

Why are Lawyers (almost) Always the Rats and why is it always Michael Douglas?

Peter Hutchings, a freelance film critic, turns the spotlight on the entertainment industry's portrayal of lawyers.

- Q. Why are lawyers such rats?
A. Because the cheese is so good.

It can't be too long before there is a move to disbar Michael Douglas.

In his two recent screen appearances as a lawyer - *Fatal Attraction* and *The War of the Roses* - he has been guilty of breaking and entering, destruction of property, and assault and battery. Not to mention adultery. Indeed, it would appear that, in films, the second-oldest profession has replaced the common law offence of housebreaking with home-wrecking.

Douglas may well have done for the legal profession what Paul Hogan has done for Australian tourism. Do you want a life of financial ease and sexual opportunity? Become a lawyer. Do you wish to violate most of the civil code with impunity? Become a lawyer. Do you wish to have a stable, satisfying married life? Don't marry a lawyer.

Somewhere in Hollywood, I suspect that there is a group of vengeful ex-wives of lawyers, who have underwritten these films with the proceeds of their marriage settlements.

Would it be too fanciful to view *Fatal Attraction*, *Sex, Lies and Videotape*, and *The War of the Roses* as alternate scenarios concerning the dangers of living with lawyers? Are the law and family life too difficult a combination?

Even in Woody Allen's fanciful treatment of a lawyer's private life (gone very public) in the "Oedipus Wrecks" episode of *New York Stories*, the law is portrayed as incompatible with happily married life, albeit that Sheldon Mills is a lawyer embarrassed by his mother rather than his suicidal/homicidal lover.

Lawyers may be the lowest form of life after liars, but they evince an awe-inspiring aptitude for activities designed to propagate the species. In the opening of *Sex, Lies and Videotape*, the lawyer John Millaney (played by Peter Gallagher) comments upon the sexual attractiveness of married men, but those comments may need to be considered in the context of the priapic proclivities of married male lawyers.

What is it that is, at once, so unsatisfying about their home life - when they can get home after working long hours at the office - and so erotic about their life away from home? Here, we might distinguish between John Bishop's shortcomings in the marital - as opposed to the extra-marital - orgasmic stakes,

and the capacity of Oliver Rose (played by Michael Douglas) for eliciting a multi-orgasmic response from his wife Barbara (played by Kathleen Turner). While the lawyer is being a rat, the "little woman" is busy making a home for him, even if it eventually bores her to distraction and desertion.

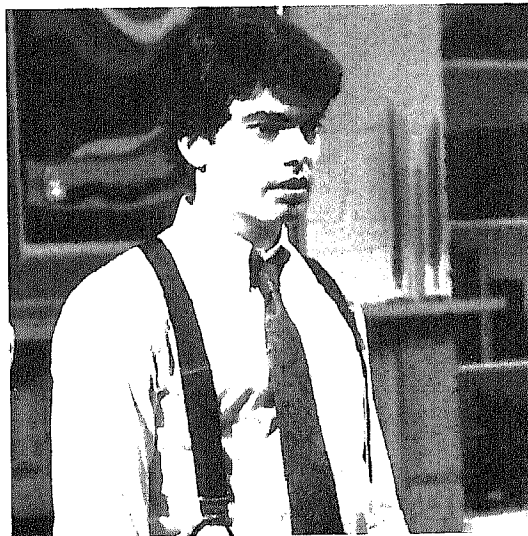
While this scenario may be a familiar one in marriages containing one career professional and one career domestic, these films suggest that this is especially the case for the legal profession.

However, a more crucial question is why film lawyers are rats and why television lawyers are sensitive, caring individuals. Why doesn't Corbin Bernsen date psychotic editors? Or, have a wife to screw around on? Perhaps this can be explained by the difference in the demands of the two media. Television, in the form of the series, relies on a staple of sympathetic characters in a way that film doesn't need to.

Also, since television is something that happens in your home, a TV series needs to present identifiable characters, whose predicaments are much the same as those of

its viewers. In *LA Law* the lawyers are often portrayed as being at the mercy of the legal system, particularly of judges and juries, in a manner familiar from John Mortimer's *Rumpole of the Bailey*. This very neatly places a group of prosperous, glossy people right where we all live, especially if we might happen to also be lawyers. If you want viewers to keep coming back - and *LA Law* is reputed to be mandatory viewing for many young lawyers - you need to make your character sympathetic to professional and non-professional viewers alike. Steven Bochco, the creator of *Hill Street Blues* as well as of *LA Law*, is very good at doing this.

"Lawyers seem to be a convenient device for highlighting the moral murkiness of life after the 'sexual revolution' "



John Millaney - "Sex, Lies and Videotape"

By contrast, the scenarios of *Fatal Attraction*, *Sex, Lies and Videotape* and *The War of the Roses* allow very little room for a sympathetic presentation of lawyers. None of these lawyers is ever presented in a situation, for instance in court, where someone else might be a rat, and they might be a hero. The domestic perspective of each of these films places these lawyers beyond our sympathy, except where we can identify with their fears for their family.

