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Criminal Heroes in Television: Exploring Moral Ambiguity in Law and Justice

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CRIMINAL HEROES IN TELEVISION:

EXPLORING MORAL AMBIGUITY IN LAW AND JUSTICE

by

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"Law and justice are not always the same. When they aren't, destroying the law may be the first step toward changing it." ― Gloria Steinem (Grana, 2010)

Abstract

Criminal justice is a popular theme in both news and entertainment media. How crime and justice issues are framed can actually legitimize corruption in a society. As research reveals the public's dissatisfaction with the current failing retributive justice system, popular television series' are confronting its flaws (Jerre, 2013). Utilizing a cultural criminological and social constructionist orientation, the following research examines anti-hero narratives in two highly rated crime-drama series, *Breaking Bad* and *Sons of Anarchy*. The main research questions examine: How the criminal protagonist or anti-hero is constructed in television crime procedurals? What claims about crime, criminality, law and justice are made by these constructions? What criminal and cultural functions do the anti-hero protagonists serve? A qualitative content analysis examining all seasons of the selected series revealed that the anti-hero narratives are constructed in a moral universe emphasizing limited freewill and fatalistic determinism. Walter White of *Breaking Bad* and Jax Teller of *Sons of Anarchy* are constructed as having some free will and a pre-determined fate, experiencing Mertonian strain or goals without legitimate means, blocked opportunities and a faulty justice system. These major themes combine to limit the protagonists' choices and predetermine their engagement in criminal careers. The anti-heroes create and follow personal moral codes reflecting their limited choices and rationalizing certain criminal behaviours. The results suggest that the anti-hero narrative represents a cultural criticism of neoliberal-capitalist "market societies," the retributive justice system and their influences on breeding crime and violence in North America.

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Chapter 1: Introduction

Since the onset of widespread public consumption of television in the 1950s, themes of crime and justice have had a prominent role in popular programming (Surette, 2015). By 1975, already "40 percent…of dominant networks" top shows focused on crime and crime control issues; this rate has either remained steady or increased in the post-2000s era (Surette, 2015, p.13). North America's captivation with criminal justice issues is also present in films, novels, comic books and throughout the internet. Within news and entertainment media, issues of crime, justice and punishment are constructed to influence and shape the public's perception and understanding of criminals, victims and law enforcement (Robinson, 2014; Surette, 2015). News and entertainment media are blurred and can give the public unrealistic and inaccurate knowledge of criminality and the criminal justice system (Robinson, 2014; Surette, 2015).

Within Canada and the United States, media constructions of crime and justice issues are predominantly retributive. Retributive justice focuses on the severity of punishment of offenders for their crimes and the proper distribution of justice or "what people deserve for their actions" (Carlsmith & Darley, 2008, p. 194). The media often concentrate on the criminal justice system's inability to achieve true justice, and we witness this through numerous media frames (e.g., Faulty Justice System frame) and specific narratives (e.g., Rogue Cop, Vigilante) (Surette, 2015). In doing so, the mass media encourage "legitimized corruption", meaning that to solve crimes and give true justice, laws and rules must be broken (Surette, 2015, p. 119). Various studies have confirmed the public's dissatisfaction with our current flawed retributive justice system (Carlsmith & Darley, 2008; Darley, 2001; Gaeta, 2010; Gromet & Darley, 2009; Jerre, 2013).

The anti-hero has been a popular narrative since approximately the 19th century in literature, portraying criminal justice issues, acting as an archetype of "social criticism" and reflecting society's ambivalence and confusion toward morality (Fitch, 2004; Liddy-Judge, 2013). Anti-heroes are mavericks who use unorthodox methods, often in opposition to the larger culture's norms and values to obtain their goals (Morrell, 2008; Shafer & Raney, 2012). This means they seek justice or freedom by any means necessary, are adaptable to circumstances, and always remain "authentically themselves" (Wilson, 2013, p. 78). Though originating in literary works, within both the film and television industries, anti-heroes have been prominently featured since their onset, initially among the gangster and western genres (Kooistra, 1990; Rafter, 2007). Today, anti-heroes have branched into all forms of crime and criminal justice entertainment media.

Much of the research on the anti-hero narrative in the media has focused on audience effects; that is, a large body of empirical research has examined factors underlying identification with and enjoyment of the anti-hero narrative (Collins, 2014; Janicke & Raney, 2014; Krakowiak & Tsay-Vogel, 2013; Oleson, 2006; Raney, 2002; Shafer & Raney, 2012; Zillmann & Cantor, 1977). To date, very little research has examined patterns and meanings in the anti-hero narrative, particularly from a criminological perspective. Consequently, the purpose of this study is to use a cultural criminological and constructionist framework to examine fictional "anti-hero" protagonists and their moral ambiguity toward law and justice in popular television.

Cultural criminology allows this research to study the deeper cultural meanings between criminals, the political climate, the media and agencies of control (Ferrell, 1999). At the same time, social constructionism helps explain how the anti-hero narratives are framed and the

process of constructing meaning and claims about social issues in the media and dominant culture (Henry, 2009). This approach enabled a thorough qualitative content analysis grounded in the data of two full crime-drama television series, *Breaking Bad* (*BB*) and *Sons of Anarchy* (*SOA*).

I will argue that late modern anti-hero narratives in television are not simply entertainment, but critically examine the constructions of the current justice system in relation to the dominant culture, and how such constructions and claims can negatively affect the majority of the population. The major research questions being considered include, how is the criminal protagonist or anti-hero constructed in television crime procedurals? What claims about crime, criminality, law and justice are made by these constructions? What criminal and cultural functions does the criminal protagonist or anti-hero serve?

This research overall assesses the socio-political and social psychological aspects of the anti-hero narrative. Such research is critical because the presentation of anti-heroes and justice within the media actively affects how the public understands and accepts laws, justice and morality. Understanding how crime and crime control are constructed within the media can potentially help researchers define real world implications and consequences (Ferrell, 1999; Henry, 2009).

The core results of this study discovered the anti-hero narratives in *BB* and *SOA* to be constructed within a "moral universe" where the anti-hero protagonists are portrayed as "natural compatibilists" believing their lives are pre-determined, but as individuals they can still exercise some freewill for their life choices. This narrative is constructed through the use of the blocked opportunities media frame, Mertonian social strain, the faulty justice system media frame and by the anti-heroes' unique moral codes.

This research also found that the anti-hero narratives represent a critique of the current social, health, and criminal justice systems. As examples of positive deviants, the anti-hero protagonists "over-conform" to dominant normative expectations of the neoliberal-capitalist culture and commit criminality in their pursuit of profit and survival. The anti-heroes and their criminal careers reveal how "market societies" breed crime and retributive justice fails to deter or prevent crime.

The following chapter will begin with a theoretical explanation of cultural criminology and social constructionism. The next section will examine media crime research, and a literary definition of "anti-heroes" will be presented. Lastly, models of justice, public morality and motivations of justice will be discussed in relation to crime, media and culture.

Chapter 2: Theoretical Framework and Literature Review

Cultural Criminology

Before discussing the current research literature on crime and justice media narrative and, more specifically, the anti-hero narrative, it is necessary to first outline the theoretical frameworks that will be used in this study to examine the anti-hero narrative. First I will analyze the anti-hero utilizing a cultural criminological framework.

Cultural criminology is a relatively new field in criminological studies, first developed in the mid-1990s as a, "theoretical, methodological and interventionist approach to the study of crime" that seeks to understand the meaning of crime and crime control by placing it within the context of culture (Ferrell & Sanders, 1995, p.90; Hale, Hayward, Wahidin & Wincup, 2013). It has been highly influenced by the interactionist and subcultural concepts of the Chicago School of Sociology, as well as the theoretical work of the 1970s Marxist and neo-Gramscian critical criminology (Ferrell, Hayward & Young, 2011). Cultural criminologists focus on a wide range of subject areas including: illegal and misunderstood subcultures, the symbolic criminalization of popular culture, and the construction of crime and law within the media (Ferrell, 1999). According to Kane (2004), assessing how laws are created and broken and the interaction of "moral entrepreneurship," and "moral intuition," with transgression is an essential part of understanding criminality.

Cultural criminologists view crime and law as cultural constructs, to be understood for their deeper symbolic meaning within cultures. They take into account not just the criminal, but the political climate, media representations, and agencies of control (Kane 2004). This interweaving

of culture and crime within the media reveals "…a complex hall of mirrors" in which criminality and crime control are cultural constructs, each reflecting off of and affecting the other (Ferrell, 1999, p. 405). Media and criminal justice agencies together promote "…legitimate broader political agendas regarding crime control…" which inevitably "…trivialize and dramatize the meaning of crime" (Ferrell, 1999, p. 408). Constructed in news media and entertainment media, criminality and crime control agencies are at the centre of our social and cultural worlds. With this in mind, it is crucial to remember that as "situations" or "…mediated crime constructions come to be defined as real, they are real in their consequences" (Thomas 1966:301)" (Ferrell, 1999, p. 408; Henry, 2009, p. 296).

The interconnectivity of culture, crime and the media can be dangerous, as crime and justice television programs and films both shape and distort public perceptions of real crime and law (Ferrell, 1999; Gaeta, 2010; Grixti, 1995; O'Brien, Tzanelli & Yar, 2005; Phillips & Strobl, 2006; Rafter, 2007; Rothmund, Gollwitzer, Baumert & Schmitt, 2013; Soulliere, 2003). This power and influence comes from the fluctuating definitions and enforcement of law and justice by those who have a controlling interest in this world.

Crime narratives have always dominated mass media content, as "deviance is *the* defining characteristic of what journalists regard as newsworthy" (Reiner, 2002, p. 380). In the early 1990s, Richard Erickson and colleagues conducted a study of news stories in Toronto and found, "45.3 percent…to 71.5 percent…" of news-making focused on 'deviance and control' (Reiner, 2002, p. 380). Within the news, as well as in fictional television depictions, the media dramatically misrepresent crime statistics by emphasizing higher rates of murder, terrorism and other violent crime, including an exaggerated use of weapons than is reported in real crime

statistics (Eschholz, Mallard & Flynn, 2004; Soulliere, 2003). There are even "ideal victims"-individuals constructed as more innocent, sympathetic, and are considered more "legitimate" victims than others (Smolej, 2010, p. 69).

The media focus on the sensationalized and the extreme, such as crimes committed by strangers, while omitting more common crimes, like property offences (Reiner, 2002). Interestingly, there is also a lack of media reportage on crimes that challenge authority of state or corporate power; instead there tends to be a promotion for such powers to be even 'tougher on street crime' (Reiner, 2002). Given how confusing the media constructions of crime and criminal justice issues can be, cultural criminology was utilized in the current study to aid in the deconstruction of the anti-hero narratives. This approach also helped to better understand the cultural and criminal criticisms of the dominant culture in North America, as reflected within anti-hero crime-drama entertainment media.

Social Constructionism

To more thoroughly understand the constructed meanings within the anti-hero narratives in television crime procedurals, this research will also be working from a social constructionist perspective. According to social constructionism, there is "no objective reality", as people create reality or meanings through a process of interactions and negotiations where shared ideas, interpretations, knowledge and ultimately meanings are eventually developed (Surette, 2015, p. 31).

The very fact that the definitions of criminality, harm, and consequences differ across time, space and cultures proves that it is people who socially construct and alter these definitions

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(Henry, 2009). This also means that "…crime cannot be objectively presented by the media" rather, the media influence the process of constructing meaning in four stages (Robinson, 2014, p.44; Surette, 2015). The first stage involves "the physical world as a foundation," as any constructed claims or theories challenging the physical world are deemed implausible and are ignored (Surette, 2015, p. 33). Stage two is when constructions compete to influence public support on an issue, for example, "stricter gun control" versus "more freedom with guns" (Surette, 2015). In the third stage, the mainstream media of radio, television, and print news and entertainment, "filter" constructions by broadcasting only certain claims and social problems to the public, while disregarding others (Surette, 2015, p. 34). The media's preferences are aligned with more dramatic positions, endorsed by powerful and wealthy individuals, meaning that the media are often biased when selecting what will be disseminated to the public (Surette, 2015). The fourth and final stage of the process is when the prevailing social construction that has been legitimized by the media "directs public policy" and law (Surette, 2015, p. 34).

The social construction process enables the media to take any "problem" and make it as large and concerning as the "political and economic elites who operate and frame it" choose, so to best accommodate their own self-interests/investments regarding projected social or political outcomes (Gamson, Croteau, Hoynes & Sasson, 1992, p. 374; Henry, 2009, p. 300). As this process has become incredibly normalized and natural to the public, "the very art of social construction is invisible" (Gamson et al., 1992, p. 374).

Within the social construction process there are "claims-makers", such as professional experts, activists and representatives that construct specific "claims" about a social issue (Surette, 2015, p. 35). Claims-makers can construct a social problem in different ways, for

example: "crime can be constructed as a social, individual, racial, sexual, economic, criminal justice or technological problem" and however it is constructed affects policy (Surette, 2015, p. 35). Within the social constructions of crime and justice, claims makers and the media develop "frames" or "prepackaged constructions" to organize, process, and label an issue in a particular way (Barak, 1988; Barak, 2007; Surette, 2015, pp. 37-38).

Robinson (2014) discusses criminologist Theodore Sasson's five distinct crime and justice media "frames" that contend for dominance in present day North America. The first and often most prominent in current headlines is "the faulty criminal justice frame", positing that crime is caused by "a lack of law and order" of a weak system. The public fails to be deterred by law enforcement caught in the 'red tape' of their defective system (Surette 2015, p. 38). With "loopholes and technicalities" for the guilty to stay free, rates of recidivism remain high in North America, and the current retributive justice system claims that harsher, faster penalties are the answer (Robinson, 2014; Surette, 2015, p. 38).

The second frame is one of "blocked opportunity", when crime is a consequence of discrimination and inequality in society, there needs to be more opportunities, and less poverty (Robinson, 2014; Surette, 2015). A third is "the social breakdown frame", when crime is caused by a breakdown of familial and communal relations (Robinson, 2014; Surette, 2015). The fourth is "the racist system frame" focusing on the systematic profiling and oppression of visible minorities and the overprotection of Caucasian neighbourhoods by the criminal justice system (Robinson, 2014; Surette, 2015). The final frame is "violent media", arguing that the extreme violence presented in the news, films, television, and music contribute to violent crime in society (Robinson, 2014; Surette, 2015). It is the "framing" of social issues that gives the public

knowledge and exposure to crime, violence and justice, which inevitably causes a distorted understanding of reality (Soulliere, 2003, pp. 12-13).

Similar to the impact of frames, but found in news and entertainment media and without directly effecting policies, are "narratives" (Surette, 2015). Narratives are smaller scale, "pre-established mini-social constructions" and depictions that the public "recognizes and has embraced" as "types and situations" that commonly occur within criminal justice media (Surette, 2015, p. 41). There are various criminal justice narratives, such as "the corrupt lawyer," "naïve, innocent" or even "the vigilante" found in media (Surette, 2015, p. 41). Narratives are used to swiftly define the characteristics of, for example, "a criminal, a victim or a crime fighter", which can support the "larger criminal justice frames" (Surette, 2015, p. 41). The consequences of narratives fall into the "faulty justice frame" issue, by assuming a basic, lone cause of crime and focus on "predatory violence and innocent victims" (Surette, 2015, p. 41). It is therefore important to remember that whether it is through framing, narratives or popular claims, any problem or issue can be socially constructed by the discretion of the media.

Literature Review

The media is a massive form of communication, influencing and defining popular culture (Robinson, 2014). In North America there are three main types of media: "news media," "entertainment," and "infotainment" (Robinson, 2014, pp. 5-6). The main goal of news media is to "provide information on major events, issues, problems and trends," while entertainment media literally entertains by offering an escapist distraction, diverting us from "more serious concerns" of life (Robinson, 2014, p. 5). Infotainment media however, "blurs the lines between

news and entertainment," being both informative and entertaining at the same time, for example

The Oprah Winfrey Show (Robinson, 2014, p. 5).

The three types of media therefore possess specific psychological functions for justice.

"Mobilization", allows the news media to keep the public informed of any important global and

local issues occurring (Rothmund et al., 2013, p. 187). As a form of "entertainment," the media

provides endless amusement for the public through artistic expression of music, film, sports, and

television (Rothmund et al., 2013, p.188). Lastly, the media supports "socialization," as a tool to

widely disseminate and encourage social learning and observe cultural norms (Rothmund et al.,

2013, p. 188). Within these psychological functions, words and imagery are effortlessly used to

convey symbolic and unconscious messages to the public (Gamson et al., 1992).

For the purpose of analyzing the anti-hero narrative (specifically in television), the current

research focuses on entertainment media. Much of the entertainment sector of "the media" rely

on emphasizing violent crime for shock value and ratings, inciting the public to believe real

crime rates are just as high (Soulliere, 2003). Explanations for crime in entertainment media have

often been narrowly framed, highlighting individualistic causal reasoning such as greed, jealousy

and mental illness rather than discussing potential social-structural or institutional forces as a

cause for criminality (Soulliere, 2003, p. 15). However exaggerated, popular justice-crime shows

and films do attempt to reflect real news reports, by taking inspiration from true crime stories.

Simultaneously, real criminals also gain knowledge from fictional criminal depictions. This

market produces a "gothic hall of mirrors," where criminality in media and real criminal activity

reflect one another (Jarvis, 2007, p. 328).

Justice and Media after 9/11 Research

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A section of the literature has bifurcated media, crime and justice relative to the terrorist attacks of September 11th, 2001(before the attacks and after) (Donnelly, 2012; Howard, 2010; Kaiser, Vick and Major, 2004; Liddy-Judge, 2013; Phillips & Strobl, 2006). Such research has found that Americans generally felt less safe afterwards and that such a major threat to a large group actually increases group cohesion and solidarity (Kaiser et al., 2004, p. 505). Phillips and Strobl (2006) have argued the U.S. government eagerly encouraged, "a sense of nationalism using rhetoric based on fear," emphasizing future threats of terrorism and their retributive agenda (p. 308). However, such impactful world events ultimately force the public to witness corruption in government, arguably sparking a new consciousness and causing a "new line [to be] drawn between good and bad violence", under these conditions vigilante justice became a cultural obsession (Donnelly, 2012, p. 24).

