

# "WHAT A WASTE. BEAUTIFUL, SEXY GAL. HELL OF A LAWYER."† FILM AND THE FEMALE ATTORNEY

*Carolyn Lisa Miller\**

## I. THE MEDIA AND THE LAW: IMAGE VERSUS REALITY

Previously an impenetrable bastion, the castle of patriarchal legal privilege has begun to crumble. Women are entering law school in numbers almost equal to their male counterparts.<sup>1</sup> Women constitute twenty-seven percent of the full-time law faculty, and comprise fifty-four percent of deans and administrators.<sup>2</sup> However, the fact that women have become a familiar and permanent part of the legal landscape has been largely ignored by those who mass produce legal images, consumed by the public via print, television, or film. This cultural production, or "legal culture," is the composite of the "ideas, attitudes, values, and opinions about law held by people in a society,"<sup>3</sup> and it has a much greater impact on the common understanding of the law than any American Bar Association report.

In recognition of this influence, legal scholarship has turned its academic attention to this field, attempting to tease out the discrete steps in the process which begins with the creation of an image and ends in the assumption on the part of a layperson that his/her attorney will act like the main characters of *A Few Good Men* or *The Firm*. A critical legal eye has now been focused on the cultural production which is the public's primary source of information on the legal profession. While popular movies do not have any presumptive educational missions, many simulated television courtroom dramas do. The long-running program *The People's Court*, for example, publishes a legal guide as a companion to its television show. Noting its purported ability to both educate and entertain, Professor Anthony Chase writes: "Few of the orthodox West and Foundation published casebooks could make the latter claim and none of the

---

† Presumed Innocent (Warner Brothers 1990).

\* Carolyn Lisa Miller received her A.B. from Princeton University in 1992 and expects to receive her J.D. from Columbia University School of Law in 1995.

<sup>1</sup> Women are now 42.6% of J.D. candidates at A.B.A.-accredited law schools, and 34.4% of post-J.D. candidates. Am. Bar Ass'n, A Review of Legal Education in the United States, Fall 1992, at 66 (1993).

<sup>2</sup> Id. at 67.

<sup>3</sup> Lawrence M. Friedman, Law, Lawyers, and Popular Culture, 98 Yale L.J. 1579, 1579 (1989).

professional texts used in law schools reach even remotely as large an audience as '*The People's Court*.'"<sup>4</sup>

Attorneys themselves have even noticed the effect of media images on the practice of their profession. In light of the popularity of the television drama *L.A. Law*, "[a] trial lawyer needs a theme, just like they use in the show . . . . Don't just try to get facts across to a jury, because facts often fall on deaf ears. [A lawyer has] to hit them with a theme, so it burns itself on their minds."<sup>5</sup>

The Dean of the law school at the University of Bridgeport even credits the program with increasing applications,<sup>6</sup> much as the heroic fly-boy hit *Top Gun* was followed by increased interest in pilot training.<sup>7</sup> The ability of popular images to transform an individual's conception of self to such an extent as to shape their choice of career reveals but the tip of the iceberg of media power. As television expands to channels numbering in the hundreds and film is marketed for both theater and home viewing, these images are reaching and affecting a greater number of people each day, and this contact between image and identity has ripple effects which last far beyond the initial viewing. The images of attorneys in film affect not only those practicing attorneys who complain of the theatrical expectations raised in jurors by *L.A. Law*, but also the law students whose understandings of their futures in this profession will be impacted by its primary framing within the four corners of a television or movie screen.<sup>8</sup>

Despite their incredible influence, there is no requirement that these fictionalized accounts of lawyering be accurate, or even be held accountable

---

<sup>4</sup> Anthony Chase, *Toward a Legal Theory of Popular Culture*, 1986 Wis. L. Rev. 527, 559 (1986).

<sup>5</sup> Mark Marselli, *Lawyers Agree L.A. Law is Less Boring Than Life*, N.Y. Times, Oct. 6, 1991, at CN6. See also Steven Gillers, *Taking L.A. Law More Seriously*, 98 Yale L.J. 1607 (1989) (how *L.A. Law* has managed to be a beneficial influence on popular conceptions of law and legal ethics).

<sup>6</sup> Marselli, *supra* note 5, at CN6.

<sup>7</sup> Dirk Johnson, *For Eager Air Cadets, It's the Mild Blue Yonder*, N.Y. Times, May 13, 1990, at A18.

<sup>8</sup> As discussed throughout this Article, this framing can be particularly limiting for women:

Many perceptions of how women affect, and are affected by, their legal careers are shaped by the popular media which has noted the new surge of women into the profession, and reflects the culture's ambivalence toward it. Traditional views of "women's nature" and their appropriate roles have been shaken by women's strong participation in the formerly male domain of the law in a wide array of specialties and practices . . . . [W]omen's engagement in a sphere not traditional for their sex is regarded as inappropriate or problematic.

Cynthia Fuchs Epstein, *Women in Law* 424-25 (1993).

for their consequences. The danger arises when these distorted depictions are adopted by viewers as representative of the legal sphere, which then impacts their later interactions with, and expectations of, lawyers and the law. "Erroneous information in popular culture may damage the ability to make correct assessments of institutions and policies, and may even affect the law itself."<sup>9</sup> Harris notes five implications of these inaccurate portrayals: unattainably high standards for police, public perception of a violent world, exaggeration of the negative results of committing crime, elevation of whites as the archetypal victims of crime, and reduction of the law to a series of technicalities.<sup>10</sup> One more implication should be added to this list: denigration of women as capable attorneys, and the inability of women attorneys to be capable human beings.

Female attorneys in film have been presented as an oxymoron; they have two identities—"female" and "attorney"—which cannot logically coexist. Initially, these characters are introduced as successful and bright legal practioners; however, their personal lives are empty, which in the film's sexual economy means they are unmarried. This conflict between professional success and personal "failure" is resolved in favor of reasserting male privilege in the legal sphere, and returning women to the private, domestic sphere in which they should feel more comfortable. This return is marked by the destruction of the professional capacity of the female attorney. The oxymoronic puzzle is solved: these characters, robbed of their legal identities, are now only "women."

The reality of this imagistic bias has thus far been ignored by scholars of legal culture.<sup>11</sup> Friedman doesn't refer to a single media image of a female attorney in his seminal work.<sup>12</sup> Chase, in his "survey" of such images, makes a single, passing reference to a woman attorney in his mention of the film *Jagged Edge*, which he includes only to give belated credit to the actor Peter Coyote for his portrayal of an unethical District Attorney in that film.<sup>13</sup> These authors, of course, are not completely to

---

<sup>9</sup> David A. Harris, *The Appearance of Justice: Court TV, Conventional Television, and Public Understanding of the Criminal Justice System*, 35 *Ariz. L. Rev.* 785, 786 (1993).

<sup>10</sup> *Id.* at 813-15.

<sup>11</sup> I was only able to locate one article which at least superficially recognizes and surveys images of female attorneys in television and film. See Elaine Weiss, *Who's Missing in This Picture?*, *Barrister*, Winter 1989, at 5. Interestingly enough, Weiss quotes Hillary Rodham Clinton, at that time the chair of the ABA Commission on Women in the Profession, commenting on gender discrimination in the legal profession. *Id.* at 6. One can only wonder what she might say now about her current image in the media, and how her own identity as an attorney has been fragmented from her identity as a woman, or more importantly, as a wife.

<sup>12</sup> Friedman, *supra* note 3.

<sup>13</sup> Anthony Chase, *Lawyers and Popular Culture: A Review of Mass Media*

blame. They are simply analyzing Hollywood's productions, which have maintained the traditional association of men with the public, social, and legal world, while women remain at home as the supportive spouses.<sup>14</sup> Women entering the legal profession—staking claim to "public" spaces like the courtroom, the negotiating table, and the corporate board room—are implicitly crossing this invisible line between the gendered public and private spheres.<sup>15</sup> This realignment doesn't come without a price.

Dominant cinema, as represented by mass-market Hollywood-produced films, has selected a particular image of the female attorney—one whose gender identity compromises her professional abilities—which draws upon the power of the "myth," as described by Claire Johnston:

Myth then, as a form of speech or discourse, represents the major means in which women have been used in the cinema: myth transmits and transforms the ideology of sexism and renders it invisible—when it is made invisible it evaporates—and therefore natural.<sup>16</sup>

However, this process of naturalization doesn't occur in the isolated confines of a darkened movie theater; a particular social reality impacts the viewer's understanding and interpretation of the images on the screen. "Meanings do not reside in images, then: they are circulated between representation, spectator, and social formation."<sup>17</sup> This Article intends to interrupt the smooth flow of that circle, to challenge and possibly to prevent the "social formation" which allows these conflicted female attorneys to walk off the screen and influence the way in which the spectator perceives herself as a woman and as an attorney. As proposed by Annette Kuhn:

---

Portrayals of American Attorneys, 1986 Am. B. Found. Res. J. 281, 288 (1986).

