

“In Search of the Audience”
Forty Years of German Public Television and its
Audience Driven Commercialization

By
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Bärbel Göbel

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Chairperson Dr. Tamara Falicov

Dr. Michael Baskett

Dr. William Keel

Dr. Catherine Preston

Dr. John Tibbetts

Date Defended: March 31, 20

The Dissertation Committee for Bärbel Göbel
certifies that this is the approved version of the following dissertation:

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Chairperson Dr. Tamara Falicov

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Abstract

The long established dichotomy between public and commercial television into elite and mass programming, or commercial and public stations, has been changing in recent years. The divide is narrowing and many public stations, especially in Europe, attract large and devoted audiences and work with the commercial sectors in their respective countries. The changing television marketplace and vast amount of available programming has created niche markets and thus programming designed to attract specific audiences. Public and commercial stations alike have to attract audiences to keep afloat, be it through advertisers or government funding.

Within the constraints of its basic assumptions that television is business-oriented and that all audiences are assumed “ideal” audiences within the industry, this study argues that there is an active (symbiotic) relationship between the industry and the “ideal” audience with regards to German television and the ARD series *Tatort*. Rooted in Mittell’s modified circuit-of-culture, this study discusses forty years of German television history via its most established television drama, *Tatort* (1970-). In each decade starting in 1970, it becomes evident that the public providers, reacting to competition, altered their programming to reflect not only changes in regulation but also in audience composition and expectations. The conclusion reached is that a) the “ideal” audience does have agency, even if assumed and then executed by the broadcaster, and b) that the audience is a vital part of television production, and is therefore commodified by the networks.

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Glossary

ARD Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland	(German Public TV Network) Consortium of public-law broadcasting institutions of the Federal Republic of Germany
BR Bayerischer Rundfunk	Regional Pubcaster (4 th largest income) Bavarian Broadcasting
BRD Bundesrepublik Deutschland	FRG Federal Republic of Germany
CDU CSU	Christian Democratic Union (political party) Christian Social Union of Bavaria (political party)
DMB	Digital Multimedia Broadcasting
DDR Deutsche Demokratische Republik	GDR German Democratic Republic
Die Degeto Film GMBH (Degeto) Film purchasing arm of the ARD and its subsidiaries	ARD and its subsidiaries are the proprietors of Degeto – Degeto is a commercial company
GEZ Gebühreneinzugszentrale des öffentlich-rechtlichen Fernsehens der BRD	The German agency for broadcasting fee administration
HR Hessischer Rundfunk	Regional Broadcaster- Hesse Broadcasting
MDR Mitteldeutscher Rundfunk	Regional Broadcaster- Middle German Broadcasting Saxony, Saxony-Anhalt, Thuringia
NDR Norddeutscher Rundfunk	Regional Pubcaster (3 rd largest income) North German Broadcaster Lower Saxony, Hamburg, Schleswig-Holstein, Mecklenburg-Vorpommern

PRO7	Commercial Network
PBS	Public Broadcast Service (USA)
PSB	Public Service Broadcaster(s)
RB Radio Bremen	Regional Pubcaster (lowest income) Radio Bremen
RBB Rundfunk Berlin-Brandenburg	Regional Pubcaster Broadcast Berlin-Brandenburg
RTL Radio Télévision Luxembourg	Commercial Network
SAT1	Commercial Network
SPD	Social Democratic Party of Germany (political party)
SR Saarländischer Rundfunk	Regional Pubcaster (2 nd lowest income) Saarland Broadcasting
SWR Südwestrundfunk	Regional Pubcaster (2 nd largest income) South West Broadcasting Baden-Württemberg and Rhineland-Palatinate
WDR Westdeutscher Rundfunk	Regional Pubcaster (largest income) West German Broadcasting North Rhine-Westphalia
ZDF Zweites Deutsches Fernsehen	(German Public TV Station) Second German Television

Introduction

Producing Entertainment and Serving The Public Interest



Introduction

The long established dichotomy between public and commercial television into elite and mass programming, or commercial and public stations, has been changing in recent years. The divide is narrowing and many public stations, especially in Europe, attract large and devoted audiences and work with the commercial sectors in their respective countries. Much has been written on transformations in informative public programming, but little attention has been devoted to the entertainment programming of public stations and their effort to establish themselves in the commercial market. The changing television marketplace and vast amount of available programming has created niche markets and thus programming designed to attract specific audiences. Public and commercial stations alike have to attract audiences to keep afloat, be it through advertisers or government funding. Although these niche programs generate an interest by audiences, the audience itself remains the primary goal of all television production.

Advertising is the prevalent means to generate income in the private sector alongside currently less important but newly emerging outlets of distribution and merchandise. Many nations' public service broadcasters (PSBs) (with the exception of PBS in the United States)¹ depend predominantly on government funding allotted for public TV. As we can see in Germany and in Great Britain, these PSBs have begun to generate advertising income and, with the waning of public funding, own private or commercial companies either linked to or owned by the public broadcaster.

The commercial market offers a variety of programming and interest advertisers by offering an audience that will (so the advertisers hope) purchase their goods. The audience, the commodified audience, is thus the life force of commercial television. I understand the commodified audience much like Dallas W. Smythe (2001): the audience is part of the production machinery and traded and sold by the TV stations to advertisers, or used as a commodity to sustain funding (legitimacy in the eyes of government agencies). Instead of being provided with a service, although in some cases paying for the programming, the audience has become a necessary part of the production chain as a tradable good, therefore the audience becomes commodified. There are different audience groups as perceived by the industry, both mass and a variety of niche groups, such as the “quality audience,” yet they are all commodified. They interact with the industry, public or private, and thereby in return, legitimize the television industry as a commodity good. The term commodified audience, however, is misleading in so far that there is an agency provided for audiences via producers that assume and construct an “ideal” audience. This is a proxy agency, yes, but agency nonetheless. The audience as it is composed in the eyes of the industry is based on assumptions, yet, this “ideal” audience receives attention from producers. This dissertation discusses industry changes based on producers’ perception of audience, and the industry’s response to societal and therefore “ideal” audience changes. This “ideal” audience will be central to the argument of this work.²

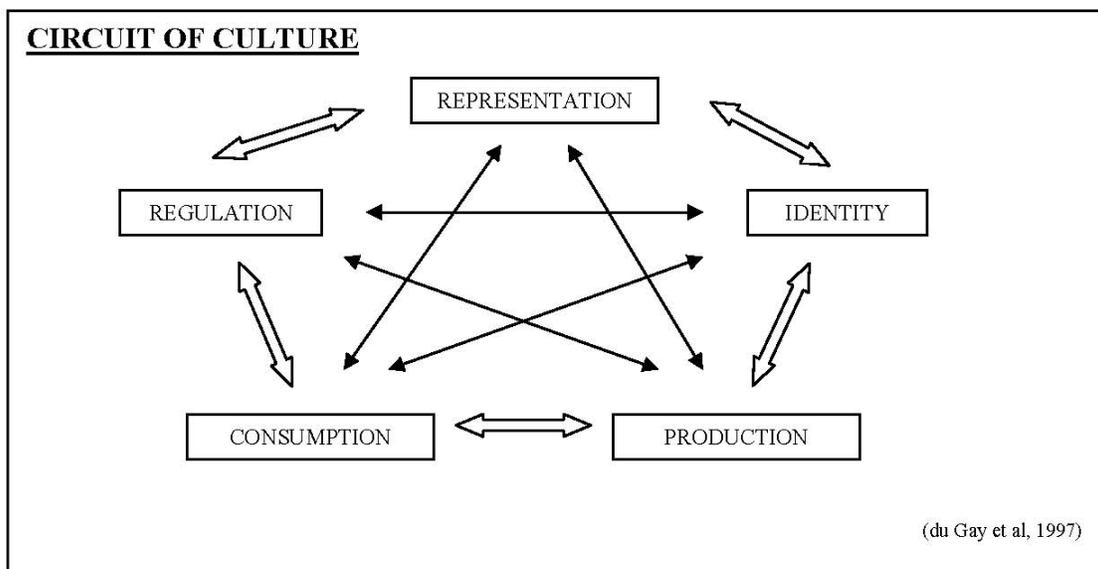
Using Germany’s most successful national detective series *Tatort* (*Scene of the Crime* 1970-), this dissertation illuminates the vital position of the “Ideal” audience in defining television and the programming that it creates to generate audiences.³ The changes from a public national television market system to a dual-system market (private

and public stations existing alongside each other) will be traced in conjunction with changing audiences and shifts using *Tatort* as a case study. If non-American and non-private programming adhere to the same rules that are commonly accepted as driving the commercial television market, it must be concluded that both public and commercial television are the same at their base. It is also evident that sustainable, economically successful public television thrives in order to close the gap between mass and elite programming, in its search for a wide audience. And while there are different audiences to be targeted, and *Tatort* targets a variety of them successfully, I intend to discuss the different commodity audiences, including the mass audience, niche, and quality audiences. I will also examine how industry practices cater to these audiences, and how they are addressed through changes in the television market. *Tatort* is a program that has excelled at targeting the various groups successfully for forty years.

Public Broadcast Services (PSBs), because of the growing variety of programming, have begun to feel greater pressure to legitimize their public funding. For example, if we look at the legislature that established public television in Germany and in Great Britain, we see that public broadcasting is designed to produce informative and entertaining programming that caters to every citizen and provides cultural variety (page 17).⁴ With the booming TV market and the rise of available programming with mass and elite audience appeal, one may argue that the need for public programming has come to an end. So in order to stay relevant and sustain productivity and income, PSBs must generate audiences in order to maintain their existence. For as long as viewers seek out the station's programming, they fill a gap and with that are able to hold on to their position in the market place. All TV programming is aimed at generating audiences. This

dependency also includes the public television sector and has always existed. But with the introduction of commercial networks competition changed, and as a result, the programming choices changed as well.

Three basic assumptions guide this research. A) All TV is business-oriented, b) all audiences are “ideal” audiences, and c) there is an active relationship between the industry of television and its audience. Paul duGay’s “circuit of culture” (1997) presents a cultural studies model, a set of both social and production practices that need to be analyzed to make sense of cultural artifacts, such as TV. He determined five elements that had to be reviewed for any cultural artifact to be properly investigated:



Jason Mittell’s modified circuit⁵, which is essential for this study, consists of six elements: (1) television industry; (2) cultural representation (which feeds directly into the “ideal” audience by catering to their self-perception); (3) textual form; (4) media technologies; (5) everyday life; and (6) democratic regulation. *Tatort* exemplifies these aspects of television in its attempt to (1) stay current and feed the industrial needs, by incorporating the free market in production, and ancillary markets and distribution, (2)

attract a wide variety of general and niche market audiences by targeting them through individual detective teams/locations that the *Tatort* series line up consists of, (3) experiment with and maintain the established textual form - 16mm, home entertainment setting and public viewing sites, (4) accommodate new media audiences and cater to a DVD market by adapting to newer media technologies , (5) encourage public debate, water-cooler talk, and inclusion in other elements of everyday life, as well as in its (6) existence as part of nationally regulated TV programming. The term *format* is used in this dissertation to refer to episodes revolving around individual detectives, or Kommissar/e and regions produced by individual regional stations and not to be misunderstood as the television format meaning program blueprint. Here the term is similar to the different formats of the U.S. television series *CSI* (CBS), where different installments take place in Miami, New York or Las Vegas, but all are understood conceptionally as *CSI* episodes. This is an important aspect of *Tatort*, because market testing of innovations to the program can occur with individual formats/detectives, maintaining audiences already established. The risk is therefore calculated. This is similar to the calculated financial risk with the purchase of television formats in the common sense, with formats such as *Who Wants to be a Millionaire?* (Moran, 1998).

Originally, German television consisted of only one public channel. This research begins its discussion at a historic juncture where competition affected public television internally, with the creation of a second public channel. The sole former national channel, Germany's public station ARD, produced its most popular fictional program *Tatort* (1970-) through the course of its forty-year history. A contemporary approach to television history periodization, used, among others, by Toby Miller uses TVI, II and III

to divide both historical periods and technological changes. In following the TV I, II, and III model, adapted for the German market place, the *Tatort* program will be examined in order to see how it commodified its “ideal” or assumed audience. *Tatort* is the longest running German fictional drama on television and would thereby allow a single case study to exemplify shifts in the German industry and examine television text itself.

There are several different theories that apply to the TV I, II, and III model. Toby Miller discusses TV I as the distribution of a national text to audiences, meaning that audiences have no choice of what to watch, as it is provided through national and government controlled channels only, with little variety. TV II is the “apex of modernity” that begins to show an audience agenda, and presents viewers with a choice of what they presumably would like to see and thus a personalized way to construct their mediated view of society. Active participation is still limited, however. TV III presents the rise of power for audiences who now “own” the meaning, make the meaning, and have full agency in the interpretation of TV texts. Choice and degree of active participation are used as markers that also classify some phases the “Ideal” audience passes through over time.

At the root, however, they remain commodities within the TV industry and its circuit of culture. The different audiences within the general term *commodity audience* are communicating with programs differently from one another. I base my research on Toby Miller’s model of TV I, II, and III. The date ranges used in this work are Germany-specific, - TVI (1950-1983), II (a) (1983-1991), II (b) (1992-1999) and III (2000-present) - but utilize Miller’s tripartite structure to focus on audience and industry, while

providing a chronology that reflects important societal influences and technological shifts in the industry (2010).⁶

Within the German television industry there are three stages of tangible, media-related shifts that affected both audiences and content. For simplicity, I will follow the model of TV I (1950 – 1983, the era of public services broadcast (PSB)), TV II (1984 – 1999, the introduction and affirmation of commercial networks to West Germany), and TV III (2000-present – the growth of cable and multi-media markets). This chronological division has been used to discuss both industry-related and discursive changes in television's history in Miller and will be used in the same fashion in this study.

After its inception the ARD had only one competitor on a national level, the ZDF (Second German Television), established in 1963. There were no private corporations involved at the time; the shared monies from public funds had to be divided, and competition for audiences between the two stations began. Viewership at the time determined funds, this has not changed for the public network. The era of German public broadcasting, where antennas provided two national and one regional station (the number of total regional stations grew from 4 to 9 in the course of 40 years) for the nation's audience without commercial involvement, could be designated TV I (1950-1983). From its inception, ZDF's existence brought about a drastic drop in audience numbers for the ARD.

The more culturally and entertainment-oriented ZDF took over roughly 40 percent of prime time and non-special event programming.⁷ In 1983, with the introduction of commercial television in Germany, the ARD began to make changes to its strategies, audience commodification shifted, and German television entered the TV II (1983-1999)

era. This is referred to as the *Medienwende*, or the “media turn” (Schwarzkopf, 1999). Cable and satellite transmissions changed the available channels from five to well over one hundred widely available stations by the late 1990s. The continued extension of programming, the widespread introduction of the World Wide Web and its widening effect on the TV market resulted in Germany entering its TV III (2000-present) stage.

In 1968, Germany faced an economic crisis. The post-war coming-of-age youth culture was unsettled and the student movement, *Bewegung '68* demanded an overhaul in politics, questioned the prior generations’ past, and called for social change. It was at that time that the German network ARD conceived of a program that continues to be successful with audiences. *Tatort (Scene of the Crime)* premiered in November 1970 and is a police procedural in feature-length, 90 min. episodes. At that time, the Red Army Faction⁸ had begun to take shape and the first burning of shopping centers and office buildings put the still young country of West Germany at risk. The country was deeply divided into supporters and opponents of the group that sought to fight capitalism, consumerism and Americanism.⁹ Yet, the screen was filled with fictional dramas. As Jason Mittell reminds us in *Genre and Television* (2004), crime fiction and crime TV fiction provides escapism first and foremost. And this form of escapist entertainment provided a conservative, moral compass for audiences, at a time when this country was grappling with terrorism on a regular basis.

Gunther Witte, creator of the *Tatort* series, said in an interview that national upheavals and politics played only a small part in the decision making process, it was “just business” to those in charge at the ARD.¹⁰ Funding, however, was easily received for a tale of crime, morality and ethics (Witte, 2009). The Sunday night programming

shift was meant to attract some of the audience that had wandered off to the more entertaining ZDF, Gunther Witte stated (2009). *Tatort*, with twelve episodes in the 1970/1971 season, brought a new regional, yet national program into play that was part of the already widely successful crime television genre,¹¹ and amassed over 50 percent of Germany's national audience for episode premieres. (Hartling, 1997) One cannot help but wonder about the timing of this massive, German-wide production of tales of crime and punishment. At least on Sunday evenings, law and order were restored in German living rooms. No one predicted (Gunther Witte certainly did not) that the series (originally based upon earlier optioned scripts and crime novels) would become the crown jewel of Germany's public television.

The industry was encountering competition for the first time and the ARD had to find programming that would act as viable counter-programming to the second German station ZDF. ARD needed to maintain its governmental funding, to sustain its business. *Tatort* remains one of the most popular programs in Germany throughout the long history of the series. ARD used *Tatort* to maintain its leading position among audiences even with the shifting media environments in Germany over the years. Content is created within the *Tatort* formats or individual detectives to generate sponsors, advertise the new DVD releases, re-runs, and investments in ancillary projects such as books and radio programs.

Tatort reaches around 25 percent of German TV households, and while its form has only experimentally (and unsuccessfully) shifted before returning to its original form, VCRs, internet access, and now TV-on-DVD have had an affect on how the content is perceived, stored, and made accessible. Episodes that offended viewers, sponsors and

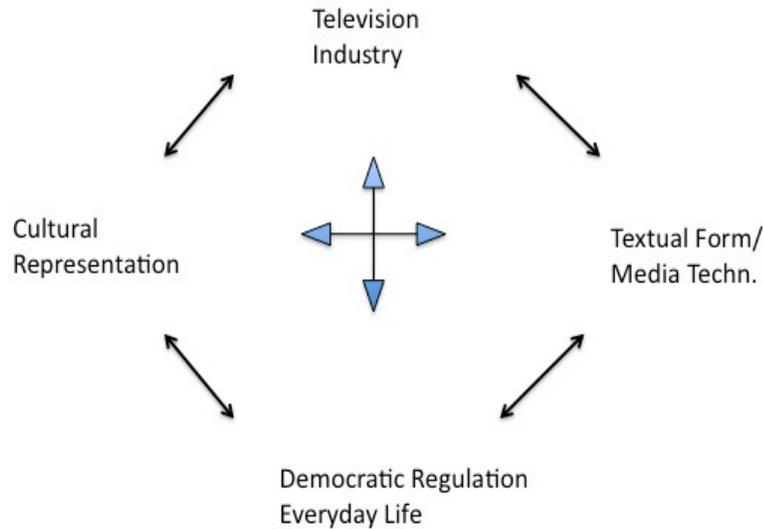
producers could easily be removed from circulation and never seen again. Since the VCR, however, these episodes could begin to circulate on VHS copies. This is even amplified in the current mediascape through uploading, downloading, and streaming (mostly illegally) on the net.¹² The industry reacted directly to the change in media technology by adding *Tatort*'s latest episode to their streamed online content, thereby hoping to decrease copying and downloading. Adding content was not as easy as one might expect, as regulations and commercial sector protests about the public stations utilizing the internet for profit complicated content-uploads (see chapter five).

U.S. television's history with the FCC and television's content and regulations is not significantly different from that of Germany's. In both instances television is/was meant to be a public resource and thereby is influenced by public and political concerns as much as it is influenced by its need for financial resources. How to use advertising, who funds the program, and what can be shown on the program have been scrutinized by academics, critiques, government officials and commercial industry players, and changed significantly over time. *Tatort*, in its forty years of representing the German society, has been forced to remove episodes from circulation due to its content, quality and technological standards (see chapter 4).

This dissertation analyzes *Tatort* by utilizing the six elements of the circuit of culture as modified by Mittell. This approach allows for a thorough discussion of the production and industrial context of a television crime series that continually commodifies its audience.

We will find some elements of Mittell's circuit that are connected so closely that they will be combined in further discussion, and trace four major elements in the newly

formed circuit: (1) the television industry; (2) textual form and media technology; (3) democratic regulation/ daily life; (4) cultural representation.



The German Television Industry

The German television industry is structured differently from its American counterpart. The ARD (Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten der Bundesrepublik Deutschland – "Consortium of public-law broadcasting institutions of the Federal Republic of Germany") was established in 1950.

“The idea was to establish a non-commercial, subscription-based network of television stations under public law [öffentlich-rechtlich], supervised by representatives of a broad spectrum of societal interests, yet removed from direct control of the state. The

problem is that, from the beginning, this ideal chafed against the deep distrust held by all political parties in Germany, against a truly independent broadcasting system.” (Geissler, 1999)¹³

The ARD functions as both a network and a stand-alone channel with its programming provided by regional stations. Along with its three, free-to-air, digital channels EinsFestival, EinsPlus, and EinsExtra, ARD co-produces arte (French/German art channel), Phoenix (news programming), Ki.Ka (children’s channel), and 3sat (cultural/Germanic productions). Its first national channel was Germany’s premier public broadcast station, Das Erste (First German Television). More importantly, ARD functions as the major administrative organization of the German regional (de-centralized) broadcasters, the stations providing its programming line-up: WDR (West German Broadcasting), SWR (Southwest Broadcasting), NDR (North German Broadcasting), BR (Bavarian Broadcasting), MDR (Central German Broadcasting), HR (Hessian Broadcasting), RBB (Berlin-Brandenburg Broadcasting), SR (Saarlandic Broadcasting), and the RB (Radio Bremen). These regional stations provide much of Das Erste’s programming, including episodes for *Tatort*. Each episode averages a cost of roughly 1.3 million Euros.¹⁴ Their production facility size (and income from the GEZ, a government agency collecting broadcast fees from citizens with receiving apparatus) relates to the number of audience members per region.

Tatort is primarily financed by the GEZ (The German agency for broadcasting fee administration). The public stations in Germany are bound by law to provide diverse, educational programming for the German audience. This legitimized the funding at the time of the PSB’s inception. Some, very limited, external private funding is permitted; to

ensure that government control would not limit the variety of programming. The series generates income from private sources via ancillary markets, foreign distribution, and re-run fees. The smallest channels, such as the RBB do not receive a high enough percentage of the GEZ funds and thus have to find external financing opportunities to produce the expensive *Tatort* episodes, running at €1.3 million apiece, even if there are only two each year. This creates an uneven field of regional representation on the main channel.

The various *Tatort* episodes from the regional stations rotate in filling the single, national Sunday evening primetime slot. In other words, each station may produce only a few of the 36 episodes of the current season. The RBB, for instance, produces only two. Each station has their own individual detective, or team of detectives, and sometimes each geographic region has more than one format within the series. For example, the SWR produces *Tatort* with detective (or Komissarin) Klara Blum (located at the Swiss border on Lake Constance), the Ludwigshafen *Tatort* with Kommissarin Lena Odenthal, and the *Tatort* for Stuttgart with detectives Lannert and Boots. Each of these *Tatort* formats/different detectives produces between two or three episodes a year, for a total of eight annual episodes as the SWR's contribution to the *Tatort* family.

The Degeto, the privatized distribution and production arm of the public ARD, generally funds one to two *Tatort* episodes per calendar year for the more financially challenged stations. The company also finances feature films and works with the sub-stations on other projects. The series held between 50% and 75% of the market share for general audiences (ages three+), before the introduction of private broadcasting, according to series creator Gunther Witte. (2009) The series still manages to hold roughly

20% of the market share for each new *Tatort* episode premiere.¹⁵ The audience demographic that *Tatort* needs to target in today's market ranges from age 14 to 49. They have a solid but elderly viewership on television, according to press material released by the ARD¹⁶. On the internet, they have a younger audience, early to late thirties. The importance of the 14 – 49 group lies also with the prospect of generating brand loyalty and creating a longer lasting commodity audience for the program. In recent years, this has led to the development of an increasing number of *Tatort* formats clearly catering to a younger demographic by moving further away from the standards once set for the series' forty-year run. Much like the BBC series *Dr. Who*, *Tatort* has shifted over time from standard TV fare to cult TV, which subsided during the first years of the market boom, and is now tapping into younger and thirty-something audiences via its former cult status. (Lavery, 2010) Series such as *Star Trek*, *Battle Star Galactica*, *Dr. Who*, and *Tatort* all have had a solid (however small) fan base decades before their re-established, or newly generated audiences. I would like to call this phenomenon neo-cult television.¹⁷ Neo-cult television is self-referential in that it references a past television series with new concepts in order to attract a new audience. Advertising, distribution, scheduling, and budgeting, as well as talent choice, production and editorial processes all aid in maintaining this newly established neo-cult tag on the product and tie directly to textual form and media technologies.

Technology and Textual Form in *Tatort*

The *Tatort* series form allows for the plots to be complex and literary in nature, while maintaining an episodic character. Each episode is ninety-minutes long, shot on 16mm film, and presents well-rounded characters that the German audience can easily relate to, especially because the series is currently divided into fifteen different detective teams/locations. The series premiered in November 1970. In the first full season in 1971/1972, eleven episodes premiered, featuring seven investigators in seven cities. The number of episodes and formats grew throughout time, but while each new TV era (TV I, IIa, IIb and III) brought changes, there were no significant alterations to the basic format. Rather than changing the base structure of the series, individual regions will attempt to alter the concept, one detective, or even episode, at a time. Recently Switzerland agreed to join the *Tatort* line-up again, and an additional HR program will premiere in this upcoming season also.

The division into regions is part of the textual make up of *Tatort*. The textual output has expanded, with a larger variety of *Tatort* formats, but besides some unsuccessful experiments it stayed much the same through the past forty years. Part of this is due to the rules inscribed into the *Tatort* bible (A2) by creator Gunther Witte, who is well aware that liberties have occasionally been taken. (2009)

One rule is the exclusion of flashbacks and is the one violated most often, according to Witte. When were liberties taken, when did rules begin to erode, and how does this relate to the need of the industry to maintain commodity audiences? The key here may be the overarching idea that *Tatort* had to be a German, rather than an American, television oriented cultural artifact. Chases, explosions, and unrealistic plots

were to be avoided at all cost. Without a doubt, American TV has excelled at producing, marketing, and distributing for the global marketplace. Juxtaposed to this success and taking the market expansion into consideration it stands to reason that audiences had to be offered different, but equally exciting fare. During the time of transition from a public to a dual television market system, ARD offered such excitement in *Tatort* with the introduction of a new investigator.

The most infamous *Tatort* Kommissar, Schimanski (played by Götz George), worked from 1981-1997 within the *Tatort* format-family. He was everything earlier *Tatort* detectives, mostly conservative employees of the state, had not been, and broke *Tatort's* basic rules several times. He swore, drank, and was a womanizer, and it offered a better platform for audiences to identify with, especially for younger audiences, than the conservative older detectives. Action sequences, such as chases contributed to his popularity and the consequent establishment of his own series *Schimanski*, sharing *Tatort's* Sunday night time slot roughly once every other year. After ten years on the air, *Tatort* needed to ensure a new generation of viewers. Schimanski offered an exciting segment of the multi-detective series to the newer and younger commodity audiences. His success even led to some of the earliest DVD releases and fan books on *Tatort*, or specifically Schimanski.

There have only been a few attempts to distribute *Tatort* for the home market. The station HR for example, released several episodes on VHS, but often under different names, not marketing the episodes as part of the *Tatort* brand, but as individual crime films. During the TV II period it was the VCR that made *Tatort* accessible to a wider audience, and allowed for flexibility in audience viewing schedules. The individual

stations also have recording stations that provide VHS/DVD copies of individual episodes. An episode at the NDR, for example, costs roughly \$80. TV III however, has made the distribution of the show much more accessible. This provides audiences with the agency Miller discusses in the TVI, TVII, and TVIII model, to own, controll, and choose Media programming.

The police procedural has now entered limited content streaming, after years of resistance within the *Tatort* producing local stations. The changing media technologies forced the ARD to change its former policy of the individual stations keeping their episodes under lock and key (with the exceptions of re-runs). Anniversary episodes had been live-streamed previously, but regular live streaming (the newest episode remains in the online media-archive for a full week and then is removed) only began in January 2010. Disney Europe released the first official box set of *Tatort* in November 2009. There have been select DVDs of Schimanski in circulation, but only now that Disney appeared on the scene were the individual stations convinced to loosen their grip on their formats.

The ability to actively participate in choices such as the fan DVD box set solidifies Miller's notion of TV III audiences, while we also see a neo-cult status enforcing audience behavior as portrayed in much of Henry Jenkins' work on active audiences and fans. This level of participation, however, places the media technologies that grant this agency at the forefront and generate a new division within "ideal" audiences rather than disputing the "ideal" audience itself. The "ideal" audience is by no means homogenous and shifts through time. Media technology and textual form trace these shifts without deflecting from industry and audience commodification. But, how do these entities affect *Tatort* within the limitations of national democratic rules and

policies? And how do policies and everyday life affect the industry, programming and commodity audiences?

Democratic Regulation / Everyday Life

Tatort is produced for a predominantly domestic market and therefore a controlled European, mostly German speaking, community. The series began as a mass-market product. Considering that it is vital not to alienate its general audience, reviewing how different groups in society may read the text, resist it, or be represented in it is part of ARD's quality control. This should have been the case in December 2007, with the controversial Lindholm *Tatort* "Wem Ehre Gebührt" (To Whom Honor is Due) (discussed in chapter five).

The story revolved around a German Turkish family of Alevi, a religious group within Islam. The Alevi's spokesman not only attacked the screenwriter's work publically, but also took the producing station NDR to court, claiming that the program was using century-old prejudices. The station had aired a disclaimer at the beginning of the episode that the story was indeed fictional, but the *Tatort* had offended thousands of Alevi, who organized German-wide protests (Gatermann).¹⁸ The episode showed a very distinctive part of German culture: its immigrants. The groups of Turkish immigrants that are Alevi were put on a spotlight by way of discussing their belief system on *Tatort*. Although Alevi were presented positively and modern in their lifestyles, the fact that incest and child murder was a main part of the narrative created an explosive cross-connection. *Tatort* has a responsibility to its viewers, as the constant use of national, regional and local markers supply a high amount of realism to its viewers, and result in a

broad acceptance of what *Tatort* portrays on screen. Whenever the show falls short in this regard, episodes are removed, democratic regulation may set in, and everyday life in blogs, newspapers, and TV reports is affected for weeks to come.