Many researchers believe that 9/11 changed the "American psyche," causing more alienation, apathy and individualism, enabling everyone to "identify with criminals" (Liddy-Judge, 2013, p. 74). Howard (2010) believes Americans are now more willing to "embrace the serial killer as one of their own, a personification of American values" (p. 132). Depictions of pre-9/11 criminals were "random terrifying evil" and post-9/11 criminal depictions became more relatable, rehabilitated and familiarized (Howard, 2010). Several researchers argue the chaos of such a terrorist event caused citizens to lose faith in government, and feel increased individual vulnerability, and with this came a major increase in the production and viewership of crime and justice themed television, books and films (Donnelly, 2012; Liddy-Judge, 2013; Phillips & Strobl, 2006).

Criminality in Film, TV Programs and Books

Research on crime and justice in entertainment media has focused on various television series, films, novels, and comic books. As stated earlier, a large section of the literature on media, culture and crime involves assessing the audiences' response to and enjoyment of crime narratives and their general perceptions of criminality (Collins, 2014; Janicke & Raney, 2014; Krakowiak & Tsay-Vogel, 2013; Oleson, 2006; Raney, 2002; Shafer & Raney, 2012; Zillmann & Cantor, 1977). Other research has looked at the realism of depictions of criminality, law enforcement and the justice system. Soulliere (2003) compared *NYPD Blue*, *Law and Order* and *The Practice* with official statistics and found they give audiences an exaggerated understanding of rates of violence. Eschholz, Mallard and Flynn (2004) also discovered a dramatic misrepresentation of crime statistics for New York City, from their content analysis of one season of *Law & Order* and *NYPD Blue*. They propose that such crime dramas use "control talk" to further promote punitive justice beliefs to the public (Eschholz et al. 2004, p. 174).

Chapman (2004) examined 20th century American crime fiction narratives, arguing the authors conveyed their understanding of culture and society through their writing as definitions of criminality and immorality constantly change over time, place and culture (p. 2). O'Brien, Tzanelli and Yar (2005) analyzed the 2002 film *Chicago,* utilizing a cultural criminological approach with crime and law as creative constructs (p. 243). This work gave a good use of 'thick description' for interpreting the foreground (crime) and background (culture) of the characters.

Phillips and Strobl (2006) assessed 20 comic books to understand themes of justice and vigilantism. They found that contemporary comic books focus on organized crime and terrorism, rather than on street crime and psychopathy as in the past. This work was limited by a broad approach, as they only examined basic constructions of crime. Rafter (2007) examined six films

between 2000-2004 for how sex crimes were "framed" and how they gave meanings to each offense (p. 407). This work suggests researchers use the term "popular criminology" to categorize media crime research, as it is beyond academic criminology by involving psychology, philosophy, ethics, etc. (Rafter, 2007, p. 415). Such research calls for a major need for criminological relevance to be further studied in films and television series.

Other research has studied not only the constructions of crime but delved deeper into race and ethnicity, sex and gender constructions. Rather than focusing on serial killing in the show *Dexter,* Santularia (2010) explored sex, gender and equality and the protagonist's personal struggle to be a "pro-feminist man" in a patriarchal culture (p. 58). Johnson (2017) analyzed the show *Breaking Bad* as an allegory for American politics, claiming the show enabled audiences to "maintain investments and commitments to a toxic, white masculinity threatened by" the 'Obama-era' (p. 14). The author also discusses "male victimage and gendered racialism of neoliberalism" presented by the show (Johnson, 2017, pp. 15-16). Both emphasize the struggles and perspectives of mainly male protagonists.

Just as men are more likely to be involved in the majority of real-life crimes, this is reflected in the literature with less research dedicated to fictional female criminals as well (Steffensmeier & Allan, 1996). Fine (2012) is one of few researchers focusing on two female "outlaw heroines," Gemma Teller from *Sons of Anarchy* and Mary Shannon from *In Plain Sight*. This research examines the role of women in predominantly male environments and the social construction of gender roles. Lavoie (2011) examines race, ethnicity and politics within the counter-marijuana-culture from the television series *Weeds,* one of the only crime shows with a female protagonist. This research affirms Bourdieu's beliefs that "television produces and re-produces racism,

ethnocentrism, and xenophobia…threatening 'cultural production,' 'political life,' and 'democracy itself'" (Lavoie, 2011, p. 912). Yet, shows like *Weeds* also encourage the public to "smoke the Other" and learn to be accepting of all different people and cultures (Lavoie, 2011, p. 910).

"Othering" in society is a concept used to understand "…that which both deviates from and defines the 'norm'" in a culture (Donnelly, 2012, p. 18). For example, within *Dexter*, the lead character is a serial killer with a strict moral code that only reinforces "conservative ideals of morality", helping define "the Other" for audiences (Donnelly, 2012, p. 16). Force (2010) assessed season one of the show *Dexter*, discussing Goffman's ideas of stigma and how "marked individual[s] (racial minority or criminal outlaw) typically employ technologies of stigma management to obscure personal discord with normativity" (p. 339). In other words, to survive, these 'othered' individuals must hide who they truly are and appear 'normal' amongst everyone else.

In studying Thomas Harris's Hannibal Lector novels and films, *American Psycho* books and film and the film *Se7en*, Jarvis (2007), discussed a "heinous murderer's" ability "to appear normal hidden amongst the public" (p. 328). While also comparing the public's consumerism with a killer's criminality, suggesting "the serial killer is unmasked as a gothic double of the serial consumer" (Jarvis, 2007, p. 328). As criminal justice, the horror genre, and serial killings fascinate the public, some argue it is because they reflect our very culture's daily "slow serial tortures of the consumer's body by capital…cosmetic surgery…pollution… [and] over-consumption…" (Jarvis, 2007, p. 337). This connection also arguably enables crime and morbid themes to be increasingly glorified within media and its portrayals of criminal protagonists.

Donnelly (2013) analyzed the television show, *Boardwalk Empire* for its representation of gangsters and politicians during the Prohibition era, revealing the inevitability of corruption in the United States, and the romanticism of crime that followed (p. 100). Jaramillo (2002) also examined the crime family and general storyline in *The Sopranos*, but this work was limited by a focus on network quality over an opportunity to assess the crime family within the show itself. Whether it is committing crimes in groups, partnerships or as lone protagonists, these deviant subcultures need proper definitions.

Liddy-Judge (2013) argued though anti-heroes have been portrayed in literature and films for decades, it is the "extreme anti-hero" written for a variety of genres on cable television that has been most developed (p. 2). This research focused on three anti-hero protagonists, Omar Little from *The Wire*, Dexter Morgan from *Dexter* and Walter White from *Breaking Bad*. Another section of the literature discusses the "superhero genre" which crucially affirms our serious need for a "heroic exception" of justice as criminality is "inscribed into the law itself in the form of misdirected obedience" (McGowan, 2009, p. 8).

Anti-heroes in the Literature

This section will give a brief history and literary definition of the anti-hero and review the existing literature on crime and justice media and the anti-hero narrative. The anti-hero narrative pre-dates contemporary media, yet its exact origins are debated. Some researchers argue the anti-hero dates back to Biblical representations, while others credit Lord Byron's tortured "Byronic heroes" of the 19th century, as his work continued to influence literary romanticism throughout the century (Liddy-Judge, 2013; Stein, 2004). The anti-hero narrative quickly became recognized as an archetype of "social criticism" with the publication of Dostoevsky's "The Underground

Man," and other existentialist works of the late 19th and 20th centuries (Liddy-Judge, 2013). By the 1950s and 1960s the anti-hero was a main archetypal character in literary works and television worldwide (Edelstein, 1996).

As Byronic heroes, bandit heroes, outlaw heroes, dark heroes, or even morally ambiguous heroes, the anti-hero narrative was first created as a foil to the traditional hero, as they are "conspicuously contrary to an archetypal hero" (Jonason, Webster, Schmitt, Li & Crysel, 2012, p. 192).While these characters often began as villains or in side roles, they have quickly become protagonists in their own dedicated genre of films, shows and novels. Anti-heroes are characters that are more relatable than the traditional heroic figure, as they are flawed, imperfect people and remind the public that "redemption and transcendence" are possible (Fitch, 2004; Wilson, 2013).

Anti-hero protagonists also, "live by the guidance of their own moral compass" thriving in a state of conflict and struggle, while discovering their own righteousness as they reinterpret socially constructed and culturally accepted behaviours and norms (Erickson, 2004, p. 7; Fitch, 2004). In doing so, anti-heroes learn to morally disengage from their behaviours at times, enabling them to do whatever is necessary for the justice they seek. This can also cause them to become a "reluctant saviour", who is technically heroic, through means that do not appear to be traditionally heroic (Fitch, 2004; Kinnaird, 2013). Their motivations vary from self-interest, self-perseveration, vengeance, to even honour; however, there is a line they will not cross. Their unique moral code is what truly separates them from villains (Morrell, 2008).

As outsiders, anti-heroes always have identifiable flaws which noticeably affect their life negatively, yet they "…still function as 'forces of good'" in many narratives (Shafer & Raney, 2012, p. 1030). These morally ambiguous characters are so enigmatic, McGowan (2009) argues

characters like Batman in the 2008 film *The Dark Knight*, are an essential "exception" to the law, existing beyond the law, where law itself cannot result in true justice (p. 2). Any violence or morally questionable behaviours these anti-heroes commit to right wrongs is often under extreme pressure and can actually undermine the very laws they are trying to uphold (Kinnaird, 2013; McGowan, 2009, p. 6). In the end however, anti-heroes such as Batman give justice, even if it involves being "willingly villainized, [and] left without any recognition for his heroism" (McGowan, 2009, p. 16).

The concept of using any means necessary to gain a favourable end, is often undertaken by anti-hero characters. Carl Klockars (1980) has presented this idea as, "The Dirty Harry problem in policing," explaining the moral paradox of "noble-cause corruption" which involves using potentially unethical, illegal or even politically dangerous means to achieve a morally good end to a problem (p. 34). For example, in the film *Dirty Harry*, the anti-hero tortures a confession from a man who kidnapped and murdered a 14-year-old girl (Klockars, 1980, p. 34). In policing, "noble cause corruption" can occur in many forms, such as false testimony, use of excessive force, illegal surveillance and racial profiling or fabrication of evidence (Kleinig, 2002, pp. 288-290). These questionable means to attain favourable ends are actually viewed as a legitimate crime fighting tactic to many police officers (Kleinig, 2002, p. 292).

"Noble-cause corruption" is illustrated throughout the anti-hero narrative, as these protagonists will do anything to achieve justice beyond the parameters of written law. In fact, many researchers believe, "there is a time and place where criminal heroes inevitably exist" and always will (Kooistra, 1990, p. 217). Frequently discussed in the literature is the belief that social bandits or the anti-heroes emerge when people are socially, politically and economically

oppressed, as those who enact laws and enforce them fail to give justice (Kooistra, 1990). Here, it is often the "bandit heroes" (acting in their own self-interest) that unintentionally help improve social welfare conditions by refusing to submit to the ruling elite's tyranny, promoting "revolutionary political consciousness," and offering at times their own system of protection to the public as needed (Curott & Fink, 2012, p. 473).

Donnelly (2012) suggests that the anti-hero is "the next wave of serial killer pop culture" because they combine heroism and villainy, working inside the grey area of law, becoming "a serial killer we could 'understand…characters we were forced to identify with and… root for" (p. 21). Jonason, Schmitt, Webster, Li and Crysel (2012) studied "dark heroes" or anti-hero characters in relation to "The Dark Triad of personality traits" from psychology (p. 192). They claim that anti-heroes embody one or more of the following traits: "narcissism" (entitlement or superiority over others), "psychopathy" (antisocial behaviours and emotions), and "Machiavellianism" (devoid of traditional social virtues, manipulative, self-serving, cynical, end justify means at any cost) (Jonason et al., 2012, pp.194-195). Arguably however, it is these traits that allow dark, anti-heroes the righteous drive to risk themselves and everything for justice.

Anti-heroes are so compelling, they actually "obscure [the] line between Otherness and Normality, graying the ideals of right and wrong," and this enables them to devise their own moral code to live by (Donnelly, 2012, p. 23). Within a similar category are *vigilantes*, who arise when an "established order is under threat from the (potential or imputed) transgression of institutionalized norms" (Johnston, 1996, p. 229). Similar to anti-heroes, "a vigilante is not an enemy of society…He is a symptom, often also a victim…of an underlying collapse of order which is not his fault" and yet they bravely stand in opposition (Johnston, 1996, p. 221).

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Law and Justice

Laws are rules and regulations defined to control the population and are enforced by a judicial system. However, "Justice… [is] an abstract system of beliefs and standards prescribing appropriate relationships between people and their fates", moderating between individuals and societies, "encouraging people to regulate their own behaviour" (Clayton & Opotow, 2003, p. 300). Enforced through written laws and social norms, justice and law are malleable cultural constructs created to bring order and regulation (Clayton & Opotow, 2003).

There are four main models of justice discussed in the literature: distributive, procedural, retributive and restorative justice. Distributive justice focuses on outcomes, addressing the "what" of a case, and how resources or "socially valued goods" are proportionally divided according to social norms and needs (Clayton & Opotow, 2003; Folger, 1996; Mueller & Landsman, 2004). Procedural justice focuses on the "how" and perceived fairness of the decisions being made, ensuring people are given their "due process" (all legal rights respected) (Clayton & Opotow, 2003; Folger, 1996; Mueller & Landsman, 2004).

There is much discussion that distributive and procedural justice are the same, however they are only often considered together because people "make inferences about the fairness of procedures based on the perceived fairness of outcomes" (Folger, 1996, p. 404). Some researchers have even argued there is a subcategory to these models of justice. "Interactional justice" consists of "interpersonal justice" (the treatment of people, politeness, dignity and respect through proceedings) and "informational justice" (involves people being given proper explanations and information about the outcome and steps throughout procedures) (Colquitt, Conlon, Wesson, Porter & Yee Ng, 2001; Folger, 1996). Interestingly, Skitka and Crosby (2003)

found that people generally accept "unfavourable outcomes" as fair, as long as they are treated with "courtesy and respect" during every stage of the legal process (p. 282).

A third, widely used model of justice is "retributive justice" which focuses on punishment, ensuring that the offender receives penalties as severe as the "moral magnitude of their offence," most often through a prison sentence (Carlsmith & Darley, 2008, p. 194). Retributive justice is the current focus in North America, allowing a utilitarian nature to shape crime control, and emphasize the importance of punishment and deterrence over rehabilitation and reform (Carlsmith & Darley, 2008). In fact, Goodstein and Aquino (2010) believe it is troubling that the retributive justice system fails to incorporate the offenders themselves and instead, propose the use of "restorative justice" also known as "compensatory justice" (p. 625).

Utilizing a restorative approach for some crimes can give the victim, offender and community justice and the ability to heal. Victims are given as much material and symbolic compensation as possible to restore their life to its "preharm level" (Darley & Pittman, 2003, p. 324). Offenders first take responsibility for their actions and are then given the chance to rebuild their self-esteem to be properly re-socialized when rejoining the community (Goodstein & Aquino, 2010). This is made possible as the community uses "Reintegrative shaming" to teach the offender that they have behaved badly, rather than proclaim the offender has "irredeemable character flaws" making them a bad person (Goodstein & Aquino, 2010, p. 626). With a written or verbal, sincere apology by the offender and ultimately forgiveness by the victim, restorative justice can give a more peaceful outcome for certain offences (Carlsmith & Darley, 2008).

Jerre (2013) examined public opinion on how to deal with crime in society, finding that people worry prisons are simply "crime schools," teaching inmates more thorough criminality (p.

105). This research also found that custodial sanctions such as prison sentences are actually "counterproductive to the re-socialization of offenders" and should only be used in more severe cases (Jerre, 2013, p. 109). Furthermore, Jerre (2013) argues for the public to be more involved with planning and defining crime policies, in order to truly "re-legitimize the legal system" (p. 112). Gromet and Darley (2009) conducted three studies, confirming previous findings that when given the opportunity the public wants more than just punishment as an outcome, such as the option for restorative justice (p. 30).

Rather than picking one option, Schroeder, Steel, Woodell and Bembenek (2003) proposed a four stage model of justice, where "each step [is] invoked out of necessity" (p. 385). Beginning with distributive justice assessments and followed by any procedural concerns needing to be addressed (Schroeder et al., 2003, p. 385). The third stage then offers a restorative justice approach where possible; however, in the most serious of cases, the fourth stage of retributive justice can be enacted (Schroeder et al., 2003, p. 385). This model appears to be more closely aligned with public opinion, as there are multiple options for justice, rather than just strict incarceration.

Motivations for Justice

When studying justice, psychologists often assess it by understanding motivation, approaching it as an "ultimate goal," motivated sometimes at the expense of self-interest, and basically "an end unto itself" (Ellard, 2007, p. 513). A second discourse suggests justice as an "instrumental goal" fully motivated by self-interest, to help achieve other goals for oneself (Ellard, 2007, p. 513). Other possible motivations that require more research include: individuals

motivated to be seen positively by others, having a need for control, out of fear or uncertainty, or genuine concern for morality (Ellard, 2007).

How individuals unconsciously choose their motivation for justice is by a "moral intuition," followed by "moral judgements" based on reasoning of a culture's acceptable norms and values (Lerner, 2003). Skitka (2003) links justice reasoning with individuals' self-concepts and self-schemas, through the Accessible Identity Model (AIM). Claiming, an increase in self-awareness is connected to decreases in selfish bias and increases in following societal norms for justice (Skitka, 2003, p. 287). Prominence of values connected to social identity influence people's procedural and distributive justice reasoning (Skitka, 2003). AIM therefore does not believe that an individual's conceptions of justice are motivated by self-interest (Skitka, 2003, p. 294). Consequently, whether or not justice is truly motivated by a person's self-interest continues to be widely debated.

