

The Downward Spiral:
A Look at the Depiction of Lawyers in Movies

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Introduction.

Lawyers have been depicted in film from the very beginning of the art. The idea that a person's freedom can be taken away in such an adversarial manner is replete with drama that people love to watch. These films make good mysteries, leaving the viewers guessing until the last moment whether the client is guilty or innocent. They make good David and Goliath stories; one man and his lawsuit bring down the big multi-million dollar company. They make interesting stories of redemption; the crooked lawyer finds something to believe in. They can make good stories of justice; a person is wronged and finds justice through the lawsuit. No matter what the subject matter, movies with lawyers are such that people find them interesting.

It is often said that art imitates life. Movie-making is certainly an art form, and it is an art that can easily persuade people. People who have no experience with the subject of the movie, and as such have no opinions about the subject matter, can easily watch a movie and leave feeling informed and having now formed an opinion. As such it can be said that life can imitate art. This is even truer about a movie that claims to be based on a true event. People who have seen a movie that is based on true events often believe that they now know what happened. Occasionally an interested person will go and find out more about a particular event upon which a movie is based but for the most part people accept what is in these movies as fact.

Anyone who watches enough movies over time will always notice trends in movie depictions. These trends usually involve a rash of movies about a particular subject within a span of around two to four years. These trends can include something as simple as high school athletics, bank robberies, racing or any number of things. The way movies depict these things has changed over time; things may have changed as a result of improved movie processes, changing methodology of the subject being depicted, changing public perception of the subject, etc. One subject matter where the depiction has thoroughly changed over time is that of lawyers.

The depictions of lawyers in movies have seen a steady decline over the past decades. In the fifties, movies dealing with lawyers portrayed them in a positive light, both as decent people and competent professionals; the same can be said about movies made in the sixties. The sharp downward spiral that started movies on their current trend began in the mid to late seventies and continued into the eighties, where it bottomed out creating a situation that has continued to the present.

For the purposes of this paper I read two articles for background material, “Bad Lawyers in the Movies,” by Michael Asimov and “Justice in American Films,” by Ralph Berets. These articles deal with the subject of the portrayal of lawyers in movies. In choosing the movies I decided to view three from each decade. This choice stemmed from both monetary confinements and also a lack of selection. Not all of the movies viewed were my first choices but after a thorough review of the movies available to me these were the best and most appropriate. My depictions of the lawyers can seem very arbitrary and judgmental but I tried to hold every action

depicted to a standard: what was the motivating factor for the action, was the action justified, was the action legal, and was the action professionally ethical.

1950 – 1959

Three movies from this decade are analyzed, The Caine Mutiny (1954), Anatomy of a Murder (1959), and Compulsion (1959). The Caine Mutiny deals with a naval vessel whose captain exhibits symptoms of paranoia and is often erratic in his duties and commands. As a result of the captain's actions, the executive officer relieves him of his duties during a typhoon out of fear that the captain's actions will result in the sinking of the ship. When the ship docks again the executive officer is brought up on charges of mutiny.

This is where the lawyer enters the movie. These are naval proceedings and the rules of court are slightly different. In military courts a lawyer can be charged with crimes as a result of asking incriminating questions to an officer without proper reason to suspect a particular answer. The viewers learn immediately that the naval lawyer who has taken the case is a very straightforward man who will only take the case if he believes the executive officer, and that he has taken the case when eight other lawyers turned it down. He defends the officer diligently and in the process is forced to make a fool of the captain in court. He does not do anything malicious or unethical or even unseemly, but the captain breaks down under the questions and the officer is set free.

During a party to celebrate the officer winning the case, the lawyer comes in, drunk, and feeling very ashamed. He is ashamed for having to make the captain look bad in the trial. The depiction this movie gives is one of a fine person who is full of

integrity and also of a fine lawyer who won a case that most thought was not winnable. As a person he is shown to have a moral fortitude that almost everyone else in the movie lacked, and as a lawyer he was ethical almost to a fault, yet still effective.