It is worth remarking that, at first, not too many filmgoers picked Michael Douglas for the rat that he was in *Fatal Attraction*. In amidst the howls of protest against this film's

portrayal of a woman, there weren't too many voices heard to observe that Douglas was the real villain of the piece. The popular reception of films has more to do with prejudices that feel they have been catered for than with any attention to detail. As noted in a number of interviews, no-one in the cast was under any illusion that Douglas was the rat of the piece. It is his character's response to Alex Forrest (played by Glenn Close), escalating into a murderous rage when she threatens to tell his wife about her pregnancy, that provokes her violence. His is a rage given a quite loose justification in terms of some idea of "the rules" of adulterous liaisons.

Indeed, both *Fatal Attraction* and *The War of the Roses* feature a scene in a law library in which Douglas seeks advice about family law: respectively, the rights of paternity, and his right of access to a contested property during divorce proceedings. And, similar to *Fatal Attraction's* discussion of the unspoken rules of adult adultery, John (the lawyer-adulterer of *Sex, Lies and Videotape*) invokes the rules of evidence in defending himself against an accusation of infidelity.

Lawyers seem to be a convenient device for highlighting the moral murkiness of life after the 'sexual revolution.' And there is a tradition, in America, of seeing the lawyer as a representative of the best that society has to offer: the rule of law (a.k.a. The Constitution), and upward mobility through education and effort.

In this context, as well as in our local context, lawyers bear the brunt of society's anxieties about itself.

Australians have traditionally had an enormous, quite exaggerated, respect for the medical profession. At its most basic level, that profession is generally in the position of being able to make people feel better, even if it is at a considerable cost. Lawyers are not often in the same position: they are the people who aid and abet real estate agents in adding to the cost of home buying, they are the people who deal with divorce, etc.

Furthermore, Australian attitudes towards the law can be characterised by mistrust. The law has, until recently, been written in the archaic language of a foreign ruling class: it has never been seen as a common instrument of the people in the way that Americans view their legal code.

What Australians and Americans may have in common, at this point in time, is a dislike of lawyers based upon the fact that lawyers are a class of people who are paid well - when those bills are finally honoured - to organise other people's lives and business.

In societies governed by secular individualism, lawyers represent the last force capable of telling you how to behave towards your husband or wife, or how to make a buck. They are paid to be knowledgeable about things that we probably all think we know enough about already, and they can probably outsmart most of us at what they do.

This brings us to the second part of our question: "Why Is

It Always Michael Douglas?"

There is nothing coincidental about Michael Douglas' choice of roles: because he is primarily a successful producer, he can afford to be very careful in what he acts in. Without wanting to stretch this point, I think that there is a certain identification between Douglas - as an example of upward mobility - and the figure of the successful lawyer.

Further, to speak in the language of another Douglas alter-ego, he has lots of street smarts when it comes to judging the mood and concerns of the public. Back in the seventies when vigilantes were being presented as the answer to the ills of the legal system, Douglas played the role of a murderous judge in *The Star Chamber*. The characters of his last four screen roles have all been - lawyers or not - men tainted with a corruption which is presented as generally endemic to American society, and the filmgoing public have put their money where their interests are.



Oliver Rose - *The War of the Roses*

Fatal Attraction, *Sex, Lies and Videotape* and *The War of the Roses* show the American family under threat from one of the pillars of society, and all three films articulate a different morality in dealing with this problem.

Through its connection of private dishonesty with professional negligence *Sex, Lies and Videotape* is a much more moral film than *Fatal Attraction*, as the "Kirkland matter" becomes the name for both John's marital infidelity and his professional arrogance. Finally, marriage collapse coincides with career collapse.

The War of the Roses presents itself through the narration of Gavin D'Amato (Danny DeVito) as a tale without a moral, yet it contains a narrative concerning the morality of legal practice.

The dirtiest legal rat of this film is - not surprisingly - the "wife's lawyer" Harry Thurmont (played by G.D. Spradlin) who threatens to use Oliver's note to Barbara (written when he thinks he is dying of a heart attack) as a lever in the property settlement.

Gavin is an accessory to this kind of legal machination, but an increasingly unwilling accessory, to the point of being fired as Oliver Rose's legal adviser. At the conclusion of this expensively complimentary tale of the warring Roses (told in his \$450.00 an hour time), Gavin claims to have learnt to advise male clients to be generous about property, so that they can get out of their marriages in one piece and recommence their lives.

For the newly-married Gavin the moral, then, is that lawyers shouldn't interfere with the family. And this is a perspective encapsulated in a joke Gavin tells during his narration of "The War of the Roses" which may serve as a postscript to this article:

Q. What do you call 500 lawyers at the bottom of the ocean?

A. A good start. □