A section of both the justice and social psychology literature discusses the idea of the "justice motive" or "belief in a just world" (BJW), which people cognitively develop early in life (Lerner, 2003). Both Ellard (2007) and Hafer (2007) cite how Melvin Lerner argued when people understand "delay of gratification" in childhood, "they make a personal contract with the world" (p.513). This "contract" explains how the individual believes they will "get what they deserve", giving them the consecutive belief that life is fair and justice is always served (Hafer, 2007, p.514).

The "justice motive" or BJW can be dangerous when unjust suffering threatens this belief, and the believers "engage in [questionable] justice-restoring behaviour[s]" (Ellard, 2007, p. 513). This restoration can aim to be positive through compensating victims and punishing offenders;

however, in cases where nothing can right the wrong, BJW believers blame and degrade victims to maintain their belief (Ellard, 2007; Lerner & Matthews, 1967; Rothmund et al., 2012). In fact, individuals who have the "just world belief" are also more likely to maintain very negative perceptions of the poor, people who suffer discrimination, and any victim of injustice (Hafer, 2007, p. 515).

With their research on 9/11, Kaiser, Vick and Major (2004) also discovered that individuals with high beliefs in a just world are also more likely to want and pursue vengeance when they are wronged or feel threatened. Ironically, such a black-and-white view of the world only leads to further victimization and in reality, a lack of justice. Darley and Pittman (2003) believe it is dependent on the amount of "moral offensiveness" of a crime, that will cause "moral outrage" and allow "a just deserts punishment," which they believe "drives sentencing" in America today (p. 328).

By "attributing responsibility" to a behavior, one is giving their "moral judgement" about that behaviour (Fishbein & Ajzen, 1973, p.148). *Moral Foundations Theory* (MFT) posits that people's attitudes toward punishment are based on their "moral foundations" or "intuitive concerns" (Silver, 2017, p. 413). "Moral Intuitions" are "fast, automatic, effortless, associative, implicit…and often emotionally charged" perceptions that come before and advise moral judgements (Haidt, 2001; Silver, 2017, p. 415).

Moral Foundations Theory suggests that individuals have intuitions about five moral foundations: "Harm/Care" which involves kindness and protecting the vulnerable, "Fairness/Reciprocity" focuses on equality, proportionality and trustworthiness (Silver, 2017, p. 416). "Authority/Respect" emphasizes obedience and respecting authority; "In-group/Loyalty"

argues for loyalty and sacrifice for one's family, community, country and "Purity/Sanctity" involves respect for one's body, and health (Silver, 2017, p. 416). The importance of understanding the general public's "intuitions of justice" can therefore help provide insight into the public's response to criminal justice policies (Silver, 2017, p. 433).

Social psychology research has proven that the more legitimate the legal system and law enforcement are perceived, the more people will obey the law and cooperate with police (Gaeta, 2010, p. 523). For example, Gaeta (2010) explains how law enforcement incompetence on reality justice programs like *NBC's Dateline: To Catch a Predator* negatively affects people's understanding and respect for the entire legal system (p. 523). Considering legal systems expect respect and compliance from citizens, laws should then reflect the public's "moral principles" (Carlsmith & Darley, 2008, p. 196). In fact, "laws are obeyed because they represent the moral consensus of the community" and therefore law should correspond with the actual feelings and demands of the community (Darley, 2001, p. 12). However, currently, there is a serious disconnect between crime control laws and the public's "moral intuitions" about 'just' punishment or other methods of dealing with criminality (Darley, 2001). It is still highly debated that this is why there has been such an increase in anti-hero media depictions, over the last almost 20 years.

Much of the previous research on crime and the media have similar limitations such as: broad approach, limited or convenient sample, was only provisional or narrowed by self-reported responses and a lack of generalizability of results. Such research has focused on very specific depictions of criminality in entertainment media or within an organized natural setting (Liddy-Judge, 2013; Mueller & Landsman, 2004; O'Brien, Tzanelli & Yar, 2005; Phillips & Strobl,

2006; Silver, 2017; Smolej, 2010). Further research is needed to understand how media depictions influence our culture, individual citizens, and crime control policies. The anti-hero narrative arguably personifies and exists because of our society's and culture's struggle with defining laws and criminality, which need to reflect public consciousness and morality. A way to begin this process is to have a thorough definition and understanding of the anti-hero narrative as it stands today in North America.

Important areas of research needing further exploration include: a better understanding of how "moral intuitions" about offenders and their crimes shape punitive attitudes and laws; and how the psychological functions of justice in the media fully connect. The current study will be examining the full anti-hero narrative arc as it is portrayed in two television shows, understanding the various differences and similarities with each other and how these anti-hero characters became morally ambiguous toward law and justice. As media socially construct stories that directly affect the political climate, it is essential to understand how criminal protagonists such as anti-heroes reflect broader cultural and social anxieties and fears.

Chapter 3: Methodology

In this chapter, the major methodological approaches of the study will be outlined, beginning with the research goals and questions being addressed. Next, it will describe how the qualitative content analysis (also known as ethnographic content analysis) was conducted to assess meanings and messages found in the media. It will then provide the operational definitions for two terms utilized in the sampling and collection of the television narratives. There will be a brief discussion of the sampled television series, and lastly the "grounded theory approach" to analyzing data will be presented.

Research Goals and Questions

The overall purpose of this study is to explore the fictional anti-hero's moral ambiguity toward law and justice, by examining the antihero narrative arc in two popular crime-drama television series.

The following are the major research questions being considered:

1. How is the criminal protagonist or anti-hero constructed in television crime procedurals?

2. What claims about crime, criminality, law and justice are made by these constructions?

3. What criminal and cultural functions does the criminal protagonist or anti-hero serve?

These research questions are important to explore because the anti-hero narrative gains its popularity by being socially critical of the flawed criminal justice system, representing the public's dissatisfaction with how law and justice are handled (Curott & Fink, 2012; Kooistra, 1990; Liddy-Judge, 2013; Stein, 2004). Therefore, it is important to gain better insight into the

messages and hidden meanings of such narratives that affect the public's level and scope of

understanding and respect toward real law and justice.

Research Methodology

Qualitative Content Analysis

Within a qualitative content analysis, also known as an "ethnographic content analysis"

(ECA) the term "ethnography, refers to the description of people and their culture" (Altheide &

Schneider, 2013, p. 24). ECA is "reflective and circular," occurring in natural settings and here,

the primary researcher is involved in every stage of the research process (Altheide & Schneider,

2013, p.25). Data for ECA can include both numerical and the narrative, allowing for meanings

to messages to be found in the audio, the visual or within the "contextual nuances" of the data,

which is heavily detailed and descriptive (Altheide & Schneider, 2013, p.26). While there are

categories and variables that guide the research, making ECA "systematic and analytic," the

procedures are also still flexible to allow for "emerging insights" throughout the study, in order

to verify "theoretical relationships" (Altheide & Schneider, 2013, pp. 26- 27).

The qualitative approach of an ethnographic content analysis focuses on the "character of the

data available" and can be applied to textual or visual media, print or video, films, television, etc.

(Berg, 2009, p.342; Rose, Spinks & Canhoto, 2015). In content analyses, the coding process

focuses on both "manifest content," elements that are countable and physically present in the

visual and textual or the "surface structure" and the "latent content" which are the symbolic and

interpretive meanings underneath the visible, or the "deep structural meaning" (Berg, 2009, pp.

343-344).

The current research employs the qualitative approach or an ethnographic content analysis (ECA) because it is most compatible with social constructionism and cultural criminology as they each examine and explain meanings, interpretations and understandings of social interactions and issues. For the purposes of the current research, ECA will be best suited to aid in analyzing the deeper cultural meanings (the latent content) within the anti-hero narrative, and help discover emerging themes and patterns. As ECA has few structured and rigid rules to allow for rich theoretically relevant data, this approach is also an excellent tool to assess the socio-political and social psychological aspects of the narrative (Altheide & Schneider, 2013). Since, ECA "stresses identifying and capturing relevant data" of a certain range and topic, this approach can be complimented with the follow-up use of "grounded theory" (discussed in the next section) to thoroughly assess the data after they are collected (Altheide & Schneider, 2013, p. 27).

Sampling and Data Collection

For this study, the meanings and messages found in television anti-hero narratives were analyzed. Before proceeding with a discussion of the sampling and approaches to data analysis, there are two terms that need to be operationally defined:

1. Anti-hero –The anti-hero narrative refers to a flawed character who is morally ambiguous to societal and cultural norms and laws. These characters have their own moral code, allowing them to commit acts as an "exception" outside the law, especially when law itself is perceived as being unjust or lacking. They are willing to use any means necessary to gain the morally good end or outcome they want and need; however, there are things they will not do and this separates them from real villains. Anti-hero personalities often embody unattractive traits, such as being antisocial and they do not care or require the

"hero" or "saviour" label. Yet, they gain sympathy and sometimes positive recognition, and are even able to redeem themselves of wrongdoings in the public's eyes (Fitch, 2004; Kinnaird, 2013; McGowan, 2009; Morrell, 2008; Wilson, 2013).

2. Criminal Career – This concept was developed as part of Labelling Theory and refers to the idea that long-term involvement in crime is the consequence of labelling by agents of social control, resulting in a stigma experienced by the individual that limits participation in pro-social careers (Henry, 2009). The offender has a detectable rate of offending characterized by a lifetime, beginning (onset), an end (termination), and duration (length) (Blumstein, Cohen and Farrington, 1988).

In order to identify two television shows that depict an anti-hero (see above definition) as the central protagonist, a purposive sampling technique was applied. Known as, "purposeful" or "judgemental" sampling, it is a non-probability sample, as the data sample is selected based on the subjective judgement and knowledge of the researcher, rather than randomly selected as in probability sampling (Berg, 2009, p 50; Merriam, 2009). Purposive sampling occurs prior to "data being gathered" and enables the researcher to ensure certain types of people or materials relevant to research are included, as well as irrelevant data omitted (Merriam, 2009, p. 82). In addition to featuring an anti-hero as a central protagonist, the sampled television shows must depict the criminal career (as defined above) of the anti-hero as the central narrative. Using these criteria, the focus was on identifying thrilling television crime-drama procedurals while excluding narratives that are primarily characterized as science fiction and/or fantasy and comedy.

The television series were selected for the data sample in entertainment media to analyze because I wanted a source of popular culture that detailed the "character arc" of the anti-hero over a criminal career. A well-developed television series gives audiences: relevant background information, character growth and change, and ultimately offers more complex and thorough narratives to fully assess the evolution of the anti-hero protagonist and their full criminal career. Although comic books are another viable option, for the purposes of this study, popular television crime-drama programs were selected.

In order to select two television shows for this comparative study, the advanced search function of the Internet Movie Database (IMDb) was a helpful source. First the search was set to include only television series in the genre of crime, drama, thriller, and shows with popularity of 8.5 out of 10 stars and higher. Next the "keyword search" included, "criminal," "anti-hero" and "injustice." In order to include only television shows that depict the full criminal career and character arc of the anti-hero specific to this research, time period parameters were included, choosing shows that began no earlier than 2002 (post 9/11) and completed the series by 2016.

Following the criteria of this research, the advanced search on IMDb offered limited options of anti-hero protagonists with fully completed story arcs. Two television series met the necessary data sample requirements. *Breaking Bad* (Gilligan, 2008-2013) and *Sons of Anarchy* (Sutter, 2008-2014) were therefore selected as the sample. Both shows are extremely popular with North American audiences, they include frustrated Caucasian male anti-heroes in lead roles, they have a similar number of seasons, and the anti-hero protagonist has an evident criminal career. Each series has gained critical acclaim and won awards, and most importantly have come to a conclusion. Despite their similarities these are two very different shows; in *Breaking Bad* the

protagonist is a timid and regular law-abiding citizen, who then turns to crime out of desperation in a time of need. By contrast, in *Sons of Anarchy*, the protagonist was born into criminality, where being an outlaw is a way of life and the only one he has ever known.

The problems and limitations of predominantly Caucasian characters and male anti-heroes in television reflect the time period and country in which these shows originally aired. The United States has been controlled by wealthy white men for centuries, until in 2008 the first African American President was elected, while the country faced a serious economic crisis. As much of the entertainment media reflects real life, it became popular for fictional television shows to depict just how the "toxic, white masculinity" plaguing the U.S. felt threatened and began to struggle in the changing political and economic climate (Johnson, 2017, p. 14). Therefore, the majority of crime dramas prior to and beginning around 2008 have predominantly white, male central characters, limiting the available content for selection.

Breaking Bad ran for six seasons, with the fifth season being split in two, airing from 2008 until 2013, having sixty-two, forty-nine minute episodes on the AMC network (Gilligan, 2008; IMDb). This series centers on middle aged Walter White, a high school chemistry teacher who is unexpectedly diagnosed with lung cancer, and in order to pay the bills and keep his family from poverty he enters the dangerous world of manufacturing and selling methamphetamines with the help of a troublesome ex-student (Gilligan, 2008; IMDb). *Sons of Anarchy* ran for seven seasons, airing from 2008 until 2014, with ninety-two episodes that were forty-five minutes each on the FX network (IMDb; Sutter, 2008). This series focuses on Jackson 'Jax' Teller in his early 30s, as he attempts to balance life as a father with young children and being a leading member of a dangerous motorcycle club (IMDb; Sutter, 2008). Ultimately, these shows have been chosen

because the journeys of both male anti-heroes are defined by a roller-coaster of moral dilemmas and injustice.

Data Analysis

To analyze and code information from the selected television shows, this research used a grounded theory approach. This type of analysis involves beginning with the data itself, studying it and making comparisons at every stage; meaning that the data collection and analysis occur simultaneously (Charmaz, 2006). The sampling in a grounded theory approach is aimed at theory construction rather than representing the population; therefore, it was important to stop and write ideas any time they occurred (Strauss & Corbin, 1998). The analytic codes that were created are thus constructed directly from, or "grounded in the data" themselves (Charmaz, 2006, p. 2).

During the coding analysis, I transcribed all combined 154 episodes of *BB* and *SOA* to ensure accuracy of events, behaviours and direct quotations. Initial coding began close to the data by a first viewing of a few episodes from Season 1 (2008) of the sampled shows. As part of this initial stage, coding categories were identified and developed which were relevant to the research questions previously outlined. The next stage of data analysis is called "focused coding," here all episodes of both television shows were viewed to create codes that are "direct, selective and conceptual" to sort aspects of the narrative, character typologies that emerged, and quotations from the shows (Charmez, 2006, p. 57). Throughout the entire coding process and after watching each episode, various "memos" were written to keep track of my thoughts, ideas, and connections being considered, and other potential questions that emerged (Charmez, 2006). Even personal reflections about the shows, and the anti-hero narrative in general were potentially

important when theorizing the data, by easing the process of making links and categories with the data.

Eleven coding categories were initially developed and defined, and have been included in a working codebook table (see Appendix B). As coding analysis progressed, numerous sub-codes were then developed from the emerging themes in the data, allowing for focused codes to be created (see Appendix C). The next step involved theorizing the data, by examining all codes, memos and connections made throughout viewing. Arguments and theories based on the concepts and patterns discovered are presented in the following results chapters.

Results

The anti-hero narrative patterns identified during analysis of the television series' *Breaking Bad* and *Sons of Anarchy* have been divided into two major themes. The first major theme observed and discussed in Chapter 4 concerns the construction of a "moral universe" in anti-hero narratives that ultimately emphasizes fatalism or pre-determination and a limited freewill. The second major theme, discussed in Chapter 5, involves the concept of the anti-hero narrative in entertainment media representing a cultural criminological criticism of the normalization of violence within neoliberal and capitalist cultures. Together these themes provide insight into the criminal and cultural functions of the anti-hero narrative on television and its claims about crime, criminality, law and justice in North America.

Chapter 4

The Anti-hero's Constructed Universe: Fatalistic Determinism and Freewill

Stroessner and Green (1990) have stated that "[b]elief in freewill [is] on a continuum from belief in complete freewill on one end to total determinism on opposite end" (p. 789). Freewill refers to the concept that people are considered to be responsible beings who make choices for their lives, while "fatalistic determinism" states that fate or external forces already have a pre-determined plan for every individual (Carey & Paulhus, 2013). Several psychological studies suggest that understanding beliefs in freewill and determinism is important, as it affects individuals' opinions and understanding about ethical behaviour, crime, and punishment (Martin, Rigoni, & Vohs, 2017). Specifically, research has shown that those who believe in freewill or

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choice are also more likely to be very punitive toward lawbreakers and wrongdoers (Carey &

Paulhus, 2013; Martin, Rigoni, & Vohs, 2017).

Across both series, the anti-hero protagonists, Walter White and Jax Teller, are constructed as

what is referred to as "natural compatibilists". Briefly, the concept of a "natural compatibilist"

refers to the idea that although people may be living in a pre-determined universe, individuals

can still exercise some freewill and be "free and morally responsible" (Felts & Cova, 2014, p.

236). In both *Breaking Bad* and *Sons of Anarchy*, the anti-hero protagonists are constructed using

this 'natural compatibilist' narrative framework. Specifically, Walter White and Jax Teller are

depicted as believing their fates are largely pre-determined leaving them with only some freewill

that forces them to commit crime in order to survive. This 'natural compatibilist' narrative is

constructed through: a) the use of blocked opportunities and faulty justice system frames

commonly employed in media (Surette, 2015), and b) the anti-heroes' adopted moral codes that

rationalize their criminality and distinguish them from other morally ambiguous characters.

