

Towards a Jurisprudence of the Embodied mind – Sarah Lund, Forbrydelsen and the Mindful Body

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Abstract

As Erika Fischer-Lichte remarked, the great Polish theatre theorist Jerzy Grotowski redefined the notion of the body of the actor as an embodied mind, as a responsive and responding self. Conversely, law abjures the body, its interpreters – lawyers and scholars – inured in practices of rationality, reason and logic, or mindful disembodiment. Travelling through the Danish capital, encountering Danes real and fictitious to illustrate how much we function through our bodies, this essay suggests that we are better and more effective legal interpreters as embodied minds, rather than disembodied minds. But this is not mindless embodiment, a mere reflex or bodily outburst. The embodied mind is self-aware (physically, socially, intellectually) and possesses the same embodied virtuous morality held by Grotowski's actors. Reminiscent of Kierkegaard's uniting of the mind-body divide, this connected mind and body challenges the Augustinian negation of the body and associated interpretative assumptions inherited over centuries of legal thought.

Prelude

This essay proceeds in an unlikely manner, drawing on diverse and unlikely sources based in theatre theory of a kind rarely (if ever) used in legal theory and serendipitously, finds itself beginning and ending in Denmark. This piece could not have been written without the insights that come from encountering Danes and Denmark, real, fictitious, theatrical and philosophical, but it is written by an Australian, in a singular act of taking coals to Newcastle. I wish to thank the reviewers of this essay for their insights – one for realising that speaking of theatre theory without the pull of recognition is a challenge to readers not used to it, and the other, who realised I had missed one key Dane, generously pushing me towards Kierkegaard, who had not been considered in the original article at all. I am grateful for such generous counsel.

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Chora

If you have never thought of yourself as someone who thinks through their body, then prepare to be startled, because I wish to take you beyond that which behoves the law and its actors, back to our bodies and their obduracy, for our bodies do much more for us than we realise, than we perhaps want to realise. We in law prefer to imagine that our bodies are surplus to the real task of our endeavours with word and thought. This may even mean that my as yet undefined reference to theatre theory may have already been coded and recoded, recalibrated to fit a familiar, comfortable conception of theatre – the play with its words, the space with its dimmed lights and convivial intervals, the image of the world as theatre, the courtroom as stage, the spectator or critic or play or drama as jurisprudence (Tontti 2004, pp. 162-167).

But this is not the conception of theatre with which this essay is concerned. Theatre only needs a body, a space, and, for completeness, someone with whom that body and space encounters – another body. This concept of space and encounter is neatly contained within Kristeva's conception of *chora*, 'a logical or pre-logical 'space' that gives room to the play of being and becoming of all reality' (Lehmann 1997, p.56) ('play' here not meaning a script but existing and moving through space). Conceived out of Plato's problematising of space, something and somewhere 'apprehended without the senses by a sort of spurious reasoning and so is hard to believe' (Plato *Timaeus* 52 in Lehmann 1997, p.56), this ineffability is odd, primal and precognitive, lacking the thing we want most in law – logic, rationality, reason. This is the stuff of our cases and case law, our interpretative practices, and our interpretative method. But *this* theatre bears none of those traits and characteristics. It is nothing but an empty – an unformed - space (Brook 1997), in which bodies respond and react with other bodies – before logic, before words, before reason kicks in. This is not a space of exception, but one most of us enter and negotiate and encounter every day, of a kind that the great Søren Kierkegaard experienced on his regular ventures through the streets of Copenhagen (Pattison 2010, p.14). We can read of Kierkegaard's walks, through the Copenhagen of the second quarter of the 19th century, but it is not quite the same as being there, feeling the looks, the gazes, the responses he got from those who passed him by. To walk the street well, and effectively, demands of all of us the pre-logical, the intuitive, that only comes through the understanding of the body and the ability to respond to the bodies of others. What this means for law will come later, but like most lawyers (and like Plato) you will find this 'is hard to believe', then it might be easier to *watch* another Dane, albeit fictitious, a televisual phenomenon, who also walks the streets of Copenhagen as an often silent, wordless presence, to show us just how much we use our bodies to think - even lawyers.

