

## *ALLY McBEAL* AND SUBJECTIVE NARRATION

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Published in *Law & Popular Culture—International Perspectives*  
(Michael Asimow, Kathryn Brown, & David Papke eds)  
(2014)

**ABSTRACT:** In discussing popular culture products, it is important to distinguish between story (or “narrative”) and storytelling (or “narration”). In the lawyer genre in film and television, the conventions call for objective narration. This means that relatively little is disclosed about the characters’ inner lives. Stories strive for verisimilitude and the emphasis is on what the characters do and their motivations for doing it, but without delving into their personal lives or emotions. Perry Mason, the prototypical television lawyer, had no personal life and no emotions other than wanting to find the real killer and free his always-innocent clients. *Ally McBeal* was a true genre buster because it involved subjective rather than objective narration. There was no effort to simulate verisimilitude. The stories foregrounded Ally’s personal feelings and her frustrated love life. The legal cases she worked on were silly and basically extensions of her personal problems. The subjective storytelling was intensified by innovative uses of music and by computer graphics such as the notorious dancing baby, symbolizing Ally’s concern over her biological clock. In addition, *Ally McBeal* episodes departed from the genre in matters of narration since the stories dealt with a great variety of gender and sexuality issues to the near exclusion of legalistic material.

For thousands of years, human beings have tried to understand their world by telling mythological and religious stories. Stories remain an essential part of human communication because they still help us to make sense of our environment and the people we encounter. More important, perhaps, everyone takes pleasure in telling and consuming stories. This creates a market for story that the popular culture industry exploits. All of us consume (or struggle to avoid) an endless flow of story material in the form of movies, television, books, songs, computer games, and other media.

Most discussions about pop culture stories focus on the representation of characters, institutions, or events in the story. Alternatively, we can discuss a story by focusing on the way that the story is told. Thus it is important to distinguish story content (or *narrative*) from storytelling (or *narration*). Part I of this paper discusses the conventions of film and television in general and the conventions of the legal television genre in particular. Part II discusses innovations in both narrative and narration that push the boundaries of the legal television genre. It focuses on *Ally McBeal* as a genre buster. In terms of narrative, the show is unique in the legal television genre for the way it treats issues of gender and sexuality and the way it decenters legal materials. In terms of narration, *Ally McBeal* focuses heavily on the inner life of its characters. It is anti-naturalistic and makes creative use of music and technical innovations such as computer graphics.

## *I. Narration in Film and Television*

### *A. Conventions in Film and Television Drama*

Numerous conventions relating to narration apply across all pop cultural genres including legal ones.<sup>1</sup> A story generally involves a departure from the ordinary and expected course of events (such as a murder or a betrayal). The story is built around characters who seek to achieve goals. The characters encounter trouble and try to overcome obstacles (either within themselves or involving others) that stand in the way of reaching goals and getting out of trouble. Events are connected by chains of reasonably plausible cause and effect. The story must establish psychological motivation for the actions taken by the characters. Each important character should provoke a response from viewers. The response might be sympathetic, empathetic, or

antipathetic. The story should produce reactions like surprise, laughter, pleasure, suspension of belief, escapism, or arousal. And, of course, a good story requires an imaginative storyteller (for our purposes, a writer) who is skilled in manipulating these basic tools.

A good story has a beginning, in which matters break away from the ordinary, characters are introduced, and the story is situated in place and time. It has a middle, in which characters struggle to overcome the obstacles that stand in the way of reaching their goals and getting out of trouble. And it has an ending (or “closure”), in which characters reach or fail to reach their goals and most or all of the loose ends are tied up. Most films and television programs contain more than one story line (often referred to as the A and B stories), and both stories are resolved in the ending.

In feature films and dramatic television, most stories strive to produce the illusion that they are “realistic” or possess “verisimilitude” or “naturalness.” (Of course, some genres such as horror films or cartoons do not strive for verisimilitude, and viewers do not expect it).

Verisimilitude means that the story seems to deal with events and characters that viewers believe might actually occur in the world. Naturalistic storytelling promotes the audience’s suspension of disbelief. Of course, this sense of reality is an illusion produced by skillful writing, editing, acting, and direction. The events and characters in pop culture stories are completely unrealistic, as they must be to function as entertainment and to meet the various artistic and commercial constraints imposed by the medium.

