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ISSN: 1070-8286

Robin Hood in a Casino:

Perfecting Vigilante Justice in *Ocean's* Cinematic Rhetoric in Post-9/11 America

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Abstract

This study explores the historical context of celebrated thievery in the post 9/11 films *Oceans's Eleven* and *Ocean's Twelve*, with focus on their illustrations of the Robin Hood mythos, Bush cowboy-ism, and vigilantism. The protagonists' capitalist endeavors exemplify American consumption, allowing thieves to be comedic rather than tragic characters, as theorized by Kenneth Burke. Demonstrating the Robin Hood mythos of capitalism, the films' comedic plot implies forgiveness toward protagonists, despite their foibles, as they defeat their corrupt enemies in economic competition. As a form of the Bush-era cowboy-ism persona with his charismatic style, the capitalist Danny Ocean achieves the American dream, and does so with style, in the name of rescuing his love interest, and by employing non-violent means to do so. The *Ocean's* films thus offer the audience the opportunity to live vicariously by taking the brave route in competitive capitalism as vigilantes, defeating their corrupt enemies and offering a simplistic, romanticized depiction of white-collar crime. These depictions predated the current digital world of audience-lived, complex vigilante justice organizing that is generating contemporary vigilante court cases and legal discussions.

Keywords: Robin Hood, capitalism, *Ocean's* films, comedy, Bush, 9/11, vigilantism

Introduction

After the January 6, 2021 United States Capitol riot, scholars and journalists became worried about the organized efforts of mobs that take the law into their own hands. *The Washington Post*'s Peter Tannenhaus (2021, December 10) warning against the situation events and what could follow, "Jan. 6 Wasn't an Insurrection. It was Vigilantism. And More is Coming." *NBC News* shared the same concern with the title, "Ex-Cop Joined 'Violent, Vigilante Mob' at Capitol on Jan. 6" (Reilly, 2022, April 8). Nidesh Lawtoo (2023) describes the accompanying online organizing that generates these vigilante efforts as the self-aggrandizing, "all too-real intoxications of the crowd" that brings about dangerous mob euphoria (p. 5). Marie Rudden (2021) also connects the event's outcome to the digital world's online culture where "Social media such as YouTube, Twitter, Google and Facebook, with their data-targeting algorithms driving followers into echo chambers churning with conspiracy theories also provided a potent accelerant" (p. 373).

Concerned law scholars are exploring legal initiatives that are focused on addressing vigilantism, such as the misguided execution of Ahmaud Arbery (Vila, Ford, & Avery-Natale, 2021). Others have called for regulation of politically motivated vigilantism, with particular concern for "certain areas that could become hotbeds of such violence" (Lancaster, 2022, p. 99). Yet, recent research also shows how vigilantism is foundational to the development of criminal law, suggesting that vigilantism is a driving force in the establishment of law enforcement structures (Jaffrey, 2023). Further, narrative romanticization of heroic vigilantism, as an extension of capitalistic competition in association with the Robin Hood mythos—the narrative of the hero who forgiven for his criminality—intertwines contemporary popular culture with law discussions on vigilantism. This is because of the human psyche's desire to participate in justice, or "The timeless mixture of an incontrovertible sense of justice, superheroic self-reliance, and human flaw speaks volumes to our culture's awareness of the inconsistencies present in even the best governing systems" (Juliano, 2009, p. 44).

In ironic contrast to mob violence where white crime is treated with a performance of dignity, Al Capone, of all people, said, "You can get much farther with a kind word and a gun than you can with a kind word alone" (Helmer, 2023). Capone's frolic is mirrored in the attitude of on-screen popular culture where charming criminals are given endearing personalities, such as the lovable outlaw. Yet there are ethical assumptions to explore in how moviegoers can sit in a theatre and cheer for a criminal who lies and steals, a plot theme that resides in the shadow of the ethical considerations mentioned above about vigilante law. Important questions consider *why* we do not have a problem with the benevolent criminal—usually a bandit, why we love the thief who does their dirty deeds with charm, and why we identify with them? As a case consideration, I examine the story of Danny Ocean and his team of thieves (Soderberg, 2001, 2004), amid the George W. Bush-era presidency's cowboy-ism persona (Dodwell, 2004). As a benevolent and heroic thief, Danny Ocean offers audiences characters who are charming, attractive, intelligent, and successful. Treating Danny Ocean's exhibition of the Robin Hood mythos is appropriate as rhetorics of war require narratives that easily bifurcate heroes and villains, which allow justification of action. Robin Hood is the locus of situational ethics because its narrative exacerbates greater evils that deserve destruction at the hands of smaller transgressions, i.e. theft.