Meet Sarah Lund, the central character of the hit Danish police/political television series *Forbrydelsen* (*The Killing* in many English speaking countries). Each series concerns a single horrific murder, and intertwined personal, political and social stories, while each individual episode exists as a single day in the process of solving a crime over the 20 or so weeks each series runs. As the Australian TV critic Doug Anderson remarked ‘waiting for each chapter as it comes and enjoying the accumulation of clues as the story ... unfolds, is the way it was intended to be seen’ (2013). This sense of immediacy is not accidental. An inheritor of the stripped back style of filmmaking of the Danish *Dogme* movement (founded by Lars von Trier in the mid-1990s) (Jackson 2012), which itself had been influenced by the great Polish theatre theorist, Jerzy Grotowski (Schepelern 2005) (to whom I will return later in this essay), the creator and screenwriter, Søren Sveistrup, left everyone in surprise. The actors only received scripts on an episode-by-episode basis, just moments before shooting was scheduled to begin, and were not told who committed the crime or where the plot was going, though the actor who played Sarah Lund was allowed to know that her character was not the killer (Anthony 2011). Just like real life, where the narrative has not yet been written, this functions as the theatrical *chora* par excellence, with actors and audiences responding to and through an authentic sense of fear, trepidation, hesitation and the confounding and perplexing sense of never being aware of what might be ‘just around the corner’.

The experience worked. First broadcast in 2007 in Denmark, the series went on to become a hit on the BBC in the UK, and was then taken up throughout most television markets, except the US, taking Australia by storm (Turnbull 2014). Parody is the best measure of success, and Sarah Lund’s alter ego, actor Sophie Gråbøl, appeared in character on the cult UK series *Absolutely Fabulous* Christmas special in 2011, sending up the novelty of the UK public watching a Danish series subtitled into English and a new found love of all things Danish. Watching *Forbrydelsen* is inevitably different for a Danish audience than other audiences. Like the British, Australians have to rely on subtitles, but that means we also have to *really* watch Sarah Lund. Australians are practiced at watching subtitled television. *The Killing* followed repeat seasons of *Unit One* (*Rejseholdet*), *Nynne* and more recently *Borgen*, and like all foreign language programming in Australia was broadcast on the government funded multicultural Special Broadcasting Service or SBS. We, like the British, must be careful to snatch the bites of text (expertly created by SBS’s in house subtitlers) only long enough to keep our eyes on what happens, or more particularly on Sarah Lund, as much as possible. For it is her body in space, with an often expressionless face that appears emotionless, that encapsulates what we really need to pay attention to when watching this series. As a British critic observed:

What I really like is when Lund turns that laser stare on suspects, the eyeballing intensifying into what could be mistaken for amusement, a half-smile lighting up her eyes when the interviewees begin to leak clues. I started thinking of it as *The Look*. (Gilbert 2011)

What Gilbert calls, *The Look*, is Sarah Lund's *embodied mind*, functioning as *chora* on her part - and our minds and bodies responding accordingly. She can be read by all of us without the need for words, without the need for subtitles. The storyline is something different of course, but we do not mistake her, even in her silences and her blank expression. Sarah Lund reminds us that even when absent words, speech, voice, substance, our bodies can read and can be read. But we misread her silence if we interpolate silence as an absence, expecting to hear words or see action that grips a storyline. We misread these silences and the bodily presence as something that is *not* revealed, not trusting the space created by the absence, and not registering the textual depths involved that reveals everything. Other than turning our face from the screen, turning down the sound, and intentionally ignoring anything other than the subtitles, we must know that everything happens in those absences. If you find yourself gritting your teeth, frowning to yourself as you read this, or smiling and nodding – then you have responded - again - through your body. Watch yourself do it (not literally, unless you would like to record yourself). Without meaning to, without being consciously aware of it, you have responded, as an embodied mind, through your body. I now turn to some other Danes to take this further.