Blocked Opportunities and Faulty Justice System Frames

The Blocked Opportunities Frame and the Anti-hero Narrative

One way in which the 'natural compatibilist' narrative is developed in anti-hero fiction is

through the use of blocked opportunities and faulty justice system frames. In general, frames are

"prepackaged constructions" which allows people to "categorize, label and…" understand social

events or phenomenon (Surette, 2015, p. 37). Of Theodore Sasson's five interpretative frames

that dominate crime stories in the media, the "blocked opportunities frame" attributes crime as a

consequence of inequality and discrimination, through unemployment, poverty and in education

(Surette, 2015, p. 39). This media frame thus explains how any "legitimate means" to achieve "material success is blocked" (Surette, 2015, p. 39). Walter and Jax also represent "innovators" from Robert K. Merton's typology of deviance, having adopted the culturally defined goals of accumulating wealth, but "lack [of] legitimate means to attain their goal," and thus innovatively turn to their criminal careers (O'Grady, 2011, p. 93). The television crime-drama construction of the anti-hero protagonists' criminality is defined by the concepts consistent with blocked opportunities frames and social strain theory. This approach of ascribing criminal careers to unequal social and economic societal systems is arguably how these programs are able to facilitate audience empathy with their anti-hero characters.

Several aspects of the debut episode of *Breaking Bad* illustrate the blocked opportunities experienced by Walter, which would be familiar to a larger television audience. For example, in the series, it is evident that poor social conditions and healthcare in the United States blocks legal opportunities to survive, which forces desperate people into criminality. In Walter White's middle-class case, his wife is unexpectedly seven months pregnant, he has a 15-year-old son with cerebral palsy, and Walter is an "extremely overqualified high school chemistry teacher" who "will be dead in eighteen months" from lung cancer (Gilligan, 2008, Episode 3, Season 2, 26:40). Having blocked opportunities and serious strain, Walter therefore turns to cooking methamphetamines to pay for his expensive cancer treatments from the state and provide for the future of his family (Gilligan, 2008, Episode 1, Season 1).

With limited freewill and a pattern of extreme strain and blocked opportunities, people may be forced into a criminal career. Lacking economic opportunities and with his deteriorating

health, Walter, the "natural compatibilist" believes his only choice is breaking the law (Episode 4, Season 1).

Although Walter makes millions of dollars cooking methamphetamines using his criminal alias "Heisenberg", by the beginning of Season Five, he finds himself in a desperate situation again. His corrupt lawyer Saul Goodman advises they pull out of the meth business, but Walter refuses angrily, explaining that he is once again penniless and owes Jesse $40,000. Walter still strongly believes that "There is gold in the street to be scooped up" (Episode 2, Season 5). Over the course of *Breaking Bad*, Walter has begun to see the value in illegitimate means for attaining his financial goals. As "Heisenberg" he embraces his position as a person experiencing blocked opportunities with limited choices pushing him toward using illicit means, as his criminality is more feasible and lucrative than any legitimate means that he has been blocked from. Therefore, it is through the use of a blocked opportunities frame that Walter White is constructed as having only limited freewill and a pre-determined fate.

Use of the blocked opportunities frame is also evident in the construction of anti-hero Jax Teller in *Sons of Anarchy* (Sutter, 2008). As previously mentioned, the *Sons of Anarchy* sets its story within an outlaw biker subculture. One of the primary conflicts for Jax Teller over the course of the series, which is introduced in the first episode, is the balance between the freedom the club was originally intended to offer and the pull towards criminal activities. Jax's stepfather, Clay Morrow, and the memory of his biological father, John Teller, represent the two polar ends of the Motorcycle Club's (MC) purpose in the show's overarching narrative. On one end, Clay pushes for a profit-making criminal enterprise defined by criminal violence. Comparatively, before his death, John Teller (JT) wanted to push the club away from crime and violence and

imagined it for personal freedom in an oppressive world. In part, this narrative reflects how neoliberal policies, represented by Clay can have adverse effects on community, as embodied by JT.

Another key aspect of this continuing narrative in *Sons of Anarchy* was the role it played in Jax's criminal career. Over the course of *SOA*, much of the show's ongoing conflict revolves around Jax slowly learning of JT's more altruistic purpose for the MC in journal letters. From the debut episode, however, the audience is consistently shown how Jax Teller has been raised to only know the life of an outlaw biker. For example, in Episode One of Season Four, when faced with the prospect of leaving the outlaw biker subculture, Jax admits, "I don't have any skills, Tara. I'm an okay mechanic with a GED. The only thing I ever did well was outlaw" (Sutter, 2008, 42:47). With an inability or "block" to secure quality and meaningful employment legitimately, this strain pushes Jax to need to "make some bank" before leaving his criminal career behind. With limited choices, he follows Clay's path by escalating the Sons of Anarchy Motorcycle Club Redwood Original's (SAMCRO) criminality and transporting cocaine for the Galindo Cartel, in an effort for both Jax and aging Clay to cash out big (Episode 2, Season 4).

However, despite intentions to leave SAMCRO with his family, Jax Teller experiences the ultimate block when he must become MC President in the Season finale episode of Season Four. Jax attempts to embrace his new role with the hypothetical ideal of freedom his father, JT optimistically had for the club. For instance, Jax has his MC focus on their legal businesses and exit gunrunning. However, by Season Seven, Jax realizes it was a mistake because selling illegal weapons was highly lucrative and caused SAMCRO a pay cut they cannot afford. Despite expanding their legal escort service and porn studio, they still need illicit income to survive,

especially after losing further opportunities with their Teller-Morrow Automotive Repair being avoided by townspeople fearing their criminal violence. Anti-hero Jax Teller is constructed as a "natural compatibilist" as he is blocked from profitable legal businesses and with pressures to provide for his Club and children, Jax's limited choices fatefully ensures a forced expansion of SAMCRO's criminal relationships and illicit profits.

Both Sasson's frame of blocked opportunities and Merton's theory of strain have highlighted the anti-hero narrative as critically examining the poor social and healthcare conditions in North America and the impact it has on struggling populations. Walter and Jax experience blocked opportunities and access to legitimate means to provide for their loved ones, which inevitably forced them into criminal careers. The next section of research findings will discuss the limited choices of "natural compatibilism", represented through the media frame concept of the erroneous criminal justice system contributing to anti-hero criminality.

The Faulty Justice Frame and the Anti-hero Narrative

Another way in which the 'natural compatibilist' theme is constructed in both anti-hero narratives is through the presentation of a larger world, wherein the criminal justice system is ineffectual. According to Surette (2015), Sasson's "faulty justice system frame" refers to a media construction in which crime is constructed as stemming from criminal justice leniency and inefficiency, which is essentially a "lack of law and order" (p. 38). In analyses of both *Breaking Bad* and *Sons of Anarchy*, Sasson's faulty justice system frame was evident, serving to further construct a fatalistic universe with only limited freewill for the anti-heroes.

Specifically, this "faulty criminal justice system" was constructed in several ways across both *Breaking Bad* and *Sons of Anarchy* and will be discussed in this section by addressing

several emergent subthemes. The first 'faulty justice system' subtheme that emerged from

analyses involved constructions of what is known as "noble cause corruption". Briefly, noble

cause corruption refers to law enforcement's use of unethical, illegal or even immoral means to

achieve justice (Klockars, 1980, p. 34). The use of noble cause corruption in the anti-hero

narrative limits the anti-hero protagonists' freewill by producing a lack of favourable options,

ultimately forcing them to make rash decisions with serious consequences.

Several examples of noble cause corruption emerged in *Breaking Bad*. For instance, in

Episode Twelve of Season Five, Drug Enforcement Administration (DEA) Agent Hank Schrader

exploits Walter's partner, Jesse Pinkman, to work with him and bring Walter to justice. This

subsequently leads Walter to inadvertently reveal the location of his criminal earning. By the

conclusion of Episode Thirteen in Season Five, these events have culminated in the deaths of

Agent Gomez and Hank, as well as the abduction of Jesse by a violent white supremacist gang

(Gilligan, 2008). Rather than resulting in justice, Hank Schrader's act of 'noble corruption'

therefore, only limits Walter's freewill and serves to further push him into his criminal career

Similarly, in *Sons of Anarchy,* "noble-cause corruption" emerges in the first season as a

driving force in the limitations on the freewill of the anti-hero. In Episode Eleven, the bureau of

Alcohol, Tobacco, Firearms and Explosives (ATF) sets SAMCRO member Opie Winston up in a

"rat trap." That is, the ATF detain Opie and his family in a witness protection facility, pay off his

debt, and tap his phones and truck without his knowledge. ATF Agent Stahl intended to convince

SAMCRO President Clay Morrow to think that Opie ratted on the club, resulting in his wife,

Donna being inadvertently murdered in a failed shooting attempt on the MC member (Sutter,

2008). Witnessing this corruption and failure of both law enforcement and his MC brotherhood

Jax is forced further down a pre-determined path of deceit and violence. Jax begins manipulating others and making secret decisions that affect the club and his family. Much like Walter, Jax's erroneous decisions based on high emotions also eventually lead to his deserved death.

A second major way in which the faulty justice theme emerges is through a construction of the criminal justice system as corrupt and ineffectual or incompetent. For the purpose of this study, corruption here is defined as various law enforcement agents abandoning their pursuit of legal justice and exploiting their positions of authority and power to get ahead in their own careers, for greed and self-preservation. These individuals deceive the justice system they are employed by, civilians they are meant to protect and the criminals they are supposed to punish. Such corruption in the faulty justice system only further limits the anti-heroes' freewill and determines their continued involvement in criminality. As corruption delegitimizes the criminal justice system, it also legitimizes the morally ambiguous anti-heroes' decisions to follow their own laws and code of conduct.

In *Breaking Bad*, several examples of criminal justice corruption emerge across its five seasons. Corrupt lawyers and corrupt former law enforcement officers are the most prominent examples of criminal justice corruption in *Breaking Bad*. "Criminal" lawyer Dan Wachsberger allows a character (Mike Ehrmantraut, discussed below) to illegally pose as his paralegal to give him contact with incarcerated associates (Gilligan, 2008, Episode 3, Season 5). This particular act allows Walter to conceal his criminal activities and continue cooking and selling meth. Another "corrupt lawyer", Saul Goodman, has a recurring role as the series progresses. Goodman primarily aids criminal clients with his extensive criminal underworld connections. He is the

middle-man between drug distributors, evidence removers, illegal gun suppliers and other criminals-for-hire (Gilligan, 2008, Episode 8, Season 2).

Former "corrupt cop" Mike Ehrmantraut, further illustrates criminal corruption in *Breaking Bad's* faulty justice system frame. Over the course of the series, Ehrmantraut assists Walter and Jesse, helping them expand their meth business with mass distributor Gustavo Fring (Gilligan, 2008, Episode 11, Season 2). Both Goodman and Ehrmantraut then aid Walter in taking over the illicit drug empire as they search for a new discreet meth lab venue in the final season (Episode Three, Season 5). Even when Walter attempts to quit the meth business in Season Three, Saul encourages him to get back to cooking right away (Episode 2). By Season Four, Saul continues to clean up Walter's messes, protect him and evens helps Walter's wife, Skyler White acquire a car wash to launder their illicit money. Saul essentially teaches Walter how to be a successful criminal, even suggesting he murder people with his "zero-tolerance policy on threats" (Gilligan, 2008, Episode 12, Season 5, 39:10). Throughout the series, Saul and Mike's legal corruption only further limits Walter's choices and pushes him further into his new criminal lifestyle.

In *Sons of Anarchy*, constructions of a faulty justice system were more common. One way in which the 'faulty justice frame' is constructed in *SOA* is through frequent use of the "corrupt cop" narrative. Former detective, Charles "Charlie" Barosky, who was forced into retirement due to allegations of corruption, is introduced in Episode One, Season Six as a criminal who runs the ports and town of Stockton. One character, District Attorney Patterson, describes Barosky as "a product of every slimy loophole in our criminal justice system" (Sutter, 2008, Episode Seven, Season Six, 20:22). Barosky then confirms this assessment when it is revealed that he betrayed Jax by working with the Lin Triad during their unfounded war with SAMCRO (Sutter, 2008,

Episode 11, Season 7). Barosky's betrayal, lies and corruption only further push Jax into violent

criminality, as false information led Jax to murder an innocent SAMCRO charter President. This

sequence of events eventually even contributes to Jackson 'Jax' Teller's pre-determined death.

The aforementioned examples from *Breaking Bad* and *Sons of Anarchy* are just two of

several illustrations regarding how the faulty justice system frame, represented here by

corruption of law enforcement and related agencies serves to further limit the anti-heroes'

freewill. The corruption of lawyers and former police officers simultaneously pushes the anti-

heroes further into their criminal careers and justifies their morally ambiguous choices.

In *Sons of Anarchy*, it is also a running theme from the beginning of the series that in the

fictional town of Charming, California, "people get jammed up in this town, they don't go to the

cops, they come to us…" reports President Clay of outlaw motorcycle club SOA (Sutter, 2008,

Episode 3, Season 1, 9:25). This illustrates that citizens do not believe law enforcement and the

legal system can give true justice. In Episode Three, Season One when a local wealthy politician

and businessman's teenage daughter is raped, it is SAMCRO who discovers the rapist's identity

first and collects him for their outlaw retribution (Sutter, 2008). Deputy Hale and his cops arrive

late because they must wait for an arrest warrant and instead of being arrested; the rapist is

mutilated, killed and buried by SAMCRO. Incompetent police work is further demonstrated

when Nero, Jax and several gang members sneak into Darvany Jennings' house – the mother of a

school shooter, while her house is being surveilled by police in a car out front (Sutter, 2008,

Episode 2, Season 6). Despite the police officers, Jax is able to sneak her and her boyfriend out

of the house, and the city to SAMCRO's cabin.

Like the criminal justice system corruption seen in *Breaking Bad*, in *Sons of Anarchy*, the outlaw bikers use corrupt lawyers to further illicit activities and gather intelligence. In Episode Thirteen of Season Three, for instance, Jax has his lawyer, Lowen, pass secret coded messages back and forth between a Russian mafia lawyer and SAMCRO. Throughout all seven seasons, members of SAMCRO often go to jail and prison and are always re-offending inside and when they are released, ignoring bail and the legal process. In the SAMCRO clubhouse, there is even a wall proudly displaying each member's framed mug shot (Sutter, 2008).

The final "faulty justice system" subtheme observed in the two anti-hero narratives was the ineffectual and perceived permissiveness of the criminal justice system. Both television series constructed correctional facilities as either complicit with illegal activities, or as institutions where criminal enterprise continued to thrive. In *Breaking Bad*, there is a limited exposure to prisons. The few instances in which correctional facilities were featured focused on corrupt lawyers' illegally passing information to criminal associates. Later in the series, Walter uses a prison as a recruiting ground to hire a neo-Nazi gang to have ten men in different prisons, murdered (Gilligan, 2008, Episode 8, Season 5).

Similarly, in *Sons of Anarchy*, prison inmates (including Jax) continue to commit crimes in prison, by fighting one another, using narcotics, and the separation of the population by rival gangs. The prison guards, and medical staff are easily paid off and inmates are even able to "buy a room" gaining control without cameras or witnesses to conduct their criminality in the prison privately (Sutter, 2008).

In both television series, the anti-hero protagonists were each given an "exception" from legal consequences by their faulty justice system associates. In *Breaking Bad*, Walter is pulled over by

a police officer for having a smashed windshield, which was caused by falling debris from a plane crash above his neighbourhood. Walter is very angry, behaving like he is above the law, which causes him to receive a ticket, get pepper sprayed and arrested. However, at the police station, Walter is bailed out by his DEA agent brother-in-law, resulting in no charges or jail time (Gilligan, 2008, Episode 2, Season 3). Similarly, in *SOA*, Jax is arrested at a funeral wake for publicly assaulting a man in front of citizens and Charming PD. Yet his association with the Chief of Police allows for Jax to leave the jail freely, as Chief Unser tells him, "[u]nder the circumstances, I can make an exception for the obstruction charge" (Sutter, 2008, Episode 2, Season 3, 2:45). With a broken system that allows leniency and corruption to spread, criminal enterprise is pre-determined to dominate over legitimate business. The anti-heroes' apathy toward law as they pass through the system or dodge it altogether delegitimizes the current criminal justice system and further legitimizes the anti-heroes' moral codes beyond written law.

Sasson's "faulty justice system frame" depicted in the anti-hero narratives of *BB* and *SOA* through police use of any means necessary, widespread corruption across agencies, incompetent and permissive police work, and a lack of rehabilitation in retributive justice adding to high rates of reoffending emphasizes the underlying theme of natural compatibilism's limited freewill. As the criminal justice system is further delegitimized and undermined by "faulty justice system frame" evidence, the more criminal behaviours are normalized. This contributes to the anti-hero narrative as arguably they only exist because of the ineffectual justice system's failures, which ultimately gives anti-heroes limited choices and justifies their creation of personal moral codes outside the law.

Summary

The constructions of both anti-heroes as 'natural compatibilists' is accomplished through socio-structural factors blocking legal opportunities and causing extreme strain, as well as the failings of the faulty criminal justice system. A fatalistic universe wherein the anti-heroes only have limited freewill is an integral theme throughout the anti-hero narrative, which defines the morally ambiguous protagonists' struggles and legitimizes their use of criminality. The next section will explore both anti-heroes' chosen moral code and how integral their families are to rationalizing many choices during their criminal careers.

The Anti-hero's Moral Code and Importance of Family

Across both anti-hero narratives observed in *Breaking Bad* and *Sons of Anarchy*, the second major way in which the anti-hero protagonist is constructed as the "natural compatibilist" is through their private moral code. The anti-hero's moral code further reflects their limited choices in their fatalistic universe and serves to rationalize certain criminal behaviours. In addition, the anti-hero's moral code effectively differentiates the anti-hero protagonist from other criminals and morally ambiguous characters. Specifically, at the outset of their criminal careers, the anti-heroes rationalize their rule violations and criminality as a means to provide for and protect their families. Based on their limited freewill, the anti-heroes frequently rationalize their criminality as the right choice given their personal circumstances.

From the first episode of *Breaking Bad*, Walter White rationalizes his shift into a criminal career as a means to provide for his family: "Everything that I do, everything, I do it to protect this family" (Gilligan, 2008, Episode 6, Season 4, 44:22). At the end of the series, Walter begs his wife and family to accept his drug money to give some meaning to his criminal career

(Episode 10, Season 5). This act is an attempt for Walter to rationalize his criminality for his

family.

