

# ***My Days of Mercy and In Between:* Echoing Changes in Cinematic Representations of Women Lawyers**

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*The booming of Law and Popular Culture has been marked by an unprecedented production and consumption of a voluminous literature examining a wide range of legal themes in movies and TV series on both sides of the Atlantic, the UK and the US. The enthusiastic proponents of the field have been focusing mainly on examining issues of justice, plot, and lead characters in the role of lawyers. Partly, this literature draws parallels between cinematic representations of lawyers and real-life lawyers. Almost indiscriminately, this work focuses mainly on a critical analysis and investigation of cinematic representations of male lawyers, rendering women lawyers' cinematic portrayals largely unexplored on both sides of the Atlantic. Middle Eastern women lawyers' celluloid representations are even more limited, functioning as a constant reminder of this ever-present absence. This paper seeks to address this absence by examining a relatively small sample of films from both the Anglo-American and Middle Eastern cinematic traditions. It puts forward the suggestion that despite differences characterising the relevant cinematic traditions, cinematic representations of women lawyers remain largely similar.*

**Keywords:** *Women Lawyers in Film, Gender, Femininities, Law and Popular Culture, Law in Film, Middle East.*

## **Introduction**

Methodologically speaking, the example used from the Middle Eastern tradition is the recent, internationally acclaimed Israeli/Palestinian movie “In Between” (2016). The reason for the deployment of the specific movie is that it constitutes a rare example of cinematic representations of a female lead character as a lawyer, in the Middle Eastern tradition. The example used from the Anglo-American tradition is the movie “My Days of Mercy” (2017) serves an entirely different purpose. Methodologically speaking, the deployment of My Days of Mercy builds on the core suggestion of the paper by bringing forward the similarities between opposing sides while focusing on the life of the female protagonist lawyer. This paper is divided in three parts. The first part locates and traces the transition to the portrayals of women lawyers on screen from being constructed in a negative to a more positive light through striking a balance between professional and personal life whilst undergoing a transformation themselves. The second part of the paper situates the protagonist role of the

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woman lawyer in the movie “In Between” within an exploration of the pleasure-seeking attitude exhibited in the film. This accords to the organisational literature of the legal profession in the UK and the US exposing the new “ethics of aesthetics” of the legal profession. The third part of the paper reimagines the relationship between fictitious representations of women lawyers to real life women lawyers. In revisiting its main suggestion this paper concludes that irrespectively of the superficial differences and takes, cinematic representations of women lawyers in the East and West remain largely similar and closer to real life representations of women lawyers than ever before.

### **De-traditionalised Versions of Women Lawyers in both Cinematic Traditions**

In addressing the similarities between the two traditions with illustrating examples, *My Days of Mercy* and *In Between* narrate a story of professional and personal metamorphosis deriving from a relationship with an individual who challenges their perception of the law. From this perspective, *My Days of Mercy* and *In Between* manage to depart from the traditional cinematic representations of women lawyers by examining not just their professional but also personal lives and the way the latter challenges the former through reconstructing gender relations.

More specifically, in each of these films the heroine's gender permits a special relationship to form without sacrificing her professional identity. Even more importantly, the heroine's gender is performed through her professional identity as attributes of more compassionate lawyering and more empathic stance deriving from the special relationship the heroine forms with another individual. *My Days of Mercy* focuses more on the difficulties experienced by the family of a man accused of murdering his wife and as a result being sentenced to death. *My Days of Mercy* focuses on the personal lives of one of the daughters, actively demonstrating against the death sentence imposed on her father and a criminal lawyer, prosecutor, who is pro capital punishment. The two protagonists fall in love with each other across the battle lines as they regularly see each other at demonstrations around the country. The prosecutor is played as a cool, impersonal, competitive professional, who eventually learns a lesson in empathy and compassion from the individual she gets romantically involved with. In the beginning, she relates to her partner to be, from an almost adversarial posture, interrogating her in the guise of educating her about her pro capital views. Mercy, the prosecutor, has seemingly a wry authority over an admirably chippy Lucy. Mercy's career activism is constantly challenged by Lucy's older sister with punch lines such as: “How was your pro boning?” Although this film is not perfect in its depiction of the struggle for justice the defaults and cogs of the US Criminal Justice system, its female lawyer's professionalism is not undermined by her sex; on the contrary, because she is a woman she is ultimately more empathic. This change, which signifies a change in the cinematic portrayals of women lawyers is not depicted as a weakness, but rather as a strength as a heroic moment. Her transformation through her increasing connection and

sensitivity to the opposing side is visual. Her appearance loosens up, she dresses more informally, she warms in speech and manner to views that fundamentally go against her personal views and beliefs. Her professional identity has become more compassionate and empathic. *My Days of Mercy* is a movie about the relationship of lawyers to the law, where a woman lawyer embraces issues that concern the treatment of women by the legal system and more specifically the Criminal Justice system and has the strength to seriously question her own personal and professional beliefs.

