



Crimes, offenses and misfeasance in popular fairy tales *

1. Introduction

Oral folklore tradition and, more specifically, fairy tales are the form of symbolic representations *par excellence*, mainly because language is so rich in connotations, symbolisms, metaphors and metonymies. Consequently, fairy tales are open and, one could suggest, even inviting, to interpretation, to various semiotic references and the corresponding indications. The various approaches - sociological, psychoanalytic and ethnological - are widely known and have traced and revealed effulgent folds of fairy tales¹]. A common place of almost all the aforementioned approaches is the discovery that the content of the fairy tale, namely its subject-matter, the way it unfolds, the adventures of its heroes and the characters, offer themselves for the tracing of symbols, social behaviors and social stereotypes and values.

Fairy tales constitute a representation of the cultural reality which people, as well as groups, process, share, propagate and also thus reveal the ideological and cultural space they place themselves in. The fairy tale seems to reserve a special place within a system of mutual and successive generalizations and simplifications, which is principally expressed by the network of mass media and, secondarily, by other forms of personal and/or collective expression and communication, such as literature and festivals with the corresponding happenings. It is, of course, necessary to clarify at this point that, in sharp contrast to the Mass Media, for example, which function intensely but are short-lived, literature and fairy tales convey and imprint the long-term and systematic social stereotypes, social behaviors, ideological structures and

values, since the duration of a literary myth of characters is consolidated more firmly and less superficially in the mind of the reader².

The particularity of fairy tales as the preeminent form of symbolic representations and carrier of messages, social stereotypes and signification relates to the special status they have acquired, in recent years, in the reading preferences of young children, from 3 to 8 years old. Fairy tales contain all the deep knowledge that has supported man in life's endless vicissitudes. They additively accumulate society's experience (with all that this term may imply), since man always craves to recall to memory, for himself, the old knowledge and experience and communicate those to the next generations. Fairy tales are a cultural product with a multitude of denotations and particularities. It is common for contemporary readings to perceive of fairy tales as a legacy that is addressed to, in some magical way, young children. But in reality they form a reservoir of ideas, values, denotations, social forms of behavior, of a past culture and do not belong to some particular kind of society, but retain something and everything from all past societies together³.

Consequently, the study of the various representations in fairy tales may offer to the comprehension of social functions and, in particular, of the relations of authority or submission contained therein. The meanings and emotions, but also the values brought to light via the characters of the fairy tales allow, or, rather, reflect the ideas and attitudes of a society from a particular era, with specific social expectations and distinctive attitudes with respect to the issues related with the content of these fairy tales.

2. Goal, Methodology and Research Material

The goal of the present study is the concise recording and presentation of various violent and unlawful acts (crimes, offenses, and misfeasance) as these are imprinted and reenacted in the most popular fairy tales. That which characterizes our study and reading of the fairy tales is the focus of our attention to initially detect the criminal offenses and then determine the penalty imposed by modern Penal Code. In essence this reading, which is founded on modern jurisprudential culture, allows for detecting delinquency and misfeasance and their transcription to legal terms and notions. Specifically, the delinquent acts will be noted and transcribed to the logic and terminology of the Penal Code. The Penal Code provides the penalty, namely the punishment, and affirms the punishable of the action by correspondence. The imposed penalty is directed towards the correction and not the reprisal of the offender and, of course, abides by the logic of prevention, general and specific with respect to the offender.

Eight fairy tales were selected and analyzed based on the logic of the contemporary Penal Code. Of these, the four first ones belong to Perrault's collection, namely:

- a. *Tom Thumb*
- b. *Little Red Riding Hood*
- c. *Sleeping Beauty*
- d. *Cinderella*

Two come from the Brothers Grimm collection:

- a. *Hansel and Gretel*

b. *Snow White*

Two are contemporary adaptations:

a. *The vegetarian wolf*

b. *The Three Little Wolves and the Big Bad Pig*

3. Offenses (Detection and Transcription)

3.1 1st group: Fairy Tales from Perrault's Collection

a. Tom Thumb

Tom Thumb's parents: exposure and abandonment of underage children to grievous risk serially and with the pursuit of profit (307 P.C.). *20 years incarceration*¹.

Tom Thumb's trickery: false accusation (228 P.C.). *2 years imprisonment*.

b. Little Red Riding Hood

Ingurgitation or swallowing of grandmother: abduction with the intent to force into action (324 P.C.). *Minimum 8 years incarceration*.

