

Mentoring Matters: A Discussion of Female Mentorship Relationships in *L.A. Law*,
Ally McBeal, and *The Good Wife*

by

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A Thesis submitted to the Faculty of Graduate Studies of

The University of Manitoba

in partial fulfillment of the requirements for the degree of

MASTER OF LAWS (LL.M.)

Faculty of Law

University of Manitoba

Winnipeg

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ABSTRACT

This thesis highlights that notwithstanding the strides made by feminism, women still face inequality in the legal television world. One factor contributing to this inequality is television's popular culture depictions that women are unable or unwilling to support one another in the struggle for equality. This thesis examines three popular television programs: *L.A. Law* (1986 – 1994), *Ally McBeal* (1997 – 2002), and *The Good Wife* (2009 – 2016) with a specific focus on female mentorship. The two-pronged methodology applied in this thesis uses Orit Kamir's framework to conduct a feminist legal analysis of women in the legal television world, and The Support Test, to evaluate whether women on legal television programs are depicted as unable or unwilling to support other women on the same television program. Overall, popular culture depictions show that women lawyers are not championing other women lawyers on television, suggesting a regression in the advancement of feminism.

ACKNOWLEDGMENTS

Many thanks to everyone who helped with my thesis.

Thank you to my advisor, Dr. Jennifer Schulz, for all her comments and suggestions on the earlier drafts of this thesis; you helped improve my writing style and added tremendous value to my final paper.

Thank you to my thesis reviewers, Prof. Karen Busby of Robson Hall at the University of Manitoba and Prof. Michael Asimow of Stanford Law School. I thank you for taking the time out of your busy schedules to read my paper and for your constructive and thoughtful comments.

Thank you to all of the generous donors who provided me with financial assistance this year, specifically to the donors of the Adalsteinn Fridrikson Kristjansson Graduate Fellowship in Law, the David T. Sgayias Graduate Fellowship, and the Schwartz/Reisman Scholars Program.

I thank my family and friends who have listened to me talk about my love of popular culture for years. And to the special few who have provided unconditional support and wise counsel whenever needed throughout this process.

DEDICATION

I dedicate my Master's thesis to anyone who needs justification for watching countless hours of legal television shows and legal-themed movies – this one's for you!

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CHAPTER 1: INTRODUCTION

Los Angeles, 1958. Wilshire Boulevard. Imagine walking through the large double doors of the Bank of California building and riding the elevator up several floors. You step off the platform and enter a long hallway with the letters “ATTORNEY AT LAW” along the wall. The office door swings open and at reception you are greeted by a woman with a lovely smile and a shining face with a few curls strategically pinned behind her ears. She asks your name and double checks her daybook, running her finger down the list of names and times. She lifts her head up again and smiles at you, gesturing towards the door marked: “Perry Mason.” You expected to see a woman behind the reception desk, as it is the 1950s after all. But what Della Street stood for was unexpected.

Della Street, played by actress Barbara Hale, was one of the original small screen legal secretaries. She was different from most women at that time because she was single, never married, and had no children. At a time before the women’s liberation movement was fighting for legal and social equality for women, “Barbara Hale was playing a single working woman on TV.”¹ In an interview in 1986, Hale recalls, “I’m proud that Della was sort of a prototype for TV secretaries . . . There really was no such established character on TV when Perry Mason came along. Della was sort of a delicate beginning of the feminist movement. She never stood up to Perry, but she wasn’t intimidated by him either.”²

¹ Michael J. Bandler, “The Faithful Secretary”, *Chicago Tribune* (16 May 1993) 1 at 1.

² Vernon Scott, “Hale Still Reliable in ‘Della’ Role”, *United Press International* (25 May 1986), online: <http://articles.sun-sentinel.com/1986-05-25/entertainment/8601310449_1_perry-mason-returns-della-street-william-hopper>.

Della Street set the stage for the evolution of feminism, especially for on-screen legal characters. *Perry Mason*, set in the late 1950s, reflects the ideals of First Wave feminism. Second Wave feminism had not yet emerged to allow Della to be a lawyer herself, but despite her lack of authority at the office, she ran the office and led the way for Perry Mason. “As iconic as any secretary was Della Street, Perry Mason’s indispensable right arm on *Perry Mason* (1957-1966) . . . Critic David Cuthbert said of Street: ‘in terms of impact, she was a major element of the show . . . I never thought of her as a secretary, or anything as menial as that – I thought of her as Perry Mason’s partner.’”³

Della Street represented society’s understanding of women in law and popular culture at the time and epitomized how most women were relegated to the role of secretary in professional offices.⁴ The waves of feminism that came after the *Perry Mason* world have allowed more women to achieve top positions in their legal careers. Women have overcome some of the inequality and disparity in comparison to their male counterparts in the legal television world.

In this thesis, I will explore a different struggle facing women in the legal television world – the struggle with other women.⁵ I will highlight that, notwithstanding the strides made by feminism, women still face inequality in the legal television world. One factor that may have

³ Cary O’Dell, *June Cleaver Was A Feminist!, Reconsidering the Female Characters of Early Television* (Jefferson, North Carolina: McFarland & Company, Inc. Publishers, 2012) at 111.

⁴ I use the term ‘secretary’ because that is what Della Street was called in the show. Today the more appropriate term is ‘assistant.’

⁵ This thesis is not about the struggle between men and women or men and men. Accordingly, I have not looked at male mentorship relationships in legal television shows.

contributed to this inequality is television's popular culture depictions that women are unable or unwilling to support one another in the struggle for equality.

Women do share common goals and have long been united by the concept of sisterhood; "sisterhood recognizes that women as a class are oppressed and that despite any differences among us, our collective subjugation is what we have in common."⁶ Sisterhood was a unifying element of the advancement of feminism. Quoting Susan Douglas, "of all the concepts and principles that feminists advanced, none was more dangerous to the status quo than the concept of sisterhood."⁷ But popular culture depictions reveal sisterhood is often rejected in the female mentorship relationship. The female mentorship relationship is "founded on the assumption that in the workplace, women's relationships are marred by their tendency towards competition with other women."⁸ Pamela Hyde argues there is a cultural myth of female competition.⁹ She quotes Leora Tanenbaum and notes this myth stems from "patriarchal power structures that offer women limited opportunities for workplace advancement and achievement based on gender discrimination."¹⁰ Competition within the female mentorship relationship results in women believing they cannot have meaningful relationships or friendships at work because everything is rooted in competition: either for a partner or for one of the limited positions available for women in the workplace.¹¹ The female mentorship relationship becomes problematic in the legal television world, which perpetuates the myth that female workplace relationships are defined by

⁶ Kristen Gagne, *Ally McBeal and the Problem of Postfeminism* (MA Thesis, Rhode Island College, 2001) [unpublished] at 61.

⁷ *Ibid* at 70.

⁸ Pamela Hyde, *The New Woman, Triangulated: Feminist Resistance to Cultural Myths in The Good Wife, Grey's Anatomy and Mad Men* (Honours Thesis, University of Calgary, 2015) [unpublished] at 35.

⁹ *Ibid* at 11.

¹⁰ *Ibid* at 12.

¹¹ *Ibid*.

rivalry and competition.¹² “In popular culture [the female competition] myth manifests itself in portrayals of women as ‘ruthless and cunning’ competitors, who will do anything to one-up the women in their midst to ensure they are regarded as ‘the best.’”¹³

Anna North hopes that women returning to the workplace would result in a network of helpful mentors for women.¹⁴ But in the premiere of *The Good Wife*, Christine Baranski’s character, Diane Lockhart, was nearly the opposite of a mentor. “Diane, she’s basically playing a working-world stereotype: the mean, successful woman who wants women under her to fail.”¹⁵ The pilot episode of the show set the tone for how the series addressed mentorship with a remarkable quote from male partner at the firm, Will Gardner, to Diane, “I’ve seen you mentor these women until they start competing with you.”¹⁶ *The Good Wife* is an example of legal popular culture, because legal popular culture “refers to everything people know of and think they know about the law, lawyers, and the legal system.”¹⁷ Legal popular culture can “refer to books, songs, movies, plays and TV shows which are about law or lawyers, and which are aimed at a general audience.”¹⁸ Television is a form of popular culture because it is consumed by the masses. Popular ideas and media have great influence over society. Popular culture also depends on mass distribution systems¹⁹ and this allows for a common exchange of ideas across cultures. The ‘popular’ referred to by popular culture can also refer to the commercial potential of the

¹² *Ibid.*

¹³ *Ibid* at 13.

¹⁴ Anna North, “*The Good Wife: Women Undermining Women*”, *Jezebel* (23 September 2009), online: <<http://jezebel.com/5365852/the-good-wife-women-undermining-women>>.

¹⁵ *Ibid.*

¹⁶ *The Good Wife: Pilot* (September 22, 2009).

¹⁷ Michael Asimow & Shannon Mader, *Law and Popular Culture: A Course Book*, 2nd ed (New York: Peter Lang Publishing Inc., 2013) at 4.

¹⁸ Lawrence M. Friedman, “Law, Lawyers, and Popular Culture” (1989) 98 *Yale LJ* 1579 at 1580.

¹⁹ Douglas J. Goodman, “Approaches to Law and Popular Culture” (2006) 31:3 *Law and Soc Inquiry* 757 at 758.

cultural text.²⁰ Fictional television programming has a great influence on public thinking; “television is a powerful socializing agent; media analyst George Gerbner has called television ‘the new religion.’ Television can form public opinion, and it can also validate pre-existing public attitudes and perceptions.”²¹

My approach in this thesis will be to conduct feminist readings of popular culture television shows. My goal is to expand the limited academic focus on feminism and mentorship in legal television programming. This thesis will advance law and popular culture research in three ways:

- 1) It will introduce the term *legal television world* as a tool for analyzing feminism in law and popular culture and how current television reflects a world in which women are not supportive of one another;
- 2) It will seek to understand the history of female lawyers on television by juxtaposing them with waves of feminism, something which has not been done before; and
- 3) It will describe and analyze noteworthy female characters from three popular television shows, and examine the female support (or lack thereof) amongst these characters.

I will perform a qualitative analysis of female characters in contemporary popular television shows, concluding with analysis of the women characters and whether their actions are supportive of other women. My theoretical approach throughout is rooted in law and culture studies, which developed out of the law and literature movement.

²⁰ *Ibid* at 775.

²¹ Rachel Craig, *Feminist Jurisprudence* (University of Oklahoma College of Law, 2012) [unpublished] at 2.

Law and literature emerged as a field of study in legal analysis.²² “Certainly the law and literature movement has provided a significant foundation for the work that has been done to date on law and film.”²³

Of the many intriguing characteristics of the Law and Literature movement, one of the most exciting and most valuable, is the fact that, unlike many other theoretical approaches to the problems of law, the ambition of Law and Literature is firstly educative, and only then, secondarily, social and political . . . the political manifesto is supposed to emerge from the educational force of literature.²⁴

Law and literature and law *as* literature promote criticism and speculation about the law.²⁵ This theoretical approach “has proven [to be] an invaluable tool in legal analysis and is widely used in race and gender analysis.”²⁶ A literary analysis has tremendous value for seeing the law differently; other disciplines are combined to help illuminate the study of law and help understand legal reasoning, legal language, use of narrative and the “rhetoric of legal argument.”²⁷ A law and literature approach lends itself well to a discussion of legal television programs because it combines an appreciation for and understanding of the law with the literary aspect of reading a television show, which engages the viewer in the process of imagination.²⁸ Audiences are captivated by the imaginary world of television and engage with the pretend characters of the legal television world.

²² Anne McGillivray, “Recherche Sublime: An Introduction to Law and Literature” (1994) 27:4 *Mosaic: J Interdisciplinary Study Literature*.

²³ Rebecca Johnson & Ruth Buchanan, “Getting the Insider’s Story Out: What Popular Film Can Tell Us About Legal Method’s Dirty Secrets” (2001) 19 *Windsor YB Access Justice* 87 at 99.

²⁴ McGillivray, *supra* note 22.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ John Casey Gooch, “Reading, Writing, and Imagining the Law: using James Boyd White’s Theories as an Approach to Analyzing Legal Rhetoric” (2011) 4 *Rhetor: J Canadian Society for Study Rhetoric* 1 at 2.

In this thesis I introduce the term *legal television world*. It is a specific term describing the world inhabited by the characters I will analyze. Law and culture scholars have demonstrated how the two are mutually constitutive – law as culture and culture as law.²⁹ Thus, the legal television world is the fictitious cultural land where onscreen lawyers live and breathe, testing boundaries with limited to no repercussions because of the nature of this pretend world. In the legal television world, the women lawyers reflect current trends in society and live lives many viewers wish they were living.

Art imitates life. But it can only imitate the life and times in which it was created. Television isn't a crystal ball. And even as *de facto* mirror of a society (and an era), the best TV will ever be is a Dali-esque interpretation of reality, a funhouse mirror, in which some parts are reflected as they are, while others are distorted due to TV's need to entertain.³⁰

As Cary O'Dell makes clear, television is not the real world, but it is its own world. The legal television world has an enormous influence on the viewing public.³¹ Lawyers have long been found in the homes of North Americans; streaming through television sets from as early as the 1950s when sets donned antennae for ears, to the 2010s when laptops with WiFi access became modern day televisions. The essence of a legal television program and its legal television world is how it connects with the audience. Legal television shows create worlds that blend law, television, and reality in ways that entertain and can educate. The legal television world exposes fundamental values and encourages audiences to “become part of an imagined (judging)

²⁹ Naomi Mezey, “Law as Culture” (2001) 13 Yale JL & Human 35.

³⁰ O'Dell, *supra* note 3 at 16.

³¹ Michael Epstein writes: “According to a poll taken before [Raymond] Burr's death, the public admires Perry Mason more than any real attorney alive or dead—including Abraham Lincoln, Attorney General Janet Reno, and virtually every supreme court justice. Only F. Lee Bailey, the celebrated real- life trial attorney, garnered more votes. More startling is the palpable sense of loss that flooded the legal community with word of Burr's passing.” For more, see Michael M. Epstein, “The Evolving Lawyer Image on Television” (1994) 27:1 Television Q 18.

community, sharing the worldview constituted by law [and media].”³² Legal television shows dominate the small screen³³ and have won over the hearts of audiences by creating fictitious places wherein viewers can truly immerse themselves in the legal television world. This world shows viewers that women are unable or unwilling to support one another in the struggle for equality.

I have chosen to examine three popular television programs in order to develop my argument that women lawyers are not willing to support one another: *L.A. Law* (1986 – 1994), *Ally McBeal* (1997 – 2002), and *The Good Wife* (2009 – 2016). I chose these programs because they are all off-air network television programs, from different decades in the past thirty years, with female lawyer character(s) as central protagonist(s).³⁴ Importantly, the female protagonists all find themselves in settings where they have the opportunity to be mentors, mentees, or both, of other women. All three shows feature diverse women lawyers who demonstrate facets of the female mentorship relationship. My analysis will show how the characters on these programs mirror societal conventions and depict women struggling in the legal television world.

³² Orit Kamir, “Why ‘Law-and-Film’ and What Does it Actually Mean? A Perspective” (2005) 19:2 *Continuum: J Media Cultural Studies* 255 at 268.

³³ Dr. Jennifer L. Schulz writes in *TV Law Today: A Transnational Study* (London, UK: Hart) a collection she edited with Peter Robson, about how it is in fact true that legal television shows dominate the small screen, but it is more accurate to note that the dominant shows are police shows, not lawyer shows. For more see Chapter Five: Canada.

³⁴ Other researchers might choose other programs, for example *Suits*, and *How To Get Away With Murder*. These two shows have African-American female lawyer characters, which may have affected my gender analysis. On *Suits*, the senior managing partner, Jessica Pearson, is sometimes a mentor to Rachel Zane, a paralegal at the firm. *How To Get Away With Murder* also has a mentorship theme; Annalise Keating is both the senior partner and a clinical instructor of students, but I wanted to focus on off-air programs, so I will not be discussing these two shows in my thesis.

CHAPTER 2: LITERATURE REVIEW

In order to understand how feminism and female mentorship is depicted in current law and popular culture literature, I completed a thorough literature review. My review of scholarly works includes two bodies of literature: feminist history and law & popular culture, with an emphasis on women lawyers on television.

The Merriam Webster Dictionary defines feminism as: “1) the theory of the political, economic, and social equality of the sexes, and 2) organized activity on behalf of women's rights and interests.”³⁵ Despite the tremendous amount of scholarly work and writing about feminism, “the term feminism does not have one universal definition.”³⁶ Different people understand feminism differently. Depending on whom you ask: scholars, critics, or lay people, each will provide a varied perspective.³⁷ I will provide a brief history of feminism in order to situate my analysis of television within the waves of feminism.

Historical Feminist Legal Literature

The history of feminism can be broken down into four waves, each considering topical issues from the time. Waves of feminism have occurred since the early nineteenth century, but the relevant waves began in the late nineteenth century with the various suffrage movements and

³⁵ *Merriam Webster Online Dictionary, sub verbo* “feminism”.

³⁶ Katelyn C. Roshetko, *A Rhetorical Analysis of the Feminist and Patriarchal Themes within Shonda Rhimes’ Television Shows Grey’s Anatomy, Scandal, and How To Get Away With Murder* (Thesis, Liberty University, 2016) [unpublished] at 19.

³⁷ *Ibid.*

continued into the early twentieth century with the Second Wave emerging in the 1960s and 1970s. “It is the second wave, and after, that is most relevant in terms of the study of the media and especially of television.”³⁸

The multiple waves of feminism have had different specific intended outcomes, but each had the common goal of establishing and achieving rights for women. My review of feminist literature includes a chronological analysis of the waves of feminism and the influence of the waves on women at the time. The First Wave, from the 1850s to 1920s “grew out of the movement to abolish slavery.”³⁹ Women were fighting for basic rights in comparison with their male counterparts. The First Wave was also known as women’s suffrage because at that time, women did not enjoy basic rights of citizenship. Crusaders worked tirelessly to win the right to vote for women. On January 28, 1916, Manitoba became the first Canadian province to grant white women over the age of 21 the right to vote in provincial elections. Alberta and Saskatchewan granted that right later in 1916.⁴⁰ Quebec did not grant that right until 1940.⁴¹ However, by 1918, female citizens (age 21 and over) who were not disqualified under racial, Indigenous or other exclusions were able to vote in federal elections.⁴²

The Second Wave emerged as the Civil Rights Movement was “reaching its apex in the

³⁸ Bernadette Casey et al. eds, *Television Studies: The Key Concepts*, 2nd ed (New York: Routledge, 2008) at 121.

³⁹ Jennifer Baumgardner, “Is There A Fourth Wave? Does It Matter?” in *F'em: Goo Goo, Gaga and Some Thoughts on Balls* (California: Seal Press, 2001) 243 at 243.

⁴⁰ “Timeline of Women’s Political Participation in Manitoba and Canada”, *Government of Manitoba*, online: <<http://www.gov.mb.ca/msw/vote/index.html>>.

⁴¹ Tracey Lindeman, “Quebec women right-to-vote milestone marked by province”, *CBC News* (25 April 2015), online: <<http://www.cbc.ca/news/canada/montreal/quebec-women-right-to-vote-milestone-marked-by-province-1.3048852>>.

⁴² Timeline of Women’s Political Participation, *supra* note 40.

early 1960s”⁴³ all over North America, and spanned the 1960s to the 1980s. (First Wave feminists did not identify as members of a First Wave – the designation was applied retroactively only after the Second Wave emerged). “Martha Lear, a journalist, is credited with coining the term ‘second feminist wave’ in her 1968 article about the women’s liberation movement for the *New York Times Sunday Magazine*.”⁴⁴

The Second Wave became known as the “women’s liberation movement” as women were raising awareness for further legal and social equality: “they turned their raised consciousness and organizing skills on themselves.”⁴⁵ These women continued to fight “for women to share in the opportunities and responsibilities men had, including creating a career, pushing off the drudgery of housework, and refusing to be held hostage by their reproductive systems.”⁴⁶ Television portrayed women as mothers and only in domestic roles, and “feminists of the 1970s were concerned about the narrow range of representations of women offered in the media and argued that these were often ‘negative’ stereotypes.”⁴⁷ Women were demanding that popular culture and the media start reflecting real life women.

The Second Wave had a tremendous impact on changes in popular culture and society:

Through their consciousness-raising groups, writings, and activism, [feminists of this Wave] raised awareness about women’s inequality in their roles as wives, mothers, and workers. They asserted that the ‘personal is political’ by linking women’s individually-experienced oppression to larger social institutions such as education, religion, marriage, the labor force, healthcare, politics, sports, media, and the military. Many feminists targeted not only sexism but racism, classism,

⁴³ Baumgardner, *supra* note 39 at 244.

⁴⁴ *Ibid* at 243.

⁴⁵ *Ibid* at 244.

⁴⁶ *Ibid*.

⁴⁷ Casey, *supra* note 38 at 122.

and homophobia in their battles against women's oppression.⁴⁸

Betty Friedan is synonymous with Second Wave feminism. Her 1963 book, *The Feminine Mystique*, famous for kick-starting the women's movement of the Second Wave, posed the still relevant question: "is this all?" Friedan presented herself as a housewife looking for freedom from the drudgery of motherhood.⁴⁹ The answer was for women to find independence and identity in careers and therefore Friedan started a revolution. However, Friedan was speaking to a very select group of women. She neglected to discuss who would fill the gap at home now that women were out in the workforce and she did not consider the women outside her primary circle, namely white upper-class women.⁵⁰ The advances made in the 1960s and 1970s allow women today to work and feel secure with equal protection under the law.⁵¹ *The Feminine Mystique* was a major turning point for modern feminism and Friedan's book "was a key factor in the revival of the women's movement and in the transformation of the nation's awareness of the challenges middle-class suburban women faced."⁵² Extrapolating from her survey of Smith University graduates and other women in the New York area, Friedan "described a depression that afflicted many middle-aged, college-educated women, and she suggested its cause."⁵³ Friedan was hailed as the mother of Second Wave feminism⁵⁴ because she

⁴⁸ Hope L. Russell, *A 'Telling' Uproar: Young Women, Feminism, and the Making of the Third Wave* (PhD Dissertation, University at Buffalo, State University of New York, 2013) [unpublished] at 4.

⁴⁹ Helen Lewis, "Rereading the Second Wave: Why Feminism Needs to Respect Its Elders", *Newstatesman* (12 May 2014), online: <<http://www.newstatesman.com/helen-lewis/2014/05/rereading-second-wave-why-feminism-needs-respect-its-elders>>.

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² Daniel Horowitz, *Betty Friedan and the Making of The Feminine Mystique* (Amherst: University of Massachusetts Press, 1998) at 197.

⁵³ Marion Kaplan, "Betty Friedan" *Jewish Women: A Comprehensive Historical Encyclopedia*, Jewish Women's Archive (1 March 2009), online: <<https://jwa.org/encyclopedia/article/friedan-betty>>.

The cause Friedan is referring to is the image created by the media that women were only valued in relation to their roles as wives and mothers and lacked their own identity.

⁵⁴ *Ibid.*

was able to take societal concerns and “translate them into feminist terms.”⁵⁵ Friedan put women at the front of the issues and encouraged women to understand their position in society.⁵⁶ However, while the Second Wave promoted women to higher status in society, it lacked universality and individuality. These ideals were fundamental for the next wave of feminism.

The Third Wave in the 1990s was ushered in by Rebecca Walker’s 1992 activist article in *Ms. Magazine*, wherein she declared, “I am not a postfeminism feminist. I am the Third Wave.”⁵⁷ Her outrage was fueled by the Anita Hill/Clarence Thomas scandal.⁵⁸ She writes about her reaction to the Senate hearings: “[t]o me, the hearings were not about determining whether or not Clarence Thomas did in fact harass Anita Hill. They were about checking and redefining the extent of women’s credibility and power.”⁵⁹ The title ‘Third Wave’ stuck and a cultural shift emerged in the 1990s. Rebecca Walker personifies Third Wave feminism. She is the daughter of writer, Alice Walker, and the goddaughter of Gloria Steinem. Stephanie Rosenbloom notes that Walker started writing about intergenerational feminism at an early age and “helped found the Third Wave Foundation, a philanthropic group for women ages 15 to 30, becoming a symbol for young women who may not have considered themselves feminists.”⁶⁰ As Walker notes, “some early adherents of the new approach were literally daughters of the second wave.”⁶¹

Rebecca Walker’s Third Wave was born out of the rights achieved for women during their

⁵⁵ Horowitz, *supra* note 52 at 207.

⁵⁶ Kaplan, *supra* note 53.

⁵⁷ Rebecca Walker, “Becoming Third Wave”, *Ms. Magazine* (January 1992) 39 at 41.

⁵⁸ In October 1991, while Clarence Thomas was waiting to be confirmed as Supreme Court Justice, Anita Hill, a 35 year old law professor, testified before the United States Senate about the sexual harassment she had experienced while working for Thomas at the Equal Employment Opportunity Commission. Despite Ms Hill’s testimony, Thomas was confirmed by the United States Senate by a vote of 52-48.

See <https://chnm.gmu.edu/courses/122/hill/hillframe.htm> for more information regarding the Hill/Thomas debate.

⁵⁹ Walker, *supra* note 57 at 39.

⁶⁰ Stephanie Rosenbloom, “Evolution of a Feminist Daughter”, *New York Times* (18 March 2007), online: <<http://www.nytimes.com/2007/03/18/fashion/18walker.html>>.

⁶¹ Rebecca Walker, “Third Wave: An Accurate and Succinct Rendering,” (4 September 2009), *Rebecca Walker Blog* online: <<http://www.rebeccawalker.com/blog/2009/09/04/third-wave-an-accurate-and-succinct-rendering>>.

mothers' Second Wave. Third Wave feminists had greater professional and economic power and were able to focus on giving women a louder voice.⁶² The Third Wave emphasized the need for women to be involved, to belong to organized feminist groups, to question traditional family values such as the long-time sexist division of housework, to be self-aware, and to be high-achieving.⁶³

The Third Wave of feminism became an individual movement focused on redefining what it meant to be a feminist; “a Third Waver might say, ‘every time I move, I make a women’s movement.’”⁶⁴ With this new way of thinking, feminism expanded to include a more diverse group. “Third wave feminism was portable – you didn’t have to go to a meeting to be a feminist; you could bring feminism into any room you entered.”⁶⁵

As the third wave began to coalesce across the country, these young women stood at a powerful and unprecedented moment in American history. They were the first generation to grow up female during and after the changing social conditions produced by second wave feminism. As such, they possessed more rights, freedoms, and opportunities than any previous generation of American women . . . Third wave feminism emerged out of these personal experiences as well as in response to three distinct historical forces: the legacy of second wave feminism, the antifeminist backlash, and the myth of postfeminism.⁶⁶

During the Third Wave of feminism primetime television was also changing. The new postfeminist approach was refocusing viewers’ attention on diversity within the already delineated category of women. The new perspective concentrated on important elements such as:

⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ Baumgardner, *supra* note 39 at 245.

⁶⁵ *Ibid.*

⁶⁶ Russell, *supra* note 48 at 1.

ethnicity, class, sexual orientation, race, and religion as part of a woman's identity.⁶⁷ However, concurrently, many women were not paying attention to feminism. Time magazine's 1989 cover story, "Women Face the 90s: Is There a Future for Feminism?" reported that 76 percent of American women paid 'not very much' or 'no' attention to the women's movement, and only 33 percent of women considered themselves feminists."⁶⁸

While feminist theory was rapidly changing, the American television industry was also undergoing significant changes. The post-network era forced a reconfiguration of competitive practices and a shift in target audiences among television networks.⁶⁹ A noticeable shift in programming occurred because television networks knew they needed to adapt to the changing trends. "Subject matter, style and attitude towards women [needed to be reflected on-screen and these changes] would not have been possible without the influence of feminist debate."⁷⁰

The late 1990s marked a defining moment for a "renewed engagement with femininity and feminism extend[ing] beyond television."⁷¹ Effectively, all forms of popular culture were adapting and evolving because of feminism.⁷² And it is these advancements in popular culture and the "exploration of women's roles and the meaning of feminism in various media during the late 1990s"⁷³ that Amanda Dyanne Lotz argues led to the introduction of new female lead characters on certain television programs. These characters were a "revised version of the 'new woman,' a female character type often classified as an independent woman, a strong woman, or a

⁶⁷ Amanda Dyanne Lotz, *Televising Feminist Discourses: Postfeminist Discourse in the Post-Network Era* (PhD Thesis, The University of Texas at Austin, 2000) [unpublished] at vii.

⁶⁸ Russell, *supra* note 48 at 4.

⁶⁹ Lotz, *Televising Feminist Discourses*, *supra* note 67 at viii.

