

INTERVENTION

Criminal Investigation and Canadian National Identity in *Murdoch Mysteries*

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This essay argues that Canadian detective show *Murdoch Mysteries* uses the legal conflict between Canadian criminal investigation and American foreign policy to shore up an idea of Canadian national identity against an explicitly American other. First, I discuss the character of William Murdoch as a distinct departure from the literary tradition of the nineteenth-century police officer. Second, I show how *Murdoch Mysteries* attempts to serve as social criticism concerning socio-legal issues still relevant to Canadian society in the present day. Third, I argue that the show's ongoing depiction of criminal jurisdictional conflict between the Toronto constabulary and Her Majesty's government in Ottawa reveals anxieties over the present-day American threat to Canadian security and way of life. Finally, I conclude that the repeated narrative contrast between Murdoch's scientific criminal investigations and federal strategies of American appeasement serves the secondary purpose of displacing domestic social anxieties onto an American other and reifying a Canadian national identity premised on objectivity and the rule of law.

Keywords: criminal law; television drama; Canada; national identity; communications regulation; broadcasting

Long-running Canadian detective show *Murdoch Mysteries* (2008) was an unexpected hit; even the show's creators have expressed surprise that the adventures of strait-laced police detective William Murdoch—who uses scientific gadgetry to solve crimes in Victorian- and Edwardian-era Toronto—would become one of the regularly highest-rated programmes on the public CBC network (Stinson 2014: B5). Frequently described by fans as 'Canadian steampunk' (Vom Marlowe 2012; Steampunk Wiki 2020), the show uses many of the techniques associated with that sub-genre of science fiction. Murdoch fights crime with anachronistic technological inventions such as the 'trackizer' (a rudimentary GPS device) and a clockwork-operated CCTV camera, and interacts with real-life historical figures such as Thomas Alva Edison, Nikola Tesla, H.G. Wells, Alexander Graham Bell, Lucy Maud Montgomery, Helen Keller, Jack London, and the Wright Brothers.

William Murdoch, a character initially created by novelist Maureen Jennings (CBC 2012), is awkwardly formal and famously committed to scientific rationality, qualities emphasized by contrast, both to his boss Inspector Thomas Brackenreid and to his loyal assistant, Constable George Crabtree. The English Brackenreid remains committed to old-school methods of policing, most notably, when in doubt, to the directive 'follow the money!' ('Election Day' (2015)). Crabtree, meanwhile, labours under comical superstitions, frequently suggesting case theories involving zombies and aliens ('Who Killed the Electric Carriage?' (2012); 'Bloodlust' (2011)). Beyond his scientific brilliance, Murdoch is notably decent and non-violent (in thirteen seasons of dangerous criminals he has only, reluctantly, killed one ('Stroll on the Wild Side (Part 2)' (2012))). As producer-writer Peter Mitchell says, '[i]n the age of the anti-hero, Murdoch is not that. Murdoch is the hero ... He's an old-school hero who says "excuse me" to the bad guys and calls them mister' (Stinson 2014: B5).

Like all Canadian television content, *Murdoch Mysteries* exists in the regulatory setting inaugurated by the 1929 Aird Commission Report on Radio Broadcasting, which found that American broadcasting threatens Canada's continued independent cultural existence, and that broadcasting should be regulated to strengthen Canadian national identity (Janisch 1991: 214–215). While that general proposition has been contested, it remains embodied in the 'Canadian content' requirements of the Canadian Radio and Telecommunications Commission, the Canadian communications regulator (Collins 1992). Yet little existing scholarly literature specifically considers *Murdoch Mysteries* in the context of national identity.

This essay focuses on an ongoing plot in *Murdoch Mysteries* to argue that the writers use the legal conflict between Canadian criminal investigation and American foreign policy to shore up an idea of Canadian legal national identity against an explicitly American other. First, I discuss the character of William Murdoch as a distinct departure from the literary tradition of the nineteenth-century police officer. Second, I show how *Murdoch Mysteries* attempts to serve as

social criticism of domestic issues still relevant to Canadian society in the present day. Third, I argue that the show's ongoing depiction of criminal jurisdictional conflict between the Toronto constabulary and Her Majesty's government in Ottawa reveals anxieties over the present-day American threat to Canadian security and legal existence. Finally, I conclude that the repeated narrative contrast between Murdoch's scientific criminal investigations and Canadian federal strategies for appeasing America serves the secondary purpose of displacing domestic social anxieties onto an American other and reifying a Canadian national identity premised on objectivity and the rule of law.

I.

