# The Law and Popular Culture

## Introduction

Popular culture is a continually evolving field that influences the legal system in various ways. The legal system is responsible for the practice of law through the different procedures and processes in the judicial system as well as police procedurals. The rise of popular culture has influenced the way the judicial system addresses cases involving the popular culture movement. Popular culture attracts public opinion and plays an essential role in shaping the legal practice of individuals, courtroom proceedings, and other departments involved in the justice system. The inclusion in movies and films of law provides the audience with legal heroes who represent extraordinary clients and the steps towards achieving justice. The popular culture is characterized by evolution in social issues such as racism and gender inequality among others which play a crucial role in shaping public opinion (Asimow & Mader, 2007, p. 3). For instance, the film, *To Kill a Mocking Bird*, is an illustration of varying social issues such as racism and the legal injustice in society. Also, the multicultural setting and different socio-economic factors in popular culture are vital in shaping the course of legal standpoints and communication. This is illustrated in the film, *Legally Blonde*, which utilizes the life of an intern and her struggle to attain status in the legal profession. The relationship between law and popular culture is shaped by the ethical principles and responsibilities formulated to define the relationship between the client and the legal professional. The paper focuses on explaining the moral responsibilities expected ineffective legal advocacy and communication as illustrated in the movies, *The Firm, To Kill a Mocking Bird, Legally Blonde* and the *Paper Chase*. These films demonstrate aspects of popular culture in the diverse social issues and the impact of their outcome in shaping public opinion.

## Popular Culture and Utilization in Film

Film and television have been used to illustrate the nature of culture and its influence on legal systems. Popular culture has significant impacts on the contemporary practice of law and application of procedures in the legal system. The utilization of film in explaining legal issues contributes in the shaping of public perception and opinion as well as expectations regarding law and justice (Asimow & Mader, 2007, p. 6). For example, the film, *to kill the Mockingbird*, illustrates the existence of racial inequality and other injustices in the American way of life. The movie through its character Atticus portrays racial heroism through the actions and ethical observation in legal representation of the accused character Tom (*To Kill a Mockingbird (1962) Full Movie*, n.d.). Popular culture and its application to law lead to the creation of heroes and villains in the practice of law. For instance, Atticus is presented as a hero in the movie, *To Kill a Mockingbird* while professor Callahan is the villain in *Legally Blonde*. Despite the fact that the influence popular culture has a role in shaping legal perceptions, its use in the film is mostly a distortion of reality. Moreover, what is done in the films is dissimilar to the actual legal processes.

## Ethical Responsibilities

The legal interaction between a client and a lawyer is guided by a set of moral standards and rules which must be observed to maintain effectiveness in communication and advocacy in the judicial system. The ethical principles are meant to protect the interest of the client and the lawyer in legal practice. For instance, the ethical practice of integrity by the lawyer is important since it defines the expectations in discharging law and the responsibilities to the client, public, tribunals or other interested parties. The lawyer’s ability to honorably practice integrity exudes public trust and confidence. Failure to uphold honesty leads to the destruction of lawyer-client relationships as well as damaging professional reputation (Asimow & Mader, 2007, p. 198). For instance, the film The Firm, the lead character Mitch, is introduced to BL&L's professional culture which contravenes the ethical standards of charging clients. This leads to the eventual outcome in which Mitch exposes the lack of integrity in the firm to its client and thus its downfall. Mitch exercises his ethical responsibilities to avoid disbarment (*Firm*, n.d.). Also, in the film, legally blonde, the character Elle holds the client information with integrity leading to disagreements with her boss, and finally career takes off after she wins the case (*Legally Blonde*, n.d.).

The ability to exercise integrity can be affected by lawyer’s questionable conduct both in private and professional capacities (Asimow & Mader, 2007, p. 198). The behavior of a lawyer can affect the ability to administer justice as illustrated in the film The Firm, whereby Mitch is compromised by his conduct. The movie exposes Mitch’s marital mistake and the firm’s ability to control him. This compromises his ability to administer justice through protecting his clients, his reputation among others. He experiences pressure from the FBI and the firm in protecting his interests (*Firm*, n.d.). Also, in the film, The Paper Chase, Hart's legal career is compromised by his conduct by involvement with his professor’s daughter (*Watch The Paper Chase Online | Watch Full HD The Paper Chase (1973) Online For Free PutLockers*, n.d.). Also, in the film, Legally Blonde, the Professor Callahan fails to adhere to integrity standards by threatening Elle to exposé the client’s alibi. On the other hand, Elle fails to compromise with Warner’s lack of empathy and ethics for career growth (*Legally Blonde*, n.d.).

