

Apel, Felix

Hollywood's influence on the transmission of historical images. Lars Kraumes' Der Staat gegen Fritz Bauer

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Kontakt / Contact:

peDOCS
DIPF | Leibniz-Institut für Bildungsforschung und Bildungsinformation
Informationszentrum (IZ) Bildung
E-Mail: pedocs@dipf.de
Internet: www.pedocs.de

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Bildungsgeschichte / Studies in
German-American Educational History**



**Tim Zumhof
Nicholas K. Johnson
(eds.)**

Show, Don't Tell

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on Stage and Screen in Germany and the USA**

Zumhof/Johnson
Show, Don't Tell

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General Editor Jürgen Overhoff

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Felix Apel

Hollywood's Influence on the Transmission of Historical Images: Lars Kraumes' *Der Staat gegen Fritz Bauer*

What is a *historical image*? To answer this question, educators sometimes like to conduct a simple thought experiment by asking students and other participants the following question: What did Cleopatra look like? Most respondents will certainly describe her with black, medium-length hair, fine facial features, wearing a lot of jewelry, and having a truly impressive and attractive appearance overall. However, the opposite is true: historians and archeologists know almost nothing about Cleopatra's appearance and character. How is it that the overwhelming majority of people think Cleopatra looks like this? The majority of popular ideas about Cleopatra stem from Elizabeth Taylor's portrayal in the 1963 film *Cleopatra*. These physical and character attributes from the film are part of her historical image, or rather part of a culturally-created historical image which is taken up by numerous recipients and passed down again and again through repeated confrontation.

This article is devoted to the creation and transmission of historical images and focuses on the medium of film, which has influenced the formation and mediation of these "notions of history." As a cinematic event, as a series, or in the documentary format, these images shape our notions of the historical past and its protagonists. First, this article will explain what is meant by the term historical image and how it develops through the mechanism of *historical imagination* and narration. Hollywood productions like *Cleopatra* make an essential contribution to the creation of historical images. The role and potential of the "Hollywood myth" in mediating historical images will be explored in this section. For this purpose, an overview of the economic prerequisites and stylistic design that underlie the success of Californian film productions is necessary.

Fritz Bauer's biography will be used to demonstrate to what extent individual elements of filmmaking influence the transmission of Fritz Bauer's historical image. Additionally, the mechanisms of historical imagination and the narration of historical images will be examined by using the 2015 feature film *Der Staat gegen Fritz Bauer* (*The People vs. Fritz Bauer*).

In order to better illustrate the depicted events and analyze the historical film in question, I will also include few biographical notes on Bauer's life, as well information about the film's own context and place within the film landscape. My analysis

will show that *Der Staat gegen Fritz Bauer* exemplifies how film is influenced by the mechanisms of historical imagination and stylistic narration.

Historical Images – Creation and Structure in Film and History

The development and definition of historical images is an interdisciplinary research field.¹ Karl-Ernst Jeismann's definition of historical images is the preferred characterization for academic historians and the related field of history didactics. He describes historical images as "a metaphor for established ideas and interpretations of the past with a deep temporal horizon to which a group of people ascribes validity."² With *imagination*, Jeismann understands the symbolization of historical facts and persons with the help of one or more cognitive processes. An example of this is the use of a person's historical imagination to create a performance while reading a historical text or watching a historical film. He emphasizes that a historical image is not so much a *concrete* inner idea as a collection of images that individuals and groups have of themselves and their past.³ In his research, however, Jeismann makes it clear that individual imagination and the images developed from it play participative roles but do not reflect the core of the term *historical image*. Instead, Jeismann focuses on the collective ideas of a social group about its past. Historical images influence the historical consciousness of a group.⁴ This means that a present identity is formed by ideas about the past; options for future actions are also derived from it.

In his dissertation *Geschichtsbilder und Spielfilme*, Andreas Sommer bemoans the lack of selectivity in the thematic field. He describes it as a "vague construct"⁵ and thus indirectly refers to the unspecific and trivial definitions of the phenomenon.⁶ The academic literature on the subject makes it clear that the genesis and

1 See Ulrike Kregel. *Bild und Gedächtnis. Das Bild als Merkzeichen und Projektionsfläche des Vergangenen* (Berlin: Kadmos, 2009), 31. See also a psychological approach by Gabriele Magull in Andreas Sommer. *Geschichtsbilder und Spielfilme - eine qualitative Studie zur Kohärenz zwischen Geschichtsbild und historischem Spielfilm bei Geschichtsstudierenden* (Münster: Lit, 2010).

2 Karl-Ernst Jeismann. "Geschichtsbilder, Zeitdeutung und Zukunftsperspektiven." *Aus Politik und Zeitgeschichte* 51/52 (2002): 13-22.

