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## **“In Between” East and West: A Comparative Approach to Cinematic Portrayals of Female Lawyers**

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### **Short bio**

Dr. Anna Chronopoulou is a Senior Lecturer in Equity and Trusts at Westminster Law School, University of Westminster. She has published nationally and internationally and has been successful in attracting external funding on several occasions. She is an active research member of the Centre for Law, Social Justice and Popular Culture and the Centre for Law, Race, Gender and Sexuality at Westminster Law School. Her research focuses broadly on law and popular culture, more specifically law and film, law in film, cinematic and media representations of female lawyers, law and aesthetics, legal education, and the relationship of property law with popular culture. Anna has presented at national and international conferences. She is the Chair of Law and Popular Culture of the Juris North research network.

## **Abstract**

On-screen female advocates have been the subject of investigation in a growing body of literature over the past two decades. Celluloid depictions of women lawyers in the Middle East are less common. This paper attempts to fill this gap by examining two films: *In Between* and *The Accused*. These films were chosen for two reasons. First, they constitute rare cinematic representations of female lawyers' personal lifestyles and the way these lifestyles inform professional identity. Secondly, they evoke detraditionalized versions of gender while emphasising the construction of new on-screen femininities not that far off from modern day legal practice. This paper consists of three parts. The first part examines the striking similarities in the way both films portray female lawyers as role models and outsiders in the legal profession. The second part situates the discussion of the two films within the consumer-based, pleasure-seeking attitude associated with the new aesthetics of legal practice. The third part draws parallels between the fictional representations of the female lawyers in the two films and the reality of legal practice.

**Key words:** *Female Lawyers in Films, Legal Professional Identity, Gender, Middle East.*

## Introduction

The rise in popularity of law and popular culture was marked by the unprecedented production and consumption of an extensive body of literature exploring a wide range of legal subjects in films and television series on both sides of the Atlantic, and particularly in the UK and US. The work to date has concentrated almost exclusively on the critical analysis and investigation of the cinematic representation of male lawyers. In contrast, the growing number of representations of female lawyers on screen focuses mainly on the regeneration and recreation of gendered stereotypes on both sides of the Atlantic. The celluloid depictions of Middle Eastern female lawyers are more rare than that of their male counterparts and serve as a constant reminder of their continued underrepresentation on screen and in the real world. This article attempts to address this absence by examining two films, one from the Anglo-American tradition and one from the Middle Eastern film tradition. The suggestion put forward is that despite the differences that characterize relevant film traditions, cinematic depictions of female lawyers remain broadly similar in the two films, emphasizing a move away from the stereotypical depictions of female lawyers on screen.

The example used here from the Middle Eastern tradition is the recent, controversial, and internationally acclaimed Palestinian-Israeli film *In Between* (2016), which is a multi-country co-production so strangely hybrid that even its very origins are disputed. This film was chosen for two reasons. First, it presents a rare portrayal of a female lawyer as one of the lead characters in a film in the Middle Eastern tradition, breaking away in this sense from the normative depiction of male lawyers as lead characters. Second, *In Between* departs from the stereotypical depictions of female lawyers in cinema, while emphasizing alternative personal lifestyles. The example selected from the Anglo-American tradition is the film *The Accused* (1988). It is chosen on the basis of presenting a rare example of a female lead attorney, marking a turning

point in the cinematic portrayal of female attorneys that is particularly overlooked in the literature of law and popular culture.

This paper is divided into three parts. The first part explores the striking similarities in the way both films portray female lawyers as role models and outsiders in the legal profession. The second part situates both protagonists within an argument that shares certain affinities with the pleasure-seeking attitudes in the literature of legal practice. The organizational literature of the legal profession in the UK and US reveals the new ethic of aesthetics in the legal profession, emphasizing in this sense the more light-hearted attitude to work. The third part revisits the relationship between the fictional representations of female lawyers and those in real life, and in this sense addresses the dichotomy in legal and popular culture studies between fiction and reality. This paper concludes that, notwithstanding superficial differences, depictions of women in the two films used for the purpose of this article, are broadly similar and closer to real-world depictions of female lawyers than ever before.

### **De-traditionalised versions of female lawyers in both films**

When examining how the two films represent professional and personal metamorphoses that result from challenges to their protagonists' understanding of the law, it becomes clear that *The Accused* and *In Between* tell a similar story. Both films manage to break away from the traditional cinematic depictions of female lawyers who seem trapped in stereotypical, deeply male-dominated clichés, by examining not only their professional but also their personal lives and the ways in which the latter operates and, most importantly, challenges the former by reconstructing gender and professional relationships. Both films seem to differentiate and celebrate female lawyers, as they clearly exhibit feminine traits as core values linked to the

protagonists' professional identities. In each of these films, the heroine's gender facilitates close relationships with their clients without sacrificing their professional identity. In fact, their professional identity seems to deviate from conventional masculine characteristics of professional behaviour, and instead embraces and encourages feminine characteristics such as empathy, compassion, sympathy, and sensitivity towards the person challenging their perception of the law. For example, *The Accused* focuses more on the difficulties of a rape victim who enlists the help of the heroine prosecutor - a cool, impersonal, competitive professional - in her quest to gain vindication through the legal system and teaches her a lesson in empathy and compassion. In the beginning, the attorney refers to the rape victim in an almost hostile manner and interrogates her about her sex life under the guise of educating her about her vulnerability to cross-examination. When she discusses the case with her male boss at a hockey game, she sees the case in terms of winning, which makes her a recognizable and thus non-threatening figure to her male colleagues. But then she discovers that she has been constrained by the rigid definitions of the respective roles of attorney and client, as well as their different classes, styles, and training, which have kept her from believing that her client might have any independent goals that are worth considering. To make up for her mistake, the prosecutor breaks new legal ground by developing a new theory for tracking rape bystanders that allows her client to tell her story with dignity. This approach costs her dearly in her relationship with her boss. To him, her insistence on bringing the second charge is irrational, and he threatens to fire her. But with a second conviction in hand, this endeavour turns out to be a valiant, if belated, quest for justice.