In Anatomy of a Murder James Stewart plays a lawyer who has not had much work lately. The premise of this movie is that a big case falls in his lap; the case involves a husband murdering another man who he believes raped his wife. Stewart defends the husband, and they try the case with a defense of insanity. Also against seemingly impossible odds Stewart wins the case and his client is set free.

Stewart also plays a very good person as a lawyer. He needs money desperately but when his client can not pay, he accepts that fact and defends him to the best of his ability anyway. While not quite as morally rigid as the lawyer in The Caine Mutiny, Stewart is still far from the lawyers portrayed today. He seems to be genuinely interested in the wellbeing of his client and the client's wife. In almost every scene Stewart plays a kind man, but oddly enough in his kindness he is extremely firm in getting what is needed. In one scene when Stewart and the client are pondering what defense to use, Stewart coaxes the client in a particular direction without putting words in his mouth. Stewart tells the client the all reasons for murder that make that murder excusable in the eyes of the law. Every defense must have at least one of these reasons for the jury to grasp onto and set the defendant free. Stewart lays out these reasons and eliminates all of them except insanity. Stewart then asks the witness to describe the events of the night in question as he

remembers them. This is the closest Stewart comes to an ethical violation yet is still far from it. In keeping with the times Stewart's character is again a good person and a good lawyer.

Compulsion is based on a true life event; the subject of the movie is the Leopold and Loeb case of 1924. Clarence Darrow is the attorney who defended the two men and prevented them from being executed. In Compulsion Orson Welles plays a lawyer whose character is based on Darrow. He portrays a man who is full of doubt of his own ability as if he is fixated on his weaknesses. After jury selection takes place Welles changes the plea of the men from not-guilty to guilty. Most people involved with the case are severely let down because it is thought that Welles has given up. This turns out to be entirely incorrect; Welles is trying to save the clients' lives. By pleading guilty and arguing the circumstances in a hearing to the judge rather than in a trial to a jury, he is giving the clients a chance at life in prison rather than execution.

As happened in real life during the hearing, Welles gives a long oration about the clients and about the horrors of the death penalty. Because of this speech the clients are sentenced to life in prison rather than being put to death. This is a fine example of both a man's courage to do what he feels is right in the face of adversity and also of his ability to put down his pride when helping others is more important. Every lawyer loves to win, but Welles took away his chance to win the case and instead when his clients were not put to death he saw that as a victory.

The decade from 1950 through 1959 saw a great many movies dealing with attorneys and the law. These three films are a fine representation of what many of them portrayed, lawyers who were good people yet despite, or because of, that they were also very good at their profession.

1960 – 1969

Inherit the Wind (1960), To Kill a Mockingbird (1962), and Madame X (1966) are analyzed and discussed for this decade. Inherit the Wind is another movie based on true events; moreover, it is based on the events of Clarence Darrow once again. This time the events that took place in the Scopes Monkey Trial are the subject of the film, Spencer Tracy plays the attorney based on Darrow, and Fredric March plays the attorney based on William Jennings Bryant. This movie is particularly good for the purpose of this paper in that it revolves around the actions of the two attorneys and how they interact together.

March plays the attorney who is better liked by the townsfolk in the movie because he is defending their law, and Tracy is seen as a godless heathen. This movie is interesting because it is one of the few movies that portrays lawyers on opposing sides of an issue who maintain a friendship. During the courtroom scenes they are both adamant in their rightness but that seems to stay in the courtroom. In the film March does some things which are ethically questionable; for example at one point he questions a witness using information that was told to him in confidence. These things don't tarnish him because they seem to be done because he believes they will lead to a correct outcome. As a result of the depictions in the movie, the viewer is left with the assurance that this movie is about two morally sound and extremely good lawyers who are both fervently standing up for what they believe in.

To Kill a Mockingbird is often heralded as one of the finest movies of all time. One of its main characters, played by Gregory Peck, is surely one of the finest portrayals of a good person of all time. Peck plays a character that people would do well to emulate. This movie shows Peck as a single father raising a daughter and son in the South. One of the main stories of the movie is Peck defending a black man accused of rape. Given the time period and the location, taking this case is a particularly honorable thing to do because Peck received a lot of abuse for it. Through it all Peck provided a good defense and stood up for the safety of his client; notably he was warned that a mob would probably come to hang his client, so Peck went to the jail to physically protect the client. While there, Peck stood up to a crowd and wouldn't allow harm to come to his client.