The character of William Murdoch as a heroic, nineteenth-century, professional police officer runs counter to the popular literary depictions of the police in the actual nineteenth century. The first professional police force in the Commonwealth was the London Metropolitan Police, largely created by Sir Robert Peel in 1829 (Reith 1939: 39). Similar forces arose in the large North American cities in the 1840s and 1850s (Reith 1939: 39). During this time of rapid professionalization of policing, however, literary depictions of the police were largely negative. In *The Novel and the Police*, D.A. Miller famously argues that the centrality of the individual human experience to the nineteenth-century novel automatically relegates the police to a peripheral role: '[t]he novel organizes its world in a way that already restricts the pertinence of the police ... police work becomes less and less relevant to what the novel is "really" about' (Miller 1988: 2–3). Miller notes that a curious byproduct of this apathy, however, was that nineteenth-century authors explicitly marginalized the literary police officer into the same category as the criminal: a category of otherness. Using *Oliver Twist* as an example, Miller argues: 'Police and offenders are conjoined in a single system for the formation and reformation of delinquents. More than an obvious phonetic linkage connects the police magistrate Mr. Fang with Fagin himself, who avidly reads the *Police Gazette* and regularly delivers certain gang members to the police' (Miller 1988: 5). He concludes that the new middle class 'depends significantly on the fact that it is kept free, not just from noise and squalor, but also from the police' (Miller 1988: 6).

Yet, as the plots of *Murdoch Mysteries* repeatedly acknowledge in their explicit references to the literature of the time, the nineteenth century also gave rise to the entire genre of detective fiction, which of course revolved around crime and the criminal law. This genre valorized the *private* detective as opposed to the professional police. The detective made his first appearance in the form of gentleman detective Franklin Blake in Wilkie Collins's *The Moonstone* (1868), widely regarded as the first notable detective novel (Hall 1979: 531). And his apotheosis was, of course, Sir Arthur Conan Doyle's Sherlock Holmes, who first appeared in 1887. It is noteworthy that in most of these texts professional police officers appear as characters alongside their private counterparts, but either as largely incompetent foils, such as Conan Doyle's LeStrade and Agatha Christie's various bumbling, or as hard workers rendered ineffective by the limitations of their socio-economic class, such as Collins's Sergeant Cuff. The literary crime narrative's obsession with the private detective continued into the age of film noir and the novels of the 1930s and 1940s, with the disillusioned, hard-boiled P.I. replacing his more gentlemanly forebear, but still working apart from the auspices of the state (McCann 2000: 8–9). It would not be until the 1950s that the police procedural became popularized in books and on television (Knight 2004: 153) and, of course, it remains wildly popular today, with the *CSI* (1999) and *Law and Order* (1990) franchises still surviving in at least one incarnation or another for twenty and thirty years respectively.

Murdoch Mysteries as a police procedural, then, fits into a very large and well-established modern genre. Yet the show makes repeated explicit reference to the literary tradition around criminal investigation that existed in the historical timeframe it depicts. Specifically, Sir Arthur Conan Doyle appears as a character on the show, professing his admiration for Murdoch's detective work, to which Murdoch responds, 'your Sherlock is an inspiration' ('Elementary, My Dear Murdoch' (2008)). In that episode, Murdoch and Conan Doyle solve a crime together, which eventually inspires Conan Doyle to write *The Hound of the Baskervilles*. In two subsequent episodes a character believing himself actually to be Sherlock Holmes appears to assist in two other investigations ('A Study in Sherlock' (2013); 'The Return of Sherlock' (2013)). Offscreen, the character of William Murdoch is frequently described as a Canadian Sherlock. For example, Maureen Jennings states that in creating Murdoch she sought explicitly to create a Canadian hero in the same mold as Holmes, citing as her real-life inspiration John Wilson Murray, 'the first great detective of the Ontario Provincial Police' (CBC 2012). And, in one of the few pieces of existing criticism on *Murdoch Mysteries*, Wilda Thumm argues that Murdoch is Canada's 'own version' of Holmes, 'a clever detective who uses unorthodox methods', and that, despite superficial differences, 'the defining characteristics of both detectives are their probing, scientific approach to their work and their passion for justice' (Thumm 2018: 230, 232).

