Making Crime TV: Producing Fictional Representations of Crime for Canadian Television

by

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Abstract

Criminologists and sociolegal scholars have become increasingly interested in studying media representations of crime in popular culture. They have studied representations using content analyses, often examining their “accuracy” against academic research. Alternatively, these scholars have also studied media effects. In contrast to these studies, I focus on the television production process of making entertaining, dramatic representations of crime. In doing so, I empirically address the following research question: how do TV writers know about crime, and how do they transform that knowledge into fictional representations? I answer this question using a triangulation of methods to gather data – specifically, ethnography, archival research, and interviews with writers and producers – and through the juxtaposition of several case studies. My case studies include the following Canadian crime television programs: 1) the police drama *The Bridge*, 2) an original Canadian drama about insurance fraud, *Cra$h and Burn*, and 3) crime docudramas, such as *F2: Forensic Factor* and *Exhibit A: Secrets of Forensic Science*.

Taking cues from Bruno Latour’s actor-network theory, I focus on the site-specific, concrete, dynamic processes through which each television production makes fiction. I conceive of the writers’ room as a laboratory that creates representations through collaborative action and trial and error. This research demonstrates that, during the production process, representations of
crime are unstable, constantly in flux as various creative and legal entities compel their revision. Legal entities, such as Errors and Omissions insurance and broadcasters’ Standards and Practices, regulate the content and form of representations of crime prior to their airing. My findings also reveal the contingency of (commercial) success, the heterogeneity of people who make up television production staff, and the piecemeal state of knowledge that circulates between producers, network executives and writers.
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First and foremost, I want to thank the people who made my research possible. I am indebted to the men and women who allowed me to interview them, and observe them at work while they made television. I did not start this project with the objective of researching Canadian television; but over the two years during which I collected my data, I could not help but respect and admire the hard work and thoughtfulness that goes into making our nation’s television dramas. Although my ethics protocol prevents me from fully naming these people in my dissertation and consequently in my acknowledgements, they are remarkable people who have shown me a kindness I wish I could fully repay. There have been so many writers and producers who have told me about their desire to get their representation of the world right. To them, I can only say that I hope I got it right as well. I hope that my description of their work is a fair and accurate representation of the work that they do.

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Introduction

In 2000, American broadcaster CBS aired the first season of the forensic crime drama *Crime Scene Investigation: CSI*. *CSI* is a fictional television drama that follows a group of forensic scientists as they solve criminal cases. This television program has coincided with and possibly re-invigorated criminological and sociolegal interest in studying fictional mass-mediated representations.

Because *CSI* has since turned into a franchise that has spawned two spin-off series (*CSI: Miami* and *CSI: New York*), criminological and sociolegal scholarship on *CSI* tends to analyze the show as though it were always destined to be an exemplar of popular television in the 21st century. Thus, Michele Byers and Val Marie Johnson (2009) explain that *CSI* was immediately popular because it managed to reproduce familiar socio-political discourses in dramatic form. Specifically, the show’s initial success was a result of its synchronicity with the events of 9/11 and the social dominance of American neoliberal and neoconservative discourses on criminality and justice. Those who write and produce *CSI* were able to sell their show(s) by tapping into the dominant ways in which (North) Americans currently think and talk about crime, criminality and citizenship (Byers and Johnson, 2009: xxi). Similarly, Elayne Rapping (2003: 27) describes *CSI* as an immediate hit because television producers were able to plug into successful programming trends and spin them in slightly new ways. Gray Cavender and Sarah Deutsch (2003) explain *CSI*’s popularity through the popularity of the genre of crime dramas. Crime dramas attract a large audience because their plots are situated within dominant socio-political ideologies, and provide an understanding of crime and criminals that is consistent with criminological theories in vogue at the time (Rafter, 2006).

However, academics are not the only ones that have noticed *CSI*’s popularity. Since 2002, news media outlets have been reporting on the so-called *CSI* effect. Because they are assumed to mistake fiction for fact, laypeople who watch *CSI* and other forensic science-related programming have inflated expectations about the significance of forensic evidence in criminal trials (Cole and Dioso-Villa, 2009; Mopas, 2007). Since the discovery of such an effect, criminologists and sociolegal scholars have attempted to empirically confirm or refute the effect’s existence. Sometimes, the *CSI* effect has even been used by some scholars (e.g.,
Stevens, 2011) as the example *par excellence* of how fictional television programs communicate misinformation to the public with devastating consequences (e.g. the public’s increasingly punitive attitudes towards criminals).

In contrast to such academic research, this dissertation does not examine media effects. It also does not assume that certain television programs are destined for success. Instead, it begins by highlighting the contingency of any fictional television drama’s success. A television drama is not guaranteed to be successful regardless of its innovations or conventionality. Thus, this dissertation understands the context of a fictional television drama’s production to be defined by uncertainty and contingency. As such, it should be noted that *CSI* was considered a surprise success for its broadcaster. The program was (in)famously the last series added to CBS’ 2000-2001 programming schedule after all the major American broadcasters had passed on the script. It has been postulated that CBS was willing to pick up *CSI* and take such a programming risk because the broadcaster was coming out of the late-1990s at the back of the ratings pack (Kompare, 2010). Moreover, the first season was co-produced by Alliance Atlantis, a Canadian film and television production and distribution company, because no American broadcasting network had enough faith in the show’s concept to fully finance it. Together, these facts suggest that the producers and writers of *CSI* were not that successful at initially selling their show to American network executives, precisely because they were *not* talking about crime and criminality in ways that were sufficiently familiar to audiences.

Rather than engage in a content analysis that projects onto television writers and producers certain assumptions about what they know, I use ethnography and interview data to empirically examine what television writers and producers actually know about crime, law and policing. More importantly, I analyze *how* they know this information, and *how* they transform their knowledge into fictional representations of crime and law. Because television

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1 In the same season, CBS also picked up the *Survivor*, a reality-TV competition series that requires contestants to “outwit, outplay and outlast” each other. Building on the successes of *CSI* and *Survivor*, CBS has since become the top-ranking American major broadcaster in the 21st century (according to prime-time ratings for most nights of the week) by becoming the network home of crime procedurals. Interestingly enough, CBS’ interest in producing and distributing crime procedurals included the development of a pilot in 2003 called *Criminology 101*. The show’s concept is described as follows: Two women studying criminology solve cases as an extension of their class work. If this show had made it on the air and become a ratings success, one wonders how it might have impacted people’s perceptions of academic criminology.
writing is premised on the notion that writers write what they know, I investigate the interrelated practices of knowing and representing in the production of fictional crime procedurals. Thus, I am interested in analyzing the research done by television writers and producers, and the role of the technical consultant in the making of television dramas. While documenting the ways in which writers’ sources of knowledge are transformed into particular representations specifically formatted for television, I examine how creative decisions are affected by other logics within the television production process, including the commercial logic of broadcasters, the formatting logic of screenwriting software, and the legal concerns of insurers and Standards and Practices network executives. Any television representation of crime, law or policing is the result of a particular assemblage of logics, people, creative ideas, commercial interests, legal requirements, and broadcasting networks during a program’s production. Given this conclusion, it is quite obvious that I do not celebrate the creative auteur, but rather emphasize the collaborative nature of television production. This conclusion is also made possible through the innovative use of actor-network theory in my study of television fiction in the making.

As we will discuss in greater detail in the following chapters, actor-network theory holds that people, institutions, ideas and logics are equally interesting analytically, and analyses ought to document their coming together. As such, it does not as a matter of course privilege the study of any singular entity (e.g. people, institutions, or ideas). As a material-semiotic method of analysis (Law, 2007), actor-network theory provides a way to bridge together the analytically distinct perspectives provided by social science and the humanities. When it comes to examining professional mass communications, the social science approach has been more attuned to how symbols are materially produced than to what they mean, focusing on the industrial and organizational context rather than the text itself (Ettema, Whitney and Wackman, 1997: 33). In contrast, humanities-oriented analyses of mass cultural products have focused on the text’s semiotic meanings, concentrating on the relation between symbols and ideas. Using actor-network theory, I examine not only the semiotic relations between ideas about crime, but the material conditions under which those meanings are formulated in specific case studies.

My case studies consist of Canadian crime dramas: 1) The Bridge (2010), a Canadian-American co-produced police drama for a major broadcaster; 2) Cra$h & Burn (2009), an
original Canadian television drama for a Canadian specialty channel; and 3) Canadian-made forensic crime docudramas with international distribution, such as *Exhibit A: Secrets of Forensic Science* (1997-2001) and *F2: Forensic Factor* (2003-present). The bulk of this dissertation draws from field observations that document the making of *The Bridge* and *Cra$h & Burn*. I do not, however, examine their entire production process, in which I would document the making of an entire series. Instead, I examine each program at a particular phase of production: I describe the making of 1) a particular episode of *The Bridge*, 2) the pilot of *Cra$h & Burn*, and 3) the research phase of forensic crime docudramas. Because I am primarily interested in the processes by which television writers know about and represent crime, the juxtaposition of these case studies allows me to describe the practices of North American television production. Although I do specifically examine the unique context of Canadian television production, the screenwriting and knowledge practices of Canadian television writers and producers are not distinctly different from those of their American counterparts, often because Canadian television producers seek American distribution of their television programs.

**Chapter summaries**

In chapter 1, I review the criminological and sociolegal literature on mass-mediated, pop cultural representations. I argue that this literature can be read as if it were based on Max Horkheimer and Theodor Adorno’s (1972) theorization of the culture industry in the middle of the 20th century. Specifically, they claim that “the bread which the culture industry offers man is the stone of stereotype.” Contemporary criminological and sociolegal scholars have taken seriously the implication buried in Adorno and Horkheimer’s metaphor of “the culture industry” – that is, that culture is an industry that uses an assembly line to mechanically (re)produce homogenous cultural products (i.e. “stone[s] of stereotype”) for mass consumption. In line with this claim, contemporary criminological and sociolegal research

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2 The pilot is an episode that provides broadcasters with a sense of how the concept for a television series will be developed and executed.

3 Both the showrunners (i.e. head writers) of *The Bridge* and *Cra$h & Burn* have worked in the US as staff writers on American television dramas. Moreover, Canadian audiences are not isolated from American television, and consequently understand the semiotics of a North American system of representation.
has taken the form of textual and content analyses of cultural products, often examining how “bread” is the “stone of stereotype.” Alternatively, research has focused on media effects, by examining the effects of “digesting” cultural products. In contrast to these research projects, I argue that it is time to break away from Adorno and Horkheimer’s theoretical conceptualization of the culture industry. In doing so, we ought to undertake empirical research on the process of cultural production. When studying production, we ought to take into consideration the particular production processes of a specific medium (e.g. television), and not assume that the mass media exists as some singular, monolithic hegemonic entity. I end the chapter by laying the groundwork for using actor-network theory to study the process of television production.

In chapter 2, I outline an actor-network theory-inspired method for the empirical study of the culture industry. As such, the chapter begins by explaining why actor-network theory would be useful for an analysis of entertainment television production as a site of knowledge and textual production. I also explain how actor-network theory diverges and converges from the production of culture perspective, which is a perspective used by scholars in political economy, sociology and cultural studies. I end the chapter by describing my sample and how I gained access to television production sites in Toronto, Canada.

Through unprecedented access, chapter 3 takes the reader into the writers’ room, which is a space that has yet to be studied by academics. Using the police drama The Bridge as a case study, I analyze the writers’ room as a laboratory for the production of television fiction. I document the heterogeneous knowledge inputs into this laboratory during the process of breaking story (i.e. breaking an episodic story down to its component parts). In particular, I discuss the role of the police technical consultant in providing writers with orally told, anecdotal story ideas about crime and policing. The extent to which television productions rely on police cooperation has an effect on how the shows ultimately represent the police. I also examine how broadcaster input, the showrunner’s creative vision, and Errors and Omissions insurance shape those knowledge inputs into particular kinds of representations. In the case of The Bridge, representations are made episodic rather than serialized as a result of broadcaster demand. They are also universalized as a consequence of both legal/insurance requirements and the showrunner’s Jungian-inspired storytelling preference.
While chapter 3 follows knowledge inputs into an episode’s formation, chapter 4 follows the various story documents that are produced as outputs from the writers’ room. Here, I am interested in documenting the textual transformations that an episodic story undergoes during the television re-writing process. In doing so, I structure the chapter as a mystery: the case of the missing “bad apples.” By examining how representations of “bad apples” (i.e. corrupt police officers) disappear during the rewriting process of an episode of The Bridge, I describe how the meanings of representations are neither fixed nor stable during production. Moreover, the study of textual transformations during the revision process can give us a sense of the different audiences that are mobilized in television production. While television writers and producers do create texts for an audience, this audience is not best understood as the ( unknowable) consumer audience, but rather as the audience composed of network executives, insurers, Standards and Practices executives, and the show’s own writers and producers. It is this audience that responds to the television text and shapes its transformation before it is ultimately revealed to the consumer audience.

Chapter 5 examines how place becomes relevant in the making of crime procedurals, particularly at the stage of pilot development and production. The strategy of representing place (or setting) in a fictional crime procedural is informed by the place of the commissioning broadcaster in the broadcasting landscape of the post-network television era. A broadcaster’s place is located at the intersection of a quasi-legal broadcasting regulatory structure and a particular market orientation. Working in the tradition of “quality,” North American premium cable networks cater to their niche market by providing crime dramas that are set in specific cities. In contrast, large broadcasting networks cater to their mass audience by generically setting their series in a large, urban city. Using case studies, I examine how recent Canadian-American co-produced police procedurals – The Bridge, Rookie Blue, and Flashpoint – tend to translate Toronto into a “world class city” analogous to any metropolitan (North American) city. In contrast, I examine how the showrunner of Lawyers, Guns and Money geographically relocated his series from New York City to Hamilton, Ontario, as the script moved from American premium cable network HBO to Canadian specialty channel Showcase. I end the chapter by examining how he successfully translated Showcase’s particular Canadian network and funding demands into the specific representation of Hamilton with its particular legal-crime-insurance world.
A brief note on writing style

I realize that my writing style diverges from the more conventional way in which dissertations are written. I structure a chapter as though I were telling a murder mystery. I take (circuitous) detours when I ought to be focused on a linear, straightforward narrative account of my data. I can only ask that my reader bear with me, because my writing style is an extension of my theoretical and methodological approach. This is a dissertation about the process of television writing and production, and not about their final products. In fact, I do not spend much space describing the final form of any of the television productions discussed in this dissertation. By taking the reader on a written detour or by not providing upfront all the information necessary to understand the world that I describe, I am attempting to engage the reader in the process of exploration through which we come to know about the world.

Because an actor-network theory (ANT) account does not provide a general, structural overview of the world, it is often written as though the writer were taking her reader on a walking expedition during which they both explore a particular research site. Like a walking expedition, an ANT account covers a certain amount of space without giving an overview prior to exploring that space. Neither writer nor reader begins from the starting point of a world composed of already defined, abstract, and stable entities. Instead, both explore the world as it is being assembled and the concrete processes through which that is accomplished. Anchored by the metaphor of an exploratory journey, such an account is able to retain some element of surprise because surprising phenomena are not explained away through a combination of clean overview, linear narrative and argumentative logic (Mol and Law, 2003). Like a walking expedition, the account also keeps certain experiences separate while juxtaposing others. In this dissertation, such experiences are embodied by case studies, each differing in some way from all the others. Because each case study is a different research site, the conclusions in this dissertation are drawn from the knowledge that we gain from moving from one site to another.

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4 Bruno Latour is highly influenced by Michel Serres’ philosophy, and Serres (1980) writes about the randonnée – that is, a rambling kind of walking expedition. For Serres, the epistemology of journeys forges new relations between a human being and her world (Harari and Bell, 1982). Thus, it is not surprising that Latour (2005) also provides an account of doing actor-network theory through the metaphor of the hard-working ant who trudges about on a randonnée of its own. The point of the randonnée cannot be found in its destination, but in the processes of walking, rambling and trudging.
Since actor-network theory documents the assembly of ideas, people, logics, technologies, institutions and things, I have also organized the content of my chapters to highlight the process of such assembling. As a result, I do not devote any chapter to a single institution (e.g. insurance, broadcasting network, etc.) or to a significant member of the production unit (e.g. the technical consultant, the producer, the director, etc.). Instead, I document how these institutions and production staff members come together to make a television episode, focusing on their interaction and collaborative action. Moreover, I also do not strictly separate my case studies into individual chapters. Since I focus on the practices of knowing and representing in television production, I juxtapose case studies in each of my chapters in order to emphasize the similarities and differences in how each television production knows and represents crime. However, I do not present these case studies as though they were representative of a broader theory into which they all fit. Each case is taken as a phenomenon in its own way. While the lessons learned from each case study might be instructive beyond its specific site and contextual situation (e.g. it can instruct us about general practices used in television writing and production), these lessons cannot be taken for granted, as they will always be similar to and different from lessons that have yet to be learned from cases that have yet to be studied.
Chapter 1

Setting the stage: A literature review and analysis

**SCENE:** We explore how criminological and sociolegal scholars have imagined the culture industry and its products, and how this academic imagination produces particular research agendas.

**The cultural turn**

A recent intellectual trend across the humanities and the social sciences has been to study culture or “the cultural” (Garland, 2006; Bonnell and Hunt, 1999). While this trend can be traced back to the 1970s (Bonnell and Hunt, 1999), it has only very recently swept across both criminology and sociolegal studies. In taking a cultural turn, both of these fields became increasingly interested in studying cultural representations of crime and law. In fact, this cultural turn has generated two new peer-reviewed journals (*Law, Culture and the Humanities* and *Crime, Media, Culture*, both of which were founded in 2005) and an entirely new branch of criminology (cultural criminology) within the last decade. Although there have been pre-cursors to this trend, the “cultural turn” for both fields crystallized at the turn of the 21st century in two influential programmatic research agendas.

Writing to sociolegal scholars, Austin Sarat and Jonathan Simon (2001) argue for cultural analyses of law because “the cultural” itself has become increasingly relevant to public policy as it has now been understood as a space for policy intervention. In order to keep up with this change in public policy and practice of governance (Sarat and Simon, 2001), however, argue that sociolegal scholars are influenced by public policy practices regardless of whether they are allies or critics of the policy apparatus. Whether they like it or not, the practices of governance help set the agenda for sociolegal scholarship.

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5 Here, I am writing primarily about criminology’s engagement with cultural studies. As a highly influential exemplar of work done on crime, media and culture, Stuart Hall et al.’s (1978) *Policing the Crisis* examined how mugging was constituted in Britain by the media in such a way as to expand the Home Office’s law-and-order campaign. However, this example from the late 1970s is better understood as an attempt by cultural studies to engage with criminology rather than the reverse.

6 Sarat (1985) has previously argued that much of sociolegal scholarship examines legal effectiveness precisely because it has been aimed at capturing the attention of those in public policy (see also Sarat and Silbey, 1988). Sarat and Simon (2001), however, argue that sociolegal scholars are influenced by public policy practices regardless of whether they are allies or critics of the policy apparatus. Whether they like it or not, the practices of governance help set the agenda for sociolegal scholarship.
sociolegal scholars should treat “the cultural” as an opportunity for the realignment of their scholarly practices and knowledge paradigms. By engaging with cultural analyses and cultural studies, sociolegal scholars examine the cultural lives of law (Sarat and Kearns, 1998), paying particular attention to how “law is a distinctive manner of imagining the real” (Clifford Geertz quoted in Sarat and Kearns, 1998: 18). While law has previously been conceptualized as “being all over” (Sarat, 1990), it is now conceptualized as being constitutive and reflective of culture, which has also been characterized as being “all over the place” (Etienne Balibar quoted in Sarat and Simon, 2001: 18). Similarly, criminologists David Garland and Richard Sparks (2000) argue for a re-conceptualization of criminology that recognizes how contemporary criminology is now “all over.” That is, criminological discourse can no longer be monopolized by academic criminology, and instead can be found circulating in public policy and popular culture often with little reference to (or understanding of) academic criminology. While academic criminology has historically focused on how public policy has constituted the issues of crime and crime control, it has generally ignored popular culture’s criminological discourse. However, Garland and Sparks (2000) note that if academic criminology is to remain relevant today, it needs to understand the terms in which crime and crime control are being debated and discussed in popular culture.

As both disciplines seek relevance, either to public policymakers or within contemporary discussions of crime, they have turned to cultural analyses. Although “culture” is one of the trickiest concepts to think through (Williams, 1976), it has been conceptualized both within criminology and sociolegal studies primarily as popular culture, which is in turn understood as the contextual domain of images, representations and meanings, many of which are mass mediated. As law is conceived as a world of images (Sarat and Simon, 2001, 2003; Sherwin, 2000), cultural studies is useful to sociolegal scholars as a method for examining the imaginative life of law (i.e. how law lives in the cultural imagination). Similarly, criminologist Alison Young (1996) argues for an interpretative method for examining the imagination of crime. In undertaking interpretative analyses, these criminologists and sociolegal scholars imagine their work as a reaction to the instrumental and rational narratives of crime and law found in rational choice theory, positivism and legal realism (see Ferrell, Hayward, Morrison, and Presdee, 2004; Hayward and Young, 2004;
Sarat and Simon, 2003). Echoing the Romantic reaction to the Enlightenment, these cultural analyses ought to examine the cultural imaginary and unconscious (also operationalized as emotions or affects) as a factor in law and crime.  

Thus, cultural studies has been embraced by criminological and sociolegal scholars as an “epistemological corrective” (Sarat and Simon, 2003: 4) to doing research in crime and law. However, this enthusiastic embrace has generally occurred without much critical contemplation of exactly what it means to study culture, particularly the production of mass-mediated, cultural representations. In the case of sociolegal studies, this lack of contemplation might simply be the result of its relative latecomer status in embracing cultural studies (Sarat and Kearns, 1998: 5). In the case of criminology, it can be read as another instantiation of the observation that criminology has occurred largely in ignorance of recent conceptual debates in cultural studies (Carrabine, 2008: 44) and in media studies (Sparks, 1992). Thus, this chapter holds that if sociolegal scholars and criminologists are intent upon using cultural studies, then they need to unpack some of cultural studies’ theoretical baggage. As it stands, some of cultural studies’ earliest theoretical assumptions about the culture industry creep into sociolegal and criminological work on cultural representations.

For the most part, sociolegal scholars and criminologists have tended to write as though there existed a singular culture industry that was similarly responsible for all kinds of cultural products that generate negative effects on mass audiences regardless of medium. This conception of the culture industry can be traced back to cultural studies’ originary fathers Theodor Adorno and Max Horkheimer. In discussing these theoretical assumptions, this chapter resurrects Adorno and Horkheimer as influential shadow figures that continue to appear in most, if not all, contemporary cultural analyses of representations done by (critical) criminological or sociolegal scholars. As shadow figures, they rarely make an

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7 For example, Richard Sparks (1992) notes that cultural images of crime are enduringly popular because they address certain social anxieties in the audience (see also Valverde, 2006).
8 For his remarks of caution about the study of culture, see Garland, 2006.
9 See their citation as such in Litvak (1997). Horkheimer and Adorno’s piece on the culture industry also introduces the “theory and method” section in The Cultural Studies Reader (1993).
10 We can trace Critical Theory back to the Marxist-inspired Frankfurt School.
explicit appearance in these cultural analyses (for exceptions, see Carrabine, 2008; Brown, 2003), which has made it difficult for criminological and sociolegal scholars to directly grapple with the implications of their work on the culture industry. Instead, Adorno and Horkheimer implicitly appear through the theoretical orientation guiding the scholarly analyst. Thus, this chapter is an argument for how such contemporary research, whether Marxist-inspired or not, is still largely structured by theoretical assumptions about culture and media made at the end of World War II.

This chapter is organized into three parts. In Part 1, I will give a brief overview of sociolegal and criminological work on mass-mediated, pop cultural representations. In doing so, I will highlight the reasons why the study of such representations is important to each particular field. In this overview of the literature, the differences between criminological and sociolegal work will be noted: while sociolegal research on representations has generally stemmed from a text-centred, humanities orientation, criminological research has been primarily interested in studying media effects on society. However, in Part 2, I will analyze how both contemporary sociolegal and criminological research on cultural representations can be read as if they were based on Horkheimer and Adorno’s (1972: 148) claim that “the bread which the culture industry offers man is the stone of stereotype.” In line with this particular claim, these research projects have focused on the “bread” itself (i.e. films, television shows, newspaper articles, etc.) through textual and content analyses of cultural products, and on the process of digestion through analyses of media effects and audience reception. Understanding Horkheimer and Adorno’s perspective is useful here because it explains some of the commonalities and weaknesses in the current sociolegal and criminological literature. These scholars have taken seriously the implication buried in Adorno and Horkheimer’s metaphor of “the culture industry” – that is, that culture is an industry that uses an assembly line to mechanically (re)produce homogenous cultural

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11 Intellectual inquiry is itself subject to what Raymond Williams (1961) calls the “culture of selective tradition.” That is, cultural tradition is itself a continual selection and re-selection of ancestors, including theoretical or intellectual ancestors. For example, the cultural turn in criminology and sociolegal studies has effectively resurrected certain theorists that have been otherwise marginal to these fields, such as Barthes, Nietzsche, Baudrillard, etc.
products (i.e. “stone[s] of stereotype”) for mass consumption. Lastly, in Part 3, I will argue that it is now time to break away from Adorno and Horkheimer’s theoretical conceptualization of the culture industry, and allow empirical research of the culture industry to anchor scholarly claims of what kinds of representations are produced by these industries and how.

On a note unrelated to sociolegal and criminological research, I have also resurrected Adorno and Horkheimer because they implicitly structure the way Canadian culture has been conceived by Canadian intellectuals. In a dissertation about Canadian television, it is difficult to completely avoid a discussion of how Canadian television contributes to a national Canadian culture, because it is funded by the government for that very purpose. As such, I will briefly note that Canadian cultural critics (e.g. Henighan, 1996) and cultural producers (see Matheson, 2005: chapter 5) continue to hold the assumption that there is a distinction between “authentic” and “industrial” Canadian culture, where the former is praised and the latter is generally denounced. While it is never clear what counts as “authentically” Canadian television (Edwardson, 2008), “industrial” television has been defined since the 1980s as television made for commercial imperative and intended for international distribution. This kind of television has also been identified as emulating American television genres and shows (Matheson, 2005). Although Horkheimer and Adorno were not interested in the question of maintaining cultural sovereignty, unlike the Canadian government, it should be noted that their analysis is primarily based on their observations of Hollywood as the paradigmatic culture industry,12 which further strengthens the assumption that commercially-driven cultural products are American or American-like. Along similar lines, “not-American”13 became a key defining feature of Canadian authenticity (Matheson, 2003: 249).

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12 Similarly, Raymond Williams’ thinking on television did not really occur until he also spent some time in California (O’Connor, 1989). It can be argued that the paradigmatic culture industry is Anglo-American, and originates in Hollywood.

13 “Not-American” representations in Canadian television have been interpreted as “anti-American” by American diplomats. Among the quarter-million confidential American diplomatic cables released by Wikileaks in early 2011, one 2008 cable analyzed the increase in “anti-American melodrama” on Canadian television, citing as its prime example CBC’s The Border (2008-2010). Set in Toronto, The Border was a television drama that followed the agents of a fictitious Immigration and Customs Security agency as they dealt with trans-border concerns, such as terrorism and smuggling. According to the American diplomat, the distinction between Americans and Canadians in Canadian television programming “feed long-standing
Because the case studies used in this dissertation are primarily examples of “industrial” Canadian television, they evoke the spectre of the (Hollywood) culture industry first theorized by Horkheimer and Adorno. Specifically, my case studies tend to focus on Canadian-American co-productions destined for simulcast in the US. Because of the involvement of American network executives in these co-productions, these shows tend to appear American-like.

**Part 1: Literature overview**

In this section, I will begin by explaining why the study of mass-mediated, cultural representations matters to contemporary sociolegal and criminological scholars by way of their recent work on the so-called *CSI* effect. I will then review the sociolegal literature on law, film and popular legal studies. This review will be followed by a discussion of the criminological literature on media and culture. Because this dissertation is primarily interested in the production of fictional television dramas, I emphasize the literature on fictional representations, and downplay the literature on news representations. This has a greater impact on the overview of the criminological literature on media, where much of it was first built on the study of news media,\(^\text{14}\) than on the sociolegal literature, which has tended to study fictional texts. While I will concentrate on reviewing contemporary scholarly texts produced after the cultural turn that happened in both fields at the beginning of the 21st century, I will also discuss seminal scholarly works that pre-date this turn and have had an effect on the kinds of research questions pursued. The implications of these contemporary sociolegal and criminological research projects will be examined in greater detail in Part 2.

**A. Why study mass-mediated cultural representations?**

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\(^{14}\) For an overview of the literature on news media, see Reiner (2007).

negative images of the U.S.” and is “noteworthy as an indication of the kind of insidious negative popular stereotyping [Americans] are increasingly up against in Canada” (XX, 2008).
Contemporary criminological and sociolegal scholars are interested in studying representations because they are presumed to have “real” effects on society and criminal justice. Media representations of crime and law can change ordinary people’s attitudes towards law enforcement and affect the workings of the criminal justice system. The most recent focus of media effects research that has preoccupied both criminologists and sociolegal scholars alike is the CSI effect. The effect is named after the popular American television drama CSI: Crime Scene Investigation (2000-present) that is thought to cause it.15

The fictional crime procedural follows a group of forensic scientists and police officers as they use physical evidence to solve grisly crimes. The show gives rise to the CSI effect by inflating public expectations both about what forensic science can do, and ought to be able to accomplish in the courtroom. However, “the CSI effect” is a misnomer because it implies a single effect on its audience, whereas it actually encompasses several effects depending on who one asks.

According to forensic scientists, there are several components to the effect. Firstly, the CSI effect has led the public to believe that all the techniques and equipment used in the television show are representative of a “real” crime laboratory (see Mopas, 200716). This in turn has made laypeople unaware of the fact that most American forensic laboratories are understaffed and lack such resources. Secondly, the CSI effect is related to people’s perceptions that crimes can be solved in an hour (or more precisely, 43 minutes before commercials), and they come to have unrealistic expectations about the speed with which investigations can be done. Thirdly, the CSI effect has made science look sexy and glamorous, leading more people to become interested in becoming forensic scientists. As such, various universities are reporting increased enrolments rates in forensic science and

15 It has also been argued that the show itself does not cause anything in particular. Instead, it is the media’s coverage of the show that creates the CSI effect. That is, the CSI effect is a media fabrication that has subsequently become a self-fulfilling prophecy (Harvey and Derkson, 2009). This assumes that people believe what they read in the press and may act according to ways that are in line with the so-called CSI effect.

16 CSI has even helped some forensic scientific laboratories receive more funding (Mopas, 2007).
criminology courses.\footnote{In fact, some Canadian university professors believe that the increased student enrolment in forensic science courses is due to the} None of these effects have been empirically addressed by sociolegal or criminological research.

According to American lawyers and police officers, the \textit{CSI} effect leads people (especially those who sit on juries) to “incorrectly” believe that no crime can be solved and no one should be convicted unless there is substantial forensic evidence to prove the facts. According to prosecutors, the \textit{CSI} effect has led to an increased number of acquittals of allegedly guilty defendants, since juries are less likely to convict due to their inflated expectations for the comprehensiveness, sophistication and clarity of forensic evidence. According to defence attorneys, however, the \textit{CSI} effect has made juries more likely to convict because it portrays forensic evidence as unambiguous and more certain than it actually is. However, no anti-prosecution effect has been empirically found; indeed if \textit{CSI} were to have an effect, it is thought to actually favour prosecutors (Cole and Dioso-Villa, 2007, 2009; Podias, 2007).

It should also be noted that no academic study to date has actually asked \textit{CSI} viewers how they watch the show, or has any sense of who watches the show.\footnote{According to the people involved in writing and producing television shows about forensic science, women are more likely than men to watch these shows (my interviews with producers and writers of \textit{Forensic Factor} and \textit{Exhibit A}; see also Cortez, 2006 who writes \textit{CSI} novels). As such, these kinds of shows may be aimed at female mystery fans instead of the scientifically-inclined male geeks that are generally presumed. Moreover, the average age of the \textit{CSI} viewer might be older than expected. CBS, the network that airs \textit{CSI}, has the oldest median viewer age (55 years old) among the American broadcasting networks (Magna Global’s study on viewers of the 2009-2010 television season, cited in Shain, August 2, 2010). The median age of the \textit{CSI} watcher is now 56 years old. In general, police/crime procedurals tend to skew towards older viewers: for example, both viewers of NBC’s \textit{Law and Order} and CBS’ \textit{NCIS} (occasionally described as “\textit{CSI} on a boat”) have a median age of 58.} This is because criminological and sociolegal research has not been overly interested in reception \textit{per se}, but rather in perception and impact on a mass audience (Rafter, 2007: 415). By focusing on how the show influences people’s perceptions of crime and law, studies of the \textit{CSI} effect have primarily proceeded on the assumptions and beliefs by criminal justice personnel that the show \textit{has} an effect, particularly on a mass, relatively homogenous audience. In doing so, they have ignored research questions that investigate the show’s reception – i.e. the question of “how does a text mean? For whom? In what circumstances?” (Staiger, 2005: 2). If scholars
were to ask this additional question, it might complicate the reasons offered for why people watch *CSI* and its spinoffs. After all, a brief visit to various *CSI* fan websites suggests that long-time viewers of the shows continually tune in not necessarily for the way forensic science can be used to solve crimes, but rather for updates on the (romantic) relationships of the main protagonists. In fact, like most other television dramas, there is an entire industry of *CSI* fanfiction (fiction written by fans for fans) premised on exploring romantic relationships between protagonists in further depth.

The kinds of research questions asked about the *CSI* effect and the academic interest in studying *CSI* stem from two research paradigms: 1) law, film and popular legal studies, and 2) the study of crime, media and culture.

**B. Law, film and popular legal studies**

The study of law and film is an interdisciplinary field animated by a basic research question that ultimately seeks to address how law films relate to law or the study of law (Freeman, 2005). In pursuing this research question, the study of law and film comes together in a singular unit of analysis: the law film. Although law films were initially operationalized as courtroom dramas or films portraying lawyers (e.g. Chase, 1986; see also the bibliography of early law and film articles in Machura and Robson, 2001: 3-8), they have since been expanded to include any film that deals centrally with legal issues (Greenfield, Osborn and Robson, 2001). For example, scholars have also examined the Western *Unforgiven* (1992) as an exemplar of the revenge genre, in which vengeance is represented as a justified, equitable component to law (Miller, 1998). One can read the expanding definition of law film as a sign of the growing importance of studying film in sociolegal studies.

According to Sarat, Douglas and Umphrey (2005: 1), the sociolegal study of film is important for the following three reasons. First, film representations of law are as powerful, pervasive and important as other early 21st century forces, such as globalization, neocolonialism and human rights, in shaping and transforming legal life. In this age of the world as a picture, the moving image of law provides a domain in which legal power operates independently of law’s formal institutions. Second, sociolegal scholars can learn from law films because they open up unexplored areas of inquiry through their charting of “might-have-beens” and “might-bes.” The engagement with law films will contribute to greater
analytic clarity and political sensitivity in legal scholars’ treatment of the law. Lastly, ordinary people learn important lessons about law from watching film.

The North American19 “law and film” movement grew out of two converging trends within sociolegal research: 1) the “law and literature” movement, and 2) an interest in popular legal studies.20 Because understanding these trends will give insight into the structure of “law and film” research projects, I will first briefly describe the trend and then explain its impact on contemporary research into law and film. However, it should be noted that my separation of these trends is done for a heuristic purpose. In practice, these trends often appear hand in hand, as the study of film and literature often is subsumed under popular legal studies (i.e. the sociolegal study of popular culture).

1. Law and literature
Growing out of “law and the humanities,” the interdisciplinary field of “law and literature” seeks to use literary insights to enhance the understanding of law, while also using legal insights to enhance the understanding of literature (Posner, 1988). In practice, scholars have examined law in literature, by examining how law is represented in literary classics (e.g. novels by Charles Dickens or Franz Kafka, the plays of William Shakespeare, etc.). They have also examined law as literature (see Levinson, 1982), by using literary analyses to study legal texts. Lastly, “law and literature” scholars have also compared the legal and literary modes of interpretation, concentrating on the ways in which rhetorical tools are similarly used in law and literature.

Similar to law in literature, the first sociolegal studies of law and film appearing in the late 1980s examined representations of law, particularly representations of lawyers, in film (e.g. Chase, 1986). In one of the first edited anthologies on law and film, John Denvir (1996: xi) asserted that sociolegal scholars can learn a great deal about law from watching movies, and hence should study movies as legal texts. Since the late 1980s and 1990s, the bulk of the law and film literature still remains studies of law in film. Because the original

19 I have constrained my comments on law and film to how the field has developed in North America. From what I understand, much of this literature originates from North American scholars.
20 Both of these trends have had an impact on how law is taught in law schools. Because I will not discuss this in my literature review, please see Elkins (2006-2007) for more details.
mission of studying law and film was to provide a form of corrective criticism (Sarat, Douglas and Umphrey, 2005) or forensic criticism (Black, 1999), much of the literature on law in film is focused on policing film images that are inaccurate according to what sociolegal scholars knew about the law in action (e.g. Bergman and Asimow, 1996). Other law and film scholars have progressed beyond examining a law film’s accuracy, by analyzing representations of law and justice with the use of film theory, psychoanalysis, and semiotic theory. For example, Austin Sarat’s (2000) Presidential Address to the 1999 Annual Law and Society Meeting encouraged legal studies’ engagement with cultural studies through a close textual reading of the Atom Egoyan film *The Sweet Hereafter* (1997). In his reading of the film, Sarat analyzes the psychoanalytic significance of the ubiquitous presence of images of fatherhood in pop cultural representations of law.

Contemporary sociolegal scholars have also begun to examine film as law. In particular, they have begun to consider how film performs wide-scale legal indoctrination. For example, Orit Kamir (2005, 2006) follows Carol Clover (1998) by analyzing how law films position their viewers as active jurors through particular filmic techniques. In doing so, law films train viewers to enact judgment in ways that reflect and refract the dominant norms of a society, especially norms that presumably underlie both the production and reception of film and law in a society.

Other scholars have investigated how law and film are both powered by narrative, and the implications of their use of narrative regimes. For example, David Black (1999) examines law’s narratives within film’s narratives through a consideration of how law and film are parallel narrative regimes. Both law and film have chosen narrative as their dominant organizing principle, even though the pleasure in film and the power in law escape narrativity. Black argues that the judicial system uses narrative to do what the cinema does: to draw attention away from its master purpose by advertising its ostensible function. While cinema advertises its entertainment function to obscure its master money-making purpose, the judicial system advertises its ability to administer justice in order to divert attention away from its master purpose of keeping the existing power structures in place. Rebecca Johnson and Ruth Buchanon (2001) are also interested in cinematic portrayals of law, not as representations of the truth of law, but as analogies for how law itself operates in constructing truth. Like cinema, law engages in a meaning-making process primarily through
narrative, where it conflates narrative truth with historical truth in order to preserve the singularity of legal truth. A study of law would also be enhanced by a consideration of “brute perception.” Because the audiovisual nature of cinema is a better analogy for the audiovisual real-life experience of the courtroom, analyses of “brute perception” should consider cinematic elements of the courtroom experience.

2. Popular legal studies

The first sociolegal discussions of law and film (e.g., Chase, 1986; Friedman, 1988-1989; Macaulay, 1988-1989) were essentially discussions about the creation of popular legal studies. Film was taken as an example, and sometimes an exemplar, of a highly influential pop cultural product that sociolegal scholars should study because of their impact on ordinary people’s perceptions of law. For example, as the first scholar to propose the study of law and film, Anthony Chase (1986) also proposed the creation of a systematic legal theory of American popular culture in the same article. He argued that pop cultural formats (e.g. fiction and non-fiction television, film, pop music and advertising) provide a fertile ground for a “primitive accumulation” of mass culture’s images of law and lawyers. An analysis of prime-time, fictional television representations of law could be considered raw material for the popular social imagination, and offered a revealing look at American attitudes towards law and lawyers. A few years later, Stewart Macaulay (1988-1989: 1547) introduced the symposium on popular legal culture as a study of the legal ideas in people’s heads, and in the stock of symbols and stories recognized by most members of a group. He notes that popular legal culture is influenced by different sources of information about legal matters (e.g. legal officials, mass media, an individual’s personal experience, etc.), and that the work of sociolegal scholars entails the analysis of a particular source’s explicit and implicit messages about law.

Thus, despite the overlap in content, popular legal studies can be distinguished from law and film research in several ways. First, popular legal studies considers popular culture itself as a medium (Sherwin, 2000) with a distinct format. For example, William MacNeil (2007) examines various pop cultural texts without attention to their medium specificity. He considers television fiction (Buffy the Vampire Slayer), novels (the Harry Potter series and The Lord of the Rings trilogy), and film (Legally Blonde, Million Dollar Baby, and Fight
Club) as exemplary instances of “people’s law” or lex populi. Pop culture, MacNeil notes (2007: 157), delivers jurisprudence from the “classes” (e.g. Dworkin, Posner, etc.) to the “masses.” While the law and film literature has primarily focused on film, popular legal studies gives a more prominent role to television as the vehicle of popular culture because of its presumably massive audience. Nevertheless, the specific medium of various pop cultural products does not matter to these researchers because they are more interested in the messages being transmitted by particular informational sources.

Second, from the beginning, popular legal studies was conceived as closely connected to considerations of ordinary people’s perceptions of law. It sought to read pop cultural texts as evidence of people’s attitudes towards law and justice. For example, Stephen Gillers (1988-1989: 1622) argues that the popular television drama LA Law (1986-1994), broadcast to millions of viewers, “may be seen as the single most important influence on the popular conception of lawyers’ work and ethics. Accordingly, it may be criticized when it comes to distort what it pretends to describe.” Thus, Gillers provides a justification for corrective criticism: Because pop cultural texts are conceptualized as having such an immense effect on people’s perceptions of law, sociolegal scholars need to highlight the gaps between (representations of) law in pop culture and (sociolegal representations of) law in action. The scholarly focus on the gap is in keeping with the tradition of sociolegal research, which has tended to focus on the gap between law on the books and the law in action (Sarat and Silbey, 1989; Sarat, 1985). Read within this tradition, popular legal studies merely highlights yet another gap to study.

Lastly, these researchers are interested in the effect of pop cultural texts on both ordinary people and on legal practitioners. The focus on ordinary people is often related to a concern that they will serve one day serve as jurors, and that their jury duty will be impacted by their consumption of pop cultural products. Certainly, this concern fuelled research on the CSI effect. There has been additional concern that the consumption of pop cultural products also shapes legal practices. In Law Goes Pop (2000: 17), Richard Sherwin asks what effect pop cultural forms, like advertising, Hollywood films, television dramas, etc., have on legal practice. He argues that as visual media, film and television have significantly altered the

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21 It has also lumped television into the category of “film.”
storytelling strategies used in the courtroom by trial lawyers, by highlighting the efficacy of visual persuasion. Because images are easily accessible (no training required) and credible (“seeing is believing”), they are especially persuasive to juries. Unlike MacNeil (2007), Sherwin (2000) sees the popularization of law in negative terms: when law goes pop, the ideals of law and justice are tarnished, by the mixing of fact with fiction and the introduction of visual logic to legal argument.

C. Crime, media and culture

Although as a discipline criminology can be traced back to the 19th century (Foucault, 1977), the relationship between crime and culture has received little attention by criminologists until relatively recently (Young, 2008). Criminologists interested in crime, media and culture have remarked upon the importance of mass-mediated, cultural representations of crime, primarily because they constitute a mainstay of cultural consumption. After all, in North America, at least one crime television drama can be viewed in prime time almost any night of the week (Surette, 2009). Crime stories are a staple of news media (see Jewkes, 2004), and also feature in several movie genres (e.g., thrillers, police procedurals, action movies, etc.). The popularity and prevalence of representations of crime in popular culture is said to be evidence of a growing public fascination with crime and criminal justice (Mason, 2003). This becomes problematic, especially to criminologists, because most ordinary people have limited direct experience or contact with criminal justice matters and rely on these media representations for their knowledge of such matters. Consequently, public consumption of media representations of crime is thought to affect public perceptions of criminals, victims and the criminal justice system (Mason, 2003). As a result, the body of literature on crime, media and pop culture has been dominated by research on the effects of media representations of crime on people’s behaviour, fear of crime and/or ideological orientation (Carrabine, 2008; Ericson, 1991; Mason, 2003; Reiner, 2007). I will discuss the literature on effects in greater detail in Part 2.

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22 For excellent and lengthier reviews of this literature, please see Reiner (2007), Carrabine (2008) and Jewkes (2009a, 2009b, 2009c).
When studying media, criminologists have tended to focus on the (print) news media and the construction of crime news stories (e.g. Cohen and Young, 1981; Ericson, Baranek and Chan, 1987, 1991; Peelo, 2006; Soothill and Walby, 1991). However, since the beginning of the 21st century, criminologists have also increasingly attended to fictional representations of crime in films and on television (e.g., Rafter, 2000, 2007; Valverde, 2006). Studies of both news and fictional representations of crime have recently been subsumed under the banner of cultural criminology, which became a notable intellectual movement in criminology within the last decade. However, as Alison Young (2008) notes, there are two strands of cultural criminology – namely, what she calls 1) sub-cultural criminology and 2) criminological aesthetics. Because these two strands operate from different theoretical departure points, I will discuss each perspective in turn. I will end this overview with a discussion of popular criminology.

1. Sub-Cultural criminology

While sub-cultural criminology was more or less inaugurated by the publication of Jeff Ferrell and Clinton Sanders’ Cultural Criminology (1995), it was not introduced to the wider community of criminologists until 2004 through the publication of a special issue of the journal Theoretical Criminology (see also Ferrell, Hayward, Morrison, and Presdee, 2004). In presenting this new criminological perspective, Keith Hayward and Jock Young (2004: 259) described it in the following terms:

[Cultural criminology] is the placing of crime and its control in the context of culture; that is, viewing both crime and the agencies of control as cultural products – as creative constructs. As such, they must be read in terms of the meanings they carry. Furthermore, cultural criminology seeks to highlight the interaction between these two elements...Its focus is always upon the continuous generation of meaning around interaction; rules created, rules broken, a constant interplay of moral entrepreneurship, moral innovation and transgression.

In its manifesto form, sub-cultural criminology seeks to differentiate itself from what Hayward and Young (2004) call “conventional” or “administrative” criminology, which is a criminological perspective dominated by the instrumental and rational narratives of rational

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23 It is remarkable enough to warrant a chapter in the most recent edition of the Oxford Handbook of Criminology (2007), which is a scholarly compilation that is meant to provide an up-to-date summation of the work being done in the field of criminology. For the chapter, see Hayward and Young (2007).
choice theory and positivism. In distinguishing itself, sub-cultural criminology’s “terms of engagement” are precisely binary opposites to those of “conventional” criminology. “Conventional” criminology privileges the use of quantitative methodologies; sub-cultural criminology uses qualitative methodologies (e.g. ethnography and qualitative content analyses). While “conventional” criminology theorized human subjects as rational beings, sub-cultural criminologists emphasized their “irrationality,” by focusing on their emotions. In particular, sub-cultural criminologists follow Jack Katz’s (1988) insight that the act of (criminal) transgression is pleasurable, by focusing on the “delight of deviance” (e.g. Presdee, 2000). In contrast to “conventional” criminology’s focus on the community of victims and their fear of crime, sub-cultural criminologists tend to focus on sub-cultural participants (e.g. joy riders, gang members, young people at raves, graffiti artists, etc.). Their interest in media representations is related to the extent to which those representations make an impact on the style and aesthetic of sub-cultural participants who are theorized as consumers of mass mediated crime images.

In their understanding of media, sub-cultural criminologists primarily draw upon scholarly work done in the 1970s: Stuart Hall et al.’s (1978) Policing the Crisis and Stanley Cohen’s (1972) early work on moral panics (Young, 2008). Thus, sub-cultural criminologists endorse Hall et al.’s (1978) insight that the mass media play a highly significant role in both the labelling and communication of deviant sub-cultural identity, by fuelling moral panics (Cohen, 1972). Hall et al. (1978) examined the moral panic surrounding mugging in Britain during the early 1970s. They connected the moral panic about mugging to the larger panic about the steadily rising rate of violent crime throughout the 1960s. Both of these panics, however, were about things other than crime per se (Hall et al., 1978: vii): as a condensation symbol for race, youth, and crime, mugging was a sign that the British way of life was falling apart, social order was disintegrating, and that society was in crisis. Mugging was used as an opportunity by the British state to construct an authoritarian consensus and to mobilize a law-and-order ideology. Similarly, in Cohen’s (1972) analysis of the British mass media’s construction of confrontations between the Mods and the Rockers in the 1960s, he demonstrated how the media demonized “deviants” to reinforce society’s boundaries of normality and order. While both are seminal works, it should be noted that both Hall et al.’s (1978) and Cohen’s (1972) analyses are based on news representations rather than other
kinds of fictional representations. The question remains to what extent insights derived from analyses of news representations can be applied without modification to understanding how fictional representations are produced, distributed and consumed.

2. **Criminological aesthetics**

Criminological aesthetics\(^{24}\) is a semiotic, textually-oriented approach to analyzing the construction of crime as an image. Because of its approach and the identity of its founder (Alison Young\(^{25}\)), it shares commonalities and overlaps with law and film research. This perspective begins with the observation that “crime’s images are structured according to a binary logic of representation. Oppositional terms (man/woman, white/black, rational/irrational, mind/body, and so on) are constructed in a system of value which makes one visible and the other invisible” (Young, 1995: 1). The important point of analytic focus is not on the image’s production, but on its interpretation by a spectator. That is, criminological aesthetics pays attention to “the matrix of intersections between spectator, the image and the context of reception” (Young, 2008: 24). For Young, these three terms are knit together through her definition of imagination: as the process by which people make images of crime, imagination evokes the drive of spectatorship, which turns on processes of “identification with, in and as law and against crime and disorder” (Young, 2008: 28). By and large, spectator identification is explored through the way a text constructs implied readers or viewers, and does not generally entail empirical research on the reception and identification of actual readers or viewers.

In practice, doing criminological aesthetics entails doing a close semiotic reading of a text, attending to the framing and editing devices, and the linguistic turns and tricks through which crime becomes a topic (Young, 1995: 16). For example, Young (2008) demonstrates the concerns of criminological aesthetics by examining how the Columbine High School shootings were imagined and imaged in Gus Van Sant’s film *Elephant* (2003). She argues that scholars take into consideration how cinematic form (i.e. how a film constructs its

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\(^{24}\) Other works done under this perspective include Biber (2007), Hutchings (2001), and Valier (2004).

\(^{25}\) Young is described as an inspiration for the law and film perspective by Sarat (2000).
images through tracking shots, music cues, genre expectations, etc.) is inseparably intertwined with cinematic narrative (i.e. the story told by a film).

3. **Popular criminology**

In the first comprehensive study of the genre of crime films done by a criminologist, Nicole Rafter (2000: 7) examines the content of such Hollywood films not for their accuracy, but for the ideological messages embedded in their narratives and imagery. More importantly, she begins to think through the implications of popular criminology. Crime films offer popular criminological explanations about who is a criminal, what is a crime, and what are the causes of criminal behaviour. They also tend to reflect the criminological theories in vogue at the moment they are produced (Rafter, 2000: 48). For example, when criminological theories in the 1930s highlighted inner-city conditions and immigration as the causes of crime, films focused on ethnic mobsters’ struggles for control in urban settings. When Freudian explanations of crime became popular in the late 1940s and 1950s, films began to present morally twisted characters in need of psychoanalytic diagnoses. However, crime films also continue to recycle discredited criminological theories. While academic criminologists move on to new theories of crime and criminal behaviour, crime films do not necessarily follow suit. Instead, they continue to represent the same kinds of popular criminological explanations irrespective of scientific credibility. While this tends to frustrate academic criminologists, it does not follow that they should ignore popular criminology.

Popular criminology is defined as a category composed of discourses about crime found in film, on the Internet, on television, in newspapers, novels, rap music and myth (Rafter, 2007: 415). This follows the assumption held by popular legal studies that pop cultural products share a similar format regardless of the specificity of the medium through which they are transmitted. Like popular legal scholars, Rafter (2007: 415) also suggests that the key task for academic criminologists is to analyze the process through which popular criminology affects ordinary people’s beliefs and perceptions about crime (Rafter, 2007: 415).

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26 For an exploration of crime films as a genre, see Thomas Leitch’s *Crime films* (2002).

27 In this particular article, it is quite clear that Rafter wants criminologists to emulate popular legal studies because she claims that the sociolegal study of law films and pop cultural products has developed a clearer sense of purpose and momentum.
In particular, researchers should pay attention to how information about crime from popular criminological sources is organized in people’s minds as frames and then schemata. Schemata have also been important to the conceptualization of legal consciousness (Ewick and Silbey, 1998), as they are cultural codes people use to interpret activities and events in their everyday lives.

Popular criminology, Rafter (2007) argues, covers much more territory than academic criminology in terms of raising ethical and philosophical issues. More importantly, it has greater social significance because it is more accessible and has a bigger audience than academic criminology. By presenting itself as scientific through the undramatic and dispassionate presentation of facts, theories and conclusions, academic criminology avoids the accessibility provided by popular criminology, effectively burying itself in “the catacombs of conferences, journals and books” and the use of “obfuscatory language and footnotes” (Rawlings, 1998: 1-2). Despite the tension that exists between academic criminology and popular criminology, Rafter (2007) argues that they should be considered complementary discourses and ways of knowing about crime that exist under the larger umbrella category of criminology.

While popular criminology is defined in Rafter’s (2006) article, it is not clear what is currently considered academic criminology, especially given attempts to redefine the discipline (e.g., Johnston and Shearing, 2003). She makes the point that popular criminology is an “unscientific source” (2007: 417) of information about crime, but this begs the question of how scientific academic analyses of popular criminology should be. For example, textual interpretation is not scientific per se, at least not in the same way that the hard sciences operate. In contrast to the “law and film” movement that has always proceeded under the larger banner of law and the humanities, criminology has always positioned itself firmly within the camp of the social sciences, originally modelling itself after the physical sciences.

More problematically, it is also not clear how popular criminology itself is always popular. For example, not all films or television shows are popular (e.g. do well at the box office or in terms of Nielsen ratings). In fact, pop cultural theorist Henry Jenkins (September 4, 2006) notes how there probably exists a “canon” of television shows watched by many
academics, but are still not highly rated by the rest of the world. For example, Jenkins believes that a PhD might be a pre-requisite for enjoying the ratings-challenged *Veronica Mars* (2004-2007), a television drama about a teenaged private detective. Similarly, academic criminologists (e.g., Ferrell, Hayward, and Young, 2008: 24) and sociologists have been singing the praises of the HBO crime drama *The Wire* (2002-2008), a series that has received much critical success irrespective of its poor Nielsen ratings. These examples suggest that academics tend to gravitate towards certain kinds of pop cultural products: specifically, those that are not massively popular, but rather critically well-regarded. As such, there is an ambiguity in the term “popular” as used by Rafter and other criminological and sociolegal scholars. It is not clear how “popular” should be primarily understood: does “popular” describe something that has proven to be massively appealing? If so, at what point can something be deemed massively appealing (e.g. are a group of TV critics somehow equivalent to millions of viewers?)? Or does “popular” describe a mode of dissemination that allows for mass circulation?

**Part 2: “The bread which the culture industry offers man is the stone of stereotype”**

Before I begin this section proper, I offer a brief recap and synthesis of the dominant assumptions and concerns found in the sociolegal and criminological literatures on law, crime, representations, and popular culture. With respect to the sociolegal literature on law and film, James Elkins (2006-2007:746) finds three basic propositions underlying such research. First, the popularity thesis suggests that cultural products (e.g. television shows, movies and books) about the law are wildly popular, particularly in America. Second, the effects thesis suggests that popular culture (e.g. film, television dramas, novels, and news sources) teaches people about the legal system. Lastly, the reality thesis holds that

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29 *The Wire* is now taught at some American universities, such as Harvard University and Duke University, as part of their undergraduate sociology curriculum (Bennett, March 24, 2010). Harvard professor William Julius Wilson explains why he teaches the TV drama: “Although *The Wire* is fiction, not a documentary, its depiction of [the] systemic urban inequality that constrains the lives of the urban poor is more poignant and compelling [than] that of any published [academic] study, including my own” (quoted in Bennett, March 24, 2010).

30 Different broadcasting networks have different definitions of ratings success. For instance, HBO is less concerned with poor ratings than other major American broadcasters, such as CBS.
representations of law and lawyers found in popular culture are sometimes at variance with
representations of law and lawyers found by sociolegal scholars in the “real world.”

Elkins’ three basic propositions are reiterated by Richard Ericson (1995) albeit in a
far more critical tone. Ericson organizes criminological research on culture and
communication by their investigation of particular “crimes of the mass media.”31 First, the
“crime” of entertainment entails the scholarly belief that mass media are popular because
they provide fun. They entertain but do not really educate their audience. Instead, like drug
abuse, they “dull the mind, induce laziness, foster political alienation and produce cultural
dopes” (Ericson, 1995: xii). Researchers investigate this particular “crime” by focusing on
the mass media format. This is quite similar to sociolegal scholars’ conceptualization of
popular culture as a singular cultural format, which is then opposed to an academic format.
Second, mass media have negative effects, which can be seen through their “criminal”
inducement of “folly” and fear in their audience. This is associated with the belief that the
mass media are organized in such a way that they inevitably produce distorted knowledge
(“folly”) or create crime stories that induce fear in their audience. This also connects to the
presumption underlying the “corrective criticism” of law and film research, or what Elkins
(2007) terms the reality thesis. That is, mass media can be sources of knowledge and as such,
have the capacity to “teach” people about law and/or crime. In Ericson’s perspective,
however, the mass media fall short because of their transmission of distorted information.