Ocean is the Robin Hood archetype, simultaneously a heroic vigilante and a law-breaking criminal. In that duality, I explore this narrative through a Burkean theoretical lens of audience identification and narrative comedic frames, which centers on the narrative celebration of heroes providing solutions as a didactic rhetoric. In this study I argue that through a Robin Hood identification in the era of post 9/11 American cowboy-ism, the crimes of Danny Ocean in the *Ocean*'s films create a romanticized criminal ethic, serving as precursory venue for the now complicated digital and legal world of vigilante legal challenges. Connecting both the Bush presidency, along with the timely release of the *Ocean*'s films, situates an audience-availed simplicity of

heroism that draws upon the frontier myth that centered on victory of both resources and enemies in an overly simplistic rhetoric of simplicity (Rushing 1983).

Analysis of the *Ocean's* films offer a clean, transcendent narrative to exhibit the then-timely capitalist heroic narrative, particularly amid times of war when hero and villain bifurcations are evident. Thus, the *Ocean* films' post Bush war presentations magnify "political currency and staying power of hero–villain security narratives"—simplifying and comforting amid complex issues (Homolar 2022, p. 324).

The Robin Hood Mythos

The hallmark of romanticized thievery is the Robin Hood story, which captures the fantasy to fight against corruption and oppression, described in recent scholarship as an early form of the "anti-hero" (Cartlidge, 2016, para. 1). More specifically, Robin Hood represents the everyday person who emerges out of regular circumstances outside of privilege to perform remarkable feats, and with bravery and wit alters economic conditions for the poor. Robin Hood is the ambassador of glorified class warfare. Jenny Mann (2012) describes this as the vernacularized Robin Hood, who does not need special powers, equipment, or privilege. In post-9/11 America, the Robin Hood theme displayed rhetorics of comedy for cinematic audiences. An observable historical demonstration of vigilantism, Robin Hood mythology has parallels to the George W. Bush presidency's era of cowboy-ism, manifest in the early twenty-first century as white-collar heroism amid Bush's 'do it yourself,' rogue cowboy approach to conflict—a capitalist endeavor applied to political decision making.

In the years following 9/11, research explored the Robin Hood mythology of dignified thievery in pursuit of justice. Kim Wagner (2007) describes how the "Robin Hood myth" offers "popular perception of bandits reflected the social reality of banditry" (p. 353). The Robin Hood narrative offers a graceful aesthetic when industries and governmental powers are subsumed by vigilantes (Meekums, 2010). Thus, post 9/11 discourse combined a sense of capitalistic endeavor, justice, cowboy and Robin Hood vigilantism, and the push for victory amid markets rather than through the abruptness of war. These themes were precursory to vigilante legality discussions that juxtaposed, but still served, extremist politics and the law efforts to address them.

Exploring the ethical limits of vigilantism in the *Ocean's* films allows opportunity to make sense of the potential manipulation of capitalistic integrity. The portrayal of protagonists employing unethical behaviors is justified through the achievement of wealth. Capitalistic culture's ethic of romanticized theft provides opportunity for identification with star-powered actors who, with the swagger of their protagonist characters' reputations, visualize the appeal to both distribute justice and enjoy the thrill of breaking the law.

Vigilante Culture, Then and Now

Studies of vigilantism in contemporary popular culture scholarship has been meager, yet carries prominence in media narratives as part of the imagination for economic success (Grizzard, Fitzgerald, & Francemone, 2021). Vigilantism allows the mind to hypothesize, within the social difficulties of class warfare, the possibility of making effective change. Cinema captures and is understood as commentary on social concerns, such as how the original *Ocean's 11* (Milestone, 1960) film operated as the imagined pursuit of financial security following the 1958 Eisenhower Recession (Gable, 1959). Audiences identify with proxy film characters who would make such differences in these hypothetical depictions (Cohen, 2006). Further, real life proxy vigilantism is often performed, although not in confrontational form, such as amid the racial turmoil of 2020 following the George Floyd murder in Minneapolis as non-Black observers performed vigilante-like responses through proxy mourning the loss of Black lives (Bedecarre, 2022).

Central to this study is the integration of vigilantism in cinematic imagination, where everyday heroes provide restitution for victims, particularly in the depiction of justice for more serious, violent crime, offering a

“visceral delectation of their audiences” to bring down “monstrous” enemies (McEntree, 2021, para. 2). In this tradition, Danny Ocean takes on an easily identifiable form, being simultaneously the hero and vigilante, breaking rules while he simultaneously protects them by distributing justice.

Post-9/11 Rhetoric of Justice and Bush Cowboy-ism

Ocean's Eleven was released less than three months after the 9/11 terrorist attacks at the World Trade Center in New York City. In response to the attacks, President George W. Bush delivered several speeches and statements that captured the American commitment to fight enemies in an assertive manner, captured best in his “Bullhorn speech” at the wreckage of the World Trade Center on the day after the attack (Speakola, 2020, November 12). Scholars have described this speech as Bush’s defining moment due to its “rally effect” (Schubert et al., 2002, p. 559). As audiences began to cheer at the thought of responding to terrorists, Bush declared to the audience, “I can hear you! I can hear you! The rest of the world hears you! And the people... and the people who knocked these buildings down will hear all of us soon!” The speech was followed by repeated audience chants of “USA!”, a key moment of Bush-era cowboy leadership—bold, vernacular wording, the willingness to engage in a fist fight, and situating audiences of the coverage of the speech for the assertive delivery of justice.