Niels Bohr, Eugenio Barba and the Western

The great Danish physicist, Niels Bohr, was fascinated by Westerns. He applied his intellectual curiosity to one seemingly odd phenomenon: in a shoot-out, the person who went to shoot first (usually the villain) would inevitably be shot by his opponent (inevitably the hero). Bohr thought there was a psychological explanation for this seeming oddity, suggesting that: 'Since the hero never shoots first, the villain has to *decide* when to draw, which impedes his action' (Gamow 1966, p. 56). In 1928, while visiting Bohr's Institute in Copenhagen, his younger colleague George Gamow challenged Bohr's hypothesis and Bohr responded by testing his theory empirically - using water pistols. Taking on the role of hero, Bohr killed off all the villains, his students, including Gamow (Gamow 1966, p. 56). His instinct about the shootout was correct, that the *moment of thinking* was fatal.

This charming story of the shootout is contained in Gamow's own memoirs, but the story has circulated beyond the scientific community. Also familiar with it is the acclaimed Italian-born Danish theatre director and theorist, Eugenio Barba, the founder of the

Odin Teatret in Holsterbro (via Norway in the mid-1960s). Barba is renowned as the creator of a mode of physical theatre practice called theatre anthropology, which he developed through the International School of Theatre Anthropology he also founded in Holsterbro, in 1979 (Barba 1995, p. 34, and note 24, p. 174). Unlike Bohr's psychological explanation for the hero's success against the villain, Barba reads the shootout in physical terms, suggesting that Bohr wanted to 'find if some physical truth' sat behind the shootout oddity (1995, p. 34). Bohr's own putative explanation – psychology – is unconvincing for this theatrical great, who accentuates the *physical* aspect of this account for good reason. Bohr's experiment only makes sense within the theatrical if it is conceived of as an encounter between the *embodied mind* (that of the hero) and a mind that *lacks connection* with the *physical* body (that of the villain).

Bohr's story is included in Barba's pathbreaking 1995 tract *The Paper Canoe*, where he set out the principles, philosophies and practices of theatre anthropology. He claims that all theatrical traditions draw upon a heightened physicality in performance and in performance training, which eschewed a conventional theatrical emphasis in the West based around word, motivation, psychology, and mind. This concept of the theatrical does not, patently, mean dramatic narrative texts, or plays; instead, the techniques and practices form part of foundational grammatical practices of the 'liveness' of the theatrical event and encounter, for both actor and for audience. Barba found a commonality of practice and method across a range of cultures, from Indian, Japanese and Chinese practices to the work of Barba's own teacher and mentor, the visionary Polish theatre theorist and director Jerzy Grotowski, with whom Barba studied in the early 1960s. Grotowski, too, was fascinated with Bohr and his Institute (1968, p. 127). Grotowski's brother, Kazimierz, a physicist, may have told him of the work of the Bohr Institute where Kazimierz had apparently worked. Grotowski's work, from the 1950s until his death in the 1990s, in particular his account of the 'poor theatre', or the theatre stripped back to the bare bones of audience and actor (Brook's 'empty space'), irrevocably changed theatre practices within broadly Western conceptions of theatre – including Australia, where I first came across Grotowski, Barba and Theatre Anthropology, while undertaking an MA in Theatre Studies in the mid-1980s. Grotowski's techniques are now so imbued within the theatrical consciousness that they are now grammatical, and through Barba, permeated the Danish theatrical consciousness. Indeed, as noted earlier, *Dogme's* practices of film production as 'impoverished art' has Grotowski's poor theatre as its predecessor (Schepelern 2005, pp. 82-83). These 'poor artist initiatives' produced an 'aesthetic cleansing and ascetic production apparatus' (Schepelern 2005, p. 84), seeking the best for actors (Schepelern 2005, p. 102), and by focussing on the actors, *Dogme* practices

discovered a human aspect to the creation of film (Schepelern 2005, pp. 103-104). Grotowskian practice suffuses *Forbrydelsen* and Sarah Lund in more ways than one.