During the court scenes he was effective, but he also made a point of being very polite to all the witnesses, even when it was clear they were lying. He was also depicted as a good person when shown with his children. He was always open and never mean. Overall this is probably the high point of the depictions of lawyers.

The next movie, Madame X, deals with a woman who has been cast out of her family and has been leading a life as filthy and pitiful as her previous life had been happy and rich. She had been married to a wealthy diplomat and was raising their son. The husband's job kept him away much of the time; he was often gone from the country. During that time the wife became friends with another man and he asked her to run away with him. In the middle of an argument the man slipped and fell down some stairs, killing him. The effects of an accidental death would have created

a scandal too harsh for the family, so the woman left. She was so heart-broken at having to leave that she quickly sank into a severe depression aided by alcohol and absinth. When she prevents a man from blackmailing her family by killing him she is promptly arrested. She refuses to give her identity because she does not want to humiliate her family, and she is given to a public defender to try the case. While in his care she refuses to talk to him or anyone.

This is the public defender's first case, and as such he is very young but nevertheless he is supportive and enthusiastic. He immediately goes and studies diligently about the matter and the best way to defend his client. He seeks advice wherever he can get it. He is very eager to help his client; he also has a great deal of sympathy for his client and wishes fervently that she would talk to him. During the trial he defends her to the best of his ability and does so nicely and with respect to all parties involved. The plot turn is in the fact that this lawyer is the son of the mysterious woman, but she refuses to tell him. While he doesn't know that this is his mother he is defending, he feels so deeply for his client he grows very attached to her and admits that he loved her when she died seemingly of no causes.

The portrayal here is one of a very caring individual. He was deeply devoted to trying to help his client and in that he was a very good person. In the courtroom scenes that were depicted the lawyer was also seen to be a good lawyer and was holding his end of the trial up equally to that of the experienced prosecutor.

This decade was refreshingly similar to the fifties in its depictions of attorneys. The attorneys were all good people who cared for their clients and worked diligently

to find out the truth and to do the best things for their clients and for what they saw as right.

1970 – 1979

The seventies saw the first downturn in the depictions of lawyers; The Candidate (1972), ...And Justice for All (1979), and Kramer vs. Kramer (1979) are discussed in this section. The Candidate is a movie about a lawyer, Robert Redford, who gets convinced to run for the office of senator of California. We learn initially that he was a good lawyer with good causes, saving trees, keeping clinics open, but he is reluctant to run for senator. He is clinched when he is told that because he has such a small chance of winning he can say and do whatever he wants. He starts the campaign out doing just that; when he does not know something he says so, and he always says what he thinks. As he gets more popular and his chances get better and better, he struggles to stay the same person and not let the campaign change him or influence his actions.

Every time that Redford finds himself acting like a career politician he tries to snap out of it and back to the lawyer he used to be. Ultimately he finds that it is impossible to do, and when he is shown in a debate with his opponent, he is full of double talk and vagueness. Ultimately this is a look at the political system of America but it does so through the eyes of a young lawyer who gets caught in it. This depiction is much more focused on Redford as a person rather than his professional quality as a lawyer, but as a person, he by nature is shown to be an honest and good person.

...And Justice for All is an interesting movie dealing with one lawyer's struggle in the face of the modern legal system. Al Pacino plays a lawyer who must defend a judge he hates for the crime of rape and assault. He does so only because he is being blackmailed. He is being blackmailed because he helped the police catch someone who was once his client; this is a dilemma because to breach that confidence is a severe violation legally and ethically, but it was the right thing to do morally because he had important information to solve a murder. Throughout the movie Pacino is used as a contrast to all the other lawyers and people in the legal system; he is the only person who isn't jaded or crooked and cares about his client's wellbeing.