3 Sommer, "Geschichtsbilder," 80-81.

4 See Carlos Kölbl. "Geschichtsbewusstsein – Empirie," in *Handbuch Praxis des Geschichtsunterrichts*, Vol. 1, ed. by Michele Barricelli and Martin Lücke (Schwalbach: Wochenschau, 2012), 98-111; Karl-Ernst Jeismann. "Geschichtsbewusstsein – Theorie," in *Handbuch der Geschichtsdidaktik*, ed. by Klaus Bergmann, Klaus Fröhlich, and Annette Kuhn (Seelze-Velber: Kallmeyers, 1997), 42-44.

5 Sommer, "Geschichtsbilder," 80-81.

6 Karl Dietrich Erdmann states that the construct is an exemplary "natural product of the elementary handling of history." Gerhard Schneider, who generalizes Jeismann's definition, believes that it is a matter of "total ideas of meaning, essence, course and goal of history."

transmission of historical images are complex processes. It must be noted that historical images are individual constructions, which means that their development does not provide a pattern or method for scientific measurement. On the other hand, there are studies,⁷ such as those by Andreas Sommer, which have empirically investigated the influence of “historical Blockbusters” on historical images and general ideas about the past and make this influence unmistakably clear. Two historical methods are plausible approaches for investigating the formation of historical images: historical imagination and narration.

Historical imagination is the ability to construct ideas. However, a distinction must be made between written media and films. For literature e.g., language is the basis and provides a broad spectrum of associations.⁸ When reading, according to the literary scholar Wolfgang Iser, an automated, subconscious, mental, and cognitive process is at work which forms “a huge amount of optical and acoustic signals into living figures, meaningful structures, spaces for action and realities.”⁹ Furthermore, imagination makes it possible to integrate ideas and actions in context and into a narrative structure in order to give the action meaning.¹⁰ This ability is immensely important to film, in which imagination's mode of action must be viewed in a differentiated way. Through its audiovisual mode of representation, a film provides ready-made images. As a rule, the viewer does not construct internal images, but captures and adapts the images of persons and actions seen in the film. In this case, the construction work lies with the producer, director, and actors rather than with the viewer. Vadim Oswalt classifies this sustainable storage as the “formative power”¹¹ of the image and emphasizes that “depiction often has a greater power than description [...]”¹² Due to this “superiority” of the image, it is understandable that the viewer's imaginative potentials play only a minor, or sometimes even no role when watching a film. Furthermore, critical reflection does not take place while viewing films or even afterwards. Schörken justifies this lack of reflection with the fact that the viewer's capacity for consciously perceiving and processing images is limited. The viewer concentrates on the “main plot” and ignores seemingly less important details, perceiving them subconsciously.

7 See Sommer, “Geschichtsbilder,” 92–107. See also Sonja Czekaj. *Deutsche Geschichtsbilder – Filme reflektieren Geschichte. Modellierungen historischer (Dis-)Kontinuität in selbstreflexiven Non-Fiction Filmen* (Marburg: Schüren, 2011).

8 Vadim Oswalt. “Imagination im historischen Lernen,” in *Handbuch Praxis des Geschichtsunterrichts, Bd. I*, ed. Michele Barricelli and Martin Lücke (Schwalbach 2012), 125.

9 Rolf Schörken. *Historische Imagination und Geschichtsdidaktik* (Paderborn: Schöningh, 1994), 10–11.

10 See Schörken, *Historische Imagination*, 1994.

11 Oswalt, “Imagination,” 126.

12 Oswalt, “Imagination,” 126. – Here he refers “only” to the individual image, but prepares the basis for the reflections on film, which consists of continuous images.

Narration, as the “structural feature of history,”¹³ uses various mechanisms to ensure an audience’s comprehension of a film and the mediation of historical images. In film and literature, for example, historical events are arranged chronologically to ensure that the viewer recognizes the causality of actions. Although it may seem simple, a story needs a beginning and an end that provide information about causes and consequences. If these causalities are not adhered to, it is likely that the viewer will not be able to classify or understand the presented historical information. Through the narrative order of historical statements with the help of prior knowledge and experiences, the viewer is able to put the actions and information presented into context and draw conclusions about their meaning.¹⁴ “Referential models”¹⁵ are used to improve perception. For example, in addition to the already-mentioned arrangement of beginning and end, historical schemata are used to divide the action into an exposure, a climax, and a resolution. This also includes the use of reference subjects, for example a historical personality who serves as the protagonist of a narrative. These models structure the historical narrative in order to give it meaning. Additionally, dramatic and literary archetypes are obligatory for feature film production in order to make the narrative interesting for viewers. Experience shows that popular archetypes such as the heroic epic, the founding myth, or the resurrection story help make films more appealing.