While this film is imperfect in its portrayal of the rape victim and her struggle for justice, it shows that the attorney's professionalism is not undermined by her gender. On the contrary, because she is a woman, she is ultimately more empathetic. As such, she escapes the traditional

male restraints of prosecution. Her attitude is portrayed not as a weakness but as a strength in the legal profession. This professional transformation is made possible by her visibly increasing connection and sensitivity to her client. Her legal style, particularly in the prosecutor's office, is shifting from mimicking the classic old boys' style to a more compassionate and empathetic legal style that evokes feminine qualities for legal success. A concomitant aesthetic transformation is occurring on a different level, going beyond the feelings and emotions that signal the emotional work of a legal profession, to a stylistic shift towards a more informal appearance and way of speaking when dealing with their client. *The Accused* presents the personal and professional transformation of female lawyers in a way that the few available cinematic representations of female lawyers pay little attention to, or wilfully ignore. For the most part, these depictions show an atavistic tendency to perpetuate and reproduce stereotyped images of female lawyers on screen, reinforcing oversimplified and homogeneous accounts of female lawyers. For example, Corcos and Mahmoud acknowledge the pervasiveness of popular culture with stereotypical images of female lawyers<sup>1</sup>, who mainly lack opportunity and power. On-screen female lawyers, Corcos and Mahmoud argue, are portrayed as less masterful of the law than their male counterparts<sup>2</sup>. They simply fall back on traditional gender roles and display typical female characteristics<sup>3</sup>. More specifically, Corcos paints a rather bleak picture of female lawyers in cinema. She contends that female lawyers do not succeed on screen because law is deeply constructed as a male paradigm<sup>4</sup>. Corcos' argument seems to defy the move from negative to more positive cinematic depictions of female lawyers. The portrayal of women lawyers in the cinema seems doomed to failure, as only male lawyers succeed. By reinforcing

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<sup>1</sup> Corcos Christine, "'We Don't Want Advantages': The Woman Lawyer Hero and her Quest for Power in Popular Culture", *Syracuse Law Review* 53 (2003):1225, Mahmoud Rania, "Who Advocates for Egypt? Women Lawyers in Egyptian Film on the Eve of Independence" *Gender and History* 33(1) (2021): 192-208.

<sup>2</sup> See above n. 1.

<sup>3</sup> See above n. 1.

<sup>4</sup> See above n. 1.

negative images of female lawyers, Corcos may unwittingly reinforce unfair stereotypes and cynicism<sup>5</sup>. Nonetheless, *The Accused* clearly and emphatically presents the transformation of a criminal defence attorney into the heroine role envisaged in popular culture and contradicts Corcos' argument against the construction of heroic lawyers on screen.

*In Between* is about three Palestinian women who share an apartment in Tel Aviv, Israel. The three Palestinian women are: a very liberal Muslim criminal lawyer; a conservative Muslim computer science student; and a very liberal lesbian Orthodox Christian DJ. Leyla, the criminal defence attorney, seems to combine feminine and masculine characteristics in her professional role. Short court scenes serve primarily to outline her character as an aggressive criminal defence attorney. However, there is also a moment in the film where Leyla develops a special bond with one of her roommates who was raped by her fiancé, also a conservative Muslim. After putting herself in the victim's shoes, Leyla begins to think and act more like a prosecutor than a criminal defence attorney. From this perspective, she experiences a professional change. Counselling her roommate, Leyla takes the law into her own hands and manages to get justice for her roommate without even having to go to court.

*In Between* shares certain affinities with Marek's work, which paints a more optimistic picture of the cinematic projection of female lawyers. Marek acknowledges the different cinematic representations of male and female lawyers that stem from gender inequality.<sup>6</sup> She also understands the need and urge for a continuous examination of these differences in the context of law and popular culture.<sup>7</sup> Marek examines cinematic representations of female lawyers and


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<sup>5</sup>Christine Corcos, "'We Don't Want Advantages': The Woman Lawyer Hero and her Quest for Power in Popular Culture", *Syracuse Law Review* 53 (2003):1225.

<sup>6</sup>Joane Marek, "The Practice and Ally McBeal: A New Image for Women Lawyers on Television.", *Journal of American Culture* (2004):77.

<sup>7</sup> See above n. 6.



uses several criteria to determine if there is a discernible transition in the way they are portrayed on screen. These criteria include work-life balance, competence, and the importance of physical appearance in relation to success and happiness.<sup>8</sup> She considers recent representations of female lawyers on the screen to be positive role models overall.<sup>9</sup> Marek is willing to see the positive in the film's portrayal of female lawyers. She acknowledges that recent portrayals of female lawyers in films present them as successful professionals, which is positive for both sexes.<sup>10</sup> These cinematic portrayals of modern female lawyers convey a positive image primarily because they depict these characters as having professional skills that they astutely exercise in the male-dominated legal world.  the end of every film, the personal self has eroded from its rigid definitions of professional conduct. The protagonists in both films reinterpret traits of their gendered professional identity and reconstruct or deconstruct the limitations on their behaviour to avoid interfering with the development of their independent personal and professional status.