In this case, the “ideal” audience leveraged the station into pulling and shelving an episode. Nevertheless, the industry reacted immediately to its viewers. *Tatort* is and has always been understood as a German program: local, regional, and national. City skylines, dialects, local food specialties, traditions and music are as much a part of the *Tatort* milieu as the obligatory hunt for the criminal.

Domestically produced programming is often culturally specific, situated within the national or local ideology. The factors contributing in the aforementioned case lead to the producer’s ignoring a large group of immigrants’s history and cultural sensitivity. Most information on audience reactions, ratings, and judicial cases are being collected from a wide variety of national and local daily newspapers, television journals (German variants of *TV Guide*), the ARD press liaisons, ARD’s media research journal, and the internet.

This study analyzes ARD, the press and GfK (Gesellschaft für Konsumforschung – Association for Consumer Research) numbers to generate statistics from forty years of audience ratings. This informs my analysis of the necessity for shifting content and aesthetics. Viewer numbers, while maintaining consistently high ratings for *Tatort* (not ARD), declined during each new stage of television for each station’s share. In the summer of 2009 I conducted interviews with the series’ creator Gunther Witte, its current coordinator Prof. Dr. Gebhard Henke, and a selection of local producers. The data gathered speaks volumes about the internal processes of the industry and specifically the

operation of the *Tatort* “family”. More specifically these industry officials spoke about rules and regulations, how to instate a new investigative team, production modes, and the difficulty of working in a federally constructed family of local stations with their built-in competition.

Cultural Representation

ARD’s *Tatort* follows the same basic formula for each episode with few exceptions, creating a specific cultural representation of good vs. bad and generating audiences generally identifying with positive characters on the screen. The series upholds national values such as moral and ethics and caters to an audience the ARD desires to tune in. In the case of *Tatort*, the fifteen different formats produced by the nine stations, allow it to target audiences with a few tent-pole formats to create new viewer loyalty. For example, the audience for the Pathologist/Detective team from Münster, which is advertised as a crime-comedy, is significantly younger than the general viewing audience of *Tatort* (Henke, 2009).

This detective team also has among the highest ratings with 25 percent of the market share on a premiere night. The fact that murder is comedic marks a recognizable shift in cultural representation. Repeatedly, German pop stars, starlets, famed authors and directors are brought into the show. Again, the themes of murder are shifted here, as in an Inga Lürsen *Tatort* from Bremen in which the focus lies on young adults, fame, Neo-Nazism, and responsibility. A young girl witnesses a Neo-Nazi initiation “game” that results in a young person’s paralysis. Years later she has become a famous pop star (the actress Jeanette Biedermann is a pop star in real life). She returns home for a benefit

concert for racial tolerance and is met with much hatred from her former circle of friends. Moreover, her brother joined the Neo-Nazis and she is forced to deal with her own past and responsibility. While a younger demographic is targeted, the cultural representation of moral ethics specifically targets a general demographic. The Charlotte Lindholm *Tatort: Hanover* also features a female detective. This woman, however, works alone in the rural areas she is sent to by the state capital Hanover. She dismantles many stereotypes of women on television and in society. This female lead needs little or no male protection, works throughout her pregnancy while maintaining her femininity, but the societal pressures on her pregnancy and its relationship with her work are still depicted. Here the representation of culture attempts to conform to a societal change, making it more acceptable.

Lindholm's cases often involve struggles of power relations, xenophobia, and group pressure. The strong back-story of this detective is reminiscent of television catering to so-called "quality audiences" which seek more complex, long-form narratives, in favor of episodic programming.

Literature Review

Much has been written about television industry as a cultural industry or product that needs to balance and incorporate the elements of business, content, audience, and politics in the study of TV. Eileen R. Meehan outlines this relationship quite clearly in her discussion of culture industry and industrial culture as both being active in television (1994).¹⁹ She argues for a balanced use of both political economy and cultural studies, discussing the intricate relationships of market rivalries (innovation and constraint), the

production processes, and government pressures on the one hand, and the narrative unfolding on the screens in a video/audio interplay on the other.

Dallas W. Smythe's work on commodity audiences focuses on commercial television and the idea of program-fillers, the programming content filling the spaces surrounding advertisements, acting as an appetizer that keeps the audience bound to the main course - the commercials. He bases his analogy on the works of A.J. Liebling, who describes advertisement-free programming as a free lunch. While Smythe does not include the public sector in his argument as there no longer is an advertisement free television environment. This work can apply to networks such as the German ARD, which incorporate limited advertisements and sponsoring, similar to PBS. Furthermore, the money flowing through government channels to the networks should not be dismissed as a gift to the public or the arts. Audiences as financiers, as well as the government, have expectations that need to be met to sustain legitimacy, as Smythe makes painfully clear in his article "On the Audience Commodity and its Work" (2001). But, while the commodity audience is at the base of all television, it has been the individual aspects of television, which have received the greatest amount of scholarly attention.

Some studies regarding the individual aspects of TV as a symbolic form of communication can be found in Jason Mittell's *Television and American Culture* (2010), Jonathan Gray's *Entertainment TV* (2008), and Amanda D. Lotz's *Re-Designing Women* (2006) among others. Taking Mittell's six elements in the circuit of culture combined with concepts concerning the television industry's marketing strategies, as presented in Gray's work, allows us to examine the background of how the business that is TV addresses its audiences and uses programming as a network branding tool in order to

generate commodity audience loyalty. These interactions inform *Tatort's* shifting formats, use of technologies, and their effect on everyday life. This is most clear when cultural representation is being re-negotiated. One example is the representation of gender and is clearly visible in the Lindholm *Tatort* format. Lotz' analysis of the female image on TV demonstrates how audience, industry, and text inform each other and are co-dependent. Lotz demonstrates how industry and technology re-shape the commodity audience's self-perception. This concept is reflected in the Lindholm *Tatort*, as questions of femininity have been renegotiated in German society and according to the ratings, this *Tatort* attracts well-educated women in their mid- to late thirties.²⁰

All of the aforementioned work addresses either the British or the U.S. television industry and demonstrates an interest in privatized markets or imports, such as the Australian or British market. The exception is Paul Julian Smith's work on Spanish television, which is interested in industry and audience aspects, but strongly focuses on textual analysis. The German television industry, as opposed to the US, originated as a public broadcasting environment and remained free of commercialism until the early 1980s. International and public TV are too often ignored when discussing business practices, audiences and television itself.

Today, German broadcasting is set up as a dual system of strong, publicly financed networks and commercially driven commercial networks. The public service broadcaster (PSB) ARD includes commercial strategies. This differs greatly from American PBS, which is dwarfed in comparison by the commercial networks as evidenced in the opening pages of this chapter. Similar to the BBC, the ARD

supplements its guaranteed income from household fees through commercial operations, fully owned by public institutions.²¹

The German law for public and private advertising was revised in 1991 and allowed the use of advertising on public channels to ensure independence from governmental institutions. The move of public television to include commercial strategies is important to understand as it reflects the dichotomy of public versus commercial television. Even though there are limits in place unlike any placed the basic strategies tying the advertising to the “Ideal” audience remain the same. German public television is only permitted to air advertisements on weekdays before 8:00 pm. The channels are allotted twenty minutes of advertising per day. Single-sponsor underwriting became yet another option for interested advertisers. Because of high ratings in the desirable younger age group especially in the early evening, the public stations ARD and ZDF generate commercial income. The third channels, all producers of *Tatort*, remain free of advertisement, and product placement is forbidden.²² Single sponsorship is permitted if the commercial spot is no longer than five seconds at the beginning and end of the episode. A sponsor finances the program partly or completely.²³ News and investigative programs such as *Monitor* (or the U.S. show *20/20*) may not be sponsored under German law. Sponsors for fictional programming may not influence the program content or its scheduling.²⁴ The sponsored show may not inspire use of the products sold by the sponsor, or in other words, the program’s narrative cannot include advertisements linked to the sponsor or vice versa.²⁵

There is a vast amount of scholarship on the history of BBC,²⁶ ARD and German broadcasting legislation,²⁷ and the cultural analysis of a variety of their programming.²⁸

Research addressing the future of public service in a commercial world, rather than the commercialization of PSB (Blumler, 1992; Collins & Purnell, 1997), the treatment of informational and news programs in PSBs (e.g., Helland, 1993; Schlesinger, 1978; Djerf-Pierre, 2000), and the public service connection to the public sphere (e.g., Garnham, 1992; Keane, 1995; Dahlgren, 1996) all have been addressed in detail. Without exception, the differences between the public and commercial sector have been highlighted and important similarities largely ignored. Similarly, critical political economic studies have demonstrated the pitfalls of commercialism in public journalism (Herman & Chomsky, 1988; Altschull, 1995), but these have not considered the dramatic programming and PSBs attempts to generate narrative series in order to compete with the commercial market.

This dissertation applies a multi-disciplinary approach to the study of the German TV program *Tatort* in order to investigate commodity audience and the German public TV industry. Research addressing the modified six elements in the circuit of television analysis will prove fruitful to this investigation, primarily, because it connects cultural aspects, technological advances and narrative complexity directly to industry and audience. Much of the anglophile research interrogating such relationships focus on the BBC, which is similar to the ARD in that it began as a national PSB free of market competition and now faces a changing commercialized media landscape. Therefore, works such as Lucy Küng-Shankleman's *Inside the BBC and CNN – Managing the Media Organizations* (2000), which address specifically the effects of digitization on the PSB and discuss the need for flexible business strategies, can be used as a research model and applied to the investigation of *Tatort*. Küng-Shankleman clarifies that PSBs, though

different in structure and production from commercial networks, fight the same battles. The audience diversification has left PSBs with a need to defend the use of public funding for supplying a variety of programming when many niche programs are already available (14).

The two most salient German studies discussing the cultural industry of television (Grisold, 2004) and the policies and changes affecting the German television market (Dietrich, 1999) present a broad spectrum of analysis. Andrea Grisold utilizes the theories of Pierre Bordieu, Walter Benjamin, T. Adorno, and Max Horkheimer, to discuss the interaction of producers, product and consumers. Dietrich's anthology, *Broadcast Politics in Germany: Competition and the Public*, varies from detailed investigations of policy shifts in radio to questions of competition in dual-system TV (Buchwald, 1999). Schwarzkopf's articles in this anthology trace the history of the media turn in 1983 (1999) and also explore the specificity of the dual system in the changing media hierarchy (1999).²⁹ Grisold's work and Dietrich's collection of research do not engage programming, but illuminate important aspects of German cultural/regulatory specificities. The scholarly study of German media economics has recently examined the position of the dual system in Germany with political analysis (French, 2008).

Tatort as a cultural artifact or cult/neo-cult TV has been critically examined in anthologies of fan literature (e.g. *Das Große Tatort Buch*), retrospectives and special edition magazines (Swiss *D.U.*, German *Hör Zu*). There is also a significant amount of essays and scholarly work on individual episodes, cities, and detectives. Scholarship on *Tatort* has also concerned questions of cultural representation. These discuss the visibility and analysis of images of migrants (Ordner, 2007), women (Küchenhoff, 1975), violence

(Pundt, 2002), and masculinity (Oetjen, 1999). Albeit organizationally complex (Wolber, 2009), *Tatort* has not been critically studied for either its economic position or in connection with the “ideal” audience in German or foreign scholarship. The fan-run website *Tatort-Pool*, administered by *Tatort*-specialist Francois Werner, produces insightfully brief essays on distribution, marketing, and the organizational elements behind *Tatort*. These serve as journalistic articles that satisfy the curiosity of fans and connoisseurs of the series.³⁰ They carry much value for the present study, as they speak to and about audience/s and audience behavior and trace shifts in the industry, as well as changes in network policies.

Dissertation Outline

The chapters of this dissertation are organized chronologically using the classifications TVI (1950-1983), II (a) (1983-1991), II (b) (1992-1999) and III (2000-present). Each of the four chapters will have sub-sections analyzing the individual eras for democratic and social context, industry shifts, textual and technological advances, and cultural representation in *Tatort*. The discussion focuses on how these elements interact with commodity audiences and the commercialization of the public broadcasters in Germany.

Each chapter will provide a historical context of the TV era in question. Four analytical sections discussing the elements in my modified model will follow a definition of the element in focus for the individual chapter. Not each element receives the same amount of investigation for each TV era, however, as I discuss in depth those that are most important for each individual stage of television. For example, the element of media

technologies is important throughout *Tatort's* history, but the most salient impact falls into the TVIII era, which is the chapter where this will be discussed in most detail.

Chapter one focuses on the industry and *Tatort* as a response to first competition. Episodes analyzed include some of *Tatort's* highest rated episodes, such as “Reifeprüfung” (Proof of Maturity, 1977) with Nastassja Kinski, and the very first episode to “Taxi nach Leipzig” (Taxi to Leipzig, 1970). The creation of the police series, institutional power structures and decision making processes present a clear picture of the German television industry in its earlier years and help to understand the need for change in more recent times.

Chapter two focuses on the first ten years after the introduction of commercial television to German broadcasting (TVII (a)). The rules had changed and competition increased from one station to around one hundred by the end of the TV II-era in the late 90s. How these changes impacted *Tatort's* production, financing and content will be analyzed and lead us directly to a discussion of cultural representation. Germany had entered a new media landscape and opened itself up to a variety of content purchased from foreign producers, such as U.S. production companies. At the same time, the end of the Cold War led to a renegotiation of what it meant to be German and how much external cultural influence would be acceptable. Chapter three continues to analyze TV II in Germany, but focuses on the 1990s (TVII (b)). Commercial broadcasters had begun to turn a profit and began to readjust their budgets. The networks still purchased a large quantity of foreign programming, but they also started domestic production that focused heavily on crime-dramas and comedies. This led not only to an excess of crime TV programs, but forced *Tatort* to change its strategies to maintain audiences and justify

further financing. During the run of early seasons of the extremely successful Fox series *The X-Files*, for example, *Tatort* created an episode that mimicked the *X-File* trend with “Tod im All” (Death in Space, 1995). This is one of the episodes that strayed furthest from the format bible and is seldom re-run on television.

Chapter four reviews the media technologies and recent textual forms *Tatort* has taken in its distribution. This includes public screenings, DVD releases and Internet availability. The *Tatort* episodes streamed live online previous to the January 2010 introduction of weekly streaming, were mostly anniversary specials, and thereby highly selective, tent pole episodes. Interviews with Disney Europe (distributor for the DVDs), and the selection of episodes released to the public via DVD or stream, speak directly to the connection of media technologies and the threat of losing and maintaining audiences. Schimanski, the former *Tatort* detective, has seen a wide release of *Tatort*-era DVDs. His popularity is considered a low risk to the distributor, as sales are expected to be within a large enough profit margin.

In conclusion, I will have shown that the former gap between private and public television in Germany is vanishing quickly, as the pubcasters embrace commercialization and place more importance to catering to the audience. The important factors of television, while interconnected themselves, are based on the fact that commodity audiences are needed to maintain a national industry and that commercialization has become a staple for maintaining competition for public broadcasters. Both private and public television industries work to maintain these audiences, because they are indispensable commodities.

Chapter 1

Leading the Way and First Competition



“Taxi nach Leipzig” 1970

“*Tatort* is like a Hydra. No matter how many heads you cut off, everything will grow again. The directors will be new, the actors will be new, and the inspectors new, stories new, and places will be new, over and over again. Everything is new and yet the same. The format stands, but is brought to life with new artistic vision, new personalities, new angles.”

- Gunther Witte (2009)³¹

Introduction

This chapter discusses the socio-political environment of German audiences at the time of *Tatort*'s inception and the structure and regulation of the German television industry at the onset of public television competition. This helps to understand the “ideal” audience in Germany from the 1970s to 1982, and the production background of Germany's TV I phase (1963-1982). Once the industry and audience are discussed, a detailed exploration of textual form and content in Germany's most successful crime program, *Tatort* will follow. This will help clarify the strategies employed by the series creators. This chapter also draws from viewer responses/criticism and governmental democratic regulations of the program to demonstrate the benefits of commodity audience guided programming.

Every television program needs audiences to sustain legitimacy and funding. In order to attract audiences, programming caters to demographic markets and thus needs to understand its audience in order to commodify it for its own survival. The socio-political environment, audience interests, and leisure time structures need to be understood by producers to successfully reach an audience and generate viewer loyalty or program loyalty.

Amanda Lotz (2007) and Eileen R. Meehan (2005) discuss the fact that the audience lacks agency with programmers. A strong argument is made for the connection of advertising and programming to generate income, and the idea that audiences are powerless in regards to program choices. While audiences do not, in general, actively contribute to TV production, programming and distribution, this argument is still problematic, since it ignores the fact that program directors attempt to be successful with their choices. This means that the audience is often considered in decision-making processes and therefore this constitutes a “proxy agency”. The growing niche programming marketplace targets specific audiences by generating programming attractive to prospective viewers.

While this means that programming is often created based on a programmer’s assumptions about the audience there is sufficient research to support that the programming choices made (Lotz (2007), Mittel (2010), Gray (2008)) work in favor of the networks and cable stations. Programming occurs in trends for mainstream and niche programming, as seen in the explosive growth of talkshows during the 1990s, or the recent niche programming boom in supernatural TV genres. Following trends generate audiences, larger profits, and works that benefit the commercial broadcaster. While public networks tend to offer counterprogramming, they also reflect changes in the industry and audience needs. This helps legitimize their sustained funding. This study takes the position of the producers in the industry, considering the ideal audience with an assumed “proxy agency” is reflected in television programming. Thereby allowing producers and programmers to successfully commodify these audiences for their needs.

If we adhere to Toby Miller's organization of the television phases into TV I, II, and III, full audience agency only took shape in the U.S. with the first networks' reactions to the diversified TV market in the 1980s. Considering the competition ARD faced with ZDF's inception, resulting in direct competition for state funds, agency for audience proxy agency is present earlier, when Germany was already in its first commercial TV era. ARD and ZDF vied for diverse audiences. Germany was deeply divided by generations between those that witnessed the war and those that were coming of age finding their questions regarding the nation's past unanswered. The ARD would be successful in creating a program that attracted 50% - 70% of the country's viewers (Brück et al, 2003).

A Young Industry³²

Germany's Nazi past led directly to its federalized television structure and quite possibly aided in the unusual format of the *Tatort* series. Federalized is here understood as a decentralized federally joint venture of individually operated state broadcast channels. Nazi Germany had one of the first fully scheduled television programs including the broadcast of the 1936 Olympic games in Berlin. Television was also utilized throughout WWII, to rally troops in veteran hospitals and newly acquired territories. After the war, the occupying forces, such as the U.S. Armed Forces Network (AFN), supplied German TV programming. The Allied forces had already established broadcast facilities, mostly radio, in their respective regions, as early as 1948 (Brück, 2003). The British forces controlled what would become the NWDR (later NDR and WDR) in Hamburg, the French troops established the SWF in Baden-Baden (now SWR), the

Americans had several broadcast stations, mainly for American programming, in Stuttgart, Frankfurt, Bremen, and Munich, and the Russian forces controlled Berlin Broadcasting. The allied forces insisted that Germany was not to build a government controlled central TV station again, lest it be used for propagandistic purpose. This created struggle for media control between the individual states and the federal government. Who would be in charge of a national station if it were not to be centrally organized?

In 1950, the seven regional broadcasters decided to jointly operate a network, and by 1959, after the Allies divided the northern stations into NDR and WDR (formerly NWDR) and France returned the state of Saarland to German governance, nine stations joined in the previously formed ARD. However, a need for a national channel offering a diverse option from ARD's programming grew. Konrad Adenauer, the first chancellor of the FRG, wanted to start commercial television at that time, but was highly criticized for this effort. Media control, it was decided, could not be given to solely private entities. Therefore only a second public national station was an option, and the ZDF (the Second German Television) was established. The first attempt was ARD2, which aired for only eighteen months. There is scant data explaining the reasons for its failure, but it aired on what would become the ZDF frequencies, an underdeveloped broadcast network at the time, so few viewers had a chance to watch it. Furthermore, ARD2 used UHF frequencies to broadcast,³³ which may also be a key to its failure, since only the newest television sets were capable of receiving UHF signals. (Eifert)³⁴ When ARD2 went off the air, a centrally organized second channel began broadcasting in Germany on April 1, 1963, the ZDF. There are few sources readily available about the history of television ratings, but

Gunther Witte, program coordinator at the ARD in 1969, stated in an interview that more than half of ARD's audience was lost to ZDF's less informational, more cultural entertainment programming.³⁵ He believes that the lack of a centralized editorial board for entertainment programming at the federally structured ARD, remains a problem to this day (2009).

The ARD responded to the ZDF by creating regional television stations for each of its constituents: NDR, HR, WDR, SR, SDR, BR, SWF, SFB, and RB. As a result, Germans who had been able to view just one national channel (plus limited allied forces programming) in 1951 could choose between at least three program choices by 1964 (state-border-region inhabitants, such as people in Mannheim, or Cologne could often also receive the bordering region's broadcast).

Television was a very successful medium in Germany and in 1967 color television was introduced. The German market had finally entered ITS FIRST COMPETITIVE TELEVISION STAGE, with fierce competition between the two main channels and had caught up technologically with most other West European nations. The system remained unaltered until the introduction of private networks in 1983, the so-called *Medienwende*, or the *Media Turn* (Schwarzkopf, 1999).³⁶ The funding for German public television will be discussed in more detail in chapter 4, because funding and the structure of local German stations changed dramatically after 1990 and Germany's reunification. It is clear, however, that by requiring public funding through a government-enforced fee system, programming needed to attract audiences. In order to pay the fees, people needed to see programs that interested them so that they would purchase a TV set and not avoid paying the dues. ARD generated audience interest by investing in one of

Germany's favorite genres: crime television. Television in its infancy needed to mold itself after genre formats that audiences could understand, and that were proven successes. The "universal genre" of crime fiction, as Günter Rager once called it, provided a near perfect fit (Brück, 8, 2003).

Union in a Struggle

The late 1960s and early 1970s in Germany were marked by generational and political struggles. Although there was an extremely limited offering of television programs there was market pressure. Other media, and the inception of the ZDF in 1963, claimed at least 50% of the market share. This made it important for ARD to find a program that would attract a mass audience with the largest common denominator (Witte, 2009). Although ZDF and ARD were bound by law to work together as far as scheduling (forced cooperation was to ensure that the two stations would provide balanced programming and not counter-program similar material) German television was encountering competition for its audience for the first time (Brück, 2003). According to Witte, the ZDF gained ground with its entertainment programming quickly and the ARD had fallen behind in audience numbers. There were so-called "safe-zones" instituted for informational and educational programming, but audiences demonstrated a clear preference for entertainment programming. Hence, the channel's content had to begin continuing educational and entertainment elements to generate and maintain audiences, thereby justifying the TV fees demanded by law.

Crime television, or *TV Krimi*, though considered trivial programming at the same time had the ability to teach and educate citizens, if done correctly. Germany had begun

to change laws in the early seventies, modernizing for example marriage and divorce laws to reflect equal rights. This also affected and loosened the regulation of pornographic material and made the highly controversial §218, indication-ruled abortion³⁷, legally binding in Germany. Most importantly for this context, criminals were now sentenced with their rehabilitation in mind and many crimes saw dramatically declining punishment.

The idea for a program to reflect the new Germany formed. ARD's programming director, who worked with Witte at the Cologne-based WDR, told Witte to come up with a new concept for a crime show. This new series was to replace *Stahlnetz*, a German variation of *Dragnet*, but had to adjust to new German life styles and interests (Brück, 2003). Witte took his inspiration from a radio program that aired on the American station RIAS, called *It Happened in Berlin (Es Geschah in Berlin)*, which allowed for a portrayed realism which anchored the educational aspects of the series. The radio-Krimi was broadcast every Saturday night to large audiences and utilized a documentary approach, each case being carefully explained, despite it being fictional (Witte, 2009; Brück).

Witte could not use the same title, he felt that *Tatort* (translating to “scene of the crime”) would infer the same meaning and could also carry a regional connection in its title (e.g. *Tatort: Cologne*), but that idea was soon put aside. Since the individual stations competed internally, the original regional concept allowed each station to generate their own independent program relatively free of ARD interference, which Witte saw as one of its strongest elements (Witte, 2009).

The first pitch of the project, however, did not go over well with the heads of the other regional stations. “They all thought it was stupid, I fell flat on my nose.” (Witte, 2009) But six months later, the ARD was still losing audiences, and Witte pitched the idea again, this time with success. Each regional station was assigned “homework”. The BR would produce the opening credits and the WDR would coordinate the series progress. Since the ninety minute format and the federally divided regional content of the project allowed much freedom at its inception, the stations could use previously written scripts and it was less than two years from program acceptance to air date.³⁸ Furthermore, the feature length of the individual episodes permitted in-depth characterization and complex plots, which made *Tatort* the first German crime show that introduced social criticism, education, and entertainment in a single series (Brück, 2003).

The First “Ideal” Audience

The relatively young Federal Republic of Germany had, to borrow a phrase from the German Democratic Republic’s (GDR) anthem, risen from its postwar ruins and begun to restructure itself. After Germany won the soccer World Cup in 1954 and regained some self-esteem through the event, its economy started to turn and Germany moved into an era of economic growth referred to as the *Wirtschaftswunder*, (Economic Miracle), in the early sixties. In 1958, two million homes had TV, in 1969 the number had risen to near seventeen million homes. Leisure time was introduced to Germans around the country, and a surplus of work opened the nation’s borders to migrant work forces from Germany’s partners to the south.

Post-war youth were coming of age and entering the universities. They had a lot of unanswered questions about the war, the parental generation who participated in it, the U.S. military occupation and they voiced their resentment loudly. They demanded both a better education, and that the government take a stand against U.S.-Vietnam policies. They also sought an open dialogue and more access and transparency regarding recent German history. Student uprisings, beginning with the 1968 student movement, *Movement 2nd of June (Bewegung 2ter Juni)* grew more and more pro-socialist and anti-American and became progressively more violent. The older generation maintained a stern silence regarding the past and the government did little to nothing to improve educational standards, making no secret of its pro-American stance.

The disgruntled youth and some of the educated elite on the left moved from organized demonstrations to organized terrorism, with the rise of the Red Army Faction (RAF), which rose quickly in prominence but its active fellowship remained relatively low in numbers (Aust). The daughter of a priest, a well-known left-wing liberal journalist, and, for lack of a better term, a beatnik, led the organization. Gudrun Enslin, Ulrike Meinhof, and Andreas Baader led group members in violent acts such as bank heists, office bombings, kidnappings, U.S. embassy attacks, and murders effectively dividing much of the country (Aust, 1997) in the process.

This environment bred distrust amongst citizens and the police, legislative, and politicians especially, but also within the citizenry (Aust). It enlarged the generational gap, and overwhelmed an only recently calmed Germany, with a new wave of violence, without a clearly demarcated enemy. But, thanks to the economic boom, most Germans owned a TV set. ARD's news and reporting programming by law could not censor what

was going on. They had to report on bombings and kidnappings and held interviews with members of the RAF and similar groups (Aust, 1997). Considering Mittell's discussion of the crime genre it stands to reason that this situation gave rise to entertainment television as a form of escapism just as films had provided escapism to audiences; something else to turn to. The wave of terrorism, the waning of economic stability, and the generation gap provided a backdrop to audience viewership interests in Germany at the time.

In 1972, militant Palestinians killed eleven Israeli athletes at the XX Olympic games in Munich, renewing dialogue about the recent past, but the massacre itself took center stage. In the fall of 1977, the RAF crisis officially ended. Viewers of television had been constantly following the *German Autumn (Der Deutsche Herbst)* as there was no escaping its coverage in media in general, climaxing with the heist of the Lufthansa plane Landshut and the conspicuous deaths of the imprisoned RAF leaders, and the murder of kidnap victim, Hans Martin Schleyer. Television provided entertainment as a counterpoint, had become a fictional escape from daily struggles, and united family members across generations,³⁹ especially on Sunday nights - family nights. How to generate programming for that evening of family gatherings? And how would it be both educational and entertaining to both groups? This time proved to be the most successful for *Tatort*. It was the last decade of solely public broadcasting in Germany, and Germany had a need for escapist media. The growing media industry at the time already followed its audience's demands (Brück, 126, 2003).

A Love-to-See-Evil Relationship – *Tatort* is for Everybody

“In the fifties, television incorporated two dominant functions: visualization of actuality and immediacy. Every viewer could be an "eyewitness" of real events at any time because of television.” - Brück (1996)

When German television adapted the idea of *Dragnet* (NBC 1951-1959/1967-1970), with the series *Stahlnetz* (*Steelnet*, NDR, 1958-1968), it was in part due to the fact that while crime television worked for audiences (there had been adaptations of literary works such as Sherlock Holmes and Hercule Poirot as part of the *Greatest Detectives* series (*Die Größten Detektive*), they did not present any contemporary changes to the crime genre. Radio had already employed the crime genre in fiction to attract large audiences successfully, and television found its way to adapt the genre for its medium. Therefore, German television producers began to look towards American models for crime series that had followed a similar trajectory. The German worldview had been shaken deeply by defeat in the Second World War and, according to Viehoff and Brück, audiences could not “mentally” accept the images provided of crime in the context of Germany (1996). Authorities, such as the police, in that sense could not be trusted, especially not when appearing as fictional. Therefore, newer projects had a documentary-feel that helped further an air of authenticity and relieved some of the anxiety generated towards tales of morality. This allowed for a reinterpretation of the genre, one that was less driven by visual mythology and long proven formats than by realism, and therefore could reach viewers in the FRG. As Viehoff and Brück discuss television, it was this air of realism, more than the convenience of the home that separated television and film viewing experiences (1996).