In addition to rationalizing his criminal career as necessary for his family, Walter adopts an

initial moral code that serves to distinguish him from other criminals. The first scene in the

Breaking Bad series reveals a distraught Walter White in the desert and shaking as he puts a

loaded gun in his mouth and pulls the trigger. Forgetting the safety, it only clicks and as he

fumbles to turn it off, he ends up shooting the ground, scaring himself. Highly emotional, Walter

drops the gun and raises his arms for the sirens he hears in the distance. The audience then learns

that he was trying to kill himself after accidentally killing a drug dealer in self-defence and

injuring another, while attempting to cook meth in an RV (Gilligan, 2008). In the following

episodes, Walter must come to terms with having to kill the drug dealer who survived, in cold

blood, to protect his family. Walter postpones the murder as long as he can, even writing a "pros

versus cons" list and asks the man to give him reasons not to kill him (Gilligan, 2008, Episode 2,

Season 1). However, without another choice, and with tears falling down his face, Walter

strangles his hostage, and collapses to his knees emotionally devastated as he repeatedly

whispers apologies to the corpse. Being injured in the process, Walter tells his associate Jesse,

"No matter what happens, no more bloodshed. No violence." He adamantly refuses to cause any

more death (Gilligan, 2008, Episode 6, Season 1, 1:30).

Later in the series, despite continuing to utilize violence as needed, Walter continues to

actively attempt to distinguish himself as 'different' from other criminals. For instance, Walter

decides he wants to quit cooking meth with distributor Gus Fring realizing, "I am not a criminal.

No offense to any people who are, but this is not me" and he tries to deny what he is becoming as

Heisenberg (Gilligan, 2008, Episode 1, Season 3, 40:05). Walter realizes that the crimes he committed for his family have actually lost him his family, reflecting "I can't be the bad guy" and he tries to readjust his moral code, believing he can be good again (Gilligan, 2008, Episode 2, Season 3, 13:32).

In addition, early in his criminal career, Walter characterizes himself as a mentor and guardian for his younger associate, Jesse Pinkman. Over the course of the first few seasons, Walter rationalizes his meth production as a means to protect Jesse when other criminals threaten to kill him. Walter saves Jesse from the dangerous Tuco Salamanca (Season 2), and Gustavo Fring (Season 4), and refuses Saul Goodman's advice to remove threats, Jesse and Hank Schrader (Season 4). Instead, Walter refuses to kill or have any family killed because it is wrong, and searches for alternatives (Gilligan, 2008).

Comparatively, in *Sons of Anarchy*, Jax Teller operates under a private moral code that is in part based on a perceived necessity to protect family. As part of Jax's anti-hero narrative, he has two families to rationalize his criminal career for, his wife and children and his MC Brothers. Jax is often torn between his two families, as making decisions for one inevitably affects the other. For the majority of the series, Jax appears to choose SAMCRO above his wife and children, as he struggles to do right by them both. By Season Four, however, he realizes, "I love this club…But I love my family more" and puts his wife and children first (Sutter, 2008, Episode 12, 13:05). In Season Six, Jax states how his sons are the most important and he loves them more than anything or anyone, "Everything I do is for my sons" where he clearly rationalizes his criminality, and life choices (Sutter, 2008, Episode 13, Season 6, 5:40).

While Jax Teller's family history with the outlaw biker subculture distinguishes him somewhat from Walter White, he similarly seeks to distinguish himself from other criminals through a differential use of violence. In the beginning, Jax is against killing people in cold blood and encourages less violent criminality for his MC. He even prevents deaths by faking crime scenes with bodies from a morgue instead of murdering people (Sutter, 2008, Episode 2, Season 1; and Episode 4, Season 5). While killing is part of his culture, he and SAMCRO have a code of not killing "cops or innocents" (Sutter, 2008, Episode 6, Season 1, 10:30) and "we don't kill women" (Sutter, 2008, Episode 13, Season 1, 46:05). A strict part of Jax's moral code is also his resistance to "ratting" to legal authorities, admitting he would kill any member who betrays SAMCRO (Sutter, 2008, Episode 11, Season 1). This also further expresses his major belief of retributive justice or seeking revenge as punishment when others wrong him, which he commits countless times across the seven seasons.

Although Walter and Jax have moral values and codes they ideally want to live by, it was a 'moral injury', which enabled them to suspend their codes and morally disengage through much of their criminal careers. A "moral injury" is caused when an individual commits or witnesses, "an event or act that violates deeply held moral values" which results in increased depression, escalated violence, and a "deterioration" of the person's character (Shay, 2014, p. 182). "Moral injury" causes extreme guilt and shame which leads to intense internal dissonance manifesting through "poor self-care," severe "recklessness," "self-loathing," and "confusion" (Litz, Stein, Delaney, Lebowitz, Nash, Silva and Maguen, 2009, p. 701).

In Season One of *Breaking Bad*, Walter is against killing and searches for any reason not to but he ultimately chooses his family's safety over following this part of his code. After learning

about his life and making him food, Walter must kill meth dealer Krazy-8, then he and Jesse

dispose of two dead bodies by dissolving them in hydrofluoric acid (Gilligan, 2008, Episode 3,

Season 1). The brutality of having to murder a man with his bare hands and then dissolve human

remains is a traumatizing "moral injury" that sends Walter down a path of rationalized violence.

Similarly, in *Sons of Anarchy*, although Jax is more familiar with violence, in the beginning, he

has never murdered someone coldly, until he shoots ATF Agent and violent stalker Josh Kohn in

the head to protect the woman he loves. After he kills Kohn, Tara asks if Jax survives by making

up his own moral code for everything, but he is emotionally devastated and admits he has never

killed anyone like that before and, "I don't know what the code is", after committing this "moral

injury" he is changed (Sutter, 2008, Episode 9, Season 1, 18:17). Jax, like Walter, becomes

increasingly more violent, immoral and torn apart by his criminal career.

The shame, guilt and self-reflection caused by morally injuring their personal codes of

conduct lead both Walter and Jax to accept their pre-determined ends. Walter confesses his guilt

and moral responsibility for choosing his criminal career, "I alone should suffer the

consequences of those choices, no one else. And those consequences they're coming. No more

prolonging the inevitable" he says emotionally, awaiting his unavoidable fate (Gilligan, 2008,

Episode 12, Season 4, 2:43). In the end, Walter ensures his family will receive his money; he

takes out a neo-Nazi gang and those who betrayed him, saves Jesse, and dies during his own

gun-rigged revenge.

For Jax, he admits writing to his sons that he is terrified a great deal of the time, afraid of

what he has done and might have to do. He confesses having "tremendous remorse for the

violence I've committed. Both planned and spontaneous" and accepts moral responsibility for his

crimes (Sutter, 2008, Episode 13, Season 6, 3:25). In Season Seven, he apologizes to his MC, stating, "I was wrong. That mistake was mine and mine alone" and also accepts responsibility for MC member deaths, as well as the ripple of consequences that came from his reckless and misguided revenge after the murder of his wife (Sutter, 2008, Episode 11, 64:18). In the end, Jax ensures his children will have safer, better futures away from the violent MC culture, and provided for by loving guardians. Like Walter, he kills those who betrayed him and ties up loose ends for SAMCRO. In punishment for his crimes, Jax fatalistically dies by his own choosing, on his father's old motorcycle speeding down a highway. The anti-hero protagonists' deaths reflect their acceptance of moral responsibility and the fatalistic determined nature of their socially constructed worlds, which arguably results in true justice.

Summary

This chapter examined the analysis of the construction of a "moral universe", emphasizing fatalism or pre-determination with a limited freewill in the anti-hero narrative. The natural compatibilist anti-heroes experienced a blocked opportunities frame, Mertonian strain and a faulty justice system frame, which altogether contributed to the fracturing of the protagonists' moral code and brought their eventual deaths. Together, these subthemes construct the anti-hero narrative in *Breaking Bad* and *Sons of Anarchy*. The next chapter will discuss the anti-hero narrative as representing a critical criminological lens, examining the overall dominant culture of neoliberal-capitalism in which the anti-hero's moral universe exists.

Chapter 5: Cultural Criticisms in the Anti-hero Narrative

The second major theme that emerged in the two television series was the anti-hero narrative as a form of cultural criticism of neoliberalism and capitalism. Specifically, the anti-hero narrative in both series critiques the normative expectations of the consumerist culture, the "do it yourself" (DIY) mentality and the unequal, ruthless pursuit of profit. The greedy values of the dominant culture influencing crime and violence in North America will also be explored. The anti-hero narrative expresses the concept that when "social justice and state law" are in opposition, like in neoliberal-capitalist social structures, people turn to "symbolic representations of justice outside the law", and commit criminality (Heckert & Heckert, 2002, p. 464).

This chapter is divided into two sections to address the following narrative patterns identified in analyses: (a) Walter and Jax representing examples of positive deviance by "over-conforming" to the ruthless normative expectations in a neoliberal–capitalist culture and (b) a critical criminological examination of capitalist "market" societies normalizing violence through the lens of the anti-hero narrative. A main discourse in both narratives involves anti-hero protagonists Walter and Jax embracing entrepreneurship, a basis of American capitalism and the overall purpose of their criminal careers. The television series of *Breaking Bad* (Gilligan, 2008) and *Sons of Anarchy* (Sutter, 2008) overall express the raw destructiveness and alienation of neoliberal and late contemporary capitalist values and the inevitable criminal careers they foster.

Positive Deviance, Neoliberalism, and the Anti-hero Narrative

First, at the outset of this section, "neoliberalism" and its connection to "capitalist" cultures and the promotion of short-term values will be defined. This will be followed by an explanation of "positive deviance", exploring the consequences of over-conformity which then leads into the

next subsection explaining how the anti-hero protagonists are positive deviants who adopt toxic capitalist market values in their criminal careers.

While North America has focused on a capitalist economic structure, it was the rise of "neoliberalism" that shifted the function of the capitalist structure. "Neoliberalism" is an economic-political philosophy that emphasizes the importance of capital markets, reducing state influence on the economy, and encourages "individual responsibility" in a society (Chomsky, 1999; Springer, Birch, & MacLeavy, 2016). North America's current "neo-liberal" or "free-market" capitalism has been criticized for producing an unequal economic system. With a ruthless emphasis on pursuing profit and private ownership through controlling means of production, dominant cultural values have been corrupted. In this entrepreneurial culture, competition among owners of supply only encourages maximizing profit by seeking new and more efficient methods of production (Springer et al., 2016). However, not everyone is given the same opportunities, as a minority of elites owns the majority of the wealth while the majority of the population competes to earn and survive.

Neoliberal-capitalist cultures have been argued to foster a ruthless and greedy business and consumer culture, with expectations that one's hard work will be highly rewarded. While capitalist cultures give their citizens these individualized motives for profit and accompanying anomic values, the economic system does not give equal opportunity for everyone to gain (Springer et al., 2016). In the anti-hero narrative, the protagonists embody the entrepreneurial spirit of neoliberal or free market capitalism and become "positive deviants" in their pursuit of capitalist success. Before exploring examples, however, it is necessary to define "positive deviance" in relation to neoliberal-capitalist culture.

In the deviance literature, "positive deviance" or overconformity refers to behaviours that "surpass normative expectations rather than violate norms" (Heckert & Heckert, 2002, p, 456). There are several types of positive deviance in which various behaviours and people can be defined in more than one category (Heckert, 1998). This research found that the anti-hero narrative demonstrates the "innovation" and "supra-conformity" categories of positive deviance. "Innovation" in the context of positive deviance is defined as "over-conforming" to existing cultural norms, by merging existing features in a new way or altering existing features to introduce a new method (Heckert, 1998). The anti-hero protagonist's Walter White and Jax Teller are "innovators" in this sense, because they share dominant cultural norms and goals of wealth acquisition, but simply alter their methods of attaining their capital using illicit, rather than legal means while following the same principles of neoliberal-capitalist entrepreneurship.

According to Heckert (1998), cultural norms function on two levels, through "collective evaluations" or "the ideal", which is better or what "ought" to be but "few achieve" and "collective expectations" or "the realistic", which is what occurs and "most people achieve" (p. 26). In positive deviance research, "supra-conformity" denotes behaviours at the idealized level in a culture, meaning "supra-conformists" over-conform to a culture's particular norm or set of norms. Walter and Jax, therefore, are also "supra-conformists" because they latch onto the norm of attaining profit and over-conform to the extent they use extreme measures outside the law to achieve their goals.

Positive Deviance in Breaking Bad and Sons of Anarchy

As "innovator" and "supra-conformist" positive deviants, Walter and Jax accept the dominant norms and values of their capitalist culture and "over-conform" in relentless pursuit of profit

through their criminal careers. First, in both series, the anti-hero narrative illustrates the

dominant culture's method of "neoliberal self-governance." Rather than the state or government

being directly involved, the concept of "neoliberal self-governance" has evolved to allow

individual citizens to self-regulate and be self-responsible consumers and entrepreneurs as they

are motivated by economic self-interest and growth in "neoliberal-capitalist" cultures (Springer

et al., 2016).

   In *Breaking Bad*, for example, Walter White expresses a neoliberal form of self-governance

when he refuses to accept financial support for his family. In Episode Twelve of Season Two,

Walter is furious when his son sets up "SaveWalterWhite.com" disclosing his tragic story with a

public PayPal account attached. Walter considers this act to be "cyber-begging" to the whole

world and his pride will not accept charity from anyone (Gilligan, 2008). Instead, this

"innovator" chooses to personally earn his wealth illicitly cooking and selling pure

methamphetamines. Independent Walter would rather take incredible risks in a dangerous drug

subculture exploiting his own expertise and professional skills as a chemist than depend on

anyone else to survive.

   Walter "Heisenberg" White's obsession with ownership of his proprietary meth formula once

again reflects neoliberal-capitalist expectations of self-regulation and self-making profits. In

Episode Four, Season Three Walter's protégé Jesse Pinkman cooks a batch of meth alone and

then asks for his mentor's opinion. But "supra-conformist" Walter responds angrily, "This is my

product. This is my formula, this is mine!" he shouts, claiming his private capitalist ownership of

his rare product and distinctive brand (Gilligan, 2008, 20:46). Walter even refuses to set up a

meeting for Jesse with the distributor, claiming Jesse's product is "inferior" and "shoddy work"

which embarrasses Walter (Gilligan, 2008). While Walter stubbornly claims ownership, it is

evident he is also concerned that Jesse is able to produce such a high-quality product resembling

his own abilities as this would endanger his own production value. He would have a very

threatening potential competitor on the illicit meth market, which reflects the concept of "market

competition" between neoliberal-capitalist corporations in North America. Therefore, Walter

adopts neoliberal-capitalist values to prevent this competition and remain the sole owner of his

lucrative formula.

Comparable themes emerged in *Sons of Anarchy*. Specifically, across all seven seasons Jax

increasingly adopts neoliberal forms of personal governance and responsibility. Perhaps the best

illustration of Jax's neoliberal DIY form of personal governance occurs in a conversation with

his wife. Despite Tara having steady income as a neo-natal surgeon, Jax refuses to "live off my

wife" claiming he just "can't" quit his MC without accumulating more wealth first (Sutter, 2008,

Episode 1, Season 4, 43:05).

Instead, Jax would rather embrace illegal business practices, than let his wife be fully

financially responsible for their family (Sutter, 2008). In fact, Jax and his MC demonstrate their

"supra-conformism" to capitalist business practices through their various methods of revenue

generating investments both legal and extralegal. In the legitimate realm, Jax and the Sons are

mechanics who own and operate their "Teller-Morrow Automotive Repair" shop for over 20

years in Charming (Sutter, 2008). In Season One, SAMCRO partially owns, operates and

protects a pornography studio "Caracara" until it burns down, but they reopen and manage a

second studio "Red Woody Productions" by Season Seven. In Season Five, Jax partners with

Nero Padilla to own an escort service and brothel "Diosa" operating out of Stockton, and in

Seasons Six and Seven, they attempt to expand their brand with a second location (Sutter, 2008). With these multiple investments, Jax's neoliberal-capitalist goal is to increase his profits as much as possible.

Jax and SAMCRO also represent "innovator" positive deviance as outlaws infamously importing illegal guns for over 20 years from their True Irish Republican Army (IRA) suppliers and selling to other criminal organizations (mostly drug gangs) in the East Bay of California (Sutter, 2008). They also extort politicians and businessmen and protect valuable truck shipments from being hijacked for other local businesses. During Season Four, despite trying to directly stay out of the illicit drug business, they also begin smuggling cocaine for the Galindo cartel in exchange for protection and cash (Sutter, 2008).

With their various businesses, Jax also experiences "market competition" with other criminal organizations such as the Nords, the Mayans, the One-Niners, the Lin Triad, Galindo and the Lobos Sonora cartels, the IRA, Italian Cacuzza crime family, and the Russian mob. SAMCRO often acts as a buffer between gangs, being the main source of weapons supplies and least racist to have an understanding of the other organized crime leaders and connect them (Sutter, 2008). In order to stay alive, profiting and in good standing with others, Jax must make smart decisions and remain up to date with the often changing terms between rival and ally gangs. By Season Seven, Jax ruthlessly makes decisions and deals as MC President similar to cutthroat CEO's of large corporations.

The neoliberal-capitalist culture constructs values around wealth, status and power which negatively encourage materialism and greedy consumers. Both anti-heroes overconform once again to these dominant cultural norms. In *Breaking Bad*, Walter impulsively shows off his

wealth and overconforms to materialism with the purchase of a 2012 Dodge Challenger for his son, twice (Gilligan, 2008). Then in Episode Four, Season Five Walter leases a new black Chrysler 300 for himself, despite not needing a new vehicle. As Walter delves deeper into his criminal career, he seethes with greed. Walter admits he would rather murder nine men who have helped the drug enterprise he acquired from Gus Fring, than continue to give "hazard pay" from their profits to pay the imprisoned criminal accomplices (Gilligan, 2008). Later, Walter represents the epitome of greediness in Episode Six, Season Five, when he tries to convince Jesse to continue their meth business, claiming his buyout of $5 million is "mere pennies" compared to what they could earn (Gilligan, 2008). At this point, Walter White is blinded by his overconforming greedy profit motive and risks everything for the empire power of private ownership and distribution of such a highly valued product.

