An Analysis Scheme For Law Films

STEFAN MACHURA

Law films are increasingly attracting the attention of academic teachers and writers. A number of publications deals with issues of film contents, some address social effects, favour films as means of academic teaching or revue and criticise prior attempts.¹ There is however few literature on the methodology of analysing law films.² A law film is defined by Greenfield, Osborn and Robson (2001, 24): "In order to qualify as a law film the following characteristic(s) must be present in some shape or form: the geography of law, the language and dress of law, legal personnel and the authority of law." The following scheme might be of general use for law and film scholars³. The scheme has been helpful in teaching classes consisting of law students and students of film science⁴. Students received copies and the seminar "law and film"), or short scenes on video were shown as illustrations (as in the lecture "sociology of law", session "popular legal culture").

The categories of the analysis scheme do not necessarily all apply to one film. A movie may

Address for correspondence:

PD Dr. Stefan Machura, Ruhr-Universität Bochum, Faculty of Social Science and Law Faculty, GC 8/144, D-44780 Bochum, Tel. 0049-234-3226868, Fax 0049-234-3214327, stefan.machura@jura.rub.de

¹ For an overview: Machura (2004). Selected bibliography in Machura and Robson 2001.

² Except Asimow and Mader (2004).

³ The author wishes to thank Peter Robson for proof-reading the manuscript. He also thanks members of the research group "Filmographie Judiciaire D'Europe", Antoine Garapon and Christian Delage, and his colleagues in Bochum, Michael Böhnke and Stefan Ulbrich for inputs.

⁴ At the Ruhr-Universität Bochum and at the Hochschule für Verwaltungswissenschaften in Speyer.

have only one lawyer as a detailed figure, the other legal personnel may be painted with a very broad brush. Or there may be no courtroom scene, no witnesses or no police. – In the following, the analysis scheme is presented in sections and its categories are explained.

Analysis Scheme for "Filmographie Judiciaire D'Europe"

Part I: General Characterization

- 1. Filmography: Title (s), producer/film distributor, director, country and year, running time, TV production or cinema (or both), additional material on the film used by the author (classificator)
- 2. Film category
 - fictional series
 - law-related movies
 - courtroom films
 - court series
 - legal advice shows
 - documentaries
- 3. Auteur film: yes/no
- 4. Commercial or political or art orientation (primarily, or combination)
- 5. Time(s) and place(s) of story/plot
- 6. Criminal, civil case (or other labour, administrative...)
- 7. (Main) constellation of legal dispute, criminal offence
- 8. Legal procedures shown (mediation, arbitration, litigation, plea bargaining...)
- 9. Main antagonists (e.g. lawyer lawyer, defender prosecutor, judge lawyer...)
- 10. Kind of court
 - area specialisation: no/criminal/civil/...
 - level of court: first instance/appellate court/national high court...
 - single professional judge/single lay judge/court of lay judges numbers.../ mixed court with lay and professional judges composition..../panel of professional judges, numbers.../judge and jury
 - court architecture (modern, classic, ornamental, symbolism...)
 - court appearance and atmosphere: orderly, nasty, loud, crowded, calm, dark ...

A film analysis may start with some basic filmographic data. Film titles sometimes vary (THE DEVIL AND DANIEL WEBSTER, e.g.).⁵ Sometimes additional material on the film is available

⁵ This film also appeared under ALL MONEY CAN BUY and two other titles, Hallywell's Film and Video Guide (2000, 18) rating the movie with four stars.

and should be mentioned (the former film is based after the short story of Stephen Vincent Benet). Sometimes films must be related to their production history⁶.