Film and television are visual media. One implication of the visual character of film and television is that the inner lives of characters (such as their undisclosed thoughts, feelings, dreams, fantasies, desires, and emotions) are difficult to show on the screen. Yet good storytelling requires that the viewer understand the motivation of the characters. Moreover,

audiences are unlikely to empathize with a character unless they understand the character emotionally. Consequently, the storyteller must find a way to convey information about the inner lives of the characters.

To some degree, the inner lives of characters can be inferred from what they do and from skillful acting that reveals emotionality. Inner life can be explicitly described in dialogue in which characters say what they are feeling, but such passages tend to slow down the action. Narratologists sometimes refer to visual texts as *objective* (meaning that the text discloses relatively little about the characters' inner life) or *subjective* (meaning that the text discloses a relatively large amount of information about the characters' inner life). Sometimes the extent of disclosure of inner life is referred to as "depth" of characterization." Soap operas, for example, tend to be quite subjective and dwell heavily on emotionality and romance.

### *B. Conventions of Narration in the Legal Film and Television Genres*

Since the 1930s, countless movies have told stories about law, lawyers, and courtrooms.<sup>2</sup> The same is true of television. Since the 1960s, each television season brings a new crop of lawyer-oriented stories. It seems fair to identify these bodies of material as film and television genres, like westerns, musicals, or detective stories. Genre means a body of texts that share common themes and formal styles. The creators of films and TV shows rely heavily on genre to predict what ideas and images might prove marketable. Spectators rely on genre to predict what types of stories and characters the cultural product is likely to contain. Thus genres contain conventions that involve both narrative (what the stories are about) and narration (how the stories are told). This paper focuses on the television legal genre, meaning TV shows that tell stories about lawyers or judges functioning primarily in their professional capacities.

Legal stories strive to produce the illusion of verisimilitude by using familiar locations like law offices, jails, and courtrooms and familiar courtroom procedures such as cross-examination and closing argument. Story telling is naturalistic rather than surreal or absurdist. Of course, this sense of reality is purely artificial and induced by technique. A realistic account of a trial might take six days and would be unutterably boring. Viewers willingly accept that film or TV lawyers don't care about getting paid, criminal cases come to trial within days after the arrest, cases are never settled or plea bargained, discovery of the opponent's case does not exist, closing arguments are rendered in 60 seconds, witnesses confess to ghastly crimes under cross examination, and similar nonsense.

Most legal stories in both movies and television are *objective*, meaning that relatively little is disclosed about the inner lives of the characters. In this respect, legal drama resembles the well-worn detective story genre with which it shares common ancestors. Typically private eye stories in pop culture are only about solving cases, and little is disclosed about the lives or emotional states of the detective. The same is true of most legal shows. Although we understand the motivation of the characters, we learn little about their inner lives.

Most legal stories on television are stand-alone episodes in a series that may extend over one or more seasons. They can be viewed in any order. A few legal stories have been serials, meaning that a single story is told over numerous episodes, perhaps an entire season. These shows must be viewed in sequence to make sense. Some legal stories are hybrids between series and serials, meaning that they contain character arcs (that is continuing stories about the characters) that develop over numerous episodes. These episodes can be viewed out of sequence, since each one contains some stand-alone material, but most viewers prefer to watch them in sequence so that the character development makes more sense.

### *C. Narration in Classic Televised Legal Drama*

1. *Perry Mason*.<sup>3</sup> The most influential televised legal drama of all time was *Perry Mason*, which ran on CBS from 1957 to 1966. The televised series, consisting of 257 episodes, and starring Raymond Burr, was adapted from a long line of novels by Erle Stanley Gardner and a highly successful radio show. After the series went off the air, there were 30 made-for-TV movies employing exactly the same format. There is even talk about reviving this ancient and hackneyed show on contemporary TV.

If you've seen one *Perry Mason* episode, you've seen them all. The narrative structure remains precisely the same in every televised episode and made-for-TV movie. In each episode, a murder is committed and the police arrest a suspect who is always innocent. The suspect becomes Perry's client. Perry's withering cross examination causes the true killer to confess.