<sup>14</sup> The subversion of this narrative device provided the plot twist for the legal film *Presumed Innocent*. See *infra* part VI.

<sup>15</sup> "However particular legal decisions have resolved these debates, they have maintained a picture of the world divided between a public and a private sphere . . . [which] neglects the mutual implication of public autonomy and private authority both in the family and in the commercial sphere." Martha Minow, *Adjudicating Difference: Conflicts Among Feminist Lawyers*, in *Conflicts in Feminism* 149, 159 (Marianne Hirsch & Evelyn Fox Keller eds., 1990). What Minow neglects to note is that imagistically and practically speaking, many women lawyers have been robbed both of public autonomy and private authority, reinforcing patriarchal privilege in both spheres. See also Katherine O'Donovan, *Sexual Divisions in Law* (1985) (discussing the gendered construction of the "public" and "private" spheres, and the acceptance and maintenance of this distinction in the law).

<sup>16</sup> Claire Johnston, *Myths of Women in the Cinema*, in *Women and the Cinema: A Critical Anthology* 407, 409 (Karyn Kay & Gerald Peary eds., 1977).

<sup>17</sup> Annette Kuhn, *The Power of the Image: Essays on Representation and Sexuality* 6 (1985).

[A]nalyzing and deconstructing dominant representations may be regarded as a strategic practice. It produces understanding and understanding is necessary to action. . . . And the acts of analysis, of deconstruction and of reading 'against the grain' offer an additional pleasure—the pleasure of resistance, of saying 'no': not to 'unsophisticated' enjoyment, by ourselves and others, of culturally dominant images, but to the structures of power which ask us to consume them uncritically and in highly circumscribed ways.<sup>18</sup>

This Article, through its analysis of films which feature female attorneys, brings both the pleasure of film and the pleasure of resistance to the project of envisioning a world in which female attorneys can succeed, both in fantasy and in reality.

## II. GENDER, SEXUALITY, AND THE FEMALE ATTORNEY: THREE CINEMATIC PORTRAYALS

Female attorneys on film are compromised by the conflation of and conflict between their two identities, since embracing the male province of law challenges their traditional feminine sides. The films *Suspect*, *Jagged Edge*, and *Guilty as Sin*, each of which utilizes a female attorney as its primary site of cinematic investigation, choose to resolve this conflict by eroding the female protagonist's legal components and by resituating her within the feminine sphere, intellectually unarmed and no longer dangerous. Any power this fictional character may have obtained by association with the legal world is cinematically exorcised in order to preserve a particular gender hierarchy.<sup>19</sup> As young female law students and attorneys struggle to assimilate both these aspects of their lives into one cohesive existence, these films offer a distressing vision into the future success (or failure) of these endeavors.<sup>20</sup>

---

<sup>18</sup> Id. at 8.

<sup>19</sup> The stakes are exceptionally high when women are represented on film because the cinema has a unique power and ability to offer its vision as reality, particularly in the sexual arena. "No art so blatantly offers sexual satisfaction to its audiences, requires its performers to fulfill so precisely the public's communal fantasies, or possesses in such abundance the tools to achieve its aims as does the cinema." John Baxter, *Screen Sexuality: Flesh, Feathers, and Fantasies, in Sexuality in the Movies* 11, 11 (Thomas J. Atkins ed., 1975). Despite the fictional nature of these representations, their consumption by the movie-going public reflects their fulfillment of a certain "communal fantasy."

<sup>20</sup> The spectatorial relationship between the female attorney in the audience and the female attorney on the screen is a complex one. Film theorist Teresa de Lauretis describes the position of the female viewer:

*Jagged Edge*, *Suspect*, and *Guilty as Sin* structure their resolution of this male-female, public-private conflict around similar narrative techniques, each of which serves to propel the central female character away from the "male" professional world and into her femininity. Through this progression, she abandons her chosen "mask" to reclaim the one imposed upon her by patriarchal imagery, as theorized by Mary Ann Doane:

Womanliness is a mask which can be worn or removed. The masquerade's resistance to patriarchal positioning would therefore lie in its denial of the production of femininity as closeness, as presence-to-itself, as, precisely, imagistic.<sup>21</sup>

Doane visualizes an imagistic plane in which women can be distanced from gendered identities in their most exaggerated forms. The roles of whore or madonna, dutiful wife or self-serving career woman, can all be reclaimed by women to use as protective shields against patriarchally determined gender definitions and limitations. Femininity itself becomes a form of representation manufactured to create distance between gender and self. Doane employs the language of capitalism—"manufacture" and "production"—to describe this process, a move which provides a particularly appropriate metaphor for the film industry. Who, exactly, controls the means of production? In these films, while the women struggle to abandon the mask of femininity and don that worn by their male counterparts, one of law and power, they are forced to return to their feminine origins. While Doane proposes that "sexual mobility would seem to be a distinguishing feature of femininity in cultural construction,"<sup>22</sup> it is precisely that fluidity which allows these women to slip back into roles

---

as spectator-subject, she is thus doubly bound to that very representation which calls on her directly, engages her desire, elicits her pleasure, frames her identification, and makes her complicit in the production of (her) woman-ness.

Teresa de Lauretis, *Alice Doesn't: Feminism, Semiotics, Cinema* 14 (1984), reprinted in *Modern Feminisms: Political, Literary, Cultural* 355, 356 (Maggie Humm ed., 1992). The gendered subjectivity of the spectator both contributes to and legitimizes the products of dominant cinema. Thus, it may also be within the female spectator's power to delegitimize and recreate these images. For further analysis, compare Jackie Stacey, *Star Gazing: Hollywood Cinema and Female Spectatorship* (1994). Stacey used a questionnaire in a women's magazine to collect readers' memories of, and associations with, female film stars of the 1940s and 1950s. *Id.* at 244. She describes a process of "icon memory" in which the female spectator receives and absorbs the cultural definitions of femininity portrayed in the image of female screen icons. *Id.* at 226.

<sup>21</sup> Mary Ann Doane, *Film and the Masquerade: Theorizing the Female Spectator*, in *Issues in Feminist Film Criticism* 41, 49 (Patricia Erens ed., 1990).

<sup>22</sup> *Id.* at 48.

they thought they had abandoned. The distance between "womanliness" and the woman collapses in these films to pin these female attorneys to their gendered selves.

Doane recognizes the problem of the masquerade as she revisits the work of Joan Riviere.<sup>23</sup> Riviere, a contemporary of Freud, theorized about women's use of the masquerade in order to enter traditionally male spheres. Riviere observes:

Womanliness therefore could be assumed and worn as a mask, both to hide the possession of masculinity and to avert the reprisals expected if she was found to possess it—much as a thief would turn out his pockets and ask to be searched to prove that he has not the stolen goods. The reader may now ask how I define womanliness or where I draw the line between genuine womanliness and the 'masquerade.' My suggestion is not, however, that there is any such difference; whether radical or superficial, they are the same thing.<sup>24</sup>

While Riviere's exploration of the masquerade de-naturalizes sexual difference by characterizing femininity as a consciously constructed artifice utilized to conceal female appropriation of masculine privilege, this "theft" requires constant effort and the related fear of exposure. The masquerade is a reaction to a possession of the masculine, and fails to recognize or theorize any independent female identity.

Because its first appearance in psychoanalytic texts specifies it as a reaction-formation designed to counter the possession of masculinity, it makes femininity dependent upon masculinity for its very definition. . . . [M]asquerade is not theorized by Riviere as a joyful or affirmative play but as an anxiety-ridden compensatory gesture, as a position which is potentially disturbing, uncomfortable, and inconsistent, as well as psychically painful for the woman. It is socially "inappropriate" behavior.<sup>25</sup>

This anxiety infects the three films, as the female attorney is prevented from ever claiming a position in which both her gendered and professional identities can be fully expressed. Doane's critique of the masquerade is a reminder that the problem of the female attorney is not simply one of gender discrimination in the cinematic workplace; there is also the inability of these films or the characters within them to articulate a coherent vision

---

<sup>23</sup> Mary Ann Doane, *Masquerade Reconsidered: Further Thoughts on the Female Spectator*, in *Femmes Fatales: Feminism, Film Theory, Psychoanalysis* 33 (1991).

<sup>24</sup> Joan Riviere, *Womanliness as a Masquerade*, in *Formations of Fantasy* 35, 38 (Victor Burgin et al. eds., 1986).

<sup>25</sup> Doane, *supra* note 23, at 38.

of femininity, or "womanliness," which allows a female attorney to be part of the "male" sphere of the law without being defined or destroyed by it. Instead, as Riviere predicts, the woman becomes the masquerade, beneath which no female attorney survives.