⁷⁰ Casey, *supra* note 38 at 124.

⁷¹ Lotz, *Televising Feminist Discourses*, *supra* note 67 at 4.

⁷² *Ibid.*

⁷³ *Ibid.*

feminist.”⁷⁴ While some networks did choose to introduce new female characters, others continued with stereotypical characters:

Since the late 1960s, the mainstream media had presented a limited and now stereotypical portrayal of feminists as angry, humorless, man-hating lesbians who burned their bras and set out to destroy the patriarchal institutions of marriage, family, church, and state. [In her 1991 bestseller *Backlash: The Undeclared War Against American Women*, Susan] Faludi adds that the media’s backlash against feminism also included a rise in negative representations of women on primetime television shows and the increase of sexism and misogyny in stand-up comedy, rap music, and radio talk shows.⁷⁵

Female television characters in the 1990s on shows such as *L.A. Law*⁷⁶ helped Third Wavers promote their ideals in a more public fashion. “The influence of feminism in American culture is obvious [on shows like *L.A. Law*]; the female characters are competent, performing professionals who often ‘win’ professionally, solving their cases, . . . triumphing in office politics.”⁷⁷ Television since the 1990s has seen an increase in more complex roles for women, “bolstered by the resurgence of feminism in popular culture.”⁷⁸

Contemporary media often breaks female characters into two factions: traditional feminists (First and some Second Wavers) and contemporary feminists (defined by Stephanie Ortego Roussell as postfeminists).⁷⁹ The media has created a woman who fits this contemporary postfeminism female character model as a woman “who knows what she wants and has the

⁷⁴ *Ibid* at 6.

⁷⁵ Russell, *supra* note 48 at 8.

⁷⁶ *L.A. Law* (Twentieth Century Fox Television, 1986).

⁷⁷ Bonnie Dow, *Prime-Time Feminism: Television, Media Culture, and the Women’s Movement Since 1970* (Philadelphia: University of Pennsylvania Press, 1996) at 98.

⁷⁸ Hyde, *supra* note 8 at 1.

⁷⁹ Stephanie Ortego Roussell, *An Analysis of Femininity: How Popular Female Characters in the Media Portray Contemporary Womanhood* (Masters Thesis, Louisiana State University and Agricultural and Mechanical College, 2013) [unpublished] at 8.

means to ruthlessly pursue it. Postfeminism posits that women should not define themselves in relation to men, but be our own definition relative to each other.”⁸⁰

Younger women who were shaped by the Third Wavers of the 1990s spearheaded new feminism in the 2000s as the Fourth Wave. These women have a keen focus on technology and their online presences. Just as the Third Wave lived out some of the goals and theories of the Second Wave, the Fourth Wave continued with some concepts started by the Third Wave.⁸¹ Fourth Wavers, starting in approximately 2008, created accessible opportunities: abortion talk lines, trans-health initiatives, feminist blogs, Twitter campaigns, and other action plans using online platforms.⁸² Jennifer Baumgardner believes “that the Fourth Wave exists because it says it exists . . . The Fourth Wave matters, because I remember how sure I was that my generation mattered.”⁸³

This newest wave of feminism incorporates technology, social media, transgender issues, plus size fashion, and the blogosphere to promote ideas.⁸⁴ Kira Cochrane, opinion editor for *The Guardian* and a Fourth Wave author, writes that the “shift from second to third wave took many important forms, but often felt broadly generational, with women defining their work as distinct from their mothers’. What’s happening now feels like something new again.”⁸⁵ Cochrane’s take on the Fourth Wave is that this new wave is a technology movement – online feminism.⁸⁶ The

⁸⁰ *Ibid* at 10.

⁸¹ Baumgardner, *supra* note 39 at 245.

⁸² *Ibid*.

⁸³ *Ibid* at 246.

⁸⁴ Kira Cochrane, *All the Rebel Women: The rise of the fourth wave of feminism* (London: Guardian Shorts Original ebooks, 2013).

⁸⁵ Kira Cochrane, “The fourth wave of feminism – meet the rebel women”, *The Guardian* (10 December 2013), 1 at 2.

⁸⁶ Cochrane, *All the Rebel Women*, *supra* note 84.

Fourth Wave is made up of women of all ages and from all generations. The feminist consciousness of this Wave has been influenced and shaped by years of political and governmental shifts.⁸⁷

The movement's concerns are forever shifting, and will likely do so powerfully when some of today's young activists encounter the pay gap, childcare costs and pregnancy discrimination in their own lives. 'What is it going to be like,' says Power, to have this generation of people who are totally attuned to all these terms and categories and thinking through all these issues from a very young age?' Brought up to know they are equal to men, fourth-wave feminists are pissed off when they're not treated as such, but have more than enough confidence to shout back. Misogynists, watch out.⁸⁸

Kira Cochrane exemplifies the Fourth Wave movement. Her 2013 book examines today's feminism and how far there still is to go. She provides insight into the past 100 years of feminism and engages with female students and scholars to discuss issues such as rape culture, online feminism, and diversity within the Fourth Wave.⁸⁹ As Hannah Jewell comments, the Fourth Wave of feminism described by Cochrane "is the growing pitter-patter of young women (and men!) posting feminist-y things on Facebook and Twitter, and reacting with less and less tolerance to the sexist nonsense spewed by their celebrities, their politicians, their professors, and their drunken grandfathers at family gatherings."⁹⁰ Fourth Wave feminism focuses on acknowledging the different experiences and preferences of all women.⁹¹ Cochrane notes that the Fourth Wave allows people to gather together for the same cause and promote being a woman in the Twenty-First century.⁹²

⁸⁷ Cochrane, "fourth wave", *supra* note 85 at 6.

⁸⁸ *Ibid* at 7.

⁸⁹ Cochrane, *All the Rebel Women*, *supra* note 84.

⁹⁰ Hannah Jewell, "A fourth feminist wave?" *The Cambridge Student* (17 January 2014), online: <<http://www.tcs.cam.ac.uk/features/0031468-a-fourth-feminist-wave.html>>.

⁹¹ *Ibid*.

⁹² *Ibid*.

Baumgardner notes, “within feminism, many find the concept of waves deeply flawed and annoying.”⁹³ Regardless of one’s views, feminism remains a political and social movement that focuses on women and their social identities.⁹⁴ Betty Friedan, Rebecca Walker, and Kira Cochrane each advocated for women and for the advancement of feminism. Each woman within her specific wave attempted to build on the principles established by her predecessors. Feminism has solidified its place in history as one of “the social movements and cultural-critical discourses” that has shaped the rise of critical film and television studies.⁹⁵

Feminist Law and Popular Culture Literature

Feminism has shaped the rise of film and television studies such that there is now feminist law & popular culture literature. Some of this literature concentrates on film and some on television. I reviewed both and use them interchangeably to provide context for my analysis of three popular television programs with female lawyer protagonists.⁹⁶

A review of the literature reveals how scholars understand how female lawyers are portrayed in popular culture and how female characters have evolved alongside the waves of feminism.

⁹³ Baumgardner, *supra* note 39 at 243.

⁹⁴ Casey, *supra* note 38 at 121.

⁹⁵ Patricia White, “Feminism and Film” in John Hill & Pamela Church Gibson, eds, *Film Studies: Critical Approaches* (New York: Oxford University Press, 2000) at 115.

⁹⁶ There is far more scholarly writing about legal popular culture films than about legal television shows. A goal of this thesis is to fill part of that gap.

Analyzing television programs allows for a more engaged approach to legal scholarship. Television allows viewers to connect on an emotional level using sight and sound to aid in their understanding of the storylines; people welcome television shows and characters into their homes.

Feminist law and popular culture literature suggests that female lawyer protagonists are generally portrayed negatively. The authors and scholars reviewed in this chapter provide a framework for how the field interprets on-screen female lawyers. The majority of writers in this area discuss how women in popular culture are negatively stereotyped and remain failures in comparison to their male counterparts.

Diane Glass argues media depictions of women lawyers influence how citizens think about or understand women lawyers – television in general, and “widely successful television programs in particular [have] the power to shape and reinforce public opinion.”⁹⁷ Richard Sherwin, author of *When Law Goes Pop: The Vanishing Line between Law and Popular Culture*, aptly summarizes the influence of media on society: “to a significant extent, *what* we think about and *how* we think when we think about law reflects the culture around us.”⁹⁸

⁹⁷ Diane M. Glass, “Portia in Primetime: Women Lawyers, Television, and L.A. Law” (1989) 2:2 Yale JL & Feminism 371 at 373.

⁹⁸ Richard K. Sherwin, *When Law Goes Pop: The Vanishing Line Between Law and Popular Culture* (Chicago: The University of Chicago Press, 2000) at 1.

Orit Kamir notes law and television are two of “contemporary society’s dominant cultural formations, two prominent vehicles for the chorus through which society narrates and creates itself.”⁹⁹ Both forms create meaning through storytelling:

each invites participants – viewers, legal professionals, parties to legal proceedings and/or members of the public – to share its vision, logic, rhetoric and values . . . Dialogue, mutual commentary and reciprocal influences between law and film can be explored on various levels.¹⁰⁰

Television shows are cultural texts because they create, modify, and interpret how the law works within society. Not only do legal television programs provide insight into how the law is reflected in popular culture, legal television programs provide an excellent basis for the study of feminism and female legal characters. “Feminism has been one of the most significant influences in academic debate in the past three decades. It has also been influential in television studies and in the television industry.”¹⁰¹ “TV is a young medium – just over 60 years old – it has nevertheless already showcased an extraordinary amount of images.”¹⁰² These images and portrayals indicate women are advancing in society:

film and television have confirmed this impression that women have indeed come a long way in the legal profession. The first time a female lawyer was the main character of a major television network sitcom was in 1954. The television legal series of the 1960s included many women, but mostly in paralegal positions. Then, in the 1980s, women lawyers were everywhere, in private practice and in the District Attorney’s office, from *L.A. Law* to *Night Court*.¹⁰³

Strong lead female characters are relatively new to legal television programs, but with changes in society, female viewers want to see more relatable characters. John Fiske is a media

⁹⁹ Kamir, “Why ‘Law-and-Film’”, *supra* note 32 at 256.

¹⁰⁰ *Ibid* at 257.

¹⁰¹ Casey, *supra* note 38 at 121.

¹⁰² O’Dell, *supra* note 3 at 11.

¹⁰³ Villez, *supra* note 103 at 136.

scholar who has written several books including *Television Culture*, which remains the foundational text used in the study of media and popular culture.¹⁰⁴ Fiske writes about the relationship between society and television and how television works to promote certain meanings of the world in order to serve social interests.¹⁰⁵ Fiske writes about television as a commodity of culture and the interplay between media and capitalism.¹⁰⁶ Barbara Villez, a leading law and popular culture scholar, has commented on John Fiske's work. "John Fiske has explained that television programs survive when they appeal to different viewers, which they can do because the television texts carry a wide variety of meanings. How the different groups among television audiences read the same texts (television discourse) determines the meanings they will find and/or create."¹⁰⁷

Marshall McLuhan preceded John Fiske as a media and television studies scholar. McLuhan is known for coining the phrase "the medium is the message."¹⁰⁸ His most significant impact on the development of television studies was his focus on the medium itself being worthy of study. He argued that the way the medium (for example, either a movie or television program) played with time and speed "transformed the world of sequence and connections into the world of creative configuration and structure. Therefore, the message of the movie medium is this transition from lineal connections to configurations."¹⁰⁹ McLuhan wanted people to focus not only on the content of the medium, but also on the changes and the process of the medium. This allowed for a deeper understanding of how the medium functioned with social change,

¹⁰⁴ "Professor John Fiske" (7 December 2000), *The Media Report* online: <<http://www.abc.net.au/radionational/programs/mediareport-1999/professor-john-fisk/3476232>>.

¹⁰⁵ John Fiske, *Television Culture*, 2nd ed (New York: Routledge, 2011) at xv.

¹⁰⁶ *Ibid.*

¹⁰⁷ Villez, *supra* note 103 at 137.

¹⁰⁸ Marshall McLuhan, *Understanding Media: The Extensions of Man* (New York: Mentor, 1964) at 7.

¹⁰⁹ *Ibid.*

including the advancements made by feminism. McLuhan's view that television served as a substitute for lived experience¹¹⁰ is interesting when thinking about the role of women lawyers on TV.

Ric Sheffield provides an historical overview of women lawyers in popular culture. He notes the importance of on-screen "lady lawyers" is the "impact these portrayals had in shaping the public's perception and acceptance . . . [or rejection] of real-life women lawyers."¹¹¹ It is undeniable modern media is filled with sexist stereotypes of women: "feminist film and media criticism is replete with indictments of American popular culture for its negative portrayal of women."¹¹² Sheffield turns to the earliest of female TV lawyers in order to track the history of public opinion. In the 1930s, Hollywood helped "construct a masculine persona for fictional attorneys."¹¹³ The first female lawyer in an American motion picture was Elsie Ferguson's performance in *Scarlet Pages*.¹¹⁴ The slowly emerging "lady lawyer" genre only featured weak women who were timid and gentle, "ill suited for the . . . nastiness which finds its way into courts of justice."¹¹⁵ The few "lady lawyers" were rarely seen accomplishing their goals on their own; a man was always there to save the lady from failure.¹¹⁶

In 1937, the first successful woman lawyer appeared in Republic Pictures' 1937 film *Portia on Trial*. Sheffield notes this film's protagonist "was intended to enhance the image of

¹¹⁰ Adrienne L. McLean, "Media Effects: Marshall McLuhan, Television Culture, and 'The X-Files'" (1998) 51:4 Film Q 2 at 5.

¹¹¹ Ric Sheffield, "On Film: A Social History of Women Lawyers in Popular Culture 1930-1990" (1993) 14 Loy LA Ent LR 73 at 73.

¹¹² *Ibid.*

¹¹³ *Ibid* at 75.

¹¹⁴ *Ibid.*

Scarlet Pages was released in 1930.

¹¹⁵ *Ibid.*

¹¹⁶ *Ibid.*

women lawyers and their ability to compete effectively in the legal arena.”¹¹⁷ Sheffield asserts almost every female lawyer in film is traditionally physically attractive, which led audiences to assume and associate “legal competence and acceptability with physical attractiveness.”¹¹⁸ Movie production companies even began tailoring promotional material to female actors portraying lawyers to include fashion tips for suitable professional outfits.¹¹⁹

In the 1940s, more films featuring female lawyers were made and the women “still adhered . . . to the standard formula of showing the domestic discord resulting from women’s efforts to be independent of their men.”¹²⁰ The most classic example is 1949’s *Adam’s Rib* starring Katherine Hepburn and Spencer Tracy as husband and wife lawyers fighting for opposite sides in court. Hepburn is intelligent and professional as a lawyer, proving to be very effective as she wins the case and champions women’s rights. Sheffield quotes Hepburn’s character, “win the case and lose my husband” to prove popular culture depicted women as unable to be successful in work and in relationships.¹²¹

The 1950s saw an emerging trend of female lawyers in comedies. Sheffield states: “it seemed inevitable that fictional women lawyers would be relegated to comedic productions, since many people had difficulty taking female attorneys seriously.”¹²² Later into the decade, Hollywood was still presenting female lawyer characters who lacked competence, and then Hollywood stopped producing films with leading female lawyers. Television studios picked up

¹¹⁷ *Ibid* at 78.

¹¹⁸ *Ibid* at 87.

¹¹⁹ *Ibid*.

¹²⁰ *Ibid* at 90.

¹²¹ *Ibid* at 93.

¹²² *Ibid* at 94.

the slack and “over the next thirty years, while no notable film featured a women judge or lawyer . . . six sitcoms with female attorneys entered the airwaves.”¹²³ Over the course of the next three decades the comedic legal programs featured were, namely, *The Jean Arthur Show*, *Park Place*, *It Takes Two*, *Night Court*, *Sara*, and *Foley Square*.¹²⁴

As the Second Wave of feminism was taking hold, the film and television industry took notice and increased the number of women cast as lawyers in serious roles.¹²⁵ In the 1980s, *Hill Street Blues* introduced audiences to another beautiful, smart lawyer in the character of Joyce Davenport, played by Veronica Hamel. She was a “radical departure from the traditional screen image of women lawyers.”¹²⁶ Her appearance was barely referenced, and her skills were allowed to shine through. Her character revolutionized how women were seen as compared to men and it was finally acceptable for a female lawyer to be tough, outspoken, and aggressive.¹²⁷ This non-stereotypical model continued with *L.A. Law* in the 1990s and the characters Ann Kelsey and Grace van Owen. Both women were portrayed as competent and in control of their own lives. Generally, it was clear “the women on *L.A. Law*, unlike those on many TV series, are as complex and strong-willed as the men.”¹²⁸ Sheffield notes another “impressive aspect of *L.A. Law*’s portrayal of women is the frequency and quantity of women lawyers and judges who have

¹²³ *Ibid.*

¹²⁴ *The Jean Arthur Show* dealt with the issues arising between a mother and son legal team; *Park Place* was about the lawyers working at a legal aid clinic, including two female lawyers; *It Takes Two* described the life of a woman who goes back to law school after a life of being a housewife, and then becomes the assistant district attorney; *Night Court* was about the goings on during the night shift at a New York municipal court, featuring a female lead as the public defender; *Sara* featured Geena Davis working as a lawyer in San Francisco; and *Foley Place* starred Margaret Colin as an assistant district attorney hoping to find a man.

¹²⁵ Sheffield, *supra* note 111 at 97.

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ *Ibid* at 99.

appeared on the show.”¹²⁹ With a female lawyer character in almost every episode, women were starting to become commonplace in the courtroom and in law firms on television.¹³⁰ Sheffield commends television for advancing the role of the on-screen female lawyer, but criticizes films for not keeping pace: “the dominant image of women lawyers in the films of the 1980s and 1990s has been one of victims being driven by the blind love for a man.”¹³¹

Negative stereotypical portrayals of female lawyers still exist, demonstrating how little progress has been made in popular culture. Sheffield concludes, “the only demonstrable progress made in the world of fictional lawyers has been popular culture’s concession that women can be competent attorneys.”¹³² The continued practice in both film and television is to associate physical attractiveness with legal competence in women, which leads audiences to believe real world female lawyers are the same as on-screen lawyers.

Sheffield notes that the legal profession is described as both sex and race-exclusive.¹³³ He discusses the absence of African-American female lawyers in both film and television; diverse female lawyers are rarely seen on screen. Sheffield refers to the “pervasive racism within [the] industries”¹³⁴ and (at the time of his writing) he asserts, “there has never been a single film or television program which featured an African-American female attorney as the lead character.”¹³⁵

¹²⁹ *Ibid.*

¹³⁰ *Ibid* at 100.

¹³¹ *Ibid* at 109.

For example, 1991’s *Class Action* featured a woman lawyer who used sex to gain advantage. She slept with her boss and ignored ethical considerations within the case.

¹³² Sheffield, *supra* note 111 at 110.

¹³³ *Ibid* at n 141.

¹³⁴ *Ibid* at 106.

¹³⁵ *Ibid.*

While African-American female characters have been featured in film and television, they are often cast in roles assisting or serving the white woman or man, not as lead personalities: “these stereotypes, drawn and nourished in the slave era, effectively exclude black women from cultural notions of the feminine – an exclusion that ironically provides the structural basis for such cultural articulations.”¹³⁶ The television world has not behaved much differently than the world of cinema: “it was not until 1970 that the American television audience was exposed to the possibility that African-American women might also become attorneys.”¹³⁷ The show *The Young Lawyers* featured Judy Pace, in the role of an African-American law student named Pat Walters, who interned at the show’s poverty law clinic.¹³⁸ Later, Phylicia Rashad played Claire Huxtable on *The Cosby Show* and although she was described as a strong African-American female lawyer, “she did very little visible lawyering.”¹³⁹ Even *L.A. Law*, which Sheffield notes was a show that included diverse female lawyers and judges, still did not feature a leading African-American female lawyer. The legal television world still has a ways to go to reflect racial diversity and this remains a failing of the television industry.¹⁴⁰

Even with the growing number of on-screen female characters in the 1990s, there still remained a gap in popular culture depictions of female lawyers. Stacy Caplow remarks that no TV women lawyers could be seen struggling with work-life balance, breaking the glass ceiling,

¹³⁶ *Ibid* at 107.

¹³⁷ *Ibid*.

¹³⁸ *Ibid*.

¹³⁹ *Ibid* at 108.

¹⁴⁰ In 2000, the show *Girlfriends* debuted. It was a sitcom with a predominantly African-American female cast. Tracee Ellis Ross starred as Joan Carol Clayton, esq., the show’s main character. Joan is a lawyer, and one of the other characters is her friend and legal assistant; however, the show does not focus on the law or her legal career.

or gender stereotyping at the office, and that female lawyer characters were not depicted as diverse.¹⁴¹ Hollywood remained “unkind and unsympathetic to and, in many cases exploitive of, women lawyers.”¹⁴² Caplow discusses the disappointing realities of female lawyer protagonists. She notes the majority of the films featuring a female lawyer protagonist remained forgettable, and then of course, the female lead “compromised herself both personally and professionally by either having sex with an inappropriate character (adversary, boss, client) or placing herself in physical or psychological danger, or both.”¹⁴³ This oft-repeated storyline suggests writers are not willing to allow female lawyers the opportunity to achieve professional success.¹⁴⁴ Caplow notes female lawyers are often seen as dependent on male colleagues for success and assistance, or as unethical and immoral.¹⁴⁵ Caplow advances her argument by analyzing six specific films and how they illustrate the leading female lawyer.¹⁴⁶

Caplow believes “despite a fair amount of on-screen exposure, women were not faring well in popular culture.”¹⁴⁷ Caplow stresses the importance of popular culture and how it

bears some responsibility for creating the public’s understanding of the law . . . portrayals of women in the movies presumably attempt to mirror the authentic ambivalence of real-life women lawyers about whether and how their sex influences the law and its practice, and reflects and reinforces the skepticism of lay people about the relative abilities and competence of women attorneys.¹⁴⁸

¹⁴¹ Stacy Caplow, “Still in the Dark: Disappointing Images of Women Lawyers in Movies” (1999) 20 Women's Rts L Rep 55 at 56.

Caplow is Associate Dean of Professional Legal Education & Professor of Law at Brooklyn Law School.

¹⁴² Caplow, *supra* note 141 at 56.

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid* at 56-57.

¹⁴⁶ *Ibid* at 57.

The six films are: *Jagged Edge*, *Suspect*, *The Music Box*, *Class Action*, *The Accused*, and *The Client*. Caplow notes the first four follow a melodramatic formula where a reasonably successful woman takes on a big case with disastrous consequences; the fifth film strays from the melodramatic formula, but still portrays the female lead as a flawed heroine; and the sixth film offers a sympathetic portrayal of a more maternal protagonist.

¹⁴⁷ Caplow, *supra* note 141 at 57.

¹⁴⁸ *Ibid* at 58.

Caplow suggests these stereotypes lead a viewer to understand “the *perceived* status of women in the legal profession”¹⁴⁹ because we assume fictional characters must mirror authentic real-life women lawyers.

The films Caplow examines have similar heroine profiles. The audience first meets the heroine in her professional role as lawyer. None of the women is married, although some are divorced with children; all are depicted as being good mothers but spend little time with their children; some have sexual relationships with inappropriate partners; several have male mentors or protectors; all face primarily male counterparts in court; and all appear to be the only women lawyers at their respective firms.¹⁵⁰

Caplow highlights that the six films she studied lack a female protagonist who is of the same quality as Atticus Finch.¹⁵¹ Even once “women first trickled into, then flooded, the legal profession” there was no female equivalent to Atticus Finch.¹⁵² She states that at the time of her writing, “the fad of woman lawyer films seems to have died down so the quest [for a strong female protagonist] will be even more difficult.”¹⁵³ Caplow offers the somewhat encouraging idea that women have progressed in Hollywood because they are now professionals and can offer skills in a male dominated legal world. However, she concludes with her belief that the women lawyers who have emerged on screen are still negatively portrayed and therefore do not gain

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid* at 64.

¹⁵¹ *Ibid* at 55.

¹⁵² *Ibid.*

¹⁵³ *Ibid* at 70.

respect from audiences; “if we wait long enough, perhaps someday we will hear a character saying, “Stand up, Scout, your *mother* is passing by.””¹⁵⁴

Carole Shapiro also explores the cinematic portrayal of women lawyers.¹⁵⁵ She discusses the prevalence of Hollywood images and the representation of female lawyer characters in Hollywood films.¹⁵⁶ Shapiro notes “Hollywood made more than twenty films from 1979 until 1993 in which women lawyer characters played some speaking part.”¹⁵⁷ She notes even with the recent increase in films with female lawyers, ultimately, the women are depicted in a negative light. “While the woman lawyer is generally shown as smart and talented, she is rarely portrayed in such a way that a woman, never mind, a woman lawyer, would ever want to be (like) her.”¹⁵⁸ Shapiro writes that movies about female lawyers are playing out male fears and fantasies about strong women. Films featuring female lawyers depict professional women with old-fashioned and traditionally conventional attitudes. The films “warn women whose jobs may take them outside the home not to allow ambition to seduce them away from [family].”¹⁵⁹ Films also feature plotlines with women who are punished for failure in their sexual relationships, leaving them lonely and miserable. There is a need for positive models for female lawyers in film.

¹⁵⁴ *Ibid* at 71.

¹⁵⁵ In 1994 and 1998, Carole Shapiro taught Legal Methods at Touro Law School in Huntington, New York.

¹⁵⁶ Carole Shapiro, “Women Lawyers in Celluloid: Why Hollywood Skirts the Truth” (1994) 25 U Toledo L Rev 955.

Shapiro references the three most well known films with women lawyers: 1949’s *Adam’s Rib*, *Tell It To the Judge*, and 1947’s *The Bachelor and the Bobbysoxer*.

¹⁵⁷ Shapiro, “Women Lawyers in Celluloid”, *supra* note 156 at 962.

Of the over twenty films Shapiro references from 1979 to 1993, some include: *First Monday in October*, *The Cradle Will Fall*, *Suspect*, *Presumed Innocent*, *Class Action*, *A Few Good Men*, *Guilty as Sin*, and *Philadelphia*.

¹⁵⁸ Shapiro, “Women Lawyers in Celluloid”, *supra* note 156 at 963.

¹⁵⁹ *Ibid* at 970.

Films create a specific model for female lawyers and ‘having a man’ was a critical aspect of a woman’s success; heterosexual relationships are the central plotlines for most leading female lawyers. Failure in relationships is equated with failure as a woman and as a lawyer.¹⁶⁰ “Even when a plot focused on a female lawyer’s legal problem, its real interest was her personal life. Consequently, all of these characters entered their movies unmarried because the real question was whether they had a love interest by the time they left the screen.”¹⁶¹ A male lawyer’s success was rarely measured in love, but a female lawyer succeeded when she had a male partner.¹⁶²

Typically, the female characters are not complex and they are not advocating for justice. Most are admired for their physical appearance and not for their abilities as lawyers, and when they are dedicated to their careers, a man is still often seen rescuing them.¹⁶³ The women who are single are depicted as unhappy, and themselves responsible for being single, because of extreme devotion to their careers.¹⁶⁴ Women also suffer backlash if they have too many partners – this is acceptable for male lawyers, but frowned upon for female lawyers.¹⁶⁵ The female lawyer model typically portrays women as unhappy with their independence – “to do otherwise would make their lives much too attractive for purposes of a backlash message.”¹⁶⁶ Therefore, popular culture depictions seem to try to convince women not to enter the legal profession nor adopt the stereotypically male behaviours associated with the profession.¹⁶⁷ Importantly, the female

¹⁶⁰ *Ibid* at 977.

¹⁶¹ Carole Shapiro, “Women Lawyers in Celluloid Rewrapped” (1998) 23 Vermont L Rev 303 at 304.

¹⁶² *Ibid*.

¹⁶³ *Ibid*.

¹⁶⁴ Shapiro, “Women Lawyers in Celluloid”, *supra* note 156 at 980.

¹⁶⁵ *Ibid* at 983.

¹⁶⁶ *Ibid* at 987.