The basic film categories of the scheme are taken over from an analysis by Stefan Ulbrich on the frequency of certain programmes in the German TV. They are explained as:

"1. Courtroom movies, i.e. films like Billy Wilder's WITNESS FOR THE PROSECUTION (1957) in which scenes essential to the story take place in court;

2. Law-related movies, i.e. films like Michael Crichton's PHYSICAL EVIDENCE (1988) that have lawyer protagonists and deal with law and justice but do not have courtroom scenes;

3. Law-related TV series like PERRY MASON, each of whose episodes tells a fictional story about law, lawyers and justice;

4. Law-related TV series like RICHTERIN BARBARA SALESCH (something like a German counterpart of JUDGE JUDY) in which authentic legal conflicts are presented as entertainment;

5. Programmes like RATGEBER RECHT in which real-world lawyers provide information on various legal problems; and

6. Documentary films, including those that exclusively use authentic material and the socalled docudramas like Claus Strobel's Sechs Schüsse auf einen Minister (1998) in which dramatized scenes are added." (Machura and Ulbrich 2001, 119)

Sometimes films are coined in the personal style of a notable director or producer. Despite an argument about whether films are a team product rather than that of one man, there is a convention to grant certain film artists the title of "auteur". Auteur films are expected to express individual intentions and therefore often are not classified as typical genre films. Genre is very much a marketing device as it is a matter of convention: Films sold as courtroom thrillers, e.g., are promising their audience legal conflicts, suspension and extraordinary lawyer protagonists. The audience, in turn, selects movies for their genre-typical qualities. Films also vary according to their primary orientation: commercial, political or art. Certainly, the categories may combine. For instance, films can have a political message and pay out for their producers (arguably, PHILADELPHIA). Films may have one time and place, but there may be a combination. Quite a number of German law films include scenes in the Nazi period and later events in post-war Germany. ROSEN FÜR DEN STAATSANWALT (Roses for The Prosecutor) opens with scenes of a drumhead court martial. An Allied air raid eventually saves the defendant from the execution, so that he encounters his prosecutor at a Fifties' court again. Most law films are dealing with criminal cases, but there are also other

⁶ As an example, see the comment below on ROSEN FÜR DEN STAATSANWALT.

categories, like administrative or labour conflicts. A film may focus on a sensational criminal trial but have subplots in other areas of law.

Nicole Hahn Rafter (2000, 94) once wrote that a "justice figure" and an "injustice figure" can be pitted against each other in films.

"Courtroom films usually include an *injustice figure*, the person responsible for creating or maintaining the gap between justice and man-made law. Most courtroom films also include a *justice figure*, a hero who tries to move man-made law ever closer to the ideal until it matches the justice template."

In THE VERDICT, attorney Frank Galvin desperately fights against two evil opponents: the corrupt biased judge and the heinous lawyer who is defending the doctors charged for medical malpractice.

A film analysis also has to describe the type of court involved. Jury trials are very frequent, followed by bench trials with one professional judge. This is not random, given the glut of US films. Other types of courts appear mainly in Continental European movies. In PORTA APERTE, e.g., the trial is held before an Italian mixed court with a presiding professional judge, an investigative (professional) judge and a majority of lay assessors. Courts depicted can be specialised tribunals, like the military court of officers in SERGEANT RUTLEDGE⁷, or courts of general jurisdiction. As regards the levels of courts, courts of first instance form the bulk of film sites, followed by much fewer appellate courts, with national high courts appearing very rarely (e.g. in AMISTAD). Film makers devote much effort to finding the appropriate court architecture for their story. A Nineteenth century court building with pillars, allegorical figures, paintings of former judges and the interior of a jury court provides a very different atmosphere compared to a typical German functional building of about 1970, where judge and parties are sitting at the same table surrounded by blank walls. Symbolism often forms an important ingredient to law films. The court scenes, for instance, of WITNESS FOR THE PROSECUTION, arguably would not be as effective had they not been situated within an old English court room, furnitured for the examination of witnesses and the oral exchange of the lawyers, with a sword hanging above the judge's bench. The court appears old-fashioned, loaded with symbols, almost comic the appearance of the court clerks and the judge with his wig, the benches crowded with lawyers and spectators. All underlines the importance of the

⁷ Military courts draw their attraction from the clash between military rules, laws and sometimes political considerations. On the genre: Greenfield et. al. (2001, 41-44), or Kuzina (2002 and 2005).

trial and at the same moment, mocks the ritual of English law (an American movie!).