Hollywood’s Role in the Development of Historical Images

The historical feature film has fundamentally influenced the representation and handling of history in the twentieth century. As “mediators between the past and the present,”¹⁶ their continuous images shape our ideas and expectations for historical themes and characters. Blockbusters such as *Spartacus* (1960), *Schindler’s List* (1993), *Gladiator* (2000), and *Der Untergang* (2004) have reached millions worldwide, sometimes triggered social debates, and have become an integral part of our culture of history and memory. Even though historical feature films—in the sense of artistic freedom—are not tied to facts and historical truth content, film producers try to suggest an illusion of these historical truths and to convey it in a “It-could-have-happened-this-way-method.”¹⁷ But with a strong power of

13 Michele Barricelli. “Narrativität,” *Handbuch Praxis des Geschichtsunterrichts*, Vol. 1, ed. by Michele Barricelli and Martin Lücke (Schwalbach: Wochenschau, 2012), 255-280. 255.

14 Barricelli speaks here of a “synthesizing form of the organization of perception,” Barricelli, “Narrativität,” 258.

15 Barricelli, “Narrativität,” 259-260.

16 Waltraud Wende. “Filme die Geschichte(n) erzählen,” *Filmanalyse als Medienkulturanalyse* (Würzburg, Königshausen & Neumann, 2011), 11.

17 Wende, “Filme die Geschichte(n) erzählen,” 16.

suggestion and authentic depictions of historical persons and events, viewers and recipients can all too easily be convinced that what they have viewed is historical reality, which thus shapes their view of history.¹⁸ The consolidation and transmission of historical images is also ensured by our popular approach to history. Exploring history has always been of interest to society, but consumer behavior has changed. At the beginning of the twentieth century, a visit to a cinema was still an extraordinary event for most people. Beginning in the 1950s, television established itself as the leading medium for conveying historical knowledge. The German historian Siegfried Quandt states: "The historical image of our society is largely a television image."¹⁹

Over the past ten years, the use of streaming services has increased steadily²⁰ and is an integral part of the lives of young generations.²¹ Digital media has left television behind and taken on the status of a leading medium. Streaming services can access, filter, catalogue, and repeat feature films and documentaries at any time. For example, Netflix Germany has more than 20 films found under the keyword "Hitler" that are related to the dictator and the Second World War. Under the keyword "History", the range of numerous documentaries and feature films is hardly manageable. This development is the culmination of a trend that developed in Hollywood at the beginning of the twentieth century.

Hollywood is not only a district of Los Angeles, but also a synonym for the "dream factory" and Mecca of American film culture. This institution has made it its credo to transform the dreams of its consumers into reality with the help of fictional images. The production of films as entertainment established itself in the first half of the twentieth century. Above all, the socio-political and economic crises of the twentieth century promoted the desire for distraction and guaranteed an enormous sales market. Especially for the relatively young USA, Hollywood had become a key tool in the development of American identity and at the same time part of it. It supported the development of the identity-creating national myth of the "land of opportunity." Today, Hollywood itself is a "myth" which is unmistakably interwoven with American identity.

18 See survey by Sommer, "Geschichtsbilder," 2010, for example, history students are able to critically question films, but still allow themselves to be influenced by films when forming and transmitting historical images.

19 Siegfried Quandt. "Geschichte im Fernsehen. Perspektiven der Wissenschaft," in *Geschichte im Fernsehen: Ein Handbuch*, ed. by Guido Knopp and Siegfried Quandt. (Darmstadt: Wissenschaftliche Buchgesellschaft, 1988), 10-20. 18.

20 See Mathias Brandt. "Video-streaming in Deutschland," *Statista*, URL: <https://de.statista.com/infografik/15940/video-streaming-in-deutschland/> (accessed March 25, 2019).

21 Britta Wehen. "Historische Spielfilm – Ein Instrument der Geschichtsvermittlung," *Bundeszentrale politische Bildung*, September 10, 2012, URL: <http://www.bpb.de/gesellschaft/bildung/kulturelle-bildung/143799/historische-spielfilme?p=all> (accessed March 25, 2019).

The “dream factory” is more than one hundred years old. Hollywood has always managed to change under the pressure of political and economic circumstances in order to consolidate its supremacy. As early as the 1920s, its production facilities were so mature and advanced that films, now less burdened by time and monetary constraints, could be exported.²² These developments were supported by the “oligopolistic structure” of the film industry, as production companies, film distributors, and cinemas were merged under one roof.²³ In 1914, fifty percent of the films distributed worldwide were produced in Hollywood.²⁴ In the 1950s, those responsible recognized the potential of television, just as they did in the 1980s for video, and today for the current development of streaming services. In the 1980s, through cooperation with European companies and other media groups, global conglomerates and communication groups developed, which restored the supremacy of Hollywood film productions and continue to promote them to this day.²⁵ These economic developments and structures have enabled the US film industry to exert a considerable influence on the global formation and transmission of historical images through feature films.