*Perry Mason* originated the narration conventions for the televised legal genre. The story is told in naturalistic and chronological style. It resembles a generic detective story, in that the identity of the real killer is always concealed. Perry and his staff (investigator Paul Drake and secretary Della Street) spend most of their time sleuthing out the real killer. Perry's legal work, usually in a California preliminary hearing, comes in only at the end of the episode.

The narration in *Perry Mason* is naturalistic, striving to produce a feeling of verisimilitude. There is no character arc, meaning that none of the characters ever change or sustain continuing personal stories. As a result, each episode is freestanding, and the episodes can be viewed in any order. Having freestanding episodes is a great advantage when it comes time to syndicate the show. As a result, *Perry Mason* reruns have been a staple on cable for many years.

The narration on *Perry Mason* is objective, meaning there is no treatment of the inner life of the characters. Indeed, the show never disclosed anything about the personal lives of the key characters or considered any social, political, ethical or legal issue outside of the bounds of the particular case. So far as you can tell from movies and TV, Perry Mason had no private life at all and lacked any emotions (except that he wanted to win whatever case he was working on).

2. *The Defenders*.<sup>4</sup> The classic show *The Defenders*, which ran back-to-back with *Perry Mason* on CBS from 1961 to 1965, was different from *Perry Mason* in nearly every way. The creators of the show deliberately avoided *Perry Mason*-type plotting. Instead, they used each episode as a vehicle to explore a particular legal or social issue through the prism of the legal process. The father and son law firm of Lawrence and Kenneth Preston tackled abortion, women's rights, the insanity defense, racism, defending the free speech of Nazis, the anti-Communist blacklist, and dozens of other hot button issues, many of them far ahead of the times.

Despite the cutting-edge narratives, the narration on *The Defenders* was conventional and naturalistic. There was no character arc, so each episode was freestanding. The two lawyers appeared to have no personal life outside the office, and their relationship never changed. The father, Lawrence Preston, was cautious and calculating. The son, Ken Preston, was more impulsive and wanted to change the world. Other than disagreements about how to handle a particular case, however, neither lawyer appeared to have any emotions or inner life.

3. *L.A. Law*.<sup>5</sup> *L.A. Law* was a hugely successful series that ran from 1986 to 1994 on NBC. The show created a new set of narrative conventions for the legal genre. *L.A. Law* was about a good-sized law firm consisting of partners, associates, and staff. Prior to *L.A. Law*, television lawyers practiced solo or in very small firms. The firm of McKenzie, Brackman was a profit-maximizing entity and the partners lived well on the earnings. Prior to *L.A. Law*, the

economic aspects of law practice were ignored on television. The shows frequently tackled thorny issues of legal and social policy, as well as legal ethics, although not with the seriousness of *The Defenders*. The characters had personal lives, professional conflicts, and romantic relationships with each other, so it was helpful (though not essential) to view the episodes in sequence.

*L.A. Law* was moderately creative from the point of view of narration. One important innovation was the use of ensemble casting, so that different combinations of lawyers and staff were involved in each episode. The program pioneered in the legal genre the formula of including two stories in each episode - the A and B stories - and intercutting between them. The narration was considerably more subjective than *Perry Mason* or *The Defenders*, since the personal lives of the characters were an essential part of the stories. As a result, they had inner lives and emotions, although they seldom discussed them directly. In addition, some of the lawyers were relatively antipathetic and rather unethical, such as the family lawyer Arnie Becker (who often became sexually involved with clients) and the profit-maximizing but socially inept managing partner Douglas Brackman.

4. *Law & Order*.<sup>6</sup> *Law & Order* holds the record for the longest-running TV show of all time - an amazing twenty years. (Actually it tied with *Gunsmoke* for the duration record.) Each *Law & Order* story involved exactly the same structure - the first half involved the cops catching the suspect and the second half involved the prosecutors trying to put the wrongdoer away.

From the point of view of narration, *Law & Order* was consistently naturalistic, even documentary-like. It augmented the sense of reality by using identified New York locations and often employed hand-held cameras. Each show was freestanding and employed no character arcs. The characters of the police and prosecutors never changed. The stories were quite



complex and demanded the viewer's entire attention (if you got up to go to the bathroom, you'd lose the thread of the story).