Competence in the legal system is based on ethical principles which are applied in practice and procedures of law. The failure to practice proficiency presents a risk and disservice to the client (Asimow & Mader, 2007, p. 198). For example, the film, *To kill the Mockingbird*, is an illustration of lack of competence in the legal situation which leads to an unjust conviction. The film exposes the harmlessness of the mockingbird as represented by the accused Tom, and lack of competence by the lawyer coupled with social pressures of racism lead to wrongful conviction and imprisonment (*To Kill a Mockingbird (1962) Full Movie*, n.d.). On the other hand, Elle in the film Legally Blonde portrays a high level of competence by exposing the fake alibi of Brooke's step-daughter Chutney thus setting her client free. She skillfully crosses the Enrique Salvatore, a pool cleaner and the prosecution's principal witness, to deduce his sexual preferences and thus deeming his confession false (*Legally Blonde*, n.d.). Also, Professor Kingsfield, questions Hart’s commitment and competence in contractual law quoting, "Call your mother. Tell her there is serious doubt about your becoming a lawyer (*Watch The Paper Chase Online | Watch Full HD The Paper Chase (1973) Online For Free PutLockers*, n.d.)." The above illustrations present the vital nature of competence in legal practice and the contribution in presenting proof for correct and just convictions.

Another ethical principle required in legal advocacy and communication is the lawyer’s ability to hold in strict confidence information regarding the client. This is the principle guiding the use of confidential information in law practice and procedures. The violation of the confidentiality principles contravenes with the ethical standards can lead to disbarment among other consequences (Asimow & Mader, 2007, p. 198). In the film, The Firm, Mitch has access to client information such as the Moroltos crime family which is used by the FBI to threaten him into exposing. The exposure will lead to risking attorney-client privilege as well as disbarment (*Firm*, n.d.). He, however, resorts to other measures which lead to upholding the confidential client information and end of his career in the firm. Also, Elle in the movie, Legally Blonde, ends up protecting information about her client’s alibi and setting her free from murder charges (*Legally Blonde*, n.d.).

Conflicting interests is another cause of ethical dilemmas with regards to lawyer and client relationships in the legal practice. The duty to avoid conflict of interests dictates the lawyer’s position to cease to act on behalf of the client (Asimow & Mader, 2007, p. 198). For example, The Firm is a perfect illustration of conflicting interests, whereby Mitch has expected loyalty from the firm, the clients as well as public and other organizations such as the government. The company planned complete loyalty and confidentiality regarding their illicit affairs, the clients while the FBI expects full disclosure from Mitch. This situation is a conflict of interests which compromises Mitch ability to uphold his ethical responsibilities to the clients. Thus, Mitch situation and conflicting affairs are brought about by accepting the retainer benefits from the firm as well as his conduct which compromises his ability to administer justice efficiently (*Firm*, n.d.). Also, the film, Legally Blonde, the character of Elle is faced with conflicting interests when faced with the decision of pleasing her boss, Callahan, Warner her love interest and pursuing of her goals in law. She, however, not compromised by her conduct and thus upholds the ethical standards and requirements towards her client (*Legally Blonde*, n.d.).

Disparities in interests in legal practice are affected by existing social dynamics such as multicultural and socio-economic status. For instance, the movie, *To Kill a Mockingbird*, is an illustration of multicultural society whereby racism is rampant and vital in influencing right direction. The representation of Atticus was insufficient in proofing the innocence of Tom since he belonged to the minority group. The effectiveness of legal advocacy and communication is a duty of the lawyer to the client while acting within the confines of the law. The lawyer's responsibility is to serve as a defense counsel for the client by providing sufficient evidence to prove their innocence (Asimow & Mader, 2007, p. 198). For instance, in the movie, to kill a mockingbird, the lawyer Atticus fails to prove the innocence of the accused and thus it is regarded as an injustice. On the other hand, Elle in the movie, Legally Blonde can exonerate her client through providing legal counsel and sufficient proof. Besides acting as counsel for a client, the lawyer should not participate in concealing, destroying evidence which is relevant to delivering the right judgment in a criminal case since its considered obstruction of justice. For instance, in the movie, The Firm, Mitch is obligated to maintaining the attorney-client privilege requirement by teaming with the Morolto [Mafia](https://en.wikipedia.org/wiki/American_Mafia) family in submitting evidence to his employer.

Thus, the use of film in demonstrating the various ethical responsibilities has been used in the movies *The Firm, To Kill a Mocking Bird, Legally Blonde* and the *Paper Chase* to produce a public or spectator response. The setting of the film during different times is used in illustrating the social, political, and economic factors influencing the personal response. The presentation of a common theme is demonstrated to the character roles and the practice of law within the legal system in which case the ethical standards are meant to define the lawyer-client relationship. In this case, the observation of such moral responsibilities leads to justice administration or wrongful conviction. For instance, the movie, *To Kill a Mockingbird* is an illustration of wrongful conviction in which the public perception and opinion is skewed by the existence of racism. On the other hand, the ability to uphold ethical standards is demonstrated by Elle’s conduct during the Brooke trial in which she maintains the confidentiality principle and the attorney-client privilege of information in *Legally Blonde*. The generation of spectator response in the film is dependent on the popular culture pervasiveness in the society, for instance, the ability to influence the legal system through existing cultural trends. For example, the protection of crime organizations by the legal systems is a common phenomenon in the popular culture.

## References

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