The process of sexual identification at the expense of professionalism follows similar paths in the three films. Certain narrative constructs are employed in *Suspect*, *Jagged Edge*, and *Guilty as Sin* in order for both male and female viewers to accept the transformation from attorney to woman as a logical construction rather than destruction of self. First, the three central female attorneys are single—one divorced, one in an unsatisfying relationship, and one completely alone. The women are not inscribed with the standard signature of "compulsory heterosexuality"—a husband—and thus these films, in the words of Adrienne Rich, are among the "violent strictures [which are] necessary to enforce women's total emotional, erotic loyalty and subservience to men."<sup>26</sup> In her categorization of the male power employed to insure heterosexual hegemony, Rich includes the "idealization of heterosexual romance and marriage,"<sup>27</sup> in which these films engage. The films presumably depict "successful" working women, but at the same time leave gaping, empty holes in their portrayal of their sense of personal fulfillment and happiness. Although these women may not be married, they do aspire to that lifestyle, but have not been able to attain it at this point in their lives. The "erotic loyalty" of the filmic female attorney is still focused externally in the search for a potential mate, rather than internally to find self-satisfaction in her professional accomplishments.

To replace the counsel of a husband, each of these women attorneys have male mentors at their place of business: men who have guided their professional lives since they entered the field. These older men, with whom there is no sexual tension or suggestion, become surrogate fathers. In one respect, this hierarchical relationship underscores the inabilities of the central female characters to function independently as attorneys or as people. Further, the metaphoric father-daughter relationship contrasts with the eroticization of the relationship between each woman and the film's central male character, inevitably introduced within the framework of a legal issue or problem. This man, like a dystopian Prince Charming, "rescues" the heroine from that in which she felt secure—namely, her professional legal role—in order to resurrect an untouched feminine self, another sleeping beauty or damsel trapped in a high tower who can only grow her hair and sew, and recreate herself as a caricature of the

---

<sup>26</sup> Adrienne Rich, *Compulsory Heterosexuality and Lesbian Existence*, in *Powers of Desire: The Politics of Sexuality* 177, 182–83 (Ann Snitow et al. eds., 1983).

<sup>27</sup> *Id.* at 185.



prototypical desirable female.<sup>28</sup> These "rescues" vary in their method—ranging from sexual intimacy to murderous violence—but are similar in their result: to leave the female attorney as a shell of her former self, and prostrate as a result of pleasure or pain.<sup>29</sup> Either way, these transformations are not without their price. In order for the princess to abdicate her legal throne, she must completely compromise the values which vaulted her to success initially: ethics and perseverance. All three women significantly violate the code of professional conduct expected of attorneys, thus justifying their fall from legal grace within the moral framework of these films. In the socio-sexual ethic of *Jagged Edge*, *Suspect*, and *Guilty as Sin*, these characters should not be attorneys anyway, because in the end they will always act like "women."

### III. JAGGED EDGE<sup>30</sup>

If one film could be said to have introduced female attorneys to the silver screen, it would be *Jagged Edge*, the 1985 film written by Joe Eszterhas and directed by Richard Marquand.<sup>31</sup> This film capitalizes on

---

<sup>28</sup> For a feminist rereading and rewriting of the complex gender dynamics of fairy tales, particularly Snow White as a tale of female identity framed by male violence, see Sandra M. Gilbert & Susan Gubar, *The Queen's Looking Glass: Female Creativity, Male Images of Women, and the Metaphor of Literary Paternity*, in *The Madwoman in the Attic* 3, 36–44 (1984).

<sup>29</sup> "The masculine subject can accept the image of woman's pleasure only on condition that, having constructed it, he may inscribe himself and recognize himself within it, and thus reappropriate it even at the cost of its (or her) destruction." Raymond Bellour, *Psychosis, Neurosis, Perversion*, 4–5 *Camera Obscura* at 105, 121–22 (Nancy Huston, trans., 1979). The female attorney's return to the feminine is not unfettered; the borders of that domain are marked and controlled by male prerogative and desire.

<sup>30</sup> Columbia Pictures 1985.

<sup>31</sup> One earlier film, *Adam's Rib* (Metro-Goldwyn-Mayer 1949), in which Katharine Hepburn and Spencer Tracy play married attorneys on opposite sides of a legal battle, significantly predates *Jagged Edge*. However, during the intervening decades, Hollywood cinema was largely bereft of female attorneys as protagonists. Consequently, *Jagged Edge* was viewed by an audience relatively unfamiliar with these earlier and stronger characters and thus had a significant critical and commercial impact. Thus, it is an appropriate starting point for an exploration of the contemporary cinematic juxtaposition of the identities of "woman" and "attorney." See also Susan Faludi, *Backlash: The Undeclared War Against American Women*, 114 (1991) (describing the emergence of a few assertive professional women in the cinema, such as Hepburn's attorney in *Adam's Rib*, as part of a brief, World War II era enthusiasm for strong, Rosie-the-Riveter-type characters); Joan Mellen, *Women and Their Sexuality in the New Film* 18 (1973) ("Women during the war had to draw upon their previously crushed potential. Hollywood responded with a portrayal of them as fully capable of self-support, intelligence and a fighting aspiration to carve out a satisfying mode of life.

a heady aura of suspense to stage the transformation of its central character, Teddy Barnes<sup>32</sup> (Glenn Close), from powerful attorney to powerless woman, resituating her in her "proper" role.

The filmic narrative focuses on the brutal murder of a wealthy newspaper heiress. Her handsome, cultured husband, who would have received significant financial benefit from her death, is the primary suspect and eventual defendant. He seeks representation from the firm who handles his corporate matters and selects a female attorney who has criminal law experience, supposedly on the basis of her background but also for her gender, in order to elicit the jury's sympathy. His trial, and their developing relationship, are the primary concerns of the film.

*Jagged Edge* revolves around the power of men to violently reshape or destroy female identity. In the opening sequence, the peaceful scenic vista of the title—a view of San Francisco in "all its muted, magic-hour beauty,"<sup>33</sup>—is disrupted by the sound of thunder—immediately alerting the viewer that no imagistic plane on which the film functions is fixed. The scene switches to a lonely house atop a jagged edge (the first potential meaning of the film's title), with waves crashing against the shore. Then there is a cut to the inside of the house, and the camera takes the perspective of the killer as he makes his way through the home, visually aligning itself with the misogynist violence about to transpire. In a bed of white, contrasting with the masked intruder dressed all in black, lies a sleeping woman, who awakens as she is straddled by this man. After stylized maneuverings with his knife intended to establish his power, he ties her hands to the headboard, rips open her pajama top, and the film cuts once again to the exterior of the house on the hill as her scream pierces the night. The film chooses to give this man a little privacy in the bedroom so that he can do to her what he pleases, and affords the viewer a little room to imagine what the viewer might do in that situation.<sup>34</sup> The viewer never

---

. . . [W]ere Spencer Tracy to disappear from the world of Amanda-Hepburn in *Adam's Rib* (1949), she might have been lonely and disconsolate, but without question she would have continued her profession.").

<sup>32</sup> This name is a "male" nickname which is never commented upon by any character in *Jagged Edge*, nor does the audience learn if she has a full "female" name. "Teddy" may be another component in her "masquerade" to camouflage her gender identity for the male legal sphere in which she works. But, the power of naming is as elusive as the mask for these filmic female attorneys, and eventually this character is selected for the film's central case on the basis of her sex, and is redefined accordingly.

<sup>33</sup> Sheila Benson, A Gripping Ride in *Jagged Edge*, L.A. Times, Oct. 4, 1985, § 6, at 1.

<sup>34</sup> This identification between spectator and perpetrator is actualized within the context of the film in a discussion between the District Attorney and his investigators after the murder. Musing on the suspect/husband's capacity for this kind of brutality

sees the mutilated body, although there is a quick shot to the white room now covered in red, with the word "bitch" written in blood on the wall above the bed. This woman, identified as Paige Forrester, has been robbed of her identity and of her body; she exists only as the site of violence,<sup>35</sup> and to be renamed "bitch" by a killer who can choose to mask his identity, both from her and from the viewer. Initially, the film protects the killer, and by assuming his point-of-view in the scene, adopts his identity as its own. The alliance of the camera and the killer in *Jagged Edge*'s opening moments offers the viewer an indication of the imagistic language through which this film will articulate its message. Mutilation becomes the image and "bitch" becomes the word through which the female attorney must define herself. *Jagged Edge* allows this killer to set the terms for the viewing and understanding of its female characters.

The power of naming and identity, and eventually of sexuality, remains a male prerogative in this film with the introduction of Teddy, the living woman (as opposed to the dead female victim) at the center of the film.<sup>36</sup> Her identity is challenged by men from the moment she is introduced. In order to persuade her to accept this case, her male mentor at the firm appeals to her on the basis of their long-term relationship and includes a tempting offer of partnership, requiring her to abandon her recreated self as a corporate attorney and return to the criminal world which she deliberately left. The male catalyst for that departure was the unscrupulous District Attorney Thomas Krasny (Peter Coyote), who had a sexual interest in her. In a veiled discussion of some past event involving questionable ethical choices, she asks, "Do you realize how much I admired you?" He responds accusingly, "Never got me anywhere with you, did it? What

---

towards his wife, the D.A. declares, "If I was gonna kill my wife, that's the way I'd do it." Even the District Attorney identifies with, and perhaps admires, the killer and his technique.