Despite these ready comparisons, an aspect of William Murdoch central to his role as a symbol of national identity is his very distinctness from Sherlock Holmes. Like his real-life counterpart John Wilson Murray, Murdoch is a member of the professionalized police force and a representative of the formal law of the state, not an independent 'gentleman detective.' (Indeed, like Sergeant Cuff in *The Moonstone*, Murdoch frequently encounters class barriers to his investigations of crime in well-to-do circles). The show distinguishes Murdoch from the Holmes character on several notable occasions. At a public reading of the very technical, highly non-dramatic policing manual he has authored, after being introduced as 'Toronto's own Sherlock Holmes', Murdoch states matter-of-factly, 'I can assure you that I am not Sherlock Holmes. Unlike Mr. Holmes, I am real' ('One Minute to Murder' (2019)). The Sir Arthur Conan Doyle character goes so far as to explicitly characterize Murdoch as *better* than Holmes. During his second appearance in the show, Doyle explains

that he has set aside *Hound of the Baskervilles* to focus on a story inspired by Murdoch himself, which he describes as 'New World Meets Old World, science meets sleuthing' ('Belly Speaker' (2008)). Murdoch, we are hereby reminded—precisely due to his dry, technical approach to his craft and his Canadian nationality—is an improvement on the famous English private detective. As a wildly popular 'Canadian Sherlock' who is also a representative of the state, Murdoch reflects a more favourable attitude toward the state itself than his private historical counterparts in American and English detective fiction.

Yet the show's producers and writers also situate Murdoch's professionalism against the stock character of the bumbling professional police officer, represented by his superior, Inspector Brackenreid. Brackenreid, with his many references to policing in his native England, his tattoo of his Yorkshire football team, and frequent use of English expressions such as 'bloody hell' and 'me ol' mucker', represents the Old World. While a lovable and brave character, Brackenreid often opposes Murdoch's scientific methods, fails to think rationally about problems (in part due to an easily roused temper), and drinks heavily in the office. Murdoch on the other hand is very rational, calm and a teetotaler.

Murdoch Mysteries, then, takes a highly specific orientation toward its protagonist. The scripts remain conscious of both the Holmes tradition of individual genius working outside of the state and the stock English character of the incompetent police officer. Murdoch's character repudiates both: he is aligned with the state but specifically the Canadian state in the New World. Murdoch's genius lies in deploying unconventional, progressive methods while adhering to the rules and regulations of institutional authority.

II.

At a broader thematic level, *Murdoch Mysteries* scripts frequently use the plot device of problematic nineteenth-century legal standards to explore the socio-legal problems of today. Issues the writers have tackled in this manner include abortion, the mistreatment of aboriginal peoples, racism, LGBTQ issues, and domestic abuse, all of which require Murdoch to attempt to execute his criminal investigations in a manner consistent with what the viewer recognizes as good twenty-first-century justice, while remaining ostensibly within the constraints of late-Victorian law ('Till Death Do Us Part' (2008); 'Shades of Grey' (2009); 'All That Glitters' (2015); 'Artful Detective' (2015); 'Colour Blinded' (2016)). The plots often involve Murdoch's own Catholicism, which sometimes exposes him to discrimination by Toronto's Protestant high society and thus gives him a greater sensitivity to the systematic racial discrimination in criminal justice. At other times his faith poses challenges he must overcome in his interactions with gay characters and his own eventual wife, the pro-choice Dr. Julia Ogden.

Evaluating the show's success in contributing to cultural discourse around contemporary socio-legal problems is far beyond the scope of this essay. Indeed, *Murdoch Mysteries* has been criticized for, among other things, its treatment of race, despite an effort to diversify its cast (Yim 2017). Yet, the show's preoccupation with social critique is abundantly clear in the stand-alone Halloween episode 'Sir. Sir? Sir!!!' (2018) which, like prior holiday bottle episodes, has an unrealistic, quasi-comic plot that does not reflect the time period of the series. In this episode, Constable Crabtree is left on his own to attempt to defend Toronto as its citizens, one by one, become implanted with the eggs of alien invaders bent on colonizing the world. In the last moments of the episode, before George himself is implanted with eggs, one of the aliens chitters, 'Don't you see? To have a better world all humans must die. We have watched your world for a long time and all we see is crime ... disease ... death ... murder ... and mayhem. All humans must die, George, so that all of the other creatures on this world can live.' This dark message in the context of an otherwise farcical sci-fi spoof reveals the strain of social commentary at the heart of the series.

III.

The show elides some of these moral anxieties by identifying a more concrete alien enemy. In dramatizing the Toronto constabulary's jurisdictional conflicts with the government of the United States of America, as mediated by federal authorities in Ottawa, the show solidifies a concept of positive Canadian national identity through contrast. Sometimes the cross-border tension serves as a comic device, as in the love triangle between Murdoch, Dr. Ogden, and her first husband, American Dr. Darcy Garland. After Dr. Darcy turns up dead, his housekeeper observes that he owned a gun because '[h]e was an American you know' ('Crime & Punishment' (2013)).