Californian production companies institutionalized the “classical Hollywood style” in 1917, which thereafter served as a guideline for the stylistic design of films.²⁶ Hollywood has promoted a wide range of technical developments for this purpose. These include, for example, the invention of zoom to provide different perspectives, or the “invisible cut” which can represent an uninterrupted action. Digital “special effects,” which have been used since the 1970s, should also be mentioned.²⁷ Classical means of design such as props, costumes, and filming at authentic locations continue to be used to enable or suggest an authentic visualization of the past. Since the beginning of the twentieth century, directors and producers have used successful narrative patterns from theater and opera to tell

22 Jan-Christopher Horak. “Die Traumfabrik, Hollywood und seine Mythen,” *Bundeszentrale politische Bildung*, October 10, 2008, URL: <http://www.bpb.de/internationales/amerika/usa/10737/hollywood> (accessed March 25, 2019).

23 For example, Loew’s Metro, which was renamed Metro-Goldwyn-Meyer in 1924 and still exists today. See Horak, “Die Traumfabrik.”

24 Andrea Gronemeyer, *Film – Schnellkurs* (Köln: DuMont, 2004), 41. – But even for the American judiciary, the supremacy of these corporations in the sense of monopolization was problematic. The “Paramount Consent Degree” passed in 1947 tried to counteract this and dealt a severe economic blow to the US film industry. The consequences were that production companies settled overseas, large studios were dismembered, and individual, temporary companies were founded for individual productions. See “The Paramount Consent Degree.” *The United States Department of Justice*, URL: <https://www.justice.gov/atr/paramount-decree-review> (accessed March 25, 2019). See also, “Horak, “Die Traumfabrik.”

25 Horak, “Die Traumfabrik.”

26 Horak, “Die Traumfabrik.”

27 For more on the technical foundations of success, see Burkhard Rövenkamp. *Schnellkurs Hollywood* (Köln: DuMont, 2003), 62-75.

their stories.²⁸ The intention is to actively involve the audience as participants in the plot, which obscures the experience of film reception.²⁹ Recipients should not simply perceive the film but identify with the protagonists and “experience” the storyline. The main message of the “Hollywood code” is that genre has priority over all other design features of a film. This leads to a variety of consequences. On the one hand, Hollywood productions are standardized by recurring patterns in plot, staging, and actors typical of the genre, which increases a production’s recognition value.³⁰ On the other hand, the “complex nature of reality”³¹ is ignored in order to maintain focus on plot, production, and actors.

The popularity of American films and the Hollywood Myth is additionally supported by its star system. The image of actresses and actors is always a projection screen for a certain genre and influences the audience’s identification with the characters. Especially during Hollywood’s “Golden Age,” between the 1940s and the 1970s, different genres had their specific stars. John Wayne mostly played the heroic and sacrificial cowboy or soldier, while Clark Gable predominantly appeared as a romantic lover. Katherine Hepburn and Cary Grant were the guarantors of success for comedies, as were Marilyn Monroe and Rita Hayworth as the femme fatale for dramas and film noir. In order to gain another moment of identification with non-American markets, Hollywood poached national stars from other countries and integrated them into the “dream factory.” Marlene Dietrich from Germany and Ingrid Bergmann from Sweden are just two notable examples. The use of the “classical Hollywood style,” coupled with economic structures and the popularity of stars, enabled American film producers to exert a significant influence on the spread of historical images for more than a century. Which historical images are presented and conveyed by a film and whether they are based on historically-proven facts is decided by the directors and producers, who are themselves shaped by their own historical ideas. The technical and narrative means of design make it possible to visualize impressive images and ideas, and convey them to a mass audience in a simple, target-group-oriented manner. In this way, the viewing habits of the recipients are stimulated, which not only facilitates ideas about the past, but also places the viewers directly into the narrative. The emotional experience of the story can literally be *overwhelming* and place reality in the background. Furthermore, the use of standardized design tools is responsible for the fact that Hollywood films have great identification and recognition value. They are primarily characterized by a low level of complexity in plot and staging. Viewers who consume films primarily for entertainment purposes find it easy to

28 Barricelli, “Narrativität,” 255–280.

29 Horak, “Die Traumfabrik.”

30 Horak, “Die Traumfabrik.”

31 Horak, “Die Traumfabrik.”

comprehend the plot and motifs. This makes it easier to understand historical images and makes it easy to adapt these images. The star system has established itself as an identification structure for historical personalities. Using literary archetypes such as the heroic epic, actors and actresses such as John Wayne, Judy Garland, or Elizabeth Taylor developed into role models and objects of identification and idealization.