Thus, both sociolegal and criminological research on pop cultural products have
focused on 1) the products themselves (e.g. their content and popular format), and 2) the
effects of those products on audiences. In doing so, contemporary sociolegal and
 criminological scholars have tended to write as though there existed a singular culture
industry (either the monolithic notion of popular culture or the mass media) that was
similarly responsible for all of these pop cultural products. Furthermore, the cultural products
are assumed to generate almost entirely negative effects on homogenous mass audiences
irrespective of medium. I trace this tendency back to theoretical assumptions about the
culture industry held by Frankfurt School theorists Max Horkheimer and Theodor Adorno.
As mentioned earlier, Adorno and Horkheimer (1972: 148) suggest that “the bread which the

31 It should be noted that these “crimes” are inter-related.
culture industry offers man is the stone of stereotype.” That is, culture is an industry that offers people cultural products (“bread) that are as mechanically reproduced as a factory assembly line meant for bread-making. In this mechanical reproduction, cultural products assume a uniform and standardized format (“the stone of stereotype”), irrespective of medium. Moreover, the consumption of cultural products is assumed to have a negative effect on people’s capacity for critical thinking, leading to “folly” rather than revolutionary enlightenment. In line with these theoretical assumptions, sociolegal and criminological projects have focused on the “bread” itself through textual and content analyses of cultural products, and on an audience’s attempts to “digest the bread” through analyses of media effects. Before developing this analysis, I will give a brief summary of Adorno and Horkheimer’s conceptualization of the culture industry.

A. Adorno, Horkheimer, and the culture industry

As a reaction to the atrocities of World War II and the perceived decline of Western civilization, Max Horkheimer and Theodor Adorno wrote *Dialectic of Enlightenment* (originally published in 1944) while they were both in exile from Germany in California. The *Dialectic* was an attempt to discover why mankind was not entering into a more enlightened and truly human condition, but rather sinking into a new kind of barbarism (Horkheimer and Adorno, 1972: xi). For these critical theorists, the historical examples of barbarism were encapsulated by the suppression of revolutionary upheavals in Europe at the end of the First World War, the development of Stalinism in the Soviet Union, and the rise of Nazism and Fascism in Europe (Thompson, 1990). To understand this containment and deflection of revolutionary potential, Horkheimer and Adorno provide a rational critique of capitalism’s logic of rationalization, using the culture industry as an example of how rationalization has affected mass society. While Max Weber (1958) wrote of the negative effects of rationalization associated with the “iron cage” of bureaucracy, Horkheimer and Adorno (1972: 120) wrote of such effects as they are perpetuated by the “iron system” of the culture industry. Thus, they used the culture industry as an important example of the way in which Western reason had itself become a rationality of domination over workers, over itself and over nature (Steinert, 2003). Horkheimer and Adorno were particularly interested in the ways in which enlightenment became transformed into mass deception through a completely
commercialized culture that systematically attempted to take possession of people’s minds. In short, they attempted to demonstrate how creativity had become consumption, art had become amusement, and modern culture had become the condition of being informed (Muller-Doohm, 2005).

In the late 19th and early 20th century, the culture industry developed as a capitalistic enterprise that standardized and rationalized cultural forms (Thompson, 1990: 98). The cultural industry produced goods that were designed and manufactured in accordance with the capitalistic logic of profit accumulation, and were tailored for consumption by the masses. Thus, cultural products were not shaped by artistic imperatives, but rather by the corporate logic of commodity production and exchange. As a result, cultural products were standardized and stereotyped, arising only as mere permutations of basic genres and types. Moreover, these products did not deviate or challenge existing genres and the social norms that underlay them. Instead, they reaffirmed and censored deviating actions and attitudes. This was compounded by the culture industry’s capacity to create products that presented themselves as direct reflections and reproductions of empirical reality, which served to normalize the status quo. As Horkheimer and Adorno note (1972: 126):

The whole world is made to pass through the filter of the culture industry. The old experience of the movie-goer, who sees the world outside as an extension of the film he has just left (because the latter is intent upon reproducing the world of everyday perceptions), is now the producer’s guideline. The more intensely and flawlessly his techniques duplicate empirical objects, the easier it is today for the illusion to prevail that the outside world is the straightforward continuation of that presented on the screen.

This kind of cultural production atrophied individuals’ capacity for critical thought and stunted their imaginations, which in turn rendered them vulnerable to manipulation by dictatorial authorities (e.g. Nazism and Fascism). In short, Horkheimer and Adorno conclude (1972: xv) that “the flood of detailed information and candy-floss entertainment

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32 “The culture industry” can be differentiated from Adorno and Horkheimer’s (1972) use of the term “culture industry.” The former refers to a specific branch of cultural production, such as the Hollywood studio system. The latter refers more broadly to commodity production as the principle of a specific form of capitalist cultural production (Steinert, 2003). “Culture industry” is, in short, commodity-form culture, which stands in stark contrast to the bourgeois notion of art as intentionally devoid of all practical interest (i.e. art for art’s sake). This bourgeois notion of art was also held by Adorno and Horkheimer. For this chapter and this dissertation, I will be primarily discussing “the culture industry.”
simultaneously instructs and stultifies mankind,” transforming “the masses” into “cultural dupes.”

Despite coining the metaphor “the culture industry” in *Dialectic of Enlightenment* (1972) to refer to mass (mediated) production of cultural representations, it has been fashionable for most scholars to denounce Adorno and Horkheimer at least since the 1970s, particularly because of their elitist disdain for mass culture (e.g., see Gans, 1974). Consequently, their work on the culture industry has been dismissed as being too old, irrelevant, boring or plain wrong (e.g., their assumption of a passive, homogenous audience). Yet Adorno and Horkheimer’s perspective continues to be important for understanding academic and intellectual reaction to popular culture, because they embodied and articulated a relationship between educated individuals and the vast field of commodified culture (Steinert, 2003: 8). That is, they provide an example (and possibly an exemplar) of how intellectuals reflect on their experience of cultural representations in society. Specifically, Joseph Litvak (1997) has argued that Adorno was at least explicit about his distaste for both the products and consumers of mass culture, while cultural studies scholars continue to exhibit the same force of distaste, albeit implicitly. Thus, Adorno and Horkheimer’s observations about mass culture continue to be representative of how some intellectuals and scholars have theorized and imagined the culture industry and its products.

In particular, Adorno and Horkheimer bifurcate the academic realm (e.g. high culture and intellectual activity) from the “popular” realm (e.g. radio, film, and television). This binary distinction explains why sociolegal scholars and criminologists feel the need to justify their examinations of pop cultural representations. They do so only by re-evaluating the academic worth of studying popular culture (see Goodman, 2006). However, this re-evaluation of worth continues to reify an initial binary distinction between the academic and the popular. This can be seen in the aforementioned creation of popular criminology (Rafter, 2007), where the content and format of popular criminology is distinct from academic

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33 In the sociology of culture, there is a current resurgence of academic interest in Adorno and Horkheimer’s work, particularly their conceptualization of the way mass media has subliminal psychological effects. This work is interested in examining the interaction between culture and cognition.

34 This also has the pernicious effect of assuming that intellectuals are immune from the effects of cultural products that seem to so profoundly impact ordinary, non-intellectual people. It is not clear to me how academics or intellectuals have this immunity.
content and format. Similarly, Laurence Friedman’s (1988-1989: 1579) conceptualization of popular legal studies defines popular culture as the norms and values held “by ordinary people, or at any rate, by non-intellectuals, as opposed to high culture, the culture of intellectuals and the intelligentsia.” Popular culture is “culture” in the sense of “books, songs, movies, plays, television shows, and the like; but specifically to those works of the imagination whose intended audience is the public as a whole, rather than the intelligentsia” (Friedman, 1988-1989: 1579). Here, this definition allows for an understanding of popular culture as mass culture in the sense that it reaches the masses (i.e. the public as a whole) rather than niche markets. The point is that the study of popular culture is significant for sociolegal studies (and for criminology) because of the sheer massiveness of the audience reached by such pop cultural products. However, this conception of mass audience also frequently slips into how Horkheimer and Adorno perceive the masses as responding to cultural products that cater to “the lowest common denominator,” which is encapsulated by their metaphor of “bread.”

Because Horkheimer and Adorno built into their theory of the culture industry particular assumptions about what constitutes art, culture and political liberation, all of which are condensed into the metaphor of “bread,” I will discuss their assumptions in further depth as I lay out various criminological and sociolegal research projects that implicitly adhere to them. For the remainder of this section, I will examine how contemporary sociolegal and criminological scholarship on cultural products and their effects can be read as though it were based on Horkheimer and Adorno’s assumptions about the culture industry, which are summed up in their declaration that “the bread which the culture industry offers man is the

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35 This article is quite influential in the sociolegal literature. According to Google Scholar, it has been cited 200 times.

36 Television studies scholars are currently re-thinking “the masses” in order to understand mainstream media (e.g., the 2010 Flow conference). Certainly, their conceptualization of “the masses” is quite different from Horkheimer and Adorno’s disdainful description of the masses and mass culture. They are less concerned with understanding “the masses” as “cultural dupes.” Instead, some of these scholars are interested in why people come together in mass numbers to view something that speaks to them in a meaningful way. This current interest in the masses comes at a time when niche markets and new media have so transformed the television industry that the masses can be considered a surprising rather than a guaranteed phenomenon.

37 This slippage is not unique to scholars, as it also occurs when producers discuss the audiences for their television dramas (my interviews).
stone of stereotype.” In doing so, the analysis is broken down into three parts: how sociolegal and criminological scholars have studied 1) “bread” through content analyses, 2) bread as “the stone of stereotype,” and 3) the effects of “ingesting” such cultural products.

B. Studying “bread”: Representing crime and law

As previously mentioned, Adorno and Horkheimer conceived of the culture industry as one that offers people “bread.” That is, it offers people cultural products that are as mechanically reproduced as a factory assembly line meant for bread-making. For Horkheimer and particularly Adorno, the culture industry’s “bread” is problematic because it breaks a promise to its consumer. “Bread” is meant to be a source of nourishment. It promises to be art, giving consumers new, valuable, concrete and authentic experiences that allow them to regain their humanity through culture. It promises to provide experiences that will further develop people’s sensibilities and ensure that they maintain their awareness of alternative possibilities. Instead, this “bread” offers people the “stone of stereotype,” deceiving people

38 Other members of the Frankfurt School were also fascinated by the ramifications of the industrialization of art and culture. For example, Walter Benjamin (1968) was interested in the loss of “aura” that resulted from the mechanical reproduction of art. Unlike Horkheimer and Adorno, Benjamin (2002) did believe in the potential of film and other arts, especially useful ones such as industrial architecture, to inspire political liberation.

39 As another influential member of the Frankfurt School, particularly in terms of disseminating the mass culture critique (for a summary, see Gans, 1974), Herbert Marcuse (2002: 76) found the romantic pre-technical world to be “a medium of libidinal experience which no longer exists.” The difference between this pre-technical world and the world of industry is illustrated by the difference between “assembly line and handicraft, town and city, factory-produced bread and the home-made loaf” (Marcuse, 2002: 76; my emphasis added).

40 It should be noted, however, that Adorno and Horkheimer’s conception of “bread” is not the same as that found in the metaphor of “bread and circuses,” which has also structured academic thinking on mediated mass culture (see Brantlinger, 1983). Originating as a phrase in a Roman satire, “bread and circuses” (panem et circenses) represented the very decadent things that led to the downfall of the Roman Empire. In this metaphor, the Roman Empire is considered the pinnacle of Western civilization. The narrative is that the fickle populace of the Roman Republic abandon their political and cultural responsibilities for food and entertainment. While it is the case that television has been deemed a culprit of societal and cultural decay by some cultural critics (e.g., one need only think of lawyer and former Chair of the Federal Communications Commission Newton N. Minnow’s well-known speech entitled “Television as a vast wasteland”), it is not clear that Adorno or Horkheimer’s particular concern with cultural products solely stems from their apparent decadence. In fact, Horkheimer (1995) recognizes the necessity for bread in any Revolution. Although he finds French Revolutionary figure Robespierre to have an “ascetic disposition,” he agrees that people can only be enlightened “[w]hen they have bread, and the rich as well as the government stop buying vile pens and tongues to deceive them” (Horkheimer, 1995: 103).

41 Adorno similarly formulates his disappointment with Heidegger’s philosophy: “Heidegger promises us bread, but gives us stones” (Macdonald and Ziarek, 2008: 3; see also Adorno, 1973: 72). Heidegger’s “formless
by only providing them with abstractions that manipulate and negate their “sense of the possible” (Steinert, 2003: 27). Rather than lead them into an alternate world of possibility, “culture industry products only lead us back into everyday life” and the status quo (Horkheimer and Adorno, 1973: 100). The “everyday life” of which they spoke was structured along the lines of bourgeois society at the turn of the 20th century – that is, as a society divided between the opposing spheres of culture and the economy (Steinert, 2003).

In this conception of society, authentic, autonomous art lifted people into the sphere of culture, and should not be a product of the economy. It was thought that culture, a niche for all that was beautiful, good and true, should be governed only by its own rules, as was the case in the production of traditional works of art in the 18th century (Thompson, 1990). For Horkheimer and Adorno, the production of art in the 18th century was the paradigmatic way in which all cultural products should be produced. Because a system of patronage existed in the 18th century, the production of art could maintain a certain amount of autonomy from the market. However, because art was being increasingly subsumed under the logic of commodity production and exchange through its production by the culture industry beginning in the late 19th century, it lost some of its critical potential, which inhered in the very purposelessness of traditional artistic forms (Thompson, 1990).

1. **Bread as art: Semiotic approaches to studying representations of crime and law**

We can still detect a residual sense that culture and the economy ought to be separate in sociolegal and criminological content analyses of cultural products. This sense can be detected in two ways. First, it lingers in the assumption that the economy is a contaminating influence. Even William MacNeil (2007), a scholar who celebrates massively appealing pop philosophizing” (Adorno, 1973: 79) treats relevant things as abstractions (“stones”) despite the ontological need for concrete content (“bread”).

42 During the early to mid-20th century, (German) intellectuals and artists shared the goal of defending this alternative cultural sphere, the Weimar culture, and sought ways to secure its autonomy from the economic sphere. Weimar culture flourished the reign of the Weimar Republic between Germany’s defeat in WWI in 1918 and Adolf Hitler’s rise to power in 1933. This period is known for its artistic, cultural and intellectual production, and included the development of the Institute for Social Research in Frankfurt (i.e. the Frankfurt School).
cultural products (e.g. Harry Potter, Lord of the Rings, etc.) for their dissemination of popular jurisprudence, is suspicious about the contamination of these products by Capital. He notes that although pop cultural products should and could play an important part in democratizing the politics of law, they have an “uneasy alliance with and co-optation by Capital” (MacNeil, 2007: 157).

Second, culture and economy is kept separate in criminological and sociolegal analyses that tend to ignore the fact that cultural products are made possible by an economy. Instead, these scholars implicitly consider these products to be art, and as such choose to focus only on the aesthetics that govern representations of crime and law. Often, this consideration is related to the scholar’s choice of cultural product for analysis, selecting one that is made outside of the paradigmatic culture industry and by a director who is recognized as an auteur with a distinct authorial signature. That is, these scholars tend to select relatively low-budget films made outside of the Hollywood studio system and with limited or questionable box office success. For example, Austin Sarat (2000) chose the film The Sweet Hereafter (1997) for analysis. In doing so, he highlights the film’s potential to illuminate alternative realities that would analytically contribute to sociolegal scholars’ treatment of the law. However, it should be noted that The Sweet Hereafter is a Canadian film made on an estimated budget of $5 million. Since its release in theatres in 1997, the film has a total domestic box office gross of roughly $3.3 million. In choosing a case study to demonstrate the method of criminological aesthetics, Alison Young (2008) chose Gus Van Sant’s film Elephant (2003). Made with an estimated budget of $3 million, Elephant was

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43 In choosing films directed by auteurs, these sociolegal and criminological scholars are implicitly drawing on auteurism. Auteurism came to dominate film criticism and theory in the late 1950s and early 1960s. Early auteurist analyses focused on how a director imprints his/her films with a recognizable and stylistic personality, even if said director were working within the Hollywood studio system (Stam, 2000). These auteurist arguments claimed that film could transcend its artisanal, industrial form of production, and hence could be considered art. Thus, auteurism could be seen as a response to the Frankfurt School’s conceptualization of mass culture, which had projected cinema as the agent of political alienation (Stam, 2000: 87).

44 Rashomon (1950) is also a film that tends to attract sociolegal analysis (e.g. Kamir, 2005). Because Akira Kurasawa made the film in Japan, Rashomon was clearly made outside of Hollywood and its film system.

45 All cited box office figures are from Box Office Mojo (www.boxofficemojo.com).
produced by HBO Films, a division of the cable television network HBO known for producing high-quality and ground-breaking productions mostly geared towards television distribution. The film opened in limited release across 100 American cinemas beginning in 2003 and accumulated a domestic gross total of $1.3 million over its 11-week run.

While contemporary sociolegal and criminological scholars no longer subscribe to Adorno and Horkheimer’s strict categorization of mass cultural products as non-art, these scholars still seem to cling to their notion that art is significant because it provides a sense of what might be possible in our world. For example, Sarat, Douglas and Umphrey (2005: 2) justify the study of law and film precisely because law films chart “might-have-beens” and “might-bes.” Moreover, film’s capacity to represent an alternative legal world is valuable: it allows legal scholars to imagine an alternative to the present legal world, and consequently to critique the present workings of the legal system (Sarat, Douglas, and Umphrey, 2005). For these researchers, films and television shows are “bread” in the sense that they nourish the imagination of scholars.

It should be noted that in undertaking analyses of representations of crime (e.g., O’Brien et al., 2005; Tzanelli et al., 2005; Valverde, 2006) and law (e.g., Kamir, 2006; Sarat et al., 2005), these scholars tend to use a semiotic approach to their content analysis. In reviewing research approaches to the study of law and pop culture, Goodman (2006) describes the subversive aim of most semiotic analyses informed by a postmodern orientation. The analysis is meant to reveal alternative meanings, and to provide a critical standpoint to interrogate and challenge the status quo. In theory, multiple meanings can be found within a single, polysemous text (Fiske, 1989).

2. Bread as unfulfilled promise: Correcting representations of crime and law
At this point, the reader might incredulously exclaim, “how can these scholars follow in the footsteps of Adorno and Horkheimer’s assumptions if these semiotic analyses are a result of postmodern approaches to textual interpretation? After all, Adorno and Horkheimer cannot

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46 The film is remarkable because it is the first film produced by HBO to win the Palme d’Or at the Cannes Film Festival.
47 For the postmodern approach to legal texts, see Douzinas, Warrington, and McVeigh, 1991.
be characterized as postmodern (Steinert, 2003) since, as Marxists, they hold that a single, objective, true reality exists.”

The answer is that most criminological and sociolegal scholars use their analyses for the purpose of corrective criticism, rather than developing postmodern analyses. As previously discussed, the bulk of criminological and sociolegal scholarship is devoted to analyses that provide such criticism. This kind of sociolegal analysis centres on “correcting” inaccurate images of law. In doing so, this kind of criticism reinforces the idea of an objectively true reality to which images of law should correspond. Criminologists have also tended to engage in “corrective criticism” in their analyses of crime shows (in the case of American reality-TV show COPS, see Doyle, 1998; Rapping, 2003). For example, analyses of the popular American television show Crime Scene Investigation (CSI) have focused on its inaccurate representations of crime and policing. Academics have focused on the show’s 1) exaggerated portrayal of violent crimes (e.g. murder); 2) representation of science as more unified and less contradictory than it actually is; 3) representation of forensic science as always accurate and hence the Truth, making it necessary for the solving of crimes; and 4) the conflation of the work done by forensic scientists and primary police detectives (e.g., Stevens, 2011; VanLaerhoven and Anderson, 2009; Cavender and Deutsch, 2007). This is in keeping with other recent criminological content analyses of entertaining media representations of crime and justice, which endeavour to report a sharp division between media representations and “real-world” measures of crime and justice. In generalizing this divergence, Ray Surette (2009: 256) calls it “the law of opposites”: whatever the media show, it is the opposite of what it is true.

Implicit in this “corrective” scholarly orientation to representations of crime and law, we can detect scholars’ adherence to certain theoretical assumptions about 1) mass enlightenment, and 2) the existence of a single, objective reality.

First, in “correcting” inaccurate fictional depictions of crime and law, some criminological and sociolegal scholars are hoping to educate the masses on these matters, by providing them with the “correct” information (see Loader and Sparks, 2010). In this

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48 It is not clear how writing about inaccurate fictional representations of crime and law in scholarly journals would actually help educate the public, especially since most of these academic journals are not easily accessible to the public.
sense, these scholars see their work as encouraging mass enlightenment. Because criminological and sociolegal scholars have not directly grappled with what it means to inherit Adorno and Horkheimer’s approach to the culture industry, they have missed out on how these Frankfurt School theorists understand enlightenment. If we take Adorno and Horkheimer seriously, then the corrective impulse that characterizes much sociolegal and criminological writing about cultural products seems misguided. Instead, Adorno and Horkheimer believe that political liberation and enlightenment do not come from giving people the “right information,” but in people’s ability to experience the world directly and immediately through their own work within it (Steinert, 2003: 25). Understood in this light, corrective scholarly attempts are inadequate for a larger project of enlightening the masses. It is not enough to simply give the “masses” more or “better” information about the world; instead, the “masses” need to actively make sense of the world, and it is in this process of making sense that enlightenment occurs.

Second, sociolegal and criminological scholars who are primarily interested in providing corrective criticism assume that there exists a true, objective reality. This reality is often defined by official crime statistics and scholars’ own factual knowledge of crime, law and science. For example, compared to police statistics, criminologists tout how the mass media over-represent murder and other forms of serious violent crime and under-represent property crime (Ericson, 1991; Surette, 2009). However, this perspective ignores how official statistics and academic facts are also social constructions. Police statistics of crime, for example, also do not mirror the reality of crime, but are cultural, legal and social constructs that the police produce for organizational purposes (Ericson, 1981). Bruno Latour (2005: 122) similarly highlights the social construction of academic texts: scholars do not simply look through some window pane and report on the world, they write texts that help create social reality. Despite differences in their theoretical orientation, Pierre Bourdieu (1989: 53-54) would agree that social reality is a representation and a reality that the sociologist helps create in people’s minds through sociological categories of perception and division.

Moreover, in presuming the existence of a singular, objective reality, these sociolegal and criminological analyses of pop cultural texts do not suggest that the text is polysemous and contains within it multiple meanings. Instead, it is more likely the case that these scholars are implicitly suggesting that such texts propagate a mystifying “false
consciousness” that distorts and obscures laypeople’s understanding of objective reality. In this vein of research, these sociolegal and criminological researchers have implicitly followed Adorno and Horkheimer’s assertion that mass cultural products are deceptive. They are not nourishing “bread,” but instead are representative of “the stone of stereotype.”

C. Studying bread as “the stone of stereotype”: Symptomatic readings and historical forms of consciousness

Horkheimer and Adorno (1972: 121) claim that the culture industry stamps its products with “the stone of stereotype,” making all mass culture identical under monopoly capitalism. This premise underlies symptomatic readings of representations of crime and law. Symptomatic readings situate mass cultural products within a trend of thought (broadly understood as ideology⁴⁹) assumed to be characteristic of a society within a particular historical period (Bordwell and Thompson, 2004: 57). As such, these cultural products are treated as “documentary,” representing the recorded body of intellectual and imaginative work of a particular historical period (Williams, 1961). Thus, cultural products are interesting because they are assumed to be representative of particular kinds of consciousness, which are thought to vary by historical time period. Often, symptomatic readings of cultural products are accompanied by normative claims about how culture (here conceptualized as the sum of cultural products) ought to develop. In these instances, mass cultural products are read as “symptoms” of an underlying “culture,” which the cultural critic aims to diagnose in terms of its health (e.g., decline or progress).⁵⁰

As with Adorno and Horkheimer (1972), academic concern lies in the effects of cultural products on the mass audience. However, symptomatic readings done by sociolegal and criminological scholars rarely examine the empirical effects of popular images of crime.

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⁴⁹ Ideology here simply means the history of ideas, and is not necessarily tied to a political agenda. Stuart Hall (1977) delineates the complex relationship between ideology and the sociology of knowledge, whereby the term ideology itself is redefined by various theoretical thinkers.

⁵⁰ Friedrich Nietzsche called himself “a physician of culture” (Ahern, 1995), which is an apt way to describe the work of cultural critics who perform symptomatic readings of culture.
and law on actual audiences.\textsuperscript{51} Audiences in these studies are theoretical receivers, fashioned by the popular text itself (through point-of-view identification, narrative structuring, etc.). The power of textual analysis, however, still lies with the scholarly analyst.

1. It’s about the message, not the medium

We will now return to the main question that structures this particular section: How has Horkheimer and Adorno’s theory of the culture industry provided some of the underlying logic that has made contemporary sociolegal and criminological symptomatic readings of popular culture possible?

First, Horkheimer and Adorno’s concept of the culture industry does not allow for a plural form (Steinert, 2003). Although cultural industries (i.e. various branches and genres of cultural production) are now recognized by contemporary cultural studies scholars (see Hesmondhalgh, 2007), sociolegal scholars and criminologists tend to write as though there existed a singular culture industry that was similarly responsible for all kinds of cultural products regardless of medium. As I have previously discussed, popular legal studies and popular criminology assume that popular culture, defined as a vast array of various cultural products including novels, newspapers, films, music, and television shows, share a singular format, which is that of popular culture writ large. In sharing what is conceived as a uniform format across various media, these scholars are echoing Horkheimer and Adorno’s (1972: 120) claim that “film, radio, magazines [and television] make up a system which is uniform as a whole in every part.” Responsible for mass culture, the culture industry creates products for mass consumption that are identical regardless of whether they appear in print, on the big screen, or on the small screen. The same presumption underlies law and film research where television is considered film (i.e. analyses of television shows are also considered law-and-film analyses). This is not to deny that television, like film, is a moving image, but to suggest that scholars take into consideration the differences in production (discussed in greater detail

\textsuperscript{51} This, however, does not stop some scholars (e.g. Rapping, 2003) from making conclusions about how actual audiences react to such images.
in the next chapter), distribution and reception\(^{52}\) between the two media. Similarly, criminological scholars write about “the mass media” (e.g., Ericson’s\(^{53}\) comments on the “crimes” of the mass media) often without disaggregating the component media that make up this “mass.”\(^{54}\) This aggregation occurs in a scholar’s use of particular shorthand forms to refer to the media (often as the media in the singular and monolithic form). For example, in Aaron Doyle’s (2006: 868) review article about “how not to think about crime in the media,” he uses “crime in the media” or “crime stories” to denote both journalistic and entertainment portrayals. The effect of using such shorthand forms is that it erases the precise distinctions that scholars should be making, not only between different media but between different genres. Even if we hold the medium constant, “crime stories” written for television news are written with different expectations than “crime stories” written for prime-time television dramas, which speak to the different pace of work (e.g., deadlines for journalists occur over the course of a day whereas television writers can work on the same draft over the course of a week), ethics (e.g. journalists strive towards responsible and objective reporting of events, whereas writers of television dramas do not share this obligation) and genre formats.

By and large, sociolegal and criminological scholars have not attended to the distinctive medium format because they are so focused on analyzing the message(s) found in media representations. For them, the medium is *not* the message\(^{55}\) (as it was for Marshall McLuhan\(^{56}\)). Instead, like Horkheimer and Adorno, what counts is the message that can be found in cultural products. Of course, this assumption is grounded in the understanding that

\(^{52}\) The differences in reception impact studies of media effects. For example, while the medium of film has been understood to cultivate the viewer’s gaze (Mulvey, 1975), the medium of television has been said to work through the glance (Ellis, 1982).

\(^{53}\) To be fair, Richard Ericson did consider medium format in his analyses of the news media (see Ericson, Baranek and Chan, 1987, 1991).

\(^{54}\) The term “mass media” is ambiguous in terms of understanding how “mass” relates to “media.” It can be read as a description of a bundle of various media technologies and formats. Or it can be read in the same way as “mass culture,” where the “mass” refers to the mass audience as addressees of the media. In this section, I read “mass media” in the first sense.

\(^{55}\) While Doyle (2003) does address medium theories, his analysis of the American reality-TV show *COPS* is more interested in the message that the show propagates.

\(^{56}\) For theory informed by McLuhan, see Stanley Cohen’s (1972) formulation of moral panic. He uses McLuhan’s (1964) argument that the media extend our senses and in doing so alter our perception of the world.
there exists an overall dominant message to be found within various cultural products, as opposed to the plural meanings highlighted by semiotic readings of cultural representations.

As Goodman (2006: 758) highlights in his review of approaches to studying law and pop culture, this is a research agenda built on a predominantly linear model of transmission. That is, scholars assume that messages about law or crime are sent from producers to receivers through media, and hence media are conceptualized as mere conduits of information. The goal is not to study what makes the media distinctive in the sending of such messages, but in the informational content of the messages being sent. The research question becomes, following in the vein of Adorno and Horkheimer’s line of inquiry, What is the influence of mass culture (primarily operationalized as content found in mass cultural products) on the formation of consciousness (Muller-Doohm, 2005: 285)?

Specifically, sociolegal and criminological scholars are interested in the formation of legal consciousness (see Ewick and Silbey, 1998) and crime consciousness (see Garland, 2001), respectively. Although definitions of consciousness vary (e.g., as attitude, cultural practice or conscious knowledge), both kinds of consciousness are generally theorized as being institutionalized by the media and popular culture.

Because legal consciousness is tied to media and culture, Susan Silbey (2005: 360) proposes the study of cultural industries as one way to move the field of law-and-society further, because this is “where legal consciousness is most explicitly constructed.” For Silbey (2005: 323), legal consciousness helps the law sustain its institutional power despite a persistent gap between law on the books (e.g. the promise of equal treatment of all citizens) and the law in action (e.g. the systematic production of inequality in society). Legal consciousness is embedded in everyday schemas that are represented in cultural representations produced and circulated by the culture industries. Thus, she sees analyses of

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57 This could be read as a reformulation of Durkheim’s (1965) project of examining laws in society as a means to understand the formation of the collective conscience – that is, “the totality of beliefs and sentiments common to average citizens of the same society” (Durkheim, 1965: 79). While Durkheim assumed that the content and form of laws would reaffirm and reflect the collective (moral) consciousness of a society, more Marxist-inspired analyses would assume that the content is a misrepresentation of reality and used to manipulate the masses. For the scholarly work that best exemplifies the latter analysis, although it examines news media representations and not fictional ones, see Stuart Hall et al.’s (1978) Policing the Crisis.

58 For Silbey, law is very much like the unfulfilled promise of Adorno and Horkheimer’s “bread.”
the culture industries as providing “analyses of the production, distribution, and reception of 
messages about crime, litigation, and law, displaying and probing the professional production 
of legal ideologies” (Silbey, 2005: 360; my emphasis added). Despite noting that there exists 
multiple cultural industries, Silbey’s focuses on the messages produced and disseminated by 
these industries, presuming that these messages help maintain legal hegemony. In this 
formulation, there is no clear sense of how considerations of medium specificity figure into 
such analyses. Nor does it become more apparent when one examines the exemplary analyses 
of cultural industries that she cites – namely, Aaron Doyle’s (2003) *Arresting Images* and 
William Haltom and Michael McCann’s (2004) *Distorting the Law*. Haltom and McCann 
(2004) analyze how the mass media have popularized distorted understandings of tort 
litigation, by sensationalizing law suits and sympathetically supporting corporate interests. 
While Doyle (2003) does specifically focus on the medium of television, he is interested in 
the cultural logic of mass media (Altheide and Snow, 1979). This logic equally applies to 
other types of media (e.g. popular magazines), because it is a logic built on the commercial 
need to entertain mass audiences by providing the least offensive (i.e. least critical) 
representations possible (Doyle, 2004: 21-22). Thus, Doyle’s consideration of an over-riding, 
general media logic allows his specific analysis of television to be generalized to all other 
forms of mass media, which has the effect of downplaying the medium specificity of his 
object of analysis.

In addition to focusing on message rather than medium, Silbey (2005: 260; my 
emphasis added) suggests that researchers describe the cultural industries in terms of the 
“mechanisms by which legal schema are propagated, circulated, and received” by ordinary 
people (Silbey, 2005: 260; my emphasis added). These assumptions echo Horkheimer and 
Adorno’s (1972: 124) observation that “[t]he man with leisure has to accept what the culture 
manufacturers offer him. [...] Its prime service to the customer is to do his schematizing for 
him.” This schematizing is made possible through the culture industry’s mechanical use of 
pre-conceived schemas, or in Silbey’s terms “mechanisms.”

59 What they mean term mass media is more precisely understood as print news media. Their analyses focus on 
nearly two decades of newspaper coverage.
2. The “stone of stereotype” and periodization

This brings us to Horkheimer and Adorno’s formulation of “bread” as the “stone of stereotype.” Given the metaphor of the culture industry, we can imagine that the content and form of its products are pre-conceived and “set in stone” through the use of a guiding mould that often facilitates the process of mechanical reproduction. The resulting products would be quite homogeneous and literally stereotyped. After all, the stereotype\(^60\) (also known as cliché) was originally a printing term referring to a metal printing plate. The solid plate or type metal was cast from a plaster or papier-mâché mould, which was taken from the surface of a forme of type. However, Horkheimer and Adorno would also argue that the stereotype used to stamp mass cultural products is itself subject to historical change. Although they do not alter the contents of *Dialectic of Enlightenment*, they did provide a preface to the second edition (originally printed in 1969), which acknowledged that in some places “the reality of our times is formulated in a way no longer appropriate to contemporary experience” (Horkheimer and Adorno, 1972: ix). The preface highlights how their theory conceptualizes the core of truth as historical, rather than as a universal, unchanging constant set against the movement of history (Horkheimer and Adorno, 1972: ix). Thus, “the stone of stereotype” can be considered historically contingent, standardizing cultural products made within a historical period through the representation of simplified abstractions (i.e. stereotypes). More importantly, this is the underlying logic that makes possible symptomatic readings of cultural products, and in particular analyses that classify various types of representations of crime and law by decade(s) according to their dominant imagery or abstractions.\(^61\)

For example, Rafter (2000, 2006) takes such a periodization approach in her study of predominantly American crime films. She begins with the premise that crime films both reflect and shape people’s ideas about social, economic and political issues. As this is the case, she examines the ideological messages (i.e. assumptions about the nature of reality) embedded in the narratives and imagery of crime films (Rafter, 2000: 7). Overall, there are

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\(^60\) Given Adorno’s understanding of authentic art as original pieces of work, the stereotype was also offensive precisely because it was made to copy and not create originals.

\(^61\) E.g., Byers and Johnson (2009) argue that *CSI* reflects dominant neoliberal discourses on crime and punishment operating at the time of its airing.
two dominant moulds that characterize the content of crime films across the 20th century, and arguably these moulds can be extended to television crime dramas. The first and more conventional mould ultimately represents the punishment of rule violations in which “the good guys get the bad guys” (Rafter, 2000: 165). In contrast, the second mould – what she calls “critical crime films” – does not provide audiences with the same reassurance that justice can be achieved, promising no saviours (e.g. the villain triumphs) or happy endings. While Rafter discusses crime films in terms of themes and genres, she does not make any generalizations about how crime films have actually shaped consciousness about crime.

In contrast, Timothy Lenz (2003) argues that changes in public attitudes towards law can be studied through an examination of images of law in film and television. Thus, film and television images are read as symptoms of an underlying change in popular consciousness about the law. To that end, Lenz tracks changes in representations of law through four periods of time: a liberal period (1930s to mid-1960s), a transitional period (mid-1960s to early 1970s), a conservative period (early 1970s) and a potentially, new transitional period (present day). The liberal view of law conceptualizes crime as a product of its social environment and hence amenable to individual rehabilitation and social change. It is also a view that emphasizes due process, which maintains the presumption of innocence, individual’s rights and limits on the use of criminal justice discretion. In comparison, the conservative view of law primarily conceives of crime as the product of incorrigible individuals who should be punished through adherence to a crime control model (i.e. one that emphasizes the efficient administration of justice and punishment).

What primarily concerns Lenz is the shift from the liberal view of law to a conservative one. This shift has also preoccupied other sociolegal and criminological scholars who have read into contemporary pop cultural products an increasingly conservative, law-and-order ideology. For example, Elayne Rapping (2003) uses analyses of

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62 Rafter (2000) has classified approximately 300 crime films (i.e. films that focus primarily on crimes and their consequences). The earliest crime film examined is *The Cabinet of Dr. Caligari* (1919), and the latest crime films in her sample are from 1998 (e.g., *Enemy of the State, A Simple Plan,* and *The Spanish Prisoner*).

63 She does this in her later article published in *Theoretical Criminology* (2007), where she proposes a psychological model for understanding how crime films are used as a cultural reservoir of information about crime.

64 The due process model and crime control model were first theorized by Herbert Packer (1968).
contemporary crime television shows (e.g. *COPS*, *Oz*, *Law and Order*, etc.) to argue that social problems are increasingly being transformed into legal problems. Moreover, these legal problems are being framed in conservative terms. Rapping’s conceptualization of this hidden conservatism is similar to Lenz’s description of the conservative view of law. Similarly, Aaron Doyle’s (1998) analysis of the reality television program *COPS* suggests that the show disseminates a law-and-order ideology that parallels the conservative law-and-order political ideology of American get-tough-on-crime policies. Overall, this particular kind of academic research tends to conclude that films and television programs not only reflect, but more importantly disseminate a monolithic, homogenous ideology (see Fiske, 1989 as a response to this research) that manipulates and deceives the audience. Here, ideology is not only understood as a system of ideas, but denotes a misrepresentation of reality (e.g., see Greer, 2007; Haltom and McCann, 2004; Jewkes, 2004; Muraskin and Domash, 2007) and a repression of alternative ways of conceiving reality.

In these analyses, however, audiences are not empirically studied, but rather theoretically conceived receivers of ideology. They are the audience constructed through the popular text’s use of point-of-view identification and narrative structuring. Because the interpretation of the text is still under the power of the scholarly analyst, it is never clear how actual audiences interpret the text and its ideological underpinnings. In the next section, we will examine how scholars have attempted to empirically study audience reception and media effects.

D. Studying (in)digestion: Media effects and reception research

Because of this general sense that media have “real” effects on society and criminal justice, criminologists have been attempting to document these effects for at least half a century. The study of media representations of crime and crime control has been justified by cultural criminologists because of their “real” effects on social life: they “shape attitudes and define policy; define the effects of crime and criminal justice; generate fear, avoidance and pleasure; and alter the lives of those involved” (Ferrell et al., 2004: 4).

The focus on media effects and audience reception is in line with the emphasis in Horkheimer and Adorno’s metaphor: “the bread which the culture industry offers man is the stone of stereotype.” This metaphor implicitly suggests that research ought to be focused on
the process of digestion rather than production. More accurately, the metaphor assumes a certain amount of indigestion as a result of attempting to digest “stone” instead of the promised “bread.”\textsuperscript{65} It also presumes that consumption of mass cultural products is primarily related to negative effects rather than positive ones.\textsuperscript{66} For Horkheimer and Adorno, the chief negative mass media effect is conformism – i.e., a general approval of the state of the world (Muller-Doohm, 2005) – which is thought to hinder the revolutionary attempts desired by Marxists. Underlying contemporary criminological and sociolegal scholars’ symptomatic readings of media representations of law and crime (in the previous section) is a similar concern that the consumers of such representations will conform to the conservative law-and-order ideology embedded within them.

In addition to concerns about conformism, criminologists have also been traditionally preoccupied with empirically documenting two other possible consequences to viewing television images of crime: 1) criminal behaviour (e.g. manifested as violence), and 2) fear of crime (for a review of this research, see Reiner, 2007). More than any other medium (e.g. films or books\textsuperscript{67}), television has been constructed as the primary location of negative media effects. This continual and constant emphasis on the negative effects of television has also led media scholar John Hartley (2008: 245) to note that television studies was founded on a negative and as such resembles the study of deviance and criminality. Much like the (figure of the) criminal, television has been theorized as something to be resisted or opposed.

\textsuperscript{65} It is quite possible that this metaphor owes a debt to the themes of deception and digestion in the Brothers Grimm’s fairy tale version of \textit{Little Red Riding Hood}. Certainly, Adorno alludes to Little Red Riding Hood in his \textit{Minima Moralia: Reflections of a Damaged Life} (1978). Notably, the Brothers Grimm include the character of the kindly woodsman who rescues Little Red literally from the belly of the beast. The woodsman empties the wolf’s stomach of Little Red and her grandmother, replacing their weight with the killing weight of stones. Awaking with his newly stitched-up belly, the wolf tries to run away, but collapses under the weight of the stones and falls dead.

\textsuperscript{66} Communication theorist Janet Staiger (2005) has lamented the presumption of negative effects of cultural products in reception research. This has been related to the general ignorance of these products’ prosocial effects.

\textsuperscript{67} Law and literature was founded on the study of law in “great books” (i.e. literary classics), which was deemed a valuable exercise. Stemming from law and literature, the law and film movement also shares the assumption that film can have positive effects, and is worthy of study. Both literature and film can be conceived of as art. Because of the clearly commercial imperative, television has been a highly suspicious medium, often denied the status of art.
Effects research on antisocial behaviour and fear of crime

Criminologists tend to use a positivist psychological paradigm, particularly from the cognitive-behavioural tradition, when examining whether or not children’s exposure to violent television images has a detrimental effect on them. This detrimental effect is often operationalized as an increase in children’s real-life aggressive behaviour. After thousands of predominantly experimental studies, researchers generally agree on the following meagre conclusion:

for some children, under some conditions, television is harmful. For some children under the same conditions or for the same children under other conditions, it may be beneficial. For most children, under most conditions, most television is probably neither particularly harmful nor particularly beneficial (Schramm, Lyle, and Parker, 1961: 11, quoted in Livingstone, 1996).

Moreover, despite the volume of such research since the 1920s, Livingstone (1996) suggests that there is no definitive conclusion on whether it can be empirically shown that specific mass media messages have detrimental effects on the audiences that are exposed to them. This lack of definitive conclusion also applies to empirical research on the acquisition of “inaccurate” perceptions of the world through exposure to television. While Gerbner et al. (1980) have argued that heavy television viewing “cultivates” a misleading “mean world view” – i.e., one that represents a misleading and exaggerated understanding of violence in the real world – a reanalysis of the data has shown that these causal claims about television viewing are not sustainable once viewers’ demographic variables (e.g. age, gender, and income) have been statistically controlled (Hirsch, 1980, 1981; Hughes, 1980). While “the mean world view” has anchored criminological research into the relationship between media representations and fear of crime, the empirical results of this research are mixed due to differences in research design. There has been substantial variation in the ways researchers have operationalized crime news, exposure to crime news, and fear of crime (Sacco, 1995: 151). Moreover, these differences in operationalization do not always account for the ways in which crime is reported differently by different news outlets (see Ericson, Baranek and Chan, 1991), by different media (e.g. print news vs. television news), or by different crime programs (e.g. news vs. reality-television vs. fictional crime programs).

68 For an excellent and thoughtful critique of fear of crime research, see Sparks (1992).
Aside from methodological difficulties in operationalization of the variables under study, these researchers’ understanding of media effects works in conjunction with a particular conceptualization of the mass audience. Following Adorno and Horkheimer, the mass audience is assumed to be a homogenous group of passive receivers that simply accepts the culture industry’s (propagandist) message(s). Based on a simple linear model of transmission (see Lasswell, 1927, 1948), this conceptualization has been called the hypodermic needle theory, whereby the syringe metaphorically suggests that the mass media has a powerful, immediate and direct effect on the audience. By and large, the hypodermic needle theory has been discredited through later empirical research (e.g., Lazarsfeld, Berelson, and Gaudet, 1968), including Adorno’s own research on the television industry. In 1952, Adorno examined the scripts of 34 popular television dramas made in Hollywood. While he concluded that these scripts were written with a stereotyped approach that prohibited even the most modest development of action and character, the audience for these dramas did not respond to them in the way theorized in Dialectic of Enlightenment.

Instead, the television dramas were not really taken seriously by their audience (Adorno, 2001). Although viewers wished to be deceived by the beautiful appearance of popular culture, they could see through the deception because they were perfectly capable of distinguishing between their real experiences and the staged experiences of the media.

While contemporary cultural studies no longer conceive of a homogeneous audience duped by the mass media in their audience reception studies, criminology persistently continues to use this conceptualization in their effects research (Reiner, 2007: 320; Yar, 2009). While cultural studies scholars and even the media industries themselves now consider audiences as active and participatory (see Jenkins, 1992, 2006a, 2006b; Fiske, 1989), criminologists continue to view film and television meanings as monolithic and media consumers as passive receivers (e.g. Dowler, Fleming, and Muzzatti, 2006). The criminologists’ adherence to the out-moded media-culture paradigm articulated by Adorno and Horkheimer in the middle of the 20th century is both striking and problematic, considering that criminology’s dominant mode of engagement with culture and media is through the study of media effects (Yar, 2009).
Part 3: Breaking bread

Surveys of the current field of criminological and sociolegal work on media and culture tend to end in one of two ways. For those hoping to move sociolegal work forward, the tendency has been to broaden the kinds of textual analyses done (e.g. include narrative analyses) and to include questions of audience reception. Studies of reception should take seriously the understandings of non-specialized audiences in order to examine the social life of the image over time and among different groups (Sarat, Douglas, and Umphrey, 2005). In practice, however, studies of reception have focused on a small group of non-specialist audience members (i.e. those who are neither lawyers nor legal scholars) who happen to be specialized in other ways. That is, scholars have studied fans (e.g. through fan letters, see Smoodin, 2005), or those with a vested interest in films generally (e.g. film critics) or in a specific law film (e.g. real-life victims of a particular crime that are fictionally represented in a film made about that crime; see Mnookin, 2005; Waldman, 2005). None of these groups of viewers are necessarily representative of the general population’s response to a film. Instead, an emphasis on this kind of reception might overestimate a film’s appeal or popularity, and certainly does not escape the scholar’s interpretation of film content. In general, audience reception studies still require that the scholar interpret representations in some way (e.g. how the film positions viewers as jurors) in order to contextualize viewer responses to those representations (Staiger, 2005).

Alternatively, for those ending a literature review of criminological research on crime, media and culture, the tendency has been to end with the industrial production of crime news (e.g., Carrabine, 2008; Reiner, 2007), focusing on the questions of who makes crime news and how. However, as Greer points out in his introduction to Crime and Media: A Reader (2010), this kind of work on news production is not currently being done. Media criminologists are not currently conducting any sociological research in newsrooms, nor are they engaging with audiences in terms of their discursive practices. Instead, the Holy Grail of criminological research is still focused on revealing media distortions and finding media effects (especially those related to increases in violent/antisocial behaviour or fear of crime).

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69 For the quintessential work on news production done by criminologists, see Ericson, Baranek and Chan, 1987, 1991.
In short, the research table for future criminological and sociolegal research on media and culture seems set for more studies of “bread,” “bread-as-the-stone-of-stereotype,” and indigestion, implicitly following in the footsteps of Adorno and Horkheimer. Currently, there does not seem to exist much research interest in empirically studying “the culture industry,” particularly the entertainment television industry, which offers us this “bread.” Instead, it seems to be enough for scholars to infer producers’ intent from perusals of a cultural product’s content.\footnote{E.g., see Rafter, 2000; Rapping, 2003: 264-266.} For example, scholars have inferred that “those who write and produce \textit{CSI} sell their show by tapping into dominant contemporary ways in which we think and talk about crime, criminality and citizenship already in circulation,” which “in turn resonate strongly with viewers as familiar and comfortable” (Byers and Johnson, 2009: xx). Of course, one wonders how producers and writers are gifted with this uncanny ability to predict future commercial success. (They do not actually possess this ability as we will see in the following chapters.) If scholars demand “accurate” representations of the world \textit{from} the media, it seems remiss of academic scholarship to not provide “accurate” (i.e. empirically supported observations) representations \textit{of} the media in return. Scholars cannot glean producers’ intent or the conditions of production from content analyses alone (Doyle, 2006; Johnson, 1986/1987). Instead, they need to leave their comfortable armchairs and enter the field in order to study the process of production.

To that end, I propose we “break bread” in two particular ways:

First, we should “break bread” by coming to the research table without any of the assumptions that informed the above research. We should not assume that cultural products are merely stereotypical and produce negative effects on mass audiences. Instead of examining the digestion (reception) of cultural products, it would be more interesting to understand how they are made “palatable” by producers and writers. In order to do so, we need to dispense with the assumption that “the media” exists as some singular, monolithic, hegemonic entity. We should be more specific about how each medium (film, television, radio, print news, etc.) produces and distributes their products in particular ways. The aggregate and singular notion of the media does scholars no favours, especially since it tends to lump entertaining representations (fictional representations) together with factual ones.
(news representations). In doing so, the research on the accuracy of media representations, of which there is an enormous amount, \textsuperscript{71} evaluates entertaining representations by the same criterion as factual or scientific ones: that is, on the basis of empirical accuracy. Producers of entertaining representations do not seek accuracy, but rather verisimilitude (Frank, 2003).

In creating verisimilar fiction, producers rely on technical consultants (I will discuss this in greater detail in chapters 3 and 5). Interestingly enough, the figure of the technical consultant entered into early discussions of popular legal studies, but has since never reappeared despite the growing interest in such studies. In an early symposium on popular legal culture (Macaulay, 1988-1989), legal scholars’ analyses of the popular legal drama \textit{LA Law} (Friedman, 1988-1989; Gillers, 1988-1989) elicited a response from the television show’s legal technical consultant, Charles Rosenberg. Rosenberg (1988-1989: 1625) begins by remarking that Gillers is a law professor writing for lawyers and assumes that \textit{LA Law} is “a show about law and lawyers, consciously written as a commentary on the legal system.” However, as an “insider” of the show’s production, Rosenberg asserts that the show is less a conscious attempt by writers to influence how ordinary Americans feel about the law or lawyers, than an effort to create compelling drama with law as its stage and interesting characters who happen to be lawyers. Thus, there is a discrepancy between the standards by which television writers and scholars judge the same representation: the writers do not judge the representation based on its adherence to referential or empirical reality, but rather on its dramatic potential.

Second, we should break “bread” itself, by no longer seeing it as an already-manufactured product. There are two related theoretical consequences that occur from breaking “bread.”

One, this claim follows from Bruno Latour’s (2007) rallying call to sociologists to stop considering “society” as an already formed, homogenous substance or domain of reality. Instead, sociologists should consider “society” as a trail of associations between heterogeneous elements (Latour, 2007: 5). Similarly, we need to give up the assumption that cultural products are homogenous because they are pre-conceived by the “stone of stereotype.” Instead, we should consider cultural products – in this case, television shows –

\textsuperscript{71} See Rafter (2007: 7).
as trails of connections between heterogeneous elements. (I will discuss this methodological approach in greater detail in the next chapter.) Specifically, we should consider a television drama as a hybrid made up of aesthetic and commercial elements. After all, actor-network theory is interested in documenting the coming together of material-semiotic networks (Law, 2007). This entails a rejection of the binary distinction between art/culture and economics implied in Adorno and Horkheimer’s perspective.

By no longer seeing “bread” as an already-formed substance, which can then be correlated to the substance of other “things” (e.g. society or culture), we can also avoid convenient symptomatic explanations that correlate the content of a television show with a particular vision of society. Because many of the sociolegal and criminological symptomatic readings treat the mass media as an ideological apparatus that maintains legal hegemony, it is problematic that their conclusions are based on content analyses, and for the very same reason that Hall et al.’s (1978) analysis of mugging was found problematic by Richard Ericson (1991: 221):

For example, Hall and his associates based their entire analysis of coverage of a moral panic about mugging on their own reading of mass media content. In limiting themselves to content analysis these researchers failed to answer the central question they posed, namely, whether the mass media are saturated with official ideology and bourgeois sensibilities that are accepted by people and thereby effect hegemony. An adequate answer to this question requires demonstration, through the concrete activities of mass media operatives, their sources, and their readers, of how hegemony is actually accomplished. What is required is detailed analysis of the social contexts of mass media production and reception, and a view of dominant meanings as the outcome of strategies and struggles rather than as an a priori effect of pre-ordained privileged access to particular official sources.

By using a Latourian actor-network theory to examine the production of media representations, a researcher uses an ethnographic approach focused on how particular representations are assembled through concrete activities by media producers. Because actor-network theory is focused on seeing particular details rather than on seeing the “big picture,” the researcher focuses on the process of assembling a cultural product. Since there is no privileged vantage point from which a researcher can perch to see the construction and attribution of a representation’s ultimate (or dominant) meaning, such meaning is conceptualized as the outcome of strategies and struggles between various members of the production team. Thus, this perspective does not assume that there is an all-encompassing mass media logic. Instead, a cultural product can only be successfully made if the multiple
and heterogeneous logics of various actors (e.g. commercial, aesthetic, and quasi-legal concerns) in the production process align with one another. If the logics fail to align, then the cultural product cannot be made in the first place.

Two, by no longer seeing “bread” as an already-formed substance, we are able to shift from a product-centric perspective\textsuperscript{72} to a process-centric one, which entails sniffing after the ingredients and “baking” processes that allow something to be transformed into “bread” in the first place. Moreover, this entails conceptualizing the production process as an organic one rather than as mechanical reproduction. In contrast to Susan Silbey’s (2005) suggestion for analyses of the cultural industries, the proposed analysis is not a search for mechanisms, which can slip back into a search for Horkheimer and Adorno’s “stone of stereotype” and the mechanisms through which that “stone” is applied. Instead, it is focused on how television writers and producers “grow a show” rather than “set it in stone” (interview with head television writer DA, March 20, 2009). Thus, television shows are not static, but growing and evolving entities. As such, this kind of analysis understands culture in its earliest use as a noun of process – specifically, the tending of natural growth (Williams, 1976: 87) – rather than in its later 19\textsuperscript{th} century usage as a product of an abstract process.

In taking a process-centric perspective, the role of the academic critic shifts from the one who debunks to the one who assembles (Latour, 2004). Rather than lifting the rug to reveal the pile of dirt underneath it, the work of the academic entails examining the processes through which television shows are assembled or made up. In contrast to the assumption that television shows are created through rote, mechanical application of pre-conceived moulds, this requires an appreciation of the dynamic and relatively spontaneous ways in which (television) producers and writers “make it up as they go along” because, as one writers puts it,

\begin{quote}
[that’s how we get paid. [...] So to make [the show] look internally coherent [as though it has meaning and import] is what makes the whole [production process] amazing. For many people, they have the idea that [the show] gets written and then made along the original plan.
\end{quote}

\textsuperscript{72} The product-centric perspective has also structured audience reception studies even in cultural studies. According to Hartley (2006), what audiences did when they read (i.e. the practice and process of reading) media texts was rarely investigated. Instead, empirical research has primarily focused on the audiences’ produced texts (e.g. their responses as measured by questionnaires, diaries and focus groups). That is, these audience responses are only made possible when members of the sample had sufficiently processed the cultural product to produce a textual account of their response.
[But] TV is really about staying light on your feet (Canadian television writer, Adam Barken, August 17, 2010).
Chapter 2
On method: Trail-sniffing ants and bread crumbs of reflexivity

SCENE: Our intrepid researcher journeys into uncharted research territory, and leaves behind a trail of bread crumbs for other researchers to follow. The trail of bread crumbs spells out how our researcher comes to know what she knows.

In this chapter, I outline a methodology that can empirically address the following research question: how are (textual) representations of crime and law produced by television producers and writers, circulated and transformed within the particular television show’s production, and to what effect? Thus, I describe a method that can study both production and texts, and more importantly the relationship between production and texts. While scholars have treated the study of texts as either a matter for reception (i.e. what do audiences do with pop cultural texts?) or formal analysis (e.g. what genre conventions are embedded in the text, and/or how does the text position the viewer/reader?), they have less often studied texts as a matter of production and more importantly, of site-specific, concrete, dynamic processes of television production. I am particularly interested in capturing the latter in an analysis of how entertaining television representations of crime and law come to be, while also acknowledging the fast-moving, contingent nature of television production itself. To that end, this chapter outlines an actor-network theory-inspired method for studying representations made by the culture industry, here specifically understood as the television industry. I also make clear my methodological choice of sample, and consequently how I gained access to my sample.

I am interested in examining entertaining, fictional representations of crime because their production process has been rarely studied by criminological and sociolegal scholars (chapter 1). While these scholars have suggested that these representations can be understood

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I use the term “entertaining” to denote primarily fictionalized and dramatic representations found in television dramas or docudramas, as opposed to the factual representations created by television news programs or documentaries. Nevertheless, my process-centric methodology is quite influenced by Ericson, Baranek and Chan’s (1991) study of the ways in which crime content is formatted differently in 3 Toronto newspapers, as well as Philip Elliott’s (1972) study of the making of a television documentary series.
as popular sources of knowledge about crime and law, it is not immediately clear how producers of such representations use, construct and represent knowledge claims. While there has been research on the production of scientific (as we will soon discuss) and journalistic (Schudson, 1989) claims of knowledge, this research is about the social construction of fact. In contrast, I want to examine the production of (television) fiction, which remains uncharted research territory. Since television writers and producers of fictional television dramas develop story ideas based on their own research, I needed a method that could be used to address the following research questions: 1) how do television writers and producers know about crime and law, and 2) how does this knowledge translate into particular representations? Thus, I paid far more attention to how particular representations of crime and law are produced for television (e.g. as a result of certain practices of television writing) than to questions of why they were produced in the first place, or who benefits from their production.