At the heart of Grotowski's reconception of the theatrical was the redefinition of the actor as an *embodied* mind, who '... no longer lends his body to an exclusively mental process but makes the mind appear through the body, thus granting the body agency' (Fischer-Lichte 2008, pp. 82-83). It is this concept, too, that animated Barba, and marked a key shift in the practices of Western theatre (and subsequently film), away from the word towards the body. Bohr's story, within the ambit of theatre theory, confirms that the hero's body is *present and alert as embodied mind*, while the villain's sluggish body, beset by the mind, is *betrayed by thought*. In Barba's terms, the latter exemplifies what he terms a state of 'to be decided' – and this is precisely what leads to the downfall of Bohr's villains. To be left in, or remain in a state of 'to be decided' is deadly, literally, for those villains, but it is also *deadly* for actor and theatrical encounter (Barba 1995, p. 32, p.34). Try imagining an actor who processes through their mind what they intend to 'do' next – do I step forward, do I look to the ceiling – before making the move. This this kind of exaggerated thought process might be helpful if an actor needs to learn some physical characteristics of a person with a physical impediment, but if not, the actor would seem ridiculous. We too would look ridiculous if we thought of each step involved in walking before making a movement. We would seem a very different person from our actual selves, and the actor would not be 'believable'. On the other hand, the actor who 'is decided', decides *through their body*, much like the hero Bohr studied. Sarah Lund decides through her body too. We too are decided through our body if we watch Sarah Lund and understood what her body tells us. It would be odd indeed if we described her every move, her every action to ourselves as we watch her. We would, quite literally, lose the plot if we were to watch her in the state of 'to be decided'. The pain and anguish and frustration of Sarah Lund's silences are the perfect form of 'is decided', the embodied mind in action, and that sense of being in the state of 'is decided' suffuses the physical response we have when experiencing each episode of *Forbrydelsen*.

Law and the Body

Yet from the standpoint of a discipline and practice like law and its jurisprudences, based in and around the mind (reason, will, rationality), Barba's reading of Bohr's shootout, and this explanation of the theatrical, must seem like nonsense. Analytically, Plato-like, law will treat the shootout from the standpoint of Bohr's hero as an act that must be *based in the mind*, based in some kind of *belief or reasoning* that it is necessary to shoot in order to protect his or her life. For instance, the *Criminal Code* of the state of Queensland in

Australia provides for a defence of self-defence where a person has a *reasonable apprehension* of death or grievous bodily harm through an assault which induces ‘the person to believe, on reasonable grounds’ that it is necessary to use force to preserve their own life (s 272). These are all functions of the mind, and the concept of *apprehension*, as characterised by the *Oxford English Dictionary* includes amongst its meanings: ‘The action of grasping with the intellect; the forming of an idea; conception; intellection’, ‘The representation to oneself of what is still future; anticipation; *chiefly* of things adverse’, ‘Fear as to what may happen; dread’. The defence splits the mind from the body, and in Barba’s terms, requires that you are ‘to be decided’. Contrary to Bohr’s experiment, for law, the body must *wait* for the mind to direct it to respond, ‘to be decided’.

In addition to its doctrines and assumptions, law is predisposed against the body in another, perhaps surprising way. It is altogether unacceptable for the lawyer, the interpreter of law, the jurist, the legal theorist, to be beholden to *their* body (Olson 2012). Figuratively speaking, lawyers do not have bodies. The bodily self is effaced by robe and wig, suit and gown, literally of course, so that viewers cannot ‘see beneath the silk and the suit’ (Watt 2013, p. 119; also Moran 2013; Herz 2012, pp. 11-14). But those suits of legal armour signify more than a mere covering or hiding the body. They remind us that law is an interpretative discipline ordered against the possibility that its interpreter’s *bodies* might be tempted to *decide*, or as Peter Goodrich puts it: ‘tears are external to juristic cognition and irrelevant to a critical reading of a normative text’ (2010, p.378). Tears, after all, ‘are in and of the body, a property, a mark, a sign of the affect of presence and meaning’ (Goodrich, 2010, p.378), but almost beyond the point of a body which ‘is decided’, representing a physicality overwhelming the conscious mind. The mind (that which is *to be decided*), can only ever catch up afterwards, in an attempt to stem the tide of those tears, forever a marker of the unruly body. But tears remind us, one way or another, just how much our bodies are decided, do react, before our reasoning minds have a chance to respond.