### **Pleasure-seeking attitudes and construction of new femininities**

*In Between* and *The Accused* play emphatically upon the construction of new femininities that hint at the changes in the legal profession.<sup>11</sup> Gender portrayals in *In Between* and *The Accused* expose the pervasive hierarchies in the legal practice and reveal the under-representation of

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<sup>8</sup> See above n. 6.

<sup>9</sup> See above n. 6.

<sup>10</sup> See above n. 6.

<sup>11</sup> This point is well documented in the feminist accounts of the legal profession. See by way of example Eleni Skordaki, "Glass Slipper and Glass Ceilings: Women in the Legal Profession," *International Journal of the Legal Profession* 3(1/2) (1996):7-37. See also Claire McGlynn, *The Woman Lawyer: Making the Difference*, (London: Butterworths, 1998). See also Hilary Sommerlad, "Women Solicitors in a Fractured Profession: Intersections of Gender and Professionalism in England and Wales," *International Journal of the Legal Profession* 9(3) (2002): 213- 234. On the same issue see also Hilary Sommerlad and Liz Duff, *Diversity in the Legal Profession in England and Wales: A Qualitative Study of Barriers and Individual Choices*, Legal Services Board (2010).

female lawyers at the top of the legal profession.<sup>12</sup> In stark contrast to the over-the-top, dramatic characters of corporate lawyers in US television series, such as *The Good Wife*, *The Good Fight*, and *How to Get Away with Murder*, and US films that focus on the portrayal of female corporate lawyers, which suggest higher representation of female lawyers at the top end of law firms, reports from England and Wales on the legal profession suggest that this high level of representation is not the case in real life.<sup>13</sup> Most female lawyers working in such law firms simply do not enjoy the same status as their male colleagues.<sup>14</sup>

The portrayal of female lawyers in these series and films creates the overall impression that the legal world of work is gender-specifically integrated. Representations of gender integration take different forms. They show lawyers working together in groups and illustrate the integrated nature of legal employment. They also represent teamwork, one of the key requirements of the legal practice. They emphasize the increased sociality required by the very nature of legal work, which requires socializing and nurturing, networking and socializing. However, it is also common for female lawyers to act alone, indicating the solitary and sometimes isolating nature of legal work. Images of female lawyers working late are not uncommon and reflect the demanding work culture and long hours of the legal practice. At times, cinema portrays female lawyers struggling to balance work and personal life, a constant reminder of the hard-working, playful nature of legal employment, constituting an emphatic reinforcement of gender-based stereotypes. Like their male counterparts, female lawyers

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<sup>12</sup> In addition to the work cited in n. 11 see, also Claire McGlynn, "The Status of Women Lawyers in the United Kingdom," in *Women in the World's Legal Professions*, eds. Schultz Ulrika and Shaw Gisela, (Oxford: Hart, 2003), 139-148. Claire McGlynn, "Strategies for Reforming the English Solicitors Profession: An Analysis of the Business Case for Sex Equality," in *Women in the World's Legal Professions*, eds. Schultz Ulrika and Shaw Gisela, (Oxford: Hart, 2003), 159-174.

<sup>13</sup> See n. 11.

<sup>14</sup> See n. 11 and 12. Ballakrishnen's work on Indian Elite firms begs to differ and suggests that Anglo-American fiction is closer to the reality of elite Indian law firms. There is potentially a broader argument to be made here, however, this article focuses on examples from the Anglo-American and Middle Eastern Cinema and legal professional reality.

eagerly point to books, a narrative that encourages the reduction of the law to the word.<sup>15</sup> Female lawyers are also shown outdoors in these films, which corresponds to the actual use of space in legal life. On other occasions, representations of female lawyers emphasize the playful nature of the work.

The films *The Accused* and *In Between* suggest a shift in cinema from traditional depictions towards de-traditionalized aspects of femininity. Sometimes these references are direct and show an attempt to spice up life at work. At other times they are more subtle. Certain scenes in both *The Accused* and *In Between* imply more sexually relaxed situations, either inside or outside the office, and usually, but not always, emphasize heterosexual encounters. These scenes point to the playful and suggestive atmosphere in the workplace. From this perspective, cinema reveals more de-traditionalized versions of femininity open to female lawyers by revealing the flirtatious side of legal practice. Feminist reports have suggested that flirting is available to women advocates as a strategy to adapt to the work environment. In contrast, Sommerlad does not see flirting as a voluntary strategy, but as a product of pressure on female lawyers.<sup>16</sup> The voluntary, strategic, and flirtatious nature of legal practice is illustrated in a scene in *In Between*, where the protagonist Leyla discusses the case with her Jewish male opponent just outside the courthouse. The scene involves Leyla using harsh, “manly” language when discussing the case. But the tone between the two adversaries soon shifts to intimate conversations that hint at a previous sexual relationship between the two.

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<sup>15</sup> See the discussion in Les Moran, “The Public Sex of the Judiciary: The Appearance of the Irrelevant and the Invisible,” in *Gender, Sexualities and Law*, eds. Jones Jackie, Gear Anna, Fenton Rachel Anne and Stevenson Kim (London: Routledge, 2011), 79-91.