**Actor-network theory: On being a myopic, trail-sniffing ant**

Actor-network theory (ANT) is a method that not only addresses the question of how, but also attends to processes of knowledge formation and representation. However, it does not stem from cultural studies, but from the growing field of Science and Technology Studies. ANT is most commonly associated with the work of Bruno Latour, Michel Callon and John Law. Those who use ANT do not consider science and technology as final products, but consider them in the making (Latour, 1987: 4) or in the process of becoming. They do so by following scientists and engineers through society as they produce scientific facts or technological objects, attending in particular to the many diverse associations made between heterogeneous actors in networks. Network refers to a series of transformations and is “a concept, not a thing out there” (Latour, 2007: 131). It is a tool to describe a relay of actors as mediators (i.e. those who act on and transform the thing being made in contingent and unpredictable ways) and the relations between these actors. More importantly, the actors or actants are not simply people, but can also include a whole host of things, such as texts, ideas, objects, technological devices, information codes, etcetera.

For example, Michel Callon (1986) describes how an actor-network was deployed as a result of the scientific and economic controversy surrounding the causes of the decline in
scallops at St. Brieuc Bay. He explains how a science of scallops was created only through an alliance of researchers, scientific colleagues, fishermen, and the scallops themselves. Here, it is important to note two remarkable moves made by Callon in this article. One, he analyzes people and scallops in the same terms. Two, in his description, scientific knowledge is simultaneously produced alongside the construction of a network of relationships, which makes and remakes each of the actors in the network. As part of the researchers’ experimental rearing of young scallops, the fishermen change their fishing practices by not trawling near the larvae collectors. The scallops themselves are tamed when the young ones “accept” a shelter that will enable them to proliferate and survive. As another example of the various actors that make up an actor-network, Bruno Latour (2010) examined the making of law at the Conseil d’Etat, an administrative court of the last resort in France. In doing so, he focused not only on the people who worked at the Conseil in various capacities, but on the material conditions that allowed law (here, conceptualized as legal text) to be assembled. Specifically, he focused on file folders and paper clips because he was interested in the physical organization of legal cases. Both these examples suggest that when we use ANT to describe an actor-network in television production, analyses of texts and technologies (e.g., computer software, whiteboards, folders, etc.) are just as important in the production of television representations as research on writers and producers.

To avoid confusion, I will use the term actor in the ANT sense throughout the dissertation, and will refer to television actors as screen performers. While the term network will refer to a broadcasting television network in the dissertation, actor-network will be used to denote the relations and transformations between heterogeneous people and things. The ANT focus on both people and things ensures that the ensuing analysis will depart from some sociological analyses of television production. While sociological studies of production address how cultural producers frame their activities, their understanding of the logic of production, and perceptions of resources and constraints (see Peterson and Anand, 2004), some sociologists have narrowed these questions down to discovering who is most responsible for the final product (e.g., Thompson and Burns, 1990). Whether the primary responsibility lies with the television producer (Cantor and Cantor, 1992; Ravage, 1978), the

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74 Larvae are young scallops that have yet to develop shells.
writer/showrunner (Mann, 2009), or collaborative action between cast and crew (Sandeen and Compesi, 1990), such an approach credits content only to human actors because the human actors were the only actors observed. I highlight this particular perspective because it has parallels to auteur theory, whereby television shows and films are classified according to their creators. More importantly, auteur theory has been used (e.g., Strange, 2011) and discussed as a means (e.g., Greenfield, Osborn and Robson, 2001) to understand cultural products by criminological and sociolegal scholars.

In using ANT, I want to diverge from the underlying methodological premises of such sociolegal and criminological scholarship in two particular ways. First, because sociolegal and criminological analyses of film and television tend to centre only on content found in the final product (see previous chapter), they tend to treat such content as not only inevitable but intentional (i.e. it was the original intention of the author), and ignore the evolution of both the form and content of that product through production. In contrast, ANT acknowledges that the evolution of television texts (either taken as a whole series or individual episodes) can only be understood in retrospect or in progress because it would have been impossible to predict their final form and content from the outset.

Second, while sociolegal and criminological scholars are less aware of sociological production studies, they are quite cognizant of auteur theory, which as a perspective tends to downplay the collaborative nature of film and television production by highlighting the genius of a single creator or partnership. As Latour (1988) used ANT to argue that Louis Pasteur was not a singular genius but enmeshed in an actor-network that allowed him to succeed, I will similarly use ANT to acknowledge that human actors are capable of acting in the first place only because they find themselves in an actor-network of heterogeneous elements. As John Law (1992: 3) writes, “If you took away my computer, my colleagues, my office, my books, my desk, my telephone, I wouldn't be a sociologist writing papers, delivering lectures and producing knowledge.” Similarly, for instance, if we took away a

75 Latour rejects the notion that Pasteur’s success was due to the fact that he was simply a great man. In a material-semiotic perspective, the actions, even of great men, are understood as relational effects. Thus, Latour charts how an actor-network of domesticated farms, technicians, veterinarians, laboratories, bacilli and statistics was generated, which served to shape and create some of its actors. For example, he documents how cattle stopped dying from anthrax because farms were turned into laboratories, and attenuated bacteria were made into vaccines.
television writer’s computer, her colleagues, her office, her books, and her desk, she wouldn’t be capable of writing scripts, delivering pitches and producing representations.

Since ANT was originally used to study the ways in which scientific facts come to be produced and disseminated (see Latour, 1988), it has been implicated in the larger study of knowledge production, particularly the production of facts (for news facts, see Hemmingway, 2008; for legal facts, see Latour, 2010; Valverde, 2007). While entertainment television production can also be considered a site of knowledge production, it consciously produces knowledge of a different kind and in a different form. It does not produce facts per se but fictions, where these fictions are placed in the context of a story rather than a (scientific or news) article or legal argument. Nevertheless, what makes ANT analyses of facts useful for my research project is their consideration of facts as a form of representation – that is, how are facts produced at a specific site as a particular kind of representation?

For example, in describing and documenting how scientific facts are made and disseminated, Bruno Latour (1987) studies the textual work done at a scientific laboratory. In the laboratory, only the scientists can see the “reality” that they describe, a reality made possible by inscription devices (e.g. microscope). The scientist then acts as the spokesperson or mouthpiece for what is inscribed on the window of the scientific instrument, since bacteria, for instance, cannot speak for themselves. By being the bacteria’s spokesperson, the scientist needs to translate what she has seen through her inscription devices into textual form (specifically, the scientific article) so that many other scientific readers can see her “reality.” Thus, she might employ visual inscriptions (e.g., graphs, labels, tables and maps) and supporting texts (e.g. citations to other scientific articles in her literature review) as allies in

76 Latour’s (1987) work covers some of the same ground as Berger and Luckmann’s (1966) *The Social Construction of Reality*. In this work, Berger and Luckmann reformulate the task of sociology to study the processes through which knowledge is constructed and comes to be socially established as “reality.” Despite being interested in the same subject matter, Latour differs from Berger and Luckmann in terms of approach. As I will soon discuss, Latour’s anthropologically-inspired ANT approach is not well-suited to the creation of general typologies, of which Berger and Luckmann make in their work. While Berger and Luckmann (1966: 61) conclude that “the relationship between man, the producer, and the social world, his product, is and remains a dialectical one,” Latour (2007: 169-170) would balk at the use of dialectical thinking. Instead of overcoming two (extreme) positions through dialectical thinking (e.g. actor/system, micro/macro, nature/culture, etc.), Latour follows Michel Serres’ (2007) philosophical footsteps by finding a third position. For ANT scholars, this third position comes from visualizing the world as one-dimensionally flat rather than as three-dimensional. With this premise, scholars can trace how “reality” is assembled by diverse actors who all exist on the same flat plane.
her intellectual battle to persuade her scientific readers of this “reality.” Hence, the production of a scientific fact or “reality” relies on particular textual representations (a scientific article that includes proper citations, labelled graphs, etc.) that are made possible by spokespeople and inscription devices.\(^{77}\)

Analogously, we can consider how entertainment television production constructs the “reality” of crime as a particular kind of representation. Fictional characters and crimes, once conceived in the mind of a particular writer, cannot speak for themselves and need that writer to act as their mouthpiece. So my research will entail documenting how the television writer and producer *translate* these fictions into textual form and in what ways. Translation is a key concept in ANT, and the success of an idea, object or representation depends on its chains of translation. The concept of translation invokes both its original understanding as transportation and physical movement between places, and the notion of transposition into different languages, keys or codes. As a self-described “sociology of translation,” ANT analyses focus on moments of translation or transformation, and in doing so capture the dynamic movement in an actor-network. Because ANT analyses emphasize movement and transformation, it is understood that translations of representations between various spokespeople are never exact renderings, as the representations needs to be taken up by other actors in their actor-network-building activities in order to be successful.

While ANT considers inexact renderings of information as translation, some Marxist-inspired sociological analyses consider them to be distortion. The notion of media distortion with all of its attendant negative connotations has been a ripe field of research inquiry (e.g., Dowler, Fleming and Muzzatti, 2006, review the literature), where the key analytic moment of distortion happens at the point of reception and is understood as a media effect. Such a perspective assumes that information ought to be communicated without deformation by the media, and does not recognize, as ANT does,\(^{78}\) that “there is no information, only trans-

\(^{77}\) Note that the “reality” of crime constructed by academic criminologists is quite similar in process to the construction of scientific facts produced by laboratory scientists, and takes much the same form as the scientific article.

\(^{78}\) Although this dissertation is focused on the production of entertaining representations, it should be noted that sociological studies of news production do not begin with the premise that news representations are necessarily distorted from some objective “reality.” Instead, they examine the processes by which representations of reality are manufactured as news (see Ericson et al., 1987, 1991; Schudson, 2000). This perspective of distortion
formation” (Latour, 2007: 149). In undertaking an ANT approach, I am acknowledging that translations are part and parcel of the process of production, and will thereby refrain from pre-judging the quality of translations made by any actor (e.g. as “good” or “bad,” “accurate” or not). I am also not studying outcomes – that is, either the final product or audience effects as a result of exposure to the final product – but rather production processes.

Because of the contingency and uncertainty surrounding television production (see Gitlin, 1983), the use of an ANT approach also ensures scholarly attention to particularities – specifically, my research project examines particular translations at specific sites of entertainment television production. In a manner of speaking, the ANT-inspired researcher is very much like an ant, “a blind, myopic, workaholic, trail-sniffing, and collective traveler” (Latour, 2007: 9). The researcher is “myopic”: she does not use ANT to create a “big picture” of the culture industry through the provision of grand, general theoretical models about how the television industry operates, but instead empirically traces, documents and analyzes actor-networks at local sites. Like the ant, that most industrious of creatures, the researcher needs to work hard to trace translations through which television production is achieved. In the next section, I will explain how using ANT-inspired research might converge and diverge from previous empirical studies done under the general rubric of the “production of culture” perspective.

Convergences and divergences: How ANT fits together with the “production of culture” perspective

Studies about the production of television are rare in both sociology and cultural studies. When empirical work is done, it tends to be done under the general banner of the “production

manifests most strongly in reception studies, particularly those that attempt to follow in the path laid down by Hall et al (1978).

Indeed, it should be noted that ANT is not useful for producing such general theoretical models because it stresses the contingency of the formation of actor-networks and translations.
of culture” perspective;\(^{80}\) I will refer to such work in shorthand as “production studies” throughout the rest of this chapter. This is not to say that ANT, though arising from Science and Technology Studies (STS), has had no impact on the study of media. Some production scholars have pointed to the potential utility of ANT as part of their film and television research (Havens, Lotz, and Tinic, 2009), although few have actually used it (for examples of ANT analyses in media/film studies, see Mould, 2009; Caldwell, 2008; Couldry, 2004). In the few cases wherein ANT has been used, research has tended to focus on human-technology hybrids: for example, Caldwell (2008) describes the Steadicam operator as a human-technological hybrid. Hemmingway (2008) describes how the BBC news reporter uses the newsroom’s various technologies to make news. These uses of ANT highlight its STS roots rather than adapting the theory to suit media research specifically (see Couldry, 2004 for exception). Because it is neither my intent in this chapter to outline a general ANT approach to doing production studies nor to advocate that its inclusion is necessary for doing such research, I will simply discuss how ANT has informed my own research into the production process of representations of crime and law on particular television shows. In doing so, I will highlight how using an ANT approach converges and diverges with the “production of culture” perspective’s theoretical assumptions and empirical insights. Because so many studies fall into this perspective, I will begin by explaining the divergences, in order to make clear what an ANT approach cannot do as a result of the scope of the researcher’s unit of analysis. In general, the “production of culture” perspective focuses on explaining trends in production and as such necessarily examines many cases. In contrast, ANT’s use of interview and ethnographic data can provide rich description and analysis of particular case studies, and is especially well-suited to examining temporary projects (e.g. the making of a particular episode of a television series).

**Divergences: Studying “the culture industry”**

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\(^{80}\) Although the perspective is primarily sociological in nature, I have also included work done in the interdisciplines of cultural studies, media studies, communication studies and film studies under this general banner.
The academic origin of the term “the culture industry” stems back to Adorno and Horkheimer’s Marxist-inspired metaphor. As such, the term implicitly invokes Marx’s observation that culture is rooted in the mode of production, which is arguably a general observation that grounds and underlies all production studies. However, it is in the operationalization of the “mode of production” that production studies diverge from each other, which consequently impacts the kind of academic analysis produced. We can differentiate between three distinct operationalizations: 1) the capitalistic mode of production, 2) the mode of industrial production, and 3) actor-networks of production.

1. Capitalistic mode of production
The study of the capitalistic mode of cultural production is favoured by political economy scholars. Political economy approaches (e.g., Murdock and Golding, 2005, 1973) emphasize macro structural issues that organize the culture industry, such as the concentration of corporate media ownership and regulatory regimes. As a relatively typical example of the macro-level political economy approach, Djankov, McLiesh, Nenova and Shleifer (2001) examined patterns of media ownership in 97 countries around the world. They discovered that almost all of the largest media firms are owned by government or by private families. Moreover, government ownership of the media was associated with less freedom of the press, and fewer political and economic rights. This research is representative of the political economy approach because it attempts to address the questions of “who owns the media?” and “who benefits from such ownership?” Often, as in this case, the research focus is on state ownership of the media and the political and economic implications of this ownership. These implications are drawn from analyses that are overwhelmingly based on ownership of the news media rather than entertainment media. Like other researchers working within this paradigm, Djankov et al. (2001) were interested in the extent to which state-owned media control the flow of information, and how this has impacted the freedom of the press to provide unbiased, objective reporting of events.

In North America, political economy scholars have traditionally dominated academic studies of the media industries, following in the footsteps of Dallas Smythe (1981) and

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81 In fact, this was the title of this particular paper.
Herbert Schiller (1989). Written within the Marxist theoretical framework, their analyses tend to tell a story in which media culture is assumed to be the ideological extension of powerful capitalist forces, serving to socialize audiences into broader economic interests (Hesmondhalgh, 2006). Cast as the (underdog) protagonist, the researcher combats these capitalistic agents of false consciousness (here conceptualized as corporations), while implicitly invoking traces of Adorno and Horkheimer’s conceptualization of the culture industry as inherently deceptive. As a result of this orientation, the political economy perspective has often been caricatured as “conspiracy theory” (Schudson, 1989).

Overall, political economy studies of production have something to say about the concentration and circulation of capital, particularly at the state or global level, but very little to say about the circulation of representations and meaning. Because I am particularly interested in the latter, political economy approaches are not useful for my research project, especially when they tend to assume that meaning and textual production are predictable because they reflect only the interests of those who control the means of production. By “meaning,” I refer to both the meaning of representations, and the meaning of processes that lead to particular representations.

In contrast to cultural studies or humanities scholars, the political economy approach does not attend to the richness of meaning(s) embedded in representations. Instead, it tends to reduce the meaning of a representation to an ideological stance that either supports a specific political position (e.g. as a conservative representation that maintains the status quo) or resists it (e.g. as an adversarial, critical representation). For example, Edward S. Herman and Noam Chomsky’s (1988) “propaganda model” of mass media reduces the meaning of news representations to how they serve the special interests of state and private activity. Because the news industry is oriented towards profit-making and depends on government officials as sources of information, they argue that the industry imbues its representations with anti-communist ideology. As Michael Schudson (1989) notes, the “propaganda model” is a rather blunt instrument for examining a subtle system that includes more heterogeneity and capacity for change than Herman and Chomsky give it credit for. We can understand Herman and Chomsky’s neglect of heterogeneity and change within the system as part and parcel of political economy’s emphasis on the “big picture.”
By focusing on the “big picture” (i.e. the larger political economy of society), the approach tends to miss examinations of the day-to-day practices in journalism (Schudson, 1989) or television drama production. As such, a political economy approach does not attend to the everyday practices of media production, and what those processes mean to the media producers themselves. In contrast, sociological studies on the production of culture take up this perspective, by situating the making of a media product in the daily practices, local interactions, and actions of media producers. We will now turn to analyses of the modes of industrial production.

2. Mode(s) of industrial production
In contrast to political economy scholars who focus on the corporations who control media production, scholars who study the mode(s) of industrial production are interested in the actual work done in the culture industry. If the political economy approach often takes a macro view of the culture industry, where contradictory details are obscured by the wide focus, then those who study the mode of industrial perspective often take a “midlevel” approach (Havens, Lotz, and Tinic, 2009). The “midlevel” perspective focuses on industrial practices of a particular culture industry. Thus, while political economy scholars would study which television channels are owned by which parent companies and how they serve the parent company’s economic interests (e.g. Herman and McChesney, 1997), “midlevel” scholars would study how television networks structure their own programming content and under what logic (e.g. Havens, 2006; Gitlin, 1983). However, “midlevel” scholars can themselves be differentiated by the extent to which they concentrate on describing the structure of the culture industry under study (a predominantly sociological perspective), or on describing the experiences of those working within it (a recent cultural studies perspective on the media industries). For a summary of some of the key works on television production studies, please see Table 1 at the end of this chapter.

The sociological perspective on the production of culture focuses “on how symbolic elements of culture are shaped by the systems within which they are created, distributed, evaluated, taught and preserved” (Peterson and Anand, 2004: 311). As such, research into
the industry’s structuring systems, often understood as organizational constraints, can be summarized by Peterson and Anand’s (2004) six-facet model. The six facets of production include technology, law and regulation, industry structure, organization structure, occupational careers and market. These facets are used to explain how they either facilitate major change in an industry, or constrain such change. As an example of the latter, Bielby and Bielby (2002) explain how the organizational and occupational structures of the Hollywood film and television industry sustain a systemic workplace discrimination that ensures young, white men are the most likely to be hired as screenwriters. While this sociological perspective is useful for pointing out how different symbols are made under differing production conditions, it does not examine the meaning of cultural productions (Eyerman and Ring, 1998; Gottdiener, 1985) since deducing meaning from reading texts is not the goal of the perspective (Peterson and Anand, 2004: 327). Because I am interested in the meaning of texts, a wholesale use of this perspective would not be helpful, especially since these researchers tend to produce static snapshots of an industry’s structure without necessarily attending to the representations produced by it.

In contrast, the recent cultural studies perspective on the media industries (see Havens, Lotz and Tinic, 2009; Mayer, Banks, and Caldwell, 2009; Caldwell, 2006) highlights the need for researchers to consider quotidian texts produced by the film and television industry as a means of sustaining its current working practices. Researchers are urged to examine how industrial texts and practices define workers’ experiences. That is, meaning only figures into a researcher’s analysis of industrial texts, as opposed to pop cultural texts. For example, John Caldwell (2008) examines the representational, material and symbolic practices of film and video production workers in Los Angeles because understanding their culture of production helps scholars understand the production of culture. Thus, he is interested in studying the industry’s own self-representation, self-critique and self-reflection through textual analyses of trade and worker artifacts (e.g. demo tapes), interviews with film and television workers, and ethnographic field observation of production spaces and professional gatherings. Caldwell discovers that different work sectors in the

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82 Generally, the sociological perspective treats the culture industry like any other industry, and does not distinguish the making of culture/art from the making of factory goods (Peterson and Anand, 2004).
industry have different kinds of self-theorizing and sense-making practices. For example, when speaking about their work, technical craftspeople (e.g. camera operators, editors, grips, etc.) traffic in war stories where they overcome overwhelming odds to succeed. This genre of self-theorizing establishes craft mastery as the result of an individual’s moral character and triumph of will. In contrast, non-unionized or unregulated work sectors (e.g. assistants, agents, and clerical staff) tend to tell cautionary tales about “making it” in the industry, which is related to their efforts to salvage careers and network in the industry. In short, Caldwell is interested in analyzing (biographically-oriented) trade storytelling for what it can tell him about particular work sectors rather than on analyzing fictional storytelling.

Of course, there is overlap between the sociological perspective and that of cultural studies, particularly through the notion of “culture of production” (Du Gay, 1997; Fine, 1992). This is best exemplified by Todd Gitlin’s (1983) research into the way the culture of American broadcasting network executives (with its emphases on intuition and reputation) structures the production of scheduled prime-time programming, which in turn shapes American pop culture.

3. Actor-networks of production

In taking an ANT approach to the production of television representations, the starting unit of analysis is more micro than the units used in any of the previous perspectives. I will be studying actor-networks rather than systems or industries. While systems or industries are thought to generate an entire category of text or an array of genres (e.g. the film industry produces filmic texts, which can then be sub-divided by genre), a focus on the actor-network emphasizes the processes of assembling an individual work (e.g., a specific episode of a particular television drama). In contrast to the more permanent entities of systems and industries, the actor-network is a relatively temporary entity, at least in television production. For example, the actor-network is assembled to produce a television drama series at one

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83 This could also be a consequence of my focus on project-based actor-networks that make up the production of particular television shows. Theoretically, actor-networks in other analyses could be of similar size to previous units of analysis. However, in contrast to top-down approaches, ANT advocates a horizontal or flat approach to studying things in the world. That is, ANT does not articulate the macro as either “above” or “below” the interactions being observed. Instead, the macro is operationalized through the addition of more connections in the actor-network’s chain of associations and interactions (Latour, 2007: 177).
particular moment in time, and immediately disassembled once production ends. Moreover, the unique identity of each actor in the actor-network matters, because the making of a specific television text is entangled in the making of the actor-network itself.

For example, in an actor-network centred on casting screen performers for the Canadian television drama series *Cra$h & Burn*, it matters that the production company’s in-house lawyer is married to the agent who represents the screen performer who will eventually play the lead protagonist in the series. Furthermore, it matters that this lead screen performer has dual citizenship – i.e. he is simultaneously both a Canadian and an American citizen – because it allows the production company to capitalize on 1) Canadian government funding for the production because funding is contingent on casting Canadian citizens in lead roles, and 2) on a potential American co-producer for the series because American producers tend to prefer American screen performers in lead roles. At least this was the assumption held by the series’ executive producer. If the lead role were played only by a Canadian citizen, the executive producer assumed that the role would need to be re-cast if an American co-producer came on board. The American co-producer would want an American screen performer in the role.

Thus, the passport can be considered an actor in this actor-network because it not only allows its “owner” to move between nations and different television production spaces, but translates its “owner” in terms that are appealing to television producers. As a sign of citizenship, the Canadian passport is translated into Canadian government funding, and the American passport is translated into commercial appeal for American television producers.

Because it includes the actions of non-human actors (e.g. the passport), the actor-network is not synonymous with the social network of working relationships described as the “culture of production” (e.g., as screenwriting groups in Macdonald, 2010) by sociologists or cultural studies scholars. It also does not refer to the market network (Podolny, 2001) that refracts the prestige and reputation of cast and crew onto the cultural products they produce (for Hollywood blockbusters, see Baker and Faulkner, 1991; for prime time network television series, see Bielby and Bielby, 1994). These described social and market networks are stabilized entities, in order for industry professionals to use the networks in fairly predictable ways and for researchers to feel comfortable in making generalizations about them. In short, they are “black boxed.”
In ANT terminology, “black boxing” (Latour, 1987) suggests that the success of these social or market networks has had the effect of erasing the processes and circumstances under which they were produced in the first place. Thus, ANT scholars are interested in studying the formation and trans-formations of unstable things and texts, where these things and texts are understood to be formed by an actor-network (i.e. how do texts and things become what they ultimately are?85). By contrast, sociologists and cultural studies scholars in the above perspective are more interested in studying the maintenance of stability of already formed industries, organizational networks and systems. Within this framework, any change or instability needs to be explained, and is often attributed to changing laws, markets or technologies. In other words, sociologists and cultural studies scholars tend to study what ANT scholars consider to be the end point of a successful actor-network, when the various heterogeneous elements making up the actor-network work together as a unified, stabilized entity. ANT scholars, on the other hand, open up the “black box” of television production. They examine not only the starting point of the actor-network and the ways it gets assembled but also failed actor-networks, which are equally revealing in what they indicate about the processes of an actor-network’s formation.

While scholars studying television have by and large chosen successful programs86 as the objects of their inquiry, ANT scholars do not privilege the study of successes. Successful outcomes are considered contingent upon successful translations. As such, ANT researchers

85 This research question is a reformulation of Friedrich Nietzsche’s insight that people (and things) “become who they are.”

86 For example, academic scholarship on CSI did not take off until the television show itself took off and was declared the most watched show in the US and in the world. Although CSI premiered in 2000, it did not become the most watched show in the US (and Canada) until its third season (2002-2003). Currently, CSI is on a ratings decline, dropping from 26 million viewers (2002-2003) to nearly 15 million viewers (2009-2010). However, academic scholarship on CSI first appeared in 2005, and has been slowly accumulating despite the show’s decline in popularity. This points to two observations about academic work on pop cultural texts: 1) because there is either an implicit or explicit need to justify the choice of studying pop cultural texts in academia, scholars tend to choose successful texts. This is also the case since scholarship has focused on media/textual effects on audiences, such as the so-called CSI effect. 2) Academic work on CSI peaks after the television show’s own peak of success due to the different speeds at which academia and pop culture operate. Pop culture ( operationalized as television) moves at a much faster pace than academia. An entire season of television can be made in the same amount of time (or less) than the time it takes to publish a peer-reviewed academic article.
also examine actor-networks that failed for lack of translation.\footnote{I do not conceptualize failure in a similar way to Mayer (2009) or Halberstam (cited in Mayer, 2009: 23). Mayer believes that the study of failure is productive by itself because it serves as a critique of capitalism. Halberstam conceptualizes failure as offering a potential means to re-imagine resistance as queer space.} For example, Latour (1996) follows scientists and engineers who worked on a French automated subway system to discover, not why it succeeded, but how it failed despite the fact that the technological innovation was commonly held to be a good idea and a symbol for the future of French transportation at its inception. He documents the time and energy spent on developing the science and technology behind this transport system, even though it never comes to fruition. Analogously, all television writers and producers believe that the show that they make is based on a good idea. However, it is never clear, even to them, whether the show will succeed. Success is an outcome that can only be understood in retrospect, and cannot be determined by observing a program’s production. Whether a show is “bad” and unsuccessful or “good”\footnote{The normative evaluation of television shows as “good” or “bad” occurs when they are reviewed by television critics and audiences. At the stage of production, it is hard to tell how the television show will come together, much less whether or not it will find an audience.} and successful cannot be determined in advance. Thus, ANT acknowledges the uncertainty of success that characterizes the process of producing any kind of representation, be they in scientific journals or on television.

Therefore, the point of studying actor-networks, as opposed to larger units of analysis such as “organizations,” “systems,” or “industries,” is to empirically examine the site-specific configurations and flows of representations, actors, translations and dynamic processes. As such, ANT research does not lend itself into creating outcome-based general typologies or explanations of abstract (industrial) structures. In the case of studying the production of television representations, this aspect of ANT methodology is particularly desirable, because it functions as recognition that the processes of production cannot be reconstructed or inferred from scrutinizing the resulting texts. Nevertheless, ANT thematically converges with some theories and empirical findings from the sociology of culture.  

\textbf{Convergences: Themes, theories and findings}

ANT scholars highlight three methodological themes that characterize the research and writing of the actor-network: uncertainty, collaborative action and dynamic movement. Each
of these three ANT themes can find support in previous theories and empirical findings from the sociological “production of culture” literature.

1. Uncertainty
As previously mentioned, the theme of uncertainty is taken seriously as a starting point by ANT scholars; it also converges with sociologists’ empirical findings on the environment in which television network executives make their programming decisions. For example, Gitlin (1983) studied how American broadcasting television network executives deal with uncertainty, which is a permanent condition of the show business industry. Network executives make their decisions based on intuition, which is then supported by ad hoc rational calculations from their program testing focus groups, audience ratings and schedule calculations. Similarly, Bielby and Bielby (1994) suggest that for American broadcasting television network executives, “all [prime-time] hits are flukes,” and these “flukes” need to be rationalized and legitimated through executives’ use of rhetorical strategies. These are strategies that emphasize 1) producers’ reputations, 2) the television show’s creative imitation of previously successful television programs, and 3) the show or program’s genre. In light of their research findings, these sociologists attempt to explain how network executives employ predictable organizational discourses to justify their decision-making in an uncertain, unpredictable environment. For ANT scholars, uncertainty is more than just a characteristic of the environmental context, but also what characterizes the formations and translations of actor-networks themselves. Contingency is always assumed and studied, even in cases of successful actor-networks. It is never certain how the actors—those various human, physical, technological, representational and discursive elements—that make up an actor-network will connect to each other and in what configuration.

2. Collaborative action
The study of actor-networks is always the study of collaborative action. Similarly, Howard Becker (1982) stresses that culture is produced through sustained collective and collaborative activity (for television production, see also Gripsrud, 2005). As I have already established that ANT is interested in studying the way things are collectively assembled by various and diverse kinds of actors, I will now discuss how collaborative action might be studied using
ANT, which is particularly appropriate for my work since entertainment television production is always a collaborative affair (Sandeen and Compesi, 1991).

First, in order to qualify as an actor, the entity needs to do something, or make other entities do something (Latour, 2007: 107). With this focus on action, ANT is premised on the study of processes and practice (the doing of something). With their own vocabulary, actors define for themselves and for the researcher what they do, what makes up their world and in what ways (Latour, 2007: 36). ANT researchers take actors’ own theories of action (e.g. why and how things happen) seriously without dismissing any of their rationales and use of language, no matter how quirky and irrational they might sound. For example, during the making of the television pilot for the Canadian-American co-produced Due South, the cast and crew believed that a taxidermied moose was the culprit behind the many mishaps that occurred during shooting (BO, interview with author). Shot in Ontario, Due South was a buddy cop show, in which a street smart, cynical Boston police officer was teamed with a polite, sensitive Canadian Mountie (RCMP officer). The taxidermied moose was used as a prop metonym for the Mountie. As such, the stuffed moose was carried to each of the shooting locations in the event that it needed to be represented on-screen. However, because of the many accidents on set, the cast and crew began to believe that they were cursed by the taxidermied moose. Hearing this story, an ANT researcher does not immediately jump to the conclusion that the cast and crew of Due South are superstitious and delusional. Instead, she considers the taxidermied moose an actor (after all, it moves the cast and crew to do certain things, such as become more cautious) in the making of the Due South pilot.

In taking into account actors’ own theories of action, ANT-inspired research follows the current impulse of film and television production studies to provide a space for producers to “speak for themselves” (Caldwell, 2006: 118). Thus, television production studies tend to make use of data from interviews (e.g. Newcomb and Alley, 1983; Cantor, 1971) and participant-observation. For ANT researchers, the use of ethnographic methods is centred on “following the actors” (Latour, 1987; 2007: 61), particularly on actors’ translations and transformations. That is, ANT researchers acknowledge that actors are capable of framing and contextualizing their own activity. Moreover, actors do not necessarily stick to an absolute frame of reference. Instead, through their translations, actors travel from one frame of reference to another (Latour, 2007: 186), and it is the movement between shifting and
unstable frames that an ANT researcher wants to capture. In other words, actors do not work within a single, stable frame of reference, but within multiple frames. They are also capable of moving between these frames when they explain to the researcher what they do and how they do it.

By capturing this movement between frames of reference, the researcher destabilizes any notion of “the big picture” (Latour, 2007: 187) as a singular and definitive frame of reference. Symptomatic textual readings of the final product implicitly operate under the notion of “the big picture” because scholars tend to assume that the world is encapsulated in “the picture,” and as such is wholly represented in the final text. Their analyses then compare the world in the text to the world outside the text. In doing so, these scholars assume that they can know about the text’s production processes or its effects (the world outside the text) by only reading the final text (see chapter 1). Because these researchers are not privy to all the stammering or incoherent hemming and hawing that went on to produce the representations in the first place, they also assume that representations in the final text emerged in a fully coherent form. This assumption is only possible because these researchers have never observed the incoherent, fragmentary rambling that occurs in the television writers’ room when episodic stories are conceived through the collaborative action of a writing team (see chapter 3). In this case, the shifting, multiple, unstable frames of reference are a consequence of the collaborative nature of assembling a television story.

For example, in the writers’ room of the Canadian-American co-produced police drama The Bridge, the staff writers shift between different frames of reference in their discussion of a pivotal scene, in which the main protagonist Frank, President of the Police Union, discovers that someone has broken into his locked office. In the following excerpt, the writers try to determine how Frank knows that someone has broken into his locked office:

- Writer 1: Maybe they put things back much the same way that they found them. And then later in [act] 2, Frank can realize that there’s one small thing missing…
- Writer 2: And remember, he has no computer on his desk. He’s completely cleaned of any trails and stuff. He doesn’t leave a trail. That’s what’s interesting. Frank wouldn’t – they could go into the room, but the real story is that [the show’s technical consultant] never had a computer in his office. All the files and all the information that he needed was dispersed among three or four

89 By de-stabilizing the notion of “the big picture,” an ANT approach would also destabilize the perspective provided by the political economy approach.
different terminals on the floor in other offices. So Frank comes in, he’s probably going to check if other people’s desks are in disarray.

- Writer 3: Now who exactly was [the technical consultant] worried about, anyway? I’m not really sure I understood that.
- Writer 2: Back then?
- Writer 3: Yeah, who exactly were the bad guys?
- Writer 2: There was that one time with the judges.
- Writer 4: [...] I think he felt that it was a non-localized thing, didn’t he? He felt that there were brass who were against him, basically everyone who was against him. I don’t think it was an organized cabal that he fought.
- Writer 2: Then the whole media had it out [coughing sound]. Definitely [any] left-wing, political entity, media [...] was definitely conspiring against him. I think there was also probably a faction of police that didn’t agree with what was going on, that was also maybe intimidated in going against the – remember, it was a mob mentality, right?

The ANT researcher would follow the movement between the unstable\(^{90}\) frames of reference in this excerpt. The movement between different frames is characterized by the shifting train of thought that sweeps across the writers as they discuss their dramatic problem (e.g. how does Frank know someone has been in his office?). The writers begin by noting that perhaps the culprit took something from Frank’s office. Using Frank’s fictional office as a frame of reference, Writer 2 notes that there is nothing of note (here defined as sensitive information) that the culprit can take, since Frank does not have file folders or a computer in his office. Moving from the material conditions that make possible information-keeping at the fictional police union, Writer 2 then jumps to a different frame of reference: what did the show’s technical consultant do during his real-life tenure as President of the Police Union? It seemed clear to him that Frank would do as his real-life counterpart did: information would be dispersed among several computers in different offices on the same floor. Thus, it is not important for Frank to focus on the appearance of his own office, but on whether or not other offices appear in disarray. While continuing to use the technical consultant as a frame of reference, Writer 3 shifts the dramatic problem: who were the culprits that came after the technical consultant and by implication, would come after the fictional protagonist Frank? As “bad guys” become the new frame of reference in the discussion, the writers rattle off the

\(^{90}\) In this instance, the frames of reference can be considered unstable because they are incomplete (e.g. incomplete thoughts), constantly shifting, or posed as speculation. In the latter case, the frame’s stability depends on confirmation of the information by an expert (e.g. the technical consultant).
following: judges, police bureaucrats (the brass), media, and a faction of the police rank-and-file.

From following the movement between different frames of reference, we can note how the actors (e.g. the writers) change scale as they adopt new frames. The short discussion begins with Frank’s office, grows to a floor of offices at the Police Union Headquarters, and then reaches outside Union Headquarters to include other institutions within the fictional world (e.g. the police, the media, and the courts). Simply by following the actors’ own framing and contextualizing activities, a whole (fictional) world appears through the actors’ use of different scales of reference. Because ANT highlights the scale-making activities of actors, it is different from methods that settle on the question of scale before undertaking research (e.g. mid-level research on the modes of industrial practices, or the macro-level political economy approach), whereby the parameters of the research site are decided upon by the researcher rather than the actors themselves. Since there are no fixed parameters to a research site, an ANT researcher can follow actors in and out of different research sites in order to capture the dynamic movement that makes production possible.

3. Dynamic movement

As ANT aims to study dynamic processes, circulation, transformation and movement in general, it is similar in aim to production scholars who theorize using the circuit of culture. Originally conceptualized by Johnson (1986/1987) and inspired by Marx’s account of the circuit of capital, the circuit of culture is a theoretical model that highlights the metamorphoses (i.e. transformations or changes in form) that cultural products undergo as they pass through a cycle of four distinctive moments: production, (formal analysis of) texts, readings (i.e. reception analysis), and lived cultures. Using the case study of the Sony Walkman, du Gay (1997) has also articulated a circuit model of culture. His biographical analysis of a cultural artefact focuses on five distinct processes that every such artefact must pass through. These five processes include Representation, Identity (constructed by representations), Production, Consumption and Regulation, which when taken together form the complete circuit of culture. Similar to ANT, du Gay highlights the variable and contingent outcomes that result from the interactions between processes. Moreover, he is interested in studying what he calls “articulation” (1997: 3) – i.e. a form of connection that
temporarily unifies two or more disparate elements under certain contingent conditions. Certainly, the focus on “articulation” is quite similar to Latour’s focus on examining the contingent connections that make up the actor-network. However, for du Gay, the meaning of a cultural artefact cannot be found in a single process, but in the combination of processes and their articulation. Hence, researchers need to study the entire circuit in order to understand the meaning of a cultural artefact.

Because I am interested in using ANT to study the circulation of evolving representations within a text during the moment of production, I am not attempting to examine what those representations mean in a comprehensive manner, which would also extend to moments of public and private reception (e.g. television critics\(^91\) and ordinary television viewers, respectively). As a result, I will not be examining the entire circuit of culture. Instead, I will be analyzing the various practices and processes that make up the moment of textual production,\(^92\) by following particular representations of crime as actors. In following these particular actors through their many transformations, the researcher realizes that their mouthpieces (e.g. television producers and writers) are both producers and consumers of other television texts (Caldwell, 2006), and regulated by various quasi-legal entities throughout the process of creation and revision (e.g. insurance requirements, Standards and Practices network guidelines, etc.).

**Doing television production studies in Canada**

Production studies scholars have primarily examined the creation and development of American television shows. Often cited as an exemplar of scholarship on the production of television representations, Julie D’Acci’s *Defining women* (1994) examines representations of feminism and femininity found within the police procedural *Cagney and Lacey* (1981-

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\(^91\) For example, in his dissertation, Sodano (2008) examines the crime television series *The Wire*, by attending to its production, distribution by HBO, and reception by TV critics.

\(^92\) Levine (2001) uses Johnson’s (1986/1987) circuit of culture to ground her analysis of the production of the American soap opera *General Hospital*. In concentrating on the moment of production, she provides five categories for analysis: production constraints, production environment, production routines and practices, production of characters and stories, and the role of audience in production. Rather than separating my analysis into categories, I will be studying the production practice of creating stories and characters during which constraints and the imagined audience appear.
1988) against the backdrop of wider discussions of gender politics in US culture during the 1980s. D’Acci mixes textual analyses of the show with information gained through her access to both the show’s development process and producers’ meetings. As the premise for this prime-time television series, *Cagney and Lacey* followed the lives of two female New York police detectives. Interestingly enough, over the course of the series, the show transitioned from being a “cop show” to a “woman’s program (D’Acci, 1994: 121). This entailed that the female protagonists become “feminized” through a new upscale wardrobe, and that plot lines increasingly model themselves on television forms more closely associated with women, such as those of melodrama and soap operas. While D’Acci’s research focus was on how producers (re)defined women within the context of a police procedural, James Lyons (2010) examined the ways in which another 1980s cop show, *Miami Vice*, represented masculinity. Airing between 1984 and 1990, *Miami Vice* was premised on the adventures of vice squad detectives from the Miami Police Department. Unlike D’Acci, Lyons speaks of the show’s production in more general terms, concentrating on describing the range of commercial and creative influences, as well as the popular trends of the 1980s, which shaped the show’s identity as a premium television commodity.

From the study of American talk shows (Grindstaff, 2002; Shattuc, 1997) to primetime television shows, production scholars have privileged the analysis of representations of gender, race (Gray, 1995), class and sexual orientation (Gamson, 1998). However, when scholars examine the production of *Canadian* (English-language⁹³) television shows, which happens rarely (to date, there are only two production studies on the making of Canadian television shows: see Levine, 2009; Tinic, 2005), they also concentrate exclusively on how the shows facilitate or hinder Canada’s nation-building project. Historically, Canadian television scholarship has been influenced by a strong communications perspective that has favoured analyses of state regulation and international (predominantly American) dependency (Druick and Kotsopoulos, 2008). As such, the small

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⁹³French-Canadian television shows have a different production context. In English Canada, the 20 most watched television prime time programs are generally American television programs. In Quebec, however, the top 20 programs are primarily French-Canadian (Druick and Kotsopoulos, 2008). While English-language Canadian television shows need to compete with American programs for viewership, this is not the case in Quebec. My research project concentrates on the production of English-language Canadian television programs.
field of Canadian television studies has tended to focus less on the meaning of cultural productions, and more on telecommunications and broadcasting policy (Beaty and Sullivan, 2006: 4). This has likely been the case because of the distinct Canadian film and television production context. In the US, with the exception of public television which receives federal funding, televisions are financed through partnerships between studios and privately-owned, commercial broadcasting networks, which are sometimes both owned by the same conglomerate company. However, all Canadian television programs are largely financed through government initiatives, such as through the legislated tax credit system, Telefilm Canada and the Canadian Television Fund. In order to qualify for government funding, a Canadian television program needs to prove that it contains “Canadian elements.” In light of these public policy initiatives, Canadian television scholars (e.g., Beaty and Sullivan, 2006) have followed policymakers in attempting to answer the research question: to what extent do Canadian television programs preserve national identity and cultural sovereignty (see Broadcasting Act, 1968)? Or alternatively, what makes a television show truly, authentically or distinctly Canadian (see Attalah for review of Canadian television scholarship, 2009)?

By contrast with both American and Canadian television production studies, my research project examines first and foremost representations of crime. This is not to deny the fact that representations of crime intersect with representations of identity, be they of gender, class, race, sexual orientation or of the nation state; rather, it is simply a matter of privileging a different analytic focus. That is, I am primarily interested in how crime shows get made in Canada and what they say about crime or law. While much has been written about the

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94 In 1967, the American government created and began to fund the Corporation for Public Broadcasting (CPB). Because of the economic decline in the US in 2011, there is now some debate about whether public broadcasting should go private, and forego (CPB) federal funding altogether (deMint, March 4, 2011).
95 Nearly, all American television shows today are made by six such companies: GE, Viacom, Bertelsmann, TimeWarner, Disney, and NewsCorp. Independent production companies have disappeared almost entirely (Stepakoff, 2007: 204). In Canada, however, television shows are made by independent production companies that have formed partnerships with broadcasting networks.
96 With respect to the legislated tax credit system, “Canadian elements” are defined by the Canadian citizenship of key personnel and shooting location rather than to the content or format of the program itself.
97 When American scholars study Canadian television, they ask the same research question as Canadian scholars (see Levine, 2009; Tate and Allen, 2003).
national and public television broadcaster, the Canadian Broadcasting Corporation (CBC), and its explicit mandate to “Canadianize” programming (e.g., Miller, 1987), my research focuses on entertainment programs produced by and for Canadian private, commercial broadcasting networks. This came about because of research access to certain Canadian television productions.

**Accessing television productions, deciding on a sample**

Increasingly, the DVD releases of recent American television crime shows have included additional “behind-the-scenes” footage and “making-of” documentaries which provide viewers with previously unavailable access to the production process. As a result, the average layperson may already have some of the information necessary to infer a production history of a particular program’s representations of crime. When discussing Canadian television shows, however, a researcher runs into two difficulties in particular. First, unlike their American counterparts, Canadian television productions tend to operate on shoestring budgets, making it unlikely that they have the additional funds required to create DVD “extras” in the first place. As such, if Canadian television shows are even released onto DVD (e.g. currently, there are no plans to release either of the two television dramas studied in this dissertation on DVD), they rarely provide additional content pertaining to the production of the show. Second, a researcher runs into the more general difficulty of separating the apparent industrial reflexivity (i.e. producers, writers, directors and screen performers reflect on the why and how of what they did to create the film or TV show) of such bonus material with current Hollywood marketing strategies (Caldwell, 2008). That is, it is not clear to what extent participants’ reflexivity is manufactured expressly for the purpose of the show’s DVD marketing. By using ethnographic field observation to study the production process of crime-related television shows, I had hoped to avoid *ad hoc*

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98 As I understand it, any “behind the scenes” material shot by television producers is the result of additional funding gained either through the Bell New Media Fund or provided by the network. If there is no additional funding, there are no extras. If a production receives this additional funding, the “behind the scenes” material is put online on the show’s website, which is partially maintained by the network. Thus, this funding is tied to a new media platform, and it is not clear whether the material can be re-purposed for DVD distribution. In Canada, the networks are not responsible for putting their television dramas onto DVD. Instead, independent production companies can undertake DVD distribution by themselves, or involve a distribution company to do so.
manufactured industrial reflexivity, such as that on display in DVD bonus features. However, because this research entailed doing fieldwork, the range of my sample was also constrained by pragmatic concerns associated with gaining access to current or on-going entertainment television productions. These pragmatic concerns can be summed up by the idea of “being in the right place at the right time” in order to capitalize on as many productions (i.e. research opportunities) as possible.

**Being in “the right place:” Toronto**

The feasibility of doing this research necessitates being located in “the right place.” For me, “the right place” was Toronto, Canada, which has been labelled “Hollywood North.” Because of the city’s status as a major production centre for film and television, the Toronto Film and Television Office, a bureaucratic entity responsible for issuing filming permits to all productions, runs a publicly accessible, online list of what is currently being filmed in the city. This list provides the contact information (telephone and fax numbers) for each of these productions. Using this list, I narrowed down all the productions that were crime-related, which became the potential range of my sample.

Following my ANT-inspired interest in studying the formation of crime-related television series, I began my search for original99 Canadian television shows that were in production. In line with ANT’s starting assumption that success is highly contingent, I focused on “untried” television productions rather than successful, on-going ones. By “untried,” I mean television shows that have not been “tried” by any audience because they have yet to air as part of any network’s programming, and as such cannot be considered “successful” since a program’s “success” tends to be measured through audience reception (e.g. ratings, television reviews, and fan attachment). In practice, I also found it much easier to gain access to “untried” shows than to “successful” ones. With “success,” on-going

99 Original Canadian television programs are differentiated from American service productions. Toronto handles a substantial amount of American service productions. That is, Americans will use Toronto as a shooting location for their Hollywood productions, in which Toronto is generally disguised as an American city, because it is much cheaper to do so than to use an actual American city with American production personnel. By and large, Hollywood productions are inaccessible to most researchers, and all personnel tend to be governed through confidentiality agreements such that knowledge of the production process is kept secret. To potentially bypass the access barrier to such Hollywood productions, the researcher would need to personally know the show’s producer, director, writer, or lead screen performer.
television productions gain publicists who act as gatekeepers to the production, tend to enforce confidentiality agreements and typically hold a certain amount of paranoia that one’s research might tarnish the production’s positive image.

It so happened that in 2008, however, Toronto was poised to become a production centre for Canadian-American co-produced police dramas, all of which would be aired in 2010. Consequently, the summer of 2010 has been hailed as the summer during which Canadian co-produced, Toronto-shot, one-hour police television dramas (e.g. Flashpoint, The Bridge, and Rookie Blue) hit television screens during prime-time in North America. In both Canada and the US, television critics marvelled at the increased amount of television programming that Canada was supplying to the North American entertainment television market (e.g., Oswald, July 22, 2010; Beam, July 20, 2010; Stelter, July 19, 2010). Given the recent economic downturn in North America, the major American broadcasting networks needed a reduction in prime-time programming costs, due to an increasingly fragmented audience and softening advertising market (Fixmer, March 9 2009). As a result, they were particularly open to developing entertainment content in partnership with private Canadian commercial broadcasters. If shot in Canada using Canadian personnel, the resulting Canadian-American co-production could benefit from funding initiatives from the Canadian government. As such, the co-producing American broadcasting network could provide prime-time television to their audiences for a fraction of the cost it would otherwise take for a similar program to be made and shot in the US. For example, a typical episode of an American-produced police show might cost around $1-1.5 million to make. In contrast, the American ABC network pays only a license fee of $350,000 in order to broadcast the co-produced police drama Rookie Blue (Adalian, July 12, 2010). By the spring of 2008, the underlying economics of the North American television market were in place, but were rarely explicitly dissected by mainstream news media sources. At that time, no television critic had

100 Alternatively, some researchers have been able to access critically successful, crime-related television programs during the show’s last season (e.g. Kevin Sandler was able to gain access to the production of The Shield during its final season).
101 This trend is only novel in the context of creating prime-time television dramas in partnership with the major American broadcasting networks. American specialty channels (e.g. Discovery) have featured Canadian crime-related docudramas for North American (and global) distribution for at least a decade (e.g., Exhibit A, Forensic Factor, and 72 Hours: True Crime).
any clue that Toronto would become the “mean streets” on which fictional police officers would soon patrol.

**Coming in at “the right time”**
Like other field researchers, ANT researchers make the best of fortuitous, contingent circumstances, and hence are opportunistic when it comes to finding access to research sites. Unbeknownst to me at the time, I had decided to start my research during a time when Toronto was experiencing a relative (television) production boom. Through serendipity, I had thus stumbled upon the best time for doing production research in the city. However, I also needed to come in at “the right time” during a television show’s development and production in order to examine how their particular texts are formed. Timing is not something within the researcher’s control. Nevertheless, the researcher can decide on whether to focus on the television production process of movies-of-the-week or serial dramas, and this sample choice will have certain methodological and theoretical implications for the research process itself.

Like film, a movie-of-the-week is a relatively contained set of representations in which a researcher can expect closure at the end of production. It has a plot with a known beginning, middle and end, and production involves shooting the plot of the story. If the researcher were to come into the production process at the time of the movie’s shooting, he or she would already be coming in at a point when the writing has stabilized, the roles have been cast and the set designed. In this scenario, it would not be easy for a researcher to observe how meanings of the crime-related representations are negotiated during the production process since many of these salient decisions have already been made prior to the researcher entering the picture.

In contrast, serialized television drama has adapted some of the conventions of film production (e.g. acting, camera work, composition, editing and sound production), but is itself a different beast. In a thirteen-episode television drama, producers, writers and directors are constantly shaping the story and the characters with each episode, and the ending is never known. The television drama is an open-ended affair, and only gains an ending once cancellation occurs or when producers feel that the series has run its course. For a researcher interested in the dynamic process of meaning making and the shaping of representations of crime and law, the production of television drama provides an opportunity to observe this in
action. If each episode is considered a relatively contained story in and of itself, a single television show can potentially provide a range of research opportunities (from 13 to 22, depending on the season order)\footnote{In North America, a regular full season of a commercial network television show contains 22 episodes. However, most North American networks tend to order 13 episodes of a show prior to ordering a full season. If the television show is deemed sufficiently successful, as measured by weekly viewer ratings, then networks will pick up “the back 9” – i.e., the remainder of the episodes that would make a 22 episode season. The difference in the number of research opportunities might also be a reason why production studies themselves have tended to focus on television shows instead of films, and television programs with high episodic outputs such as talk shows (Grindstaff, 2002; Gamson, 1998) and soap operas (Levine, 2001).} whereas studying the production process of a film will count as a single research opportunity. Because of the larger output of episodic stories, the researcher can potentially enter the production process as early as the writing stage of an episode. The collaborative team-writing that is characteristic of North American television dramas, in contrast to the single, solitary film screenwriter, also provides a valuable opportunity to observe writers thinking out loud about how they imagine policing, crime and criminals, and how these elements ought to interact in a scene.

**Getting “in the know”: How to gain access by mobilizing cultural capital**

Access depends on the structural organization of television production, which varies by country. In contrast to systems of television production in which broadcasting goes hand in hand with in-house production of programming (Ellis, 2004), Canada’s television dramas are produced by independent film and television production companies that sell their products to the broadcasters for distribution. In this case, access would be granted or denied by the independent production company responsible for the particular television program rather than through the television broadcaster. Having pinned down where to look for access (i.e. production company), it now became a matter of determining who at the production company would be sufficiently “authoritative” to grant full access to observe the production process of the crime-related television program.

In television production studies, much of the access has been granted through what has been called the “producer’s gate.” Unlike film where directors have the most authority, television is a producer’s medium (Newcomb and Alley, 1983) in which directors can come and go while executive producers remain a stabilizing force throughout a television series’
entire run. However, access through the “producer’s gate” has certain implications. First, the producer dictates what the researcher can and cannot observe. Second, interviews with producers might not generate any useful insights since some producers simply “tow the party line” by regurgitating promotional pitches for the show. However, I have discovered that younger, less experienced producers are more likely to do so than veterans in the industry. The latter tend to be more candid.

Although there has been some interest in media studies to shift the focus of research (Caldwell, 2008) from producers (above-the-line creative personnel) to below-the-line workers (e.g. gaffers, grips, camera operators, etc.) to avoid access through the “producer’s gate,” this shift in focus would not be useful for my research project. Above-the-line personnel are the only individuals tasked with deciding how images of law, crime and policing are created and represented; below-the-line personnel are only tasked with “following orders” already set by above-the-line decisions. As such, my research question required that access be granted by the television producer for spaces in which I could observe the work of above-the-line personnel (e.g. the writers’ room).

In order to access above-the-line personnel, a researcher breaches the self-bounded, highly stratified spatial world of television drama production (Caldwell, 2006, 2008), by mobilizing his or her own personal cultural capital – namely, the symbolic capital that one accumulates through education and social upbringing, and that which serves to confer distinction upon an individual (Bourdieu, 1984). In short, this cultural capital may act as “a foot in the door,” but does not necessarily guarantee entry through “the door” into the production process. In contrast to the research choice of “studying down,” where the cultural capital of the academic clearly outweighs that of their subjects of study (e.g. laypersons), my

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103 The above-the-line and below-the-line distinction in labour on television productions originates from the early Hollywood studio days of filmmaking, during which the financial budget top-sheet would literally have a line separating the expenditures of above-the-line and below-the-line costs. Above-the-line expenditures (e.g. salaries of the screenwriters, directors, producers and lead cast members) would have been negotiated or spent prior to the start of filming. Moreover, this distinction between primary creative personnel and technical craftspeople tends to hold with respect to how they are credited in the film. Above-the-line personnel are credited in the opening credits, whereas below-the-line personnel are only credited in the closing credits.

104 I realize that Bruno Latour would be quite upset by my inclusion of Pierre Bourdieu because of their different theoretical orientations. However, this is not an ANT account of ANT, and Bourdieu’s notion of cultural capital captures quite well what a researcher needs in order to gain access into the television industry.
research requires that I “study up.” The individuals who produce television dramas (e.g. producers, writers, directors, etc.) are in high demand, and have at least as much or more capital than the academic criminologist (e.g. they have university/college degrees, are successful in their own field, are economically solvent, and are more popular\textsuperscript{105}). Because cultural capital is field-specific, cultural capital in the academic field does not easily translate to such capital in the field of entertainment television, and vice versa. As such, it is hard to gain access to my particular research subjects without already being “in the know.”

By “in the know,” I refer to three particular sets of knowledge that act as cultural and social capital.

In the first instance of being “in the know,” knowledge is encapsulated through who one knows: a researcher might already be socially connected to television producers through one’s personal and/or professional affiliations. Film and media/communication studies professors, particularly those who moonlight as editors of the film and television industry’s trade journals, have the social and cultural capital to network themselves into researching television production studies through their professional affiliations. For example, John Caldwell (2009) details how some scholars have gained access by tapping into their personal and professional circle of friends and colleagues. Leo Rosten was a screenwriter before he wrote one of the first anthropological accounts of Hollywood, *Hollywood: The movie colony, the movie makers* (1970). Horace Newcomb wrote screenplays before he put together his anthology of interviews with television producers in *The Producer’s Medium* (1983). Barry Dornfeld (1998) was a documentary producer and served as such while researching the production of the PBS documentary series *Childhood* (1989-1991). Other scholars have worked as production assistants (see Hill interviewed in Caldwell, 2009; Grindstaff, 2002) or television writers (see Henderson, interviewed in Caldwell, 2009) in Hollywood.

Some researchers lacking that social and cultural capital have gained access through a second sense of being “in the know” – namely, extensive knowledge of a particular television show derived through the researcher’s personal attachment to that show (see Sodano, 2008;\textsuperscript{105} They are more popular in the sense that the media are interested in what they have to say, particularly on the dramas that they produce. Their work is more popular than that of any academic because more people are aware of it and potentially impacted by it.)
Levine, 2001). This requires that the researcher act less like a disinterested observer, and more like an enthused fan of the television show.