Stahlnetz reshaped the crime genre for television at a time where distrust towards the government and law and order were deep-seated on both sides of the generational divide. It followed a variety of documentary modes, as Bill Nichols calls them, reinforcing a perception of reality.⁴⁰ Policemen acted honorably in *Stahlnetz*, were diligent in their pursuit of criminals, and were trustworthy, without having much character development. Bureaucracies were laid out clearly, and regions were easily identified by architectural markers, such as the Brandenburg Gate in Berlin or the Cathedral in Cologne. Much like its American template, *Dragnet*, audiences were invited to trust the content as authentic by the opening phrase: “The following is a real story.” Further, a voice-over narrator would clearly present real locales and give dates and times to anchor the stories in the viewers’ actual world, as well as provide an explanation of investigative strategies. The series *Stahlnetz* aired 22 episodes and ended in 1968, leaving the ARD with the need for a replacement.

The ARD, which had steadily been losing audience members to the ZDF since 1963, needed to produce a program that could attract an audience. The original format concept for *Tatort* is unfortunately lost. The document stating the rules for the police procedural’s make-up, aesthetics, storylines etc., in the TV market place referred to as the format bible, was however redrafted as a protective device in the early 1980s, when too many directors and writers had taken liberties with *Tatort*’s format. It is helpful, however, to review some of the differences between *Stahlnetz* and *Tatort* to see how the genre had been altered and changed to reflect the audience needs, as well as the industry needs generated by the federal structure of the ARD network and its regional stations.

Brück and Viehoff, in their study on German crime television, compare *Stahlnetz*

with *Tatort*'s first episode "Taxi nach Leipzig" (Taxi to Leipzig, 1970), to trace the shifts in genre occurring here.

A) Trimmel, the main character and first *Tatort* Kommissar (lead detective) in the series' premiere episode is neither obedient to his superiors nor does he play by the rules of district authority, or national authority, very much the opposite of the detectives portrayed in *Stahlnetz*.

B) Although not new to crime TV per se, Trimmel's deductions stand out as inventive, smart and beyond existing proof. He decides to let the murderer go free in his first *Tatort* case, deciding that he is a good enough judge of what is right and wrong. "He is convinced that he has made the right decision because he gives a broader explanation of all the motives why (the) "bad guys" were driven into their crime." (1996) The world of *Tatort* therefore often portrays shades of grey, whereas *Stahlnetz* detectives follow the trail of hard evidence and most certainly would not allow the culprit to go unpunished.

C) Through Trimmel's interactions with citizens on the eastern side of the divided Germany, Western viewers learn that those living in the GDR have just the same issues and troubles as those in the West. Therefore, *Tatort* becomes the first crime series to reflect actual German reality on both sides of the divide, thus raising social awareness.⁴¹ *Stahlnetz* keeps larger socio-political issues outside the frame of the investigation whereas *Tatort* is more of a social drama rather than a police procedural.

These are the three main staples of *Tatort* to this day: Kommissare that 1) can bend the rules and are willing to if necessary, criminals that are 2) multifaceted and are seldom without motivation, and 3) a close connection to contemporary Germany (with a few exceptions, such as *Tatort: Death in Space*, 1995). With the multitude of Kommissare at hand, however, Trimmel and others like him were always balanced with more rigid and conservative investigators from other regions. Combined with the *Tatort* format bible stipulations of little or no flashbacks, explosions, chases, and Hollywood-style narratives, the level of perceived authenticity is high. The format itself also required that the murder take place within the first fifteen minutes, and that the Kommissar provide the focus for audience identification. The “ideal” audience is thus not only attracted by a program tailored to their needs, but can effectively be instructed by the character that upholds German morals. In the Germany of 1970, audiences were thus invited to begin trusting their own judgment again, and to accept “shades of grey”, rather than only see binaries. This is something that *Stahlnetz* could not provide during the Cold War era that needed different strategies than the immediate postwar era.

The concept for *Tatort* was so successful that the German Democratic Republic replicated a version of their own, *Polizeiruf 110* (Emergency 911, 1971-), only a year after the original airdate of *Tatort*. The show is mentioned here because it is one of only two fictional series to survive the German reunification from the former GDR, and was counterprogrammed to *Tatort*, providing socialist ideological programming that successfully kept audiences from tuning into West stations. Just like *Tatort* in the FRG, *Polizeiruf* was the GDR’s most successful fictional programming. “The creators ascribed specific functions to the genre *socialist crime film* such as the fulfillment of social tasks

(to inform about crime in order to prevent and fight against it; to strengthen the peoples awareness of notions such as government, state, and law). (Wehn, 1996)” And, because crime was not part of the socialist agenda, *Polizeiruf* would, while dealing with homicide occasionally, more often address issues such as domestic violence, robbery, fraud, alcoholism, juvenile delinquency, etc. Today it still airs on Sunday night. But instead of being *Tatort*'s rival on another channel, it shares the Sunday primetime slot on ARD.

Curtain Call For Reality – Textual Form and Narrative in *Tatort*



Det. Trimmel is cleaning up after a “run in” with the GDR police officer.
“Taxi nach Leipzig” (1970)

Tatort first aired in November 1970. The opening credit sequence that has remained unchanged (except for some minor color correction to suit the new HD format of television)⁴² was filmed once, as a test shoot, and has become synonymous with the show itself. The first episode to air was *Taxi Nach Leipzig* (*Taxi to Leipzig*, 1970),

directed by Peter Schulze-Rohr. In the story, the FRG headquarters of police receives a formal request for assistance in a murder investigation from the GDR.

A young boy, clad in West German shoes, is found dead at an interstate rest stop near Leipzig. Later, the GDR retracts its request and leaves Hauptkommissar (head inspector) Paul Trimmel curious as to why. So he calls a former colleague, Karl Lincke, with whom he had worked before the Wall was built, who tells him that the case is “dead.” But Trimmel cannot help himself and begins investigating even though he has been told to stay away from the case. Later the audience finds out that a father in the West cannot deal with his son’s imminent cancer-related death and offers his ex wife to take their second son, who had lived with her in the East, swapping it for the sick boy upon his death.

When the unauthorized investigation begins, Trimmel follows the trail to an exclusive Hamburg residential area, where Erich Landsberger had lived before unexpectedly moving to Frankfurt. Erich Landsberger is a well-to-do chemist, and tries to avoid answering any of Trimmel’s questions when he arrives in Frankfurt. Trimmel suspects the dead boy to be Landsberger’s, but Landsberger introduces Trimmel to his “son”, a quiet boy with a strong East German accent. Trimmel decides to take the investigation a step further and illegally drives into the GDR to investigate on his own. Because it was not possible to leave the interstate without proper papers, Trimmel fakes a car accident, rents a taxicab and begins looking for Eva Billsing, the mother of the dead boy. Instead of finding her, he runs into her boyfriend Klaus, a GDR police officer. Once all the characters are introduced, the drama, that involves Germans from either side of the wall, reveals itself quickly. The dead boy was Landsberger’s son from West Germany

who had been suffering from cancer. His former wife and other son in the GDR lived with Klaus, but the boy was much trouble to the relationship and so trading the boy turned into a morbid win-win situation for father, mother and her partner. When the switch is supposed to happen, however, cancer-ridden Christian has not yet died. With the window of opportunity closing Landsberger “assists” his son’s passing away by smothering him with a pillow, on an off road.

The father was left with the prospect of living alone after he lost his second wife and is watching his son from this marriage waste away. He is as much a victim as he is a perpetrator. His first wife has informed him of the troubles with their boy and lets him know that she is unhappy in her relationship, but the GDR would have made it near impossible for the child to leave legally, and to explain the sudden appearance of the second son, while not an actual problem, would have been socially awkward for the successful chemist in the West. So one can believe how this plan was formed. Once the father actually faces saying goodbye to his son, it is plausible that he clearly loves him and nursed him for months and cannot bear letting him die “alone” or with strangers. The story plays on the torn nature of the two Germanys, and what it did to many families, but more importantly it speaks to the methodical nature of Germans and moral issues of right and wrong in a way that had not been seen on television before. Black and white melts into grey and what truly happened remains shrouded in emotion and is accompanied by many excuses that are debatable.

This is, however, typical of *Tatort*’s narratives and is reflected in its textual form. The plot is never straightforward. In part this is certainly a common staple of the crime drama, but the diligence paid to the creation of well-rounded characters on a weekly basis

is something less common to television police procedurals of the time and today. *Tatort*'s ninety-minute format is inscribed into the format bible, as is most of its textual make-up. The format bible is the document laying down the ground rules for the series that all producing stations are asked to follow. Gunther Witte's original document has been lost at the ARD for decades according to Professor Gebhard Henke, coordinator of the *Tatort* series (2009). Witte, however, made a copy of the redrafted format bible accessible for this study. The exact date of this newer version is unfortunately unclear, but was estimated between 1986 and 1988 (2009).

The format bible (A 2) is mentioned here, because it contains information about audience acceptance and a clear statement regarding the importance of audience interest in the program. Therefore, textual form is rooted in an understanding of the "ideal" audience and part of the circuit of culture as suggested by Mittel (2010). The root-criteria, or pre-determined standards for *Tatort* are the regionality based on the producing stations geographic location, the plausibility (not reality) of all stories, which has to be given at all times, and the Kommissar has to be at the center of the story, but the narrative does not have to be told from the detective's perspective. The first *Tatort*, "Taxi nach Leipzig", provided a template for the series.

Trimmel is the detective for the Northern German Broadcaster, the NDR, at the time. The area bordered East Germany and northern Germans are often described as a cool, methodical people, who are individualistic and walk to the beat of their own drums. It is also the port region of Germany and thus it made sense to include what had been part of the German port system before the war and its aftermath. The story itself is highly plausible, without trying to appear real. Certainly, the lay of the land after Germany's

division into East and West would have made the story very unlikely to happen, but the characters, their motivation, and the way the narrative justifies all their actions, raises no doubts as to its plausibility.

By the late 1970s, two of the basic rules for *Tatort* had been violated repeatedly, which Gunther Witte attributed to the rise of the New German Cinema (2009). The plausibility of story lines and the importance of the detective as a character started to give way to social dramas of the avant-garde and alienated many *Tatort* viewers, as the series concept and its entertainment elements faded. Therefore the format bible was redrafted and refined to clarify what episodes wishing to be part of *Tatort* needed to fulfill. With the “*Medienwende*” making things complicated for *Tatort* and the ARD, a reminder of what *Tatort* is, was needed. The following discussion is based on these criteria redrafted in the 1980s, and will be revisited in the study of the Germany’s second television phase. The first sub-criteria was that, in contrast specifically to American crime drama and popular German series such as *Derrick* (ZDF, ORF, SRG 1974-1998), the episodes must be able to function as fully independent films, to ensure that the format would not age with its detectives and narratives. As we will revisit later, when audiences changed, long form meta-narratives were introduced into *Tatort* in the latest television era, the post 2000s, tangible in Germany.

“Taxi nach Leipzig” connects to the following *Tatort* episodes first and foremost through the character of Trimmel and the region he functions in, and while Trimmel’s actions can be easily understood once the character is established in more than one episode, there is no need for the knowledge of prior episodes to understand the plot and narratives. Therefore, each episode, while well written and a tribute to the crime genre,

needed to be clear enough in its structure and plot to make it easy for audiences to understand the story and character developments presented, without being simplistic and formulaic. There is little confusion as to who the main players are in *Taxi* and there are only four characters of interest, Trimmel, Klaus, Landsberger and his first wife. All of these characters come with backgrounds and clear motivations their actions. Even though the level of murder committed here may be debatable, all *Tatort* episodes must deal with capital crimes, and focus on manslaughter and murder.

The level of violence shown should never be gratuitous. Some episodes that crossed this line were removed from circulation or censored. The opening of each episode must be speedy and spellbinding. Witte refers to market research that proves that audiences decide within the first few minutes, whether or not to remain in front of the screen. While this appears to be common sense, it is again, remarkable how often the importance of the audience in public television programming appears to go unnoticed. The ARD, often claimed to be the single most successful public broadcaster (or pubcaster) in the western hemisphere, paid attention to the “ideal” audience early on. Therefore, poeticism and slow-paced action and story telling were also banned from *Tatort* production. Without a doubt however, what unifies all *Tatort* episodes and is indeed written into the format bible, is the use of the same opening title sequence and the use of cross-hair graphics for the credits. The credit sequences have become the banner, logo, and brand image of *Tatort*. The textual form of *Tatort* while inspired by *Dragnet* and *Stahlnetz* is directly linked to the needs of the audience and the stations need for attractive and directed programming.

The format bible is not fully binding, however, since each station governs themselves and is left to make their own artistic choices. The original set of rules originated in a meeting led by Witte, but the original draft has been lost. Although Witte redrafted the document to “save” the series, it is, by most producers I talked to, considered “lost” again. In general, directors, programming directors and producers trust that they understand and know the concept enough to not have to adhere to the format bible (Henke, Mende, Wolber, 2009). Thus, not all of *Tatort*'s 800+ episodes are in keeping with all of the rules. For example, one of *Tatort*'s best known and most notorious episodes, “Reifezeugnis” (“Proof of Maturity”, 1977), broke the rules in revealing the murderer before introducing the episode's Kommissar and it was 23 minutes before a murder was committed.

For Crying Out Loud – *Tatort* and its Democratic Audience



Teacher Fichte with his student Sina in *Tatort*: “Reifezeugnis” (1977)

In 1977, audiences criticized *Tatort* for a particular episode that dealt with the relationship of a student and her high school teacher. “Reifezeugnis” (Proof of Maturity, 1977) is often voted the favorite episode in *Tatort*’s history and made both its lead actress, Nastassja Kinski, and director Wolfgang Petersen (*Das Boot* (1985), *Outbreak* (1995), *Troy* (2004)) household names.

“Reifezeugnis” is the story of Sina Wolf, the sixteen year-old daughter of a wealthy family. She had been dating her classmate, Michael, but has become detached and never finds the time anymore to meet with him. She tells him she has too much homework. Her mind is occupied with someone else. Early on the viewer sees Sina on her bike, riding into the woods and meeting with her teacher Fichte, for a romantic date. The two have a romantic relationship. But the affair does not go unnoticed when Michael decides to follow her one-day, and, in frustration tells another classmate. He also decides

that Sina should make love to him, not with Fichte, and blackmails her into meeting him in the woods where he demands sex for his silence. But Sina finds a stone near her and kills Michael. Earlier we'd seen her reading a newspaper article about a rapist who is known to dress in green. And a thought begins to form in her mind.

When the police arrive, she tells them that a “man in green” tried to rape her, and that Michael was killed in his attempt to save her. None of the characters consider Sina to be a possible suspect. She is just a beautiful sixteen-year-old girl from a good home. She could not possibly be a murderer or a liar, and so the police begin looking at everyone but her. But the confusion unravels quickly once the affair becomes obvious to Kommissar Finke. He reveals that Sina lied, but still focuses on Fichte as the murderer, until he finds out that Fichte has ended the relationship with Sina in order to leave town with his wife. Not taking the separation well, Sina runs off leaving a confession for her parents to find. She has taken off into the woods by herself, with her father's gun, intending to commit suicide, but is unsuccessful as the gun is broken.⁴³ She also attempts to drown herself, but declares sadly at the end: “But I can swim, so I always swam back.”



Nastasia Kinski as Sina in “Reifezeugnis” (1977)

The episode has achieved fame and notoriety for several reasons. The title, translating to “Proof of Maturity” frames the episode perfectly, as Fred Maurer⁴⁴ points out in his critique of the episode, written to coincide with its re-broadcast in 2008. The German term is synonymous with the final exams at the highest high school level. It indicates the scene of the crime - the school, but also provides the main issue in the episode that questions the maturity not only of Sina, but of her teacher, former boyfriend, co-conspirators and Fichte’s wife, who remains emotionally restrained and friendly towards Sina throughout the events. It also questions the maturity of characters privy to information and their failure to render assistance. For example, Micha writes in one of his notebooks:”Fichte, the pig.” Fichte’s wife sees this and confronts her husband, but she accepts that Micha must have had a bad day in class all too easily, keeping the information to herself. Her demeanor in all of this is calm, collected, and weary. This indicates, together with her asking for a reassignment at an all boys’ school, that possibly her husband has acted in a similar fashion before.

While soft-porn films were nothing new to Germany at the time, with such titles as *School Girl Report* (1970), or *Housewife Report* (1973), the often unveiled breasts of the then 15-year-old Nastassja Kinski on the ARD at primetime, received mixed reviews from audiences. However, the sex scenes, later cut a few frames from their original length, attracted audiences, and the childlike woman Kinski was made famous overnight (Maurer, 2008). The idea that those in charge, in this case a teacher, could take advantage of a minor was not outlandish; it has happened before and happens everywhere. The televised abuse of (governmental) power, by the teacher that is, however, remained unsettling to Germans due to the nation’s history and the terrorist era just having come to

a close.

Sina's parents are portrayed as often absent, but caring and devoted nonetheless. The moral taught here is clear: Do not leave your child unattended. The well written, haunting script and the performances in this episode made it famous with *Tatort* audiences, while being heavily criticized for showing partial nudity of a minor. Henceforth, *Tatort* became more risqué as following episodes show. While the series is well known for pushing the envelope, it did not do so successfully all the time. Well received by some members of the audience, certain episodes pushed the envelope too far. These episodes encountered a different fate, such as the episode "Drei Schlingen" (Three Nooses, 1978 – reissued 2003). However, this should not be mistaken for censorship, as these episodes aired in their original state. Only after audience response triggers the network's shelving process, will an episode be removed or edited for further circulation.

The Poison Locker



Two colleagues, the avenger is on the left, victim on the right. “Drei Schlingen” (1978)

Democratic power is most visible in *Tatort*'s history, when episodes are removed, periodically or ultimately, from circulation. With almost 800 episodes to date, only six episodes are currently shelved, or 'locked away' in what Germans refer to as the “Poison Locker” (*Giftschrank*). The reasons for these episodes, spanning all decades, to be removed from circulation vary. For example, “Geisterbahn” (Tunnel of Horror, 1972) is under licensing disputes, and therefore shelved solely for economic reasons. The other five episodes faced various degrees of repudiation to visual and narrative “quality,” certainly a value judgment, as well as issues with thematic content. I will present an overview of episodes here, but return to specific episodes when appropriate in the following chapters.

Content is not an exclusive reason for negative audience reviews. Clarity of narrative, qualities of plot, and technical issues have all led to removal of episodes from the rerun circuit. Each station is relatively autonomous in their production of *Tatort*. This is not only part of the federalized system, but allows each station to make independent decisions. Josephine Schröder-Zebralla, programming director at the RBB, the regional station servicing Berlin and the Brandenburg state was responsible for two of the “poison locker” episodes, as stated in an interview in 2009. The reason being the negative audience response to the changed aesthetics of the series, as a result of her attempt to save 50.000€ per episode by using Beta Cam instead of 16mm. The RBB, one of the smallest stations in Germany, was so overwhelmed by this response that it, after airing the episodes already in production, resumed filming in 16mm. It was also a factor in discontinuing contracts with the actors playing the detective team in question, as they had already lost a sizable portion of their audience. Statements on *Tatort-Fundus* regarding the poison locker episodes lead me to believe that there was also an audience reaction to the often-convoluted narratives.

By removing the episodes that received negative audience responses, and by altering others, the ARD and its nine supporting channels manage to maintain “quality control” of the brand and therefore feed directly into the “ideal” audience by supplying what is in demand and removing what would alienate audiences and endanger the series marketability. This form of “quality” control is thus an important measure to maintain the vital audience and the funding based on it.

Table 1.1 – Poison Locker Episodes :⁴⁵

<i>Title</i>	<i>Station/Airdate</i>	<i>Reason for Removal</i>
“Der Fall Geisterbahn” (The Case of the Tunnel of Horrors)	HR – 02.12. 1972	Licensing Dispute
“Der gelbe Unterrock” (The Yellow Petticoat)	SWF – 02.10. 1980	Narrative structure highly fragmented; appealing murder fantasies
“Mit Nackten Füßen” - (With Bare Feet)	HR – 03.09. 1980	Epileptics are shown as predisposed to criminal behavior – outraged audiences
“Tod im Jaguar” (Death in a Jaguar)	SFB - 06.09. 1996	BETA_CAM
Krokodilwächter (Crocodile Keepers)	SFB - 11.10. 1996	BETA_CAM brutality/torture led to Minister of Media Control giving a statement
Wem Ehre Gebührt (Where Honor is Due)	NDR - 12.23. 2007	Scenes of incest in a Turkish minority family led to protests from audiences in several cities

“Where Honor is Due”, from 2007, created such an uproar that 60,000 people demonstrated for its removal from circulation via calls, forming protests, and lawsuits, and requested an apology from the station at Cologne Cathedral. This episode will be discussed in more detail in chapter four. One of the first episodes to be removed, now cautiously re-run in a newly edited version, was “Drei Schlingen” (Three Nooses, 1978). This speaks clearly to audience reactions, and some active engagement with television

programming in the first German television phase. The resulting removal proves that ARD and German public television maintained and valued this agency of its “ideal” audience early on.

The episode begins with the friendly banter between two security coworkers prepping their money-transport armored truck for the workday. Schiesser and Fink stick to the safety protocols and discuss their importance. While the older partner is delivering money, the younger one witnesses an accident, and while debating leaving the vehicle briefly, which is not permitted under any circumstances, finally gets out to help the injured young woman a victim of a hit and run accident. Using his radio, he calls for an ambulance first, but cannot bear the thought of the woman dying if he can help. The woman suddenly jumps up and with martial arts action attacks Finke. In the ensuing fight Finke is shot and killed and a masked man steals the money transport.

The police have a lead that involves a judo studio, and it turns out that Schiesser is a student there. As the investigators Haferkamp and Kreutzer probe deeper, some of Schiesser’s fellow judo students are found dead, apparent suicides. It turns out that the dead were part of the armed van robbery; after they had made duplicate keys of Schiesser’s while he was at judo practice. One of the dead robbers, the one Finke believed to be the injured woman, is discovered to be a young gay man, who’d been in love with the first athlete found dead in his apartment, a former wrestler.

Although this sexual preference is not discussed in either the shelving process (nor has it been edited out), it is content of a sexual nature that caused the episode to be shelved. Upon searching a missing judo athlete’s home, Haferkamp and Kreutzer find the walls covered with pornographic posters, videos, and calendars. After reviewing the

edited and unedited versions of the episode it is clear that the mass of pornographic material did not cause the stir, but a single shot tilting up a poster to show a relative close-up of a black woman's vagina.

Although there is no hard evidence available, Henke suggested that it is the audiences and their actions (phone calls, mail etc.), which are in charge of removing episodes from circulation. (Henke, 2009) In this case, the decision was made after the ARD had received a large number of phone calls from viewers who were indignant about the images shown. However, the resurfacing of this episode in 2003 also proves that ARD and *Tatort* are able to adapt to changing "ideal" audiences and re-introduce episodes that may no longer shock viewers. One reason the ARD may have attempted to work with shock value in the first place, may have been the imminent introduction of private television to the German market place.

Switching Gears – *Tatort* is Preparing for the Medienwende

The first squad of *Tatort* Kommissare began to take their final bows in front of the audience at the end of the 1970s. ARD already knew of the impending changes to the television environment and in, what appears to be a moment of uncertainty and aimlessness, brought Kommissar after Kommissar who lasted for only a single episode or two. In Germany they are referred to as mayflies, since they only live for a day. The NDR, HR, WDR all went through at least two detectives before finding adequate replacements, in the transition time between the first Kommissare and the arrival of the dual system in Germany. Yet, the new replacements, for the most part, remained true to the format, and none of them were highly innovative or unique, with the exception of

Schimanski, who was first introduced by the WDR in 1981 and on air for *Tatort* until 1991. While the more classic detectives still worked their special *Tatort* charms on audiences, Schimanski, the brute from the working class, is as iconic to the series as the episode “Proof of Maturity”.

Today *Schimanski* still airs independently from *Tatort*, as the detective’s run ended in 1991 with him handing in his badge. He was the first detective to act against the bureaucracies not only in his job, or with good cause, but also as a human being, and was nothing like an official of the state was expected to be. He was often referred to as the Schmuddel-Cop, or grimy/grubby-cop. His introduction to pre-private TV was most likely not a calculated move, but proved to be a successful one (Brück, 2003). Schimanski brought a much-needed ‘American’ coolness to German TV and a closer look at the working class in Germany during the 1980s.

Chapter 2

Let the Battle Begin – Introducing Commercial television, TVII (a)



Homicide Detective Horst Schimanski

“(There is)... a serious deterioration in the quality of West German television programming. The two factors most responsible for this (temporary?) decline may have to do with significant changes in precisely the two factors cited by Collins and Porter as most responsible for the high quality of West German television in the seventies (and early eighties): the "mode of political control" and the move away from almost purely nonprofit television to a mixture of public and commercial broadcasting” (Geisler, 1990)

Introduction: Germany in the 1980s

The 1980s in Germany brought renewed worries about the Cold War, nuclear weapons, financial losses, and political instability. Russia’s invasion of Afghanistan in 1979 foreshadowed a troubled decade for the Cold War powers, including Germany. Munich’s Oktoberfest terror attack in 1980 brought back memories of the Baader-Meinhof Group; new awareness of environmental issues led to the creation of environmentally conscious political parties such as the Green Party, that gained seats in the German parliament in 1983; nuclear power plants gave reason for large organized protests; AIDS was now called an epidemic, finally reaching beyond the realm of marginalized groups such as drug addicts; and politicians were starting to fight for a new television system to bring balance to news and information programming. For Germany, the political and reportable events during the decade led to changes in policymaking, political power, and media policies and practices. The new networks and pubcasters alike fought for audiences, and the three largest stations, RTL, SAT1, and PRO7 were strongly established by the end of the 1980s.

Audiences were faced with an ever-changing world in their daily lives as well. Germany saw its first “Chaos-Days” in 1983, a large assembly of punks calling out for anarchy and destroying public and private property. German audiences watched the

powers of East and West attempt the first nuclear-weapon control pacts and, with their failure, were forced to accept more weapons being placed, along the borders of East and West Germany.⁴⁶ The decade began with Reagan becoming U.S. president (1980), Helmut Kohl impeaching Schmidt and becoming German Chancellor (1982), and, finally Gorbachev introducing important changes in the USSR with Glasnost (1986) and Perestroika (1987), just after the catastrophe at Chernobyl (1986). And at decade's end, the nation watched on TV the accounts of the student massacre at Tiananmen Square⁴⁷; just before the Hungarian government opened its borders to the West and thereby unlocked the Eastern block enough to lead into Germany's reunification in 1989, and the eventual dismantlement of the USSR.

This chapter addresses the changes in German media technology and policy from the earliest stages of the dual system (public and commercial television) while maintaining a discussion of German audiences of the 1980s. ARD attempted to cater to the audience, which now had more programming choices than ever before. They needed to compete with the new multitude of American television offerings flooding German television screens. *Tatort's* special multi-region and multi-detective set-up permitted it to alter only some of their formats/detectives in order to adjust to new audience needs, while maintaining some of their formats to retain the already established and loyal audience. During this first stage of commercial television in Germany, commercial networks were struggling financially and primarily programmed international foreign product. The changes made in the pubcaster's programming reflect the response to foreign purchases by the commercial stations, especially within the crime genre, as we will see in a comparison of formalistic changes in *Tatort* with the introduction of the detective

Schimanski (1982-1992). In other words, ARD's programming was adjusted to include some of the elements of the U.S. offerings of the commercial broadcasters, such as character development, camera movements, and plot. In the case of *Tatort* there are some striking similarities between the new detective Schimanski and Clint Eastwood's character of Harry Callahan in *Dirty Harry* (1971). A maverick detective thus entered the German television scene, one that did not have a family and would not be considered a model citizen.

ARD, which now faced another form of competition other than the forced friendly competition with ZDF, felt massive losses not only in audience numbers, but also in advertising revenue. (Schwarzkopf, 1999a) The German audiences of the 1980s were fully immersed in global events, fear of nuclear fall out from Chernobyl and nuclear war, loss of natural oil resources, and large political protest movements. The time of the Red Army Faction had come to an end, but the world was still a place of unrest, and Germany was in an economic recession. Audiences sought entertainment, and moral education remained one of the legal duties of the public broadcasters.⁴⁸ What had changed? Germany now had a nearly 92% television saturation. There were more programmed television hours than audiences could watch. (Eifert, 1999) By 1985, viewers had 35 – 45 hours of national programming to choose from every day, while in 1980, they had only 10 - 22 hours. By 1995, more than 700 hours were offered daily. (Wehn, 2002) Almost everyone could now be counted as a TV household and current events and entertainment were brought into the living room, with private corporations delivering most of them.

Industry Changes – ARD and ZDF Face the Free Market in Competition

Technological changes were an important factor in the opening of commercial television to Germany. The previously limited number of frequencies had been a quick and easy defense of the publicly funded broadcasts, as limitations would have been problematic for any real market competition. Germany had pushed for the introduction of cable and broadband since the late 1970s. A better control of viewers, and thereby taxable citizens; the elimination of reception problems with dipole antennae, or more colloquially, rabbit ears; a strengthened service section, the so-called video-text; and the possibility of new jobs in a globally growing industry, all spoke for cable conversion. Its biggest advantage however, was that with limited terrestrial frequencies, cable and satellites could function without interfering with the government controlled airwaves. But the main force behind the introduction of commercial television was not truly the result of technological changes, but rather was a political choice.

Chancellor Willy Brandt understood the power of the media ever since the reportage of the actions of the Baader-Meinhof-Group and the terrorist attacks during the Olympic Games. An avid supporter of new technologies and especially cable and satellite technology, he started a cable project in two large German cities in the earlier years of his administration (1969-1974). (Michels, 2009) Brandt founded the Commission for the Development of Technology in the Communication Sector (KtK), which only dealt with radio and television broadcasts in roughly 20% of its work, mainly because the individual states were protected in their media autonomy by federal law. This was laid out in the 1950s to ensure that the Allies' request not to reintroduce a centralized television in

Germany was met, as discussed earlier. The Commission evaluated the necessity of funding in the sector and also the position of Germany in comparison to neighboring countries. They decided that while developments were needed to catch up with other global players, there was no “pressing need” to finance new developments.