In *Sons of Anarchy*, Jax's MC is rarely 'flush with cash' for long periods of time; however, their overconformity to materialism can be observed in their various customized vehicles and motorcycles in the series. Jax rides a 2003 Harley-Davidson Dyna Super Glide Sportbike, but it is blown up by the IRA, then in Season Five, he is riding a Harley-Davidson Street Glide (Sutter, 2008). Only a couple of episodes later Jax and Chibs are both driving new Dynas with LED lighted mirrors (Sutter, 2008). Jax also randomly drives a silver Dodge Ram 1500 and his mother Gemma Teller is seen first driving a Cadillac XLR-V, then an Escalade and in later seasons a new Lincoln Navigator (Sutter, 2008). Despite their struggles with income, their MC overconforms to capitalist materialism by ensuring each member always has a decent vehicle and motorcycle to ride.

Although Jax discusses his hatred for "greedy men" in the series, his overconforming ruthless self-interest for the club is evident when an 11-year-old boy uses one of SAMCRO's supplied KG-9 guns in a school shooting (Sutter, 2008). When Jax learns this news he is shocked but recovers very quickly as SAMCRO's priorities are protecting their club, businesses and incoming profit from continued gun running. Immediately Jax and the Sons remove the shooter's mother from town to prevent her from potentially ratting to the police about their involvement with the weapon (Sutter, 2008). Their suppliers, Galen O'Shay and the real IRA even want a large shipment of KG-9's sold for double the price in order to exploit the tragedy for profit, as corporations in capitalist America often do (Sutter, 2008, Episode 2, Season 6). While Jax does not follow-through with selling the shipment, he still prioritizes his criminal organization's pursuit of profit over the well-being and safety of the public, once again mirroring corporate criminal greed in America.

Summary

This section has discussed how neoliberal-capitalist values focusing on profit causes people like Walter and Jax to behave as positive deviants by overconforming to the norms of the dominant culture. The anti-hero protagonists acted as both innovators and supra-conformers by embracing capitalist entrepreneurship and utilizing their own extralegal means to attain profit. Similar to capitalist corporations, Walter and Jax experienced market competition, materialism, ruthless self-interest and greed. This emphasis on "hedonistic self-fulfillment" by any means in capitalist North American culture is what French sociologist Émile Durkheim discussed could occur if modern societies shifted from "collectivism" and a social solidarity focus to one of "egotistic" or "excessive individualism" (Messner, Thome, & Rosenfeld, 2008, pp. 170-172).

Thus, the next section will present the consequences of a culture highly valuing economic roles above all else through the spread of apathy, social inequalities and the normalization of violence as a tool for profit-making.

The Normalization of Violence in Capitalism

According to an institutional-anomie perspective of crime (IAT), where the "economy dominates institutional structures", "anomie" will be widespread, and violent crime rates will be high (Messner et al., 2008, p.164). Critical examinations of "capitalist market" societies have revealed that such cultures do in fact breed crime, and in doing so normalize violence for the entire population (Currie, 1997; Messner et al., 2008; Quinney, 1980). The following section of the study findings will first discuss Elliot Currie's definition of "market societies" in North America and how various mechanisms of such a culture cause violent crime. Specifically, these mechanisms are represented in the anti-hero narrative by a lack of public social and health services, the cultural promotion of "callousness," lax gun control policies, and a lack of social and political alternatives to violent crime. An overall critical examination of neoliberal-capitalist market societies continues with exploring the unequal distribution of wealth and its consequences of normalizing violence by elite corporations. This will be reflected in the violent "collateral damage" caused by the anti-hero protagonists' in their own pursuits of capitalist profits. The final section of this chapter will also discuss the anti-hero narrative as a criticism to America's retributive justice system through Walter and Jax's excessive use of their own forms of violent retribution.

Market Society Violence in Breaking Bad and Sons of Anarchy

Criminologist Elliot Currie (1997) defined "market societies" as characterized by "the pursuit of personal economic gain," and privatization that controls a culture's entire "social fabric" (p.304). Such societies offer minimal to no social service "cushions" for the public against issues of inequality. Therefore, as individualized profit is encouraged, market societies "breed high levels of violent crime" in several ways (Currie, 1997, p.147). In the *Breaking Bad* and *Sons of Anarchy* narratives, the anti-heroes' criminality is constructed as in part reflecting the brutalization experienced in a market society.

A mechanism of "market society" that contributes to violent crime rates is the serious lack of public services such as affordable childcare, healthcare and rewarding employment. Along with the promotion of greed and selfishness, Currie argues this policy approach creates a "culture of callousness" wherein individuals are socialized to be ruthlessly independent (Currie, 1997, p. 164). Across both anti-hero narratives, the market society shift away from the provision of basic social services is critiqued. For example, both Walter White and Jax Teller can only secure low-income legitimate work, preventing them from affording proper childcare and forcing them to confront the lack of universal healthcare offered in the United States.

From the first episode of *Breaking Bad*, Walter White not only works as a full time teacher, but also has a second job at a carwash to make ends meet. After learning of his lung cancer, it is the overwhelming hospital and chemo bills that push him over the edge into his violent criminal career (Gilligan, 2008). Then, later in the series when Hank Schrader cannot walk after an injury and his insurance cannot cover enough physical therapy, Walter and Skyler must use their illicit drug money to help their brother-in-law learn to walk again (Episode 9, Season 3). In *Sons of Anarchy*, Jax must ask his 'old lady' (wife) Tara to use her connections as a doctor to aid him in

moving black-market prescription drugs; and she willingly risks herself as she knows a clinic

that needs the high-priced drugs for its patients (Sutter, 2008, Episode 6, Season 3). The

audience also learns that the SOA outlaws purchase essential medications illegally from a drug

dealer named, Honey. She acquires illegal prescription drugs and sells them to people in need

who cannot afford their legally prescribed meds from the American healthcare system (Sutter,

2008, Episode 4, Season 3). This serious lack of healthcare and social services in the United

States is criticized for both creating an illicit "black market" and forcing lower class people and

clinics to dangerously purchase crucial medications illegally, just to survive. Although Walter

and Jax understand their lower positions in society, they refuse to accept being exploited by

others and instead choose to exploit their own skills in the "dog-eat-dog world" by turning to

criminality.

According to Currie (1997), a second mechanism of the market society that promotes violent

crime is the lax gun control policy, which allows for "epidemic rates of gun violence" and access

to illegal assault weapons by the public (p. 165). This concept is illustrated in *BB* and *SOA* as a

criticism of capitalist United States' negligent gun control laws as there is a prominent use of gun

violence in the anti-hero narratives. For instance, middle-class Walter White simply asks his

corrupt lawyer Saul Goodman for a connection to a gun supplier. First, in Episode Two, Season

Four Walter illegally purchases a thirty-eight snub in a motel room which he claims is for self-

defence but wants no record of it. The second time Walter illegally purchases a gun it is from the

same contact; in the series finale, he buys a heavy M60 machine gun with ammunition and an

instruction manual. He then inevitably uses it to kill several people in the series (Gilligan, 2008).

In contrast, Jax and SAMCRO easily access large shipments of illegal firearms from the IRA in Belfast, Ireland and regularly sell them in the United States. Gun violence is even more prominent in *SOA* as practically every character carries a gun, even the good doctor Tara (Sutter, 2008). The school shooting incident that occurs in Season Six of *SOA* is also a commentary on the real life epidemic of public and school shootings in the United States. It examines the public response, the blame involved and the need for stricter gun control laws.

Currie (1997) also argues that impoverished and vulnerable populations turn to crime because of a lack of "social and political alternatives" (p. 166). This is reflected in the anti-hero narratives as Walter and Jax are unable to secure a better life for themselves and their families legally, causing them to fully surrender their principles to market society values. As their narratives begin, Walter and Jax are introduced as men with limited opportunities for employment, income, and are overwhelmed with responsibilities and financial stressors that only increase throughout each series. With a lack of alternatives, the anti-heroes are driven towards normalizing the use of violence as a tool to earn and survive.

Despite attempts to leave their criminal careers, the anti-heroes are inevitably forced to remain outlaws. In Season Three of *BB*, Walter tells Gus Fring that he is done cooking methamphetamines, claiming he is not a "criminal" and wants to try and fix his family problems. But with his new aggressive attitude Walter loses his teaching job, and Gustavo Fring offers him a state of the art new lab for cooking, with a deal of $3 million pay for only three months' work (Gilligan, 2008). This enticing offer of wealth along with his pride for his pure formula forces Walter into cooking meth again (Episode 6, Season 3). Similarly, in Season Four of *SOA* Jax attempts to escape the violent MC culture with his family; however, his social and cultural

identities are too fused with SAMCRO to escape. First, he must stay to accumulate profit to survive long term, and then to broker a deal between the Galindo cartel, SAMCRO and other gangs. Ultimately however, Jax becomes the MC President, fulfilling his expected family legacy (Sutter, 2008).

In his discussion of market societies, Currie (1997) also notes the role of extreme economic disparity between the elite capitalist class and the remaining population. Currie argues this economic disparity results in high unemployment and poverty rates, which in turn is "positively associated with homicide rates" (Currie, 1997, p. 159). The "capitalist" or elite class who own and control the means of production, rule by exploiting the labour of the "working class" and ensure the state uses legal domination to enforce order (Quinney, 1980, p. 176). The criminal justice system in North America's capitalist-market system, therefore, acts as an instrument to oppress the lower class population while defending the smaller elite group of the wealthy and powerful.

Quinney (1980) similarly believed that "criminal justice" is simply just a "euphemism for controlling class struggle and administering of legal repression" (p. 178). The controlling power class attempts to appease the working class by offering minimal social services in education, health and housing, however, its true purpose is to give a false sense of "legitimacy" to their otherwise unequal "capitalist system" (Quinney, 1980, p. 179). It is the justice system and retributive punishment which serve to control and contain the "surplus population" of people who fail to fall in line as exploited victims of the upper class (Quinney, 1980).

The blatant corruption in neoliberal-capitalist market societies illustrates how this type of culture can produce its own crime. For instance, white-collar criminals only exist in the middle

and upper-class system of society as their crimes are committed within their successful

occupations. "Corporate criminals" commit crimes on behalf of their corporations and

corporations themselves can commit criminality (Friedrichs, 2010). Much of corporate crime is

technically legal with various loopholes (e.g., environmental pollution and waste, tax havens,

antitrust or competitions law, punitive damages deductions, corporate lobbying). Corporations,

for example, easily export dangerous labour and consequences to third-world countries with

lower legal standards followed by the sale of the same products at a higher value in developed

countries (Friedrichs, 2010).

Corporate violence occurs when companies put the importance of profit above the safety and

rights of human beings, animal species and the natural environment. Corporate crimes include

price fixing, cutting production and safety costs endangering the lives of both workers (with

unsafe working conditions) and consumers (with tainted products). Corporations even poison our

global environment with toxic waste and air pollution which itself contributes to an unknown

number of deaths every year. Government and state crime also occurs which involves corruption,

bribery, war-time crimes, or could be negligence through "crimes of omission" (Friedrichs, 2010,

p. 139). There is even "state-organized crime" which involves government entities abusing

power for their own interests and to promote capitalist objectives (Quinney, 1980, p. 177).

As Currie (1997) suggests, with the encouragement of individual competition and the

destruction of communal solidarity and emphasis on "exploitative consumer values," market

societies widely contribute to violent crime (p. 163). Similar to corporations, Walter and Jax are

guilty of risking worker and consumer safety for their own profit and causing a great deal of

collateral damage like that of corporate criminals. There are several examples of 'corporate violence' evident in both anti-hero narratives.

First, there is evidence of risking worker's safety in *BB*, Episode Nine, Season Two, when Walter lies to Jesse that the methylamine is expiring and they need to cook as much as possible in only four days (Gilligan, 2008). In reality, Walter is worried his cancer will worsen and in an effort to maximize his profits as quickly as possible he endangers both of their lives in the process as the RV breaks down and they are lost in the desert without food and water. Walter risks work safety again when he has his dealers begin selling in another gang's territory, while expecting no repercussions. However, in Episode Eleven, Season Two, their blue meth dealer and Jesse's friend Combo is killed after being coerced into working in a risky area by Walter (Gilligan, 2008). While Jesse is devastated and angry, Walter does not even know his deceased worker's name. Much like in corporate business practices, Walter exploited the labour of his lower workers, and they became disposable to him in his ruthless pursuit of profit.

In *Sons of Anarchy* (Sutter, 2008), anytime the MC has a major threat against them, they bring all of their family, friends and loved ones into the clubhouse on "lockdown" for constant supervised protection until the threat passes (Sutter, 2008). Those who get involved with SAMCRO usually understand the risks involved amongst their violent subculture. However, there are numerous SAMCRO members who die as casualties of gang wars throughout the series. The Prospect "Half-Sack" dies protecting Jax's wife and son (Episode 13, Season 2), Piney Winston is killed by Clay (Episode 8, Season 4) and Herman Kozik is killed by a land mine (Episode 11, Season 4). Member Opie Winston is beaten to death in prison (Episode 3, Season 5), Otto Delaney is killed by guards in prison (Episode 4, Season 6), Bobby Munson is

killed to punish Jax by an enemy (Episode 9, Season 7), and Juan Carlos "Juice" Ortiz is killed in

prison (Episode 12, Season 7).

The social harms caused by corporate orientation are similarly evidenced in the collateral

damage consequences caused by Walter and Jax's moral disengagement and violence in their

criminal ventures for wealth. Starting with *Breaking Bad*, after Walter negligently lets Jane

Margolis die, her grief-stricken father, Donald, is unfocused on the job as an air traffic controller.

Donald Margolis ultimately kills himself after causing Wayfarer Flight 515 to collide with

another plane, which kills 167 innocent passengers (Gilligan, 2008, Episode 13, Season 2). In the

same episode, Walter learns at a high school assembly about the emotional and psychological

trauma to people in neighbourhoods on the ground (including many students) where debris fell

from the plane crash (Gilligan, 2008). Students admit being traumatized by the sounds, the

visuals (body parts), and many seem to be experiencing symptoms of PTSD from the plane

tragedy. Similar to damages caused by corporations, it is impossible to know exactly the number

of people negatively affected by this event. Walter, like corporate owners caught in scandals only

attempts to downplay the tragedy.

Collateral damage emerging from a profit orientation is similarly demonstrated in *Sons of

Anarchy*. Like SAMCRO's casualties of war, many innocent people connected to the MC are

killed or victimized (Sutter, 2008). MC members 'old ladies' are murdered, first Opie's wife

Donna (Episode 12, Season 1) and Otto's wife Luann (Episode 8, Season 2). In the beginning of

Season Two, Jax's mother Gemma Teller-Morrow is beaten and gang raped by three white

supremacist gang members (from the League of American Nationalists and Aryan Brotherhood)

to send a message to SAMCRO (Episode 1). By the end of Season Two, Jax's son, Abel is

abducted and taken to Ireland to be put up for adoption. His innocent adoptive parents are then

murdered because of Jax by the IRA (Episode 11, Season 3). Jax's wife Tara is even murdered

based on false information (Episode 13, Season 6). After this, also based on lies, Jax begins a

very violent, grief-stricken rampage and misguided path to a war of vengeance. Numerous

outlaws are killed as casualties of this war and sixteen people, including escorts and customers

are massacred at SAMCRO's Diosa escort service in retaliation by a rival gang (Episode 4,

Season 7). Jax also murders patch member and charter President Jury White, sealing his own fate

for a Mayhem (death) vote (Episode 8, Season 7).

A final devastating impact of capitalist club violence and outlaw pursuits is the emotional and

moral deterioration of Jax's love Tara, who is forced to resort to unethical and criminal

behaviour to protect her children before she dies (Sutter, 2008). Even Jax's son Abel is

negatively affected by witnessing an unknown amount of normalized violence. At only five-

years-old, he is sent home from school for instigating fights and injuring other children. The

death of his mother and chaos of SAMCRO affects him deeply as he continues to display learned

aggression (Sutter, 2008). Abel even stabs deep bloody gouges into his own forearm with a fork

in an effort to bring attention to the fact that his grandmother murdered his mother (Sutter, 2008).

Although he is eventually removed from the town of Charming and the violent MC culture, there

truly is no way of knowing how much of the trauma will affect Jax's son in the long term.

As capitalist entrepreneurs who sell highly demanded products, Walter and Jax, similar to

corporate criminals, also fail to consider consumer safety over their own profits. In *BB*, without

hesitation, Walter creates a purity formula reaching 99.1% of a highly addictive and proven

detrimental stimulant that affects the user's central nervous system. Walter regards his chemistry

as genius, yet refers to his methamphetamine using customers in derogatory terms such as

"junkies" and wants nothing to do with distribution (Gilligan, 2008). Similarly, in *SOA*, when

SAMCRO begins transporting cocaine for the cartel, they have no regard as to where it goes or

the people's lives it negatively affects. More alarming in this series, however, is the Sons' ability

to buy large quantities of guns, including military-style assault weapons and sell them to

dangerous criminals and killers, further contributing to gang violence. When one of SAMCRO's

guns is used by a troubled child in a mass school shooting, Jax expresses some remorse but does

not quit gunrunning (Sutter, 2008). Instead, Jax callously continues his outlaw businesses and

ensures his club does not take the blame for their criminal negligence (Sutter, 2008). Just as

corporations find loopholes to prevent their legal liability, Walter and Jax also selfishly

rationalize their dangerous choices.

As both anti-heroes become more entrenched in their criminal careers, the violence they

commit becomes fully normalized. This is illustrated in *Breaking Bad* when Skyler White

confronts her husband, worried he is in danger, and suggests they confess to the DEA (Gilligan,

2008). However, Walter responds, "I am not in danger, Skyler. I am the danger! A guy opens his

door and gets shot, and you think that of me? No. I am the one who knocks" (Gilligan, 2008,

Episode 6, Season 4, 9:30). By Season Four, Walter White has become desensitized to the same

type of violence that made him experience high levels of guilt in Season One.