¹⁶⁷ *Ibid*.

lawyers are very rarely seen interacting with other female lawyers, or female friends.¹⁶⁸ Some films even use a non-lawyer male as the emotional guide for on-screen female lawyers. Shapiro mentions *Jagged Edge* as an example of this; Glenn Close's lawyer character has no friends, but confides in the male investigator on the case.¹⁶⁹

In later work, Shapiro notes she was previously arguing “that it was because the female lawyer symbolized women’s advances, including her moving into formerly male roles, that she needed vanquishing, even if only on screen.”¹⁷⁰ The woman lawyer revolutionized changes in gender roles and “there is no doubt that increasingly blurred gender role lines are hallmarks of [today] and women in this culture are increasingly accepted in all kinds of formerly male roles.”¹⁷¹ Shapiro notes that the on-screen female lawyer has become “slightly more varied and, therefore, more true to life, although the range is still quite narrow.”¹⁷² The female lawyer is no longer a “miserable creature” waiting for a man and sometimes the female lawyer is an appealing and desirable role model.¹⁷³ Shapiro notes some TV writers even allow for the protagonist women lawyer to be single and friendly with other women, but she is still not able to balance lawyer life and motherhood.¹⁷⁴ Shapiro observes the inability of female TV lawyers to raise children and equates this with the legal profession’s unwillingness to accept women as lawyers and mothers simultaneously.¹⁷⁵

¹⁶⁸ *Ibid* at 988.

¹⁶⁹ *Ibid*.

¹⁷⁰ Shapiro, “Women Lawyers Rewrapped”, *supra* note 161 at 306.

¹⁷¹ *Ibid*.

¹⁷² *Ibid* at 307.

¹⁷³ *Ibid*.

¹⁷⁴ *Ibid*.

¹⁷⁵ *Ibid* at 308.

The “glacial” speed of improvement in the depiction of women lawyers in film is disturbing and “reflects white-male dominated Hollywood’s continuing difficulty in depicting three-dimensional female characters.”¹⁷⁶ Shapiro still believes her initial conclusion that “Hollywood films reflect the male vision of their makers and their money men.”¹⁷⁷ The on-screen female lawyer will become a more interesting character only “when there are more women in the movie business and when female roles, as a whole, broaden to explore the full range of gender possibilities.”¹⁷⁸

Diane Glass wrote her article, “Portia in Primetime: Women Lawyers, Television, and L.A. Law” as a law student expressing concern for the depiction of female lawyers in popular culture.¹⁷⁹ When she published her article in 1989, women lawyers on television had not yet been the focus of in-depth study,¹⁸⁰ even though the image of women in the media had been studied since the Second Wave.¹⁸¹

Female movie characters in the 1960s ranged from happy housewives to complex women with fiery tempers, elements of mystery, and sexuality (like Greta Garbo and Katharine Hepburn) to hyper sexualized objects and baby-faced brides (like Marilyn Monroe). Thereafter, President John F. Kennedy established a Commission on the Status of Women, which criticized the media for “projecting, intentionally or unintentionally, an image (of women) that contains old myths, misconceptions, and even distortions of a true image.”¹⁸²

¹⁷⁶ *Ibid* at 347.

¹⁷⁷ Shapiro, “Women Lawyers in Celluloid”, *supra* note 156 at 1010.

¹⁷⁸ Shapiro, “Women Lawyers Rewrapped”, *supra* note 161 at 347.

¹⁷⁹ Glass, *supra* note 97 at 378.

¹⁸⁰ *Ibid* at 412.

¹⁸¹ *Ibid* at 413.

¹⁸² *Ibid*.

Results of this Commission and the position of women in mass media at the time led Glass to comment on female underrepresentation in popular culture: women were either invisible or stereotyped.¹⁸³ She notes improvements throughout the 1980s, but also notes the common theme of negative depictions of women on television. Content analysis of “women’s television roles have found that when women do appear on television, they are often portrayed in ‘negative, socially disadvantaged ways, as powerless and inferior.’”¹⁸⁴ Female characters were typically married, often deferring to the male characters for help with the big problems.¹⁸⁵ The few women who did work were relegated to ‘feminine roles’: nurses, secretaries, teachers, and students. The 1980s saw a shift in this, featuring some women in traditional male roles such as lawyers, doctors, and scientists. Glass notes even the women who had jobs in traditionally male-dominated fields were still incompetent compared to the men.¹⁸⁶ Glass notes a 1986 study of sex-stereotyping conducted by Tamar Zemach and Akiba Cohen. The study highlights the typical descriptions used for women as “passive, dependent, submissive, and weak,”¹⁸⁷ whereas the men “were presented as strong, dominant, rational, independent, and active.”¹⁸⁸ Glass identifies that some scholars believe these stereotypes reflect our sexist society,¹⁸⁹ but she also notes “television misrepresents reality, i.e. underrepresents women numerically [in the job force] and over represents women who have ‘feminine’ attributes and roles.”¹⁹⁰

¹⁸³ *Ibid.*

¹⁸⁴ *Ibid* at 414.

¹⁸⁵ *Ibid.*

¹⁸⁶ *Ibid* at 415.

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid* at 416.

¹⁸⁹ *Ibid.*

¹⁹⁰ *Ibid.*

Glass also notes that the increase in the number of female writers on television shows helps diversify perspectives, and that Terry Louise Fisher's role as co-creator and writer on *L.A. Law* made a difference for future female writers on legal television. Overall, Glass believes *L.A. Law* was revolutionary in its ability to bring strong female characters to the forefront in the normally male-dominated legal television world.

Elayne Rapping discusses the perception of a backlash against feminism because of male-dominated media that rejects the advancement of women.¹⁹¹ Popular media has made advancements:

the weather girl has been replaced by Diane Sawyer; Mrs. Cleaver no longer stands nailed to the kitchen floor endlessly tearing lettuce into the Pyrex bowl; she is off to work in her suit and briefcase. And Lucy's hysteria has, indeed, given way to Murphy Brown's aggressive refusal to suffer male fools.¹⁹²

However, backlash still exists and women still fight to change patterns of social representation. The important advancement is that women are now "major players."¹⁹³

Rapping details the evolution of female Hollywood movie stars.¹⁹⁴ She notes, "the heroines of the 1930s and 40s were generally far more active, assertive and independent than their 1950s and 60s sisters."¹⁹⁵ Women in the 1970s were not heroines as such, but rather depicted the suffering of women in families. And in stark contrast, "the most significant [change] in direction of this genre in the later 70s and early 80s was the switch from the focus on women

¹⁹¹ Elayne Rapping, "Gender and Media Theory: A Critique of the 'Backlash Model'" (1994) *J Social Philosophy* 7 at 7.

¹⁹² *Ibid* at 14.

¹⁹³ *Ibid*.

¹⁹⁴ Elayne Rapping, "Hollywood's New 'Feminist' Heroines", *Cineaste* 14:4 (1986) 4 at 4.

¹⁹⁵ *Ibid*.

to the problems of men.”¹⁹⁶ Rapping uses *Kramer vs. Kramer* and *Ordinary People* as examples of the father rising to the occasion and becoming the compassionate, nurturing parent. Rapping asserts Hollywood has a hidden agenda when it comes to portraying women, managing “to undercut the real demands and rights of women, and to preserve the class and sex-based power relations upon which our social and economic system is based.”¹⁹⁷

Rapping describes five films from the 1980s that highlight their female characters’ negative flaws.¹⁹⁸ Most of the female characters are overly sexualized and not complex. The stories of each of the films discuss feminist issues, including a woman’s inability to succeed without a man.¹⁹⁹ Rapping states: “popular genre forms, by definition, limit the scope and seriousness of subversive challenges to the status quo. The audience expects certain things and not others: it has been trained . . . to understand these forms.”²⁰⁰ Rapping argues that the female heroines of the 1980s have returned to the ways of the 1950s. Hollywood’s portrayal of women is depressing and young women are not exposed to heroines worth envying. Rapping concludes with her pitch for the future, “implicit in feminist thought is the assumption that society itself will need to change in important . . . ways.”²⁰¹

Christine Corcos writes about the disadvantages facing women in film and television.²⁰²

Her work also focuses on the negative depiction of female lawyers. Corcos suggests this

¹⁹⁶ *Ibid* at 5.

¹⁹⁷ *Ibid*.

¹⁹⁸ The five films discussed are: *Sweet Dreams*, *Jagged Edge*, *Marie*, *Agnes of God*, and *Plenty*.

¹⁹⁹ Rapping, “Hollywood Heroines”, *supra* note 194 at 7.

²⁰⁰ *Ibid* at 8.

²⁰¹ *Ibid* at 9.

²⁰² Christine Alice Corcos, “We Don’t Want Advantages: The Woman Lawyer Hero and Her Quest for Power in Popular Culture” (2003) 53 *Syracuse L Rev* 1225 at 1225.

Christine Alice Corcos is an Associate Professor of Law at Louisiana State University.

negativity is primarily because women are being compared to men and the male lawyers are afforded more opportunities to be seen as heroes.²⁰³ 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.”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.²⁰⁵ 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.”²⁰⁶ 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.”²⁰⁷ Most female characters Corcos examines resort to traditional male roles, abandoning typical feminine characteristics, and some even turn to violence as a remedy.²⁰⁸ Corcos also notes on-screen female lawyers cannot manage themselves, and must rely on the assistance of a man.²⁰⁹

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.”²¹⁰ 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.²¹¹ We see this in the specific examples

²⁰³ Corcos, “Advantages’, *supra* note 202 at 1227.

²⁰⁴ *Ibid* at 1228.

²⁰⁵ *Ibid* at 1228-29.

²⁰⁶ *Ibid* at 1229.

²⁰⁷ *Ibid* at 1237.

²⁰⁸ *Ibid* at 1238.

²⁰⁹ *Ibid*.

²¹⁰ *Ibid* at 1244.

²¹¹ *Ibid* at 1246.

provided by Corcos, such as the comparison between Ann Talbot (Jessica Lange's character in *Music Box*) and Frank Galvin (Paul Newman's character in *The Verdict*). Ann is criticized for being too emotional and letting her father's case get the best of her emotions, while Frank's alcoholism and relationship with the lawyer who we later discover is working for the other side, is not criticized or even discussed.²¹²

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.²¹³ "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."²¹⁴

In all of the films and shows Corcos analyzes,²¹⁵ "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."²¹⁶ Corcos notes how women are marginalized as lawyers because they are not the managing partners, but rather the lower-salaried lawyers²¹⁷ and they are not the ones winning the cases, because a man at the firm will come around and save the day.²¹⁸ Corcos' opinion of *Ally McBeal* is unfavorable; she thinks

²¹² *Ibid.*

²¹³ *Ibid* at 1248.

²¹⁴ *Ibid* at 1270. Note that Corcos does describe Elle Woods from *Legally Blonde* as heroic, at 1270.

²¹⁵ Including *Feds*, *Reasonable Doubts*, *L.A. Law*, *The Rockford Files*, *Law and Order*, and *Murder One*.

²¹⁶ Christine Alice Corcos, "Women Lawyers" in Robert M. Jarvis and Paul R. Joseph, eds, *Prime Time Law: Fictional Television as Legal Narrative* (North Carolina: Carolina Academic Press, 1998) at 230.

²¹⁷ *Ibid* at 244.

²¹⁸ *Ibid* at 247.

“the show represents yet another series that trivializes female attorneys . . . it reinforces the beliefs we have already seen exemplified in other shows about women lawyers.”²¹⁹

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.²²⁰ Corcos stresses the importance of re-educating moviegoers and television audiences “to reject repetitious and formulaic visions of the woman attorney as professional or personal failure, and demand new and exciting images of successful and productive female lawyers.”²²¹ She notes it will be a long road, but a necessary one.²²²

Reflecting on the analyses conducted by Corcos and Glass, Joan Gershen Marek notes 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.”²²³ Marek also recognizes this disparity remains a reason for popular culture continuing to illustrate the inequality between the genders.²²⁴ Quoting Carole Shapiro, Marek states, “after all, television’s ability to shape our view of the world in general, and the legal

²¹⁹ *Ibid* at 248.

²²⁰ Corcos, “Advantages”, *supra* note 202 at 1270.

²²¹ *Ibid.*

²²² *Ibid.*

²²³ Joan Gershen Marek, “The Practice and Ally McBeal: A New Image for Women Lawyers on Television” (2004) *J American Culture* 77 at 77.

²²⁴ *Ibid.*

system in particular, makes it a powerful force . . . The visual image plays a central role . . . in maintaining the status quo.”²²⁵

Television is “both a mirror and a lamp, reflecting public opinion and leading it as well.”²²⁶ And women lawyers on television do not fare well. They are portrayed as incompetent professionally and personally.²²⁷ Marek’s approach focuses on more recent programs such as *Ally McBeal* and *The Practice* in an attempt to see if the negative depictions are changing.

Marek establishes criteria for determining if the female lawyers on television 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.²²⁸ Ellenor Frutt, Camryn Manheim’s character on *The Practice*, is a larger woman with bad skin and several piercings; she looks different from most other female lawyers we have seen on television. She is also unable to balance her personal and professional lives. The series depicts several examples of Ellenor mismanaging the relationships in her life, but she is a smart lawyer, argues well, and stands up for herself against her male colleagues. Overall, Ellenor is respected by her peers, and is well liked.²²⁹

The other two women on *The Practice*, Lyndsay Dole (played by Kelli Williams) and Helen Gamble (played by Lara Flynn Boyle), a crown attorney, have more stereotypically good

²²⁵ *Ibid.*

²²⁶ *Ibid.*

²²⁷ *Ibid.*

²²⁸ *Ibid* at 78.

²²⁹ *Ibid* at 79.

looks than Ellenor. Lyndsay loves Bobby, the head of the firm, so she immediately fulfills the stereotype of sacrificing her career for love. She is a skilled lawyer and proves herself with her unique lawyering approach.²³⁰ She is well liked by her colleagues and is often seen talking about friends. Her best friend is Helen. Lyndsay and Helen encourage one another and help each other with work issues. Helen dresses well and is successful at work, but she struggles with work-life balance, primarily because she puts her career first. She is respected at work and well liked, even by opposing counsel.²³¹

Marek believes the three women of *The Practice* break new ground because although they are not perfect, each is a strong professional, well-liked by her peers, and is an overall positive role model.²³² Marek notes when comparing the three leading women to the leading men, the women fare better than the men.²³³ The men are divorced, lonely, insecure, unethical, and struggling. Marek appreciates the shift in portrayal of the male and female characters.²³⁴

Marek stresses the importance of finding a proper work-life balance and she believes *The Practice* and *Ally McBeal* 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 recognizes these shows portray women in a new light as successful professionals. "While neither show is revolutionary, they both provide a new look at the woman professional. That is a positive thing for both sexes."²³⁵

²³⁰ *Ibid.*

²³¹ *Ibid* at 80.

²³² *Ibid* at 81.

²³³ *Ibid.*

²³⁴ *Ibid.*

²³⁵ *Ibid* at 83.

Three Television Shows Featuring Female Lawyer Protagonists

As my review of the literature demonstrates, there is much scholarly work about women in law and popular culture. There are also academic and non-academic articles about *L.A. Law*, *Ally McBeal*, and *The Good Wife*. None of these has, however, considered the particular issue of mentorship between female lawyers on television. Most feminist film critics look for female oppression and male domination in popular culture.²³⁶ There is very limited academic research about female mentorship in the legal profession. S. Elizabeth Foster highlights the struggles women face with men in the legal profession, but mentions female mentoring only in passing.²³⁷ Lianne Krakauer & Charles P. Chen only discuss mentoring programs for law students.²³⁸ None of these writers offer helpful insights into female mentorship in the profession. My review of the literature therefore exposes a gap which I propose to try to fill in this thesis. There is a lack of discussion about women struggling with other women and no work focused on the female mentorship relationship in the legal television world. If representations of women in the media are supposed to reflect reality, why is popular culture ignoring the lack of female mentorship? It is this gap that I hope to fill with my thesis, using three television programs as my focus: *L.A. Law*, *Ally McBeal*, and *The Good Wife*.

²³⁶ Roshetko, *supra* note 36 at 23.

²³⁷ S. Elizabeth Foster, "The Glass Ceiling in the Legal Profession: Why Do Law Firms Still Have So Few Female Partners?" (1995) 42 UCLA L Rev 1631.

²³⁸ Lianne Krakauer & Charles P. Chen, "Gender Barriers in the Legal Profession: Implications for Career Development of Female Law Students" (2003) 40 J Employment Counseling 65.

L.A. Law premiered in the fall of 1986 on NBC and ran for eight seasons. The show was co-created by Steven Bochco, of *Hill Street Blues* producing fame, and “Terry Louise Fisher (a former prosecutor, entertainment lawyer, and producer of *Cagney and Lacey*, a successful drama about two female detectives).”²³⁹ *L.A. Law* focused on the lives of lawyers and staff working at the firm McKenzie Brackman Chaney & Kuzak.²⁴⁰ *L.A. Law* was “set in a high profile private firm [that] reflected the booming economic success of the mid-1980s.”²⁴¹ At the beginning of the series, the main characters are Leland McKenzie, the senior partner at the firm; Douglas Brackman Jr., managing partner; Michael Kuzak, one of the firm’s top litigators; Arnie Becker, the firm’s top family law lawyer; Ann Kelsey, the only female partner at the firm; Stuart Markowitz, a tax lawyer and Ann’s husband; Victor Sifuentes, a new lawyer with the firm, formerly from the public defender’s office; and Abigail Perkins, a junior associate with the firm. The other noteworthy female character is Grace van Owen, an assistant district attorney who is dating Kuzak.²⁴² *L.A. Law* was innovative for its use of an ensemble cast “so that different combinations of lawyers and staff were involved in each episode.”²⁴³ *L.A. Law* was also the first hour-long legal drama to focus on legal issues as key plot elements, “even if it did so with a veneer of superficiality.”²⁴⁴ *L.A. Law* also was also a pioneer in the legal genre; it included two stories in each episode – the A and B stories – and intercut between them.²⁴⁵

²³⁹ Glass, *supra* note 97 at 374.

Steven Bochco gave David E. Kelley a job as a writer and story editor on *L.A. Law*. When Bochco left in 1989, Kelley became the show’s executive producer, staying until the end of the fifth season in 1991. Kelley went on to create three legal dramas: *Ally McBeal*, *The Practice*, and *Boston Legal*.

²⁴⁰ Glass, *supra* note 97 at 375.

²⁴¹ Kristin Brudy, *The Drama of the Courtroom: Media Effects on American Culture and Law* (Psychology Honours Thesis, 2006) [unpublished] at 12.

²⁴² Glass, *supra* note 97 at 375.

²⁴³ Michael Asimow, “Chapter One: *Ally McBeal* and Subjective Narration” in Michael Asimow, Kathryn Brown & David Ray Papke, eds, *Law and Popular Culture: International Perspectives* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2014) 11 at 16.

²⁴⁴ Brudy, *supra* note 241 at 13.

²⁴⁵ Asimow, “*Ally McBeal*”, *supra* note 243 at 16.

L.A. Law was in the business of breaking the glass ceiling; it was “the first primetime drama to feature several women lawyers in leading roles.”²⁴⁶ As Glass notes:

the image of women lawyers on *L.A. Law* is an improvement on the generally negative historical portrait of women on television. This image is important precisely because viewers’ perceptions of women lawyers are crucial as women establish a larger presence in the profession.²⁴⁷

The writers of *L.A. Law* created new cultural prototypes of female lawyers reflecting Second Wave feminism. They based their characters on professional women and on their own experiences in the legal world.²⁴⁸ *L.A. Law* revolutionized legal popular culture and the legal television world. “*L.A. Law* would have one of the broadest and deepest impacts on popular culture than any other legal drama in history.”²⁴⁹

The second show I will examine is *Ally McBeal*. *Ally McBeal* premiered on the Fox network in 1997 and was on air for five seasons.²⁵⁰ *Ally McBeal* was different from other shows and was even referred to as a ‘dramedy’, because of its combination of funny antics and serious elements.²⁵¹ *Ally McBeal* was also different because it was quirkier than most other legal shows that came before it. “It may well be that the show was primarily understood by its viewer much as *L.A. Law* was – as an attractive world of young, wealthy professionals but one updated to appeal to those inclined toward anxiety, irony and ennui.”²⁵²

²⁴⁶ Glass, *supra* note 97 at 372.

²⁴⁷ *Ibid* at 373.

Diane Glass was writing this in 1989 when *L.A. Law* was in its third season and had already established itself as changing the way popular culture understood female lawyers.

²⁴⁸ Glass, *supra* note 97 at 412.

²⁴⁹ Brudy, *supra* note 241 at 12.

²⁵⁰ Naomi Mezey & Mark C. Niles, “Screening the Law: Ideology and Law in American Popular Culture” (2005) 28 *Colum JL & Arts* 91 at 128.

²⁵¹ Asimow & Mader, *supra* note 17 at 129.

²⁵² Mezey & Niles, *supra* note 250 at 128.

Ally McBeal revolves around the personal and professional life of young, single, female lawyer Ally, played by Calista Flockhart. *Ally McBeal* is stereotypical but also reflects some changes in society. She is the first woman lawyer with her own show; she is the protagonist. Ally's life is complicated because she works with her ex-boyfriend and she is still in love with him, despite the fact that he is married to another woman at the firm. But Ally tries to define herself by her career, not by her personal life.²⁵³ She is attractive and is successful at work, although we do not see her working that often.²⁵⁴ Ally is compared "favorably to the male lawyers on the show" and can stand her ground against them.²⁵⁵ "The program's narrative intermingles Ally's personal life, dominated by her eternal quest for love, romance, and sex, with legal cases handled by her law firm and the complicated personal relationships between the various characters."²⁵⁶ Ally is accompanied by a colourful cast including: Richard Fish and John Cage, partners at the firm Cage & Fish; Billy Thomas, Ally's ex-boyfriend and now colleague at the firm; Elaine Vassal, Ally's secretary; and Renee Raddick, deputy District Attorney and Ally's roommate.²⁵⁷

Ally "represents a new type of woman for whom second wave feminism has provided choices, and who when faced with these choices, is trying to figure out her own life . . . Ally McBeal wants to be strong and successful and she wants to do it her way."²⁵⁸ Opinions of *Ally McBeal* vary. Some young professional women identified with Ally "and appreciated the show's

²⁵³ Marek, *supra* note 223 at 82.

²⁵⁴ *Ibid.*

²⁵⁵ *Ibid.*

²⁵⁶ Jonathan Cohen, "Deconstructing Ally: Explaining Viewers' Interpretations of Popular Television" (2002) 4 *MediaPsychology* 253 at 254.

²⁵⁷ *Ally McBeal* (Fox Broadcasting Company, 1997).

²⁵⁸ Cohen, *supra* note 256 at 255-56.

treatment of gender issues and the conflicts between personal and professional life.”²⁵⁹ Other women viewers did not like the show because it suggested professional women behave as emotionally incompetent bimbos who are unable to balance personal and professional lives.²⁶⁰ Regardless of one’s opinion, *Ally McBeal* did start a trend of leading female lawyer protagonists on television.²⁶¹

The Good Wife premiered on CBS on September 22, 2009 and ran for seven seasons. The show follows the life of Alicia Florrick, played by Julianna Margulies, as a lawyer forced to return to work because her husband Peter Florrick is sent to jail for his involvement in a public sex and corruption scandal.²⁶² Alicia begins work as a junior associate at the law firm Stern, Lockhart & Gardner, where her old law school friend, Will Gardner, is a named partner. Also at the firm are named partner, Diane Lockhart; Cary Agos, another junior associate vying for a position at the firm in competition with Alicia; and Kalinda Sharma, the firm’s private investigator.²⁶³

The Good Wife fits perfectly with the “resurgence of feminism and renewed public discussion in [American] . . . popular culture about women combining motherhood and careers.”²⁶⁴ The female characters and their stories are at the heart of *The Good Wife*.²⁶⁵ Shani Orgad argues that the show is a “vibrant example of the new luminosity of feminism in popular culture. It both responds and contributes to renewed public discussion of the myth that women

²⁵⁹ Asimow, “*Ally McBeal*”, *supra* note 243 at 17.

²⁶⁰ *Ibid.*

²⁶¹ *Ibid.*

²⁶² Hyde, *supra* note 8 at 21.

²⁶³ *The Good Wife* (CBS Productions, 2009).

²⁶⁴ Shani Orgad, *The Cruel Optimism of The Good Wife: The Fantastic Working Mother on the Fantastical Treadmill* (London School of Economics and Political Science, 2016) [unpublished] at 4.

²⁶⁵ Asimow, “*Ally McBeal*”, *supra* note 243 at 18.

can ‘have it all’ and become empowered.”²⁶⁶ Abby Hammes disagrees, noting:

The themes regarding the portrayal of female lawyers that we see present in *The Good Wife* are themes which have been repeated historically in television media depictions of these characters . . . This means that depictions of female characters hasn’t really changed in recent years, an observation that may be disturbing not only for feminists, but for all females in the legal profession.²⁶⁷

Stephanie Ortego Roussell is likely correct when she states: “it’s clear that content creators are hesitant to fully cast an emotionally empowered female character.”²⁶⁸ And further:

Representations of women in the media, most specifically misrepresentations of women, have produced gender inequalities that transition into real life . . . These inequalities are manifested in stereotypes, which suggest that a female character, by virtue of being female, possesses all the qualities that are commonly associated with women. These stereotypes tend to complement historically constructed ideas of gender and are perpetuated repeatedly in the media.²⁶⁹

These stereotypes, which depict women as being inferior, more empathetic, weak, non-assertive, and struggling with independence, make those same characters less than desirable as mentors. Even the characters who defy the traditional stereotypes have no context or framework for mentoring other women in the legal television world. My literature review of feminist history and law & popular culture research demonstrates that information is lacking. In the next chapter I will describe my methodology to analyze the portrayal of female lawyers on television with a view toward better understanding whether or not those female lawyers act as mentors for one another.

²⁶⁶ Orgad, *supra* note 264 at 5.

²⁶⁷ Abby Hammes, *Lady Lawyers: How The Good Wife Portrays Females in the Legal System* (North Dakota State University, 2012) [unpublished] at 12.

²⁶⁸ Ortego Roussell, *supra* note 79 at 35.

²⁶⁹ *Ibid* at 7.

CHAPTER 3: METHODOLOGY

The study of law and popular culture is significant because it shifts how one thinks about the law. “The law is conventionally understood as an autonomous, self-contained system of rules; to study the ‘law’ means to study legal doctrine as found primarily in case law and statute; legal reasoning is taught as the primary ‘method’ through which legal doctrine is articulated and discussed.”²⁷⁰ Television parallels law and therefore, “an understanding of the interrelationship between law and popular culture is key to shaping the future of law and justice in contemporary society” and to the advancement of scholarship in this field.²⁷¹ Rebecca Johnson and Ruth Buchanan have argued that film provides “an occasion to attend to the way in which fiction, with its representations, is crucial to community building and to our conceptions of law and justice.”²⁷² I argue that television is equally if not more crucial and therefore television shows are vital to my methodology.

In this thesis, I will critically examine the portrayal of female lawyers on television through a feminist lens, with a specific focus on female mentorship. The feminist approach I most closely align with is postfeminism, as defined by Leslie Heywood and Jennifer Drake in their 1997 book, *Third Wave Agenda: Being Feminist, Doing Feminism*. They note: “Postfeminism as understood from this perspective is about the conceptual shift within feminism from debates around equality to a focus on debates around difference.”²⁷³ Postfeminism is

²⁷⁰ Johnson & Buchanan, *supra* note 23 at 89.

²⁷¹ Asimow & Mader, *supra* note 17 at back cover.

²⁷² Johnson & Buchanan, *supra* note 23 at 96.

²⁷³ Hyde, *supra* note 8 at 7.

closely aligned with Third Wave feminism, specifically the “intersectionality of identity, and engages in cultural critiques to ‘grapple with questions of power and structure that fortify gender distinctions and social institutions.’”²⁷⁴

Through my review of the literature I am most impressed with Orit Kamir’s feminist approach to legal popular culture. I will use her approach to analyze the portrayal of female lawyers on television in my thesis. Kamir is a popular legal culture scholar who has developed a feminist theory of law and film. Kamir proposes three ways of categorizing law and film perspectives, which I will utilize for law and television. I will apply Kamir’s framework to my selected television shows and will use her perspectives to conduct a feminist legal analysis of women in the legal television world.

Kamir identifies and defines three types of relationships between law and popular culture. She argues, “thematic issues, such as the image of the lawyer and the legal profession, or the law’s impact on the social construction of gender roles, may be approached from either one or any combination of the three perspectives.”²⁷⁵

First, Kamir proposes film and the law are important cultural constructs that “both reflect and refract the fundamental values, images, notions of identity, lifestyles and crises of their societies and cultures, and that a significant correlation exists between their parallel functions.”²⁷⁶ I argue that this is true for television as well; television and law often echo and reinforce each other. Kamir uses the example of stalking within film in the twentieth century to

²⁷⁴ *Ibid.*

²⁷⁵ Kamir, “Why ‘Law-and-Film’”, *supra* note 32 at 262.