In 1974, Helmut Schmidt became German chancellor, and meeting with little opposition, he decided to discontinue the plans for cable development. (Schwarzkopf, 1999) His speech to the parliament makes clear that he not only understood the power of the media, but realized its potential dangers to German democracy. Schmidt stated that “... the technological (developments) can aid our freedom and humanity (itself), if we utilize them in a controlled fashion, and critically. (But) it can be harmful when consumed in a mindless fashion and without (a clear) focus.”⁴⁹ While he realized the potential of 24 hour-a-day programming, 365 days a year, Schmidt truly questioned if that would be beneficial to the citizens or democracy as a whole. He feared that highly mediated political issues, as he had seen in other countries, could be left to the media to ultimately decide, rather than the policymakers who could practice relatively freely now.

In general, Schmidt and his followers tried to make sure that the government kept its control, because they had followed other countries’ technological changes and the shifting power relationships between politics and the media. (Hamerla, 2009) Schmidt also wanted to ensure that the decision would not be based on information provided by those that would profit financially from these developments, such as technicians and engineers that were driven by an agenda of their own. (Scharzkopf, 1999a)

The CDU members in parliament calling for changes, not just on the technological front, grew louder towards the end of the 1970s. The media were seen as unbalanced in

their reporting now, especially the ARD, with its often-perceived left-wing liberalism. Therefore it was not technology that pushed Germany into the dual system of private and public television's coexistence, but political power plays. Schmidt feared that television would become a risk to democratic life. The debate around its non-democratic standards, by being partial to one party, the SPD, ultimately became the government-only television system's downfall.

The introduction of the dual system had a political development that reached back into Konrad Adenauer's tenure as The Federal Republic of Germany's first chancellor. Adenauer's proposed state-regulated commercial television in 1961 was quickly put aside as the German media contract of the federations' states with the government clearly stated that the federal state should not regulate any private endeavors. The subject was buried for a decade, but had returned with urgency by 1979. The biggest proponents were the newspaper publishers, with Axel Springer, of Springer Publishing House, at the forefront. He stated publicly that keeping the private news agencies from using the medium for their purposes was economically unfair and a hindrance to the free market economy (Schwarzkopf, 1999a).

The Christian Democratic Union (CDU) and its sister party, the Christian Social Union of Bavaria (CSU), were the first political parties to demand more media control. They argued that the ARD reported subjectively and was anti-CDU/CSU, with a heavy left-wing agenda. Hard evidence and proof of this does not exist. Demonstrators had focused on Brokdorf since 1974, but the protests reached a pinnacle in 1979. ARD's apparently pro-demonstrator stance led to the NDR's termination of the states/federal media contract, and was followed by Bavaria threatening to do the same. (Schwarzkopf,

1999a) The individual states, due to their autonomy, exchanged little information and news. Another problem was that since the individual state broadcasters all produced programming to broadcast on the ARD, there was no special body of executives who felt responsible for the nationwide ARD broadcasts. Control was handed to individuals that had little need to justify their choices, as there was no single entity or “clear” guidelines to be held accountable to. Furthermore, the CSU chancellor candidate, Franz Josef Strauß was denied interview time on several important occasions, such as during the Moscow visit of Schmidt, or during the election campaign period. (Schwarzkopf, 1999a)⁵⁰ The new leaders in the CDU used their power over the postal service to finance cable projects all over Germany, albeit most of them went into effect on test runs after private companies had begun broadcasting, thereby rendering themselves obsolete quickly. (Geisler, 1999) Interestingly enough, after Helmut Kohl’s “hostile” takeover as chancellor in 1982 and the introduction of commercial television in 1984, the long reign of the SPD had come to an end and Kohl and the CDU remained in office for sixteen years.

Even with the political justification some questions arose concerning financing. How would ARD, ZDF, and the state stations interact with the commercial sector companies and vice versa? How would public advertising change, if at all? As quoted in Karin Wehn’s book on German crime TV’s changes during this time of transition from single to dual system broadcasting, “Programming is a war. You are a general. The object is to win” (2002). Wehn argues that the public and commercial broadcasters converged in their methods, and since they both “battle to win” are equal as they both seek audiences. Yet, the law treats their marketing strategies and financing starkly differently.

Commercial networks were allowed to program 12 minutes of advertisements per hour of programming, 24 hours a day. Series may be interrupted for commercials once every 20 minutes, and movies every 45 minutes. In order to stay competitive, the public broadcasters made a list of demands, defending their position as broadcasters that were legally ordered to provide basic services. They stated that no genre could be forbidden to air for them due to legal or economical reasons. In order to program successfully they needed to be able to offer genres that had been considered trivial and commercial fare, such as sexually explicit material. Due to the information and education charge, sexual content had been hard to legitimize beforehand. They demanded that they remained financed in a fashion that would not hinder their ongoing competition with the commercial sector, and that they remain independent, which included the possibility to finance themselves in part via advertisements. In addition they wanted to be assured that all technological innovation and output resources be available or be made available to the pubcasters, and that they were free to adjust to the flexibility of the market in regard to their programming choices. In turn they would demonstrate the expected probity, responsibility, honesty, transparency, and economic frugality in dealing with funds made available to them (Schwarzkopf, 1999).

ARD and ZDF understood their position in the German broadcast environment: they were providing a cultural good, thereby fulfilling a duty bestowed upon them by the public and the government. Guarantees by individual states were not given right away, but in 1986, the German Federal Constitutional Court declared that the public broadcasters would remain funded, as they did indeed provide basic services. The court deemed the dual system legal, but not necessary for the German people. One year later,

the individual states accepted the new broadcast contract (Schwarzkopf, 1999a).

With the public stations' limitations on daytime advertising, discussed in chapter one, the only options for advertisers to reach audiences after 8 p.m. was with commercial broadcasters. Other forms of revenue, such as license trading, program leasing, and production services for third parties only brought in minimal additional funding. The public broadcasters began a balancing act between mass and elite audiences as well as public funding and commercial revenues. In general, they were meant to focus "on the single viewer and her/his participation in the democratic dialogue in social communication" (Buchwald, 1999). This was not an easy feat in the dual system, where competition was new.

Competition in the dual system illuminated the obvious advantages of commercial networks. Helmut Thoma, the head of RTL (Radio Télévision Luxembourg – commercial broadcaster) stated in an interview: "Bait has to attract fish, not the angler."⁵¹ The commercial stations were dependent on the economic strength of the free market, but that also meant that they could draw from a wide variety of advertisers and use their comparatively massive advertising output. Their programming purchases in the first years included material previously licensed to the German pubcaster, such as the American TV series *Flipper* (1964) and *Bonanza* (1959); this first wave of re-runs ensured them a decent audience turnout. The first ten years after the introduction of the dual system saw almost entirely foreign fictional programming on the commercial networks. After the commercial stations had begun to turn a profit, however, they began to invest in domestic productions. This addition to the German production market changed the playing field once more and will be discussed in detail in the following chapter. Tracing the audience

share over the first twelve years of the dual system, Buchwald shows how more than half of the audience, especially in the desirable 14 – 49 year old age range, was lost to RTL, SAT1, and Pro7, the strongest of the commercial networks. With the clear success of the commercial broadcasters, the states became divided on the subject of the GEZ dues in 1988, and the amount citizens should pay. In order to avoid split fine systems, the individual governments overcame their disagreement. (Buchwald, 1999)

Neighboring European countries' broadcasting networks were mainly public, with the exception of the United Kingdom, which introduced publically controlled commercial television in 1954. Italy introduced local commercial television in 1974, and France's Canal Plus, a pay-TV station, began airing in 1984. TF1 was France's first station to be privatized. The models German pubcasters looked to were mainly UK and USA in origin. ARD reacted to the growing commercial pressure by incorporating branding strategies. They created a new logo consisting of nine links moving into the image, each with the local broadcaster's logo that united to shape the numeral 1. Once linked together the local broadcaster's logos disappear and leave behind the letters ARD embossed on the numeral. Thereby the network not only alluded to its federal nature as well as that of the individual stations, but also reminded the viewing nation that ARD had been the first German national television station. (A 1.3)

Changing the Rules and Adapting the Format Bible – *Tatort* Meets the Challenge

The competition brought on by the introduction of commercial television was not necessarily German, and that was what the ARD strategy reminded their viewers. It was strictly, considering the entertainment fiction programming, American competition. Even daytime and evening talk shows were crafted upon American models. (Geisler, 1999) During their initial years, the commercial networks purchased TV series and films from the United States, not being able to finance domestic productions at that stage. The public networks' first attempts to change their own programming resulted in them being criticized for seeking ratings and giving up quality and integrity. The trivialization of daytime programming was understood as an approximation of the commercial networks and a move away from critical shows and experimental programming. (Geisler, 1990) This changed by the end of the 1990s, as the temporary "identity crisis" slowly adjusted itself. (Buchwald, 1999)

The problem at the beginning was threefold: programming had to be "distinctly German", providing German narratives, characters, locations etc. It also needed to draw large audiences and had to be of interest to the elite viewers in order to elevate the public broadcasters above the "trivial" fare of the private providers. *Tatort* quickly established itself as the perfect vehicle for the ARD to adapt part of its programming to the shifting audiences. But directors and writers, as well as producers, had begun to take liberty with the *Tatort* format.

While the ARD and ZDF had received much international acclaim for their film funding opportunities, such as *Das Kleine Fernsehspiel* (The Little TV Play), which granted funding to new and young directors and writers, the widening TV market and

solidification of commercial networks had an affect on what the pubcasters could program in order to attract audiences. This new TV audience was expressively not to be mistaken for that of the New German Cinema. This audience was not an elite audience, but a mass audience. TV needed to cater to the largest common denominator, while still offering programming for niche groups and informative news shows. The highly acclaimed New German Cinema had its effects on television, but with the introduction of commercial networks, audiences now had a point of comparison in the entertainment sector that had a proven (American) track record.

As a result Witte redrafted the format bible and reminded those in charge of production of the essence and plausible causes for the success of *Tatort*. Therefore, cinematic experiments, such as those seen in New German Cinema, were to be prohibited in the world of *Tatort*. The public broadcasters and ARD especially fought to remain number one in the Sunday night family primetime slot. The slot promised to generate strong brand loyalty, as family tradition would generate loyalty at a young age. As we will see later, ARD remains successful with general audiences to this day. And it is possible to assume that TV producers were hoping that this loyalty would bring audiences to tune into their channel on the other weeknights as a result. This means that *Tatort*, being the best vehicle to maintain broad audience interest in the entertainment sector, and a series that had been successful for more than a decade, became ARD's flagship they needed to sustain and generate new audiences during the introductory phase of commercial television.

The new format bible for *Tatort* was born out of the necessity to maintain the series as a brand product (Witte, 2009). While the episodes still had to be independent

from each other, they were no longer to be stand-alone episodes that had no relation to the *Tatort* concept. The idea of *Tatort* needed to be recognizable in the formal, narrative and moral/character development in each show. Episodes had begun to experiment in a fashion where even the core subject of the murder/crime had moved to the periphery, and audiences began to show and voice their disapproval (Henke, 2009). During the late 1970s, the first generation of *Tatort* detectives had begun to leave the series and retire. Many stations, as mentioned above, saw instances of quick changing detective turnovers, which made even the regional repetition unrecognizable, and endangered the concept. This changed once new detectives were established. Therefore changes were made by way of assuring the clear relation to and importance of the individual Kommissar to the plot, which was meant to make clear that this was crime and not experimental television.⁵² The format bible had to be adhered to, not just looked at and then forgotten (Witte, 2009).

Whether or not these reminders and changes were taken to heart by those in charge is debatable. According to the list of “personal favorite episodes” mentioned by the various interview partners and available on the internet, viewers often choose those episodes as special that stick out from the rest, such as the previously mentioned “Proof of Maturity” (ch. 1, ch. 4). And the new detective on the scene, Horst Schimanski, defies many of the rules repeatedly, which, in part, makes him one of the most favored and well-known *Tatort* detectives. Chases, explosions, and an overall Hollywood production style, more reminiscent of the American *Dirty Harry* movies, quickly became Schimanski’s daily bread.

When Cultures Clash – *Tatort* Changes Faces

Schimanski was the first Kommissar to truly defy his superiors, seek out fights with suspects and even victims, and allow audiences into his private life. Hajo Gies directed the first episode “Duisburg – Ruhrort” (1981), foreshadowing the public broadcasters’ shift to more entertainment programming, but clearly following the main staple of *Tatort*: it needed to be realistic crime drama. The first scene opens with the song “Leader of the Pack” (Shangri-Las, 1964). The wide shot of smokestacks in an industrial city landscape, clouded in grey smoke slowly pulls in through a window. Kommissar Schimanski is seen in soft focus, standing at the window, before the camera moves through the bachelor pad, allowing audiences a closer look at the environment of a more private, intimate Schimanski. While other Kommissare, most notably Heinz Haferkamp, Schimanski’s long-running predecessor at the WDR, have also invited the audience into their private lives, what was shown before was orderly and clean. A private life that was typical of the public image of an officer of the law and government employee.

Schimanski’s apartment, in contrast, is filled with empty beer bottles and his kitchen area is cluttered with dirty plates and glasses. This man is a prototypical bachelor and his breakfast consists simply of raw eggs in a glass. His “hyper-masculinity” is highlighted throughout the character’s many reappearances on *Tatort* (1981- 1992) and after, when his character received his own spin-off series of the same name. This Kommissar is no longer an aloof investigator. He is no longer an office holder that is not permitted to become personally involved. He is also a human and a man. The world around him had changed also, and tracing *Tatort*’s shifting subject foci over time, it is clear that the crimes and the milieu of the characters involved had shifted, as evidenced

by the heightened presence of blue-collar murderers and victims, as well as child victims.

Schimanski, or Schimmi as his friends call him, was born and raised in the lower middle-class tenements of the industrial area of Duisburg. It is a rough environment, and one that got rougher with the German recession, which hit the so-called coal-belt, the cities along the river Ruhr, hard. Rucker bars, port workers, families hardly making ends meet are all common threats in Schimanski episodes. While this is now a staple of *Tatort*, and aids in the series' reflection of German life circumstances at each episode's corresponding time, it appears to have truly struck a note with audiences with Schimanski. Schimanski is an "expansion of emancipation, autonomy, democracy, indulgence, spontaneity and the living out of emotional needs." (Brück, 2003) The former ideology of obligation to the system, discipline, abstinence, and obedience moved to characters on the side lines, or, in this case, to Schimanski's partner, Kommissar Thanner. Through this character, a discussion of values stays alive and Schimanski has the opportunity to explain his actions, best as he can, for after all, he is not the well-educated, complex kind of detective, but a rather crude one. The economic boom had generated strong and confident young people that now faced a recession without understanding the concept.

The first episode "Duisburg-Ruhrort" concerns a port worker, Heinz Petschek, found stabbed to death in the water. Schimanski and Thanner arrive at the waterfront where a photographer tries to snap photos of the crime scene. Schimanski hits him and attempts to take the camera, still beating the man. Shortly after this, when the investigation takes the two detectives to a bar the dead man frequently visited, and where cops are not welcome, another fight breaks out, because Schimanski will not leave

before he has answers. That is one remarkable feature in Schimanski, he is never willing to accept what he is being given, and he always stays his ground as long as he can. He follows the trail to a man, struggling to take care of his children. His wife has left him, and he believes it is for another man, Jan Poppinga. Poppinga is thought to have had an affair with the dead man's wife, Mrs Petschek, as well. But, Schimanski follows his instincts and believes Poppinga is innocent. Petschek had just recently quit his job to work for a ship owner named Wittinger, but had not told his friends or family about it and no one understood this move. Soon it is clear that drug trafficking as well as union issues may factor into this web of events. The next day, a Turkish factory worker is found dead near by.

The episode explores this milieu of the work force and their struggle; it discusses issues of the inland waterway transportation as a business, the Turkish work force brought to Germany during the economic boom and underground smuggling rings. When investigating in a Turkish restaurant, a Molotov cocktail is thrown through the window, into the busy restaurant, Schimanski runs out and tries to chase the man, but ends up beaten, and too slow to react. Later, when he believes that Petschek's boss, the boat owner, is to blame, Schimanski chases the ship. He follows the ship in what is shot to look neck-breakingly fast, in his car on land, then by foot, until he jumps onto the boat. Many more fistfights occur, and the language is often coarse and vulgar. This is *Dirty Harry* for Germany with a less polished exterior, and although the format bible excludes chases and explosions, due to Witte reinstating the rulebook at the time, Schimanski was never faulted for stepping outside the boundaries, but instead is one of Witte's favorite detectives in the series (2009).

Horst Schimanski, however, does not lose track of his goal, to find a murderer. He is not blinded by career opportunities provided by the drugs and weapons case. His only mission is to try and find the murderer. And he does find the killer, although the person in question may be someone Schimanski and maybe the audience, can be sympathetic to. In this specific case, the man who had taken care of his children as best he could had indeed murdered Petschek, in a fight relating to his wife and other personal issues from previous years.

Instead of clearly indicating right and wrong, and presenting a stereotypical “bad guy” to the audience, the chain of events presented and the character carefully crafted leave audiences to wonder about the murderer’s actions. The justice system has won and found its culprit, but the ending, somewhat unresolved as it is not clear how the system will punish a crime that started by accident. The ending does not conform to the standard crime drama rules of television at the time, where clearer and less ambiguous endings are key and full catharsis is provided to the viewers. This trope of a murder-that-did-not-have-to-happen is something we see often today, not only in German television, but also in U.S. crime dramas such as *CSI* (CBS). It is reminiscent of the first *Tatort* episode, “Taxi to Leipzig” (1970) and the murder of the dying child, although Schimanski does not let murderers off the hook as Trimmel did in that historic episode. The idea of the emotionally driven, masculine brute with a hard shell and a soft core here relates to a detective that feels the need to do his job, but does not gain satisfaction from bringing down the culprits. There is no heroic reward, nor heroism. The culprits are not stereotypes, but humanized, just as the Kommissar is himself and thereby invoke an emotional response from audiences. This audience could relate in large numbers, not

necessarily to the milieu itself, but the human nature of struggling and making mistakes.

The Schimanski character has received the most attention from writers and researchers and ranks high in the rerun cycle. ARD had found a format that worked well with audiences, brought in the desired younger audience share and also stood above the private competition, but this was only one detective and branding was in its infancy. Later, ARD pushed to exploit the format even further. Schimanski's episode "Zahn um Zahn" (A Tooth for a Tooth, 1985/1987), directed by Hajo Hies, was the first *Tatort*, and the first Schimanski episode, to be released to movie theaters before its premiere airdate on ARD. To clarify again, all *Tatort* episodes are roughly 90 minutes in length and shot on 16mm film, thus no specific changes had to be made during and for the production. Solely the distribution platform changed for the selected episodes that would air on television after their theatrical release. Two more Schimanski "films" were released in theaters in later years, and a few non-Schimanski episodes that would air in specific regional theaters, rather than seeing a nation-wide theatrical release.

The episode opens and closes with the song "Fist on Fist" (*Faust auf Faust*) by the Klaus Lage Band, 1985. The lyrics of the song refer directly to the episode in so far as they describe the emotional struggle the main character goes through by depicting him opening up emotionally and finding himself in the midst of a large French Foreign Legion conspiracy, costing him his loved one.

The first shots reveal a large industrial building, the credits begin to roll and the building implodes, unsurprisingly and controlled, the steady camera and the calm grey visuals do not lend themselves to excitement. The next scenes reveal a cityscape in uproar, always intercut with shots of Schimanski at an empty bar, drinking alone, head

down, scowling. The pairing of the building's quiet demise and the population in distress generates a sense of inevitability and of powerless protest. Buildings are burning, protesters are turning over cars, breaking glass, storming the streets, yet they do not even phase Schimanski sitting with his beer at the bar. This neighborhood is a working class neighborhood in Duisburg. The demolition has begun, contracts have been signed, and the forced evacuation of its inhabitants is underway. Amidst all this, murder-suicide took place in a close-by building and the man found dead among his murdered family members is a childhood friend of Schimanski's. German television productions had an aesthetic akin to stage dramas, with steady frontal shots emulating the classic stage set up, according to Melanie Wolber (2009). In part this may be related to the stipulations of the format bible discussing the need for a non-American camera use (A2). The innovation in German television cinematography is tangible in the following sequence of this Schimanski episode.

There are short repetitive shots of the individual pieces of the crime scene, close ups, and tracking shots, rather than the previously common long shots and long takes. The husband on the floor with his gun, his gun in close-up; the young boy in his school gear in front of the breakfast table, a close up of a half-eaten sandwich on his plate, on the floor; the older sister in her bed, half-dressed, close up of her arm hanging lifeless from the bed. Something feels off in this relatively quick-paced edit, and then, after Schimanski states that this man would not have committed suicide or murder, the camera reveals a young girl, cowering under the table, hiding, mute. Would the man, Alf Krüger, have forgotten to kill his youngest daughter when he killed everyone else?

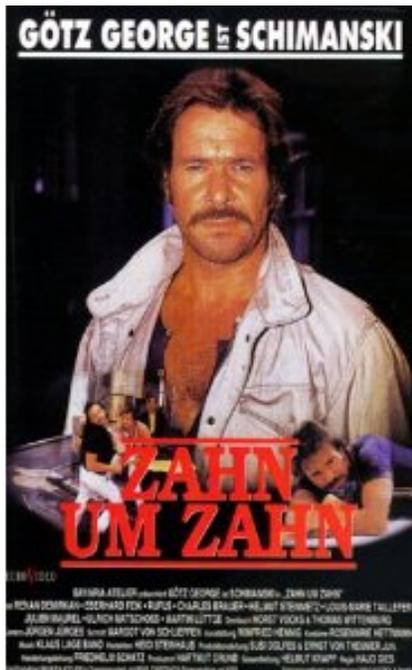
Schimanski wants to get to the bottom of this and goes to see the industrialist

Grassmann who explains that Krüger was fired for embezzlement of DM 80,000, but he cannot explain what Krüger had been investigating a few days prior to his death in Marseille, France. A young female journalist, Ulli, is investigating on her own and appears to be one step ahead of Schimanski at all times. Krüger had been investigating the company on his own time. While the case has been officially closed, Grassmann had made use of his connections; Schimanski keeps looking for answers, and as a result, is suspended.

He flies to Marseille, attempting to trace Krüger's steps in France, and of course Ulli, the journalist, has arrived first. Both of them fight for the truth and keep pushing, even after the French police take Schimanski's passport and prohibit him from leaving the country while they have an ongoing investigation of their own. The two follow their lead to a villa in the countryside, and its caretaker, whom the audience has encountered previously. The caretaker shoots Ulli, before being killed himself. The name of the person behind this net of industrialists is still a mystery, but Schimanski has gathered more pieces to the puzzle. Ulli follows a lead on her own, albeit Schimanski's warning, and pays for it with her life. The boss is revealed, the head of a group of legionnaires, and executed by one of his own, a family member of Krüger, in revenge.

Schimanski, already the *enfant terrible* among German TV detectives, and very successful with audiences for it, takes his anti-establishment stance one step further in this episode. Under the direction of Hajo Hies, *Tatort* has moved into the realm of action-adventure television, rather than maintaining its police procedural set up that is filmed with German television's and cinematic conventions of long takes, slow paced editing, and dialogue heavy plots. Schimanski is known to mumble, swear, and talk in fragmented

sentences. This episode is filled with explosions, car chases, and bar fights. It makes good use of its French co-production set up and the desolate landscape of the agricultural areas surrounding Marseille, as well as the city’s architecture and culture at the same time. This episode was first shown on the big screen and certainly that affected the budget and the writing. In addition it was an anniversary episode, when it aired on ARD (#200). The introduction of commercial television networks had already begun changing the competition and what the audiences wanted and the producers in charge of Schimanski had, albeit in contradiction to the format bible, successfully incorporated a more American style. The fact that Schimanski received a spin-off series, is the detective with the most books written about the character, and one of the first to receive a detective DVD-set, is strong proof that the approach to emulate American aesthetics in German productions generated audience interest and that an individual brand within the brand of *Tatort*, had been successfully launched.



Movie Poster “Zahn um Zahn”

Tatort had begun to pick up the pace and volume of production. While Witte stated that in its early years, *Tatort* was aired only once a month for fear the series would otherwise become too repetitive to audiences, it now airs almost 40 premiere episodes per year. It took 17 years to reach 200 episodes. Today this has dramatically changed. Episodes by famous authors like Henning Mankell, the Swedish author of the renowned crime series *Wallender*, or episodes introducing new detectives like the one portrayed by famous actor Ulrich Tukur (*Solaris*, 2002; *Life of Others*, 2005; *Northface*, 2008), air on film festival circuits. On occasion they are premiered as raffle prizes in regional theaters, via the radio and television, as is the case with the episode airing on *Tatort*'s 40th anniversary, which will introduce the brain tumor-ridden detective played by Tukur, to German-wide audiences. The 700th episode of *Tatort* aired in 2008, on May 25th, a mere eleven years after the 200 episode marker. The 800th episode is scheduled to air in early 2011.

Justifying Public TV - Audience and *Tatort*



“Black Weekend” (1986)

According to Gebhard Henke, audiences have always made their opinions known to the stations. Audiences now called and sent letters and shared their opinion with the coordinating (WDR) or individual station for the individual regions, concerning specific episodes. Audiences made themselves heard. It appears clear from the rising audience responses that especially with the introduction of the controversial and recurring Schimanski, the audience made use of its voice. One episode that received viewer disapproval was “Schwarzes Wochenende” (Black Weekend, Dominick Graf, WDR, 1986), again with Kommissar Schimanski. It is described as overly complicated and while artistic and beautifully shot is criticized as unsuccessful with audiences, who critiqued the episode and showed little interest in re-runs. This led to a set of criteria that

regulates the level of turns and twists the stories in *Tatort* may serve to audiences. Unfortunately, legal questions could not be answered in time to make individual letters available to this research (Henke, 2009).

The episode has an unusually long opening sequence, with non-diegetic sound and video, and awkward cuts between watching the Kommissar toss and turn in his sleep, and seeing his dream. The audience sees images of a screaming man, while listening to Schimanski's heavy breathing, clarifying that he is still asleep and no sounds from the dream are audible. Intercut into the dream sequence we see him in his day clothes, lying amidst empty beer bottles. The dream is disturbed when we hear gunshots, and then the episode flashes back to the events of the previous day. Only in hindsight, and due to layering sounds and diegetic music does it become clear that we have left the dream sequence. A young man committed murder and is being chased to the rooftop by Schimanski. The murderer lifts a grenade over his head, pulls the latch and screams. This time the audience can hear the sounds of his voice, and the suicide explosion. But this opening sequence relates to little in the film, only justifying Schimanski's mood swings throughout the episode. The Kommissar is as usual, loud, obnoxious, and rough to his witnesses and suspects. Early in the film he tells his girlfriend that she needed to get all of her belongings out of his apartment, because he feels forced into a relationship status he is not ready for. This is another storyline that brings Schimanski closer to the audience, but deviates from the actual plot of this episode and adds little to the progression of the main plot.

In an attempt to speed up German television fiction's typically slow visual development, the staged blocking, long takes and wide shots, it appears that action is

introduced that only results in confusion in this example. At one point in the episode, Schimanski has several suspects and side-plot victims at the police station and begins interviewing them, shuffling them from room to room, bringing them together, moving them apart. Yet, after this eight-minute long moving of the plot's chess pieces, nothing has changed within the storyline. No real clues have been found and the only thing that has intensified is Schimanski's (and the audience's) frustration of the situation. Objects are moved in this sequence with similar pointless determination.

Like chess pieces on a board, different, unrelated plot elements are moved from room to room, chair to table, slid across floors and tables. Lighters are flicked on and off, chairs and coffee cups, jackets, and window blinds, even a dog is amidst all of this, and even the dog gets moved to one room then has disappeared when we return to the space. The sequence is chaotic visually and narratively. However, while the attempted pacing and multilayered storytelling remains unsuccessful in delivering a clear narrative of crime fiction that audience members can follow relatively easy, as the story unfolds, all characters are explored deeply by the storyline, and they are granted a wide range of emotions and individual histories, which connect them and thereby parts of the puzzle pieces created before. The characters and base plot are strong and rather typical of *Tatort*, but what failed was the cinematic experiment. The film often appears to have attempted to visualize the plot complexity through editing and directing and was successful only in creating confusion. Quality control and quality television as a concept are not introduced to *Tatort* until the late 1990s and early 2000s, but, as complexity of narrative is a staple it is clear that *Tatort* began experimenting with conventions early on; in this instance rather unsuccessfully.

Critics lauded *Tatort* since its first air date as exceptional and soon the series became a staple of German television, the audience remained the number one concern and the audience did not applaud convoluted scripts that depended on flashbacks to maintain some form of through-line to present to the viewers as seen above. Scripts as convoluted as “Schwarzes Wochenende” remain a rarity, even though the series’ success gives it financial license to experiment regularly. Although the creative team wished to take liberties, the *Tatort* executives sent a clear message to remind them of the primary aim of the series. Ultimately, it is clear in this writing that catering to audiences is the single goal of the programmers and creators. And these “ideal” audiences are not made of individuals but groups of consumers for both the free market and public television. (Brück, 2003) *Tatort* maintained consistent ratings, and therefore it was important to realize what led to the show’s success and to maintain the genre and integrity of the regional formats they worked with. They needed to solidify *Tatort* as a brand once more, to brace for the growing commercial broadcasters.

The three most important classifications for a program are discussed as the three R’s: Reach, Reputation, and Repertory Possibilities. (Viehoff, 2003) *Tatort* had reach and needed to stay its ground; its reputation was at stake, and because that was so, less of the episodes could now be considered stock material to be used for re-runs. ARD needed to respond to the changing market, however, while holding on to that which had been successful. One way to bank on their product was to elevate its domesticity, its regionality, and its innate national character. As Germany had entered the recession, *Tatort*’s writers started to pay attention to the working class and its struggles. The country faced a new challenge, however, when the Cold War had eased and the east

block fell. The two Germanys at the heart of the very first *Tatort* episode's plot had been reunited, and the now larger pool of audience members in Germany pushed the commercial broadcasters into the profitable margin of the television industry and established another level of competition once again.