*Law & Order* stories were also extremely objective. Neither police nor prosecutors appeared to have any private life. Viewers occasionally got tantalizing glimpses of their lives outside the office, such as alcohol problems, busted marriages, or McCoy's affairs with the female prosecutors who worked for him, but never in any detail. The characters seem to have no emotions, except for a desire to catch the perps and put them away. The prosecutors often struggled with difficult moral dilemmas about the nature of justice and prosecutorial discretion, but all of their emotionality seemed to be wrapped up in their jobs.

Indeed, *Law & Order* is quite puzzling. What accounts for its remarkable twenty-year tenure? Why did so many millions of people watch stories that often dwelt on legal technicalities of interest mainly to lawyers? There was no sex or violence on *Law & Order*. All of the characters were replaced by different actors over the twenty-year life of the show, but that didn't seem to matter to audiences. The answer to why the show was so successful is elusive, but certainly audiences appreciated the sophistication of the stories (often "ripped from the headlines") and the consistently strong acting. Perhaps viewers really liked to see competent professionals doing their jobs well.

## *II. Storytelling on Ally McBeal*

### *A. Ally McBeal Refreshes the Genre*

*Ally McBeal*<sup>7</sup> was a show originated by David E. Kelley that ran from 1997 to 2002 on the Fox network. The talented but perhaps anorexic actress Calista Flockhart starred as the

eponymous protagonist. The show was commercially successful and developed a large fan base but was quite controversial.<sup>8</sup> Many young professional women identified strongly with Ally McBeal's character and appreciated the show's treatment of gender issues and of the conflicts between personal and professional life. Other women despised the show because it suggested that women professionals are emotional and incompetent, cannot balance their personal and professional lives, and act inappropriately at work such as by wearing very short skirts.<sup>9</sup> The range of viewer interpretation of the show and the character was remarkable.<sup>10</sup>

Part II of this paper addresses significant changes in both narrative and narration that occurred on *Ally McBeal*. To some degree, these changes reflect Kelley's efforts to refresh what might be viewed as a somewhat stale genre. The changes seem to reflect his belief that television viewers would no longer be satisfied with dry and analytical legal story lines. They want more emotionality. They're looking for characters with inner lives who engage in romantic affairs and other non-professional pursuits. The changes also reflect a need to compete with technological advances in television production (such as vastly improved animation techniques). Kelley sought to make legal television shows less cerebral and talky, again because of competition with the action-packed competition on other channels.<sup>11</sup>

It is also noteworthy that *Ally McBeal* as well as many other later shows including *Damages*, *Drop Dead Diva*, *Harry's Law*, *Judging Amy*, *Fairly Legal*, *JAG*, and *The Good Wife*, center on female lawyer protagonists. This is unsurprising, given that about half of all new lawyers are female. It also reflects a perceived need to provide programming of greater interest to the female viewing demographic.

### *B. Subjectivity on Ally McBeal*

### 1. *Subjectivity and character arcs in legal drama*

As discussed earlier, subjective narration discloses copious information about the inner lives of the characters, while objective narration discloses relatively little. *Perry Mason*, *The Defenders*, and *Law & Order* bump up against the objective end of the spectrum. The characters in these shows have no private lives and no emotions. *L.A. Law* was slightly more subjective, since its characters had personal lives and their emotional life was somewhat accessible, but most of the narrative consisted of characters doing objective and analytical work.

Most legal dramas now disclose information about the inner lives of the characters. In *Boston Legal*, a good part of the attractiveness of the show was the buddy relationship between Alan Shore and Denny Crane, two opposite personalities, who were the best of friends.<sup>12</sup> Alan and Denny ended each episode schmoozing over drinks, and sometimes disclosing their emotions and feelings, but there was relatively little character arc and not much information about their personal lives aside from affairs they were having with other lawyers. In *Harry's Law*, most of the screen time was concerned with lawyers doing their jobs. However, the characters had personal lives, romantic relationships, and emotions and feelings, and there was some character arc.<sup>13</sup>

In *The Good Wife*, character arcs are the heart of the show. The ups and downs of Alicia's marriage to the unfaithful Peter Florrick and her affair with her boss Will Gardner are developed throughout the four seasons of the show (as of the time this article is written, the series will continue for at least a fifth year). Other main characters, such as Eli Gold, Kalinda Sharma, Diane Lockhart, and Alicia's teen-age children, also experience political and personal character arcs that span numerous episodes. Thus the characters definitely have private lives and a good deal of information about their life outside the office is disclosed. However, the show is

not very subjective. The characters seldom reveal their feelings and emotions. They are quite reserved when it comes to disclosing personal information. Their emotions can be inferred from their actions; obviously when Alicia decides to have an affair with Will Gardner, we can guess at her feelings about her life and her marriage and her sexual attraction to Will, but Alicia is very guarded about discussing these feelings with anyone.