²⁷⁶ *Ibid* at 264.

explore this idea. She considers films and how they work in conjunction with “hasty anti-stalking legislation of the early 1990s. Furthermore, when legislators resolved to define stalking through legislation – to prohibit, stigmatize and criminalize it – it was Hollywood’s construction of stalking as well as its stalking characters that served as points of reference and role models.”²⁷⁷ This is how film and television work *with* the law and vice versa. Parallel analysis of television with the law allows for a reflexive relationship that continues to create deep cultural thought about how the viewer sees him/herself as part of society.²⁷⁸ The paralleling approach allows viewers “to take on a socio-cultural persona and to become part of an imagined . . . community, sharing the worldview constituted by law or film.”²⁷⁹

Kamir’s second premise describes a world where film [and for my purposes, television] promote legal indoctrination by training audiences to judge while watching. Some television programs create this engaged viewing with editing techniques, methods of narration, characters, plot structure (serial programs versus procedurals), and specific plot lines. These subtle methods allow for viewer manipulation and “elicitation of emotional responses to powerful imagery.”²⁸⁰ Legal television shows tend to “echo the worldview encoded in its fictional legal system, allowing legal and cinematic mechanisms to reinforce each other in the creation of a community and a worldview.”²⁸¹ The legal television world has a powerful way of permeating the public through this indirect form of judgment. Legal television shows can also be interpreted at several different levels – where some viewers only reach a superficial level of judgment, while others

²⁷⁷ *Ibid.*

²⁷⁸ *Ibid* at 268.

²⁷⁹ *Ibid.*

²⁸⁰ *Ibid* at 269.

²⁸¹ *Ibid.*

understand the show to reflect specific societal legal assertions, each forming part of society's jurisprudence.

Kamir's final perspective hinges on the premise that some films and television shows "elicit popular jurisprudence."²⁸² North American popular jurisprudence is defined differently depending on the interpreter. Like popular culture, popular jurisprudence is "associated with mass consumption and the entertainment industry, it may be overlooked and dismissed by legal scholars; yet unrestricted by conventional academic disciplines and categories, it may also be fresh, original, innovative and imaginative, transcending familiar routes and formulas."²⁸³ Kamir argues, "we should invest in reading films [and television shows] as popular jurisprudential texts"²⁸⁴ because "films are overwhelmingly influential" and they, (along with other forms of media) play an important role in shaping society.²⁸⁵ As Kamir describes, cinematic judgment leads viewers through different "notions of justice, equality, honour and gender . . . [and media] can be extremely effective in molding public actions and reactions."²⁸⁶ The ability to reach a viewer through media and to engage with the viewer's emotions "can introduce a viewer to jurisprudential issues and value-systems. More people are likely to be influenced by cinematic judging and jurisprudence than by theoretical legal texts or even judicial rhetoric."²⁸⁷

Kamir's analysis of popular jurisprudence asks the audience to consider questions like: what is law and what is the relationship between law and culture? All three of Kamir's

²⁸² *Ibid* at 271.

²⁸³ *Ibid*.

²⁸⁴ *Ibid* at 272.

²⁸⁵ *Ibid*.

²⁸⁶ *Ibid*.

²⁸⁷ *Ibid*.

perspectives are subtle and tend to happen within a viewer's mind unconsciously, while serving as tools for comprehending legal popular culture. I will draw on Kamir's first premise to examine how television paralleling law reflects society's thoughts, ideas, and values about women lawyers.

As well, Robert Cover's concept of *nomos* is also critical to the study of television.²⁸⁸ Nomos is the universe of the law and the world in which we live. Derived from the Greek word for law, *nomos* encompasses all laws: formal and informal.²⁸⁹ *Nomos* also "includes society's narratives of law . . . the stories that legitimize and make sense of law."²⁹⁰ Law lends itself well to a typical narrative because it involves storytelling, and most legal situations inherently "rest on conflict between opposing forces, a characteristic of effective storytelling."²⁹¹ Similar to Kamir's premises, reading a television show does not only consider the "*intended* communicative function of a given story . . . audiences can interpret the same text in different ways."²⁹²

Law and television both create meaning through storytelling.²⁹³ "Analyzing pop culture requires contemplating it as a narrative and looking at its text."²⁹⁴ Reading a television program

²⁸⁸ Kimberlianne Podlas, "The Tales Television Tells: Understanding the *Nomos* Through Television" (2006) 13 *Tex Wesleyan L Rev* 31 at 33.

Robert Cover's well-known essay "nomos and Narrative" details his theory that law should not be understood as a system of rules and interpretations, but rather as a normative world "nomos" wherein legal rules interact with other cultural forces in an attempt to make meaning of law.

²⁸⁹ Podlas, *supra* note 288 at 33.

²⁹⁰ *Ibid.*

²⁹¹ *Ibid* at 35.

²⁹² *Ibid* at 34.

²⁹³ Kamir, "Why 'Law-and-Film'", *supra* note 32 at 257.

²⁹⁴ Podlas, *supra* note 288 at 40.

includes looking at its “structure, character, and themes.”²⁹⁵ Other devices such as editing techniques, lighting, and camera angles also help explain the narrative.²⁹⁶ Television is a visual medium and the visual components elaborate on the message of the show. These elements highlight the analysis required when examining television.²⁹⁷ I will focus on specific cinematic elements as a means to inform my methodology and to help describe the connection between the viewer and the television shows I will analyze.

Johnson and Buchanan write about the aspects of film (and television) that can be useful for legal scholarship by noting the critical elements of a cinematic legal method.²⁹⁸ The first important element they note is the role of narrative: “we use story to give meaning and coherence to the events that we experience.”²⁹⁹ Movies and television are built on the premise of narrative. The narrative of a television program “can be a powerful tool for critical methodology [because] it provides an occasion to attend to the ways in which fiction . . . is crucial . . . to our conceptions of law and justice.”³⁰⁰

The second key element is cinema and the world of perception.³⁰¹ Johnson and Buchanan acknowledge that much of the current writing about media and the law focuses on story rather than the cinematic elements. The cinematic techniques turn the viewer’s attention “to certain features of lived experience in a manner distinct from literary forms.”³⁰² Johnson and Buchanan state that part of the interest in creating a cinematic legal method is “the ability to

²⁹⁵ *Ibid.*

²⁹⁶ *Ibid.*

²⁹⁷ *Ibid* at 41.

²⁹⁸ Johnson & Buchanan, *supra* note 23 at 94.

²⁹⁹ *Ibid.*

³⁰⁰ *Ibid* at 96.

³⁰¹ *Ibid* at 99.

³⁰² *Ibid.*

access just those cinematic elements, elements which work through the normal process of brute perception.”³⁰³ The study of cinematic elements explores how the viewer is engaged on a sensory level, using sight and sound differently than when reading and imagining with literature. Each cinematic element – lighting, camera angles, shot duration, editing, and sound, plays a part in the viewer’s understanding and perception.³⁰⁴ Lighting and sound are important because they create a sense of space and mood, while camera angles “modify perspective in ways which distinctly affect the spectator’s experience.”³⁰⁵ The study of cinematic elements allows film and television “to appear somewhat life like.”³⁰⁶

The third and final element necessary for a cinematic legal method is audience response.³⁰⁷ Audience response is directly related to the audience’s world of perceptions: “what we see and hear is influenced by what we already know.”³⁰⁸ Johnson and Buchanan note that images do not speak for themselves, but rather are guided by personal experiences. The combination of narrative, cinematic elements, and preconceived ideas make the study of film worthwhile. They “can suggest a new range of questions about meaning and truth in law . . . these processes of meaning making are at the core of what we need to understand about how law and popular culture reference and influence one another.”³⁰⁹

Together the cinematic legal method offered by Johnson and Buchanan and the insights offered by Kamir’s approach provide a unique way of observing female lawyers in popular

³⁰³ *Ibid.*

³⁰⁴ *Ibid* at 100.

³⁰⁵ *Ibid.*

³⁰⁶ *Ibid* at 103.

³⁰⁷ *Ibid.*

³⁰⁸ *Ibid* at 104.

³⁰⁹ *Ibid* at 109.

culture. A feminist reading of law “manifests through writing and speaking about ‘law’ and ‘women’, in an effort to promote and improve understandings about justice.”³¹⁰ A feminist approach is typically an alternative to traditional methods of reading and understanding the law. The feminist alternative approach is more problem-based, with a focus on scholarship and activism for reproductive justice, putting an end to sexual and gender-based violence, and increasing workers’ rights.³¹¹ “These efforts map the ways that law intersects with women’s lives, fails to respond to women’s realities, shapes their opportunities, and constructs their sense of self.”³¹² Bonnie Dow, a feminist cultural studies scholar, notes,

cultural studies has aided feminism by legitimizing the study of . . . [feminist] cultural products that feminist scholars have long been interested in because of their popularity with women and their political function in using female pleasure to reinscribe patriarchy.³¹³

“Understanding television’s past success at both incorporating and defusing feminist ideas gives useful insight into the world we now live, a world in which most women agree with feminist goals but still refuse the feminist label.”³¹⁴ Dow comments on *Where the Girls Are* by Susan Douglas, stating that Douglas “makes clear how ridiculous and regressive much post-war pop culture was, while simultaneously making persuasive arguments for its links to larger political and social contexts.”³¹⁵ This disconnect makes it nearly impossible for women to fully embrace or fully reject feminist cultural products; “such all or nothing evaluations cannot, for instance, account for the success of a drama like *Charlie’s Angels*, which became a hit with large

³¹⁰ Genevieve R. Painter, “Feminist Legal Theory” (2015) 8:2 U California, Berkeley Intl Encyclopedia Social & Behavioural Sciences 918 at 918.

³¹¹ *Ibid* at 920.

³¹² *Ibid*.

³¹³ Bonnie J. Dow, “Feminism, Cultural Studies, and Rhetorical Studies” (1997) 83 QJ Speech 90 at 92.

³¹⁴ *Ibid* at 100.

³¹⁵ *Ibid*.

numbers of female viewers *after* second wave feminism had raised women's consciousness."³¹⁶ The historical context of feminist cultural products helps feminists situate themselves within the current wave and appreciate how each wave builds on the former. However, beginning in the 1980s, the "I'm not a feminist" syndrome began, "in which young women refused to identify themselves as 'feminist' even though they agreed with feminist . . . views."³¹⁷ Feminists rejected the term because they were in the process of re-defining feminism for the Third and Fourth Waves. Looking to the future, Third Wave feminists valued inclusion and used terms such as "'young women,' 'new feminism,' 'next feminist generation,' 'today's feminism,' and 'emerging voices'"³¹⁸ to describe the women of this generation and to create a dialogue that included all kinds of women. Inclusive feminism is still a goal of today's Fourth Wave feminism. Women want to have the freedom to choose and want others to respect that freedom of choice, "the world needs different kinds of females: those who wear power suits and those who wear sundresses, those who teach preschool and those who hold seats in [government], and everything in between."³¹⁹

Third Wave and Fourth Wave feminism frame my analysis in this thesis; Third Wavers identify media as a primary text and method for raising cultural consciousness. Examining media and popular culture is one way Third Wavers measure themselves against society. Thus, as Rachel Craig notes, "it seems appropriate to survey television shows that feature feminist dialogue through the criticisms of the third-wave ideals"³²⁰ and this is what I propose to do.

³¹⁶ *Ibid.*

³¹⁷ Jennifer Gilley, "Writings of the Third Wave: Young Feminists in Conversation" (2005) 44:3 *Alert Collector* 187 at 188.

³¹⁸ *Ibid* at 192.

³¹⁹ Zoe Zorka, "Millennials and the '4th wave' of feminism", *A Voice for Men* (30 November 2014), online: <<https://www.avoiceformen.com/feminism/millennials-and-the-4th-wave-of-feminism/>>.

³²⁰ Craig, *supra* note 21 at 4.

I will take a postfeminist approach and will explore and evaluate the role of female mentorship on three popular shows within the legal television world: *L.A. Law*, *Ally McBeal*, and *The Good Wife*. I will use Kamir's feminist approach as the foundation of my method and I will undertake a feminist, qualitative observation of female characters on contemporary television shows, with a view towards highlighting the dearth, if not absence, of female mentorship relationships.

My thesis will explore and evaluate the role of female mentorship on three popular shows within the legal television world. "Television has changed dramatically since the 1950s, but not necessarily in a way that is favourable to women."³²¹ Janet McCabe and Kim Akass note that the initial interest in feminism on television happened at relatively the same time as the women's liberation movement and that women's oppression was related to popular culture representations.³²² Similarly, I will connect what is happening on three television shows to corresponding feminist waves.

The selection criteria I used to choose television shows were: off-air, network television, legally-themed programs, from different decades in the past thirty years, with female character(s) as central protagonist(s), in settings where they have the opportunity to be mentors, mentees, or both (specifically with other women). The three television programs I selected for analysis are *L.A. Law* (1986 – 1994), *Ally McBeal* (1997 – 2002), and *The Good Wife* (2009 – 2016). Each

³²¹ "Feminist Legal Theory" (18 September 2012), *Feminist Legal Theory University of California Davis School of Law* (blog), online: <<http://femlegaltheory.blogspot.ca/2012/09/women-in-film-and-television-empowered.html>>.

³²² Janet McCabe & Kim Akass, "Feminist Television Criticism: Notes and Queries" in Janet McCabe & Kim Akass, eds, *Critical Studies in Television* (2006) 108 at 108.

show featured strong female leads and provided different feminist perspectives. The shows also spanned several seasons, each making its own mark on television; “though the history of primetime television isn’t very long, it is wide.”³²³ The shows had mass followings and had staying power on network television. Each show also spawned its own spin-off in order to appease devoted fans who were disappointed when the original series ended.³²⁴

Virginia Woolf’s 1929 essay *A Room of One’s Own*³²⁵ discussed female relationships in literature and the rare occasions two women were represented as friends.³²⁶ In Woolf’s essay, the narrator reads a book entitled ‘Chloe liked Olivia’ and is surprised by the relationship between the two characters. The narrator thinks to herself, “when it comes to female literary characters, ‘so much has been left out, unattempted.’”³²⁷ Woolf’s narrator “struggles to think of texts that show women as friends, and marvels at texts that show women having ‘interests besides the perennial interests of domesticity.’”³²⁸ Alison Bechdel, author and cartoonist, was inspired by Woolf’s thinking about female representations and used Woolf’s essay as the basis for her test for feminism in popular culture fiction.³²⁹ The Bechdel Test analyzes a work of fiction to determine whether it contains the active presence of women. If the following three

³²³ O’Dell, *supra* note 3 at 18.

³²⁴ In 2002, *L.A. Law* spawned a made-for-television movie featuring many of the returning characters. In 1999, at the height of the show’s run, *Ally McBeal* had a spinoff/byproduct titled *Ally* – a 30-minute sitcom each week that ran parallel to the hour-long dramedy. 13 episodes were filmed, but only 10 episodes aired. Soon after the series finale of *The Good Wife*, a sequel/spin off show, *The Good Fight*, was announced, premiering in early 2017 and featuring some of the show’s prominent characters.

³²⁵ Virginia Woolf’s essay discusses how women are seldom represented as anything other than women in connection with men. She is commenting on the sad state of affairs women are faced with in fiction and how a woman’s relationship with a man is just a small part of her entire existence. See: Virginia Woolf, “A Room of One’s Own” (Great Britain: Penguin).

³²⁶ Rebecca Beatrice Brooks, “How Virginia Woolf Inspired the Bechdel Test”, *Virginia Woolf* (Blog) (18 March 2014), online: <<http://virginiawoolfblog.com/virginia-woolf-bechdel-test/>>.

³²⁷ *Ibid.*

³²⁸ *Ibid.*

³²⁹ Teresa Jusino, “Alison Bechdel Would Like You to Call it the ‘Bechdel-Wallace Test’, ThankYouVeryMuch”, *The Mary Sue* (25 August 2015), online: <<http://www.themarysue.com/bechdel-wallace-test-please-alison-bechdel/>>.

criteria are met, the work of fiction is considered feminist and free of traditional gender bias: 1) at least two women in it, who 2) talk to each other, about 3) something other than a man.³³⁰

In my thesis I will adapt the Bechdel test to analyze female mentorship on legal television shows. I wish to determine if women are depicted as unable or unwilling to support other women, and therefore I have entitled my test the Support Test. I will use it to analyze the role of mentorship and support among women on legal television. The Support Test evaluates whether women on legal television programs are depicted as unable or unwilling to support other women on the same television program. The Support Test asks whether a legal television program features: 1) at least two women, who 2) interact with each other, in a 3) mentor relationship, and 4) speak helpfully to one another/do not put one another down or sabotage each other's advancement.

I watched many episodes of *L.A. Law* and *Ally McBeal* and the entire series of *The Good Wife*. I watched each episode with a view towards the female mentorship relationships on the show. I examined scenes, lines of dialogue, lighting, and camera angles and identified how they helped elucidate the female relationships. I focused on episodes that could inform my research question of whether or not women support other women in the legal television world. This method helped identify specific examples of female mentorship relationships, and these are the relationships I will closely analyze in chapter four.

I anticipate that the results of the application of the Support Test to *L.A. Law*, *Ally McBeal*, and *The Good Wife* will demonstrate whether or not women lawyers on television are

³³⁰ Alison Bechdel, "The Rule", *Dykes to Watch Out For* (1985).

unable or unwilling to support other women on the same program. The Support Test, together with Kamir's framework will form the basis for my in-depth analysis of mentorship on legal television shows.

CHAPTER 4: ANALYSIS

Feminism in 2017 means “giving women choice.”³³¹ Meghan Murphy, a Vancouver feminist writer and editor of *Feminist Current*, describes feminism as the “kind of attitude that makes this the only political movement where people can define it for themselves.”³³² Modern feminists include everyone advocating for social change “and that collective looks a lot different than it did 30 years ago.”³³³ Now the feminist movement includes “multi-generational and multi-ethnic women and girls marching alongside men.”³³⁴ Feminism today speaks to women and men who are allies of the movement. “The feminist movement has evolved since its days of 'women's lib.' Now it encompasses every definition of woman.”³³⁵

Despite all the advances women have made throughout the four waves of feminism, we still “hear so often about the injustices that women face in the workplace . . . — but what we don’t hear enough about are the injustices we are met with that originate from the hands of other women.”³³⁶ Madeleine Albright famously said, “[t]here is a special place in hell for women who don’t help other women.”³³⁷ Danielle Prager identifies one of the current issues concerning women and arising out of feminism: “A huge deficit exists in the number of women [who] make

³³¹ Marilisa Racco, “Redefining the f-word: What does feminism look like today?”, *Global News* (8 March 2017), online: <<http://globalnews.ca/news/3292948/redefining-the-f-word-what-does-feminism-look-like-today/>>.

³³² *Ibid.*

³³³ *Ibid.*

³³⁴ *Ibid.*

³³⁵ *Ibid.*

³³⁶ Danielle Prager, “Women Need to Build Each Other Up Not Tear Each Other Down”, *The Huffington Post* (03 August 2015), online: <http://www.huffingtonpost.com/danielle-prager/building-other-women-up-i_b_7922472.html>.

³³⁷ Madeleine Albright, Address (delivered at the WNBA Celebrating Inspiration Luncheon, New York, 12 July 2006) [unpublished].

it their personal goal to elevate other women instead of tear them down.”³³⁸ Why does supporting other women make a woman feel as though it will diminish her own ability, power, and position? It is possible that this deficit stems from the fundamental nature of competition and the perceived notion that there are fewer spots for women at the top. It is ironic that women have worked so hard since the late 1800s to achieve equality with men, and yet some of women’s ongoing struggles result from actions by other women. Women need to “challenge [themselves] to rise up and to set an example of what being a strong and supportive woman really looks like.”³³⁹

In this chapter, I will highlight that a significant obstacle for women in the legal television world is women lawyers not supporting other women in their struggle for equality. The Support Test I created evaluates whether women on legal television programs are depicted as unable or unwilling to support other women on the same television program. The Support Test asks whether a legal television program features: 1) at least two women, who 2) interact with each other, in a 3) mentor relationship, and 4) speak helpfully to one another/do not put one another down or sabotage each other’s advancement. Popular culture depictions show that women lawyers are not championing other women lawyers on television, creating a regression in the advancement of feminism.

Given that there are more women in leading and supporting roles in the legal television world than in previous decades, some may say the issue of women’s presence in that world has been addressed. However, women have still not achieved the status and recognition enjoyed by

³³⁸ Prager, *supra* note 336.

³³⁹ *Ibid.*

men, which they should have earned by now. As Deborah Rhode defines it, the “no problem’ problem” is the issue of women’s increased representation in the legal profession meaning that “the woman problem” has been solved.³⁴⁰ But, a problem does remain: “in law, as in life, women are underrepresented at the top and overrepresented at the bottom.”³⁴¹ Rhode identifies three limitations facing women in the 21st century: traditional gender stereotypes, inflexible workplace structures, and inadequate access to mentors and informal networks of support.³⁴² I maintain that the limitation of inadequate access to mentors and support networks must be addressed because it is an integral part of why women struggle with other women.

Much like feminism, the essence of mentorship has also evolved. Mentoring is a broad concept, but according to Sonia Russo, “mentoring can be defined as ‘the passing on of skills, knowledge, and wisdom from one person to another.’”³⁴³ Second Wave feminists had to rely on male mentors or female mentors outside the profession because there were so few senior women lawyers at the time. Third Wave and Fourth Wave feminists finally have the opportunity to learn from female mentors, but as Russo notes, regrettably, even 12 years later, the need for female mentors within the legal profession remains critical.³⁴⁴ “As women, . . . there has never been a

³⁴⁰ Deborah L. Rhode, “Gender and the Profession: The No-Problem Problem” (2002) 30:3 Hofstra L Rev 1001 at 1001.

³⁴¹ *Ibid* at 1002.

Further advancing the television paralleling life concept, Taylor Nygaard and Jorie Lagerwey write: “if postfeminism assumes feminism is no longer necessary because it has accomplished its goals, the trend toward masculinizing discourses of quality TV acts out a similar trajectory. It assumes that TV scholars have accomplished the work of making TV worthy of study, but with this assumption suggests that only certain TV (white, male, serial, and narrowcast cable or streaming) is worthy of study.” See their full article at: Taylor Nygaard, & Jorie Lagerwey, “Broadcasting Quality: Re-centering Feminist Discourse with *The Good Wife*” (2017) 18:2 Television and New Media 105.

³⁴² Rhode, *supra* note 340 at 1003-4.

³⁴³ Sonia R. Russo, “Be the Change: How Mentoring Can Improve Diversity in the Legal Profession”, *Law Practice Today* (14 July 2016), online: <<http://www.lawpracticetoday.org/article/mentoring-improve-diversity-legal-profession/>>.

³⁴⁴ *Ibid*.

more important time for lawyers to take an interest in mentoring young diverse attorneys.”³⁴⁵

Mentorship has evolved and continues to do so as more women join the legal profession. This definition of mentoring is only part of the whole picture however.³⁴⁶

While the old elements are important, mentoring now also is seen as a holistic endeavor in which a younger lawyer’s social and emotional well-being is placed on an equal plane with her professional growth . . . This is partly a result of increased emphasis among a rising generation of young lawyers on work-life balance.³⁴⁷

In a similar vein, both collegiate athletics and college presidencies suffer from a lack of female mentorship. Collegiate athletics and college presidencies are analogous to the legal profession because for many years they were predominantly male-oriented fields; an old boys network still exists in certain cases. Also like law, they have an inherent competitive aspect and the availability of top positions is limited. The increase in the number of women working and participating in collegiate athletics has led to the need to develop mentoring and leadership support for those women. “Mentoring is providing support in two distinct areas: professional development and psychosocial support”³⁴⁸ which “is essential for a person’s personal and professional growth.”³⁴⁹ In the world of collegiate athletics, much like in the legal profession, “mentoring is one avenue that can help potentially break the glass ceiling of upward mobility.”³⁵⁰ Women were found to be leaving work in collegiate athletics due to the lack of opportunities in

³⁴⁵ *Ibid.*

³⁴⁶ Carla T. Main defines the old way of mentoring as: teaching the process of legal work: drafting, arguing, negotiating, and providing a model of ethical behavior. Sometimes it also included advice on navigating the firm politics and provided an edge for the mentee when it came time for partnership.

³⁴⁷ Carla T. Main, “The New Meaning of Mentoring”, *New York Law Journal Magazine* 6:1 (February 2008) at 2.

³⁴⁸ Allison B. Smith, Elizabeth A. Taylor & Robin Hardin, “Women and Mentoring in Collegiate Athletics” (2016) 24:5 *Mentoring & Tutoring: Partnership in Learning* 346 at 346.

³⁴⁹ *Ibid* at 347.

³⁵⁰ *Ibid* at 348.

career advancement, rather than for work-life balance issues. The sense of an “old boys club” and a lack of respect for women affected many women’s decisions to leave the field.³⁵¹

The importance of female mentorship in law, sport, and universities is based on the need for role models in one’s field.³⁵² Mentorship involves committing to providing resources, “offering guidance, providing structure and critique, and challenging one’s mentee.”³⁵³ Research conducted about women who serve as college presidents demonstrates that women with excellent credentials still find it difficult to hold leadership positions without the support and mentorship of other women.³⁵⁴ A key component of female mentorship is empowering women to seek out top positions. Leaders must develop “other potential leaders through mentorship by arguing there is no success without a successor.”³⁵⁵

Research regarding collegiate athletics and college presidencies stresses the importance of preparing the next group of aspiring women for leadership roles,³⁵⁶ thereby increasing the number of women in those fields. It is not merely about holding the position, but also focusing on strategies for career planning.³⁵⁷

Similarly, the goals of mentorship in the legal profession have evolved. The goal now is to help female lawyers achieve work-life balance and “to help . . . navigate the path toward

³⁵¹ *Ibid* at 348-49.

³⁵² *Ibid* at 354.

³⁵³ *Ibid* at 347.

³⁵⁴ Terri Moore Brown, “Mentorship and the Female College President” (2005) 52 *Sex Roles* 659 at 659.

³⁵⁵ *Ibid* at 660.

³⁵⁶ *Ibid*.

A. Smith, E. A. Taylor & R. Hardin, *supra* note 348.

³⁵⁷ T. Brown, *supra* note 354 at 664.

becoming a well-rounded lawyer.”³⁵⁸ Women look to women for mentorship. Women are mostly interested in mentorship from other women; “they’re more comfortable with women . . . the issues are different for a woman.”³⁵⁹ But fewer women are available to fill the role of mentor “because male authority is respected while female authority is unbecoming, and because the expectations are set so high for women in power that it's nearly impossible for any mere mortal to meet them.”³⁶⁰ Those women who reach the top and hold positions of power do not always take the time to engage in female mentorship relationships with other women. Some female executives do not foster a supportive female mentorship atmosphere and are criticized for being any of the following: “she was bitchy; she was demanding; she wasn't nice or understanding; she didn't engage in enough mentorship of younger women; she worked unreasonable hours and expected everyone else to; she cut out too early to be with her kids; she was scary.”³⁶¹ The harsh reality is that female executives are criticized, but male executives who behave similarly are just knocked for being “a crappy boss. If you have a crappy boss and she's a woman, the conclusion is ‘I had a crappy female boss, so female bosses are crappy.’”³⁶² The double standard is that “no one sees a bad male boss as a reflection on all men everywhere, or emblematic of male leadership capabilities. But bring up women at the head of the table and every bad female co-worker or supervisor suddenly becomes Exhibit A for what's wrong with female bosses.”³⁶³ This creates an environment that does not foster female mentorship.

An example of a non-supportive environment, David E. Kelley’s *girls club*, was a show

³⁵⁸ Main, *supra* note 347 at 2.

³⁵⁹ *Ibid.*

³⁶⁰ Jill Filipovic, “The stereotype of the ‘horrible female boss’ is still a problem”, *The Guardian* (14 November 2013), online: <<https://www.theguardian.com/commentisfree/2013/nov/14/female-boss-versus-male-gender-bias>> at 2.