But the newly formed Federal Republic of Germany did not only face economical, governmental, and industrial challenges. The socialist regime had deeply affected societal norms, just as the commercial democracy and early introduction of private media had affected the norms in former West Germany. The two needed to be reflected respectfully and yet attract audiences on either side, even when at odds. On television, ARD attempted to include the former East through utilizing one of the only two series to survive the downfall of the GDR, the *Tatort* "copy" *Polizeiruf 911* mentioned in the introduction. ARD and ZDF also needed to fight the fact that citizens of the GDR, shielded from foreign media, especially American media, most likely would seek out what was new to them. Although the media system in general did not have significant political shifts, it experienced dramatic changes in audience, its main interest, economy and programming at this point in time. Germany had entered a television era, where both players in the dual system produced domestically and were financially stable.

Chapter 3

A New Germany, A New Audience, and the Explosion of Domestic Production, TVII (b)



“Tod im All” 1997

“In our culture television has become the medium to satisfy such lust (for crime). ... crime coins the schemes of all major public broadcasters: this holds true for the public as well as the commercial stations. (...) it clearly indicates that the crime genre on television is the terrain where you find the major battles between public and commercial stations. In the last few years the crime genre has become an ever-present genre.”

- Reinhold Viehoff
(1996)

Introduction

The reunification of Germany in 1990, following the fall of the Berlin Wall in 1989, created the current Federal Republic of Germany. This brought with it massive overhauls in all areas of German life: the economy, new laws and regulations, as well as television and other media industries. Some of these changes are still in process today. ARD and ZDF were now facing a new problem in competition. The GDR (East Germany) had very restricted television programming, especially in rural areas. The commercial stations that had just begun to establish themselves in the 1980s in the West were now able to reach massive new domestic audiences excited about foreign programming. The monies invested in cable and satellite projects soon proved to pay off for the commercial broadcasters and for the first time ARD and ZDF found themselves receiving lower ratings than its non-public rivals.

This had a direct effect on productions and production values. Generating profit, the large commercial broadcasters, such as RTL and SAT.1, began to finance their own productions and found that domestic strategy paid off. The pubcasters now faced competition not only on a general level, but also within their field of specialty - domestic fiction production. Much of this domestic fiction line-up consisted of successful crime genres. This chapter will examine technological and industry shifts in programming and how this programming again illustrates an attempt at attracting a new and growing TV

audience. It represents yet another change for the *Tatort* series, as it tries to combine domestic production and the series' established strengths with the need to generate new audiences in the East that were now receiving foreign fare and commercial productions that emulated the American style.⁵³

Industry

Similar to West Germany, the former GDR began broadcasting television in the early 1950s. In 1952, to honor Stalin's birthday, the first episode of the long running state news program, *Aktuelle Kamera* (Current Camera, regularly scheduled 1957-1990) became the GDR's most prominent broadcast program. The station Deutscher Fernsehfunk, was renamed Fernsehen der DDR (Television of the GDR, or DDRfs) in 1972. The second East German station (DFF2, then DDR2), was established in 1968 and aired the earliest color programs in 1969.⁵⁴ Until the mid-1980s reception of West programming was considered apolitical and anti-state, and access was only possible in border regions and surrounding areas of Berlin. But with a new regulation passed in 1986, West German public television was no longer banned, and the legal placement of antennae permitting such reception made programming available to citizens in remote areas of the GDR such as Dresden or the eastern and northern border regions. The public stations were receivable via TV top antennae, while the commercial broadcasters relied most heavily on cable and satellite, a system, which at that time had not been developed in the GDR.

The political climate in the GDR unquestionably affected the programming as well as the exposure to American programming, but in border regions closest to the West,

and in Berlin and surrounding areas, GDR citizens' use of West television occurred so blatantly that the GDR leaders took notice. Erich Honecker, after taking power in 1971, noticed the dire position of East German television. After some attempts to purchase West German public crime series and producing documentary-style programming in the East, he recognized the dominance of West German media.⁵⁵

Following the collapse of the Berlin Wall, the Fernsehen der DDR remained on the air until December 31, 1991, when the West German stations built a considerable infrastructure in the former East. Due to the public broadcast services state treaty that was altered in 1991 and again in 1994 in order to refine the contract language to include the newest states of the FRG, considerable expense was devoted to opening the East German market. The commercial broadcasters did not wait long to join in the competition for this new market. The larger offering in programming and stations also resulted in an important shift in scheduling, meaning that gaps in programming were closed and the programming line up was streamlined, also referred to as "stripping". This allowed audiences to be able to identify specific programming with time slots, days and stations, a form of programming that had not been available prior to 1992 (Brück, 2003). Stripping was meant to generate what had generally been termed program flow, leading the audience from one program to the next without dramatic interruptions or changes in topicality and genre (Wehn, 2002).

The East German audiences reportedly had a large interest in imported programming and, at least in the early years, often tuned into the commercial networks (Viehoff, 2003). This gave the big three commercial broadcasters, (RTL, SAT1, PRO7) a new advantage, as they had already purchased a sizable program archive and began airing

repeats at nighttime and early in the morning as well as during the mid day. These were time slots that had traditionally been open, or without broadcast, on the public networks. For the first time, in 1991, RTL and SAT1 were generating net profits (Buchwald, 1999). In 1994 a total of fifteen new crime series were produced domestically, the number went up to 24 in 1995/1996, almost five times that of 1986. The tables had turned for the commercial networks, and from 1993 to 1998, RTL led the market. Every day featured several crime dramas with the label “Made in Germany.” According to Brück and Viehoff, on certain weekdays six domestic crime dramas would compete with each other for viewers. In 1995 Germany’s television industry was the second largest and second most profitable television industry in the world (after the US) but it was not until 1998 that the ARD could reclaim their number one position with audiences. (Brück, et al, 2003) The overall losses of audience members in the first decade of the dual system reached almost 50%, but as can be deducted from the following audience breakdown, competition stabilized and leveled out towards the end of the twentieth century.

Station	1986	1990	1998
ARD	43	30.8	15.4
ZDF	40	28.8	13.6
The Third Channels	12	9	12.3
RTL	1	11.5	15.1
SAT1	-	9	11.8
PRO7	-	1.3	8.7
Pubcasters (excl. 3SAT, 1PLUS and arte)	95	68.6	41.3

Percentages of general audiences, ages 3 and over

(Buchwald, 1999)

Both the public and commercial broadcast providers competed strongly for audiences and advertisers. Both public and commercial television were bound by the

broadcast contract and were instructed to aid in generating programming that would provide a large and diversified array of programs, informational and fictional series. Both cater to the audiences and were and are regulated by national forces (Buchwald, 1999).

It therefore is clear that the dichotomy of commercial and public television becomes a less valid categorization when discussing their practices and programming. While the term has been used differently in American television scholarship, in Germany, this shift in network appearances/practices and the fact that programming itself is becoming similar for both kinds of television content providers has been termed the “Convergence-Hypothesis” (Wehn, 2002). This means that through the juxtaposition of the commercial and public networks and their competition they become more uniform in their business model and industry practices, as well as production.

Programming

The challenges of the newly opened market and the now firmly established commercial networks, as well as the changed and extended demographic of the audience is reflected in *Tatort* and its episodes and investigators. The detectives rotated more often than in the prior decades, writers introduce contemporary gender ideas and add a new region, in the former GDR, to the *Tatort* family. The GDR stations were restructured and former stations SFB (West Germany) and ORB were combined, in 2003, to form the RBB in Berlin and Brandenburg. The station MDR (Middle Germany Broadcasting) became the newest addition to the regional network line up.

While the new member states in the east were expected to collect GEZ cash to funnel into the public broadcasters, the pressure by the higher budget productions and

aquisitions of the advertising-strong commercial broadcasters left the public providers unhappy. The ad revenue for ARD went from DM 935 million in 1989 down to DM 308 million in 1997. RTL, its strongest competitor, reached only a sum of DM 294 million in 1989, but totaled 2238 million in 1997. In 1997 only 8% of all ad revenue went to public broadcasters (Buchwald, 1999). In 1992, the pubcasters successfully pushed to alter the regulations to fulfill the broadcast contract and stay competitive with the commercial networks. While this is revenue generated outside of the advertisement revenue stream, they had sought and won the right to air sponsoring (Brück, 2003). This has come under scrutiny recently and is currently being revisited by regulating forces. However, the income via sponsoring, a 10-second clip at the beginning and end of a program, provided by a single advertising entity, has made a financial difference.

Unfortunately, this difference was not felt at the producing station of each regional *Tatort* program. The fees for sponsoring are paid directly to the ARD, not the regional station. Although, the money does flow, in part, back into the individual states the difference this payment makes to *Tatort* production allocations has been described as that of “a piece of buttered bread” (Wolber, 2009). Sponsoring quite often sees single sponsors working with a series or program over an extended period of time, and often the pairing is thematically linked, although, by rule and regulation, no connection between the program and sponsor may be forced upon the program. For example, *Kommissar Rex*, a German domestic television crime drama focusing on a K9 squad dog and its owner, is sponsored by Frolic, a dog food brand. In the case of *Tatort*, beer has been the sole sponsor since the mid-1990s, with the brand Radeberger at the forefront. The beer marketed is marketing itself as an upscale brand, but since Germany is known as a beer

drinking nation it stands to reason that it targets a generally male audience, 16 years and older.

The new lead-ins and lead-outs, brief clips showcasing the product led to another programming shift. ARD and ZDF began to create lead-outs that would capture the audience and prepare it for the upcoming program, closing the advertisement gap that was seen on the commercial channels and maintaining more audience members as a result (Brück, 2003). Scheduling had been the same for all stations, but now due to the absence of advertising, the public broadcasters could begin programs earlier, while the commercial stations were still airing their final advertisement block for the program. With all these changes in general programming and an evolving television environment, ARD and ZDF stood to lose the newly acquired East German audience, as well as its position as the number one station in television advertising shares. ARD's flagship program, *Tatort*, did not remain untouched in this tumultuous time in German television.

Tatort

Tatort attempted changes in three significant ways in order to adapt to the challenges of the new Germany. First, the producers and writers introduced more detectives that aired on *Tatort* for a short duration. The channels created individual episodes to cater to perceived trends with audiences, by deviating from *Tatort* norms and testing popular genre hybrids and new technical formats. Second, they changed the detectives and lead characters not only more rapidly, but also from the normative concept of *Tatort* detectives seen in prior decades. The investigators change in depiction of manner, hierarchy in the system, self-consciousness, and position in society. It may be

assumed that this reflected the changes in the societal make-up of Germany and its audience. And third, they began sharing the Sunday night slot with the GDR program *Polizeiruf 110*, while also creating *Tatort* detectives in the East to bring the two regions together. The latter strategy resulted in creating a brand for ARD's Sunday night as "crime night." In this sense Viehoff states "*Tatort* exemplifies, how through continuous brand maintenance a brand loyalty can be achieved. Consequently, by adding crime dramas as fillers... the program space has become a staple weekly happening" (Brück, 2003, 276). This "crime night" programming also included two episodes of *Tatort*'s precursor *Stahlnetz* (with new episodes), the German version of *Dragnet*, which had inspired the series.

In addition, the *Tatort* series made use of cross promotion with cameos by actors and celebrities from popular German shows (preferably commercial station shows) by using celebrities to advertise for the series on television. Since boundaries were being pushed on either side, the Broadcast services state treaty was reconfigured in 1997 to include an official ban on product placement. "(Any)... mention or placement of goods, services, names, titles, logos, actions of a producer of goods or provider of services, placed without the audiences awareness of the advertising purpose of such placement (is illegal)..." (Brück, et al 2003, 309). To this day this remains a problematic and controversial regulation. The controversy stems from the use of product placement that still occurs, even in the public broadcast sector, and is seemingly unstoppable. One of the problems is that there are no specific sanctions, and no punishment written in the law, so if it occurs, it has a minimal effect for the producers legally. Yet, at the same time, it does generate press for the show/episode in question and therefore may be viewed as

beneficial, rather than damaging to the program. In a recent episode from 2009, for example, the detective Klara Blum and Perlman, her assistant investigator, are seen on a driving test site, apparently following regulations by taking a driving test for police personnel, in their Mercedes. Newspapers reported on the narratively unconnected scene and condemned the use of such illegal product placement. The press was not favorable, but articles such as this kept *Tatort* in the public mind.

The New Detectives

After the introduction of commercial networks to the German market, audiences welcomed the new variety offered by television stations in programming not only in domestic productions, but also in foreign imports. The American programs flooding the German television market changed audience expectations. In addition, Germany's demographic dramatically changed not only after reunification, but also with a new stream of immigrants from war torn Yugoslavia and the former Eastern countries. Half German, half Croatian Ivo Batic (Miroslav Nemeč), was introduced to the Munich team in 1991, and new story lines of other *Tatort* episodes ("Das Mädchen mit der Puppe," The Girl with the Doll, 1996), as well as a Batic and Leitmayr episodes (e.g. "Frau Bu Lacht," Mrs Bu Laughs, 1995) often involved immigrants and their troubled situation in Germany. Action elements formerly brought to the *Tatort* family via detective Schimanski now found their way into other *Tatort* episodes, for example in the duo of Schenk and Ballauf, investigating in Cologne since 1997.

Teams, rather than individual investigators became more common, sometimes with four or more detectives and an increasingly large entourage of pathologists,

secretaries, and psychologists (Wenzel, 2000). This was in step with the contemporary large-cast crime drama, such as *CSI*. The modern investigators populated the *Tatort* world for shorter durations, and their private lives were now beginning to be revealed in the margins of the main narrative. It stands to reason that the concept of multiple detectives allows the series' producers to experiment in times of transition with some of their detectives, until a new "standard" has been found. The explosion of the industry, its output and variety, as well as the expansion of Germany's borders and exposure to foreign goods and immigrants had impacted the previously focused and streamlined series. While the program had always been episodic by nature, it now became almost non-committal with fewer detectives that could claim a fan following.⁵⁶ But *Tatort* did produce some investigation teams that are still airing premiering episodes today, such as first truly prominent female detective, Lena Odenthal.

Gender Texts

Almost preempting this change, in 1989, *Tatort* introduced the first female action-oriented detective that broke with prior conceptions of female members of the police. Although former female *Tatort* detectives did exist prior to Detective Lena Odenthal, they had worn skirts and used their feminine intuition, as much as evidence in solving their cases. Their characters still followed more conventional gender roles. Lena Odenthal (Ulrike Folkerts) remains the longest running detective format within the *Tatort* series, and only recently has gained visual elements that conform to a more classically constructed femininity, with longer hair, make up, and male love interests. She has also fallen victim in an episode in 2010.

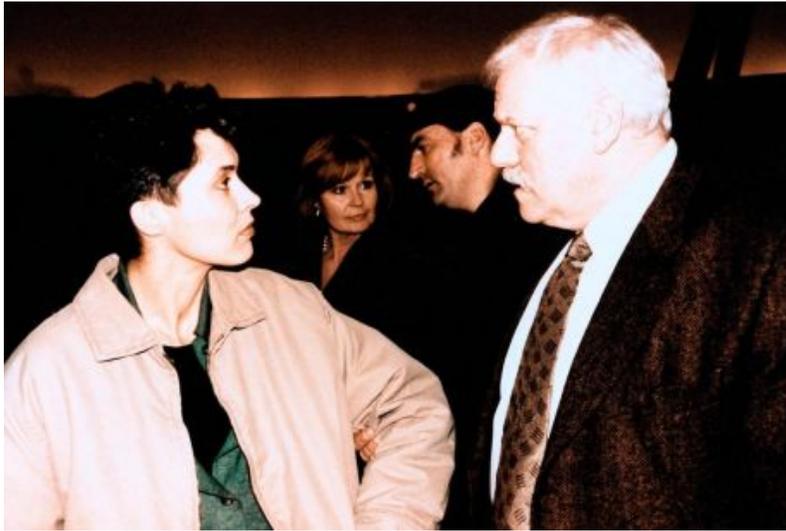
This *Tatort* detective was the first character of the crime series to have an online fan club at the end of the 1990s, which also led to changes of the medium at that point. Odenthal is young, opinionated, and physically involved (Brück, 2003). Albeit clearly depicted with stereotypical lesbian “butch” tendencies, such as short hair, jeans and leather jacket, loud and outspoken, interested in martial arts, she introduced a different kind of female character to German television, influencing other stations’ programming, for example the crime drama *Doppelter Einsatz* (RTL). This series on a commercial network features a detective team of two leading females, which were young, smart, tough and physical. (Wenzel) Odenthal’s first case, “Die Neue” (The Newbie) aired in October of 1989.

Directed by Peter Schulze-Rohr, who has directed fifteen episodes of *Tatort* including “Taxi to Leipzig”, the episode introduces Lena Odenthal as the new addition to the Ludwigshafen vice squad. The crime she investigates is not murder, but serial rape. Her feminine side is presented in her interaction with the latest rape victim, not through maternal protection, but rather by her enraged and driven investigation and manipulation of the victim to actively aid in the investigation.

The rapist finds another victim, and this time kills the woman. There had been an unfilled position in homicide, that of the prior *Tatort* detective of course, and Odenthal is permitted to stay with the case. This is her chance to move away from vice and prove herself in homicide. She has located three suspects by using profiling techniques not typically used in police work. In her pursuit of suspects, she is aggressive and physical. When attacked by her antagonist, she does not hesitate to use physical force, or pull out her gun. Odenthal did, however, receive mixed reviews in her earlier years. “While some

audiences and critics praised the strong, fresh, and assertive power woman that preferably countered her superiors, others found her simply too aggressive, too tomboyish, with no real need for affection” (Wenzel, 75). She later was paired with the male detective Mario Kopper (Andreas Hoppe) in 1996, who becomes her roommate. Men as love interests are almost non-existent, and neither her sexuality nor femininity are central to the plots or the character. The actress is well respected and successfully pushed for more leading female villains. The Odenthal character had broken norms and opened new venues for *Tatort*. The audience’s overall acceptance of this detective and the new woman she characterized may have made this investigation a perfect outlet for further experiments by the ARD. In 1997, this experimentation would lead into the realm of science fiction mysteries. Lena Odenthal would fight an extra-terrestrial in a format heavily inspired by the *X-Files*.

Trends



Lena Odenthal (left) with a suspect. “Tod im All” (1995)

In 1993, Fox aired the first episode of *The X-Files*. The series follows the FBI agents Mulder and Scully, who work on mysterious and unsolved cases. Mulder is a believer and Scully an intellect-driven scientist. The series was sold to German station PRO7 in Spring 1994 and premiered in September. *The X-Files* became popular quickly, and is often considered to have visibly changed the mystery television landscape (Lavery, 2009).⁵⁷ The craze that it started did not fail to affect Germany, and *Tatort*.

Plausible, fact-based scenarios of murder and crime generally drive the genre of crime television. Considering the stipulations of the format bible mentioned previously it is clear that *Tatort* praised itself on realism and actuality. The episode “Tod im All” (Death in Space, 1995) plays not only with the convention of the crime drama, but also science fiction. The plot revolves around the stumbling investigation of the non-believer Odenthal, and her partner Kopper, who entertains the possibility of aliens early on in this story. The episode clearly emulates the base structure of *The X-Files*. Thomas Bohn

directed the episode that reached 17.8% of German audiences (6.91 Mio),⁵⁸ but also resulted in audiences calling the station to complain about the deviation from *Tatort*'s format (Henke, 2009).⁵⁹

The episode opens with a unusually lively night sky, reminiscent of a Van Gogh painting, and then moves into a dimly lighted 911 police-call station. The eerily lighted room is not only unusual for the depiction of police work in *Tatort* but creates a look that lends a feel to a station better suited to *The X-Files*. The anonymous caller tells the officer that van Deeling has been murdered a week ago and that it would be time for investigations to begin. We then move to a night club, again, a low-light setting, flashes of blue and red light illuminate go-go dancers and Odenthal walks up to a heavy set man who refuses arrest and begins to hit her. He pushes her to the ground and slaps her while patrons of the club stand around and do nothing but stare. Odenthal does get the upper hand, however. While this segment is seemingly unrelated to the story at hand, it does reintroduce the detective, her character and physicality, from the beginning. A little later she visits the man in the hospital, where he is bandaged and obviously suffering from the confrontation, but she is first informed of the new case of the missing science fiction writer.

At the beginning of the episode, Odenthal is convinced that the missing man has created the illusion of kidnapping, or his own murder, to generate public interest and boost his book sales, but as she investigates she uncovers some of the writer's past. He had married his former best friend's girlfriend, he angered his competition, and generated false crop circles, to make it appear they were the result of UFOs. Lena Odenthal now sees a motive, and begins to ask questions leaning towards the hypothesis of murder.

Meanwhile, she begins to receive strange calls. The caller remains anonymous, yet appears to have more answers than the other players, and also seems to be one step ahead of Odenthal and Kopper at all times. The tough female detective begins to believe that there is a victim, but that she will not get to the bottom of this without getting into the mindset of the UFO specialists and believers. The episode ends with a murder homicide, but then Lena Odenthal receives one last call, a thank you, just in time to look up and see a UFO lift off of a water tower, twisting and turning and taking off into the sky. The image is held throughout the credit, the cross hairs of the logo are laid over the scene, ever present, reminding the viewer that this is still a *Tatort*.

The episode makes use of tracking shots and slow zooms whenever the subject of UFOs and the murder are at hand, but the camera remains steady, and in long takes when Odenthal and her skepticism are concerned. She is wholly convinced all of the calls, and the fact that van Deeling is missing, are orchestrated to increase the sales of his books. Her investigation takes her to a planetarium, where she meets the victim's former best friend. She talks to UFO believers, but only begins to mistrust her own instincts, or better, her mind, when she begins to receive personal calls from the ominous witness on the phone, who is always one step ahead. The day she visits the drunken man from the nightclub at the hospital she receives a phone call in his room and is asked to "believe". After she hangs up the phone and leaves, the man tries to use the phone, but there is no signal. Odenthal is not aware of this, but the *Tatort* audience who have accepted its realistic style are left to question the possibilities of alien life in this scene.

The equipment used in the search of the missing sci-fi author is also unusual for *Tatort*. Helicopter searches of the surroundings to spot burn marks in the ground and CGI

images of space all are reminiscent of the high production values and high budgets of US television rather than Germany's prime crime drama. While clearly being inspired by the the *X-Files* and other US sci-fi shows, exemplified by Odenthal's use of *Star Trek* action figures in explaining what happened, the episode adds to the confusion. Often shown in bed, reading through van Deeling's books, we see Odenthal in a dream sequence that shows a decadently furnished dining room. Odenthal is wearing formal attire, make up, and large earrings. A famous German singer, Nina Hagen, known for her extravagance, is joining Odenthal and an alien, as well as other characters from the plot for a feast. The laughter is silent, the camera constantly moving and tilting. When Lena Odenthal wakes up she hears a sound and almost shoots her cat. The steadfast, physical policewoman is shaken; she even attacks her superior verbally, claiming that he is in on the publicity joke. All of this does point towards something happening that is beyond her reach and control. The biggest clues to the episode's ending that suggests belief in alien intervention are cleverly inserted between the lines. A water tower, briefly mentioned previously during a helicopter flight as part of the search efforts for missing Deeling, is mentioned again and again. The fact that it does not have a physical entry is mentioned, or that it was built with unbelievable speed. But neither the editing, sound effects, or directing highlight the tower in these scenes, which allows it to be a relatively unexpected turn at the end when the tower takes flight, just like in the Hollywood sci-fi film *Men in Black* (1997).

It stands to reason that the episode's poor reception may be one reason for the limited amount of experimentation to follow in *Tatort* in later years. Possibly the unbalanced visuals of the film, constantly between the look of *The X-Files* and a more

theatrical cinematography, may have caused the experiment to fail, as there is a lack of cohesion in “Tod im All.”

Technology

Yet, as far as experiments are concerned, it was not testing a new genre, but testing new cheaper visual formats that put a detective at risk and aided in two episodes of the Roiter team in Berlin to be placed on the “poison locker” list. With the newer technologies and an audience starting to view programs and films on their home computers, in lesser quality, experiments with *Tatort*'s visual format sparked negative audience reactions. While this marks another failed experiment, it does reflect how ARD's stations do react to customer demand. The RBB is one of Germany's smallest regional stations. Since GEZ fees are distributed amongst the individual stations according to their viewership, this means that even one *Tatort* episode, running at approximately €1.3 million, can be a financial challenge. RBB regularly receives funding from the Degeto and finances *Tatort* via the commercial company. Saving approximately €50.000 per episode, the Roiter episodes were filmed on Beta, instead of the standard 16mm format (Schröder-Zebralla, 2009). The station generally produces two *Tatort* episodes per year (three in 2005), but the Roiter team premiered episodes four times a year for three consecutive years, which was unusual for a station of this size. Then the series team in Berlin came to a quick end. Audiences not only complained about the cheap look (Werner, 2009), but found the often-confusing narratives unacceptable (Henke, 2009). According to Henke, viewers would send letters, emails, and even call the stations and ARD headquarters.

Three episodes of the Roiter team are worth mentioning here, considering that they garnered much attention on the Tatort-Fundus website, although all of the episodes shot on video came under scrutiny. “Tod im Jaguar” (Death in a Jaguar, 1996) and “Krokodilwächter” (Crocodile Warden, 1996) both were pulled from circulation, and “Ein Hauch von Hollywood” (A Breath of Hollywood, 1998) has never been aired in the 8:15 p.m. prime time slot, only in late night programming. According to the Fundus website, “Tod im Jaguar” had, due to a false press release, received the negative image of being an anti-Jewish episode; “Krokodilwächter” was pulled after a senator critiqued the unusual brutality towards women, and the irrelevant sexuality and confusing plot. *Tatort* had its audience but, if it wanted to keep it and still generate new audiences, the producers had to listen to viewer complaints. Even in this changing market geared towards niche programming, it is the larger audiences that secure the show and therefore the station and dual television system. One strategy that had proven successful for *Tatort* over and over again was to make use of its multi-detective format and create new teams and detectives to join the already successful ones in their quest for new audiences, while phasing out less successful teams at the same time.

Region



Detectives Ehrlicher (left) and Kain (right) with a witness.

After GDR's television network had been disassembled only two shows survived the end of the German Democratic Republic, a children's puppet show called *The Sandman*, and *Polizeiruf 911*, which shares the Sunday night prime time slot with *Tatort*, as mentioned earlier. Instead of running re-runs of *Tatort* on non-premier nights, *Polizeiruf*, the now autonomous *Schimanski*, or special crime dramas are aired on Sunday night at 8:15 p.m, playing until 9:45 p.m.

Keeping a very successful East German program helped to not only generate viewers for the East German format, but introduced them to the Sunday night crime line-up and therefore, *Tatort*. But the West series had only profiled West German cities and detectives and was lacking images of the East, especially considering its interest and inscribed roots in regionality and authenticity. In 1992 detectives Ehrlicher (Peter

Sodann) and Kain (Bernd Lade) become the first East German *Tatort* team. The team retired in 2007 and was replaced by a new East German team, keeping the count for the former GDR region at one.

The name Ehrlicher is worth mentioning, as the name was created by the actor and literally means “an honest person”, or “more honest”, which, according to Peter Sodann, was chosen to reflect a return to the no-frills cinematography, slower paced nature of the Dresden, and later, Leipzig *Tatort* (Keil, 2011).⁶⁰ Ehrlicher conjures up the image of the older, fatherly investigator, joined by the more youthful Kain who acts as a transitional character of the times and a mediator between the GDR and reunited Germany. Kain often refers to new technologies and investigative techniques, appearing as a arbitrator between the generations. The episodes address issues that may be perceived as current and relevant to the newly formed Germany. In his first case “Ein Fall für Ehrlicher” (A Case for Ehrlicher, 1992), the detective deals with the fear of the unknown. A foreigner is accused of having killed his future stepdaughter. Ehrlicher cannot stop the people in a small Saxon town outside of Leipzig from turning into an angry mob and it takes its toll on the man who is presumed innocent. Xenophobia is a problem discussed later again in *Tatort*, albeit in a more rural setting, but the idea that the newly opened GDR has to deal with adjusting to the new flow of migrants and a mistrust for outsiders, is captured well, regionally accurate, and topical for the time.

In his second case, Ehrlicher has a hard time finding the proper information that may lead to a murderer’s conviction, because the man had been of importance in the GDR and old ties are still active. Thus, the episode plays on the paranoia concerning the StaSi (East German Secret Police), its hierarchy and informants. Ehrlicher deals with a

family torn by the border in his fifth case, “Laura Mein Engel” (Laura, My Angel, 1994). The episode was directed by Ottokar Runze and is oddly reminiscent of the first *Tatort* “Taxi to Leipzig.” Yet, while the division created by the wall is a catalyst to the murderous drama in “Taxi,” the drama in “Laura” is created by the new fluidity of the system and those returning to the East. The characters of Detective Trimmel and Ehrlicher share the fatherly authority, a decisive demeanor, and love a good glass of beer, but Ehrlicher has the young and driven Kain at his side who acts as a mediator between old and new Germany.

The first time Ehrlicher sees Laura, a girl clearly in shock, she wanders into his office. She does not speak and looks lost, then she leaves as quickly as she has arrived. He thinks of the girl again only later that day, when he is at a murder scene. Her picture is in a dead woman’s hotel room, showing both the woman and the child. The dead woman is Laura’s mother, who had fled to West Germany and left her child behind to be brought up in an orphanage. Soon it is clear that she was a prostitute in the West and had only recently begun to visit her daughter. The girl’s father was an Italian trucker, who, unbeknownst to Laura, had been shot at the border years before, when his brakes malfunctioned and a East German border police officer opened fire on him.

Laura was reported missing by the orphanage before the murder took place, but the police department ignored the call. After radio and newspapers report that she is being considered a suspect, Ehrlicher realizes that she may have witnessed the murder and is now on the lam. While Laura is on the run, she makes her way through abandoned apartments, past “StaSi-Pig” graffiti-decorated walls, and ends up with an old friend, Marie, who later abandons her to flee from the police and Mafia, as she works in a body

shop and deals in stolen cars. The episode shows the instability of the new system, discusses abandonment and the challenges faced with open borders. Laura's mother had wanted to introduce Laura into the business of prostitution, and two foreigners, running a child pornography business and prostitution ring had already sold the 13-year-old Laura and are now trying to find her. It is a battle against time, and while the men chasing her kidnap her, Ehrlicher still gets to her just in time.