Following his bullhorn speech, Bush led American wars in Afghanistan and Iraq, under the banner of spreading democracy with efforts to ‘free the world’ from the oppressive governments of the Middle East (Duffield, 2012). In his 2002 State of the Union address, Bush focused on the crimes and disturbing reigns of harsh regimes in the Middle East, which he coined with the term ‘Axis of Evil’ to identify Middle Eastern threats to the United States, and to justify them as sites of attack for the American military (Kellner, 2002). As an extension of his cowboy image and capitalist demonstration, the then-discussions of oil in the Middle East, combined with George W. Bush’s persona as a wealthy business executive, coalesced to create a presiding authority of America in the Middle East while “9/11 created a large window for those in the administration who preferred war” because “oil did set much of the stage” (pp. 28-29).

This heightened relationship between democracy and capitalism, amid a zealous administration interested in the Middle East, was accompanied by a caricatured capitalist presentation in the *Ocean's* films with a charming yet not too serious capitalist demonstration of the “use of ironic self-presentation and humor” where “political jammers offer an appealing alternative means of invigorating political praxis by complicating the citizen/spectator binary” (Farrar & Warner, 2008, p. 273). The result was a capitalistic ethic amid war and competition for resources, and in the vigilante and Robin Hood tradition enabled the valorized Danny Ocean to succeed in his own war against corruption in the casino industry.

Key to the context of the Bush administration’s influence on conflict in times of war and its capitalistic opportunity are what scholars described as Bush being one of America’s *Cowboy Presidents* (Smith, 2021), demonstrating the “western cowboy image” in the “new global frontier” (Malphurs, 2008, p. 185). This presidential theme across numerous administrations focused on swift and available forms of justice, and delivered it with resolve and competitive ambition. Bush’s “unilateral style” toward dealing with enemies brought a successful “willingness and ability to develop a broad-based coalition to fight terrorists” (Renshon, 2005, p. 596). As a pervasive image of leadership in the United States in post 9/11 America, Marita Sturken (2009) called this “Bush’s enthusiasm” for “The New Aesthetics of Patriotism” (p. 168).

The timing of the *Ocean's* remake was situated during American ideals when perceived villains needed to be conquered. Although already produced and nearing its cinematic distribution in September 2001, the success, popularity, subsequent sequels, and praise of *Ocean's Eleven* could borrow from the American ideals of freedom, capitalism, and the fight of oppression that was characteristic of the time of the Bush

administration's battling of al Qaeda due to the 9/11 attacks and America's subsequent wars, framed in the name of democracy (Baker, 2014).

Comedy, Identification, and Perfection

Methodologically, the study utilizes a Burkean transcendence approach, which allows the rhetorical critic to extract cultural productions' prescriptions for transcendence over exigencies. Kathryn Olson (2008) describes Burkean transcendence analysis as capable of providing equilibrium of public perceptions, where cultural narratives "civilly advocate a policy position relative to competing alternatives" (p.28). As the Bush wars were controversial, the *Ocean's* films offer a transcendence via bifurcation of some criminals to offer a heroic swagger to others. More specifically, this is done as lesser criminal behaviors are endearing while more sinister criminals are vilified. The purpose of the method is to isolate acceptance and vilification, which can happen even amid hierarchies of good versus bad criminality.

Kenneth Burke (1984a) described the difference between comedy and tragedy as what are and are not forgivable transgressions. Narrative outcomes in literature, and other cultural narratives such as film, stem from what Burke "argues that society inherently assumes customs, protocols, and a sense of decorum that steers and guides—as well as limits—our behaviors based upon the idea of what is appropriate in any and every social interaction" (Carlson, 2005, p. 255). Tragedies and comedies are responses to serious situations as they encourage consumers to look at mistakes as either foibles or serious transgressions (Bineham, 2005). In tragedy, we deal with the transgressor through scapegoating, where the perpetrator is irredeemable, and is "ferociously beaten or slain—and the feeling of relief" becomes "apparent to" the reader (Burke, 1984b, p. 16).

Comedy, on the other hand, is not so harsh, and "deals with *man in society*" (Burke, 1984a, p. 42). Rather than cast out or kill the transgressor in the comedy, we simply judge them because of their "quirks and foibles" (Burke, 1984a, p. 42). Comedy's function is correction, not extinction of perpetrators (Bineham, 2005). Framed in optimistic ways, a comedic wrongdoer is a "perfect" liar or an "ideal thief"—Danny Ocean is both (Carlson, 2005, p. 256).