*In Between* concerns another transformation of a criminal defence woman lawyer that relates more to the emphatic popular culture argument of hero/heroine. *In Between* narrates the story of three Palestinian women flat sharing in Tel Aviv, Israel. They are a criminal defence lawyer and a very liberal Muslim, a Computer science student and a conservative Muslim and a very liberal lesbian Orthodox Christian, who is a DJ. Leyla, the criminal defence lawyer comes across as having a combination of feminine and masculine characteristics as a criminal defence lawyer. The legal scenes are very limited; it is more like a shaping of the character of the lawyer protagonist. Nevertheless, the heroic moments are countless in the movie, as Leyla develops a special relationship with one of her flatmates, who becomes a rape victim by her fiancée, also a conservative Muslim. It seems like Leyla starts thinking and acting as a prosecutor rather than a criminal defence lawyer or in other words, puts herself in the victim's shoes. From this perspective, she undergoes a professional transformation. It feels like Leyla, while advising her flatmate who has been raped by her fiancée takes the law in her hands and she manages to achieve justice for the rape victim, her flatmate, without even going to trial. Another scene exemplifying Leyla's role in the movie is a scene resembling the Civil law jurisdictions taking place outside the Court and talking to the other councillor, her male, Jewish opponent. The scene involves harsh and very masculine talk by Leyla on the case, outside the Court House. There is the feeling that there has been something going on between the two as the scene is quite flirtatious and the impression that is created to the audience is that the two must have gone out together in the past. Despite their imperfections, however, these modern women lawyers project a positive image largely because they have conceded professional skills that they know how to use in the male dominated legal world. Moreover, they value, or learn to value, a personal morality that invades the terrain of professional conduct. At the conclusion of each film, the personal self has eroded rigid professional role definitions. This seems to depart from the negativity cinematic representations of women lawyers are usually framed in.

For example, Christine Corcos suggests that this negativity is primarily because women are being compared to men and the male lawyers are afforded more opportunities to be seen as heroes.<sup>1</sup> Corcos writes that popular culture is now saturated with female lawyer characters so they "are no longer rare, but their image on film and television has become to a large degree stereotypical."<sup>2</sup>

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<sup>1</sup>Corcos (2003) at 203.

<sup>2</sup>Corcos (2003) at 204.

According to Corcos, the stereotypical popular culture image of a female lawyer is a woman who lacks opportunity and power; is less masterful at the law than her male counterpart; and is unable to maintain a healthy romantic relationship.<sup>3</sup> Most legal dramas depict strong male heroes who “achieve our admiration by remaining true to admirable principles (morality), even if by doing so they forego political or legal power.”<sup>4</sup> Corcos surveys leading female lawyers in popular culture and determines they “cannot achieve heroism in the same way that male attorneys [ . . . ] can, even if she does exactly the same things.”<sup>5</sup> Most female characters Corcos examine resort to traditional male roles, abandoning typical feminine characteristics, and some even turn to violence as a remedy.<sup>6</sup> Corcos persuasively argues that: “for the woman to ‘win’, professionally, she must give up any achievements in her personal life; otherwise the balance of things is upset.”<sup>7</sup> The woman’s attitude is ‘let the man win’ because women lawyers who try to match their male counterparts are often attacked for being disingenuous.<sup>8</sup> On-screen female lawyers cannot win because even when they adapt to be more like the male lawyers we see in films and television, they are viewed differently: as “bucking the system,” as unwilling to be team players, or as unable to understand how to play the game.<sup>9</sup> “Because of the nature of society in general, women lawyers can never be as successful or as happy as men, nor can they be heroes in the traditional sense. In all of the films and shows Corcos analyses, “the woman’s legal career is seen as such an aberration that personal failure is not only predictable but necessary to right the imbalance that the entrance of females into the legal profession creates.”<sup>10</sup> Corcos notes how women are marginalised as lawyers because they are not the managing partners, but rather the lower-salaried lawyers<sup>11</sup> and they are not the ones winning the cases, because a man at the firm will come around and save the day.<sup>12</sup> Generally, Corcos does not believe we have escaped the negativity surrounding on-screen female lawyers. The negative images of female lawyers are not contributing to the success of either gender because they merely reinforce unfair stereotypes and cynicism.<sup>13</sup> Marek notes that female scholars have concluded that women lawyers are portrayed negatively on television. Marek states: “despite the huge increase in the number of women lawyers in the past three decades, there is still a great disparity between the opportunities for, and experiences of male and female attorneys.”<sup>14</sup> Marek also recognises that this disparity remains a reason for popular culture continuing to illustrate the inequality between the genders.<sup>15</sup> Quoting Shapiro, Marek states,