Ultimately he gets so fed up with the system that when the trial is beginning for the judge, Pacino goes into the courtroom and tells everyone the truth, that the judge is guilty. In turn this will get him disbarred and could land him in jail but he sees it as the right thing to do. In one telling scene he has to go to the hospital to help a friend, so he asks another lawyer he knows to sit in on a sentencing and to tell the judge about some corrections that need to be made with the client's prior criminal record. The lawyer agrees to do it and forgets about it. When he finally shows up he forgets to make the corrections on the record and as a result of his carelessness the client is sentenced to three years incarceration when the sentence would have been probation. As a result the client hanged himself so as to avoid going to jail.

When Pacino hears of this he goes nuts and almost attacks the other lawyer. His caring for his clients is shown to be immense in this scene, and it speaks well of him as a person. As a whole, this is the first of the movies reviewed that had a very

negative depiction of lawyers and of the entire legal system; the movie was replete with legal injustices and people who slipped through the cracks into jail for no reason. The greatest negative depiction given was of the way that most of the lawyers in the film thought and acted towards their clients. In the minds of the lawyers, the clients were all guilty, and the lawyers just didn't care about that or about them.

Kramer vs. Kramer deals with subject matter that parents dread; it is about a couple who get locked in a custody hearing over their child after they divorce. The couple is played by Dustin Hoffman and Meryl Streep. The premise is that Hoffman works too much and as a result of feeling unhappy and neglected Streep leaves both her husband and her son in the lurch. Through the movie Hoffman learns to deal with being an only parent and gets along well at it, when suddenly Streep comes back and wants custody of her son. A legal battle then ensues.

The lawyers are not the focus of this movie but do play a vital role. Hoffman's lawyer is who the viewer gets best acquainted with. He is curt, bordering on rude, and does not seem to have much patience. He pulls no punches and softens no blows but instead is brutally honest in telling Hoffman what to do and how the system works. When in court he is brutal in his attack of Streep and his defense of Hoffman. In this movie we do not get much information about the attorney as a person but rather the entire depiction comes through his dealings with Hoffman. From that depiction he is portrayed as a seemingly callous person who is interested in winning and making money. Overall this is not a favorable depiction.

The seventies bring about the two first unfavorable depictions of lawyers in the analysis. While The Candidate shows Robert Redford compromising himself and his actions for the sake of winning a campaign, the overall depiction of him is that he is trying and wants to do what he thinks is best. ...And Justice for All, and Kramer vs. Kramer take a severe departure from the way lawyers were depicted in earlier years. The depictions here focused on the callousness of the lawyers and how jaded they are in the process.

1980 – 1989

The eighties bring about a low point for the depiction of lawyers found in movies like Body Heat (1981) and The Verdict (1982), but even among the flood of negative movies there is an occasional movie with redeeming values to be had in the lawyer, as in Suspect (1987). Body Heat gives a portrayal of a slimy lawyer played by William Hurt. Hurt doesn't care about his clients, has been brought up on charges of malpractice and is overall a bad person. There are a few scenes of him actually dealing with the law and the scenes that are shown are usually the aftermath of a blunder which has resulted in Hurt being reprimanded by the judge. The story deals more with his personal life and about how he gets caught up in an affair that ends with him murdering his girlfriend's husband. The fact that he is the type of person who would resort to murder says all there is to be said about him as a person. When coupled with his inability to perform as a lawyer it makes a completely negative view and portrayal of lawyers.

The Verdict starts along the same vein yet the lawyer, Paul Newman, is not nearly as morally corrupt. Newman plays a down-on-his-luck lawyer who is so desperate he is always either drinking or is approaching widows at funerals for business. He is such a poor lawyer that he has a medical malpractice suit that is scheduled for trial in ten days, and he hasn't called the clients or talked to them at all. When he finds out the information of the case he tries to get his act together because

it is a good and profitable case. He is helped by an attorney who is his friend, and they take the case to trial.

The case is heard in front of a biased judge and is fought on one side by a very dirty lawyer. The opposing council positions a spy to find out what Newman is doing by getting a woman to be his girlfriend; he also bribes Newman's star witness to make him disappear. Through the movie Newman gets better and better on all accounts, he starts to care about the injured client and becomes more proficient at being a lawyer, but the opposing lawyer is malicious and dirty to the point of ridiculousness. The story redeems Paul Newman but the depths in which he started and the lack of ethics that the opposing attorney has makes this a very poor depiction of lawyers.