<sup>16</sup> Hilary Somerlad, “Researching and Theorising the Processes of Professional Identity Formation”, *Journal of Law and Society* 34 (2) (2007):190-217.

New femininities are negotiated in the cinematic project of female lawyers through the importance of good looks in the organizational context of employment. In the organizational literature of the legal profession, the importance of appearance is particularly emphasized for large commercial law firms. Francis and Sommerlad comment that some of the characters resemble those on magazine covers and in model agency portfolios. Collier also emphasizes the importance of grooming in the context of corporate employment.<sup>17</sup> McRobbie associates glamor with the emergence of new femininities, with drama between glamorous characters.<sup>18</sup> McRobbie also suggests that new femininities are constructed through an emphasis on pleasure, giving the impression that there is a break with traditional gender representations in the image of active, lustful, pleasure-seeking, self-assured women.<sup>19</sup> From this perspective, consumption within legal employment produces new formations of gender, which is subject to two different interpretations. It may emphasize what the feminist reports have always referred to as the pressure to play the role,<sup>20</sup> reinforcing heterosexual imagery in the context of legal employment, loosely referred to as “looking the part.” Alternatively, it could also emphasize what is commonly known as “passing” in gay literature and queer theory generally. Passing, Skeggs argues, drives women to use aspects of cultural capital associated with their image and appearance to shift notions of femininity and pass as heterosexual.<sup>21</sup> Even if gender images correspond to what is defined as acceptable heterosexual behaviour in the overall context of legal employment, they do not necessarily exclude homosexuality. However, the deployment of cultural capital has always been associated with class negotiation and renegotiation in the

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<sup>17</sup> Richard Collier, “Be smart, be successful, be yourself...? Representations of the training contract and trainee solicitors in advertising by large law firm”, *International Journal of the Legal Profession* 12 (1) (2005): 51-92.

<sup>18</sup> Angela McRobbie, *Feminism and Youth Culture* (Basingstoke: MacMillan, 2000).

<sup>19</sup> Angela McRobbie, “Good Girls, Bad Girls? Female Success and the New Meritocracy,” in *British Cultural Studies: Geography, Nationality and Identity*, eds. Morley David and Robins Kevin (Oxford: Oxford University Press, 2001), 238-261.

<sup>20</sup> This is also extensively discussed in the feminist accounts of the legal profession.

<sup>21</sup> Beverley Skeggs, *Formations of Class and Gender: Becoming Respectable* (London: Sage, 1997).

context of the emergence and moulding of new femininities, which are usually presented in the literature as reflecting aspects of respectability.<sup>22</sup> As Skeggs suggests, the valorization of cultural capital through social networks and socialization serves as a marker for embedded middle classness permeated by gender images and the construction of new femininities. More specifically, it is typically middle-class female professionals who possess more cultural capital than their working-class counterparts, the ones who exercise both exclusionary and inclusive strategies. This dynamic reflects the reality of everyday legal practice in India's elite law firms, and the valorisation of female lawyers as lawyering differently and more successfully than their male counterparts.<sup>23</sup>

### **Reality, Fiction and representations of female lawyers**

*In Between* and *The Accused* show a highly consumerist and aestheticized, almost hedonistic approach to the mundane of a lawyer's lifestyle. Both films are filled with scenes of drinking, going out, and clubbing. This depiction is in line with recent claims of the aestheticization of the legal profession and reflects the existence of a more aestheticized professionalism.<sup>24</sup> The renegotiation of legal professionalism towards an aestheticized professionalism is inseparable from consumerist lifestyles that suggest the neo-tribalism of legal professionalism.<sup>25</sup>

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<sup>22</sup> Beverley Skeggs, "Context and Background: Pierre Bourdieu's Analysis of Class, Gender and Sexuality", in *Feminism After Bourdieu* ed Adkins Lisa and Skeggs Beverley (Oxford: Blackwell, 2004). Beverley Skeggs, *Class, Self and Culture* (London: Routledge, 2004).

<sup>23</sup> Swethaa Ballakrishnen, "She Gets the Job Done: Entrenched Gender Meanings and New Returns to Essentialism in India's Elite Professional Firms", *Journal of Professions and Organisation* 4(3) (2017): 324-342. See also Swethaa Ballakrishnen, "Why is Gender a Form of Diversity? Rising Advantages for Women in Global Indian Law Firms" *Indiana Journal of Legal Studies* 20(2) (2013): 1261-1289.

<sup>24</sup> Anna Chronopoulou, *Neo-tribal Socialities in the Legal Profession: The Role of Consumption in Forming Legal Professional Identities*, PhD. (Birkbeck College, University of London, 2014).

<sup>25</sup> See above n. 24. See also Chronopoulou Anna, "A Renegotiation of Status? Neo-tribal Socialities in the Barristers Profession in England," in *Selected Issues in Modern Jurisprudence*, eds. Frenkel David (Athens: Atiner Press, 2016), 179-191. Chronopoulou Anna, "'From a Professional Tribe to a Business Neo-tribe': Towards a

In this sense, legal professional values are negotiated through neo-tribal sociality, which influences personal consumer-oriented lifestyle choices and vice versa. Kritzer challenges professionalism as a concept, suggesting that it is being reshaped<sup>26</sup>, as evidenced by the assertion that it does not exist in isolation.<sup>27</sup> To claim that there is evidence of neo-tribal sociality in law is nothing less than to affirm the view that professionalism is a socially constructed concept.<sup>28</sup> Thus, as Hanlon suggests, professionalism is a product of dialectic relationship with one's environment.<sup>29</sup> As an aestheticized form of sociality, neo-tribalism affirms the shift in the sociality of the legal profession towards a more aestheticized professionalism. Kritzer links the use of the term post-professionalism to the broader changes in legal professionalism.<sup>30</sup> Professionalism is reconfigured by the inseparable link between production and consumption and, like others who have studied the profession, Kritzer conceptualizes consumption only in terms of customers as consumers.<sup>31</sup> This conceptualization reinforces the importance of a consumption-oriented lifestyle and consumption itself. The changes in the profession reflect the intertwining of production and consumption, with advocates being both consumers and producers.