Part II: Characters

- 11. Lawyers (attorneys) appearance
 - class and lifestyle
 - gender
 - age
 - backstage and/or front stage scenes shown
 - career phase ("rookie", old practitioner...)
 - educational background (top law school or ...)
 - professional attitude or not, e.g. good common sense
 - economically successful or not as a lawyer
 - single practitioner, co-operation with colleagues, part of law firm
 - charisma (with regard to law, politics, speaker of community...)
 - benevolence
 - engagement, bite
 - status recognition (others are treated fairly as persons with full rights)
 - interested in case, persons
 - abuse, corruption (of clients, other persons, with regard to money, sex, power)
 - adherence to or bending of the law
 - investigates case him/herself detective-like, collaboration with private-eye
 - political orientation (socialist, liberal, conservative, Nazi...)
 - portrayed as justice or injustice figure
- 12. Public prosecutor, prokuror or similar
 - class and lifestyle
 - gender
 - age
 - backstage and/or front stage scenes shown
 - career phase (,,rookie", old practitioner...)
 - educational background (top law school or ...)
 - professional attitude or not, e.g. good common sense
 - successful or not in his/her career
 - lone wolf, co-operation with selected colleagues, integral part of state apparatus
 - charisma (with regard to law, politics, speaker of community...)
 - benevolence
 - engagement, bite
 - interested in case, persons
 - status recognition (others are treated fairly as persons with full rights)
 - neutrality (if applicable: e.g. German public prosecutors should be neutral, US not)
 - abuse, corruption (of other persons, with regard to money, sex, power, political ambitions)
 - adherence to or bending of the law
 - office work or plays the detective
 - political orientation (socialist, liberal, conservative, Nazi...)
 - portrayed as justice or injustice figure
- 13. Judges
 - class and lifestyle
 - gender

- age
- backstage and/or front stage scenes shown
- career phase ("rookie", old practitioner...)
- educational background (top law school or ...)
- professional attitude or not, e.g. good common sense
- successful or not in his/her career
- degree of co-operation with other court personnel
- charisma (with regard to law, politics, speaker of community...)
- benevolence
- engagement, bite
- interested in case, persons
- status recognition (others are treated fairly as persons with full rights)
- neutrality
- abuse, corruption (of other persons, with regard to money, sex, power, political ambitions)
- adherence to or bending of the law
- regular work or plays the detective
- political orientation (socialist, liberal, conservative, Nazi...)
- portrayed as justice or injustice figure

14. Jurors, lay assessors

- neutrality
- demographics
- class and education
- benevolence
- engagement, bite
- interested in case, persons
- adherence to or bending of the law
- political orientation (socialist, liberal, conservative, Nazi...)
- degree of activity (passive, intervenes, asks questions and discusses...)
- portrayed as justice or injustice figure
- 15. Paralegals (helpers, secretaries...)
- 16. Police
 - fair or unfair
 - bias, corruption
 - professionalism
 - "on the wrong side?"
 - working for ",the people" vs. instrument of the powerful
- 17. Witnesses (also expert witnesses: psychologists, scientists etc.)

18. Defendants, Parties

- helpless vs. able to act
- active vs. passive
- sympathetic vs. unsympathetic
- in opposition to the law and the court or cooperative
- parties: defendant and plaintiff in opposition or cooperative
- social characteristics: class, race, gender

All functional sociological analysis aside, law films in their majority take the stance that the quality of the people decides on the quality of the courts. Justice heavily depends on righteous legal professionals. Therefore, the analysis scheme devotes special attention to the film characters, drawing from previous film interpretations, sociological and social psychological research. Many dimensions of characters are so universal that they apply to lawyers as well as to judges, prosecutors, jurors or other actors in court.

A number of criteria serves to clear up the personal background of the film character. Gender, age, class and lifestyle of lawyers for instance. While the age of lawyers varies, they tend to be male, and if they are not portrayed as wealthy, they have a tasteful lifestyle. In some films, lawyers are young, just starting their careers. In American films, an education at an elite law school is often mentioned.