Burke's concept of identification informs *Ocean's Eleven* and *Ocean's Twelve* as Danny Ocean's amusements are presented without opportunity for concern of his behavior, giving him an optimistic ethos as he operates within the Robin Hood mode of righteous thievery (Bravo, 2021). It is the linking of the individual, in this situation Danny Ocean, to other people, institutions, practices, and attitudes—the identification of the pursuit of wealth as audience "vicariously," that makes him the comedic character (Burke, 1973, p. 195). The comedic character's arc then turns heroic, where "The hero, real or legendary, thus risks himself and dies that other may be *vicariously* heroic" (Burke, 1984a). Danny Ocean is a hero because he crystallizes and romanticizes capitalistic tendencies. Heroism through character identification comes from seeking transcendence, such as lacking economic resources, which can be accomplished via capitalist scheming in a Robin Hood style. Milo Sweedler (2019) calls this trend in post 9/11 popular culture depictions the allegoresis of capitalism, similar to the breadth of religious metaphors borrowed from biblical narratives.

In his comedic heroism and capitalistic representation, Danny Ocean becomes the comedic yet 'perfect thief' (Carlson). He offers identification with ethics as he interjects with virtue to interrupt the plots of corrupt capitalism. The films' justification of theft is the stylism of Robin Hood protagonists, combined with competition in hierarchy with the presence of corrupt manifestations of capitalism, or larger evils that represent the tragic frame. With a Robin Hood heroism that upends the system itself, specifically Ocean's antagonist Terry Benedict and his corrupt casino practices, the comedic scoundrel must resort to bypassing the "usual standards of conduct, such as following rules" and "respecting authority" that "are obstacles to success" (Beck, 2003, p. 25). For these reasons, not only is Danny Ocean forgivable, but judgment on him is insignificant because shared capitalist ideals are dignified in his intentions and demeanor, allowing identification with him in

the pursuit of a comfortable lifestyle. His own ironic criminality, as juxtaposition to Benedict, portrays the vigilante “responding to and deterring crime” (Meade & Castle, 2022, p. 1088).

The *Ocean's* films are put into the comedic frame as their casts include Hollywood's biggest names in post 9/11 America. Danny Ocean is played by George Clooney, with supporting characters played by Brad Pitt, Matt Damon, Julia Roberts, Katherine Zeta Jones, and Bruce Willis performing a cameo in *Ocean's 12*, along with Bernie Mac. The ‘Oprah Effect’ of this ensemble illustrates how “the actions, attitudes, and beliefs of celebrities can shape or change certain behaviors and attitudes held by the American public” (Chamberlain et al., 2010, p. 49). As these prominent stars play criminals that are framed in lovable ways while unified in a common cause, it perpetuates character forgiveness of crimes of robbery because these common protagonist actors are on screen together, with each having histories in central, optimistic, and heroic roles. Further, affinity toward these performers is implied because “celebrities hold a certain status in our society and may be viewed by some as authority figures” (Chamberlain et al., p. 50). This follows the theme of celebrity power from the original 1960 *Ocean's 11* film, which starred Frank Sinatra, Dean Martin, and Sammy Davis Jr.

Identification with Danny Ocean

An initial initiation for identification with Ocean is his sense of style and cool personality. As capitalism is part of the American Dream, one manifestation of that is the embracement of one's individuality that is captured in “the good life” that is the “association of own unique personality” (High, 2015, p. 9). Danny Ocean's charisma is bolstered by his fashion. He is rarely seen wearing anything other than stylish suits with an unbuttoned shirt and removed tie. In a postindustrial culture that enjoys the tastes of brand names that are on the boardwalk and is fixed upon having the perfect tan and paranoid about wrinkles and hair loss, identification with George Clooney's Danny Ocean in his stylish persona overshadows his thievery.

As a charming criminal, in the opening scene of the first film Ocean cannot take parole questioning seriously when he is asked if he will steal again if he is set free. He responds by humorously blaming his behavior on his wife, “She already left me once, I don't think she would do it again for kicks” (Soderberg, 2001). Ocean exhibits vigilante morality, whose sense of duty transcends laws and norms (Asif & Weenink 2019). Light music starts playing and he shows an amused look on his face, as if he's trying to fight not smiling. Bringing him ethos as a pending Robin Hood thief, Ocean is presented in this first scene as providing “social control and alleviation of social stresses,” becoming the protagonist through “the pleasure of the putdown” (Eitzen, 2012, para. 1).