In general it was portrayed as positive to leave the GDR, that fleeing to West Germany would end in happily. However, the life choices of Laura's mother paint a different picture. Not only did she abandon her child, she also decided to sell her body as well as that of her child, regardless of the possible outcome for her daughter. At the same time the plausible story of the trucker being shot by border police for a technical malfunction does show that the regime of the GDR had consequences that could not be easily resolved. Unfortunately, the plot is often unfocused and does not follow logic, but Ehrlicher, as the first East German detective, quickly gained status with audiences and his ratings were healthy.⁶¹

Transitioning into Maintained Excellence

The 1990s brought new audiences and new challenges for *Tatort*, but at the end of the decade ARD had regained its number one position and *Tatort* was heading into the new millennium as Germany's most successful domestic crime drama. The end of the nineties also saw the rise of Internet activity, new pay-TV stations and the first fan website for a single *Tatort* detective, Lena Odenthal. She would be the first detective to repeatedly be streamed on ARD's new mediathek website. *Tatort* had to adapt to

technological advances and the successful TV-on-DVD that was taking the market by storm. In addition, more and more programs classified as “Quality TV” were hitting the small screen, episodic television was still standard, but *Tatort* wanted to be a part of the serial market and allowed one of their detectives to develop a life of her own.

Although the crime genre did have a minimal number of exports, *Tatort*, with its massive archive of over 350 episodes in 1995, had not been able to generate a foreign audience for its series, but rather had sold individual episodes as television films. For example, some detectives, such as the Cologne team of Ballauf and Schenk, sold more episodes to MHZ International, who airs the series on American PBS.

The challenge for the series was not only to remain successful with its current audience and continue generating younger audiences, but also to continue making a profit. At the same time the series faced, as much as its network did, issues of legitimacy, for now that they had been able to adapt to the challenges of the dual system they also made compromises that resulted in a loss of quality. ARD and ZDF offerings as well as the programs by the commercial networks created a homogenous, rather than a varied field of programming. Calculating the need for programming in Germany, there was seventy times more programming available than needed. Complaints about the commercialized programming of ARD and ZDF by the commercial broadcasters grew louder (Buchwald, 1999). Therefore the question was raised of whether ARD and ZDF still offered programming differing from the content provided by the commercial networks and if the public broadcasters were acting against their educational charge. Commercial broadcasters felt unfairly treated within free-market regulations. They, after all, did not receive funding from the state. Schwarzkopf tried to explain how this

convergence of public and commercial networks was a direct result of the broadcast contract, arguing against the commercial broadcasters line of reasoning and justifying the public networks and stations line of action.

‘(It is) ...interesting to hear commerce advocates define self-commercialization as something negative. And it appears they forgot that one reason given for the introduction of commercially produced television was the need for the public stations to learn, through competition, from its commercial counterparts, and that they would learn how to incorporate the wishes of the audience better... (So this) really is a success and should not be considered unlawful self-commercialization.’ (Schwarzkopf, 1999)

Public broadcasters had planned to stay on top of the television game in the new commercial system, as the broadcast contract required them to do, but were supposed to refrain from such competition in the eyes of their more elite audiences (Buchwald, 1999). Yet, the advantages of cable and satellite now allowed regional stations to become available nationally; and while increasing over-saturation, by offering more available national programming than in any previous year, it also broadened the reach of public broadcasters and possibilities for *Tatort* re-runs to be seen on a daily basis. The 2000s would again reaffirm *Tatort*'s concept in a market that saw further segmentations, little rise in audience numbers, and adaption to the challenges of newer media affecting the television industry and its audiences.

Chapter 4

The Revolution is Over; The New Media Age Begins –

Tatort Adapts to the TVIII Era

The screenshot shows the ARD Mediathek website interface for the 'Tatort' series. The top navigation bar includes 'ARD Home', 'Nachrichten', 'Sport', 'Börse', 'Ratgeber', 'Wissen', 'Kultur', 'Kinder', 'ARD Intern', 'Fernsehen', 'Radio', and 'ARD Mediathek'. The main header features the 'ARD Mediathek' logo, a search bar, and navigation tabs for 'Übersicht', 'Fernsehen', 'Radio', 'Sendung verpasst?', and 'Kategorien'. The 'Tatort' section is highlighted, showing a promotional image with the text: 'In der dienstältesten Krimireihe des deutschen Fernsehens gehen die unterschiedlichsten Ermittlertypen auf Verbrecherjagd.' Below this is a button 'zur Homepage der Sendung'. To the right, the 'Nächster Livestream' section lists 'Livestream - 'Tatort: Heimatfront'' for 23.01.11 at 20:15. A section titled '6 Ausgaben verfügbar' lists several past episodes with their dates and times. The bottom of the page features a footer with 'Weitere Mediatheken in der ARD:' followed by logos for 'Das Erste', 'BR', 'HR', 'MDR', 'NDR', 'Radio Bremen', 'RBB', 'SR', 'SWR', 'WDR', and 'DW'.

Tatort's new home online: www.ardmediathek.de

Introduction

Tatort is a brand program, modified to interest new as well as maintain staple audiences. The network and its stations kept the police drama current through changes in its narrative structure, as well as creating genre-hybrids. The following considers the technological advances and their effects on ARD and *Tatort* in regard to audience access and program distribution. Two detectives/formats were altered or created with concepts akin to that of the aforementioned Quality TV and have been successful to this day. Long form narratives, character density and plot complexity as well as a drama-comedy hybrid bring a fresh aesthetic to *Tatort*. In the technological realm, online streaming and DVD releases are introducing *Tatort* to contemporary audiences.

Germany had reunited and its television viewers had had ten years to adjust to the new circumstances. Following sixteen years of rule under CDU and Helmut Kohl (1982-1998), Germany elected a central-left leadership with Gerhard Schröder and his party the SPD. This was a significant political change leading into the new millennium; both the CDU and Helmut Kohl had been important engineers in the reunification of Germany. They were also vital in pushing a free market agenda for media and instating laws permitting the existence of commercial broadcasters.

Unification on a larger scale also became a reality for Europe with the formation of the European Union during the 1990s and early 2000s. The symbol for the economic union was the Euro currency, first introduced in 2002. Maintaining a sense of national identity was now topical, and regionality became connected to nationality. Communication was made easier and with the help of technological advances Europe began moving closer together in the first decade of the 2000s.

Moreover, technology made significant and enormous advances in the past decade. Cell phones replaced landlines, and smart phones replaced cell phones. The latter merged computer and telephone technologies to be all encompassing connection, social and informational devices. Chat rooms, forums, websites, instant messaging all have altered communication and appear to have erased many physical divisions between continents, countries and people. The current generation's television viewing experience was altered by TV-on-DVD, TiVo, DVRs and internet streaming. These advances have given the viewer freedom from pre-ordained TV schedules, and in some cases freedom of advertising. This explosion of accessibility of international material, programming, and technology has led to an even greater fragmentation of the market. Niche market television programming is the *modus operandi* for much of the commercial industry in Germany. The larger the audience is, however, the larger a program's influence remains. Success rests on audiences and thereby access to audiences supplies legitimacy, which in turn results in funding. Whether this funding is through taxpayer monies allocation or advertising revenue, or, in the case of *Tatort*, both, is irrelevant.

I will first address the changes in narrative structure of the series, by discussing two of its detectives: one an individualistic female detective and the other a detective paired with a witty coroner. These new formats, Lindholm and Thiel/Boerne, are the two most successful *Tatort* formats with consistently high ratings (A 4.5). These two also show a clear deviation from *Tatort's* established format. Previously existing formats have been altered through the addition of coroners, psychologists, and crime scene investigation units to mimic the success of American crime formats such as *CSI* (CBS, 2000-).⁶² In the early 2000s commercial stations adapted more quickly to new

technologies than ARD, underscoring the public network's need to adapt to the market once again. Constant changes such as the changes discussed in the following kept *Tatort* in its Number 1 ratings position for most of the decade.

Programming to Win Audiences

The most noticeable changes in *Tatort*'s programming during the 2000s are reminiscent of a television trend that began in the 1980s in the USA - Quality TV. First noted by Feuer, Kerr, and Vahimagi in their work *MTM Productions* (1984), Quality TV refers to dramatic television programming targeted towards high-income audiences. These audiences are the most desirable in the niche television market amongst the commercial broadcasters signifying purchasing power and influence. But high-income, or "elite" audiences are equally important to public broadcasters, as money is often accompanied by influence and status. In addition, public networks in Germany today need powerful advocates. Their programming becomes less of a necessity in the eyes of many GEZ-fee payers and is targeted directly by commercial competitors. Networks and producers in the U.S., who faced similar issues with fast growing markets after the Fin-Syn⁶³ rules were loosened, responded to the loss of general audiences by initiating changes in programming content in order to attract "quality" audiences.

Thus, Quality TV studies are specifically interested in programs that have been created to cater to a high income, urban audience that is capable of attracting advertisers - even if that audience is small.⁶⁴ *Tatort*, by nature of its multi-tiered detective line-up, had already created a niche audience, albeit a regionally inspired one. Yet, regionality has declined in both plot and visual references within the series since the 1990s.⁶⁵ *Tatort* had

a unique opportunity to experiment with new strategies. It did so by using some elements of Quality TV in several of its detectives at first, and slowly phasing out older investigative teams and detectives after audiences gradually accepted the reformulated episodes. It is unclear whether or not ARD and its substations have made the shift to simulate Quality TV traits consciously. What is clear, however, is that ARD and ZDF have instituted industrial methods to determine what they consider quality.

“Quality control” was introduced by some ARD stations, as early as 1997. While ratings matter, they only contribute one aspect of quality control in the ARD system. Controlling quality in this sense consists of three levels: acceptance (market share), cost, and quality. Each are considered equally important. The first two are easily measurable, while quality itself is a far more elusive term. Since quality is objective, it is often only approximated and discussed as if subjective. In a study conducted in 2000 (Tebert, 2000), viewer preferences of 1759 participants were explored, as well as viewing practices. Approximately 56% considered cultural programming interesting, but 82% enjoyed the feature-length film programming on public TV. Considering the cost of purchased foreign films, the feature film would clearly win over cultural programming produced domestically, because it is cheaper and has a low risk factor (thanks to theatrical releases providing an estimate of audience interest). However, once quality is introduced into the equation this changes, because quality is still considered, among German public programmers, culturally saturated, informative, and elite. This is possibly residue from the broadcast services state treaty that demands culturally significant and informative programming (Tebert, 2000).

The idea of elite programming also imparts itself on notions of Quality TV. *Tatort* follows some of the characteristics of Quality TV (its conventions of high art, literature, and filmmaking), rather than align itself with traditional television fare (Thompson, 1996). According to Thompson, the key aspects of Quality TV (QTV) are:

1) QTV, does not belong to general television programming and thus primarily defines itself “by what it is not, “regular TV”. This means it can break out of genre restrictions, work outside the set rules of the medium, and create hybrids, but first and foremost it caters to an audience that perceives itself as being above general TV programming.

2) Actors, writers, and directors of QTV come with a pedigree. They are famous in their respective fields, often understood as artists and, thereby elevate the TV product from mediocrity to resemble higher art forms. Considering previous actors and directors, as well as writers on *Tatort*, this aspect holds true for select episodes of the series.

3) QTV is designed to attract and maintain an affluent audience. Hence, it is meant to play to the needs of an educated audience by its aforementioned status as quality programming. Since ARD is understood as catering to educated audiences, and is considered qualitatively better than its commercial competitors, this theory also holds true for the German crime drama *Tatort*.

4) QTV either struggles to maintain ratings in the niche markets of today, or fights against the productions of bigger stations, which generates interest by a fan base. This is often understood/ marketed as a “noble cause” to bring higher

quality to TV content. Most of *Tatort*'s experiments in this realm have not proven successful, as evidenced in the episode "Tod im All" (Death in Space, 1995).

5) QTV writers create interconnected narratives, expecting the audience to follow the storylines and understand them. Hence the screenwriter ranks high in the production hierarchy. The writing for QTV tends to be more literary and often presents multiple coinciding plots or what Nelson terms 'flexi-narrative'. While background narratives are now exploring this device in *Tatort*, too much complexity has also been rated negatively by audiences, as in the Berlin-based episodes of detective Roiter.

6) Thompson calls QTV a 'self-conscious' genre, as it may reference media, television, its station, and the show itself. It often does so by poking fun at its own product. *Tatort* is even watched in *Tatort*, hence self-referentiality does occur, but only on rare occasions.

7) QTV **often** examines societal issues and thereby stimulates controversy. This is certainly true of *Tatort*, and has been lauded and declared problematic within the crime genre and its entertainment value (Witte).

One U.S. series that is both a crime drama and a prime example of Quality TV is *Hill Street Blues* (NBC, 1981-1987). Similar to *Tatort*, it introduced back stories, and it used, in QTV norms, multiple plot lines, which intersected periodically. In the case of *Tatort*, content has been altered and its aesthetics, narrative and format have been changed to reflect what a quality TV audience "wants." One example of how the

elements of Quality TV have been implemented in *Tatort* can be seen in the detective Charlotte Lindholm.

Long Form Narrative



Det. Charlotte Lindholm (right) with her child and mother.

Tatort is a series of a classic episodic nature, meaning each episode is self-contained. In the last decade, however, the long form narrative (also described as serialization) has become a rising trend within the police procedural. Serialization refers to narratives that develop over the course of several episodes, but can be paired with episodic narratives, which is a device best described by Nelson's term "flexi-narrative" (2007). Since the detectives rotate, with considerable time passing between their reappearance on screen, the audience has to actively engage with the series to fully appreciate its narrative nuances. Detectives' personal lives currently may have an impact on the "main" plot, linking the investigator, main character, and the episodic plot. One

could say, this flexible (or flexi-)narrative,⁶⁶ provides a connection with the individual investigator's episodes, and shifts the focus of the show without alienating its more traditional viewership.⁶⁷ However, the detectives are now more psychologically complex. The series thereby generates fan audiences that will tune in to see how the story evolves. Thus *Tatort's* serialization, albeit in its infancy, feeds a brand loyalty that is essential to today's television market.

The most clearly devised serial detective is Charlotte Lindholm, played by Maria Furtwängler. She works for the state of Lower Saxony as a detective and field officer for state-police headquarters in rural areas of the northern German state. This allows a different regional color than most of the urban detectives in *Tatort's* lineup. In her first case "Lastrumer Mischung" (Lastrum Blend, 2002) Charlotte investigates a poisoning. The victim, a farmer named Knauf just married a woman from the Philippines and everyone in town is certain that she must be to blame for his murder. But the state of the farm, the talkative postal service worker Roswitha, and some Dutch businessmen make Charlotte's demeanor look deeper into the residents in this xenophobic town. Charlotte comes across as straight forward. She is not very emotional, but respects witnesses and displays more femininity than her senior, Lena Odenthal, in dress choices and empathy with victims (HörZu). Charlotte is controlled displaying the stereotypically cool demeanor of north Germans. She is comfortable investigating without team members at her side. She can always count on her roommate and crime novelist, Martin to assist her when needed. In this episode he goes undercover at a mail-order-bride business to find Knauf's wife, who disappeared soon after the investigation began.

This first episode is still rather episodic, and the introduction of side characters is not unusual for *Tatort*. A large audience had viewed the new investigator's debut (10.2 million viewers/28.9% general audiences),⁶⁸ and it approved as is evident in the consistently high ratings. Based on those viewer numbers detective Lindholm quickly became the most popular detective on *Tatort*. (HörZu) This certainly aided in the character's future serialization, especially considering how actor Maria Furtwängler provided some of Lindholm's plot twists, herself. The background story is woven into the main narrative extensively in Lindholm's seventh case, "Atemnot" (Short of Breath, 2005).

"Atemnot" opens with a woman waiting in the parking lot of a industrial park and soon beginning to argue loudly with a man we find out to be Mr Gruber. He is the CEO of the food processing company, Corte Germany, the German division of Corte International. The episode is a well thought out thriller, moving between Charlotte's private life and her investigation, gradually entangling her two lives, until Charlotte's life is altered forever. Charlotte visits her boyfriend, State Secretary Tobias Endres, on the construction site of their new home. The two lovers are happily chatting away about what kind of woman Charlotte will be, and that she will not be the typical housewife. Later, detective Charlotte Lindholm receives a call about an auto accident. On her way out she passes the woman that had earlier confronted CEO Gruber in the parking lot.

Whether or not the car crash was the result of a homicide or suicide is unclear. Corte had produced and sold poisonous spaghetti sauce, resulting in the permanent disability of thirteen children. The CEO and lawyers had received many threats after the

courts ruled the company innocent, and CEO Gruber was the center of verbal and written attacks, as well as a violent stalking.

Over the course of the episode it is revealed that the families of the victims had nothing to do with the murder. The company's lawyers, Fisher And Bell, had knowledge of the poisonous sauce prior to shipping and hid the truth afterwards, paying off the food engineer who had warned them to recall the product. A young paralegal named Wagner, (the woman from the opening scene), had an affair with Bell and knew about the scandal. She was trying to blackmail Bell and Gruber. CEO Gruber had committed suicide, not being able to live with the guilt anymore. Meanwhile, Bell, in an attempt to protect himself, had also killed Wagner. He consistently fueled Charlotte's investigation, purposefully misleading her. Knowing of Lindholm and Tobias Endres' relationship, Bell attempted to frame Tobias, who had worked for Fisher & Bell until he found out about the poison, and steers Charlotte on a self destructive course, almost ruining her romantic relationship by suspecting Tobias of murder. At the end she pays for her mistrust by following Bell into a trap set for Tobias, and has to watch Tobias die, shot by Bell, in her arms.

The serialization of this episode is accentuated in the parallel narratives involving Lindholm's plans for her future with Tobias and her investigation. All Lindholm *Tatorte*, demonstrate a close relationship between Lindholm's personal life and her investigation. By engaging her mother and her friend Martin, this episode truly exemplifies the serial nature of this specific detective, by creating a back-story that develops steadily. When she tells Martin about her imminent move, her friend becomes highly emotional, storming out of the apartment, in search of newspapers' classifieds. Later, Martin

stumbles over Tobias' involvement in the law firm prior to his political career, by researching Corte to help Charlotte as a peace offering. Charlotte is clearly unsettled by Tobias' silence regarding the subject, especially after he discovers her files and finds out that she is investigating the case. But the couple keeps returning to mundane discussions of tiles and fabrics to pick for their future home. Their happy banter about male and female duty divisions adds lightness to the otherwise dark thriller, which returns to the horrors of the scandal, and sets the stage with little details in order to make Charlotte, and the audience, doubt Tobias' innocence. These events merging Charlotte's private and investigative lives exemplify the long form narrative in Charlotte Lindholm *Tatort* episodes developing. The final scenes of "Atemnot" are focused solely on the emotional state of the detective character and thereby shift the common identificatory elements of the television crime genre.

Charlotte finds a security disc at the murdered woman's apartment in the final moments of the episode. It is evident that the only people with knowledge of the poisonous product were Bell, his partner Fisher, and the American Corte International CEO. Bell sets a trap luring both Tobias and Charlotte to a warehouse. This is meant to create the appearance of Tobias having shot Charlotte and in defense, her shooting her boyfriend. Bell is cornered and opens fire. Tobias, who got shot in an attempt to shield Charlotte, dies within minutes. The episode ends with a slow-motion sequence of Charlotte screaming, rocking the dead Tobias in her arms. Background music can only be heard with leaves falling around them. She is the sole center of the final shots and the audience sees the agony of the detective. It is safe to assume that those interested in the

series or having enjoyed the episode will wonder how the detective's work will be affected by such loss and tune in for the next Lindholm *Tatort*.

The story of Lindholm's personal life keeps unfolding in side plots continuously after this first personal case. Lindholm is inhibited both in her life and work, battling the emotional problems after Tobias' death. As a result, she begins taking tranquilizers and is suspended when her superiors find out ("Schwarzes Herz," Black Heart, 2006). She has to defy regulations and work outside them to solve the murder. She decides to go on a vacation in Spain, and has a short-lived affair with a married man. While this is helping her emotionally, it has severe consequences for Lindholm in both her work and personal life.

Charlotte is pregnant, as audiences discover in her tenth episode, "Das Namenlose Mädchen" (The Nameless Girl, 2007). Maria Furtwängler, the actor playing Charlotte, purposefully made this decision. In an interview with Doris Heinze, head of teleplays at the NDR until September 2009, she recounted that Furtwängler pondered the idea of a child, rather than generating emotional ties via men, that ultimately could not be kept, due to the standard of the series. Traditionally, crime dramas tend to avoid long term romantic relationships among major characters. (Heinze, 2009) Martin and her mother are not privy to the pregnancy for a prolonged period of time. The episode focuses on her private life, as audiences anticipate a resolution to the pregnancy issue and the point of Charlotte revealing her situation to her family.

When she decides to keep the child, she is transferred to a desk job in Hannover, capitol of Lower Saxony. ("Wem Ehre Gebührt," Honor to whom Honor is Due, 2007) She is now five months pregnant. She once again ignores her superiors and German law,

breaking the rules again by refusing to take a back seat to the investigation. Partnered with a young German-Turkish detective, much of the episode focuses on clashing ethnicities, common misconceptions, and prejudices. But the misunderstanding is on both sides. The murder of a young Turkish woman sets the stage. This episode became the subject of controversy, which will be discussed later. Much attention with this episode is devoted to Charlotte, and while there is less importance placed on her emotional state, than on the case, it clearly depicts the struggles of working mothers - especially those in dangerous jobs.

Even though she is capable of returning to fieldwork, Charlotte keeps struggling with her new identity. The young mother is truly shaken, however, questioning her role as mother and homicide detective in her next case, “Salzleiche” (Salt Body, 2008), that leads her back to Spain, where she is investigating a highly dangerous case involving radioactive material. The personal story that unfolds is only marginal, but Charlotte faces the choice of telling her child’s father about the son. The two had vowed to never have contact again, and Charlotte did not want to involve him, but she has begun to understand the responsibility she carries for the infant. Especially, when she realizes how close she came to radiation poisoning without knowing it. Throughout the episode we are again left to wonder whether or not she will reveal the secret to her vacation romance.

Charlotte Lindholm sees the man leaving his house, family in hand, and decides to return to Germany without informing her past lover of his offspring. She splits her time between the child and work. But work is still personal for Lindholm, who investigates one of her oldest friends in “Das Gespenst” (The Ghost, 2009). A man is killed at the airport in a terrorist attack. The evidence soon points Lindholm towards her childhood

friend, Manu. It is revealed later, that Manu does not work for a terrorist organization as had been suspected, but is a double agent, in service of the German Federal Office for the Protection of the Constitution. Manu would like to leave the service without official permission, but although she begs for Charlotte's help, Charlotte plays by the rules and does not help Manu run away.

However, Charlotte's moment of clarity does not last long, regarding her decision to be both a detective and single mother. The power of technology and its influence on people takes her by surprise in her next case, "Es wird Trauer sein, und Schmerz" (There will be Mourning and Pain, 2009). The episode shakes Charlotte's belief in the system and threatens her own life. She questions where her place as a mother and caretaker should be. The case begins during Charlotte's vacation, her child plays outside and she watches him as the phone rings. A serial killer has terrorized the area, and a sniper shoots his third victim through the glass windows of the victims' home.

The victims seemingly have nothing in common, but following the evidence, Lindholm finds out that every victim had been in a traffic jam caused by an accident in the previous year. All victims had phones while being stuck on the road and they would have been physically able to help a young man who screamed for assistance for his girlfriend. As a result of the failure to assist this man, the young woman he tried to save died. Charlotte finds out about this via an internet site, which shows pictures and a video of the accident. A young girl and her boyfriend had used their phones for internet voyeurism rather than helping the people in need, uploading a video of a young man calling out for help. The man who had asked for help sought vengeance and is only caught when he is about to murder the young couple. While the episode discusses new

technology as something that removes people from reality, it brings Charlotte to the very reality of her position between motherhood and that of a homicide detective. She has to decide whether or not she is willing to take the risks that come with her job. She may risk leaving an orphan behind or she could take a desk position. The latter may be safe, but is not her favorite position in the system.

Genre-Hybrid



The Comic Duo: Dr. Boerne (left), coroner, and homicide detective Thiel

Though ARD was successful with the Lindholm character, they targeted younger audiences in their viewer demographics, the most desired of the larger non-niche audience groups. Its audience demographics show that the problem with the network's viewership was not one of maintaining, but one of generating new, younger audiences.

Therefore, the network introduced the team of coroner Boerne (Jan Josef Liefers) and homicide detective Thiel (Axel Prahl) in 2002. The detectives deal with serious cases and often show social commitment, as in the episode “Spargelzeit” (Asparagus Harvest, 2010), but always with plenty of comic relief.

The episode opens with two adults having sexual intercourse against a tree. The camera moves quickly with suspenseful music, when a sound intercepts the lovers. The scene changes and cuts to an old man digging between field mounds, stealing asparagus. Immediately the soundtrack changes and the sounds of the man, who is revealed as detective Thiel’s father, is seemingly unconnected to the couple. He is stealing white asparagus, which costs upwardly of \$7.50 a pound. Two police officers stop and begin to chase the thief, stumbling upon the body of the woman seen in the opening sequence. When Thiel arrives he is constantly irritated by his father who seeks release, although a suspect, and repeats that the asparagus was just there, and that his son enjoyed eating it after all. The following scene reveals Professor Boerne, coroner. He is wealthy and is shown in an exclusive restaurant, explaining to the waitstaff the historical significance of asparagus in a variety of European cultures. All of this is rather amusing, but when we return to the scene of the crime it takes only seconds for field workers and farm owners to engage in loud arguments and ethnic tension to rise to the top. The hierarchies on the farm are quickly established, as is the farmer’s distrust of his foreign field hands.

The owner, and husband of the murder victim, clearly feels resentment towards his Polish and Rumanian guest workers, the annual asparagus cutters. It is revealed that his fifteen-year old daughter had been raped two years earlier. The townspeople, as well as the farm’s owner, blamed the foreigners, without proof of the abuse and are quick to

judge again. Later we find that the rapist and murderer are the same person. The murdered woman had an affair with one of the Polish guest workers, but it was her daughter's rapist, a police officer from town, who had killed her.

Thiel follows a more conventional route to solve the crimes he is assigned to, with help of Dr. Boerne, and his assistant, who oversteps his boundaries. His dry scientific wit is at times oddly distasteful. And between the asparagus thieving dad, the rich and know-it-all Professor Boerne, and the grumpy detective Thiel, it is not always easy to stay focused on a case. And this case deals with rape, adultery, family instability, xenophobia, and connects the Nazi past with the treatment of foreign seasonal workers in Germany. The team of Thiel & Boerne has recently surpassed Charlotte Lindholm in audience viewership numbers. Its comic wit and fast pace have kindled the interest of younger audiences to *Tatort*, as demonstrated by audience research figures from 2010 (A 4.6).⁶⁹

Comedy is perhaps not a crowd pleaser with true *Tatort* fans, (Henke, Wolber, Heinze) but it may be able to make serious subjects more palatable than some of the topics handled in the more classic fashion. While the aforementioned changes to *Tatort* made headlines only by their significant viewership, audience response to episode content made headlines in 2007. That year, a Charlotte Lindholm episode generated mass protests and was quickly removed from further circulation, becoming the latest episode to enter the poison locker, representing audience agency once again.

Audiences Share Their Voices



Charlotte Lindholm (left) and Selda Özkan (sister of the victim) – “Wem Ehre Gebührt” (2007)

The Charlotte Lindholm episode “Wem Ehre Gebührt” (“To Whom Honor is Due,” 2007) received a great deal of critical praise. The papers, according to Tatort-Fundus.de, stated the characters were multi-dimensional, the plot multi-layered, and the murderer was not easily revealed to audiences.⁷⁰ Charlotte Lindholm is in her fifth month of pregnancy and has been moved to a desk job. She is supposed to function as a desk assistant, but still beats the homicide detectives to the crime scene. A young German-Turkish woman, Afife, is found murdered, by her husband, Erdal. Her family is Alevi, a specific Islamic ethnic group in Turkey, often ostracized by the more prominent Sunni. Charlotte is suspicious from the beginning, because residents and citizens of Turkish descent in Germany have often been accused of “honor killings.” Afife’s sister Selda,

who is very religious, tells Charlotte anonymously that her sister was murdered and that she fears for her own life.

Charlotte wants to look into the case, but her Turkish partner, Attila Aslan, takes Lindholm's interest as prejudiced towards Turkish families, claiming that the case is closed and that Charlotte should not interfere in his work. The two display a perfect image of misunderstanding and confusion. They lay aside their differences as the case evolves. Selda is pregnant, and following a confrontation with Lindholm and her roommate Martin, disappears. Charlotte begins to realize that her "honor killing" theory does not hold, but follows the clues to find Selda dead, and that her murderer is her own father, who is also the father of Selda's child.

This episode shook Germany, because the Alevi felt that "Wem Ehre Gebührt" incited ethnic discrimination. Despite its acclaimed quality in narrative, character development and performances, this particular episode has been shelved since its original airdate. Tatort-Fundus has supplied a detailed breakdown of the events surrounding the episode's controversy:

Mid November 2007: NDR releases the press kit with a preview DVD of "To Whom Honor is Due"

Mid December 2007: Alevi protest against ARD airing the episode. They are offered a discussion appointment, for January 2008. Later, ARD begins airing trailers for the upcoming episode of *Tatort*, "To Whom Honor is Due"

December 22, 2007: Up to 1800 calls a day are recorded at the ARD, in protest of the episode scheduled for December 23rd

December 23, 2007: ARD opens the episode with a disclaimer: "The following story is fictive. The following episode is not meant to instill prejudices toward the Alevi community."

Only 6.59 million viewers tuned in, which is below an average roughly 9 million for any given Lindholm *Tatort*; Minutes after the episode airs, *Tatort-Fundus* receives the first emails, outraged by the depiction of Alevi; some even threaten the website administrator Werner, although the site is not linked to ARD or any of its sub-stations;

December 27, 2007: The ARD receives notification of being sued in court, Alevi protesters assemble at ARD headquarters in Berlin, later, protests spread through Germany and to Austria; December 28/29, almost 20.000 German-Turkish and European Alevi assemble in Cologne⁷¹

The Alevi community demanded that the episode be removed from circulation and requested an official apology from ARD. The station proceeded with press releases re-stating the opening disclaimer and promising to take the protest claims seriously.