The professional situation of the characters may vary, junior lawyers for instance may work in a law firm, judges may stand at the brink of a further promising career, a prosecutor may be isolated within the corrupt surrounding of his bureau. Sometimes law people are portrayed as having a special professional attitude (Atticus Finch in TO KILL A MOCKINGBIRD). Sometimes they are gifted with an outstanding feeling for right and wrong, personalising the good common sense of the people and with a feeling for practical matters (Lincoln in YOUNG MR. LINCOLN). Sir Wilfrid Robarts, introduced as famous defender in capital cases in WITNESS FOR THE PROSECUTION, knows the law pretty well but is effectively fooled by the defendant's wife, who exploits his bad judgement of women. A figure may be charismatic because of its legal knowledge, feeling for right and wrong, or even as a speaker of the community involved. A lawyer or judge may adhere strictly to the letter or spirit of the law, or may be ready to bend the law where opportune. In TO KILL A MOCKINGBIRD, a disabled rescued Finch's children slaying the drunken villain. Atticus Finch follows the suggestion of the local Sheriff to spare him the consequences of a correct report of the incident. Frank Galvin of THE VERDICT resorts to illegal means to find out the address of a crucial witness. In the second version of the movie CAPE FEAR, the catastrophe starts because the lawyer withheld evidence favouring his client. Francis M. Nevins (2000, 641) writes:

"... what precipitates the nightmare events is the attorney betraying professional ethics in order to keep his sociopath client from going free, Scorsese's film joins the roster of movies which radically condemn the legal system by hinging on acts which are justified dramatically, morally, indeed every way in the world except under the law."

A character of a law film can be depicted as corrupt or as an abuser of fellow (wo)men. The presiding judge in INHERIT THE WIND is influenced by a local politician in his judgement, as

the trial evokes too much criticism in the press and the next elections are coming soon. The political orientation can be an important trait of a protagonist. Affiliation or adherence to fascist or right extremist parties and movements signifies corrupt and evil characters in a number of political films (as in Costa Gavra's Z). Characteristically, a number of U.S. films deal with the interference of the political into the realm of law. A typical constellation is given in THE SUN SHINES BRIGHT, the second John Ford film about the figure of Judge Priest:

"The judge is a Southern Democrat whose morning routine is to have a reveille recalling his days as a bugler in the Civil War in the Kentucky regiment. His political opponent, Horace Maydew, is standing in the upcoming election as judge. He is the local public prosecutor and a member of the Republican Party. Billy Priest's first task is how to deal with an itinerant banjoist, US Grant Woodford..." (Greenfield et al. 2001, 152)

Integration into or isolation from its professional surrounding are often characteristic for a figure. Young Harvard graduate Mitch McDeere finds himself in a law firm established by the Mafia (THE FIRM). In Italian films, police officers, or investigative judges are often isolated within a corrupt department which obstructs their fight against organised and political crime. Less dramatic, but still significant are portrays of characters who prefer to do all things alone over a co-operation with colleagues. A movie lawyer, judge, or prosecutor usually does not find satisfaction in doing dull paper work but tries to investigate herself doing a detective's job.

Social psychologists Tom Tyler and E. Allan Lind (2001), argue that fairness is important in interpersonal relations and that institutions and their representatives are judged according to fairness criteria. A huge research literature supports this assumption (overviews: Machura 1998, 2001). Fair procedures are earmarked by unbiased decision-makers, who carefully gather the relevant information. The parties should have the opportunity to present their positions and the proceedings should comply to social morality (Leventhal 1980, Tyler 1990). In order to appear fair, an authority figure has to appear benevolent as well as neutral, has to respect the status of parties as equally entitled citizens and should allow them to state their view (Tyler and Lind 1992). Law films often deal with drowning unfairness and with issues of the morality of protagonists (Machura 2005). Three black and white films may serve as examples. At first, the viewer of THE SUN SHINES BRIGHT may think that Confederate veteran Judge Priest will sentence the accused young black banjoist US Grant Woodford accused of vagrancy. Investigating the case, Priest asks Woodford to play his banjo, who chooses the Yankee Doodle. Woodford's uncle intervenes anxiously and advises him to change to the Confederate's song, in which the locals frenetically fall in with Priest playing his horn. Having won Priest's benevolence, Woodford is not sentenced, but sent out of court to look for paid work on the cotton fields. In THE DEVIL AND DANIEL WEBSTER, lawyer-politician Webster is fouled by the devil to accept any American jury to decide the case of a farmer who promised his soul to the devil in exchange for years of material wealth. If Webster fails to convince the jury, the devil will collect his soul, too. Webster's adversary calls a jury of dead climbing up out of hell: historical villains, traitors and murderers. During the trial, every move of Webster is accompanied by negative responses of the judges. The jury appears as totally biased. Only by vigorous pleading, Webster is able to win the jurors for his case, the case of individual liberty. In SERGEANT RUTLEDGE, not only is the court tribunal's presiding judge outed as a plunderer in the Civil War when his troops invaded the South. In a hearing break, the officer-tribunal retires to a backroom to amuse with a poker game, obviously able to put aside any thought about the tragedy underlying the trial.