<sup>35</sup> This type of character functions as an imagistic realization of the characterization of female identity in a patriarchal culture by scholars such as Andrea Dworkin and Catherine MacKinnon. See Andrea Dworkin, *Intercourse* (1987); Catherine MacKinnon, *Feminism Unmodified: Discourses on Life and Law* (1987). The violence of the film is objected to by Rita Kemply who calls it "commercially packaged abuse." Rita Kemply, *Jagged Edge: Cut and Run*, Wash. Post, Oct. 4, 1985, at 29. For Kemply, the "social irresponsibility" of offering violent crime against women for entertainment is the "jagged edge" of the film's title. This seems to be too simplistic a reading of the moves this film makes, in which the imagistic violence to female identity has little to do with a jagged hunting knife.

<sup>36</sup> It must be remembered that the true center of the film, as in *Suspect* and *Guilty as Sin*, is a female murder victim; the female characters are present only to defend the men accused of their murders. The female attorneys thus serve as "surrogates" for the women who are by definition essential to the plot, but are introduced to the viewer only briefly before they are killed.

about Forrester? Do you like him any better?" It is because she likes Forrester "a lot better" that she is drawn back into a world she despised; a sexual attraction overrides her sense of ethics and judgment in relation to the law she chooses to practice and the kind of attorney she chooses to be. In the framework of the film, it is really the men around her who do the choosing for Teddy Barnes.

This dynamic of power and powerlessness, with Teddy presuming she has autonomy while the men who surround her actually manipulate her like a marionette, is most dramatically realized in the central male-female relationship of the film, that between Teddy and her client, Jack Forrester. One critical foundation of this "professional" relationship, insisted upon by Teddy, is complete honesty. "I'll take this case on one condition," she states. "If you lie to me—if I think you're guilty—I'm going to drop out." Her mentor/boss protests this "unprofessional attitude" but Jack accepts it: "I'm not going to lie to you." Later, when she is discussing this with her trusted investigative assistant Sam Ranson (Robert Loggia), Sam questions the practicality of this standard. She remains resolute; she'll "know" if he's lying. Whether this omniscience is based on legal or feminine intuition is not articulated, but neither of these trainings enables her to decipher the true meanings of his words, to lift the mask of handsome civility which he has chosen to wear but is a step away from the black ski mask he dons to mutilate his victims. The woman is unable to see the hidden evil behind either mask, and in both scenarios the woman's integrity, either mental or physical, is destroyed.

In *Jagged Edge*, the destruction of the central female character's integrity is a direct result of the clash between her sexual identity and her professional responsibility as an attorney. Wooed by horseback riding and racquetball, Teddy eventually has sex with her client. This not only violates the ethical standards of the legal profession but, according to Sam, exposes her to manipulation by her client because "the more you like him, the harder you'll work to beat the rap against him." The morning after their first sexual encounter is right before the opening of the trial, and "pillow talk" is transformed into an opportunity for legal strategy. In the aftermath of lovemaking, she suggests that they "take advantage of the fact that a woman is representing you" by having him carry her things and sit close to her at trial. What she is unaware of at this juncture, though, is that this bedroom scene already establishes the fact that Jack *has* taken advantage of the fact that a woman is representing him, by intensifying her professional allegiance to him by making it sexual as well. This, though, has compromised her legal judgment and efficacy. When she insists, despite indications to the contrary, that Jack is innocent, Sam responds, "Is that your head talking or another part of your anatomy?" Through this sexual exploitation, the film collapses the identity of a female attorney to

merely her anatomy; she can "speak" and be heard by the central male character only through her sexual "lips."<sup>37</sup>

Finally, when confronted with evidence at trial of Jack's extra-marital affair, which suggests a motive for the murder of his wife, Teddy sits shell-shocked and glassy-eyed, unable to compose herself to conduct a cross-examination. At this moment, her sexual possessiveness and propriety has completely overwhelmed her legal ability,<sup>38</sup> she becomes a woman abandoned and hurt, and reacts by wanting to "break up" with Jack, which in legal parlance involves withdrawing from the case and having a mistrial declared. She is refigured as a hysterical woman, one who runs to the venerable male judge, like a little girl running to her father, to escape from the situation in which she has become involved. For this female attorney, sexuality trumps legality yet again.

The final moment of the film officially positions her in the feminine rather than legal sphere. After the trial is completed and they have their victory tryst celebrating his acquittal, Teddy discovers evidence hidden in Jack's home which conclusively links him to the murder of his wife.<sup>39</sup> Realizing that one of his masks has been removed, Jack dons the other and follows Teddy to her home. Once again, the camera assumes the perspective of the killer in a parallel segment to the film's opening. Once again, the killer is dressed all in black and the female victim all in white, sitting in repose, as if waiting for her lover, on an all white bed. As he enters, Teddy states, "I need to see your face, Jack. I could have loved

---

<sup>37</sup> Male silencing of female sexuality and speech is analogized to this collapse into anatomy in the writings of Luce Irigaray:

[H]er sexual organ represents the horror of nothing to see. . . . Women's genitals are simply absent, masked, sewn up inside their "crack." . . . "She" is indefinitely other in herself. This is doubtless why she is said to be whimsical, incomprehensible, agitated, capricious . . . not to mention her language, in which "she" sets off in all directions leaving "him" unable to discern the coherence of any meaning.

Luce Irigaray, *This Sex Which Is Not One*, in *This Sex Which Is Not One* 23, 26-29 (Catherine Porter trans., 1985). Male privilege and female self-alienation in the public sphere of "speech" and "proper meaning," as well as in the private sphere of the bedroom, exclusively define Teddy's identity in such a way that she is no longer able to separate her professional from her personal relationship with her client.

<sup>38</sup> "It's difficult to admire the ethics or logic of a lawyer who goes to bed with her client and then reacts like a child when she thinks he's lying." *Jagged Edge*, *Time*, Oct. 14, 1985, at 14.

<sup>39</sup> The discovery of this evidence occurs when she is changing the bed sheets, another problematic moment as noted by Sheila Benson. See *supra* note 33. Why is this attorney functioning as a maid in her client's mansion, and why upon discovering this inculpatory evidence does she fail to call the police? In a single move, she is robbed of her public persona and placed within the domestic sphere, where she remains for the remainder of the film.

... " She is still unaware that the love she experienced was all artifice, and the face she wants to see is yet another mask which deceived her both sexually and professionally. He lunges at her and she shoots him four times until he is dead. She collapses over the edge of her bed after the final climax—both cinematic and sexual—of the film. The location of the scene in the bedroom replays the initial cinematic alignment of sexuality and violence, but this time the destructive force is in the hands of the woman. This twist could potentially complicate the gendered dynamic thus far established by the film by empowering the female attorney to protect herself from male violence.<sup>40</sup>

However, the film reminds the viewer what identity is being protected: the female. Teddy is no longer a "savvy" attorney<sup>41</sup> but a woman whose identity has been defined and whose fate has been determined in the four walls of her bedroom. At the scene's end, Teddy is escorted from the room by Sam, who arrives soon after with gun drawn, and as they leave, the camera pans to Jack dead on the floor, with his bloated face almost indistinguishable. The camera remains primarily interested in this character, and lingers on this victim of Teddy's final disavowal of the law. She rejects the proper means to protect herself, either by reporting what she had discovered to the District Attorney or the police, and instead "takes the law into her own hands" to wreak her own personal vengeance against this man. What could potentially be realized as an empowering moment for a victimized woman instead reveals the extent of her powerlessness. Her status as an attorney could not protect her from the same fate as the other assaulted females; in the end, she is a woman alone in her bedroom preventing sexual violence, which in many respects has already occurred, albeit in a romanticized version, throughout the narrative of the film.

---

<sup>40</sup> It is important to recognize, even in these highly gender-defined films, the moments which cut against the established cinematic patterns. Judith Mayne argues:

Given classical cinema's obsession with sexual hierarchy, feminist film critics could choose the somewhat obvious task of amassing more and more evidence of women's exclusion and victimization, or they could undertake the more complex and challenging project of examining the contradictions in classical films, that is, what is repressed or unresolved, and potentially threatening to the patriarchal status quo.

Judith Mayne, *Feminist Film Theory and Criticism*, Signs, Autumn 1985, at 86. In these films, though, there is little left unresolved.

<sup>41</sup> Weiss, *supra* note 11, at 5.