The issue of a child-murdering father was not at stake, but rather the idea of incest in an Alevi family. The Sunni, the opposing ethnic group, often used alleged incidents of incest in their hate speeches against the Alevi, a “fact that escaped the "Tatort" team.”⁷² As a result of this oversight, Alevi felt their ethnic group was being slandered by the ARD. In truth, their protests prior to the premiere of the episodes were ignored. ARD pointed out the favorable critiques published by such reputable papers as the *Frankfurter Allgemeine Zeitung*, in defending its “ignorance.” In an interview, the episode’s director A. Maccarone stated that she was sorry about not coming across the incest-related history in her research, and that she was only trying to tell a story that could happen in any family. She also claimed that she was attempting to work against the stereotype of “honor killings” so prevalent in German-Turkish relations in Germany.



Protests in Cologne – screen shot youtube

German authors began demanding a clarification of the protests' relevance to free speech, stating that one specific group feeling ostracized cannot and should not hinder their freedom of producing art. Other voices stated that the film had only shown one family, not the Alevi as a whole.⁷³ Moreover, one could argue that the Alevi were shown in a favorable light as forward thinking Muslims who have adapted to their environment. However, the controversial issue was that a centuries-old stereotype was unknowingly used.

The decision about the future of “Wem Ehre Gebührt” was sealed in March 2008, when it was placed in the “poison locker.” Members of the Alevi community were finally appeased by the episode's removal from circulation. The Alevi protests are a reminder of how many Turkish-German citizens and immigrants there are in Germany, who consider themselves as part of the cultural and media discourse. And as audience members they can, likewise, voice their opinion and find leverage with the pubcaster. It also

demonstrates how prevalent *Tatort* programs are in the dominant culture and ethnic communities.



Aerial View of Protests from Cathedral, Cologne – screen shot, youtube

Cultural Representation

Following the Alevi crisis, *Tatort* premiered two firsts with the introduction of investigator Cenk Batu. Cenk Batu (Mehmet Kurtulus), a Turkish - German detective is very different from the initial depictions of Turkish immigrants on *Tatort*. He is more reminiscent of James Bond - well dressed, in great physical shape, and loner, he is the first undercover agent in the lineup of *Tatort*. He is also the first investigator of Turkish-descent on show.

Volker Herres, programming director of the NDR, the regional station in charge of Cenk Batu, stated in a DasErste.com press release in 2007 that the station took pride in

featuring the “long overdue” first Turkish investigator on the show.⁷⁴ The actor Kurtulus, however, said that he had not foreseen the cultural significance of his acceptance of the role. “I don’t see myself as the figurehead for German-Turkish society.” (quoted in: Berger, 2009) The implications of being the first German-Turkish in a leading role were far more than he anticipated, especially when compared to the problematic “Wem Ehre Gebührt.” But while many newspaper articles mentioned the fact that an ethnic detective had been introduced, there is a lack of significant discussion of what this might mean to German-Turkish relations. Instead, according to Kurtulus, it becomes obvious that where integration is concerned, “...we have not come very far in this country (Germany)” (Berger, 2009). The attention given to Batu’s/Kurtulus’ cultural and ethnic background, shifts the focus away from another change to the *Tatort* format.

‘The character of Inspector Cenk Batu has given *Tatort* an entirely new narrative perspective. Batu is a loner, without an office and regular office hours. In the episodes with him therefore there will be none of the typical *Tatort* scenes in police headquarters or the forensics lab. Instead the spectator is treated like an insider, always knowing what Batu knows.’ (Berger, 2009)

Taking these two new developments, an undercover agent and the first Turkish detective, it is clear that the long-running German series is once again updating its profile and brand. However, the latest move to a faster, thriller-like format, and the inclusion of a German-Turkish lead has not resulted in any significant ratings increase. The Batu *Tatort* episodes are receiving the weakest ratings, lower even than the ratings from the

neighboring detective in Vienna, Austria (produced by the ORF in partnership with the ARD).⁷⁵ But the NDR is known for its contemporary detectives and episodes, displaying current *Zeitgeist* and socially and politically relevant topics. Yet, the trend is not a positive one for Batu. And while there is little prospect of Kurtulus prolonging his six-episode engagement with the *Tatort* family, his character nonetheless opens possibilities for the series and its reflection of cultural policies in Germany (Buchner, 2007). The harder questions to ask once the fate of the format is clear, whether the undercover agent will receive a renewal of his contract or not, need to deal with what low numbers may mean in reference to the “ideal” audience, German xenophobia, and ethnic differences tangible in the audience make-up.

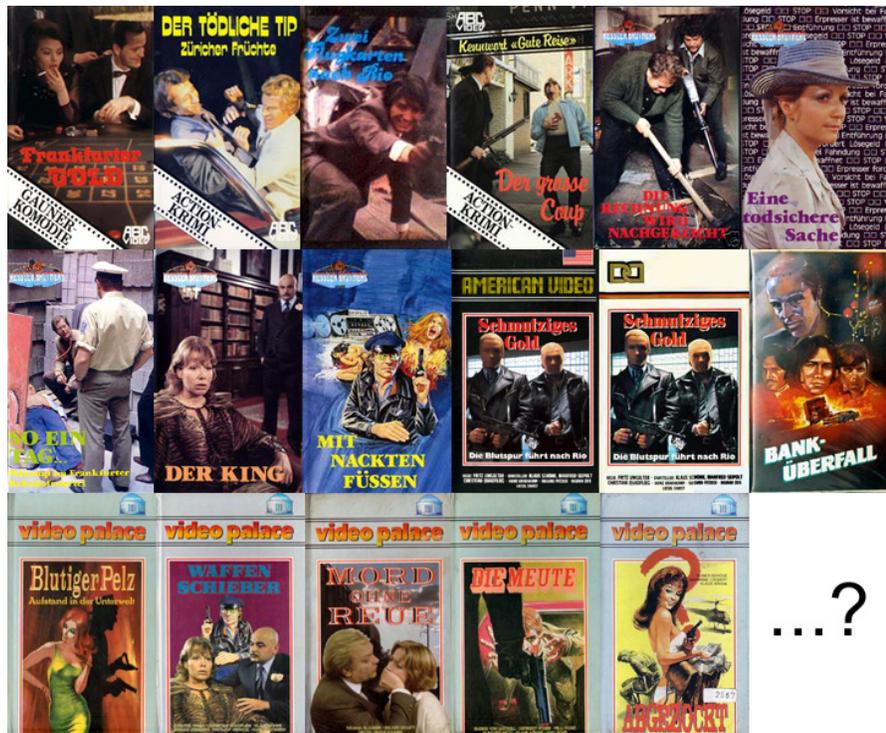
Reflecting technical progress was easier for *Tatort* from its beginnings, but to actively engage in those changes was a different matter. In part this is because the different station heads could not agree collectively on effective strategies for *Tatort* in the digital revolution and after.

Industry/New Technologies in TVIII

Despite the fast moving new media advances taking place in America, Germany has yet to embrace DVRs, TiVo and pay-TV. High definition television is becoming the standard and even *Tatort* is moving to this new format, having updated its opening sequence to digital. But it was only in 2010 that internet streaming became available for new *Tatort* episodes, and ARD did not release authorized DVD box sets until 2009. These were (and are) distributed by Disney Europe, using the *Tatort* title. According to several interviews, the de-centralized structure of ARD’s sub-stations and especially the

Tatort productions structure may be to blame for this home entertainment media gap. Too many persons in charge, with healthy competition in mind had struggled to come to common terms in the distribution deal brokered by Disney Europe.

There were, however, episodes released previously in VHS format, but without the *Tatort* title designation. Both ABC Video and Kessler released four and five episodes respectively under various titles.⁷⁶ These were not advertised as *Tatort* episodes and had no recognizable *Tatort* labels amongst them.⁷⁷ A possible reason for this could be that the release came from just one regional pubcaster and therefore was not supposed to relate to the series as a whole.



www.tatort-fundus.de

While box sets for Schimanski episodes, and a few others, existed prior to the mass release of Disney DVDs in 2009, *Tatort* was slow to engage with new distribution outlets for a variety of reasons. One of these can be attributed to organizational issues stemming from the de-centralized structure of the series; another concerned legal issues presented by the state and the European Union. *Tatort* made anniversary episodes accessible online, but only for short periods of time during the 2000s.

Internet Advances

The advances in satellite and cable technologies have diminished the argument of limited frequencies during the early stages of TV II, which were used against the introduction of commercial broadcasters. TV III offered an abundance of platforms to cast media content for both commercial and public broadcasters. However, the public broadcasters had to first define their position in this new media environment, as the broadcast services state treaty had not yet adapted to the digital possibilities. The situation changed considerably since the internet reshaped the information and entertainment media industry. While broadcasting is still a viable medium for audio-visual content, legitimization for a public network based on broadcasting alone has become a challenge, leading to shifts within the way the ARD conducts business and delivers content to viewers. At the same time it is problematic to maintain the traditional image of the public broadcaster (Moe, 2009). Considering that ARD has already begun pushing into the commercial sector with the Schimanski film releases, and its commercial distribution company Degeto, this problem can be considered marginal, as long as *Tatort* maintains its brand status by ARD. Sociologist Nicholas Garnham, for example, states

that cost and social relevance are far more important than access and brand (quoted in Moe, 2009). This is evidenced in *Tatort's* success in its topicality and regional connections. Therefore, content becomes the number one factor in public broadcast legitimization.

Similar to regulation crafted in the 1980s and 1990s between the federal government and the states' broadcasters, new rules were introduced in 2000 to also manage the online activities of ARD and ZDF by a States-Broadcast-Contract. Online activities were supposed to function as additional, or broadcast accompanying content, and any form of sponsoring or advertising were prohibited on ARD and ZDF websites. The passage in part reads (until recent changes were made in 2009): “ § 4, article 3: The regional state stations combined under the ARD may collectively offer program accompanying “telemedia” with program-connected content“ (Quoted in Moe, 2009). This content limitation is further regulated by financial boundaries, as only a specific percentage of ARD and ZDF income may be utilized for internet endeavors. Since 2004, both ARD and ZDF have agreed to spend no more than 0.75% of their annual overhead budget. By comparison, the BBC spent almost twice that amount on their news website alone (Moe, 2009).⁷⁸

As discussed in chapter three, Germany's regulation of the dual system allows for more freedom on the part of the commercial broadcasters, and attempts a fair and equal treatment as much as possible. Regardless of this, the VPTR (Verband Privater Rundfunk und Telemedien – Consortium of Commercial Radio and Televisual Media), lobbyists of the commercial electronic media in Germany, filed a complaint against ARD and ZDF with EU headquarters. The practices of commercial and public financing that the German

pubcasters utilize are obtuse at times, as the commercially gained income is not openly discussed. This led to a request for more transparency of the commercial aspects of financing the public broadcast system in Germany. Furthermore, the VPRT claimed that both ARD and ZDF had broken regulations by online activity, as set forth in the broadcast-states-contract. In response, the European Commission verbally attacked the online activities of ARD and ZDF. The comments again discussed the already existing offerings of the commercial sector on the internet and how these negated the necessity of public media's presence. They also questioned the connection between the informative and educational charge of the public broadcasters and their internet gaming content and chat rooms. These had been offered to accompany the programming (as paratexts)⁷⁹ available on television, much like the commercial networks made use of these paratexts. However, the commercial sector saw this use of internet space by ARD and ZDF as an intrusion into the commercial realm and claimed that such paratexts were outside the realm of the public broadcasters official duties.

After discussing chats and gaming as educational aspects of the media, however, the commission decided that the regulations were not concrete enough to consider ARD and ZDF breaking their contractual obligations. The discussion was put to an end in 2007, after ARD and ZDF attempted to build a case on the internet as originally informational media, and hence within the realm of public broadcasting (Moe). But, in order to end the debate, Germany's pubcasters made concessions. These were realized in the 2008 broadcast-states-contract alterations. The changes include for example that the online content of ARD and ZDF must be journalistic and editorial, not entertainment driven. Local reporting by the ARD and ZDF on the internet is not permitted, because it

would interfere with the original balance between localized media, such as print, and the national information charge of the pubcasters. Offerings on ARD and ZDF websites were not censored for its content, but a division of categorized content in public and commercial web casting was established.

In the non-regulatory realm of viewership, the limitations of what ARD and ZDF may offer thus depend on generating journalistic and editorial content with a considerable audience appeal. Although German audiences slowly began to embrace digital media, the percentage of German citizens with online access continues to grow. In 2009, a study commissioned by ARD and ZDF reported a 12 percent growth of internet access in the nation in recent years, with an annual growth rate of 2 to 3 percent. Roughly 67 percent of Germans use the internet on a semi-regular basis. Within this percentage, there is a clear age gap, with the most avid users ranging in age between 14 and 29 years of age (96 percent) and a small percentile of people over seventy years of age using the internet (16 percent). (Franz, 2009) According to the ARD Forschungsdienst (ARD research services), mobile device internet access is still limited and only provides entertainment in roughly 13 percent of its content. (ARD Forschungsdienst, 2009) Considering these numbers it is no surprise that broadcast media still reigns in the entertainment media industries, even though trends are pointing towards a multi media, multitasking audience preference in Germany (Stipp, 2009).

The fact that *Tatort* at first only streamed online for a few anniversary episodes is certainly based on both the financial and content limitations placed upon ARD's online activities, as well as the slow pace of audiences to embrace the internet's entertainment content. Although quality is often considered subjectively only, as mentioned in a study

commissioined by the ARD, the audience desire for access has been ignored for years. (Stark) The focus on audience needs did lead toward the ARD's now regular seven-day streaming of the latest *Tatort* episode on their online *mediathek* website. Each episode remains on the website for only one week, until it is replaced by the newly released *Tatort* episode. In accordance with German media law these episodes are only available online between 11 p.m. and 6 a.m. due to national youth protection standards. Why this regulation does not seem to affect the TV broadcast or Sunday live stream is unclear. But even though the internet presents the most significant shift in technological advances, the viewing habits of audiences have also shifted with the latest trend of TV-on-DVD.

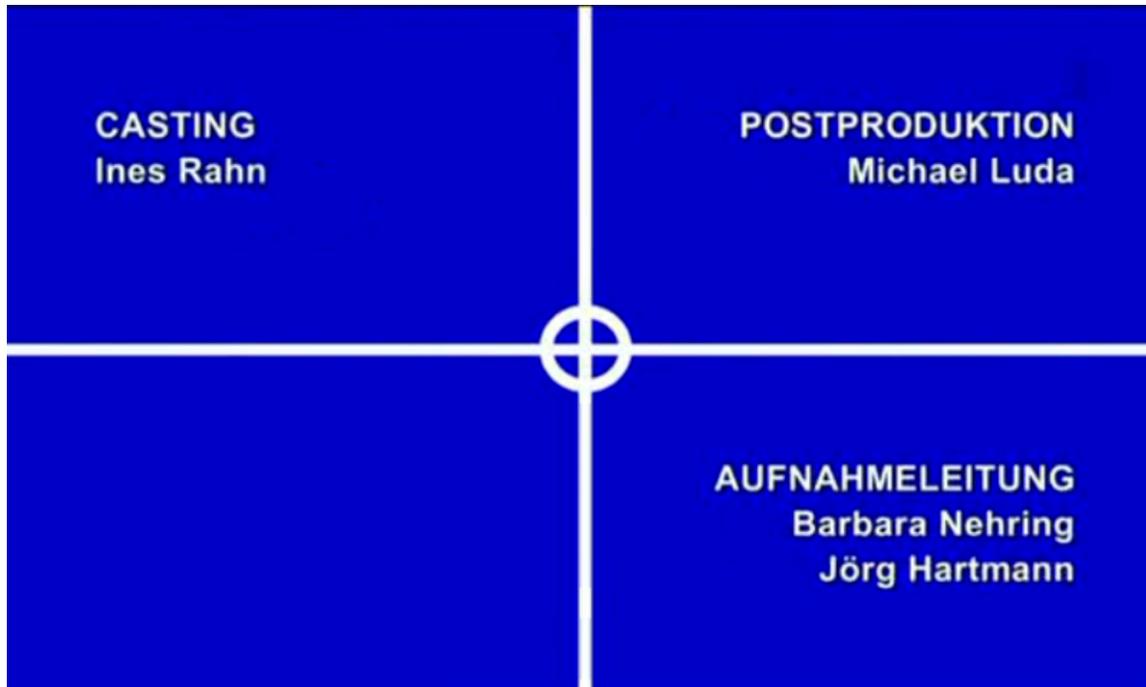
The *Tatort* DVD releases, beginning with ten box sets organized by detectives and regions in December 2009 are distributed by Disney Europe. After a lengthy negotiation process with the individual station heads, ARD took managerial "ownership" and brokered the deal with Disney. (Henke) Currently there are over ninety DVD *Tatort* releases, single episode DVDs, city and investigator box sets, as well as best-of sets divided by decade, available at local retailers as well as websites such as *amazon.de*. In one instance, viewers were asked to vote online and choose episodes for a "Best of Set." These engaged viewers and gave the chance to actively participate and voice their opinion about the "quality" of episodes by nominating them for release. This remains, however, an unusual event within the process of *Tatort* DVD distribution.

The DVD releases appear to be solely focused for the German market. MHZ Worldview International, "a national, independent, non-commercial channel presenting fresh, relevant English-language international content including news, documentaries, cultural programming, dramas, films & mysteries, music and sports"⁸⁰ has purchased,

among other foreign crime series, *Tatort* episodes. The episodes purchased for US distribution are those of the city of Cologne, with the investigators Ballauf and Schenk. The Cologne episodes by appearance are neither culturally nor regionally more disposed for international release than other regions' episodes. Unfortunately the company did not comment on a reason for its selection or financial aspects of the trade. A closer look at their website, however, shows that while many of the other international programs in the realm of mystery are available via MHZ Worldview International on DVD in English, *Tatort* is not. Select episodes, such as "Reifezeugnis" can be rented from Blockbuster online, but again there is no clearly delineated *Tatort*, or *Scene of the Crime* brand under which these episodes are marketed. I did not receive any comment on the non-Disney DVDs circulating from Disney or Blockbuster.⁸¹

Conclusion

The End ... is not in Sight



All for One

Within the constraints of its basic assumptions that television is business-oriented and that all audiences are assumed “ideal” audiences within the industry, this study has argued that there is an active (symbiotic) relationship between the industry and the audience with regards to German television and the ARD series *Tatort*. Rooted in Mittell’s modified circuit-of-culture, this study has discussed forty years of German television history via its most established television drama, *Tatort*. In each decade it was clearly evident that the public providers, reacting to competition, altered their programming to reflect not only changes in regulation but also in audience composition and expectations. The conclusion reached is that a) the audience does have agency, even if assumed and then executed by the broadcaster, and b) that the audience is a vital part of television production, and is therefore “ideal” by the networks.

The fact that *Tatort* has shifted throughout the past forty years successfully maintaining its leading position with general audiences, also is due to its unique regional set-up. This allowed it to experiment with only a small fragment of their fifteen detective line-up, and thereby adapt slowly to audience needs. In addition, the GEZ fee-system in Germany provided a steady budget, roughly \$1.75 million per episode of *Tatort*. This is above the standard television production budget in Germany.⁸² The point this study makes about brand loyalty and the power of a specific air time/schedule reflect the networks’ dependence on audience loyalty.

The shifts *Tatort* underwent in each decade are closely related to social, technological and democratic policies, but always these changes have been made to maintain viewership. In the 1980s and 1990s it is quite clear the changes were forced

upon the series in ARD's battle against the new commercial stations. This period also saw ARD's loss of their number one position in German television. Later it proved, through ARD regaining said spot that endurance and maintenance of a program can pay off. The commercialization of a station's output thus does make it a better-suited competitor in a dual television system market, where public and commercial broadcasters exist side by side.

The implications of this study are hence threefold. First, this research explored the causes for the success of a forty-year television series that is approaching its 800th episode. Therefore it may provide information on how to structure and restructure programming without self-commercialization (as seen in this prime time, advertisement free drama), by including commercial strategies and an interest in a large continuously growing audience. Second, this study has shown that in Germany the gap between commercial and public providers has as much as disappeared and therefore studies need to consider this fact when discussing the dual systems as providing two entirely different television industries. To view the two television industries as different at their base is a flawed concept, which leads to possibly false assumptions about content choices and programmer intent. The separation of elite and mass broadcasters needs to be reconfigured. While their output is differing, the two may no longer be treated as unequal in their endeavor of programming for general audiences, albeit specific niche audiences may be specific to one or the other. And third, the position of the audience is possibly less manipulated by programmers as it appeared in recent research.⁸³ While audiences are commodified, they thereby become an intrinsic part of the industry machinery and part of the production chain. Programmers do not ignore them. Discussing the fact that audiences

are sold to advertisers is not enough. The fact that these audiences are still sought by television cannot be ignored. It is the catering to the viewers, rather than dictating their choices that lure them in, as was exemplified by *Tatort*'s unsuccessful and successful experiments.

In the 1970s audiences received localized content on a national level, showing individual parts of Germany to the entire nation, supplying entertainment programming that allowed for an escape from terrorist realities and the financial downturn. At the same time the audience commodification is evidenced by the inception of *Tatort* in order to counter the programming successes of the rivaling public station ZDF. Even in this first decade, with no commercial competitor, audiences were considered in programming choices, demonstrated by the removal of certain episodes from circulation and their placement in the poison locker. Similarly, the rave reviews for "Reifezeugnis" (Proof of Maturity) by critics did not save it from losing a few shots of Nastassja Kinski's naked body after audiences had remarked upon the high use of nudity.

The 1980s marked a significant shift as the ARD faced its first commercial competitors, who were largely drawing content from the successful US market, based on their cheap financing. By providing a multitude of choices to audiences, the audiences expectations were altered and younger generations needed to be serviced by public programming that began shaping itself after US models by way of characters such as Schimanski. In a rapid succession of detectives for many of the regional stations the modernized episodes and detectives fared well with audiences, as is demonstrated in Schimanski's theatrical release and later spin-off series of the same name, for a long period. Yet, the commercial broadcasters were gaining ground and the public

broadcasters hemorrhaged audiences. Stability was achieved only after the audience expanded via Germany's reunification.

The decade following Germany's reunification presented ARD and the public stations with new forms of competition once again. The commercial broadcasters now were financially stable and began to finance their own domestic productions, still modeled after the high budget productions they had been purchasing from the USA. This led to a period of experimentation in the public television sector. In the 1990s, ARD and ZDF had lost their lead position in domestic production and looked to highly rated programs from the States, such as the *X-Files*. Merging the science fiction style of the *X-Files* with *Tatort* had not proven successful, but demonstrated ARD's commitment to cater to their audiences. The stations had begun to embrace contemporary representations of gender, ethnicities and society as a whole, reflected in the constantly changing representations of German police detectives, as for example the character of Lena Odenthal.

The series kept catering to trends throughout the 1990s and also throughout the 2000s. Genre hybrids such as the Boerne/Thiel comedy-procedural, or the introduction of long-form narrative in the Charlotte Lindholm episodes speak to this constant trend-maintenance. The representation of shifting relationships of society, crime, and police are demonstrated by the introduction of the undercover cop genre as well as the debut of *Tatort's* first Turkish-descendant investigator. The technological changes of the past decade have made the generational gap of audience members more evident for ARD and pressure the network into taking action. ARD needed to engage in new technologies and

provide TV-on-DVD options for the series, as well as online access to their *Tatort* episodes for tech-savvy viewers.

This study has traced the development of the German broadcast system and its transition from single to dual system broadcasts. The public networks have adjusted their top rated fictional programming several times to adapt to the needs of the audience and the growing market, the commercial industry intrusion, and the technological advances. At the center of the police procedural's success is always the audience and the network's acknowledgment of this "ideal" audience.

Decade Number Five

This is the first year of the series' fifth decade on the air, and an end is not in sight. Instead at least six *Tatort* episodes will be in production at any given time in 2011. While armediathek.de is still unwieldy, and the backlog of DVD releases a daunting task for those in charge, the download sites, peer-to-peer trading, and live recording provide good alternatives. The internet community, especially on sites such as Francois Werner's *Tatort-Fundus.de*, bring *Tatort* to the world wide web in a way that is progressive and actively involves the audiences as participants.

The series has yet to embrace other forms of intertextuality, like online narrative-gaming, podcasts, or even a larger assortment of merchandise, but with the regulations prohibiting such content, in part, from being placed on ARD's official site it remains unclear when, if, and where this might come to pass. Where basic streaming and the possibility of webisodes and paratexts may lead this series is unpredictable, the only thing predictable is, there will be murder in *Tatort's* future, and lots of it.

Appendices

Appendix 1 – Broadcast Penetration/Seperation/Regionality

A1.1 – Germany's Regional Stations



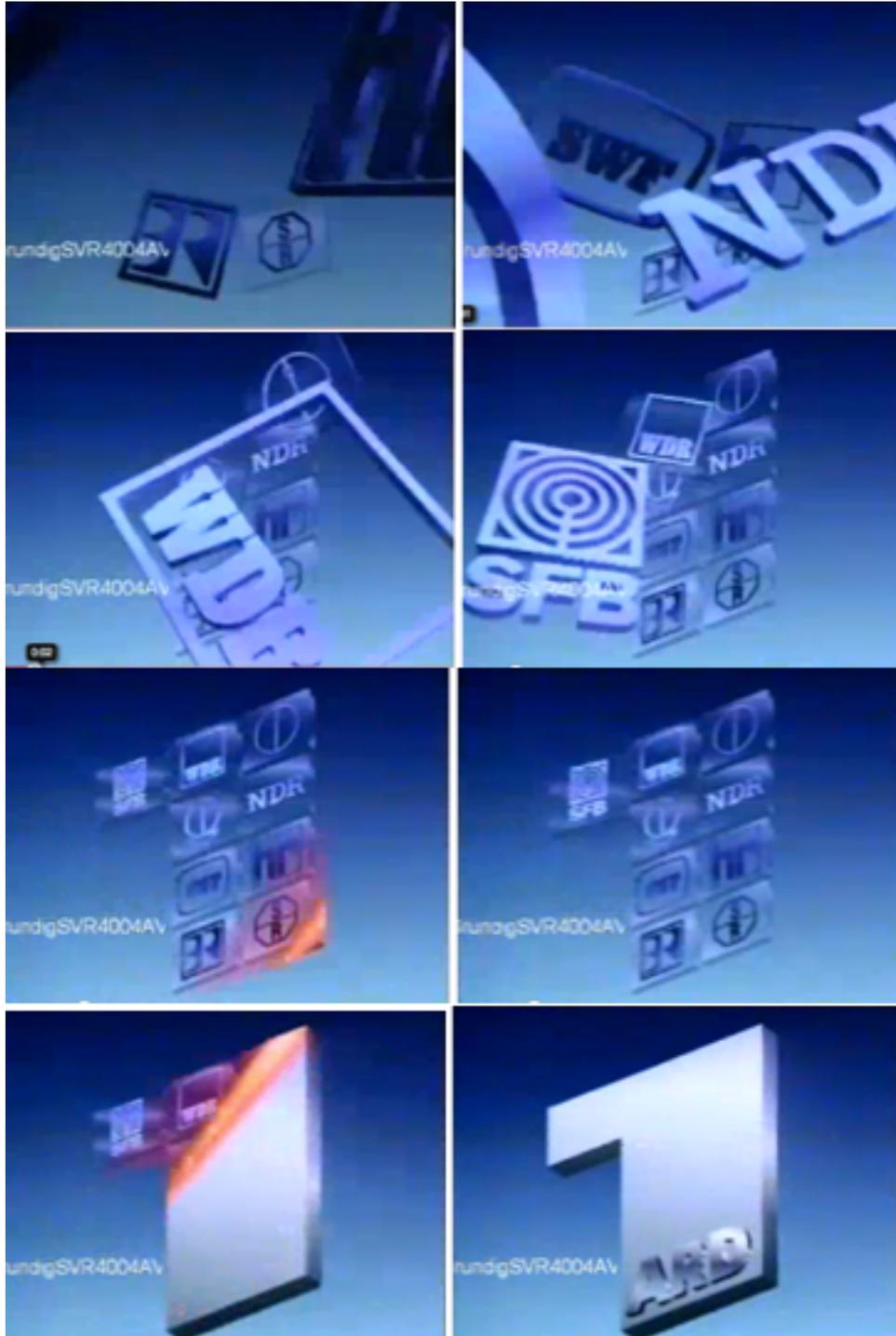
http://www.sportschau.de/sp/fussball/bundesliga/lra_bulistream_seite.jsp

A 1.2 ARD reception in the former GDR



http://commons.wikimedia.org/wiki/File:West_german_tv_penetration.svg

A1.3 The ARD Logo – build-up



Screenshots of recording of ARD 1985 logo

Appendix 2 – Tatort Format Bible (Translation)

Translated from Original Re-draft Provided by Gunther Witte (roughly 1982/1983)

Tatort

Concept and Profile of the ARD Crime-Series

By Gunther Witte

Initial Agreement:

- Every station establishes their stories within their individual region. The diversity of regions creates a specific charm for the series.
- The stories have to be plausible in reality. This does not mean naturalistic representation of police work and does indeed offer the possibility to move away from reality within some boundaries (as for example in Schimanski).
- The detectives (and their teams) are to be the center of the narratives, that may be presented from the detectives' or omniscient narrators' points of view.

Criteria for the *Tatort* format/genre

- The episodes of the series tell suspenseful and entertaining crime-oriented stories, that are meant to reach a large audience. Different from concepts such as *Derrick* or *Der Alte*, and especially in contrast to US series creations, (*Tatort*) concentrates on individual stories. This is an important measurement to protect the series from signs of wear.