Film lawyers got to show special engagement for their case. In PHILADELPHIA for instance, African American attorney Joe Miller overcomes his homophobic reflexes and throws himself into a fight for Andrew Beckett's anti-discrimination case. Often, an aggressive "bite" becomes a measure for the individual legal professional. This trait is allowed to be shown by the defence attorney of the innocent as well as by her reckless prosecutor. Although not painted in full as a character, Miller's antagonist, a female lawyer representing the law firm accused of firing Miller in fear of his HIV disease, is portrayed as a cunning champion of the courtroom theatre. Lay judges and jurors, although restricted by their role during a running hearing, are expected to actively participate in the deliberation. The sportsman juror in TWELVE ANGRY MEN represents the disinterested person, juror number 8 the active ideal, as the gentleman farmer in the mixed court of PORTA APERTE.

Paralegals appear in a number of law films, with ERIN BROCKOVICH as the prime example. She deserves full status as an independent actor in this movie. More often, paralegals do not act on their own. In the German TV-lawyer films of the ANWALT ABEL series, the attorney's secretary performs various helping tasks, but does not reach the level of autonomy as Erin Brockovich. In many films, paralegals only feature as unimportant. Where they are crucial, the categories for lawyers may apply. Erin Brockovich may even serve as a role model for female lawyers, Greenfield et al. (2001, 139) speculate.

The police often appears in a subordinate function in trial films and films about lawyers. Not always are police officers shown as complex figures but may simply rush over the screen. This is however time enough to leave an impression on the viewer. In quite a number of films, the police, or parts of it, appear "on the wrong side" of the story. Police in SACCO E VANCETTI brutally suppresses Unionists and Communists, using excessive force. Here also, a simple

story is told about the police being on the side of the wealthy ruling class. Torture also causes the wrongful conviction of innocent Irish people according to IN THE NAME OF THE FATHER. In other movies, criminals have bribed the police. Racism causes injustice in some films. Police may appear fair or unfair to certain categories of people. They may be portrayed as professional in their actions or as a bunch of incompetent destroying the evidence. In some law films, policemen are major protagonists, as in the Italian movie LA SCORTA, where carabinieri do not only protect a judge against the Mafia, but also get involved in intrigues within the law enforcement agencies.

Almost no trial film can pass without the examination of witnesses. Their prejudice or other actions against (but also in favour) of the "right" party can be essential for the story. A special category are expert witnesses like scientists and psychologists, sometimes even a sociologist (SUSPECT). THE VERDICT shows the plaintiff's attorney desperately seeking a medical expert who testifies against two high-level physicians. Depictions of witnesses often employ stereotypes to entertain the audience: the elderly German woman who doesn't know how to behave before an English court of law in EIGHT O' CLOCK WALK, the Freudian-style psychiatrist in THE CAINE MUTINY COURT-MARTIAL who doesn't control his hands when speaking just like the suffering captain he is talking about. Sometimes the portray of witnesses is among the most remarkable scenes of a film. In SERGEANT RUTLEDGE, director John Ford portrays a dignified older black sergeant who impressively counters an attack by the racist prosecutor. From the very start of the interrogation, the prosecutor tries to draw the credibility of the witness into question. The seargeant replies that the reason for not knowing his birth date is that he was born as a slave.

Co-operation or hostility between the parties of a trial can be important features. The lawyers may work together peacefully to move a case along. Co-operation may also be found between the presiding judge and lawyers. Even in films in the adversary setting of an English or U.S. court, the lawyer can find the judge's support during the trial. The judges in WITNESS FOR THE PROSECUTION, A FEW GOOD MEN, or YOUNG MR. LINCOLN are supporting lawyers in procedural matters. Even more significant is co-operation in countries with an inquisitorial system. Here, it is expected that judges and the parties' lawyers work together to establish the "truth" to a case.