Ingurgitation of Red Riding Hood: *Intended kidnapping of minor* (325 P.C.). *Minimum 10 years incarceration*.

c. Sleeping Beauty

The curse of the wicked fairy: grievous bodily harm by the infliction of disease (310 P.C.). *Minimum 10 years incarceration*

¹ In the Greek legal system, imprisonment sentences may be bought off. Incarceration, on the other hand, entails the compulsory confinement in a correctional facility.

Physical impairment: inflicting grievous bodily harm (310 P.C.). *Up to 10 years incarceration.*

The Ogress queen, mother of the prince who married Sleeping Beauty, attempts, with the help of the chamberlain, to kill Sleeping Beauty and her two children.

Ogress queen: instigating principal to attempted murder (299 P.C.). *Up to 10 years incarceration.*

Ogress queen: Murder of the Sleeping Beauty with intended cannibalism. Offense: Insult of the dead, (201 P.C.). Up to 2 years incarceration.

d. Cinderella

Stepmother: illegal detainment of Cinderella, 325 Penal Code, *2 to 5 years imprisonment.*

Exploitation of child labor, 325 Penal Code, *2 to 5 years imprisonment.*

3.2 2nd group: Brothers Grimm Collection

a. Snow White

Stepmother: accessory before the act of attempted murder (299 Penal Code). Up to 10 years incarceration.

Hunter: main perpetrator in attempted homicide, Up to 10 years incarceration.

Death of Snow White with intended cannibalism. Offense: Insult of the dead

Stepmother: 201 Penal Code, up to 2 years incarceration

Snow White breaking in the seven dwarves' house. Offense: Violation of the right to privacy or breach of family peace (241 Penal Code), *3 months imprisonment.*

The stepmother's poisoning of Snow White using an apple: intentional homicide with malice aforethought (299 Penal Code). Confinement for life (twice).

b. Hansel and Gretel

Decision of abandonment: exposure of life (underage children) to grave risk with the pursuit of profit (307 P.C.). *20 years incarceration.*

Forced escape – outgo of children: exposure of underage child to risk (306 P.C.). *Minimum three years incarceration.*

Confinement of the two children with the intent to kill them: Attempted premeditated murder (299 P.C.). *Up to 20 years incarceration.*

3.3. 3th group: Adaptations

a. The vegetarian wolf

Wolf's foray: breach of domestic peace (334 P.C.). *One year imprisonment.*

Mocking remarks: defamation (362 Penal Code). *3 months imprisonment, pecuniary sentence and deprivation of political rights.*

b. The three little wolves and the big bad pig

Pig's foray: serial breach of domestic peace (334 Penal Code) *One year imprisonment.*

Unprovoked and serial intentional damage of foreign property (381& 382 Penal Code). *Two years and six months imprisonment.*

4. Conclusions

There are several interpretations on the quality and quantity of illegal and criminally punishable actions that have been recorded in fairy tales. A first interpretation rests upon the view that their plethoric presence is connected also to the necessary and requisite dose of realism in texts of folklore narrative and tradition. Namely, the malicious and punishable deeds that are usually traced in fairy tales constitute an element of the wider social behavior of the people of that era, thus their presence is part and result of the need for the realistic representation of reality or, at least, some elements of reality, since even folklore and magical tales need a subsisting framework of reference⁴.

Additionally, most fairy tales, if not all of them, possessed, besides their recreational character, also a didactic one. Hence, the presence of infringing and punishable acts compose and shape the classic framework of conflict between good and evil that is a distinctive constituent in folklore narrative and, at the same time, a key mechanism for the composition of ideological constructions of the type: good and bad moral behavior etc. It is characteristic that no fairy tale plot is set up without the presence of the villain, in the form of various characters, such as the malicious witch, the evil dragon, that belie, almost contrapuntally, the good fairy, the kind giant and the good maiden or young man or the good mother, in contradistinction to the evil prince and the dark stepmother and queen. Let us recall that the most loved of fairy tales are those where the conflict of good and evil is intensely projected in the foreground, such as, for example, Cinderella and her evil sisters, the good fairy and the bad stepmother, Snow White and her wicked stepmother etc.