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<sup>3</sup>Corcos (2003) at 205.

<sup>4</sup>Corcos (2003) at 206.

<sup>5</sup>Corcos (2003) at 207.

<sup>6</sup>Corcos (2003) at 208.

<sup>7</sup>Corcos (2003) at 210.

<sup>8</sup>Corcos (2003) at 211.

<sup>9</sup>Corcos (2003) at 213.

<sup>10</sup>Corcos (2003) at 216.

<sup>11</sup>Corcos (2003) at 217.

<sup>12</sup>Corcos (2003) at 218.

<sup>13</sup>Corcos (2003) at 220.

<sup>14</sup>Marek (2004) at 223.

<sup>15</sup>Marek (2004) at 224.

“after all, television’s and film’s ability to shape our view of the world in general, and the legal system in particular, makes it a powerful force [. . .] The visual image plays a central role [. . .] in maintaining the status quo.”<sup>16</sup> Marek establishes criteria for determining if the female lawyers on television and film are providing a new image for women lawyers. Her criteria are:

- (1)do the women seem fulfilled or do they struggle with balance between personal and professional lives;
- (2)are the women perceived as competent lawyers;
- (3)is physical appearance key to success; and
- (4)do the women seem happy and well-liked by others.<sup>17</sup>

Marek believes that more recent representations of women lawyers on the screen are overall positive role models.<sup>18</sup> Marek notes when comparing leading women lawyers to the leading men, the women lawyers fare better than their male counterparts.<sup>19</sup> Marek appreciates the shift in portrayal of the male and female characters.<sup>20</sup> Marek stresses the importance of finding a proper work-life balance and she believes that representations of female lawyers are reflective of society’s desire for that balance. Marek is willing to see the positive in the portrayal of female lawyers on television. She recognises that recent representations of women lawyers in films portray women lawyers in a new light as successful professionals, which is a positive thing for both sexes.”<sup>21</sup> It is suggested that *My Days of Mercy* and *In Between*, constitute evidence in the quest and search for positive cinematic portrayals of women lawyers, even from different cinematic traditions.

### **Constructing Gender as a Pleasure-Seeking Attitude**

The cinematic representations of women lawyers in recent films and more specifically in the movie *In Between* treat issues of gender in a variety of ways and addresses gender issues in a way that reflects the changes in the composition of the legal profession. The presence of women lawyers in the legal profession is now abundantly clear. From this perspective, the cinematic project reflects the growing presence of women in the profession and the changes in the profession’s composition.<sup>22</sup>

The way gender is portrayed in the cinematic project, exposes hierarchies within legal practice and the working environment. For instance, the literature on large law firms reveals issues of gender by exposing the hierarchies within the

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<sup>16</sup>Marek (2004) at 225.

<sup>17</sup>Marek (2004) at 228.

<sup>18</sup>Marek (2004) at 230.

<sup>19</sup>Marek (2004) at 233.

<sup>20</sup>Marek (2004) at 234.

<sup>21</sup>Marek (2004) at 235.

<sup>22</sup>This point is fairly well documented in the feminist accounts of the legal profession. See by way of example Skordaki (1996) See also Sommerlad (1994); McGlynn (1998) and Sommerlad (2002). On the same issue see also Sommerlad, Duff & Tomlinson (2010).

firm. The majority of those in senior positions in large law firms are men, something confirmed by studies of the profession which report that, despite some progress, women remain underrepresented in the upper echelons of the profession.<sup>23</sup> This image of large firms is at variance with the picture painted in the cinematic project on large law firms that suggests that women are better represented in higher positions, something again confirmed by studies of the profession. However, this partly conceals the true picture as the studies report that the majority of women lawyers in those firms often find themselves in less prestigious positions or areas of the law than men.