The parties to a trial can figure in different ways. In DER PROZEB, based on Franz Kafka's novel, the accused is nothing but a helpless victim in a bureaucratic treadmill. Andrew Beckett of PHILADELPHIA finds himself the legal precedence on which to built his claim,

before he, suffering from a deadly disease, becomes dependent on his legal representative. The innocent subject certainly appears different from the guilty man in the eyes of viewers. Parties may be in strong opposition to the courts and the world of law or may try to cooperate. In ERIN BROCKOVICH the title figure has to invest a lot of energy to overcome suspicion against lawyers and against the idea to file a civil case.

Part III: Narrative

- 19. Short summary of the story.
- 20. General approach (intention of film): satirical, authenticity, comedy, political partisanship, identification with main figure(s), social problem film, thriller, drama, ...
- 21. Degree of Americanisation (description, aspects):
 - legal system and culture "American style"
 - national legal system and culture (as in the country of the spectator)
 - authentic national legal system and culture for the place of the story

22. Role of Media in the Story

- neutrality
- sensationalism
- to the advantage of the good figures of the film, or "on the wrong side"?
- 23. Ordinary Folks/"the people"/neighbours/the public
 - neutrality
 - sensationalism
 - to the advantage of the good figures of the film, or ,,on the wrong side"?
 - supporting the rule of law ? illegal actions?
- 24. Portray of the Law
 - topic is: law in the books/in action/natural law/divine law
 - law as an instrument of oppression or as an instrument for "the good"
 - law in accordance with good common sense or artificial lawyers' law
 - close to what the "good" figures in the story think is right?
 - ultimately in the hands of lawyers, the courts, judges, politicians, the rich and powerful, or the people, the jury?
 - message: a good idea to use law in a dispute?
- 25. The end of the story: "good end", "supportive to a sense of justice?", disappointing, desperate

A short summary of the film's story can be done in few lines. Sometimes the general approach or intention of a film, be it e.g. satirical or "authentic", is not a question of lesser importance. The post-war German film ROSEN FÜR DEN STAATSANWALT may serve as an example. Its topic, the inclusion of Nazis into the ranks of state officials, proved very

provocative in the Fifties, when many wanted to forgive and forget. Director Manfred Staudte only managed to realise the film by turning the original, grimly political script into a comedy. However, it may be said that this even contributed to the critical effect of the film. When some "good" state-employed lawyers also had to appear, due to pressure on the film makers, it does not destroy the movie's message. In order to classify the intentions of film-makers, general information is often available (as an example: Drexler 1999, 399).

The impact of American movies on international audiences is so strong, that many European films do not depict the authentic legal system and culture of their country. Instead, they are mixing elements (Machura and Ulbrich 2001), using e.g. the phrase "your honour", depicting cross-examinations American-style and other features of adversarial trials. Very often, legal facts are misrepresented in a number of ways, e.g. the voting rule, the behaviour of lawyers at court, the decorum of the benches and other things more. Film analysts may note that details do not conform to the legal system of the country and time shown. However, they should bear in mind that for the general audience a number of deviations is not detectable by lack of familiarity (Chase 2002, 173). Continental European viewers may even enjoy the dramaturgy of American trials more than the comparatively calm investigative trial of their courts.

The media are often portrayed as biased against the "good" side of the story. Sensation is what they are looking for. In I WANT TO LIVE, e.g., the accused girl becomes the victim of a press campaign. A journalist later changes his opinion and fights for her. In ALIBI, a journalist gets involved into a murder case as a lay judge. He comes to doubt the significance of the evidence and is outvoted in the judges' deliberation. A report of his newspaper results in the detection of the real culprit.

Related to that often is the depiction of the people, neighbours, or the public since they frequently appear as influenced by media campaigns. The people in the films can appear as neutral or not, looking for sensations, they may support the "right" or the "wrong" side of a picture. People may resort to illegal action but they may also trust on the legal procedures. A number of films has a lynch mob trying to make instant "justice": FURY, YOUNG MR. LINCOLN, TO KILL A MOCKINGBIRD. In some films, like INHERIT THE WIND, the audience of a trial interferes heavily with comments into the trial.