Minutes later Ocean goes to a casino and begins lying again. An upbeat soundtrack accompanies Ocean's telling his parole officer on the phone, “I wouldn't even think about leaving the state,” then immediately departing. These two instances that introduce Ocean early in the film establish him as a charismatic liar, yet we soon learn that he has purpose that supersedes and is more important than law. Being integrated into his charm, it becomes difficult to resist not adoring him later in the film. He is what Eric Hobsbawm (1969) called the social bandit, where a bandit's success is so unoffensive and noble that his “behaviour” becomes a respective “myth” of what only the elect brave, brazen, and intelligent would do (Wagner, 2007, p. 353).

Important to his capitalistic approach, Danny Ocean is harmless. At no time in the films does he cause physical harm. When he recruits the best thieves to help him rob the casino in the first film, he begins by explaining to his team that what he is doing is dangerous and that he will not hold anyone's reluctance to help him against them. Even in the face of his enemy that he is stealing from, Danny Ocean remains composed and even submissive-like as he is taken hostage and intimidated by his enemies, showing the “righteous anger” of capitalist thieves (Asif & Weenink, p. 183). He is the benevolent rebel, capturing the “reputation and legitimacy of rebel actors” (Arves et al., 2019). Audiences are invited to find him amusing in his harmlessness and

carelessness for rules, thus being primed to not think of him as revolting against social expectations, yet also as attractive and fighting against the ugly, self-serving side of capitalism. He is comedic, pre-forgiven for what he will do because of his opening demonstration of charm, and in his frivolity, moves his way through the plot toward being a heroic vigilante.

In his competition with other capitalists, Ocean outwits his enemies, as well as the audience. In the first film audience does not know until the end of the film how Ocean was truly executing his heist. The plot conceals his brilliance, only allowing audience into his mind at the end when the twist is shown that Ocean made a replica of Benedict's vault and simply switched cameras from Benedict's security system to a view of the replica. In this way, the film succeeds in celebrating Ocean's intelligence—a didactic display of him as his own crimes, in the Robin Hood vein, that do not “explicitly present the unique details and methods of a crime” (Adkinson, 2008, p. 246).

Similarly, in the sequel Ocean tells a banker at the beginning of the film that he was once in a bank when it was robbed. The banker responds, “That must have been quite an experience?” With a smirk, Ocean pauses to contemplate, then replies “Yeah...” as he resists disclosing to the banker that he was the robber. Both Ocean and the audience are amused by his outwitting the banker, a moment of inside joke identification between character and audience. At the end of *Ocean's Twelve* when Ocean faces the challenge of defeating a master thief in a duel of robbery, similar to how he defeats his competition in *Ocean's Eleven*, he becomes the audience's leader in pursuit of capitalist gain as it is accomplished with wit and charm, vigilantism when needed, and of being a step ahead of all who follow him—both audience and his competition.

Juxtaposed Capitalistic Frames

Ocean shows the comedic frame as he is the juxtaposition to Benedict, who is feared. Benedict is the dangerous capitalist while Ocean is the compassionate capitalist. With Benedict, the film follows the Comic Code's Standards for portraying villains, where antagonists were to never to be “presented in such a way as to create sympathy for the criminal, to promote distrust of the forces of law and justice, or to inspire others with a desire to imitate criminals” (Adkinson, 2008, p. 246). The American theme of overthrowing corruption on their own territory, as Ocean does to Benedict, mirror the American memory of the Boston Tea Party that allows for a favorable depiction of ruining enemies' property that can be done “systematically,” and is praised when done by “a relatively small group of ordinary citizens”—similar to the Ocean team (Juliano, 2012, p. 52). Thus, Ocean and his team reverberate the distant and lasting memory of Whigs' resistance to British control of colonies with a singular moment of resistance to overthrowing the property of antagonists.

Bifurcating Ocean and Benedict, the first of two interludes are presented in the film that blatantly describes the ruthlessness of Benedict as he previously put the casino of Ocean's friend, Ruben, out of business. In the scene Ruben provides the stark contrast of compassion versus brutality as Benedict is described as only interested in conquering. Framing Benedict as the top of a hierarchy who needs to be transcended to liberate the casino industry from his stronghold, he is described as the “best” due to his harsh competition with those who oppose him, even turning to violence to assure victory,

This guy's smart as he is ruthless. Last guy they caught cheating, he not only sent up for 10 years . . . he had the bank seize his house and then he bankrupted his brother in-law's tractor dealership. He doesn't just take out your knees, he goes after your livelihood and everyone you ever met.

This explicit expository history presents Ocean with the challenge to perform heroic capitalistic pursuits outside of Benedict's methods. By employing the hero versus villain literary motif, combined with Ocean's opportunity for capitalistic gain, Ocean is given clout as the Robin Hood character because of the challenge that is before

him. He must work hard to steal with dignity but also avoid getting caught by law enforcement. As the outlaw cowboy, he is presented as the American who furthers “domestic goals” with his vernacular, “diplomatic language” (Malphurs, 2008, p. 185). Therefore, in pursuing the American dream of accumulating wealth through hard work (Mawer, 2000), Ocean is forgiven because, as a capitalist, he possesses the respected American work ethic that is demonstrated in his careful and methodical planning to carefully overthrow Benedict. In displaying work ethic, he exhibits what Merton (1938) describes as innovative solutions as part of the rupture of cultural norms, which makes deviance acceptable as it is unique and done out of goodwill.