The overall impression created by the cinematic project on women lawyers is that the legal working environment is mixed in terms of gender representations. These representations of gender assume different forms. They depict female and male lawyers in mixed groups, portraying the mixed nature of legal employment. These images also signal team working, which constitutes one of the key requirements of legal practice. They emphasise the increasing sociality required by the nature of legal work, where the aims are to make and maintain contacts, to network, and to socialise. Nevertheless, it is usual to find portrayals of women lawyers appearing alone, signalling the individual and at times isolating nature of legal work. Images of female lawyers working into the night are not uncommon, signalling the long hour's culture and the demanding legal practice. At times, the cinematic project portrays women lawyers struggling to achieve the work-life balance, which constitutes a constant reminder of the studious nature of the legal employment. This, as Moran suggests, entails the function of image as a narrative, which promotes the reduction of law to the word.<sup>24</sup> Depictions of female lawyers outside are common, corresponding to the overall tendency of the use of space by law firms and chambers. On other occasions, portrayals of women lawyers emphasise the playful nature of work.

The cinematic project and especially the movies *My Days of Mercy* and *In Between* suggest a kind of departure from traditional representations towards more de-traditionalised aspects of gender. At times, these references are direct, portraying an attempt to spice up the nature of work. At times, they are more subtle; for instance, certain scenes in both movies imply more relaxed situations either in or out of the office, emphasising not just heterosexual but also homosexual even homoerotic encounters. In the attempt to stress the playful atmosphere of the workplace, there are attempts suggesting different possibilities. From this perspective, the cinematic project of women lawyers exposes more de-traditionalised versions of femininity by revealing a flirtatious side to legal practice. This points to the suggestion made by more recent feminist accounts that flirting can be used as a strategy by women lawyers to adapt to the working environment,<sup>25</sup> although according to Sommerlad, flirting is a product of pressure rather than a voluntary strategy adopted by women lawyers, as the cinematic project of women lawyers suggests.<sup>26</sup>

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<sup>23</sup>See also McGlynn (2003a) at 139-148 and also McGlynn (2003b) at 159-174.

<sup>24</sup>See the discussion in Moran (2011) at 79-91.

<sup>25</sup>Sommerlad (2007) at 214.

<sup>26</sup>See Sommerlad (2007) at 214.

De-traditionalised images of gender are negotiated in the cinematic project of women lawyers through the persistence of the importance of looks which, with appearance, have always been associated with the organisational context of employment. This is emphasised even more in the corporate sector of big law firms. Francis and Sommerlad comment that some of the characters resemble those of the covers of magazines and portfolios in model agencies.<sup>27</sup> This is acknowledged by Collier in the context of corporate legal employment by emphasising the importance of grooming.<sup>28</sup> This is reminiscent of McRobbie's argument associating the importance which glamour plays in the formation of new femininities in advertising with gender issues, giving the impression of a drama taking place featuring glamorous characters.<sup>29</sup> McRobbie also suggests that new femininities are constructed through emphasis on pleasure, creating the impression that there is a break from traditional gender representations by portraying active, lustful, pleasure seeking and confident women.<sup>30</sup> This also emphasises the fact that consumption produces new formations of gender within legal employment. This could be subject to two different interpretations. It could emphasise what the feminist accounts have always termed *pressure to look the part*<sup>31</sup> which reinforces the heterosexual imagery within the context of legal employment. Alternatively, it could emphasise what is commonly known in gay literature as *passing*. Passing, Skeggs argues, could refer to women using aspects of cultural capital, which also refers to issues of image and appearance to modify notions of femininity in order to pass as heterosexual.<sup>32</sup> The point here is that although the images of gender in the cinematic project of women lawyers potentially abides to what has been termed within the overall context of legal employment as acceptable, heterosexual behaviour, they could also potentially be suggestive of issues of homosexuality.

## Real and Fictitious Women Lawyers

*My Days of Mercy* and *In Between* portray a highly consumer-based and aestheticised almost hedonistic approach to the everyday mundane to a woman lawyer's lifestyle. Both movies are crammed with scenes of drinking, going out, going clubbing especially in *In Between*. This accords to recent claims of the aestheticisation of the legal profession and with it echoes the existence of a more aestheticised professionalism<sup>33</sup>. In questioning the term professionalism, Kritzer<sup>34</sup> and Paterson each suggest that professionalism is being reshaped and that is evidenced through the assertion that is 'does not exist in isolation.'<sup>35</sup> The claim

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<sup>27</sup>Francis & Sommerlad (2009).