Fritz Bauer in Film and Television³²

Over the past decade, Fritz Bauer has returned to the center of academic and public attention. The initial spark began with the two biographies written by Irmtrud Wojak (2009) and Ronen Steinke (2013).³³ On the other hand, German anniversary culture is also responsible for the Fritz Bauer renaissance. If, for example, Bauer's life (1903-1968) is compared with the dates of his legal achievements, especially the beginning and end of the first Auschwitz trials (1963-1965), the dates correlate with significant anniversaries which, as experience has shown, contribute to growing academic and public interest. Fritz Bauer had already been the main subject of documentaries that focused on legal investigations into Nazi crimes.³⁴ In 2009, Ilona Ziok produced *Fritz Bauer – Tod auf Raten*, which premiered at the Berlinale in 2010 and won numerous awards, as well as public interest. In 2013, Rolf Bickel expanded his earlier documentary work with the title *Auschwitz vor Gericht* and the *histotainment* collection by ZDF-History around the time Guido Knopp released (in his usual key) *Mörder unter uns – Fritz Bauers Kampf*. At least three German feature films about Fritz Bauer have been produced. In 2014, the film *Im Labyrinth des Schweigens* appeared in German cinemas with Gert Voss as Bauer. This film portrays Bauer as the impetus behind the Frankfurt Auschwitz trials, which comes very close to the historical truth. One year later, *Der Staat gegen Fritz Bauer* appeared with Burghardt Klausner in the title role. This film focuses on Bauer's involvement in the arrest of Adolf Eichmann, while a subplot focuses on his personality and sexual orientation. The resistance against Fritz Bauer from within the German judiciary and political system was portrayed

32 The following sections are based on: Felix Apel. *Fritz Bauer im Film - Die Tradierung seines Geschichtsbildes im Dokumentar- und Spielfilm*, Master's Thesis. Freie Universität, Berlin 2017.

33 Irmtrud Wojak. *Fritz Bauer* (München: Beck, 2009); Ronen Steinke. *Fritz Bauer – oder Auschwitz vor Gericht* (München: Piper, 2013).

34 In 1993, Rolf Bickel drew attention to Bauer's achievements with his documentary *Verdict on Auschwitz*. Filmmaker David Wittenberg produced the documentary *Die Würde eines jeden Menschen – Erinnerung an Fritz Bauer* in 1995.

in both films, as well as in *Die Akte General* (2016), with Ulrich Noethen in the lead role.

Der Staat gegen Fritz Bauer was produced by Thomas Kufus and publicly supported by various film funding institutions. Director Lars Kraume constructed a “scenic memory film,” which on the one hand thematizes the hunt and seizure of Adolf Eichmann. On the other hand, Kraume focuses on a fictitious subplot that includes the handling of the “gay paragraph” (§175). The director and producer promise an “an exciting feature film [...] that tells the life (and the struggle) of a man on a well-researched historical basis” and “an emotionally gripping, timelessly inspiring heroic story.”³⁵ It is therefore a “classic” historical feature film that attempts to find a balance between an entertaining and visual narrative. The director’s intention is to tell the story of Fritz Bauer through historical research and also through the inclusion of a constructed archetype and exciting dramaturgy. The film mostly received good reviews across the globe and won numerous international awards. At the German Film Awards, *Der Staat gegen Fritz Bauer* won in several categories, including Best Film. In the USA, and especially in Hollywood, the film was very well received with few exceptions. Kenneth Turan of the *LA Times*³⁶ pays tribute to Bauer’s role as a successful Nazi hunter and his legacy, the Auschwitz trials of 1963. He praises Burghardt Klausner’s acting achievement. Klausner, who had already worked with Tom Hanks in Hollywood productions such as *Bridge of Spies*, also received praise for his performance from Tom Keogh in the *Seattle Times*.³⁷ Keogh also praises director Lars Kraume for his atmospheric portrayal of the past, as well as his staging of Bauer, which shows that “not every moral hero looks like Captain America.”³⁸ However, the subplot about Paragraph 175 was received negatively. Kraume portrays Bauer as a gay man in the film. In addition to historical experts and contemporary witnesses, Boyd van Hoeij of the

35 Thomas Kufus. Producer’s Note “Die Heimatlosen,” (in possession of author). – See also “Interview Lars Kraume,” *Heftfilm*, URL: <http://www.derstaatgegenfritzbauer.de/interviews.html> (accessed April 4, 2017).

36 Kenneth Turan. “The People vs. Fritz Bauer’ brings a largely unknown Nazi hunter to light,” *LA Times*, August 18, 2016, URL: <https://www.latimes.com/entertainment/movies/la-et-mn-people-fritz-bauer-review-20160815-snap-story.html> (accessed March 25, 2019).