In the film *In Between*, clubbing is an aesthetic consumption strategy and an integral part of the protagonist's personal lifestyle. In the everyday reality of legal practice, consumer-based

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Theory of Consumer-based Lifestyles in the Legal Profession," in *Selected Issues in Public Private Law*, ed. Frenkel David (Athens: Atiner Press, 2015), 169-184.

<sup>26</sup> Herbert M. Kritzer, "The Professions are Dead, Long Live the Professions: Legal Practice in a Post professional World", *Law and Society Review* 33(3) (1999):713-759.

<sup>27</sup> Gerlad Hanlon, *Lawyers, the State and the Market Professionalism*, (London: McMillan, 1999).

<sup>28</sup> See above n. 26.

<sup>29</sup> See above n. 27.

<sup>30</sup> See above n. 26.

<sup>31</sup> See above n. 26.

aspects of lawyers' lifestyles and clubbing influence legal practice by uncovering different business models in the contemporary legal industry.<sup>32</sup> Sensuous and sensual forms of consumerist lifestyles such as clubbing in modern legal practice shape and form the basis on which professional identity can be built. Core professional values are renegotiated through the consumption of clubbing, which amounts to an aestheticized and thus changed legal professionalism that sees lawyers as consumers.<sup>33</sup> It also reflects the movement from the producer tribe to the consumer tribe by embracing consumer-based aspects of lawyers' lifestyles. *In Between* stands out precisely because it is the first film to depict legal professionalism seemingly being negotiated through the neo-tribalism of clubbing. Contrary to the suggestion made in *In Between* to support the recreational-based consumption of underground clubbing as an aspect of self-project, *The Accused* plays with the idea of respectable clubs traditionally associated with conviviality in the legal profession.

Most studies tend to link professionalism and its core values to lifestyle issues,<sup>34</sup> but these are generally limited to family responsibilities.<sup>35</sup> The inclusion of consumption-oriented lifestyles such as clubbing deviates from the focus on traditional lifestyles. This indicates a departure from traditional patterns of consumption and socialization practices that previously distinguished the honourable from the unenlightened.<sup>36</sup> The new form of professionalism uses forms of consumption formerly regarded as devalued forms of consumption to affirm seriousness and respectability or even emphasise the light-hearted nature of work. The newly

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<sup>32</sup> Anna Chronopoulou, *Neo-tribal Socialities in the Legal Profession: The Role of Consumption in Forming Legal Professional Identities*, PhD. (Birkbeck College, University of London, 2014).

<sup>33</sup> See above n.32.

<sup>34</sup> Gerlad Hanlon, *Lawyers, the State and the Market Professionalism*, (London: McMillan, 1999).

<sup>35</sup> As explained, this position is mostly associated with feminist research.

<sup>36</sup> David Sugarman, "Bourgeois Collectivism, Professional Power and the Boundaries of the State: The Private and Public Life of the Law Society 1825 to 1914", *International Journal of the Legal Profession* 3 (1996):81-125.

aestheticized professionalism is based on shared associations communicated through re-emerging forms of consumption, reminiscent of a nomadic and postmodern profession.<sup>37</sup>

The departure from traditional aspects of consumption and socialization practices suggests that notions of responsibility, reputation, and engagement are now being renegotiated through participation in more hedonistic consumption practices, which in turn suggests transformations as well as transgressions of aspects of professionalism. If core values of legal professionalism are negotiated through the consumption of clubbing, this poses a further challenge to Maffesoli's theory of neo-tribal sociality.<sup>38</sup> Maffesoli's argument focuses mainly on the importance of identifications over identities and largely ignores the essential characteristics of identities<sup>39</sup>. Belonging to a tribe brings with it certain identifications, which, in the legal profession, instigate elements of reputation through demonstrable dedication and responsibility. Research suggests that identifying with clubbing raised concerns about those identifications.<sup>40</sup> Some practices popularly associated with clubbing, principally drug use, constitute a transgression of core values of legal professional identity and professional reputation. The association of clubbing with transgressive acts also exposes certain conservatisms of the legal profession that Maffesoli's theory of neo-tribal sociality tends to ignore. It partially refutes Maffesoli's argument while affirming the one fundamental notion of neo-tribal socialism, the use of masks. Maffesoli argues that neo-tribal sociality suggests that

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<sup>37</sup> Andrew Boon and Julian Levin, *The Ethics and Conduct of Lawyers in England and Wales* (Oxford: Hart Publishing, 1999).

<sup>38</sup> Michel Maffesoli, "Jeux de Masques: Postmodern Tribalism", *Design Issues* IV (1998): 141- 151.

<sup>39</sup> See above n. 38.