<sup>28</sup>Collier (2005)

<sup>29</sup>McRobbie (2000) at 210.

<sup>30</sup>See McRobbie (2000) at 210 and also McRobbie (2001b).

<sup>31</sup>This is also extensively discussed in the feminist accounts of the legal profession. Sommerlad (2002) at 217.

<sup>32</sup>Skeggs (1997).

<sup>33</sup>Chronopoulou (2014a).

<sup>34</sup>Kritzer (1999).

<sup>35</sup>Hanlon (1999) at 3.

that there is evidence of neo-tribal sociality in law is nothing more than re-assertion of the view that professionalism is a 'socially constructed notion.'<sup>36</sup> Thus, as Hanlon suggests 'professionalism is a product of the dialectic relationship with its environment.'<sup>37</sup> As an aestheticised form of sociality, neo-tribalism reaffirms the shift in the sociality of the legal profession towards a more aestheticised professionalism. Kritzer links the use of the term post professionalism to the wider changes in legal professionalism.<sup>38</sup> The re-shaping of professionalism is due to the inextricable link between production and consumption, and Kritzer sees this relationship in the same way as others who have studied the profession; he conceptualises consumption only in relation to clients as consumers.<sup>39</sup> This reinforces the importance of a consumer-based lifestyle and consumption itself. The changes in the profession reflect the interweaving nature of production with consumption, and regard lawyers as consumers as well as producers.

The renegotiation of legal professionalism towards a more aestheticised professionalism is inextricably linked with consumer-based lifestyles, which is suggestive of the neo-tribalism of the legal professionalism. This could be associated with the quality of care for the clients/consumers, which eventually results in the aestheticisation of business life, social relations, and the production of legal services through the promotion of a business-like image saturated with consumption. According to Featherstone,<sup>40</sup> the aestheticisation of business life takes its form and shape through presentation of business premises, which makes it part of the promotion of the business as well as professional image. This is an aspect of the aestheticisation of legal professionalism which is promoted as a sophisticated paradigm shift. It entails careful management strategies by firms and chambers with the ultimate purpose of safeguarding their interests and promoting and reflecting professional attitudes. As Kritzer suggests, consumers' attitudes have transformed legal practice.<sup>41</sup> This accords with Featherstone's argument about the aestheticisation of business life as a result of the rise in consumer culture. In *Consumer Culture*, Lury summarises her position on the aestheticisation of life by suggesting that 'the process of aestheticisation is what best defines the consumer culture'<sup>42</sup> and material culture.

The aestheticisation of legal professionalism through consumer-based lifestyles points to more changes in legal professionalism and the negotiation of professional values through consumer-based lifestyles. This highlights another issue; professional values are negotiated through neo-tribal sociality, and this indicates the negotiation of professionalism through an insight into lawyers' personal lifestyles and the degree to which legal professionalism can influence their personal consumer-based lifestyles and vice-versa. In the movie *In Between*, clubbing constitutes an aesthetic strategy of consumption. In drawing parallels with reality, clubbing also constitutes an integrated part of lawyers' personal

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<sup>36</sup>See Skeggs (1997) at 138.

<sup>37</sup>See Chronopoulou (2014a).

<sup>38</sup>See Skeggs (1997).

<sup>39</sup>See Skeggs (1997).

<sup>40</sup>Featherstone (1991) at 95.

<sup>41</sup>See Skeggs (1997) at 715, 725.

<sup>42</sup>Lury (1999) at 4.

lifestyles. In disseminating the findings of my doctrinal research, the interviews revealed that professional core values are being renegotiated through the consumption of clubbing. This amounts to an aestheticised and therefore changed legal professionalism because it views lawyers as consumers. It also reflects the movement from the producers' *tribe* to the consumers' *tribe* by taking into consideration consumer-based aspects of lawyers' lifestyles. If there is one point that makes *In Between* to stand out as a movie is the very fact that the legal professionalism and this constitutes the first time this is ever portrayed in a movie seems to be negotiated through the neo-tribalism of clubbing.