Similarly, in *Sons of Anarchy*, Jax's friend Nero Padilla comments on how Jax has become

"unchained" in his search for any excuse to rage and how there comes to a point where "the

violence feels good to him" (Sutter, 2008, Episode 4, Season 7, 23:30). Jax not only effortlessly

commits violence but he too positively associates it with power and control. Walter and Jax are

vulnerable and desperate people falling between the cracks of a market society. Without alternatives they embrace violent crime for survival and to pursue their goals, while lacking any regard for the lives they negatively impact in the process.

As ruthless neoliberal-capitalist entrepreneurs, the anti-hero protagonists adopted competitive, greed-filled values and at times behaved with a similar moral disregard as the cutthroat corporate elite. Walter and Jax exploited both their workers and consumers and caused a large ripple effect of violent consequences through their various choices in each series'. It is this collateral damage caused by the anti-heroes' profit objectives that reflect market society normalized violence. While the magnitude of the collateral damage and casualties of war caused by Walter White and Jax Teller's violent pursuits of wealth can never be known; it is more than enough to necessitate the anti-heroes' inevitable deaths. In five seasons of *Breaking Bad*, Walter White has directly murdered 15 people; however, in total, the number of deaths connected to him through orders or indirectly in the series are approximately around 200 people (Gilligan, 2008). In seven seasons of *Sons of Anarchy* Jax Teller directly murdered around 44 people, with 27 of them being named; however, deaths connected to him of people he ordered or indirectly caused is approximately closer to between 70 and 100 people (Sutter, 2008). Therefore, these men more than accept their expected and unavoidable ends.

Summary

The mechanisms of market society that Elliot Currie outlined involving a lack of social services, increased callousness, lax gun control, lack of alternatives, unequal distribution of wealth, widespread competition and exploitation of consumers all manifest in the anti-hero narratives. Such failings of capitalist market societies allow for a culture of normalized violence

and the anti-hero protagonists utilize this to their advantages just as those of wealth and power do today. Continuing with the anti-heroes' journeys involving the adoption of neoliberal-capitalist society principles, follows a discussion of the protagonists' emphasis on revenge or retributive justice in the narratives.

Violent Retributive Justice

As previously discussed, the criminal justice systems in North America are strongly rooted in a retributive form of justice. While Western criminal justice systems are guided by several sentencing principles, there is arguably a strong focus on utilitarian punishment of an offender that is proportionate to the seriousness of the crime and individual culpability (Carlsmith & Darley, 2008). Such utilitarian crime control tactics are meant to punish the guilty, while protecting and giving justice to victims and the greater community. The anti-hero narrative represents a cultural and criminological criticism of retributive justice, as Walter and Jax utilize a "law of retaliation" type of violent justice throughout their criminal careers (Carlsmith & Darley, 2008).

In their criminal pursuits of profit, both Walter and Jax rely on violent retribution as a personal means of justice and a means to enforce their illegal enterprises. Across the five seasons of *Breaking Bad* (Gilligan, 2008), Walter seeks retribution on several occasions as a means to maintain his methamphetamine business. In Season Two, Walter suggests that he and Jesse explore "payback" for Combo's death, largely because it negatively affected business (Gilligan, 2008). Later in Season Two, Walter lets Jesse's girlfriend, Jane, die to prevent her from interfering with his partnership with Jesse (Gilligan, 2008).

Finally, in the series finale, Walter risks his life to return and exact revenge on all of his enemies. First, he puts ricin poison in Lydia-Rodarte-Quayle his ex-methylamine suppliers' sweetener for tea, as she betrayed him and tried to have both Walter and his wife killed. Walter's very last act of retributive justice in *BB* occurs when he rigs his newly purchased M60 machine gun to pop out of his car trunk with a remote and kill all of the white supremacist gang members who stole his business and millions of dollars (Gilligan, 2008). Walter then shoots the gang leader Jack in the head, avenging the death of his brother-in-law Hank (Gilligan, 2008, Episode 16, Season 5).

Violent retribution is a very important theme in *Sons of Anarchy* (Sutter, 2008), as the outlaw code encourages "eye for an eye" justice; Jax Teller kills at least one antagonist in vengeance every season. Beginning in Episode Six, Season One, Jax, Piney and SAMCRO enforce their form of retributive justice by blowing up the headquarters of ex-military men who had coldly killed police officers (Sutter, 2008). In Episode Thirteen, Season Two, Jax corners AJ Weston, a member of The Aryan Brotherhood in a tattoo shop, shooting and killing him with a silencer as revenge for the gang rape of his mother (Sutter, 2008). In Episode Ten, Season Three after SAMCRO tortures SAMCBELL (SOA Belfast charter) traitor Liam O'Neil for information, Jax shoots him in the chest twice and he dies (Sutter, 2008). Next, in Episode Twelve, Season Three after Hector Salazar a former member of a rival gang abducts Tara and attempts to kill her, Jax arrives and stabs the man but sets the scene to appear as self-defence instead of murder (Sutter, 2008). In the first episode of Season Four, since Victor Putlova of the Russian Mafia had an attempted assassination on Jax in prison, he exacts his revenge by inviting Putlova to Opie's wedding, luring him into a forest and stabbing him several times in the stomach (Sutter, 2008).

After SAMCRO member Opie Winston's death in Season Five, Jax threatens the prison guard sergeant who arranged the murder, that he will find and kill him after he is released. Jax follows through with this promise in Episode Six, Season Five by bashing the man's head in with a snow globe. In Episode Eleven, Season Six, Jax finally gets revenge on IRA member Galen O'Shay by shooting him in the face and his step-father Clay Morrow by shooting him in the throat and chest (Sutter, 2008).

In the first episode of Season Seven, Jax tortures and then stabs Chris Dun of Lin's Triad gang in the head with a carving fork, having falsely believed that Dun had murdered Jax's wife Tara (Sutter, 2008). In Episode Ten of the final season, Jax rips out enemy Moses Cartwright's eye and shoots him in the head as revenge for SOA member Bobby Munson's death. In Episode Twelve, Jax finally commits retributive violence for his wife's death, buy shooting his mother, Gemma Teller-Morrow in the back of the head (Sutter, 2008). In the series finale, Jax Teller's final acts of vengeance involve shooting August Marks, the businessman-gangster on the steps of the courthouse and betrayer corrupt ex-cop, Charlie Barosky in his bakery (Sutter, 2008, Episode 13, Season 7).

The anti-hero protagonists used retributive justice to achieve vengeance on those who wronged them after being desensitized by the normalized violence of capitalist market societies. It is evident that these anti-hero narratives critically examine the moral disengaging values that neoliberal-capitalist "market societies" encourage, including greed, materialism and selfishness. With such an extreme normalization of violence, Walter and Jax earned their deaths just as the post-industrial neoliberal-capitalist system in North America has more than earned the need to change for the better. The current neoliberal-capitalist 'market' system of inequality and violence

is not sustainable with the current cultural problems and inevitably needs to improve or 'be killed.'

Summary

This chapter of findings has presented a cultural criticism analysis of neoliberal-capitalist cultures through Walter White's and Jax Teller's anti-hero narratives. The television shows emphasize that as social justice and written law fail to be synonymous, citizens must turn to working outside the law. The anti-hero protagonists were examined as positive deviants because they over-conformed to the callous normative expectations of their dominant culture and in doing so both reflected these values and revealed how misleading they can be. The anti-heroes became outlaws and criminals because they overconformed to the dangerous ideals of personal profit, ownership and self-governance which then led to violence.

Further examined were Elliot Currie's (1997) ideas on how the economic and justice systems are designed to be lacking in public services, employment and aid, while having lax gun control policies and an extreme disparity of wealth. Together, these issues have caused North American culture to be normalized into apathy, individualism and violent crime. Overall, the anti-hero narratives expose just how vulnerable populations in North America (especially in the U.S.) have become desensitized by the dominant system's normalization of violence, leading individuals to have the ability to morally disengage in their own lives, creating a perpetual cycle of violence.

Chapter 6: Discussion

The following discussion chapter will summarize the previous two results chapters using the main research questions, with the addition of supplementary character narratives and alternate results. Lastly, this final chapter will provide limitations, potential future directions, contributions and conclusions of this research.

The general purpose of this study was to gain better insight into the construction of the anti-hero narrative in popular crime-drama television series. In this context, anti-heroes are flawed characters who are morally ambiguous to societal and cultural norms and laws. They follow their own moral code acting outside the law when law and justice are lacking, to seek personal justice and freedom by any means necessary (Wilson, 2013). Anti-hero narratives have been known to be socially critical in nature since the 19th century within literary romanticism and later across various genres and media (Liddy-Judge, 2013). According to Ferrell's concept of the 'hall of mirrors', real-world crime and media crime content often reflect one other, with each exercising some influence over the other. This study examined some of the socio-political claims that emerged from the anti-hero narratives in crime-drama entertainment media to better understand what they had to say about crime, criminality, and the justice system.

Based on the coding protocol developed for the study, two major themes emerged from an analysis of anti-hero narratives in *Breaking Bad* and *Sons of Anarchy*. As discussed in Chapter 4, the current study found that anti-hero narratives are constructed in a moral universe that emphasizes fatalistic determinism and limited freewill. In Chapter 5, the second major emergent theme discussed the anti-hero narrative as social criticism. More specifically, the anti-hero narratives in *Breaking Bad* (Gilligan, 2008) and *Sons of Anarchy* (Sutter, 2008) presented

criticisms of neoliberal-capitalist "market societies" and their influences on crime and the normalization of violence.

This research is important because how the criminal justice system is framed in critical anti-hero narratives in the media actively affects the public's understanding and very legitimation of laws and justice today.

Research Question 1: How is the criminal protagonist or anti-hero constructed in television crime procedurals?

In the television crime procedurals of *Breaking Bad* and *Sons of Anarchy*, the anti-hero protagonists of Walter "Heisenberg" White and Jackson "Jax" Teller are constructed within a moral universe as "natural compatibilists" having limited choices and a pre-determined fate. This is depicted by various themes which explain their experiences with Mertonian strain, blocked opportunities frame and the faulty justice frame. In response, the anti-heroes created moral codes of conduct to reflect their limited choices and rationalize some of their criminal behaviours. The anti-hero narrative also thematically presents a cultural criticism of neoliberalism and capitalism normalizing and perpetuating criminal violence. This was presented by the characters' acceptance of "market society" values involving normative expectations of the consumerist culture, the promotion of "do it yourself" or self-governance, and the unequal, ruthless pursuit of profit leading to greed, materialism and violent collateral damage.

Within their anti-hero narratives, Walter and Jax were dissatisfied from experiencing extreme strain and having blocked legitimate opportunities to provide for their families. As well as pressure from a corrupt, faulty criminal justice system, with limited freewill the anti-hero

protagonists defined personal codes of conduct to follow their own moral compass. Surrendering

to their flawed "overconformity" of market society values, the protagonists' learned to accept

violence as an instrument towards achieving personal justice, as they rationalize criminality to

protect and provide for their loved ones. Walter and Jax are initially constructed as sympathetic

characters in the first half of each series, having just intentions. However, they become lost in

their criminal careers, morally injured and compromised, emphasizing a "noble-cause

corruption" effort, where they will do absolutely anything to achieve their goals of profit and

survival. It becomes evident that because of the corrupt justice system, lack of social supports

and their limited immoral decisions, the anti-hero protagonists' morbid ends are constructed as

pre-determined.

As Walter and Jax redefine beliefs in laws and justice of the dominant culture, they also

accept the capitalist norm and value of pursuing wealth and power. However, with an inability to

accumulate profit and a sense of security for their families legitimately, they turn to criminal

means. The anti-heroes depicted in these shows are presented similarly to Johnston's (1996)

analysis of vigilantism. Like vigilantes, anti-heroes are not enemies of society but are

"symptoms" of the flawed economy and faulty criminal justice system (p. 221). The anti-hero

narrative reveals how a stifling market society is built and perpetuated for the few, which causes

an inevitable pre-determined fate of struggle for anyone not in the top 1% class. In their

escalated use of capitalism's normalized violence to attain wealth, the anti-heroes thus become

less sympathetic and more greedy and selfish throughout each series.

Walter and Jax are depicted as anti-heroes who believe their fates are largely pre-determined

leaving them with only some freewill which is heavily affected by inequality, lack of universal

healthcare, unemployment, and corruption of the ineffectual justice system. Although they are comparable characters, Walter White and Jax Teller have differences. The major difference is that Walter began his life and narrative as a law-abiding citizen and Jax was raised to be an outlaw. Yet, living in an unequal, violence-breeding "market society" culture greatly contributed to them both becoming violent anti-heroes on a path leading to self-destruction. In *Sons of Anarchy* specifically, for the first three to four seasons, SAMCRO helps bring justice to the town of Charming, often undermining the local, incompetent police department (Sutter, 2008). But as their neoliberal-capitalist profit-seeking motive increases, like Walter, their violence escalates which inevitably causes irreparable collateral damage and isolates them from friends and family.

It is important to mention that Walter and Jax's "eye for an eye" beliefs do not truly solve their problems, but rather blinds them from true morality until it is too late. Despite attempting to differentiate themselves from other morally ambiguous criminals, the anti-heroes' codes designate that their own immoral crimes must also be punished through their eventual deaths. Walter and Jax are constructed as mavericks who eventually accept moral responsibility and their consequences, as they realize their illicit means no longer justify their ends. Then, after attempting to make everything as right as they possibly can, the anti-hero protagonists die on their own terms.

Research Question 2: What claims about crime, criminality, law and justice are made by these constructions?

Based on the current analyses, the anti-hero narrative offers critical claims about crime, criminality, law, and justice. Firstly, the narratives reveal fundamental flaws within the criminal justice system, social and health services and economy of North American culture. In other

words, freewill, blocked opportunities, the faulty justice system, and criminality are all interconnected themes affecting each other. The anti-heroes' construction is a commentary on how criminality is created, fostered by a flawed system and culture. The majority of the population has limited freewill or choices and they experience a lack of opportunities or are blocked from opportunities because of the lack of supports in place. Along with the corruption of law enforcement agencies and failure of retributive justice, struggling citizens are conditioned to turn to utilizing actions outside the law to survive.

This research argues that anti-hero narratives critique the norms and values of neoliberal-capitalist systems for emphasizing privatization and a profit orientation, greed, individualism, and exploitation of others over public services and community. Capitalism gives its citizens high goals, often referred to as the "American Dream" yet fails to provide legitimate means to attain such wealth and status. The depiction of delegitimizing the economy and criminal justice system as faulty only further legitimizes the corruption that occurs. This reflects the various studies that have confirmed the public's dissatisfaction with this current flawed retributive justice system (Carlsmith & Darley, 2008; Darley, 2001; Gaeta, 2010; Gromet & Darley, 2009; Jerre, 2013).

In both of their narratives, Walter and Jax reach a point where they cannot change the violent mistakes they made, thus, ensuring their narratives could only end in their fatalistic deaths. The anti-heroes' journeys and necessary deaths demonstrate how the current criminal justice, social and health systems are ineffective in contemporary capitalist-market societies because they very evidently foster criminality. This discourse, therefore, represents the need to improve or change altogether, the current criminal justice system, social and healthcare systems and legitimate

employment opportunities for the public. Wealth should also be overall more evenly distributed among the population to promote equality and solidarity, instead of callous individualism.

The construction of the anti-hero narrative in crime television series also reinforces the popular use of retributive punishment while simultaneously critiquing retribution for its lack of true, moral justice. This also reflects and confirms public worries that retributive punishment only leads to more crime, both in prisons and upon release. Research has shown that the more legitimate a system is perceived, the more people comply and the more illegitimate a system is viewed, the more citizens break written laws (Gaeta, 2010). In other words, in the neoliberal-capitalist system true justice is not inevitable but is difficult as the system is highly flawed and pushes its own citizens into criminality. Criticisms of criminal justice by anti-heroes reflect our capitalist culture's defective values as consumers being slowly oppressed and destroyed by the very system claiming to raise us up (Jarvis, 2007). The anti-hero narrative once again illustrates how essential it is to redefine and improve the criminal justice system and social economy in North America.

Research Question 3 and 4: What criminal and cultural functions does the anti-hero serve?

Based on the analyses and emergent themes found in the current study, the anti-hero, or criminal protagonist, functions as a form of cultural criticism of the dominant economic and criminal justice systems. Though the anti-heroes are constructed as "natural compatibilists" believing they have some freewill, it is limited and the narratives ultimately emphasize fatalistic determination.

Cultural criminology reminds us that real crime and fictional crime in entertainment media reflect one another (Ferrell, 1999; Jarvis, 2007). Anti-hero narratives offer critical analyses of capitalist society by reflecting broader cultural and social anxieties and fears that have emerged from the inequalities faced by many in North America. That is, the social construction of crime enables the media and "claims-makers" to frame justice in certain ways, and the two main media frames presented in the *SOA* and *BB* narratives are the "faulty justice system frame" and the "blocked opportunity frame" (Surette, 2015). Together within the anti-hero narrative these frames reveal the critique that citizens are encouraged to accept consumer and materialistic cultural values in neoliberal-capitalist "market societies" but experience Mertonian strain by not being given legitimate means to attain such goals. This forces anyone who is not part of the wealthy, upper class to consider crime and criminality instead to achieve their objectives and even pre-determines them to fail.

Furthermore, evidence of rampant law enforcement corruption and the inability of correctional facilities to rehabilitate offenders signify how retributive justice does not reduce or prevent crime, considering reoffending rates continue to remain high in North America (Robinson, 2014; Surette, 2015). Many of the criminal cases in the anti-hero narrative television series were mishandled at one stage or another and quickly led to recidivism. This is an acknowledgement of the need for the proper use of each type of justice during the entire judicial process. Both distributive and procedural justice must be more efficiently conducted and researchers such as Schroeder, Steel, Woodell and Bembenek (2003) even advise for more options like restorative justice over straight imprisonment. Especially considering, the public

also wants more than retributive punishment as an option for offenders (Gromet & Darley, 2009).