## 2. *Innovation in narrative and narration on Ally McBeal*

a. *Narrative.* *Ally McBeal* was quite innovative in stretching the narrative conventions of the legal drama. For one thing, it was a comedy (sometimes called a dramedy, to signal the mixture of drama and comedy), itself a rarity in the genre. Most strikingly, the show was notable for its candid treatment of issues of gender and sexuality.<sup>14</sup> Consider just a few of the many issues relating to gender, sex, love, dating, and marriage, all occurring during the first season:

- Do men and women have different attitudes toward casual sex? How about men who are treated as boy toys?
- Is it appropriate for the firm to make use of Ally's sex appeal to attract clients?
- What are the consequences of married professors having affairs with their students?
- How should a law firm senior partner deal with his wife's unreasoning jealousy of a beautiful associate?
- What are the problems in working in an office with your first love (now married to your friend who is also working there) when you still have feelings for each other? Should you have honest discussions about these feelings?
- Why are dirty jokes funny? Which ones are just gross? Do men and women have different attitude about dirty jokes?

- Is sexual harassment law (particularly its hostile working environment branch) vital for the protection of working women or does it represent victimization of women? When the men in the office stare at a particularly sexy-looking woman, are other women in the office victims of sexual harassment? On the other hand, is the sexy-looking woman harassed if the other women are mean to her because she draws attention from the men?
- Does a woman who is sexually assertive deserve her bad luck with men?
- Does penis size matter to women?

The characterizations on *Ally McBeal* were completely different from other legal shows. To start with, Ally herself has a miserable personal life, plenty of neuroses, and a heavy dose of narcissism. She is always in search of true love, but it always escapes her. As a lawyer, Ally is thoroughly incompetent. She has no impulse control and loses her temper or makes wildly inappropriate remarks in court or while negotiating. She is nearly disbarred because of inappropriate behavior. At one point, Ally remarks that she helps her clients forget their problems by giving them even bigger ones.

The other characters are equally cartoonish and inappropriate. Richard Fish is the personification of every lawyer joke; he cares only about making piles of money and specializes in politically incorrect statements (known as “fishisms”). John Cage is a capable lawyer but has eccentric and obnoxious personal traits, such as nose whistling, shoe squeaking, and stomach gurgling during client meetings or in court. Elaine is a nosy secretary who adores gossip, craves attention, and describes herself as a slut. And the list of crazy and dysfunctional characters goes on from there.

Although set in a law office, the drama focuses almost entirely on the personal lives of the characters. In a typical episode of *Ally McBeal*, only a few minutes are devoted to legal

matters. These bizarre cases are treated superficially and often for laughs. The legal disputes usually blend into the personal problems of the characters on the show. For example, in one episode, Ally's client is a Jewish woman who has been civilly divorced and wishes to remarry. Her ex-husband is in a coma and has failed to give her a Jewish divorce (a "get"), which is necessary for her to remarry. Ally's negotiation with the client's rabbi is disastrous. She loses her temper and makes all sorts of inappropriate remarks about Jewish customs. This antagonizes the rabbi, who expels the client from the synagogue. It is obvious that Ally's insecurity about whether she will ever marry has rendered her professionally unable to negotiate an issue relating to marriage.

In respect to narrative, *Ally McBeal* is sharply different from all other shows in the legal genre. Indeed *Ally McBeal* could have been situated in any type of work environment. Because the show dealt far more with universal personal and emotional issues than with law or legal disputes, it was accessible and attractive to viewers who find legal shows boring.

b. *Narration.* *Ally McBeal* shattered the narration conventions of the legal genre. The show is situated at the far reaches of the subjective end of the spectrum.<sup>15</sup> Each episode discloses a large amount of personal information about Ally, including her emotions, dreams, and fantasies. The writers developed numerous techniques to convey this information to viewers.