As a scholar without the requisite pre-existing social capital (e.g., personal connections with television creative personnel) or the capacity to be a fan because of my sample of “untried” television dramas (i.e., shows that have yet to air), I mobilized a third sense of being “in the know” — namely, the “expert” knowledge that I have gained through the academic study of criminology, some of which could be of use to producers and writers of crime television dramas. For example, my knowledge of insurance fraud enabled my access to the production process of a pilot for a Canadian television drama called Cras$h & Burn. By providing television writers with the stories that will be used to fuel their imaginations, which in turn shapes the content of their television program, I became part of the television program’s production process, and as such gained access to creative meetings as a participant observer. During the process of working with these creative personnel on the television pilot, I was also gaining cultural and social capital in the field of television production, which in Toronto is relatively small and tightly-knit. This accumulation of cultural and social capital was useful for multiplying research sites and research subjects through snowball sampling. Indeed, it allowed me to later gain access into the writers’ room of The Bridge.

**Methodological limitations**

Ethnographic research is extremely useful for providing new insights into the television production process, especially since the process partially operates on a level of tacit knowledge among its practitioners. That is, writers and producers know how to make television shows, but may not necessarily be able to verbally articulate why or how they know. However, it should be noted that there were parts of the process that remained unobservable or inaccessible to me. For example, I was not allowed access to any financial documents, television bibles, or network phone calls. Being the sole researcher on this

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106 A television bible is essentially a reference guide to the (distinctive) content and form of a television series. The creators provide a description of the world in which the show takes place, as well as back stories for all of its characters. Some television bibles also function as an encyclopaedic source for all the episodic stories that have been told throughout the show’s run in order to maintain narrative continuity over the course of the series.
project, I could only choose to position myself in one place at any one time for participant observation, while the production process necessarily continues elsewhere, beyond my reach as an observer (e.g., filming, set design, location scouting, etc.).

For research on the production of television representations, the uniqueness of research results has been tied to scholarly access to particular productions at a particular moment in time. However, this uniqueness is compounded by the use of ANT. Because the researcher decides which actors to follow and more importantly which actors make up an actor-network, no two ANT studies of the same topic, including this one, will be the same. As such, research results are not easily replicable, and this may be troubling to more positivistic scholars who would prefer a method that ensures inter-rater reliability. I have tried to build in some inter-rater reliability by supplementing the data gained through participant observation with interviews, textual analyses, and data from trade manuals and trade magazines.107

My sample108

My sample consists of data from the following sources109:

Because television bibles were considered by some of the producers as a kind of financial document, I was not given access to this source of data.

107 Here are some of the trade magazines that I have found helpful for my production research: for film and television production in general, Variety and The Hollywood Reporter; for Canadian film and television, Playback; for television writers in particular, Script Magazine and Canadian Screenwriter Magazine.

108 Bruno Latour would not use the term “sample,” and would probably prefer the term “research site(s)” or even “example(s)” (Law, 2007). His quibble with the term “sample” is related to his insistence that the actor-network one studies is not drawn from a larger population of which it is meant to be representative. However, I make no claims that my sample is representative, although it is drawn from a larger population of Canadian television productions shooting in Toronto between 2008 and 2009. In short, while I acknowledge that Latour would not use this terminology, I do not follow his formulation of ANT dogmatically, and consequently do not have the same issues with the term “sample” as he does.

109 In addition to the described sources of data, I also conducted an interview with the co-creator of an original cable (Showcase) half-hour sitcom Billable Hours that examines the office antics of corporate lawyers. This interview is not cited in the substantive chapters of this dissertation, because I found it difficult to (re)trace the production process of Billable Hours. The sitcom had not been in production for at least a year. As a result, it was sometimes difficult for even the co-creator to remember specific examples and details. It was also difficult for me to get a hold of the show’s other producers and writers who have since moved on to other television and/or film projects. In general, I found that specific details (i.e. the why and how of making particular
1. *Crash & Burn* is an original Canadian cable (Showcase) television drama that follows the adventures of insurance adjuster Jimmy Burn, as he navigates between the legitimate world of insurance and the illegitimate worlds of organized crime and fraud in post-industrial Hamilton, Ontario. As previously mentioned, I worked as a paid researcher for the production company, Whizbang Productions, during the pre-production of the show’s pilot (2008) and during the creation of its new media (Internet) website (August-September, 2009). In general, I provided research on insurance fraud and how the Ontario insurance industry operates. For the website, I also provided content for the site’s entertaining yet educational section “Autopsy,” which shows users the anatomy of a car accident complete with insurance ramifications. As a result of my participation in the production process, I was able to observe much of the pre-production and shooting of the pilot during the summer and fall of 2008 over the course of 4 months. In particular, I was well positioned to observe how the show’s creator used my research to create his representations of the insurance industry.

2. *The Bridge* is a Canadian-American (CTV/CBS) co-produced one-hour police drama that follows Police Union President Frank Leo’s quest to clean up corruption in the city’s police departments. I interviewed the show’s head writer and executive producer when *The Bridge* was beginning its pre-production in March 2009. I observed the writing process for 2 episodes during the summer of 2009, where I followed the processes of story creation and revision from breaking story in the writers’ room through to script changes across multiple story documents.

3. Forensic crime docudramas – specifically, *F2: Forensic Factor, Exhibit A,* and *72 Hours: True Crime* – make use of dramatic recreations in order to reconstruct for viewers the ways in which forensic science is used by police officers to solve past crimes in real life.

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representations) are best observed in the field during the on-going production of a television show, especially since they are not easily recalled by the show’s free-lance writers and producers.

110 Autopsy has since become an award-winning website. It won the Favourite Website Award (FWA) of the day on March 3, 2010 (please see [http://www.thefwa.com/site/autopsy?q=autotopsy](http://www.thefwa.com/site/autopsy?q=autotopsy)). The FWA was created to recognize the latest and best cutting-edge creativity, and is the most visited website award program in the history of the Internet.
Over the course of 2008, I conducted 11 in-depth interviews (of 1-2 hours in length) with producers, writers, directors, story coordinators and researchers for these shows, many of whom have worked on several crime-related docudramas. I paid special attention to the ways in which stories were selected, researched, and written. I also conducted a set visit to the shooting of a particular episode of *Forensic Factor*.

Having set the stage, I will examine in the following chapters: 1) the collaborative making of a particular episode of *The Bridge*, beginning with its inception in the writers’ room and following the episode through its various script revisions; and 2) the making of the *Cra$h & Burn* pilot and the ramifications of geographically translating the setting from New York to Hamilton, Ontario.
Table 1: Key television production studies (1980-present)

<table>
<thead>
<tr>
<th>Author(s)</th>
<th>Description</th>
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<tr>
<td>Horace Newcomb and Robert S. Alley</td>
<td>The book was designed to shatter the anonymity of television, by introducing readers to the people who made prime-time, commercial, fictional television dramas (1960-1980). In interviews (conducted between 1975 and 1979), creators described their work in personal, individual terms. This research re-conceptualized television as a “producer’s medium.” In taking a ritual view of communication (i.e. cultural communication is a symbolic process produced, maintained, repaired and transformed through storytelling), Newcomb and Alley insisted that producers present inflections on common cultural themes and patterns of representations.</td>
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<tr>
<td>Todd Gitlin</td>
<td>Using interviews with 200 American network executives, producers, and writers (conducted in 1981), Gitlin attempts to convey how networks do what they do (e.g. make programming decisions) in the context of uncertainty. He explores the rational calculations made by the networks in their pursuit of the maximum audience (e.g. program testing, audience ratings, demographic and schedule calculations, and program imitation). Despite these calculations, Gitlin concludes that networks rely on a small, revolving group of major programming suppliers who act on capitalist imperatives.</td>
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<tr>
<td>Julie D’Acci</td>
<td>Using the case study of the production of Cagney and Lacey (1982-1988), D’Acci’s research addresses the following questions: how do woman, women and femininity come to have various meanings at a specific moment of history and culture? How do these different meanings serve the interests of the people and institutions producing them? How do they shape real human beings in particular ways? These questions are addressed through analyses of the struggles over meaning between TV networks, production teams, publicity firms, TV viewers, the press and interest groups (e.g. the women’s movement). In examining the rise and fall of a single television series, D’Acci was granted access to production meetings and production files.</td>
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<tr>
<td>John Caldwell</td>
<td>Based on an analysis of American mass-market television in the 1980s, Caldwell argues that style increasingly became the subject and content of television. As a product of mainstream networks’ reaction to the growing economic threat of cable, televisuality was also an industrial product, created by a particular technological and production base. Specifically, television’s penchant for style was directly related to 1) the increasing use of certain technological tools, such as video-assist and digital video effects (updated and expanded in Caldwell, 2008), and 2) the production of television dramas by American established film directors/auteurs.</td>
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Please note that this is not an exhaustive bibliography. The selection of cited works privileges book-length treatments of television production written in the last three decades, and works that include ethnographic accounts of the production process. The summaries are also not comprehensive. I highlight the basic research questions asked, and also what I think are noteworthy insights gained from the work.
<table>
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<tr>
<th>Author &amp; Title</th>
<th>Summary</th>
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<tr>
<td>Herman Gray’s <em>Watching Race</em> (1995)</td>
<td>Against the political context of Reaganism and the New Right, Gray explains the proliferation of black-oriented situation comedies on American TV during the mid to late-1980s (e.g. <em>The Cosby Show</em>, <em>A Different World</em>, <em>In Living Color</em>, etc.). As the big three American networks faced a decline in (white) viewership as a result of competition from cable programming and the increased use of VCRs, they increasingly paid attention to black viewers who were less likely to have cable or VCRs. Thus, the networks’ recognition and engagement with blackness were solely driven by economics: these black-oriented shows could attract advertisers and the programs were cost-efficient (i.e. situation comedies rather than prime-time dramas). Using interviews with the writers of <em>227</em> and the executive producer of <em>A Different World</em>, observations from a set visit of <em>A Different World</em>, and textual analyses of different black-oriented television programs, he also argues that these television images of African-Americans were anchored by 3 discursive practices: assimilationist (invisibility of blackness), plurality (separate but equal), and multiculturalist (diversity).</td>
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<tr>
<td>Jostein Gripsud’s <em>The Dynasty Years</em> (1995)</td>
<td>A transnational media study that examines the prime-time soap opera <em>Dynasty</em> (1981-1989). It included 1) an analysis of the original US text against the American context of Reaganism, and 2) a study of the Norwegian reception of the soap opera. The analysis was supplemented by interviews with people involved in the production and distribution of the television serial. From this data, Gripsud argues that transnational market forces helped produce a new awareness and validation of cultural difference in the 1980s, by highlighting the significance of popular texts and tastes which had been previously excluded from Norwegian public broadcasting and official culture.</td>
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<tr>
<td>Richard Ohmann’s <em>Making and Selling Culture</em> (1996a)</td>
<td>An edited anthology that includes interviews with ten executives from the culture industries (e.g. Coca Cola Company, Twentieth Century Fox, Warner Brothers, etc.) and five scholarly analyses. Michael Curtin’s chapter develops the notion of narrowcasting: contemporary marketing logic of the culture industry is designed to appeal to special groups rather than to a mass, homogeneous audience. This appeal to niche markets occurs through the development of individuated programming adjusted to particular cultural tastes and sensibilities.</td>
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<td>Jane Shattuc’s <em>The Talking Cure</em> (1997)</td>
<td>Examines the genre of issue-oriented TV talk shows (that came to the fore in the mid-1990s) and their construction of an active female audience. The analysis is based on 1) her participant observation as a studio member of talk shows, 2) interviews with female fans, and 3) a textual analysis of 240 hours of talk shows. She concludes that the concept of a knowable audience of women is ultimately a fiction used by producers and advertisers to support their self-ascribed ability to attract specific audiences.</td>
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<tr>
<td>Barry Dornfeld’s <em>Producing</em></td>
<td>An ethnographic account of the production of an American public television series, <em>Childhood</em> (1991/1992). Dornfeld was interested in how social agents (e.g. producers and viewers) conceive of, interpret and</td>
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<td>Public Television (1998)</td>
<td>evaluate documentary forms and their meanings. He found differences in how producers and their academic advisors approached the material to be included in the series, especially when it came to articulating scientific ideas and human experience in TV form. While producers preferred cinematic sequences, academic advisors preferred expository narratives about “good science.”</td>
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<td>Joshua Gamson’s (1998) Freaks Talk Back</td>
<td>Gamson analyses how TV talk shows rip open existing class divisions within transgender, bisexual, lesbian and gay politics. Mainstream, middle-class gay activists initially used talk shows for their own political ends between 1980-1990, often appearing as guests on these shows in order to “put a face” on homosexuality. When talk shows became more “outrageous” in the mid-1990s, these activists were replaced by flamboyant, lower class, less educated, politically unaffiliated gay, lesbian, bisexual and transgendered people. Gamson also examines the tenuous alliance among these sexually non-conforming populations, in which some groups are rewarded with “acceptability” at the expense of others. That is, TV talk shows often preached moral acceptance and tolerance of same-sex relationships so long as the partners were monogamous and conformed to gender norms. These “respectable” gays and lesbians were pitted against bisexuals and transsexuals, both of which were deemed morally suspect. In making his argument, Gamson draws upon his participant observation at talk show tapings, 20 interviews with production staff, 44 interviews with people who had appeared as talk show guests, textual analyses of talk show transcripts, and 13 focus group discussions with regular talk show viewers.</td>
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<tr>
<td>Laura Grindstaff’s (2002) The Money Shot</td>
<td>Using ethnography and interviews with production staff, Grindstaff examines how daytime TV talk shows construct categories of ordinary, expert and celebrity. Daytime talk shows “produce” ordinary people for mass consumption. In doing so, they give voice to individuals normally positioned outside the regular machinery of the TV industry (see also Gamson, 1998). However, these “ordinary” people are only allowed to speak in certain ways: as guests on the show, they are expected to talk about personal matters and to deliver the talk show’s “money shot.” That is, they need to express their emotions in visible, bodily terms (e.g. tears and rage). All production efforts are geared towards maximizing the probability of this display.</td>
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<tr>
<td>Georgina Born’s (2004) Uncertain Vision</td>
<td>An anthropological, behind-the-scenes account of how the BBC re-invented itself in response to rapid changes in politics, society, culture and technology. The central part of the book analyzes John Birt’s tenure during the 1990s as director-general of the BBC. During his tenure, production of British TV was revolutionized to follow the model of the US system, whereby programming schedules were planned with the input of marketers and audience market share came to define the value of TV programming. The last chapter examines Greg Dyke’s tenure as director-general, during which he made the BBC less inhibited and more risk-taking.</td>
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<tr>
<td>Serra Tinic’s</td>
<td>Using interviews with film and TV producers and location managers in</td>
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<td><em>On Location</em> (2005)</td>
<td>Vancouver, Tinic examines the making of regional Canadian television in the context of developing global media markets. She concludes that global TV production in Vancouver has been a contradictory process that has simultaneously led to 1) a homogenization of culturally specific storylines, and 2) the development of new avenues for international ventures.</td>
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Chapter 3

Breaking *The Bridge*: Documenting the heterogeneous knowledge inputs into the laboratory of the writers’ room

Entering the writers’ room, a lab intent on erasing traces

While law and science make clear their sources of knowledge through the use of footnotes and citations, fiction operates by effacing its paths, its sources and its methods of knowledge, making them impossible to retrace (Latour, 2010: 274). Since retracing is not an option for tracing those paths, the ethnographer needs to enter the writers’ room. Here, we discover that while all matters of fact have become matters of concern in modernity (Latour, 2010: 242), television writers have not succumbed, and instead matters of concern remain matters of concern.

In counselling aspiring television writers, industry veteran Pam Douglas (2005: 3) asserts that no scene should be written for exposition only. If facts need to be communicated, they need to be set within the emotional context of the story. As such, matters of fact are only relevant insofar as they lend an air of authenticity to matters of concern, and nothing concerns a television writer more than the dramatic story itself. While the writer wants to get the facts right, he/she also knows that there will come a point when the storytelling needs to take over in order to create great drama (DA, March 20, 2009). For example, a memo circulated by showrunner (head writer/producer) David Mamet to the writers of the now-

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112 As such, the writers’ room is also called the story room, highlighting its existence as the place where stories are made (Stepakoff, 2007: 110).

113 All references to initials refer to comments made by the showrunner (DA), writers (MP, FT, MG, KD, and MJ) and the technical consultant (BC) of *The Bridge*.

114 As far as I can tell, the showrunner is a role that is specific to North American television production, as it is still an unfamiliar term in other countries, such as Britain (Cornea, 2009: 121). As a recognized role in scripted television production, it appeared much earlier in the US than it did in Canada. While the showrunner first appeared in the late 1980s as the writing executive producer on American television series (Stepakoff, 2007), it was not until 2007 that the Writers Guild of Canada finally created the Showrunner Award. The award is meant to celebrate the writer/producer who holds the creative vision for a television series and who oversees the creative decisions for the production from development to post-production. This is in contrast to executive producers who primarily oversee the production’s financial decisions. If the showrunner is understood to simply be the person who “runs the show” – that is, is responsible for the day-to-day operations of a television series –
cancelled CBS show *The Unit* (2006-2009) highlights the tension facing writers between matters of fact and matters of concern:

Everyone in creation is screaming at us to make the show clear. We are tasked with, it seems, cramming a shitload of *information* into a little bit of time. Our friends, the penguins [read: network executives], think that we, therefore, are employed to communicate *information* - and, so, at times, it seems to us. But note: The audience will not tune in to watch information. You wouldn’t, I wouldn’t. No one would or will. The audience will only tune in and stay tuned to watch drama (Mamet, 23 March 2010).

If the epistemic culture of modernity, epitomized by (natural) science (Knorr-Cetina, 1999), is entirely focused on the fact, often a numerical representation, the culture of storytelling to which television writers belong has not reached modernity. This does not mean that there is no knowledge involved; it suggests instead that the format of knowledge is not that of the modern fact (Poovey, 1998). Television writers prefer to communicate with anecdotes, often beginning with “remember when?” stories chosen not for being statistically representative of any single phenomenon, but because they are extraordinary examples of that phenomenon. By virtue of being extraordinary, the anecdote is remembered, recounted and exchanged. It is this culture of exchanging anecdotes that underlies the storytelling culture of the television writers’ room. Harkening back to enthralled audiences gathered around a fire (DA, March 20, 2009; RM, July 22, 2008) to hear of stories of heroes and monsters, television writers gather around a table to create the tales that will, it is hoped, engage and intrigue an imagined television audience.

Though television writing begins in the writers’ room, individual episodes are ultimately assigned to single (or pairs of) writers to transform into scripts once their stories are broken by the group. At this point, the script-writing process becomes unobservable.

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then the term is still being disputed between writer-producers and non-writer producers in the Canadian television industry. More importantly for this chapter, the showrunner runs the writers’ room.

115 Numbers also count in the television industry, both in terms of the production’s financial budget and television ratings. However, the latter does not count in the writers’ room, especially for a television show that has not yet aired. While the production budget needs to be taken into account, its influence is most clearly felt in revisions of the production draft of the script (i.e. a script that is primarily read in terms of the production budget).

116 The staff-writing process of episodic television is primarily an American innovation. In contrast to film scriptwriters, television writers cannot be solitary creatures, and are forced instead to work with one another.
The writers’ room as a Latourian laboratory

Before describing the work done in the writers’ room in greater detail, however, I want to take a moment to conceptualize the writers’ room as a laboratory, albeit one that produces fiction rather than fact. In conceptualizing actor-network theory (ANT), Bruno Latour (1979, 1987) has written extensively on how scientific labs produce scientific facts. He is interested in examining how technological instruments or inscription devices are used by lab scientists to transform natural phenomena (a material substance) into a textual figure or visual diagram featured in a scientific article (representation of scientific fact). In doing so, he emphasizes the heterogeneity of actors and instruments that produce the resulting texts and also the contingency and uncertainty during such a production. Certainty exists only after the publication of the scientific article. Latour’s notion of laboratory is analogized to the newsroom in Emma Hemmingway’s (2008) study of the production of news in a BBC regional television newsroom. Following Latour, Hemmingway points out that the news is not constructed extrinsic to the newsroom, even though it purportedly reports on events happening in the external world beyond the newsroom, but is instead constructed by the news process in place at that particular newsroom (e.g., its particular organization of personnel, equipment and inscription devices). While Hemmingway believes that ANT does not properly address issues of power, subjectivity and human agency that are integral to news processes in a way that differentiates those processes from scientific work, the concept of

For more information on the writers’ room in terms of practical advice on being a staff writer, see Laurence Meyers’ *Inside the Writers’ Room* (2010). From interviews with established network TV writers, Meyers provides aspiring television writers with answers to the following questions: how does one become a staff writer? How does one become a better writer? How does one break into the business? For a more academic account of the dynamics in the writers’ room, the reader will have to wait since there is no published research on this matter to date. In the future, however, the reader might take a look at Felicia D. Henderson’s doctoral dissertation. Despite being a full-time television writer and co-executive producer (previous credits include *The Fresh Prince of Bel Air, Gossip Girl,* and *Fringe*), Henderson is also currently writing her dissertation in the Cinema and Media Studies program at UCLA on the culture of the writers’ room (see Caldwell, 2009). Her research will explore the “culture of performance” in the room and its effect on comedy and drama making. In examining how staff writers are “cast,” her research will analyze how race, gender and class figure into the roles, rules and rituals of the writers’ room.

Writers retreat behind the closed doors of their personal office, and spend their time in front of their computer.

See Ericson et al. (1987) for a similar but not-ANT-inspired inquiry.
laboratory has been applied both in her case study and Latour’s exclusively to the production of \textit{facts}. In contrast, I want to apply the ANT-inspired concept of laboratory to a space that produces fiction as a final product.

While it was novel for Latour to point out in his early work (1979, 1987) that scientific facts are indeed constructed, it is a basic assumption that fiction is always constructed: it is assumed that fiction does not exist “naturally” in the world, waiting to be “discovered.” But it is also not the case that fiction exists solely in the imagination of a particular writer. Television writers, particularly those of an older generation, believe in the mantra of writing “what they know” (DA, March 20, 2009), and what they know hinges on accumulating (anecdotal, biographical, cultural, news and scientific) facts about the world through experience. That is, unlike the jurist, the television writer needs to leave the library, go beyond the books, and consequently encounter life (Goodrich, 2005). The writer’s encounters with life, during which he/she “discovers” people, events and anecdotes (DA, March 20, 2009), become the ingredients for his/her eventual stories. As such, the laboratory of fiction-making, despite creating a consciously fictional end product, is very much the Latourian laboratory: it is a space in which things are brought in from the outside world to be assembled into a particular format before being released back into the world as a product:

The first part (actor) reveals the narrow space in which all the grandiose ingredients of the world begin to be hatched; the second part (network) may explain through which vehicles, traces, trails, types of information, the world is being brought inside those places and then having been transformed there, are being pumped back out of its narrow walls (Latour, 2007: 179-80).

This chapter aims to reveal the traces and types of information brought from the world into the laboratory of the writers’ room, particularly by a show’s technical consultant, and how that information is transformed in the laboratory before being “pumped back” into the world. When considering the notion of information, I would like to highlight the ways that it is being used in this chapter. Following Latour, it is \textit{in formation} since I will be detailing how the knowledge is being formed and processed by television writers through a fictionalizing filter. Moreover, this knowledge is meant to \textit{in-form} –the knowledge has a
particular format (form) given its communication through the medium of a television drama. The writers’ room of CBS/CTV’s *The Bridge*\(^{119}\) will be used as a case study for this inquiry.

**Beating it out: The writers’ room and breaking story**

Located on the second floor of a film studio in which the television drama is being filmed, the writers’ room of *The Bridge* is a sparse and utilitarian setting at the centre of the writers’ own offices (see Figure 1). The room consists of a large oval-shaped table and six office chairs. Some writers prefer to stand and pace rather than sit. There is no assigned seating because in this writers’ room, all the writers’ voices are equal in weight. They all, however, face the two large whiteboards that occupy two walls of the room itself. These whiteboards are the *tabula rasa*, the blank slates, on which the episode’s story first takes form. Other writers’ rooms might make use of bulletin boards, instead of whiteboards, filling them with index cards on which specific scenes are written. For example, the writers of the Canadian cable drama *Crash and Burn* (2009) employ this method, possibly because it’s more conducive to the writing of its serialized narrative (Banet-Weiser et al, 2007). In contrast, because *The Bridge* is aired on commercial private networks, its narratives tend to represent a more episodic approach in order to attract the mass audiences desired by advertisers.

Functionally, the difference between using whiteboards and bulletin boards is exemplified in what happens when scenes fail to work in the context of an episode that is being formulated. For writers using index cards in conjunction with a bulletin board, discarded scenes can be saved for use in a later episode. For writers of *The Bridge*, a scene that fails to work is erased and replaced by another scene. The content of the erased scene is lost completely, effacing from memory all of the paths not taken. While scientists document each trial and error undertaken in their labs (Latour and Woolgar, 1979), the writers of *The Bridge* only document the “successful” trials (or scenes) and wipe away from existence the “errors.”

While one might imagine that *The Bridge’s* writers’ room is “dressed,” as film sets are, in a way meant to inspire creativity, its utilitarian office-like setting emphasizes that television writing is a primarily textual job, and that the story is something that one labours

\(^{119}\) For readers impatient to learn about *The Bridge*, please feel free to skip ahead to the next section where I explain the show and detail the logic of the its storytelling.
over rather than something that is merely consumed with pleasure.\(^{120}\) As a job, it has a regular procedure that is used to begin formulating an episode’s story: the process called “breaking story.” A writer from The Bridge likens the process of breaking story to breaking a suspect (MJ, June 9, 2009), which transforms the sparse, no-frills writers’ room into something akin to the generic police interrogation room. In this conceptualization of the process, the story becomes a suspect to be questioned, challenged and broken down beat by beat: a fitting metaphor for a television show premised on a former beat cop-turned-police union head who uses violence to get what he wants. For television writers of scripted dramas, the dramatic beat is also the essential building block of storytelling on screen (Douglas, 2005: 8). Beats are used to build scenes; scenes are used to build acts; acts are used to build episodes. As the smallest node of narrative, running about two minutes in length on the screen (Newman, 2006), the beat is the first textual manifestation of an episode in formation,\(^{121}\) and is also the way that writers inform their audience. For viewers, following a narrative is a process of accumulating information. For writers of network television dramas, the goal is to parcel out that information in a way that will keep viewers engaged enough to watch the entire episode without changing the channel. Information needs to be continually delivered in a way that seems urgent, surprising and emotionally resonant to the viewer (Newman, 2006). As such, each beat encapsulates a matter of concern – specifically, it has a motivated protagonist who wants something (i.e. matter of concern) and will drive the action to get it, often through conflict with an opposing figure (e.g. an equally motivated antagonist).

The formula for writing an episode of dramatic (network\(^{122}\)) television, and for The Bridge in particular, is that an episode consists of five acts,\(^{123}\) each separated by a

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\(^{120}\) Similarly, the writers’ room of 24, a popular American television drama about how special agent Jack Bauer deals with multiple terrorist plots, is described as a room that resembles a “suburban basement” in a “building [that] provides no clue that 24 is one of the most successful – and profitable – shows on television” (Berenson, April 2, 2010).

\(^{121}\) That is, it is the first instance of text being produced for an episode as writers plot out the way that they will reveal information (relevant plot points) to viewers.

\(^{122}\) “Network” is my shorthand reference to a commercial broadcasting network that airs episodes for a mass audience. The narrative for television shows on these networks is cut up by commercial breaks. This is in contrast to the television format of shows on premium cable networks, where the uninterrupted narrative is meant to intrigue a narrow, niche audience market. We will discuss this in greater detail in chapter 5.
commercial break. Each act consists of plus-or-minus seven beats (MP, March 20, 2009; Douglas, 2005: 78). This aesthetic format – five acts with seven beats in each – is necessitated by the commercial imperative underlying network television: the rapid succession of beats keeps the audience sufficiently interested in the show to sit through the commercial breaks, which in turn pleases the advertisers whose money is partially used to fund the making of the show. Often there are fewer beats per act if there is a big action sequence, which will take time to visually develop on screen.²

It is this information on beats that covers the whiteboards in the writers’ room. The whiteboard directly in front of the writers’ round table is divided into five acts, and the process of breaking story will then fill those acts with the appropriate beats. In “boarding” the episode (Stepakoff, 2007: 136), the writers are able to visualize how the plot of an entire story will play out before writing the episode’s script.¹² The whiteboard is used to break the story down into its component parts, to quite literally plot the events that make up the story. In the process of “boarding,” the episode’s story is transformed into an easily visible five-act plot structure when it is laid flat across the space of the whiteboard.

Before discussing the writer’s room in action and the making of fiction, it would be worthwhile to explain the logic of the television drama The Bridge, which both underpins and generates the show’s particular storytelling.

¹² Some shows, like Joss Whedon’s Dollhouse (2009-2010), have been written with fewer than 5 acts: the show has a four-act structure (an opening teaser followed by three acts, Golick, 2008). Recently, however, there have been more commercial breaks inserted into network television dramas to counter the cost of their production due to the overall decline in advertising revenue faced by most large American and Canadian commercial television networks. As a result, it has become conventional for shows to have 5-6 acts per episode.

² This is particularly the case with police shows, like The Bridge. As a result, these shows tend to have shorter scripts overall. For example, The Bridge’s scripts tend to be around 50-55 pages long. More lawyer-based shows tend to have longer scripts because the additional dialogue compensates for the fewer number of action sequences. In fact, of the television dramas currently on air, Law and Order is reported to have the longest scripts, running 60-70 pages long.

¹² See Snyder (2005: 100-1) for similar veteran industry advice given to film scriptwriters on how to begin writing their script. The Board, in this case, is considered the one tool that can help them “see” their movie and ensure that it is well-plotted before they begin writing.

¹² This is in keeping with Bordwell and Thompson’s (2004: 71) story-plot distinction. They define the episode’s plot as all the scenes that will be visibly and audibly presented to television viewers. The episode’s story is the chronological reconstruction of all the events in the narrative, both explicitly and implicitly alluded to by the plot. Thus, there can be more to the story than is represented in the plot.
Airing in Canada as of early March 2010 and shot in Toronto, *The Bridge* is a Canadian (CTV)/American (CBS) co-production\(^\text{127}\) that is premised on revealing the politics behind a big-city police force. After Frank Leo, former beat cop, is unanimously voted into office as head of the police union by the rank-and-file, he begins his “quest to put street cops first and clean up the force from the ground up” (CTV, 2010a). As “Frank walks a thin blue line” (CTV, 2010a) in his quest, he encounters the “brass wall” (DA, March 20, 2009), made up of the old boys’ network running the police force and the city’s self-serving politicians, who try to bring him down. Given this premise, the logic of the show already privileges particular representations of the police. It privileges the perspective of a street cop (Frank still walks a

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\(^{127}\) Being an American/Canadian co-production, *The Bridge* has potentially 2 sets of audiences to please – one American, the other Canadian – but it also suggests that the show will have a potentially larger audience than if it were simply a Canadian show. For Canadian television dramas, it is considered successful if the Canadian viewing audience is above 1 million. For example, *Flashpoint* was touted as a success because it drew 2 million viewers in Canada. For an American television drama on CBS, the American viewing audience ranges from 12 to 15 million viewers. Being a co-production, *The Bridge*’s producers and writers also need to satisfy 2 “masters” – CBS and CTV, but in exchange for this “dilemma,” the show has much better production values than most Canadian programs.
thin blue line, despite having been promoted to president of the police union), over the perspective of the bureaucrat (“brass wall”). More importantly, the logic of the show is built around the producers’ premise that it tells “universal” stories about policing, where this assumption of universality is a matter of both commercial and aesthetic concern. Any knowledge claims or factual information used by the television production need to align with these twin matters of concern. The show’s universality will be discussed in terms of the following four elements: 1) it tells stories about anywhere, which 2) is partially a legal requirement for the production’s purchase of Errors and Omissions insurance coverage. 3) The show also tells stories that ought to resonate at any time, and telling these “universal” stories is part of 4) the showrunner’s preference and artistic vision of the show.

1. Anywhere
First and foremost, The Bridge is a television drama concerned about representations of professional policing, precisely because it revolves around the investigative work done by the police union, an entity that is only brought about by the professionalization of the police force. The show is also preoccupied with the concerns that preoccupy a modern, urban, professional police force – specifically, police corruption (DA, March 20, 2009). This focus has certain effects that work to the television writer’s advantage. By telling the stories of a professional police force, the writers are essentially telling “universal stories” in the sense that virtually every developed country has one, resulting in explicit or implicit concerns about police corruption. Because The Bridge is premised on stories in which cops get into trouble, it should be noted that there are only a finite number of ways in which this can happen. As such, the show can be set in the archetypal Big City rather than the specific location of Toronto because “what happens to a cop somewhere happens to a cop anywhere” (DA, June 2, 2009). As the showrunner explains, the show’s stories are not specific [to Toronto]. We are not hiding the fact that it’s Toronto, but we’re not saying that it’s Toronto. There’s a reason for that. [...] It helps with the universality of the story because these stories come from everywhere, from every police department. It’s exactly the same all over the world. It’s not any different in France than it is in Canada, than it is in Los
Angeles, as far as how the brass, the power structure, and the rank-and-file work. It’s all the same (DA, March 20, 2009).

In reaching for universality rather than a sociocultural/local particularity, the showrunner ensures that the show has the “legs” to be transported into different television markets in different countries. For Canadian television programs, particularly scripted fictional ones, it is assumed by most Canadian producers that success in the US market is a pre-requisite for eventual commercial success in the international market (Tinic, 2005). Because The Bridge is partially an American production, its success in the US is especially important. As such, naming the city in which the series takes place is unnecessary, and actually hampers us [...]. When I was meeting with CBS, they asked me, ‘where is this city?’ And I said, ‘where do you think it is?’ They said, ‘it could be anywhere.’ And I said, ‘exactly.’ That’s where it is. Anywhere. That’s much more important for universal storytelling than you know...That’s what reaches the audience. Well, they may ask themselves, ‘what city am I in?’ But it’s not going to matter if the story’s great and they love the characters (DA, March 20, 2009).

2. Errors and Omissions insurance

The setting of “Anywhere” also “saves [the producers’] ass” (DA, March 20, 2009), by satisfying the show’s Errors and Omissions (E&O) insurance requirements. All television

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128 The Bridge’s representation of a power structure in which the “brass” of the local police force is closely embroiled in local, municipal politics is a particularly North-American one. Mawby (1990) highlights how the development of other police forces (e.g., under the European continental model) was organized under the direction of a centralized, monarchical system of government. For example, in Denmark, the Commissioner of police and the chief constables (“brass wall”) are not appointed by the mayor or local municipal council, but appointed by the Queen or on recommendation from the Department of Justice. These appointments are strictly on the basis of merit and seniority. In contrast to North America, Denmark has very little legislation that attempts to prohibit “vice” offences (e.g. prostitution, alcoholic consumption), laxer laws on criminal procedure (e.g. of obtaining evidence through the proper police procedure), and less safeguards on the rights of the accused. As a result, its police force is described as quite “clean” overall (Garde, 1987). However, The Bridge producers’ assumption of universality in their representation of the policing organization, despite its North American bias, mirrors that of academic researchers. Brogden (1987) finds the academic explanations for the development of policing to be similarly ethnocentric with their almost exclusive focus on Anglo-American patterns of policing.

129 It is possible and plausible that there is a set of similar policing practices and organizations that circulate between the police forces of various countries, making them “universal” in the sense that they are no longer tied to a particular context of practice. While the US police have sought to teach other countries’ police forces their specific policing tactics, they have also imitated strategies of policing developed in other countries. More recently, North America has embraced the notion of community policing, which was originally a policing practice particular to East Asian countries (Marenin, 1996). The circulation (import and export) of various “successful” police practices between countries is made possible by international conferences held by police chiefs (International Association of Chiefs of Police) and other police executives.
productions in North America need to purchase E&O insurance as part of their distribution deal on a large broadcast network. However, E&O is not the only insurance coverage that film and television productions need to purchase. All film and television productions need to also purchase comprehensive general liability insurance in order to shoot on location. For example, the city of Toronto, as is the case in all other North American cities, requires that production companies provide a certificate of insurance as part of their application package in order to get a film permit to shoot in the city’s streets, parks and buildings. The certificate is evidence that the production company is insured, and has named the City as an additional insured. The latter ensures that the City will be properly compensated in the event of third party claims for property damage, and/or bodily injury.

While general liability insurance protects producers from claims of property damage or bodily injuries incurred during production, Errors and Omissions insurance protects them from the risk of future lawsuits arising out of claims about the content of their production. Upon notification of such a lawsuit, the insurance company will cover the cost of the producers’ legal defence for one legal case. These lawsuits might arise out of claims alleging copyright and trademark infringement, libel or slander of persons and/or trademarked products, invasion of privacy, and plagiarism. Television productions are particularly concerned about representations that might be potentially construed as trade libel. For example in the making of the pilot of *Cra$h and Burn*, the showrunner was particularly excited about having a scene where a character drops a trademarked beer bottle from the balcony of an apartment onto the protagonist’s company car below. While the smashing of the beer bottle was assumed to have great dramatic effect by the showrunner, the non-writing executive producer removed the scene as a means to remove the possibility of any trade libel. It was deemed possible that the beer company would see the smashing of their product as a representation that harms their product’s reputation.

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130 In contrast to purchasing E&O insurance during the pre-production phase of making a television series, film productions might wait to purchase E&O prior to making their distribution deal, particularly if it is a low-budget, independently-made film. The need for E&O is also often ignored in films made for Europe, but is demanded by North American film purchasers (Rosenthal, 2007: 136-7).
131 Film and television production is a risky venture that is heavily regulated by insurance, which is not surprising since insurance emerged as an institution that governs risks with financial implications (Ericson, Doyle and Barry, 2003).
In addition to trade libel, producers and insurers are concerned that the some of the production’s content might be construed as defamation. In order to avoid defamation lawsuits, E&O requires that television writers source their knowledge claims, although what counts as factual accuracy varies with each television production.

In the case of crime docudramas, in which documentary storytelling of a “true crime” case plays a significant role, journalistic standards of fact-checking tend to be used because many of the docudramas employ former journalists as researchers or story producers. Thus, every fact brought up in the documentary narration is sourced, either from the court records of a particular criminal case, or from interviews done with police officers or forensic scientists (BL, August 22, 2008). However, crime docudramas themselves vary in terms of the amount of effort put into fact-checking. Some productions ensure that there is a convergence of information from three different sources, such as from interview data, academic sources, news sources, court records, etc. (GK, July 3, 2008). Other productions are more lax: as long as an interviewee proclaims something to be true on camera, it is considered a fact (RB, August 8, 2008). Despite these differences in amount of fact-checking, all crime docudramas select cases with (legal) closure because of E&O insurance requirements. That is, producers deliberately choose criminal cases that have a conclusion, in which the accused is either convicted or exonerated (RM, July 22, 2008). Producers cannot choose cases that are on-going or under appeal, because they would be putting the production and the broadcaster in a situation where they might be sued for suggesting someone is guilty before she has been declared so in a court of law (SJ, June 26, 2008; FF, July 7, 2008; RM, July 22, 2008). Working in conjunction with the production’s efforts to recruit police officers as interviewees, the latter E&O insurance requirement skews story selection in a particular way: producers pick cases in which the police successfully solve crime and get offenders convicted.

In the case of fictional television dramas, facts that underlie a particular fictional story are also sourced, often to newspaper articles or to the show’s technical consultant. Because of their particular technical consultant’s involvement in the production, the producers of *The Bridge* are particularly concerned about preventing particular kinds of lawsuits: invasion of privacy, and defamation (libel or slander).
Because *The Bridge* is inspired by insights from BC, the show’s technical consultant/executive producer, setting the series in Toronto would have opened the production up to potential lawsuits by third parties claiming to have been depicted in the show because of their previous interaction with the show’s high-profile technical consultant. The show’s protagonist, Frank Leo, is the president of a police union, which makes for a simple comparison with BC, who was himself a controversial former president of the Toronto Police Union. As such, the Toronto-based producers feared that local (Toronto) viewers would make this connection between Frank Leo and BC, especially if the show was explicitly set in Toronto:

> It’s if we make this [setting] Toronto, then they immediately think it’s BC. And if it’s BC, then we’re in this situation where everybody and their brother can say that ‘that happened – that must be me in that story!’ Even though it isn’t. I made it up. That could happen, so we can’t say specifically we are in Toronto (DA, March 20, 2009).

Thus, *The Bridge’s* stories need to be written in such a way that viewers cannot reasonably identify a real, living person based on the information observed in any particular television episode (Donaldson, 1996). To that end, identifiable names and likenesses are removed over the course of writing the script as a preventative measure to avoid potential lawsuits concerning invasion of privacy.

Given that the show is premised on telling stories about crime and police corruption, in which many of the peripheral characters are morally questionable, the move to generalize the characterization of persons, by removing any personally identifiable and unique elements, is one that also prevents potential lawsuits regarding character defamation. As an additional means of dissociating viewers from seeing themselves as depicted in the television series (i.e. as the real, living persons who have previously interacted with BC while he was employed as a police officer in Toronto), the producers have generalized the setting. Some Canadian communication scholars (e.g. Tinic, 2005) and Canadian viewers\[132\] consider this generalization of setting to “Anywhere” as de-Canadianizing the content of a Canadian

\[132\] For example, a viewer’s response to the premiere of *The Bridge’s* pilot was posted on the Internet Movie Database (imdb.com), emphasizing how tired he/she was of the de-Canadianization of Canadian television shows. The viewer urges producers to get some “Canuck pride” and to accept Canada on both sides of the camera.
television show. They deem it particularly galling because Canadian film and television shows are largely supported by government funding and legislated tax credits.

However, in the case of *The Bridge*, it is neither financially nor legally a wise decision to explicitly show Toronto as the setting for representations of what one writer has called, “the worst police force in history” (MG, June 2, 2009). If the show’s producers had decided to represent police corruption in the specific city of Toronto, it might have incited a lawsuit from the city itself. If the City of Toronto (as a municipal corporation) decides to sue the Toronto-based production company, it might be possible for the City to sue on the grounds of pecuniary losses suffered as a result of damage to the city’s business reputation (e.g. downturn in tourism in Toronto as a result of foreign tourists no longer seeing the city as safe, due to representations of the city’s police corruption). However, two recent Ontario trial court decisions suggest that freedom of expression, as protected by the Canadian Charter of Rights and Freedoms, also protects citizens’ criticism of government bodies as an absolute privilege (*Halton Hills (Town) v. Kerouac*, 2006; *Montague (Township) v. Page*, 2006). As such, municipal corporations do not have a right to sue their critics for defamation. It is not clear, though, how these court decisions, triggered by complaints from private citizens about their local public officials, applies to a television/entertainment production company.

Because *The Bridge* is a Canadian-American co-production, it is also not immediately clear how legal jurisdiction will be determined in the event of defamation lawsuits. In fact, one cynical story producer of crime docudramas (FF, July 7, 2008) claims that this confusion in jurisdiction is precisely what makes Canadian-American co-productions appealing:

> It’s harder [for Americans to sue Canadian production companies] and it’s just more of a hassle and it’s kind of dislocated. Apparently, at [this one crime docudrama production] that I worked at, people threatened to sue all the time, but it was an American lawyer. We were instructed that until you get a letter from a Canadian lawyer, ‘don’t worry about it.’

To avoid lawsuits from both American and Canadian viewers, *The Bridge*’s showrunner makes generalizations, which operate to transform particulars into universals, not only with respect to the setting but also with respect to the stories that the writers want to tell. As the showrunner puts it,

> You’re insured so [...] there are certain stories that you cannot tell. So how do you tell those stories if you want to? Well, you look for the universal element within that story. And you can find it anywhere. I can find it in Vancouver; I can find it in Los Angeles; I can find it in New York; I can find it in Toronto – wherever. I can find that same story virtually
somewhere else, because they’re so similar. Cops are going to get into trouble in certain ways (DA, March 20, 2009).

However, it should be noted that the ways in which cops get into trouble are to a certain extent culturally specific, and not necessarily universal. *The Bridge* represents a predominantly North American-centric vision of police corruption. In the episode titled “Painted Ladies” (original CTV air date: April 23, 2010\textsuperscript{133}), Frank Leo uncovers a prostitution ring run by a vice cop. While the episode’s story was inspired by a *Toronto Star* news article about a Toronto Police “morality officer who ran a sex-for-pay service” (Story, April 7, 1990: A1), this kind of police corruption can only occur in places where prostitution-related activities are illegal, and the police have a specific vice control department. In the Netherlands, for example, the Dutch police would be less inclined to engage in this particular kind of police corruption because voluntary prostitution is not a criminal activity. While it is not empirically accurate to suggest that all police officers get into trouble in similar ways, irrespective of a consideration of cultural context, what is important to note is how E&O insurance requirements facilitate the showrunner’s assumptions of universality, and consequently his generalizations.

As science’s use of induction transforms a limited set of observations into generalizing conclusions about a phenomenon, the showrunner’s method of generalization can also be understood as inductive. He chooses a particular incident about police corruption that he wants to tell. Under the assumption that the particular incident is generalizable to other police forces in different cultural contexts, the showrunner multiplies the number of stories told about a similar incident from various independent sources. Typically, the writers will need to be able to point to three\textsuperscript{134} publicly available (news) stories about a particular kind of police incident (e.g., in episode 12, as described in the next section, police officers stealing drug dealers’ money) to not overly particularize and subsequently identify a police force with that particular incident.

\textsuperscript{133} All other air dates cited from this point onwards refer to the airing of episodes on CTV.

\textsuperscript{134} For the makers of independent film, Donaldson (1996: 44) suggests only double sourcing: two separate and independent sources are needed for each factual assertion in the script.
In using news stories, the writers are using knowledge from the public domain. This also saves the production money,\(^{135}\) since producers do not need to purchase copyright permission from the relevant owners in order to use such knowledge in the crafting of *The Bridge*’s stories. Such copyright permission is necessary for E&O coverage and to prevent potential lawsuits concerning copyright infringement. Intellectual property rights are not attached to knowledge in the public domain, especially if the writers simply use the underlying facts of the police incident reported in the news article.\(^ {136}\) Later, we will examine how these sources of the knowledge are run through a “fiction filter” as an additional means for transforming particulars into universals in the formulating of an actual episode.

3. **Anytime**

By setting the series in “Anytime” – that is, by “not specify[ing]”\(^ {137}\) exactly the time that you’re in” (DA, March 20, 2009) – the showrunner ensures the show stays “fresh” despite time lags in its release (e.g. initial airing and potential syndication), including a time lag of at least a year. For example, I first interviewed the show’s executive producer and showrunner in March 2009 when it was first announced that the show would also be picked up by the American network CBS. It was assumed at that time that both networks (CBS and CTV) would begin airing the show during the summer (August) of 2009. When that did not occur, it was assumed that the networks would put the show on their midseason schedule (early 2010). When CBS could not find any available room in their midseason program schedule (CBC News, January 10, 2010) and CTV was still operating under the assumption that it would simulcast the show with CBS (i.e. air the show simultaneously at the same time and same date), the show’s airing was pushed back indefinitely. However, CTV finally decided to not wait for a simulcasting opportunity with CBS, and would instead bow *The Bridge* immediately after its coverage of the 2010 Winter Olympics (Vlessing, Feb. 3, 2010). As such, CTV could use the Winter Olympics as an opportunity to promote its original Canadian

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135 This becomes money that can be spent elsewhere (e.g. better costumes, stunt choreography, etc.).
136 If writers are using a news story with an editorial bent, in which the journalist has asserted a particular argument and re-arranged the facts to illustrate that argument, intellectual property rights might be violated if writers use exactly the same telling of the facts.
137 For example, this entails that the writers refrain from adding pop cultural references because these references effectively the show in the long run (DA, March 20, 2009).
television shows to a larger-than-average Canadian audience (i.e. Canadians who tune in to watch the Olympics, but otherwise do not tune in to CTV’s other televisual offerings). On the American front, CBS finally aired the first two episodes of *The Bridge* in July 2010 before cancelling the show.

4. Showrunner’s storytelling preference and artistic vision for the show

Lastly, the universal quality of the stories\(^\text{138}\) told on *The Bridge* is a result of the showrunner’s own preference in storytelling, which in turn sets the tone of storytelling for the rest of the writing team. For the showrunner, his whole thing is I want to tell universal stories. [...] I’m more of a Jungian than a Freudian in that way. I mean, I’m always looking for those classic elements. [...] So once I find [the archetypes] in a story, I can then use [them] because drama is—we make sense of the world by telling ourselves the stories of our lives. And that’s what drama is. That’s what writing is, or that’s what storytelling is. You want to tell the story because people cannot necessarily process this information in another way. And this goes way back to people sitting around a fire saying ‘hey, today I ran into this situation, and I’m traumatized...’ But by creating this and putting mythical elements to it, I can make it so that everyone can understand it who is sitting around that fire and also process it. We not only give it credibility, but we also give it, what’s the word I’m looking for? Palatability, I suppose. I mean, the ability that we can now share it. By sharing it, we can breathe a sigh of relief. We make sense of it now. Even if it doesn’t make sense, it makes sense because we’ve shared it. ‘Cause we can all look at each other and go ‘I’ve been there. I know that feeling’ (DA, March 20, 2009).

In short, the showrunner envisions the show as revolving around a dramatic biography (“telling ourselves the stories of our lives”) that resonates with an audience (“makes sense because we’ve shared it”). It is a biography rather than a cultural story per se (i.e. a story we tell ourselves about ourselves; Geertz, 1973), and it is the biography of Frank Leo where the facts about his life are only significant if they form an emotional context that can be shared by the audience (“I know that feeling”). In archetypal terms, Frank Leo’s life is the Honest Lion’s quest, a heroic journey during which he battles what appears to be never-ending corruption. In short, his quest is to “clean house,” by purging it of dirty cops “from the ground up,” because the foundations of the “house” are themselves dirty. Given this quest, the networks also issued some guidelines about how this quest ought to be formatted:

\(^{138}\) The universality of film and television storytelling has been emphasized by film writing gurus such as Robert McKee (1997). As McKee (1997: 4) notes, “stereotypical stories stay at home, archetypal stories travel.”
it ought to generate “satisfying cop stories” where Frank takes an active role in all of the stories being told (MJ, June 2, 2009). In order to take an active role in the writers’ stories, Frank is given all the investigative powers of a police officer without actually being one. For example, in the episode “Painted Ladies” (April 23, 2010), Frank Leo asserts that “he is not a cop.” The operative thing to note is that the assertion is made in the present tense. Although he keeps in touch with active police officers and is considered a cop by other cops, Frank is not actually a cop when employed full-time as the head of the local police union. As a result, the writers spend some time justifying under what authority Frank can investigate the alleged corruption of other police officers (episode titled “Fat Lady Sings the Blues,” March 12, 2010). Having turned in his police badge, he now carries the badge of the Police Association. He rationalizes the legitimacy of his investigations under the power of the Police Association and its mandate of protecting (street) cops. His investigative work tends to involve delegating the actual investigating to active cops, particularly those from the division in which he previously worked as a cop.

By making Frank an investigator in cases of police corruption, the writers translated the network demand for “satisfying cop stories” into stories where Frank actively solved crimes, albeit crimes committed by police officers. Thus, the show transformed from its original premise of revealing the political machinations behind police forces to the more standardized format of a crime/police procedural, such as those currently airing on its coproducing networks CTV/CBS (e.g. CSI). As one writer puts it,

[Frank]’s in on a lot of investigations, out in the field giving orders to cops, so on and so forth. So there’s not much realistic about that. It’s funny. What we’ve done in some respects is the way that the CSI guys, the forensics guys dig for fingerprints and so on; but they’re out tailing suspects and doing investigations and so on and so forth. We solve crimes, so on and so forth. It’s an interesting progression we’ve taken here (MP, June 2, 2009).

As a result of this translation into police procedural, the relevant part of Frank’s story becomes his work life, which in turn becomes defined by a series of episodic investigations into crimes, and specifically crimes conducted primarily by dirty cops rather than civilian criminals. Because The Bridge’s main character is a former cop now working to protect the cops (the mottos of this fictional Police Protective Agency include “We protect those who protect us,” and “It’s like we’re 911 for cops”), the show’s representation of police corruption does not suggest that all cops are corrupt. The nature of the show’s narrative
determines which approach to representing police corruption – either the “bad apples” or systemic approach – is taken in a given episode. When the show takes on the narrative of “modular episodes” (Douglas, 2005) – new situations, such as a criminal investigation, that conclude at the end of an episode – the show takes the “bad apples” approach to representing police corruption. Here, the show takes great pains to not represent the police as a monolithic entity, but as a constellation of discrete police units and departments, some of which include individuals or teams that are corrupt. When the show takes on a more serialized narrative – a long narrative where the stories continue across many episodes (e.g. soap operas or HBO television dramas) – it represents a more systemic form of corruption, one that runs from the old boys’ network that anchors the police force to city politicians (mayor), criminals (organized crime) and other criminal justice figures (attorney general).

The remainder of this chapter will examine the “bad apples” approach through the way writers discussed the corruption of an Emergency Task Force (or SWAT) team in the writers’ room. This examination will also take into account the way in which information from the technical consultant inspires the writing team, and the way it gets translated into the conceptualization of the episode. In short, this is an inquiry into how television writers act in the face of doubt. In the instance of doubt about procedural technicalities, they call in their technical consultant. When scientists are faced with doubt, they leave the lab and go back into the field for more research (Latour, 2010); when television writers are faced with factual doubt, they do not leave their “laboratory” but instead call their expert in from the field to deliver a recounting of the relevant facts as he knows it. That is, the technical consultant brings the world as he knows it, from personal experience on the job, into the writers’ room.

Making “bad apples” in Toronto: Breaking “Injured Cop”

On June 2, 2009, The Bridge’s writing team, made up of five writers, broke the story of “Injured Cop” (episode 12 in an order of 13 episodes). In broad strokes, the story begins with a hostage situation at a restaurant involving two drug-addicted thugs, during which a police officer is injured and taken hostage. Frank Leo rushes to the scene. Although he finds Good Sergeant cooperative, Frank is prevented from going in to the restaurant to take down the hostage takers by Bad Sergeant. In doing some of the negotiating with the hostage takers, which primarily involves providing the thugs with their drug of choice, Frank discovers that
there is more crime than first meets the eye. Above and beyond the current theft and hostage taking by the thugs, the restaurant is a place for a money laundering operation that is somehow facilitated by Bad Sergeant. Unlike reality television shows about policing, such as COPS, the shooting of a fictional police television drama requires a script premised on a plot that delivers certain dramatic sequences. Because the appeal of reality television is said to be related to its capacity to show unscripted “reality” or the “raw, unvarnished truth” (Doyle, 2003), it suggests a dichotomy between reality/truth (i.e., “raw facts,” that strange hybrid of law and science; Latour, 2010: 241) and fiction. In practice, however, the distinction between fact and fiction is not so easily drawn. The Bridge’s writers begin with “reality” in the form of anecdotal “true stories” about police incidents across North America, and then pass these stories through a “fiction filter” (DA, March 20, 2009). Although conventionally one would assume that this filter gives writers’ total creative license, it is primarily understood to be a filter that transforms matters of anecdotal fact into matters of dramatic concern (e.g. what are the stakes involved in telling this story? For whom?), because the filter is just… drama [or] the building of the drama within [the story]. Because you have to ask yourself, what’s at stake for everybody? Where’s the conflict? What are people’s – what do they want? How are they going to get it? And at the same time, I combine elements from this story and I put it with this story. And these stories are all published and public domain. They’re based on things in newspapers, or published somewhere that makes them public domain. So then you take those stories, you can combine them, work them, do what you want with them (DA, March 20, 2009).

In combining previously published and publicly available stories about police corruption, the fiction filter functions to erase the sources of the writers’ knowledge about the police. Unlike scientists or academics, television writers do not need to cite the sources of their knowledge, particularly if they are claiming that their story, and the knowledge

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139 The ethics of creating reality-TV or docudramas (see Nichols, 2001), premised on events in actual “reality,” are very different from that of creating a fictional television drama. The latter does not concern itself with the potential issue of exploiting or further harming victims (e.g. interviewing the families of a murder victim for the purpose of entertaining a mass audience) since all victims are fictional. As a result, the writers of The Bridge have “killed” and “injured” many police officers, averaging about 1-2 officers per episode.

140 The writers of The Bridge also gain information about police concerns from a website called Officer.com. Police officers across North America discuss their particular concerns on the site’s message boards. In the Information Age, the Internet is also an important means through which the world of policing is brought inside the writers’ room. The search engine function provided on the Officer.com website is also a convenient way in which writers can find different stories about the same kind of police incident, which will be useful for satisfying the E&O requirements of the episode.
encapsulated within it, is a universal one. As such, the fiction filter makes the story familiar in the sense that the audience is likely to have encountered it before, albeit as news or in filmic representations of the police; however, this familiarity also implies that the story is likely to resonate with its audience. Even though the fiction filter erases the sources of the writers’ knowledge in the crafting of the script, the filter can also be understood as a legal requirement from the Errors and Omissions department. In this case, writers get the facts deliberately wrong in order to avoid future lawsuits.141

So how does the television writer come to know about the police? For the showrunner, this general question is met with the vague answer that he “hears stories” about the police, but could not tell you from where or from whom in any exact, precise identification of the source of his knowledge. Sometimes, these are from news stories about the police that he has read/seen over the years, anecdotal stories told by former technical (police) consultants on other crime-related television dramas that he has worked on, anecdotal stories told by friends that were/are police officers, or anecdotal stories told by The Bridge’s technical consultant. As I alluded to earlier in this chapter, retracing how television writers know about the police or an incident of police corruption is rather impossible after the fact. It is, however, possible to trace what writers know and how they know it while they are still breaking an episode’s story in the writers’ room. The question for this section is, how do the writers come to know about the episode’s “bad apple”? What kinds of sources of knowledge allow them to imagine and represent the “bad apple” in a particular way? How does that knowledge inform the story? In addressing these questions, I will be examining heterogeneous sources of knowledge, including factual (e.g. newspaper articles), anecdotal (from the technical consultant) and fictional (e.g., fictional police shows) sources. It is important to note that the making of fiction does not rely on any singular kind of knowledge source,142 but is the result of combining various kinds of knowledges together.