"The law" can be understood and portrayed in quite a different ways. The topic of a film may be – exclusive or in combination – law in the books, law in action, natural law and divine law. In AMISTAD, the history of slaves who freed themselves from their chains on a Spanish slave trade ship, a number of different laws come into play: different national and international laws (Greenfield et al. 2001, 66) as well as natural law. This particular film also evokes the question on who's side law and the legal system ultimately are. Do they uphold the interests of the slave industry or do they enforce rights of individual liberty? Laws may appear in films as something like an artificial construct of lawyers or they may appear as coming from the spirit of the people. In YOUNG MR. LINCOLN, law is depicted as natural law and as rooted in the common sense. Therefore, law supports the good people in the story, is not in the hands of the powerful, and with the help of a lawyer like Lincoln, can be upheld even under the most unfavourable circumstances.

The "good" or "bad" ending of a story may finally contribute to one last lesson learned by the viewer of a law film. Is it a good or a bad idea to count on law in a conflict? Here, the usual answer is that finally things can be put right. Even if there exists manipulation, corruption or ignorance. A kind of happy end is provided by most legal films. There are, however, exceptions. Films like KING AND COUNTRY, PATHS OF GLORY, DER PROZEß show a sad and cruel ending with no hope that justice can be achieved. Equally pessimistic are films (e.g. JUSTIZ, SLEEPERS) in which the legal system can be manipulated in a way that the guilty can go free. A CIVIL ACTION shows that attempts to sue big firms are very costly and that it may financially ruin those who take part in them. Perhaps, every viewer is aware that the path of law has its risks. The more threatening they are, the more the audience loves the true agents of law on the silver screen.

Reference list

Asimow, Michael and Shannon Mader. 2004. *Law and Popular Culture – A Course Book*. New York, Peter Lang.

Chase, Anthony. 2002. *Movies on Trial. The Legal System on Silver Screen*. New York: New Press.

Drexler, Peter. 1999. Der deutsche Gerichtsfilm 1930-1960. Annäherungen an eine problematische Tradition. In *Verbrechen - Justiz - Medien. Konstellationen in Deutschland von 1900 bis zur Gegenwart*, edited by J. Linder and C.-M. Ort. Tübingen: Max Niemeyer Verlag.

Greenfield, Steve, Guy Osborn, and Peter Robson. 2001. *Film and the Law.* London: Cavendish.

Hallywell's Film and Video Guide 2001. 2000. Edited by J. Walker. New York: Harper Resource.

Kuzina, Matthias. 2002. Die amerikanische Militärjustiz im Film: The Caine Mutiny Court-Martial. In *Recht im Film*, edited by S. Machura and S. Ulbrich. Baden-Baden: Nomos.

Kuzina, Matthias. 2005. Das Kriegsgerichtsverfahren als Filmsujet: USamerikanische Erzählmuster. In *Krieg im Film*, edited by S. Machura and R. Voigt. Munster: Lit.

Leventhal, Gerald S. 1980. What Should Be Done With Equity Theory? In *Social Exchange: Advances in Theory and Research*, vol. 9, edited by K. J. Gergen, M. S. Greenberg, and R. H. Willis. New York: Plenum.

Machura, Stefan. 1998. Introduction: Procedural Justice, Law and Policy. *Law and Policy 20;* 1-14.

Machura, Stefan. 2001. Fairneß und Legitimität. Baden-Baden: Nomos.

Machura, Stefan. 2004. Law and Cinema Movement. Paper presented at the Annual Meeting of the Law and Society Association, Chicago/Illinois, May 27-30.

Machura, Stefan. 2005. Procedural Unfairness in Real and Film Trials: Why Do Audiences Understand Stories Placed in Foreign Legal Systems?. In *Law and Popular Culture*, edited by M. Freeman. Oxford: Oxford University Press.

Machura, Stefan, and Peter Robson. 2001. Law and Film: Introduction. In *Law and Film*, edited by S. Machura and P. Robson. Oxford: Blackwell.