More frequently, however, Canadian-American tensions emerge in politico-legal contexts, whenever a Toronto police investigation draws the attention of a particular pair of characters—Canadian government agent Terrence Meyers, acting on orders from Ottawa, and nefarious American agent Allen Clegg—which creates a recurring Toronto-Ottawa-US triangle of power relations. Co-executive producer Paul Aitken describes Meyers and Clegg as 'the sheepdog and the coyote,' with Clegg inevitably preying on Meyers, who is portrayed as a buffoon repeatedly spouting the tagline, 'it's a matter of national security!' (David 2018). With the threat to Canadian security from south of the border, the Toronto constabulary's defence of its own criminal jurisdiction also functions as a defence of Canadian identity. For example, in 'Confederate Treasure' (2011), Murdoch investigates the discovery of a body dating from the mid-1860s. The remains hold a note signed by the man who would later become Canada's first Prime Minister, Sir John A. MacDonald. When Terrence Meyers arrives on the scene it turns out the body is evidence of Canadian officials' involvement in a Civil War-era scheme to steal \$1 million in gold to assist the 'copperheads'—American northerners who supported the Confederacy. Allen Clegg makes his first appearance, initially disguised as a *Toronto Star* reporter, and much of

the episode involves Meyers' efforts to hide the evidence from Clegg, out of fear of sparking an American invasion of Canada.

The contemporary salience of the episode's political plot to Canadian national identity is underscored by the appearance of then-real-life Prime Minister Stephen Harper in a cameo as a desk sergeant at Murdoch's station house. Great Prime Minister Wilfred Laurier (1896–1911) also turns up to manage the situation in Toronto. When Murdoch insists that the damning note has evidentiary value in his murder investigation, Laurier replies '[i]f the Americans were to get their hands on this it would mean the end of Canada.' The climax of the episode involves the constabulary trying to help Meyers get the hidden gold out of Lake Ontario while avoiding the American agents in hot pursuit on boats across the national border. As Laurier puts it, the gold is 'proof of a Canadian-Confederate conspiracy' and 'the war that it would provoke would destroy the Dominion.' Repeatedly, Murdoch attempts to urge other characters to take a rational view of the situation, pointing out to Laurier that the Civil War was thirty-four years prior. Laurier replies that '[US President] McKinley's administration has already attacked Spain on the slimmest pretext. Now, on the verge of victory, they'll be itching for more.' Laurier's fears are confirmed by Clegg himself. When Murdoch tries to refute his irrational suspicions by pointing out that 'Canada was neutral' during the Civil War, Clegg responds with the hardline assertion that 'no one is neutral, detective. Everyone has an agenda. Canada's was the break-up of the American union.'

In another episode, pointedly named 'War on Terror' (2012), the contemporary relevance of the Murdoch/Meyers/Clegg triangle is even more clear. After an explosion at a Toronto carpet factory, Meyers gets involved and blames it on the anarchists, led by Emma Goldman, a historical Russian anarchist who eventually became an American citizen. Clegg appears, again initially undercover, this time as an anarchist agitator, on the theory that the anarchists were plotting the assassination of American President William McKinley who had been set to visit Canada. The writers emphasize Clegg's threat to Canadian security through the fact that Ottawa had not even granted him permission to operate; instead Great Britain authorized his presence. In attempting to capture Goldman, Clegg actually encourages a second bombing while undercover, something for which Murdoch holds him responsible. At the end of the episode, Clegg sneers that '[i]t'll be a damned long time before you see an American president on foreign soil,' and, in response to Murdoch's suggestion that America 'makes its own problems,' Clegg replies that '[w]e're God's own country, and we'll take our own counsel.' The episode ends with an intertitle noting that President McKinley was assassinated two years later by an anarchist in Buffalo, implicitly validating Murdoch's assertion.

These episodes, and the many others like them, depict the threat of American belligerence as potentially destructive of Canadian national identity. In both cases the issue involves not a direct conflict of interests between the two nations, but an effort by the US to conscript the Canadian government into the service of American goals. Aired, as they were, in the early 2010s, during the ongoing American-led War on Terror (in which Canada directly participated) and immediately after the 2011 conclusion of the War in Iraq (in which Canada did not directly participate), they reference contemporary threats to national identity. Clegg's presence undercover, disguised as a Canadian, and the deference shown to him by Meyers and other federal officials suggest that the American threat to Canadian identity is one of undermining from within.