#### IV. *SUSPECT*<sup>42</sup>

While *Jagged Edge* develops its characterization of the female attorney through the conventions of suspense, *Suspect* is situated within a different genre. Its title sequence, supported by eerie music interposed with flashes of darkness and light, is a superficial attempt to create the suspenseful mode of the "courtroom drama." However, *Suspect* is more appropriately described as a "woman's picture," a sub-genre<sup>43</sup> which explicitly deconstructs its female protagonist into the categories of "woman" versus "attorney" in ways which *Jagged Edge* only does subversively. "One of the defining generic features of the woman's picture as a textual system is its construction of narratives motivated by female desire and processes of spectator identification governed by female point-of-view."<sup>44</sup> In the narrative structure of the "woman's picture":

[T]he film's resolution depends on the resolution of the particular 'woman-question' set up by its narrative: woman may thus have to be returned to her place so that order is returned to the world. In classic Hollywood cinema, this recuperation manifests itself in a limited number of ways: a woman character may be restored to the family by falling in love, by 'getting her man,' by getting married, or otherwise accepting a 'normative' female role. If not, she may be directly punished for her narrative and social transgression by exclusion, outlawing or even death.<sup>45</sup>

This film follows this anxiety-laden construct of a melodrama to chart the inability of the central female character to "influence the emotional environment [and] change the stifling social milieu"<sup>46</sup> of her gender identity in order to become a satisfied attorney. In this film's moral universe, the light of the legal world dissolves into a darkness, just as its central female character abandons an unsatisfying career to find fulfillment in the arms of a man.<sup>47</sup> *Suspect* is a melodrama in its adherence to the

---

<sup>42</sup> Tri-Star Pictures 1987.

<sup>43</sup> "The 'woman's film' is not a 'pure' genre. It is crossed and informed by a number of other genres or types . . . and finds its point of unification ultimately in the fact of its address." Mary Ann Doane, *The 'Woman's Film': Possession and Address*, in *Home Is Where the Heart Is: Studies in Melodrama and the Woman's Film* 283, 284 (Christine Gledhill ed., 1987).

<sup>44</sup> Annette Kuhn, *Women's Genres: Melodrama, Soap Opera and Theory*, in *Home Is Where the Heart Is*, supra note 43, at 339.

<sup>45</sup> Id. at 34-35.

<sup>46</sup> Thomas Elsaesser, *Tales of Sound and Fury: Observations on the Family Melodrama*, in *Home Is Where the Heart Is*, supra note 43, at 43, 55.

<sup>47</sup> "The deployment of space in the 'woman's film' is motivated rather directly by

genre's conventions, as described by Thomas Elsaesser, which unconsciously attempt to "make time stand still, immobilize life, and fix forever domestic property relations as the model of social life and a bulwark against the more disturbing sides in human nature."<sup>48</sup> In this film, the female protagonist is plagued by solitude, a problem which is resolved in a traditional heterosexual fairy tale ending. In contrast to *Jagged Edge* and *Guilty as Sin*, the transformation of the female attorney is refigured as a positive event, one which requires none of the violence which marks the endings of the other two films. In this way, *Suspect* fulfills the ironic essence of the melodrama: it is a "genuine traged[y], despite, or rather because of the 'happy ending.'"<sup>49</sup>

On the surface, the plot of *Suspect*, written by Eric Roth and directed by Peter Yates, centers on the trial of an indigent man, defended by a female court-appointed attorney, for the murder of a woman who was employed as a secretary on a Congressional staff. Through her defense of her client, and with the assistance of an attractive, ambitious male juror, the attorney uncovers evidence which implicates prominent members of the political and legal communities, including the presiding judge, in the commission of this crime. However, beneath the veneer of a courtroom drama lies the film's true concern: the resituation of the female attorney in her proper, private sphere through the constructs of heterosexual romance. In *Suspect*, the legal plot is reduced to a narrative device to bring the central male and female characters together, with the ultimate goal of female restoration through love.<sup>50</sup>

Dissatisfaction and loneliness are central to the construction of the main female character, Kathleen Riley (Cher). In the first scene in which she appears she is driving to work, trapped by a mechanized routine and isolated from those around her. While stopped in a traffic jam, a brick flies out of nowhere to shatter her windshield, and three young black men open her unlocked car to steal Christmas presents from the passenger seat and rip a locket from around her neck. She gives a brief, futile chase, yelling "that was my mother's" at the backs of the fleeing robbers. She eventually resigns herself to the loss and returns dejectedly to her car, with her appearance slightly disheveled. The previous sea of cars has parted, leaving hers sitting as a lone piece of wreckage. This is the film's introduction of the female attorney, isolated and vulnerable. She has a

---

a fairly strict mapping of gender-differentiated societal spaces onto the films—the woman's place is in the home." Doane, *supra* note 43, at 285.

<sup>48</sup> Elsaesser, *supra* note 46, at 62.

<sup>49</sup> *Id.* at 68.

<sup>50</sup> See Kuhn, *supra* note 44 and corresponding text.



tangible piece of her familial past taken from her and she is powerless to reclaim it.<sup>51</sup> This incident is never referred to in the film, serving no narrative purpose other than to situate Kathleen Riley as a single female in need of male protection, and as a victim of male violence.

This violence characterizes both her personal and professional lives. Kathleen is a "used-up Washington, D.C. public defender,"<sup>52</sup> and not a particularly sympathetic one, since in her initial scene, she is complaining to the assigning judge that "I haven't had a vacation in a year." This assignment, of course, is to the first "suspect" of the film's title. Her first meeting with her client, Carl Wayne Anderson (Liam Neeson), and her first scene as a practicing attorney, is merely a more intimate replay of the first scene of violence on the highway. Unable to complete the holding cell interview because Carl is deaf and dumb (unbeknownst to her), she turns away from him in frustration. In response, he assaults her, from which she needs to be saved by two male security guards. This female attorney is not safe in either the world at large or in her narrower professional sphere.

Lack of safety for Kathleen is equated with loneliness, which in the traditional framework of this film means not having a husband. At the end of a long day, Kathleen—with drink in hand—expresses this frustration to the male mentor who has seen her through similar personal crises:

I don't know what I'm doing anymore. I don't have a life. The last time I went to the movies was like a year ago. The only time I listen to music is in my car. I don't date. I'd like to have a child but I don't even have a boyfriend so how can I have a child? I spend all my time with murderers and rapists and what's really crazy is I like them.<sup>53</sup>

Kathleen is clearly not an '80s girl who can use a turkey baster or sperm bank to fashion the family of her choice; she is waiting for her Prince Charming and fears that he won't be amongst the men with whom she works. However, her vision is too limited; her Prince Charming is

---

<sup>51</sup> Significantly, the locket belonged to her mother. Thus, she experiences a loss because she is female, and also loses a legacy of female strength which might have sustained her.

<sup>52</sup> Ralph Novack, *Suspect*, *Time*, Nov. 9, 1987, at 13.

<sup>53</sup> Susan Faludi characterizes this type of monologue (and this film) as typical of a 1980s trend of "backlash" films, in which women "flee the office and hammer at the homestead door. Their quest is to return to traditional marriage, not challenge its construction; they want to escape the workplace, not remake it." Faludi, *supra* note 31, at 126. However, the central female character here is not attempting to flee of her own volition from her law office; instead, the film's construct expels her on the basis of sexual difference.

amongst her legal contacts: not the men she represents, but instead a juror on the panel to which she argues Carl's case.

From the moment this juror, Eddie Sanger (Dennis Quaid), is introduced, the metamorphosis begins to transform Kathleen from attorney to woman, from unhappy solitude to sexual satisfaction. During voir dire, she asks Eddie to stand and turn, and then asks him if he remembers the color of her hair. While her hair appears black, Eddie answers "brown," which he justifies by saying, "You asked me what color your hair was; I thought you wanted the real color." He is able to read her instantly and accurately. He has just met her and already knows her beauty secrets: he sees the mask of her femininity as she tries to project only her professional persona. This scene establishes the authority of the male gaze as hierarchically superior to the female, a structure which Laura Mulvey feels infects the entire cinematic realm:

In a world ordered by sexual imbalance, pleasure in looking has been split between the active/male and the passive/female. The determining male gaze projects its fantasy onto the female figure, which is styled accordingly. In their traditional exhibitionist role women are simultaneously looked at and displayed, with their appearance coded for strong visual and erotic impact so that they can be said to connote *to-be-looked-at-ness*.<sup>54</sup>

Kathleen is provided as a spectacle for the visual inspection and pleasure of Eddie. She is both an exhibit and an exhibitionist, offering her sexual identity as the technique by which to trap and entrap this man. She fails at the latter, since he recognizes her ploy, but succeeds at the former by styling herself—in dyeing her hair—according to her perception of male desire. She changes her hair color to be more attractive, and allows her body to be the site of the projection of a particular male fantasy. However, she wants to limit the revelation that she is only a constructed fantasy, as she attempts to reestablish the lawyer-juror dynamic by launching into legalese about innocence and the concept of reasonable doubt. But she is too late. This man has looked, and seen her, and it is his gaze that will determine both her identity and the narrative development of the film.

Not only is the "sexual imbalance" of the male voyeur privileged in this scene, but it also serves to establish another important dynamic between these two characters: while Kathleen was attempting to demonstrate the limitations of eye-witness observations and testimony, Eddie gave her one better by "witnessing" something not even detectable to the average "eye." He made her point even more effectively than she had planned. Eddie is

---

<sup>54</sup> Laura Mulvey, *Visual Pleasure and Narrative Cinema*, in *Issues in Feminist Film Criticism* 28, 33 (Patricia Erens ed., 1990).

on his way to becoming a better lawyer than she is, filling the role that she sheds as she becomes more and more "female."