Ally and other characters constantly engage in dialogue about their feelings. Thus Ally takes a job at a small firm, only to discover that another associate is her former lover Billy, now married to Georgia, who also becomes an associate at the firm. Ally and Billy discover that they still have strong feelings for each other, which they discuss in numerous episodes. All of the other characters, male and female, freely discuss their inner lives. Much of this conversation takes place in the firm's unisex bathroom, itself an interesting and original narrative device with

endless comedic possibilities. In addition to copious dialogue about feelings, Ally often discloses her inner life through voice-over narration, speaking directly to the audience about how she feels. The scripts also include depictions of Ally's fantasies as well as flashbacks to her past experiences, for example, having sex with Billy or with one of her law school professors.

Ally frequently discloses her inner feelings during trials or negotiations, because many of them concern the same issues that have arisen in her personal life. For example, she handles a number of cases involving marriage. In addition to the rabbi story discussed above, these stories include the refusal of a conservator to agree to the conservatee's marriage or the refusal of a warden to permit the marriage of a prisoner under a life sentence. When Ally argues for the right to get married (or has tantrums in court), she is really dealing with her own desire to find a husband before she reaches 30.

*c. Music and special effects.* Many *Ally McBeal* episodes include pop music that reinforces the emotional messages.<sup>16</sup> The theme music at the beginning and end of the episode summarizes Ally's inner life.<sup>17</sup> In addition, the action is frequently interrupted by songs whose lyrics are carefully selected to reinforce our understanding of Ally's feelings and heighten the emotionality of the narrative. Some of the music is actually heard by the characters (so-called diegetic music, such as songs performed in the bar where they gather for drinks at the end of the day) while other music is heard only by the audience (so-called non-diegetic music).

Most strikingly, the shows frequently utilize whimsical clips prepared with digital technology. These clips illustrate directly how Ally or other characters feel. For example, when Billy asks Ally to join him for coffee, the screen flashes a clip of the two of them making love in a giant coffee cup. When Georgia reveals her (false) pregnancy, we see Ally with a big hole blown through her stomach. When characters are ditched by a boyfriend or girlfriend, we see

them being picked up with the trash by a garbage truck. A picture of a horse's ass - and horse poop - summarizes Ally's opinion of opposing counsel's arguments. Most notorious is the recurring clip of a dancing baby, with a big "ooga chaka" beat, that symbolizes Ally's intense concern with the ticking of her biological clock.

d. *Verisimilitude*. One consequence of the highly subjective approach taken in *Ally McBeal* is a loss of the sense of reality or verisimilitude. With few exceptions, legal dramas are told in rigorously naturalistic style to create the illusion that the viewer is seeing what lawyers really do. This is definitely not the case on *Ally McBeal*. Although the show makes use of familiar signifiers of the legal genre like law offices and courtrooms, it is far from naturalistic. In real law firms, people don't stand around discussing their innermost feelings in the bathroom (certainly not in a unisex bathroom). The voice-over narrations and non-diegetic musical numbers interrupt the flow of the action, and real life certainly includes no dancing babies.

Yet, the commercial success of *Ally McBeal* suggests that many viewers enjoy stories that make little or no pretense at verisimilitude. Hard-core lovers of legal drama may well have disliked *Ally McBeal* because of the silliness of the legal plots, but the show more than made for the loss of such purists by attracting a wider demographic of people who probably also enjoyed soap operas, family comedies, and other staples of television fare. I for one disliked *Ally McBeal* and didn't watch it much while it ran from 1997–2002, but I have since come to appreciate the show for its technical artistry and its cutting-edge treatments of gender and sexuality. I like the fact that *Ally McBeal* tackled hot-button personal and gender issues in every episode. I also find it much funnier now than I did the first time around.

e. *Cro-Magnon*. "Cro-Magnon" is a classic and very funny episode from the first season of *Ally McBeal*<sup>18</sup> that includes all of the elements discussed above. In this episode, the legal story



involves the successful criminal defense of a young man who punched out (and severely injured) another man who called his date a slut. John Cage and Ally handle the defense which is based on the idea that men by nature are warriors and are hard-wired to protect the honor of women.