141 While the sources of knowledge are never explicitly acknowledged in the episode’s story, the sources are retained by the writers for insurance purposes.

142 This is similar to Latour’s (2007) claim that society is not simply made up of “social” stuff, but a heterogeneous mixture of social, political, technological, psychological matter. So, too, television fiction is not made up purely of fictional stuff.
Local knowledge: The technical consultant’s anecdotes and competing representations of policing

Although The Bridge is said to be set in “Nowhere’s Ville” (writer MJ, June 2, 2009), local knowledge is an important ingredient and input into the writers’ storytelling process. What writers know about policing and police corruption originates relatively close to home. In the case of The Bridge, its writers know first and foremost about Toronto policing, either through reading the local newspapers, watching locally made police procedurals (i.e. Flashpoint) or through the show’s technical consultant. Thus, the relevant knowledge claims that anchor the universal story told in this episode of The Bridge are local ones.

a) Newspaper articles
Initially, the writers had conceived of this particular episode’s “bad apple” as a member of the police drug squad unit. As one writer explains to his fellow writers, “Think of the drug squad in Toronto. It was said that they stole [drug dealers’] drugs and their money” (MJ, June 2, 2009). As such, this “bad apple” was consciously modeled after members of the Toronto Central Field Command’s drug squad unit. Reports of this squad’s wrongdoing was reported by major Toronto newspapers in 2004. Allegations included charging a “tax” on drug dealers, stealing over $400,000 from safety deposit boxes and beating up drug dealers (Seglins, April 28, 2008).

However, over the course of breaking episode 12’s story in the writers’ room, it was decided that the “bad apple” would be primarily represented by a sergeant from the Emergency Task Force (ETF). The decision to have a bad ETF sergeant was inspired by anecdotes told by the show’s technical consultant.

b) The technical consultant
The use of technical consultants in television dramas, particularly procedurals, is fairly standard practice in North America. Technical consultants provide an air of authenticity.

143 To date, there has been no published paper on police technical consultants used in the making of television drama series. It is not clear how frequently technical consultants are used in crime procedurals, although almost every (entertainment) news report about a crime procedural on North American television tends to include some
to the stories being told by writers in several ways. First, the consultant provides writers with
the technical details about the way things are done, including the relevant professional
jargon. In a police show, this might include explaining to writers about proper police
procedure, or showing dramatic performers how to hold a gun. More importantly, the
technical consultant might be the one to provide the story idea in the first place. Before
analyzing the technical consultant’s contribution to the making of this episode’s “bad apple,”
I will provide some background information about this particular episode’s story.

Because episode 12 was meant to give viewers closure by resolving its discrete
investigation of a case of police corruption, the writers broke the story into its component
parts using a mystery structure. To conceptualize the mystery, they needed to answer two
questions: whodunit and “howdunit” (how was the crime committed)? The crime in question
would be theft – that is, police officers stealing money from drug dealers. However, in the
episode, these corrupt police officers would be represented by ETF Sergeant Coombs (“bad
sergeant”) and Deputy Chief Cafferty. So the remaining question for the writers was: how
can Coombs smuggle the money out of the restaurant if police officers are constrained by a
chain of evidence that holds them accountable and prevents them from confiscating
criminals’ possessions (money, drugs or weapons) from a crime scene? As the writers were
in doubt as to the correct police procedures to be followed in such a scenario, they called
their technical consultant in from the field.

An hour after receiving a text message from one of the writers, the technical
consultant ambles into the writers’ room in a Hawaiian T-shirt. Here, expertise is not
manifested in a professional dress code, unlike the formal attire of court or the white lab

mention of a technical consultant. Attempts to determine the number of technical consultants might be hindered
by the consultants’ anonymity, particularly since some of them choose to remain uncredited for their work. In
contrast, some researchers have been able to determine the identity of scientific technical consultants involved
in the making of Hollywood science fiction films precisely because they are credited (see Frank, 2003; Kirby,
2003).

To become script consultants of TV medical dramas, the American Medical Association (AMA) teamed up
with producers of such shows (e.g. Dr Kildare, and Ben Casey) in the early 1960s. While the AMA used this
liaison to secure popular consent for its profession during a time of growing national debate over the merits of
private health care, the producers of medical dramas used the AMA’s “seal of approval” to legitimate their
program as a form of high “science” with pedagogical value (Turow, 1997).
coats of science. Instead, in many cases, technical consultants for television shows are divested of such professional attire through retirement\textsuperscript{145} or a career change. In other cases, the professional attire is symbolically left at home, so that the technical consultant is speaking off the record in his/her own name, and not in the name of the company or profession. This allows them to disassociate from the obligations of confidentiality and potential conflicts of interest that tend to otherwise characterize these jobs (e.g. lawyer or cop). The informal attire also mirrors the way in which information is shared between technical consultant and the (almost always informally/comfortably attired) writers. Thus, the technical consultant can speak freely about various anecdotal “war stories” encountered on their former job that function as case studies for the writers. They can also speak from experiential knowledge (e.g. the technical knowledge of how particular procedures are carried out and under what logic) without self-censoring.

The initial question posed to the technical consultant is provided in the following excerpt, serving also as recap of the relevant scenes that the writers had been imagining up to this particular point in their process of breaking episode 12. Following the initial question, I have also provided a relatively lengthy excerpt of the exchange between the writers and the technical consultant in order to reveal the changing questions and dynamics of reasoning that occur over the exchanges, as well as the collaborative nature of the writing team. Although this episode is written by and credited to only two writers on the team (KD and MJ), the process of breaking story requires that the entire team be mobilized into thinking through the formation of the story and its characters prior to the script-writing stage. The following excerpt demonstrates the transitional moment during which the writers’ conceptualization of the episode’s crime is transformed by new pieces of information provided by their technical consultant.

- Writer MG: What’s the process when either money or weapons or drugs are confiscated at the scene of the crime? The scenario is SWAT team goes in and busts big drug dealers’ money...A big pile of money. And the next scene, the lockup officer or whoever is in charge once [the money] gets to the station, comes to Frank and says, “I know money and

\textsuperscript{145} Crime docudrama producers also tend to favour retired police officers as interviewees because there is less conflict of interest in their participation in the program’s production (JH, June 16, 2008). In contrast to police consultants, science consultants are still working in their field of expertise (Frank, 2003) because their expertise is derived from continued scientific practice. Moreover, scientific practice is not bound by the same obligation of confidentiality that tends to characterize on-going police work.
those photographs from the crime scene show that it’s clearly $5 million, and when it came in it was only 3.” So what’s the process of getting the money from the crime scene to lock up?

- Technical consultant BC: This much money you’ll have an escort. And it goes to what we call the property bureau. This is cash, it’s logged. Firearms go to Forensic. Anything with blood or DNA goes to Forensic; here down on Grosvenor Street [Toronto]. Cash just goes to the property bureau. That much money would be escorted with an ETF truck. […]

- MG: Who photographs the scene?

- BC: Your Forensic.

- MG: We sort of need that initial photograph of the money for the guy at the property bureau to say, “The money that came in doesn’t match the crime scene.”

- BC: Yeah, without counting anything, you just want them to stack it. The way that coppers would do it is not just counting it all, but stack it. Say, four equal stacks [of money]. Line it up against the wall or something, right? Okay, take a quick picture if you don’t want to count. If the stack is lower in the next picture… [They then transport [the money] in these big cans that look like hockey bags. They can seal it. The one thing that you’re going to have to get around is that there’s a property seal that goes on that can’t be broken. At the scene.

- MJ: But the idea is that not all the bags make it to property. Somewhere between the…

- Writer MP: Yeah, but they’ve logged those when they put the seal on.

- BC: For what you’re talking about, they seal the bags at the scene so it can’t go missing. I don’t know how you’re going to get around that ‘cause those seals are not broken.

- MJ: Well, it will have to be before it goes into the bag.

- KD: That’s a lot of money to take though.

- MP: We started out with a lower number [monetary figure] but we’ve gone up to [$5 million]. But if it’s a couple of hundred thousand…The thing is we’re saying it’s this SWAT team that’s gone in [to bust] this heavy duty group of drug dealers. Before forensic photos are even taken, they could have made some of the money disappear, right?

- BC: Yeah, there’s a huge investigation up in York region right now. It was just in the papers two days ago. They went and did it. It was in the Toronto Sun. […] ETF went at 4:30 in the morning, kicked the door [open], beat the people and there are pictures of the beating. There’s an internal investigation…

- MJ: So depending on how you want to lay out the crime scene –there’s shooting and stuff going on – if more than one of the SWAT guys is in on this, they can separate themselves […] from the rest of the people [especially] if there’s bodies on the ground and you know, people getting cuffed and all that kind of stuff going on. But one guy’s job, they know going in, [is to] get the money […].

- BC: There’s one answer to all that. It’s the amount of money that you’re using. I don’t think you can pull this off. If it was less money…nobody comes into a search warrant until the ETF clears the scene. Nobody is allowed in.

- MP: There you go. That’s great.

- KD: What if we make it half-a-mill[ion]?

- MG: What if we make it 2? Somehow a [couple of] thousands doesn’t make it interesting like that.

- BC: The only way to get around that…I would say that if you want to add to this story, make it less but that these guys have been doing it for [a while].

- MG: So that’s why [this] has gone unnoticed for so long.

- BC: ’Cause it’s such a small amount. And the bad guys aren’t going to say, “Hey,” you know, in court. “where’s the rest of it? […] Well, I had more drug money!”
Over the course of 8 minutes, the technical consultant has changed the dynamics of the crime committed by the corrupt police officers: they have stolen less money in this particular instance, but the crime is still severe because it suggests a pattern of stealing money from criminals (drug dealers in particular) over time. It is likely that an entire ETF unit rather than a singular officer is guilty of such a crime since it requires collaboration between the members to pull these thefts off. The moment of criminal opportunity is built into the police procedure itself: the crime scene must be cleared by ETF before any other police team (e.g. forensics) can enter the scene, which allows a corrupt ETF unit to confiscate evidence prior to it being logged. This in turn would “get around” the obstacle of having large sums of money being logged into sealed containers by the forensics unit, particularly since the seal cannot be easily broken. If the writers need inspiration or a news reference for such a scenario, the technical consultant also pinpoints a publicly available news story about such corrupt cops in the nearby York region.

In changing the dynamics of the crime, the evidence of the crime itself changes. No longer can a forensic photograph suggest wrongdoing by corrupt officers in a before-and-after comparison of the amount of confiscated money. After all, forensics is only allowed into the crime scene after ETF has done their work “clearing it.” What the writers now need is a whistle-blower (e.g. undercover narcotics cop or a Serpico-like member of the ETF unit), or an informant (e.g. a criminal who rats out the bad cops) that can tell them of this difference in money, and subsequently implicate the ETF unit. The technical consultant leaves this problem with the writers.

Having established how the crime can play out in this episode, the technical consultant goes on instead to provide some information about Toronto’s ETF, or more precisely, the ETF as he knew it based on his former interactions with some of the members of its unit. Through an anecdotal story about a particularly memorable member of the ETF, the technical consultant fuels the writers’ imagination about how to represent ETF Sergeant Coombs, especially in contrast to the representations of the ETF on Flashpoint. Filmed in Toronto, Flashpoint is a procedural about an elite tactical police force, the Strategic Response Unit (SRU), which is modelled on Toronto’s ETF.

- BC: When I ran the union, the second biggest union clients was ETF. I had one [that] was shoplifting, stealing from the station, you know. These guys were unbelievable. They just thought that they were so protected. Domestic assaults, everything like that...
MJ: And they're not the second biggest [police] unit, are they?
BC: There’s only – when I was there, there was only 75 of them. It’s a very small unit, but they’re fucking crazy these guys! One guy would wear a turtleneck all the time. And he got shit [on it once…] so he had to go to his house, it was me and X. We go to the house, […] and it’s like in the summer, he’s got this turtleneck on. The house is really heated ‘cause he had 3 really big boa constrictors running around the house – 30 feet long. You know why he wore the turtleneck? He had “Hate” [tattooed] across here [gestures to the neck]. He was a complete skinhead, white supremacy. I’d walk in and there are fucking snakes curled up in the corner! We got to get this guy cleared?!!
MP: What was his…?
BC: And the boa snake had just [fed on] a pig or something!
MP: What was the issue that brought you there?
BC: It was involving a shooting. He shot a guy. I won’t give you names. He’s still on the job…See, the problem is that on [ETF] detail, they’re there for years. They could be there for 10 years, you know. […] And they had a different set of rules in shootings; they had their own breakdown times, their own rules.
KD: That’s how Coombs has functioned like this, almost above [the law]…
MJ: Yeah, there could be a turtleneck.
KD: Yeah, or for his snakes to try to strangle him. [CB in background: I don’t know what he was feeding those snakes.]
MG: Should we do that? That same thing?
BC: I don’t care. […] Flashpoint…You got to be kidding me! Please! Little girls running around with guns.

“Little girls running around with guns” is a summation of how the technical consultant perceives representations of the ETF unit in Flashpoint. Femininity is attributed to male ETF members represented in Flashpoint who articulate the psychological stresses of their work through any form of emoting. According to BC’s perception, real-life ETF men do not show any psychological or emotional cracks. In his example, the ETF man does not feel emotions deeply, but instead only manifests them (e.g., “Hate”) as tattoos on the physical surface of his skin. Still, such emotion is generally hidden underneath clothing, especially on a professional basis. At home, the described ETF member enjoys only the companionship of large snakes. As the archetypal Adam who has chosen the Serpent over any Eve, he also metonymically takes on the characteristics of his favoured pets: dangerous, predatory, cold-blooded (e.g. unemotional), and deceitful. Here, deceit comes in the form of betraying the professional code of being a police officer insofar as one is expected to uphold the law and not commit any crimes while doing so. Instead, this ETF member is himself a snake who will eat pigs (also a metonym for the police) when necessary.

In providing the anecdotal story about the unforgettable ETF member, the technical consultant does several things simultaneously.
First, in his description of the particular ETF member, there is no mention of that member’s affiliation to other members of the police brass and/or municipal politicians. As such, the technical consultant offers up to the writers a discrete police unit that can be represented as corrupt, playing into the “bad apples” approach to representations of police corruption. In writing about “the guy that you call to stop guys like him” (MP, June 2, 2009), the writers are intrigued by the possibility of representing the most conventionally heroic of the police as also potentially the most corrupt. Moreover, the writers understand this particular ETF member as an exemplar of ETF culture “as it really is” (in contrast to its representation in Flashpoint). As the writers are getting deeper into conceptualizing the character of ETF Sergeant Coombs (FT, June 2, 2009), the more they are simultaneously delving into ETF culture as a police subculture that frequently works above the law. Here, culture is understood as depth of character. Although TV writers love writing complex characters (DA, March 20, 2009; Douglas, 2005), some characters (e.g. Bad Sergeant Coombs) come to personify an entire (sub)culture in the writers’ minds, becoming a character type rather than a fully individualized character. In the following excerpt, note how a single individual (“he”) becomes generalized into a type (“they”):

- MJ: [A potential whistle-blowing cop could say,] it’s somebody on the SWAT team, I think. I don’t really know them. They’re all crazy. They wear turtle-necks in the summer and have giant snakes in their house. We don’t really hang around with them. No one does.’
- MP: There’s this guy, this famous ETF guy. He’s the cowboy of the [ETF] department and everybody looks up to him. He’s right out there. He does have snakes. The crazy tats that are hidden, covered with clothing. Does Frank have to get into his life somehow? Set him up for something? Or find out who he is connected to somehow? [...] Is there a way that they can get to this guy? [...]  
- KD: Well, we got to keep it small [for production purposes], right? We could visit a paintball place and this guy is well-known ’cause he’ll go and take on a team of eight [paint-ballers]. It’s non-stop with these [ETF] guys. They’re adrenaline seekers.

At this point, the writers are visibly excited about representing a relatively small, insular police unit, comprised of tough and “crazy” members that can be characterized by an adrenaline-seeking, tattooed, turtleneck-wearing subculture. In their spare time, the ETF members continue to practice their shooting and tactical skills by playing paintball. As a group, they are best exemplified by their leader, Sergeant Coombs, the biggest and “baddest” of them all.

Second, the technical consultant’s anecdotal story of “the ETF guy” is a clear example of how technical consultants from different police television dramas offer different
kinds of knowledge to television writers. The knowledge in turn shades the stories that can be potentially told by those writers.

*The Bridge*’s technical consultant is, like Frank Leo, a former beat-cop-turned-union head who is not a stranger to controversy. As a former beat cop in Toronto, BC made a name for himself by 1) allegedly assaulting a homeless man (CBC News, January 24, 2003), and 2) leading a wildcat strike with officers from Toronto’s 51st Division. The strike was the first of its kind in local Toronto police history (Fine, February 15, 1999). During his tenure as President of the Toronto Police Association, BC was most well-known for launching a telemarketing campaign called Operation True Blue. For their financial support, donors were given a windshield sticker for their cars, which seemingly exempted them from being held responsible for minor traffic infractions. Critics believed that BC was using the funds from Operation True Blue to target his own political opponents (Duncanson, February 4, 2000). Since his retirement from the police force, BC has become a radio personality, and is interested in working in the television industry. He clearly enjoys his work in the television industry as much as his work on the police force. After all, he decided to become a police officer “after getting hooked on television cop shows like *Police Story* and movies such as *Bullitt* and *The French Connection*” (BC, May 10, 2007: R08). This penchant for drama comes through in the way he tells his anecdotes, telling them with a sense of emphasizing the extraordinary example that will captivate his audience (e.g. the very tough “ETF guy”).

From his former employment, BC knows about the complaints filed against certain police officers and still keeps in touch with former police buddies so that he is aware of current Internal Affairs investigations. Both his former work and current police gossip keep him abreast of anecdotal stories about police corruption in Toronto. More importantly, he is willing to speak about cases of police corruption and misconduct, which can then be translated into episodic stories on *The Bridge*. In contrast to *The Bridge*’s high-profile technical consultant, the anonymous technical consultants for *Flashpoint* were “gentle souls” (FT, June 2, 2009). Prior to working on *The Bridge*, one of the writers had worked on *Flashpoint* and asserts that the *Flashpoint* writing team had never talked about police corruption.

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146 A wildcat strike led by Frank Leo was dramatized in the first episode of *The Bridge*.
“dirtiness” with their technical consultants, possibly because the consultants themselves never bring up or say anything dirty about the ETF unit.

Unlike The Bridge, which has a single consultant, Flashpoint had several technical consultants over its two seasons. For their pilot, Flashpoint had a consultant who eventually did not want to continue to consult once the series had been greenlit. During her time on Flashpoint, the writer is aware that the show had “two older guys” (FT, June 2, 2009) as consultants who spoke from their personal experience. One was a retired negotiator, doing the international police lecture circuit, speaking about the need for police psychologists. One was a team psychologist for the ETF unit. The technical consultants primarily talked to the writers about psychology, and post-traumatic stress disorder and the psychology behind the ETF members in particular. When the Flashpoint writers toured the Toronto ETF unit, the writer notes that the ETF members “were sort of young looking guys, but well spoken” (FT, June 2, 2009). Both the touring of the facility and the provision of technical consultants suggest that the production of Flashpoint was made possible through cooperation with the Toronto Police Service (see also Moscovitch, 2008). This in turn suggests that the Toronto Police Service at least tacitly approves of the representations of the ETF on Flashpoint. In order for any police service to cooperate with television writers and tacitly approve of their representation of policing, the production needs to represent the police in a positive light.

Similar police cooperation is extended in the making of crime docudramas, such as Forensic Factor, on the condition that writers and producers will not make the police officers or the department look bad, even in cases when the writers themselves suspect the officers of some wrongdoing. As Forensic Factor’s story producer notes (July 7, 2008), they need the police officer as an interviewee to tell part of the “true crime” story, by setting the scene and explaining to viewers how the dead bodies were found and processed.

Generally, the police cooperate with these kinds of television productions because they “like the fact that they’re getting cast as the good guys” (FF, July 7, 2008). Additionally, it serves the police well as a “fantastic, free marketing tool” (SK, November 17, 2008). For example, Forensic Factor was easily able to recruit police interviewees from the US Bureau of Alcohol, Tobacco and Firearms (ATF) because the law enforcement department wanted to change its image. For the most part, the ATF had been unfavourably compared to the Federal Bureau of Investigation (FBI), which was the more well-known and acclaimed agency of the
two. The ATF perceived their participation in *Forensic Factor* as an easy way to get public recognition for the work that they do, because their agents would be represented as heroes (SK, November 17, 2008).

Thus, the necessity of police cooperation in the production process of both fictional and docudrama television series tends to suppress negative representations of police officers. The need for police cooperation, in order to acquire “inside knowledge” to create a television show about the police, whether fictional or not, has the effect of privileging the police officer as heroic protagonist (see also the making of *COPS*, Doyle, 2003). In contrast, because of BC’s galvanizing history in Toronto, *The Bridge* did not receive police approval, formal police cooperation, or clearance from the City of Toronto to name it and show it as such. From this analysis, it is clear that the technical consultant’s standpoint is crucial, since it determines what kind of knowledge enters into the show’s production and whether that knowledge encourages writers to take a more or less critical perspective on policing.

c) *Flashpoint*

As a television show, *Flashpoint* becomes an actor\(^\text{148}\) in the production of *The Bridge*. *Flashpoint* is a Canadian-American co-produced prime time television drama that debuted in the summer of 2008 on CTV and CBS. It was produced as a result of the Writers Guild of America strike in 2007 and 2008. Because American television writers were striking, no television dramas were being written in the US. As a strategy, American broadcasters teamed up with Canadian broadcasting networks in order to put content on the air (Adalian, January 28, 2008; Stelter, January 29, 2008). The show’s debut was deemed a commercial success by both broadcasting networks. Since 2008, *Flashpoint* has also been cited as proof that Canadian-American co-productions are a viable business model for the future of North American television production. More importantly, *Flashpoint* is the reason that CTV and CBS teamed up again for the production of *The Bridge*.

\(^{147}\) This can be read as the cumulative effect of the FBI’s public relations machine, which has been churning since Edgar J. Hoover’s involvement in the Bureau in the 1920s (Burrough, 2004).

\(^{148}\) Because ANT gives equal weight to human and non-human actors in explaining how things are produced, it does not privilege people over texts or the reverse. As such, television shows can become actors in the production of other television shows.
As the show’s premise, *Flashpoint* focuses on how an elite policing squad handles highly dangerous situations that cannot be handled by regular public police officers. In showing these officers as particularly competent, *Flashpoint* traffics in the image of the heroic ETF officer. Given that both series are written and shot in Toronto, *The Bridge* writers are fully aware of *Flashpoint*’s starting premise. In creating a contrasting representation of the ETF, *The Bridge* writers are making an argument that their particular series is not afraid to show the ETF as they actually are in “real life.” Here, “real life” is captured by anecdotes from the show’s technical consultant who is conceived by writers as a direct line to insider police knowledge and the “reality” of policing.

Because television dramas achieve their own unique identity through demonstrating semiotic differences from other shows of the same genre, we can see the writers’ desire for this semiotic difference in the following exchange, whereby making a “bad apple” is part and parcel of *The Bridge*’s distinction:

- MP: BC was telling us about a real ETF guy who always wore turtlenecks ‘cause he had “Hate” tattooed on his [neck], ‘cause he was a white power-head. He had huge boa constrictors all around his house. [BC] said it was like one [boa] just ate a pig. Don’t know if it’s *that* guy, but it’s an interesting character.
- DA: Well, we can’t use anybody real, so…
- MP: [BC] said all of the ETF guys were all crazy…
- DA: …which is something we can use, since we’ve never seen that. We’ve always seen them as the straight-laced, you know, like on that show you [TF] used to work on.
- FT: They’re just gentle souls.
- DA: Yeah, let’s make them hard motherfuckers. Let’s stick it to [*Flashpoint*].

In the above exchange, we can note that authority in the writers’ room is embodied by two people: the showrunner and the technical consultant. While BC might be the authoritative source of knowledge that is used to add authenticity to the story (i.e. provides matters of anecdotal fact), the showrunner is the authority on if and how that knowledge is used in the serialized narrative of the show. Unlike the writing team, the showrunner\(^{149}\) has a sense of the “big picture”—that is, where the show begins and where it is ultimately headed as a serialized narrative. The writing team lacks this precise knowledge, and tends to be

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\(^{149}\) In this case, the showrunner has the distinction of writing both the first and last episodes of the season.
asked to think episodically. As a result, the writing team tends to only write the stories for modular episodes.

In his capacity as producer, the showrunner also has the last word on how the writing team will graft the technical consultant’s matters of fact onto matters of concern. While BC did not care whether the writers wrote his ETF example into the episode, the showrunner is much more concerned about the potential insurance implications of doing so, cautioning the writers that they cannot use “anybody real.” He offers, however, a way to graft the anecdotal example onto a matter of dramatic concern: character type. That is, the ETF guys can be characterized as generally crazy, and this would be an innovative characterization in the genre of network police shows. Thus, the showrunner directs his writing staff to translate a particular, “real-life” officer into a general character type through the use of the “fiction filter” (DA, March 20, 2009).

After a day of breaking “Injured Cop,” the writers are satisfied with their conceptualization of Bad ETF Sergeant Coombs. In the first beat of the episode, Coombs is shown stealing drug dealers’ money while “clearing the scene” with his ETF team after a big drug bust. Frank learns of Coombs’ theft through a whistle-blowing undercover drug squad officer. Frank tells his team to look into Coombs. His assistant comments that while there are only 75 of them on the force, the ETF account for over 50% of the police infractions and citizen complaints handled by the police union (beat sheet, June 8, 2009). Recall that this is an insight gleaned from the show’s technical consultant, right down to the number of ETF officers. Such a factual comment is meant to build authenticity into the representation of the ETF, by providing viewers with a sense of “insider” police knowledge. Frank’s team, however, cannot pin anything on this particular ETF team: there have been no big bank deposits or unexplained big personal spending. Coombs is a “cowboy who’s been in trouble a lot, [l]ike all the nutcases on ETF, [b]ut there’s no hint of corruption on this scale” (beat sheet, June 8, 2009). The rest of the beats involve Frank’s investigation into Coombs’ suspected misconduct.

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150 The beat sheet contains all the beats from the whiteboard in a single word-processing document. We will discuss the beat sheet in greater detail in the next chapter.
Conclusion

In this chapter, I have documented the heterogeneous sources of knowledge that become inputs into the writers’ room of a fictional crime drama. Because the writers’ room is conceptualized along the lines of a Latourian laboratory, I have juxtaposed the making of (television) fiction against the making of scientific and legal facts. While the laboratories of science and law are interested in processing and establishing factual knowledge claims, the laboratory of the writers’ room is primarily concerned with translating matters of fact into matters of aesthetic and commercial concern. Specifically, The Bridge showrunner needs to ensure that the logics of the following matters of concern align with one another: legal E&O insurance requirements, the commercial interests of CBS network executives, and his own creative vision for the series.

In doing so, this chapter illustrates that there does not exist a single over-riding media logic that regulates the production of media representations (see chapter 1). As such, it departs from the conclusions drawn by some television production studies scholars, particularly those who have reduced aesthetic decisions to a matter of economics (e.g. Gitlin, 1985). For example, Gray (1998: 68) asserts that the proliferation of black-oriented situation comedies on American television in the mid to late 1980s was not driven by some noble aesthetic goals on the part of network executives, but simply by economics. These shows were put on the air because they could attract audiences, and consequently could deliver a new category of audience – i.e. the black audience – to advertisers. By reducing the programming content of a television program to its ability to attract audiences, the dramatic series is reduced to the commercial status of an infomercial. Its programming value depends on making audiences sit still long enough to watch the advertisers’ commercials. Here, writers’ aesthetic concerns are reduced to commercial concerns (as exclusively defined by network executives151) as though there were no important discrepancies between them. In the case of The Bridge, there were clear differences: the showrunner originally envisioned a serialized narrative about systemic police corruption and political machination. Presumably,

151 Such a perspective buys into the idea that network executives know their audiences, and know what they want. As Ohmann (1996b) notes, marketers can know who consumes a product and in what contexts, and if the consumer liked or disliked the product. However, they do not empirically know anything about people’s deeper desires, needs and values. For that kind of knowledge, they rely on intuition (for a similar argument about network executives, see Gitlin, 1985).
Canadian network executives (CTV) were onboard with this premise, because the series was not re-conceptualized until the inclusion of American network executives (CBS). My point is not to deny the significance of commercial imperatives as important influences on the content and form of a television series. Instead, it is to highlight how the production of a television series is not reducible to a single logic. Although multiple logics are at work within the production process and can be in tension with each other, the act of balancing these logics is not understood by television writers, producers and showrunners as a zero-sum game. As *The Bridge* showrunner (March 20, 2009) notes, the balancing of a broadcaster’s commercial concerns and a writer’s aesthetic concerns is “a negotiation to a certain extent; but it’s not a war, [especially] if you’re smart enough as a writer to be able to incorporate those [broadcaster] ideas and go ‘how do I make that work for what I want to do?’”

Thus, in this chapter, I document how an assemblage of multiple logics comes together in the production of a specific episode of a television series. In my analysis, each of the logics – whether legal, creative, or commercial– is from a different actor-network, and more importantly, is considered more than just a different perspective on the production of a single episode. Instead, each logic describes a different reality altogether. This observation is similar to Annemarie Mol’s conclusion in her book *The Body Multiple* (2002).

Using an ANT approach, Mol describes the diagnostic and treatment practices for lower limb atherosclerosis. This medical condition is represented differently by different medical practices: it presents as a walking pain in surgery, as narrow or blocked blood vessels in X-ray photos, as white paste scraped out of blood vessels in operation procedures, and as Doppler readings (e.g. representations of increased blood speed) in ultrasounds. From this research, Mol suggests that while the body may be single in theory, it is multiple in practice. Because there are many body practices, there are many bodies created and imaged from these practices. Similarly, the emerging 152 “body” of an episode of *The Bridge* might appear singular in theory, but it is actually multiple in practice. It presents itself as anecdotal facts in the knowledge actor-network (consisting of the technical consultant, newspapers, Internet websites, and fictional texts), as beats in the writing actor-network (consisting of the

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152 This chapter focuses on the episode as it is being conceived in the writers’ room. At this particular point, the episode is not fully formed.
writing team, the showrunner, the whiteboard, and network executives), and as risky errors and omissions in the legal-insurance actor-network (consisting of insurers, lawyers, and bureaucratic technologies). The episode is made to appear as though it were a singular entity only through the coordinating work done by the showrunner and writing team, in which they assemble and translate these different realities and logics into a single reality. For example, they translate anecdotal stories about police misconduct into plot points in the form of beats. As the reader will recall, beats are the commercial-aesthetic building blocks of storytelling on network television. When taken together, the beats form an episodic story, which is then made to withstand the scrutiny of the showrunner’s creative vision, the broadcaster’s commercial demands and legal considerations.

As part of this assemblage of logics and realities, law plays a significant role in shaping the content of television representations. While production of culture scholars examine law and regulation as one of the six facets of the production nexus, they have tended to focus on how law provides the ground rules that shape the development of creative fields (Peterson and Anand, 2004: 315). In general, these scholars have focused on copyright laws and the notion of intellectual property (e.g., Marshall, 2004; Scafidi, 2005; Vaidhyanathan, 2002; Woodmansee, 1998). For example, Wendy Griswold (1981) has demonstrated how changes in copyright law influence the kinds of novels that are published. Literary critics tend to remark upon the differences between British and American fictional novels: while American novels focused on the theme of Man against Nature in the 19th century, British novels focused on examining domestic manners. While critics saw these differences as representative of enduring differences between American and British culture, Griswold discovered that this was a consequence of 19th century American copyright law. Under that copyright law, American publishers preferred works by English authors because they could be sold in the US without paying author’s copyright fees. To sell their work, American authors turned to distinctive topics, such as the Man against Nature theme. When the American copyright law of 1909 put American and English authors on the same footing, American authors increasingly published “English-style” novels successfully.

At this early point in episode formation, production costs do not figure into the process. We will discuss these economic considerations in the next chapter.
In television studies, scholars have focused less on copyright laws and more on broadcasting laws. For example, Cantor and Cantor (1992) discuss how the American Federal Communications Commission’s (FCC) de-regulation of the cable industry allowed cable television to develop programming that the broadcasting networks, still chained to FCC regulations, could not.\textsuperscript{154} As I have previously mentioned, the scholarship on Canadian television has also tended to focus on telecommunications and broadcasting policy (e.g., Babe, 1990; Raboy, 1990), although it does not usually connect these public policies to actual production practices of specific television programs (Beaty and Sullivan, 2006). For example, Raboy (1990) examines the history of Canadian broadcasting policy from 1928 to 1988, but does not provide an account of broadcast programming during this period. Instead, from this history of successive public policies, he argues that the tendency to confuse “national” and “public” interests turns Canadian broadcasting into an instrument of state policy.

In contrast to the scholarly focus on copyright law and broadcasting policy, this chapter examines how legal concerns enter into the everyday television production process through insurance. As such, this chapter does not examine how these legal concerns have shaped the development of an entire creative field, but the development of content and form in a particular fictional crime procedural. In the case of The Bridge, the legal requirements of Errors and Omissions insurance influence how writers represent law and crime in the series. Specifically, representations of police misconduct and corruption need to be situated in a generalized setting and involve archetypal characters. Because this E&O requirement stems from the specific identity of the program’s technical consultant, it protects the show’s producers from the legal risks (e.g. potential litigation against the production company from viewers) associated with the production processes of knowing and representing. In particular, it allows The Bridge writers to use knowledge about police corruption from a high-profile technical consultant as long as they represent that knowledge in universal, fictional terms and get some of the facts of the real-life case deliberately wrong. While sociolegal and criminological scholars tend to complain about what television writers and producers get wrong in their representations of law, this corrective criticism ignores the role law plays in

\textsuperscript{154} We will discuss broadcasting laws in greater detail in chapters 4 and 5.
the television writing process. Ironically, law requires television writers to occasionally be factually inaccurate, even when it comes to representations of law itself.

Furthermore, my ANT analysis of the work done in the writers’ room suggests that writers know about law and crime in ways that fit with the kind of storytelling format required by network television. In order to create a story that will fit the modular format of storytelling, only certain sources of knowledge are privileged. Particular “knowledge moves” (Valverde, 2007: 83) are required to translate matters of factual knowledge into matters of dramatic concern. Because the technical consultant is the primary means through which The Bridge writers know about the world of policing, he inputs his knowledge into the writers’ room. Depending on who is playing the role of technical consultant, the kind of knowledge inputted into the television show already has a distinctive content and format: for example, while he discusses procedural technicalities in a matter-of-fact kind of way, BC formats his anecdotal knowledge of discrete and corrupt police units as extraordinary exemplars. This is already a particular knowledge move that begins the process of applying the “fiction filter” (DA, March 20, 2009) to the writers’ sources of knowledge, making local (Torontonian) insights into universal stories. While the fiction filter is a legal requirement, its knowledge moves also effectively transport viewers into another time and place (Latour, 2010: 273), the contemporary Big Urban City, where the characters and settings are meant to be generic and archetypal. Specifically, the filter transforms local, “real” individuals into character types (Bad ETF Sergeant), which is made possible because the specific facts about the individual (tattooed, white supremacist) only matter if they are conceptualized as essential to the story being told (the matter of concern). In this case, the tattoos become a symbolic shorthand for the rogue, risk-taking subculture of an ETF unit, which is itself a matter of dramatic concern precisely because the unit’s sergeant is the prime suspect and antagonist in Frank Leo’s investigation.

In studying the knowledge actor-networks of law and science, these actor-networks can be reconstructed because both of these modern institutions create permanent traces of their knowledge inputs through their production of texts and use of citations. These

155 Here, law is understood as both an E&O insurance requirement, and as the producers’ fear of law (e.g. lawsuits).
permanent traces are available to scholars because law and science “remember” primarily through pen and paper. In contrast, the knowledge of television writers takes the form of orally told anecdotes. As the “style of [television] industry speech” (Gitlin, 1985: 14), anecdotes circulate without leaving permanent traces. As a result of this lack of documentation, television writers do not always know or remember the exact sources of their own knowledge. Although texts (scripts) are eventually produced by television writers, they only serve to further distance the show’s knowledge from its sources, as the fiction filter is applied repeatedly on each draft of the script. As such, modular episodes of network television dramas have a memory analogous to the whiteboard: the beats and stories written upon it are destroyed as soon as they cease to concern the writers. For each new episode, the slate is wiped clean and each story needs to be broken anew.
Chapter 4

The case of the missing “bad apples”: Transforming “Injured Cop” into “The Unguarded Moment”

In the last chapter, we examined a modular episode of a network television drama in formation, paying close attention to the knowledge inputs and knowledge moves made while television writers broke the story for “Injured Cop.” The writers were enthused about transforming the anecdotal exemplar of the Bad Emergency Task Force (ETF) Sergeant into the episode’s “bad apple.” In the writers’ room, the ETF sergeant-as-“bad apple” would serve as a sign that the entire barrel of apples was rotten, implicating the Deputy Chief as the ultimate source of rottenness. In that chapter, we discovered that both legal considerations and broadcasters’ demands play a significant role in shaping the content and form of television representations of law and crime, ultimately impacting the creative direction of the series.

In contrast, this chapter examines not the formation of an episode, but its transformations across its multiple story documents. If the last chapter was interested in documenting the writers’ room as a laboratory in which the world was brought into its narrow walls in particular ways, this chapter is interested in following the way the writers pump that transformed world back out of their offices through the production of texts (Latour, 2007: 189-90). In so doing, we will embark on the case of the missing “bad apples.”

In tracing the transformations of the episode, the “bad apples” – Bad Sergeant Coombs and Bad Deputy Chief Cafferty – disappear in the process of revising the story documents for the episode: Where did they go? When did they go missing and how? Were they “killed” and if so, by whom/what? We will discover that Coombs and Cafferty were...

156 In Aramis, or The love of technology (1996), Latour develops what he calls “scientification” in his attempt to bring together 3 distinct literary genres – the novel, sociological commentary and bureaucratic dossiers – in order to tell the “whodunit/howdunit” story of how Aramis, an innovative French automated subway system, was “killed.” This chapter is inspired by the format of scientification, although it does not feature a technological object as the central character of this narrative (Latour, 1996: vii). Instead, it features a pair of fictional characters as central characters in our larger narrative about the process of script revision in television production.
collectively assassinated. Their “deaths” were “built right into the nature of things” (M. Giraud, quoted in Latour, 1996: 10).

These are the investigative questions we will pursue as we make the larger theoretical and methodological point that neither observation in the writers’ room nor of the final product (here, the final revised script and actual episode, both entitled “The Unguarded Moment”) captures all of the details and elements that characterize the story at various stages of development and revision. A large part of writing a television episode involves re-writing. Each phase of re-writing is yet another experiment in how to conceive of the story, its characters and the plot. Some of these experiments fail while others succeed. Here, “success” is measured by the revision’s ability to withstand various stages of approval by various stakeholders (e.g., other writers, the showrunner(s), networks, producers, etc.). As such, the final product gives perhaps a better sense of all the initial labour – especially in terms of conceptualizing police corruption in the writers’ room – that was lost in subsequent revisions and the amount of labour needed for making those revisions. Hence, content analyses of the finished product fail to capture these changes in representations of crime and the law, erroneously assuming that the initial conceptualization is an accurate reflection of the finished product (e.g. Byers and Johnson, 2009: xxi; Rapping, 2003: 264-6) and that the created texts are much more stable than they actually are. The text does not stabilize until it is fixed by the final cut of the episode that airs on a broadcast television network, and is consequently consumed by a mass audience.

In making these assumptions, academics who undertake such content analyses implicitly treat the script as though it were an intermediary. That is, they treat it as something that transports meaning without transformation, such that the inputs can be used to define the outputs (Latour, 2007: 39). Consequently, this would entail a conceptual separation between a story’s conception and execution, with the script treated like a product that doubles as an accurate blueprint for shooting (see Maras, 2009: 22). The scholar thereby assumes that the script is supposedly written and shot as planned (i.e. the television episode is accurately rendered in images as originally rendered in words by the script). Instead, it would be more

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157 In Aramis, Latour’s (1996: 10) investigation into the “death” of the automated subway system also suggests that the system was collectively assassinated.
accurate to recognize that writers create not a single script but multiple story documents over the course of writing and re-writing a single television episode. Moreover, it would be more fruitful to treat these multiple story documents as mediators (Latour, 2007: 39) – that is, in contrast to static or definitive texts, these story documents are transitional texts that transform and modify the meanings of representations over the course of the production process (Mara, 2009: 6). By understanding story documents as mediators, it will give us a better sense of how textual transformations are connected to the different audiences that are mobilized at each stage of the revision process. While television writers and producers do create texts for an audience, that audience is not ultimately the consumer audience,\textsuperscript{158} as supposed by academics undertaking content analyses of the final product (see chapter 1). Instead, as Muriel Cantor (1971) argues, television dramas are created for an initial and actual (as opposed to imagined) audience composed of network officials, insurers and the show’s writers and producers.

For an untried show like The Bridge, the consumer audience\textsuperscript{159} is, as the showrunner puts it (DA, March 20, 2009),

always a crapshoot. You don’t know what the audience wants.\textsuperscript{160} No one – you know […], William Goldman wrote […] [in the book Adventures in the Screen Trade], ‘the first thing you have to remember about Hollywood or television is […] that nobody knows anything; but they all believe they know what they’re doing.’ So when a broadcaster tells me ‘well, I know my audience,’ it’s not [true]. You only know them by luck, by ‘I lucked into that.’ But if you were to ask them what were the elements that you put together to create that, that you knew the audience would love that, they can’t answer that question.

Unlike the unknowable consumer audience, it is quite clear what the audience of network executives, insurers, writers and producers want. For such an audience, the story

\textsuperscript{158} Here, I am assuming that there is a separation between the consumer audience and the people who work in television production. While it is true that television production personnel are also consumers of fictional television dramas, they might not be consumers of their own television series (BO, January 29, 2009). Often, they are working on another film or television project when their previous show airs. When they do watch their own shows, they certainly do not watch them in the same way as the consumer audience. For example, the boom operator is attuned to the sound quality of the production (BO, January 29, 2009), background extras focus on the work of other background extras (BG, February 18, 2009), writers concentrate on the show’s story structure, etc.

\textsuperscript{159} Some television production scholars, such as Elana Levine (2001), have examined the role of the consumer audience in the production process, through discussions of how production personnel respond to fan mail or the show’s ratings. For an untried show, there is no sense of consumer audience response prior to its airing.

\textsuperscript{160} See also Gitlin (1985) for a similar conclusion.
documents are mediators because they are meant to mediate between the different contexts (the commercial/artistic/legal) and processes (writing/production/broadcasting) in and through which they work.

The study of an episode’s textual transformations is also important because they illustrate that the ideological\(^{161}\) underpinning of an episode – in this case, what it means to make “bad apples” and “criminals” – is not decided upon by a single authorial actor. While some television studies have focused on the genius of the showrunner and his/her creative ideas (e.g., Mann, 2009), it is not the case that the showrunner is able to create and rewrite an episodic story without an actor-network composed of other writers, network executives, producers and screenwriting software. Thus, the meaning of a “bad apple” is the outcome of these behind-the-scene negotiations between various stakeholders. In taking this perspective, the process of conceptualization is not reduced to a single moment, but instead spread over the entire production process as various and multiple “authors” are asked to weigh in on the meaning of the “bad apple.” While there have been scholarly studies on Hollywood storytelling (e.g., Thompson, 1999; Maras, 2009) and hundreds of manuals on screenwriting (e.g., Douglas, 2005), these studies only privilege the process of writing. In contrast, we will be focusing on re-writing as a significant meaning-making practice in television production.

**Investigative procedure**

Before we undertake our investigation into the case of the missing “bad apples,” I would like to delineate our investigative procedure. In the last chapter, we observed the *thinking workshop* of the writers’ room, where the oral storytelling of anecdotes and collective thinking through the story beat-by-beat characterized the work done in that space. As we move into the *writing workshop* embodied by the writers’ offices in this chapter, we need to be mindful that we cannot actually lurk behind the writers as they silently type away at their computers. Instead, our investigation requires that we enter the textual universe created by these writers, where we trace the broken story of “Injured Cop” through its written story documents. Here, a story document is simply a written text that documents the episode’s story at a particular stage of revision. Specifically, we will trace the disappearance of the

\(^{161}\) I use the term “ideology” to broadly refer to the nature and origin of ideas.
“bad apples” through the paper trail left by beat sheets, drafts, outlines, memos, and production drafts. In so doing, we will treat the representation of police corruption as an “actor” that we can follow through the writers’ imagination and through story documents.

As we carry out our investigation, we will learn about these different story documents and examine how these different texts, operating as actants (Latour, 1987), interact with each other. In actor-network theory, an actant is a material entity (or a human person or group) that takes on form, definition and facticity only under the following conditions: 1) it enters into an alliance with a spokesperson since actants cannot represent themselves; and 2) this alliance is able to withstand “trials of strength,” which might include hostile attacks meant to bring about its dissolution (Latour, 1987, 2007). In this chapter, we will consider the story documents as actants, represented by particular spokespersons (writers), and made to withstand trials (various stages of approval) during which they might be transformed by various “attackers” (network executives, producers, etc.). Because Latour (2007: 54) borrows the term “actant” from Greimas’ narrative theory (Greimas and Courtés, 1982), the term is especially relevant when we apply it to a study of narrative through our examination of story documents. For Greimas (1982: 5), “actants” were idealized or generalized characters (e.g. the “hero” or “villain”) that were used to construct stories. These actants went through different ordeals (or trials) in the stories, and were consequently transformed by the process. In our case, our idealized “bad apples” did not survive all the ordeals that came their way.

While all but one of these story documents (the final revised production draft on which the aired episode is based) will remain unknown to the public, we have the privilege of

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162 Often, Latour’s discussion of actants is related to a discussion of agency (e.g., Latour, 2007: 54-5). Here, story documents are agents in the sense that they mobilize the action of an entire production staff.

163 Recall that The Bridge’s showrunner also has a preference for using archetypes, which presumably leads to the usage of archetypal characters.

164 What is important for Latour is that Greimas (1982: 5) allows the characters to take various forms, some of which are human and some of which are not (e.g. animal, concept or object).

165 They are idealized in the sense that they are representative of an archetype: for example, the morally bankrupt villain/antagonist. Greimas (1982) was inspired by Vladimir Propp’s (1968) analysis of fairytale/folk tale characters. We will return later to some elements of Propp’s analysis to aid us in our investigation.
sorting through these various documents. While story documents for a single episode accumulate and are stored in a file during the show’s production, this accumulation is very different from that of the “ripening file” in (French) administrative law. To understand this difference, it might be useful to first explain what Latour means by “the ripening file.”

In his study of the Conseil d’Etat, Latour (2010) immersed himself in the textual universe in which administrative counsellors/lawyers produce legal writings from other non-legal writings, and he does so by following the process through which legal files are made (i.e. how documents become legal and are arranged in a file folder). The file is a visible, material thing that the ethnographer can locate and trace, and is used to organize all the activity of the Conseil d’Etat (Latour, 2010: 70). Following the (sometimes quite literal and material) making of such a file, Latour examines the particular movement of legal work, by examining the arrangement of quotations (textual conditions) and folders (material conditions). For example, he follows the inauspicious beginning of a citizen’s complaint arriving as a letter at the Conseil d’Etat in the mailroom to the letter’s passage into the Conseil’s office where it is given a number for office use. He details how much of the Conseil’s initial labour is devoted to gathering evidence to transform various documents into a legal case. Not all the documents in the file, however, are legal in nature, even though they allow for legal judgement to be rendered (Latour, 2010: 76). For example, in the case of a skiing accident, police reports, witness statements, medical reports, geographical reports of the ski hill, insurance reports, and meteorological reports need to be gathered and put into a file before the legal case can proceed to court. Yet this process of gathering documents takes time, and the files need to “ripen” (i.e. thicken with the relevant documents) on wooden shelves until they are ready for use in court. Latour (2010: 82) likens this “ripening” process to “the same way that our grandmothers slowly let their apples turn ripe – and sometimes go bad – during winter on wooden racks.”

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166 I have kindly been given access to all the story documents for the making of two episodes of *The Bridge* by the showrunner. These documents were emailed to me once they had been approved at various stages of the revision process. These documents are meant to be kept confidential at all times, at least until the airing of the episode. This chapter deals with the story documents from only one of those episodes.

167 Latour (2010: 71) wants to begin with “the stamps, elastic bands, paper clips, and other office paraphernalia which are the indispensable tools of cases,” in order to apply himself to the materiality of legal texts.
Although we are interested in “bad apples” in the sense of representations of corrupt police officers, we are not interested in the “ripened” files of administrative law, but the idea of “ripening.” While files are left to “ripen” through accumulation in the Conseil d’Etat, story files in television production “ripen” through the process of revision. What we can also learn is Latour’s method of investigation. He studies the material basis of making law, which initially requires an examination of how its files are made and transported throughout the Conseil d’Etat. We will treat story documents as the visible, material bases of making television dramas, and a police drama in particular. We will examine how they are “transported” or circulated to various stakeholders in the show’s production for comment and/or approval.

However, unlike the physical file of administrative law, the file of story documents is primarily electronic as the story documents themselves often take the form of either a word processing document (.doc) or a portable document format (.pdf). While these formats allow for convenient document exchange between various collaborators and stakeholders, particularly ones distant from the actual production site (e.g. CBS network executives located in Los Angeles), we cannot follow these computer-based documents around the production site as Latour follows the documents that make up a file across the physical space of the Conseil d’Etat. While Latour traces the multiple “inputs” to creating a legal file, story documents in television production are better understood as successive and multiple storytelling “outputs” of a single episode. At any given moment, there is only one definitive draft of the script used for production discussions, and as such can be said to operate as the document on which all decision-making is based (e.g. how many cast members are needed? What locations need to be acquired for exterior or interior shots?). However, as we will soon see, scripts are revised at a much faster pace than legal precedents, which is yet another

\[168\] There is a file cabinet in which hard copies (printed versions) of the story documents can be found in file folders. These physical hard copies are kept by the show’s script coordinator whose job is to essentially “coordinate scripts.” That is, he is responsible for archiving all the material documents associated with the show’s storytelling for all of its episodes. This includes keeping track of revised scripts, memos and other relevant documentation to the show’s production of an episode. Because I did not have access to this filing cabinet, I can only surmise that it serves as a physical archive for all of the production’s story materials, some of which are creative (e.g. scripts) and some of which are legally-related (e.g. clearance reports, which I will discuss later in this chapter). While story documents have taken the form of electronic formats for ease of circulation, the actual task of reading and revising these documents still depends on the use of physical texts.
reason why the script revision process dispenses with any sluggish means for document
circulation (e.g. mailing documents is too time-consuming, and as such story documents
might be emailed or faxed). In the linear and sequential revision process, the story itself
“ripens” as each subsequent story document replaces, supersedes, and renders obsolete all of
the previous story documents in their entirety.

In pursuing our investigation into the disappearance of our particular “bad apples,”
we will treat the story documents as our primary informants. They will provide us with clues
to the “passions and politics and [...] calculations” (Latour, 1996: viii) of The Bridge
production’s human actors.\(^{169}\) We will also consider these story documents as suspects,\(^{170}\)
because they “know” how and when our “bad apples” went missing and are partially
complicit in their disappearance. That is, they are considered suspect because each story
document is an opportunity for our “bad apples” to go missing, capturing some of the means
and motives behind their disappearance.

Before we line up our textual “suspects” for a series of in-depth interrogations, it
would be helpful to briefly introduce each of them as we establish a timeline for the
appearance and disappearance of our “bad apples.” By “disappearance,” I mean the point at
which the characters in questions, specifically Bad ETF Sergeant Coombs and Deputy Chief
Cafferty, are either removed from the episode completely, or transformed to such an extent
that they are rendered unrecognizable during the rewriting process. It should be also noted
that we will not discuss the entire collection of story documents for the episode, but only
those that contain significant changes in the representation of police corruption.

**Suspect #1:** The beat sheet entitled “Hostage” (released June 8, 2009)

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\(^{169}\) Some of The Bridge’s human informants (e.g. network executives) were inaccessible. For example, CBS
network executives preferred to give their notes to the writers over a telephone call, and were generally at a
distance from the actual production and shooting of the show.

\(^{170}\) My consideration of textual “suspects” is different from how historians have considered textual “witnesses.”
For example, historians have treated diaries, chronicles and unpublished manuscripts as reliable “witnesses” to
the trauma and horror of genocide, where these texts were made to bear witness for those who did not survive
the Holocaust (see Wiewiorka, 2006). In contrast, the set of fictional story documents that I am using do not
make reference to a large scale, traumatic historical event, and they are not written as autobiographical non-
fictional narratives meant to illuminate a dark period in history.
Written after the process of breaking story, the beat sheet is a short word-processing document (8 pages in length) that breaks the episode down to its essential beats across 5 acts. Its telegraphic descriptions of each beat are meant to convey the basic information needed to comprehend what action happens when, in order to properly plot the events in the episode. There is no dialogue, only brief descriptions of setting (interior/exterior, location, and time of day). According to the beat sheet, Deputy Chief Cafferty was seen having dinner one night in a restaurant that later becomes the setting of a robbery and hostage taking. Under the Deputy Chief’s command, Bad ETF Sergeant Coombs arrives on the scene and was last seen fixing their money laundering operation at the restaurant.

**Suspect #2:** Network outline entitled “The Unguarded Moment” (released June 17, 2009)
- The network outline is a slightly longer word processing document (14 pages in length) that outlines all the scenes in the episode, elaborating on the descriptions provided in the beat sheet with full sentences. The first inklings of dialogue appear amongst the described scenes. This is the story document that is first circulated to network executives for approval, and should give the executives a sense of the content and shape of the episode. In the network outline, Coombs and Cafferty are first spotted exchanging dirty money in an isolated area of the city. Both were spotted at one point or another at the same restaurant, worrying about their money-laundering operation.

**Suspect #3:** Network draft entitled “The Unguarded Moment” (released July 12, 2009)
- As a draft of the entire script (58 pages), each character’s dialogue is now scripted and descriptions are now made brief and confined to describing setting and non-verbal actions performed by screen actors. This draft is circulated to network executives for approval of the episode, and for inspection of “problematic” representations. In the network draft, Cafferty goes missing. Without Cafferty, Sergeant Coombs has transformed into a good, morally upright sergeant. No longer working as a “bad apple,” he arrives at the restaurant hostage-taking scenario and strategically plans a way to get the hostages out.

**Suspect #4:** Full pink production draft entitled “The Unguarded Moment” (released July 26, 2009)
The full pink production draft can be considered a shooting script (54 pages in length). As a production draft, it has been read by producers for budgetary constraints and approved. In this draft, Coombs also goes missing.

From this reconstructed timeline, it appears that our first step would be to investigate the restaurant at which both Cafferty and Coombs were last seen. Were they doing anything that precipitated their disappearance? Did they leave any clues as to their whereabouts at the scene of their disappearance? In order to answer these questions, we need to visit this restaurant before the trail goes cold.

Getting a clue: Entering the kitchen

In *The Making of Law*, Bruno Latour (2010: 22) enters “one of the kitchens of law, not in the manner of a health and safety inspector checking on hygiene standards, but like a gourmet keen to understand the recipes of the chefs.” In our last chapter, we entered one of the “kitchens” of television production, in order to understand the “chefs’” recipes (e.g. the beat/act formula for a modular episode of television). We considered what local ingredients (the technical consultant’s procedural and anecdotal knowledge) were used to inform the “universal” recipe that ought to be made “palatable” (DA, March 20, 2009; see also previous chapter) for mass consumption. In this chapter, we examine the “chefs’” (writers’) actual “recipes” and how they are governed by the practice of “health and safety inspectors.” As actual health and safety inspectors enter the space of the kitchen to ensure that it meets certain hygiene standards, network “inspectors” ensure that any “dirt” (in the form of graphic images or language) are scrubbed from the space of the “recipe” (script). Because *The Bridge* is an American (CBS)/Canadian (CTV) co-production, the show has potentially two sets of “inspectors,” and we will examine the “recipes” that they have inspected and to what effect. But I digress from the actual reason why our investigation begins at the restaurant’s

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Binning (2010: 20) notes that the writing on Canadian-American co-productions is made more difficult because there are “a lot of cooks in the kitchen, and the rules aren’t clearly defined.” While Canadian networks are willing to air episodes with controversial content (e.g. abortion), American networks are not willing to take that risk for fear of negative American audience reactions. Writers need to be aware of some of these cultural differences that make themselves known through the reviewing process undertaken by different network executives.
kitchen: we are here to discover why Coombs and Cafferty were at the restaurant. They were not here in search of recipes, but of money.

