).

Each essay which makes up this book engages with these concerns in interesting and sometimes innovative ways. Contributions to the collection reveal the breadth of possibility opened up by inquiries into popular culture and criminology. Jeffrey Niesel in 'The Horror of Everyday Life: Taxidermy, Aesthetics and Consumption in Horror Films' (pp 16-31) offers an intriguing analysis of the ways in which quotidian normality can be transformed into criminal deviancy as paradigms of gender, class and patriarchy within consumer culture shift to a new aesthetic and legality of the body (Cheah et al 1996).

Francis Shor in 'Father Knows Beast: Patriarchal Rage and the Horror of Personality Film' (pp 69-78), provides a similar analysis of the positioning of gender and patriarchy within American culture. In addition, Chris Amirault in 'Teaching the Culture of Mental Illness' (pp 79-96) and J Forbes Farmer in 'A Short Story: An Unconventional Way to Teach and Report Prison Research' (pp 116-23) demonstrate some of the possibilities for incorporating popular culture forms and sources into criminological pedagogy.

In the book's first chapter, 'Culture, Crime and Cultural Criminology' (pp 1-15), Jeff Ferrell offers a theoretical and historical overview of the issues and themes which are embodied in subsequent contributions. He asserts that criminalisation is social and cultural phenomenon, or more precisely, a set of phenomena, which occurs within both the formal criminal justice system and in popular culture. As a consequence,

To understand the reality of crime and criminalization, then, a cultural criminology must account not only for the dynamics of criminal subcultures, but for the dynamic of the mass media as well (p 3).

In other words, the complexities of the social, political and ideological construction of crime and criminality must consider, analyse and understand the ways in which various actions and actors intersect. The phenomenon of mass media hysteria about 'Arab gangs' in Sydney's south western suburbs, for example first requires a careful study of the cultural, political and existential factors which inform 'gang members' themselves. In addition, a full analysis would demand an understanding of the ways in which they are ideologically criminalised in public consciousness through mass media presentations of racist stereotypes, youth violence, social disorder and the valiant efforts of Commissioner Ryan and the men and women of the NSW Police Service in their difficult battle against these Lebanese hoodlums (Fraser et al 1997).

Ferrell also offers the examples of the popular and police reactions to punk music, rap and the Robert Mapplethorpe obscenity cases as examples of the ways in which popular culture itself can be subjected to the effects of criminalisation. In Australia, studies of the popular media and police struggles against 'rave parties' and 'ecstasy' might fruitfully lead to a more detailed idea of the ways in which these social and media constructions of popular culture form a semiotics of deviancy, although much work has already been done in the UK (Redhead 1997).

However, Ferrell fails to adequately address one important aspect of criminalisation and popular culture. Like several other contributors to this volume, he tends to conceive and theorise popular culture as a producer-based phenomenon. In other words, his focus is on the artists who create music or photographs, or the media outlets that create and circulate the signifiers of deviance, while tending to ignore the consumers of those cultural artefacts. By this I am not suggesting that these issues of production and producers are not socially and legally important (Greenfield & Osborn 1998). Rather I would simply assert that there are two other potentially important phenomena which also deserve our attention if we are to fully comprehend the complexities of popular culture and the construction of deviance and social order.

First, at the level of theoretical conceptualisations about popular culture and the creation of images of deviancy, focus on the production of images and signs ignores the rest of the circulation process. These signs are consumed, interpreted and re-signified in different ways. In some instances, criminalisation succeeds in its obvious goal of social control. At other times, however, resistance and consumer creativity within popular culture are possible. Another contributor to the volume, Rainer Eisfeld offers an intriguing example of the ways in which reality and myth interact in sometimes surprising ways through a study of the representations of violence and lawlessness in images of the gunfighter in American popular culture. In 'Myths and Realities of Frontier Violence: A Look at the Gunfighter Saga' (pp 42-54), Eisfeld offers a careful study of the law and ethics of gun violence in America's founding myths and argues as have others, that the 'outlaw' is essential to American character (Duncan 1997). Jeff Williams in 'Comics: A Tool of Subversion?' (pp 97-115) also presents a sophisticated example of the complexities of one medium in particular to demonstrate that popular culture and popular cultural representations of deviance are far from one-dimensional. A failure to make room for the consumer's relative autonomy in the signifying chain of popular culture does a disservice to the importance of the area.

Thus one might ask again why a television show about the trials and tribulations of a mobster named Tony Soprano sweeps the Emmys and what this says about hegemonic constructions of images of deviance. Similarly, one might want to engage in an empirical study of 'gang members' to determine how they themselves consume and circulate images of their own deviancy portrayed in the media. It is perhaps not an accident explained by mere presence and opportunity that violent reactions to what is seen as police harassment of local minority communities is often also aimed at television news crews. A simple, one-dimensional, indeed old-fashioned focus on media images as universal and imposed through some conspiratorial hegemonic process is theoretically flawed and practically useless.