The reading of punishable acts and the rendering/attribution of sentences is in compliance with the contemporary philosophy of the Penal Code and it is possible for it thus to create possibly false impressions or to detect exaggerations or simplifications. Another distinctive feature, besides the high degree of delinquency that may be detected is that the wrongful acts and crimes are committed by adults against small children. There is usually a negative, to the point of aggressive, attitude of adults (first or second degree relatives or not) towards the child and, more generally, towards the childish personality and identity.

The above observation may be better comprehended if it is connected to the view that the relationships between parents and children, and, more generally, between adults and children is a variable that changes and evolves in time⁵. First of all, the notion and concept of childhood carries a relative substance which is constantly mutating, only during the last century has it assumed the meaning and content by which it is now known and accepted in Western Europe⁶ (). More specifically, the assignment into periods of the relations between parents and children clearly shows that which is also apparent from the reading of other historic sources, namely that there are evident traces of infanticide in Antiquity and that the myth of Medea but also the abandonment of children in the woods and elsewhere reflect a fold of the reality of that era(s). These perceptions of childhood are evident in the most distinctive of manners in fairy tales, since they are an exemplar cultural product that, within its various levels, conceals many cultural elements, perceptions, ideological constructions and behaviors of past eras. Thus the frequent occurrence of delinquency or punishable acts committed against children is more of a formal expression of the then applicable social conditions and their corresponding views. Indeed, it seems

rational that some actions against the heroes of classic fairy tales, which are today considered physical assaults and condemnable *en mass*, in the Middle Ages or in Antiquity were considered ritual processes, instituted and imposed by the dominant ideology and the ambience.

Some fairy tales offer clear examples of infanticide, while others exhibit milder forms of delinquency, such as the abandonment of children, or the exploitation of child labor. For example in Hansel and Gretel, the woman abandons her children with relative ease to prove her love and devotion to her husband. The same thing is also found in Tom Thumb, where the parents abandon their children in the forest without compunction. Such abandonment means, of course, almost certain death, but this punishable act is considered to be less criminal from the attempted infanticide and cannibalism that are evident in the stories of Snow White, the Sleeping Beauty and in Tom Thumb itself. One must suppose that these four fairy tales originate from an earlier era than, for example, Little Red Riding Hood or Cinderella. Also supporting this hypothesis is the fact that these fairy tales relate to stories of attempted infanticide and cannibalism, as these are expressed also in the ancient Greek myth of Tantalus and his son Pelops⁷.

In almost all of the fairy tales and right from their start, there emerges a social balance (order) expressed by the division between age groups and supported by the authority of the adults. In fairy tales the subject (story) is developed almost as a rift in this social balance and order due to the disobedience of the younger generation (and not always of the hero) and the immediate coming of misfortune, malediction and alienation from society, as punishment⁸. The story continues, in fairy tales, to unfold

stereotypically, as an endeavor by the hero to assume a mandate and a social role aiming to restore social balance and eradicate the villain or the imbalance, by applying a punishment and the corresponding penalties.

The usual happy end in most fairy tales coincides with the ultimate victory and happiness of the prince and the princess. But it also coincides with the restoration of social balance and order. Thus, almost always the heroes (children that have now grown) become kings or queens, are married, have a lot of children and live happily ever after, after, of course, they have punished, and indeed most harshly, the villains and the traitors, particularly in the Collection of the Grimm Brothers, e.g. Snow White's stepmother, the queen, the mother-in-law of Sleeping Beauty, the step-sisters of Cinderella etc.

Age becomes an important factor for the classification and distribution of authority and privileges. It is by virtue of this that, in fairy tales, society lends to childhood a specific place in the social space and time and assigns the manner of the relationships developed between persons of different ages⁹. In other words, age is, for fairy tales, a key component of the asymmetrical relationships of power between the young and the old. Therefore, the delinquency of the old towards the young, which is so exaggaratingly costly in our eyes today, passed, at the times of the fairy tales, times now long gone, almost inconsiderately in the prevailing logic and perception of the fairy tales, as this was socially acceptable. In fairy tales the incorporation of a child in the adult society was a poignant process full of inspections and sanctions, irrespective of whether you were Snow White, or the Sleeping Beauty, or even Tom Thumb or Hansel and Gretel.