³⁶¹ *Ibid.*

³⁶² *Ibid.*

³⁶³ *Ibid.*

about the lives of three young female lawyers just starting out.³⁶⁴ Jennifer Schulz refers to the extremely short-lived television show and its portrayal of the realities for women in the legal profession.³⁶⁵ The show presents viewers with a young female approach to big firm life, showcasing a world that includes “nonsupportive partners.”³⁶⁶ The female characters on the show were thrown into the fire and expected to hold their own at trials on their first days at work – “[w]hile such a lack of guidance would be unusual in most big firms” the female lawyers on the show receive no mentorship.³⁶⁷ “Many lawyers simply do not support junior lawyers, preferring to encourage rivalries between them. Sadly, this appears to be true regardless of the gender of the senior lawyer,” further perpetuating the stereotype of a successful, powerful, female lawyer who does not help other women achieve success.³⁶⁸

Deborah Rhode notes that young female associates regularly seek out senior female lawyers as mentors, and the associates feel neglected when no female mentorship relationship is forged. Young female lawyers feel it is “the responsibility of the more senior women to take the younger ones under their wings in female solidarity and sisterhood.”³⁶⁹ Many senior female partners do

mentor the younger women, but women in law firms become fewer as you move up the ranks – [they] vastly outnumber men in the secretarial staff, are about even with them in the junior associate classes, and then become fewer and fewer up the seniority chain. By the time you reach the tippy-top, fewer than 1 in 6 are women. It's a gendered seniority structure – pyramidal for women, tower-like for men.³⁷⁰

³⁶⁴ *girls club* was innovative because it examined the legal television world through the lenses of female lawyers. The show was only on air from October to December of 2002.

³⁶⁵ Jennifer L. Schulz, “*girls club* Does Not Exist” in Michael Asimow, ed, *Lawyers in Your Living Room! Law on Television* (Chicago: ABA Publishing, American Bar Association, 2009) 243.

³⁶⁶ *Ibid* at 250.

³⁶⁷ *Ibid* at 245.

³⁶⁸ *Ibid* at 248-49.

³⁶⁹ Filipovic, *supra* note 360 at 2.

³⁷⁰ *Ibid*.

One reason for the lack of female mentorship relationships in the legal profession is the limited number of senior female lawyers available to mentor a growing number of junior female lawyers. Another reason is that “female law executives who have risen to the highest levels of the profession, and those that are in the best position to mentor and coach young female legal professionals, are often opposed to doing so.”³⁷¹ Senior female lawyers do not want to mentor junior lawyers because they were not mentored themselves. Senior female law partners are a new phenomenon because they have progressed slowly within the profession, leaving them feeling “resentful of a career path which was forged with little to no mentorship, or support.”³⁷² As Janie Henry argues, “the lawyer may feel as though she is under no obligation to help other female professionals, as she received no help or support herself.”³⁷³

Marianne Cooper posits that there are two diametrically opposing cultural ideas “about the role women play in helping other women advance at work: the Righteous Woman and the Queen Bee.”³⁷⁴ The Righteous Woman has a moral compass directing her to look out for other women lawyers. This woman holds to the Madeleine Albright quote mentioned earlier. Her obligation to help is rooted in her wish to stamp out the sexist experience that has been plaguing women for years. The Righteous Woman does not want to perpetuate ongoing sexism, and believes that a woman’s betrayal of another woman is worse than any betrayal committed by a man.

³⁷¹ Janie Henry, “Lean-In: The Value of Female Mentorship in the Law Profession” (27 March 2017), *Patch.com*, online: <<https://patch.com/illinois/chicago/lean-value-female-mentor-ship-law-profession>>.

³⁷² *Ibid.*

³⁷³ *Ibid.*

³⁷⁴ Marianne Cooper, “Why Women (Sometimes) Don’t Help Other Women”, *The Atlantic* (23 June 2016), online: <<https://www.theatlantic.com/business/archive/2016/06/queen-bee/488144/>>.

The Queen Bee is the polar opposite – she believes that women just cannot get along; and the Queen must undermine all others in her way.³⁷⁵ The idea of a Queen Bee dates back to research first conducted in the 1970s: women disparage typically feminine traits in other women and emphasize their own personal masculine qualities.³⁷⁶ “The ultimate Queen Bee is the successful woman who instead of using her power to help other women advance, undermines her women colleagues.”³⁷⁷ The Queen Bee dynamic is typically triggered by gender discrimination; “studies find that such behaviors emerge when two dynamics come together: gender bias and a lack of gender solidarity.”³⁷⁸ A Queen Bee character emerges in all three shows I studied and helps illuminate the ongoing problem of women not supporting other women. On *L.A. Law*, Rosalind Shays joins the firm in season four and quickly alienates Ann and many other colleagues. *Ally McBeal*’s interpretation of the Queen Bee is much more literal in the way it depicts the character of Sydney Gale. On *The Good Wife*, Diane Lockhart portrays the Queen Bee persona in the style of a Second Wave feminist who believes there is only room for one woman at the top. The Queen Bee characters on each show reflect the feminist views of the time and suggest a reason for the lack of female mentorship relationships in television law firms.

Feminism in the Legal Television World

Television reflects social reality and each show I studied reflects aspects of feminism prevalent at that time. As Paul Joseph notes, “popular culture mirrors mass perceptions and

³⁷⁵ *Ibid.*

³⁷⁶ *Ibid.*

³⁷⁷ *Ibid.*

³⁷⁸ *Ibid.*

beliefs, so it provides at least some evidence of what [people's] perceptions are."³⁷⁹ The leading female lawyers on *L.A. Law* and *Ally McBeal* reflect the development of the female lawyer in the legal television world in the context of Second and Third Wave feminism, respectively.³⁸⁰

On *L.A. Law*, Ann Kelsey (played by Jill Eikenberry) is a steadfast Second Waver – she has arrived at the boardroom table ready to sit with and challenge the men. Ann is the only woman at the table and she has made the choice to focus on her career and not a family. She has no children, and no husband (yet).³⁸¹ Ann epitomizes a Second Wave career woman and all that she fought for in the women's liberation movement. Abigail "Abby" Perkins (played by Michele Green) is a younger Second Wave feminist. She already has a family (she is divorced with a young child) and she wants to prove herself as a strong, independent, and intelligent female lawyer. Grace van Owen (played by Susan Dey) is similar to Ann because she too is a Second Wave career woman who is focused on being successful and has no interest in having children. *L.A. Law* portrays the cultural changes for white women of the Second Wave and how they navigate a new world of female lawyers living and working in the previously predominantly masculine legal television world.

Contemporary media often breaks female characters into two factions: traditional feminists (First and some Second Wavers – the female characters on *L.A. Law*) and contemporary feminists (defined by Stephanie Ortego Roussell as postfeminists) such as Ally

³⁷⁹ Paul R. Joseph, "Saying Goodbye to *Ally McBeal*" (2002) 25 U Ark Little Rock L Rev 459 at 461.

³⁸⁰ There is significantly more peer-reviewed writing about *L.A. Law* and *Ally McBeal*, simply because of the time that has elapsed since those shows' tenures. Comparably, *The Good Wife* has generated far fewer peer-reviewed articles.

³⁸¹ Later in the first season of *L.A. Law*, Ann marries a man from the firm, Stuart Markowitz, (played by Michael Tucker, her real life husband) and later in the series, the two have a child together.

McBeal.³⁸² The female lead on *Ally McBeal* is a character who fits this postfeminism or contemporary model. She is a woman “who knows what she wants and has the means to ruthlessly pursue it. Postfeminism posits that women should not define themselves in relation to men, but be our own definition relative to each other.”³⁸³ *Ally McBeal* depicts this model of postfeminism and Third Wave feminism, mainly through the actions and behaviours of Ally herself; *Ally McBeal* has entered public consciousness as a ‘statement’ about feminism, postfeminism, and women.³⁸⁴ David E. Kelley, creator of *Ally McBeal*, comments on his interpretation of Ally as a feminist: “‘she’s not a hard strident feminist out of the ‘60s and ‘70s. She’s all for women’s rights, but she doesn’t want to lead the charge at her own emotional expense.’”³⁸⁵

Ally McBeal debuted in 1997 at the height of Third Wave feminism when women were able to choose to work while also embracing femininity and female independence. Ally begins her tenure at the fictional firm Cage & Fish after leaving her previous job because she was sexually harassed. *Ally McBeal* has sparked debate about the character’s “impact on the women’s movement. Some call her a ‘postfeminist role model,’ and the ‘icon of 90s feminism,’ while others find that she is a depressing reminder of how much work the women’s movement still has to do.”³⁸⁶ Quoting Ally, “if women wanted to change society they could do it. I plan to change it. I’d just like to get married first.”³⁸⁷

³⁸² Ortego Roussell, *supra* note 79 at 8.

³⁸³ *Ibid* at 10.

³⁸⁴ Laurie Ouelelette, “Victims No More: Postfeminism, Television, and *Ally McBeal*” (2002) 5 *Communication Rev* 315 at 315.

³⁸⁵ Ginia Bellafante, “Feminism: It’s All About Me!”, *TIME Magazine* 151:25 (29 June 1998) 54 at 3.

³⁸⁶ Gagne, *supra* note 6 at 1.

³⁸⁷ *Ibid*.

Feminism is one of the themes in *Ally McBeal*. Many of the legal cases deal with gender issues such as prostitution, marriage, and sexual harassment, and Ally is often seen ranting about her feminist ideals at the office or in court; *Ally McBeal* is not afraid to address feminist issues.³⁸⁸ *Ally McBeal* “is significant in the sense defined by John Fiske, as a television text that gives ‘form and presence’ to the discourses that define an emergent phase of postfeminism and the ‘social identities’ they produce.”³⁸⁹ *Ally McBeal* “is a careful balance of typical ideal femininity and feminine idiosyncrasies, and this [makes] for good drama.”³⁹⁰ Ally is one of the first working women in the legal television world to explore and promote her feminine side, “she does not have to give up her femininity or her sexuality for professional success.”³⁹¹ Because *Ally McBeal* embraced femininity, the show reflects Third Wave feminist ideals and demonstrates progress for on-screen female characters who are not afraid to be traditionally feminine.

In contrast, Ginia Bellafante criticized *Ally McBeal* for its portrayal of the current feminist ideals of the time:

Is Feminism Dead? asked the front cover of *Time* magazine for 29 June 1998. Black and white pictures of Susan B. Anthony, Betty Friedan and Gloria Steinem were followed by a colour image of the television character, Ally McBeal (Calista Flockhart). Replacing feminist icons with a television representation is an interesting slippage. Was this fictional TV character – a successful but highly neurotic Bostonian

³⁸⁸ Natasha Forrest writes for the blog *The F Word* about *Ally McBeal*'s tendency to take on feminist issues on the show. For example she notes: on almost every episode “Ally and friends take on a case which deals with some sort of issue relating to feminism, battle it out in court, get it confused with their personal lives, and eventually decide that the feminist argument is just not realistic in today’s world.” One episode features an overweight woman who sues her boss for firing her because of her appearance. Similar issues are raised week after week. Forrest knocks David E. Kelley for being anti-woman but cannot neglect his willingness to bring feminism to the forefront. For more see: https://www.thefword.org.uk/2001/12/ally_mcbeal/

³⁸⁹ Ouelelette, *supra* note 384 at 316.

³⁹⁰ Rachel Dubrofsky, “Ally McBeal as Postfeminist Icon: The Aestheticizing and Fetishizing of the Independent Working Woman” (2002) 5:4 *Communication R* 264 at 266.

³⁹¹ *Ibid* at 272.

attorney who pouted her way through court and mooched around the office obsessing over men – the new face of contemporary feminism? Surely not. Surveying the emergence of a post-feminist primetime programming, with shows like *L.A. Law* . . . The choice of Ally McBeal over Gloria Steinem says much about how the feminist discourse ‘increasingly defines what it means to be a feminist by factors of lifestyle and attitude rather than politics and activism.’³⁹²

Bellafante argued that *Ally McBeal* is not the new face of Third Wave feminism and blames Ally for having a hand in ending feminism as society knew it. However, according to Rachel Dubrofsky, Ally eventually became an icon representing Third Wave feminism.³⁹³

L.A. Law reflects Second Wave feminism ideals and *Ally McBeal* embodies Third Wave feminism. Given the progression from *L.A. Law* to *Ally McBeal* to *The Good Wife*, one would expect *The Good Wife* to reflect Fourth Wave feminist ideals,³⁹⁴ but that is not the case. A Fourth Wave female television lawyer show should feature the various choices open to women in a positive light and should depict well-rounded, supportive women, but *The Good Wife* does not. Fourth Wave feminism and female lawyers of today are not currently depicted in the legal television world. The legal television world is not keeping pace with the advances made by feminism; rather it reflects a regressive world in which women are not supportive of one another. *The Good Wife* and its central female characters revert back to Second Wave feminism, and I conclude that this reversion stems from the lack of female mentorship in the legal television world.

³⁹² Bellafante, *supra* note 385.

McCabe & Akass, *supra* note 322 at 113.

³⁹³ Dubrofsky, *supra* note 390

Bellafante’s article was written in 1998 when *Ally McBeal* was still in its infancy. The series continued until 2002 and by the time it ended Ally was recognized for revolutionizing feminism.

³⁹⁴ Some Fourth Wave feminist ideals include: fighting for transgender support, autonomy of one’s body, promoting the plus-size fashion world, and accessibility to feminism through online platforms.

Television parallels law.³⁹⁵ Television and law often echo and reinforce each other, so that what is seen on television mimics what is happening in society – “fifty years ago, the mirror that is television had us watching ‘The Flintstones’ as a reflection of our family life. Now it’s ‘The Simpsons.’”³⁹⁶ Since television’s inception, it “has both reflected and nurtured cultural mores and values.”³⁹⁷ This parallel and reflexive correlation between law and television is how viewers connect with each show; the viewer sees herself as part of the legal television world and connects it to her real life experience. The relationship between society and television is reciprocal.³⁹⁸ It is assumed “that [television] ‘reflects’ social reality, that depictions of women in film [and television] mirror how society treats women, that these depictions are distortions of how women ‘really are’ and what they ‘really want’, and that ‘progress’ can be made.”³⁹⁹

One significant social reality facing women in the legal profession and the legal television world is balancing motherhood and career. Popular culture reinforces gender stereotypes and also often includes the portrayal of the traditional family. *L.A. Law*, *Ally McBeal* and *The Good Wife* each eschews the need for a traditional family and explores different approaches to motherhood. For example, each show features a working professional mother. On

³⁹⁵ Much like the evolution of law, television has been reflecting changing cultural values since the 1950s.

³⁹⁶ Anna Stewart, “Television Reflects Modern Society”, *Variety* (5 February 2009), online: <<http://variety.com/2009/film/awards/television-reflects-modern-society-1117999665/>>.

Stewart continues by stating: “‘The Partridge Family’ simply would not work today because there’s knowledge and awareness. And for television to work, it has to be relevant. When we see Homer Simpson act out with Bart, I think everybody knows that’s a characterization of what parents feel; that’s why it resonates.”

³⁹⁷ Jack Lule, *Culture and Media* (Creative Commons, 2012) at 415.

³⁹⁸ *Ibid.*

³⁹⁹ White, *supra* note 95 at 116.

This paralleling is not only seen in the legal television world. Dawn Heineken, an American culture and popular media studies scholar, “argues that the recent increase in female action heroes on television reflects changes in society’s attitudes and beliefs.” See the full article at: Dawn Heineken, & Brandi L. Bell, “The warrior women of television: a feminist cultural analysis of the new female body in popular media” (2004) 29 *Can J Communication* 416.

L.A. Law, Abby has a young child and Ann and Stuart have a baby in season four.⁴⁰⁰ In season five, *Ally McBeal* discovers she has a child as a result of an egg bank mix up that occurred ten years earlier and her daughter comes to live with her. On *The Good Wife*, after Peter Florrick goes to jail, Alicia is left to raise two teenage children on her own when she returns to work. In each case, the working mother must balance her work life with her home life. This balancing act affects all working mothers and each show made a bold decision to include storylines and subplots about motherhood and family. This highlights the progressive nature of each show, and each show's commitment to advancing feminism in certain ways.

I think it is crucial for the legal television world to depict realistic female characters as professionals who are faced with making choices in their personal lives in order to engage with viewers and reflect life in society. In my view, each of *L.A. Law*, *Ally McBeal*, and *The Good Wife*, through characters and storylines, contributes to the advancement of feminism in the legal television world. The advancement of feminism on each show is also demonstrated through cinematic techniques. The camera plays an important role in connecting viewers to the legal television world. I highlight specific scenes, dialogue, and cinematographic elements as a way to study the shows and how they connect viewers to the characters. The camera angles and cinematic techniques are different in each show and provide different contexts:

much of the current writing in film and law has focused on the story at the heart of the film; much less attention has been paid to specifically cinematic elements in film . . . Part of what is potentially interesting about the methodological turn to film may be the ability to access just those cinematic elements, elements which work through the normal process of brute perception.⁴⁰¹

⁴⁰⁰ Earlier in the series, Ann and Stuart have difficulty conceiving so they adopt a child who they then have to give up.

⁴⁰¹ Johnson & Buchanan, *supra* note 23 at 99.

The cinematic elements of each show also highlight the different methods employed by television writers and producers to engage viewers: “the point of interest for scholars of law and film is not that film gives some more objective, unmediated, pure access to truth. The point is rather that cinematic techniques allow film [and television] to appear somewhat life like.”⁴⁰² As Orit Kamir suggests, law and popular culture parallel one another. The legal storylines draw from real life experiences and connect viewers to the shows, and the shows provide a picture to the viewer of what life as a female lawyer can be like.⁴⁰³ As a result of this paralleling, the viewer better understands the personal and professional struggles female lawyers face.

L.A. Law

“*L.A. Law* is steeped in realism which as a form intends to inhibit and resist radical discourses. The camera, the artifice of the program, become[s] invisible on *L.A. Law*, thereby making its representation seem all the more true to life.”⁴⁰⁴ Steven Bochco, creator of *Hill Street Blues* and *L.A. Law*, applied a similar groundbreaking model to both shows: “modeled on the ‘cinema verité’ approach of *Hill Street Blues*, *L.A. Law*’s domain is life in a Los Angeles law firm.”⁴⁰⁵ The show combined elements of soap opera, humour, and legal drama to highlight the

⁴⁰² *Ibid* at 103.

⁴⁰³ Citing Michael Asimow, Paul Joseph notes, “the public tends to believe that lawyers are as they are portrayed in the movies [and television].” See Paul R. Joseph, “Saying Goodbye to *Ally McBeal*” (2002) 25 U Ark Little Rock L Rev 459 at n 19.

⁴⁰⁴ Virginia Rivalland, *Representations of Law in Popular Culture: Knowledge Constructions, Media Deconstructions* (MA Thesis, Edith Cowan University, 1996) [unpublished] at 119.

⁴⁰⁵ Steven D. Stark, “Perry Mason Meets Sonny Crockett: The History of Lawyers and the Police as Television Heroes” (1988) 42 U Miami L Rev 229 at 277.

David Krell recalls an example of how *L.A. Law* parallels real life which was written about in the November 16, 1987 issue of *Newsweek*. The magazine featured an article by Harry Waters and Janet Huck titled “*Lust for Law*”, detailing the show’s influence on the legal profession:

“During intermission at a Broadway play, Harry Hamlin [the actor who played Michael Kuzak] was approached by a lawyer who praised the actor for his ‘brilliant summation’ in a trial scene involving malpractice. ‘I taped it,’ he went

goings-on at a law firm filled with a new generation of upper-middle class lawyers. Each episode of *L.A. Law* is

not really about law, but about a collection of likeable thirty-year olds who could just as easily have been placed in a business or teaching setting as in a law firm. The weekly legal cases, some taken straight out of *United States Law Week*, are nothing more than pretexts to give the series a focus outside of the interpersonal office affairs that really provide the show's principal themes. In fact, what makes *L.A. Law* unique among lawyer shows is its self-indulgence.⁴⁰⁶

L.A. Law tackled hard-hitting subject matter and “many of the issues dealt with in the show involve social systems, patriarchy for example is the basis for sex discrimination, and the series has been highly commended for its topicality and treatment of sensitive issues.”⁴⁰⁷ In addition to varied themes and plotlines, *L.A. Law* provided audiences with multiple diverse female characters. It also provided “some ‘positive images’ of women and [tried] to expose contradictions within the institutions and practice of law.”⁴⁰⁸ Virginia Rivalland notes “*L.A. Law* represents feminism not only as a thematic issue, but also as a narrative one.”⁴⁰⁹

In a similar vein, I agree with Judith Mayne’s assertion that *L.A. Law*’s “narrative perspective . . . comes from juxtaposition and combination, rather than from the identification of a single narrator or a single perspective”⁴¹⁰ and I believe this format added to the originality of

on, ‘and am going to use your arguments.’ It wasn’t until Hamlin sat through the second act that he remembered that Kuzak had, in fact, lost the case in question.”

See: David Krell, “L.A. Law Retrospective,” *DavidKrell.com* (4 October 2013), online: <<http://davidkrell.com/uncategorized/l-a-law-retrospective-part-7-of-8/>>.

⁴⁰⁶ Stark, *supra* note 405 at 277.

⁴⁰⁷ Rivalland, *supra* note 404 at 108.

Steven D. Stark writes in his article, “Perry Mason Meets Sonny Crockett: The History of Lawyers and the Police as Television Heroes” that *L.A. Law* confronted some of the hottest issues in the country, such as AIDS and date rape. For more, see: Steven D. Stark, “Perry Mason Meets Sonny Crockett: The History of Lawyers and the Police as Television Heroes” (1988) 42 U Miami L Rev 229.

⁴⁰⁸ Rivalland, *supra* note 404 at 115.

⁴⁰⁹ *Ibid* at 108.

⁴¹⁰ Judith Mayne, “*L.A. Law* and Prime-Time Feminism” 10:2 Discourse (1988) 30 at 37.

the show. The use of multi-storylines and overlapping themes involving various characters was a new approach, and could only be seen in ensemble cast programs. This format is now often seen on primetime television shows such as *Parenthood*, *Modern Family*, and *Life in Pieces*, which all feature ensemble casts. *L.A. Law*'s use of multiple storylines and overlapping themes also gave viewers the opportunity to engage more deeply with the show because there were multiple perspectives and not merely one way to think; different viewers would have different experiences while watching the same episode of the show. This also allowed the show to provide different viewpoints about feminism. Ann could be voicing her opinion on feminism through her defense of a battered woman, while Abby or Grace could be exploring another feminist angle in an attempt to settle a case between a female employee and her male boss. At the same time, Arnie could provide his polar opposite view while arguing a divorce case.

Arnie Becker represents the counter to any feminist perspectives on *L.A. Law* and is a good baseline for how society responded to strong feminists in the 1980s and 1990s. He is a male chauvinist who aspires to sleep with as many women as possible. Arnie is the opposite of pro-feminist.⁴¹¹ An example of Arnie's sexist attitude is seen:

in his rhetorical suggestion to Ann that she '*try not to get [the firm] a reputation as a repository for litigious, embittered females, shall we Ann?*' The stereotype of the 'bitter/feminist' appealed to in the gratuitous insult has no narrative motivation at this juncture, so the viewer is positioned to regard it and the speaker negatively. This is just one of several instances where Becker's legitimacy to speak on 'women's issues' is undermined while Ann Kelsey's is incrementally enhanced.⁴¹²

⁴¹¹ In her book *Framed: Lesbians, Feminists, and Media Culture*, Judith Mayne refers to Arnie Becker as the resident womanizer and divorce lawyer of the firm. She also references a case in season two, episode 1, *The Lung Goodbye* when Arnie represents a house husband who is suing his wealthy TV-star wife. Arnie tells his client to demand alimony arguing, "the feminist door swings both ways." Arnie believes that the advances made for women in the name of feminism should also be available to men in the same situations.

⁴¹² Rivalland, *supra* note 404 at 105.

This multiple narrative structure was an innovative tool used by *L.A. Law*'s writers to highlight different responses to feminism in society, very similar to how opposing sides present their cases in a court of law. I believe this writing style set *L.A. Law* apart from other legal shows of the time, evidenced both by *L.A. Law*'s long-run on television and its ability to remain relevant today in re-runs.

L.A. Law provides the stereotypical male attitude towards feminism, but does not provide specific instances of how women were coping within the legal profession as feminism took hold. For example, "none of the women lawyers [on *L.A. Law*] discuss what it means to be a female in a field heavily dominated by men."⁴¹³ The show did not delve into the Second Wave mindset of its lawyers.

Nonetheless "perhaps where *L.A. Law* is most obviously and strikingly 'feminist' is in its cast of characters, all of whom are engaged in various stages of [what Judith Mayne refers to as door swinging]."⁴¹⁴ The female characters on *L.A. Law* "may not necessarily be identified as feminists, but all of the major female leads . . . exhibit variations of two features commonly associated with popularized views of feminism: power dressing and assertiveness training."⁴¹⁵ The main female characters on *L.A. Law* are: Grace van Owen, Ann Kelsey, and Abby Perkins.⁴¹⁶ Grace, Ann, and Abby seem to take to heart the rules for fashion described in *The*

⁴¹³ Glass, *supra* note 97 at 393.

⁴¹⁴ Mayne, *supra* note 410 at 35.

Mayne's concept of the door swinging refers to the image of a door swinging both ways, allowing men to reap the benefits of feminism in a similar way to how females now benefit from the advancements made by feminism. For more see her book *Framed: Lesbians, Feminists, and Media Culture*.

⁴¹⁵ Mayne, *supra* note 410 at 35.

⁴¹⁶ *L.A. Law*, *supra* note 76.

Woman's Dress for Success Book by William Molloy.⁴¹⁷ They typically wear neutral-coloured skirted suits (Grace sometimes wears a pant suit), conservative blouses, and basic pumps. The female lawyers avoid patterns, bright colours, and revealing clothing.⁴¹⁸ In addition, the female characters on *L.A. Law* stand up for themselves at work and in their personal lives, and advocate for their clients. Ann is aggressive and vocal when dealing with opposing counsel, and even Abby is assertive when dealing with other lawyers and clients. For example, Abby takes charge when she leaves the firm in season three and proves successful when she argues and wins before a grand jury.⁴¹⁹ Grace's assertiveness is seen in season one, episode 17 when she argues for the death penalty for an inmate who kills a prison guard.⁴²⁰ Further, Mayne observes examples throughout the series that "draw parallels between what happens to women in the workplace and what happens to them in marriages,"⁴²¹ providing yet another example of how *L.A. Law* mirrors real life and is an innovative television show, able to juxtapose the inner-workings of a law firm with some of the issues associated with being a woman in the 1980s and 90s.

The female characters on the show represent the first generation of women to break into the legal profession in large numbers. Contrary to stereotypical female characters, the women of *L.A. Law* do not show much emotion on camera; the camera is always a step back from the characters. *L.A. Law* features soap opera cinematography, also known as the *soap opera effect*.⁴²²

⁴¹⁷ John T. Molloy, *The Woman's Dress for Success Book* (New York: Warner Books, 1977).

⁴¹⁸ Laurie Ouellette mentions Judith Mayne's comment that "*L.A. Law*'s 'dress for success' female lawyers personified liberal feminism in their conservative suits and pumps, while the weekly drama negotiated feminist and antifeminist positions on rape, divorce, the wage gap, and other 'socially-relevant' issues raised by the women's movement. For more, see: Laurie Ouelette, "Victims No More: Postfeminism, Television, and *Ally McBeal*" (2002) 5 *Communication Rev* 315.

⁴¹⁹ *L.A. Law: America the Beautiful* (May 4, 1989).

⁴²⁰ *L.A. Law: Becker on the Rox* (February 12, 1987).

⁴²¹ Mayne, *supra* note 410 at 39.

⁴²² Matt Soniak, "Why Did Soap Operas Look Different From Other TV Shows?", *Mental Floss*, online: <<http://mentalfloss.com/article/25169/why-did-soap-operas-look-different-other-tv-shows>>.

“Backlighting, part of the three-point lighting setup often used in television production, helps ‘lift’ actors out of the background.”⁴²³ This is especially useful when a television show is shot using a lower quality medium (such as handheld videotape or less-sophisticated cameras) and on smaller, interior sets. The problem with three-point lighting on a small set is the subtlety of the lighting is reduced and “actors in the foreground often wind up very noticeably backlit, something that [does not] happen on shows with larger sets, or shows that are recorded on film.”⁴²⁴ *L.A. Law* was often shot inside the office or the courtroom, and very rarely at outdoor locations or on larger sets, resulting in this lighting effect, making the characters feel very far away and exaggerating the unrelatability of the characters to the viewers. In my opinion, the soap opera effect removes part of the realistic element of television programming and hinders the viewer’s ability to engage and connect with the characters. This becomes especially hard for female viewers who want to learn from and bond with the female characters as a way to reaffirm their own feelings about life as a female lawyer, especially considering *L.A. Law*’s introduction of strong female lawyers to television viewers. The camera in *L.A. Law* feels more like an outsider looking in, akin to a fly on a wall, rather than capturing the characters in a more natural way.

L.A. Law’s overall glossy, polished, look – similar to the production of television soap operas – contributes to how viewers see the characters on screen. The female characters on *L.A. Law* live up to the stereotypes of the new working woman: they are expected to emulate the male characters as a means to achieve success, thus leaving little room for fostering strong female

Diane Glass at 375 states: *L.A. Law* was like a soap opera in format and content.