<sup>40</sup> Anna Chronopoulou, *Neo-tribal Socialities in the Legal Profession: The Role of Consumption in Forming Legal Professional Identities*, PhD. (Birkbeck College, University of London, 2014).



the individual wears many masks according to the type of tribe to which they belong, and that these masks can be easily discarded.<sup>41</sup>

*In Between* exemplifies this ease as the protagonist Leyla acquires tribal membership of several neo-tribes ranging from lawyers to other clubbers. Similarly, research revealed concerns about disclosing clubbing practices.<sup>42</sup> Whether or not clubbing or other cultural consumption practices are encouraged in the workplace, both dispositions confirm the notion of masks being used as a career adaptation strategy. Although the idea of a mask reinforces playful aspects, it does not consider the risks that such a strategy entails. These risks are translated into cultural differences in *In Between*, as they are ludic leisure activities mostly associated with what is commonly referred to as the western lifestyle. The diverging cultural consumption practices in *The Accused*, on the other hand, reveal the cultural differences between the two protagonists, the lawyer and her client, in terms of status and class differences.

Professionalism has moved away from negotiating professional values simply by providing legal services.<sup>43</sup> Consumption practices can individualize, collectivize, and create individual collectives, thereby increasing competition within the profession.<sup>44</sup> The evolutionary nature of legal professionalism is based on personal, consumer-oriented lifestyles and individual rather than collective pathways,<sup>45</sup> suggesting a de-traditionalization of legal professionalism. This is expressed in *In Between* through the depiction of a non-traditional, consumerist lifestyle

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<sup>41</sup> See above n. 38.

<sup>42</sup> See above n. 40.

<sup>43</sup> This suggestion is brought forward by many commentators on the legal profession but concentrates mainly on aspects of the production of legal services. See also the discussion in Herbert W. Arthurs and Richard Kreklewich, "Law, Legal Institutions and the Legal Profession in the New Economy," *Osgoode Hall Law Journal* 34 (1) (1996): 2-60.

<sup>44</sup> See above n. 40.

<sup>45</sup> Andrew Francis, "Out of Touch and Out of Time: Lawyers, their Leaders and Collective Mobility", *Legal Studies* 23(4) (2004):322-348.

of a criminal defence attorney, and in *The Accused* through the transformation of the female lawyer as the protagonist.

Aesthetic legal professionalism consists of features of neo-tribal sociality, one of the main features being the ritualized mobility from the producer tribe to the consumer tribe, reflected in the changing ethos of the profession.<sup>46</sup> It also has elements of individuality that challenge Maffesol's theory of neo-tribal sociality. Neo-tribalism in the legal profession, as demonstrated by clubbing, eventually becomes an instrumentally rationalized technique or strategy that invites an alternative interpretation of the whole neo-tribalism theory.<sup>47</sup> The inclusion of aspects of individual consumer-based lifestyles such as clubbing emphasizes elements of individuality as they are used in conjunction with legal practice. Although the presence of clubbing suggests a discursively constructed and thus instrumentally rational form of neo-tribalism, it does not prevent aspects of consumer-based individualism from being made an integral part of contemporary practice.<sup>48</sup> On the contrary, it illustrates the ability of consumption to individualize. This form of neo-tribalism does not necessarily imply a departure from professional values; rather, it reinforces the projection of professional values at the heart of the profession. From the close connection with aspects of personal lifestyle, neo-tribal professionalism anchored in individualism becomes lifestyle as such. Legal practice is equated with lifestyle, which reinforces the importance of individualism and individual ways

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<sup>46</sup> See Anna Chronopoulou, "A Renegotiation of Status? Neo-tribal Socialities in the Barristers Profession in England," in *Selected Issues in Modern Jurisprudence*, ed. Frenkel David (Athens: Atiner Press, 2016), 179-191. See also Anna Chronopoulou, "My Days of Mercy and In Between: Echoing Changes in Cinematic Representations of Women Lawyers", *Athens Journal of Law* 6(4) (2020): 396-406

<sup>47</sup> Chronopoulou Anna, "'Consumptions in Transition: Law Firms' Practices in England,'" in *Legal Theory, Practice and Education*, eds. Frenkel David and Gerner-Beuerle Carlsten (Athens: Atiner Press, 2011), 163-177. See also Chronopoulou Anna, "Between Images and Realities of Legal Practice: Young Lawyers' Lifestyles," in *Legal Theory, Practice and Education*, eds. Frenkel David and Gerner-Beuerle Carlsten (Athens: Atiner Press, 2011), 147-162. See also Anna Chronopoulou, "My Days of Mercy and In Between: Echoing Changes in Cinematic Representations of Women Lawyers", *Athens Journal of Law* 6(4) (2020): 396-406

<sup>48</sup> See above n. 47.

in a new kind of legal professionalism.<sup>49</sup> Shields contends that those among the professional tribes who do not support Maffesoli's argument do so simply because they least share these kinds of experiences.<sup>50</sup>

If professional values can be negotiated through aspects of neo-tribalism of consumption, including clubbing, how does this affect the ethical dimension in advocacy? And if one accepts that the new concept of legal professionalism represents a new kind of aestheticized professionalism, how does clubbing contribute?<sup>51</sup> Second, if the notion of individualism reinforced by the neo-tribalism thesis is linked to the changing participation of women, how does the consumption of clubbing enable alternative avenues of gender theory in the legal profession? This discussion does not necessarily contradict existing accounts; rather it seeks to enrich them. Clubbing can offer aestheticized versions of gender in the workplace. *In Between* and *The Accused* reinforce this point, not only in relation to the construction of gender, as shown in the previous section, but also as reflected in recent aestheticized cinematic representations of female lawyers.<sup>52</sup>

Traditional feminist studies of the legal profession suggest that masculine characteristics underpin participation in consumption. Most have viewed consumption as the articulation of masculinity through the exclusion of femininity.<sup>53</sup> The important contribution of these accounts

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<sup>49</sup> See above n.47.