37 Tom Keogh. “The People vs. Fritz Bauer’: a compelling Nazi hunt,” *Seattle Times*, September 1, 2016, URL: https://www.seattletimes.com/entertainment/movies/the-people-vs-fritz-bauer-a-compelling-nazi-hunt/?utm_source=RSS&utm_medium=Referral&utm_campaign=RSS_movies (accessed September 18, 2019).

38 Keogh, “The People vs. Fritz Bauer’: a compelling Nazi hunt.”

*Hollywood Reporter*³⁹ also referred to the lack of historical proof for Bauer's homosexuality and criticized the invented, non-factual subplot.⁴⁰

Fritz Bauer – from Jewish Remigrant to Hessian Attorney General

Before analyzing the film, a few biographical remarks are necessary to introduce the former Hessian Attorney General. Fritz Bauer was born to Jewish parents in Stuttgart in 1903, and was later forced into exile during the Second World War, and subsequently did not return to Germany until 1949. Even as a young attorney general in Braunschweig, Bauer succeeded with the 1952 Remer Trial, a milestone in German legal history.⁴¹ In addition to rehabilitating the resistance fighters of 20 July 1944, Bauer succeeded in legally defining the Third Reich as an “unjust state.” Although the judgments and results of the Nuremberg Trials of 1945–1949 were still considered legitimate and necessary by a majority of the German population, the mood changed when establishment figures such as doctors, civil servants, lawyers, and industrialists became the focus of investigations. As strong as the public desire was to condemn the Nazi political leadership, the acceptance of one's own complicity remained rare and manifested itself in the so-called *Schlussstrichmentalität* (drawing a line under the past) of German postwar society.

On 11 May 1960, Adolf Eichmann, the “organizer of the final solution,” was kidnapped in Argentina by Mossad and flown to Israel, where he was publicly tried and executed in 1962. It was only after Bauer's death that it became known that he had made a decisive contribution as the Hessian Attorney General to tracking down and seizing Eichmann. It is certain that political reasons caused Bauer to remain silent, as former Nazi functionaries continued to occupy important positions in the West German judiciary and government. From this fact, his quote “When I leave my office, I enter enemy territory” may be understandable. Fritz Bauer is regarded as the “man in the background” of the Frankfurt Auschwitz trials, which

39 Boyd van Hoeij. “The People vs. Fritz Bauer (‘Der Staat gegen Fritz Bauer’): Locarno Review,” *The Hollywood Reporter*, August 7, 2015, URL: <https://www.hollywoodreporter.com/review/people-fritz-bauer-der-staat-813278> (accessed March 25, 2019).

40 For more on the debate about Bauer's alleged homosexuality, see Jan Thiessen. “Fritz Bauer – zur schwierigen Rezeption eines Lebenswerks,” *Juristenzeitung* 70 (2015): 1069–1080; Erardo C. Rautenberg. “Die Bedeutung des Generalstaatsanwalts Dr. Fritz Bauer für die Auseinandersetzung mit dem NS-Unrecht,” *Forschungsjournal Soziale Bewegung*, 28, (2015): 163–196; Steinke, *Fritz Bauer*.

41 During the trial, Bauer argued: “An unjust state like the Third Reich [was] not at all capable of high treason.” For the Remer trial, see Norbert Frei. *Vergangenheitspolitik* (München: Beck, 1997), 347–351.

caused a sensation in the Federal Republic of Germany in 1963 and are still the most extensive trials in German legal history; by the end of the trials, even the last skeptics could no longer deny the “inexplicable.” Until his death, Fritz Bauer was a driving force behind the reappraisal of Nazi crimes. On 1 July 1968, Bauer was found dead in his bathtub. The circumstances of his death have never been fully clarified.

Analysis and Development of Historical Images in *Der Staat gegen Fritz Bauer*

The following section will explore how and to what extent the mechanisms of historical imagination and narration can influence the historical image of and about Fritz Bauer. To this end, two scenes from the film which clearly highlight both mechanisms will be examined.

(1) “There are rumors” – Fritz Bauer’s death⁴²

Der Staat gegen Fritz Bauer begins with Bauer’s driver entering the Attorney General’s apartment and putting away his groceries. Several sequences show that Bauer has apparently fallen asleep in the bathtub. There is a nearly empty glass of wine and an open container with pills on the edge of the bathtub. Even after repeated calls from his driver, Bauer does not move and slides his head underwater. From outside the bathroom, his driver does not suspect that anything is wrong. However, when he leaves the apartment, he notices that the water is flowing out from under the bathroom door. He enters the bathroom and saves Bauer, who is then driven away in an ambulance (he lives). The following scene shows how detectives examine his apartment and BKA (Federal Criminal Police Office) employee, Paul Gebhardt, immediately informs senior prosecutor Ulrich Kreidler that the incident could be interpreted as a suicide attempt. Upon leaving the hospital, Bauer thanks his driver. In the following scene, Bauer replies to his employer, the Minister President, regarding a possible suicide attempt: “I have a pistol. If I want to kill myself, there won’t be any rumors.” Although this statement contradicts the possibility of a suicide attempt, the background and motives of the bathroom scene remain vague. A suicide attempt seems just as likely as an accident.