As manifestations of capitalism, Ocean and Benedict are in constant tension with one another. Hence, distaste for the cold-hearted Benedict is prescribed within the narrative, and at same time Benedict’s enemy nature further frames Ocean’s righteousness, as Ocean is robbing the corrupt casino owner. Thus, Danny Ocean redeems capitalism in post 9/11 worry of Bush’s economic interests in the Middle East, which Kenneth Barnes (2018) describes, appropriately in consideration of the Ocean’s films, as “gamble” being a “virtuous activity” that could suggest capitalism as, once again, “redeemable” (pp. 2-3).

In his battles with Benedict, Ocean demonstrates the “blunt talk” that combats “inconsistencies, dead-ends, hypocrisies, and faulty logic” in the ambitious form of cowboy-ism (Renshon, 2005, pp. 607-608). Thus, identification is offered with the honorable pursuit of wealth in a fallen capitalistic state amid people like Benedict, and as Ocean does not physically hurt the other competitor in capitalistic dueling, as Benedict does, he shows inner commitment to moral parameters of nothing beyond thievery. In doing so, Ocean not only revitalizes the livelihood of the poor, but also course corrects government, demonstrating his motives and efforts as honorable (Parrish, 2017, April 24).

The focal moment of Ocean as a Robin Hood manifestation comes as he describes his team as well-intentioned heroes. His straightforward speech as to why one must rob the monolithic evil embodiment of capitalism for the sake of personal gain comes with confession that he will steal from Benedict. His closest associate, Rusty, has an unsure look on his face as he asks Ocean, “I need a reason, and don’t say money. Why do this?” Ocean then replies with an impassioned, elaborate speech, the second interlude, which at first seems to condemn the cruelty of capitalistic competition because the strongest is capable of oppressing others and the strongest must therefore be resisted,

Why not do it? Because yesterday I walked out of the joint [prison] after losing four years of my life and your cold decking Teen Beat cover boys... Because the house always wins. Play long enough, you never change the stakes, the house takes you. Unless, when the perfect hand comes, you bet big. Then you take the house.

Ocean is dedicated to the resistance of the tyrannical. He knows the system will not correct itself, and monoliths like Benedict will remain on top without intervention. Ray Dalio (2020 October 13) described this at the Harvard Law School Forum on Corporate Governance as the “self-destructive” age of capitalism (para. 52). The need for Bush cowboy-ism is implied. His speech suggests that a Robin Hood approach is the only path to correction to avoid the trajectory that Dalio describes as “the American dream” being “in jeopardy” (para. 52). This gives Ocean the clout to operate as the Robin Hood bandit who is “being resignified in terms that can be conceived of as social banditry,” which qualifies him to be followed by colleagues and audience (“National Robin Hoods,” 2021, p. 517). Thus, his innovation, in Merton terminology, allows him to be a righteous rebel, a heroic deviant.

This speech is a crucial moment in making Ocean forgivable because he is admitting that his purpose is resistance. His explicit description of his motive, and especially the need for resistance and capitalistic correction, allows the scene to operate as a rhetorical interlude in the film where contexts and prescribed characters take on an explicitly didactic description of how to exist in a brutal world (Yergensen & Church,

2023). Identifying with the comedic Danny Ocean invites affection for the previously incarcerated Ocean, as he is a prison escapee, because he brings social change in a capitalistic structure that must be corrected with its own competitive, capitalistic efforts for accumulation.

Danny Ocean as Capitalist Vigilante

From an ethical standpoint as we consider Ocean as a comedic character who deserves forgiveness, his ends justify his means. Sociologist Bernard Beck (2000) argued that society, ironically, can fall in love with “protagonists” whose stories, “while charming and amusing us,” yet come with our realization that they “have crossed a line and made a warm spot in our hearts for those who have effectively rid themselves of all compunction” (p. 26). This is where the comedic frame operates and bridge for audience and protagonist. If a free market is celebratory of pursuits of accumulation with enough righteousness in intention, the flawed “knight-errant” pursues their own interests while also liberating the group from more sinister capitalistic manifestations by “performing feats of courage and chivalry,” and in the process “They saved damsels in distress, rescued travelers from rogues and bandits, fought mighty dragons, and aided kings on noble quests” (Juliano, p. 51). Ocean earns these accolades as a capitalist hero in his vigilantism.