The metamorphosis from attorney to woman is expedited by the unfulfilling nature of her legal role. Kathleen's frustration and dissatisfaction with her career are evident; certainly public defender's offices were not flooded with applications after this film.<sup>55</sup> "I don't think I can do it anymore. You know, I'm tired. I'm really tired. I've even been thinking about going into private practice. I think, what the hell, if I'm going to go crazy, I might as well get paid for it." She is prepared to abdicate her legal responsibilities to a character of questionable realism within the film: a juror with curiosity, connections, and investigative skill. Eddie provides her with a series of clues and legal strategies which draw them closer together and pull her away from her professional ethical code. First, he calls her anonymously to suggest that the left-to-right cut on the victim's neck could not have been made by her left-handed client, a basic forensic analysis which Kathleen should have made on her own. Eddie follows her to the parking lot after this day in court, a confrontation which Kathleen tries to avoid by explaining the prohibition against "tampering" with a member of the jury. He coyly replies, "You haven't tampered with me yet," continuing the sexual sparring which began during *voir dire*.

In their second interaction he lures her to a deserted building to give her a "clue" he found at the murder site. Coincidentally he manages to save her from an attack from another mysterious "suspect," and instead is knifed himself. The scene then switches to an office with Kathleen kneeling to tend to his wound as he sits above her, bare-chested. He leans to touch her face, and kisses her three times on the cheek before she says good night and leaves. The next day, she confesses this indiscretion to her client, who of course can not hear a word she says. While exposing her hidden emotions for the spectator's voyeuristic pleasure, her monologue also serves to weakly remind the viewer that this character is functioning in dual roles. The viewer should not be transfixed by the romantic potential, because there is an entire legal plot which is still unresolved. The introduction of the kiss refocuses the audience's attention to the sexual plot, rather than the legal plot, thus focusing their attention on Kathleen as woman and not on Kathleen as attorney, especially since Eddie is doing all the legal footwork. In the next courtroom scene in which Kathleen appears, she is wearing black leather, a standard cinematic signal of sexual power and prowess, which puts both Eddie and the viewer on notice as to how she would like to be viewed.

---

<sup>55</sup> See Catherine M. Spearnak, *Thanks to Message, Lawyers Forgive Film's Distortions*, L.A. Times, Mar. 9, 1989, at 1.

Kathleen and Eddie then become a team, one "legal" and legitimate and the other illegitimate, but together just the same. Together they break into Department of Justice files after hours; by this time they are on a first-name basis and are clearly formulating strategy. Together they research at a law library, with Eddie retrieving volumes and Kathleen scanning them for relevant information. They meet later at her apartment, where she insists that he leave, but not surprisingly a push becomes a kiss and he leaves when *he* is ready. Unfortunately, the presiding judge noticed them at the library and sequesters the jury, but Eddie manufactures a fake fire to escape unnoticed, and save Kathleen from being killed by the real "suspect."

This chase sequence between Kathleen and the real "suspect" is the pivotal moment in the attorney-to-woman transformation. It takes place in the abandoned holding cells beneath the courthouse, filled with shadows which shield the killer's identity from the viewer. Kathleen runs from the killer through an empty legal world, one absent of meaning for her and one in which she cannot find herself. She is shot throughout this scene from behind the bars; she is figured as a woman in a cage who is unable to escape. However, she survives and is saved by Eddie, the man born to take her away from all this darkness and loneliness.<sup>56</sup> They embrace as the killer flees and the dungeon-like prison is filled with actual security guards; even with these legal authorities present, they do not attempt to hide their illicit relationship. The transformation has made their relationship no longer "illegal," since it is the center of a legal film. At this moment, the imagistic agenda of the "woman's picture" overtakes any cinematic stylings of a courtroom drama; the "law" on which the film turns is one which returns the female attorney to the sphere of heterosexual romance, a place where she wanted to be all along. There is a new justice resurrected beneath the courthouse from the ashes of the old: a justice in which the female attorney wins the man instead of the case.

The "suspect" is no longer central to the narrative sequence. When Kathleen finally and triumphantly announces the true killer, the presiding judge, and embraces her client in victory, Carl remains stiff as a board. He and the film recognize that he is no longer the focus of her emotional or professional energy; the client has merely served as foreplay for the more interesting sexual relationship between the lawyer and the juror. Of course it is the presiding judge who is the guilty party in this film; the average viewer—ignorant of professional legal ethics which bar any communication between attorneys and jurors—already had reason to be suspicious of him since he attempted to keep Kathleen and Eddie apart in service of some

---

<sup>56</sup> See Kuhn, *supra* note 44 and corresponding text.

dubious sense of jury "purity." The viewer learns by the end of the film that any law is worth breaking for the female attorney to win her man; this is the true victory which is extolled by the end of the film.

The concluding moments of *Suspect* complete Kathleen's metamorphosis as she sheds the final dead layer of her legal identity and becomes a complete woman. The final shot is framed by the door of her office; Kathleen is in the center sitting at her desk, wearing that bad-girl black leather jacket. Eddie enters the office at the right of the frame, with Kathleen protesting that she must be in court in an hour. Eddie smirks and closes the door, wondering "What can we do for an hour?" From behind the closed door the viewer hears Kathleen's girlish giggles: she (and the audience) know exactly what they will be doing for the next hour. Then the screen goes black. She has shut out her legal responsibilities and upcoming court appointment in favor of sexual satisfaction, and thus the true plot of the film can come to a conclusion in a way that it could not in the almost anti-climactic penultimate courtroom scene. This story of a lonely female attorney being stalked by a persistent juror with whom she eventually falls in love becomes a romantic resolution of the conflict between the attorney's sexual and professional selves. The film does not begin to question how the central male character is transformed from a threat to her professional credibility to a welcome love interest; instead, it celebrates the consummation of their relationship. Within the traditional "woman's picture" framework adopted by the film *Suspect*, the final giggle speaks volumes about the proper place and potential of a female attorney.

## V. GUILTY AS SIN<sup>57</sup>

None of the subtlety of *Suspect* or *Jagged Edge* is employed at all in the characterizations in *Guilty as Sin*, written by Larry Cohen and directed by Sidney Lumet. As the title of the film indicates, the guilt here is obvious, blatant, profound, and detectable by all except the female attorney, Jennifer Haines (Rebecca DeMornay), who chooses to represent accused wife killer David Greenhill (Don Johnson). The plot of the film—which follows David's trial for murder and Jennifer's varying efforts as his defense attorney as she becomes increasingly convinced of his guilt—is largely exposed by the title; thus, the film's drama revolves around the relationship between these two characters. While not explicitly sexual,<sup>58</sup>

---

<sup>57</sup> Buena Vista Pictures 1993.

<sup>58</sup> "There's no . . . nudity in this film, and biggest surprise of all, Lumet and Cohen have eschewed the predictable sex scene between the two stars. Their film is rather chaste." Joe Baltake, No More Mr. 'Vice' Guy, *Sacramento Bee*, June 4, 1993,

the dynamic is clearly one of gender games; the manipulations which transpire follow the pattern of the prior two films, in which a female attorney is professionally compromised by her sexualized, gendered self. Here, the film is much more explicit in accomplishing the ends on which *Suspect* and *Jagged Edge* were more circumspect: to uproot the female attorney from her grounding in the law and to relocate her in her proper, "natural" identity: woman.

Jennifer is introduced as a woman who apparently has control over both her legal and sexual selves. The film opens at the extortion trial of a mafioso. Jennifer relaxes at the defense table in a flattering dress, her arm slung over the back of her client's chair. She is confident both in her body and in her case. The camera, though, finds its true subject, David, who is sitting in a packed courtroom but is easily noticeable with light hair and a light-colored suit in a sea of black and brown. Jennifer is also light-haired and dressed in light colors; they are visually linked from their first scene, and remain linked until the end of the film. Her sexualized image as an attorney in the film's eye is also her sexualized image in his eye; his leering looks are appreciative both of her appearance and her skill at exonerating a presumably guilty client because of an expired wiretap. In addition, as soon as she wins this case she runs to her boyfriend's office, dark and abandoned since it is already late, and immediately disrobes to "celebrate" the acquittal. Thanks to Jennifer, all the men in her life "get off."

This dynamic of female sexualization and male choice follows the pattern theorized by Mulvey concerning the privileging of the male spectator position.<sup>59</sup> In this film, the eroticization of the central female character also serves to disempower the female spectator:

[T]he female body *is* sexuality, providing the erotic object for the male spectator. . . . The repeated, masochistic scenarios effectively immobilize the female viewer. She is refused pleasure in that imaginary identification which, as Mulvey has shown, repeats for men the experience of the mirror phase. The idealized male screen heroes give back to the male spectator his more perfect mirror self, together with a sense of mastery and control.<sup>60</sup>

In the process of deprofessionalization and gender reification, the female attorney functions as the erotic object for the audience as well as for the characters in the film, particularly her client David. He repeatedly directs the viewer's attention—through suggestive looks, comments, and body

---

(Ticket section), at 16.