A second reason why it is important not to forget the consumer of popular culture is that s/he is often the very object and focus of criminalisation. Possessors of 'pornography' are vilified and arrested. Music fans are subjected to searches, arrested for drug possession and sentenced to longer prison terms as a result of their membership in a deviant subculture (Fraser & Black 1999). Non-racist, football fans are stigmatised as 'hooligans' (Redhead 1997:1-36). A properly theorised presentation of the criminology of popular culture and deviance cannot simply choose to ignore this important aspect of the impact of the realities of the criminalisation of that popular culture.

The significance of the production/consumption signifying chain or matrix of cultural meanings of deviance is also raised in Connie L McNeely's 'Perceptions of the Criminal Justice System: Television Imagery and Public Knowledge in the United States' (pp 55-68).

In essence, McNeely again underlines the fact that most Americans gain their information about the criminal justice system from a variety of popular culture sources. She then argues that:

> I propose that we use television programs to determine public images of the criminal justice system itself and to determine how those images might or might not affect public learning, perceptions and basic knowledge of the system and its operation. Moreover, we can compare those images and perceptions with 'reality' in order to contribute to our understanding of the law and society relationship (p 66).

There are again perhaps several under-theorised aspects to McNeely's work, not the least of which is the continuing idea that law and society must be asserted and understood as a dualistic 'relationship' rather than, say a rhizomatic or even a web like structure. Nonetheless her contribution has the clear merit of arguing and establishing the vital importance of popular culture, in this instance, television, to the construction and deconstruction of 'deviance, justice and social order'. This is the major strength and importance of this collection and this is why all those with an interest in these issues should read this book.

At the same time of course, it is important to underline the fact that the book offers a disparate series of essays on an idiosyncratic group of subjects. Some readers will find this to be a weakness of the work, while others will find it a particular strength. It is also worthwhile here to underline one further *lacuna*. This is an American book and it is therefore a book about American popular culture. Even the sole non-American contributor, the German professor, Rainer Eisfeld, writes about cowboy gunfighter mythology in the American West. Only Jeff Ferrell pays any attention to non-American developments such as the early English punk rock scene. By making this point, I do not mean to suggest that American law and popular culture are uninteresting or unimportant. I myself lovingly consume and deploy multiple aspects of American culture on a daily basis.

What it does mean is that the book and its various contributors are distinctly incapable of self-criticism or examination. There is no attempt to examine the impact of American culture on other parts of the world. There is no idea that in order to interrogate the construction of deviancy in Australia or anywhere else outside the United States, it would be necessary to engage in a more culturally sophisticated and sensitive examination of the cultural norms purveyed for example in the different TV programs I watch as part of my daily research regimen. The Premier of New South Wales may well occasionally express the desire to criminalise young people for wearing baseball caps backwards; the Northern Territory government might choose its own racially biased manifestation of zero tolerance policing as part of what Andrew Karmen discusses in 'Defining Deviancy Down or Up: What Does the Future Hold?' (pp 32-41), but Darwin is not New York and Sydney is not East LA.

A properly sophisticated and culturally sensitive study of the construction of deviance within popular culture here would need to distinguish between British, American and Australian television offerings such as *The Cops*, or the American *Homicide*, (not to be confused with the Australian classic of the same name) and local Australian gems such as *Blue Heelers*. In other words, in the Australian cultural context, one would have to be aware of the ways in which the construction of these images of deviance and social order are in fact part of the broader phenomena of globalisation and post-colonialism and of some form of local cultural resistance thereto. Once again, the study of the semiotics and politics of popular culture and images of law and order would need to carefully articulate and deconstruct 'image' and 'reality' in order to more fully apprehend and comprehend the Australian situation. What does it mean, for example, when many first year students in Criminal Law believe that they have a 'right to an attorney', because they have themselves lived through, consumed and produced thousands of American television arrests by the time they arrive in University? Is *Miranda* a part of Australian cultural constructions of Australian law even if it is not part of Australian law in practice?

In other contexts which the contributors to *Interrogating Popular Culture* blissfully ignore, one might need to examine the ways in which American culture as global culture is assimilated and resisted in a variety of local contexts. In Afghanistan to pick an 'extreme' example, it is American culture itself which might be seen to be demonised and criminalised. In some instances then, the consumption of *Law & Order* by way of a satellite dish can be constructed as an act of illegal and disorderly deviance. Similarly, throughout the so-called Third World, American culture is not just passively consumed, it is actively transformed and integrated into a rhizomatic process of cultural instability and transformation.

The main success of *Interrogating Popular Culture* is also then its main failure. It is a book about American visions of deviance and social order and about American cultural creations of the popular imaginary. American culture is to a greater or lesser extent global culture. What the book fails to address, but which it also leaves open for anyone who might be interested, is the entire domain of global popular culture which is not just American popular culture. The remaining question is whether the Criminology Research Council or the Australian Research Council are open to giving us money to go to the movies.

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