Director Lars Kraume tries to draw attention to the unexplained circumstances of the Attorney General’s death and the negative effects of his profession on his physical and mental health. In terms of historical evidence, the filmmakers have changed the order of events. Fritz Bauer’s death happened ten years after the capture and

42 *Der Staat gegen Fritz Bauer*, Lars Kraume, Dir. (Germany 2015), [TC 00:01:00 – 00:05:35].

conviction of Adolf Eichmann. Therefore, the question of the interpretation and meaning of this reversed chronology comes to the fore. The changed order makes it clear right at the beginning that Bauer is in a poor mental and physical state, which could explain a suicide. It also becomes apparent that his (political) opponents have no reservations about exploiting the accident and his weakened position, such as Chief Public Prosecutor Kreidler and the BKA staff. During the rest of the film, this constellation enables the viewer to better understand Bauer's actions and considerations. The telephone conversation between BKA officer Gebhardt and the senior public prosecutor also clarifies that Bauer is in an elevated, professional position, and that Gebhardt and the senior public prosecutor act as narrators and contextualize the events and characters through their dialogue.

Dramatization of events is another narrative instrument. The dramatic music, rapid changes of images, and Bauer's sinking into the bathtub create tension that prompts the viewer to continue watching. It is precisely this staging of "near-death situation" that follows the archetype of the resurrection story. The circumstances of his situation drive him to his physical and psychological limits. He does not die, but recovers. It evokes an image of the "survivor," the "strong fighter for life," and the strong-willed Attorney General. In this case, the resurrection story archetype is closely linked to that of the hero archetype.

As previously mentioned, this mechanism is responsible for the fact that viewers can draw connections and conclusions regarding a possible suicide with the help of subconscious cognitive processes. The staged images, with the unconscious Bauer in the bathtub and the nearby wine glass and pills, construct a suicidal scenario. The conclusions presuppose that precisely this situation is known and recognized as such a scenario based on the viewer's life experiences. Likewise, the shots in between depict the rest of Bauer's apartment. The surrounding mountains of files give us the perception that Bauer is overworked, because he has let his work accumulate into his private life.

(2) "Eichmann was the central figure!" – Fritz Bauer to the Hessian Minister-President⁴³

The second scene depicts Bauer's visit to the Hessian Minister President Georg August Zinn to inform him of his further actions. Shortly before, the Attorney General learned (via a letter from Lothar Hermann) that Adolf Eichmann was in Argentina. At the beginning of the scene, an insert makes it clear where the current scene is taking place: in the Minister President's office. A short time later, Bauer looks at a picture of Rosa Luxemburg hanging in the antechamber. After Zinn greets Bauer and addresses him by his first name, they both sit at the table. Bauer tells Zinn about his new knowledge of Eichmann's whereabouts and shows

43 *Der Staat gegen Fritz Bauer*, [TC 00:17:20 – 00:21:50].

him the files he brought with him. Bauer also informs his employer that due to political and structural resistance, he is considering informing Mossad. Zinn notes the definition of treason if Bauer decides to take this step. Bauer then replies that the information and procedure must be kept secret. Nevertheless, the Minister President welcomes Bauer's commitment and says: "Your righteous anger is good. It keeps you young." Bauer answers with the following:

No. I'm angry and powerless and it's making me old! What have I actually achieved? The officers who tried to kill Hitler are now no longer officially traitors, but apart from that, nothing. All our investigations have drawn a blank. You know, after '45 I really thought we'd conquered evil. I thought we'd be able to build a new society...free, just, fraternal. But people aren't interested in visions. They just want a nice little house and a nice little car. They want Adenauer's damned reconciliation! The restoration has defeated the revolution yet again here in Germany!

Zinn argues that in a few years, Germany will be ready to face its past. The scene ends with Bauer noticeably disappointed and his open question: "And what do you think I should write to Lothar Hermann in answer to his letter?"

This section of the film also illustrates why historical imagination and narration are important for dealing with historical images. The juxtaposition of Fritz Bauer with Rosa Luxemburg serves as an example.