<sup>50</sup> Rob Shields, *Lifestyle Shopping: The Subject of Consumption* (London: Routledge, 1994).

<sup>51</sup> There are very limited accounts on the association of clubbing with professional identity, mainly my own work. See Anna Chronopoulou, *Neo-tribal Socialities in the Legal Profession: The Role of Consumption in Forming Legal Professional Identities*, PhD. (Birkbeck College, University of London, 2014).

<sup>52</sup> Anna Chronopoulou, "My Days of Mercy and *In Between*: Echoing Changes in Cinematic Representations of Women Lawyers", *Athens Journal of Law* 6(4) (2020): 396-406

<sup>53</sup> Sommerlad Hilary, "Women Solicitors in a Fractured Profession: Intersections of Gender and Professionalism in England and Wales", *International Journal of the Legal Profession* 9 (3) (2002):213-234.

is that femininity and masculinity can be articulated through cultural consumption practices. However, most emphasize a devalued femininity in a profession where masculinity is the only trait that matters. Women's consumption is less valued and therefore less respected. Notions of respectability have always been inextricably linked to participation in occupational use, and notions of respectability, as suggested by Skeggs,<sup>54</sup> are closely associated with notions of femininity. The inclusion of consumption has transformed legal practice, revealing a changed approach to respectability, and rethinking the construction of femininity through consumption.<sup>55</sup> Most clubbing studies agree with the perspective that clubbing offers a liberated and respectable femininity. It breaks away from traditional, respectable femininity articulated through emphasized masculinity.

*In Between* and *The Accused* suggest new ways of constructing new femininities that play out in the strict organizational context of legal employment. This does not necessarily challenge existing feminist views of the profession.<sup>56</sup> On the contrary, it complements them because it opens new ways of theorizing occupational consumption as articulating aspects of femininity. Drawing parallels to reality, my research findings on the negotiation and formation of women lawyers' professional identity through the consumption of clubbing suggested a number of

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Similar points are made by Thornton. See Margaret Thornton, *Dissonance and Distrust: Women in the Legal Profession* (Oxford: Oxford University Press, 1996). See also Hilary Sommerlad, "Researching and Theorising the Processes of Professional Identity Formation," *Journal of Law and Society* 34 (2) (2007):190-217. See also Andrew Francis and Hilary Sommerlad, "Access to Legal Work Experience and its Role in the (Re) production of Legal Professional Identity," *International Journal of the Legal Profession* 16 (1) (2009): 63-86.

<sup>54</sup> Beverley Skeggs, "Context and Background: Pierre Bourdieu's Analysis of Class, Gender and Sexuality", in *Feminism After Bourdieu* ed Adkins Lisa and Skeggs Beverley (Oxford: Blackwell, 2004).

<sup>55</sup> Anna Chronopoulou, "A Renegotiation of Status? Neo-tribal Socialities in the Barristers Profession in England", in *Selected Issues in Modern Jurisprudence*, ed Frenkel David (Athens: Atiner Press, 2016), 179-191.

<sup>56</sup> Anna Chronopoulou, "My Days of Mercy and In Between: Echoing Changes in Cinematic Representations of Women Lawyers", *Athens Journal of Law* 6(4) (2020): 396-406

benefits. When interviewed, most female lawyers indicated that participation in the cultural practices of clubbing is beneficial for legal practice, either because clubbing is seen as a way of socializing or as part of a personal, individual lifestyle.<sup>57</sup> Clubbing was seen as value-rational by most. As Skeggs concludes, the transformation of clubbing from an unvalued to a valued practice provides the structure onto which valued femininities in the legal profession can be projected as a more playful way of doing business that reflects alternative lifestyles.<sup>58</sup> Contrary to most feminist narratives, some of the female lawyers who were interviewed interpreted their consumption of clubbing and the problematic situation of the transformative nature of transgression as an ethical project of the self that is an emotional matter.<sup>59</sup> This is a recurring theme in both *In Between* and *The Accused*. This ‘ethical project’ and its relationship to emotionality does not necessarily contradict notions of rationality, but rather offers an alternative way of rationalising emotions. Analysis of the interviews suggests that clubbing poses ethical issues related to projecting a successful professional self.<sup>60</sup>

As Nicholson notes, there has always been an emphasis in the legal profession on the deontic ethics of rationality coupled with emotions,<sup>61</sup> and I would agree with Sillius that not all women

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<sup>57</sup> Anna Chronopoulou, *Neo-tribal Socialities in the Legal Profession: The Role of Consumption in Forming Legal Professional Identities*, PhD. (Birkbeck College, University of London, 2014).

<sup>58</sup> Skeggs Beverley, *Class, Self and Culture* (London: Routledge, 2004). This is also in accordance with McRobbie’s argument. Angela McRobbie, “Shut Up and Dance: Youth Culture and Changing Modes of Femininity,” in *Postmodernism and Popular Culture*, ed. McRobbie Angela (London: Routledge, 1994), 155-176. Angela McRobbie, “‘Come Alive London!’ A Decalogue with Dance Music,” in *In the Culture Society: Art, Fashion and Popular Music*, ed. McRobbie Angela (London: Routledge, 1999). See also Angela McRobbie, “Looking Back at New Times and its Critics,” in *Stuart Hall Critical Dialogues in Cultural Studies*, eds. Morley David. and Kevin H. Chen (London: Routledge, 2001), 138-169.