Machura, Stefan, and Stefan Ulbrich. 2001. Law in Film: Globalizing the Hollywood Courtroom Drama. In *Law and Film*, edited by S. Machura and P. Robson. Oxford: Blackwell.

Nevins, Francis M. 2000. Cape Fear Dead Ahead: Transforming a Thrice-Told Tale of Lawyers and Law. *Legal Studies Forum 24;* 611-644.

Rafter, Nicole. 2000. *Shots in the Mirror. Crime Films and Society*. Oxford: Oxford University Press.

Tyler, Tom R. 1990. Why People Obey the Law. New Haven: Yale University Press.

Tyler, Tom R., and E. Allan Lind. 1992. A Relational Model of Authority in Groups. In *Advances in Experimental Social Psychology*, vol. 25, edited by M. Zanna. New York: Academic.

Tyler, Tom R., and E. Allan Lind. 2001. Procedural Justice. In *Handbook of Justice Research in Law*, edited by J. Sanders, and V. L. Hamilton. New York: Kluwer Academic.

Filmography

A FEW GOOD MEN, USA 1992, director: Rob Reiner.

A CIVIL ACTION, USA 1998, director: Steven Zaillian.

ALIBI, Germany 1955, director: Alfred Weidenmann.

AMISTAD, USA 1997, director: Steven Spielberg.

ANWALT ABEL, German TV-film series 1988-2001, sequels under different titles, director: Fred Breinersdörfer.

CAINE MUTINY COURT-MARTIAL, THE, USA 1988, director: Robert Altman.

CAPE FEAR, USA 1991, director: Martin Scorsese.

DER PROZEB\LE PROCÈS, France, Italy and Germany 1962, director: Orson Welles.

DEVIL AND DANIEL WEBSTER, THE, USA 1941, director: William Dieterle.

EIGHT O' CLOCK WALK, Great Britain 1953, director: Lance Comfort.

ERIN BROCKOVICH, USA 2000, director: Steven Soderbergh.

FIRM, THE, USA 1993, director: Sydney Pollack.

FURY, USA 1936, director: Fritz Lang.

I WANT TO LIVE, USA 1958, director: Robert Wise.

IN THE NAME OF THE FATHER, Great Britain 1993, director: Jim Sheridan.

INHERIT THE WIND, USA 1960, director: Stanley Kramer.

JUDGE JUDY, USA, Start: 1996, TV court show.

JUSTIZ, Germany/Switzerland 1993, director: Hans W. Geißendörfer.

KING AND COUNTRY, Great Britain 1964, director: Joseph Losey.

LA SCORTA, Italy 1993, director: Ricky Tognazzi.

PATHS OF GLORY, USA 1957, director: Stanley Kubrick.

PERRY MASON, USA, 1957-66, 1985-93, TV series.

PHILADELPHIA, USA 1993, director: Jonathan Demme.

PHYSICAL EVIDENCE, USA 1988, director: Michael Crichton.

PORTA APERTE, Italy 1989, director: Gianni Amelio.

RATGEBER RECHT, German TV-programme.

RICHTERIN BARBARA SALESCH, Germany, start: 1999, TV court show.

ROSEN FÜR DEN STAATSANWALT, Germany 1959, director: Wolfgang Staudte.

SACCO E VANCETTI, Italy 1971, director: Giuliano Montaldi.

SERGEANT RUTLEDGE, USA 1960, director: John Ford.

SECHS SCHÜSSE AUF EINEN MINISTER, Germany 1998, director: Claus Strobel.

SLEEPERS, USA 1996, director: Barry Levinson.

STAR CHAMBER, THE, USA 1983, director: Peter Hyams.

SUN SHINES BRIGHT, THE, USA 1953, director: John Ford.

SUSPECT, USA 1987, director: Peter Yates.

TO KILL A MOCKINGBIRD, USA 1962, director: Robert Mulligan. TWELVE ANGRY MEN, USA 1957, director: Sidney Lumet. VERDICT, THE, USA 1982, director: Sidney Lumet. WITNESS FOR THE PROSECUTION, USA 1957, director: Billy Wilder. YOUNG MR. LINCOLN, USA 1939, director: John Ford. Z, France/Algeria 1968, director: Constantin Costa-Gavras.