Women also expect men to use violence to protect their honor, so the client acted appropriately in throwing the punch. Needless to say, not much time is wasted on the court proceedings, and Cage clowns around a lot in court. But the courtroom scenes nicely illustrate the gender issues that are the real subject of the episode.

In this episode Ally and her roommate Renee are taking a sculpture class. Glen is a male model with an enormous penis. After numerous jokes and sight gags about Glen's dimensions, Glen asks Ally for a date. After the trial victory, the episode turns to scenes of a brutal boxing match greatly enjoyed by the male lawyers (as well as the horny secretary Elaine). The fight scenes are intercut with tender and erotic scenes of Ally and Glen making love. This episode introduces the famous dancing baby, who at first terrifies Ally. At the end of the episode, Ally embraces the fantasy by dancing with the baby. In another scene, we see Ally's fantasy in which she imagines herself undressing with her 19-year-old client. In the unisex bathroom, and then later in bed, Billy and Georgia discuss male sexual insecurity.

#### *IV. Conclusion*

From the 1960s to the mid-1990s, the conventions of narrative and narration in the legal television genre remained remarkably stable. The model was *Perry Mason*: objective narration, naturalistic storytelling, straightforward single-episode stories recounted in chronological order, and concentration on the character's work life rather than personal life. Most shows concerned criminal law and closely resembled detective stories. Beginning with shows like *L.A. Law* and

*The Practice* in the 1990s, the genre evolved into more interesting stories, more nuanced characters, and more attention to character arcs.

This paper points out that recent legal shows have engaged in some highly provocative genre-busting, both in narrative and narration. *Ally McBeal* leaped from drama to comedy and from traditionally objective narration to an extremely subjective approach. It tackled a whole variety of sexual and gender issues, largely to the exclusion of legal issues. It concentrated on personal life and emotionality rather than analytical work. It made no pretense of naturalistic storytelling. It attracted a great many new fans in the process.

Will future televised legal drama on television be more like *Ally McBeal* as well as other genre-benders like *Damages*, *Eli Stone*, *Drop Dead Diva*, and *The Good Wife*? It's too early to say whether these shows signal a new era of subjective narration and non-naturalistic storytelling. There are still plenty of relatively conventional and successful legal shows, such as *Harry's Law* or *Suits*. Only time will tell.

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<sup>1</sup> The discussion of the conventions of narration was informed by David Bordwell, *Narration in the Fiction Film* (Madison: University of Wisconsin Press, 1985), chapters 3 and 4; Jason Mittell, *Television and American Culture* (New York: Oxford University Press, 2010), chapter 6; David Bordwell and Kristin Thompson, *Film Art: An Introduction*, 9th Edition (New York: McGraw Hill, 2010), chapter 3; and Kristin Thompson, *Storytelling in Film and Television* (Cambridge: Harvard University Press, 2005), chapters 1 and 2.

<sup>2</sup> See Paul Bergman and Michael Asimow, *Reel Justice: The Courtroom Goes to the Movies*, 2nd Edition (Kansas City: Andrews & McMeel, 2006); Michael Asimow, "Bad Lawyers in the Movies," *Nova Law Review* 24 (2000): 533.

<sup>3</sup> See Norman Rosenberg, "Perry Mason," in *Prime Time Law*, ed. Robert Jarvis and Paul Joseph (Durham: Carolina Academic Press, 1998), chapter 9; Francis M. Nevins, "Perry Mason," in *Lawyers in Your Living Room*, ed. Michael Asimow (Chicago: ABA Publishing, 2009), chapter 5.

<sup>4</sup> See David Ray Papke, "The Defenders," in Jarvis and Joseph, *Prime Time Law*, chapter 1; David Ginsburg, "The Defenders: TV Lawyers and Controversy in the New Frontier," in Asimow, *Lawyers in Your Living Room!*, chapter 6. Sadly, *The Defenders* is lost to history; it has never been syndicated and there are no commercially available DVDs. It can be viewed only in television archives. One episode is available on You Tube. <http://www.youtube.com/watch?v=EHi7WJQ-D5s>. Incidentally, this classic show of the 1960s has nothing in common with the inferior show of the same name that appeared in the 2009–10 season.

<sup>5</sup> See Philip N. Meyer, "Revisiting *L.A. Law*," in Asimow, *Lawyers in Your Living Room!*, chapter 8.