This rupture and disruption reminds us why law cloaks itself behind word, girding itself with doctrine, principle, modes of reasoning and jurisprudence that are all designed to negate the possibility that the unruly body will ‘speak’, and in doing so, reveal too much. Law and its jurisprudences, even of the critical variety, are based in theologically grounded ontologies which treat the *body of the scholar*, the interpreter, as an unwanted intrusion into the mind. Its practices seek to render the body, with all of its foibles, mute (Leiboff 2010).

In short, law insists on and valorises the *disembodied mind*. This disembodied mind is, however partial (in both senses of the word) and necessarily incomplete, but implicitly trusted by law to provide a full and meaningful account of human conduct and unbiased and objective decision-making, slicing and segmenting the myriad forms of encounter into clear and distinct steps. But neurobiological developments have confounded the seeming clarity of this Cartesian divide. Mind and body are not separate things. Bodies affect minds, and minds bodies (Damasio 2000, 2004, 2006; Johnson 2006). Surprisingly, the intuitive insights of the theatrical rest on solid physiological and neurobiological foundations (albeit recognised *ex post facto*), and for law, these developments reveal the contradictions that inhere in its steadfast insistence on obscuring the bodies of its interpreters and fabricating the processes of the physical and embodied by interposing an unconnected reasoning mind. Theatre had to do this too, in its shift from the rich theatre to the poor theatre, that is, the theatre of embodied mindfulness:

We abandoned make-up, fake noses, pillow-stuffed bellies ... We found that it was consummately theatrical for the actor to transform from type to type, character to character, silhouette to silhouette - while the audience watched - in a poor manner, using only his own body and craft. The composition of a fixed facial expression by using the actor's own muscles and inner Impulses achieves the effect of a strikingly theatrical transubstantiation, while the mask prepared by a make-up artist is only a trick (Grotowski 1968, pp. 20-21)

But still, law imagines the theatrical as surface, and the theatrical account of an *embodied mind*, a mindful physicality that registers in and through the body, is counter-intuitive for law on all levels, foreign and misunderstood, not least because it inevitably amplifies the one thing that law insists on damping down - the body and the bodily response, as Peter Goodrich has so elegantly uncovered (2010). But for law, the mind and body division is not simply based within a rationalizing Cartesian split, but is grounded in a theological inheritance, via Plato, as a deep and abiding Augustinian repugnance of the physical and corporeal, and its influence on law's Christian foundations (Russell 2009). Plato famously distinguished the imperfect, mutable physical and tangible from the perfect, immutable intangible idea or form, taken up by Augustine in a Christian form. For Augustine:

the sensible world is one of transitory objects, whereas the intelligible realm contains abiding realities [*De Libero Arbitrio* II.6]; the sensible world is subject to the consumptive effects of temporality, whereas the intelligible realm is characterized by an atemporal eternity wherein we are safely removed from the

eviscerating prospect of losing what and whom we love [*Confessions* XI.xxxix.39; see also *Confessions* IV.xii.18] (Mendelson, 2000)

The Platonic mistrust of the physical becomes Neoplatonist dogma: the perfected soul caught in imperfect and corrupted body, exemplified through the erosion of reason or will in particular through sex, ‘the body stirred when the will and reason do not want it, or vice versa, obliterating rational thought’ (J 4.71) (Chadwick 2001, p. 120). It is not surprising that Augustine ranks the temporal, including the human body, low on the scale of values (Nahmod 1987, p 228). But it is in Augustine predecessor, Tertullian, that the danger of the physical, in particular that of an expression through the body, that stamps its mark on Christian doctrine, and ultimately, law:

Christian doctrine prohibited tears. That expression of emotion was to be covered. Thus for Tertullian, for example, author of *De Spectaculis*, to laugh and to weep, both sources of tears, were alike impermissible in Christian worship. His text is an early condemnation of theatre, games, spectacles and ‘public shows’ more generally ... Laughter, jesting, tears and dance were all deemed excessive in a religious tradition that demanded silent, and above all, serious worship, both quietude of the body and composure of the mind (Goodrich 2010 p. 377)

Indeed, this image of the negation of the body is deeply imbricated within the structures and patterns of the philosophical generally, and deeply shapes law’s negation of the body. As Rovira neatly put it:

The medieval view of human beings as a synthesis of body, soul, and spirit supported a view of human growth as successive orientations toward each, the most immature individuals being bodily oriented while the most mature are spiritually oriented. (2010, p.60).

Law, grounded as it is in the theological, and the philosophical, inevitably sees the physical, the body as something that is both unworthy and untrustworthy. Theatre, reliant on bodies, is rendered dangerous through its profound physicality and what that physicality represents. Actors working with and through their bodies are rendered immature, failing to function at the higher plane of intellect and mind, rendered childlike and irresponsible - ‘play’ in more ways than one. That the actor’s embodied mind has a better claim to a thoughtful responsiveness over the disembodied mind of the lawyer subverts the natural order of things as inherited into legal thinking, countenancing the ‘spurious reason’ of the pre-logical over formal reason, and must seem very strange indeed.

The Embodied Mind: for law and jurisprudence

It was an easy manoeuvre, intellectually and theologically to trace a movement from the body to the spirit as one of movement from immaturity to maturity, but one which demanded an abnegation of the body and all it represented. If bodies are immature, they are also dangerous and uncontrollable. The concept of an embodied mind and its manifestation as something that 'is decided' is inevitably counter-intuitive for law because law has been grounded within the mode of 'to be decided' as a theological and philosophical imperative, as a manifestation of the spiritual and of the mind. It is inevitable that lawyers will be attracted to Barba's lesser 'to be decided', and will be sceptical and negative towards 'is decided', assuming that 'is decided' is mere reflex and thoughtlessness, even though Bohr's experiments reveal this is precisely how an action in self-defence, say, actually plays out. It is a mistake to imagine that Barba's explanation of the hero who 'is decided' is simply doing something as a mere physical reflex. Something else needs to be understood which reveals that 'is decided' is a culmination of something more than a mere bodily response, and consonant with Damasio's findings.

Law's preference for 'to be decided' is based on, ultimately, a misconception that results from a careless – or legally interpolated - reading of 'is decided', assuming that it is a reflection of immaturity, and merely an unthinking reflex at work. 'To be decided' is consonant with what we already know, so appears to be an exercise in *thoughtfulness*. But if 'to be decided' is conceived of by law as a thinking mind divorced from the body, as a separate entity, it represents a response that is unconnected, unfeeling, and unresponsive to those around her or him. Instead, counter-intuitively for law, that state of being that 'is decided' is not a body without thought but is the embodied mind which functions as an *embodied virtuous morality* of self and self-awareness. The actor or performer is never and *could never be* a 'mindless' body, just as Bohr's hero is never just a mindless gunslinger. Instead, the actor's body functions through a heightened state of self-awareness, just as the hero functions within a mindful, conscious state of self-awareness. Maybe that is what Bohr meant when he described this encounter in psychological terms. The concept of this kind of *embodied virtuous morality* is deeply indebted to Grotowski, constructed physically through and of the bodies of its actors at all levels but based in a deep understanding of place and space, from the most basic (being aware of the person next to them, not falling off the stage), to a higher sense of consciousness and awareness of self and others, a mode of responsibility and responsiveness to a community of interests. But at its highest level, it demands self-awareness and self-understanding:

It is the act of laying oneself bare, of tearing off the mask of daily life, of exteriorizing oneself. Not in order to "show oneself off", for that would be exhibitionism. It is a

serious and solemn act of revelation. The actor must be prepared to be absolutely sincere. It is like a step towards the summit of the actor's organism in which consciousness and instinct are united (Grotowski 1968, p. 210).