Most studies tend to link professionalism and its core values with lifestyles issues,<sup>43</sup> but in general these are limited to family obligations.<sup>44</sup> The incorporation of consumer-based lifestyles such as clubbing departs from the focus on traditional lifestyles. This suggests a move away from traditional patterns of consumption and socialising practices, which hitherto distinguished the 'respectable from the unenlightened.'<sup>45</sup> The new form of professionalism uses what had once been seen as devalued forms of consumption in affirming respectability. The new aestheticised professionalism is based upon common associations, communicated through re-emergent forms of consumptions suggestive of a nomadic and postmodern profession.<sup>46</sup> The move away from traditional aspects of consuming and socialisation practices suggests that the notions of responsibility, reputation and commitment are now being renegotiated through participation in more hedonistic practices of consumption, which in turn is suggestive of transformations as well as transgressions of aspects of professionalism. The fact that core values of legal professionalism are negotiated through the consumption of clubbing constitutes another challenge to the Maffesolian theory of neo-tribal sociality. Maffesoli's argument concentrates mainly on the importance of identifications over that of identities and largely ignores the essential characteristics of identities. Being a member of a *tribe* entails certain identifications which, in the legal profession, entail elements of reputation through demonstrable commitment and responsibility. The interviews suggested that identification with clubbing raises concerns with respect to these identifications. Some practices popularly associated with clubbing, principally drug consumption, constitute transgression of core values of legal professional identity and professional reputation. This also exposes certain conservatisms of the legal profession that the Maffesolian theory of neo-tribal sociality tends to ignore. It partially invalidates the Maffesolian argument, while validating the one fundamental notion of neo-tribal sociality, the use of masks. Maffesoli argues that neo-tribal sociality suggests that the individual wears many masks according to the nature of the *tribe* in which he or she participates, and that these masks can be easily discarded.<sup>47</sup> One of the issues that *In Between* makes clear is that the protagonist Leyla displays great ease in which she acquires tribal membership to a number of neo-tribes, from lawyers to clubbers etc. Similarly, the

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<sup>43</sup>Hanlon (1997) at 798.

<sup>44</sup>As explained, this position is mostly associated with feminist research.

<sup>45</sup>Sugarman (1996) at 123.

<sup>46</sup>Boon & Levin (1999).

<sup>47</sup>Maffesoli (1988)

interviews revealed that concerns were raised in relation to the disclosure of practices of clubbing. This validates the notion of masks as a strategy to adapt in the workplace, irrespective of whether or not the firm or chambers encourages clubbing. Although the notion of masks reinforces playful aspects, it does not take into consideration the risks such a strategy entails. Those risks are translated into cultural differences in the *In Between* simply because it refers to consumptions and playful leisure activities associated mostly with the Western elements of lifestyle.

Professionalism has moved away from the negotiation of professional values through solely the production of legal services.<sup>48</sup> The interviews in my research suggested that practices of consumption possess an ability to individualise, collectivise and produce individual collectivises which enhances competition within the profession. The evolutionary nature of legal professionalism rests upon personal consumer-based lifestyles and on individual rather than collective ways,<sup>49</sup> suggesting a de-traditionalisation of legal professionalism. This de-traditionalisation of the legal profession comes across in the *In Between* through the portrayal of a woman criminal defence lawyer's consumer-based lifestyle. Aesthetic legal professionalism consists of characteristics of neo-tribal sociality, one of the main characteristics of which is the emphatic mobility from the *tribe* of producers to the *tribe* of consumers which is evident in the changing ethos of the profession<sup>50</sup>. It also has elements of individuality which challenge the Maffesolian theory of neo-tribal sociality. Neo-tribalism in law, as evidenced through the use of clubbing, eventually becomes a form of instrumentally rationalised technique or strategy, which invites an alternative interpretation of the whole thesis of neo-tribalism<sup>51</sup>. The incorporation of aspects of individual consumer-based lifestyles such as clubbing emphasises elements of individuality because they are used in association with legal practice. Although the presence of clubbing suggests a discursively constructed and therefore instrumentally rational form of neo-tribalism, it does not prevent aspects of individualism through consumption from becoming an integral part of contemporary practice<sup>52</sup>. On the contrary, it illustrates the ability of consumption to individualise. This form of neo-tribalism does not necessarily imply a move away from professional values; rather it reinforces the projection of professional values at the very heart of the profession. This not only becomes closely associated with aspects of personal lifestyle, it becomes exactly that, the lifestyle. Legal practice becomes equated to lifestyle. This also reinforces the importance of individualism and individual ways in the new kind of legal professionalism<sup>53</sup>. Although Shields claims that for the professional tribes, the ones that lack the favouritism of Maffesoli's argument simply because they are the

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<sup>48</sup>This suggestion is brought forward by many commentators on the legal profession but concentrates mainly on aspects of the production of legal services. See also the discussion in Arthurs & Kreklewich (1996).