Angela McRobbie, *Feminism and Youth Culture* (Basingstoke: MacMillan, 2000).

This is also in accordance with feminist accounts on club cultures. See the discussion in Sara Rief. *Clubbing, Otherness and the Politics of Experience*, PHD thesis (London: UCL, 2003).

<sup>59</sup> Anna Chronopoulou, *Neo-tribal Socialities in the Legal Profession: The Role of Consumption in Forming Legal Professional Identities*, PhD. (Birkbeck College, University of London, 2014).

<sup>60</sup> See above n. 59.

<sup>61</sup> Donald Nicholson, “Making Lawyers Moral? Ethical Codes and Moral Character”, *Legal Studies* 25 (4) (2005): 601-626.

in the legal profession are disadvantaged<sup>62</sup> like most feminist literature claims. As the interviews showed, cultural studies could open up new avenues of gender theorization in the legal profession.<sup>63</sup> In contrast to most feminist narratives, which characterize the legal profession as highly gender-segregated, the interviews appear to describe a more mixed situation, particularly in relation to recreational habits linked to adolescent lifestyles such as clubbing. This in turn reflects different lifestyles in the legal profession, which form different ways of conveying professional identity by revealing a new habitus associated with young women in the profession.<sup>64</sup> The interviews indicated that femininities in the legal profession were articulated through participation in club culture, which was associated with being ‘cool’ and ‘hip,’ as well as through knowledge of the club scene and music, thereby constructing more neo nomadic femininities in that sense.<sup>65</sup>

According to the films’ depiction of female lawyers, and as the interviews have shown, female lawyers demonstrate an ability to combine legal knowledge with the kind of knowledge acquired through identification with the club scene, which in turn represents an ethical project of the professional self. This reflects the transformative nature of the legal profession and the blurring of the lines between production and consumption. It also proposes new ways of accumulating and using sociocultural capital that go beyond the already existing static theories

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<sup>62</sup> Harriet Silius, (2003) “Making Sense of Gender in the Study of Legal professions”, *International Journal of the Legal Profession* 10(3) (2003):135-148.

<sup>63</sup> See above n. 9.

<sup>64</sup> This position contradicts most of the feminist accounts in the profession. Although it must be noted that more recent feminist accounts acknowledge that men can also be disadvantaged.

<sup>65</sup> This is also reminiscent of Braidotti’s argument. See the discussion in Rosie Braidotti, *Nomadic Subjects: Embodiment and Sexual Difference in Contemporary Feminist Theory* (New York: Columbia Press, 1994). See also Rosie Braidotti, *Metamorphoses: Towards a Materialist Theory of Becoming* (Oxford: Polity Press, 2002). Neo-nomadism here is equated to neo-tribalism and the free-fleeting movement from one tribe to the next. Despite the absence of gender from the project of neo-tribalism, the enrichment of professional identity through the consumption of clubbing allows for the creation of neo-nomadic femininities in the legal profession.

of the use of capital in modern day lawyering and legal practice.<sup>66</sup> *In Between* and *The Accused* reproduced many of the recreational habits and sentiments uncovered through my interviews with real lawyers. From this perspective, the parallels between reality and fiction appear stronger and more realistic than ever.

## Conclusion

By tracing and situating the changing cinematic representations of female lawyers within a new consumer-based and lifestyle saturated theoretical framework, this article developed a re-theorization of the cinematic representation of female lawyers.<sup>67</sup> Drawing parallels between the two films, *In Between* and *The Accused*, this article, in opposition to conventional accounts of female lawyers in law and popular culture, focused primarily on uncovering the positive aspects of these portrayals, highlighting the detraditionalized versions of femininities as played out on screen, including an examination of consumerist aspects of female lawyers' lifestyles. Furthermore, the article showed how individual and social forms of consumption inform and shape new constructions of femininity and create new ways of negotiating and renegotiating legal professional identities. From this perspective, this article addressed several gaps in law in film and law and popular culture. First, it challenged stereotypical representations of female lawyers in films. Secondly, it offered a consumer-based theorisation of cinematic representations of female lawyers in the Middle East and the West by drawing parallels with

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<sup>66</sup> This position is in accordance with Skeggs. See the discussion in Beverley Skeggs, *Formations of Class and Gender: Becoming Respectable* (London: Sage, 1997). See also Beverley Skeggs, "Context and Background: Pierre Bourdieu's Analysis of Class, Gender and Sexuality," in *Feminism After Bourdieu*, eds. Adkins Lisa and Skeggs Beverley (Oxford: Blackwell, 2004). See also Beverley Skeggs, *Class, Self and Culture* (London: Routledge, 2004).

<sup>67</sup> This line of reasoning has been explained in relation to law and literature, see Anna Chronopoulou, "'Unwritten Lawyers': A Comparative Approach on Representations of Women Lawyers in the Anglo-American and European Literature," in *Private Law, Public Law and Human Rights*, ed. Frenkel David (Athens: Atiner Press, 2014), 157-168.

everyday legal practice. Finally, although there are still many gaps to be filled, this article emphasized the similarities of cinematic representations of female lawyers in film traditions that are inherently regarded as having nothing in common.