Curiously, or perhaps not curiously at all, Kierkegaard says much the same thing. In uniting the mind-body divide through a synthesis 'of the psychical [soul or mind] and the physical [body]; however, a synthesis is unthinkable if the two are not united in a third. This third is spirit.' (Kierkegaard, 1980a, p. 43 in Rovira 2010, p.67). This sounds theatrical, and indeed, Kierkegaard draws on the experience of being in the theatre, watching actors and watching the audience to help explain the relationship what happens in an absence of spirit on the part of an audience: 'In a state of being, body, mind, and spirit continually relate the same way, while in the process of becoming, these interrelationships change ...' (Rovira 2010, p.67). In Kierkegaard, there is no need to disavow the body, but more importantly that it is necessary to recognise that bodies are part of us, and we of them.

And that is what being able to enter the state of 'is decided' involves – not an absence but a heightened presence, and deep understanding of both self and of others. As Kris Salata, another of Grotowski's students puts it: 'I am not merely trying to understand what Grotowski was doing, but rather what his doing does to understanding something about *being* and the *human encounter* (Salata 2013, p. xiii). Or as a younger successor of Grotowski's methods puts it, the 'performer's consciousness should ... move away from orthodox notions of being and move towards ontology wherein the execution of a technically exacting mind-body activity becomes a performer's *modus operandi*' (Kрпиč 2011, p. 168). On the other hand, a mindless body (an exhibitionist or show pony, ham actor, up-stager, or a person on the street who does what they want without considering others) is an absent body, just as the disembodied mind that is law's assumed position is an absent body. Both are always in a state of 'to be decided'. In law, this is deadly, self-focussed and technocratic in one, just as theatre is deadly if it lacks understanding of self and surroundings, always 'to be decided'.

Coda

I haven't mentioned it yet, but you may have noticed that I said, earlier in this essay, that in most English speaking countries *Forbrydelsen* is known as *The Killing*. Except in the US. That is because the US did not – does not - show subtitled programs, by and large, though there is some access to *Forbrydelsen*. Generally, programs are remade, not just so they are in English, but so that they meet the expectations of a market that is directed

inwards – even programming from English speaking countries like Australia. So in the US *The Killing* is an American program, with differently named characters and storyline but based on the original. Sarah Lund becomes Sarah Linden, Copenhagen becomes Seattle (though filmed in Vancouver in Canada), the investigation involving Nanna Birk Larsen transformed into one involving Rosie Larsen. But there is something that is not quite right with this version of *The Killing*. The US remake did not last, cancelled in 2012, then reinstated briefly, and then cancelled again, ‘dumped in a trunk to die like Rosie Larsen, [while] its progenitor, Denmark’s *Forbrydelsen*, continues to slay viewers around the globe ...’ (Lacob, June 2012). Jackson compares the Danish original with the ‘underwhelming’ American remake of *Forbrydelsen*:

Most people abandon it after the first episode. The Danish actors underact brilliantly and the American actors altered their style to emulate the Danish performances but what had been a subtle approach in Denmark became vacant in the American show (Jackson 2012).

He is wrong to suggest the Danish actors underacted. They instead represent the *embodied virtuous morality* of self and self-awareness that we find in Kierkegaard, in Grotowski, in Barba. In the actor, Mireille Enos, playing Sarah Linden, we see an actor acting ‘vacant’, processing through her mind that she must show no emotion. And that is what we see, what I saw in the promos of the program, the bits and pieces on YouTube, what I saw on US TV in 2012. It is not the same as the Sarah of Sophie Gråbøl, in whom we see an actor who ‘is decided’, who grips us, who takes us with her, while in Enos we see an actor who is ‘to be decided’, whose mind is on ‘vacant’, whose body registers vacant, who does not understand herself or her surroundings, a mindless body or a disembodied mind, it makes no difference. It is deadly theatre. Watch the two different Sarahs and you will see what I mean. Words, logic, rationality are confounded by our bodies, which do far more thinking for us than we would like to believe. Even in law.

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