<sup>49</sup>Francis (2004).

<sup>50</sup>Chronopoulou (2014a). See also Chronopoulou (2016) at 179-191 and also Chronopoulou (2015) at 169-184.

<sup>51</sup>See Francis (2004).

<sup>52</sup>See Francis (2004).

<sup>53</sup>See Francis (2004).

least likely to have these kinds of experience,<sup>54</sup> the experience of clubbing as a form of neo-tribalism within the context of the profession highlights the negotiation of professional values alongside the thesis of neo-tribalism and reinforces aspects of individuality.

This highlights two points. The first is that if professional values can be negotiated through aspects of neo-tribalism of consumption, including clubbing, then this gives rise to an ethical dimension in the legal profession. In accepting that the new kind of legal professionalism constitutes a new aestheticised professionalism, it seems that the aesthetic dimension that clubbing adds an ethical dimension as well.<sup>55</sup> The second point is the notion of individualism as reinforced by the neo-tribalism thesis. The new form of neo-tribalism is suggestive of aspects of individualism. The consumption of clubbing exposes alternative ways of theorising gender in the legal profession. This does not necessarily contradict existing accounts; rather it attempts to enrich them. Clubbing can provide aestheticised versions of gender in the profession. *In Between* reinforces this point, not just in relation to the construction of gender as shown in the previous point but also through the reflection of the recent aestheticised cinematic project on women lawyers.

The traditional feminist studies of the legal profession suggest that participation in consumptions is hedged around with masculine qualities. Most have considered consumption as articulating masculinity through the exclusion of femininity.<sup>56</sup> The important contribution of these accounts is that femininity and masculinity can be articulated through cultural practices of consumption. Most, however, emphasise a de-valued femininity in a profession where masculinity is the only trait that matters. Consumption performed by women is less valued and therefore less respected. Notions of respectability have always been inextricably linked to participation in consumption in the profession and notions of respectability, as Skeggs<sup>57</sup> suggests, are closely articulated with notions of femininity. The incorporation of consumption has transformed legal practice and exposed a transformed approach of respectability and construction of new ways of femininity through consumption. Most studies of clubbing and the interviews agree that clubbing offers a liberated and respectable femininity. It breaks away from the traditional respectable femininity which is articulated through an emphasis on masculinity. A similar point is being reinforced through both movies *In Between* and *My Days of Mercy* as a departing point exposing new ways of constructing new femininities as they are played out within the strict organisational context of legal employment. This does not necessarily challenge existing feminist accounts of the profession. On the contrary, it adds to them because it opens new ways of theorising consumption in the profession as articulating aspects of femininities. Drawing parallels with reality, most women interviewees suggested

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<sup>54</sup>Shields (1994).

<sup>55</sup>There are very limited accounts on the association of clubbing with professional identity, mainly my own work.

<sup>56</sup>Sommerlad (2002). Similar points are made by Thornton (1996). See also Francis & Sommerlad (2009) and Sommerlad (2007).

<sup>57</sup>Skeggs (2004a) at 25.

that participation in the cultural practices of clubbing provided benefit to legal practice, either because clubbing was viewed as a way of socialising, or as part of personal, individual lifestyle. Clubbing was seen by most as value rational. As Skeggs concludes,<sup>58</sup> the transformation of clubbing from an unvalued to a valued practice provides the structure on which valued femininities can be projected in the legal profession, even as a more playful way of doing business reflecting alternative lifestyles.<sup>59</sup>