<sup>59</sup> See Mulvey, *supra* note 54.

<sup>60</sup> E. Ann Kaplan, *Is the Gaze Male?*, in *Women and Film* 23, 28 (1983).

language—towards her sexual rather than professional attributes, a reminder that a woman can never fully assume the "identity" of an attorney. She will always be at risk of becoming just a female "body," ready to be undressed/unmasked as soon as a man enters to sexualize and naturalize her in her gender role. Their first interaction in her office is filled with this sort of banter, as he woos her into accepting his case with the sheer audacity of his statements. In this film, misogyny is heralded as honesty. As David admits, "I have lived off of women all my life. That's all I'm good at. It's my talent. Getting women to do what I want them to do." The viewer knows, of course, that the "woman" category includes the lawyer to whom he is speaking, who will soon be in his trap. Her hubris is that she forgets her "true" identity. She sees herself as an attorney, not a woman, and thus beyond his manipulative power. She will be punished for this tragic error.

In *Suspect*, the male character was a better attorney than the female attorney; in *Guilty as Sin*, this man is a better "woman," at least in sexually stereotypical terms. He is better dressed, appearing in a variety of expensive suits while Jennifer wears unprofessionally tight and revealing outfits.<sup>61</sup> He is more sexually successful, filling the screen with a parade of devoted lovers while her relationship is characterized by unresolved bickering and is her "weak spot." And of course, he is more oppressed. He complains of being persecuted for his lifestyle which breaks gender norms, including financial dependence on his female companions, just as the film is breaking Jennifer for her forays beyond her gendered female space. In one of the rare moments in which he loses his careful composure, David shouts, "You want to talk about goddamn women as sex objects. What about . . . what about men? What about me? They used me. . . . I have to defend myself and my whole fucking lifestyle. I have to apologize for being me." He allows himself to be objectified by the women he courts, but this pseudo-objectification is a mask of weakness he wears while retaining the power to define both himself and the relationship. In a later scene, with Jennifer beginning to recognize the "truth" behind his

---

<sup>61</sup> Interestingly, of her twenty costume changes in the entire film, sixteen include the same belt and all are worn with the same brown pumps. "Johnson is actually much better served by the movie's wardrobe department, suited up stylishly in Armani everything. Unlike DeMornay who has been inexplicably and inexcusably dressed down in belted bland. And there are those shoes—the woman is forced to wear the same pair of boring beige pumps throughout the entire film. . . . [Until the] climactic struggle finally allowed her to kick off those damned ugly shoes." Rob Salem, *Jagged Edge Without the Edge*, *Toronto Star*, June 4, 1993, at C4. In this way, the film establishes Jennifer's attractiveness as an implicit component of her bodily identity, requiring none of the visual signals which the male character adorns in order to lure his mates.

masquerade, he responds, "Did you know that there's a certain breed of women that always seem to seek out men like me? They think that their money puts them in control. And for a while, I go along with it." He exposes the cinematic myth of female power, and in his skillful manipulation of her in order to ensure his acquittal, restores the patriarchal status quo at Jennifer's expense. However, David himself is also a myth, an evil surrogate for the fantasies of the male spectator to be both desirable and destructive. Once he performs his narrative function he must also be destroyed to restore the simple monogamous heterosexual framework, an "egalitarian" version of the compulsory heterosexuality which Adrienne Rich characterizes as being the particular affliction of women.<sup>62</sup> In this film, all sexuality must be tempered and controlled, whether it be male or female.

Desire and destruction—sexuality and violence—inform and motivate the narrative structure throughout the film. In the film's opening segment, Jennifer finds out about the illegal wiretap, which is the basis for the mafioso's acquittal, from her "male mentor," a trusted friend and father figure. He acquired this information from a secretary he dated, transforming the sexual interaction into an investigative search and seizure. Later in the film, she warns her new client to tame his sexual proclivities while visiting him in a holding cell—a discussion about "falling in love" is presented with both of them framed behind bars. Sexuality confines them both; it is unclear in the shooting of this scene who is in prison and who is not. Finally, in an empty courtroom after the jury has returned deadlocked on his murder charge, David ascends to the witness stand to answer any question she asks:

David:        We've been close, haven't we, Jennifer? Closer than most people fuck.

Jennifer:     Why did you take the gloves off before you killed her?

David:        It felt better. Killing with gloves on would be like fucking with a rubber.

He expresses intimacy and she responds with violence, to which he responds in kind. "Killing" and "fucking" collapse upon each other in this imagistic universe; each provides pleasure to the male actor at the expense of the female object. In some sense, *Guilty as Sin* pays ironic tribute to the work of Andrea Dworkin in its similar characterization of heterosexuality as violence against women: "The normal fuck by a normal man is taken to

---

<sup>62</sup> See Rich, *supra* note 26 and corresponding text.



be an act of invasion and ownership undertaken in a mode of predation: colonializing, forceful (manly) or nearly violent; the sexual act that by its nature makes her his."<sup>63</sup> However, in this film, not even the "fuck" itself is required for male possession to occur; the presence of male sexuality is enough to both desexualize and deprofessionalize a previously successful female attorney.

*Guilty as Sin* must, though, return Jennifer to her proper gendered role. In the final climactic scene, set in her boyfriend's empty office building, Jennifer, having previously vocalized a murderous intent, kills her client in self-defense during a fierce struggle—which will probably make her less marketable as an attorney. The struggle leaves her prone and bleeding next to David's dead body, having consummated this marriage of sex and violence in its inevitable conclusion. The blood on her body marks her reinitiation as a female. She has abandoned her male role as an attorney, in the commission of this possibly illegal act, and broken her hymen to blossom once again into full womanhood. She is rescued from her battered state by her boyfriend, her Prince Charming and the man she should never have neglected in her ambitious desire for the evils of legal work. Before the ambulance/narrative door slams shut and speeds away, she jokes that this was a "tough way to win a case." She has not won a legal case, however, since client-killing is not in the Model Code of Professional Responsibility. Instead, Jennifer has regained her feminine self, entertaining her male companion and the male viewer as she is strapped down to a stretcher. For her, the conflagration of sexuality and violence has burned her, and she will rise from these ashes as a reborn, refeminized version of her former self.

## VI. CONCLUSION

In the final scene of *Guilty as Sin*, the commingled blood of David and Jennifer symbolizes the consummation of their sexualized relationship in a frenzy of violence which destroys him physically and her spiritually. Camille Paglia offers a theoretical underpinning for the creation of such cinematic imagery by naturalizing, as does Andrea Dworkin, the intersection of violence and sexuality:

Sex as a natural rather than social transaction, therefore, really is a kind of drain of male energy by female fullness. Physical and spiritual castration is the danger every man runs in intercourse with a woman. Love is the spell by which he puts

---

<sup>63</sup> Dworkin, *supra* note 35, at 63.

his sexual fear to sleep . . . . For men, sex is a struggle for identity.<sup>64</sup>

What Paglia ignores, though, is that in actuality, for women, sex is a much greater struggle for identity which not only drains their "energy" but their professional efficacy. For women, sexuality has been used cinematically to obliterate any self-chosen identity other than their womanhood, their "masquerade of femininity."<sup>65</sup> If female attorneys are deprived of agency within the context of film, what remains of their identities?—possibly just a blank space on the screen. Sex has been a struggle against identity, and traditional narrative constraints (seen as intuitive by Paglia) have forced women out of the courtroom and back into the bedroom: all three films end with the female attorney figures disempowered and sexualized, either having sex (*Suspect*), in a bedroom (*Jagged Edge*), or strapped to a bed (*Guilty as Sin*). These characters are not allowed to escape from a cyclical pattern of sexualized gender stereotypes.

The selection of these three films for analytic discussion is not to suggest that they represent the only depictions of female attorneys on the silver screen. Instead, these films are unique in their exploration of the private as well as professional domains of their central female characters, particularly their sexual relationships with the men in their lives. Other films which female attorneys dominate do not articulate a similar sexual concern. *The Accused*,<sup>66</sup> for example, portrays the professional decisions of a female public prosecutor (Kelly McGillis) as she struggles to convict the men who participated in and cheered on the gang rape of a sexually provocative young woman (Jodie Foster); there is no depiction of that attorney's current sexual choices.

In certain films, this cinematic disavowal of the female attorney's sexual side requires a narrative device to consciously remove that dynamic from the context of the film. In *A Few Good Men*,<sup>67</sup> the two marquee stars, Tom Cruise and Demi Moore, work as defense co-counsel in a military proceeding. The film teases the viewer with romantic possibilities in the casting of these two actors, but at the film's end these spectatorial

---

<sup>64</sup> Camille Paglia, *Sexual Personae: Art and Decadence from Nefertiti to Emily Dickinson* 13-14 (1990).

