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Legally Blonde: Don't Try This at Home

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Joyce Saltalamachia is the Library Director and Professor of Law at New York Law School. She has taught Torts, Legal Method, and Advanced Legal Research, and is the author of several legal research problem books, as well as numerous articles on library administration. She is the historian for the Society of American Law Teachers, and is a member of the Fellows of the American Bar Foundation. She served for fifteen years on the Screening and Standing Committee of the ABA's Silver Gavel Awards. She is an avid consumer of all forms of media, and has found New York to be the ideal venue for celebrity spotting. She lives in the canyons of Wall Street, which turns into a giant film set most every weekend, with movie, television, and advertising types all competing for the same scenic streets. (See, e.g. Godzilla, Lethal Weapon 2, any Law and Order episode, Sex and the City, and Kate and Leopold) Her favorite periodicals are TV Guide and People.

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Let me suggest a few things that we can learn about

Feature article

LEGALLY Blonde: DON'T TRY THIS AT HOME

by Prof. Joyce Saltalamachia

I decided to see *Legally Blonde* last summer because it had three big things going for it: it had gotten universally positive reviews; it was a goofy comedy which automatically made it good summer fare; and it was about law school. I didn't expect, or want, anything of substance, so was not disappointed. In fact, it was generally so ridiculous that the scenes that might have annoyed me (She studied really hard for a week and got near perfect LSATs. Yeah, sure. She won a murder trial as a first-year student. Oh, really?), but these occurrences fit right in with the overall wackiness of the story. It was just a movie after all.

I was gratified, however, to see that one of the law professors portrayed was a woman. This was definitely a step in the right direction and indicated a certain amount of gender sensitivity, plus a nod to the very real fact that a lot of law professors actually are women. In fact, Prof. Stromwell taught Elle's very first class, in what I thought was an hilarious parody of the popular notion of how a typical law school class is conducted. At this class, she strides in and writes on the board, "Law is reason free from passion." "Law is reason free from passion," she intones. "Who said this?" Anyone familiar with a modern law school class will immediately see the humor in this. First, instead of being written on the board the quote would actually be part of a PowerPoint presentation, and second, we're usually concerned with more earthly matters on the first day, like "Who's bought the book," "Who's read the assignment" and so on.

Back to the movie. As Stromwell glares at the terrified students one timidly raises his hand. "Aristotle?" he asks. "Are you sure of this?" she growls. "Yes." "Would you bet your life on it?" She ups the ante. "Yes" again, but very slowly. "Would you bet **his** life on it?" and she clunks a nearby student on the head with a pointer, clearly indicating that she would be fully prepared to take him as a human sacrifice if Aristotle is wrong. The tension is high and the first student finally breaks down. Stromwell ultimately concedes that Aristotle had made the statement, and she moves on to torture another hapless victim.

Where to start? In a real class you would be so delighted to have a volunteer tackle a question not directly related to the reading that you would likely grovel in gratitude. The fact that the answer was correct would be almost too much to bear. The message in law schools nowadays is to be more nurturing to the students, so that the old intimidation game, if it ever existed, is long gone. "Look to the left of you, look to the right of you..." is a dim memory. Course evaluation forms regularly ask students to rate the "respectfulness" of the teacher. And to actually **strike** a student, with a pointer or otherwise, would be a one-way ticket to TIAA-CREF- land.

law and popular culture from this episode. First, we as law professors don't have the slightest idea what "popular culture" actually is and we are only fooling ourselves if we do. Second, we are clueless about what our students like to do, watch, listen to, drink, think about, etc. If we try to "relate" to them, we make ourselves look and feel ridiculous.

All these changes were badly needed and have done much to improve the atmosphere and civility of legal education, so it amused me to see the old stereotypes being still presented in this film. Perhaps, I thought, I could have some fun with this in the fall when I meet with my first year Torts class. Like many schools, we see our new students first in an orientation session, at which time we introduce ourselves and our subjects before the actual course work starts in earnest. Surely most of the students would have seen the movie already and would recall this classroom scene. I fancied myself a Professor Stromwell type (of a certain age, professional appearance, commanding presence) so I thought that the joke would go over well. The students would recognize the parody and they would see that I was a with-it sort of person who goes to goofy summer movies just like they do. Someone with a sense of humor who, in spite of being older than most of their parents, is actually pretty **cool**. After all, I went to Berkeley. In the Sixties. I'm really nearly one of them, and they should recognize this right away.

Orientation day came and I could hardly wait for class and the opportunity to play the joke and get the class started off on a humorous, nurturing footing. I strode into class to be greeted by 45 apprehensive stares. "Law is reason free from passion" I wrote on the board. "Who said this?" I asked. Silence. "Who knows who said this?" I repeated. No volunteers and the 45 stares were starting to turn glassy. "Anyone want to take a guess who said this? Anyone think Aristotle said this?" By now I was desperate just to get myself out of this hole. "Didn't any of you see '*Legally Blonde*' over the summer?" Forty-five heads shake "no." "This was a movie about law school," I'm ranting by now. "Weren't any of you even curious to see how law school is portrayed in the movies?" Apparently the answer was still "no," since not a single one of them had thought it worth the time and money to see one of the more popular movies of the summer in spite of the fact that they were all about to become law students themselves. I finally assigned them to see the movie over the weekend and moved on to the topic of Torts, broken in spirit. My joke had fallen flat. Not only did they not see me as someone who was **cool**, they all clearly thought I was a lunatic.

Let me suggest a few things that we can learn about law and popular culture from this episode. First, we as law professors don't have the slightest idea what "popular culture" actually is and we are only fooling ourselves if we do. Second, we are clueless about what our students like to do, watch, listen to, drink, think about, etc. If we try to "relate" to them, we make ourselves look and feel ridiculous. They may occasionally condescend to try to relate to us ("Please tell us again about seeing the Beatles in Shea Stadium, Professor.") but we have to recognize this as blatant pandering. They want us to be teachers. They want the roles clearly defined and delimited. Law school is one thing, "their" movies, television, music are other things entirely different.

I am sure anyone reading this is practically frothing at the mouth by now. After all, it is posted on a web site designed by law professors devoted to law and popular culture. And I am sure that every one can supply me with many fine examples of how you use popular culture in your classes. Certainly, popular culture can be a useful tool for the academic study of law. But as law professors we are probably in the worst position of any profession to recognize what is "popular" and what is "culture." It isn't possible to find legal relevance in every episode of *Ally McBeal* and our students are watching MTV and

BattleBots anyway. If you use the word **cool** you probably aren't. In the end, it's only a movie.

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