In the face of these latent threats, *Murdoch Mysteries* asserts the legal basis of national identity through the character of Detective Murdoch specifically and the narratives of Toronto criminal investigations generally. While the scripts often treat Murdoch's attention to order, rationality, and process as comedic moments, when they come into conflict with the potential violence of Clegg/America they serve as an affirmative assertion of Canadian identity through the rule of law, even when abandoned by Meyers/Ottawa. *Murdoch Mysteries* is not the first show to use police procedure as a proxy for cross-border national identity. In the Canadian crime comedy series *Due South* (1994–1999), RCMP Constable Benton Fraser and Chicago Police Detective David Vecchio team up to solve crimes, forming good complements for one another due to their contrasting stereotypical Canadian and American traits. Fraser is polite and exceptional at detecting but overly trusting, whereas Vecchio is rude and corner-cutting but with street smarts. *Murdoch Mysteries*, however, paints a darker picture of the national identity clash as destructive of law and order, perhaps a reason why, despite its global success, the show has not attracted a big American audience (Doyle 2016).¹

IV.

Beyond being a literal politico-legal antagonist in *Murdoch Mysteries*, the US serves a second function in the show's treatment of national identity. Specifically, the power dynamics between Clegg and Meyers and their impacts on Murdoch's meticulous investigations in Toronto suggest a clash between law and lawlessness implicit in the characters of the two nations. The show seems to suggest that Canadian engagement with the American state weakens Canadian domestic law and democracy. Some aspects of this dichotomy, however, may serve to elide Canadian anxieties over homegrown lawlessness and injustice.

In his argument on the Western colonial discourse on 'Orientalism,' Edward Said famously showed how a culture can fashion its own identity by intellectually constructing a morally contrasting 'other' (Said 1979: 3–4). Psychoanalytic theorist Alain Grosrichard built on Said's work to explore the particular eighteenth- and nineteenth-century European fantasy of the sultan's seraglio. He argued that, in the Enlightenment era of reason-based political authority, the concept of 'despotism' had come to threaten the European imagination (Grosrichard 1998: 77–90). Based upon analysis of writers such as Rousseau and Voltaire, he asserted that the Eastern despot was an imaginative figure to which the

Western mind could outsource repressed fantasies of domination and unlicensed pleasure. In a television drama like *Murdoch Mysteries*, which regularly depicts unfair acts of status-based domination *within* Canadian society, the narrative role of the US as a repository for the most extreme acts of despotic domination contributes to a more positive view of Canadian national identity—specifically Canadian *legal* national identity—in a similar manner as the seraglio in Enlightenment thought.

Peter Goodrich has discussed the formal equivalent, in criminal law, to the discursive act of ‘othering.’ Through punishments such as death, imprisonment, and banishment, he argues, a community’s capacity to exclude strengthens the bonds between the remaining members: ‘[t]he establishment of an identity, the constitution of a community, and the capture of subjectivity, are first a matter of establishing a collective ... identity whose virtue will be matched only by the *evil* of those who do not belong to it’ (Goodrich 1994: 83). In one of Clegg’s most recent appearances on the show, Detective Murdoch nearly manages to criminally exclude the American agent from the Canadian community at long last, after arresting him for murdering a rogue Canadian minister with whom he had been conspiring to incite a quasi-nuclear war between the two nations (‘24 Hours Til Doomsday’ (2015)). Despite Murdoch’s belief that Clegg ‘would hang’ for his crime, however, the American appears in a more recent episode, reinstated in his role, after a pardon from the Prime Minister subverted the operation of the Canadian criminal law (‘The Great White Moose’ (2018)). The show’s continued return to plots in which the federal government empowers Clegg—and ignores the rule of Canadian law as embodied in the Toronto constabulary—raises the disturbing suggestion that the alien American evil he represents can never in fact be excluded from Canadian national identity.

Note

- ¹ At a recent press tour in California, an American critic pointed out the show’s ‘British feel,’ as opposed to the ‘usual’ portrayal of Canada as ‘America, only colder,’ asking the showrunners if they were ‘surprised’ that ‘there was at least some point where Canada really was that deeply rooted in its English past?’ (Doyle 2018). Maureen Jennings responded that the Queen is the Canadian head of state, politely ignoring the negation of distinct Canadian identity implicit in the question.

Competing Interests

The author has no competing interests to declare.

Image

Murdoch Mysteries merchandise, a mug: Flickr.com © Ian Muttoo.

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