When the state of affairs changes, so does the impression of delinquency. Thus, the fairy tales that date from late 20th century and may be viewed as attempts to rationalize and improve the meaning and content of classic folklore fairy tales, exhibit remarkable and very significant changes¹⁰. For example, in “The Vegetarian Wolf” wrongdoing almost disappears, while in the other, now classic, text of this genre, “The Three Little Wolves and the Big Bad Pig” delinquency is now attributed to the Big Bad Pig (known as Roonie in the Greek edition), who violates the family peace of the three little wolves and attempts thrice to cause damage to foreign property. But the special element that intervenes and lends a different tone to the story is the fact that all these, namely the destructions, threats and so on, conclude in reconciliation and, moreover, that the ambience remains playful and humorous, even as the houses are destroyed. Additionally, the nature of the crimes changes in the adaptation of the fairy tales and guilt is ceded elsewhere.

Besides the thoughts expressed above, there is also another parameter that partially explains, we believe, the plethoric presence and recording in folktales of punishable actions by monolithic characters. The discussion of this parameter is deemed purposeful since it may be utilized in the interpretation of the hard delinquency, specifically that dimension relating to the monolithic nature of the characters and, consequently, the notion of morality. The monolithic nature and superficial representation of the offenses and violations is closely connected to the logic prevalent in primeval societies, when the sense of law and right was simplified and archaic. Today this simplicity is closely related to the logic of a young child, to whom the notion of delinquency and the corresponding internalization of the sentence is expressed in simple terms. The development of morality in young children occurs

around the age of 8-9. Up until then, the child perceives of an offense or an unlawful act in terms of quantity and not quality.

Tsitlakidou Evanthia

Law School of Democritus University

13 Monastiriou str.

54627, Thessaloniki

Greece

eva_tsitlakidou@yahoo.gr

Kalaitzopoulos Constantinos

Infant School Teacher in Rhodes.

Appendix

All references given are to the Greek translations or, in the case of “The Vegetarian Wolf”, the Greek original publication.

A. Fairy Tales in the Perrault Collection:

1. Red Riding Hood, 2. Little Tom Thumb, 3. Sleeping Beauty, 4. Cinderella, [Perrault’s fairy tales], *Agra publ.*, Athens 1985.

B. Fairy Tales in the Grimm Brothers Collection:

1. Hansel and Gretel, 2. Snow White and the 7 dwarves, [The most beautiful Brothers Grimm fairy tales], *Malliaris publ.* 2007.

C. Adaptations:

Mitta Dimitra, *The vegetarian wolf*, *Ellinika Grammata publ.* 2000

Evgenios Trivizas, *The Three Little Wolves and the Big Bad Pig*, *Minoas publ.*, 1994

D. Aesop’s Fables:

The fox without a tail, *Malliaris publ.* 2007

¹ Greimas A.J. Du sens Volume II, (Paris: Seuil, 1970), 211-212. Bettelheim B., *Psychanalyse des contes des fées*, (Paris : Laffont, 1977), 45-49 Georges J., *Le pouvoir des contes*, (Casterman, Belgique, 1990), 17-33. Peju P., *L'archipel des contes*, (Paris: Aubier, 1989), 29-32. Peju P., *La petite fille dans la forêt des contes*, (Paris: Laffont, 1981), 100-104.

² Oikonomou – Agorastou I., *Introduction to the Comparative Stereotypology of national characteristics in literature*, (Thessaloniki : University Press, 1992), 40-44.

³ Zipes J., *Fairy tales and the Art of Supervision: The classical Genre for Children and the process of Civilization*, (London: Heinemann Educational Books Ltd, 1983), 99-115.

⁴ Todorov T., *Introduction a la littérature fantastique*, (Paris: Seuil, 1977), 65-85.

⁵ De Mause L., *The History of Childhood*, (Athens: Glaros, 1977), 105-110.

⁶ Aries Ph., *Centuries of Childhood*, (Athens: Glaros, 1991), 77-81.

⁷ Bettelheim B., *Psychanalyse des contes des fées*, (Paris : Laffont, 1977), 45-49.

⁸ Greimas A.J. Du sens Volume II, (Paris: Seuil, 1970), 211-212.

⁹ Makrynioti D, “Introduction” in *Childhood*, collective volume, (Athens: Nisos, 1997), 11-41.

¹⁰ Exarchopoulou L., Aberrations of Political Correctness, *Diadromes*, No 41, 1996, 14-24.

* The present article is a prepublication of a Survey of fairy tales coordinated by Andreas Karakitsios, Professor, D.E.C.E., Aristotle University of Thessaloniki akarakit@nured.auth.gr