Bochco’s other show *Hill Street Blues* did not employ the soap opera effect and as a result, maintained more of the cinema verité elements.

⁴²³ Soniak, *supra* note 422.

⁴²⁴ *Ibid.*

mentorship relationships. Notwithstanding that the female characters on *L.A. Law* are one-dimensional, the show is highly sophisticated in terms of plots and storylines, and in how the show advances pro-feminist themes.⁴²⁵

Viewers were introduced to strong feminist themes from the beginning of the show. *L.A. Law* kicked off its first season with a compelling introduction to how the show would approach queer theory and feminist theory. The pilot episode of *L.A. Law* features Norman Chaney, a named partner of the firm, found dead in his office. At his funeral, his colleagues are shocked to learn of his relationship with a transgender individual. The pilot episode also features the son of a wealthy client of the firm charged with raping a woman; after a humiliating cross-examination, the woman drops her complaint.⁴²⁶ Season one, episode 9, *The Venus Butterfly*, features a case of a man with AIDS who is charged with mercy killing his gay lover.⁴²⁷ Analyzing *L.A. Law* allows for a wide examination of how the show situated itself within feminism of the time. *L.A. Law* “broke conventional storylines”⁴²⁸ and unlike many “earlier shows, many of the lawyers on *L.A. Law* were female.”⁴²⁹

Grace van Owen begins the series as the Assistant District Attorney, but she plays several roles throughout the series. She is primarily an Assistant District Attorney, until she is promoted to judge in the beginning of season four, and then steps off the bench and becomes a partner at

⁴²⁵ However, a shortcoming of *L.A. Law* is that the theme of female mentorship is missing.

⁴²⁶ *L.A. Law: Pilot* (September 15, 1986).

This episode highlights the way rape survivors were typically attacked on the witness stand and I think *L.A. Law* included this storyline to encourage reform so that more women would feel comfortable coming forward to report.

⁴²⁷ *L.A. Law: The Venus Butterfly* (November 21, 1986).

⁴²⁸ Brudy, *supra* note 241 at 12.

⁴²⁹ Asimow & Mader, *supra* note 17 at 128.

the firm at the end of season four.⁴³⁰

Grace van Owen is not seen interacting with other female lawyers at the District Attorney's office. Grace is often isolated and not depicted in relationships that foster mentoring: "Grace takes her work seriously and tends toward a sober demeanor."⁴³¹ Grace represents a new, independent, leading female lawyer in the legal television world; she represents the Second Wave model of women fighting for advancement and security in the legal profession. A fellow female prosecutor "told Grace that her 'tight-ass' behavior hurt all the women in the office by reinforcing the notion that the 'girls can't be one of the guys.'"⁴³² Unlike the female prosecutor who still needs approval from her male colleagues, Grace represents the contradiction associated with female lawyers because she believes women should not have to be one of the guys to be successful, and yet she is also quite masculine-like and adopts typically male behaviours, such as: having no time for kids, showing no emotion, and not mentoring other women. The lack of a mentor for Grace and the fact that Grace does not mentor any other women reinforces the absence of female mentorship relationships on *L.A. Law*.

Ann and Abby both work at the fictional firm McKenzie Brackman Chaney and Kuzak. When the series begins, Ann is a senior lawyer at the firm and Abby is a junior associate.⁴³³ In the first season, Ann becomes the sole female partner at the firm.⁴³⁴ Their relationship is

⁴³⁰ At the beginning of the series, in season one, episode 2, *Those Lips, That Eye*, Grace is the deputy District Attorney in Los Angeles. In season four, episode 12, *On Your Honor*, Grace is offered the opportunity to be a judge; she is appointed by the governor to fill a vacancy left when a judge dies. Her judgeship is a short-lived position as Grace is then offered a partnership at the firm in season four, episode 21, *Outward Bound*. Grace tries her first case for the firm in the following episode *The Last Gasp*.

⁴³¹ Glass, *supra* note 97 at 385.

⁴³² *Ibid* at 387.

⁴³³ In season one, episode 2, *Those Lips, That Eye*, Abby is promoted from law clerk to junior associate.

⁴³⁴ Glass, *supra* note 97 at 379.

primarily offered as a mentor/mentee relationship; “Abby is an eager associate under Ann’s tutelage.”⁴³⁵ Ann is depicted as more independent than Abby and is well-positioned to serve as a mentor. Diane Glass “believes that the mentoring relationship between Ann and Abby sets the women lawyers apart from the men, who do not seem to have any comparable bonds.”⁴³⁶ In season one, episode 3, *The House of the Rising Flan*, Abby’s ex-husband kidnaps her young son and Abby turns to Ann for help. Their relationship is rooted in female mentorship: “Ann served as her mentor, someone to whom Abby could turn for support and advice. They frequently worked together, and Ann often ‘covered’ for Abby when personal problems beleaguered her.”⁴³⁷ As the series continues, Ann becomes less willing to make excuses for Abby and does not adequately fulfill her role as mentor to Abby. Ann does not actively help Abby in a positive way to succeed in her legal career while she is at the firm or afterward.

Abby leaves the firm in season three to start her own practice⁴³⁸ and Ann and Abby’s mentoring relationship ends. The show still features scenes when they see each other, but they “exclusively discuss personal matters when together.”⁴³⁹ The termination of Ann and Abby’s mentoring bond signals that neither of them saw benefit in continuing if they were at different firms, and suggests that women are not going out of their way to foster mentoring relationships with other women.

I apply the Support Test to the Ann and Abby female mentorship relationship as follows:

⁴³⁵ David Krell, “L.A. Law Retrospective” (4 October 2013), *DavidKrell.com*, online: <<http://davidkrell.com/uncategorized/l-a-law-retrospective-part-3-of-8/>>.

⁴³⁶ Glass, *supra* note 97 at 381.

⁴³⁷ Glass, *supra* note 97 at 380.

⁴³⁸ *L.A. Law: Romancing the Drone* (November 17, 1988). Abby returns to the firm later in the show; but at no time does she receive mentoring from Ann.

⁴³⁹ Glass, *supra* note 97 at 381.

L.A. Law features Ann and Abby who interact with each other at the office (and sometimes outside the office) in a mentor relationship where Ann fills the role of mentor and Abby is the mentee. Ann does provide limited professional guidance and advice to Abby throughout seasons one and two while they work at the firm together. Neither engages in overt sabotage or direct put downs, but Abby resents that Ann is not more supportive and helpful with her advancement at the firm. In season three, episode 1, *Hey, Lick Me Over*, Douglas Brackman and Ann have a meeting with Abby to discuss her future at the firm. They inform her that her research is good but that she has fallen down with her billable hours and that she may be better suited to work in the corporate department at the firm. Visibly upset, Abby counters, saying, “I thought I was going to get to try more cases.” Douglas responds, “not everyone can be a litigator.” Abby continues by saying, “but that’s exactly what I want to be. Am I on the partnership track here or not?” Douglas avoids answering, so Abby turns to her mentor, Ann, and asks again. Ann confirms that the firm is not anticipating extending that invitation to Abby at this time.⁴⁴⁰ This scene exemplifies how Abby has been relying on Ann for help and guidance in their female mentorship relationship – Abby turns to Ann expecting to hear that the firm is interested in Abby eventually becoming a partner because until that time, Ann has not told her otherwise. The scene also illustrates how Ann has failed Abby in their mentorship relationship. Abby is shocked by the news at her performance review and Ann, as her mentor, should have better prepared Abby to understand the expectations and challenges facing her at the firm. Ann neglected to mentor Abby and offer her support, or encourage her to excel at work, resulting in Abby’s dismay and eventual departure from the firm.

⁴⁴⁰ *L.A. Law: Hey, Lick Me Over* (November 3, 1988).

In season four, episode 5, *One Rat, One Ranger*, Rosalind Shays, (played by Diana Muldaur), joins the firm as another female partner.⁴⁴¹ This season of the show reflects the financial reality of law firms, office politics, and financial management; the firm hires Rosalind as a rainmaker to keep the firm solvent and start making more money.⁴⁴² “Rosalind Shays plays hardball.”⁴⁴³ In season four, episode 15, *Blood, Sweat and Fears*, she becomes the senior partner at the firm when Leland McKenzie steps down. Until then, it was unheard of for a woman to hold the top position in a law firm in the legal television world. Rosalind is not accepted by her peers because they see her as untrustworthy. Rosalind and Ann do not have the best working relationship at the firm. In *One Rat, One Ranger*, Ann attempts to welcome Rosalind to the firm and asks her, “you’ve been successful where you are, why do you want to make a move at all?” Rosalind retorts, “a large firm can get very bureaucratic. I found myself fighting that too much of the time. And as my visibility grew, it became somewhat of a threat to other members of the firm.”⁴⁴⁴ This foreshadows how Rosalind will behave, how she will be perceived at the firm, and how her style will affect her relationship with Ann and the other lawyers. In a memorable scene in season four episode 13, *Whatever Happened to Hannah?*, Rosalind and Ann exchange threatening words:

Rosalind:

“Is your dislike for me that strong?”

Ann:

“It's getting there.”

Rosalind:

“Well, I've done some of my best work with fellow lawyers who despise me, so we're off to a good start.”

⁴⁴¹ *L.A. Law: One Rat, One Ranger* (November 30, 1989).

⁴⁴² David Krell, “L.A. Law Retrospective,” (4 October 2013), *DavidKrell.com*, online: <<http://davidkrell.com/uncategorized/l-a-law-retrospective-part-7-of-8/>>.

⁴⁴³ *Ibid.*

⁴⁴⁴ *L.A. Law*, *supra* note 438.

Ann:

“Fine. You want to keep this between you and me, you got a deal. I work here, you work here, and I'll respect our feelings to stay private. But get one thing straight: you don't scare me. And if you do anything to undermine me with the rest of this firm, I will bury you. Don't take you on? Don't you take me on!”⁴⁴⁵

This conversation illustrates that Ann and Rosalind are not in a mutually beneficial female mentorship relationship, but rather engage in overt putdowns and threats. They are competitors. Ann and Rosalind negate the fourth criterion of the Support Test because their interactions are negative and they do not support one another's advancement in the legal television world.

Ann was not the only lawyer at the firm who felt strongly about Rosalind; “while the clients like her work, the McKenzie Brackman attorneys don't like her,”⁴⁴⁶ causing Leland to return, seeking his old position.⁴⁴⁷ Rosalind resigns in season four episode 20 *Forgive Me Father, For I Have Sued*, but her strained “relationship [with the firm] continues.”⁴⁴⁸ In season five, episode 1, *The Bitch is Back*, Rosalind reappears and sues the firm for sexual harassment. The episode's title indicates how the firm, and the public, view Rosalind's character. Ric Sheffield comments on the details of the lawsuit between Rosalind and the firm.⁴⁴⁹ At the time of the lawsuit, Grace has just started working at the firm and she is assigned to litigate the case. The episode's writers pit Grace against Rosalind, launching an attack on sisterhood. Grace describes Rosalind as “a lonely, loveless woman who was so consumed by her career that she hadn't even seen her own grandchild. In effect, [Grace] resurrected the century old charge

⁴⁴⁵ *L.A. Law: Whatever Happened to Hannah?* (February 15, 1990).

⁴⁴⁶ Krell, *supra* note 442.

⁴⁴⁷ *Ibid.*

⁴⁴⁸ *Ibid.*

⁴⁴⁹ Sheffield, *supra* note 111 at n 109.

against a strong woman, namely that she abandoned her sacred duty of motherhood.”⁴⁵⁰ Despite Grace painting Rosalind as a despicable woman, Rosalind clinches her success in the suit by repeating a remark Ann made to Rosalind when Rosalind was ousted as senior partner and left the firm, “if a man had come in here and played hard ball as successfully as you did, he would have been hailed as a great leader. With a woman, the reviews come in a little differently.”⁴⁵¹ Rosalind is portrayed as nasty, arrogant, and ruthless. Rosalind was “referred to as scheming, bitchy, crafty, loathsome, shrewd, cutthroat, and a shark . . . [her] character was a fascinating study of the double standard applied against women in the professional world.”⁴⁵² Rosalind has a Queen Bee mentality because she is only interested in herself and her success in the legal profession, and she does not care if other female lawyers (or male lawyers for that matter) hate her in the process.

I believe *L.A. Law* considered some of the most difficult and important female issues of the time and in a subtle way was able to make television viewers aware of the challenges of being female in the legal profession. For example, in season one, the firm is trying to win new client Mr. Cromwell’s business. Michael Kuzak is supposed to be the point man on the file pitch but he is tied up with other cases, so Ann is sent to be the firm’s representative. Ann is successful at the pitch and secures Mr. Cromwell as a client. Despite her success, several of the male partners pressure Ann to include Kuzak in future client meetings because they believe a man will be better suited for the work. A second issue arising out of this storyline is Mr. Cromwell’s repeated advances toward Ann. He flirts with her and even though Ann tells him

⁴⁵⁰ *Ibid.*

⁴⁵¹ *L.A. Law: The Bitch Is Back* (October 18, 1990).
Sheffield, *supra* note 111 at n 109.

⁴⁵² Sheffield, *supra* note 111 at 102.

that she is involved with another man, he persists. Ann stands her ground and tries to keep the relationship professional. *L.A. Law* represented Second Wave ideals and the women of *L.A. Law* embody true Second Wave feminism because of their ability to succeed in the legal profession opposite their male counterparts.

Ally McBeal

Ally McBeal represents Third Wave feminism and a new paradigm for female lawyers on television. Michael Asimow discusses *Ally McBeal* and the tendency for dramatic television to strive for reality or what he calls “verisimilitude” – meaning a sense of naturalness within the story in order for viewers to believe that what is happening on screen may in fact occur in real life.⁴⁵³ Asimow notes it is also imperative that viewers understand the characters and empathize with them on an emotional level.⁴⁵⁴ *Ally McBeal* achieved this sense of reality and sense of paralleling, akin to Kamir’s approach, allowing viewers “to take on a socio-cultural persona and to become part of an imagined . . . community”⁴⁵⁵ through the viewers’ relatability to Ally and the other characters. “*Ally*’s audience is similar to that of a soap opera. The regular audience feels a bond with Ally, whom they identify with, and they become interested in what happens to her from week to week.”⁴⁵⁶

The show’s focus on real life problems and gender issues facing many young professionals (i.e. sexual harassment, the pay gap, competition, marriage, and reproduction, to

⁴⁵³ Asimow, “*Ally McBeal*”, *supra* note 243 at 12.

⁴⁵⁴ *Ibid.*

⁴⁵⁵ Kamir, “Why ‘Law-and-Film’”, *supra* note 32 at 268.

⁴⁵⁶ Gagne, *supra* note 6 at 2.

name only a few) created a familiar world for *Ally McBeal* viewers. The show tackled hard-hitting current issues, but the commercial success of *Ally McBeal* was due to its use of visual effects and its breaking of the fourth-wall.⁴⁵⁷ As Asimow notes, “the voice-over narrations and non-diegetic musical numbers interrupt the flow of the action, and real life certainly includes no dancing babies.”⁴⁵⁸ This allows viewers to connect with the storylines and also escape the madness of real life through elements of fantasy.

Ally McBeal also connected with viewers through its discussion of gender politics. The show was “purposely ambiguous in its stance towards feminism.”⁴⁵⁹ Viewers with some feminist opinions may have read Ally’s character as strong and independent, seeking cues from the show to support their views.⁴⁶⁰ Alternatively, strong feminists could be horrified by Ally. They were “likely to focus on Ally’s erratic behavior and her difficulties and therefore perceive Ally as being weak and eccentric, thus paying the price for resisting the ‘natural order.’”⁴⁶¹ Jonathan Cohen’s study of *Ally McBeal* posits that:

Ally McBeal is a useful text for exploring differences in reception, because it is sufficiently complex and contradictory in its message as to provoke meaningful differences in interpretations, but its focus on gender issues is clear . . . Viewers are likely to agree that the program is about gender issues, but disagree about the attitude the program portrays toward women and their social roles.⁴⁶²

⁴⁵⁷ The fourth wall is a theatre and acting convention that imagines a fourth wall separating the actors from the audience. Typically, the audience sees the actors and actions through the wall, but the actors act as if they cannot see the audience. The convention of “breaking the fourth wall” is when an actor is no longer constrained by the wall and engages directly with the audience and temporarily suspends the world in which the actors are acting. This is powerfully done in John Hughes’s 1986 film, *Ferris Bueller’s Day Off* and more recently on television in the British and American versions of *House of Cards*.

⁴⁵⁸ Asimow, “*Ally McBeal*”, *supra* note 243 at 22.

⁴⁵⁹ Cohen, *supra* note 256 at 262.

⁴⁶⁰ *Ibid.*

⁴⁶¹ *Ibid.*

⁴⁶² *Ibid* at 254.

In my view, *Ally McBeal* defies the stereotype of the working woman who does it a man's way – she is not a man in a skirt, but rather she revolutionizes the way women approach the law. The female lawyer stereotype before *Ally McBeal* dictated that all women must be male versions of themselves and all women must aspire to achieve the same goals, namely to be valued and appreciated and respected as powerful women. Ann and Rosalind from *L.A. Law* are examples of this stereotype. As Rachel Dubrofsky notes, “another serious flaw in the ‘post-feminist’ discourse, concerning the creation and consolidation of opportunities for women, is that this ‘liberation’ remains within male-defined parameters.”⁴⁶³ Women can succeed, but only if they observe the man's way of doing things. And on top of all of their professional obligations, women are faced with personal obligations more often than men: “women can combine a career with motherhood if they organize child-care and domestic arrangements which do not impinge on their partner's work or leisure time.”⁴⁶⁴ *Ally McBeal* breaks some new ground because it explores a world where the woman is in charge and does not feel compelled to conform to traditional ways. *Ally McBeal* is a perfect example of how television works with feminism and vice versa. As Orit Kamir theorizes, the world of *Ally McBeal* parallels the advancements made by feminism and the changes necessary for women to succeed. Female viewers see themselves in Ally, which allows for a deep connection between the viewer and the show, and viewers see Ally as a new model for female lawyers. *Ally McBeal* inspires females to champion themselves.

Further, I believe Ally's empowering of others goes beyond her lawyering skills. Ally is a more realistic female character because she exhibits relatable behaviours. Ally lacks confidence, she is anxious, and she has fears that are sometimes all consuming. Ally is definitely

⁴⁶³ Dubrofsky, *supra* note 390 at 271.

⁴⁶⁴ *Ibid.*

not a male stereotype because she shows that being a woman who thinks a lot and analyzes everything is normal; and that is all just part of the new working woman prototype. The idiosyncrasies of *Ally McBeal* parallel Third Wave feminism and the push for a more individualistic approach to feminism. The Third Wave of feminism became an individual movement focused on redefining what it means to be a feminist and Ally demonstrates she is Third Wave because of how she breaks away from Second Wave patterns. *Ally McBeal* can be seen as “offering a new and positive model for young women.”⁴⁶⁵

Undeniably, *Ally McBeal* reflects the feminist attitude of the 1990s. Elayne Rapping showed clips of *Ally McBeal* in her Gender and Media class as a way to incorporate feminism in the course:

her male students were shocked by the negative stereotypes. They couldn't believe that the women on the show were so competitive and catty. To Rapping's dismay, the female students, even smart and outspoken ones, insisted that 'that's how women really are' and 'that's what you have to do to be successful.'⁴⁶⁶

“Rapping was appalled that to these young, impressionable women, *Ally McBeal* is a reflection of reality.”⁴⁶⁷ Rapping came of age during Second Wave feminism and most likely identified with the female characters of *L.A. Law*, who adopted stereotypical male lawyer strategies, whereas *Ally McBeal* was revolutionary in its non-conformist approach. This dichotomy explains Rapping's chagrin and also explains her students' reactions, which align more with Third Wave feminism. Bonnie Dow acknowledges that some postfeminist television writers are “privileged,

⁴⁶⁵ Cohen, *supra* note 256 at 255.

⁴⁶⁶ Leora Tanenbaum, *Catfight: Women and Competition* (New York: Seven Stories Press, 2002) at introduction.

⁴⁶⁷ *Ibid.*

well-educated, white women, and they clearly presume their target audience to be much like themselves.”⁴⁶⁸ She states:

What better way to reach this target audience than to make a show about a thirty-something, petite, female, white law-school-graduate who had a dysfunctional family life and can think of nothing besides landing a husband to fall into the arms of? The very premise of [*Ally McBeal*] targets an audience very much like the largest proponents of postfeminism. Ironically, these women reaped the most rewards from the feminist uprising of the 60s and 70s, and have since turned their backs on the very movement that made their own possible. The sisterhood felt by the feminists of the 60s and 70s has been replaced by the postfeminist individualism.⁴⁶⁹

Ally McBeal is a relatable character; much of her relatability was achieved through cinematographic elements, particularly, the innovative use of fantasy. Much of the show is seen through Ally’s eyes and in her head. The satiric nature of *Ally McBeal* allowed the comedic elements to lighten up the typically dry legal elements of a law-firm drama. As well, *Ally McBeal*’s use of “special effects to symbolize fantasy”⁴⁷⁰ and the fantastical nature of the show set *Ally McBeal* apart from other shows in the genre and other shows on air at the time. The fantasy sequences “are usually manifestations of [Ally’s] neuroses . . . she cannot handle her life, therefore she hallucinates.”⁴⁷¹ The special effects were an innovative technique the show’s creators used to develop the characters and to poke fun at their world. The fantastical world contributed to the satirical nature of the show and also reminded viewers that the dry world of the legal profession could be spiced up with dancing babies and extra-long tongues licking people. In order to achieve a greater sense of reality on the show, “the writers developed numerous techniques to convey information [about Ally’s emotions, dreams, and fantasies] to

⁴⁶⁸ Gagne, *supra* note 6 at 82.

Dow is referring to the writers: Roiphe, Paglia, and Sommers.

⁴⁶⁹ Gagne, *supra* note 6 at 82.

⁴⁷⁰ Cohen, *supra* note 256 at 263.

⁴⁷¹ Gagne, *supra* note 6 at 54.

viewers.”⁴⁷² Ally speaks to the camera directly, her inner monologue is heard through voice-over narration, and many of her present day thoughts are explained with the aid of flashbacks.⁴⁷³ The use of popular music in the soundtrack and live music heard in the local bar after work relate directly to how Ally is feeling and how she is coping with her daily struggles.⁴⁷⁴ Michael Epstein notes:

it is the graphic depiction of lawyer Ally McBeal’s innermost fantasies, brought to life that contributes to the show’s initial popularity with viewers. With the aid of special, computer-generated effects, audiences are given a window into Ally’s most intimate fears, insecurities, and sexual desires that is unprecedented on prime-time television.⁴⁷⁵

As a Third Wave feminist lawyer trying to make it in the legal world, Ally confronts the challenges of being a working woman. The show’s special effects and comedic escapes into the inner-workings of Ally’s mind make her more like a real person who is trying to figure out how to navigate work, relationships, and life. Viewers are welcomed into Ally’s mind and given a glimpse of the reality of “being in your own head.” All people understand this from their own perspectives, but *Ally McBeal* made “over-thinking” a relevant topic for discussion. Unlike the women on *L.A. Law*, Ally has doubts and lacks confidence. Ally’s ongoing inner-monologue resonates with Third Wave female viewers and allows them to identify with her. In contrast, the female characters of *L.A. Law* were depicted as strong and confident with very few worries or concerns, and if they had some, they were shielded from the camera and the viewing public, representative of Second Wave standards. As Third Wave feminists were seeking more relatable characters on television, *Ally McBeal* was paralleling the new issues facing female lawyers, and

⁴⁷² Asimow, “*Ally McBeal*”, *supra* note 243 at 20.

⁴⁷³ *Ibid.*

⁴⁷⁴ *Ibid* at 21.

The most memorable song and dance comes from the virtual dancing baby clip with the hook from Blue Swede’s song *Hooked on a Feeling*: “*ooga chaka ooga chaka*,” signaling Ally’s biological clock slowly ticking down.

⁴⁷⁵ Michael M. Epstein, “Breaking the Celluloid Ceiling: Ally McBeal and the Women Attorneys Who Paved Her Way” (1999) 30:1 Television Q 28 at 35.

also paralleled how lawyers were feeling on a daily basis as they coped with the nature of legal work and all of the unknowns associated with that work.

“One of the things that made *Ally McBeal* different not only from *L.A. Law* but from most other shows was the way the characters worried and how that worry was visually and comically conveyed.”⁴⁷⁶ The camera in *Ally McBeal* was much more in tune with the characters and their feelings; however, those feelings were almost always seen through a comedic lens: “law looked different on *Ally McBeal* – its neuroses were . . . exposed through parody . . . Comedy certainly made it all more palatable.”⁴⁷⁷ Bonnie Dow notes that “television has always been ‘sophisticated in adapting to feminism,’ but *Ally McBeal* ups the ante by acknowledging and poking fun at its own references to feminism and antifeminism.”⁴⁷⁸ “Many reviews of [*Ally McBeal*] see it as innovative, but ultimately strengthening traditional values regarding gender politics.”⁴⁷⁹

The traditional gender stereotype of female success is women mimicking men and conforming to how men define success. With the use of comedy and special effects, *Ally McBeal* challenges this stereotype. Ally agonizes and doubts herself, but becomes a positive role model in spite of herself because her behaviour is so drastically different from a man’s typical approach. *Ally McBeal* is affirmation that a woman can grapple with inner demons, and follow a non-traditional path, and still achieve success. *Ally McBeal* “gained cultural notoriety as a commentary about young women and their relationship to feminism because it self-consciously dealt with the contradictions of feminism and postfeminism in highly sophisticated and

⁴⁷⁶ Mezey & Niles, *supra* note 250 at 130.

⁴⁷⁷ *Ibid.*

⁴⁷⁸ Ouelette, *supra* note 384 at 333.

⁴⁷⁹ Cohen, *supra* note 256 at 254.

humorous ways.”⁴⁸⁰ Ally promotes Third Wave feminism’s aspiration for a more individualistic approach and this informs her relationships with other women on the show.

“Seems that, not so long ago, most programs had women fighting over men – if programs had more than one female character in the first place.”⁴⁸¹ Most television shows did not feature women who were friends with other women. There are exceptions to this, such as:

Mary and Rhoda, Kate and Allie, Laverne and Shirley, Cybil and Marianne, The Golden Girls, Designing Women, to name a few. But these were mostly about their relationships, and not about women with full lives who count on their femme friends not only as confidantes but as desirable companions valued for more than keeping the other seat warm until a man can be found to fill it.⁴⁸²

Ally McBeal saw a gap in female friendships on television and filled it. The show features women’s friendships including Ally and Renee and Nelle and Ling, as well as other groups of women, making women and female relationships a focus of the show. But the show does not always focus on women in supportive female relationships: “the idea that women should unite against a common problem is certainly lost on *Ally McBeal* as the women rarely get along, and spend the bulk of their time making catty remarks.”⁴⁸³ “The women on [*Ally McBeal*] are . . . very critical of one another . . . [and] because Ally and the other women on the show are all separated from one another, there is no real sense of female solidarity.”⁴⁸⁴

Female conflict is central to *Ally McBeal*. Season four depicts an actual “catfight” at the office.⁴⁸⁵ The women disagree on how to handle a particular case and take to the unisex

⁴⁸⁰ Ouelette, *supra* note 384 at 316.

⁴⁸¹ “Men don’t last, girlfriends do”, *Toronto Star* (08 November 1998).

⁴⁸² *Ibid.*

⁴⁸³ Gagne, *supra* note 6 at 70.

⁴⁸⁴ *Ibid* at 13.

⁴⁸⁵ *Ally McBeal: Civil Wars* (April 5, 1999).

bathroom where they pull hair and roll around on top of one another on the floor as a means of settling the argument. Susan Douglas “asserts that depicting women in catfights is important ‘to demonstrate as simply and vividly as possible that sisterhood is in fact, a crock of shit.’”⁴⁸⁶ This scene highlights and reinforces my argument that female characters in the legal television world are unable or unwilling to support each other.