In contrast to most feminist accounts, some of the women interviewees interpreted their consumption of clubbing and the problematic situation of the transformative nature of transgression as an ethical project of the self, which is an emotional issue. This is a recurrent theme in the movie *In Between*. This does not necessarily contradict accounts on rationality but rather provides an alternative way of rationalising emotion. Analysis of the interviews suggests that clubbing entails ethical issues with respect to projection of a successful professional self. As Nicholson<sup>60</sup> suggests, there has always been emphasis on the deontic ethics of rationality as coupled with emotions in the legal profession, and I would agree with Silius that ‘not all women in the legal profession are disadvantaged’<sup>61</sup> as most of the feminist literature maintains. As the interviews suggested, cultural studies might offer new ways of theorising gender in the legal profession.<sup>62</sup> It seems that, in contrast to most feminist accounts proclaiming a highly divided legal profession in terms of gender, the interviews suggest a more mixed situation, especially in terms of leisure-based consumptions associated with youth lifestyles, such as clubbing. This again is reflective of different lifestyles in the legal profession capable of forming distinctive ways of informing professional identity by exposing a new *habitus* associated with young women in the profession.<sup>63</sup> The interviews demonstrated that femininities in the legal profession were articulated by and tied to knowledge of the club scene and music through notions of *cool* and *hip* associated with club cultures, constructing in this sense more neo-nomadic femininities.<sup>64</sup> Drawing parallels with the cinematic project of women lawyers, *In Between* and *My Days of Mercy*, just as the interviews revealed, women lawyers protagonists in both movies demonstrated an ability to use and combine legal knowledge with the kind of knowledge gained through identifications with the club scene. This reflects the transforming nature of the legal professional project and the blurring of boundaries between production and consumption. It also reveals new ways of accumulating and utilising capital away from the already existing

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<sup>58</sup>Skeggs (2004b).

<sup>59</sup>This is also in accordance with McRobbie’s argument – McRobbie (2001a). See also McRobbie (1994) and McRobbie (1999). This is also in accordance with feminist accounts on club cultures. See the discussion in Rief (2003) and the discussion in Pini (2001).

<sup>60</sup>Nicholson (2005).

<sup>61</sup>Silius (2003).

<sup>62</sup>Chronopoulou (2014a). See also Chronopoulou (2016) at 179-191 and Chronopoulou (2015) at 169-184.

<sup>63</sup>This position contradicts most of the feminist accounts in the profession. Although it must be noted that more recent feminist accounts acknowledge that men can also be disadvantaged.

<sup>64</sup>This is also reminiscent of Braidotti’s argument. See the discussion in Braidotti (1994) and in Braidotti (2002).

static theorisations on the use of capital in the legal profession.<sup>65</sup> *In Between* has exposed exactly all this that my research through interviews in the legal profession revealed. From this perspective, the parallels between reality and fictions seem to be stronger and more realistic than ever before.

## Conclusion

This article attempted to trace the changes in the cinematic portrayals of women lawyers in the Western and Middle Eastern traditions. It also attempted to situate the changing cinematic representations of women lawyers within a new consumer-based and lifestyle saturated theoretical framework<sup>66</sup>. In doing so, this article also drew parallels with the changing women lawyers' cinematic project and real women lawyers. Despite having celebrated our differences for several decades, the suggestion this article put forward is that there is also a need to start celebrating our similarities. From this perspective, this article attempted to reveal the similarities between the Middle Eastern and Western cinematic traditions by examining two movies, one from each tradition, *In Between* from the Middle Eastern tradition, and *My Days of Mercy* from the Western tradition. The main purpose of the article was to achieve a retheorisation of cinematic representations of women lawyers. In doing so it attempted to depart from the negativity women lawyers have been portrayed in celluloid and put forward by the limited number of accounts on women lawyers in law and popular culture, with only a few notable but also limited exceptions. From this perspective, this article put forward a different account on representations of women lawyer on screen. On the one hand, it mainly focused on revealing the positive aspects of cinematic representations of women lawyers through emphasising detraditionalised versions of femininities played out on screen. This was depicted through an examination of consumer-based aspects of women lawyers' lifestyles. Moreover, it emphasised and revealed the ways in which consumer-based aspects inform, shape and form news ways of gender and femininities construction but also new ways of negotiating and renegotiating legal professional identity. From this perspective, this article addressed several absences and attempted an equal number of contributions to the field of law in film and law and popular culture. First, it contributed to the limited number of accounts on cinematic representations of women lawyers. Secondly, it also attempted to fill in the void of such accounts in the Middle Eastern cinematic tradition. With many voids yet to be filled, this article mainly addressed the ever-present absence of accounts on cinematic representations of women lawyers. It is about time to start taking law and popular culture a bit more seriously as a discipline.

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<sup>65</sup>This position is in accordance with Skeggs. See the discussion in Skeggs (1997).

<sup>66</sup>This line of reasoning has been explained in relation to law and literature. See Chronopoulou (2014b) at 157-168.

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