American social class hierarchy challenges are played out as both the wealthy and their competition permanently battle for resources (Ewing, 2020, September 23), illustrated in Ocean’s duel with Benedict. Yet, justice levied against the wealth gap is realized by Ocean’s victory. Therefore, as Danny Ocean eyes the millions of dollars that he will acquire from Benedict, capitalist identity in the film’s hypothetical scenario is without a suggested need for concern. We praise Ocean for his creativity and accept his Robin Hood persona as he demonstrates the “digital vigilantism” with his use of technology to defeat his competition (Trottier, 2017, p. 55). This act of using digital technology is a protagonist quality because “America is a nation whose roots are founded in vigilantism” (Juliano, p. 52), an act on the part of Ocean that operates within the ongoing high praise for technological hacking ability (Elmer-Dewitt, 1984 December 3; ISBuzz Staff, 2018 October 19).

Ocean also acts out of love as his ex-wife, Tess, is with Benedict in the first film. While plotting against his enemy’s corrupt casino practices is the primary plot, the subplot further build’s Ocean’s credibility as he admits that he is not only interested in stealing from Benedict for the sake of wealth, but also in rescuing the woman he loves from his enemy. At the end of the film when Ocean and his crew have successfully robbed Benedict, Ocean has a straightforward discussion with Benedict regarding his misdirected passion for money, asking Benedict after being beaten, “What if I told you, you could get your money back . . . if you’d give up Tess? What would you say?” Benedict replies, “I would say yes”—another manifestation of Robin Hood outwitting his enemy as Tess was watching the discussion, driving her back to Ocean. Benedict displays the Robin Hood antagonist theme of “capital over . . . true love” (Cartlidge, para. 17).

Ocean, on the other hand, is perceived by Tess as genuine, a capitalist who went through great trouble by robbing Benedict to get her back. These simplistic character arcs allow the perfect capitalist to fight outside the law because “Too much complexity muddles essential elements” (Renshon, p. 608). Being beaten by Benedict, Ocean exhibits the suffering hero, while at the same time Tess represents rescue from the haunting presence of villains. As both emerge out of Benedict’s control and abuse, their personal—as well as capitalistic—victory over Benedict exhibits the then-contextual victory over Bush’s War on Terror (Olson 2023).

In the sequel, the Robin Hood capitalist is framed as a family man as the Night Fox, a comparable older version of Ocean, searches for his daughter. The implication is that to be a family man is to be a capitalist, described by Eli Zaretsky (1976) as an important driving force for capitalistic accumulation. Although the Night Fox is in hiding because of his career of thievery, the association between the capitalist and the family man are nonetheless intertwined during a final scene when the Night Fox tearfully reunites with his daughter, responding

to her inquiry about where he has been with the word “waiting” for her arrival. As a tender-hearted family man, the Robin Hood thief displays altruism for family (Collins, 2003).

Richard Meyer (1980) described the Robin Hood narrative as a multifaceted version of the American Dream, “Folklore’s conception of the outlaw-hero is complex, but at the heart of this conception is a relatively consistent image of a people’s champion who espouses a type of higher law by defying the established ‘system’ of his times” (p. 94). That complexity is manifest as, in the American Dream, one can be a family man, a capitalist, and a criminal, all saving elements of the comedic thief’s masterfully executed plan. One is justified in being a thief because he 1) is a supporter of a family, as the Night Fox loves his daughter and Ocean loves his wife, and 2) therefore must take on the American ideal—live the American dream by aggressively accumulating as much wealth as possible, even if the means of doing so involves banditry. In Disney’s *Robin Hood* (Reitherman, 1973), Little John asks, “You know somthin,’ Robin. I was wonderin’, are we good guys or bad guys?” With enough careful treatment of the righteous capitalist, such as making him a family man and vigilante, it is not even a concern as identification with the capitalist and the audience is available, especially in a cowboy era of vigilante justice and as told in a comedic rather than tragic framing.

Conclusions

In the historical and political context of the release of the *Ocean’s* films, America was at war over oil and democracy in the Middle East where two systems, economic opportunity and individual liberty, that the *Ocean’s* films celebrate (Lieberfield, 2005). As a regular man, Ocean is a vernacular hero, which makes him identifiable. He illustrates the Robin Hood anti-hero, making him identifiable in his imperfections, and therefore comedic. He is the peaceful American warrior in times of an American war against greedy enemies, framing the comedic cowboy with noble greed.

Historian Eli Cook (2017 October 19) describes American progress as ever intertwined with the pursuit of wealth,

American businesspeople and policymakers started to measure progress in dollar amounts, tabulating social welfare based on people’s capacity to generate income. This fundamental shift, in time, transformed the way Americans appraised not only investments and businesses but also their communities, their environment, and even themselves (para. 2).

Capital is the barometer of success. In consideration of motivation and crime, capitalistic pursue can evolve into material success warranting illicit ethical behavior—a culture of materialism being without ethical concern (Messner and Rosenfield 2012).