As “head chef” of The Bridge’s recipe-making kitchen, showrunner DA explains why Deputy Chief Cafferty would periodically visit the restaurant:

[The] restaurant is a money drop-off place for a banker, likely a foreign banker. It used to be Hong Kong, but no more. It’s now more likely to be Brussels. The restaurant is a way-station for money. It cannot itself launder the money, which is why a bank is needed. At a restaurant, [hypothetically speaking.] I [would] be able to put a few grand in the till to launder but not the million dollar sums in the episode. 172 The Deputy Chief gets $10 grand; the suitcase carriers each get $20 grand. The money goes out of the country in suitcases of $1-2 million each. It’s not illegal to do this, [though] you can get into a fuckload of trouble now. Because of 9/11, this has gotten more difficult. [The money] could be headed towards Singapore. After the money is delivered to the restaurant, the money is taken through the restaurant’s back-way and into a van, where it eventually is taken to a fancy hotel room. Don’t ask me how I know this. It was once described to me (DA, June 2, 2009).

Thus, the showrunner explains the restaurant setting to the other writers in a functional sense: the restaurant’s function is to serve as a transitional holding space for “dirty” money before it is transported elsewhere. From this perspective, it makes little difference whether this way-station for money needs to be set at a restaurant or whatever other shooting location the producers can afford. As such, one writer cautions the other writers to be prepared if producers want to later change the location from a restaurant to a real-estate office (MG, June 2, 2009), as money can just as easily be laundered through the real estate business. Yet something about setting the crime at a restaurant captures the writers’ imagination, 173 and this setting provides shape and content to the crime itself. The restaurant-as-crime scene, as much as motives, perpetrators and circumstances, plays an important role in the construction of (fictional) crime realities 174 (Kalifa, 2004: 175), by making crime intelligible to the writers in a particular way.

172 DA used to own a restaurant in British Columbia before becoming a television writer (DA, 2006).
173 For example, writer MG prefers the restaurant setting even though he realistically understands that this might not happen in production (June 2, 2009). Writer MJ acknowledges that it could be a “different kind of drop off point, but [the restaurant, as opposed to somebody’s house or some other business] is kind of visually interesting [for] the hostage taking and all that kind of stuff” (June 2, 2009).
174 Generally, the scholarly discussion of the spaces of crime has focused on exterior, urban spaces within the city, particularly “the streets.” For example, contemporary Crime Prevention through Environmental Design
Through the writing and rewriting process, three different kinds of restaurants are imagined by the writers as the crime scene setting, each making the crimes of police corruption and money laundering intelligible in different ways. We will examine each of these restaurants in turn as they are envisioned through various story documents in order to analyze how these settings are related to the appearance and disappearance of our “bad apples”: 1) the “nice” Italian steakhouse restaurant, 2) the Mediterranean restaurant, and 3) the breakfast diner.

1. The “nice” Italian steakhouse restaurant: The beat sheet (June 8, 2009)

As previously mentioned, the beat sheet is the first written story document produced immediately after breaking story in the writers’ room. As such, it is a textual version of the writers’ collaborative imagining of the story and crime in question. If we recall from the previous chapter, the episode’s story is as follows: police union boss Frank Leo attempts to rescue a police officer who is injured and taken hostage in a restaurant during a robbery by two drug-addicted thugs. In intervening in this restaurant hostage-taking scenario, Frank learns that the restaurant is the setting for a money laundering operation whereby Bad Sergeant ETF Coombs and Deputy Chief Cafferty launder confiscated drug money. There are two crimes in this story, both of which converge at the restaurant setting, partially as a result of serendipity and partially as a result of the complicity of restaurant staff: 1) robbery and hostage-taking done by civilian thugs with some help from a restaurant server, and 2) police corruption facilitated by the restaurateur.

For the rest of the episode, much of Frank’s investigation involves following the trail of “dirty money.” This trail is conceived as linear, providing Frank with “investigative lines” to pursue (MJ, June 2, 2009) and “lines of information” to corroborate (MP, June 2, 2009) through interrogation. The linearity of investigation parallels the linearity of the evidentiary

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(CPTED) has tended to focus on changing the overall “look” and “feel” of outdoor spaces (for review of literature, see Cozens, Saville and Hillier, 2005).

175 To avoid confusion, all quotations attributed to initials are quotations from The Bridge writers. When quoting story documents, I will refer to the text itself, such as beat sheet, outline, production draft, etc.
chain of continuity, which needs to be maintained as part of typical police procedure (MP, June 2, 2009). As a consequence of this linearity, the chain of knowledge linking suspects together, be they police or civilian, is also assumed to be linear, which in turn has certain effects. That is, the writers’ assumption of linearity is quite useful in the context of investigating police corruption when the police are hierarchically organized in a linear chain of command. For example, Frank’s investigation into Bad ETF Sergeant Coombs unearths the fact that he was sent to the restaurant hostage-taking scenario by “somebody in the [police] brass [which allows Frank] to track [the direct order for Coombs’ presence on scene] to who sent him in” (MP, June 2, 2009).

Moreover, the conceptualization of investigative linearity highlights its implicit analogy to the act of fishing through the notion of fishing lines cast into a stream of suspects, here envisioned as embodiments of particular kinds of information that allow the writers to structure their mystery plot. While Frank is not embarking on a “fishing expedition” through an open-ended, unlawful investigation of suspects for the purpose of discovering damaging or embarrassing information, the writers want to create an investigative line that allows him to go “upstream and into the police department, to the deputy chief or whoever dropped [the money] off” (MP, June 2, 2009) at the restaurant, rather than “downstream” to low-level money-laundering civilian operatives. As such, Frank’s investigation initially nets him Bad Sergeant Coombs in order to bait the “bigger fish” (beat sheet, June 8, 2009: 6) embodied by the Deputy Chief. Thus, the writers initially conceived of Frank’s investigative line as ultimately providing the set-up for a larger serialized narrative about police corruption. As episode 12, the penultimate episode in an ordered lot of 13, the writers want to pursue an inquiry that would implicate a high-ranking police administrator (i.e. Deputy Chief Cafferty), rather than the corrupt frontline police officers that have been featured in the majority of the season’s episodes. In doing so, the writers want to send Frank the message that the corruption is “bigger than [he] thinks” (MJ, June 2, 2009), and is built into the “brass wall” itself. In attempting to take down both Coombs and Cafferty in this episode, Frank has antagonized the entire “brass wall,” which will come after him in full force in the season finale.

As previously mentioned, the “brass wall” refers to an old boys’ network that connects together high-ranking police administrators (police department), city politicians (the mayor’s office), and prosecutors (the Attorney General’s office). In this episode, viewers
would finally get to see a corrupt member of the “brass wall,” and this sighting is tied to the restaurant setting. At the top of act 2, in the interior of a “nice restaurant” (beat sheet, June 8, 2009), writers establish the character of Deputy Chief Cafferty as a grey-haired man eating dinner with a companion. He excuses himself and heads to the restaurant’s back room with a large brief case, handing it over the restaurateur. The brief case is opened, and shown to viewers as being full of “hundreds of thousands of dollars” (beat sheet, June 8, 2009). Cafferty is dropping off the drug money for it to be transported out of the country by the restaurateur. So, how does the “nice restaurant” as crime scene contextualize the crime of money laundering?

The “nice restaurant” is imagined in the writers’ room as a New York Italian restaurant, which is still standing in Harlem:

This is from way back in the day. [...] For many years before it was gentrified [...] it was an Italian restaurant in the middle of this real rough gang area. [...] Every night there was this major political figure, legislator, major showbiz figure, major crime figure and major police figure, too, I think [dining in the restaurant]. What happened was one night these 2 guys come in and hold the place up: ‘Give me your fucking money!’ And they’re going behind the cash register, and [restaurateur Frankie] says, ‘Hey, I got a box full of money here behind the counter. You might want to take it.’ He [robber] says, ‘Are you crazy?’ Frankie says, ‘Spend it fast, though.’ They found these guys [robbers] all over the 5 boroughs the next morning (MP, June 2, 2009).

From the anecdote, we get a better sense of what the imagined Italian restaurant means to the writers and to the story. It is a hobnobbing place for various members of the “brass wall,” which extends beyond criminal justice and political figures and into associations with organized crime. It is imagined as an explicitly Italian restaurant in which powerful figures gather because their safety is guaranteed, despite the restaurant’s location in a “rough gang area,” by the restaurateur’s ties to the Italian Mafia. While robbers might steal money from diners and the restaurateur, the Mafia punishes such theft with execution, sending a clear message of general deterrence to other would-be robbers. More importantly, the Mafia’s connection to the “brass wall” is conceived by writers as part of a larger serialized narrative about police corruption that would continue to play out in the next episode. For example, in the season finale, Frank needs to protect his colleagues from the

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176 Note that the “Anywhere” setting of The Bridge is effectively North American and allows writers to imagine American restaurants as reference points.
wrath of the “brass wall,” and in order to do so, needs to find out why he has triggered its wrath. His knowledgeable informant is an Italian mobster, except this time the writers want to place Frank’s meeting with the mobster at the lumberyards rather than the more cinematically conventional setting of the restaurant (KD, June 9, 2009). With respect to this particular episode’s story, the setting of the Italian restaurant suggests that Deputy Chief Cafferty’s money laundering operation is partially facilitated by the Italian mob. As such, the writers’ choice of ethnic restaurant implicates a particular kind of “ethnic” criminality, drawing on the familiar pop cultural association between Italians and organized crime most famously constituted and disseminated in Francis Ford Coppola’s (1972) film *The Godfather*. In addition to the ethnic connotations of imagining an ethnic restaurant as the setting for the crime scene, the writers conceive of the restaurant as being a “steakhouse” (KD, June 8, 2009). The writers’ choice of steakhouse restaurant highlights a certain kind of

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177 The lumberyards are deemed a more authentic setting for Italian mobsters: “That’s where these guys [are]. That’s where their bread and butter is. It might be a little too romantic if we want to do old guys stirring their espresso with the little spoon. We’ve seen that” (KD, June 9, 2009). The selection of a non-restaurant setting would also distinguish this episode of *The Bridge* from HBO’s television drama series *The Sopranos* (1999-2007). In *The Sopranos*, protagonist Tony Soprano, a high-ranking member of the local New Jersey Italian Mafia, is best friends with restaurateur Artie Bucco. As a result, there are many scenes set in an upscale Italian restaurant. In Canada, this is a sufficiently widespread, stereotypical association that the Criminal Intelligence Service of Canada feels a need to correct this misrepresentation of contemporary organized crime. From the Report on Organized Crime (2009: 9),

> Organized crime portrayed as a homogeneous ethnic group with distinct rules of conduct was most popularly expressed in the film, *The Godfather*. However, with globalization and increasingly multi-cultural communities, organized crime is now best understood as small, loosely structured and often multi-ethnic networks that adapt quickly to any pressures or changes in the criminal or legitimate marketplaces.

179 During the making of *The Godfather* (1972), the film crew encountered resistance during production in New York City from the Italian-American Civil Rights League because the League felt that the film portrayed a stereotypical and negative representation of all Italians as Mafia-related (Lebo, 1997). It should be noted that Italian-American Civil Rights League was an odd organization because it was founded by a New York mobster. As the head of the Colombo crime family, Joseph Colombo founded the League in order to reduce the public’s awareness of the Mafia, by publicly censoring its representation in news and entertainment media. Colombo sought a return to “the omerta of turn-of-the-century Little Italys, where Mafia was a whispered word and bosses were not badgered by grand juries, tax investigators and wiretaps” (Time, July 12, 1971).

180 As one of the first scholars to examine the semiotics of food, Barthes (1972) analyzes the bloody steak as a signifier for French national identity and imperialism.
masculinity\textsuperscript{181} that underlies both the conceptualization of the “brass wall” and the ETF police subculture. The steakhouse is imagined as an elite dining club primarily for an old boys’ network (“brass wall”), thereby allowing the writers to draw on the link between (hegemonic) masculinity and meat consumption already found in pop culture (Adams, 2000). Semiotically, “meat eating” has two additional connotations that are specific to the world of policing. First, “meat eating” refers to severe, systemic police corruption, including deviant behaviour and cover-ups within a police agency (Greek, 2007: 173). Secondly, the phrase “meat and potatoes”\textsuperscript{182} describes aggressive, “in your face” policing (Street, 2008), which characterizes how the writers have conceived of ETF policing.

In the context of the episode’s story, for instance, hyper-masculine ETF officers as best exemplified by Coombs are tasked with “taking down” drug lords (act 1), hostage-taking thugs (act 3) and potentially Frank (act 4) through physical force. This proactive police use of physical force tends to elicit citizen complaints against officers who engage in this “meat and potatoes” type of policing (Street, 2008). Interestingly enough, The Bridge writers also incorporate information about such complaints against the ETF squad into their story. Anonymously citing their technical consultant, the writers put the following words into the mouth of Frank’s police union assistant/partner: “[t]here are only 75 [ETF officers] on the police force, but they account for over 50 percent of the police infractions and citizen complaints” (beat sheet, June 8, 2009: 2). ETF Sergeant Coombs, in particular, is a “cowboy who’s been in trouble a lot” (beat sheet, June 8, 2009: 2).

Thus, by setting the crime scene in a steakhouse restaurant, the writers seem to acknowledge that although a “meat and potatoes” policing tactic can be problematic and linked to police corruption, meat consumption is a normalized aspect of interrelated representations (and understandings) of police culture and of masculinity. More importantly,

\textsuperscript{181} I am taking up Richard Sparks’ (1996) suggestion that criminologists study the gendered implications of standard film and television characters (e.g. the hero, police officer, villain, etc.), particularly the images of masculinity personified by law enforcement and criminal characters. However, I do so indirectly through an examination of restaurant setting, such that the representation of space/place already pre-configures a kind of man (and masculinity) who will frequent that space/place.

\textsuperscript{182} Because police officers are generally assumed to routinely enjoy “meat and potatoes,” police procedurals themselves have been described as “[m]eat and potatoes” (Schneider, 2009) in the menu of television programming.
the old boys’ network as conceived by the writers as including prominent members of Italian crime families can only appear in this imagined Italian steakhouse. The restaurant provides a common meeting place for law enforcement personnel, such as the Deputy Chief, and for mobsters, such as the unknown Mafioso controlling the money laundering operation from afar. As a crime scene, this particular restaurant setting puts the spotlight on the illicit activity of the old boys’ network, and their larger corruption implies a serialized narrative that will continue and culminate in the season finale. In this episode, Bad Sergeant Coombs is only useful to the plot (and to Frank) if he can implicate Deputy Chief Cafferty. Cafferty then becomes the target for Frank’s investigation in the next episode, revealing to him the extensive nature of the old boys’ network and all of its attendant law enforcing and criminal associates.

2. The Mediterranean restaurant: The network outline (June 17, 2009)

After the beat sheet, writers are asked to produce a longer story document known as an outline, fleshing out the telegraphic beats with longer descriptions of characters and story action. The outline stage can be circumvented, however, if the episode is written by the showrunner (as was the case for the season finale) since it is assumed that both he and the networks will approve of his outline, presuming that its contents are in line with the overall vision of the show. The outline serves as yet another attempt at fine-tuning the story prior to the writing of full drafts (i.e. scripts complete with dialogue).

In our discussion of the outline stage, we will bypass the writers’ outline, which can be considered the first trial of strength. Released on June 11, 2009, the writers’ outline is an internal document that circulates among the writing team. The showrunner and other members of the writing team (who remain uncredited as writers for the episode) read the outline and provide feedback to the writers (in this case, MJ and KD). Based on that feedback, the writers will make the suggested story adjustments, if any, prior to sending the document to the networks for review. Because the writers’ outline follows the beat sheet closely without any major alterations in story or character, it can be said to have withstood its first trial quite successfully. Instead, we will focus our attention on the network outline, which is the first opportunity for external reviewers (i.e. external to the writing team) in the form of American and Canadian network executives to inspect the episode’s story. We will
note that the network outline survived any network “attack” because it was approved without any major changes in story. However, the network outline contains a different representation of the restaurant setting in comparison to the beat sheet or the writers’ outline, which in turn modifies the meaning of the crimes committed within that setting.

In the network outline, the writers take seriously the idea of making the “restaurant [look like] where the [dirty] money is going to [sic]” (MG, June 2, 2009). That is, in lieu of the “nice” Italian steakhouse represented in the beat sheet with its “upstream” associations to the “brass wall” and Italian Mafia, the writers focus on making the restaurant the spatial manifestation of the intermediate criminal figure: the middleman in the money laundering operation (i.e. the transporter of laundered money). Instead of an Italian restaurateur disappearing with the laundered money in the Bahamas, as in the beat sheet, the network outline ends with a Mediterranean restaurateur taking the money to “Cypress” [sic] (June 17, 2009: 13). As the restaurateur has transformed into a Greek, the restaurant setting has also been re-imagined as Mediterranean. In so doing, this change in restaurant setting has two effects. First, it suggests that the writers have backed away from connecting the Italian Mafia to instances of police corruption committed by the “brass wall.” Second, the writers continue to associate a certain kind of ethnicity with criminality, and do so through the representation of the ethnic restaurant.

So how did the writers make the conceptual leap towards representing a Mediterranean restaurant, given their earlier attachment to the idea of an Italian steakhouse? Writer KD (June 8, 2009) considered casting the restaurant as Carman’s Dining Club, a well-known Toronto steakhouse. Most recent reviews of the restaurant, which opened its doors in 1959, noted the faded glory of its interior, which in turn inspired The Bridge writers to describe the “old fashioned surroundings” of the fictional restaurant interior in the network outline as follows: “The dining room is twenty years past its prime.” (June 17, 2009: 1). More importantly, on Carman’s walls, “[t]here are photos of previous prime ministers and attorney generals dining in the restaurant [...] and it was a cop hangout” (KD, June 8, 2009).

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183 After the outline stage, writers proceed to writing a writers’ draft of the episode’s story. The first writers’ draft is an elaboration of the network outline.

184 Although Carman’s is primarily known for its steaks, it did serve Greek appetizers (e.g. tzatziki). However, Carman’s is no longer in business as of late 2009.
Because real-life members of the “brass wall” normally dined in the restaurant, it is easy to assume that powerful members of the fictional “brass wall,” both political and criminal justice figures, would also dine in such a place. The old boys’ network would feel at home in a restaurant described as a “boys’ club hangout” (Liu, November 19, 2009). However, Carman’s is named after its owner Carman (born Athanasios Karamano), an immigrant from Greece and not Italy (Chatto, 1998). In keeping with the logic of making the restaurant an ethnic mirror of its owner, the restaurant in the network outline became Mediterranean as its owner is now described as “Cassandra [note the Greek origins of the name], early thirties, Mediterranean looking, attractive” (network outline, June 17, 2009: 1).

As a character, Cassandra changes the dynamics of both crimes – robbery/hostage taking and money laundering – that take place in her restaurant. She arises as a result of both production (financial) and creative concerns. Production-wise, she is an attempt to cut down on the number of separate characters in the episode, by amalgamating the beat sheet characters of restaurant server Veronica and restaurateur Varda into a single figure. As a result, producers would only need to cast one guest screen performer rather than 2 performers. It would also be easier for viewers to keep track of fewer “new” (i.e. one-off and non-regular) characters in the episode, and allow a chance for the writers to more fully develop these characters. Creatively speaking, the writers wanted to include more female characters in their episode, having noted the overwhelming number of male characters that populated the episode (e.g. Coombs, Cafferty, the restaurateur, the robbers, the originally male server, etc.).

The single character of Cassandra also allows the writers to stream-line the plot because she becomes the reason why both crimes happen at the same place on the same night in contrast to the happenstance version of criminal events in the beat sheet. In the beat sheet, restaurateur Varda facilitates the money-laundering operation in which Coombs and Cafferty take part. Restaurant server Veronica happens to notice the money coming through the

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185 In the writers’ room, DA had earlier suggested that such an amalgamation would be useful as a solution to address the problem of surplus characters (June 2, 2009).
186 As a response to the predominance of male characters in this particular episode, MJ wanted the next episode to “be about women so that we [writers] can have some women [characters]” (June 2, 2009). MJ is notably one of the credited writers of this episode’s story.
restaurant and calls her boyfriend Thug 1\textsuperscript{187} and his brother Thug 2. The thugs come to rob the restaurant of this to-be-laundered money, which triggers Coombs and Cafferty’s money rescue mission. Coombs and Cafferty assert their presence and control at the restaurant as police officers in charge of the ETF operation to bring these thugs to “justice.” In their attempt to rob, the thugs had accidentally injured a police officer,\textsuperscript{188} and were holding him hostage along with restaurant patrons and staff in order to negotiate their escape from the restaurant.

In the network outline, however, Cassandra becomes the connection point for both crimes: Cafferty drops off the drug money specifically for her to launder in Greece, and she plans to rob him of this money with help from her boyfriend and his brother. In fact, she is so pivotal to the plot that the episode has been re-titled from “Hostage” to “The Unguarded Moment,” shifting the episode’s focus from rescuing the injured police hostage to the “unguarded moment” during which Frank (and viewers) see Cassandra react to her boyfriend’s death at the hands of Coombs. To rescue the stolen money, Cafferty orders an ETF raid of the restaurant ostensibly to save the injured officer. This, however, is actually an opportunity for ETF Sergeant Coombs to take back the stolen money and justifiably\textsuperscript{189} execute both thugs for knowing about the existence of such money. Even though Cassandra’s thug boyfriend “drops his gun and gives up” during the ETF takedown, “Coombs shoots him” (network outline, June 17, 2009: 8). She reacts to his death by bringing about the downfall of the Deputy Chief.

In his attempt to wipe clean any clues of his involvement in the money laundering operation, Cafferty kills Coombs before the ETF Sergeant can confess his crimes and the names of his “brass wall” associates to Frank. This is how previous versions of the story have

\textsuperscript{187} To avoid confusion, I will refer to these characters functionally (as they are conceived functionally by the writers) rather than by name since their names change over the course of story documents. For example, in the beat sheet, they are Jenk (Thug 1) and Chucky (Thug 2). In the outlines, they are Jenko and Lennie. In the network draft (July 12, 2009), they become Ben and Nells. Ben is renamed Dex beginning with the full blue production draft (July 22, 2009).

\textsuperscript{188} This triggers Frank Leo’s officer-saving mission.

\textsuperscript{189} Implicitly, this is the perspective of Cafferty. The killing of the thugs could be justified by ETF Sergeant Coombs as necessary, and this justification would hold because the raid itself would create enough “confusion in the restaurant [with] people screaming and diving under tables” (network outline, June 17, 2009) that there would be no eyewitnesses to contradict Coombs’ version of events. Of course, Frank “sees clearly” that Coombs murders Thug 1 despite the confusion in the restaurant.
ended (as documented from the beat sheet to the writers’ outline) – that is, with the killing of Coombs and Frank’s investigation into Cafferty presumably still open but without any leads. In the network outline, however, an additional scene is added at the end of the episode to provide viewers with a greater sense of narrative (and investigative) closure, in which the Deputy Chief is himself brought to justice. Viewers learn about the fate of both “bad apples” by the end of the episode. As a result, the episode’s narrative has become increasingly modular: the episode introduces the “bad apples of the week” as the foci for Frank’s investigation and ends with the “bad apples” essentially being punished for their crimes.

While the writers had initially envisioned the episode’s story as a set up for the season finale, the story has increasingly taken on the narrative format of a standalone episode, closing off the potential to show a serialized representation of systemic police corruption among high-ranking police officials by instead showing the arrest of the Deputy Chief.

In the final scene of the episode, Cafferty is persuaded by Cassandra to come to the now closed restaurant during the day. He arrives and is confronted not only by Cassandra but also by Frank. After Cafferty is taken away in handcuffs, saying that “they’ll never get any charges to stick against him” (network outline, June 17, 2009: 13), Cassandra hands Frank an envelope and says it’s the banking records from the last three times she took money to Cypress and then had it transferred to Cafferty’s offshore account. Should be enough for a conviction (network outline, June 17, 2009: 14).

By nightfall, both Frank and viewers learn that the banking records are sufficiently condemning that Cafferty has accepted a plea bargain and will be going to jail. With a change in restaurant setting, the episode’s story now serves up a plate of justice, rather than provide a serialized bone of contention for viewers to continually chew on.

3. The breakfast diner: Network draft to full pink production draft
After the outline stage, the rewriting process enters the draft stage. Rather than being rendered in prose, each scene’s action is expressed through dialogue and stage directions. Three different sets of “inspectors” review different versions of the draft, requiring that our “bad apples” pass through three trials of strength. Like the writers’ outline, the writers’ draft is first written for feedback from other members of the writing team. Because it is essentially an elaboration of the network outline, we will not examine the writers’ draft in detail, but
proceed in our investigation to the examination of the network draft and the production draft. The network draft (second draft stage) is written for review of content by the network executives; the production draft (third draft stage) is written for review in light of budgetary and location constraints by the show’s producers. While we will discuss each of these drafts in greater detail in a moment, we will first note their significance for several reasons.

First, Deputy Chief Cafferty, our “bad apple” that was ultimately punished by Frank’s good police work in the network outline, goes missing in the network draft. Also, ETF Sergeant Coombs transforms from “bad apple” to “good apple” in the network draft, and completely disappears in the full pink production draft.

Second, the disappearance of both our “bad apples” coincides with a change in the episode’s time scheme. Film scholar David Bordwell (1985) writes about time scheme as an audiovisual cue that allows viewers to unify the action. The time scheme establishes temporal unity of narrative action, a requirement for film and television continuity, so that characters’ actions are seen to continue over the course of time. For example, in the case of representing a lengthy, on-going police investigation, the investigative action is seen to continue over the course of a day (day can turn to night), or over the course of several days (with the appropriate demarcations of day and night separating each day of investigation). In the script, the time of action is written in the scene heading, which is itself written in all capital letters. For example, if the scene is set in a restaurant, the scene heading might look as follows: INT. (interior) RESTAURANT – DINING ROOM – DAY. If the action continues in the restaurant setting, the writers will add “continuous” to the scene heading as an adjective that modifies the time of action (e.g. CONTINUOUS – DAY). Production wise, a determination of time scheme is particularly significant for exterior shots and for lighting schemes, both of which impact the cost of the episode’s production.

In our particular episode, the story was initially set at night (beat sheet to network outline) and over the course of two days, but in the network draft stage, the story now only occurs over the course of a single day during daylight hours (from morning to presumably afternoon). As a result of this change in time scheme, the restaurant setting has also been

190 While production drafts are read by producers for these kinds of constraints, the writers think through some of the story’s implications for production prior to this point in (re)writing.
changed. The fine dining experience provided by the “nice” Italian restaurant or the Mediterranean restaurant can no longer be offered to “a dead slow breakfast crowd” (network draft, July 12, 2009: 3). From a production perspective, the number of diners that make up the early breakfast crowd is no different from that which made up the late dinner crowd in previous story versions. In both cases, writers were thinking of using four to five diners to keep production costs relatively low. Aesthetically, however, the breakfast diner represented in the draft stage is quite different from previous restaurant settings, and comes about initially as a consequence of simply changing the episode’s time scheme.

Thus, these production considerations have inadvertently changed the semiotic meaning associated with the setting’s chronotope. Chronotope refers to a particular way of combining temporality and spatiality, such that “each space appears to us not abstractly [...] but rather embedded in a particular temporality” (Valverde, 2006: 138). The notion of breakfast diner is already embedded in a particular temporal setting, since it tends to serve food intended for consumption in the daytime. As a result, the episode’s robbery now happens in the morning, and is perhaps made more shocking by the fact it happens in broad daylight rather than under the conventional cover of darkness, where criminal activities are imagined to generally occur. Moreover, by transforming the restaurant into a breakfast-serving diner, the implications of the previous ethnic incarnations of the restaurant setting no longer apply. We will now examine the network draft and production drafts in greater detail.

A. Network draft (July 12, 2009)

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191 In the writers’ outline (June 11, 2009: 3), the restaurant is described as “getting ready to close. Only one table of customers remain, four people in their twenties.”

192 For example, we can safely assume that the “extras” will be garbed in different clothes when eating at a breakfast diner than at a fine Italian steakhouse at night.

193 Mikhail Bakhtin (1981) coins the term “chronotope” in relation to the novel, it is reworked for semiotic analyses of criminal spaces by Mariana Valverde (2006: 137-8). Specifically, each space appears to its observer as embedded in a particular temporality.

194 In contrast to the American reality-TV show COPS, the Canadian version of the program, To Serve and Protect, is also notable for shooting in broad daylight as opposed to at night (Valverde, 2006: 106). This tendency to shoot during the day allows Canadian producers to save money on extensive night lighting that might otherwise be necessary for night-time shoots.
The network draft is a full-length script treatment of the episode, which is sent to both sets of (CBS and CTV) network executives for feedback. While the network outline provided the first opportunity for network review, the network draft is the second opportunity for network executives to provide their input, if any, to the writers. Network feedback generally does not take the form of production considerations, but instead their notes “view everything through the prism of what [the network executives] think their audience wants, and what will get them excited, and what will get them to NOT [sic] change the channel” (McGrath, August 13, 2009). In practice, the network notes tend to remark on areas in the story that need to be clarified for (at this point, imagined) viewers and the executives’ emotional reactions to certain characters and/or scenes.195 In the case of The Bridge, network notes are given over a telephone call to the writers of the particular episode and the showrunner. As a co-production, The Bridge ought to receive two sets of notes, one from each network. In practice, members of the writing staff have only received notes from CBS. We will now examine the draft of the episode sent to the networks for review.

The restaurant setting has once again changed, such that all ethnic implications have now been erased in its description. The restaurant is generically described as

“[a] nice place, quiet. A young couple in their 20’s, sits at a table near the front. Two older women, 50’s, sit at another table. And a [sic] older man, late 60’s, alone at another table. A waitress delivers food. And a bus boy cleans the table” (network draft, July 12, 2009: 2).

Cassandra, owner of a Mediterranean restaurant, has now been transformed into “Ella, 28, the restaurant manager” (network draft, July 12, 2009: 2). While Ella assumes much of the role originally written as Cassandra (e.g. she transports drug money and calls her boyfriend to rob said money), she no longer deals with Deputy Chief Cafferty who has remarkably vanished from the story. As the restaurant setting has changed from high-class steakhouse to breakfast diner, it is no longer a setting for the city’s elite, including members of the “brass wall,” to hobnob, but for ordinary people to grab a quick (cheap) meal during the day. As such, Ella transports laundered money for Munson who is a “big time hash importer, real old school” (network draft, July 12, 2009: 40). While the laundered money

195 This is an observation from my perusal of the network notes for the Showcase television pilot Lawyers, Guns and Money, and is corroborated by veteran Canadian TV writer Dennis McGrath (August 13, 2009) and from my interviews with The Bridge showrunner.
remains “drug money,” its source is no longer police confiscated drug money but rather the money accumulated through the selling of hash. The knowledge gained from long conversations in the writers’ room about how police officers can steal money from the crime scene (recall previous chapter) no longer informs the episode’s story in any way. Moreover, Ella will not be transporting the drug money to Cypress but to Singapore, which is deemed a less friendly place for money laundering since “[t]hey’ve got soldiers with machine guns and signs all over, death to drug dealers” (network draft, July 12, 2009: 4). Notably, in contrast to the logic that underpinned the choice of restaurant setting in the network outline, the restaurant setting in the network draft is not made to epitomize the foreign place to which the drug money will be transported. Instead, we can consider the diner setting to be a relatively typical North American fast food dining experience, and hence is associated to notions of ordinariness and the everyday. Even the appearance of hash dealer Munson in the restaurant can be deemed normal within the context of the restaurant business, in which “drugs are rampant” (DA, June 2, 2009).

With Cafferty’s disappearance, Coombs undergoes a moral transformation into a morally upright Good ETF Sergeant. This transformation is highlighted by a conversation between Frank and Coombs during which Frank is trying to persuade Coombs and his ETF squad to enter the restaurant and take down the thugs. In reply, Coombs calls Frank a “cowboy.” Thus, the designation of “cowboy” – here understood as a dangerous, reckless risk-taker – is no longer applied to Coombs (as in the beat sheet) but to Frank by Coombs (network draft, July 12, 2009: 50). No longer the embodiment of the “bad apple,” Coombs arrives at the restaurant hostage-taking scenario and strategically plans a way to get the hostages out. He even generously collaborates with Frank on this endeavour. However, Good Sergeant Coombs is a peripheral character in the episode’s story in comparison to Bad Sergeant Coombs who was the focal point of Frank’s investigation in previous story documents. Whatever insights into ETF culture the writers initially thought could be explored through the character of Coombs have been removed.

It is possible that Coombs’ moral transformation was a pre-emptive measure to ensure network approval. Both CTV and CBS air the successful television program Flashpoint, and it is not clear that the networks would appreciate any of its shows, especially new untried ones, to tarnish the conceit of their other established and popular programs – in this case, the
conceit of exceptionally heroic ETF officers. While *Flashpoint* was deliberately conceived to fit into CBS’ line-up of police procedurals both in tone and content (Barken, August 17, 2010), *The Bridge* was not initially conceived to fit into such a mould. Even when following network guidelines, *The Bridge* writers continued to pursue some stories about police corruption that made both CTV and CBS, as one writer of *The Bridge* puts it, “nervous” (MJ, July 21, 2010). The story of a corrupt ETF force can be considered an example of one such story.

Thus, with the complete removal of the corrupt Deputy Chief and the moral transformation of Coombs, the original representation of police corruption has been removed from the episode’s story. In its place, the writers tell a story about 1) serialized police politics and 2) episodic civilian crime.

First, the writers continue to attempt a serialized representation of the “brass wall” as suspect, although the “brass wall” is no longer suspected of outright crime but of questionable motives that will negatively impact Frank in both this particular episode and the next. Police Chief Wycoff replaces Deputy Chief Cafferty as the member of the “brass wall” featured in this episode’s story. Making his first appearance in the conceptualization of this story, Wycoff arrives at the hostage-taking scene in order to provide an obstacle to Frank’s attempt to save the injured police-hostage. Outranked by Wycoff, Frank needs to call in a favour from the city’s mayor. She also shows up at the scene to place Frank in charge of the hostage rescue mission, and to inform him that Wycoff has been talking to the Attorney General, both of whom want Frank removed from his post as police union chief. In putting Wycoff in the episode in this manner, the writers foreshadow the revelation of the police chief as completely corrupt in the season finale.

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196 Because I have no access to the telephone conversations between writers and network executives, it is not clear to me what exactly the executives wanted. Because the writers certainly want to keep their relationship with the executives on good terms, they are not specific about whether this was an outright broadcaster demand. They are only willing to say that the broadcaster wanted the more modular format of a stand-alone episode (see MJ, July 21, 2010). Because this episode went through so many re-writes, it is quite possible that the writers simply accepted the network’s direction in order to avoid another re-write.

197 There is a rumour among *The Bridge* writers that the ending of the CBS version is very different from the ending of the CTV version (MJ, July 21, 2010). As we will soon see, the CTV ending (in the full pink production draft) shows the ETF squad gunning down the criminals even though they have surrendered. It is not clear what the CBS version shows because the network cancelled the series prior to airing this particular episode.
Second, because Cafferty and Coombs are no longer themselves laundering drug money through the restaurant, the money laundering operation is now completely run by civilian criminals. The removal of Cafferty and attendant simplification of Coombs’ characterization left a void in storytelling that was filled by fleshing out the characterization of the civilian criminals: Ella, Thug 1 and Thug 2. While the titular reference to the “unguarded moment” in the network outline referred to Cassandra’s reaction to the death of her boyfriend Thug 1, the moment of note in the network draft is Ella’s realization that Thug 1 is not the man that she thought he was, and is instead capable of hostage-taking and potentially murder. She realizes that her plan to steal the drug money has gone horribly wrong because her co-conspirators are unable to stay on task, having been made unpredictable and irrational by their heroin addiction. While Cassandra survived the robbery and hostage-taking and brought Cafferty to justice, Ella and both thugs die in the final act of the episode, partially as a result of mutual self-destruction (e.g. Thug 1 shoots Ella with his gun and she later retaliates by shooting his brother Thug 2) and partially as a result of the ETF takedown of the civilian criminals (e.g. Frank shoots Thug 1).

The networks generally “approved” of the major changes in the episode’s narrative, as the pattern of representation set down by the network draft – specifically, the removal of “bad apples” Coombs and Cafferty, and the fleshing out of civilian criminals – continues to be elaborated upon in the following production drafts. As we will soon see, some of these changes can be read as pre-emptive measures to ensure that the script will easily pass through the networks’ Standards and Practices department.

B. Full white production draft (July 16, 2009)

The production draft signals the draft’s transformation from a purely creative story document (script) to a practical blueprint for production (shooting script). It is read by producers for budgetary constraints, which will have an impact on the story through limitations imposed on the number of characters that can appear (this is constrained by the number of guest/additional screen performers that can be hired) and the setting of the episode itself (this is constrained by the affordability of the chosen location). It is not the case, however, that a single production draft governs the entire shooting of the episode. Instead, production drafts are themselves revised during production as both writers and producers figure out what will
and will not work for the episode.\textsuperscript{198} As such, production drafts undergo a colour revision system, and every production company has its own order of coloured revisions. When production drafts are printed, they are printed on a particular colour of paper in line with the colour revision system. \textit{The Bridge}’s colour revision system is as follows: white, blue, pink, yellow and green. For example, a production draft labelled “double pink” means that it has gone through an entire cycle of (“full”) colour revisions and is now on its second cycle (“double”): in layperson’s terms, it is the eighth production draft for the episode. The “full white” production draft that we will first examine is the first production draft written. Before we discuss the producers as “inspectors,” we will discuss the networks as the episode’s “health and safety inspectors.”

\textbf{a) Health and safety inspectors: Standards and Practices}

While the networks review the network draft for what they think their audience wants or expects to see in their programming, they inspect the “full white” production draft in terms of eliminating “dirt.” That is, the network’s Broadcasting Standards and Practices (S&P) department scrutinizes the draft for the story’s moral, ethical and legal implications, where “dirty words” and “dirty acts” (graphic depictions of sexual intercourse and/or excretion) are assumed to offend moral sensibilities and the “dirt” of potential trade libel is imagined to offend advertisers. To my knowledge, \textit{The Bridge} receives all of its S&P memos from CBS rather than CTV, and as such the episode’s content is indirectly regulated by the American Federal Communications Commission (FCC). Implicated in the governance of (pop) culture, the FCC rules are applied by S&P executives as a means for the American broadcast networks to self-regulate and self-police the content that they broadcast. In short, these executives are charged with keeping their television network “clean,” by flagging lewd jokes, errant curse words and provocative sexual elements in any of their scripted television programs prior to public dissemination. In doing this work, the executives use the FCC indecency and obscenity\textsuperscript{199} rules to regulate the boundaries of acceptable television

\textsuperscript{198} This account does not report on the director’s notes or on changes made as a result of the script read-through by the actors. These notes and changes are inaccessible to our investigation.

\textsuperscript{199} The FCC defines obscene material as lacking serious literary or scientific value, and indecent material as that which depicts or describes sexual or excretory organs or activities.
programming, although these boundaries might vary among American broadcast networks as S&P executives also take into consideration what is acceptable for their particular network brand (Rice, May 2, 2007). Anecdotally, for example, the FOX network allows more “edgy” (i.e. sexier and more violent) representations than CBS, which is considered the most conservative of the big four American broadcast networks. After their scrutiny of the full white production draft, the S&P department produces a memo to the showrunner enumerating “issues” that need to be properly dealt with during production. Some of these “issues” are related to the network’s general programming practice policy, and will apply to the entire series. For example, dialogue in any television series cannot, per CBS’ Program Practices, contain the words “pissed on” or “pissed,” both of which refer to urination, but can contain the phrased “pissed off” (i.e. angry). Similarly, writers cannot use the term “nuts” to describe male genitals, but may use the alternative terms “nads” or “sack.” References to fecal matter (“crap” or “shit”) or blasphemous references to God (“Jesus,” “Christ,” “Jesus Christ,” “God” or “Goddamn”) are never permitted. In short, an S&P executive needs to consider a CBS television program as though it were a “guest in the home [where it] is expected to entertain and enlighten but not to offend or advocate” (CBS/Broadcast Group, 1988: 133). As a guest, the entertainment program needs to conform to “generally accepted boundaries of public taste and decorum” (CBS/Broadcast Group, 1988: 133), indicating that audience expectations of the network’s programming will be taken into consideration.

In order to discipline a potentially unruly “guest” before it arrives in the homes of the CBS audience, S&P executives also pinpoint specific “issues” in an episode that need to be managed by the showrunner and producers before the episode can be broadcast. These specific “issues,” however, are derived from general program practice principles, such as a ban on nudity and the unauthorized use of product placement. For example, in this particular episode, the S&P response to the image of an inebriated waitress in panties and a torn-open blouse is to have the showrunner ensure that “she is sufficiently covered for broadcast” (CBS Program Practices, July 20, 2009: 1). The S&P executive will review a rough cut of the episode to ensure that this is the case. Scenes shot in the restaurant should also avoid having

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200 The other two members of the big four are ABC and NBC.
“nationally recognizable commercially identifiable product signs and props” in the background (CBS Program Practices, July 20, 2009: 1). The latter S&P note is in reference to the specification of the episode’s restaurant setting as the motel diner, the False Bay Bistro (full white production draft, July 16, 2009: 19). These S&P notes highlight the economic imperative that underlies what can be shown on-screen: it must not cause a loss of viewership or of advertisers.

More importantly for the plot of our particular episode, we will consider how CBS S&P executives might react to a potential “guest” that speaks of large-scale police corruption and civilian drug use. While these topics might be explored and explored well by television writers and producers of shows on American pay cable channels (e.g. The Wire and The Shield), those shows do not need to conform to the same level of standards and practices maintained by network broadcasting channels such as CBS. Network S&P executives consider their job to be “pro-social,” and this translates into an unwritten mandate whereby they “don’t want evil to triumph” (head of ABC’s Standards department, quoted in Friend, 2001). In maintaining the idea of “good triumphing over evil,” the executives ensure that their shows do not break “the covenant to not surprise the audience” (NBC Standards executive, quoted in Friend, 2001). How does upholding this covenant affect this particular episode of The Bridge and in what ways does it herald the disappearance of our “bad apples?”

Although the S&P memo is released in response to the full white production draft, the S&P executives generally work closely with writers and producers throughout production (Henderson and Doktori, 1988) and are likely to have an effect on representations of people and places prior to the production draft stage (e.g. network draft). In the past two decades, network S&P executives have been especially vigilant about stereotyping and role portrayals (Rice, 2007; Henderson and Doktori, 1988), particularly with respect to the representation of ethnic minorities. For instance,

[i]n 1994, the producers of the Fox sitcom ‘Monty’ were told that a character in the television pilot could not get food poisoning from a Chinese restaurant. He also could not get it from an Italian restaurant. He could, however, get it from a restaurant (Friend, 2001: 6, my emphasis added).

In considering the above anecdote as a precedent for the American networks’ treatment of representations of ethnic restaurants, the removal of ethnic connotations of the
restaurant setting in this episode of *The Bridge* seems related to current standards and practices. Although the episode does not deal with food poisoning in an ethnic restaurant, early story versions implicate a given ethnic group with criminal activity (e.g. Mafia and the Italian restaurant, or Greek launderers and the Mediterranean restaurant). By making the restaurant generic (i.e. non-ethnic) in this episode, the writers fulfill a particular S&P guideline, yet in doing so need to make changes to the way they conceive of the “brass wall.” Because Deputy Chief Cafferty can no longer dine in an upscale ethnic restaurant, he disappears in the network draft since the restaurant setting is no longer conceived as conducive to the wining and dining of the brass wall’s various movers and shakers. While Cafferty could theoretically appear in the diner, his appearance is no longer necessary since the writers are no longer pursuing a serialized narrative about how certain police bureaucrats facilitate ethnically-related organized criminal activity. Because unnecessary characters inflate an episode’s production budgets without contributing any dramatic pay-off, they tend to be removed. Consequently, the removal of Cafferty facilitates the moral transformation of Coombs.

With the disappearance of the “bad apples,” the writers focus on the civilian criminals. As such, we can consider the overall story transformation as the shift away from telling a story about “bad apples” and towards a story about “bad seeds.” Because the civilian “bad seeds” are heroin addicts, the thugs’ substance abuse comes under review of the CBS S&P executives. The CBS guideline for representations of substance abuse states that it must be thoughtfully considered, essential to plot and role development, and not glamorized. When the line is crossed between normal, responsible consumption of a particular substance and abuse, the distinction must be clear and the adverse consequences of abuse specifically noted and explored (CBS/Broadcast Group, 1988: 135).

Compared to the network draft, the full white production draft characterizes the thugs as morally irredeemable. The “adverse consequences” of their heroin addiction are noted and explored. During the robbery and hostage-taking, they experience painful withdrawal symptoms, but once high on drugs, they engage in morally reprehensible acts that only appear in the full white production draft. While both thugs take pleasure in torturing their injured police hostage, one of the thugs drugs and rapes a waitress off-screen. The thugs are also given a criminal record, having previously hijacked cars and nearly beat an old lady to
death. In short, they are described as being “as mean as they come” (full white, July 16, 2009: 21), and their meanness is implicitly attributed to a tightly drawn nexus of crime and drug addiction. Of course, given the CBS Program Practices guideline, their drug addiction is also what causes their inevitable downfall. High on drugs, the thugs are unable to properly plan their escape from the restaurant and hence evade the law. Instead, Frank outwits the thugs and they are killed during the ETF takedown in the restaurant.

b) Practical inspectors: The producers

Part of the transformation of the script into a blueprint for shooting entails the addition of two new textual entities, both of which signal to the producer ways in which the episode’s budget can be spent or saved: the asterisk and the list. Although the addition of sets and characters lists first appeared appended to the beginning of the network draft, these lists have been modified by the addition of the asterisk in the full white production draft. To aid producers in their practical inspection of the production draft, writers highlight revisions to location, characters and story with the asterisk, which is a small star-shaped symbol that first appears in the page margins of the production draft itself.

i) The asterisk

We will pause in our investigation into the missing “bad apples” to examine how a simple typographical symbol enters into the making of a particular type of story document (i.e. the production draft) and facilitates its evaluation by our practical inspectors. While the Oxford English Dictionary defines the asterisk as a symbol used in text as a pointer to a footnote or annotation, the textual genre of screenplay writing implies a different use of the asterisk. Rather than act as a reference mark, the asterisk in the screenplay is a revision mark made possible through the writer’s use of Final Draft, which is a screenwriting software program that bills itself as “the industry standard” for film and television writers. While early story documents, such as the beat sheet, are written with word-processing software (i.e. Microsoft Word), the draft stage entails the use of Final Draft. Consequently, the writer can

201 If we recall from the last chapter, television writers, unlike lawyers and scientists, do not explicitly reference or cite their sources of information in their texts.
better concentrate on the content of the script since Final Draft is programmed to provide the appropriate scriptwriting format. This automatic programming includes the standardized use of the asterisk to indicate revisions and changes in the script, which is particularly important when the screenplay needs to be read and worked on collaboratively. Similarly, Microsoft Word has a “track changes” function, intended originally for the legal profession (Basch, 2006), that allows writers to note additions, deletions and modifications to the text when they are writing the text collaboratively. Textual changes are tracked through underlining to denote added text, or using strike-throughs to denote deleted text. Final Draft, however, tracks textual changes – only additions and not deletions – with the placement of an asterisk beside the new or modified text in the right margin of the page. This allows various script readers, including producers, to riffle through the printed pages and find script changes quickly.

The presence of the asterisk illuminates two particular insights into the process of television (re)writing. First, while its normalized presence might tell us something about the ubiquity of Final Draft as a screenwriting software program because it has made possible a particular formatting choice that has since become industry standard, I would like to focus instead on what the use of Final Draft means for the television writer, our primary spokesperson for various story documents. Specifically, it suggests that part of the television writer’s competence – namely, the ability to format the screenplay correctly – comes in a download that allows the writer to activate what they might have been unable to do before. As such, Final Draft can be understood as a plug-in that enhances the competence of a television writer. Following the metaphor of the plug-in, the overall competence of being a television writer does not come in bulk, but in bits and bytes (Latour, 2007: 207): in the last chapter, a “bit” of competence came in the form of experiential knowledge, and in this chapter a “byte” of competence comes with the use of Final Draft. Plug-ins then lend our human actors the supplementary tools necessary to render a situation interpretable (Latour,

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202 To be fair, this formatting choice is also used by Final Draft’s software rival, Movie Magic Screenwriter.
203 Here, competence is distinctly different from creativity. Competence refers to the ability to do a specific task – in this instance, screenwriting – successfully, and does not necessarily refer to the innovative or creative quality of the product created from such a task.
In this case, the plug-in of Final Draft renders story revisions visible in a particular way, allowing both writers and producers to collaboratively interpret them as such.

Second, the asterisk allows for collaborative writing in a way that is different from the writing of bureaucratic documents, which uses other typographic symbols to denote other kinds of textual and human interactions. For example, in the collaborative drafting of a United Nations’ document during the Fourth World Conference of Women, brackets (or parentheses) were used to denote a word in contention among delegates. According to Annelise Riles (2006), the bracket for delegates was both a unit of time and a unit of organizational gridlock. The brackets functioned to stop time in the conference in order for appointed delegates to analyze the contentious word and come to some agreement upon the word’s proper definition. In contrast, the asterisk in the production draft(s) ensures that time is not stopped to deal with contentious production issues, especially since “time is money” once shooting begins (e.g. crew, cast, equipment, transport, and catering need to be paid regardless of whether any work is being done). If there is organizational gridlock in the process of television production, it will be “solved” in the form of asterisked changes in the next version of the production draft. As such, the asterisk marks time, but continuous time over which the story is updated as various production constraints come into play.

Because bureaucratic documents, such as the UN Global Platform for Action (Riles, 2006), emerge as printed, complete documents with a singular, definitive version, they are not formatted to allow for growth or what we have been calling “ripening.” For example, Marilyn Strathern (2006) writes about the use of bullet points in the genre of university mission statements. They highlight the individual impact of each statement (or point) being made, and are part of a university’s strategy for “bullet-proofing” itself against government interference in the language of its auditing assessors. More importantly, Strathern notes that bullet points are non-transformative because one cannot do intellectual operations on them, which removes the possibility of argument, critique or discovery. While asterisks are similarly non-transformative in and of themselves, they do, however, mark transformations in the story, including transformations in the list of characters and sets.

ii) Lists
Both the sets and characters lists that are appended to the front of the production draft provide a convenient inventory of who and what will be needed for shooting. They also provide a sense of the episode’s scale, and how that scale will affect the episode’s production budget. As previously mentioned, over the course of several story documents, the episode has been scaled back: the time scheme for the episode has been condensed into a single day of action, most of which now takes place on location at a restaurant.\(^{204}\) The restaurant is now described in the full white production draft (July 16, 2009: 1) as follows:

ACT ONE

FADE IN:

EXT. MOTEL – RESTAURANT – ESTABLISHING – MORNING *

A motel with a restaurant attached to it in front.*

Our breakfast diner has been further qualified and is now a motel diner. As a shooting location, the motel diner, located at the edge of the city of Toronto, is a different kind of location than the downtown restaurant originally envisioned by the writers. Because the motel diner is not located in the heart of the city, it is a more affordable location for producers to acquire and to shoot in. For example, producers can better control noise factors when shooting. There would be no need for paid duty police officers to slow down, stop or detour traffic to reduce traffic noise while shooting, since traffic noise is generally reduced at the periphery of the city.\(^{205}\) Moreover, given the relatively remote location of the motel, there would also be no need to re-route pedestrian traffic. The motel location also has a parking lot that can double as an exterior shooting location (e.g. scenes during which various characters, such as Frank and the ETF squad, arrive at the restaurant), and as unit and crew parking for the production team’s various vehicles (e.g. equipment vehicles, honey wagon,\(^{206}\) hair/makeup and wardrobe trailers, trailers for the screen performers, etc.). If the producers were shooting at a downtown restaurant, parking permits for unit vehicles need to be

\(^{204}\) Previous set locations include the interior of a bar, Frank’s office and a hospital room, all of which have been omitted in the sets list provided in the full white production draft.

\(^{205}\) For example, when Cra$h and Burn shot a night scene in a downtown apartment in Hamilton, paid duty officers were hired to periodically stop traffic when shooting because of such noise.

\(^{206}\) Essentially, the honey wagon is a trailer that is used as a washroom.
acquired, since (the limited downtown) parking spaces would need to be reserved in advance for the production team.

When we examine the list of characters, we also notice that the writers have cut down on the number of guest characters that appear in the episode. Most remarkably, the mayor who first appears in the network draft now disappears in the full white production draft due to budgetary constraints on the number of screen performers permitted per episode. With the removal of the mayor, Frank no longer learns that Police Chief Wycoff has been plotting with the Attorney General to relieve him of his post. As a result, the set-up for a serialized narrative about the “brass wall’s” corruption is omitted in this revised story document. Although Wycoff appears at the crime scene to provide an obstacle to Frank’s attempt to rescue the injured police hostage, he is an episodic antagonist (as are the increasingly incorrigible civilian criminals). With the omission of the mayor, any inkling of Wycoff’s serialized corruption has also been omitted.

We will also note that ETF Sergeant Coombs remains in the story as a function of proper police procedure, since the ETF squad is routinely called in to negotiate with hostage takers. While the original Bad ETF Sergeant Coombs would “lock and load” and move in to take down the hostage takers without a second thought (beat sheet, June 8, 2009), Good Sergeant Coombs refuses to do so. Because Wycoff has given the order for the ETF squad to stand down (i.e. not enter the restaurant and rescue the injured police hostage), Coombs cannot be persuaded by Frank to disobey that order:

FRANK: Coombs, you gotta [sic] cop hurt bad in there, and you need to go in there, and get him out. The hell with the Chief. *

COOMBS: I got a lawful order, Frank. We disobey that order, and we're done* (full white, July 16, 2009: 11).

While “bad apple” Coombs has no issues with working outside the law, Good Coombs follows lawful orders to the very letter. Bad Coombs lives in a house “decorated by Soldier of Fortune magazine” (writers’ outline, June 11, 2009: 13), whereas viewers have no glimpse into the home life of Good Coombs. Instead Good Coombs seems to only exist on the job, although he admits to Frank that it is getting harder to do his job as a result of recent police budget cuts: “Frank, we only got two gun trucks [i.e. ETF trucks] with all the damn cutbacks***” (full white, July 16, 2009: 12). As a result, the full white production draft completes the moral transformation of ETF Sergeant Coombs into a character that seems
even more lawful and morally upright than the show’s protagonist who, in contrast, is willing to skirt the edges of the law to save a police officer. To further cement the disappearance of “bad apple” Coombs, the writers change the name of the revised character of Good Coombs to Sergeant Travers in the full pink production draft (July 26, 2009). With the name change, Coombs disappears from the story altogether, taking with him all traces of his existence as a “bad apple.”

Coombs’ name change might arise from a script clearance report, in which the name of Coombs did not “clear.” The script clearance report highlights all character names, among other names used in the episode (e.g. restaurant name, locations, product names, etc.), that could potentially expose the producers to legal trouble, particularly to lawsuits claiming defamation (see Figure 2). Specifically, the report ensures that all character names used in the script do not correspond to any real-life prominent individuals in society. For example, if there is a real-life Sergeant Coombs, then the character name of Coombs might not “clear.” Often, the script clearance report will provide alternative names that can be used, or the writers will try to “clear” alternative character names. Usually, producers do not perform script clearances themselves, but delegate the work to an independent company that specializes in script clearances. The clearance report is designed to help television productions satisfy their Errors and Omissions requirements.

**Figure 2: An example of a clearance report**

<table>
<thead>
<tr>
<th>CAST</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jimmy Shea, p. 3</td>
<td>THIS NAME IS NOT CLEAR. We find only 3 listings for prominent men by this common name combination. Advise use one of these clear names: Jerry Shea; or Jacob Shea.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PAGE</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-4 (COPS...A COP)</td>
<td>Advise avoid identification of the exact names, badges, patches, or vehicle markings of any actual law</td>
</tr>
</tbody>
</table>

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207 I did not have access to The Bridge’s clearance reports.
208 From what I understand, the research done for script clearance requires a subscription to special online databases, access to a library of books and directories, and the ability to perform information checks through telephone calls. Because this work is done by specialized companies that claim expertise, the names of online databases are not released to outsiders.
209 This is the clearance report for the pilot episode of Lawyers, Guns and Money (see chapter 5).
3 (SUV...bears the PROTECTED (Security) logo and slogan: “We Protect You.”)

We find no conflict for a security company by this name. We find no conflict with this slogan. Presume logo will be created especially for this production and will not duplicate any copyrighted or protected material.

3 (Call 1-800-Protect.)

THIS PHONE NUMBER IS NOT CLEAR and may identify an actual working phone number in various area codes. Advise use the clear number 1-800-555-STOP.

4 What are you? Fucking Columbo?

Reference to the television detective drama, “Columbo,” which is no longer in production.

5 (MONTAGE OF INSURANCE DISASTER – FOUND FOOTAGE...hurricane...stock market crash; five-alarm arson; floods; pestilence; a man-in-a-barrel sails over Niagara Falls; O.J. races down the freeway)

Advise check copyright status of all film clips used. Permission advised from each copyright holder and from any living subject who is recognizable, who is not a member of the cast. If music is heard, advise check copyright status of any recognizable portion of any copyrighted melody heard. Music and artist clearance for any recording of a copy-righted melody.

6 (German shepherd, FROU FROU)

We find no conflict for this as a dog character name.

9 Getting or making (car accidents)?...All State? Progressive Insurance, too. I can’t help it if they come looking.

References to the actual insurance companies, Allstate and Progressive. Permission advised from them in the full context of this screenplay, which deals with insurance fraud schemes, which could be construed as derogatory by either, or both, of these companies. If permission is denied or not pursued, advise use one of the following clear names: Great Benefit Insurance Company; or Lewiston Mutual Insurance.