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<sup>6</sup> See Shannon Mader, “*Law & Order*,” in Asimow, *Lawyers in Your Living Room!*, chapter 10; Michael Asimow and Shannon Mader, *Law and Popular Culture*, 2nd Edition (New York: Peter Lang, 2013), chapter 8; Dawn Keetley, *Law & Order*, in Jarvis and Joseph, *Prime Time Law*, chapter 4.

<sup>7</sup> See Cassandra Sharp, “*Ally McBeal* - Life and Love in the Law,” in Asimow, *Lawyers in Your Living Room!*, chapter 19.

<sup>8</sup> See Paul R. Joseph, “Saying Goodbye to *Ally McBeal*,” *University of Arkansas - Little Rock Law Review* 25 (2002): 440, 459, 475–81; Brett Kitei, “The Mass Appeal of *The Practice* and *Ally McBeal*,” *UCLA Entertainment Law Journal* 7 (1999): 169.

<sup>9</sup> See Picturing Justice, “Don’t Call Me Ally,” <http://usf.usfca.edu/pj//ally-friedman.htm> Elizabeth J. Friedman objected to the way that the stories made fun of rape, sexual harassment, and disability discrimination. Picturing Justice, “Is Ally Our Ally?” <http://usf.usfca.edu/pj//ally-no-ally.htm>

<sup>10</sup> One study asked viewers to choose various possible interpretations of Ally’s character. They could choose the dominant meaning (Ally is a strong, independent woman), the resistant approach (Ally is lost and bewildered), or a negotiated approach (the show is a comic reflection of the dilemmas faced by young professional women). Of the respondents, 46% chose the negotiated interpretation, 35% the dominant interpretation, and 19% the resistant interpretation. Jonathan Cohen, “Deconstructing Ally: Explaining Viewers’ Interpretations of Popular Television,” *Mediapsychology* 4 (2002): 253.

<sup>11</sup> See David E. Kelley, “Creating Law Franchises on Television,” *Berkeley Journal of Entertainment & Sports Law* 1 (2012): 99. This article was derived from a speech Kelley gave at a Stanford Law School popular culture symposium in 2011. Kelley, the creator of *Ally McBeal*, *The Practice*, *Picket Fences*, *Boston Legal*, and *Harry’s Law*, as well as numerous non-legal shows, remarked on the success of *Lost* and *24*. He stressed the fact that shows need to be as loud as the amp-up commercials that constantly interrupt the action.

<sup>12</sup> See Corinne Brinkerhoff, “Reality Bites: *Boston Legal*’s Creative License with the Law,” in Asimow, *Lawyers in Your Living Room !*, chapter 22. David Kelley tells of a conversation he had on a fishing trip. A lawyer from Texas denounced law shows on TV and said he never watched them. But when someone mentioned *Boston Legal*, the lawyer said, “Wait. Wait. Boston Legal? I love that show. That has nothing to do with the actual practice of law.” Kelley, “Creating Law Franchises on Television,” 99.

<sup>13</sup> See Michael Asimow, “When Harry Met Perry and Larry: Criminal Defense Lawyers on Television,” *Berkeley Journal of Entertainment & Sports Law* 1 (2012): 77.

<sup>14</sup> My thanks to Terry Diggs for opening my eyes to this aspect of *Ally McBeal*.

<sup>15</sup> *Eli Stone*, which ran from 2008–09, was a legal show that arguably pushed the barriers even further than *Ally McBeal*. Eli was a lawyer who experienced all sorts of prophetic visions (which we see on the screen), possibly because he had a brain aneurysm or because some supernatural forces were at work. The show was renewed for a second season but canceled midway through that season.

<sup>16</sup> See Picturing Justice, “The Music of Inner Justice in *Ally McBeal*,” <http://usf.usfca.edu/pj//ally-music.htm>; Sharp, “*Ally McBeal*- Life and Love in the Law,” 229–31.

<sup>17</sup> The poignant song *Searchin’ My Soul* by Vonda Shepard (who performs much of the music on the show) says it all: “I’ve been down this road/ Walking the line, painted by pride/And I have made mistakes in my life/That I just can’t hide . . . .”

<sup>18</sup> *Ally McBeal*, Episode 12, Season 1.