Rosa Luxemburg's view of history is characterized by left wing political ideas and revolutionary concepts, as well as efforts to bring about lasting changes in society. If the viewer is familiar with Rosa Luxemburg, they will also know that Rosa Luxemburg was murdered because of these aspirations. The historical image of Luxemburg has a certain parallel to the motivations, achievements, and death of Fritz Bauer. By showing her image, the director wants to influence Fritz Bauer's historical image. Bauer's depiction suggests that he has a desire to change something within German society that corresponds to the extent of a social revolution – the reappraisal of Nazi crimes. In return, the director has a simple but effective form of design. He projects Bauer's reflection onto Rosa Luxemburg's portrait and places these two "revolutionaries" on the same level. Bauer's slight smile also indicates sympathy. From this context, it also shows that Bauer and the Minister President are friends and hold similar political views. Finally, the two protagonists' informal conversation points to this and confirms it when both sit at a roundtable and discuss the given circumstances at "eye level." The fact that a Minister President can represent left wing and revolutionary sympathies and views paints a picture of a Germany in which new and anti-fascist structures have emerged. As Minister President, Zinn represents the German state apparatus and paints a historical picture of a Germany that has changed after the Second World War. Additionally, the director draws on narrative elements which not only transmit Fritz Bauer's historical image, but also influence other historical images, especial-

ly due to the monologue discussed above. Lothar Hermann's letter is the film's catalyst and, as already explained, an important stylistic element of the historical narrative. The monologue is the subsequent reaction to the letter. The dramatic arc and the following actions are rife with intentional dramatic tension. The audience, captivated by the authentic presentation, "sits at the table" with Bauer and Zinn. With his monologue, Bauer also sums up his achievements to date and contextualizes past and recent events. Not only does he remind us of basic structures and initial situations, he also explains the causes and reasons for his actions. As a direct narrator, he thus influences his own view of history. Additionally, his monologue refers to various historical images that were already seen in earlier scenes.

He speaks of "powerlessness," which refers to his "accident" in the bathroom, which once again symbolizes his physical and mental burdens. He admits to himself the great resistance he encountered when prosecuting the crimes of the Nazis and his associated inability to act. He also refers to the unwillingness of society to deal with the injustices of its past. In this respect, the focus is on the historical image of the German *Schlussstrichmentalität*. Nevertheless, in order to make it clear that it is possible to come to terms with the past, Bauer refers to his own success in making it possible for the resistance fighters of 20 July 1944 to no longer be referred to as traitors.

Bauer also mentions incomplete denazification. "The restoration has defeated the revolution yet again here in Germany!" In order to understand the context of this line, the viewer needs sound knowledge of German history and recourse to existing historical images. Bauer refers to the failed German Revolution of 1848, which espoused democratic rights and "freedom, equality, brotherhood." Thus, democratic values and human rights are also anchored in his historical image – values that he misses in his current environment. His statement on the "revolution" also completes the history and portrait of Rosa Luxemburg.

His argument about good and evil is also revealing. Bauer says "I really thought we'd conquered evil." By "evil," he means anti-democratic structures. As a narrator, Bauer builds up his previous struggle as a historical archetype: the "classic" struggle of good versus evil, which is supposed to influence the entire plot of the film. This "good vs. evil archetype" is once again the basis for making Bauer one of history's heroes.

Conclusion

The hunt and capture of Adolf Eichmann and the efforts to punish his crimes and those of his "comrades," are fundamental for Bauer's historical image in contemporary society. The production team of *Der Staat gegen Fritz Bauer* also portrayed many other episodes from the life of the Attorney General in the film. They de-

picted his professional actions and challenges, as well as basic aspects of his personal life. In specific examples, this article has shown that the director used various mechanisms of imagination and narration and thus was able to create an authentic image of Bauer's history. Through imagination, the viewer can use memories and experiences, as well as his or her own historical images, to create new ones. Through connections of these aspects, viewers can see Bauer's suicide attempt with wine and pills, and they are also able to revise these initial thoughts because of his later explanations and excuses.

Furthermore, the mechanisms of historical narration can crucially contribute to the development and transmission of historical images. The decisive factor is not only what is being told, but also how and why. It is important however to keep in mind that a story, whether on film or in text, depends on creativity of its storytellers. The use of dramatizations, as well as comprehensible story structures like exposure, climax, and resolution for developing archetypes, eases the understanding of the protagonists' actions and motives. The historical film, especially the historical feature film, must often dramatize and add suspense to its story because of economic necessities and the will to entertain.

By comparing the design and representation strategies of *Der Staat gegen Fritz Bauer*, there are few differences with classic Hollywood productions. In recent decades, the development of national and international historical feature films outside of Hollywood has increasingly adapted to Hollywood conventions in terms of design and entertainment factors. However, globalization and the increasing cooperation between media and communication entities are certainly relevant. This is noticeable, for example, when American streaming services such as Netflix are able to simultaneously release American and German historical feature films all over the world. But classical cinema productions have also profited from this internationalization. Film premieres are no longer as staggered as they were fifty years ago. This development is not a one-way street; productions like *Der Staat gegen Fritz Bauer* also benefit from globalization and gain recognition not only in Germany but in Hollywood as well. In this respect, it is astonishing how smaller, national production companies have the potential to influence historical images in America.

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