Closing the case

Although this episode’s story will undergo a few more revisions, the pattern set by the full white production draft is generally seen through to the final revised shooting script (double pink production draft, August 9, 2009) with some minor tinkering of dialogue and scene directions along the way. As we come to the end of our investigation, we need to admit that though this investigation was structured by a forensic metaphor, we are not Sherlock Holmes. We cannot definitively answer the question of “who” ensured the disappearance of our “bad apples,” because there is no single guilty party. What we do have is a chain of textual suspects, all of which contribute in small ways to their eventual disappearance. None of our textual suspects are the singular cause of Coombs and Cafferty’s respective disappearances, at least not in such a significant way that we could easily pinpoint any one of them as the guilty culprit. Instead, if there must be a culprit, it is the television (re)writing process, which is itself a matter of negotiation and collaboration among multiple production and network
personnel. As such, the disappearance of Cafferty and Coombs is, as alluded to at the beginning of our investigation, “built right into the nature of things.” Specifically, it is the nature of television drama production, which tends to entail a process of scaling back the cost of production while still aspiring to tell a compelling story anchored by a dramatic conflict.

In attempting to tell that compelling story, our textual suspects collectively inform us of an overall narrative movement that facilitates the disappearance of our “bad apples.” Across our story documents, the overall narrative movement becomes oriented towards increasingly modular storytelling. Serialized elements in the story, including representations of serialized police corruption (e.g. as originally embodied by the figure of Deputy Chief Cafferty), are eventually all omitted over the course of re-writing the episode. Instead, the episode is rewritten as a story that features “bad seeds” rather than “bad apples” of the week, evolving from a story about serialized police corruption to one of episodic civilian (career) criminality. The transformation of story focus from “bad apple” to “bad seed” is initially set in motion by re-imagining the space of villainy’s sphere of action. In undertaking a structural analysis, Vladimir Propp (1968) was interested in identifying particular functions or spheres of action for various stock characters found in the folktale. Most relevant to us, he designates villainy as a sphere of action (e.g. the villain functions to fight or engage in struggle with the hero). In this episode of The Bridge, the beat sheet originally imagined two sets of villains: our two “bad apples” and our two civilian “bad seeds” (Thugs 1 and 2). While Propp defines spheres of action at certain places in the narration, taking into account the spatial articulation of the text itself, our investigation led us to consider how spheres of action are imagined as a particular representation of space, taking into account the articulation of setting. Across our story documents, transformations in the setting of restaurant as crime scene and as a site for villainy also suggest a movement towards increasingly modular storytelling: earlier representations of ethnic restaurants with their attendant storylines of serialized “brass wall” corruption are eventually replaced by a generic motel breakfast diner with its singular set of civilian villains.

The Proppian narrative is one that conceives of human activity in the form of confrontations, rather than as (contractual) exchanges (Greimas and Courtès, 1982: 238). As such, we can certainly see how the conflict-driven television drama is essentially a Proppian narrative. Because the writing of network television dramas needs to conform to the unwritten S&P mandate that “good triumph over evil;” such storytelling is also in line with Propp’s subject of narrative analysis: the fairytale (or what he calls the folktale).
As a result of all of these transformations (see Figure 3 at the end of the chapter), the episode’s story no longer attempts to reveal the political machinations behind police forces. Instead, it has taken on the more standardized format of a police procedural (e.g., a narrative that features a crime, police investigation and then closure) common to shows currently airing on both of the show’s co-producing networks, such as CSI. In fact, this particular episode was aired out of order: while it was the twelfth episode put into production, it was the fourth episode that aired on CTV. This is made possible by the modular storytelling of the episode, which is itself borne out of the television re-writing process. This process involves a whole host of small decisions made by numerous people involved with the show’s production, which serve to slowly transform the episode’s story until, as in this case, it bears little resemblance to its original conceptualization in the writers’ room. This suggests a methodological danger in treating the script as though it were a single, stable document – that is, as an intermediary. Instead, the story should be recognized as a fluid set of ideas that is embodied at different moments of formation and transformation by various story documents, including not only the final shooting script, but also the various beat sheets, outlines and drafts leading up to that script. In short, these story documents should be treated as mediators because they mediate the multiple decision-making processes that make up the general process of television drama production, including decisions made as a result of story review by other writers, network executives, S&P executives and producers. Consequently, the process of television writing ensures that the production and circulation of ideas and images about crime and criminality are dynamic, never stable, and constantly open to revision; as writers, producers and network executives continually negotiate the balance between aesthetic and commercial imperatives that specifically drive the show’s production and generally drive the television industry.

**Law’s role in the revision process**

As various scholars of news production have argued (e.g., Ericson et al., 1987, 1991; Hemmingway, 2008), the news is better understood as the result of particular practices of

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211 It would also have been the fourth episode aired on CBS. However, CBS cancelled the show after three episodes and as such, never had the chance to air “The Unguarded Moment.”
news organizations than as faithful reproductions of “real-life” events. Similarly, fictional crime dramas (and their particular episodes) are better understood as the outcome of practices carried out by a specific assemblage of people, creative ideas, commercial interests and broadcasting network demands. Thus, in this chapter, I have described the conditions necessary for the formulation of particular meanings of law and crime. In particular, I have alluded (yet again) to how law provides some of those conditions. As the subject of representation, law’s linear narrative is represented as characteristic of police work. Police investigations are premised upon the maintenance of a continuous chain of evidence. Consequently, telling a story about police investigations requires the maintenance of a linear story structure, in which events are sequenced like a chain of evidence.

Law also provides the conditions under which certain things cannot be said or shown on the small screen. Because The Bridge was indirectly regulated by FCC regulations, network executives from CBS Standards and Practices review the show’s episodes for any potential FCC violations. Routinely, S&P executives remove “dirty words” and “dirty acts” from the episode’s content, but they also police representations that might be construed as trade libel or as negative stereotypes of ethnic minorities. Additionally flagged by script clearance reports, representations that might be perceived as trade libel are removed in accordance with the show’s Errors and Omissions requirements. While E&O requirements funnel legal matters through insurance coverage, S&P requirements are a mixture of legal concerns and broadcaster demands. Each broadcaster has a different list of what cannot be said on the small screen, depending on the timeslot in which the program will air.212 Perceived by The Bridge showrunner as the most conservative of the big four American networks, CBS’ list of prohibited words and acts is likely longer than that of the other networks (e.g. FOX).

In addition to providing the conditions under which television representations are formulated, law acts as one of the initial audiences tasked with reviewing those representations. Echoing Cantor (1971), I argue that television writers and producers create their shows for an audience composed of network executives, S&P executives, and insurers,

212 Across all broadcasters, television dramas airing at 8 pm have more content restrictions (in terms of limiting the amount of graphic language, and graphic images of sex, nudity and violence) than those airing at 10 pm. The Bridge was scheduled to air in the 10 pm timeslot.
as well as for the writers and producers themselves. Instead of examining how the writers and producers of *The Bridge* construct their particular consumer audience,\(^{213}\) I have studied how an actual production-oriented audience responds to an episode’s story documents. In contrast to examining what the consumer audience wants, I describe what each human actor in the story-revision-actor-network wants and how that affects the representations of crime and law in a specific episodic narrative.

This is a different theoretical and methodological focus than that of previous television production studies, particularly ones done under cultural studies. Because contemporary cultural studies has focused on studying the notion of active audiences and how they make sense of cultural texts (Seaman, 1992), the consumer audience has been a privileged site of much research. Thus, contemporary television production studies tend to include a study of the text’s reception by a consumer audience (e.g. Gripsud, 1995; Sodano, 2008). They have also examined how active audiences are constructed by industrial television practices. For example, Jane Shattuc (1997) has examined how TV talk shows construct an active female audience through the use of a female-dominated studio audience. The talk show is also formulated in the terms of a melodrama, which has been used as a blueprint for the production of feminine narratives. Ultimately, Shattuc concludes that the concept of a knowable audience of female viewers is a fiction used by producers to support their self-ascribed ability to attract specific audiences. In contrast, on an untried show like *The Bridge*, the consumer audience is an unknowable entity, and the show’s creative team did not undertake any attempt to “know” it, preferring to leave concerns about the audience to network executives. The only active audience during the production of an untried show that can be empirically studied is its production-oriented audience.

**A few notes on following the paper trail**

In contrast to studies that have analyzed consumer audience response through the use of interviews and ethnography, I have examined the responses of the story-revision-actor-network by documenting textual transformations in story documents over the course of a

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\(^{213}\) The showrunner and executive producer assume that their consumer audience is intelligent and probably male-dominated. The latter observation is related to the fact that the series has a male lead protagonist. Otherwise, they make no other speculations about their potential consumer audience.
single episode’s production. In so doing, I have examined how story documents were “activated” (Smith, 1990) during the production process as a means to mobilize and coordinate the efforts of the show’s entire production team. This “activation” was related to my analysis of the interaction between story documents as they either survived or perished in successive “trials of strength.”

However, there are certain methodological implications related to treating texts as my primary informants. By following textual actors rather than human actors, the story-revision-actor-network highlights a particular actor that is always missing in television or film production analyses. That is, I consider the scriptwriting software Final Draft as an actor in this actor-network. The software not only helps to produce the production drafts in a particular format, it also standardizes a typographic symbol, the asterisk, as a sign of revision, which helps writers and producers quickly “activate” revised texts.

While I was able to highlight an oftentimes missing actor by following the paper trail of story documents, I may also have over-emphasized the role of legal actors in the story-revision-actor-network. I was able to document the role of law in the storytelling and revision process because it produces many documents (e.g., script clearance reports and S&P guidelines). However, by focusing primarily on texts, I may have over-emphasized law’s role in the revision process and underestimated the role of creative actors. As I have discussed in the last chapter, the creative team of writers primarily communicates through orally told anecdotes. As I was not given access to lurk behind writers as they type at their computers or eavesdrop on all of their conversations, I did not capture all of those anecdotes. Moreover, I was also not privy to phone calls between the creative team and network executives. Because the oral communication between creative actors in the actor-network cannot be captured by examining texts, this chapter might have underplayed the creative negotiation and finessing that occurs at the re-writing stage.
### Figure 3: A summary of revisions

<table>
<thead>
<tr>
<th>Restaurant setting</th>
<th>The Italian steakhouse</th>
<th>The Mediterranean restaurant</th>
<th>The breakfast diner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Story document</td>
<td>The beat sheet: “Injured Cop”</td>
<td>The network outline</td>
<td>Network draft to full pink production draft: “The Unguarded Moment”</td>
</tr>
<tr>
<td>Writers’ reference for the restaurant setting</td>
<td>Italian steakhouse in Harlem, New York</td>
<td>Carman’s steakhouse, Toronto</td>
<td>The “False Bay Bistro,” Toronto</td>
</tr>
</tbody>
</table>

| Representations of police corruption as a function of storytelling format (i.e. serialized vs. modular narrative) | Serialized narrative about systemic police corruption involving Cafferty and Coombs | Increasingly modular narrative featuring “bad apple” Coombs | Modular narrative focused on civilian crime. The representation of police corruption has disappeared. Cafferty no longer appears in the draft, and Coombs is now represented as a good cop. |
Chapter 5
Showcasing Hamilton: How place becomes relevant in the making of Canadian crime procedurals

_Cra$h & Burn_ follows streetwise [Protected Insurance] adjuster Jimmy Burn as he navigates the gritty streets of Hamilton (“The Hammer”). He’s squeezed between the cutthroat corporate culture that is big insurance; the con artists that make a living claim by claim; and the city-wide infiltration of organized crime (Showcase, November 18, 2009).

Here’s the thing [about Flashpoint, Rookie Blue and The Bridge]. Absent the gorgeous scenery and the occasional glimpse of an Ontario license plate, you would never guess this was a Canadian show. The cops work for a ‘big city police force,” with no identifying uniform or cruiser markings (Beam, July 20, 2010).

In previous chapters, we have discussed the writers’ room as a laboratory that creates and fortifies representations over various trials of strength. In contrast, this chapter examines a stage of production prior to the setting up of a writers’ room: pilot development and production. In television production, the pilot establishes the concept for a series and is made specifically for review by broadcasters. As such, it becomes the basis on which broadcasters determine which series to develop. However, by studying pilot development and production, we are beginning our investigation outside the laboratory. In doing so, I address the main limitation of laboratory studies. As Latour (1988: 261) notes, these studies “start out from a place without asking if this place has any relevance at all and without describing how it becomes relevant. In only a very few cases are labs the place to start with if we wish to

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214 Of these three shows, The Bridge has been touted as the best of the bunch by American TV critics, and generally as a “very good” show. However, unlike Rookie Blue and Flashpoint, it was not picked up for a second season by its American co-producing broadcaster. Oddly enough, all three Canadian co-productions were deemed “not Canadian enough” by American journalists (Patch, July 21, 2010). American TV critics wanted these procedurals to “own [their] Canadian-ness” (Dawn, July 8, 2010), by explicitly representing their police as Toronto police. This entailed showing viewers Toronto as Toronto rather than some generic North American setting. In addition to the shows’ non-specific setting, some critics were bothered by how the screen performers spoke “generic North American,” whereby “nary an ‘eh?’ or ‘aboot’” pass their lips (Beam, July 20, 2010). In this instance, it seems as though the shows were not stereotypically Canadian enough.

215 Because Canadian pilots are at least partially funded through government money, all pilots are legally required to air within a fiscal year. Consequently, pilots can be viewed by the general public even if they are not further developed into a series by their broadcaster. In contrast, American television pilots that do not receive a series pick up are usually not aired at all.
The question of place has plagued both the English-Canadian imagination and media scholars writing on Canadian television. As an elegant articulation of the question, Northrop Frye (1971) has stated that the Canadian sensibility is less perplexed by the question of “who am I?” than by the riddle of “where is here?” In other words, the English-Canadian imagination is better understood, not as a question of national identity, but as a question that taps into a peculiarly Canadian sensibility (see Tinic, 2009). This Canadian sensibility is thought to be inseparable from the question of geography and place. Celebrated Canadian author Margaret Atwood (1972) similarly suggests that the Canadian imagination is preoccupied with attempting to explore the land because Canada is ultimately an unknown territory for the people who live in it. In contrast to England and the United States, Atwood argues that Canada does not have a single, unifying symbol that unambiguously informs Canadians about themselves. America has The Frontier, which is attached to the sense of constantly conquering new territory (e.g. the West, outer space, the rest of the world, etc.). England is The Island, a self-contained territory ruled by Kings and Queens. In comparison, Canada does not have a single, geographical symbol, perhaps as a result of its vast wilderness. Instead, Atwood contends that the central symbol for Canada is undoubtedly Survival, which is encapsulated not by the image of thriving, but of simply of staying alive. That is,

Our central idea is one which generates, not the excitement and sense of adventure or danger217 which The Frontier holds out, not the smugness and/or sense of security, of everything in its place, which The Island can offer, but an almost intolerable anxiety. Our stories are likely to be tales not of those who made it but of […] [t]he survivor [who] has no triumph or victory but the fact of his survival (Atwood, 1972: 33).

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216 Linda Hutcheon (1990) has argued that the English-Canadian imagination traffics in postmodern irony, and consequently every statement is made ambivalent by this doubled, forked tongue of irony. The same ambivalence towards Canadian television can be found in interviews with Canadian television writers and producers (see Levine, 2009).

217 As Atwood (1972) notes, in contrast to the US, Canada’s history is known for its failed revolutions. For the most part, Canadians whole-heartedly believe in “peace, order and good government.” While this might be valuable for legislative purposes, it is arguably not wonderful inspirational fodder for making exciting television dramas.
The story of English-Canadian television as told by Canadian media critics and scholars has also largely been a tale of bare survival, always (forgettably) stuck between The Island and The Frontier. Unlike British television, Canadian television does not embody a sense of security (as continual reviews of the “life” of the Canadian film and television industry will attest) that will allow it to take provocative risks. Unlike American television, Canadian television does not push the envelope, attempting to conquer new territory. As Steve Blackman (quoted in Hill, 2002), co-creator of Canadian lawyer drama series The Associates (2001-2002) notes,

Canadian television is trapped between two places. You’ve got British television on the one side, which tends to be very smart, really well-written character-driven stuff that really has a market. On the other hand, you have the American flash, $2.8 million per episode West Wing where the sky’s the limit. We’re stuck in between because we don’t have the money to make it flashy and no one is willing to take the risk to make it edgy enough to justify why a viewer would watch our show over the American show.

This chapter examines the strategies of contemporary Canadian crime procedurals that attempt to pull themselves out of the liminal space of Canadian television, by taking up the symbol of The Frontier as an inspirational symbol under which Canadian writers and producers can find some success. In doing so, we will be exploring what Serra Tinic (2005) has called the “Canadian media-identity problematic,” a problematic that links discussions of place to media representations and community formations in a global cultural economy. Much of this scholarly debate has examined how Canadian media producers position themselves between the poles of cultural specificity and universality, where the global and the homogenous have tended to triumph over the local, the regional and the national (Matheson, 2003; Levine, 2009).

In this formulation, representations of crime become the basic building blocks for a Canadian television drama poised for American and international export. In the trio of Canadian-American co-produced police procedurals – Flashpoint, Rookie Blue and The Bridge – crime stories take place in “a non-specific Canadian city that tries to stand in for the United States if [viewers] aren’t paying that close of [sic] attention” (VanDerWerff, June 24, 2010). That is, these stories are played out on the generic streets of a metropolitan city. While the producers of these three procedurals do not hide the fact that they are shot in Toronto (e.g. Toronto street names and landmarks can be seen in the background by eagle-eyed local
viewers), they also do not go out of their way to explicitly highlight this fact to viewers. For example, according to its lead male performer (quoted in Patch, July 21, 2010), Rookie Blue is set in “Generica,” which is a generic big city “kind of like Metropolis or Gotham.”

Likewise, The Bridge’s executive producer explains that his series “could be in Toronto, it could be anywhere in Canada, it could by any major police service anywhere” (BC, quoted in Patch, July 21, 2010).

In contrast to these co-produced procedurals set in a generic city anywhere, this chapter examines how Cra$h & Burn is unapologetically set in Hamilton, Ontario, as a condition of pilot development. Initially, the original pilot script had been written for the premium American cable network HBO, and the television drama had been set in New York City. When Canadian specialty channel Showcase became interested in the script, the broadcaster demanded that the showrunner MM translate the American setting of Cra$h & Burn into a Canadian one, in order to satisfy broadcasting and funding requirements. In examining the production of the Cra$h & Burn pilot, I am interested in examining the processes by which place is made relevant in the production of Canadian crime television dramas through certain key translations.

Translations fuse together interests, and programs of research and representation. Specifically, the strategic meaning of translation defines “a stronghold established in such a way that, whatever people do and wherever they go, they have to pass through this contender’s position, by helping him further his own interests” (Latour, 1988: 253). In television production, the broadcaster is such a stronghold, and producers and showrunners translate their projects in such a way as to further the broadcaster’s programming interests. Although the broadcaster assumes this position in general, different broadcasters have different programming interests, resulting from different market orientations. Since the 1990s, the niche market orientation of premium cable networks, such as HBO, has informed the production of particular kinds of television dramas, all of which tend to focus on the journey of a morally ambiguous anti-hero in a specific city. Over time,

\footnote{Metropolis and Gotham are fictional North American cities from Superman and Batman comics, respectively.}

\footnote{The broadcaster assumes this position because a television show that is not broadcast might as well be a falling tree in a forest without any observers.}
(North American) television critics have lauded these series as “quality” television in contrast to the “popular” fare provided by large broadcasters, which attempt to appeal to the masses through morally clear-cut stories in which good triumphs over evil. (I have previously referred to this kind of programming as “network television.”) Thus, in this chapter, we will pay attention to the ways in which Canadian showrunners and producers translate their series into ways that fit with either “quality” cable or “popular” network programming. This in turn has implications for the representation of setting: while cable programming has veered towards the representation of particular, specific settings, commercial broadcasters generally prefer series that take place in more generic urban settings.

Before delineating the road map for this chapter, it should be noted that translations are needed to make equivalent two different things (Latour, 1988: 253). As Latour (1988: 170) notes, the difference between equivalent and making equivalent is analogous to the difference between driving an automobile and building a freeway. Certainly, more work is needed to build the freeway than to drive the automobile. In the production of television dramas, storytelling in the context of a writers’ room is analogous to driving an automobile down the freeway already built and paved by the pilot. That is, the writing staff of a television series works under the framework established by the pilot. Sometimes, the framework is explicitly codified in a text called the series bible, and the writing staff simply ensures that their episodic stories are equivalent to the kinds of stories found in the bible. By contrast, in developing the pilot, the showrunner, producer and director need to make their creative interest equivalent to the particular creative-commercial interest of a particular broadcaster. Thus, this chapter examines the “freeway” being built during the stage of pilot development and production: what are the implicit rules underlying the construction of this storytelling highway? What kinds of knowledge and aesthetic considerations make it possible? And more importantly, where is this “freeway” located and how is its location made relevant?

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220 The same holds true for the rotating directors of a television drama series.
221 Depending on the showrunner and the show itself, not all series strictly adhere to a bible. Some shows have bibles specifically for the writing staff and for directors.
We will address these questions through a case study analysis of the pilot development and production of *Cra$h and Burn*. This analysis will be juxtaposed against the translation strategies of the aforementioned trio of Canadian-American co-produced police procedurals. *Cra$h & Burn* is interesting precisely because it reverses the direction of geographic translation(s) made by the Toronto-shot, co-produced procedurals: instead of making a Canadian city equivalent to an American one, the success of the *Cra$h & Burn* pilot is contingent on the showrunner, producer and directors’ combined ability to make a well-known American city analogous to a local, Canadian one. As such, Hamilton, Ontario, becomes a relevant setting in which the series takes place through translations that make 1) American cable programming interests equivalent to those of Canadian specialty channel Showcase; and 2) the pilot’s production feasible in terms that are agreeable to both an independent production company and Canadian government funding agencies. Lastly, we will examine the specific knowledge and aesthetic translations that follow from a representational strategy that focuses on immersing viewers in a particular, local setting.

**Beginning in New York with HBO: The story of Lawyers, Guns and Money**

*Cra$h and Burn* began life under a different title – *Lawyers, Guns and Money*\(^222\) (*LGM*) – and for an American television network. It was initially a project that had been moving forward under the supervision of American premium cable network HBO until it was stopped by the network’s (former) president. The show’s core concept entailed exploring the world of insurance adjusters, which was something that had not been done before on television. As such, this offered a novel playground for staging the stories that the showrunner MM had heard of Progressive Insurance through one of its founders, particularly about “these bikers [the company] was insuring, the crazy scams that were going on in the business” (MM, October 27, 2009). Inspired by these anecdotal stories about insurance scams, the original script follows insurance adjuster Jimmy Shea as he navigates the tricky terrain towards becoming a legitimate, law-abiding family man while trying to avoid any lapses back into illegitimate, criminal activity. Specifically, he attempts to avoid being sucked into an

\(^{222}\) Showcase suggested the name change since the series itself was not well represented by the title. There were not that many lawyers or guns represented in the show.
elaborate insurance scam run by the Russian mob, involving staged car accidents and personal injury fraud.

While the world of insurance would be new territory for a North American television drama, the world of LGM was set in the familiar playground of New York City, as the show’s idea was originally conceived shortly after September 11, 2001 in New York with help from a New York director. As a result, protagonist Jimmy Shea traveled across a New York represented by various well-known landmarks. Set in Brighton Beach, Jimmy lived in a sad high-rise apartment that backed onto Coney Island Amusement Park. He worked at the Brooklyn branch of Protected Insurance, which was “sealed off like Fort Apache from the public” (HBO script, 2001: 7). The head of Protected Insurance’s fraud investigations had a photograph in his office of him posing with the cop actors from Law and Order. Law and Order, of course, is a very successful American crime drama that has shot for so long in New York that it can probably be considered a New York institution in and of itself. Lastly, as the pilot script was entitled “Freedom,” characters searched for their own freedom in various ways, all of them eventually converging on a yacht that circled the Statue of Liberty - the most iconic American image of freedom – in the New York Harbour. The Statue was contrasted with New York’s “wounded skyline” (MM, June 19, 2008: 55) and the visible absence of the Twin Towers. With the show’s conceit revolving around insurance, the script referenced how some American insurance companies had been impacted by the events of 9/11, including their refusal to pay damages on the grounds that the destruction of the Twin Towers was an act of war (MM, June 19, 2008: 55). After all, American insurance policies contain clauses that exempt acts of war from coverage.

As a script, LGM fits into the mould of television drama series produced by HBO in the late 1990s in several ways. First, it is set in New York, which has also been the setting of many of HBO’s other acclaimed television drama series, including Sex and the City (1998-2008) and The Sopranos223 (1999-2007). The setting of New York makes sense in light of the fact that HBO itself has its headquarters in New York City.

223 Although The Sopranos is primarily set in New Jersey, Tony Soprano travels quite often enough to New York City.
Second, *LGM* is about the world of insurance, which allows HBO to bring a relatively unexplored world to television. Conceiving itself as The Frontier of television programming, HBO had ventured into exploring worlds that no major American broadcaster would dare to explore, such as prisons (*Oz*), organized crime (*The Sopranos*), and the funeral business (*Six Feet Under*). In seeking to differentiate itself from conventional network fare, HBO’s programming formula in the late 1990s had ceded the basic dramatic universes of politics, law, and medicine to the broadcasting networks (see David Simon, 2004b). After all, HBO’s network logic can be summed up at that time by its motto, “It’s not TV. It’s HBO.” Primarily operating under the mode of counterprogramming (Banet-Weiser, Chris and Freitas, 2007), HBO constituted itself as the binary opposite to the broadcasting networks (i.e. TV itself) and as a provider of Quality drama.

Dana Polan (2007) argues that there are two kinds of Quality television drama. One strand of Quality originates in the elegant adaptation of canonic Western literature (e.g. *Masterpiece Theatre*), and has primarily followed a British model of cultural uplift. In contrast, HBO mobilizes an indigenously American Quality, which focuses on a supposed working-class Everyman as he confronts life’s quandaries. *LGM*’s protagonist is just such a working class stiff. The series revolves around Jimmy’s struggle and toil to become not a great man, but an ordinary (middle-class) one. As an insurance adjuster, he is actively involved in mediating life’s everyday quandaries, by selling security in an insecure world where one increasingly “can’t do anything in life without insurance” (MM, October 27, 2009).

Although *LGM* fit the general outline of HBO’s television dramas, the premium cable network ultimately passed on the project. However, the project itself retained its pedigree of HBO “Quality” as it was presented to other potential networks for production and/or distribution. The showrunner knew that given his vision for the show, it was probably never going to be aired on conventional network television. If it were to air in Canada, it was not...

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224 Because *The Wire* was all about politics, law, policing and crime, David Simon had to actively persuade HBO’s (former) President that the television drama belonged on the premium cable network.
225 HBO changed its brand slogan in April 2009 to “It’s more than you imagined. It’s HBO.”
226 On the Canadian front, public broadcaster CBC initially took this route in contrast to the private, commercial broadcasters CTV and Global.
going to be a CBC or CTV show. Instead, “if it’s anything, it’s [a show for American cable channels] Showtime, FX, that kind of world” (MM, October 27, 2009). Even when seeking American distribution after completing 13 episodes, the showrunner and producer are keen on finding a home for the series on “cable-y networks” rather than broadcasting networks (MM, October 27, 2009). Such a strategy underlies how the content and format of television dramas vary in accordance with the market orientation of media organizations. Like newspapers (see Ericson, Baranek and Chan, 1995), television networks create and pursue distinct markets, and in doing so select new television series that fit well with their own conceptualization of the audience and their own brand identity.

**The broadcaster as stronghold: Popular vs. Quality in the post-network era**

We will take a moment to consider the distinction between “popular” and “quality” representations in television. In doing so, we will take a scenic detour through discussions of the North American broadcasting landscape in the post-network era, and how “popular” and “quality” are defined in relation to the markets of Canadian television. In doing so, we will consider the location of particular broadcasters, where their location is largely determined by their particular regulatory structure and targeted audience. This discussion examines the broadcaster as a “stronghold” with particular programming interests. The broadcaster’s position is made “strong” in the name of the audience to which it caters (see Gitlin, 1983), necessitating that showrunners fit themselves and their shows into the particular programming position held by a specific broadcaster. Places within a television drama (i.e. setting) are informed by where the drama itself fits into the broadcasting landscape.

In considering the notion of markets tailored towards the production of either “popular” or “quality” representations, criminologists have primarily focused on the production of newspapers. In their groundbreaking study of the production of newspapers,

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227 The “popular” vs. “quality” distinction corresponds well with Nicole Rafter’s “conventional” vs. “critical” crime film distinction. However, this chapter goes beyond Rafter’s content analysis of cultural products to analyze how those products are made within a particular regulatory and (television) production regime. 228 As Gitlin (1983: 26) succinctly puts it, “before anything else, producing television entertainment is the business of satisfying [network] executives who have to satisfy other executives – all with opinions about the opinions of a mass market.”
Ericson, Baranek and Chan (1995) distinguish between two kinds of market orientations. Pitched to a broad demographic, “popular” newspapers seek acceptance through formats that include iconic elements presented in an entertaining and lively manner. These elements include pictures, brief items on simple themes, strongly opinionated columns, colloquial expressions and parochial interests. They produce the effect of being “close to reality” by playing on readers’ hearts. In contrast, “quality” newspapers seek acceptance through “literary” and symbolic means. That is, they are formatted to include longer items and continuing stories on complex matters affecting business and political elites on both the national and international scale. Attention to language and details is part and parcel of the “quality” newspaper’s concern with being an accurate and authentic source of record. Unlike the mass appeal of the “popular” newspaper, the “quality” newspaper appeals to a richer, more educated niche market. There are also, of course, newspapers that include both “popular” and “quality” elements.

Parts of Ericson et al’s (1995) analysis can be applied to television programs. “Quality” television dramas, like “quality” newspapers, allow for longer features through continuing, serialized storylines. Because the HBO model of television production is made possible through subscription fees rather than through advertising, its programs contain narratives that are not broken up by commercial breaks. Since writers of television dramas do not aspire to objectivity in the same way that journalists do, however, the distinction between “popular” and “quality” dramas cannot be drawn on the criterion of entertainment. Both kinds of television dramas are designed to play on the viewer’s heart or tastes. The difference might lie instead on representations of moral complexity. While “popular” television dramas might dramatize simple themes, such as good vs. evil, “quality” dramas highlight instead moral ambiguity.

While Ericson et al (1995) do not provide a chronology of the “popular” vs. “quality” distinction that typifies newspapers, it is possible to delineate one for television in which “popular” network fare has been increasingly pitted against “quality” cable fare. To that end, it is instructive to examine how showrunner David Simon argued for the development and production of The Wire as a future HBO series. Despite the critical acclaim that The Wire has received since its debut, HBO initially had doubts about the crime drama’s fit with the cable network. As a result, David Simon (2004b: 36-37) makes the following passionate argument:
The Wire is, I would argue, the next challenge to the network logic and the next challenge for HBO. It is grounded in the most basic network universe – the cop show – and yet, very shortly, it becomes clear to any viewer that something subversive is being done with that universal. Suddenly, the police bureaucracy is amoral, dysfunctional, and criminality, in the form of drug culture, is just as suddenly a bureaucracy. Scene by scene, viewers find their carefully formed presumptions about cops and robbers undercut by alternative realities. [...] Police work is at time marginal or incompetent. Criminals are neither stupid nor cartoonish, and neither are they all sociopathic. [...] The argument is this: It is a significant victory for HBO to counterprogram alternative, inaccessible worlds against standard network fare. But it would, I argue, be a more profound victory for HBO to take the essence of network fare and smartly turn it on its head, so that no one who sees HBO’s take on the culture of crime and crime fighting can watch anything like CSI, or NYPD Blue, or Law & Order again without knowing that every punch was pulled on those shows [...]. The numbers would still be there for CSI and such; the relevance would not.

In the US, the television landscape has long been historically dominated by four broadcasting networks – namely, CBS, ABC, NBC and more recently FOX. Because they are over-the-air broadcasters, their programming content is intended to be accessible to everyone, and as such is subject to legal regulation by the Federal Communications Commission (FCC). As discussed in chapter 4, these broadcasting networks created their own Standards and Practices department as a way to self-regulate in order to avoid much interference from the FCC. However, because of the quasi-legal regulation of programming content, these networks needed to air “prosocial” content, which encouraged representations of good clearly triumphing over evil. This notion of “prosocial” content has shaped images of police officers as generally competent crime fighters, which has consequently become a standard representation in the popular cop shows aired by these networks, such as the aforementioned CSI229 and Law and Order. As David Simon points out, these “popular” representations historically preceded the emergence of “quality” representations, precisely because they formed the standard against which the latter are produced and measured. That is, the popular representations provide the norm against which cable networks can deviate through the production of creative counter-images and alternative realities. These counter-images are also made possible since American cable networks are not subject to the same

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229 Interestingly enough, the term “another CSI” has become a euphemism for broadcast network conservatism, suggesting that the show is a far cry from cable network innovation (Komapre, 2010: 2).
level of regulation by the FCC since they are not over-the-air broadcasters. Because cable networks are not accessible to everyone, but only to subscribers, their broadcasting capabilities are not tied to providing “prosocial” content in “the public interest.” Because of their particular economic model, cable networks do not need to define success in terms of mass popularity, as measured by numbers. Instead of commercial success, they strive to achieve relevance in their programming, where relevance is geared towards the more educated, urban sophisticates who subscribe to the network (Polan, 2007).

With the critical success of cable television dramas and their attendant stamp of “quality” since the late 1990s, some scholars have heralded the beginning of a new “post-network era” of television (Lotz, 2006, 2009). Television in the network era could be understandable as a fairly monolithic entity, and during that time more universalizing models, such as that of Adorno and Horkheimer, could offer explanatory value. In contrast, the post-network era suggests that the object of television has been redefined by various cultural and industrial factors. Specifically, the increasing number of cable networks is associated with the increasing fragmentation of audiences. While broadcasting networks still attempt to appeal to the masses, the proliferation of cable networks target particular fragments of the overall audience, whereby a niche market is captured by catering to particular interests and demographics.

In Canada’s three-tiered broadcasting system (i.e. broadcasters, specialty channels and premium cable networks), there has also been a shift towards the catering of niche

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230 The FCC began de-regulating cable television in 1972, and the cable industry was fully freed from such federal regulation by 1985 (Cantor and Cantor, 1992).
231 This also includes television dramas from AMC (Mad Men), FX (The Shield), Showtime (Dexter), etc.
232 See Todd Gitlin’s (1983) seminal work for a description of how American broadcasters operated during the network era.
233 With multiple channels available to increasingly fragmented audiences, we need to be careful about the kinds of conclusions we make when speaking about a series’ ideological effect (see also Lotz, 2003). It is not only the case that Adorno and Horkheimer’s hypodermic needle theory is quite out of touch with the post-network television era, but that different series will have different ideological effects depending on the size and kind of audience they draw. That is, there is no “one-size-fits-all” conclusion about a series’ ideological effect.
234 The increasing fragmentation of the audience has impacted broadcasting networks through their declining ad revenue. Because ad revenue has generally gone towards the production of television dramas, which have been increasing in production budget over the past decade, this has spurred more attempts at television drama co-productions (see chapters 2 and 3) as networks attempt to find cheaper ways in which to produce content.
markets through the increase in number of specialty channels. Specialty channels were licensed by the Canadian Radio-Television Telecommunications Commission (CRTC) on the condition that they would air content associated only with a specific genre and would not include general interest services, which are seen to be the domain of over-the-air Canadian broadcasters. For example, MuchMusic is licensed to air music-related content, and The Sports Networks (TSN) is licensed to deliver sports-related coverage. While the US experienced a proliferation of premium cable networks, Canada has fewer premium cable networks (HBO Canada and The Movie Network) than it does specialty channels. In contrast to premium cable channels, specialty channels use an economic model where revenue depends not only on subscriptions but also on advertising. As a result, a “successful” television drama on a specialty channel would not only be relevant to its subscribers, but should also be able to pull in solid ratings on a weekly basis from the channel’s niche audience.

Although crime-related series have been developed and aired on various Canadian specialty channels, their content and format vary with how those particular “narrowcasters” conceive of their audience. For example, crime docudramas are a popular hybrid genre in which true crime stories are told through a combination of documentary storytelling and dramatic enactments. They have been commissioned and developed by the Discovery Channel and Canada’s the W network.

For example, Discovery Channel initially bought the rights to distribute *Exhibit A: The Secrets of Forensic Science* in 1997, which was a series that examined how real-life forensic scientists solved crimes. Discovery Channel was interested in *Exhibit A* because it fit the network’s attempt to re-position non-fiction as “edu-tainment” (i.e. educational and entertaining) in the television industry (see Chris, 2007). This network mandate encompassed “repatriat[ing] science and technology” to a general public lacking in knowledge of these subjects (Richard Tedesco, June 18, 1990: 22). As such, *Exhibit A* was sold as science programming (LB, August 22, 2008) that included an entertainment factor through its

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235 HBO’s success in the US in the 1970s is what spurred the creation of specialty channels in Canada (Killingsworth, 2005).

236 Anecdotally, the docudrama series has influenced several fictional episodes of *Law and Order* (SB, July 30, 2008) and possibly even inspired the development of the fictional series *CSI* (LB, August 22, 2008).
inclusion of dramatic re-enactments. Although the network was initially hesitant to pick up the series because of its innovative format, the program’s success eventually led the network to privately commission its own crime docudrama series, *Forensic Factor*. Given the network’s experience with crime docudramas, stemming from its initial involvement with *Exhibit A*, *Forensic Factor* targets a particular niche audience that has been aggregated into the figure of “Discovery Dan”\(^\text{237}\) (KS, November 17, 2008). That is, *Forensic Factor* targets male viewers between the ages of 25 and 40 years old through its subject matter (crime), genre (docudrama) and the procedural storytelling approach\(^\text{238}\) (KS, November 17, 2008).

In contrast, the W network (formerly known as the Women Network) targets female viewers with its crime docudramas. Unlike *Exhibit A* and *Forensic Factor*, where science is used to solve crimes, the W network commissions paranormal crime docudramas in which psychics solve crimes. It is not clear why the paranormal premise was selected as particularly appealing to women; however, it is clear that the network imagines the busy housewife as its target audience. This has influenced the content of the series: the W network issued a ban on true crime stories involving children as victims, believing that this would upset female viewers (SN, August 8, 2008). Moreover, the “busy housewife” viewer has also influenced the show’s formatting. Specifically, the network required that writers include a constant repetition of minimal information in the simplest language possible. This was to ensure that the show would be understandable to a viewer “who is [also] watching two kids right now, got something in the microwave […], the dog is running around […]; she missed the first five minutes of the show; she missed the first minute back after the commercial break” (SN, August 8, 2008). Thus, the general repetition and “dumbing down” of language (SN, August 8, 2008) is particular to the series’ production and distribution on the W network, and not to the genre of crime docudrama.

While Canada has been quite successfully producing and exporting crime docudramas over the past two decades, docudramas are rarely considered by television critics or Canadian academics because they have been peripheral to the discussion of Canadian popular culture.

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\(^\text{237}\) Although Discovery Dan is the target, the show’s producers and network executives have a sense of who watches, but not why they watch or are drawn to the show.

\(^\text{238}\) It is assumed by the show’s executive producer that men gravitate towards procedural storytelling (KS, November 17, 2008).
By and large, they would probably be considered “popular” television fare that does not venture near the territory of “quality.” In contrast, the fictional, one-hour television drama has been considered the cornerstone of Canadian television and Canadian culture (see Writers Guild of Canada, 2003), where “quality” might be produced. Because Canadian television writers and producers watch American television, they have been affected by the “popular” network vs. “quality” cable distinction that has played out in the US. As Flashpoint’s executive producer remarks, in Canada, “there’s a snobbery about commercial shows [such as her own show] here, among writers particularly. Everyone dreams of doing a dark HBO [or cable] series” (Anne Marie La Traverse quoted in Onstad, June 7, 2009). This has been particularly true in the case of Canadian private, commercial broadcasters, such as CTV and Canwest Global. To set themselves apart from Canada’s public broadcaster CBC, these private, commercial broadcasters and their specialty channel subdivisions have historically proceeded under a programming strategy that focused on producing Canadian television dramas that were just as competitive as the American television programs that were being aired in Canada (Gittins, 1998). In pursuing this strategy, these commercial broadcasters tended to emulate American television programs.

While American discussions of “popular” vs. “quality” television series have largely been mapped onto their network origins (i.e. over-the-air broadcaster vs. premium cable network), the Canadian discussion is complicated by 1) the existence of specialty channels that are neither premium cable nor general broadcaster, and 2) the desire to define “quality” as particularly Canadian. As a result, Canadian cultural critics tend to subscribe to an additional binary division (see Matheson, 2003). For them, “popular” television fare is American-like, in which Canadian cities are disguised as generic, possibly American ones. It is Canadian industrial television made in the mould of American television dramas. By contrast, a “quality” Canadian television show is capable of signifying the local and social particularities of living in specific Canadian locales, and reflects “Canadian attitudes, opinions, ideas, values and artistic creativity” (Government of Canada, 1991).

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239 To be fair, “popular” American television dramas set in generic cities have made Canadian cities, particularly Toronto and Vancouver, “pass” for American ones.
For the rest of this chapter, we will be interested in exploring how the producers and showrunner of *LGM* translate a script originally written for HBO into a viable pilot for Canadian specialty channel Showcase. That is, how does the showrunner translate HBO Quality into “quality” Canadian television programming? By translation, we will be interested in the convergences and homologies (see Gherardi and Nicolini, 2000) that the showrunner and producers of *LGM* make, in order to make a “quality” Canadian television drama. Now back to the main story.

**Playing with Showcase**

As a specialty channel that specifically airs only fictional dramatic programming, Showcase received its first license from the CRTC in 1994. It is owned by Canadian private, commercial broadcaster Canwest Global, and was originally licensed under the following conditions: 95% of the content it aired must be dramatic programming, and 95% of this content must be produced outside the US (CRTC, June 6, 1994). These conditions went hand in hand with the specialty channel’s own mandate – that is, it aimed to redress the lack of viewing opportunities for Canadian drama, by creating a service that is predominantly and distinctively Canadian. This focus on Canadian content was translated into prime-time slots on the programming schedule. Showcase would broadcast only Canadian programming during the prime-time or peak viewing hours of 7 pm to 10 pm. Initially, Showcase provided this Canadian content in the form of independent movies and second window broadcasts of classic CBC drama productions (e.g. *Wojeck*, *Street Legal*, and *King of Kensington*).

However, the specialty channel shifted from simply re-broadcasting Canadian content to creating original Canadian television series. This move resulted in half-hour television series, such as the soap opera *Paradise Falls* (2001-present), the documentary series *KinK* (2001-2006) and the mockumentary series *Trailer Park Boys* (2001-2008). With their relatively

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240 The first window broadcast is often done by the producing network, or the network given distribution rights by the independent production company. The second window opens up once that network has finished its first broadcast of a film or an entire series. As such, it refers to second opportunity for broadcast or distribution.
risqué and “adult” content, these “Showcase Originals” were deemed successful and the channel continued to search for programs with an “edgy” bent.

In 2008, Showcase was looking to commission a one-hour, fictional television drama series (MM, October 27, 2009), which would be new programming and production territory for the specialty channel. Specifically, the channel wanted something in the vein of American television drama *Rescue Me* (2004-present), which had been well-received by the channel’s audience. *Rescue Me* is a series that focuses on the personal and professional lives of a group of New York City firefighters. As it originally aired on FX, an American network known for its edgy, original cable programming, the main protagonist is an anti-hero: he is a self-destructive, hypocritical, manipulative, ill-tempered alcoholic on the mend. As such, Showcase was interested in a gritty drama interspersed with black comedy. Thus, *LGM’s* showrunner pitched his show as *The Sopranos* (a television drama) meets *The Office* (a situation comedy), although it veers more towards the gritty than the funny. What is important in this articulation is that *LGM* is also simultaneously imagined as the child begotten by a premium cable series and a network series, placing it into the intermediate market orientation of a Canadian specialty channel.

In seeking a gritty dramatic series, the specialty channel was distinguishing itself from the kind of drama sought by Canada’s public broadcaster. Unlike Showcase, CBC network executives were looking for “ongoing, multiyear, 13-episode, 9 pm adult dramas that will run for many, many years” (Tom Hastings, head of CBC drama, quoted in Parker, 2010: 35), but were not looking for dramas that were particularly dark in tone. They preferred dramas that were lighter in tone, and that could reach a broad audience rather than a niche one (Parker, 2010).

Because the tone of a dramatic series is pre-set by the broadcaster that commissions it, television writers and producers need to have some understanding of the kind of tone desired by a particular network. This knowledge is quite important, particularly since writers and producers need to be able to find a receptive network that will hear their series pitch.

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241 By “adult,” content included frank discussions and depictions of sexuality.

242 In pitching series, showrunners and producers tend to describe it in recombinant terms (Gitlin, 1983). That is, new television drama X is just like Y meets Z, where Y and Z are well-known, popular and/or critically acclaimed television dramas.
Because Showcase was interested in an edgy drama series, they responded well to the initial HBO script for *Lawyers, Guns and Money* with its trappings of “quality” cable programming. However, the network executives wanted the showrunner to produce a pilot episode of *LGM* for review.

**Pilots**

Often, the pilot becomes the first episode of a television series. In Canada, making a pilot is a recent step in the evolution of making a television series that has become more common within the past five years (Montagu, 2009). Previously, Canadian broadcasters would order series directly from scripts by known writers and producers, in which case the making of a pilot was a rare occurrence. As Canadian broadcasters are increasingly flirting with American ways of creating new entertainment television content, they have turned towards creating pilots for potential television series. Unlike their American counterparts, Canadian broadcasters cannot afford to shoot more than a handful of pilots per year (see Figure 4).

**Figure 4: The number of pilots commissioned by North American broadcaster between 2009 and 2010**

<table>
<thead>
<tr>
<th>Broadcasters</th>
<th>ABC</th>
<th>CBS</th>
<th>FOX</th>
<th>NBC</th>
<th>CW</th>
<th>GLOBAL 244</th>
<th>CBC</th>
<th>CTV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pilot</td>
<td>25</td>
<td>22</td>
<td>14</td>
<td>11</td>
<td>6</td>
<td>5</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td>Series pick-up (Season 1)</td>
<td>10</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Season 2 pick-up</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

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243 This is not always the case. The pilot of *Crash and Burn* later became its third episode.

244 The pilots commissioned by Canwest Global include those that air on its specialty channels (e.g. Showcase).
However, they do use the pilot as a way to test a series’ core concept. Thus, the pilot is written and produced as proof of concept. In this sense, the pilot is analogous to what Bruno Latour (1993: 85) has described as the “theatre of the proof.” Latour argues that Louis Pasteur’s genius lay in his invention of demonstrative and dramatic experiments that would convince his spectators of a particular phenomenon. Pasteur’s ideas did not emerge fully formed from the laboratory, and spread outwards through society. Instead, he gave them a lot of help by visually “forcing” others to “share” his point of view. In convincing an educated lay public about the existence of anthrax, Pasteur did not require the public to sift through difficult statistical data that could explain what an epidemic was. He displayed the effects of anthrax to a crowd by visually demonstrating the differential death that struck a group of chickens in the laboratory, which was something that could be seen “in broad daylight” (Latour, 1993: 85). So, too, the purpose of the pilot is to convince a particular broadcaster that a creative concept is worth pursuing through visual demonstration. Thus, when Canadian broadcasters shifted away from producing and distributing series based solely on scripts, they were edging away from a model of production that lacked a visual proof of concept and moving towards a “theatre of the proof.”
As such, we can also conceptualize the pilot as yet another experimental trial where the conceptual ingredients for a series are first assembled for review by broadcasters. The pilot is proof that the following three basic elements can come together in a compelling way: 1) the creation of main characters, 2) the establishment of the series’ tone, and 3) the creation of the main settings or the world in which the series takes place (Lucas, 2009). In the case of *LGM*, the showrunner needed specifically to prove that the New York setting of the initial HBO script could be translated to an analogous Canadian setting. Here, the Canadian setting is conceptualized as especially important because 1) it will become necessary for Canadian funding purposes, and 2) it is expected to creatively inform both the construction of the main characters and the series’ tone.

**Moving to Hamilton, Ontario**

At this point, the showrunner of *LGM* is tasked with making a pilot, and in order to do so needs to partner with an independent Canadian film and television production company. He also needs to partner quickly because his is not the only drama pilot being made for Showcase. Indeed, his pilot is one of four pilots commissioned by Showcase’s parent company, Canwest Global (Vlessing, October 16, 2008). The competing pilots include the following: 1) *Shattered* is premised on an ex-cop who solves crimes with his multiple personality disorder, enabling him to be both good cop and bad cop; 2) *Clean* is about an addiction counsellor who is close to checking himself into rehabilitation; and 3) *Lost Girl* is a paranormal drama about a woman with supernatural powers. These competing pilots would all go into production around the same time, and Showcase was likely to pick up the first season of whichever pilot was completed first. Thus, there was a need to move “very quickly because [LGM] wanted to be first in line, to be [Showcase’s] first one hour show” (MM, October 27, 2009). In this race to the finish line of pilot completion, *LGM*’s showrunner quickly partners with Toronto-based Whizbang Films, since they had recently worked together on an original television drama series *ZOS: Zone of Separation* for Canadian premium cable channel The Movie Network (TMN).

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245 Showcase did end up picking up the first seasons of *Shattered* and *Lost Girl*. *Lost Girl* has since been picked up for a second season.
a) **Whizbang Films**

Whizbang Films is founded by award-winning Canadian screen performer Paul Gross and producer FS. Of the founding pair, Gross is most well-known for playing Canadian Mountie Benton Fraser in the Canadian-American co-produced *Due South* (1994-1999), and Geoffrey Tennant in the critically acclaimed mini-series *Slings & Arrows* (2003-2006). Within the Canadian television industry, Gross has been described as the “bankable 800 lb. Gorilla of Canadian production.” (McGrath, June 12, 2009) That is, he is one of the few Canadian performers-producers known for making television series that are both commercial and critically acclaimed. As such, his involvement in the production of a series endows the project with a certain amount of heft. The heavy lifting in producing *LGM*, however, was primarily done by Gross’ producing partner FS. As a result of FS’ input into the production process of the pilot, Hamilton was selected as the specific setting for the world of *LGM*.

Before examining the aesthetic implications of this decision, I will first discuss the practical ramifications of choosing Hamilton, Ontario as the pilot’s setting. Practically, the choice of Hamilton is related to FS’ experience in making television series and films in that particular city, which includes knowledge of who needs to be on scene in order to film a particular stunt. For example, in *LGM*, viewers are first introduced to protagonist Jimmy when he arrives on the scene of a traffic accident. The victim of the car crash is being pulled out by a hydraulic rescue tool known as the “Jaws of Life.” Because of safety regulations, firefighters need to be on set in order to operate the “Jaws of Life.” However, the Hamilton Professional Firefighters Association was at that time in a contract dispute, and refused to engage in any paid duty work. This did not deter FS who was aware that Dofasco, a major steel company, had its own private fire department (personal production notes, October 9, 2009), which could be persuaded to help the production crew operate the “Jaws of Life.” Moreover, during the time in which *LGM* is slotted to film, FS was also scheduled to (line) produce and supervise the production of the made-for-television movie *The Good Witch II* in Hamilton. Shooting two projects within close physical and geographic proximity would allow FS to oversee both productions.

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246 Line producers not only take care of the project’s budget, but also oversee the day-to-day physical aspects of the project’s production. As such, they are often on location and on set.
Because permanent sets are not built for pilots, *LGM* needed to be shot entirely on location. As a shooting location, Hamilton is more pleasant and affordable than Toronto. While neighbourhood and traffic disruptions that occur as a result of filming tend to elicit grumbling and much complaining in Toronto, Hamilton residents are simply excited that filming is happening in their city (Barnard, February 7, 2010). As such, location managers perceive Hamilton as an easy shooting location (Hamilton’s Film and Television Office manager Jacqueline Norton, quoted in Barnard, February 7 2010). In addition, it is also cheaper to shoot in this particular city because both parking and overnight hotel stays are cheaper. The city also offers film and television productions an additional 10% tax credit for shooting outside the Greater Toronto Area. The additional percentage of tax credit is an important incentive for Canadian television producers who are attempting to multiply and enhance a production’s funding sources.

**b) Funding**

Canadian television productions, such as *LGM*, need to access as many funding sources as possible (MM, October 27, 2009). As we have just seen, funding is often attached to filming in particular Canadian locations through tax incentives. Additionally, a television drama could qualify for financial support from the Canadian Television Fund (CTF) and Telefilm Canada, two different sources of federal government money intended to increase both the quantity and quality of Canadian programming for Canadian viewers. In order to be eligible for this funding, the project needs to fulfill the following requirements: 1) it is shot and set primarily in Canada; 2) key creative personnel are Canadian citizens; 3) the

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247 Hamilton has the distinction of being billed as Bollywood North.

248 This discussion does not include provincial funding sources. Tax credits are available at the federal, provincial and municipal level. Often, a film or television production will make use of all 3 levels of tax credit.

249 The CTF can be administered either directly to the production company or through Broadcaster Performance Envelopes (BPEs). In the case of BPEs, each Canadian broadcaster would then be responsible for administering the fund to both the pilots it develops and to the production of on-going television series.

250 This requirement is quantified in the following way: the project has achieved 10 out of 10 points on the Canadian Audio-Visual Certification Office (CAVCO) scale. Through the Canadian Film or Television Production tax credit, CAVCO works to ensure that the project is primarily under the creative control of Canadian citizens. For each Canadian citizen in the following key creative functions, the production is awarded various points (Office of the Auditor General of Canada, November 2005): director (2 points), screenwriter (2
project’s underlying (intellectual property) rights are owned, and significantly and meaningfully developed by Canadians; and 4) the project speaks to Canadians about, and reflects, Canadian themes and subject matters (Ministry of Cultural Heritage, 2009). These sources of funding arise out of cultural and broadcasting policies that aim to preserve Canadian national identity, and to protect the uniqueness of this identity from American dominance\textsuperscript{251} (Beaty and Sullivan, 2006). However, there is nothing in the cultural and broadcasting policies themselves that spell out what “Canadian” content actually entails. As such, showrunners make a choice about how “Canadian” their production ought to be. Ultimately, this is a choice borne out of balancing commercial and creative demands, and has implications for how showrunners represent the city in which a crime series takes place.

**Representational strategies: Translating the city**

In balancing creative and commercial imperatives, showrunners endeavour to make these imperatives align with each other. As a result of this balancing, this leads to two different strategies for representing the city in crime procedurals, stemming from differences in the network’s market orientation. The first strategy represents the city in a generic manner, and is employed by the showrunners of Canadian-American co-produced police procedurals destined for over-the-air broadcast and export. In contrast to conventional and “popular” network fare, the showrunner of *LGM* represents the city in a very specific way, highlighting its local particularities. This is in line with how original cable programs, particularly “quality” HBO dramas, have represented the city.

1) **The Generic City: Toronto as a “world class” city**

\textsuperscript{251}Richard Collins (1990) has argued that Canadian political sovereignty does not depend as much on Canadian content in television drama as supposed by Canadian broadcasting and cultural policies. Like Atwood (1972), Collins concludes that Canada has no national symbolic culture. However, he notes that the country has held together as a political unit for far more than a century without one, and consequently having such a symbolic culture is not necessary for political sovereignty.
As we have discussed in previous chapters, the showrunner of *The Bridge* acknowledges that the police drama is set in Toronto, albeit not explicitly so in order to meet both Errors and Omissions insurance requirements and the demands of its American co-producing broadcaster. Although shot in Toronto and inspired by real-life Toronto cases of police corruption, *The Bridge* is set in the archetypal big, urban Generic City.\(^{252}\) If translations fundamentally entail making one thing equivalent to another (Latour, 1988), then *The Bridge*’s showrunner translates the Toronto setting in a particular way: he makes Toronto equivalent to any other large, urban city through the concept of the “world class” city.\(^{253}\) For the trio of Toronto-shot, Canadian-American co-produced police procedurals – *The Bridge*, *Flashpoint* and *Rookie Blue* – the translation move of Toronto as a “world class” city is commercially significant because it places Toronto on a different scale of measurement. As a world class city, Toronto measures up to other cities in the world, and hence it is no longer about measuring the city’s Canadian-ness on a national scale.

The notion of Toronto as a world class city became a popular catch phrase for the city in the 1980s. This phrase was connected to a top-down approach to seeing the city, emphasizing Toronto’s place within the global flow of capital through images of skyscrapers and corporate towers (Matheson, 2003). It is this image of Toronto as “glamorous [and] expensive-looking” (head-writer of *Flashpoint* and showrunner of *Rookie Blue*, Tassie Cameron quoted in Onstad, June 7, 2009) that is captured and sold by *Flashpoint*.\(^{254}\) As *Flashpoint* co-creator Mark Ellis (quoted in Barr, July 15, 2010) notes,

> Well I think Toronto is a big city and we often label ourselves here as being a ‘world class city’ and I don't think New York or Chicago or LA go around labeling themselves as a ‘world class city’ but it's something we Canadians feel like we need to do. But I think Toronto is a great looking, big, diverse city and […] why not film it there?

\(^{252}\) A tell-tale sign of this generic setting manifests in the generic way in which the police cars are represented: they are black and whites with no explicit affiliation to any city or place.

\(^{253}\) The notion of the “world class” city is not unique to Canadian television writers and producers. Some scholars (e.g., Kompare, 2010) have argued that *CSI*’s success is partially a result of its notable “world class” setting in Las Vegas. With the show’s success, *CSI* became a place-based franchise, setting its spin-offs in other “world class” cities – namely, Miami and New York. These cities are “world class” in the sense that they appear glamorous and expensive.