In fact, “*Ally McBeal* was . . . rife with women’s jealousies.”⁴⁸⁷ The relationship between Ally and Georgia Thomas (played by Courtney Thorne-Smith) is fraught with conflict. Georgia is newly married to Ally’s ex-boyfriend Billy, and she is also Ally’s colleague at the firm. In season one, episode 17, *Theme of Life*, Ally and Georgia take a kickboxing class and are ultimately paired up to face off against one another in the ring. The two had finally resolved to become friends but end up “almost killing each other after a friendly sparring session escalated, their unresolved aggression pouring out.”⁴⁸⁸ Ally and Georgia are jealous of one another and are constantly questioning the other’s relationship with Billy. Further, Ally is very competitive. Her “competitiveness with Georgia was surpassed by her competitiveness with just about every other woman with whom she crossed paths.”⁴⁸⁹ Leora Tanenbaum comments that an episode of *Ally McBeal* typically followed this format:

Ally tells everyone that the opposing counsel on a case, a beautiful woman, is a ‘bitch’; after the commercial break, said bitchiness is confirmed when the lawyer says to Ally, her saccharine-sweet smile belying her hostility, ‘Ally, forgive me for saying this. But don’t you think it’s a little inappropriate to wear such a short skirt in a courtroom?’⁴⁹⁰

⁴⁸⁶ Gagne, *supra* note 6 at 72.

⁴⁸⁷ Tanenbaum, *supra* note 466 at introduction.

⁴⁸⁸ *Ibid.*

⁴⁸⁹ *Ibid.*

⁴⁹⁰ *Ibid.*

Ally and Georgia are not in a female mentorship relationship. They are considered equals at Cage & Fish and neither seeks nor provides mentoring to the other. They interact with one another at the office and are even paired up on some files, and they interact with one another socially. Ally and Georgia could learn from one another, but choose not to because of their mutual jealousy. They are spiteful and vindictive but only as it relates to male relationships. Each makes of fun of the other behind her back and each makes jokes at the other's expense. The show and the law lend themselves well as the background to many of their problems, but "in a typical episode only a few minutes are devoted to legal matters"⁴⁹¹ leaving little time for Ally and Georgia to engage in sabotage with respect to their advancements in the legal profession. Ally and Georgia are not supportive of one another, but the show provides little evidence of professional sabotage. They are not in a female mentorship relationship and they do not meet the criteria for the Support Test.

Ally's relationship with her assistant Elaine is an example of women sabotaging women. "Ally tries to tolerate Elaine and Georgia. She calls them her 'friends,' but then she can be caught backstabbing or insulting them. Ally tries to tolerate Elaine because she is her secretary and also because she makes Ally feel better about herself."⁴⁹² While Elaine may be able to learn from Ally, Ally does not feel as though she can learn from Elaine and "the series explicitly acknowledges the disparity between Elaine's and Ally's station in life: a secretary has clear structural disadvantages in a competition with a lawyer . . . The odds are stacked against [Elaine, so she] opts out of the unequal competition for professional advancement."⁴⁹³ Elaine and Ally

⁴⁹¹ Asimow, "Ally McBeal", *supra* note 243 at 20.

⁴⁹² Gagne, *supra* note 6 at 72.

⁴⁹³ Greg M. Smith, *Beautiful TV: The Art and Argument of Ally McBeal* (Austin: University of Texas Press, 2007) at 109.

trade insults and Elaine alternates between trash-talking Ally and “kissing up” to her. Ally and Elaine could be engaged in a female mentorship relationship; however, Ally is not interested in mentoring Elaine.

Renee Raddick is Ally’s roommate and most loyal friend on the show; Renee is often Ally’s voice of reason.⁴⁹⁴ Renee and Ally do not work together, and although they sometimes discuss cases, they are limited in what they can discuss due to solicitor-client privilege, and therefore, they most often only discuss personal matters. “Renee serves as mother figure to Ally, and, indeed, in most scenes where we see Renee, she is at home, supporting Ally in her latest crisis . . . Ally is very rarely seen giving Renee any support or nurturance in return.”⁴⁹⁵ In addition, “all of Ally’s relationships with women, except for the possible exception of Renee, are based on competition for male attention.”⁴⁹⁶ I apply the Support Test to Ally and Renee’s relationship as follows: *Ally McBeal* features Ally and Renee who interact with each other, mostly socially or at home, in a mentor relationship where Renee mentors Ally. None of the mentorship contemplates work, being a lawyer, or advancing Ally’s (or Renee’s) career, but it does comprise a mutually beneficial friendship. I conclude therefore, that although it is a supportive relationship, and they do not engage in sabotage or direct put downs, this female relationship does not meet the Support Test.⁴⁹⁷

Nelle Porter, played by Portia de Rossi, first appears in season two, episode one, *The Real World*, and she proves to be a new challenge for Ally and Georgia. As Greg Smith notes,

⁴⁹⁴ *Ibid* at 114.

⁴⁹⁵ Gagne, *supra* note 6 at 25.

⁴⁹⁶ *Ibid* at 74.

⁴⁹⁷ My analysis focuses on applying the Support Test to professional relationships; therefore, the personal and life mentorship relationship between Ally and Renee, while positive, is outside the scope of the Support Test.

“the women in the firm instantly dislike Nelle, creating an understanding of the professional world of women as a female-only competition.”⁴⁹⁸ The show “depicts Nelle as a threat to Ally, Georgia, and Elaine, in terms of both their ability to receive admiring looks from men and their professional respect.”⁴⁹⁹ Nelle tries to socialize with the women but they band together against her – their common enemy.⁵⁰⁰ Ally and Nelle are not in a female mentorship relationship. They are equals at Cage & Fish and neither seeks nor provides mentoring to the other. Ally and Nelle interact with each other at the office and in social settings, however, they do not speak helpfully to one another and they put each other down. Season five, episode 12, *The New Day*, provides evidence of their failure to support one another. After John has left the firm, Ally is promoted to partner and offered John’s old office. This causes Nelle to be jealous of and resentful toward Ally. Ally asks Elaine how the rest of the firm is taking the news of her new partnership and before Elaine can tell her how Nelle feels, Elaine rolls her eyes and Ally screams: “that jealous, catty, bitch!”⁵⁰¹ Suddenly, Nelle appears and enters Ally’s office. Nelle comments that Ally is only being named a partner because Richard is inept, not because Ally has proven herself as a great lawyer. Ally responds by warning Nelle not to challenge her and Nelle says: “Ally, just try to push me around.” Ally ends the conversation by calling Nelle her associate, infuriating Nelle as she storms out. Ally and Nelle routinely put each other down and undermine each other’s professional advancement; their female relationship does not meet the Support Test nor is it a mentoring relationship.

⁴⁹⁸ G. Smith, *supra* note 493 at 99.

⁴⁹⁹ *Ibid* at 99.

⁵⁰⁰ Gagne, *supra* note 6 at 73.

⁵⁰¹ *Ally McBeal: The New Day* (February 11, 2002).

Ally McBeal lacks examples of female mentorship relationships because Ally finds guidance and mentorship with other characters on the show, not her female colleagues. For example, Ally speaks to her unconventional therapist, played by Tracey Ullman, about her struggles with life and Ally also confides in her many male suitors about her issues. But most of all, John Cage, a senior lawyer at her firm, serves as more of a mentor to Ally than any of the women on the show. John teaches Ally how to navigate the firm and the courtroom and provides Ally with guidance in her legal career. “In many ways [John] functions as the moral [centre] of the show.”⁵⁰² It is unfortunate there is no female character similar to John. Coming out of Second Wave feminism, the first group of women who achieved top positions in law firms were clearly mentored by senior men (if they were mentored at all). Because Ally is a Third Wave feminist, one would expect a senior female lawyer to be available as a mentor.⁵⁰³ However, just as Second Wave female lawyers had no senior female mentors, *Ally McBeal* must rely on a male mentor.

In season four, episode 21, *Queen Bee*, Sydney Gale (played by Christine Lahti) hires the firm to represent her against an ex-employee who is suing her for sexual harassment. The episode begins with Sydney walking down the street and arriving at the firm. All the men she passes stare and ogle her. When Richard Fish first meets Sydney he is bedazzled by her and stumbles over his own words. As Sydney walks by, Nelle comments: “I don’t know who she is, but I don’t like her.”⁵⁰⁴ Sydney discusses her case with Richard while seducing him. She likens herself to a Queen Bee because she thinks everyone wants to be around her, but in truth they are

⁵⁰² Amanda Lotz, “Ally McBeal” in Newcomb, Horace, ed., *Encyclopedia of Television* (New York: Routledge Taylor & Francis Group) at 77.

⁵⁰³ If Ally had joined the firm on *L.A. Law*, she would have had the opportunity to learn from and be mentored by a character like Ann.

⁵⁰⁴ *Ally McBeal: Queen Bee* (May 7, 2001).

powerless to resist her. The ex-employee suing Sydney says in his testimony, “we work for her and we crave her. I don’t know how she does it, but we all lust after her.”⁵⁰⁵ The ex-employee is suing for sexual harassment because he no longer wanted to work directly with Sydney because of her seductive ways, and so Sydney fired him.

While preparing for the case, Richard and John watch a video about bees and their mating processes which illustrates the broad concept of the Queen Bee and her determination to be superior. This episode is a much more literal account of the Queen Bee than the depiction of Rosalind Shays in *L.A. Law*. Sydney is a typical Queen Bee who is successful in her career and uses her power to advance herself, but not other women – Sydney deliberately only hires men at her advertising agency. Her angle is that all of her employees are to be drawn to her and women do not fit that mold. The jury finds in favour of Sydney and at the end of the episode everyone goes the bar to celebrate. At the bar, John comments to Richard, “is it the power that makes her sexy, or the sexy that makes her powerful? And what if more women figure out this Queen Bee thing?” Richard responds, “well, then we’re all in trouble.”⁵⁰⁶ Sydney is an excellent representation of the Queen Bee and like most *Ally McBeal* characters, she is larger than life. Sydney, and the other female characters on *Ally McBeal*, reflect the new working woman model of doing law on your own terms. These characters represent Third Wave feminist ideals and individualism; they strive to set themselves apart in contrast to Second Wavers who preceded them and who modeled themselves after men. The female characters on *Ally McBeal* all embrace their femininity and do not shy away from “acting like a woman.” The advancements in feminism at the time also allowed the female characters on the show to be recognized as

⁵⁰⁵ *Ibid.*

⁵⁰⁶ *Ibid.*

successful lawyers; they did not need to defend themselves in the workplace the way working women in popular culture were previously forced to. The postfeminist approach in *Ally McBeal* focuses on women as highly sexualized beings and may seem to some Second Wavers as a step backwards in the advancement of feminism. However, I think that *Ally McBeal* afforded women the opportunity to be both smart and sexy, and to embrace feminism. The legal television world's acknowledgement of Third Wave feminism on the show was critical to the advancement of feminism.

Jonathan Cohen writes, quoting Brenda Cooper: “regardless of our views of *Ally McBeal* as a feminist text . . . the television series and its characters resonate with many women precisely because they find in *Ally McBeal* narratives and female characters actively challenging patriarchal conventions rarely available in the media.”⁵⁰⁷ *Ally McBeal* does not ignore the feminist experience, but rather “engages with feminist and antifeminist discourse, and layers them with a postfeminist compromise that is both troubling and unpredictable.”⁵⁰⁸ In my view, the antifeminist discourse added to the satirical quality of the show. *Ally McBeal* parodies many stereotypically negative aspects of female behaviour, such as neuroses, over-thinking, and focusing heavily on finding a mate. The show forces female viewers to see themselves within these stereotypical models and offers women the opportunity to evaluate their own behaviours and how they can change. In comparison, *The Good Wife* disengages from postfeminism and allies itself much more closely with earlier feminist waves.

⁵⁰⁷ Cohen, *supra* note 256 at 256.

⁵⁰⁸ *Ibid* at 257.

The Good Wife

The opening scene of *The Good Wife* is ripped from the headlines. The series opens with a partially zoomed in shot of a man and a woman holding hands walking down a hallway. Large doors open to a press conference with bright lights and cameras flashing. Peter Florrick (played by Chris Noth) announces his resignation as State's Attorney because of a public sex and corruption scandal and as he speaks, the camera zooms in on his wife's face and her expression of devastation. This scene has been seen before in American politics (Hillary and Bill Clinton; Elizabeth and John Edwards; and Silda and Eliot Spitzer, to name a few). The realism of *The Good Wife* is apparent right from the beginning of the series and continues with true-to-life cases being tried on the show.

This opening scene provides the backstory for the professional position as a lawyer that [Alicia] would inhabit in the series, establishing her past life as the wife of a fast-rising politician and its humiliating end, brought about by her husband's public infidelity, which turns her into an unwitting celebrity; and her return to a job she had quit many years ago, a return motivated by a mixture of necessity and self-determination.⁵⁰⁹

The Good Wife centres on the life of Alicia Florrick (played by Julianna Margulies), but also features Diane Lockhart (played by Christine Baranski), a named partner at the show's firm, Stern Lockhart & Gardner, and Kalinda Sharma (played by Archie Punjabi), the firm's private investigator. "Alicia Florrick is the main character but not the only female lawyer-hero in the series. In fact, *The Good Wife* develops several storylines that dramatize the significance of women's networks in the professional world it projects."⁵¹⁰

⁵⁰⁹ Katja Kanzler, "Privacy, Professionalism, and the Female Lawyer: Intimate Publicness in *The Good Wife*" in Karsten Fitz & Bärbel Harju, eds, *Cultures of Privacy: Paradigms, Transformations, Contestations* (Heidelberg: Winter, 2015) 209 at 214.

⁵¹⁰ *Ibid* at n 5.

Alicia's role as Peter's wife is an essential part of her identity as a lawyer and as a woman. Her evolution as an independent character starts as soon as she and Peter exit the press conference stage.⁵¹¹ Peter holds Alicia's hand as they walk back stage and he discusses his next moves with his team. Alicia breaks away and stands back looking at him as she tries to wrap her head around what her life has become. Peter approaches Alicia and asks, "are you okay?" Alicia slaps Peter across the face and walks away.⁵¹² Alicia is forced to re-enter the workforce to support her family; she "finds herself in the . . . middle of reinventing herself and building a new life as a woman in her 40s faced with new independence and opportunities."⁵¹³ "*The Good Wife* explores motherhood with depth and subtlety. [The show] does not fall into the postfeminist trappings of retreatism, glorified domesticity, or heroic motherhood. Instead, Alicia finds self-worth and identity in both work and motherhood."⁵¹⁴

Many critics of the show would say that "Alicia sticking by her man is retro, but feminism [today] means women can do whatever they want."⁵¹⁵ Notwithstanding this, Second Wave feminism is clearly portrayed in *The Good Wife*. Even the title of the show is highly evocative: "the title alone makes you think twice. Upon first hearing the words 'The Good

⁵¹¹ *The Good Wife*, *supra* note 16.

⁵¹² *Ibid.*

⁵¹³ Carey Purcell, "Good Women: Saying Goodbye to the Fierce Females of *The Good Wife*", *People* (5 May 2016), online: <<http://people.com/tv/good-wife-finale-how-the-cbs-hit-changed-tv-for-women/>>.

⁵¹⁴ Taylor Nygaard & Jorie Lagerwey, "Broadcasting Quality: Re-centering Feminist Discourse with *The Good Wife*" (2017) 18:2 *Television & New Media* 105 at 109.

⁵¹⁵ Eliana Dockterman, "How *The Good Wife* Changed Feminism and Politics on TV", *TIME Magazine* (09 May 2016), online: <<http://fortune.com/2016/05/09/good-wife-feminism/>>.

Wife,’ the phrase sounds like a reference to the *Stepford Wives* era of the 1950s”⁵¹⁶ or the title of an article from 1955’s *Housekeeping Monthly: The Good Wife’s Guide*.⁵¹⁷

The Good Wife illustrates Second Wave feminism and women fighting for their place in the legal profession. Despite the fact that the show debuted in 2009, firmly during the time of the Fourth Wave of feminism, it is decidedly not a Fourth Wave show. *The Good Wife* is about “how several generations of fully realized female characters clamber for control and identity in the dense, slippery politics of home and office.”⁵¹⁸ Shani Orgad notes that the show “punctures idealized notions of ‘good mothering’ as predicated on asexuality and domesticity, while simultaneously probing the myth of women having it all,” and juxtaposes “the inconsistency between ‘the public perception of ideal motherhood and the much more complicated (and often harsher) realities of everyday life.’”⁵¹⁹ While Diane’s wardrobe is flashier than the conservative dress described in William Molloy’s *The Woman’s Dress for Success Book*, – in true Second Wave feminism fashion, Alicia wears pearls, matching separates or suits, and epitomizes the phrase ‘stand by your man.’

The Good Wife’s modeling of Second Wave feminism is demonstrated in season five, episode 14, *A Few Words*, where Alicia prepares a speech about a mother returning to work. Cary Agos (played Matt Czuchry) and Clarke (played by Nathan Lane) “hope to use Alicia’s speech to bring clients to their new law firm, [so they] advise her to ‘just play up the feminism

⁵¹⁶ Purcell, *supra* note 513.

⁵¹⁷ Larry Temple, “‘The Good Wife’s Guide’ – An Actual 1955 Good Housekeeping article”, (1 May 2008), online: <<https://larrytemple.wordpress.com/2008/05/01/actual-1955-good-housekeeping-article/>>.

⁵¹⁸ Jan Hoffman, “‘The Good Wife’ and its Women”, *The New York Times* (29 April 2011) online: <<http://www.nytimes.com/2011/05/01/fashion/01CULTURAL.html>>.

⁵¹⁹ Orgad, *supra* note 264 at 3.

angle’ and play up her ‘story as one of female empowerment.’”⁵²⁰ Alicia is hesitant about following their advice, but does ultimately deliver a speech about feminism that “celebrates the female empowerment fantasy.”⁵²¹

Another example of *The Good Wife*’s portrayal of Second Wave feminism is in season six, episode 3, *Dear God*, when Alicia meets Gloria Steinem. David Sims, formerly of the *A.V. Club*⁵²², “thinks it’s perfectly reasonable that Alicia would identify with Steinem as the most palatable feminist icon of the second-wave era.”⁵²³ If Alicia appears to be Second Wave, there is no doubt that Diane is clearly a Second Waver – she is a single, childless, determined feminist who is the firm’s managing partner. Diane “was a realization of the 80s feminist icon of the Career Woman, running a prestigious law firm without much regard for a private life. Never did we see Diane bemoan not having had children, or needing the support of a good man.”⁵²⁴

The Good Wife is primarily about Alicia and her growth. My impression is the camera focuses on Alicia (and the other characters) in a new way, different from how the camera was used in *L.A. Law* and *Ally McBeal*. On *The Good Wife*, the camera scans Alicia’s face, focuses on her eyes and lips and the way she lifts her eyebrows. Alicia interacts with others (and the camera) using these non-verbal cues and body language. The visual elements contribute to the viewer’s fascination with and attraction to Alicia. The camera highlights the emotions in the

⁵²⁰ *Ibid.*

⁵²¹ *The Good Wife: A Few Words* (Match 16, 2014).

Orgad, *supra* note 264 at 27.

⁵²² The *A.V. Club* is a popular culture website featuring reviews, interviews, and news about film, television, books, games, and all things media. For more, see: <http://www.avclub.com/>.

⁵²³ Sonia Saraiya, “The Good Wife: Dear God”, *A.V. Club* (6 October 2014), online: <<http://www.avclub.com/tvclub/good-wife-dear-god-210120>>.

⁵²⁴ Maddie Palmer, “The Good Wife: a feminist successor to Sex and the City”, *The Guardian* (08 May 2016), online: <<https://www.theguardian.com/tv-and-radio/2016/may/08/the-good-wife-feminist-successor-sex-and-the-city>>.

show, allowing the characters to open up more. Instead of relying on subtext (as in *L.A. Law*) and fantasy (as in *Ally McBeal*), the camera becomes the way audiences engage more deeply with the characters.

The cameras used on *The Good Wife* were digital cameras with high resolution.⁵²⁵ *The Good Wife* featured lighting not seen in the other two shows; the lighting was more glamorous than in *L.A. Law* and *Ally McBeal*. Fred Murphy, *The Good Wife*'s cinematographer, explains: *The Good Wife* is “a show about women so most of the light is from extremely large sources that are bounced and double diffused . . . In lighting this way, we can move in quickly and do the close-ups without needing to do anything to fix them—we're lighting the environment and the people simultaneously.”⁵²⁶ In my view, the camera on *The Good Wife* also highlighted the faces of the characters and made viewers feel like they were in the show with them. The lighting and camera focus creates a participatory experience almost like a documentary, even though viewers know the world of *The Good Wife* is fictional.

Cameras are a motif seen throughout the series. Beginning in the pilot episode, the use of multiple cameras behind the scenes and multiple cameras on screen highlights the media spectacle of the Florricks' lives. At the beginning of the series, the camera does not focus on Alicia but positions her in the background. The use of on-screen cameras in episodes of the show featuring a press conference or news break highlight “the many intradiegetic cameras [cameras within the scene in the legal television world] and screens present at the setting.”⁵²⁷ The use of

⁵²⁵ “The Drama of ‘The Good Wife’: Fred Murphy Goes in Depth on CBS Series”, *Panavision.com* online: <<http://www.panavision.com/drama-good-wife-fred-murphy-goes-depth-cbs-series>>.

⁵²⁶ *Ibid.*

⁵²⁷ Kanzler, *supra* note 509 at 217.

this motif within scenes emphasizes the way the camera penetrates the emotions and characters of the show. *The Good Wife* uses cinematic elements to make a visual statement (for example, the lighting dims during more ominous scenes), which helps create the show's perspective. *The Good Wife*'s "showrunners Robert and Michelle King always brought something more to the process, including a highly cinematic eye."⁵²⁸ In my opinion, the lighting and camera used on *The Good Wife* demonstrated both advancements in technique and equipment and also captivated viewers, enhancing their engagement with the show. The hi-definition makes the show look like you are seeing the characters right in front of you, in your own living room. This creates a sense of reality not seen on *L.A. Law* or *Ally McBeal* and brings the characters to life. *The Good Wife*'s use of lighting is similar to how laugh tracks are used to elicit laughter from viewers, although of course there were no laugh tracks on *The Good Wife*. The lighting techniques used on *The Good Wife* are much more subtle and nuanced than laugh tracks, which creates a connection between the characters and the viewers.

The Good Wife focuses on the female characters of the show and "is remarkable because it is a show where all of the real adults are women."⁵²⁹ A very important friendship develops early in the series between Alicia and Kalinda. In the pilot episode, Kalinda "and Alicia do appear to be forging a mentoring relationship, though initially it's Alicia who's [being] mentored."⁵³⁰ As their friendship continues, both Alicia and Kalinda share much personal information and Kalinda assists Alicia with her cases. Alicia and Kalinda are an example of a

⁵²⁸ Geoff Berkshire, "The Good Wife's Robert King goes in depth on series finale montage", *Variety* (9 June 2016), online: <screenertv.com/television/the-good-wife-series-finale-montage-robert-king/>.

⁵²⁹ Megan Garber, "*The Good Wife*: Florrick v. the Sisterhood", *The Atlantic* (09 May 2016), online: <<https://www.theatlantic.com/entertainment/archive/2016/05/the-good-wife-florrick-v-the-sisterhood/481803/>>.

⁵³⁰ North, *supra* note 14.

real friendship on the show that ends when Alicia discovers “Kalinda was one of the women who slept with Peter during his period of infidelity.”⁵³¹

Kalinda is *The Good Wife*'s most complex character. She is a “liberated bisexual woman of colour on a network legal show.”⁵³² Importantly, each of the three shows I analyzed contributed to the advancement of feminism by depicting lesbianism on network television. Each show featured a ‘lesbian kiss.’ Virginia Heffernan, writing for *The New York Times*, commented on lesbian kiss episodes on television: “hooray for the all-purpose lesbian kiss, then, cynical though it may be . . . Still, every kiss feels like the first time. The kisses are said to break new ground.”⁵³³ Lesbian kisses in popular culture “offer something for everyone, from advocacy groups looking for role models to indignation-seeking conservatives, from goggle-eyed male viewers to progressive female ones, from tyrants who demand psychological complexity to plot buffs.”⁵³⁴ Lesbian kisses and the lesbian sub-genre help promulgate feminist themes in the legal television world.

As Ric Sheffield notes, *L.A. Law*'s choice to be the first network television show to air a lesbian kiss was “ultra-progressive”⁵³⁵ and helped promote women's rights in the legal television world. On *L.A. Law*, C.J. (played by Amanda Donohoe), kisses Abby in season five, episode 12,

⁵³¹ Garber, *supra* note 529.

⁵³² Purcell, *supra* note 513.

Some critics believe one of *The Good Wife*'s biggest weaknesses was its portrayal of female characters of colour. In light of, the show's attempt to bridge the gap between stereotypically Caucasian characters and more diverse characters, *The Good Wife* often addressed its own race-bias on the show in plotlines and cases. However, a second leading character of colour (Cush Gumbo who plays Lucca Quinn) was only introduced after Kalinda's departure from the show. For more please see Rohin Guha's article online: <http://theaerogram.com/the-good-wifes-bad-diversity-problem/>.

⁵³³ Virginia Heffernan, “Critic's Notebook; It's February. Pucker Up, TV Actresses”, *The New York Times* (10 February 2005),

online: <<https://query.nytimes.com/gst/fullpage.html?res=940CE5DB163AF933A25751C0A9639C8B63>>.

⁵³⁴ *Ibid.*

⁵³⁵ Sheffield, *supra* note 111 at 101.

He's A Crowd. *L.A. Law*'s 1991 lesbian kiss started a trend on mainstream American broadcasting. *Ally McBeal* continued the theme: Ally shares three kisses with other women on the show. In season two, episode 7, *Happy Trails*, Ally kisses Georgia; in season two, episode 9, *You Never Can Tell*, Ally kisses Elaine; and in season three, episode 2, *Buried Pleasures*, Ally kisses Ling Woo.⁵³⁶ *The Good Wife* took the lesbian theme one step further: the show not only features lesbian kisses and lesbian relationships, but also features a strong female lead as a bisexual – Kalinda Sharma.

Kalinda Sharma wants to help Alicia and according to Carey Purcell, “her relationship with Alicia through the first two seasons was one of the best portrayals of friendship between two adult women on TV.”⁵³⁷ I apply the Support Test to Alicia and Kalinda’s mentorship relationship. They interact with each other at work and socially, and actively assist and support each other when they work on cases together.⁵³⁸ They do speak helpfully to one another and do not put one another down or sabotage each other’s advancement. Kalinda tries to help Alicia in almost every episode, in part because this is her job as firm investigator and partially because Kalinda wants Alicia to succeed. The only reason their female mentorship relationship breaks down is because of Kalinda’s actions from before the two even knew each other. Alicia and Kalinda grow apart after Alicia finds out about Kalinda’s affair with Peter. Despite this rift, Kalinda tries to keep their friendship going and still helps Alicia on cases. Kalinda leaves *The Good Wife* at the end of season six and in the final episode of that season, before Kalinda disappears forever, she meets Alicia at a bar and the women order shots of tequila for old time’s

⁵³⁶ In real life, actress Portia de Rossi is a lesbian and in a relationship with lesbian activist and actress, Ellen DeGeneres.

⁵³⁷ Purcell, *supra* note 513.

⁵³⁸ Sometimes, the two meet at a bar for a drink or their signature shot of tequila. This tradition starts in the pilot episode.

sake.⁵³⁹ On the surface, Alicia and Kalinda meet the criteria for the Support Test; however, because of Kalinda's betrayal, it is hard to know if their relationship could be sustained.

Female mentorship on *The Good Wife* is mainly seen in the relationship between Diane and Alicia:

Diane mentors Alicia on how to compete in the aggressive legal world, helping her to attune her moral compass in a way that enables her success. Their mentorship relationship is threatened by both Will and Alicia's romance, and Will and Diane's professional power struggles.⁵⁴⁰

At the beginning of the series, Diane is presented as an example of the Queen Bee model. Her character is "a high-powered woman in a male-dominated field who denies systemic sexism, but she subverts the stereotype by asserting herself as a feminist and a potential mentor for Alicia."⁵⁴¹ As noted in chapter one, the pilot episode set the tone for how the series addressed mentorship with a noteworthy statement made by Will Gardner, another partner at the firm (played by Joshua Charles), to Diane, "I've seen you mentor these women until they start competing with you."⁵⁴²

Nevertheless, Diane is the strong character Alicia looks up to: "when chaos began to swirl in *The Good Wife*, Diane fastened the clasp of one of her many chunky necklaces and stepped straight into the chaos to smooth it out, without a strand of hair getting misplaced in the

⁵³⁹ *The Good Wife: Wanna Partner?* (May 10, 2015).

⁵⁴⁰ Pamela Hyde, *The New Woman, Triangulated: Feminist Resistance to Cultural Myths in The Good Wife, Grey's Anatomy and Mad Men* (Honours Thesis, University of Calgary, 2015) [unpublished] at 43.

⁵⁴¹ Hyde, *supra* note 8 at 43.