- *Tatort* episodes are not individual films and do not have artistic intent. They should not be used for cinematic experiments/expressions.
- The series should present understandable, clearly arranged – and naturally suspenseful – cases. Complicated stories will not be accepted by the audience, no matter how artistically correct the execution (see: “Schwarzes Wochenende” (Black Weekend), by Dominik Graf)
- Stories that address explosive political and sociopolitical topics are well placed in the series as long as they are offered in a crime genre specific fashion. Didactic, documentarian, or heavily dialogue driven material is therefore not effective.
- *Tatort* episodes deal with capital offenses, such as any level of homicide.
- Representations of violence, considering the current sensitivity around violence debates, have to be handled with care. The amount of violence shown needs to translate to the level of violence connected directly to the mediation of the crime to the viewer. Excessive or spectacular images of violence should also be avoided because audiences avoid such depictions and will change the station. Calls for crime drama void of depictions of violence or dead bodies are, however, counterproductive, unrealistic, and foreign to the genre.
- The opening sequences of the episodes have to be attractive, fast paced, and captivating. Research has proven that viewers decide within the first few minutes whether they remain with the program or not. Opening has to mean capturing!
- Tempo and rhythm of the episodes have to orient themselves along the crime genre. An artistic or poetic slow pace is inappropriate.

- Artistic choices, for example camera techniques, should only take liberties with the standard model if it serves the narrative. An experimental or independent camera style is incongruous.
- The characters in each episode should be clearly defined by perpetrator/victim stereotypes (but naturally include “riddles” for the audience to solve)
- The private life of the detective may, of course, be included in the episode, but only if it is linked directly to the case and does not develop its own narrative.
- Subtitles, flashbacks, and voice overs are to be avoided, if they diminish the acceptance of the episode.
- *Tatort* episodes should all use the joint end credits design of the cross hairs. The absence of the cross hairs usually documents the directors wish to be clearly separated from the series.

As is evident in this paper, the *Tatort* bible in its second draft attempted to reign in directors that had strayed from the format. As is demonstrated in this study, experiments with the *Tatort* format have occurred through all decades of *Tatort*. The *Tatort*-bible had been declared lost by the *Tatort* coordinator Prof. Dr. Henke and others interviewed for this study. Witte stated that: “They do not really adhere to the rules all the times, but they provide a guideline to audience success.” (2009)

Appendix 3

Broadcast services state treaty/Rundfunkstaatsvertrag (RStV)

The broadcast services state treaty is a nationwide law for audio-visual licenses in Germany. Based on the sovereignty of the German states in most cultural aspects of policy making, it is a treaty passed by all states of Germany in the federal union, per definition it is not a law. The first version was enacted on December 1, 1987. The current revision was enacted on June 1, 2009. Revisions have been made twelve times since the treaty's inception. The treaty also serves as a basis for the RGebStV, the broadcast services charging state treaty, which enables the GEZ to charge viewers for broadcast services. The changes introduced to address newer technologies such as internet are labeled as the telecommunication media act, or TMG.

“The most important revision for the basis of the dual system was enacted on August 31 in 1991. The broadcast treaty between the states contains in its five articles the broadcast services state treaty (TMG since March 1, 2007), the ARD states treaty, ZDF states treaty, the broadcast services charging state treaty (RGebStV) and the broadcast services finance state treaty (RFinStV), which contain the basic principles for public and commercial broadcasting. Regulations pertain to gratuitous newscasting, kind and length of broadcast advertising, sponsoring, financing of the service fees and advertising, satellite programming, the joined efforts to generate content for ARD's station Das Erste (First Channel), publications pertaining to programming and the handling of telecommunication media.

Until April 2003 the RstV also contained relevant laws pertaining to youth protection, which have been covered in the Commission for the Protection of Minors in

the Media State treaties since.

...

In its preamble the RstV guarantees the maintenance and the expansion of public broadcasting, including the participation in “all new technological possibilities” and the ‘participation in new forms of broadcasting”, as well as the ensurance of “financial fundamentals.’ “ (ARD)

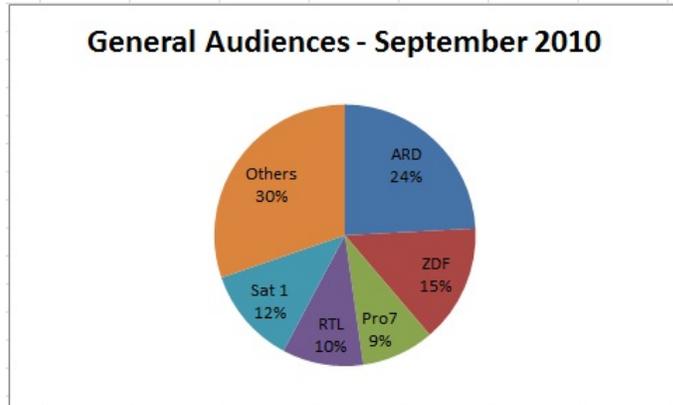
The most recent alteration eliminates the option of sponsoring for public broadcasters: Article 1, §16:

The following new clause (6) is added:

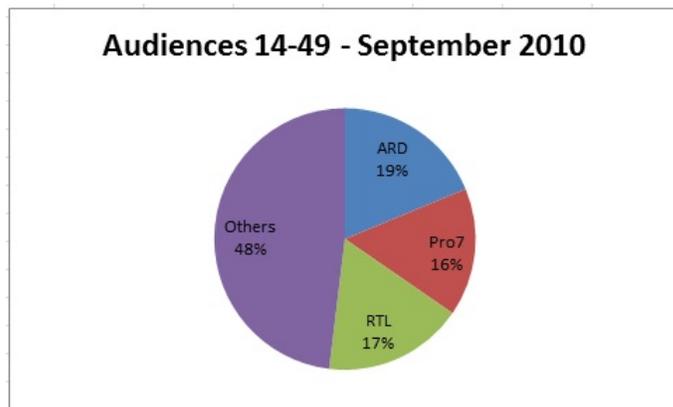
Sponsoring after 8 p.m. and on Sundays, and holidays acknowledged in all of the States of the Federal Republic will not occur on television. This does not apply to major events, § 4, clause 2.

Appendix 4 – Ratings⁸⁴

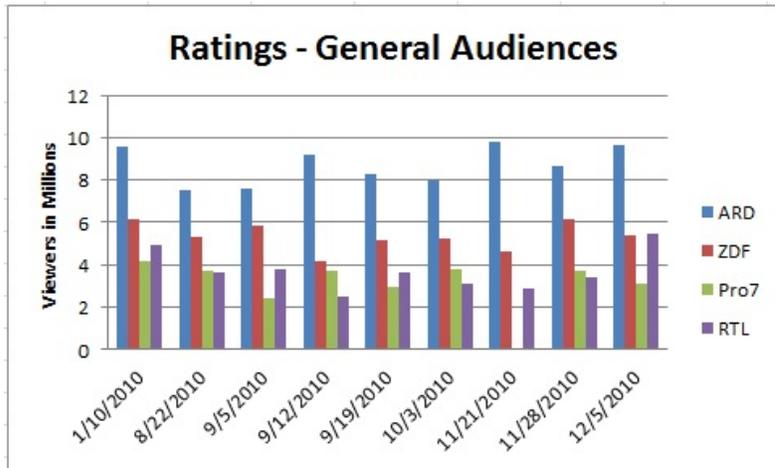
A 4.1



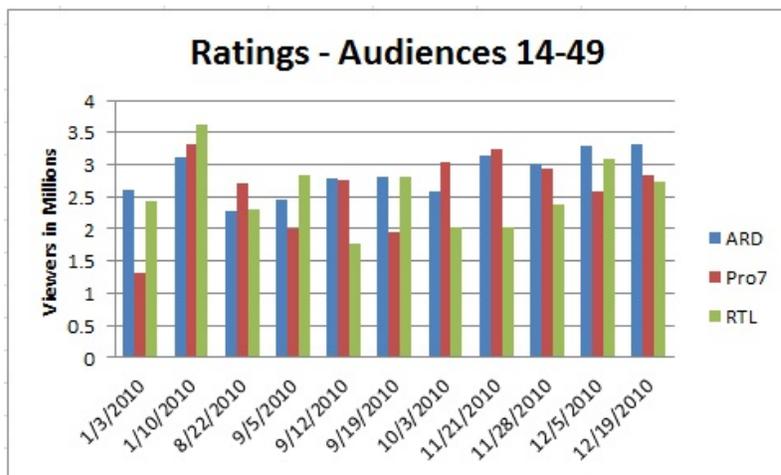
A 4.2



A 4.3



A 4.4



A 4.5 Ratings Sundays, 8:15 p.m., 2010

General Audiences

		ARD	ZDF	Pro7	RTL	Sat 1
1/3/2010	Millions	7.54	6.83	1.98		
	Percent	20.2	18.3	5.5		
1/10/2010	Millions	9.59	6.17	4.2	4.9	
	Percent	24.3	15.6	10.8	13.1	
8/8/2010	Millions	6.07	4.63	3.52		
	Percent	19.2	14.7	12.1		
8/22/2010	Millions	7.53	5.34	3.74	3.66	
	Percent	23.6	16.8	12.5	11.47	
8/29/2010	Millions	8.11				
	Percent					
9/5/2010	Millions	7.61	5.84	2.45	3.82	4.01
	Percent	22.3	17.1	7.3	11.6	12.5
9/12/2010	Millions	9.2	4.16	3.68	2.5	3.96
	Percent	26.7	12	11.2	7.8	11.5
9/19/2010	Millions	8.26	5.16	2.99	3.62	4.17
	Percent	23.5	14.7	8.51	10.7	11.86
10/3/2010	Millions	8	5.2	3.76	3.14	3.68
	Percent	22.7	14.8	12.4	8.9	10.4
10/17/2010	Millions	8.48				
	Percent	22				
11/21/2010	Millions	9.83	4.62		2.9	
	Percent	26.7	12.5		8.1	
11/28/2010	Millions	8.66	6.17	3.7	3.41	
	Percent	23.6	16.8	19.3	9.3	
12/5/2010	Millions	9.65	5.41	3.09	5.44	
	Percent	26.1	14.6	8.35	17.9	
12/19/2010	Millions	9.63	5.66			
	Percent	25.9	15.2			
12/26/2010	Millions	7.07	7.45			
	Percent	20.8	22			

Audiences 14-49:

		ARD	Pro7	RTL	ZDF	Sat 1
1/3/2010	Millions	2.61	1.31	2.42	1.41	
	Percent	16.7	8.4	15.5	9	
1/10/2010	Millions	3.11	3.31	3.61		
	Percent	18	19.4	21.7		
8/22/2010	Millions	2.29	2.71	2.3		
	Percent	17.4	21.5	17.6		
8/29/2010	Millions		3.2	2.71		
	Percent		21.9	18.5		
9/5/2010	Millions	2.46	2	2.84	1.17	2.52
	Percent	16.9	13.9	20	8.1	17.5
9/12/2010	Millions	2.78	2.76	1.78		2.66
	Percent	18.7	19.2	12.6		18.2
9/19/2010	Millions	2.8	1.95	2.82		2.89
	Percent	19.2	14.4	19.4		18.2
10/3/2010	Millions	2.57	3.04	2.38		2.29
	Percent	17	22.6	15.8		15.6
11/21/2010	Millions	3.14	3.25	2.02		
	Percent	20.1	23.4	13.2		
11/28/2010	Millions	3.01	2.95	2.38		
	Percent	18.7	19.3	15		
12/5/2010	Millions	3.29	2.57	3.1		
	Percent	21.25	16.6	23.3		
12/19/2010	Millions	3.33	2.84	2.73	1.06	
	Percent	21.7	18.8	17.8	6.9	

A 4.6 Tatort episodes winning audiences 14-49 (counter programmed consisted predominantly of Hollywood films and German Blockbuster movies)

2010	ARD	Pro7	RTL
1/3	“Weil sie boese sind” – HR	<i>Die wilden Kerle 4</i>	<i>Die Jagd nach dem Schatz...</i>
9/12	“Schmale Schultern” - WDR	<i>War of the Worlds</i>	<i>Ocean's Twelve</i>
9/19	“Bluthochzeit” - SWR	<i>007-Die Another Day</i>	<i>The Incredible Hulk</i>
11/28	“Wie einst Lilly” - HR	<i>Enchanted</i>	<i>Invasion</i>
12/5	“Familienbande” - WDR	<i>Scary Movie 3</i>	2010! (annual review show)
12/19	“Nie wieder frei sein” BR	<i>Jumper</i>	<i>Ice Age</i>

Notes

¹ It needs to be noted that European television is rooted in public broadcast services, financed via viewers in a fee and regulated system, whereas PBS entered the US television landscape much later and in a specific political climate unlike that of the European broadcasters. Therefore, on a basic level, the two systems are distinctly different in their conception, history and financing.

² Access to audience response material - mail, email, and phone calls, as well as internal reactions in the network such as memos - have not yet been made accessible by the network. I hope to incorporate said information in further expansion of this project.

³ Author translated all episode titles. English titles do exist for a few episodes, but often have been translated more than once with varying titles. All translations are as literal as possible. All information pertaining to actors, directors, and airdates stem from the episodes viewed or the extensive archives of www.tatort-fundus.de unless otherwise noted. All images are used with the permission of Prof. Dr. Gebhard Henke for the purposes of this dissertation and have been obtained via ARD websites unless otherwise noted.

⁴ See page 70ff for detailed discussion of the German Broadcast services state treaties.

⁵ Jason Mittell, *Television and American Culture* (New York: Oxford University Press, 2010).

⁶ Another way to schematize eras of television within TV I, II, and III is presented by Reeves, Rogers, and Epstein Michael M. Epstein, Jimmie L. Reeves, and Mark C. Rogers, *Quality Control: The Daily Show, the Peabody and Brand Discipline*, ed. Kim Akass and Janet McCabe, *Quality TV* (London, New York: I. B. Tauris, 2007). They link TV I (1948-1975), II (cable/cult TV era 1975-1990), and III with industrial and technological shifts in the U.S., recently correcting the beginning of TV III from 1995 back to 1991 with the release of the World Wide Web (2007, 89). Similar shifts of media technologies advancing, and textual forms changing, occurred outside the U.S. also and make this an easily adopted model. Reeves et al also trace changes in advertising strategies and brand culture (2007, 85).⁶ Viewed as connected by the circuit of culture these two main schemata of TV I, II, and III, underline the importance of industry (and its technological developments) and commodity audience for a clear overarching definition of TV.

⁷ Gunther Witte, Interview Gunther Witte, November 5 2009.

⁸ For more on the Red Army Faction's history see Stefan Aust, *The Baader-Meinhof Group : The Inside Story of a Phenomenon* (London: Bodley Head, 1987).

⁹ ———, *Der Baader Meinhof Komplex*, Erw. und aktualisierte Ausg. ed. (Hamburg: Hoffmann und Campe, 1997).

¹⁰ Witte.

¹¹ Florian Hartling, Ingrid Brück, and Reinhold Viehoff, "50 Jahre Deutscher Fernsehkrimi; Projekt am Institut für Medien, Kommunikation & Sport," Dept. für Kommunikationswissenschaften, Universität Halle, <http://server4.medienkomm.uni-halle.de/krimi/impresum/>.

¹² I would like to note here that there are indeed some questions raised about the illegality of copying and circulating public television, as it is technically a publicly funded publically owned good. However, this discussion deserves more space than this work can afford it.

¹³ Michael Geisler and Michelle Mattson, "After the Bardic Era: German Television Since 1984," *New German Critique* 78, no. Special Issue on German Medi Studies (1999).

¹⁴ On June 20th 2010 this equals roughly \$1.5 Mio.

¹⁵ Witte; Silvia Maric, Christine Gandre, and Lars Jacob, *Programmqualität 2008: Fernsehsender im Urteil des Publikums/ ARD Trend* (Programmdirektion Erstes Deutsches Fernsehen/Presse und Information, 2009).

¹⁶ 700, ed. Lars Jacob, et al., *Tatort Presse-Material* (München: Programmdirektion Erstes Deutsches Fernsehen / Presse und Information, 2008).

¹⁷ The term came up in a discussion of the program and I would like to adopt it for further studies.

¹⁸ Ingrid Brück et al., *Der Deutsche Fernsehkrimi* (Ulm, Germany: Metzlersche Verlagsbuchhandlung Poeschelverlag, 2003).

¹⁹ Eileen R. Meehan, "Conceptualizing Culture," in *Television: The Critical View*, ed. Horace Newcomb (New York, Oxford: Oxford University Press, 1994).

²⁰ Heinze, Doris. *Interview by Author*. Hamburg, 2009.

²¹ For more information on industry and business liaisons of the BBC and ARD please refer to www.bbc.co.uk and www.ard.de

²² Albeit forbidden both the ARD and ZDF have been repeatedly accused of product placement. Most recently a episode of *Tatort* has come under scrutiny: Kathrin Buchner, "Schleichwerbung im Tatort?," *Stern*, 26 February 2009 2009. The German term translates more appropriately into surreptitious advertising.

²³ It should be noted, however, that no producer mentioned any income derived from single sponsor underwriting. If mentioned at all, it was referred to as: "no more than a slice of bread, that's all the difference it makes to us." Information on pricing and where the revenue flows have not yet been found.

²⁴ Information about advertisement regulation taken from: Sarah Lindner, *Werbung im Vorabendprogramm der öffentlich-rechtlichen Sendeanstalten ARD und ZDF*

(Wittenberg: Martin-Luther-Universität, 2002).

²⁵ *Tatort* has been sponsored by the same beer brand for over ten years. The detectives all enjoy having a beer, although brands are not mentioned within the narrative.

²⁶ For example: Linda Barker and Shona Wood, *Changing rooms* (New York: BBC Books/Parkwest, 1998); John Cain, *The BBC : 70 years of broadcasting* (London: British Broadcasting Corp., 1992); Geoff Mulgan and Richard Paterson, *Reinventing the organisation*, The BBC charter review series 4 (London: BFI Publishing, 1993); Helen Wheatley, "The limits of television?," *European Journal of Cultural Studies* 7, no. 3 (2004).

²⁷ Helmut Kreuzer and Helmut Schanze, *Fernsehen in der Bundesrepublik Deutschland : Perioden, Zäsuren, Epochen*, Reihe Siegen (Heidelberg: Winter, 1991); Manfred Buchwald, "Fernsehen im Wettbewerb," in *Rundfunkpolitik in Deutschland: Wettbewerb und Öffentlichkeit*, ed. Dietrich Schwarzkopf (München: Deutscher Taschenbuch Verlag, 1999); Martin, Eifert and W. Hoffmann-Riem, "Die Entstehung und Ausgestaltung des dualen Rundfunksystems," in *Rundfunkpolitik in Deutschland: Wettbewerb und Öffentlichkeit*, ed. Dietrich Schwarzkopf (München: Deutscher Taschenbuch Verlag, 1999); Ottfried, Jarren and Wolfgang Schulz, "Rundfunkaufsicht zwischen Gemeinwohlsicherung und Wirtschaftsförderung," in *Rundfunkpolitik in Deutschland: Wettbewerb und Öffentlichkeit*, ed. Dietrich Schwarzkopf (München: Deutscher Taschenbuch Verlag, 1999); Dietrich Schwarzkopf, "Die "Medienwende" 1983," in *Rundfunkpolitik in Deutschland: Wettbewerb und Öffentlichkeit*, ed. Dietrich Schwarzkopf (München: Deutscher Taschenbuch Verlag, 1999); ———, "Das duale System in der sich verändernden Medienordnung," in *Rundfunkpolitik in Deutschland: Wettbewerb und Öffentlichkeit*, ed. Dietrich Schwarzkopf (München: Deutscher Taschenbuch Verlag, 1999); Wolfgang Wunden, "Sozialethische Dimensionen der Rundfunkpolitik," in *Rundfunkpolitik in Deutschland: Wettbewerb und Öffentlichkeit*, ed. Dietrich Schwarzkopf (München: Deutscher Taschenbuch Verlag, 1999).

²⁸ For example, the TV Milestone book:

²⁹ German titles translated by Bärbel Göbel

³⁰ Rupert Sommer, "Seid 60 Jahren FSK," Teleschau, <http://www.tatort-fundus.de/web/service/news/2009/september/fskwird60-2009-09-21.html>; Francois Werner, "Zeitreise mit Tatort," Francois Werner, <http://www.tatort-fundus.de/web/lexikon/zeitreise.html> ; *ibid*; ———, "Vorspann," Francois Werner, <http://www.tatort-fundus.de/web/lexikon/vorspann.html> ; ———, "ORF - Außer der Reihe," Francois Werner, <http://www.tatort-fundus.de/web/folgen/ausserderreiheorf-2009-03-18.html> ; ———, "Im Fadenkreuz: das Fadenkreuz," <http://www.tatort-fundus.de/web/service/news/2009/april/imfadenkreuz-090418.html>

³¹ All translations of interview material are by Bärbel Göbel.

³² Although ARD is not a network in the American sense, where one station fuels local stations with near-identical entertainment programming, I consider the regional stations as networking the ARD. From hereon the ARD will be referred to as a network, and the local contributors and the ZDF³² as stations or channels.

³³ Eifert and Hoffmann-Riem, "Die Entstehung und Ausgestaltung des dualen Rundfunksystems."

³⁴ A good discussion of ARD2 with many helpful links can be found at: <http://www.mysnip.de/forum-archiv/thema/8773/746852/Senderstandorte+-+ARD+2.html>

³⁵ A detailed breakdown of *Tatort* ratings and those of its competitors is provided for the year of 2010 in chapter five. Individual ratings for *Tatort* alone may be accessed for each individual episode at www.tatory-fundus.de

³⁶ Interestingly enough, the GEZ dues, the fees paid for broadcast reception to the German fee collection agency, which were first collected in 1923 for radio broadcasts and through times of inflation rose from 25 Mark to 35 trillion Mark within four weeks, remained almost the same since 1953. An employed adult would pay the equivalent of €15 in 1953, today the broadcast dues are at €18. The law states that the dues have to be paid for each individual television/radio set, but private homes are usually freed from fees for a secondary set. However, this law will change in 2013, in order to assure that all viewers pay. Each household will be required to pay the dues regardless if they have a television or not.

³⁷ Indication-ruled abortion refers to German legislation that permits abortion in specific physical, emotional, and social contexts.

³⁸ Witte was asked to testify in a recent court case about the rights and royalties of the opening credits. Although he could speak to the events as they happened, as he did with me, he cannot give dates and times or names of participants. No one could, as there are no records of the sessions. "It all happened so long ago, and most of the ones that were there are now gone. (Witte, 2009)"

³⁹ Lynn Spigel, *Make room for TV : television and the family ideal in postwar America* (Chicago: University of Chicago Press, 1992).

⁴⁰ For more on documentary notes please see: Bill Nichols, *Representing reality : issues and concepts in documentary* (Bloomington: Indiana University Press, 1991).

⁴¹ Even though this is often to the dislike of the series inventor Gunther Witte, who feels that while crime TV with a social context is fantastic, *Tatort* has been abused to often by auteurs and social critiques to tell a story that is only lightly veiled as crime television. Thereby, he argues, the fact that this is a police procedural is undermined and the crime fiction doesn't received enough attention to be played out correctly. (Witte, 2009)

⁴² Ramcke/Mende, *Interview by Author* (Hamburg 2009).

⁴³ As *Tatort-Pool* reports, a sequel to *Reifezeugnis*, with Nastassja Kinski reprising her role as Sina, is already in planning and first drafts of the new script have been produced. However, Petersen, who might be appearing in a cameo, has declined to direct the film that would not air within the *Tatort* series, but as a stand-alone feature.

⁴⁴ Fred Maurer, "Kritik von Fred Maurer zu 'Tatort: Reifezeugnis'," [zelluloid.de](http://www.zelluloid.de), <http://www.zelluloid.de/filme/kritik.php3?tid=4984>.

⁴⁵ All information regarding the Poison Locker unless otherwise noted: Francois Werner and Domink Pieper, "Giftschrank - Folgen," Francois Werner, <http://www.tatort-fundus.de/web/folgen/giftschrank-folgen.html>

⁴⁶ The *twin-track-policy* called for a controlled number of missiles from both the NATO and the Warsaw Pact, with the UK and France's positions ratified. In the case that this offer to the Warsaw pact would fail, a so-called expansion would take effect and more missiles, Tomahawk and Pershing missiles, would be placed in Western Europe.

⁴⁷ The student uprising in China refers to the Tiananmen Square protests of 1989, referred to in much of the world as the Tiananmen Square massacre and in Chinese as the June Fourth Incident. However, the reporters later changed their prior statements about the events at the square, saying that no massacre had occurred at the square itself.

⁴⁸ See appendix for excerpts from the Broadcast-States-Contract

⁴⁹ Quoted from the parliament protocol of May 17, 1979 in Schwarzkopf, "Rundfunkpolitik." (Schwarzkopf, 1999a)

⁵⁰ He was denied airtime during the *World Economy Conference* in Venice in 1986 also.

⁵¹ Buchwald, "Fernsehen im Wettbewerb.," Brück et al., *Der Deutsche Fernsehkrimi*.

⁵² Gunther Witte, "Tatort - Konzept," ed. ARD - Tatort Koordination (Köln: --, unknown).

⁵³ For example action/cop dramas such as *The Clown* (RTL, 1998-2001)

⁵⁴ For more information on the background of GDR television please visit:

<http://www.mdr.de/damals/lexikon/1516374-hintergrund-1601149.html>

⁵⁵ See <http://www.mdr.de/damals/lexikon/1516374-hintergrund-1601149.html#absatz6>

⁵⁶ *ibid.* 47ff

- ⁵⁷ Lavery, David, ed. 2009. *The Essential Cult TV Reader*. 1st ed. Kentucky: The University of Kentucky.
- ⁵⁸ Tatort-Fundus: <http://www.tatort-fundus.de/web/folgen/chrono/3/1997/350-tod-im-all.html>
- ⁵⁹ Henke, Gebhard. 2009. *Interview by Author*. Cologne.
- ⁶⁰ Keil, Gitta. *Sein Name ist Programm*. Stern.de. Jan 3 2011 <http://www.stern.de/kultur/film/kommissar-ehrlischer-sein-name-ist-programm-540904.html>
- ⁶¹ "Laura Mein Engel," 8,81 Mio. / 27,20 % mass audience www.tatort-fundus.de
- "Die Falle" (Ehrlicher's last case) 7,95 million / 21,1 % MA www.tatort-fundus.de
- ⁶² See Göbel, Bärbel. *German Cinema and the Nation's Past*. Munich: VDM, 2007.
- ⁶³ Similar problems had befallen the U.S. industry after the the Financial Interest and Syndication Rules, often referred to as Fin-Syn rules, instituted by the FCC in 1970 to avoid monopolization of the broadcast in the U.S., were relaxed in the 1980s, and in 1993, after the rise of FOX, lifted.
- ⁶⁴ The online ratings-journal www.tvbynumbers.com notes a renewal of shows with measured audiences of two million plus.
- ⁶⁵ Dingemann, Rüdiger. *Tatort – Das Lexikon*. München: Knaur, 2010.
- ⁶⁶ Robin Nelson, *Quality TV Drama*, ed. Kim Akass and Janet McCabe, *Quality TV: Contemporary American Television and Beyond* (London, New York: I.B. Tauris, 2007).
- ⁶⁷ ———, *State of play : contemporary "high-end" TV drama* (Manchester ; New York: Manchester University Press, 2007).
- ⁶⁸ <http://www.tatort-fundus.de/web/folgen/chrono/2000-bis-2009/2002/496-lastrumer-mischung.html>
- ⁶⁹ www.tatort-fundus.de
- ⁷⁰ Katharina Gamer, "Innendienst, Schwangerschaft und Ehrenmord," *Tatort-Fundus*, <http://www.tatort-fundus.de/web/folgen/chrono/4/2007/684-wem-ehre-gebuehrt/filmkritik.html>; Witte, "Tatort - Konzept. "; *ibid.*
- ⁷¹ ———, "Tatort - Konzept."
- ⁷² The article is by Karin Wehn, *'Crime Time' im Wandel: Produktion, Vermittlung, und Genreentwicklung des West- und Ostdeutschen Fernsehkrimis im Dualen System* (Bonn: ARCultMedia, 2002). Although I here quote this article, I would like to point out that some of their data presented was false. They stated that Lena Odenthal had been investigation for 10 years, while it had been 19, for example. Since the mistakes are in numbers only, however, I decided to trust the article's information on the scandal that inspired it in the first place.
- ⁷³ Brück et al., *Der Deutsche Fernsehkrimi*.
- ⁷⁴ "Neuer NDR "Tatort" -Kommissar aus Hamburg," [DasErste.de](http://www.daserste.de), <http://www.daserste.de/tatort/beitrag.asp?uid=as2cyv194s2w7smq>.
- ⁷⁵ "Mehmet Kurtulus bleibt unpopulärster "Tatort-Kommissar," [digitalfernsehen.de](http://www.digitalfernsehen.de), <http://www.digitalfernsehen.de/Mehmet-Kurtulus-bleibt-unpopulaerster-Tatort-Kommissar.46534.0.html>.
- ⁷⁶ *Tatort-Fundus* <http://www.tatort-fundus.de/web/medien/vhs-und-dvd/vhs-tatortehr.html>
- ⁷⁷ *ibid*
- ⁷⁸ In 2000 and 20001, this budget was 13 million Euro for each year. (Moe, 2009)
- ⁷⁹ Jonathan Gray, *Show sold separately : promos, spoilers, and other media paratexts* (New York: New York University Press, 2010).
- ⁸⁰ For more information please see: <http://www.mhznetworks.org/mhzworldview/>
- ⁸¹ The episode is titled as *Tatort – Reifezeugnis*, but a search for *Tatort* on the site does not bring up any match, not even the mentioned episode.
- <http://www.stage.blockbuster.com/browse/catalog/movieDetails/12228>
- ⁸² Exchange rate of January 15, 2011
- ⁸³ Eileen R. Meehan, *Why TV is not our fault : television programming, viewers, and who's really in control*, *Critical media studies* (Lanham, Md.: Rowman & Littlefield, 2005).
- ⁸⁴ All data on ratings has been accumulated over the course of 2010 using the following primary sites: www.quotenmeter.de, www.kress.de, and www.digitalfernsehen.de

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