

2. The British Legal System

Before taking a closer look ^{at} on *Murmuring Judges* I would like to give brief background information about the history and present situation of the British legal system.

The law is thought of ^{as} a body of principles which pre-judges duties and rights. The absence of personal prejudice of judges and the omission of insignificant information such as political or religious views should be granted. Recently a considerable growth of political importance in courts could be observed. This led to conflicts between judges and Conservative ministers and also people like Margaret Thatcher were criticized by the courts.

In *Murmuring Judges* it was often the talk about civil cases, High Court and Queen's Councils and this is the reason why I briefly want to explain their meaning.

In civil cases the court procedure is initiated by a private person, a company or a public authority against a defendant. The kinds of plaints that usually arise in civil courts are land disputes, torts, or most common of all, breaches of contracts.

Graver civil claims are heard in the High Court which is organized according to case types into three divisions. The Family Division for divorce and child welfare matters as well as for the administration of wills, the Chancery Division which deals with complex matters such as disputes about settlements, trust, bankruptcy and wills. And last but not least, the Queen's Bench Division which is concerned with disputes about contracts, torts or land.

Any civil trial is in a great majority if the cases presided by a judge alone who will decide both facts and law. It is possible to have a jury but juries are rare in civil cases.

High Court judges are commonly appointed by the Queen's Council. By 1990, when Margaret Thatcher was Prime Minister, all but one of the law lords and all Lord Justices of appeal were appointed by her.

7. Conclusion

Der Film macht sichtbar, was wir zuvor nicht gesehen haben
oder vielleicht nicht einmal sehen konnten.

(Siegfried Kracauer, *Erfahrung und ihr Material*)³⁵⁸

The relations between literature and film remain interesting and open to exploration. Yet, in spite of the immense variety of possible relationships between a film adaptation and its precursor novel, fidelity stubbornly persists to be the main criterion. As Brian McFarlane has observed, '[n]othing is likely to stop the interest of the general film-viewer in comparing films with their novel sources, usually to the film's advantage' (McFarlane, 23). Of course, every viewer – and, in fact, every filmmaker – is influenced by his own reading of the original text; as a result, the assumption that there is only one way to adapt a book is no longer true. Nevertheless, any screen adaptation of a fictional work of art is obliged to its source text. In trying to establish theoretical guidelines for exploring the differences between book and film, narrative emerged as the central criterion for comparison. Evidently, both novel and film are narrative in format. Contrary to written fiction, however, cinema's narrative system is inevitably more complex; actually, film has greater resources for expression than the novel. In practice, decisions made about matters of *mise-en-scène*, music, lighting, camera angle, and editing techniques constitute screen narrative. Therefore, in analyzing film adaptation, emphasis has to be placed on the various combinations of these narrative elements. Subsequently, the shift from a uniquely verbal medium such as the novel to a multitrack medium such as film explains the impossibility of literal fidelity. In moving from book to film, certain narrational elements of the novel may be given different emphasis in the film version. Apart from the change in signifying systems, however, the process of adaptation necessitates changes on the level of *histoire*. Certainly, filmmakers will have to select which events and characters to take from the original story; in fact, shifts in emphasis cannot be evaded.

As a matter of fact, literature and film have had a close relationship since the

8. Conclusion

To conclude it can be argued that after finding out that violence is hard to define and that there are differences concerning the various types of this concept. Physical violence as well as non-physical violence are unpredictable forces able to overthrow things, destroy and change people's lives. Furthermore, we found out that violence is tightly connected to the concept of power. Moreover, violent occurrences in South Africa have been elaborated. However, the most important part of the seminar paper has been the chapter about violence in *Skinner Drift* which pointed out a number of images, themes and symbols concerning violence.

As a concluding quote of *Skinner's Drift* I wish to suggest the following which I think summarizes and on a symbolic level represents the concept of violence, the exploitation of South Africa and the struggle to overcome the centuries of evil apartheid and unjust behaviour directed towards a land and its people due to political and economic reasons. These traumas affecting the people can only be overcome by facing the horrible incidents in order to come to terms with what has been experienced. Thus, burying and therefore forgetting and suppressing cannot be the answer.

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Lefu is talking to his grandson Mpho:

'His wife is dead. Is that punishment? Some days I say yes. It is enough. Forget what you have buried here. But there are days when I say no, it will never be enough. Listen to me, Mpho. One day I will die and it is you who must remember the grave of this child. This boy or this girl.' He placed his hands on the ground and spread them wide. 'Too much blood on this farm.' (Fugard, 267)

The novel *Skinner's Drift* offers an abundance of beautifully described symbols and images juxtaposing both the beautiful country of South Africa and its terrible, destructive and evil forces.