As morally ambiguous characters with their own moral codes, the anti-heroes also function to reveal the capitalist criminal justice system's motivation for justice and it is not "…an end unto itself" as advertised, but an "instrumental goal" motivated by self-interest (Ellard, 2007, p. 513). This self-interest is that of the political and economic elite in market societies. Just as Quinney (1980) suggested, they write, control and enforce the laws and promote inequality using the justice system in order to dominate the population and remain in power.

Although Walter and Jax experience "moral injury" enabling them to morally disengage and do what they must throughout their criminal careers, it leads to extreme shame, guilt and self-reflection which only then cause them to accept moral responsibility and their fates.

First, however, anti-heroes Walter and Jax behave as "innovator" and "supra-conformist" positive deviants by overconforming to neoliberal-capitalist values involving self-governance, competition, materialism, and greed in their pursuits of profit. These characters also function as a reflection of the true nature of being human, the frailties, the social flaws, and the internal moral conflict of right and wrong. As characters they generate compassion being "…existentialist hero[es] rebelling against the conformist demands of society" (Douglass, 1981, p. 38) while simultaneously being cultural products of society and representing their own form of extra-legal justice.

Phillips and Strobl (2006) found that contemporary comic books focus on organized crime and terrorism, rather than on street crime and mental illness. Similarly, contemporary anti-hero

narratives also focus on the organized crime of imperfect human beings in their struggle to survive and thrive in the capitalist market society of the United States, which breeds and normalizes violent crime. In the past, unknown psychopathic killers and criminals dominated entertainment media depictions to scare and thrill audiences (Douglass, 1981). Arguably, however, media has evolved to portraying more relatable criminals in the form of forewarning anti-heroes in more educative narratives. Anti-heroes prove that fighting a corrupt system is only possible to an extent, as desensitization, moral disengagement and the normalization of violence is a slippery slope leading to its own form of corruption.

"Mechanisms of market societies" (Currie, 1997) unavoidably affect the anti-heroes negatively, and as they adopt market values, they too exploit consumers and workers, and cause serious collateral damage injuries and deaths. This expresses the necessary call for change in the dominant political culture. As the general population has opinions about the criminal justice system, the anti-hero narratives are evidence that the public and elite need to be balanced and equalized in the social and legal systems. Anti-heroes further prove to the public, the need to "re-legitimize the legal system" by allowing the general population of exploited workers to be more involved with the planning and defining of crime and justice policies (Jerre, 2013, p. 112). Arguably, if dark morally ambiguous characters can redeem themselves enough to remain in the anti-hero status in their deaths, it gives hope that an oppressive capitalist-market society can redeem itself from corrupt, immoral values and give equality to its people.

Interestingly, anti-heroes rebel from societal laws while seeking social normative goals and in their deaths they fail to receive due process of the written law. They live, work, and die beyond written legal laws. Anti-heroes and their criminality function as the ultimate judgement of the

ineffective and misgoverned criminal justice system. Therefore, as long as "a concept of social justice exists" which is not equal to "legal justice, these [anti-hero] criminals" will continue to evolve and exist as well (Kooistra, 1990, p. 229).

Supplementary Narratives and Alternate Results in *SOA* and *BB*

Some unexpected analysis of the anti-hero narratives came in the form of more positive socially constructed criminal justice media narratives in a sea of corrupt and negative characters (Surette, 2015). In *Sons of Anarchy* specifically, "true-to-badge-cop" was coded as any law enforcement agent who upheld the law with high moral standards. During the first three seasons of *SOA*, Deputy David Hale of Charming PD is against the MC for their obvious crimes and corruption of Chief Unser (Sutter, 2008). Deputy Hale who became Chief very briefly always followed proper due process and procedure and refused to be on anyone's payroll, unlike the majority of other deputies in the series. His goal is always true justice, keeping the peace in his small town and preventing people from being hurt, as he claims, "I'm a cop actually bound by the law" and refuses to surrender to any vengeful impulses (Suter, 2008, Episode 13, Season 2, 10:16). Unfortunately, he is killed in the line of duty and Charming PD is dissolved into the Sheriff's department, making Sheriff Eli Roosevelt his successor in Season Four (Sutter, 2008). Roosevelt has very similar morals to Hale by following the law and refusing to be corrupted by any outlaws. When he is newly appointed, SAMCRO member Piney tells the club, "This guy's a straight-up cop" and they will not be able to dig up dirt on him or pay him off for their benefit (Episode 1, Season 4, 20:15). Sheriff Roosevelt is also murdered in the middle of his duty and SAMCRO violence. These characters were constructed as having purity for justice and their true

morality was unable to survive the toxic, corrupt violence of law and injustice in the United

States.

A second more positive character narrative in both television series was the concept of the

"good-guy criminal." In *Breaking Bad* this character is Jesse Pinkman, an ex-drug addict who

despite his criminality has a good heart, a guilty conscience and the ability to change.

Throughout the series he often resorts to drugs to numb the pain of having to commit a crime, or

having to cope with what he and Walter have done. When Jesse commits an immoral act, he is

haunted and permanently affected. Despite the violent and traumatic experiences he has as

Walter White's partner, he is able to get clean from drugs, and is one of the only characters to

escape a deadly fate (Gilligan, 2008). In *Sons of Anarchy* the character of Nero Padilla, who is

also an ex-drug addict, never enjoys hurting people and makes it his last resort. He even

volunteers large sums of cash twice in Season Five to save different individual's lives. He

constantly urges other characters to be truthful and to respect and learn to forgive each other. As

he runs a brothel, he treats the women with utmost respect and kindness, always ensuring their

safety. In the end, he too retires from his criminal lifestyle and takes his disabled son, and Jax's

two sons to raise and live happily on an animal farm (Sutter, 2008). Arguably, these two

characters had the potential to do what Walter and Jax should have, exit their criminal careers

before it was too late.

An additional reading of the analyses could then suggest that the anti-hero narrative may in

fact reinforce the traditional justice system. Specifically, the deaths of the anti-heroes and their

juxtaposition with more positive "good-guy criminal" characters (Jesse Pinkman and Nero

Padilla) could be interpreted as reinforcing the traditional justice system. That is, ultimately, the

anti-hero is punished for their transgressions against the justice system, and the characters that made an effort to change their deviant habits, were rewarded with survival. This concept could also reflect the "justice motive" or belief in a just world as well, because it suggests that people "get what they deserve", life is fair and justice prevails (Ellard 2007; Hafer, 2007, p. 514). The characters who were unjust offenders were punished in death, and Jesse and Nero were given second chances that matched their more optimistic potential.

Additionally, if the anti-heroes' deaths were traditional punishments, perhaps Walter and Jax were not redeemed as "heroic exceptions" of justice. Even if the criminality they followed was "inscribed in the law itself", they will never face the full consequences and responsibility for their immoral crimes in the justice system (McGowan, 2009, p. 8). Rather than blaming the failing socio-political economy, one could also claim they were just selfish criminals with many personal and psychological issues, as much of the entertainment sector of media has depicted criminals in the past (Soulliere, 2003).

Throughout both anti-hero narratives, there are also examples of the other modes of adaption in Robert Merton's model of strain. There are "conformists" who have legitimate goals and means: for example Tara Knowles as a neonatal surgeon in *SOA*, and Hank the DEA Agent in *BB*. In both series, "retreatists" are portrayed through the many homeless and drug-addicted extras on the shows. Lastly, "rebellion" is a complete rejection of both legitimate means and goals and the adoption of new ones, and arguably is what John Teller and Jax ultimately wanted for SAMCRO:

> "Anarchism stands for the liberation of the human mind from the dominion of religion, liberation of the human body from the dominion of property, liberation from shackles and

the restraint of government. It stands for social order based on the free grouping of individuals" (Sutter, 2008, Episode 4, Season 1, 30:28).

This is a quotation by political activist and writer Emma Goldman, which is written under a bridge in Nevada, in the *SOA* series. John Teller writes about it in his journals for Jax to find, it inspired him to realize that for SAMCRO to be truly free, they would need "social rebellion" to recreate a whole new community separate from the dominant capitalist culture in society (Sutter, 2008, Episode 1, Season 1). Although this concept never comes to fruition, it is an important theme in the anti-hero narrative.

Limitations and Future Directions

There are a few limitations with the current study. First, with the use of a purposive sampling methodology there is a potential "validity problem of selection bias" as it is a "non-probability" method (Phillips and Strobl, 2006). To offset the issues the sample size consisted of 154 episodes, however only two television series were sampled. The data being interpreted by a subjective understanding of the meanings of the shows based on my personal history, class, education, sex and race could have potentially limited or biased the coding and theorizing stages (Athleide and Schneider, 2013). The analysis conducted is subjective interpretations and purely descriptive, therefore it is not necessarily generalizable to every anti-hero narrative media portrayal. This research also focused on examining issues of class, crime and culture and excluded other variables of sex, race and gender.

Another issue is the limited sample of "white male" protagonist anti-heroes in crime-drama series post-2000s. This narrows the interpretation of the findings by essentially focusing on their class struggle and may seem to suggest that crime in these anti-hero narratives is solely class

based (despite the various diverse characters especially in *SOA*). Critical criminological research indicates that it is actually more often women and ethnic minorities who suffer oppressive social relations based on their class, sex and race (Burke, 2001). These "white male" anti-hero protagonists have different experiences than women, or people of various races, religions and cultures, and therefore limits the results and generalizability of this study.

The broader potential benefits of giving a better understanding of anti-hero narratives in criminal justice television programs are threefold. Firstly, to explain how laws are socially constructed based on time, place, and culture. Secondly, educating on the dangers of mass media being controlled and censored by a small group of elites for their own self-interest. Thirdly, emphasizing the importance of having a criminal justice system that reflects public morality and consciousness. The current study is very relevant for contemporary criminology and criminal justice literature, including in the areas of constitutive criminology and peacemaking criminology. This research will contribute to crime, media and culture criminology, justice research, critical criminology and potentially social ethics work.

Further research is recommended into the interconnections of crime, media and culture, as criminological relevance in entertainment media has become exceedingly significant in this new "golden age" of television series, yet is sparse in the literature. It would be beneficial for additional qualitative and quantitative mixed methods research approaches to contribute more detailed analyses into the anti-hero narrative. To examine more thoroughly class, sex, gender, race, and how each affects the narrative in neoliberal-capitalist America, is essential. Further research should also be conducted into media depictions of the justice system and the discovery

of practical methods to transition into a more equality-based economy and legal system that reflects public beliefs and moral intuitions.

Conclusions

Overall the findings from this study suggest that the anti-hero narrative in television crime procedurals offers a unique social, cultural and legal criticism. Analysis of the toxic, materialistic and greed-filled values promoted by an unequal neoliberal-capitalist market culture suggests that lawbreaking criminals and rebellious outlaws will continue to be produced. Just as media entertainment reflects real crime and vice versa, the struggles and limited free will of the fictional anti-hero protagonists reflect the real world struggles and limited free will of the population.

The cultural criminological and social constructionist frameworks employed in this research enabled an assessment of the socio-political and social psychological meanings within popular crime-drama anti-hero television series. This is important because how crime, crime control and justice are constructed within entertainment media can potentially help researchers define real-world implications and consequences. The socially critical nature of anti-hero narratives represents the public's dissatisfaction with crime and justice policies, therefore giving greater insight into how the public understands and accepts laws, justice and morality. This is crucially important for criminologists and lawmakers as I argue that such information ultimately affects how social, legal and cultural worlds function. The contributions of the current research are therefore in understanding how anti-hero narratives in entertainment media are constructed, how these constructions are linked to crime, law and justice issues and lastly, possible implications for audiences who are socialized by media.

Anti-hero narratives reveal the consequences of law and justice lacking synonymity and thus the need for the criminal justice system to be properly re-legitimized. Bringing awareness to and opening a discussion that emphasizes the necessity of having a future criminal justice system that reflects public morality and consciousness is also a potential benefit of this and similar research. Encouraging new cultural, social and economic systems that create more equality and opportunity for everyone, resulting in less anomie and criminality would be the ultimate goal.

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MORAL AMBIGUITY IN LAW AND JUSTICE

Appendices

Appendix A: Data Sample

Television Show	Anti-hero	Episodes/Seasons	Year
Breaking Bad	Walter White	62 Episodes/ 5 Seasons (5th Season – split in to two part-8 episodes)	2008-2013
Sons of Anarchy	Jackson 'Jax' Teller	92 episodes/ 7 seasons	2008-2014

Appendix B: Initial Codes

Code Ideas	Potential Meaning
Ruthless Self-Interest	Aspects of the narrative and character behaviours and interactions that are intentionally committed to benefit the central protagonist at the expense of other characters.
Selflessness	Any examples of the anti-hero character engaging in a behaviour or making a decision that benefits another character with either no benefit to the anti-hero or a personal cost.
Use of violence	Constructions of violent acts committed by the protagonist (anti-hero). Specifically note the types of violence, targets of violence, and rationale for violence.
Meanings of justice	Constructions of justice in the television series including character references or quotations that reflect their beliefs and/or understandings of justice OR aspects of the narrative that makes some inference about what is considered to be justice.
Mertonian Strain	References or constructions of social opportunities that would be consistent with Merton's notion of strain. Aspects of the narrative, character quotes that express both a commitment to conventional goals and a frustration with the ability to achieve those goals.

Devaluing the Law (Narratives of Law)	References to the law or legal system that devalue its role or merits to achieving justice or opportunity.
Moral code	References to an identifiable moral code that guides the anti-hero's actions or choices. References to limitations in the use of illegal and/or violent behaviour (e.g., unacceptable targets or crimes).
Moral disengagement	References made by the anti-hero that exhibit efforts to temporarily disengage from a moral code; that is, quotations that suggest the anti-hero has rationalized behavior in some way (i.e., Albert Bandura's moral disengagement theory). For example, Bandura suggested that we can hurt people by dehumanizing (i.e., using language or re-casting a victim as less than human).
Duty and Family	Constructions of the role of family and the anti-heroes' in the family and its relationship to their illegal activity. For example, in the narrative, does the anti-hero describe their criminal activity in relation to their role as a "protector" or "breadwinner"?
The corrupting influence of power	Construction of "power", the meanings of "power", how "power" is maintained, and its impact on the decisions and actions of the anti-hero.
Beyond the law	How does the protagonist anti-hero work outside the law? Are the actions justifiable?

Appendix C: Focused Codes

Code	Meaning
Meanings of Justice	Constructions of justice in the television series including character references or quotations that reflect their beliefs and/or understandings of justice OR aspects of the narrative that makes some inference about what is considered to be justice. Including justice as expected by law enforcement vs. justice defined by the antihero protagonists.

Faulty Justice System (devalue of law) (Character narratives)	References to the law or legal system that devalue its role or merits to achieving justice or opportunity. Involves constructions of the criminal justice system as faulty or failing to ensure law, order and justice due to corruption, morally questionable police tactics (noble cause corruption) and bureaucratic red tape preventing legal justice. Examples of character narratives such as: rogue cop, vigilante justice, corrupt lawyers etc.
Mertonian Strain	References or constructions of social opportunities that would be consistent with Merton's notion of strain. Aspects of the narrative, character quotes that express both a commitment to conventional goals and a frustration with the ability to achieve those goals. (Including financial, health and social strains that contribute to the antiheroes' criminality)
Beyond the Law (Above the law)	How does the protagonist anti-hero work outside the law? Are the actions justifiable? References to the antiheroes breaking the law, the ease at which they do and experiences of the antihero being an "exception" or above written law.
Fate vs. Freewill (control vs. loss of control)	Constructions of the anti-heroes' attempting to control the fate (pre-determined cause of events/destiny) and freewill (ability to make one's own choices) of surrounding characters and the antiheroes' struggle to fight their own fates by enacting their freewill.
Duty and Family (Flaw of loyalty and Betrayal)	Constructions of the role of family and the anti-heroes' in the family and its relationship to their illegal activity. Including the prominence of rationalizing their crimes to 'provide for' and 'protect' loved ones. Meanings of: brotherhood, fatherhood, marriage. Sub-themes labelled as "flaw of loyalty" (references of the antihero being loyal or other

	characters being loyal to the antihero despite serious negative consequences) "betrayal" (references to the anti-heroes being disloyal or being betrayed and related consequences)
The influence of Power	Constructions of the anti-hero protagonists' as they gain authority and power in their criminal careers. References specifically to changes in their personality and demeanor. Including increased confidence, anger and risk-taking behaviours.
Ruthless Self-interest (Pride, stubbornness and Greed)	Aspects of the narrative and character behaviours and interactions that are intentionally committed to benefit the central protagonist at the expense of other characters. Subthemes include examples of prideful and stubborn behaviour or beliefs, and greed (excessive desire for wealth, profit and self-preservation)
Normalization of Violence: -Threats -Self-defence -Retribution -Desensitization -Collateral Damage -Casualty of War	References, including quotations of the anti-hero using violent threats, self-defence (a me vs. them mentality), retributive violence (eye for an eye belief), being desensitized by violence (the antiheros' readiness and willingness to coldly use violence), collateral damage (death or injury of innocents), and casualty of war (death or injury of associated criminals) all contributing to the overall normalization of violence for antiheroes in their moral universe.
Moral Code	References to an identifiable moral code that guides the anti-hero's actions or choices. References to limitations in the use of illegal and/or violent behaviour (e.g., unacceptable targets or crimes).
Moral Disengagement	References made by the anti-hero that exhibit efforts to temporarily disengage from a moral code; that is, quotations that suggest the anti-hero has rationalized (criminal or violent) behavior in some way.

Guilt and Remorse (Moral responsibility)	References or examples of the anti-hero protagonists' experiencing and expressing feelings of guilt and remorse for their criminal behaviours and related consequences. Also including quotations and references to the antihero protagonist's accept moral responsibility for their actions and choices.