For audiences in a post 9/11 age of valuing American commodity-ism, watching Danny Ocean work hard for his wealth allows the audience to live vicariously by watching and identifying with his ideals of love for family, friends, and the American pursuit of defeating the bad guy. This vicarious film experience offers therapeutic value of capitalistic consumption, dignifying a culture of wealth as the definition of success, and the American ethic of competitive accumulation is romanticized through pursuits to take down the worst of capitalism in a Bush-era warranted cowboy style.

Legal Implications

The *Ocean’s* films predated the current digital world where polarizing politics are enabled by “social media” allowing for “mayhem” (Barrett, Hendrix, & Sims, 2021 September 27, para. 1). In hindsight of current combative social conditions, Burkean identification with and forgiveness of valorized vigilantism can now be

perceived as doing no favors for audience. Perhaps it is a variable in the new legal challenges from organized activist politics that emerge out of the digital world with the assumption that high level corruption justifies drastic action (Favarel-Garrigues, 2020). The relationship between popular culture hypotheticals and legal exploration can become blurry as criminal “acts raise a number of questions concerning how such behaviour affects perception of the legitimacy of the law, professional ethics” (Greenfield, 2002, p. 25). This means, amid social media organizing and the power of narrative, legality ramifications must consider the ethics of narratologies. If narratives are culturally authoritative, the legal system cannot avoid mass narratives distributed by U.S. Presidents, as well as the charismatic appeal of contemporary displays of mythic narratives that justify crime—Danny Ocean as Robin Hood. Danny Ocean is the illustration of Messner and Rosenfield’s excessive American Dream ideology, prescribing and ethics of accumulation above all else.

Narratives serve an equilibrium amid social confusion, allowing legal procedures to rely upon accepted and shared public narrative, or the ‘communal transcendence’ in finding shared (Olson 2008), singular transcendence to ethical concerns. His goodwill as an innovative rebel to social confusion allows him to be a Mertonian protagonist—his fashion, charisma, and wit are goodwilled enough to warrant forgiveness. However, the extension of this relationship in a social mediated age, where rapid and opportunistic opining emerges, might be captured in the Kyle Rittenhouse case that led scholars to argue for repealing citizen arrest laws in more current race-based vigilante events (Sundquist, 2022).

More recently, the digital world’s conceptions of vigilantism might be emboldening the appeal for cowboy-ism with senses of romanticized self-made vigilantes, such as the launched website “Real Life Superheroes” that “operates, sometimes in the gray area of the law, but within the confines of the law none-the-less” (Juliano, p. 45). Legal experts are left not knowing how to deal with the “New Frontier” of Cyber-Vigilantism” (Juliano, p. 58).

The haunting depiction of the Riddler’s online following on his hidden website in Matt Reeves’ (2022) recent *The Batman* where he inspires a group who define themselves, collectively with the title “Vengeance,” mirrors not only the January 6 riot, but the inability to know when one is menace or solution. Cinema tells both types of criminal stories: Danny Ocean’s as well as the Riddler’s. Yet, how do we discern when the digital world assures an assumption of a corrupt government and corrupt economic system? (Jenkins & Galvin, 2020, September 29). The types of characters we identify with in cinema needs consideration of the contexts and romanticization of rebellion. Individual revolution merges, over time, into collective revolution. Characters that make public statements of bifurcation, whether Bush in 2001 or Trump in 2021, can mobilize irrational collective action that is damaging, such as the January 6, 2021 Capitol riots.

I began this study with reference to Al Capone’s disturbing plan of how to politely commit crime, despite his own brutality as a notorious killer. How do we know when we are identifying with Ocean and not Capone? The differences are obvious per Capone’s violence. Yet, both obtain incredible wealth, were well dressed, had charismatic reputations, and are American legends (Ferguson, 2017, March 11). How do we know we are not mirroring Travis and Gregory McMichael’s misdirection, becoming the worst of criminality when pursuing neighborhood protections, resulting in their murder of Ahmaud Arbery (Department of Justice, 2022 August 8)? The legality of would-be ethical vigilante organizing is informed by the examination of popular culture prescriptions per their Burkean framing. The treatment of stories such as that of Danny Ocean, as the perfect capitalist and his situational ethics, are part of that popular culture historical ethic that has generated a culture that romanticizes the vigilante. Al Capone is a historical legend—feared and brutal, but a legend with his wit. More recently, but with similar means—a gun, Christopher Dorner is a public villain (Phillips and Strobl 2015). The ethics of vigilantism, hanging on the thread of a Burkean framing, forces us to consider the legal system’s relationship to popular culture depictions of crime. We are subject to stories, at least how they are told—comedic or tragic. That is an ethical consideration of mass media’s celebration of crime. Thus, what is

our legal barometer for who are Robin Hoods and who are January 6 rioters? The answer is not as simple as it was during the predigital, *Ocean*'s film context of Bush cowboy-ism.

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