<sup>65</sup> The cinematic conflict between sexuality and identity is even more problematic when superimposed over the arena of identity politics as theorized by Judith Butler, in which a person "is invariably constructed in and through the deed" of one's political acts and gendered affiliations. Judith P. Butler, *Gender Trouble: Feminism and the Subversion of Identity* 142 (1990).

<sup>66</sup> Paramount Pictures 1988.

<sup>67</sup> Columbia Pictures 1992.

desires remain unfulfilled. Similarly, in *The Pelican Brief*,<sup>68</sup> one in a line of John Grisham novels which have been adapted for the screen,<sup>69</sup> the intimate textual relationship between the law student and reporter who join forces to uncover high-level government corruption is made chaste in the casting of an African-American actor (Denzel Washington) to play the role of the reporter. Through its intention to focus on the professional legal efforts of the law student (Julia Roberts), *The Pelican Brief* learns the lesson of the earlier films, *Jagged Edge*, *Suspect*, and *Guilty as Sin*: images of a sexually active and professionally effective female attorney cannot coexist. The film must choose one or the other.

There is a fourth film to add to this list, which breaks the patterns established by the first three in new and disturbing ways. In *Presumed Innocent*,<sup>70</sup> a 1990 film based on the novel by Scott Turow and directed by Alan J. Pakula, the previously separate identities of "female victim" and "female attorney" are collapsed; the murder victim is the attorney, and she is dead before the filmic narrative begins. In this film, the destruction of identity of the female attorney is complete and irreversible. In further contrast to the earlier films, the violence against the professional and sexual identities of the female attorney is waged by the hand of a superficially supportive but inwardly jealous wife. Women become the agents of their own demise, and are the tools of the cinematic resituation of the woman in the private, domesticated sphere.

In *Presumed Innocent*, although the female attorney, Carolyn Polhemus (Greta Scacchi), is violently murdered before the narrative begins, she remains a sexualized presence throughout. In the moral framework of this film, it is her sexuality which caused the violence: "the lady was bad news." Almost every male character in the film had a sexual relationship with this ambitious and talented attorney: District Attorney Raymond Horgan (Brian Dennehey); the Assistant District Attorney assigned to investigate her murder, Rusty Sabich (Harrison Ford); and the judge presiding over this case (Paul Winfield). All cinematic images of Carolyn are in the past, and with the exception of the child abuse case are the hazy sexual recollections of Rusty.<sup>71</sup> Through his investigation he recalls

---

<sup>68</sup> Warner Brothers 1993.

<sup>69</sup> See, e.g., Janet Maslin, Presenting Nancy Drew for the '90s, N.Y. Times, Dec. 17, 1993, at C1.

<sup>70</sup> Warner Brothers 1990.

<sup>71</sup> In order to link the two central characters, Carolyn and Rusty, Turow chooses to have them work together on a case, in which a five-year-old boy was abused by his mother. Although Rusty delivers a powerful summation, it is Carolyn's skillful direct examination of the boy which clinches the case. This entire episode freezes the narrative sequence to focus, not in a moment of "erotic contemplation" as proposed by

images of their affair, first of desire and then of rejection, with the entire relationship controlled by her. She is sexually powerful, and performs the "physical and spiritual castration" which Paglia claims all men fear. For this power, as with all other filmic female attorneys, she is punished.

The twist of this film, though, is that Carolyn is not killed by a man, but by a woman, Rusty's betrayed wife, who uses violence to restore domestic heterosexual harmony. In a chilling moment at the film's end, Rusty's wife Barbara (Bonnie Bedelia) confesses her crime in a third-person monotone monologue, removing herself from an arena of male violence which she had momentarily claimed for herself:

You understand what happened had to happen. It couldn't have turned out any other way. A woman's depressed with herself, with life, with her husband who had made life possible for her until he was bewitched by another woman. He destroyed her. Abandoned, like someone left for dead . . . [but then] the destroyer is destroyed . . . She feels power, control, the sense that she's guided by a force beyond herself. . . . And life begins again.

In this film, women appear to control both sexuality and violence, but this control is illusory, locating one in a twisted version of domestic bliss and the other in an early grave.<sup>72</sup>

The tenuous connection between women and power, through either sexuality or violence, points to another similarity which links these four films: women as destroyers or as "femmes fatales." In *Suspect*, a judge's career is ruined; in *Jagged Edge* and *Guilty as Sin*, the murderous client is killed. Despite their legal disempowerment, the women in these films do at least survive the narratives in which they appear, while the central male figures do not. This image of the femme fatale exposes intrinsic cinematic problems concerning the sexual separation of male and female. "The femme fatale is a clear indication of the extent of the fears and anxieties prompted by the shifts in the understanding of sexual difference,"<sup>73</sup> and

---

Laura Mulvey, but in an episode of professional success. The film reminds the viewer of the talent (and "womanly" compassion for children) obliterated by female choice of sexual autonomy and power.

<sup>72</sup> There is one aspect of the film which appears to conflict with this gendered resolution. After the case against Rusty for Carolyn's murder is dismissed, Barbara is finally able to finish her doctoral dissertation and commence her academic career; seemingly, her "masquerade" of femininity has allowed her to disguise her claim to the male province of sexual violence and of professionalism. However, the film's penultimate scene resituates her in the domestic sphere. She sits at their dining room table and confesses her crime, giving her husband the power to both decide her fate and that of their family. He chooses, as do the other three films, to keep her secret and thus keep his wife at home.

<sup>73</sup> Mary Ann Doane, *Femmes Fatales: Feminism, Film Theory, Psychoanalysis*

as these films indicate, violence against her identity, if not her person, is necessary to relocate the female attorney within her proper sphere.

[T]he femme fatale is situated as evil and is frequently punished or killed. Her textual eradication involves a desperate reassertion of control on the part of the threatened male subject. Hence, it would be a mistake to see her as some kind of heroine of modernity. She is not the subject of feminism but a symptom of male fears about feminism.<sup>74</sup>

The female attorneys of *Suspect*, *Jagged Edge*, *Guilty as Sin*, and *Presumed Innocent* are not the role models for a new generation of emerging female law students and lawyers; they are a shadow of our worst nightmares. They are the imagistic manifestation of the demise of feminism, cinematic proof that women attorneys cannot have both professional and personal lives.<sup>75</sup>

Women must move beyond this immobilizing imagery, for fear of fulfilling the destinies it sets before us in our own (to borrow from Robert C. Post) legal "performance."<sup>76</sup> In her exploration of the possibilities for female spectatorship, E. Ann Kaplan queries:

[T]he important question remains: when women are in the dominant position, are they in the masculine position? Can we envisage a female dominant position that would differ qualitatively from the male form of dominance? Or is there merely the possibility for both genders to occupy the positions we know now as masculine and feminine?<sup>77</sup>

Can we now envisage a world, either in image or in reality, in which women can simultaneously occupy personal and professional spheres, a world in which the concept "woman lawyer" is not effectively an oxymoron? This vision lies within our imaginative reach and practical grasp, by both transforming a social structure which denies women the tools necessary to be successful professionally—including bias-free classrooms, harassment-free workplaces, child care, and family leave—and a legal

---

1-2 (1991).

<sup>74</sup> Id. at 2.

<sup>75</sup> The aborted confirmation attempts of Zoe Baird and Kimba Wood for Attorney General are real-life examples of this conflict. Only an unmarried, childless woman like Janet Reno could finally ascend to this apex of legal prominence, without the personal complications of children and child-care workers to interfere with her professional success.

<sup>76</sup> Robert C. Post, *On the Popular Image of the Lawyer: Reflections in a Dark Glass*, 75 Cal. L. Rev. 379, 388 (1987).

<sup>77</sup> Kaplan, *supra* note 60, at 318.

structure which remains patriarchal in theory if not in practice. Despite Friedman's theory of "legal culture" in which images of law affect its practice, women may be required to transform the practice of law and the conduct of their professional and personal lives before traditional cinema recognizes and respects them as women *and* as attorneys.

Through the transformation of the socio-professional sphere in which women attorneys work, we will be able to subvert the effect of such films as *Jagged Edge*, *Suspect*, *Guilty as Sin*, and *Presumed Innocent*. Women can recreate the image of the filmic female attorney, and utilize the position of the spectator to engage in a different, feminist interpretive process than that offered to them by dominant Hollywood cinema.

[T]he spectator's reading of the film (including interpretive and affective responses, cognitive and emotional strategies) is mediated by her existence in, and experience of, a particular universe of social discourses and practices in daily life. Thus, for instance, feminist criticism has shown that readings emerging out of a politically radical or oppositional consciousness can significantly alter the interpretation and the effects of filmic representation . . . and may contribute to changing the social meanings and finally the codes of representation themselves.<sup>78</sup>

This Article, echoing the sentiment articulated by de Lauretis, hopes to be a contribution to the feminist process of revisiting and revising the images of female attorneys in film.

---

<sup>78</sup> Teresa de Lauretis, *Technologies of Gender: Essays on Theory, Film, and Fiction* 96 (1987).