In Suspect Cher plays a public defender selected to defend a homeless deaf mute who has been charged with murder. The movie begins with a good depiction because a person who works in the public defenders office cannot be doing the job for the money. The client is very violent and attacks her, guards, and others but Cher remains trustful and caring. She wants to help and is plainly doing all she can to do so. During the court scenes we see that she is trying this case in front of a belligerent judge who is clearly biased.

The downfall is that a selected juror starts contacting her and giving her tips. This is a severe ethical and legal violation, and Cher goes along with it throughout the movie. Cher and the juror begin their own investigation into what happened, and what they uncover is a hidden plot that resulted in a case being inappropriately thrown out so as to advance the careers of some judges, one of whom is hearing the

case at hand. We then learn that it is the judge who actually committed this murder in an effort to cover up his past wrong doings.

This movie gives a mixed depiction of lawyers and the legal system, clearly the judge hearing the case was a bad person. He committed the murder in the case, he tried to cover up his prior misdeeds and at one point he tried to kill Cher because she was coming too close to the truth. He was also a bad judge, he denied motions without cause, insulted Cher's legal abilities in private and in the courtroom, and he improperly dismissed cases to further his career. Cher did some illegal things like breaking into an office building, fraternizing with a juror, breaking into a locked car, but she did so only to help out her innocent client. Even so the overall portrayal is negative. It portrays lawyers as willing to do whatever it takes to win.

Filled with crime and drinking and a lack of professional ethics, the movies of the eighties have taken a significant downturn with respect to the depictions of lawyers. In every movie surveyed there have been clear violations of the law made by the lawyers depicted.

1990 – 1999

The nineties seem to carry on the tradition of the eighties with respect to lawyers being depicted in film. Class Action (1991), The Devil's Advocate (1997), and A Civil Action (1998) pepper the cinema with negative and mixed depictions of lawyers and the legal profession. Class Action deals with corporate lawyers and the struggle between two lawyers, played by Gene Hackman and Mary Elizabeth Mastrantonio, who are on opposite sides of a class action lawsuit involving a defective car. Hackman and Mastrantonio are also father and daughter in the movie.

The movie shows the constant struggle of Mastrantonio to please her superiors and to stay human at the same time. She works for a big and powerful law firm and needs to win every time to advance her career. Because of that she is asked to compromise her ethics and hide evidence that is bad for her side so that they will have a better shot at winning. Hackman's role is better professionally, playing the lawyer who despises the big corporations and is working for the underdog, but as a person he is an adulterer who was also a poor father. It is then brought to the viewers' attention that Hackman is not as caring as was previously thought; his driving force is winning, and once that is accomplished, he sees no need to keep in touch with a client.

The courtroom scenes show them both to be excellent lawyers defending their clients fervently. Ultimately, while the depiction of corporate lawyers is a negative one and the depictions of both Hackman and Mastrantonio are good, they are seen as

the diamonds in the rough that just happen to be able to stand up against the trappings of their profession.

The next movie is the pinnacle of negative depictions as they relate to lawyers. The Devil's Advocate deals with a lawyer who will do anything to win, played by Keanu Reeves, who gets sucked into an even darker world of corporate law. The law firm he goes to work for is headed by the devil. This movie shows manipulative lawyers, people shredding evidence, defending clients with blatant lies, almost every bad thing that a lawyer can do is portrayed in this film. On a personal level Reeves tries to be a good husband but because of his work and his boss becomes more and more neglectful of his wife. The biggest negative aspect that is depicted in this film is the need to win. Everything Reeves does in the movie is motivated by the need to win. The fact that the head of the law firm is the literal devil draws the implication that the legal process is so corrupt, it is the perfect place for the devil to reside. This movie literally depicts lawyers as a physical manifestation of evil.