\(^{254}\) Matheson (2003) has argued that Canadian police drama *Night Heat* (1985-1991), which aired in US prime time from 1987 to 1993, also represented Toronto as a “world class” city.
With an additional American co-producing broadcaster, these police procedurals have higher production values than the average television drama made solely through Canadian funding. Cross-border co-productions typically have budgets of over $1.8 million per episode, compared to the $1.2 million on a purely Canadian produced series (Binning, 2009/2010).\(^{255}\) As a result, the series’ “expensive-looking” aesthetic ensures that “it doesn’t look Canadian,” which is paradoxically the highest compliment in Canadian television (Onstad, June 7 2009). That is, the series measures up in appearance to the more expensive American television dramas that air on Canadian television networks, and avoids the distinctive Canadian low-budget aesthetic of jerky pacing, sparse sets and fuzzy film stock.

While these showrunners make use of the concept of the “world class city,” it is more precise to note that their reference point for such a city is an American one. While *The Bridge* has been described as being set in “Anytown, U.S.A” by its lead performer (quoted in Onstad, June 7, 2009), it is not the case that these showrunners are imagining just *any* American city. They are not imagining Podunk, USA,\(^ {256}\) but instead are imagining two “world class” American cities in particular: Los Angeles or New York City. This is not surprising given how New York and Los Angeles, both being major film and television production centres in the US, have established themselves in the cinematic imagination.

While the city is more than just a backdrop to the action in television police procedurals, it also implicitly informs the kind of policing model that the show represents. That is, writers for these Canadian-American co-produced police procedurals do not conceptualize policing models as wholly abstract, placeless entities, and instead situate them within “world class” cities. In doing so, they tend to ensure that a particular Toronto policing

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\(^{255}\) Despite the higher budget per episode, these co-productions have lower budgets than purely American television series. For example, *The Bridge* was shot for $2 million per episode. If CBS was footing the entire bill, the show would have had a $3 to $3.5 million per episode budget (Binning, 2009/2010).

\(^{256}\) Although *The Bridge*’s* showrunner does not translate Toronto into Podunk, USA, he is aware that CBS does test screenings of the series with audience members composed of tourists visiting Las Vegas from “Podunk, Arkansas” (DA, June 2, 2009). According to Tinic (2009), American networks tend to buy their television dramas on the basis of conformity to a Heartland formula. This formula acknowledges that American network series are homogenized in order to be well-received by the Mid-West (i.e. the audience in rural Indiana or Ohio). Interestingly enough, although both American crime television dramas and exported Canadian crime dramas to the US need to play well to America’s Heartland, they do not tend to imagine or represent the Midwest.
style is comparable to policing done in an American “world class” city. For example, *Flashpoint*’s Strategic Response Unit is modelled on Toronto’s Emergency Task Force (ETF), but the show’s executive producer Bill Mustos also takes pain to highlight how this ETF policing model is quite comparable to that of New York’s SWAT team (Bernstein, August 12, 2010). Both operate on a policing model that emphasizes negotiation over the aggressive action favoured by the LA SWAT team. Conceptualized as the anti-*Flashpoint* in order to gain its own distinction, *The Bridge*’s policing world implicitly takes cues from the LA policing world in two particular ways. First, while President of the Toronto Police Association, *The Bridge*’s technical consultant BC went to California to learn the policing model adopted by his LA union counterpart, including aggressive take-down measures (Fulton, 2003). Second, *The Bridge* showrunner’s own historical reference point for a corrupt police department begins with the LA police department:

[in] the [19]40s, the Los Angeles police department was extremely corrupt, but it was a common thing. You’d have to start back at the turn of the century. Police departments were contracted by the city. In fact, New Orleans in the 1890s had three or four departments that were all operating, all running their own prostitution houses, all taking payoffs from having battles in the street. This isn’t to say that they weren’t protecting people, but that they had their side businesses. Now why did they do this? Because they were paid shit. So it was very common for a cop to take a perk, and I’m not just talking about money. If you wanted to get a sandwich from a guy, you could go into a bar and get a sandwich and a beer and continue around. And the guy at the bar knows that that cop is his friend, and is going to take better care of him. And he also knows that that cop has got a family to support. This created an element of, however, larger corruption. When [eventual police chief] William H. Parker came into the Los Angeles police department, he kind of structured things in a very militaristic style. This kind of pseudo-militaristic style had existed previously. And it was set up...you’d like to think of it as an old boys’ network (DA, March 20, 2009).

In this excerpt, the showrunner clearly explains why the city is intertwined with policing models, particularly in North America. That is, public police departments are contracted by cities to protect and serve its inhabitants, and given the character of the city different policing models might develop, such as a para-militaristic style of policing anchored by an old boys’ network. When speaking about police corruption, the showrunner ties it back to police salaries. Corruption is fostered in cities that pay their public police officers’ low wages. What is interesting, however, is the implicit translation move that the

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257 As previously mentioned, the close connection between the public police and local municipalities is not a universal policing phenomenon. It is a particularly North American way to organize the police.
showrunner makes in conceptualizing *The Bridge’s* policing world: the contemporary
Toronto policing world (from which *The Bridge* derives its stories) is made analogous to the
LA policing world of the 1940s and 1950s. He makes this move on the assumption that
certain policing issues, such as corruption, are universal (i.e. not confined to particular times
and places), and could be recognizable to audiences outside of the production’s point of
North American origin and reference. In doing so, the showrunner is anticipating the series’
distribution on the international market.

Research on the global media industries has shown that any television product that
too fully embraces local specificity has less of a chance of success in the international
market. Instead, it will suffer a “cultural discount” that fundamentally devalues it (Havens,
2006; Hoskins and Mirus, 1988), since foreign audiences lack the cultural background and
knowledge that are presumably needed for full appreciation of the product (Lee, 2006).
While specificity of place is favoured by North American television critics and is related
to the tradition of “quality,” it is not the best commercial strategy for producers with an eye
on the international market. Instead, an emphasis on universality and generic setting literally
pays off when it comes to international sales of a television drama series. For example, *The
Bridge* has since been sold for broadcast in Australia and South Africa. *Flashpoint* has been
sold to 50 countries outside North America, including New Zealand, Spain, Sweden, France,
Germany, etc (Vlessing, July 24, 2008). *Rookie Blue* has been sold to 21 countries outside of
North America, including the Czech Republic, the Republic of Korea and Japan among
others.

2. The Specific City: Hamilton and its particularities
In contrast to the aforementioned trio of Canadian-American co-produced police procedurals,
the production of *LGM* lacked an American co-producer despite attempts to procure one
during the pilot stage. As a result, the production needed to rely entirely on Canadian funding
sources, which translates to a strategy of representing a Canadian city in its all local and

258 In the cinematic imagination, American film noir in the 1940s and 1950s has popularized images of police
corruption in LA (Davis, 1992).
259 E.g., see Randee Dawn’s (June 21, 2010) review of *Rookie Blue.*
specific glory rather than representing it in generic/general terms.\textsuperscript{260} Thus, \textit{LGM’s} showrunner and producer do the reverse translation: they do not translate Hamilton into a “world class” American city, but instead make an American city (New York City) analogous to a Canadian one, particularly one that is on the economic decline. In doing so, \textit{LGM} fulfills its HBO pedigree\textsuperscript{261} by following in the footsteps of how David Simon represented Baltimore in \textit{The Wire}. Indeed, \textit{The Wire} alumnus and \textit{LGM} second male lead performer Clark Johnson describes the world of \textit{LGM} as “Baltimore Light” (quoted in Patriquin, December 3, 2009).

In describing \textit{The Wire} as primarily about The City, David Simon (2004a: 10; author’s emphasis added) writes that the drama’s “stories are rooted in the logic and ethos of a second-tier city, of a forgotten rust-belt America.” Baltimore is neither characterized nor represented as a “world class” city, because \textit{The Wire} is not a “television show written and produced […] from Hollywood [or] even from New York” (Simon, 2004a: 10). Similarly, in selecting Hamilton, “a rusty can sitting [in] the middle of a bed of flowers” (KG,\textsuperscript{262} 2009; author’s emphasis added), it is aesthetically significant precisely because it is neither Toronto nor Vancouver (i.e. the Canadian equivalent to LA in the sense of being a major West coast production centre\textsuperscript{263}). Instead, in \textit{LGM}, Toronto figures into the pilot as Hamilton’s rich “Other,” as “the distant emerald city” (\textit{LGM} script, August 11, 2008: 18) that beckons working class Hamiltonians from across the waters of Lake Ontario. In focusing on Hamilton, the showrunner is able to develop and explore the particular world of a second-tier city often obscured by more conventional television images of “world class” metropolitan cities. For the remainder of this chapter, we will examine how the showrunner, producer and

\begin{footnotesize}
\begin{enumerate}
  \item Although the producers of \textit{LGM} later partnered with BBC Worldwide for international distribution (Canwest Global, February 19, 2010), it is not clear whether or not the series has actually been sold for broadcast in a foreign country. Given how much the showrunner and director emphasized the particularities of the show’s Canadian setting, it is quite possible that the series did come with a large “cultural discount,” which hampered its international sales.
  \item \textit{LGM’s} HBO pedigree stems not only from its original script, but from the various HBO alumni it has assembled as key players in the pilot’s production. The showrunner has written for HBO’s \textit{Deadwood}. The actor later cast to play Jimmy has starred in HBO’s short-lived television drama \textit{Tell Me You Love Me}. The second male lead performer has starred in and directed various episodes of \textit{The Wire}.
  \item As shorthand for this chapter, all references to KG are references to the director primer that he wrote.
  \item Rival Showcase pilot \textit{Shattered} was shot in Vancouver.
\end{enumerate}
\end{footnotesize}
director translate *LGM*’s original setting of Brighton Beach, New York, into Hamilton, Ontario. In making this geographical translation, they need to also translate 1) the insurance-crime-legal world from New York to Hamilton through research; 2) the signs of New York City into the signs of Canadian content for funding and broadcasting purposes; and 3) the city of Hamilton into visual images in particular thematic ways.

a) **Translating the world of insurance: Laws, scams and crimes**

*LGM*’s success as a pilot largely hinged on the extent to which the showrunner could make equivalent the quasi-legal world of New York state insurance with that of Ontario insurance regulation. Insurance is regulated by each individual state in the US, and by each individual province in Canada. In exploring whether these legal worlds could be made analogous, the showrunner needs to also ensure that the criminal underbelly of the insurance world – its “dark figures” of scams, frauds and organized criminal activity – was also plausibly analogous. These are intertwined and inseparable translations, not only because crime and its legal response are mutually constitutive (Valverde, 2006) but because the entire series’ conceit revolved around the insurance investigation of a medical mill run by a Russian crime organization. The “medical mill” is an American term for an actual or imaginary private medical clinic that processes fraudulent personal injury claims for financial benefit. Canadian insurance fraud investigators favour the term “rehabilitation clinic,” because the Ontario Health Insurance Plan (OHIP) covers medically necessary expenses but does not always cover expenses required for rehabilitation (e.g., physiotherapy). OHIP certainly does not cover the “aroma-therapy” referenced in the *LGM* script (full white draft, September 30, 2008: 34), nor any of the “treatments” listed on the door of the fictional rehabilitation centre featured in the *LGM* pilot (see Figure 5).
In order to make these cross-border insurance translations, the showrunner and producer needed research on the Canadian insurance industry. As a criminologist, I was hired by Whizbang Films to do this research, which was primarily distilled to the showrunner in the form of a short précis. While knowledge and research inform the process of making fictional television dramas and also true crime docudramas, the researcher is expected to wade through mountains of data and succinctly summarize all that she has learned in one or two pages (GK, July 3, 2008). Very few, if any, television writers want to read more than the researcher’s summary. Unlike academia, the dissemination of knowledge in television production does not take the form of (peer-reviewed) articles or books. Instead knowledge dissemination takes the form of a research binder. In the case of LGM, the binder includes brief outlines about the Ontario insurance industry and personal injury scams prevalent in the

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264 This binder takes both the form of a hard copy (i.e. an actual binder filled with documents) and a virtual copy (i.e. a zipped archive of the relevant documents).
province, and a series of news clippings about Canadian insurance scams that might inspire the showrunner. Conceptually, the summaries provide the showrunner with the factual “bare bones” of the way insurance and insurance scams work in Ontario, and the newspaper clippings “flesh” out some of the ways in which actual Ontarians have attempted to scam the insurance system.

In doing this research, I tapped various heterogeneous knowledge sources, including 1) online research published by the New York state and Ontario insurance industries, 2) Ontario newspapers, 3) academic books on the insurance industry (e.g., Ericson and Doyle, 2004; Ericson, Doyle and Barry, 2003) and 4) technical consultants. From textual sources, it was clear that Ontario operated under a similar automobile insurance regime to that of the state of New York: both proceeded under a no-fault insurance scheme. Broadly speaking, in a no-fault automobile insurance scheme, the insurance company reimburses its policyholder (and her passengers) for any medical expenses in the case of personal injury in an automobile accident. This reimbursement is provided without proof of fault (i.e. regardless of who caused the car accident in the first place). Both New York state and Ontario have a verbal threshold no-fault scheme. That is, the injured party needs to meet a particular verbal threshold in order to sue the other party for damages (e.g. pain and suffering) in civil court. The verbal threshold is related to a description of severely debilitating injuries incurred as a result of the car accident. Consequently, the criterion of verbal threshold limits the amount of civil lawsuits, by preventing individuals with minor, non-debilitating injuries from litigating. However, the no-fault insurance regime does lend itself to particular insurance scams.

Because Ontario and New York insurance companies will reimburse personal injury claims regardless of fault, organized criminals have taken advantage of this insurance scheme through the creation of staged car accident rings and medical mills. In fact, the core plot of the LGM pilot was originally inspired by a large-scale insurance scam that originated in Brighton Beach, New York, known as BORIS (Big Organized Russian Insurance Scam). It involved Russian émigrés in a complex and coordinated automobile and medical fraud ring (see Stein and Burke, December 8, 2003). The scam involved the staging of a car accident.

265 Although I do not discuss all the technical consultants that played a part in making the LGM pilot, they included a journalist from the Hamilton Spectator and a Toronto defence lawyer specializing in fraud cases.
causing passengers to suffer “personal injuries.” These “injured” passengers would then proceed to a medical mill for various kinds of “treatment,” which would be covered by insurance companies. However, the passengers, later called “crash dummies” by police detectives, were only injured on paper (i.e., in documents that diagnose “injury” from medical mills) and not in fact. Nevertheless, Operation BORIS managed to bilk the insurance industry out of $500 million over the course of more than 1000 staged car accidents in the New York area (Stein and Burke, December 8, 2003).

However, the paper trail of newspaper clippings, articles from the insurance industry and academic texts did not provide any clues about how such an extensive fraud could play out in Ontario. In order to know about well done insurance frauds, most of which are not publicized in news articles,266 I needed to enlist a technical consultant into the LGM pilot production process through what Michel Callon (1986) calls “interressement,” whereby a technical consultant is enlisted in a project by appealing to her own explicit interests (Latour, 1987: 108-9). Because the Canadian insurance industry is interested in changing people’s perceptions about the severity of insurance fraud and a television drama could serve as just such a perception-changing vehicle, the industry agreed to provide LGM with a technical consultant: a practicing Ontario-based insurance fraud investigator. The showrunner (October 27, 2009) has since dubbed him “the Canadian fraud guy”267 (the CFG).

From speaking with the CFG, it became clear how Operation BORIS could easily be translated into the Ontario setting. Like LGM’s showrunner, the principal players of BORIS have actually moved their project from New York to Ontario. Since the bust in New York, they have set up fraudulent rehabilitation clinics and paralegal law firms in the Greater Toronto Area and in Hamilton. Thus, in contrast to New York state, the organized staged car accident rings in Hamilton are not only connected to Eastern European (Russian) crime syndicates, but to law firms. These facts are fictionalized in the LGM script in the following

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266 Journalists only report on frauds that are poorly done. Well done insurance frauds are kept secret by the insurance industry to prevent copycats.

267 Although the national insurance bureau wanted to participate in the making of LGM, they did not want to be officially credited for their contribution. In keeping with this sentiment, I have also left the identity of the technical consultant and the insurance organization anonymous in this dissertation.
exchange between Walker Hearn, head of Protected Insurance’s Special Fraud Investigations Unit, and Dick Dimaio:

**Original HBO script (2001: 46-47)**

INT. WALKER HEARN’S OFFICE – DAY

A gloomy looking [Dick] Dimaio [Protected Insurance’s Eastern states supervisor] sits watching the VIDEO of the Russian medical mills that Walker filmed. They seem endless. One after another all along Ocean Ave.

WALKER: We got maybe half of Brighton Beach.

DIMAIO: How many of these you figure are tied to the Russian mafia?

WALKER: No way of telling… (grins) Look at this one now.

He FREEZE FRAMES at Gorky’s. The ex-strip club.

WALKER (cont’d): Gorky’s Medical Center. A month ago this was a peeler bar. Want to guess what it was called? (off his look) Porky’s. The assholes change a letter. Roll some MRI crap in. And boom. They’re in the medical mill business.

DIMAIO: I’ve seen enough.

**Revised script for Showcase (September 30, 2008): 50**

INT. WALKER HEARN’S OFFICE – DAY

[Protected Insurance’s Senior VP Dick] Dimaio scans Walker’s REPORT on the dodgy rehab clinics. [In house lawyer] Angela there with them –

WALKER: There’s at least three we red-flagged on Barton. Three more on Main. Lots more if we had the time to dig.

ANGELA: All Russian owned?

WALKER (shakes head): Law firms, paralegals, East Asians; the whole gamut --

According to *LGM*’s technical consultants, there is a trend in which American ideas about fraud commission have been brought to the Greater Toronto Area for experimentation. These ideas and fraudulent practices are perfected in Ontario before being implemented in the US. By and large, this is related to the fact that Canada does not prosecute frauds as energetically or aggressively as the US does. As such, accident frauds in Canada are seen as extremely lucrative enterprises because they are high profit-low risk activities. Offenders are punished with sanctions that are described as “slaps on the wrist” (e.g. fines, withdrawn charges, conditional sentences, etc.). Because Canada has been viewed as a safe haven for fraud, it has become a testing ground for scams that need to be refined before the fraudsters set up shop in American cities, in which fraud is deemed a higher profit-higher risk activity.
Thus, the legal-criminal-insurance world of New York was easily translated into that of Hamilton due to the serendipitous alignment of facts and circumstances: New York and Ontario have analogous no-fault insurance regimes that make possible the same kind of automobile and medical scams, which are committed by the same organized crime group. It is not clear what would have happened had Ontario differed significantly from New York in terms of insurance regime and fraudulent activity. Certainly, the showrunner would have had to engage in a more complex translation process in order to analogize divergent legal-criminal-insurance worlds.

b) Translating the signs of New York into signs of “Canadian content”

Jimmy Shea:

-- Original HBO script (2001): 7

Jimmy Burn\(^{268}\):
[The Protected Insurance dispatcher has] got me up The Mountain. To Bore-lington. East fucking Flamborough. Down to Tony Creek for christsakes [sic]. […] [T]ake my Tony Creek.

-- Full blue script, October 24, 2008: 8-9

As I have previously mentioned, \(LGM\) needs to demonstrate “Canadian content” in order to satisfy both broadcasting requirements and governmental funding requirements. For Showcase, the development of a one-hour, original Canadian television drama falls under its licensing condition of providing “Canadian content”\(^{269}\) to Canadian viewers. According to its broadcasting license, the specialty channel had promised to air a certain amount of Canadian television drama in prime time, and \(LGM\) is developed to fulfill this promise to the CRTC. Additionally, \(LGM\) needs to demonstrate “Canadian content” in order to qualify for funding from Telefilm Canada and the Canadian Television Fund. That is, the project “speaks to

\(^{268}\) Jimmy undergoes a change in surname because “Jimmy Shea” did not clear. A person of prominence named “Jimmy Shea” could be found in Hamilton. As such, the name cannot be used. Instead, Jimmy’s new surname “Burn” is referenced in \(LGM\)’s new title \(Cra$h and Burn\).

\(^{269}\) Because co-productions require a negotiation of divergent audience expectations, Paul Attalah (in Matheson, 2003: 247) has argued that these compromises lead to equivocation with regard to specifically or uniquely Canadian content.
Canadians about, and reflects, Canadian themes and subject matters” (Ministry of Cultural Heritage, 2009).

Because LGM’s appeal to Showcase was premised on its veneer of HBO “Quality,” the showrunner capitalized on the image of The Frontier in creating the series pitch to the Canadian specialty channel. The image of The Frontier reminds Showcase network executives not only of how cutting-edge the series will be, but of the showrunner’s previous employment as a television writer for HBO’s Western drama Deadwood (2004-2006). Thus, LGM (series synopsis, October 16, 2008; author’s emphasis added) was pitched in the following way:

Our hero, Jimmy Shea, is a cocky young insurance adjuster squeezed between the faceless corporation that employs him and the tough Hamilton turf he has to cover – overrun with on artists. He’s new to the Wild West World of insurance scams. So he has to learn quickly how to maneuver in the No Man’s Land between big business on the one hand and the criminal business on the other.

However, as LGM was revised under the mentorship of Showcase network executives, the image of The Frontier was completely removed in a later synopsis of the series (see Showcase, November 18, 2009). While the image of The Frontier anchored the initial conceptualization of the LGM pilot, it was slowly removed through successive Canadianizing script revisions. Thus, in revising the pilot script for Showcase, LGM’s showrunner translates signs initially associated with New York to signs that evoke the new Canadian setting.

For example, references to the Federal Bureau of Investigation (FBI) have been revised to references about the “Mounties,” Canada’s federal police force. When updating references to sports teams, the New York Knicks have been replaced by the local Hamilton Tiger Cats and the Mississauga Ice Dogs. The (fictional) Red Hook Housing Project in Brooklyn has been translated into the (fictional) Tombit Park Public Housing in Hamilton.

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270 The title Lawyers, Guns and Money also highlights the image of guns, which is often associated with The Frontier. As already stated, Showcase suggested a title change to the series because the series does not actually contain all that many guns.

271 Although The Bridge also did not shy away from representing a public housing project, it did so without explicitly naming the area or the housing project itself, which is in keeping with its overall strategy of representing a generic city. The generic city also includes a generic bridge that connects Toronto’s richer neighbourhoods to its lower-income neighbourhoods. The actual referent for the titular bridge is the Prince
In describing this public housing project, also known as the “Tombs,” the revised script (July 21, 2008: 19) notes that a graffiti artist had changed the sign for Tombit Park to read “Timbit Park,” referencing the brand name of bite-sized, donut balls sold at Tim Hortons franchise restaurants in Canada. Most well known for its coffee and donuts, Tim Hortons was founded in Hamilton in 1964 by Canadian hockey player Tim Horton, and has since become Canada’s largest (and ubiquitous) fast food service. As another nod to the Hamilton setting, local Hamiltonian viewers would also recognize local radio personality Dan Duran who was cast in the role of the Protected Insurance Man. In this role, Duran becomes the public face of Protected Insurance, starring in various commercials for the insurance company. However, we could categorize these revisions as relatively superficial script changes to incorporate “Canadian content.”

At a deeper level of script revision, the LGM showrunner translates the BORIS scam in a manner that invokes multiculturalism, which has been recognized as both a distinctly Canadian social ideal and demographic reality. In representing multiculturalism, the LGM pilot takes a distinctly Canadian turn, particularly since it is deemed the one element that needed to be toned down if the production was to find an American co-producer (FS, October 8, 2008). Nevertheless, the representation of multiculturalism in LGM was not only a matter of casting (i.e. casting ethnoculturally diverse background extras), but impinged on the representation of insurance fraud and organized crime. According to the “Canadian fraud guy,” what made BORIS’ Canadian manifestation distinctive was multicultural cooperation among different ethnocultural groups to commit large-scale insurance fraud. For instance, the CFG tells the anecdotal story of a real-life staged accident ring run in the Toronto region by Edward Viaduct, which is patrolled by police officers from the 51st Division. The show’s technical consultant had been part of this Division prior to retiring from active police duty. Consequently, upon thinking more deeply about the bridge, the technical consultant applied it as a metaphor for law enforcement in general. That is, “there was also a bridge between the rich and the poor, the good guy and the bad guy, the rank-and-file and the brass. So we use the title as a metaphor for many different opposing elements” (BC, quoted in CTV media release, February 11, 2010). These opposing categories are articulated in such generic terms – e.g., rich/poor, and good guy/bad guy – that any viewer, regardless of location, could relate to them.

272 Because unionized screen performers in the Hamilton region were nearly all Caucasian, ethnically diverse background extras needed to be imported from the Toronto roster of screen performers. This does not mean that Hamilton is not multicultural in a demographic sense, but instead is an indicator of who decides to become a screen performer.
Somalis. While these Somalis belonged to different tribes and would not interact with one another in Somalia, they were clearly working together in order to run this particular criminal ring in Canada (CFG, July 10, 2008). While most insurance frauds tend to occur within ethnocultural groups (technical consultant, July 5, 2008), an enterprising member of a law firm connected different ethnic groups together in the mid-1990s in order to commit automobile and personal injury fraud. As a result, since the mid-1990s, organized crime in cases of Ontario insurance fraud had become multicultural in terms of personnel. *LGM’s* showrunner represents this fact, by dramatizing the criminally creative side of multiculturalism as a part of the pilot’s “Canadian content.” Although the Canadian Multiculturalism Act (1985/1988: 3(1)(g)) aims to “promote the understanding and creativity that arise from the interaction between individuals and communities of different origins,” it is not clear that policymakers intended to encourage criminal creativity resulting from the interaction and cooperation between various ethnocultural groups. Nevertheless, *LGM’s* showrunner is inspired by this take on multiculturalism, resulting in the following script change:

**Original HBO script (2001: 19)**

LIONEL, Protected Insurance’s Eastern States supervisor (scanning and then reading): ‘Coalition Building Needed to Repeal New York State’s No Fault Law?’

ANGELA, in-house lawyer (V.O.): That’s it. The No Fault’s bleeding us to death Lionel. The Russian mills bill us fifty thou per accident victim and there’s not a damn thing we can do about it. Unless we get all the insurance providers to play ball. […]

LIONEL: What’s the SIU [Special Investigations Unit] response?

WALKER, Head of the Brooklyn

**Revised script (July 21, 2008: 13)**

LIONEL, Protected Insurance’s Senior VP Operations: ‘Coalition Building Needed to Amend Ontario’s No Fault Insurance Law?’

ANGELA (V.O.): That’s it. We know that the worst of the Russian and East Europe conmen who were pushed out of New York by the BORIS bust have set up show in the GTA and the Niagara region.

LIONEL: Who the hell’s Boris?

WALKER (answers flatly): Big Russian Organized Insurance Scam.

ANGELA: They’re here and they and many others have already made the Horseshoe the car theft capital of North America. But it’s the No Fault Law that’s bleeding us to death, Lionel. The phony rehab centers bill us up to

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273 Prior to new regulations by the Law Society of Upper Canada (2008), many staged accident rings were facilitated by paralegals.
office’s SIU: About all I can do is
document the problem. The cops don’t
give a shit. The FBI was keen on the
Russian angle. But as you may have
read they’ve been a little busy lately.
a hundred grand per phony accident victim
and there’s not a damn thing we can do about
it. Unless we can convince all the insurance
providers to lobby together.

LIONEL (V.O.): Uh-huh. What’s our Fraud
Squad response?

WALKER: All I can do is document it. The
local cops don’t give a shit. I’m trying to
interest the FBI and the RCMP in the
Russian/Balkans angle-

LIONEL (V.O.): You mean the Mounties?
(chuckles) Oh Christ.

WALKER: We’re also seeing close
cooperation between the Slavic gangs and
other ethnic groups – East Indian, Asian, what
have you. Unheard of in New York but the
new deal here. Some kind of Multi-
culturalism I guess.

c) Thematic and visual translations: Visualizing the Hammer

Because HBO had only asked the showrunner for scripts and outlines, it is hard to reconstruct
how LGM would have visually appeared because it was not developed as a pilot. Showcase,
however, required the showrunner to make a pilot, needing further persuasion that the series
could be a viable undertaking. As previously discussed, Showcase wanted a visual “theatre of
the proof.” Specifically, the narrowcaster needed some sense of how the showrunner and
director KG would translate the city of Hamilton into screen images. That is, how do they
imagine the city as a particular character – specifically “The Hammer” – and visualize it?

Cities can be translated into characters in fictional television dramas in one of two
inter-related ways: either as a character that reflects the main protagonist, or as an additional
color in the series. For example, Dick Wolf calls New York City “the seventh character”
of Law and Order (quoted in Wolf and Burstein, 2003: 30). It is now relatively common
within North American television procedurals to conceptualize the city as an unspoken
character, particularly in a cop show. The city is thought to shape the streets being patrolled
by the police officers, the people (e.g. both criminals and victims) living on them, and the
back-story for each crime (Dawn, June 21, 2010). In this instance, the city’s character is most
strikingly represented through exterior establishing shots in the television drama, where a sense of the city comes from filming on location rather than on a sound stage.

In the case of *LGM*, Hamilton is a reflection of protagonist Jimmy Burn, both of which are conceptualized as dichotomies premised on the difference between their past and future selves:

That’s important because both Jimmy and the city he lives in are struggling to redefine themselves. Jimmy is leaving his past behind, pining for greener pastures and picket fences. Hamilton is leaving its past, the recession may kill it unless it can rewrite itself (KG, 2009).

As a reflection of the same general type of character, both the city and Jimmy are, however, stand-ins for the Everyman (*LGM* synopsis, October 16, 2008). While the Everyman has been considered an element that makes HBO television dramas appealing to urban sophisticates (Polan, 2007), the Everyman is a construct that implicitly has both a gender and class. While the Everyman represented by Jimmy is clearly a working class male, Hamilton takes on the same gender and class through the masculine epithet of “The Hammer” (a shortened form of “Hammertown”). While previous nicknames for the city had included Steeltown or Steel City in the early 1980s when the city’s steel industry was well underway and in its prime, “The Hammer” is a more recent epithet following the decline and closing of various steel plants (Wilson, December 6, 2006). It became the symbol of a city that lacks pretence (or perhaps pretentiousness ), struggling through the tough economic time that has come its way as the blue collar work that shaped its workforce is no longer in great supply. Characterized as “The Hammer,” a “hard-edged, post-industrial playground” (full white script, September 30, 2008: 1), Hamilton is tough, hard and gritty, much like Jimmy Burn himself, and surrounded by what it would like to be (KG, 2009).

Both city and protagonist struggle to “hold onto a piece of the Canadian dream” (*LGM* synopsis, October 16, 2008), which is later clarified as “a piece of the middle-class dream: Home. Family. Security” (Showcase, November 18, 2009). In this struggle, one can easily turn towards crime and/or insurance fraud as a quick way to some financial security. In

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274 “The Hammer” is the official nickname for Hamilton according to the *Canadian Automobile Magazine* (Wilson, December 6, 2006).

275 Interestingly enough, along with these nicknames, Hamilton was also called “Ambitious City.”

276 Despite a marketing campaign, the city never did end up calling itself “The City of Waterfalls.”
this sense, the Canadian middle-class dream is not so different from the American dream, which has also been primarily defined by economic success.²⁷⁷ Because the key to financial success in Hamilton is envisioned by LGM’s director as an individual’s ability to “play the angle,” be that the insurance angle, the criminal angle, or the law-abiding angle, Hamilton is visualized as a place full of lines and angles (KG, 2009). Directors are thus encouraged to find the lines and angles in Hamilton’s various natural and manufactured landscapes, by focusing the camera on steel “I” beams, the lines supporting the Burlington Skyway, and the shoreline of Lake Ontario (KG, 2009). Unlike “world class” cities that have distinctive landmarks made familiar to global audiences through frequent media exposure (e.g. Toronto’s CN Tower, New York’s Statue of Liberty, the Las Vegas Strip, etc), Hamilton is most well-known for its industrial smokestacks, which breathe “rusting metal and fire” (KG, 2009) across the city. These polluting smokestacks, along with the Burlington Skyway Bridge,²⁷⁸ are featured in LGM’s animated opening credit sequence in a singular image that is meant to evoke the very essence of the city (see Figure 6).

Figure 6: Screenshot of Hamilton as illustrated in LGM’s opening title sequence

²⁷⁷ See footnote 3 in Merton (1938).
²⁷⁸ The official logo of the City of Hamilton takes the form of a stylized image of a bridge. It refers to both the High Level Bridge on York Boulevard (which evokes Hamilton’s past) and the Burlington Skyway Bridge (which evokes Hamilton’s present and future).
By now, it should be no surprise that the Canadian, middle-class dream is wrapped up in and geographically represented by the image of the “world-class” city, which appears in LGM’s background shots like a mirage in the distance. While the showrunner originally represented Brookynites aspiring to live the American dream in Manhattan (HBO script, 2001: 14), the same yearning sentiment is translated into Hamiltonians’ desire to live the Canadian dream in Toronto (MM, July 21, 2008: 18), or in the affluent district of Hamilton Mountain:

[On ‘The Mountain,’] above the proletariat, gazing down from the top of the escarpment, is the money. Palatial mansions dot the hillside. The money from [formerly successful steel companies] Dofasco, INCO and Foster Wheeler, built these places (KG, 2009).

Although factually speaking, Hamilton Mountain also includes economically disadvantaged neighbourhoods, the showrunner and director are more interested in the semiotic implications of “The Mountain,” which primarily stem from the relation of top/bottom embedded in the Western imagination of the balcony. In the 19th century, the balcony became a significant architectural entity, and consequently an important image in Western literature and painting (Stallybrass and White, 1986). Due to fears of the “great, unwashed masses” and their contaminating touch, the upper class would only enjoy the sights and sounds of the street from the safe space of their own balcony, where they would be above the fray of the literally lower classes (Stallybrass and White, 1986). Following this particular semiotic logic, the Hamilton Mountain is represented as a balcony that provides the Hamilton upper class with a view of the city and its streets. As Hamilton’s balcony, “The Mountain” becomes emblematic of the Canadian dream and its fulfillment. Although in the past the cultural dream could be purchased through hard work in the steel industry, Hamilton is currently a “one industry town in decline” (KG, 2009) with skyrocketing unemployment rates. Now more than ever, the cultural dream seems impossible to attain, at least through legitimate means.

In developing the strain or anomie theory of deviance, Robert K. Merton (1938) notes the discrepancy between a culture’s norms about what constitutes success in life – e.g., the goal of the American/Canadian dream – and a culture’s norms about the appropriate means to achieve that goal. People vary in the extent to which they have legitimate access or means to achieve that particular cultural goal. Although Merton’s analysis is primarily based on
statistical aggregates and not aimed at the individual, it is useful to note that his analysis acknowledges that “crime pays”\textsuperscript{279} for a particular group of individuals. In the world of \textit{LGM}, Hamiltonians know that both crime and insurance fraud are viable means to the Canadian dream. Members of the Russian Mafia that have infiltrated the city finance their monster homes through a version of the BORIS insurance scam. As a reformed criminal,\textsuperscript{280} Hamilton-born Jimmy\textsuperscript{281} knows that insurance scams and crime can be lucrative. He can spot the scams because he is a scammer at heart. However, in attempting to build a future through legitimate means (i.e. working as an insurance adjuster), he tries to ignore that knowledge over the course of the series, but still manages to become embroiled in an analogous BORIS scam. Lastly, unemployed Hamiltonians make use of “one of the most deeply entrenched chronic care infrastructures in the country” (KG, 2009). They unabashedly take advantage of their insurance coverage, even if it means putting in fraudulent claims in order to buy “wheel-scooters” and boost their “pharmaceutical allotment.”

\textbf{Conclusion}

This chapter has examined how place becomes relevant in the making of crime procedurals, paying particular attention to the stage of pilot development and production. The strategy of representing place (or setting) in a fictional crime procedural is informed by the place of the commissioning broadcaster in the broadcasting landscape of the post-network television era. A broadcaster’s place is located at the intersection of a quasi-legal broadcasting regulatory structure and a particular market orientation. Working in the tradition of “quality,” North American premium cable networks cater to their niche market by providing crime dramas that are set in specific cities. In contrast, large broadcasting networks cater to their mass audience by generically setting their series in a large, urban city. Using case studies, we examined how recent Canadian-American co-produced police procedurals tended to proceed

\\textsuperscript{279} In Merton’s (1938) typology, he delineates 4 modes of adaptation to the lack of fit between a culture’s goals and means. He calls those who use criminal means to achieve the cultural goal of success “innovators.”

\textsuperscript{280} Jimmy was a juvenile offender. Interestingly enough, the shooting location of the Protected Insurance office in the \textit{LGM} pilot was situated in the old Youth Justice Services office in Hamilton.

\textsuperscript{281} The screen performer who takes on the role of Jimmy is also Hamilton-born. Because he had spent the last few years working in Hollywood, his participation in \textit{LGM} was understood as a homecoming.
through a process that translates Toronto into a “world class city” analogous to any metropolitan (North American) city. In contrast, we examined how the showrunner of *Lawyers, Guns and Money* geographically relocated his series from New York City to Hamilton, Ontario, as the script moved from American premium cable network HBO to Canadian specialty channel Showcase. Additionally, we analyzed how he translated Showcase’s particular Canadian network and funding demands into the specific representation of Hamilton with its particular legal-crime-insurance world. These cultural translations can be considered successful because Showcase picked up the first season of the series.

These case studies reveal that showrunners form and translate their particular crime television dramas in ways that fit within a particular broadcaster’s “stronghold” position and programming interests. However, it should be noted that this position is not set in stone, and is consequently more flexible than Adorno and Horkheimer’s conceptualization of the “stone of stereotype.” Broadcasters may have changing programming interests over time, especially when there are significant changes in personnel. For example, although CTV had initially picked up *The Bridge* for a second season and scripts were developed towards that end (DA, personal communication with author), the series was cancelled following significant personnel changes at the network, including the departure of the head of Dramatic Programming (Krashinsky and Marlow, February 8, 2011). CBC also had a recent shakeup as executive vice president Richard Stursberg, most well-known for his “ratings-driven, populist, pop-culture-obsessed […] lightweight” programming strategy, left the public broadcaster (Doyle, August 14, 2010). During Stursberg’s reign, the CBC turned away from gritty, urban crime procedurals (e.g. *Intelligence*, and *Da Vinci’s Inquest*) and towards a more comedic series set in a small town (i.e. *Republic of Doyle*). While Canada’s public broadcaster turned towards frothier concoctions, Canadian television critic John Doyle (March 2, 2010) noted that the private, commercial broadcasters were churning out “more intractable, tough-minded material” in the vein of American cable programming. Doyle’s examples of such gritty material were *The Bridge* and *Cra$h & Burn* (formerly *LGM*). Overall, this suggests that programming and counter-programming strategies shift over time in relatively unpredictable ways. A broadcaster’s stronghold position is constantly made and
remade, and showrunners need to scramble to translate their ideas into a broadcaster’s changing terms and interests.
Conclusion

Contribution to media studies and studies of popular culture

Many studies of media and popular culture have taken the final product (e.g., a television show, a film, etc.) as the starting point for their analysis. This has taken the form of content analyses and scholarly interpretation of the final product’s meaning and its perceived authenticity to reality. Scholars that study media effects and audience reception have also privileged the study of final products. Thus, some scholars have studied media effects through a reading of the final product itself. They have examined the effects on an implied theoretical reader whose subject position is constructed by the text itself. Empirical research on audience reception has also investigated the “final products” of an audience’s response to a media text, by examining their filled-in questionnaires, participation in focus groups, or completed diaries. As John Hartley (2006) notes, what audiences did when they read a media text, as part of their routine practice and process of reading, is generally not investigated. Instead, empirical knowledge of audience reception has proceeded largely through the study of texts produced by audiences, rather than through the study of how they consume texts. Consequently, this has led to scholarly conclusions that privilege understandings of the audience as a “kind of person,” rather than as a kind of literacy (Hartley, 2006: 87). As a result, empirical research on audiences has tended to focus on the question of who (e.g., who watches this film and likes/dislikes it?) rather than how.

In contrast to examining final products, this dissertation focused on the processes of writing and producing television fictions. As such, it contributes to the relatively small field of television production studies. This is the first study to use ANT to study the making of prime-time television dramas. Consequently, there are certain insights that are brought to light, which are unique to using this method.

First, ANT highlights the collaborative action of an actor-network, rather than the creative efforts of a single author. While I obtained access to my research sites through the permission of a producer, I did not examine his efforts through an auteurist perspective.

282 All the producers who have granted me permission were men.
Instead, I examined how he was but one actor in a larger actor-network of television writing and revision. Because ANT does not presumptively privilege particular actors (e.g. human actors) for empirical study, the actor-networks that I documented include actors that are often missing in media analyses, such as Errors and Omissions insurance requirements, screenwriting software, technical consultants, story documents, and Standards and Practices executives. These actors were brought to light, partially as a result of the phenomenological focus of ANT, and partially as an effect of the sociolegal influence on the researching and writing this dissertation.

Sociolegal scholars are interested in examining the law in action. Errors and Omissions insurance and a broadcaster’s Standards and Practices are precisely examples of the law in action; albeit law that governs the more mundane, everyday concerns that animate television production and its eventual distribution. In the actor-networks documented in this dissertation, the legal concerns embodied by Errors and Omissions and Standards and Practices certainly had an effect on the representations produced by a television production. However, these particular legal concerns had not been recognized by most scholarship on media and popular culture. As previously discussed, media scholars, particularly Canadian communication scholars, have focused on the more visible forms of state broadcasting law, such as the American Federal Communications Commission (FCC) regulations or the various public policies that have governed the operation of the Canadian Radio-Television and Telecommunications Commission (CRTC). However, neither Errors and Omissions nor Standards and Practices can be seen from the macro perspective of state broadcasting law. Instead, they are practices particular to a specific television production (Errors and Omissions) or to a specific broadcaster (Standards and Practices). Both are pre-emptive attempts to prevent provoking viewers’ litigation against the production company or the broadcaster.

Second, ANT privileges dynamic analysis, tracing the inputs, outputs and in-between moments of production. Given this focus, I documented the knowledge inputs into the storytelling process, including the role of the police technical consultant. In doing so, I treated television production as a site of knowledge production, which could be juxtaposed against the knowledge practices of law and science – both of which had been sites of previous ANT research. Television writers and producers “know” by relying on their
knowledge of factual texts (e.g., newspaper articles) and fictional texts\textsuperscript{283} (e.g., other fictional television dramas of the same genre). When they do not “know,” they call in their technical consultant whose expertise takes the form of anecdotal exemplars. In contrast to the outputs of law and science, television production assembles heterogeneous knowledge inputs into fictional representations, rather than factual ones, through the processes of fictionalization and story revision. When writing about the revision process, I highlighted the ways in which representations were dynamic and subjected to transformation by various actors in the story-revision-actor-network. Rather than treat the various drafts as static, textual products on which humans act, I treated the story documents themselves as actors: they acted on each other; they circulated and collectively demonstrated the movement of texts across actors and spaces (e.g., from the writers’ room to the offices of network executives); and they were transformative and had effects. Prior to having any effect on a consumer audience, these story documents affected producers, writers, network executives and insurers in ways that compelled their revision.

**Contribution to criminology and sociolegal studies**

As the first study to empirically examine the making of fictional representations of crime and law, this dissertation contributes to the dialogue on media representations in popular culture held by criminologists and sociolegal scholars in several ways.

First, in contrast to scholars who have assumed that all mass media use the same format, my research highlighted the specific (writing) format used to make television dramas. In doing so, I demonstrated why it is inaccurate and inadequate to lump analyses of television into the larger rubric of law and film scholarship. The television writers’ knowledge needs to fit into the format of television writing (e.g., beats arranged around commercial breaks), which is not the same format used to write films, novels or newspaper articles. The content and format of a television drama also varies by broadcaster (see chapter 5). Thus, meaning-making in television production takes a specific form, which is the result of both aesthetic and commercial considerations. By considering television as an aesthetic-commercial hybrid,

\textsuperscript{283} Humanities-oriented scholars would classify these knowledge sources as intertexts.
my analysis not only examined the aesthetic aspects of representations, but also considered how format was related to the market position of a private, commercial broadcaster.

Second, by taking into account a production’s format, this dissertation diverged from academic studies that have only considered the informational content of television productions. It also sidelined scholars’ critique of mass media transmissions as merely “misinformation” about crime and law. As an ANT study, my research understood information as necessarily entailing transformation, which was not understood as distortion with all of its negative connotations. Rather than engage in “corrective criticism,” I proceeded by examining the meaning-making processes and practices that were used to transform television writers’ knowledge about crime and law into certain representations. In doing so, I shed light on practices that were not generally well-understood because they were not transparent processes.

I also began the work of comparing the knowledge and representational practices of making television drama against those of making law (Latour, 2010) and science (Latour, 1988). Through a comparative understanding of how meaning is constructed in television production, we might come to a better understanding of how meaning is constructed in analogous ways by law. For example, we can conceive of the technical consultant as an “expert witness” that provides the details necessary for understanding and representing a story about policing. When writing crime procedurals, the story about policing tends to follow the narrative structure of a legal case.

More broadly speaking, a comparative analysis between law and television production might entail a consideration of how law itself is a culture industry, producing particular kinds of cultural products (e.g. legal cases) with a distinct format. To further this kind of comparative analysis, future sociolegal and criminological work might consider how other television genres (e.g. legal dramas, fantasy-oriented dramas, etc.) and cultural products (e.g. novels) are produced. They might also undertake empirical research on

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284 The major American broadcasters are considering paranormal, fantasy-oriented crime dramas as pilots for 2011-2012. ABC is considering *Poe*, a crime procedural that follows Edgar Allan Poe. As the world’s first detective, viewers will watch as he uses unconventional methods to investigate dark mysteries in 1840s Boston. NBC is developing *17th Precinct*, a crime drama in which police work in a world ruled by magic rather than science.
audience reception, emphasizing the processes by which audiences consume pop cultural texts. Specifically, it would be valuable to examine how audiences consume fictional texts as opposed to factual ones, and whether they use similar or different reading strategies when doing so. This research would expand our knowledge about how audiences make meaning, and the ways in which that converges and diverges from the meaning-making processes of the culture industry.

**Limitations**

The conclusions drawn in this dissertation were based on an analysis of several case studies. While ANT is not interested in creating general typologies, it should be noted that different case studies might provide a different picture of television production in the following ways.

1. **American television productions**
   
   American case studies might diverge from the Canadian case studies provided in this thesis in important ways. In contrast to Canadian television production, American television production does not have any American content requirements, in the sense of producing and protecting a distinctly American sense of national culture. The Americans have never viewed Canadian television as a cultural threat. As a result, the American broadcaster has a different stance on a series’ concept than the Canadian broadcaster, often focusing on how that television drama might be “the next great creative idea” rather than attending to how “Canadian” it is. As *The Bridge* showrunner (March 20, 2009) notes,

   Canada’s the only country in the world that defines itself in the negative, by what it isn’t. We are not the United States. They don’t ever actually define themselves by – if you ask a Canadian, “what is Canadian?” They don’t quite know, and it’s the only country founded by a department store. This is not to put it down. I’m just saying that the mentality creating television here is a little different. [...] So the people who create television here are basically using - even though there is some ad revenue, it's very small compared to the United States. So there’s a kind of mentality with that, a kind of bureaucracy that goes with that control, but they [networks] act like it’s their money, oddly enough. So it’s a little different. This isn’t to say that you can’t create great television. Well, we can and [we] do. [...] In the States, the mentality is ‘the next guy who walks in that door is going to make my career and make me a million dollars. So I’m going to listen to that guy. If I like that idea, I’m going for it.’ It’s a little bit more of a gamble.

   As we have previously discussed, the American broadcaster’s orientation towards risk-taking manifests itself in the relatively large number of pilots made per television
season. In contrast, Canadian broadcasters develop a relatively small number of pilots. However, Canadian pilots are much more likely than American ones to be picked up for broadcast. This difference in sheer quantity of production might impact research, particularly research access. The number of research opportunities in Canada is constrained by the relatively small number of original television dramas made in Canada. In contrast, there might be more research opportunities in the US, especially if a researcher were interested in examining pilot production.  

In addition to having a different mentality when it comes to making television, the actors involved in American television production might also have different roles than the ones described in this dissertation. Canadian independent production companies take on the role of the American studios during the Canadian television production process. However, they do not provide the creative feedback during the story revision phase that an American studio would provide. As a result, the story-revision-actor-network for an American television drama might include additional actors from the studio.

2. Canadian television productions outside of Ontario
This dissertation examined television dramas made in Toronto. It is quite possible that other Canadian production centres might have a different production culture than that of Toronto. Because there has been no comparative research done on regional production cultures, it is not immediately clear to me what these differences might be. As a gross generalization, Toronto’s status as a major Canadian production centre has helped attract highly experienced and professional production personnel to work in the city. I assume that the same can be said for Vancouver and Montreal. In contrast, the quality and quantity of production personnel in regions not as well-known for film and television production (e.g. the Prairies, the Territories and the Maritimes) might vary from that of Toronto. Consequently, writers and producers from those regions might espouse different perspectives from the ones quoted in this thesis. Because I have focused on English-language Canadian television productions, I also have no

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As I did not seek access to any American productions, I cannot comment on the ease of such access.
sense of the aesthetic, cultural and commercial conditions under which Francophone television production.

3. Dysfunctional television productions
All the television productions I observed were highly functional ones. The showrunner provided the series with a strong, coherent aesthetic vision, which was largely supported by the broadcaster. There were no problems in the writers’ room or on set, stemming from major creative and commercial differences between production personnel. Consequently, my dissertation documented the alignment of creative and commercial logics because they were not conceived of or treated as binary opposites on the productions that I observed.

While I was doing my research, I did hear of a dysfunctional production.\footnote{It is not clear to me that a researcher would be able to gain access to such a production in the first place. Most, if not all, producers prefer to be shown in the best light possible, and this is one instance where research would demonstrate their failure to keep a production together.} It has since been deemed “successful” enough by its Canadian broadcaster to warrant a second season. Thus, commercial “success” is not contingent upon the functionality of a production. From watching the show, it is not self-evident that hostility and tension characterized the production of the show’s first season. This production can be deemed dysfunctional because it encountered so many significant creative differences among personnel, which led to a revolving door of showrunners and writers.\footnote{In addition, there were some issues with a key screen performer.} In the case of such a dysfunctional production, the researcher is able to document the struggle over a representation’s meaning between various creative and commercial actors. In this instance, there might also be more analysis of the creative aspects of the show’s production, and the changes that were made as new creative actors took over the writing process.

4. “Well-tried” shows
I focused on untried television dramas – that is, a first season of a television drama that was in production, but had yet to air on television. Neither The Bridge nor Cra$h & Burn were ultimately picked up for a second season. From my interviews with producers and
showrunners, it seems as though the first season is particularly experimental. It is a time when showrunners and producers figure out what works (e.g. narratively, aesthetically, and in ways that are commercially appealing) and what does not work. By the second season, they have created a workable “formula”\(^{288}\) for how to write and direct their particular television series. Thus, my focus on the production of a show’s first season certainly highlights the dynamic, transformative nature of the series’ concept and its representations. This focus is in line with ANT’s theoretical orientation, and also allows for an easy analogy to the experimental work done in laboratories.

It is quite plausible that a later season (e.g. second season) of a television drama might be less experimental than the first season, especially if it is produced according to a “formula.” More importantly, a later season would give the researcher a glimpse of how audience response feeds back into the production process. In the case of my “untried” shows, the audience did not figure into any of the creative considerations made by the showrunner, because the show had yet to air and had yet to be consumed by an audience. Because of this focus, I have no empirical knowledge of the effects of *The Bridge* or *Cra$h & Burn* on audiences.

**Directions for future research**

Future empirical research might attend to the following processes, all of which were not documented in this dissertation.

1. The editing suite

For researchers interested in further examining the transformative meanings of representations during television production, they might consider ethnographically studying the work that is undertaken in the editing suite. Conceptually, editing is the audiovisual version of the textual process of story revision, and can be considered another laboratory within television production. That is, while textual revisions tinker with the sequence of

\(^{288}\) I use the term “formula” for lack of a better term. Unlike mathematical formulas, this formula is not fixed. While most episodes will be written in ways that conform to the formula (e.g., number of beats per act, the content of certain beats, etc.), certain episodes will deviate from it.
narrative events and the wording of dialogue, editing can re-conceive a sequence of events by changing the juxtaposition of audiovisual frames. It also presents an opportunity for the showrunner to re-assert his or her creative vision against a director’s creative conceptualization of an episode. For example, the showrunner of Cra$h & Burn re-cut an entire episode to fit his creative vision in the editing suite because he was displeased with a director’s efforts. As I have previously explained, directors for television dramas are hired on an episode-by-episode basis. While they may put their own aesthetic flourishes on the directing episode, these may not always be in line with the showrunner’s vision for the series.

The editing process would also illuminate the different cuts required for international distribution. In documenting these various cuts, the different legal and commercial concerns of international distributors can be brought to light. For example, the length of an episode varies depending on the distributor or foreign broadcaster. To account for differing amounts of commercial breaks, an episode of Forensic Factor, for instance, is cut three times: the Canadian version is 46 minutes long; the British version is 44 minutes long; and the international version is 48 minutes in length. This in turn impacts the number of acts per episode: the story for the Canadian version is broken down into six acts, whereas the international version has only four acts. The number of acts becomes both a commercial and aesthetic matter.

Legal concerns, such as different Errors and Omissions, might also come to the fore when editing content for particular versions of an episode. For example, The Bridge has been sold for broadcast in South Africa through Sony Entertainment Television. While I have discussed how Errors and Omissions has shaped the necessity to downplay the show’s setting as Toronto in the North American version of the series, the South African version highlights the series’ Toronto setting. In the re-cut opening title sequence, the South African version emphasizes that the series is about “Toronto’s frontline” of policing. Thus, it seems that foreign distributors do not necessarily work under the same set of Errors and Omissions requirements.

2. Distribution
Related to the above research direction, future research might also examine the continued “life” of television dramas as they are bought for distribution and broadcast outside their
place of production. As I have previously discussed, contemporary Canadian television programs have been produced with the expectation that they will be good television exports. Future research might analyze how foreign distributors understand cultural discounts (see chapter 5) and apply them to their purchase of television dramas. In doing so, such research might explain why crime dramas – or in the case of Canada, police dramas – are so easy to export, and what that might mean for the rule of law.

This research would be an empirical step in the direction of Stefan Machura and Stefan Ulbrich’s (2001) previous research on the globalizing of particular genres of law film. Machura and Ulbrich examine why courtroom films made in continental Europe follow the Hollywood formula. Following a content analysis of the aspects of American courtroom dramas, they conclude that the American adversarial criminal justice system is more suitable to movies because it provides far more intense drama. Machura and Ulbrich base their conclusion on their own reading of American courtroom dramas compared to the (less dramatic) reality of the continental criminal justice system. Thus, future empirical research might examine whether this conclusion is warranted through interviews with foreign distributors, or through ethnographic research done at industry events in which foreign distributors gather to buy films.

3. Audience reception
Audience research can be built into an existing ANT analysis of a particular television production. It would be a matter of simply expanding the actor-network under study to include audiences as additional actors. Future research might examine audience reception in such a manner.

It should be noted that there are different consumer audiences that a researcher can study: 1) professional television critics, 2) specialized television viewers (e.g. lawyers watching law shows, or police officers watching police dramas), and 3) lay television viewers. While sociolegal and criminological research has generally focused on specialized (e.g., Doyle, 2003; Sherwin, 2000) and lay television viewers, future research might also take into consideration the work done by professional television critics. While I have alluded to the critical reviews of the television dramas under study, I did not examine how professional television critics select which program to review, how they watch the program while they
review, how they write their review, and lastly how editors\textsuperscript{289} might additionally shape the review. An ANT-inspired, ethnographic account of the work done in the television critic’s cubicle or office could address such research questions, and empirically illuminate the process of television critiquing.

**The thesis itself is an actor**

While future research projects on distribution and audience reception might examine the continued “life” of a television program outside of the context of its production, I will end by discussing the continued “life” of an ANT-inspired dissertation. The work presented here is not meant to be static because its meaning is not set for all time. Scholarship done under the process-centric ANT approach tends to be an incomplete account because it is understood as a work in progress rather than as some definitive final product. Thus, the meaning of this dissertation will be altered by future research. The act of doing more research is not merely about accumulating more knowledge or information about the television production process. Instead, it entails adding more actors to the actor-networks described in this thesis, thereby expanding them. The addition of new actors might also change some of the dynamics of the documented actor-networks. With those changing dynamics, the meaning and function of this thesis will also change.

After all, this thesis is also an actor: it can be considered the last actor in the chain of actors in the actor-networks that make up the production of *The Bridge* and *Cra$h & Burn.* As such, it has effects and can be affected by actors in those actor-networks. For instance, if the showrunner of *The Bridge* reads this thesis, it might change the way he approaches future Canadian-American co-produced television dramas. This thesis also becomes an actor that participates in other actor-networks, such as the academic actor-network composed of sociolegal, criminological and media scholars and texts.

\textsuperscript{289} This is assuming that the television critic works for a newspaper and needs to report to an editor. Because news outlets have increasingly cut back on having their own film and television critics, such research on the production of television criticism might also provide a snapshot of the news industry in flux. In addition to these professional television critics, there is now an industry of semi-professional bloggers who undertake film and television criticism. They do not necessarily have editors.
The end of this dissertation brings forth the beginning of its journey as an actor in the world, deferring the final word on its meaning and function to the future actor-networks in which it might participate.
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