⁵⁴² *The Good Wife*, *supra* note 16.

process.”⁵⁴³ Early in the series, Diane sees potential in Alicia and asks Alicia to collaborate rather than compete.⁵⁴⁴ In the pilot episode, Diane offers to be Alicia’s mentor. Diane even says:

I want you to think of me as a mentor, Alicia. It’s the closest thing we have to an old boy’s network in this town. Women helping women, okay? When I was starting out I got one great piece of advice: men can be lazy, women can’t, and I think that goes double for you. Not only are you coming back to the workplace fairly late but you have some very prominent baggage.⁵⁴⁵

However, Diane resents Alicia because Diane believes that Alicia thinks she is better than other lawyers at her beginning rank. In the pilot episode, Alicia tries a new approach with a case and Diane is less than impressed with Alicia’s choice to act without checking with a partner at the firm first. Diane snaps, and referencing Alicia says, “it’s not just teaching an old dog new tricks, it’s teaching an entitled dog new tricks.”⁵⁴⁶

As the show progresses, Diane and Alicia’s relationship has its ups and downs. Diane’s primary concern is her own advancement:

one of Diane’s repeated tactics in defending her seat as the managing partner of Lockhart/Gardner has been to seek allies to shore up her position. In keeping with the show’s particular bent, the strongest of these allies have all been women. What’s even more interesting than Diane soliciting these other powerful women is that all of these potential alliances have failed in one way or another because these women all possess their own agendas – agendas that eventually win out over Diane’s needs. It is a sign of the show’s smart conception that *The Good Wife*’s brand of feminism does not necessarily trumpet female solidarity.⁵⁴⁷

The Good Wife advanced a feminist angle, but did not explicitly interpret feminism to mean

⁵⁴³ Purcell, *supra* note 513.

⁵⁴⁴ Purcell, *supra* note 513.

⁵⁴⁵ *The Good Wife*: *supra* note 16.

⁵⁴⁶ *Ibid.*

⁵⁴⁷ Neil Drumming, “Lean Out: The underhanded feminism of ‘The Good Wife’”, *Salon Magazine* (18 May 2014), online: <http://www.salon.com/2014/05/18/lean_out_the_underhanded_feminism_of_the_good_wife/>.

solidarity or a bond of sisterhood between women. In fact, I believe the show does the complete opposite through its reversion to Second Wave feminism and its portrayal of women not supporting other women. The “brand of feminism” on *The Good Wife* explores a problem facing women. Must women revert back to Second Wave ideals because the new approach – the postfeminist version set out in *Ally McBeal* where women create their own model and do not simply act like men – does not work in actual practice? Or does the lack of female mentors cause the regression to Second Wave feminism on *The Good Wife*? *The Good Wife* describes a world where women cannot further their own agendas and also advance other women; the two are mutually exclusive, making one think that a female way of lawyering is unsustainable. Women have yet to figure out how to support other women and foster the ideals of feminism, while succeeding as lawyers, all at the same time.

The Good Wife focuses more on female competition than on female empowerment. Diane’s failure to mentor or empower Alicia is apparent from the very beginning of the show. Alicia and Cary are fighting for the sole associate position with the firm and Diane tends to favour Cary during the first season. At the end of that season, Alicia secures Eli Gold (and some of his clients) as a large client for the firm – this impresses Diane and the other partners at the firm, and they offer the position of associate to Alicia.⁵⁴⁸ In season two, Diane uses Alicia and her marriage to Peter to the firm’s advantage when trying a case.⁵⁴⁹ Throughout seasons two, three, and four, Alicia and Diane work well together and support each other at work. In season five, episode 5, *Hitting the Fan*, many changes are happening at the firm and Diane gets wind of

⁵⁴⁸ *The Good Wife: Unplugged* (May 11, 2010).

Alicia stays on at Stern, Lockhart & Gardner, while Cary joins the State’s Attorney’s office in season two. Towards the end of season three, Cary re-joins his former colleagues at Lockhart/Gardner.

⁵⁴⁹ See season two, episode 3, *Breaking Fast*.

Alicia and Cary's plan to leave.⁵⁵⁰ Diane is disappointed to find out that her two star associates are rebelling against her and instructs Will to deal with the issue. Will is angry and fires Alicia and the other fourth year associates who are in on the plan.⁵⁵¹ From then on, Alicia and Diane spend most of the rest of the series competing with one another instead of working together. In season seven, episode 20, *Party*, Diane offers Alicia the coveted position of becoming a named partner with her at her new firm.⁵⁵² However, by the series finale, Alicia and Diane are enemies. Alicia is so desperate for Peter to finally be free, she uses a litigation tactic she learned from Diane to keep Peter out of jail. Alicia baits Diane's husband who is testifying as a witness. Alicia forces him to testify about his infidelity, which of course incenses Diane. As a result, the series ends "with a scene of a broken friendship."⁵⁵³ The final scene of *The Good Wife* echoes one of the first scenes of the Show:

Diane, betrayed by Alicia, approached her former mentee and former colleague and former friend in the fluorescent-lit service corridor of a hotel ballroom. 'Diane?' Alicia asked, inquisitively. . . . The two women – Alicia in a matte, black suit; Diane in one of shiny silvery-white – locked eyes. And then: Diane slapped Alicia, hard and loud, across the face.⁵⁵⁴

And then Diane walked away. This scene illustrates the show's overall theme of the betrayal of female friendship, mirroring how the show began with the betrayal by husband of wife. This scene also illustrates the evolution of the Alicia and Diane relationship. Alicia is dressed in black and Diane in white to symbolize Alicia's turn to the dark side, while Diane has grown to be more compassionate. *The Good Wife* was "concerned with the fate of the friendship between Alicia

⁵⁵⁰ *The Good Wife: Hitting the Fan* (October 27, 2013).

⁵⁵¹ *Ibid.*

⁵⁵² *The Good Wife: Party* (April 24, 2016).

⁵⁵³ Garber, *supra* note 529.

⁵⁵⁴ *Ibid.*

and Diane.”⁵⁵⁵ Indeed, as Chancellor Agard argues, the show mainly explored the fragility of Alicia’s relationships with the women in her life.⁵⁵⁶

Alicia’s relationship with Diane was a mentorship relationship on *The Good Wife*. They interacted with each other and helped each other, but often only as a means to helping themselves. They had ups and downs and struggled to remain supportive of one another when one was advancing and the other was not. Alicia and Diane engaged in subtle sabotage throughout the series and also made overt efforts to thwart each other’s advancement. Alicia and Diane had the potential to be an excellent example of female sisterhood in the legal television world, but fell short because they were both consumed by their own advancement. At the end of the series, Alicia is now the betrayer, making her character come full circle. And Diane, a “self-avowed feminist who paid much lip service to raising women up, [was] brought low by another woman.”⁵⁵⁷

At the beginning of season seven, we are introduced to Lucca Quinn (played by Cush Gumbo). Alicia and Lucca meet in bond court in the first episode of that season, *Bond*, when Alicia attempts to revive her legal career:

From the second Alicia met Lucca, it was a meeting of the minds. Lucca is a stylish lawyer who is focused on her work, but not so self-important that she isn't willing to lend a Bond Court newbie a helping hand. Lucca was the first Bond Court lawyer to reach out to Alicia and help her find her way, so it doesn't seem like Alicia would have to worry about her new friend stabbing her in the back, something she constantly had to look

⁵⁵⁵ *Ibid.*

⁵⁵⁶ Chancellor Agard, “‘The Good Wife’ cooks major tension between Alicia and Lucca in the latest episode”, *Mashable* (19 October 2015), online: <http://mashable.com/2015/10/19/good-wife-cooked-recap-season-7-episode-3/#XW_IXH.89EqJ>.

⁵⁵⁷ Garber, *supra* note 529.

out for with Cary and Diane.⁵⁵⁸

Lucca's character is introduced in the final season of the show and although she and Alicia begin as competitors, they commence a mentorship-like relationship, which does not fall apart. Lucca finishes "the show as pretty much Alicia's only remaining female friend."⁵⁵⁹

Lucca is wary of Alicia when they first meet and treads lightly before embarking upon a relationship with Alicia. One example is seen in season seven, episode 3, *Cooked*. Alicia represents a client who is going to perjure himself on the stand and he threatens Alicia. "Her client's threat also makes Alicia suspect that the FBI is targeting her, and she immediately suspects that Lucca might be in on it since she's the one who suggested that Alicia's client lie."⁵⁶⁰ "This case presents the first test for Alicia and Lucca's budding relationship. Alicia was . . . quick to jump to conclusions about Lucca's motives, [which] points to how much her engagement with politics has changed her in the past few years. She doesn't hesitate to accuse Lucca of trying to screw her over."⁵⁶¹ Fortunately, they repair their relationship and work together as the season unfolds. Alicia and Lucca learn from each other and their respective experiences in the legal profession. Alicia is eager to see how lawyers work without the luxuries of a large firm, and Lucca thinks highly of Alicia and wants to learn from her years of experience.

Alicia and Lucca interact with each other in a mutual female mentorship relationship and

⁵⁵⁸ Olivia Truffaut-Wong, "Will Alicia & Lucca Start A New Firm On 'The Good Wife'? The New Friends Make A Great Team", *Bustle* (25 October 2015), online: <<https://www.bustle.com/articles/119355-will-alicia-lucca-start-a-new-firm-on-the-good-wife-the-new-friends-make>>.

⁵⁵⁹ Garber, *supra* note 529.

⁵⁶⁰ Agard, *supra* note 556.

⁵⁶¹ *Ibid.*

support one another in their advancement in the legal profession.⁵⁶² Alicia and Lucca meet the criteria for the Support Test and prove to be willing to engage in the support of women in the legal television world. This relationship is the best female mentorship relationship I observed in all three shows I studied.

Overall, Alicia's "friendships with her fellow women proved much harder to maintain."⁵⁶³ Alicia's "female friendships have been sources of frustration. Alicia has been betrayed by her female friends much more than she's been helped by them."⁵⁶⁴ *The Good Wife* suggests that "female friendship, rather than being the most natural thing in the world, is a little bit strange, a little bit fragile."⁵⁶⁵

I disagree with Eliana Dockterman who argues that *The Good Wife* "gave us a revolutionary take on modern feminism."⁵⁶⁶ In my opinion, despite the sophisticated plots and well-rounded characters, *The Good Wife* does not depict a female lawyer in the legal television world who reflects current Fourth Wave feminism. Rather, *The Good Wife* reverts back to Second Wave feminism, resulting in a negative portrayal of the female relationships on the show, reminiscent of *L.A. Law*. The legal television world is not progressing in time with changes in feminism. Instead, it reflects a reversion to a world in which women are not supportive of one another. *The Good Wife* demonstrates a regression in the evolution of the female mentorship relationship because the feminism of the show is not in line with current feminism. As we

⁵⁶² Alicia and Lucca were only on the show together for one season – there was, in my opinion, no opportunity for their relationship to fail.

⁵⁶³ Garber, *supra* note 529.

⁵⁶⁴ *Ibid.*

⁵⁶⁵ *Ibid.*

⁵⁶⁶ Dockterman, *supra* note 515.

advance more within feminism and become more evolved and more comfortable with gender differences, there should be more reason to support one another. The natural progression should result in furthering different kinds of women, which leads to more mentorship and support between women. But because *The Good Wife* regresses, for the most part, the show illustrates little mentorship between women.

My Fourth Wave feminist ideals include allowing and encouraging women to choose their own paths to success, and women promoting other women. This approach to feminism allows women to be true to themselves while supporting other women in the pursuit of equality. Based on my analysis, I conclude that female lawyer characters are not supportive of other women in the legal television world and that the legal television world has not kept pace with the advancements made by feminism. Some female lawyers in the legal television world engage in some elements of mentorship, but the overwhelming majority of female relationships in the legal television world fail in that regard. I conclude that female mentorship relationships do not exist in the three television shows I examined and if the female characters on these programs mirror societal conventions, then based on Orit Kamir's theory of paralleling, the actions and behaviours of women in the legal television world, with respect to female relationships, could be reflective of today's society.

CHAPTER 5: CONCLUSION

The objective of this thesis was to expand the limited academic focus on feminism and female mentorship relationships in the legal television world. My unique contribution to law and popular culture research achieved three goals:

- 1) Introducing the term *legal television world* as a tool for analyzing feminism in law and popular culture;
- 2) Juxtaposing the waves of feminism with female lawyers in the legal television world; and
- 3) Describing and analyzing three shows featuring women lawyers to examine female mentorship relationships.

I highlighted the history of feminism through its waves and introduced the term *legal television world*, which provided a context for my research and explained the world inhabited by female legal characters. Juxtaposing the history of feminism with female characters of the legal television world made my theoretical research more concrete. My research highlighted how popular culture views female lawyers and how those female characters have evolved alongside the waves of feminism. My research also revealed how women still struggle with inequality and cope with the lack of female support in the legal television world. The three television shows I analyzed, *L.A. Law*, *Ally McBeal*, and *The Good Wife*, illustrate different female relationships and the lack of support between female characters.

L.A. Law, *Ally McBeal*, and *The Good Wife* are all legal television shows featuring lead female lawyers. Ally and Alicia are the focus of their respective shows and very little occurs

without them. In contrast, *L.A. Law* was a true ensemble cast program and no one character was the centre of the show. Because *L.A. Law* has no main protagonist, the show opens with theme music playing as the trunk of a car is slammed shut, exposing the Los Angeles license plate: LA LAW. The composer, Mike Post, wrote two versions of the opening music: an upbeat saxophone plays before an episode that is lighter in nature, while a more sinister sounding synthesized version plays before an episode with a more serious plot.⁵⁶⁷ *Ally McBeal* and *The Good Wife* both open to theme music composed by Danny Lux.⁵⁶⁸ A montage of Ally from scenes in the show comes on screen while the upbeat song “Searchin’ My Soul” sung by Vonda Shepard plays in the background.⁵⁶⁹ This opening highlights how the show focuses on Ally’s life and the positive nature of the show. *The Good Wife* opening theme song is instrumental and plays as the dark screen shows some iteration of Alicia and Peter holding hands in black and white and then zooms out and focuses on Alicia’s face.⁵⁷⁰ This is in stark contrast to the brightness of *L.A. Law* and *Ally McBeal* and signals that *The Good Wife* has a much more somber style than the other two shows.

All three shows had a sharp focus on the law and the legal issues of the time. The protagonists did not always win their cases (unlike *Perry Mason*), and the cases were often controversial, drawing on events ripped from the headlines. Each show’s episodic plot intertwined the legal case(s) with the personal lives of the characters. The depiction of personal matters on *Ally McBeal* was different because of the use of fantasy on the show; neither *L.A. Law*

⁵⁶⁷ “*L.A. Law*”, *Wikipedia*, online: <https://en.wikipedia.org/wiki/L.A._Law>.

⁵⁶⁸ *Ally McBeal*, *supra* note 257.

The Good Wife, *supra* note 263.

Danny Lux composed the theme song for the first season and David Buckley composed the theme for the remaining seasons.

⁵⁶⁹ *Ally McBeal*, *supra* note 257.

⁵⁷⁰ *The Good Wife*, *supra* note 263.

nor *The Good Wife* used comedic elements. The action on *L.A. Law* and *Ally McBeal* took place in the same firm and same physical location throughout the series, despite many firm name changes. In contrast, *The Good Wife* portrayed a more modern approach to a law career in that Alicia (and many of the other lawyers) changed firms and jobs,⁵⁷¹ while the firm also changed ownership and locations throughout the series.

All three shows demonstrate that television is a world in which women still face inequality. One factor that contributes to that inequality is how popular culture, and specifically, television, depicts women as unable or unwilling to support one another in the struggle for equality; simply put, women are not supportive of one another. There is a correlation between the willingness or unwillingness of women lawyers to support one another on the one hand, and the inequality they continue to face in the legal television world on the other hand. As feminism continues to advance, popular culture should depict improvements in the female mentorship relationship in the legal television world. Just as Third Wave feminism led to noticeable shifts in television programming because television networks knew they needed to reflect changing trends, popular culture of today needs to continue to adapt to feature Fourth Wave feminism. For me, the most important aspect of Fourth Wave feminism is women working with and supporting other women. The natural progression after greater female support would be more female role models and more women holding top positions in law, business, politics, and other spheres of influence. Popular culture and the legal television world reflect society and seeing women in positions of power in the legal television world will help promote further progress for all women.

My thesis fills a gap in the current literature in its discussion about women lawyers

⁵⁷¹ Some of Alicia's job and firm switching was forced upon her and was not her choice.

struggling with other women. No previous work has focused on the female mentorship relationship in the legal television world. I believe popular culture is ignoring the issue of the lack of female support in that world. My thesis is an attempt to draw attention to the need for positive female role models in the legal television world who validate the Support Test and who reflect Fourth Wave feminist ideals. I have been watching film and television since an early age and popular culture has a special place in my life; however, as a young lawyer, I still seek a female legal character role model who fosters mentorship relationships and focuses on changing the world for the betterment of all women. Feminism and popular culture have come a long way and while girls today do have positive role models,⁵⁷² the legal television world's female characters are lagging far behind.

As with all research, there are some limitations to my work. My research was limited in the number of shows I selected to analyze, and the lack of visible diversity in the female characters I analyzed. I acknowledge that there are a number of programs in the legal television world that could be examined – the shows I selected for analysis are all off-air, network television, legally-themed programs, from different decades in the past thirty years, with female lawyers as the central protagonist(s). Importantly, the female protagonists all find themselves in settings where they have the opportunity to be mentors, mentees, or both, of other women. Off-air television shows allowed for a thorough analysis of a completed series from start to finish. As well, network television shows are widely accessible and reach a larger audience.

⁵⁷² A few of the women who are changing gender roles and re-defining feminism in popular culture are: Beyoncé, whose performance at the 2017 Grammy Awards was hailed as being an artistic piece that encapsulated Fourth Wave feminism; Lena Dunham, creator of the HBO series *Girls*, which features four female characters living in New York who deal with Fourth Wave issues such as: abortion, body image, harassment, and navigating social media; and Mayim Bialik, who earned a PhD in neuroscience from UCLA and is also an actress on the hit television show *The Big Bang Theory*. She proudly identifies as a feminist and wrote the 2017 book *Girling Up: How to be Strong, Smart and Spectacular*.

Examining television shows rather than films may be a more effective method for determining the media influence of public perception of female lawyers, simply because a television show requires a larger investment for the watcher. Television shows produce much more viewing time (average of one hour per episode, once a week for several months to complete a season; most shows produce a multitude of seasons) than a film (average of 1-3 hours total). Because there is a larger amount of viewing time and this viewing time takes place over a larger period of time, society may make broader conclusions about the characters present in a television show than they would about a character present in a movie.⁵⁷³

In addition, I limited the number of programs I analyzed to three because of the significant number of episodes and the corresponding amount of viewing time required. The long run of each show allowed me to analyze character and plot developments in full.⁵⁷⁴

My research was further limited due to the lack of visible diversity in the female protagonists I analyzed. Bonnie Dow refers to this as how “postfeminists promote ‘media-friendly feminism’ and states: ‘television entertainment has hedged its bets by representing feminism through the lives of white, middle-class, heterosexual women.’”⁵⁷⁵ It is only recently that shows like *How to Get Away With Murder* have emerged, featuring an African-American woman lawyer protagonist. While Annalise Keating (played by Viola Davis) is a mentor – she is a criminal law professor in a law school and provides career opportunities to female and male law students – she is also a villain on the show because she has questionable morals (she has a hand in several murders), she is unscrupulous (she threatens to kill people if they do not follow her rules), and she is calculating (she is motivated by revenge).⁵⁷⁶ Questions regarding Keating’s character aside, I did not study this show because I wished to analyze a series in its entirety.

⁵⁷³ Hammes, *supra* note 267 at 5.

⁵⁷⁴ *L.A. Law* ran for 8 seasons; *Ally McBeal* ran for 5 seasons; and *The Good Wife* ran for 7 seasons.

⁵⁷⁵ Gagne, *supra* note 6 at 82.

⁵⁷⁶ *How To Get Away With Murder* (ABC Studios, 2014).

Future research should consider female characters who represent diversity in race, socioeconomic class, sexual orientation, and disability. Two current legal television shows worthy of focus are *How To Get Away With Murder* and *The Good Fight*, which has a more racially diverse cast than *The Good Wife*, its predecessor. In addition, to explore female mentorship relationships more fully, future research could be modeled after the collegiate athletics and college presidencies research on mentoring mentioned in chapter four. Future research should also include interviews with lawyers and students, an examination of women networking programs offered by the Canadian Bar Association and provincial Bar Associations, and even a multi-year study of female mentorship programs in Canadian law firms of different sizes.⁵⁷⁷ Further, future research could also include a comparison of female mentorship relationships with male mentorship relationships.

The three shows I analyzed all advanced mainstream feminism and drew viewers' attention to many issues affecting women, but none of them demonstrated any insights from Fourth Wave feminism. *The Good Wife*'s sequel, however, *The Good Fight*, which premiered in February 2017 on CBS All Access, is a better example of Fourth Wave ideals and depicts a postfeminist perspective on women lawyers. *The Good Fight* focuses on Diane Lockhart after

⁵⁷⁷ The Manitoba Bar Association (MBA) currently has a Mentorship Program that fosters connections between lawyers of the MBA and the Manitoba Law Students' Association at Robson Hall at the University of Manitoba Faculty of Law. The Program matches law students with lawyers who are willing to share their experiences about the practice of law and the process of building a successful legal career. Female law students are not necessarily matched with female lawyers. For more, see: <http://cba-mb.ca/Events/Mentorship-Program>.

The MBA also has a section devoted to Women Lawyers that features social and professional programs. The Women Lawyers Section offers women in the legal profession an opportunity to discuss issues facing women, including business development sessions and panels about becoming a judge in Manitoba. For more, see: <http://cba-mb.ca/Sections/Women-Lawyers>.

In 2003, Lianne Krakauer and Charles P. Chen mention that the Faculty of Law at the University of Toronto has an alumni-student mentor program that provides students an opportunity to meet with lawyers in varied practice areas, see: Lianne Krakauer & Charles P. Chen, "Gender Barriers in the Legal Profession: Implications for Career Development of Female Law Students" (2003) 40 *Journal of Employment Counseling* 65.

she is forced out of her own firm because of a Ponzi scheme scandal involving her client and friend. His daughter, Maia Rindell (played by Rose Leslie), is Diane's goddaughter and new legal mentee. Maia follows Diane when she joins a new firm in season 1, episode 1, *Inauguration*.⁵⁷⁸ Diane and Maia join Lucca at Chicago's primarily African-American law firm, Reddick, Boseman, & Kolstad. The firm features Barbara Kolstad (played by Erica Tazel) and Adrian Boseman (played by Delroy Lindo) as named partners, and the firm is known for its widely diverse client base.⁵⁷⁹

The Good Fight has been renewed for a second season, which is "excellent news for fans of feminist TV."⁵⁸⁰ The show is, "a necessary part of the TV landscape and an extension of *The Good Wife* world that may ultimately surpass the original."⁵⁸¹ *The Good Fight* features many strong female characters: Maia is a lesbian "struggling not to be defined by her parents' mistakes"⁵⁸² and working hard to prove herself. Barbara Kolstad is an African-American woman and partner at the firm. Elsbeth Tascioni (played by Carrie Preston) reprises her role as a lawyer with an eccentric method, and Marissa Gold (played by Sarah Steele) returns to the spinoff as Diane's assistant. The female characters all add "to the show's diverse appeal."⁵⁸³ *The Good Fight* "follows a predominantly female cast of varying ages, races, sexual orientations, and economic statuses. They each come at the often socially charged cases with unique viewpoints rarely found all on one show."⁵⁸⁴ The show's first season also tackles real-world Fourth Wave

⁵⁷⁸ *The Good Fight: Inauguration* (February 19, 2017).

⁵⁷⁹ The firm is known for its representation in police brutality cases and racial issues.

⁵⁸⁰ Sabienna Bowman, "'The Good Fight' Gets A Season 2 Renewal & That's A Major Win For Feminist TV", *Bustle* (February 2017), online: <<https://www.bustle.com/p/the-good-fight-gets-a-season-2-renewal-thats-a-major-win-for-feminist-tv-44820>>.

⁵⁸¹ *Ibid.*

⁵⁸² *Ibid.*

⁵⁸³ *Ibid.*

⁵⁸⁴ *Ibid.*

feminist issues such as: a woman's autonomy over her own body, sexual assault, and online harassment,⁵⁸⁵ all while pushing *The Good Fight's* "feminism storytelling to new heights."⁵⁸⁶

According to Danielle Gibson:

The Good Fight is the most feminist show online . . . [and what is] most exciting about *The Good Fight*, however, is how these three main characters respect one another despite (or perhaps, because of?) their differences. As we all know, it's possible to be a feminist and disagree with other women on a litany of issues—that's part of what makes the world go round.⁵⁸⁷

With *The Good Fight* on television, the future looks more feminist. An in-depth analysis of *The Good Fight* would provide examples that validate the Support Test as well as evidence of women helping women advance in the legal television world.

The discussion set out in this thesis could provide the framework for courses of study in law school. For example, Karen Busby discusses her use of award-winning, non-mainstream, lesbian-themed videos in her gender and the law class to highlight the problems associated with "censorship of queer work and media-driven moral outrage campaigns."⁵⁸⁸ A gender and the law class or a law and popular culture class could feature clips from the episodes mentioned in this thesis to launch a similar discussion and to examine how popular culture depicts feminism on screen. Such an approach is of course not limited to the law school. Using television clips in other courses of study, such as women's studies and sociology classes, would be equally beneficial. The Support Test I developed can also be applied to other central female protagonists, such as police officers, doctors, politicians, and teachers. Overall, this thesis expands what to

⁵⁸⁵ *The Good Fight* (CBS Television Studios, 2017).

⁵⁸⁶ Bowman, *supra* note 580.

⁵⁸⁷ Danielle Gibson, "The Good Fight Review: These Are the Kind of Strong, Real-World Female Characters We Need Right Now", *Glamour* (24 February 2017), online: <<http://www.glamour.com/story/the-good-fight-review>>.

⁵⁸⁸ Karen Busby, "Using Film in the Classroom: The Call and Responses" 21 *CJWL* 197 at 201.

date has been a limited focus on the evolution of female lawyers in the legal television world by shining a light on the lack of female mentorship relationships in that world.

Toronto, 2017, Bay Street. Imagine a legal television show with two leading female characters. They walk the halls at the law firm where they both work, in pantsuits, or skirts, or dresses with blazers. Their hair is pinned back and they both wear jewelry: one wears statement necklaces and bracelets, while the other wears a solitaire diamond pendant and jeweled brooches. These two women are not roommates, and we do not just see them outside of work at the local tavern. Rather, they are work colleagues: female lawyers and partners at the firm, and they are friends. They divide their work week lunch hours accordingly: twice a week they meet downstairs, already changed into yoga attire and cycling shoes, ready to hit the spin studio two doors down; and three times a week one picks the other up at her office and suggests a lunch spot – sometimes a food truck, or sushi, or soup and a salad, but no matter what, each hour is filled with laughter and banter; not just legal jargon and office politics gossip. Of course, they discuss men, and children, and house renovations, but they also talk about one of them opening up her own business one day, and the other's goal to be managing partner at the firm. They brainstorm together and help each other achieve goals by being supportive.

These two women created the Women to Women Program that links senior lawyers with junior associates at firms across the city. They meet once a month in the firm boardroom, which is adorned with portraits of Canadian Supreme Court Justices of the past, including Bertha Wilson and Claire L'Heureux-Dubé. The women in the program meet to discuss issues facing female lawyers and they create opportunities for mentors and mentees to meet separately for

more focused discussions. Sometimes the meetings feature wine, and can get a little out of hand, and they often feature a question and answer period so the women can learn from other women and their different perspectives. They discuss how to get more women involved in the legal profession and they have Skype opportunities encouraging female law school students across the country to participate in the Program. There is still drama on this show, but it is not caused by women struggling for equality or by women fighting for the same position or the same man. The drama stems from the cases and the clients who walk through the firm doors and the sounds of more and less experienced lawyers reverberating through the halls. This fictional world would feature men and women being treated as equals and women helping women. The women would finally be able to say, “we have come a long way [since Della], baby.”⁵⁸⁹

⁵⁸⁹ “You’ve come a long way, baby” was the 1968 advertising tagline for new thinner Virginia Slims cigarettes marketed for women. The advertising campaign played on the new woman that was emerging from the Second Wave of feminism – she was confident and independent and needed this new cigarette to round out her originality. For more information regarding the 1968 campaign, see: Brian Horrigan, “The 1968 Exhibit: ‘You’ve Come a Long Way’ campaign launched, July 22, 1968,” (22 July 2011), online: <<http://the1968exhibit.org/covering-1968/2011-07/youve-come-long-way-campaign-launched-july-22-1968>>.

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