A Civil Action finds itself negatively depicting lawyers in their quest for money. John Travolta plays a personal injury lawyer who does not sympathize with his client's injuries or pain; when he sees those things he thinks about how much money it will get him. This movie is about an attorney who gets caught up in a lawsuit that is dealing with two major companies dumping toxins into a town. As a result of this dumping, numerous children in the town develop cancer and die. Travolta gets involved because of the money that it will get him, but then he finds

himself caring about the people of the town too much to take any offers of money that the corporations throw at him. As a result he loses everything.

At the beginning of the movie Travolta is literally putting a dollar sign on everyone; he explains who is worth more than who in a personal injury suit. He callously assesses that a dead child is worth the least of all. This is a horrible depiction of the legal profession in that the point of it all isn't justice or compensation but rather how much the lawyer will get paid. As the movie progresses and he is taken in by the client's pain and suffering, he is redeemed to a certain extent but everyone else in the law firm is still looking at the bottom dollar. The judge in this case is also hopelessly biased and in fact takes a shot at making fun of Travolta for being a personal injury lawyer. The movie ends with Travolta being bankrupted and without a real job, all because he became emotionally invested in his clients. This movie concerns itself with the negative depiction of lawyers and how greedy they are.

Throughout the nineties the themes are callousness, greed, and the desire to win. The movies that show the more positive aspects of lawyers are few and far between in the entire decade.

Conclusion.

A more expansive paper on the subject could possibly include other media outlets, that of television, television movies, books, radio broadcasts, magazine articles. More movies could also be reviewed in this light. An appropriate way to go about that would be to count the number of films concerning lawyers that are made in each decade and watch a certain standard percentage of each of the films in each decade. Particular emphasis to the box office draw of each movie should be considered to give an estimation of how much influence the movies had on the general populace. Another possible branch on this subject would be to research the public's opinion of lawyers from the fifties to the present day. Polling done on the approval rating for the jobs of lawyers could then be compared to the approval ratings of other professions. An interesting comparison could be made to see if the drop in approval for lawyers is consistent with any drops in approvals to any other professions. It could then be seen whether there is a change in the film media's perception of that profession as well. Over all this could give a good indication of the influence that films have on the perceptions of people, or possibly the influence people have on the perceptions of films.

While this paper looks only at a small number of films from each decade, the result is still quite clear. The fifties gave us moral giants who were revered both in and out of the courtroom. The lawyers portrayed were respected by the community, and they were natural leaders of men. Movies like The Caine Mutiny, Anatomy of a

Murder, and Compulsion emphasized the fervor with which all the attorneys approached the law and also their caring attitudes about their clients. This pattern of depiction carried into the sixties where in Inherit the Wind the lawyers were standing up for what they each believe in and to the knowledge of the viewers they are not being paid at all. To Kill a Mockingbird and Madame X give a pattern of attorneys who have an incessant need to do what is right and continues depicting lawyers who care deeply for their clients.

There is a change in the movies of the seventies. The Candidate gives us a good person who means to do well but ultimately is seduced by the need to win. Both Kramer vs. Kramer and ...And Justice for All give us depictions of uncaring lawyers who seem to know that the system is corrupt and just don't care. The pattern of the eighties is selfishness. The need to win and have the things that the lawyers want is seen throughout Body Heat, The Verdict, and Suspect. The need to win is so great in these films that the lawyers portrayed in them all resort to illegal actions. As a larger view of the legal justice system these movies are a subtle portrayal that it does not work as a process. The depiction is that these lawyers have a need to go beyond the limits of the law because the law is failing.

The nineties show no end in sight for the negative depictions of lawyers. While the decade begins with a story of redemption in Class Action, the depiction is negative because the main characters are redeemed from being normal lawyers who are all corrupt and will win at all costs. A Civil Action gives more meaning to what a win is. This movie reinforces the depiction of a lawyer's need to win but adds to it a

reason beyond that of pride and vanity; it adds money and greed. The low point for all lawyers comes in The Devil's Advocate. This is where lawyers are portrayed in such a negative light they are seen as literal demons and ultimately the devil. Through these films and many others it can surely be said that the depiction of lawyers has evolved since the 1950s, and that evolution has put lawyers in the worst possible light.

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